ABSTRACT

Industrial relations are changing day by day in the Era of Globalization. The situation is not as it was in the past. Now rights and duties of employers and employees are governed by the existing statutes in the country. Moreover the trade unions are very active in getting theirs rights. Right to Information Act 2005 has also brought a revolutionary change. Through which hidden activity has to come on record. Employers has also much staff of its governance including its Legal Deptt. Therefore employer and employees are well conversant with their rights and duties, moreover both are very active for their selfish ends which has resulted into struggle, clashes, strikes, lockouts, retrenchment, unfair labour practices. Due to globalization, foreign products and foreign labour have more deteriorated the industrial relations.

Disturbed industrial relations is the greatest problem in India resulting thereby strike, lockout, dharna, set ablaze in the industry etc. Manesar Plant of Maruti Suzuki is the glaring example of non-cordial relations between the management and labour where violence and fire took place at the instance of labour on July 18, 2012 causing 100 officers of the company injured and H.R. General Manager Sh. Avanish Kumar Dev was burnt alive. Still the matter is under trial. Various laws governing the industry were violated. Why such incidence take place? The answer is when either management or labour exceeds the statutory limits and clashes take place.

In the era of globalization the focus of management is to get maximum profit by importing fully automatic machines, offering employment to foreign experts and exporting the goods to foreign countries. Moreover even the raw material is imported from the foreign countries just to save money forgetting nationalism. The bad consequences of the above tendency of management will be the increasing unemployment of native labour due to automatic machines, decrease of wages of Indian employees due to offering of employment to foreign experts and when raw material is imported the native raw producing companies suffer loss resulting thereby labour of that companies becomes unemployed hence unrest in the country. Small scale industries have almost closed in the country due to globalization. The instances are Chinese goods are on sale in India at high peak due to its low price. Now industries are fighting for their existence due to cut throat competition.

As regards other counterpart i.e. labour’s role, it is also defective. Now a days, where the service of Right to information Act is available, informations
through Media are transited and availability of various labour laws are enjoyed, the labour has also become insincere towards their lawful duties rather they keep men-rea of getting more wages, spread absenteeism, do lossful and illegal activities under the shelter of Trade Unions, their mentality is to get maximum and give minimum to the employer without bothering the financial position of employer. In other words, the labour is also exceeding the statutory limits resulting such disharmony in Industrial relations.

The problem of non-cordial Industrial Relation poses many questions such as whether still there is untouched area of their limits where law is silent? Whether the existing provisions of various laws are deficient or defective? Whether existing statutes are impracticable? What are new problems resulted by globalization? Whether judicial decisions have left some issues undecided? Whether political parties are disturbing the industrial relations? Whether amount of wages and other facilities provided to labour are sufficient to cope with price-hike situation? What are the prime causes of distrust between employer and employees? Whether vesting of proprietary interests to the labour will solve the problem? What steps should be taken by the Govt. to solve the problem of sour relations? Whether Trade Unions are discharging their statutory role or playing as puppet in the hands of political parties? Whether Trade Unions are busy in their inter clashes, also upto what extent they are safeguarding the interests of labour? Who is causing the disharmony in Industrial Relations out of the (Tripartite) i.e. the labour, Capital and the Government?

The time has come to control the causative factors resulting disharmony in industrial relations and at the lawyers, legislator, philosophers and judicial officers are worried to solve the problem. The present study will reveal the root causes of the problem and will also suggest the clear and concrete steps to solve the problem of non-cordial Industrial Relations between Management and Labour.

Recently the employees have adopted the path of strikes. This has to force the employer to take interest in the internal politics of employee’s association, so that the unity and strength of employees could be making weak and also tried to seize every opportunity in the self-interest. The inclination of employee’s leaders towards the political ideology was one of the factors which have also forced employees to take interest in the internal affairs of the associations. For this some employers have encouraged multi-unionism among the employees. Again the political
system of India influenced the employer-employee relations. Two major and strong political party systems could not develop in India till now. Multi-party system in which one party comes with thumb majority in legislature and other parties come in too minority, has forced employees to make alignments with the political party in power. This attitude of employees forced some employers to adopt a strategy of rewards and punishments. Thus, the actual relationship existing between the employers and employees in India in based on the economic and political factors also.

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