

GOVERNMENT OF INDIA

Delhi



Gazette

DELHI ADMINISTRATION
PUBLISHED BY AUTHORITY

No. 7]

DELHI, THURSDAY, FEBRUARY 19, 1959/MAGHA 30, 1880

PART VI

Tribunal Awards pertaining to Labour disputes

DELHI ADMINISTRATION

NOTIFICATIONS

Delhi, the 4th February, 1959

No. F. 10(18)/58-I&L.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (XIV of 1947) as amended, read with the Government of India, Ministry of Labour Notification No. LR-1(9), dated the 28th June, 1947 the Chief Commissioner, Delhi is pleased to publish the award contained in Annexure 'A' of the Industrial Tribunal, Delhi in the dispute between the management of certain Employers at Delhi and their respective workmen referred to it for adjudication vide his order of even number dated the 30th January, 1958 reproduced in Annexure 'B'.

ANNEXURE A

BEFORE SHRI P. D. VYAS, 2ND INDUSTRIAL TRIBUNAL,
DELHI.

(Sitting at Delhi)

REFERENCE I. D. No. 38 OF 1958

An adjudication between

The Management of certain Employers at Delhi

AND

Their respective workmen.

In the matter of an industrial dispute relating to reinstatement of the said workmen.

APPEARANCES:

Shri Sohanlal for employers at Serial No. 5.
Shri B. R. Ghanje for employers at Serial Nos. 6 & 7.
Shri B. D. Kakar for employers at Serial No. 9.
Shri Balakishan for employers at Serial No. 10.
Shri Krishan Dev for employers at Serial No. 11.
Shri Ramamurthi for employers at Serial No. 12.
Shri G. P. Singhi for employers at Serial No. 13.
Shri Makhanlal for employers at Serial No. 14.
Shri Ramnivas for employers at Serial No. 16.
Shri Radhe Shyam Sita Ram for employers at Serial No. 17.
Shri Gokulchand for employers at Serial No. 19.
Shri Dayalram for employers at Serial No. 21.
Shri Prahalad for employers at Serial No. 23.
Shri Puranjan Munim for employers at Serial No. 24.
Shri Nand Kishore Jagdish Narayan for employers at Serial No. 25.
Shri H. L. Puri with Shri Dwarka Nath for the workmen.

AWARD

On being satisfied from a report submitted by the Conciliation Officer, Delhi under section 12(4) of the Industrial Disputes Act, 1947 as amended that an industrial dispute exists between the management of employers mentioned in column 2 of the schedule 'A' given below and their respective workmen mentioned in column 3 thereof and that the said dispute has been taken up by the Kapra Sharamjeevee Sangh, Delhi, the Chief Commissioner, Delhi in exercise of the powers conferred by section 2 10(1) (d) and 12(5) of the said Act read with the Government of India, Ministry of Labour Notification No. LR-1(9), dated the 28th June, 1947 was pleased to refer the said dispute to the Industrial Tribunal, consisting of Shri E. Krishnamurthi for adjudication under the Government Order No. F. 10(18)/58-I&L, dated the 3rd January, 1958. The reference has since been withdrawn from the said Tribunal and transferred to me in exercise of the powers conferred by S. 33B of the Industrial Disputes Act, 1947 by the Government Order No. F. 10(151)/58-I&L (ii) dated 12th June, 1958, with a direction to continue the transferred proceedings from the stage at which the same stood at the time of the transfer.

2. The sub-joined schedules 'A' and 'B' of the Government Order of reference contain respectively the names of the employers and their respective workmen and of the matter in dispute.

SCHEDULE 'A'

Sl. No.	Name of the Employer	Name of the Workmen
1	2	3
1.	M/s. Suraj Bhan Om Prakash, Cloth Merchants, Katra Asharfi, Chandni Chowk, Delhi	Shri Ram Kishan.
2.	M/s. Jugal Kishore Murli Dhar, Cloth Merchants, Cloth Market, Ganesh Bazar, Chandni Chowk, Delhi	Shri Ramesh Chander.
3.	M/s. Sheel Chand Om Parkash Katra Chauhan, Chandni Chowk, Delhi	Shri Puran.
4.	M/s. Rattan Lal Jaggi Mal, Katra Chobu, Chandni Chowk, Delhi	Shri Bhore Lal.
5.	M/s. Shanti Sarup Suresh Kumar, Cloth Merchants, Katra Subhash, Chandni Chowk, Delhi	Shri Mohan Lal.
6.	M/s. Ram Kumar and Co., Cloth Merchant, Katra Pearey Lal, Chandni Chowk, Delhi	Shri Mata Din.
7.	M/s. Birla Cotton Mills, Cloth Shop, Katra Pearey Lal, Chandni Chowk, Delhi	Shri Ram Pratap.

1	2	3
8.	M/s. Jag Nath Radhe Shyam, Katra Pearey Lal, Chandni Chowk, Delhi	Shri Duli Chand.
9.	M/s. Prem Nath & Co., Katra Pearey Lal, Chandni Chowk, Delhi	Shri Netar Pal.
10.	M/s. Murari Lal Gian Chand, Katra Pearey Lal, Chandni Chowk, Delhi	Shri Netar Pal.
11.	M/s. Jyoti Prasad Bhisham Dev, Katra Chboban, Chandni Chowk, Delhi.	Shri Banwari Lal.
12.	M/s. Kalu Mal Radhe Shyam Katra Rathi, Nai Sarak, Delhi	Shri Jagdish Prasad.
13.	M/s. Hari Prasad Kishan Parkash Katra Asharfi, Chandni Chowk, Delhi.	Shri Bhagwan Dass.
14.	M/s. Radhe Lal Kanheya Lal, Katra Pearey Lal, Chandni Chowk, Delhi	Shri Manphool & Shri Ram Dayal.
15.	M/s. Gopi Chand Om Parkash, Katra Pearey Lal, Chandni Chowk, Delhi	Shri Prem Raj.
16.	M/s. Beni Prasad Sidh Gopal, Katra Nawab, Chandni Chowk, Delhi	Shri Rameshwar Prasad.
17.	M/s. Radhe Shyam Sita Ram, Cloth Merchants, Katra Pearey Lal, Chandni Chowk, Delhi	Shri Sultan Singh and Shri Dhani Ram.
18.	M/s. Amir Chand Ainshi Lal, Katra Pearey Lal, Chandni Chowk, Delhi	Shri Hari Ram.
19.	M/s. Gilla Mal Gokal Chand, Katra Hira Lal, Chandni Chowk, Delhi	Shri Pearey Lal & Shri Kanwar.
20.	M/s. Suraj Bhan Om Parkash, Katra Asharfi, Chandni Chowk, Delhi	Shri Har Dayal and Shri Ram Kishan.
21.	M/s. Shri Ram Shiv Dayal, Katra Nawab, Chandni Chowk, Delhi	Shri Radhey Syham.
22.	M/s. Kalu Ram Mahabir Prasad, Katra Dhulia, Chandni Chowk, Delhi	Shri Nand Kishore.
23.	M/s. Shiv Nath Prasad & Co., Mahabir Bazar, Cloth Market, Chandni Chowk, Delhi	Shri Bhoo Dev & Shri Tara Chand.
24.	M/s. Radhey Lal Kanaya Lal, Kucha Mahajani, Chandni Chowk, Delhi	Shri Munshi Ram.
25.	M/s. Nand Kishore Jagdish Narayan, Cloth Merchants, Katra Khushalrai, Kinari Bazar, Chandni Chowk, Delhi	Shri Sukh Ram.

SCHEDULE 'B'

Terms of Reference

Whether the workmen referred to in Column 3 of Schedule 'A' should be re-instated with full back wages and what directions are necessary in this respect?

3. As per the schedule 'A' of the Government of order of reference referred to hereinafter as Schedule 'A' there are 25 employers carrying on business as Cloth Merchants at Delhi and the dispute as per the terms of reference in schedule 'B' is concerning the reinstatement of their respective workmen mentioned in column 3 of the said schedule 'A'. On behalf of the workmen concerned, the Kapra Sharamjeeve Sangh has filled the statement of claims stating *inter alia* the brief history of the dispute. The Kapra Sharamjeeve Sangh is a Trade Union of workmen employed in the cloth distribution trade at Delhi. The employers, most of whom are big wholesale dealers in cloth, have also formed a registered trade union known as Delhi Hindustani Mercantile Association. The certain demands of the workmen relating to pay scales, bonus, Provident Fund, etc. were pending before the said Mercantile Association and its Members since a long time and ultimately the Sangh declared a strike with effect from 24th October, 1957. The strike continued till 5th November, 1957 at which time under an interim settlement between the Sangh and the Mercantile Association the Sangh was to announce the withdrawal of the strike and the President of Mercantile Association was to announce the concessions agreed to. It was agreed

between the Sangh and the Mercantile Association that none of the workmen shall on any account be victimized for having taken part in the strike and that all of them shall be paid for the strike period. It was also agreed that the Mercantile Association and the Sangh shall jointly strive to secure the release of the workmen who had been arrested in connection with the strike and these workmen also shall in no way be victimized. This understanding was communicated to all the employers by a circular, as also published in the Bulletin of the Mercantile Association Volume 9, No. 11 dated 16th November, 1957. In so far as the Mercantile Association and the large majority of the Cloth dealers were concerned, this understanding regarding the payment of strike wages, no victimization etc. was implemented but a few of the cloth dealers failed to implement the same. The Conciliation Officer, Delhi had therefore to be requested to intervene and ultimately several casts were settled either during the conciliation proceedings or since thereafter. The remaining cases which could not be settled from the subject-matter of the present reference for adjudication. As the strike of the workmen was legal and justified and it was withdrawn in the circumstances stated above, the employers were required to reinstate the workmen who went on strike and to pay them wages for the strike period. The employers in the present reference should therefore be directed to reinstate their respective workmen together with full back wages.

4. The Schedule 'A' gives the names of the 25th employers, all of whom are cloth merchants. The names of the two merchants, respectively at Serial Nos. 5 and 15 have been corrected by subsequent corrigendum No. F. 10(18)/58/I&L, dated 21st June, 1958 issued by the Delhi Administration, Delhi. The names of these employers as corrected stand as "Messrs Shanti Sarup Suresh Kumar" and Messrs. Gopi Chand Om Parkash". A large number of cloth merchants at Delhi have formed an Association known as the Delhi Hindustani Mercantile Association and as certain demands of their respective workers regarding pay-scales, Bonus, Provident Fund etc. remained unsatisfied for a long time, there was a strike on the part of the workers with effect from 24th October, 1957 which continued till 5th November, 1957. It appears that after the strike was over the workers concerned were not allowed to resume their duties and they were either refused work or their services were summarily terminated. Many such cases have been settled before the present reference and even during the pendency of the present reference there has been a settlement in the case of certain employers, viz. those at Serial Nos. 1, 2, 3, 4, 8, 16, 18, 19, 20, 21 and 22 of the Schedule 'A'. As regards the employers at Serial No. 23 of the Schedule 'A', out of the two concerned workers, there has been a settlement with one i.e. Sri Tara Chand and the dispute remains only with regard to Sri Bhoo Dev. Thus the dispute now survives with regard to the employers at Serial Nos. 5, 6, 7, 9 to 15, 17, 19, 21 and 23 to 25 of the Schedule 'A' and their respective workmen. In the case of the employers at Serial No. 23 of the Schedule 'A', it survives only with regard to one of the workmen named Sri Bhoo Dev. As regards the employers at Serial No. 16 there was settlement at the time of the hearing.

5. Employers at Serial No. 5 of Schedule 'A'.—This is the matter relating to M/s. Shanti Sarup Suresh Kumar and their workman Shri Mohan Lal. The employers have not filed any written statement. The case on behalf of the workman is that after the strike was withdrawn on 5th November, 1957, he was not allowed to resume duties when he reported for work on 6th November, 1957. Admittedly he was not given any charge-sheet and it is not even the case of the employers that they have terminated his services for having gone on strike or for any other reasons. What their representative alleges is that the concerned workman had not reported for duty on 6th November, 1957 and they are willing to engage him if he turns up for the work. I, therefore, direct that the workman concerned shall be taken up on his original post when he reports for duty. In the absence of any proof that the workman had reported for duty work on 6th November, 1957 and was refused work, I make no direction regarding back wages.

6. Employers at Serial No. 6 of Schedule 'A'.—This is the matter relating to Messrs. Ram Kumar & Co. and their workman Shri Mati Din. The employers have filed two written statements dated 25th February, 1958 and 30th April, 1958 raising *inter alia* several contentions. The case advanced by them against the workman is that during the strike period he incited other employees to join the strike and even forcibly stopped them from work. When this fact was brought to their notice, a telegraphic charge-sheet was sent to him on 31st October, 1957 while the strike was going on and he was asked to explain his conduct by 2nd November, 1957. He made no answer to the charge-sheet but he did join his duties on 6th November, 1957 after the strike was withdrawn. He was then verbally asked to give a reply to the charge-sheet but instead of doing so, after having worked till 9th November, 1957 he absented himself from 10th November, 1957. He had overdrawn his wages by taking an advance on account of which an amount of Rs. 64/49 remained due from him. He left without settling his accounts or without giving one month's notice. He was therefore intimated on 20th November, 1957 that his services have been terminated on account of his continuous absence. On 30th November, 1957 the workman sent an application for 15 days' leave which in the circumstances could not be accepted.

7. The case on behalf of the workman in the rejoinder filed by the Union is that after the worker resumed his duties on 6th November, 1957, the management asked him to sign an apology for having joined in the strike and he was again pressed to do so on 11th November, 1957. When he refused to give any such apology the management did not give him work since then, though on the instructions of the Union he continued to report everyday for sometime. When in this manner he was not given work till 16th November, 1957 the Union wrote to the management on 18th November, 1957 and also referred the matter to Conciliation Officer, Delhi. In the meantime the management sent a letter dated 20th November, 1957 terminating his services with effect from 11th November, 1957 just by way of an after-thought because the Union took up the dispute. As the Union thought that his services were not properly terminated, the worker was advised not to go out of station without taking leave and under these circumstances he applied for leave on 30th November, 1957. He was a permanent employee with a long service record and he is therefore entitled to be reinstated with continuity of service and full back wages.

8. Looking to the circumstances under which ultimately the services of the concerned workman stand terminated, we are not required to enter into the other contentions raised by the employers in regard to the strike nor were the same pressed before me. Whatever may be the circumstances under which the strike took place, admittedly the workman was allowed to resume his duties on 6th November, 1957 after the strike was withdrawn and ultimately his services were terminated on account of his continuous absence. When the worker applied for leave on 30th November, 1957 his application for leave was not accepted. Such consecutive absence without leave would amount to misconduct and it was incumbent on the employers to follow the principles of natural justice by issuing a charge-sheet or otherwise so as to afford an opportunity to the concerned workman to render his explanation and make his defence. The employers in the present case have not further pursued on the basis of the original charge-sheet given on 31st October, 1957 in connection with the strike and the workman was allowed to resume duties on 6th November, 1957. This means that the original charge was dropped and if subsequently the workman remained absent without leave and this is in fact the ground on which his services have been terminated, then a formal charge-sheet and an inquiry were necessary before making an order terminating his services on the ground of the alleged continuous absence. The action of the employers therefore cannot be upheld and they are directed to reinstate the workman concerned with full back wages.

9. *Employers at Serial No. 7 of the Schedule 'A'*.—This is the matter relating to M/s. Birla Cotton Mills Cloth Shop and their workman Shri Ram Pratap. The employers have filed two written statements dated 25th February, 1958 and 30th April, 1958 raising *inter alia* several contentions. The employers' case is that in so far as this workman is concerned, there is nothing like victimization on account of strike. On 3rd October, 1957 he was engaged purely on a temporary basis for about three months and it was further a condition of service that if necessary his services may be terminated even before the period of three months as it was not certain whether the temporary increase in work would last for three months. After working for about 22 days, the worker went on strike and has returned since then. No one has been engaged in his place and the cloth shop does not require his services. Even if the strike would not have taken place, he was otherwise liable to be discharged within three months and the strike therefore makes no difference.

10. The case on behalf of the worker in the rejoinder filed by the Union is that it was because of the strike that he was not allowed to resume duties on 6th November, 1957. It is true that after the strike was over, the worker was not allowed to resume duties on 6th November, 1957 and that he was not served with any charge-sheet or given an opportunity to make his defence. His services, however, have not been terminated on the ground of the strike or any other misconduct. The employers' case is that he was engaged only as a temporary workman just a few days before the strike and after the strike was over he could not be taken back as there was no work for him. Ex. E-11 is the letter of his appointment which indicates that he was engaged temporarily on 3rd October, 1957 and his services were liable to be terminated after three months or even earlier without any notice. It appears from a chit in his own hand dated 1st October, 1957 attached to Ex. E. 11 that it was he who requested for employment on hearing that there was some work and that is why in Ex. E. 11 it has been stated that he was temporarily engaged on 3rd October, 1957 at his request. There is nothing to show that even though there was work for him, he was not taken back or that any one else has been appointed in his place. Under the terms of Ex. E-11 his services were liable to be terminated at any time without notice and this is not a case having anything to do with the general strike during the period from 24th October, 1957 to 5th November 1957. The claims on behalf of the workman is therefore rejected.

11. *Employers at Serial No. 9 of Schedule 'A'*.—This is the matter relating to M/s. Prem Nath & Co. and their workman Shri Netar Pal. The employers in their brief written statement dated 14th March, 1958 alleged that as the workman

did not attend the work and remained absent without any cause, they had to employ another person in his place. The Union in its rejoinder contends that the alleged absence was on account of the strike which the management is trying as it were to treat as an ordinary absence from work. At the time of the hearing the employers' representative stated that as the workman had gone on strike, they had to engage another person in his place and when he reported for work he was told that there was no work for him. Obviously thus though the man reported for resuming duties on 6th November, 1957 after the strike was withdrawn, he was not engaged and Ex. U. 32 is his complaint in this connection as recorded by the Union. In the written statement beyond vague denials the management has not a word to say as regards the strike. The strike is an economic weapon in the hands of the workman and so far as these employers are concerned it has not even been their specific case that the strike was illegal or unjustified. They cannot treat the period of strike as an ordinary absence from duty and in any case the services of the concerned workman could not be dispensed with in such a summary and arbitrary manner. If in the view of the employers, the workers going on strike or remaining absent on that account amounted to misconduct, then he should have been given an opportunity to make his defence by being served with a regular charge-sheet or otherwise. The action of the management obviously offends against the principles of natural justice and it cannot be upheld. They are therefore directed to reinstate the worker on his original post with full back wages.

12. *Employers at Serial No. 10 of Schedule 'A'*.—This is the matter relating to M/s. Murari Lal Gian Chand and their workman Shri Netar Pal. In their written statement dated 14th March, 1958 the employers have raised *inter alia* several contentions but according to them the case of this workman is different and has nothing to do with the strike. They allege that the workman was employed on 1st August 1957 and he did not report for duty on 6th November, 1957. His services were therefore terminated for his absence without leave as well as his disobedience. In the circumstances they allege that the dismissal of the workman was legal and the claim for reinstatement is not sustainable. The Union in its claimer contends that the workman did report for duty after the strike was over but he was not taken up on work.

13. At the time of the hearing it was conceded by the employers' representative that the workman did come for work on 6th November, 1957 and he was then told to come in the evening at which time he was to be taken up on work but he did not turn up and remained absent till about 28th or 29th November, 1957 and in the meantime they had to engage another man. This is entirely a new story which does not find place in the employers' written statement and the alleged absence on the part of the worker till about 28th or 29th November after having reported for work on 6th November, 1957 appears to be an after-thought. The employers' representative in mentioning 28th or 29th November, did not appear to be quite sure about the exact date which he said he did not remember. It is not the management's case that the services of the concerned workman were terminated on the ground of strike. The management's action as above on its own showing does not seem to be *bonafide* or sustainable and the services of the concerned workman could not be dispensed with in such an arbitrary manner. Ex. 23 is the complaint of the concerned workman as recorded by the Union and in my opinion looking to the facts of the case the management ought to reinstate the concerned workman with full back wages. I direct accordingly.

14. *Employers at Serial No. 11 of Schedule 'A'*.—This is the matter relating to M/s. Jyoti Prasad Bhisham Dev and their workman Shri Banwari Lal. In the written statement dated 14th March, 1958 filed by the employers, it has been contended that the Industrial Disputes Act, 1957 is not applicable to the present dispute and this Tribunal has therefore no jurisdiction to entertain the same. The so-called strike was illegal and the Mercantile Association had no authority to intervene in the matter. The concerned workman was engaged by the firm on 20th September, 1957 as a temporary hand on a salary of Rs. 80 p.m. He was engaged on probation and his services could be terminated at any time without giving him any notice as he was purely on trial. He worked only for one month and four days and did not attend thereafter and not only he himself misconducted and misbehaved but he instigated other employees to go strike. The question of his reinstatement therefore does not arise taking into consideration his misconduct and misbehaviour. The Union in its rejoinder denies that this workman Shri Banwari Lal was engaged as a temporary hand or on probation or that he was on trial. The Union contends that the preliminary objections raised by the management are untenable and the services of the concerned workman have been terminated because he took part in the strike.

15. The Union representative argued that the concerned workman did report for duty on 6th November, 1957 but his services were summarily dispensed with without any charge-sheet or order. It appears that the workman complained to the Union on 9th November, 1957, *vide* Ex. U-24 and the Union thereupon addressed the letter as per Ex. U-16 and dated 18th November, 1957 to the employers. The employers in their reply Ex. E-10 dated 26th November, 1957 ignored the strike and made grievance of the so-called absence of the

worker from 24th October, 1957. It cannot be grain said that there was a general strike on behalf of the employees of the various cloth merchants from 24th October, 1957 to 5th November, 1957. The employers' representative at the time of the hearing wanted us to believe that they did not know of the strike and that no previous notice of the strike was given to them. It is unlikely that the fact of such a general strike on the part of the workers would remain unknown to these employers. On the contrary in their own written statement as shown above they allege that after having worked for one month and four days the worker did not attend thereafter and not only that he misconducted and misbehaved but he instigated other workers, to go on strike. This indicates that the employers did know of the strike and if they thought that the strike for any reason was illegal or unjustified or the worker's absence during the strike period amounted to any misconduct so as to entitle them to take action, they should have followed the proper procedure in consonance with the principles of natural justice. Looking to the papers on record there can be no doubt that when the workman reported for duty on 6th November, 1957 he was refused employment and thus summarily dismissed without any charge-sheet or inquiry. In the employers' written statement they have made a feeble attempt to suggest as if he was a temporary worker though in the same breath he has been described as a probationer on trial. A temporary workman and a probationer stand on different footing and even otherwise it is not the case of the employers that the services of this workman have been terminated because there was no work for him or that his work was found unsatisfactory. The employers' contention that they are governed by the Delhi Shops and Establishment Act, 1954 and that the Industrial Disputes Act, 1947 does not apply to them has been dealt with *infra*. In the circumstances of the case the action of the employers cannot be upheld and they are directed to re-instate the concerned workman with full back wages.

16. *Employers at Serial No. 12 of Schedule 'A'*.—This is the case between M/s. Kallu Mal Radhe Shyam and their workman Shri Jagdish Prasad. The employers in their written statement dated 14th March, 1958 which is very brief and vague contend that the concerned workman was employed temporarily only for a few days and his work being found unsatisfactory he was discharged from service. The Union in its rejoinder states that the facts alleged by the employers in their three lines' written statement are incorrect and that the services of the concerned workman have been terminated on account of his participation in the strike. At the time of the hearing the employers' representative pointed out that the workman was engaged in July, 1957 and after two months he was told that his work was not satisfactory. There is no written order in this connection nor is there any other proof. The employers' representative further alleged at the time of the hearing that the workman came two months after and requested that his accounts may be settled. There is no evidence for any such settlement and the fact remains that the concerned workman was not allowed to resume on 6th November, 1957, after the strike was withdrawn and the Union Secretary had to address the letter, Ex. U-17, dated 18th November, 1957 to the employers. This is clearly a case where the services of the workman have been summarily dispensed with without any charge-sheet or inquiry. In the circumstances the action of the employers cannot be upheld and they are directed to reinstate the concerned workman with full back wages.

17. *Employers at Serial No. 13 of Schedule 'A'*.—This is a matter relating to Messrs. Hari Prasad, Kishan Parkash and their workman Shri Bhagwan Dass. The employers by their written statement dated 14th March, 1958 deny the knowledge of the workers' strike if any, or that it was legal and justified. They allege that the worker remained absent from 24th October, 1957 to 11th November, 1957 without having applied for leave or got it sanctioned. His services were therefore validly, legally and properly terminated. The Union's case in its rejoinder is that the concerned workman was absent from 24th October, 1957 onwards on account of the strike. During the strike he was arrested and detained by the police and immediately on his release he had reported for duty but he was not taken up. The Union therefore referred the dispute to the Conciliation Officer on 18th November, 1957 and it was thereafter that the management served the worker with the notice dated 12th November, 1957.

18. It is an undeniable fact that there was a general strike on the part of the workers employed under several cloth dealers from 24th October, 1957 to 5th November, 1957. Whether this strike was illegal or unjustified is an altogether different question but it would be incorrect on the part of any of the employers to ignore the fact of the strike and to treat the strike period as an ordinary absence without leave. The employers in the case under consideration have tried to suggest as if the worker remained absent without leave from 24th October, 1957 to 11th November, 1957 and therefore his services had to be terminated under the letter dated 12th November, 1957 as per annexure 'A' to their written statement. In fact, the said letter on the face of it indicates that the concerned workman has been summarily dismissed from service without any charge-sheet or inquiry or any opportunity to make his defence. The Union representative pointed out that the workman was arrested during the strike and after his release on 9th November, 1957 he reported for duty but was asked to report again on 11th November, 1957 but when

he did so he was not allowed to resume work on that day. The Union Secretary therefore addressed the letter Ex. U-27, dated 18th November, 1957 to the employers and also took the matter before the Conciliation Officer for his intervention. According to the Union representative it was after this i.e. on 21st November, 1957 (*vide* Ex. U-25 along with the worker's affidavit Ex. U-26) that the so-called letter, dated 12th November, 1957 terminating the services of the concerned workman was received by him. Whatever it may be, it is an undisputed fact that he was a permanent workman who joined service in October 1953 and if the employers thought that he had committed any misconduct in going on strike or remaining absent on that account, they should have followed the proper procedure before terminating his services. The worker could not be refused employment as alleged in the said letter dated 12th November, 1957 as if his services were no longer required. The letter itself indicates that the worker has been dismissed from service because of his so-called absence during the strike period. The action taken by the employers obviously offends against the principles of natural justice and it cannot be upheld. Their representative at the time of the hearing told us that they were prepared to give fresh appointment to the concerned workman but this would mean that he would be deprived of the continuity of his past service. In my opinion the employers are bound to reinstate the workman on his original post with full back wages and direct accordingly.

19. Before I proceed further it is required to make one point clear in connection with this case. The reference was fixed for hearing on 16th October, 1958 and on that date at the request of the employers it was adjourned and taken up for hearing on 23rd October 1958. Long after the hearing was concluded, the employers have sent by post certain papers which he received on 8th November, 1958. It was not open to the employers to send any such papers at the back of the other side after the hearing was concluded and the same have therefore not been taken any notice of.

20. *Employers at Serial No. 14 of Schedule 'A'*.—This is the matter relating to Messrs. Radhe Lal Kanheya Lal and their two workmen Shri Manphool and Shri Ram Dayal. The employers in their written statement dated 14th March, 1958 while admitting the fact of the strike, allege that the concerned workmen went on strike without any notice to them. The strike was absolutely illegal and unjustified and it was a clear case of misconduct on their part. Their dismissal therefore was legal and the claim of reinstatement is not sustainable. The employers are governed by the Shops & Establishment Act and the workers are not entitled any relief. The Union in its rejoinder submits that both the workers were discharged from service for no other reason except their participation in the strike and they should therefore be reinstated with full back wages and continuity of service.

21. The employers' representative at the time of the hearing could not deny the fact that these were old employees for could he say whether they had reported for work on 6th November, 1957 after the strike was withdrawn. The Union representative pointed out that the concerned workmen did report for work on 6th November, 1957 but they were not allowed to resume and their services were summarily terminated without any charge-sheet or inquiry. The Union Secretary had therefore to address the two letters, Exs. U-18 and U-19 dated 18th November, 1957 to the employers on behalf of the concerned workmen. The employers' contention that they are governed by the Delhi Shops and Establishment Act, 1954 has been considered *infra*. In no case the workers with long service could summarily be dismissed for an alleged misconduct without any charge-sheet or inquiry. According to the employers it may be that the strike was illegal or unjustified or that the workers' absence for the strike period amounted to misconduct but in order to terminate the services of the concerned workmen on any such ground they should have followed the proper procedure. The action on the part of the management obviously offends against the principles of natural justice and it cannot be upheld. They are therefore directed to reinstate both the workers on their original posts with full back wages.

22. *Employers at Serial No. 15 of Schedule 'A'*.—This is the matter relating to Messrs. Gopi Chand Om Parkash and their workman Shri Prem Raj. The due notice was issued to the employers with the name corrected as above but there has been no appearance on their behalf at the time of the hearing nor have they filed any written statement. The Union representative urged that after the strike was over the concerned workman, when he reported for duty, was not allowed to resume on 6th November, 1957 and the workman was neither given any charge-sheet nor was any inquiry made. The employers in the circumstances are directed to reinstate the concerned workman with full back wages.

23. *Employers at Serial No. 16 of Schedule 'A'*.—This is a matter relating to Messrs. Beni Prasad Sidh Gopal and their workman Shri Rameshwar Prasad. The employers' representative at the time of the hearing stated that this workman had reported on 6th November, 1957 but he was told that another person was engaged and on 15th November 1957 his accounts were settled. The pay-sheet for the month of October, 1957 indicates that the worker was paid for full one month and at the time of the hearing the employers agreed

to pay 16 days' further wages. The matter accordingly was settled between the parties as per their joint statement, Ex. E-6 a copy of which is reproduced below:

"The following agreement has been arrived at in the case of Shri Rameshwar Dayal:

The company agrees to pay to Shri Rameshwar Dayal his sixteen days salary in full and final settlement of his case."

I thus make my award in terms of the said settlement under which the concerned workman shall be paid 16 days' salary in full and final settlement of his case.

24. *Employers at Serial No. 17 of Schedule 'A'*.—This is a matter relating to Messrs. Radhe Shyam Sita Ram and their workmen Shri Sultan Singh and Shri Dhani Ram. The employers have filed the written statement dated 14th March, 1958 which refers only to one of the workers, Shri Sultan Singh and it is silent about the other workman Shri Dhani Ram. The employers contend that Shri Sultan Singh was employed on a temporary basis and he served for about one month and 20 days only, i.e. from 1st September, 1957 to 20th October, 1957. Thereafter he never turned up to do any work and he left his services before the commencement of the strike on 24th October, 1957. The Union in its rejoinder alleges that the workman Shri Sultan Singh has been discharged from service because of his participation in the strike and for no other cause. The Union representative urged that after the strike was withdrawn, the workman, Shri Sultan Singh did report for work but he was not taken up and therefore the employers had to be addressed the letter Ex. U-20 dated 18th November, 1957. The management's representative alleged that this workman never turned up after he left the service on 20th October, 1957, and that they have engaged another person. They have, however, not given any reply to the Union's letter Ex. U-20 and it is very likely that the so-called absence alleged on behalf of the employers is nothing but that during the strike period. The man having reported for duty after the strike was withdrawn, there arises no question of any abandonment of service on the part of the concerned workman and obviously because of the strike on the part of the worker the employers have engaged another person in his place and refused him employment when he reported for the same after the strike. As regards the other workman Shri Dhani Ram, the employers have raised no contention in their written statement and at the time of the hearing also none of the parties referred to him or argued his case. In the absence of any material, I am unable to make any order in so far as the worker Shri Dhani Ram is concerned. As regards Shri Sultan Singh, I direct that he shall be reinstated with full back wages.

25. *Employers at Serial No. 19 of Schedule 'A'*.—This is a matter relating to Messrs. Gilly Mal Gokal Chand and their workmen Shri Peave Lal and Shri Ram Kanwar. The employers in their written statement dated 25th March, 1958 contend *inter alia* that the employees concerned have remained absent from 24th October, 1957 onwards without any leave or intimation and their services were therefore validly and legally terminated. The conduct and behaviour of the said employees were also not good and tolerable and they have rightly been discharged from service. The Union in its rejoinder contends that there was a general strike from 24th October, 1957 onwards and the services of the concerned workmen have been terminated because of their participation in the strike and for no other reason. The Union representative argued that the two workers had reported for duty on 6th November, 1957 after the strike was withdrawn but they were not allowed to resume and their services were summarily dispensed with without any charge-sheet or inquiry. The employers' representative did admit the fact that both these workers had reported for work on 6th November, 1957 but he denied any knowledge regarding the strike. The period of absence during the strike he tried to treat as an absence without leave or intimation and urged that as the conduct of the workers was intolerable they were discharged orally on 6th November, 1957. Obviously, the action taken is high-handed and offends against the principles of natural justice. The employers are therefore directed to reinstate the two workers on their original posts with full back wages.

26. *Employers at Serial No. 21 of Schedule 'A'*.—This is a matter relating to Messrs. Shri Ram Shiv Dayal and their workman Shri Radhi Shyam. The employers by their written statement dated the 25th March 1958 deny that the strike was legal and justified and contend that the concerned workman absented himself without sufficient cause from 24th October 1957 and did not turn up thereafter or even after the alleged strike was called off. His services were therefore rightly terminated and he is not entitled to any relief. The Union in its rejoinder alleges that the workman has been removed from service for no other cause except his participation in the strike and he was expressly so told when he reported for duty after the strike was called off. At the time of the hearing the Union representative argued that the worker did report for duty on 6th November, 1957 but he was not taken back and therefore the employers had to be addressed the letter Ex. U-21, dated 18th November 1957. Even though in the written statement the employers have alleged as if this worker never turned up after 24th October 1957 i.e. since after the commencement of the strike, at the time of the hearing their representative conceded that the workman had reported on 7th November, 1957 but they refused

to take him back and that if he had reported for duty on 6th November 1957 he would have been engaged. It appears from Ex. E-7 dated 9th November 1957 addressed by the management to the Delhi Hindustani Mercantile Association that the services of this workman had been dispensed with because he remained absent from 24th October 1957. If the employers desired to treat the workers' participation in the strike or his absence on that account as amounting to misconduct, they should have followed the proper procedure and the services of the workman could not be dispensed with in the manner they have done. The employers' action obviously offends against the principles of natural justice and it cannot be upheld. They are therefore directed to reinstate the workman concerned with full back wages.

27. *Employers at Serial No. 23 of Schedule 'A'*.—This is a matter relating to Messrs. Shiv Nath Prasad and Co. and their workmen Shri Bhoo Dev and Shri Tara Chand. As said above the matter has been settled regarding Shri Tara Chand and the dispute survives only with respect to Shri Bhoo Dev. The employers in their written statement dated 14th March 1958 contend that Shri Bhoo Dev was not a workman of the Firm styled as Messrs. Shiv Nath Prasad & Co. and so he is not entitled to any relief as claimed, the Union by its rejoinder denied this allegation and though the employers' representative at the time of the hearing made a futile attempt to suggest as if Shri Bhoo Dev was not their employee, ultimately he could not deny the fact that this workman was engaged about six months before the strike and as he remained absent from the date of the strike and did not report for work on 6th November, 1957, they engaged another man. The Union representative on the other hand urged that the worker did report for duty on 6th November 1957 but he was not allowed to resume and thus refused employment without any charge-sheet or inquiry. It is obvious that the employers have terminated the services of the concerned workman without proper procedure because of his participation in the strike and the action taken cannot be upheld as it offends against the principles of natural justice. They are therefore directed to reinstate the concerned workman Shri Bhoo Dev with full back wages.

28. *Employers at Serial No. 24 of Schedule 'A'*.—This is a matter relating to Messrs. Radhe Lal Kanya Lal and their workman Shri Munshi Ram. The employers by their written statement dated 14th March 1958 contend that the strike was absolutely illegal and unjustified. Moreover, the case of the workman concerned is different. He had reported for duty on 6th November 1957 but thereafter he remained absent. He had misappropriated cloth from the establishment of the value of Rs. 142-3-6 upto Miti Asar Sudi Dooj Sambat 2014 and of Rs. 87-0-3 upto 30th September 1957. He was clearly guilty of misconduct and his dismissal therefore was legal and he is not entitled to any relief as claimed. The Union in its rejoinder states that the allegation of misappropriation against the concerned workman is an after-thought and is baseless. The workman was never before charged on any such ground nor was it made a ground for terminating his services and the fact remains that he has been removed from service for no other reason except his participation in the strike. The Union representative at the time of the hearing pointed out that the concerned workman did report for duty on 6th November 1957 at which time he was taken back and allowed to work for some days. On 9th November 1957 however his marked attendance was struck off and he was turned out of service. The employers' representative alleged that the worker was allowed to resume on 6th November, 1957 when he reported for duty but after working on that day he left for his village and never turned up again. It was denied that he was turned out of service on 9th November, 1957 but on an inspection of the attendance register and pay-sheet it was found that the concerned workman was marked present on 9th November, 1957, entry was struck off. This indicates that the version advanced on behalf of the workman is correct and it looks unnatural; improbable that a man who reported for duty on 6th November 1957 should work only on that day and then leave all of a sudden and never turn up again. The action of the employers is obviously high-handed and offends against the principle of natural justice. They are therefore directed to reinstate the workman with full back wages.

29. *Employers at Serial No. 25 of Schedule 'A'*.—This is a matter relating to Messrs. Nand Kishore Jagdish Narayan and their workman Shri Sukh Ram. The employers have not filed any written statement. The Union representative argued that the workman did report for duty on 6th November 1957 after the strike was withdrawn but he was not allowed to resume and thus his services were summarily dispensed with without any charge-sheet or inquiry. The employers' representative pointed out that the workman is not in their employment since 23rd October 1957 and he did not report on 6th November 1957. According to him the workman appeared on 27th December 1957 and settled the accounts as per the writing, Ex. U-22. This writing indicates that the worker accepted the pay then made to him in full and final settlement and there survives no dispute between the parties. In view of the writing as well as the fact that the worker himself reported absent at the time of the hearing, I do not make any order regarding his reinstatement or back wages.

30. Before I conclude, I am required to deal with the points raised in common by some of the employers in their written statements or at the time of the hearing. The present dispute as said above is between certain cloth

chants at Delhi and their respective workmen. A large number of such cloth merchants have formed an Association, called Delhi Hindustani Mercantile Association and the workmen employed under them in the cloth distribution trade have formed a registered trade union named Kapra Sharamjevee Sangh. It is the Union's case and it has produced documentary evidence on record to show that as certain demands such as pay-scales, bonus, etc. advanced on behalf of the workmen remained unsatisfied for long, there was a general strike from 24th October, 1957 in which the workmen employed under the various cloth dealers participated. It appears that the strike was withdrawn on 5th November, 1957 in the result of certain understanding between the Delhi Hindustani Mercantile Association through its President and the Union. The main understanding between the parties was that none of the workers who participated in the strike would be victimized and that they would all be taken back on work on reporting for duty. The arrangement so arrived at was circulated amongst all the employers and was also published in the Association Bulletin but when the workmen concerned reported for duty after the strike was withdrawn, many of the employers refused to take them back. Though in a number of the cases there have since been settlements, the dispute has survived with respect to the cases dealt with above.

31. Most of the confending employers in the present reference decline to recognise the said Mercantile Association of the cloth dealers or the said Union formed by the workmen. The employers admit their membership of the Association but they are not prepared to accept any arrangement arrived at when the strike was withdrawn and they either ignore the strike or describe it as illegal and unjustified. Whatever it may be, there is no gain-saying the fact that there was a general strike on the part of the workers employed in the cloth distribution trade from 24th October, 1957 till 5th November, 1957 at the instance of their Union in the aforesaid circumstances. The term 'strike' as defined in S. 2(q) of the Industrial Disputes Act, 1947 means "a cessation of work by a body of persons employed in any industry acting in combination, or a concerted refusal, or a refusal under a common understanding, of any number of person who are or have been so employed to continue to work or to accept employment." It is a well known concept that the strike is an economic weapon in the hands of the employees and during the strike period the employer-employee relation does subsist. It would be incorrect on the part of the employers to treat the strike period as an ordinary absence without leave. What has happened in the present dispute is that some of the employers have ignored the strike and put forward the ground of absence without leave for terminating the services of the workmen concerned. Some of them go further and allege that though there was a strike on the part of the workers concerned it was illegal and unjustified and the services of the workers concerned have therefore rightly been dispensed with. Conceivably in given circumstances there may arise a presumption of abandonment of service from a long continued absence without leave or intimation and the employers may well treat the workers in such cases as having left or their services having come to an end. In the cases before us, however, the absence arose from a general strike of the workers within the knowledge of the employers and the workers on strike being withdrawn did report for duty. One or the other ground as alleged by the employers in the cases discussed above is such as to amount to the so-called misconduct and in their written statements the employers themselves have pleaded in terms the case of misconduct against the concerned workmen for participating in an illegal and unjustified strike or for a continuous absence without leave. They purport to have acted and try to justify their action because of the alleged misconduct on the part of the concerned workmen and in no such case it is the employers' plea that there has been a termination of employment as a condition of service or by way of a discharge simpliciter.

32. The fact remains that the concerned employees have been dismissed from service for an alleged misconduct without affording them an opportunity to make defence and the action taken is manifestly of a punitive nature and in violation of the principles of natural justice. With the emergency of modern concepts of social justice, the common law right of an employer to discharge or dismiss an employee, or what is generally known as the "right to hire and fire" has been subjected to certain restrictions and an employee is protected against vindictive or capricious action on the part of the management which may affect the security of his service. The termination of service in colourable exercise of the power or as a result of victimization or unfair labour practice or of caprice, is not permissible (vide the decision of the Labour Appellate Tribunal in the case of Buckingham & Carnatic Mills Ltd., 1951-II L.L.J. 314 at pp. 316, 317 and 318). Their Lordships of the Supreme Court in the case of Patna Electric Supply Company, Ltd. (1958-I L.L.J. 257 at 259) have observed that in the case of a discharge simpliciter and not punitive in nature, no objection could be taken to the same, provided it was bona-fide and not arbitrary or capricious. They have also laid down in the case of Indian Iron and Steel Company, Ltd. in the same volume page 260 at pp. 269-270: "Undoubtedly, the management of a concern has power to direct its own internal administration and discipline; but the power is not unlimited and when a dispute arises, industrial tribunals have been given the power to see whether the

termination of service of a workman is justified and to give appropriate relief."

33. It has been next contended on behalf of the employers that they are governed by the Delhi Shops & Establishment Act, 1954 and that the Industrial Disputes Act, 1947 does not apply to the present case. The preamble of the Industrial Disputes Act, 1947 runs thus:—

"Whereas it is expedient to make provisions for the work investigation and settlement of industrial disputes and for certain other purposes hereinafter appearing."

It extends to the whole of India and S. 2(a)(i) lays down the cases where the Central Government is the "appropriate Government" and under (a)(ii) in relation to any other industrial dispute, the State Government is the "appropriate Government." If we look to the definition of the term 'industry' in S. 2(j) of the Industrial Disputes Act, 1947, it means "any business, trade, undertaking, manufacture or calling of employers and includes any calling, service, employment, handicraft, or industrial occupation or avocation of workmen." Section 2(k) of the Act defines 'industrial dispute' and it means "any dispute or difference between employers and employees, or between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the conditions of labour of any person." In the cases before us the dispute between the employers and their workmen is connected with the employment or non-employment of such workmen and the dispute has been taken up by the Kapra Sharamjevee Sangh which is a registered trade union of the workmen employed in the cloth distribution trade at Delhi. The Delhi Administration therefore as the appropriate Government has acted quite within its powers in referring the dispute for adjudication under section 10(1)(d) and 12(5) of the Act. Even under the Delhi Shops & Establishment Act, 1954 Section 30 in providing for a notice of dismissal lays down that "No employer shall dispense with the services of an employee who has been in his continuous employment for not less than three months, without giving such person at least one month's notice in writing or wages in lieu of notice: provided that such notice shall not be necessary where services of such employee are dispensed with for misconduct, after giving him an opportunity to explain the charge or charges against him in writing." The employers now concerned however have neither given such one month's notice nor paid wages in lieu thereof nor have they dispensed with the services for alleged misconduct after giving the concerned workmen an opportunity to explain the charge or charges against them in writing. Even otherwise S. 3 of the Delhi Shops & Establishment Act lays down that "nothing in this Act shall affect any rights or privileges which an employee in any establishment is entitled to at the date this Act comes into force under any other law, contract, custom or usage applicable to such establishment or an award, settlement or agreement binding on the employer and the employee in such establishment, if such rights or privileges are more favourable to him than those to which he would be entitled under this act." The rights and privileges under any other law, namely Industrial Disputes Act, 1947, thus remain unaffected and the said Act does apply to the present dispute as shown above.

(Sd.) P. D. Vyas,

Dated 12th January, 1959

2nd Industrial Tribunal, Delhi.

ANNEXURE 'B'

DELHI ADMINISTRATION, DELHI

ORDER

Dated the 30th January, 1958

No. F. 10(18)/58-I&L.—Whereas from a report submitted by the Conciliation Officer, Delhi under section 12(4) of the Industrial Disputes Act, 1947, as amended, it appears that an Industrial Dispute exists between the management of Employers mentioned in Column 2 of the subjoined Schedule 'A' and their respective workmen mentioned in Column 3 thereof and that the said dispute has been taken up by the Kapra Sharamjevee Sangh, Katra Shahanshai, Chandni Chowk, Delhi.

And whereas on a consideration of the said report the Chief Commissioner, Delhi is satisfied that the said dispute should be referred to a tribunal.

Now, therefore, in exercise of the powers conferred by section 10(1)(d) and 12(5) of the said Act, read with the Government of India, Ministry of Labour Notification No. LR-1(9), dated the 28th June, 1947, the Chief Commissioner, Delhi is pleased hereby to refer the said dispute to the Industrial Tribunal constituted under his Notification No. F. 1(203), 56-I&L, dated the 25th June, 1957, and consisting of Shri E. Krishnamurthi for adjudication, and to specify the matters set forth in the sub-joined schedule as matters upon which adjudication is necessary and to authorise the said Tribunal, in so far as may be necessary for the purpose of adjudication, to exercise such powers as are conferred on and follow such procedure as is prescribed for an Industrial Tribunal under the Industrial Disputes Act, 1947, and the Industrial Disputes (Central) Rules, 1957.

SCHEDULE 'A'

Sl. No.	Name of the Employer	Name of the Workmen.
1.	M/s. Suraj Bhan Om Prakash, Cloth Merchants, Katra Ashrafi, Chandni Chowk, Delhi	Shri Ram Kishan.
2.	M/s. Jugal Kishore Murli Dhar, Cloth Merchants, Cloth Market, Ganesh Bazar, Chandni Chowk, Delhi	Shri Ramesh Cahnder.
3.	M/s. Sheel Chand Om Prakash, Katra Chauvan, Chandni Chowk, Delhi	Shri Puran.
4.	M/s. Rattan Lal Jaggai Mal, Katra Chobu, Chandni Chowk, Delhi.	Shri Bhoore Lal.
5.	M/s. Shanti Sarup Sureah Kumar, Cloth Merchants, Katra Subhash, Chandni Chowk, Delhi	Shri Mohan Lal.
6.	M/s. Ram Kumar and Co., Cloth Merchant, Katra Pearey Lal, Chandni Chowk, Delhi.	Shri Mata Din.
7.	M/s. Birla Cotton Mills, Cloth Shop, Katra Pearey Lal, Chandni Chowk, Delhi	Shri Ram Pratap.
8.	M/s. Jag Nath Radhe Shyam, Katra Pearey Lal, Chandni Chowk, Delhi	Shri Duli Chand.
9.	M/s. Prem Nath & Co. Katra Pearey Lal, Chandni Chowk, Delhi	Shri Netar Pal.
10.	M/s. Murari Lal Gian Chand, Katra Pearey Lal, Chandni Chowk, Delhi.	Shri Netar Pal.
11.	M/s. Jyoti Prasad Bhisham Dev, Katra Choban, Chandni Chowk, Delhi.	Shri Banwari Lal.
12.	M/s. Kalu Mal Radhe Shyam, Katra Rathi, Nai Sarak, Delhi	Shri Jagdish Prasad.
13.	M/s. Hari Prasad Kishan Parkash, Katra Ashrafi, Chandni Chowk, Delhi.	Shri Bhagwan Dass.
14.	M/s. Radhe Lal Kanheya Lal, Katra Baangi, Chandni Chowk, Delhi	Shri Manphool & Shri Ram Dayal.
15.	M/s. Gopi Chand Om Parkash, Katra Bhangi Chandi Chowk, Delhi	Shri Prem Raj.
16.	M/s. Beni Prasad Sidh Gopal, Katra Nawab, Chandni Chowk, Delhi	Shri Rameshwar Prasad.
17.	M/s. Radhe Shyam Sita Ram, Cloth Merchants, Katra Pearey Lal, Chandni Chowk, Delhi	Shri Sultan Singh and Shri Dhani Ram.
18.	M/s. Amir Chand Ainshi Lal, Katra Pearey Lal, Chandni Chowk, Delhi	Shri Hari Ram.
19.	M/s. Gillu Mal Gokal Chand, Katra Hira Lal, Chandni Chowk, Delhi	Shri Pearey Lal & Shri Ram Kanwar.
20.	M/s. Suraj Bhan Om Parkash, Katra Ashrafi, Chandni Chowk, Delhi	Shri Har Dayal and Shri Ram Kishan.
21.	M/s. Shri Ram Shiv Dayal, Katra Nawab, Chandni Chowk, Delhi	Shri Radhey Syham.
22.	M/s. Kalu Ram Mahabir Prasad, Katra Dhulia, Chandi Chowk, Delhi	Shri Nand Kishore.
23.	M/s. Shiv Nath Prasad & Co., Mahabir Bazar, Cloth Market, Chandni Chowk, Delhi	Shri Bhoo Dev & Shri Tara Chand.
24.	M/s. Radhey Lal Kanaya Lal, Kucha Mahajani, Chandni Chowk, Delhi	Shri Munshi Ram.
25.	M/s. Nand Kishore Jagdish Narayan, Cloth Merchants, Katra Khulshalrai, Kinari Bazar, Chandni Chowk, Delhi	Shri Sukh Ram.

SCHEDULE 'B'

Terms of References

Whether the workmen referred to in Column 3 of Schedule 'A' should be re-instated with full back wages and what directions are necessary in this respect?

By Order,
(Sd.) HANS RAJ,

Secretary (Industries & Labour), Delhi Admin., Delhi.

Delhi, the 4th February, 1959

No. 10(170)/58-I&L.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), read with the Government of India, Ministry of Labour Notification No. LR-1 (9), dated the 28th June, 1947, the Chief Commissioner Delhi is pleased to publish the award contained in Annexure 'A' of the Industrial Tribunal, Delhi in the dispute between the management of Bagai Motor Service, Queensway, New Delhi and its workmen M/S Om Prakash and Kishan Lal as represented by the Automobile Engineering Union, 780 Ballimaran Delhi, referred to it for adjudication *vide* his order even number dated the 30th July 1958 reproduced in Annexure 'B'.

ANNEXURE 'A'

BEFORE THE INDUSTRIAL TRIBUNAL: DELHI.

PRESENT:

Shri E. Krishna Murti, Industrial Tribunal

The 31st December, 1958

I.D. No. 165 OF 1958

BETWEEN

The management of Bagai Motor Service, Queensway, New Delhi.

AND

Its workmen, M/S Om Prakash and Kishan Lal, as represented by the Automobile Engineering Employees Union, 780, Ballimaran Delhi.

AWARD

By G. O. No. F. 10 (170)/58-I&L dated the 30th July, 1958, the industrial dispute between the management of Bagai Motor Service, Queensway, New Delhi and its workmen, as represented by the Automobile Engineering Employees Union, 780, Ballimaran Delhi, has been referred to this Tribunal for adjudication under Section 10 (1) (d) and 12 (5) of the Industrial Disputes Act, 1947.

2. The term of reference is as follows:—

Whether the termination of service of the following workmen is justified and to what relief they are entitled.

1. Shri Om Prakash, (2) Shri Krishan Lal.

3. The allegations in the statement of claim are, that Shri Om Prakash and Krishan Lal two senior workmen of the Company were served with charge sheets on 20th December, 1957, that they were placed under suspension on the same day that an enquiry was held into the matter, that the management found the two workmen guilty of misconduct and dismissed them on 4th January 1958, that the workmen are not guilty of the charge against them, and that they must be re-instated in service with full back wages.

4. The management plead that there is only an individual dispute, that there is no valid reference, that the termination of service of the two workmen is quite valid, that they were not dismissed but discharged from service, that the discharge cannot be interfered with, and that the workmen are not entitled to any relief.

The issues arised for determination are:—

- (1) Whether there is an industrial dispute and is the reference valid?
- (2) Whether the discharge is valid and justified?
- (3) Whether the discharge is against the principles of natural justice?
- (4) Whether the provisions of Section 33 (2) have been observed; If the said provisions in Section 33 (2) have been contravened, as contended by the workmen, what is the consequence thereof?
- (5) To what relief are the workmen entitled?

Issue No. 1.—

5. This is a dispute between the management of Bagai Motor Service and their workmen Messrs Om Prakash and Krishan Lal, the said dispute having been taken up by the Automobile Engineering Employees Union.

6. The objection has been raised on behalf of the management, that there is only an individual dispute, that there is no industrial dispute and that the reference is valid This con-

tion is not entitled to weight. There are two workmen involved in this dispute and their case has been espoused by the Automobile Engineering Employees Union. The argument on behalf of the management that the mere fact, that the dispute has been taken up by a Union before a Conciliation Officer or before an Industrial Tribunal, is not sufficient to convert an individual dispute into an industrial dispute is not of any force. When the workmen's cause has been espoused by the Concerned Union of which they are members, there is an industrial dispute, I find that there is an industrial dispute and that the reference is valid.

Issue No. 4.—

7. The contention raised on behalf of the workmen that the termination of service by letters, dated 4th January 1958 and with effect from that day, is in contravention of section 33(2) of the Industrial Disputes Act, and that in these circumstances the action of the management must be held to be illegal and untenable. In Ext. W/4 and W/5 the orders passed by the management on 4th January 1958, it is mentioned, that conciliation proceedings in respect of bonus for the year 1956-57 were pending before the Conciliation Officer, and that an application FOR approval was being made to him under section 33(2) of the Act. It is common ground that conciliation proceeding in respect of bonus were pending on the date of Ext. W/4 and W/5. The management were certainly bound to follow the provisions of Section 33(2), if they were applicable to the concern. A Contravention of the section will have the effect of making the action of management unlawful. In the decision in Dhengepara Tea Estate case (1958 LLJ 498) the management gave the workmen notice of termination of service offering them one months' salary in lieu of notice and other accounts due to them. This notice was given when conciliation proceedings were pending. The Supreme Court observed as follows:—

"It will be noted that this notice was given while the conciliation proceedings were actually pending and accordingly under S. 33 of the Industrial Disputes Act, 1947, it was ineffective, and the workman in the eye of the law continues to be in employment. In point of fact also, as has been found by the Tribunal, the service of all the workmen continues up to 4th January, 1954 on which date the adjourned conciliation proceeding held at Jorhat by the Labour Commissioner himself proved abortive as no agreement could be arrived at as a result of the conciliation proceedings." It is therefore clear that any action taken by the management in violation of Section 33 of the Act will have no validity.

8. The contention however on behalf of the management is, that section 33(2) can have no application to the facts of this case. It will be seen, that the dispute, when conciliation proceedings were pending, related to bonus, for the year 1956-57. The termination of service of the two workmen is said to be for misconduct. The discharge was in respect of a matter unconnected with the dispute. The management were bound to apply for approval under Section 33(2) provided that section was applicable to them. The plea raised before me is that section 33(2) can have application only to a case where there are Standing Orders, that in Bagai Motor Service there are no Standing Orders, that in these circumstances they were not bound to apply for approval under Section 33(2). This contention must be upheld. In the decision in Good Tyre and Rubber Co. and Antony [1958 (1) LLJ 377] it was held that section 33(2) of the act applies to concerns in which there are standing orders. It is clear that the said section has no application to the present concern, when there were no standing orders or even service regulations in writing. The management were not bound to apply for approval of their action. I find accordingly and hold that the order of discharge passed against the workmen cannot be deemed to be ineffective on the ground that conciliation proceedings in respect of bonus were pending at the time.

Issues No. 3 & 4.—

9. The question next is whether the termination of service of the two workmen is valid and justified. According to the case of the management on 19th December 1957 a speedometer lying on the table of the workshop clerk suddenly disappeared on the afternoon of that day. It was found missing by Mr. Varma at about 5-30 P.M. when the workshop was about to close. He immediately made a written complaint to the management. It was anticipated that the speedometer disappeared at or about 3-50 P.M. As the workshop was to close at that time, the search of the speedometer could not be completed and had to be postponed to the next day. On the next day the 20th December, the workshop was opened at 9 A.M. in the morning, and at about that time it was noted by Shri Varma, the Supervisor, that Shri Om Parkash was replacing the speedometer on the table of Shri Sohan Lal, the workshop clerk. The matter was reported to the Managing Partner Shri B. S. Bagai. Shri Bagai held preliminary enquiry on 20th December 1957 and the statements of all concerned were recorded. A charge sheet was given to the workmen on 27th December 1957. It was decided that the speedometer was stolen by Krishan Lal in conspiracy with Shri Om Parkash who could not get an opportunity to take it out of the factory. The management thought that the two persons were no longer

fit to continue in service and also by virtue of their previous record. The services of the two workmen were terminated by discharge order dated 4th January 1958. It is contended for the management that the discharge of the workmen was in the interests of the business and it cannot be taken exception to.

10. It will thus be seen that the workmen were sent away for alleged mis-conduct. In fact in W/4 and W/5, it is alleged by the management that the action of the workmen in connection with the speedometer was subversive of discipline and constituted grave misconduct. On behalf of the management Ext. M/1 has been produced as a report given by Shri Sohan Lal the workshop clerk, and it is mentioned there in that on 19th December 1957 a speedometer belonging to one of the cars was given to him by electrician Krishan Lal, that it had been put on the table, that at the time of closing of the workshop it was found to have disappeared from the table, and that probably it had been stolen. Ext. M/2 is the report by Varma a supervisor who also believed that it had been stolen by some body. Ext. M/3 dated 20th December 1957 is a copy of a communication sent to Om Parkash by the managing partner. It is stated, that it had been reported by the workshop clerk, that a speedometer had been lost the previous night that the same was recovered that morning from Shri Om Parkash and that he should furnish an explanation. Ext. M/4 is the report of Mr. Varma dated 20th December 1957 to the effect that he saw Om Parkash a mechanic bring in a speedometer which he placed on the table of Mr. Sohan Lal. The workmen were served with charge sheets dated 27th December 1957. In Ext. W/2 Om Parkash was charged, that he had conspired with Shri Krishan Lal electrician and removed the speedometer that he thus tried to cause financial loss to the management, and that this act amounted to mis-conduct. In Ext. W/3 the charge sheet against Krishan Lal, it is alleged, that he in connivance with Om Parkash, had removed the speedometer from the table of Shri Sohan Lal on 19th December 1957 without the management's permission or without their knowledge, and that he cooked up a story that Shri Om Parkash while trying to put the speedometer back on the table was noticed by Shri Varma. He was informed that the action on his part was subversive of discipline, and a conspiracy to cause a financial loss to the management which was grave misconduct. Both the workmen were informed that an enquiry would be held into their conduct on 30th December 1957. They were placed under immediate suspension till the completion of the enquiry. Ext. M/5 contains the record of the enquiry by the management both on 20th December 1957 and on 30th December 1957 Ext. M/7 is the finding of the enquiry officer. Mr. Bhim Sain Bagai dated 4th January 1958. Exts W/4 and W/5 are the orders of termination of service dated 4th January 1958 passed against both the workmen on the ground that their action was subversive of discipline and constituted grave misconduct, and both the documents are identical in language.

11. In this proceeding before me the workmen have relied only on the record of enquiry conducted by the management and they represented that no further evidence need be taken. On behalf of the management also it was stated that they relied upon the enquiry proceeding. In this connection I may also refer to the decision in (1957 2, LLJ 15) wherein the Allahabad High Court laid down that it was not open to the parties to add to the evidence taken at the time of enquiry by the management.

12. The contention on behalf of the workmen is, that even taking into account the statements recorded by the management at the time of enquiry, the charges against the workmen have not been proved. It is admitted by Krishan Lal electrician that he was ordered by Mr. Varma to take out the speedometer from the car, that he removed it, and gave it to the driver of the car when he came. According to the statement of Mr. Varma, the speedometer was got removed from the car by electrician Krishan Lal and it was handed over to Mr. Sohan Lal the workshop clerk for delivering the same to the driver. In the evening the driver asked him for it, but it was found to have disappeared from the table and it could not be traced. According to Shri Sohan Lal he kept the speedometer in the table and he went out to prepare an estimate for one of the cars. In the evening at the time of the closing of the workshop it was not there. The evidence of Shri Kishore is, that he saw the speedometer on the table. He does not know when it was taken away. In the evening when there was a row, he came to know that the speedometer had been removed from the table by some one. According to the evidence of Mr. Bayliss Works Manager, the speedometer had been taken out from the car of Mr. K. C. Raj. Later at closing time, Sohan Lal informed him that the speedometer had been removed by some workman. The evidence of Shri Varma, is, that the speedometer had been handed over to Sohan Lal between 3 or 4 P.M. There is no satisfactory proof that the two workmen conspired together and removed the speedometer from the table of Mr. Sohan Lal on that day or that any one of them removed it. None of the witnesses saw either of them removing it. There is thus no direct proof of the alleged theft or removal of the article by the workmen.

14. It will however be seen that Krishan Lal admitted that he handled the speedometer that evening. He says that the driver of the car came to him at about 5-30 and asked him to fit the speedometer but he could not do it, as the workshop

was being closed. He then kept the speedometer under the seat of the car and left. Next day he was on leave. He informed Om Parkash to give the speedometer to Mr. Varma. He deposes that he did not take the speedometer out side the premises. The statement of Om Parkash is, that on 20th December, 1957 Krishan Lal told him in the morning that the speedometer was lying under the seat of Mr. K. C. Raj's car, that he was on leave on that day, that he (Om Parkash) should hand over the speedometer either to Mr. Varma or Mr. Bayliss, and that accordingly he handed over the same to Mr. Varma on the 20th. Mr. Varma when he was examined on the 20th mentioned in his evidence that at the time of opening of the workshop he saw Om Parkash having the speedometer and placing it on the table of Mr. Sohan Lal.

15. On an examination of the evidence I am of opinion that the charges against the workmen are not proved. The workmen were charged with having removed the speedometer from the table of Mr. Sohan Lal, the suggestion being that they had stolen the article acting in conjunction. As I have already indicated there is no satisfactory direct proof that either of the workmen removed the article in question from the table of Mr. Sohan Lal. There is no doubt the circumstance that it was produced by Om Parkash the next morning. I have referred to the evidence of both the workmen in explanation of their conduct. The evidence of Krishan Lal is, that the driver of the car brought the speedometer at about closing time and asked him to fit in the car, but that he could not do it and that he placed it inside the seat as it was closing time. The contention on behalf of the management is, that this explanation is a cooked up explanation, and that no reliance can be placed on it. It may be noticed, that Om Parkash stated even on 20th, that Krishan Lal had informed him that he had placed the speedometer under the seat of Mr. K. C. Raj's car and that it must be handed over to Mr. Varma or Sohan Lal. In fact the speedometer was also produced and was placed on the table at the time of opening of the workshop on that day. I am not prepared to hold that the explanation of the workman is cooked up or untrue. It is however pointed out that the driver of Mr. Raj's car does not support this version of Krishan Lal. Sirdar Mohinder Singh said in his statement that he told Mr. Varma on the 19th to get the speedometer removed so that he could have it repaired elsewhere. When he asked Mr. Varma to give him the article in the evening he was told that the speedometer was missing. He denied that he took away the same or that he handed it to any one in their workshop. It does not appear from the record as to when this statement of the driver was recorded and it bears no date. The contention on behalf of the workmen is, that this statement must be excluded from consideration and that no reliance can be placed on the same. It is pointed out, that this statement was not recorded in the presence of the workman, that the driver was called on 30th December, that he made no such statement on that day, and that the previous statement of the driver is inadmissible against them. This contention must be sustained. In the decision in *Kanhaya Lal Vs. State of Rajasthan* (AIR 1958 Rajasthan page 1) it was held that the statement of witnesses recorded during the absence of the concerned person could not be relied upon. It would appear that certain witnesses were examined in the absence of the accused person by the officer conducting the enquiry, and then he was asked only to cross examine them. It is observed at page 5 as follows:—

"It was very necessary for the officer conducting the enquiry he should have recorded the entire evidence in the presence of the petitioner, and even apart from the particular rule and procedure, natural justice requires that the entire evidence ought have been recorded in his presence, and the officer conducting the enquiry acted against the principle of natural justice."

In the decision in *Choudhry Vs. Union of India and Others* (1957 ILLJ 494) it is observed at page 501 that "it is not permissible to examine witnesses in the absence of the delinquent or take ex parte statements and then ask the delinquent to cross examine." It is noteworthy that on 30th December, 1957, Krishan Lal was asked whether he had any evidence to prove his case. He replied, that the question should be put to the driver whether he gave him the speedometer to put it in the car in the evening. The driver's answer is as follows:—

"I am not prepared to make any statement without the permission of my boss. Whatever statement has been made and signed is correct."

Thus the driver refused to answer the question put to him. I am of opinion that his previous statement, which does not bear any date is of no evidentiary value and cannot be taken into account. We have thus to fall back upon the explanation of Krishan Lal that the driver gave him the speedometer at about closing time, that he did not find time to fit it in the car, and therefore kept it under the seat. There is also another question of probability raised by Mr. Agarwal for the workmen. It is argued that according to the management, the speedometer was removed from the car of Mr. Raj, so that it might be got repaired elsewhere, and that if the driver wanted to get the speedometer repaired elsewhere it is improbable that it would have been kept on the table without its being taken away by the driver soon after.

16. It is however argued for the management, that this cannot be true because search was made for the speedometer and it was not found on the night of 19th or the 20th. Kalu Ram the chowkidar states that under instruction of Mr. Bagat he searched all the cars, that he looked for the speedometer under the seats and every where, and it was not to be found. It is urged that Krishan Lal did not put any question to him in cross examination. This evidence of Kalu Ram cannot be taken as conclusive of the matter. We do not know what kind of search was made. In this connection the allegation in paragraph 9 of the management's statement is as follows:—

"It was anticipated that the speedometer disappeared on or about 3-50 p.m. as the workshop was to close at that time. The search for the speedometer could not be completed and had to be postponed to the next day."

For aught we know there might have been no search at all on the 19th or on the 20th till the speedometer was produced by Om Parkash. I do not believe the evidence of Kalu Ram the chowkidar, in this connection. It is next argued that Shri Varma has stated that on the 20th when Mr. Om Parkash kept the speedometer on the table he informed him (Mr. Varma) that he had taken the speedometer for repairs and had brought back the article. When Mr. Om Parkash asked Shri Varma, if he had any evidence to prove that he had informed him, that the speedometer had been brought back after repairs, Mr. Varma's reply was, that it was opening time in the morning, that the workmen were coming, that there were many of them at the spot, and also Sohan Lal workshop clerk. Mr. Varma's evidence is without corroboration. Sohan Lal does not support the evidence of Mr. Varma. I have no doubt that Shri Om Parkash stated only, that he had been asked by Krishan Lal to take out the speedometer from under the seat of Mr. Raj's Car, and give it to Mr. Sohan Lal and not that he had brought it back after repairs. Mr. Varma is definite that he did not see Om Parkash bringing the speedometer from out side. He saw it only in the hand of Mr. Om Parkash in the workshop. I am unable to hold that the two workmen or either of them acting in conjunction removed the speedometer or stole it in the manner contended on behalf of the management. The allegations of conspiracy are baseless. Some comment has been made on the fact that Krishan Lal was absent on the 20th and that he went to Gurgaon to renew his licence. On behalf of the management it is contended that this is improbable as it was more easy to get the licence in Delhi rather than in Gurgaon. The management have asserted that no leave was granted to Krishan Lal. The fact is that Krishan Lal was absent on the 20th whether with leave or without leave. It was for this reason that he asked Om Parkash to take out the speedometer from under the seat and give it to the workshop authorities. I find disbelieving the management's case, that the charges set out in the charge sheet have not been proved.

17. It is also important to note that in the order of dismissal it is said, that the workman had been found guilty of conspiracy to cause financial loss to the management by wilfully concealing the speedometer, and that this act was subversive of discipline and constitutes grave misconduct. Thus the workmen were discharged for having wilfully concealed the speedometer, and not for removal of the same as in the charge sheet. It is well settled that the charge sheet which is furnished to the workmen forms the basis of the enquiry. The management are not justified in discharging a workman on grounds other than those contained in the charge sheet. The two workmen were charged with the dishonest removal of the speedometer. In other words they were accused of committing theft of the same. Obviously it was in the workshop premises on the morning of the 19th at opening time, and it was placed on the table by Om Parkash. The management converted the accusation into one of wilful concealment and discharged the workmen. This they cannot be permitted to do.

18. The management have however pleaded that the workmen have only been discharged and not dismissed, and that there can be no interference with the action of the management. This contention cannot be sustained. The termination of service is really by way of dismissal. The management took action because of alleged acts subversive of discipline and grave misconduct. In the decision in *Nagraja Rao Vs. State of Mysore* (1958 ILLJ 319) it was held that termination of service for alleged misconduct really amounted to dismissal, and such action carried stigma or disqualification.

19. It is next argued on behalf of the management that the action taken by the management cannot be interfered with, that a Tribunal does not sit as a Court of appeal against the management, and the case of *Indian Iron and Steel Co., Vs. Their workmen*, (1958-ILLJ 260) has been referred to. The Supreme Court laid down the conditions under which action taken by the management can be set aside. In my opinion the management have been guilty of basic error, and on the statements recorded by them the finding is baseless, and there is also want of good-faith.

20. On a review of all circumstances, I find that the termination of service of the two workmen is not valid in law, that it is unjustified and is against the principles of natural justice, and that it should be set aside.

21. On behalf of the management it has been contended that even if the order passed by them is set aside the workmen should not be reinstated in service. A number of documents have been produced to show that there is a history of past misdemeanours against the workmen. It is urged that the management have lost confidence in the workmen, and that it will not be in the interests of industrial peace if they are reinstated. I am not impressed with this argument. The serious charges of dishonest removal and concealment of company's property were levelled against the workmen, and they have not been proved. I do not see any sufficient ground to deny the relief of reinstatement to the workmen. Even assuming, that the documents produced show, that the workmen received warnings in the past, their lapses were condoned, and were not considered sufficient to dispense with their services. When the management have failed to establish the charges against the workmen, which formed the basis of the order of termination of service, the alleged past misdemeanours cannot be taken as serving a ground for denying the relief of re-instatement. I find, that both the workmen should be re-instated in service. I am also of opinion, that the workmen should recover back wages in full, and that they are also entitled to continuity of service.

22. In the result, an award is passed as follows:—

- (i) The order of termination of service passed against the two workmen in question by the management is set aside.
- (ii) The management of Bagai Motor Service shall reinstate the above said two workmen in the respective posts which they were holding at the time of termination of service and on the same terms and conditions of service as before, within two weeks from the date when this award becomes enforceable, and the period between the date of termination of service and the date of reinstatement shall not operate as break in continuity of service.
- (iii) The management of Bagai Motor Service shall pay to each of the said workmen all the emoluments due to them for the period between the date of termination of service and the date of reinstatement, at the rate at which they were drawing the same at the time of termination of service.
- (iv) There will be no order as to costs.

(Fourteen pages)

The 31st December, 1958.

(Sd.) E. KRISHNA MURTI,
Industrial Tribunal, Delhi.

ANNEXURE 'B'

DELHI ADMINISTRATION: DELHI.

ORDER

Delhi, the 30th July 1958

No. F.10(170)/58-I&L.—Whereas from a report submitted by the Conciliation Officer, Delhi under section 12(4) of the Industrial Disputes Act, 1947, it appears that an Industrial dispute exists between the management of Bagai Motor Service, Queensway, New Delhi and its workmen, M/S Om Parkash and Kishan Lal and that the said dispute has been taken up by the Automobile Engineering Employees, Union, 780, Ballimaran, Delhi.

And whereas on a consideration of the said report the Chief Commissioner, Delhi is satisfied that the said dispute should be referred to a Tribunal.

Now therefore, in exercise of the powers conferred by sections 10(1)(d) and 12(5) of the said Act, read with the Government of India, Ministry of Labour Notification No. LR-1 (9), dated the 28th June, 1947, the Chief Commissioner, Delhi is pleased hereby to refer the said dispute to the Industrial Tribunal, constituted under his Notification No. F.1(203)/56-I&L, dated the 25th June, 1957 and consisting of Shri E. Krishnamurthi, for adjudication, and to specify the matters set forth in the sub-joined schedule, as matters upon which adjudication is necessary and to authorize the said tribunal, in so far as may be necessary for the purpose of adjudication, to exercise such powers as are conferred on and follow such procedure as is prescribed for an Industrial Tribunal under the Industrial Disputes Act, 1947, and the Industrial Disputes (Central) Rules, 1937.

SCHEDULE

Terms of References

Whether the termination of service of the following workers is justified and to what relief they are entitled?

1. Shri Om Parkash,
2. Shri Krishan Lal.

By Order,

(Sd.) B. D. BHATT,
Secretary (Industries and Labour)
Delhi Administration, Delhi.

Delhi, the 4th February 1959

No. F. 10(266)/58-I&L.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947) read with the Government of India, Ministry of Labour Notification No. LR-1(9), dated the 28th June, 1947, the Chief Commissioner, Delhi is pleased to publish the award contained in Annexure 'A' of the Industrial Tribunal, Delhi in the dispute between the management of Goodearth Company 16-A, Ajmeri Gate, Extension, P.B. No. 672, Asaf Ali Road, New Delhi, and its workman Shri A. K. Malhotra as represented by the Commercial Employees' Union, 15-J.H. Building, Chandni Chowk, Delhi, referred to it for adjudication vide his order of even number dated the 14th November, 1958 reproduced in Annexure 'B'.

ANNEXURE 'A'

BEFORE THE INDUSTRIAL TRIBUNAL DELHI

PRESENT:

Shri E. Krishna Murti, Industrial Tribunal.

The 17th January 1959

I D. No. 219 or 1958

BETWEEN

The Management of Goodearth Company, 16-Ajmerigate Extension, P.B. No. 672, Asaf Ali Road, New Delhi.

AND

Its workman, Shri A. K. Malhotra, as represented by the Commercial Employees' Union, 15-J.H. Building, behind State Bank of India, Chandni Chowk, Delhi.

Messrs R. K. Jalali and R. Dhawan—for the management.

Shri Y. D. Sharma—for the workman.

AWARD

By G.O. No. F. 10(266)/I&L, dated the 14th November, 1958, the industrial dispute, between the management of Goodearth Company, 16-Ajmerigate Extension, P.B. No. 672, Asaf Ali Road, New Delhi, and its workman Shri A. K. Malhotra, whose dispute has been taken up by the Commercial Employees Union, 15-J.H. Building, behind State Bank of India, Chandni Chowk, Delhi, has been referred to this Tribunal for adjudication under sections 10(1)(d) and 12(5) of the Industrial Disputes Act, 1947.

2. The term of reference is as follows:—

Whether Shri A. K. Malhotra should be re-instated in service and to what relief is he entitled?

3. The allegations in the statement of claim are, that Shri A. K. Malhotra was employed as a salesman in Goodearth Company since 1st December 1956, that he was served with a letter dated 12th April 1958, that the workman protested against the said letter, that he was trying his best to secure business for the firm, that the workman had to file a complaint to the Complaint Inspector as he was not given work, that he was discharged from service by letter dated 15th July 1958, that the said discharge is illegal and unjustified, that there was no proper enquiry, that the order of discharge should be set aside, and that the workman should be re-instated in service together with back wages.

4. The contention on behalf of the management is, that Shri A. K. Malhotra was a salesman, that he was not a workman within the meaning of Section 2(s) of the Industrial Disputes Act, that accordingly there is no industrial dispute, that Shri Malhotra was absenting himself from office without leave since 20th April, 1958, that his discharge is valid, that he promised to resign from the company's job voluntarily, that Shri Malhotra was discharged from service on account of absenting himself from duty, and that he is not entitled to any relief.

5. The issues, that arise for determination, are:—

- (1) Whether Shri A. K. Malhotra is a workman?
- (2) Whether there is an industrial dispute?
- (3) Whether the discharge of Shri A. K. Malhotra is valid and justified?
- (4) To what relief, if any, is he entitled?

Issues No. 1-4.

6. This is a dispute between the management of Goodearth Company, 16-Ajmerigate Extension, Asaf Ali Road, New Delhi, and its workman, Shri A. K. Malhotra, whose dispute has been taken up by the Commercial Employees' Union.

7. After this dispute had been heard in part, both parties were persuaded to agree to a settlement, and the following settlement, marked as Ext. M/1, was arrived at between the parties:—

"(1) Shri A. K. Malhotra shall be paid by the management a sum of rupees seven hundred and fifty (Rs. 750/-) only in addition to commission, if any, earned by him, on the sales effected by him. Shri A. K. Malhotra accepts the said amount in full and final settlement of his claim and he shall have no other claim on the company."

8. The said compromise is accepted.

9. In the result, an award is passed in terms of the settlement, set out above.

(Three pages)

(Sd.) E. KRISHNA MURTI,
Industrial Tribunal, Delhi.

The 17th January 1959.

ANNEXURE 'B'
DELHI ADMINISTRATION: DELHI.

ORDER
Delhi, the 14th November 1958

No. F. 10 (266)/58-I&L.—Whereas from a report submitted by the Conciliation Officer, Delhi under section 12(4) of the Industrial Disputes Act, 1947, it appears that an Industrial dispute exists between the management of Goodearth Company, 16, Ajmerigate Extension, P.B. No. 672 Asaf Ali Road, New Delhi and its workman Shri A. K. Malhotra and that the said dispute has been taken up by the Commercial Employees' Union 15-J.H. Building Behind State Bank of India, Chandni Chowk, Delhi.

And whereas on a consideration of the said report the Chief Commissioner, Delhi is satisfied that the said dispute should be referred to a Tribunal.

Now therefore, in exercise of the powers conferred by section 10(1)(d) and 12(5) of the said Act, read with the Government of India, Ministry of Labour Notification No. LR-1 (9), dated the 28th June, 1947 the Chief Commissioner, Delhi is pleased hereby to refer the said dispute to the Industrial Tribunal, constituted under his Notification No. F. 1(203)/56-I&L dated 25th June, 1957 and consisting of Shri E. Krishna Murti for adjudication and to specify the matters set forth in the sub-joined schedule, as matters upon which adjudication is necessary and to authorize the said Tribunal, in so far as may be necessary for the purpose of adjudication, to exercise such powers as are conferred on and follow such procedure as is prescribed for an Industrial Tribunal under the Industrial Disputes Act, 1947, and the Industrial Disputes (Central) Rules, 1957.

SCHEDULE

Terms of Reference

Whether Shri A. K. Malhotra should be re-instated in service and to what relief is he entitled?

By Order,
(Sd.) HANS RAJ,
Secretary (Industries and Labour)
Delhi Administration, Delhi.

Delhi, the 5th February, 1959

No. F.10(220)/58-I&L.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), read with the Government of India, Ministry of Labour Notification No. LR-1 (9), dated the 28th June, 1947, the Chief Commissioner, Delhi is pleased to publish the award contained in Annexure 'A' of the Industrial Tribunal, Delhi in the Dispute between the management of Krishna Gold and Thread Mills Turkman-Gate, Delhi and its workmen as represented by the Krishna Gold and Silver Thread Mills Employees' Union, 2378, Cali Aulia, Delhi, referred to it for adjudication vide his order of even number dated the 1st October 1958, reproduced in Annexure 'B'.

ANNEXURE 'A'

BEFORE THE INDUSTRIAL TRIBUNAL, DELHI

PRESENT:

Shri E. Krishna Murti, Industrial Tribunal.

3rd January, 1959.

I. D. No. 198 of 1958.

BETWEEN

The management of Krishna Gold and Silver Thread Mills, Turkman Gate, Delhi.

AND

Its workmen, as represented by the Krishna Gold and Silver Thread Mills Employees' Union, 2378, Cali Aulia, Delhi:

Shri D. C. Chadha and Shri S. K. Aggarwal for the management.

Shri L. D. Adlakha for the workmen.

AWARD

By C.O. No. F. 10 (220)/58-I&L, dated the 1st October, 1958, the industrial dispute between the management of Krishna Gold and Silver Thread Mills, Turkman Gate, Delhi and its workmen, as represented by the Krishna Gold and Silver Thread Mills Employees' Union, 2378, Cali Aulia, Delhi, has been referred to this Tribunal for adjudication under Sections 10(1)(d) and 12(5) of the Industrial Disputes Act, 1947.

2. The terms of reference are as follows:—

- (1) Whether the lay off of workmen mentioned in Annexure A from about the 30th June, 1958 is justified and what directions are necessary in this respect?
- (2) Whether the suspended workmen mentioned in Annexure B should be paid full wages for the period of their suspension and what directions are necessary in this respect?
- (3) Whether the termination of services of the workmen mentioned in Annexure C is justified and to what relief are they entitled?

3. It is alleged on behalf of the Union, that the 53 workmen shown in Annexure A were laid off on the ground of stay-in-strike of the workmen of Kala Batto Khata that there was no strike at all in any Khata of the factory, that the laying off of the said workmen is unjustified, illegal and *malu fide*, that in every rainy season there is slight fall in business, that the management have been depriving the workmen of their legal dues by keeping them on forced absence, that the management re-called 32 laid off workmen, that the 53 laid off workmen should be paid their full dues for the laid off period, that by way of harassment the management suspended 17 workmen on the basis of cooked up and baseless charges, that the order of suspension should be set aside, and full wages should be paid for the period of suspension, that the management arbitrarily deducted wages for 8 days, that this must be paid to them, that the management have not paid the same, that certain of the workmen have been sent-away, that the termination of service of these workmen is illegal, unjustified and *malu fide*, that the management put an end to the services of even those workmen who are on medical and earned leave, and that suitable relief should be granted to the concerned workmen.

4. The management allege in their written statement, that the reference is not valid, that the workmen have not been properly represented, that the workmen came-forward individually as well as in groups to settle their affairs with the management by personal and mutual negotiations, that several of them were taken into service, with continuity of service, after condoning their past lapses, that there was an over-all settlement on 6th October, 1958 in respect of the matters in dispute, that the order of the Delhi Administration, making the reference, in spite of the settlement, is not valid, that the workmen are not entitled to go behind the said settlement, which was arrived at in the presence of the Conciliation officer, that the said settlement is binding on all the employees of the management, that it has already come into force, and been implemented, that the workmen are not entitled to go behind the same, and that the workmen are not entitled to any relief.

5. The issues are as follows:—

- (1) Whether the lay off of workmen mentioned in Annexure 'A' from about the 30th June, 1958 is justified and what directions are necessary in this respect?
- (2) Whether the suspended workmen mentioned in Annexure 'B' should be paid full wages for the period of their suspension and what directions are necessary in this respect?
- (3) Whether the termination of services of the workmen mentioned in Annexure 'C' is justified and to what relief are they entitled?
- (4) Was there a true and valid settlement as contended by the management in their statement?
- (5) If so does such settlement stop the workmen from putting forward the present claim?
- (6) To what relief are the workmen entitled?

Issues No. 1-6

6. This is a dispute between the management of Krishna Gold and Silver Thread Mills, Turkman Gate, Delhi, and their workmen, as represented by the Krishna Gold and Silver Thread Mills Employees' Union.

7. When this matter came on for hearing, both parties were persuaded to agree to a settlement, and a compromise was arrived at in terms of Ext. M/1, and a copy thereof has been annexed to this award as Annexure "A".

8. The compromise is accepted.

9. In the result, an award is passed in terms of the compromise Ext. M/1, a copy of which is Annexure 'A', which shall form part of this award.

(Three pages)
3rd January, 1959.

(Sd.) E. KRISHNA MURTI,
Industrial Tribunal, Delhi.

ANNEXURE 'A'

I. D. CASE No. 198 OF 1958.

In the matter of an Industrial Dispute

BETWEEN

The management of Krishna Gold & Silver Thread Mills,
Turkman Gate, Delhi—

AND

Its workmen

MEMORANDUM OF SETTLEMENT

Preamble.

1. That an industrial dispute registered as I. D. Case No. 198 of 1958 is pending before Shri E. Krishna Murti, Industrial Tribunal, Delhi as per Delhi Administration Notification No. F. 10(220)/58-I&L, dated 1/6th October, 1958 between the above-noted parties.

2. Without prejudice to the respective contentions of the parties raised in respect of the above reference and in respect of any other dispute or matter anywhere pending before any other competent authority and

With an intention to establish lasting industrial peace, harmony and cordial relations in all respects the parties have come to an over-all mutual compromise under the following:—

Terms of Settlement—

I. Matters before the Industrial Tribunal, Delhi

(a) The three groups of workmen who in respect of reference No. 198 of 1958, had impugned the correctness of settlement dated 6th October, 1958, do hereby withdraw all their objections raised before the Industrial Tribunal, in the aforesaid reference.

(b) As a gesture of goodwill and subject to para (c) here-inbelow all the affected and concerned workmen in the said dispute shall be paid by the management by way of compensation for the loss of wages so occurring during the period between 26th June, 1958 to the date of their joining duties at the rate of 35 per cent. of their normal and average monthly wages to all the laid off, suspended or discharged workmen concerned from the date of their actually being put off their work by the management till the date of their joining duties.

(c) That Shri Mohd. Sadiq shall be paid at the rate of 35 per cent. of his normal and monthly wages till 6th October 1958 and at the rate of 33 per cent. of his normal and monthly wages from 18th October, 1958 till the date of his joining the duties. He however shall not be paid anything for the period starting from 7th October, 1958 to 17th October, 1958.

II. Reference Original Petition No. 61 of 1958

In respect of Shri Ganga Sâhai and Shri Balkrishan the workmen assure better conduct in future and in lieu thereof the management reinstates them if they report on duty latest by 7th January, 1959. They will be given an admonition by the management and the period from the date of their discharge until the date of their joining duty will be treated as leave without pay without affecting their leave, earned if any.

III. Regarding matters of bonus pending before the Conciliation Officer, Delhi.

The workmen withdraw their bonus application lying before the Conciliation Officer, Delhi. All those workmen who have not so far received the share of bonus settled and paid to other workmen shall get the same.

IV. Regarding Application by Shri Chiman Lal pending before the Authority under Payment of Wages Act.

The aforesaid application shall be withdrawn by the applicant on or before the next date of hearing in the matter. He shall be paid his dues according to the term of para (b) of Term No. I above.

V. The workmen shall be paid their bonus and compensation according to the terms of settlement on or before 7th January 1959.

In witness whereof the parties aforesaid hereunto have put their hands on this 31st day of December, 1958, at Delhi.

Witnesses Workmen For and on behalf of
Management.

DELHI ADMINISTRATION: DELHI

ORDER

Delhi, the 1st September 1958

No. F.10(220)/58-I&L.—Whereas from a report submitted by the Conciliation officer, Delhi under section 12(4) of the Industrial Disputes Act, 1947, as amended, it appears that an Industrial dispute exists between the management of Krishna Gold and Silver Thread Mills, Turkman Gate, Delhi and its

workmen as represented by the Krishna Gold and Silver Thread Mills Employees Union, 2378, Gali Aulia regarding reinstatement of certain workmen, compensation to laid off workers, etc.

And whereas on a consideration of the said report the Chief Commissioner, Delhi is satisfied that the said dispute should be referred to a Tribunal.

Now therefore, in exercise of the powers conferred by sections 10(1)(d) and 12(5) of the said Act, read with the Government of India, Ministry of Labour Notification No. LR-1(9), dated the 28th June, 1947 the Chief Commissioner, Delhi is pleased hereby to refer the said dispute to the Industrial Tribunal, constituted under his Notification No. F. 1(203)/56-I&L dated the 25th June, 1957 and consisting of Shri E. Krishnamurti, for adjudication, and to specify the matters set forth in the sub-joined schedule, as matters upon which adjudication is necessary and to authorize the said Tribunal, in so far as may be necessary for the purpose of adjudication, to exercise such powers as are conferred on and follow such procedure as is prescribed for an Industrial Tribunal under the Industrial Disputes Act, 1947, and the Industrial Disputes (Central) Rules, 1957.

SCHEDULE

Terms Reference

"1. Whether the lay off of workmen mentioned in Annexure 'A' from about the 30th June, 1958 is justified and what directions are necessary in this respect?"

2. Whether the suspended workmen mentioned in Annexure 'B' should be paid full wages for the period of their suspension and what directions are necessary in this respect?"

3. Whether the termination of services of the workmen mentioned in Annexure 'C' is justified and to what relief are they entitled to?"

By Order,

(Sd.) HANS RAJ,

Secretary (Industries and Labour)
Delhi Administration, Delhi.

No. F. 10(253)/58-I&L.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), read with the Government of India, Ministry of Labour Notification No. LR-1(9), dated the 28th June, 1947, the Chief Commissioner, Delhi is pleased to publish the award contained in Annexure 'A' of the Industrial Tribunal, Delhi in the dispute between the management M/s Ishwar Dass Sant Lal, Saraf, Chandni Chowk, Delhi and its workman, Shri Ram Pratap referred to it for adjudication vide his Order of even number dated the 28th October, 1958, reproduced in Annexure 'B'.

ANNEXURE 'A'

BEFORE THE INDUSTRIAL TRIBUNAL, DELHI

PRESENT:

Shri E. Krishna Murti, Industrial Tribunal.

18th December, 1958

I.D. No. 211 OF 1958

BETWEEN

The Management of M/s. Ishwar Dass Sant Lal, Saraf,
Chandni Chowk, Delhi.

AND

Its workman, Shri Ram Pratap, as represented by the Shops
and Commercial Workers' Union, 780-Ballimaran, Delhi.

Messrs Sant Lal and R. K. Kuba for the Management.

Shri Davindra Aggarwal for the workman.

AWARD

By G.O. No. F.10(253)/58-I&L, dated the 28th October, 1958, the industrial dispute, between the management of Messrs. Ishwar Das Sant Lal, Saraf, Chandni Chowk, Delhi, and its workman, Shri Ram Pratap, whose dispute has been taken up by the Shops and Commercial Workers' Union, 780-Ballimaran, Delhi, has been referred to this Tribunal for adjudication under Sections 10(1)(d) and 12(5) of the Industrial Disputes Act, 1947.

2. The term of reference is as follows:—

Whether Shri Ram Pratap should be re-instated with full back wages and to what relief he is entitled?

3. It is alleged on behalf of the workman, that Shri Ram Pratap had been working in Messrs Ishwar Das Sant Lal, Saraf, since 1945, that he was getting Rs. 110 per month, that on 17th February, 1958 he went on leave for 5 days, that, when he came back from leave and wanted to resume duty, he was not permitted to do so, that he was told, that there

was a police case against the firm, and that it would not be proper for him to come on duty for sometime, that the workman however went on presenting himself for duty, that he was not taken back for a considerable time, that subsequently there was intervention by some mediators, and the management agreed to pay him Rs. 700 in full and final settlement of his claim, that the workman wanted to have the amount settled, that the management became very rude to him, and that the workman should be re-instated in service together with back wages, or in the alternative he may be paid retrenchment compensation.

4. The management contended, that the applicant was never retrenched, that he absented himself from service on 17th February, 1958, that he never presented himself for employment thereafter, that he is not entitled to any retrenchment compensation, that there is no industrial dispute, and that he is not entitled to any relief.

5. The issues, that arise for determination, are:—

- (1) Whether the petitioner is a workman within the meaning of Industrial Disputes Act?
- (2) Whether there is an industrial dispute?
- (3) Whether the petitioner was discharged from service, as alleged by him?
- (4) Whether the petitioner absconded from service, as alleged by the management, on 17th February, 1958?
- (5) If the petitioner was discharged, is such discharge valid?
- (6) Whether the petitioner is entitled to re-instatement and compensation, as claimed?
- (7) Whether the petitioner is entitled to retrenchment compensation under Section 25F of the Industrial Disputes Act?
- (8) To what relief, if any, is the petitioner entitled?

Issue No. 1.

6. This is a dispute between the management of Messrs. Ishwar Das Sant Lal, Saraf, Chandni Chowk, Delhi, and their workman, Shri Ram Pratap, the said dispute having been taken up by the Shops and Commercial Workers' Union.

7. The objection has been raised on behalf of the management, that the petitioner is not a workman, and that he is not entitled to take advantage of the provisions of the Industrial Disputes Act. Firstly it is alleged in paragraph 4 of the written statement, that the opposite party are not such employers as fall within the definition of "industry" according to the Industrial Disputes Act, and that Shri Ram Pratap was not a workman as he was working as a *munim* at the shop of the opposite party, dealing in bullion and *satta* business. This contention is untenable, it is clear from the evidence, that the firm of Ishwar Das Sant Lal has been carrying on business in bullion, jewellery and cloth. The petitioner was employed in the shop dealing in bullion and jewellery. The said firm was carrying on an industry within the meaning of Section 2(j) of the Industrial Disputes Act, and the petitioner is a workman. Secondly, there are two documents Exts. M/1 and 2, which were produced by the management on 16th December, 1958. These purport to be certificates issued by the respective managers of Maha Laxmi Bullion Exchange and Vishnu Exchange, and are to the effect, that Shri Ram Pratap was a trading member in another firm, and was also employed as a broker from December, 1956 to May, 1958. In my opinion, these documents do not at all support the contention on behalf of the management. At the outset it must be mentioned that these were filed in court at the stage of arguments on 16th December, 1958. They have not been properly proved, and were not put to Shri Ram Pratap in cross examination. Apart from the above, what is stated in the written statement in paragraph 4 is, that ever since the applicant absconded from the employment of the opposite party, he has been and is still attending to his own business as a broker and commission agent on behalf of and as partner of Laxmi Chand Suresh Chand members of Maha Laxmi Bullion Exchange. Thus the above allegation is to the effect, that the workman was doing business of his own after the date of the alleged stopping away from service and not prior thereto. At the material time the petitioner was a full time employee of the said firm engaged in an industry, and he is a workman within the meaning of the term under Section 2(s) of the Industrial Disputes Act.

Issue No. 2.

8. The question next is, whether there is an industrial dispute. The objection is raised, that it is only an individual dispute, and that, therefore, the reference is invalid, and that this Tribunal has no jurisdiction to entertain the proceedings. This contention is untenable. The workman's cause has been espoused by the Shops and Commercial Workers' Union. There is espousal by the concerned Union. The said Union initiated conciliation proceedings, and the documents, Exts. W/7-14 relate to the said proceedings. It is in the evidence of the workman, that the management never attended the conciliation proceedings. Ext. W/14 dated 20th May, 1958 is a letter that was sent to the management, complaining against the discharge, and a copy thereof was also sent to the Conciliation Officer, WW3 is Shri Sushil Bhattacharya, Secretary of the

Shops and Commercial Workers' Union. He states, that Ext. W/12 was given to him by Shri Ram Pratap, the workman concerned. There upon he wrote to the proprietor, and a copy of that letter is Ext. W/14, and conciliation proceedings started thereafter. The management never appeared in the conciliation proceedings. The view of the fact, that the Workman's cause has been espoused by the Shops and Commercial Workers' Union, which is the concerned Union of the workers employed in shops and commercial establishments, there is an industrial dispute, and there is no force in the objection raised on behalf of the workman. I find, that there is an industrial dispute, and that the reference is valid and this Tribunal has jurisdiction to entertain this proceeding.

Issue Nos. 3, 4 and 5.

9. The next question is whether the petitioner was discharged from service by the management, or whether he absconded from service on 17th February, 1958, as alleged, by the management. According to the evidence of WW2, Shri Ram Pratap, he took leave for the marriage of his father's brother's son. He returned from leave on 23rd February, 1958. When he went to the shop, he was told by Lala Harbans Lal, a partner, that there was a customs case against the Company, that the police were trying to contact him and that he must keep away. He was told the same subsequently, and he was also informed that word would be sent to him as to what he should do. When he went again, Shri Sant Lal told him, that his presence would be required sometime later. He was put off for about a month like this. Then Shri Sant Lal told him, that his dues would be paid. His father went to the employers. They had come to his house one day in May. Messrs Madan Lal, Sant Lal and Girdhari Lal came to his house and told him that Rs. 600/- or Rs. 700/- would be paid. His father replied, that whatever was due should be paid. When he again went to the shop, he was told, that he would be paid at the rate of Rs. 75/- a month. He refused to receive it, and he was sent out of the Shop. There upon he complained to the Union, which took up his case. In cross-examination he says, that Shri Sant Lal slapped him, and that he was pushed out of the office. His father made a complaint to the police, i.e. Ext. W/1. He explains, that Messrs Girdhari Lal and Madan Lal are not partners of the firm. WW1 is Shri Trilok Singh, the father of Shri Ram Pratap, and according to him, his son was on leave in connection with the marriage of his brother's son. When he went back to the shop, Shri Sant Lal said, "We are in difficulties in connection with some customs trouble. Do not come now. You come a few days later." Afterwards, in spite of his son attending the shop, he was told, that his services were not necessary. This witness also speaks to the fact of Messrs Sant Lal, Madan Lal, and Girdhari Lal coming to his house, and promising to pay Rs. 600/- or Rs. 700/-. He states in cross-examination, that he went on 23rd February, 1958 to the shop, and that Shri Sant Lal told his son as above on that date. This witness denies, that his son stopped-away of his own accord. He sent a complaint to the police because he was threatened by the partners of the firm. His son did not complain to the police. WW4, Shri Raja Ram, deposes, to the conversation that took place in the house of Shri Ram Pratap. According to him about 5/6 months ago, Messrs Madan Lal, Sant Lal and another person came to the house of Shri Ram Pratap. Messrs Sant Lal and Madan Lal said to Shri Ram Pratap and his father "you come to our shop. We will settle the matter and pay you your money." This was the talk that took place in his presence. Thus, according to the evidence of the Witnesses on behalf of the workman, he was not taken back into service in spite of his reporting himself for duty, and he was also offered Rs. 600/- or Rs. 700/- in settlement of his dues by Shri Sant Lal and others on behalf of the firm.

10. In proof of the contention on behalf of the management a number of witnesses have been examined. Shri Sant Lal, a partner of the firm, is MW4, and his evidence is, that Shri Ram Pratap worked for him since 1945. Shri Ram Pratap was getting Rs. 110 per month when he left service. According to this witness, Shri Ram Pratap asked for a rise in salary. He refused to pay anything more because only 3 months earlier the salary had been raised to Rs. 110. When he was told, that nothing more would be paid. Shri Ram Pratap said, that he would not work any more. He went away on 17th February, 1958, and he never came to the shop thereafter. He denies, that Shri Ram Pratap was prevented from coming to the shop, or that he was discharged in any manner by the firm. He also denies, that any money was offered to him. In cross-examination he deposes, that Messrs Hari Ram Harbans Lal, himself, and Shri Paras and some shop-keepers, who had come to use the phone, were present when Shri Ram Pratap stated as above. The Chowkidar was present then, and walking hither and thither, but he was not in the shop. This version is sought to be corroborated by the evidence of a number of other witnesses. MW1 is Shri Hari Ram, who is *munim* in the firm of Ishwar Das Sant Lal. He says, that Shri Ram Pratap asked for a rise in salary about 10 days prior to the police report. He next adds, that he does not know about the police report. This witness makes the admission, that Shri Ram Pratap went on leave about 7 months ago, and also that there was a customs case against the management in February, 1958. Shri Kanchan Singh MW2, is the Chowkidar of Katra Sat Narain, who says that Shri Ram Pratap worked till about 8/10 months ago. The demand for increase of pay was made at 9 p.m. in the night. He was

sitting at the gate then. The shop of Shri Sant Lal is No. 2 and about 8 feet from the gate. MW3 is Shri Paras, who says, that the demand for increase in pay was made at the time of Diwali 1957, about 15 days after Diwali 1957. To his knowledge there was no demand for rise in pay thereafter. This is directly contradictory of the evidence on behalf of the management, that the demand for rise of pay took place on 17th February, 1958, the date on which Shri Ram Pratap is said to have absconded from service. MW3 is in no doubt about it, and he says that he, Shri Hari Ram, MW1 Shri Sant Lal MW4 and Shri Harbans Lal, who has not been examined, and the Chowkidar, MW2, were all present, when the demand for increase in pay was made. This witness also speaks to the customs case against the shop, and to the fact of the police also coming to the shop. According to the evidence of Shri Hukam Chand MW5, who is a businessman the alleged demand for rise in pay took place about 10/11 months ago. This witness makes it clear, that the management have two shops, the jewellery shop and the cloth shop, and that his shop is 5/6 yards from the jewellery shop. The alleged demand by Shri Ram Pratap is said to have taken place about 8-30. There was no conversation like this on any other day. According to his evidence, Messrs Om Parkash, Harbans Lal, Sant Lal, Ram Pratap, and another, whose name he does not know, were sitting there. No one else was present at that time. The Chowkidar was sitting in front of the shop. According to the evidence of Shri Sita Ram, MW6 when the conversation with Shri Ram Pratap took place, himself, Shri Om Parkash and Shri Sant Lal were present, and no one else was present there. Shri Om Parkash, MW7, is the brother of Shri Sant Lal. He admits the fact of the customs case against the jewellery firm, and also the fact that the work decreased in the firm as a result of the customs case.

11. On a consideration of the evidence on either side, I am unable to accept the version on behalf of the management. The evidence in support of it is unbelievable. The evidence does not carry conviction, and, the witnesses MW1 Shri Hari Ram, Shri Paras MW3, and Om Parkash are all interested. The others, who have been examined, are merely trying to help Shri Sant Lal, and other partners of the firm. The story, that, on 17th February, 1958, the talk about rise of pay, and refusal by Shri Ram Pratap to work in the firm any longer, took place, is given the lie by Shri Paras MW3. The present story, that there was a talk on 17th February, 1958, on which date Shri Ram Pratap wanted a rise in salary, that, on his request being refused, Shri Ram Pratap said, that he would not work any longer, and that he went away thereafter and never came back to the firm, and that he absconded from service, is deliberate perversion of the truth. It is important to note, that there is not a whisper in the written statement of the management about this incident of the demand for a rise in pay and refusal by the management to pay it. There is a bald assertion that Shri Ram Pratap went away on the night of 17th February, 1958, and stopped away thereafter. The reason now given that he asked for an increase in pay and that it was refused, and that therefore he absconded and never came to the shop thereafter, is a new development at the trial. The management's version is unbelievable, and I do not believe it. On the contrary, the evidence on behalf of the workman represents the truth, and I am satisfied, that in fact Shri Ram Pratap was discharged from service, as alleged by him. It is clear, that there was a customs case against the firm of Ishwar Das Sant Lal. The police also had come to the shop. Though the shop itself was not closed, the work in it had decreased, as stated by Shri Om Parkash. It is eminently likely, that, when the work had decreased, Shri Ram Pratap was asked to stay away from the shop, and that, when in spite of this, he reported himself for duty, he was put off on one reason or another. I am also satisfied with the truth of the evidence on behalf of the workman, that there were attempts at settlement and the management offered to pay Rs. 600/- or Rs. 700/-. There is no reason to doubt the truth of the Evidence of Shri Raja Ram, who is a disinterested witness. It is also important to note, that, according to the evidence of MW1, Shri Ram Pratap went on leave, though he says it was 7 months ago. This makes it likely, that Shri Ram Pratap did go on leave, as stated by him, in connection with the marriage of his father's brother's son. All circumstances considered, I am of opinion, that the case of the management is untrue, and that, on the contrary, the workman's case represents the truth. I find, disbelieving the evidence on behalf of the management, and believing the evidence on behalf of the workman that the latter has proved, that in fact he was not permitted to resume duty on return from leave, that he did not stop away of his own accord, and that he did not abscond from service as alleged on behalf of the management.

12. It is perfectly clear, that Shri Ram Pratap was discharged from service by the management. He reported himself for duty on return from leave, but he was not taken back into service. He was put off on some pretext or other. This really amounts to termination of service. I find, that Shri Ram Pratap was discharged from service.

13. The question next is, whether the discharge is justified. There is no satisfactory proof of any justification for discharge. On the contrary, the management have taken the stand, that they did not discharge the workman from service and that he stopped away from service of his own accord. It is also important to note, that the workman was discharged without any charge-sheet being served on him, and without any opportunity being given to him for an explanation and with-

out any enquiry. The discharge is neither valid nor justified, and is also against the principles of natural justice.

Issue Nos. 6-8.

14. The question next is about the relief, to which the workman is entitled. No doubt, the workman has asked for re-instatement, but, in the circumstances of this case, it is not in the interests of industrial peace, that the workman should be re-instated in service.

15. In the alternative, there is a claim for payment of retrenchment compensation under Section 25F of the Industrial Disputes Act. There is no doubt, that the workman was discharged by way of retrenchment. There is evidence of Shri Om Parkash, MW7, that the work in the firm decreased as a result of the customs case. It is clear, that the workman was sent away because of the decrease in work. In other words, he was sent away on the ground of his being surplus to requirements. This explains the reason why he was put off when he reported for duty after return from leave on 23rd February, 1958, and on subsequent days, when he sought to resume duty. There is also no reason to discard the truth of the evidence on behalf of the workman, that there was an attempt at settlement, and some amount was suggested as being due to the workman. I find, that the workman was discharged on 24th February, 1958, and that such discharge amounts to retrenchment, and that he is entitled to retrenchment compensation.

16. It is common ground, that the workman was in the employ of the management of Messrs Ishwar Das Sant Lal ever since 1945. This is also admitted in the evidence of Shri Sant Lal. He was discharged from service in February, 1958. The exact date when he was entertained in 1945, is not clear from the material on record. Even reckoning the period of service from the middle of 1945, it is clear, that the workman had put in at least 13 years of service, reckoning the period of more than 6 months as equivalent to one year. He is, therefore, entitled to recover 6½ months average pay, i.e. Rs. 715/- at the rate of Rs. 110/- per month, which amount represented the emoluments of the workman at the time of his discharge.

17. I have already given my reasons for holding, that Exts. M/1 and 2 cannot be taken into account, and the workman was full time employee of the management of Messrs Ishwar Das Sant Lal from 1945 upto the date of discharge on 24th February, 1958 continuously and uninterruptedly. He is entitled to take all his service into account for the purpose of retrenchment compensation. The plea raised by the management in paragraph 1 of the written statement, that the employee was never retrenched, but absconded from service on 17th February, 1958, must be rejected. I find, that Shri Ram Pratap was retrenched from service on 24th February, 1958, and that he is entitled to Rs. 715/- as retrenchment compensation, under section 25F of the Industrial Disputes Act.

18. It is also important to note, that the workman was not given retrenchment notice, and he is entitled to recover Rs. 110 in lieu of one month's notice pay. The total amount that is due to Shri Ram Pratap is Rs. 825.

19. In the result, an award is passed as follows:—

- (i) The management of Messrs Ishwar Das Sant Lal shall pay to Shri Ram Pratap the amount of Rs. 825.
- (ii) Shri Ram Pratap is not entitled to re-instatement or to any other relief.
- (iii) There will be no order as to costs.

(Twelve pages)

(Sd.) E. KRISHNA MURTI,
Industrial Tribunal, Delhi.

18th December, 1958.

ANNEXURE 'B'

DELHI ADMINISTRATION, DELHI

ORDER

Delhi, the 28th October 1958.

No. F. 10 (253)/58-I&L.—Whereas from a report submitted by the Conciliation Officer, Delhi under section 12(4) of the Industrial Disputes Act, 1947, it appears that an Industrial Dispute exists between the management of M/s. Ishwar Dass Sant Lal Saraf, Chandni Chowk, Delhi and its workman Shri Ram Pratap and that the said dispute has been taken up by Shops and Commercial Workers' Union, 780-Ballimaran, Delhi.

And whereas on a consideration of the said report the Chief Commissioner, Delhi is satisfied that the said dispute should be referred to a Tribunal.

Now, therefore, in exercise of the powers conferred by sections 10(1)(d) and 12(5) of the said Act, read with the Government of India, Ministry of Labour Notification No. LR-1(9), dated the 28th June, 1947 the Chief Commissioner, Delhi is pleased hereby to refer the said dispute to the Industrial Tribunal, constituted under his Notification No. F. 1 (205)/56-1&L, dated the 25th June, 1957 and consisting of

Shri E. Krishnamurti for adjudication, and to specify the matters set forth in the sub-joined schedule, as matters upon which adjudication is necessary and to authorise the said Tribunal, in so far as may be necessary for the purpose of adjudication, to exercise such powers as are conferred on and follow such procedure as is prescribed for an Industrial Tribunal under the Industrial Disputes Act, 1947, and the Industrial Disputes (Central) Rules, 1957.

SCHEDULE

Terms of Reference

Whether Shri Ram Pratap should be re-instated with full back wages and to what relief he is entitled?

By Order,

(Sd.) B. D. BHATT,

Secretary (Industries & Labour),
Delhi Admn., Delhi.

Delhi, the 7th February 1959

No. F.10(214)/58-I&L.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), read with the Government of India, Ministry of Labour Notification No. LR-1(9), dated the 28th June, 1947, the Chief Commissioner, Delhi is pleased to publish the award contained in Annexure 'A' of the Industrial Tribunal, Delhi in the dispute between the management of Sunder Metal Industries, Bazar Sita Ram, Delhi and its workmen as represented by the Engineering Employees' Union, 780, Ballimaran, Delhi, referred to it for adjudication *vide* his order of even number dated the 29th September 1958, reproduced in Annexure 'B'.

ANNEXURE 'A'

BEFORE THE INDUSTRIAL TRIBUNAL, DELHI

PRESENT:

Shri E. Krishna Murti, Industrial Tribunal.

9th January, 1958.

I. D. No. 207 of 1958

BETWEEN

The management of Sunder Metal Industries, Bazar Sita Ram, Delhi.

AND

Its workmen, as represented by the Engineering Employees' Union, 780, Ballimaran, Delhi.

Messrs. Y. R. Bhasin and R. Dhawan for the management.

Shri Davindra Aggarwal for the workmen.

AWARD

By G.O. No. F.10(214)/58-I&L, dated the 29th September, 1958, the Industrial dispute, between the management of Sunder Metal Industries, Bazar Sita Ram, Delhi, and its workmen, as represented by the Engineering Employees' Union 780-Ballimaran, Delhi, has been referred to this Tribunal for adjudication under Sections 10(1)(d) and 12(5) of the Industrial Disputes Act, 1947.

2. The term of reference is as follows:—

Whether the workmen should be given bonus for the year 1957, and if so, on what terms conditions.

3. The workmen allege, that the management have earned a good profit during the year 1957, that the workmen are entitled to bonus equivalent to two months' wages, that recently the management changed the name of the concern from Sunder Lal & Sons to Sunder Metal Industries, that the workmen's services have been recognised to be continuous from the date of their employment in Sunder Lal & Sons, and that bonus equivalent to two months' wages should be paid for the year 1957.

4. In the written statement filed on behalf of the management, it is alleged, that the workmen executed a document in which they alleged, that they had no dispute with the management on the question of bonus, that the reference is not valid, that the proceedings before this Tribunal are without jurisdiction, that the concern known as Sunder Metal Industries was founded on 1st January, 1958, that there could be no dispute between Sunder Metal Industries and the workmen in respect of any period prior to 1st January, 1958, that Messrs. Sunder Lal & Sons, suffered a net loss of Rs. 3313-48P. during the year ended 31st December, 1957, that since 1st January, 1958 the concern known as Sunder Metal Industries has been started to carry on the manufacturing business, and Messrs. Sunder Lal & Sons are the sole selling agents of that concern, that the workmen's claim for bonus is not sustainable, and that they are not entitled to claim any amount.

5. The workmen in their re-joinder allege, that the statement put forward by the management was taken from the

workmen under mis-representation and fraud, that it has no value, that the reference is valid, that the claim for bonus is sustainable, and that the workmen are entitled to bonus, as claimed.

6. The issues, that arise for determination, are:—

- (1) Whether there was an agreement between the workmen and the management, as alleged by the latter?
- (2) Whether there is an industrial dispute?
- (3) Whether the reference is valid?
- (4) Whether this Tribunal has no jurisdiction to proceed with the reference?
- (5) To what bonus, if any, are the workmen entitled, and from whom?
- (6) To what relief, if any, are the workmen entitled?

Issue Nos. 1-6.

7. This is a dispute between the management of Sunder Metal Industries, Bazar Sita Ram, Delhi, and its workmen as represented by the Engineering Employees' Union.

8. At the time this matter came on for hearing both parties were persuaded to come to a settlement, and a compromise was arrived at in terms of the settlement filed on 8th January, 1959, and marked as Ext. M/1. The said compromise is in the following terms:—

1. The workmen withdraw their claim of bonus under reference as after the inspection of the accounts of the management they are satisfied that there are losses in the relevant year.
2. Shri Sunder Lal, the proprietor, however, being also in the position of an Instructor and practically all the workmen will pay workmen an *Ex-gratia* amounting to 10 days wages. Those who did not complete one year of service on 31st December, 1957 will be paid *pro rata* to the length of their service.
3. This *Ex-gratia* payment will be made in the month of February, 1959 along with the wages of January, 1959.
4. That the Management have retrenched four employees in the month of December, 1958. The management as gesture of goodwill will take them back with effect from 5th January, 1959 with continuity of service."

9. The compromise is accepted.

10. An award is passed in terms of the compromise, set out above.

(Three pages)

9th January, 1959.

(Sd.) E. KRISHNA MURTI,
Industrial Tribunal, Delhi.

ANNEXURE 'B'

DELHI ADMINISTRATION, DELHI

ORDER

Delhi, the 29th September 1958

No. F.10(214)/58-I&L.—Whereas from a report submitted by the Conciliation Officer, Delhi under section 12(4) of the Industrial Disputes Act, 1947, it appears that an Industrial Dispute exists between the management of Sunder Metal Industries, Bazar Sita Ram, Delhi and its workmen as represented by the Engineering Employees' Union, 780, Ballimaran, Delhi.

And whereas on a consideration of the said report the Chief Commissioner, Delhi is satisfied that the said dispute should be referred to a Tribunal.

Now, therefore, in exercise of the powers conferred by sections 10(1)(d) and 12(5) of the said Act, read with the Government of India, Ministry of Labour Notification No. LR-1(9), dated the 28th June, 1947, the Chief Commissioner, Delhi is pleased hereby to refer the said dispute to the Industrial Tribunal, constituted under his Notification No. F. 1(203)/56-I&L, dated the 25th June, 1957 and consisting of Shri E. Krishnamurti for adjudication, and to specify the matters set forth in the sub-joined schedule, as matters upon which adjudication is necessary and to authorize the said Tribunal, in so far as may be necessary for the purpose of adjudication, to exercise such powers as are conferred on and follow such procedure as is prescribed for an Industrial Tribunal under the Industrial Disputes Act, 1947, and the Industrial Disputes (Central) Rules, 1957.

SCHEDULE

Terms of Reference

Whether the workmen should be given bonus for the year 1957 and if so, on what terms and conditions.

By Order,
(Sd.) HANS RAJ,

Under Secretary (Industries and Labour),
Delhi Admn., Delhi.

No. F.10(264)/58-I&L.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (XIV of 1947), read with the Government of India, Ministry of Labour Notification No. L.R-1 (9), dated the 28th June, 1947, the Chief Commissioner Delhi is pleased to publish the award contained in Annexure 'A' of the Industrial Tribunal, Delhi in the dispute between the management of M/S Prag Dass Kanhya Lal, Katra Baryan, Delhi, and its workman Shri Kanhyalal as represented by the Shops and Commercial Workers' Union 780, Ballimaran Delhi, referred to it for adjudication *vide* his Order of even number dated the 5th November, 1958 reproduced in Annexure 'B'.

ANNEXURE 'A'

BEFORE THE INDUSTRIAL TRIBUNAL, DELHI

PRESENT:

Shri E. Krishna Murti,
Industrial Tribunal.

Dated the 7th January, 1959

L. D. No. 224 of 1958

BETWEEN

The management of M/S Prag Dass Kanhya Lal, Katra Baryan, Delhi.

AND

Its workman Shri Kanhyalal, as represented by the Shops and Commercial Workers' Union, 780, Ballimaran, Delhi.

Shri D. C. Chadha—*for the management.*Shri R. N. Roy—*for the workman.*

AWARD

By G.O. No. F. 10(264)/58-I&L. dated the 5th November, 1958, the industrial dispute, between the management of Messrs Prag Dass Kanhya Lal, Katra Baryan, Delhi, and its workman, Shri Kanhyalal, whose dispute has been taken up by the Shops and Commercial Workers Union, 780, Ballimaran, Delhi has been referred to this Tribunal for adjudication under Sections 10(1)(d) and 12(5) of the Industrial Disputes Act, 1947.

2. The term of reference is as follows:—

Whether Shri Kanhyalal should be reinstated with full back wages and to what relief is he entitled?

3. It is alleged on behalf of the workman by the Shops and Commercial Workers Union, that the workman, Shri Kanhya Lal, had been in the service of his employer as a Driver, for about 3 years on monthly wages of Rs. 100/- that he went on leave for 3 days on 2nd June, 1958, that he was however not taken back on duty on 5th June, 1958, when he returned from leave, that no reason was assigned by the management in justification of their action, that the matter was taken up by the Union, and as the management refused to reconsider their decision, that the workman served the company to their entire satisfaction, and that he should be re-instated together with wages for the period of forced unemployment.

4. The contention on behalf of the company is, that Shri Kanhya Lal is not a workman, that he was in the service of the concern only for a period of about 2 years prior to his leaving the employer, that it is not true, that he was on leave for 3 days, that he left without any prior intimation because he was not given an advance of Rs. 100/- as demanded by him, that he even took away the keys of the car and the garage with him, that because the Driver absented himself the company had to make alternative arrangement, that the work of Shri Kanhya Lal was also not satisfactory, that this Court has no jurisdiction to try the dispute, which is only an individual dispute, and that the workman is not entitled to any relief.

5. The issues, that arise for determination, are:—

- (1) Whether there is an industrial dispute?
- (2) Whether the services of Shri Kanhya Lal were terminated, and, if so, is such termination valid?
- (3) Whether he left service, as alleged by the management?
- (4) To what relief, if any, is the workman entitled?

Issues No. 1-4

6. This is a dispute between management of Messrs Prag Dass Kanhya Lal, Katra Baryan, Delhi, and their workman, Shri Kanhya Lal, the said dispute having been taken up by the Shops and Commercial Workers' Union.

7. When this dispute came on for hearing, both parties were persuaded to agree to a settlement, and a compromise was filed in the following terms, which is marked as Ext. W/1:—

"1. That the workman shall receive a sum of Rs. 173/6/- in full and final settlement of his claim. The claim for reinstatement is given up. A sum of Rs. 70/- shall be deducted from the above said sum as advance. The workman shall thus be paid a sum of Rs. 103/6/- only.

2. The management shall give a certificate of good service to the workman.

The sum of Rs. 103/6/- has been received in compliance of the compromise."

8. The said compromise is accepted.

9. In the result an award is passed in terms of the compromise set out above.

(Three pages).

7th January, 1959.

(Sd.) E. KRISHNA MURTI,
Industrial Tribunal Delhi.

ANNEXURE 'B'

DELHI ADMINISTRATION, DELHI

ORDER

Delhi, the 5th November, 1958

No. F.10(264)/58-I&L.—Whereas from a report submitted by the Conciliation Officer, Delhi under section 12(4) of the Industrial Disputes Act, 1947, it appears that an Industrial dispute exists between the management of M/S Prag Dass Kanhya Lal, Katra Baryan, Delhi and its workman Shri Kanhyal Lal and that the said dispute has been taken up by the Shops & Commercial Workers Union, 780, Ballimaran, Delhi.

And whereas on a consideration of the said report the Chief Commissioner, Delhi is satisfied that the said dispute should be referred to a Tribunal.

Now therefore in exercise of the powers conferred by sections 10(1)(d) and 12(5) of the said Act, read with the Government of India, Ministry of Labour Notification No. L.R-1 (9), dated the 28th June, 1947 the Chief Commissioner, Delhi is pleased hereby to refer the said dispute to the Industrial Tribunal, constituted under his Notification No. F.1(203)/56-I&L dated 25th June, 1957 and consisting of Shri E. Krishna Murti for adjudication, and to specify the matters set forth in the sub-joined schedule, as matters upon which adjudication is necessary and to authorize the said Tribunal, in so far as may be necessary for the purpose of adjudication, to exercise such powers as are conferred on and follow such procedure as is prescribed for an Industrial Tribunal under the Industrial Disputes Act, 1947, and the Industrial Disputes (Central) Rules, 1957.

SCHEDULE

Terms of Reference,

Whether Shri Kanhyalal should be reinstated with full back wages and to what relief is he entitled?

By Order,

(Sd.) B. D. BHATT,

Secretary (Industries & Labour) Delhi
Admn. Delhi.

Delhi, the 9th February, 1959 .

No. F. 10 (25)/59-I & L.—In pursuance of the provisions of Sub-section (3) of section 10A of the Industrial Disputes Act, 1947, the Chief Commissioner, Delhi is pleased to publish in the annexure a copy of an arbitration agreement entered into between the management of Hindustan General Industries Ltd. and its workman Shri Peshori Lal.

ANNEXURE.

FORM C

(See Rule 7)

AGREEMENT

(Under Section 10A of the Industrial Disputes Act, 1947)

BETWEEN

Names of Parties :—

1. Representing Employer : Shri B. R. Chopra,
Secretary,
Hindustan General Industries Ltd.,
Nabi Karim, Kutab Road, Delhi.
2. Representing Workmen: Shri A. P. Anand,
Secretary,
General Engineering Labour
Union,
Saddiqui Building, Bara Hindu
Rao, Delhi .

It is hereby agreed between the parties to refer the following industrial dispute to the arbitration of Chaudhry Brahm Prakash, M. P., New Delhi :—

- (i) Specific matters in dispute :— Whether the termination of services of Shri Peshori Lal is justified and to what relief is he entitled to ?

- (ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved. Shri B. R. Chopra,
Secretary,
Hindustan General Industries Ltd.,
Nabi Karim, Kutab Road, Delhi.
- (iii) Name of the Union, if any, representing the workmen in question. Shri A. P. Anand,
Secretary,
General Engineering Labour
Union,
Saddiqui Building, Bara Hindu
Rao, Delhi.
- (iv) Total number of workmen employed in the undertaking affected. One.
- (v) Estimated number of workmen affected or likely to be affected by the dispute. One.

We further agree that the majority decision of the arbitrators shall be binding on us.

Witnesses :—

1. Sd/- (ILLEGIBLE)
2. Sd/- (S. P. JOSHI)

Signature of the parties
(Sd/-)

1. SHRI B. R. CHOPRA (Management)

(Sd/-)
2. Shri A. P. ANAND (Union)

By Order,

SHIV SHANKAR,

Under Secretary (Industries and Labour)
Delhi Administration.

पाली मिल की तीसरी शिफ्ट बन्द करने के विरुद्ध मजदूर संगठनों का राजस्थान के श्रम मन्त्री को पत्र !

श्रीमान् श्रम मन्त्री महोदय,
राजस्थान सरकार जयपुर,

विषय:—महाराजा श्री उम्मेद मिल्स, पाली में तीसरी शिफ्ट बन्द करने हेतु प्रबन्धकों का नोटिस !

मान्यवर,

यह तो आपको विदित ही होगा कि ता० २६-२-५८ को महाराजा श्री उम्मेद मिल्स लि० पाली व उसके श्रमिकों की दोनों रजिस्टर्ड ट्रेड युनियनों [टैक्स्टाईल लेबर युनियन (लाल-भण्डा) व राष्ट्रीय मिल मजदूर कांग्रेस,] के बीच एक समझौता हुआ जिसके अनुसार मिल में बदले हुए ऊँचे स्तर को देखते हुए कार्य-भार (Work load) व पगारों का नया स्टैण्डर्ड तय किया गया था। उक्त समझौते की शर्तों के अनुसार उसका लक्ष्य " कार्य-भार व पगारों का स्तर तय करना, नवीनीकरण करना व तीसरी शिफ्ट चलाना " ही था ! उस समझौते की शर्तों के अनुसार ता० ७-३-५८ को तीसरी शिफ्ट चालू हुई जिसमें गिंग फ्रेम की ४४ मशीनें चलती थीं और पहली व दूसरी शिफ्ट के बड़े हुए २०० स्थाई श्रमिकों के अलावा २०० से अधिक अन्य पुगाने बदली (एवजी) श्रमिक कार्य करने लगे। इसके फलस्वरूप नियमित ११ महीने से कार्य करने वाले इन ४००-४५० श्रमिकों की तनखाह में भी बढ़ोतरी हुई।

उपरोक्त समझौता करते समय उभय पक्षों ने त्रिदलीय श्रम सम्मेलन द्वारा पारित " नवीनीकरण के आदर्श समझौते " (Model Agreement) व राजस्थान सूती वस्त्र श्रमिक जांच कमेटी (देशपांडे कमेटी) की रिपोर्ट के सुझावों में निहित सिद्धान्तों को आधार बनाया था। संक्षेप में ये सिद्धान्त निम्न प्रकार हैं :-

- (१) कार्य भार के परिवर्तन या नवीनीकरण के फल स्वरूप किसी भी मजदूर (चाहे वह बदली मजदूर ही क्यों न हो) की छुट्टी न होगी और मशीनें बढ़ा कर या नई शिफ्ट चला कर पूरे मजदूरों को काम पर लगाया जायगा।
- (२) इन परिवर्तनों से होने वाले मुनाफे का मालिक, मजदूर व समाज के बीच उचित वितरण होगा।
- (३) उभय पक्षों में मतभेद पैदा होने पर उसे पंच निर्णय से निपटाया जायगा।

इन सिद्धान्तों के आधार पर किए गये समझौते की धारा १३ के अनुसार मैनेजमेंट तीसरी शिफ्ट स्थाई तौर पर चलाना चाहते हैं। अगर व्यवसायिक कारण या ऐसे कारणों से जो काबू के बाहिर हैं तीसरी शिफ्ट बन्द करनी पड़ी तो तीसरी शिफ्ट शुरू होने के पूर्व के तमाम कायम श्रमिकों को पहली व दूसरी शिफ्ट में अपनी ही जगह पर इस समझौते की शर्तों के अनुसार ही कार्य पर जारी रखा जायगा।

समझौते की धारा १४ के अनुसार "प्रबन्धक इस समझौते के लागू होने के एक वर्ष तक कार्य भार बढ़ाने, नवीनीकरण करने या किसी विभाग में श्रमिक कम करने का कोई कदम नहीं उठा सकेंगे।"

समझौते की धारा १५ के अनुसार "समझौता लागू होने के एक वर्ष बाद अगर प्रबन्धक कार्यभार या नवीनीकरण की या ऐसी ही कोई योजना लागू करना चाहे.....या इस समझौते में तय कोई प्रश्न उठाना चाहे तो उभय पक्ष उस परिवर्तन के प्रश्न को तय करने के लिये निम्न तरीके अख्तियार करेंगे :-

- (अ) ऐसे प्रस्तावित परिवर्तन की आवश्यक सूचना सहित नोटिस एक पक्ष दूसरे पक्ष को देगा।
- (ब) तीन सप्ताह के अन्दर दोनों पक्ष उस प्रश्न को आपसी बातचीत से तय करने का प्रयत्न करेंगे।
- (स) अगर उभय पक्षों में समझौता नहीं हुआ तो दोनों पक्ष संयुक्त रूप से उद्योगिक विवाद अधिनियम की धारा १०(अ) के अनुसार उसे पंच निर्णय के लिये या धारा १० (२) के अनुसार न्याय निर्णय हेतु ट्रिब्यूनल के सुपद करेंगे।

समझौते की वे धाराएं विस्तार के साथ आपके सामने इर्साए रखी जा रही है कि जो विवाद अब यहां पैदा हुआ है उसकी पृष्ठ भूमि आपको पता लग जाय।

तारीख १-२-५६ को मिल के प्रबन्धकों ने एक नोटिस लगा कर इस बात का एलान कर दिया है कि वे तारीख ७-३-५६ से तीसरी शिफ्ट बन्द कर देंगे। उन्होंने तीसरी शिफ्ट के करीब २०० श्रमिकों को पहिली व दूसरी शिफ्ट में अपनी पुरानी जगह पर लेने का आश्वासन दिया है और बाकी की छन्टनी की घोषणा की है। इस नोटिस के लागू होने पर:—

- (१) तीसरी शिफ्ट के करीब २०० श्रमिकों की छन्टनी होगी।
- (२) पहली व दूसरी शिफ्ट के करीब ४०० बदली के श्रमिकों को कार्य नहीं मिल पाएगा।
- (३) तीसरी शिफ्ट से वापिस आने वाले अधिकतर श्रमिकों को कोई स्थाई स्थान व मशीन नहीं मिलेगी और उनकी तनख्वाएं कम होगी।

प्रबन्धकों ने इस परिवर्तन का कारण 'व्यवसायिक कारण जो काबू के बाहिर है' दिया है। उन्होंने उक्त समझौते की धारा १३ के शब्दों का प्रयोग किया है। यह नोटिस लगाने के पूर्व उन्होंने श्रमिक संगठनों से कोई विचार विमर्श नहीं किया और न इससे होने वाले परिणामों के बारे में पूरी सूचना दी। यह नोटिस समझौता लागू होने के ११ मास बाद ही लगा दिया गया है।

स्पष्ट तथा नोटिस समझौते की भावनाओं व धारा १४ व १५ के मिरुद्ध है। समझौते की धारा १३ के अनुसार भी छन्टनीका कोई अधिकार उन्हें प्राप्त नहीं है। यह नोटिस त्रिदलीय श्रम सम्मेलनों के निर्णयों के विरुद्ध है। और 'अनुशासन संहिता' को भंग करना है। मजदूरों के संगठनों ने प्रबन्धकों को कहा कि वे इस नोटिस को वापिस लेकर उसे पंच निर्णय को सौंप दें। परन्तु उन्होंने नहीं माना। यह भी आपको सूचित हम करते हैं कि पाली मिल बम्बई मिल मालिक संघ की सदस्य है। बम्बई मिल मालिक संघ सब त्रिदलीय समझौते में शामिल है। अतः न सिर्फ कानूनी परन्तु नैतिक दृष्टि से भी यह नोटिस गलत है।

अब प्रश्न यह यह है कि प्रबन्धकों ने अपने नोटिस में जिस व्यवसायिक कारण का उल्लेख किया है वह कहां तक सही है? तीसरी शिफ्ट के कारण पाली मिल के प्रबन्धकों को उत्पादन खर्च में २५% की बचत हुई। जुलाई ५८ से भारत सरकार द्वारा एक्सपोर्ट ड्यूटी के छूट से भारी बचत हुई। मिल में प्रति व्यक्ति पैदावार बढ़ी। बाजार में कपड़े व सूत की बिक्री की हालत में कफी सुधार हुआ है। यह स्पष्ट है कि जनवरी ५८ से बाद अब तक कपड़ा उद्योग की स्थिति में भारी सुधार हुआ है।

अतः जो कारण तीसरी शिफ्ट बन्द करने का दिया है न सिर्फ गलत व अनुचित है परन्तु बदनियत पूर्ण है। आज देश के तमाम केन्द्रीय मजदूर संगठन छन्टनी का विरोध कर रहे हैं, अतः वर्तमान छन्टनी के नोटिस को लागू करने का विरोध पाली के मजदूर संगठन भी करेंगे।

हम आपका ध्यान किशनगढ़ व विजयनगर मिलों की स्थिति की ओर भी खींचना चाहते हैं। मनमाने ढंग से उन्हें मिल बन्द काने, छन्टनी आदि करने की छूट का नतीजा सामने हैं। कोई नहीं चाहता कि पाली की मिल भी उसी रास्ते पर जाए।

अतः राजस्थान के उद्योगिक विकास के नाम पर, त्रिदलीय सम्मेलनों के निर्णयों व उसमें निहित भावनाओं के नाम पर, कानून व नैतिक अधिकारों के नाम पर आपसे अपील करेंगे। कि राजस्थान सरकार अपने कानूनी अधिकारों का उपयोग करके तीसरी शिफ्ट का बन्द होना व छन्टनी को रोकें और सारे प्रश्न को न्याय निर्णय हेतु उद्योगिक अदालत को सुपर्द कर दें।

हमें विश्वास है कि आप इस इस पर शीघ्र व समय रहते आवश्यक कदम उठाएंगे।

पाली (राजस्थान)

चुन्नीलाल सोलंकी

प्रधानमन्त्री

राष्ट्रीय मजदूर कांग्रेस

पाली

तारीख १७-२-५६

भवदीय

इकबालसिंह परिहार

प्रधान मन्त्री

टेक्सटाईल लेबर युनियन

पाली

मुंबई गिरणी कामगार युनियन

for Com. Dange.

१० मार्च रोजी हजारोंच्या संख्येने सभासद व्हा!

कामगार बंधूना,

१ फेब्रुवारी रोजी आपण गिरणी कामगारांनी आपली एकजूटीची युनियन स्थापन केली. या युनियनला प्रातिनिधिक दर्जा प्राप्त करून घेणे हे आपल्या पुढील पहिले महत्वाचे व तातडीचे काम आहे. दहा वर्षांपूर्वी १९४९ मध्ये गिरणी मालक व सरकार यांनी राष्ट्रीय संघाला मान्यतेचा पत्रा दिला. त्यानंतरच्या संघाच्या १० वर्षांच्या कारकिर्दीचा इतिहास काय आहे? या काळांत-

१) ६५००० गिरणी कामगार बेकार झाले. अेकट्या छी कामगारांची संख्या या दहा वर्षांत ३३००० वरून ११००० वर घसरली.

२) गिरण्यांतून जबरदस्त कामवाढ झाली. गाडीखात्यासारखी खाती नष्ट झाली. वाईडिंग, वार्पिंग, सायझिंग वगैरे खात्यांतून नविन मशिनरी आणून शेंकडो कामगारांना बेकार करण्यांत आले. त्रासनमध्ये दोन बाजूंच्या चार व कित्येक गिरण्यांतून ६ व ८ बाजू झाल्या. कपच्यामध्ये संच्युरी, मोरबाग, स्वदेशी आदि गिरण्यांनी अॅटोमॅटीक सांचे आणले. इतर कित्येकांनी असलेल्या मशिनरीवरच चार व सहा सांचे चालविले.

३) कामगारांना न. विचारांतां बोनसचा पंचवार्षिक करार करून तीन महिन्यांच्या मूळ पगारांपेक्षा बोनस कच्चाही जास्त असू नये यास संघाने मान्यता दिली. प्रत्येक गिरणीचा हिशेब वेगवेगळा पहाण्याचे मान्य करून निरनिराळ्या गिरण्यांच्या कामगारांना वेगवेगळा बोनस दिल्या. या करारप्रमाणेच १९५६ सालासाठी म्हणून ७५००० वर कामगारांना फक्त १५ दिवसांच्या मूळ पगाराएवढा बोनस मिळाला. १९५७ च्या बोनसचा तर अजून पत्ताच नाही.

४) या जुलमाविरुद्ध लढणाऱ्या अनेक लढाऊ कार्यकर्त्यांची गिरण्यांतून हकालपट्टी करण्यास संघाने मालकांना मदत केली.

पुढचा काळ तर अधिकच कठीण दिसत आहे. सरकारवर दडपण आणून मालकांनी येत्या तीन वर्षांत ७५०० अॅटोमॅटीक सांचे आणण्यास परवानगी मिळविली आहे. याचा मोठा भाग मुंबईच्या गिरण्यांमध्येच येणार. त्रासन मध्ये कामवाढीचा फार मोठा हल्ला सुरू झाला आहे. श्रीनिवास, मधुसुदन, कमला, दिग्विजय, मुरारजी, आगासवाडी वगैरे गिरण्यांतून बाजूवाढीच्या हल्ल्याखाली शेंकडो कामगारांना बेकार करण्याच्या योजना सुरू आहेत. धनराज बंद आहेच. माधवहि बंद झाली. प्रल्हाद, नारायण, प्रकाश वगैरे केव्हां राम म्हणतील याचा नेम नाही. गिरण्यांतून दडपशाही, दंड, वॉर्निंग, सस्पेंड, चार्ज शीट, वगैरेना तर ऊत आला आहे. वेतनवाढ देण्यासाठी दोन वर्षांपूर्वी नेमलेल्या वेतनमंडळाचे कामकाज थंडच पडले आहे. माधव, नारायण सारख्या कित्येक गिरण्यांतील कामगारांच्या प्रा. फंडाचे व सोसायट्यांचे लाखों रुपये मालकांनी आपल्या घशांत घातले आहेत.

या अत्यायाच्या व अत्याचाराच्या विरुद्ध एकजूटीचा लढा उभारण्यास संघाने निकराचा विरोध केला. ठिकाठिकाणी मालकांशी हातामिळवणी करून कामगारांवर बेकारी व कामवाढ लादली. म्हणून दहा वर्षांच्या आपल्या मान्यतेच्या काळांत संघाने कामगारांचा द्रोह केला असे आम्ही म्हणतो.

मागे पहा

या परिस्थितीत बदल घडवून आणावयाचा असेल तर प्रथम संघाची मान्यता नष्ट करून घेतली पाहिजे. ती रद्द करून घेण्याचा लढा हा सामान्य लढा नाही. कारण स्वतःचे घोरण कामगारांमध्ये अमलांत आणण्यासाठी संघाची उपयोग गिरणी मालक व सरकार यांना होत असल्याने ते ही मान्यता टिकवून घेण्याचा आटोकाट प्रयत्न करतील हे अगदी उघड आहे.

मुंबईत नव्याने स्थापन झालेली एकजूटीची मुंबई गिरणी कामगार युनियन ही गिरणी कामगारांचे हित व हक्क यांचे रक्षणासाठी झगडणारी आज सर्वांत मोठी शक्ति आहे. कामगार हितासाठी लढणारे सर्व पक्ष—सर्व शक्ति या युनियनमध्ये एकत्र आल्या आहेत.

कामगार बंधूने, आता या युनियनच्या पाठीशी आपली सर्व ताकद उभी करणे व तिला आपली प्रतिनिधी युनियन बनविणे हे तुमचे कर्तव्य आहे. येत्या दहा मार्चच्या पगाराला आल्या युनियनचे किमान एक लाख सभासद बनले पाहिजेत. यासाठी प्रत्येक गिरणीच्या दरवाड्यावर व चाळीचाळीतून सभासद नोंदणीची मोहिम व्हावयास पाहिजे. कुलांब्यापासून ते कुर्यापर्यंतची प्रत्येक गिरण ही आपला किला झाली पाहिजे. प्रत्येक गिरणी कामगार—मग तो जातू असो वा बदली असो, स्त्री असो वा पुरुष, हाफर असो वा जाबर, मराठी, हिंदी, उर्दू, तेलगू, कोणतीही भाषा बोलणारा असो, राजकारणामध्ये कोणत्याही पक्षाला मानणारा असो... आपल्या युनियनचा सभासद झाला पाहिजे अवघा गिरणी कामगार एक ही आपली घोषणा.

- ★ वाढती ब्रेकारी व कामवाढ रोखून घरा !
- ★ गिरण्यांतून ॲटोमॅटिक सांचे बसविण्यास विरोध करा !
- ★ वेतनमंडळाचा अहवाल तीन महिन्यांत बाहेर आला पाहिजे !
- ★ १९५७ चा बोनस ताबडतोब मिळाला पाहिजे !
- ★ शिमा योजनेतील दोष ताबडतोब दूर करा !
- ★ हॉस्पिटल बांधणीचे काम ताबडतोब हाती घ्या !
- ★ गिरण्यांतील दडपशाही बंद करा !
- ★ कामगारांवर अन्याय्य बंधने लादणारा काळा कायदा दुरुस्त करा !
- ★ वरील गोष्टी मिळविण्यासाठी या पगाराला चार महिन्यांची एक रुपया वर्गणी भरून युनियनचे प्रचंड संख्येने सभासद व्हा !

युनियनची भूमिका समजावून सांगण्यासाठी शनिवार ता. ७ मार्च रोजी सायंकाळी ५ वा. नरेपार्कवर जाहीर सभा

गिरणी कामगारांच्या एकजूटीचा विजय असो

एस. एम. जोशी
अध्यक्ष

एस. ए. डांगे
सर चिटणीस

बम्बई गिरनी कामगार युनियन

१० मार्च के दिन हजारों की तादाद में मॅबर बनिये!

मजदूर भाइयो!

१ फरवरी के दिन आप मिल मजदूरोंने अपनी एकता की युनियन स्थापित की। इस युनियनको प्रातिनिधिक युनियन बनाना यह अब हमारे सामने महत्वपूर्ण कार्य है। दस साल पहले १९४९ में मिल मालिक और सरकार इन्होंने राष्ट्रीय संघ को मान्यता की सनद दी। उसके बाद से संघ के दस साल की कारगुजारीका इतिहास क्या है? इस समय के अंदर —

१) ६५००० मिल मजदूर बेकार हुये। सिर्फ स्त्री मजदूरोंकी संख्या इस दस सालके अन्दर ३३००० से घटकर ११००० रह गई

२) मिलों के अंदर जबरदस्त कामवाढ हुई। वाइडिंग, वार्पिंग, सायकलिंग इत्यादि खातोंमें नई मशीनें चलाकर सैकड़ो मजदूरोंको बेकार किया गया। त्रासन में दो की जगह चार कितने ही में तो ६ और ८ बाजू चलाये गये। रूपड़े में सेच्युरी, मोरबाग, स्वदेशी आदि मिलोंने आटोमॅटिक सांचे चलाये। दूसरी कइयोंने पुरानी मशीनरीपरही ४ और ६ सांचे चलाये।

३) मजदूरोंको बिना पूछे बोनसका पंचवार्षिक करार करके तीन महीनोंके मूलवेतन से बोनस कभी भी जादा न मिलेगा इस शर्तको संघने मान्यता दी। प्रत्येक मिलका हिस्सा अलग अलग देखना मानकर मिल मजदूरोंको अलग अलग बोनस दिलाया। इसी करार के अनुसार १९५६ के लिये ७५००० के ऊपर मजदूरोंको केवल १५ दिन की मूल तनखा के बराबर बोनस मिला। १९५७ की बोनसका तो अभी ठिकाना ही नहीं।

४) इस जुल्म के विरुद्ध लड़ने वाले लड़ाकू कार्यकर्ताओंको मिलोंसे निकालनेमें मालिकोंकी मदद की।

आगेका समय तो और भी मुष्किल दिखाई देता है। सरकारपर दबाव लाकर मालिकोंने आगेकी ३ सालोंमें ७५००० आटोमॅटिक सांचे मिलोंमें लगानेकी मंजूरी प्राप्त कर ली है। इसका बडा हिस्सा बम्बई की मिलोंमें ही आयेगा। त्रासन में कामवाढ का जबरदस्त हमला चाद हो गया है। भी निवास, मधुसुदन, कमला, दिग्विजय, सुरारजी आगासवाडी आदि मिलोंमें बाजू वाढी के नाचे सौकड़ो मजदूरोंको बेकार करने की योजनाएँ जारी हैं। धनराज तो बन्द ही है। माधव भी बन्द हो गयी। प्रल्हाद, नारायण, प्रकाश वगैरे भी कब अपनी साँस तोड़ेंगी इसका कोई भरोसा नहीं। मिलोंमें दमन, डॉड, वार्निंग, सस्पेंड, चार्जशीट आदि का भरमार है। वेतन में बढ़ती देने के लिये दो साल पहले बिठायी गयी वेतन कमेटी का कामकाज करीब ठप्प पड़ गया है। माधव, नारायण जैसी कई मिलोंके मजदूरोंके प्रा. फंड सोसायटी आदि के लाखो रुपये मालिक हजम कर गये।

इस अन्याय और अत्याचार के विरुद्ध एकताकी लड़ाई संगठित करनेका संघने हमेशा जबरदस्त विरोध किया। कई जगह मालिकोंसे हाथ मिलाकर मजदूरोंपर बेकारी और कामवाढ लाद दी। इसी लिये दस साल के अपनी मान्यता के कालमें संघ ने मजदूरोंका विश्वासघात किया, ऐसा हमारा कहना है।

(पिछे देखो)

इस स्थितीको यदि बदलना हो तो सबसे पहिल संघकी मान्यता रद कर लेनी चाहिये। वह रद करा लेनेकी लड़ाई यह मामूली लड़ाई नहीं। क्यों कि अपनी नीति मजदूरोंमें अमल करने के लिये संघका उपयोग मिल मालिक और सरकार इनको होते रहनेके कारण संघकी मान्यता बनायी रखनेकी भरसक कोशिश वे करेंगे, यह साफ है।

बम्बईमें अभी स्थापित हुई वम्बई गिरणी कामगार युनियन यह मिल मजदूरोंके हित और अधिकार इनके लिये लड़नेवाली आज सबसे बडी ताकत है। मजदूरोंकी भलाई के लड़नेवाले सभी दल और सभी शक्तियाँ इस युनियनमें इकट्ठा आयी है।

मजदूर भाईयो! अब इस युनियन के पीछे अपनी पूरी ताकत खडी करना और उसीको अपनी प्रतिधिनी युनियन बनाना यह आपका कर्तव्य है। आती १० मार्च की तनखा के राज इस युनियन के कम से कम एक लाख सभासद बन जाने चाहिये; इस के लिये हरेक मिल के दरवाजे पर, चाल चक्र में और बस्ती बस्ती में मेम्बरशिप बनानेका आन्दोलन होना चाहिये। कुलाबा से लेकर कुर्लातक हरेक मिल अपना किला बन बानी चाहिये। हरेक मिल मजदूर— फिर वह जात हो या बदली, औरत हो या मरद, डाफर हो या बाबर, मराठी, हिन्दी, उर्दू, तेलगु, किसी भी भाषाका बोलनेवाला हो, राजनीति में किसी भी पक्ष को माननेवाला हो—अपनी युनियन का मेंबर बन जाना चाहिये। अपना नारा—सब मिल मजदूर एक।

- ★ बढ़ती हुई बेकारी और कामवाढ को रोक दो।
- ★ मिलोंके अन्दर ऑटोमॅटिक सॉचे बैठानेका विरोध करो।
- ★ वेतन कमेटाका निर्णय तीन महिनोंके अन्दर बाहर आना चाहिये।
- ★ १९५७ का बोनस तुरंत मिलना चाहिये।
- ★ बीमा योजना के अन्दर सुधार करो।
- ★ मजदूरोंके लिये अस्पताल बनानेका काम तुरंत चालू करो।
- ★ मिलोंके अन्दर दमन बन्द करो।
- ★ मजदूरोंपर अन्यायपूर्ण बन्धन लगानेवाला काला कायदा दुरुस्त करो।

इन बातोंको हासिल करनेके लिये आती पगार के रोज चार महिनेका चन्दा एक रुपया देकर भारी संख्यामें युनियनके मेंबर बन जाईये।

मिल मजदूरों की एकता जिन्दाबाद

एस. एम. जोशी
अध्यक्ष

एस. ए. डांगे
सर चिटणीस

कपड़ा श्रमजीवी संघ (रजिस्टर्ड)

कपड़ा कर्मचारियों की मांगों पर मर्कन्टायल एसोशियेशन के प्रधान का ऐलान सज्जनों !

मंडी में पिछली १३ दिन की हड़ताल के सम्बन्ध में तरह २ की गलतफैहमियां फैली हुई हैं, उनका स्पष्टीकरण करना हम अपना कर्तव्य समझते हैं ताके भविष्य में कर्मचारी वा मालिकान के सम्बन्ध अच्छे से अच्छे रहें।

मर्कन्टायल एसोशियेशन की आम सभा तारीख २८-१०-५७ में कपड़ा श्रमजीवी संघ से जो अपील की थी कि समय की नजाकत को देखते हुए हड़ताल वापिस ले लें हमने तारीख ५-११-५७ को अपने पत्र द्वारा हड़ताल वापिस ले ली।

कर्मचारियों की मांगें

१—पच्चीस फीसदी तनख्वाहों में तरकी की जाये।
२—तनख्वाहों में सालाना तरकी की जाये कम से कम तनख्वाह मुकर्रर की जाये माल डालने की मजदूरी की सरह पर विचार किया जाये कोठी जो ऊपर की मंजिल में हैं उनकी मजदूरी बढ़ाई जाये।

३—दिवाली के अवसर पर हर साल सालाना बोनस दिया जावे।

४—ग्रेचुएटी की स्कीम कर्मचारियों पर लागू की जावे और साल में एक माह की तनख्वाह ग्रेचुएटी में दी जाये।

५—मर्कन्टायल एसोशियेशन प्रोविडेंट फंड की योजना के उसूल को माने और कपड़ा श्रमजीवी संघ के साथ मिलकर प्रोविडेंट फंड की योजना बनाये।

६—गत्त सुतली कटोती वगैरा कर्मचारियों को मिले।

११—दुकान व कोठियों पर काम करने वाले कर्मचारियों से घर पर काम लेना बन्द किया जाये।

मांग नं० ८-६-१२—कर्मचारियों के कमरों वा मकानों से सम्बन्ध रखती है।

१०—मर्कन्टायल कर्मचारी कानून पर अमल कराये।

१३—संघ को मान्यता दी जाये।

७—कर्मचारियों के इलाज का प्रबन्ध किया जाये।

जो कर्मचारी हड़ताल पर रहे हैं उनकी हड़ताल के दिनों की तनख्वाह नहीं काटी जायेगी—इसका साफ मतलब यह है कि हड़ताल की वजह से किसी भी कर्मचारी को नौकरी से पृथक नहीं किया जायेगा। साथ ही कर्मचारी कानून व अन्य सरकारी न जो कर्मचारियों पर लागू होते हैं उन पर इस ऐलान का कोई असर नहीं होगा।

हमारा निवेदन

बन्द व्यापारी इस मामले को लेकर मन घड़न्त अर्थ लगाते हैं और कर्मचारियों को भड़काने की पुरानी आदत से बाज नहीं हैं चेतावनी देते हैं कि अगर उन्होंने मर्कन्टायल के प्रधान के ऐलान तारीख ६-११-५७ पर अमल नहीं किया तो संघ को हक है कि मर्कन्टायल के प्रधान के ऐलान को अमल में लाने के लिए उचित कदम उठाये।

पलाउन्स—जो इसी तनख्वाह पर मालिकान ना दें वह कर्मचारी दफतर कपड़ा श्रमजीवी संघ को सूचित करें।

प्रधान मन्त्री—

ए महेशदास, देहली।

कपड़ा श्रमजीवी सङ्घ (रजिस्टर्ड) देहली

मर्कन्टायल के प्रधान का ऐलान

१-२—उसूल मान लिया गया।

कर्मचारियों की मांग नं० १ जो बावत तनख्वाह बढ़ाने और मांग नं० २ का वह हिस्सा जो सालाना तरकी के मुताबिक है उनके बारे में एक या दो २ माह के अन्दर विचार करके मुनासिब चीज तै करदी जायेगी। जो कोठियां ऊपर की मंजिल पर हैं उनकी मजदूरी मुकर्रर मजदूरीसे सवाई करदी गई है।

३—सन् १९५७ के लिए कर्मचारियों को एक माह की तनख्वाह स्पेशल अलाउन्स दे दी जावे, जो अलाउन्स के रूप में ही पहले एक महीने की रकम के बराबर दे चुके हैं वह दोबारा नहीं देंगे।

हमारा नोट—साल में तेरह महीने को तनख्वा के अलावा यह अलाउन्स देना जरूरी है! साथ ही आऊउंस का मतलब जो इस ऐलान के बाद तनखा मिले उस पर कर्मचारी को लाजमी दे दिया जावे ?

४—ट्रेड डिस्कूट ऐक्ट के मातहत इसको कोई भी मालिकान नहीं रोक सकता।

उसूल मान लिया

प्रोविडेंट फंड भी योजना के बारे में सब बातें समझकर तथा इन्कम टैक्स और कानूनी जानकारी हासिल करके जरनल वाडी में पेश किया जावेगा।

६—सन् १९४२ के फैसले के मुताबिक कर्मचारियों का हक आज भी उसी प्रकार कायम है।

११—कर्मचारियों की ओर से सिकायत आने पर किसी भी कर्मचारी से घर पर कर्मचारी कानून के मुताबिक नियत समय के अलावा काम नहीं लिया जायेगा।

८-६-१२—इसके बसूल को मान लिया जो कर्मचारी कमरों में रहते हैं उनको नौकरी पर रहते हुये कमरे में से नहीं हटाये जायेंगे।

१०—मर्कन्टायल एसोशियेशन इसमें कपड़ा श्रमजीवी संघ को पूर्ण सहयोग देगी।

१३—संघ के साथ पूर्णवत सम्बन्ध बना रहेगा।

७—बसूल मान लिया है स्कीम बनाकर जनरल वाडी में रक्खा जायेगा।

২৬শে জানুয়ারী কেশোরাম শ্রমিক শোভাযাত্রার উপর হামলার পিছনে

বিড়লা কোম্পানীর উদ্দেশ্য কি ?

বঙ্গুগণ,

গত ২৬শে জানুয়ারী প্রজাতন্ত্র দিবস উপলক্ষে গার্ডেন-রীচে টেক্সটাইল ওয়ার্কাস্ ইউনিয়নের নেতৃত্বে কেশোরাম কটন মিলের ছয় সহস্রাধিক শ্রমিকের শান্তিপূর্ণ অশ্রুশূন্য শোভাযাত্রার উপর বিড়লা কোম্পানী পরিচালিত অপর একটা শোভাযাত্রার পক্ষ হইতে অতর্কিতে আক্রমণ শুরু হয়। ফলে প্রায় একশত শ্রমিক কম-বেশী আহত হন এবং সর্বাঙ্গিক মর্মান্বন ঘটনা হইল যে ঘটনাস্থলের নিকটে ১০ বৎসরের বৃদ্ধ দর্জি জনাব মহিতুদ্দিন আহত হন এবং প্রায় সঙ্গে সঙ্গে তাহার মৃত্যু হয়। আমরা এই হত্যাকাণ্ডের তীব্র প্রতিবাদ করিতেছি এবং নিহতের শোক সম্বন্ধে পরিবার-বর্গকে গভীর সমবেদনা জানাইতেছি।

প্রজাতন্ত্র দিবসের ছয় পবিত্র দিনে শ্রমিক শোভাযাত্রার উপর এইরূপ হীন বর্বরোচিত আক্রমণের প্রতীতি ও ব্যবস্থা মিল কর্তৃপক্ষের পূর্বপরিকল্পিত। তাহাদের শোভাযাত্রার মধ্যে গুণ্ডা যে দুইশত লাঠিধারী গুণ্ডা উপস্থিত ছিল এবং শ্রমিকদের শোভাযাত্রার মুখোমুখি দাঁড়াইয়া হুমকি ও আশঙ্কান করিতেছিল তাহাই নহে—কোম্পানীর লেবর অফিসার গুলিভরা পিস্তল লইয়া তাহাদের শোভাযাত্রা পরিচালনা করে এবং নিরস্ত্র শ্রমিকদের উপর গুলি বর্ষণ করে।

এই ক্ষত্রে স্মরণ করা যাইতে পারে যে গত ১৫ই আগষ্ট '৫৮ একই রূপ আক্রমণের প্রতীতি তাহারা করিয়াছিল এবং গার্ডেনরীচ রোডে শ্রমিক শোভাযাত্রার উপর হামলা শুরু করে। কিন্তু শোভাগোষ্ঠের বিষয় শ্রমিকদের অশেষ ঐর্ষ্যের ফলে সেদিন সংঘর্ষ এড়াইতে সক্ষম হয়। কিন্তু সেদিন সেই

গুণ্ডাদের আঘাতে গার্ডেনরীচ ধানার ভাঙ্গাশেষ অফিসারের রক্তপাত হয়। তথাপিও কংগ্রেসের আয়তনে বিরলার এই পোষা গুণ্ডাদের বিরুদ্ধে কোনও ব্যবস্থা অবলম্বিত হয় নাই; যাহার ফলে এবৎসরও তাহারা বেপরোয়া হামলা করিবার সুযোগ এবং সাহস পায়।

এবারও গার্ডেনরীচ টেক্সটাইল ওয়ার্কাস্ ইউনিয়নের পক্ষ হইতে হাদামা এড়াইবার সর্বপ্রকার চেষ্টা হইয়াছিল। প্রতিবার দুইটা শোভাযাত্রার গার্ডেনরীচ রোডে সাক্ষাৎকার হয়। তাহা এড়াইবার জন্য সমস্ত অসুবিধা সত্ত্বেও নির্দ্বারিত সময়ের ৪৫ মি: পরে কোম্পানী পরিচালিত শোভাযাত্রাটা গার্ডেনরীচ রোড হইয়া মুদিয়ালী অতিক্রম করিবার পর শ্রমিকদের শোভাযাত্রাটা বাহির হয়। কিন্তু শ্রমিক শোভা-যাত্রা মাঝে রোড হইয়া আকড়া রোডে আসিলে দেখা যায় অপর দিক হইতে কোম্পানীর শোভাযাত্রাটা কিরিয়্যা ইহার পথ রোধ করে। সামনা সামনি আসিলে শ্রমিক শোভা-যাত্রাটা রাস্তার একেবারে এক কিনারা দিয়া অগ্রসর হইতে থাকে এবং প্রায় শেষ মুহূর্তে হঠাৎ কোম্পানীর গুণ্ডারা আক্রমণ শুরু করে।

কেশোরাম কটন মিলের কর্তৃপক্ষের এই উদ্দেশ্য ও হামলার আসল উদ্দেশ্য হইতেছে দশ হাজার অস্বাভাবিক শ্রমিকদের ছায়া দাবী আদায়ের সংগ্রামকে ও তাহাদের শক্তিশালী ইউনিয়নকে ধ্বংস করা। চুক্তি অস্বাভাবিক গত দুই বৎসরের বোনাসের বাকী অংশ, এই বৎসরের বোনাস, ট্রাইব্যুনালের মায় চালু করা, ছাঁটাই ও সাম্পেনসন বন্ধ করা প্রভৃতি দাবীগুলির কোনও মীমাংসা না হওয়ার সরকারী

হস্তক্ষেপের দাবীতে গত অক্টোবর মাসে ইউনিয়নের সহ-সভাপতি অনশন ধর্মঘট করেন। ১৩ দিন অনশনের পর শ্রম মন্ত্রীর ক্ষত হস্তক্ষেপের আশাসের ফলে অনশন প্রত্যাহত হয়। কিন্তু তাহার পর দীর্ঘ তিন মাস অতিবাহিত হইল—শ্রম দপ্তর বা শ্রম মন্ত্রীর কোনও পরামর্শই বিরলা কোম্পানী কর্তৃপাত করে নাই এবং সরকার ও কোম্পানীকে আইন মানিতে বাধ্য করেন নাই। উপরন্তু ইতিমধ্যে শতাধিক নেতৃস্থানীয় শ্রমিককে চার্জশীট দিয়া মাসপেণ্ড করা হইয়াছে, একের পর এক বহুদিনের অর্জিত সন্নিধাগুলি কাটাইয়া লওয়া হইয়াছে—কাজের চাপ বৃদ্ধি করিয়া লোক ছাঁটাইএর চেষ্টা হইতেছে। নৈনীতালে দাফরিত জিদলীর চুক্তি “কোড-অফ-ডিসিপ্লিন” দিনের পর দিন ভঙ্গ করা হইয়াছে। ফলে ইউনিয়ন শেষ পর্যন্ত শ্রমিকদের দাবী আদায়ের শেষ পন্থা ধর্মঘটের রাস্তা গহণ করিবার সিদ্ধান্ত করেন এবং তাহা একাধিক প্রকাশ সাধারণ সভায় ঘোষিত হয়। ধর্মঘট সম্পর্কে চূড়ান্ত সিদ্ধান্ত ও আইন অস্থায়ী নোটিশ ইত্যাদি প্রদান করিবার দিন স্থির ছিল ২৭শে জানুয়ারী। মিল কর্তৃপক্ষ কিণ্ড হইয়া প্রস্তাবিত ধর্মঘটকে ব্যর্থ করিবার জন্য এই জঘন্য চক্রান্ত করে তাহাতে কোনই সন্দেহ নাই। একদিকে শ্রমিকদের উপর সরাসরি আঘাত অপরদিকে শ্রমিক ও অস্বাস্থ্য জনসাধারণের মধ্যে বিভেদ সৃষ্টির জন্য এই জঘন্য কাণ্ড অহুষ্ঠিত হইয়াছে। কোম্পানীর অফিসার ও গুণ্ডাদের এইরূপ প্রত্যক্ষ উত্তরনী ও আক্রমণ সত্ত্বেও পুলিশের পক্ষ হইতে শ্রমিক কর্মী

ও নেতাদের ব্যাপকভাবে গ্রেপ্তার করা হইতেছে এবং সমগ্র গার্ডেনরীচ অঞ্চলে সন্ত্রাসের রাজত্ব সৃষ্টির চেষ্টা চলিয়াছে। শ্রমিকদের অভিযোগ ধানায় লওয়া হইতেছে না এবং গুণ্ডাদের দ্বারা আক্রান্ত হইয়া শ্রমিকেরা অভিযোগ করিতে গেলে তাহাদের গ্রেপ্তার করা হইতেছে। অপর দিকে, কোম্পানীর বহু গুণ্ডাদের এপর্যন্ত গ্রেপ্তার করা হয় নাই এমন কি বিজয় বাহাদুর সিং, যে শ্রমিকদের উপর গুলি চালাইয়াছে বলিয়া অভিযোগ আছে তাহাকেও গ্রেপ্তার করা হয় নাই।

পুলিসী সন্ত্রাস ও কোম্পানীর চক্রান্তের উদ্দেশ্য হইতেছে কেশোরাম শ্রমিকদের সংগঠন ভাঙ্গিয়া ফেলিয়া তাহাদের শোষণ ও জুলুম বাড়াইয়া শ্রমিকদের ত্যাগ দাবী হইতে বঞ্চিত করা।

শ্রমিকদের কাছে আবেদন—এই চক্রান্ত ব্যর্থ করুন। ইউনিয়নের নেতৃত্বে শান্তিপূর্ণ ভাবে আন্দোলনের মাধ্যমেই আমাদের স্ত্রাব্য দাবীগুলি আদায় করিতে পারিব। সর্বশেষে আহত ও গ্রেপ্তারী শ্রমিকদের জন্ত এবং নিহত দর্জিতাই মহতুন্দিনের পরিবারবর্গকে সাহায্যের জন্য শ্রমিক ও জনসাধারণের নিকট আবেদন জানাইতেছি।

সংগঠিত শ্রমিক ও অন্যান্য জনসাধারণের নিকট আমাদের আবেদন—দশহাজার স্ত্রতাকল শ্রমিকদের পাশে দাঁড়াইয়া কৃপ্যাত বিড়লার কোম্পানীর এই জঘন্য বড়বস্ত্রের জবাব দিন—১৪৪ ধারা প্রত্যাহারের এবং পুলিসী সন্ত্রাস বন্ধ করার দাবী তুলুন—শান্তি রক্ষার জন্য বিড়লার পোয়া গুণ্ডাদের অবিলম্বে গ্রেপ্তারের দাবী তুলুন।

ইন্সলাব জিন্দাবাদ!

লাল বাগ্গা কী জয়!

ইতি—

নিবেদক—

গার্ডেনরীচ টেক্সটাইল ওয়ার্কস ইউনিয়ন

بھٹی گرنی کامگار یونین

مل مزدوروں سے اپیل

۱۰ ماہ پر چم کوھنڑا سوں کی تعداد میں ہمارے بیٹے

مزدور بھائیو!

سیکزم فروری ۱۹۵۹ء کو مل مزدوروں نے متحد ہو کر اپنی ایک یونین قائم کی ہے اور مزدوروں کو اس یونین کو اپنی نمائندہ طاقتور یونین بنانا ہے۔ سب مزدور بھائی چلتے ہیں کہ سال پہلے ۱۹۵۹ء میں مالکوں اور سرکار نے مل کر ریشٹریہ سنگھ کو منظور دی تھی اسے دیکھئے کہ ریشٹریہ سنگھ کی دس سال کی کیا کارگزاری ہے۔

اس دوران میں ۱۵ ہزار ماہ مزدور بیکار ہو گئے ہیں۔ جب کہ عورتوں کو مزدوروں کی تعداد

۳۳ ہزار تھی وہ گھٹ کر گیا ۱۰ ہزار رہ گئی ہے

۲۔ ملوں میں کام ہارٹھ ہو گیا۔ گاری کھاتا اکیا دم بند ہو گیا

ڈانڈنگ، وارپنگ، سائٹرنگ وغیرہ کھاتوں میں نئی مشینیں لگا کر سینکڑوں مزدوروں کو بیکار کر دیا۔ تاسن میں دوبازد کا چار اور کتنی ملوں میں چار باروسے آٹھ ہو گیا کپڑے میں سیخری، سودیشی، موربان وغیرہ ملوں نے خود بخود چلنے والی (اٹومیک) مشینیں لگائیں۔ بہت سی ملوں میں پرانی مشینوں پر ہی کام بڑھ گیا ہے اور ان پر چار چھ سانچے چلنے لگے۔

۳۔ مزدوروں سے شورہ کئے بغیر ریشٹریہ سنگھ نے پولس کے سوال

پر پانچ سال کا قرا کر لیا جس سے مزدوروں کو تین مہینے کی بنیادی تنخواہ سے زیادہ

(۴)

• مزدور اسپتال بنانے کا کام جلد شروع کرو

• ملوں کے اندر ظلم زیادتی بند کرو

• مزدوروں پر ظالم پابندیاں لگانے والا قاعدہ درست کرو

ان مطالبوں کو حاصل کرنے کیلئے اس چکار پر چار مہینے کا ایک ساتھ حیزہ دیکر دست تعداد میں ممبر بنیے یونین گما سب باڈن کو سمجھانے کیلئے سیخری مارچ ۱۹۵۹ء کو نرے پارک میدان میں پانچ بجے شام کو جلسہ عام ہوگا

مل مزدوروں کا اتحاد زندہ باد

ایس اے ڈانگے
ایس ایم جوشی
جنرل سیکریٹری
بھٹی گرنی
کامگار
یونین
خزاندہ جادو

یونین کی پاکستانی مندستان پر یہی گھلا جی ٹریٹ بھٹی مہر بھی چھو کر دست بھٹی گرنی کامگار یونین پر یہی طاب کیا

دغا بازی کا ہے۔

اس حالت کو اگر بلاناہے تو سب سے پہلے راشٹریہ سنگھ کی منظوری کو ختم کرانا ہے۔ یہ رٹائی سمولی ٹرائی نہیں ہے اس لئے کہ اس کی پالیسی ایسی ہے راشٹریہ سنگھ کی منظوری سے مل مالکوں اور سرکار کو فائدہ ہوتا ہے اس لئے وہ بھی اس کی منظوری کو قائم کرنے کی کوشش کر رہے ہیں

بیجا سنگھ یو این نئی یو این قائم ہوئی ہے اس میں سب پارٹیاں ایک جگہ آگئی ہیں اور عدالت کے لئے لڑنے والی یہ سب بڑی طاقت ہے مزدور بھائیوں کو بھی گرنی کا سنگھ یو این کے پیچھے اپنی پوری طاقت کھڑی کر کے اسے منظر میں دلوانے میں اپنا فرض ادا کیجئے۔

۱۔ اس سچ کو اپنی اس یو این کے کم از کم ایک لاکھ ممبر بنائے اس کام کے لئے لوگوں کے دروازوں پر جانوں میں ممبر شپ کا دھوم مچنی چاہیے۔
غلاب سے کر لاکھ ہرل میں اپنا ایک قلعہ قائم ہونا چاہیے ہر مزدور چاہتے وہ جاتے ہو یا بولی والا، عورت ہو یا مرد، ڈانسر ہو یا جاہل، مراٹھی ہندی، اردو، تیلگو کسی بھی زبان کا بولنے والا ہو اسے بھی گرنی کا سنگھ یو این کا ممبر ہونا چاہیے
مل مزدور ایک جو۔

- بڑھتی ہوئی سیریز گاری اور کام بارگھ کو رد کرو
- ملوں میں آؤٹریٹک سائیکل لئے کی مخالفت کرو
- تنخواہ کمیٹی کا حال تین ماہ کے اندر سبیش کرو
- ۱۹۵۷ کا بولنس لینا چاہیے
- بیہ اسکیم کی غلطیوں کو درست کرو

جس سے نہ ہے۔ ہر ایک مل کے حساب جدا جدا نمبر دیکھنے کی منظوری دے کر ملوں کو الگ الگ طرف سے بولنس دیا اس قرار کے مطابق ۵۰ ہزار سے زائد مزدوروں کو صرف پندرہ دن کا نیا ایکٹنگ کے برابر بولنس بلا ۱۹۵۷ کے بولنس کا تو ابھی پتہ نہیں ہے۔

۲۔ اس جرم کے خلاف لڑنے والے بہت مزدوروں کو مل سے نکالنے میں راشٹریہ سنگھ نے مالکوں کی مدد کی ہے۔ اس طرح آنے والا وقت تو اور بھی مشکل دکھائی دیتا ہے۔ سرکار پر دباؤ ڈال کر مل مالکوں نے آنے والے تین سال میں ساڑھے سات ہزار آؤٹریٹک سائیکل لگانے کی منظوری حاصل کر لی ہے ان کا بہت بڑا حصہ بیہی کی ملوں میں آنے والا ہے۔ تراسن میں کام بارگھ کا زور بہت بڑھ گیا ہے۔ سری لائن، مادھو سوڈن، کلا، دیگچی، مرارجی، آکاس گاڑی وغیرہ ملوں میں مزدوروں کو کام سے ہٹانے کی کارروائی شروع ہو گئی ہے۔ دھنڈی بند ہے۔ مادھو جی بھی بند ہو گئی ہے، پر مل ذماران، پرکاش کب بند ہو جائیں کچھ پتہ نہیں، ملوں کے اندر مزدوروں کو پریشانی کیا جا رہا ہے۔ دس ڈنڈ چارج شیٹ، وغیرہ سے مزدوروں کو روز پریشان کیا جاتا ہے

تنخواہ بڑھانے کیلئے آج سے دو سال پہلے ایک کمیٹی بنائی گئی تھی اس نے ابھی تک کچھ بھی نہیں کیا۔ مادھو جی نامان وغیرہ ملوں کے مزدوروں نے سوسائٹی، پرائیڈنٹ منڈل، لاکھوں روپیہ مالکوں نے اپنی جیبوں میں ڈال لیا جو مل جرموں اور ظلموں کے خلاف لڑنے اور ایکٹا کیلئے سبکدے کبھی ہی مزدوروں کا ساتھ نہیں ملے ہمیت مخالفت ہی کوئی رہی ہے۔ جگ جگ مل مالکوں سے ہاتھ لاکر مزدوروں پر کام کا دھوا، بھکاری لاد دی ہے۔ اس لئے ہم صرف صوبہ ہی نہیں کہتے ہیں کہ راشٹریہ سنگھ نے پہلے دس سالوں میں مزدوروں سے بہت

12 DEC 1958

राष्ट्रीय मिल मजदूर संघ, मुंबई.

‘एक युनियन’च्या जाळ्यांत सांपडू नका.

कामगार बंधूना,

काही महिन्यांपूर्वी उठलेली पण मध्ये थंडावलेली “सर्व कापड गिरणी कामगारांची एक युनियन”ची घोषणा नुकतीच पुनः जोराने हवेत घुमू लागली आहे. समितीतील भाई डांगे, साथी एस. एम. जोशी आदिकरून निरनिराळ्या पक्षाच्या प्रमुख नेत्यांनी ही एक युनियनची घोषणा दिली आहे. कामगारांतील बेकारी नष्ट करण्यासाठी आणि कामगारांचे प्रश्न प्रभावीपणे सोडविण्यासाठी अशी एकजूट करणे जरूर आहे, असे या नेत्यांनी जाहीर केले आहे. प्रजा समाजवादी पक्षांनी या एक युनियनमध्ये न जाण्याचा समजस निर्णय घेतला आहे. राष्ट्रीय मिल मजदूर संघ नसलेली एक युनियन म्हणजे केवळ संघविरोधी अशी आघाडी वनेल, असे प्रजा समाजवादी पक्षांनी जाहीर केले आहे. लालभाईंच्या आहारी गेलेले साथी एस. एम. जोशी हे प्रजा समाजवाद्यांनी या एक युनियनमध्ये यावे म्हणून जंगजंग पछाडत आहेत. पण प्रजा समाजवादी अद्याप तरी आपल्या खंबार भूमिकेला चिकटून आहेत.

संघाची कार्यपद्धति

कामगार बंधूना, खुद्द राष्ट्रीय मिल मजदूर संघाची आपणांस माहिती आहे. संघाच्या कार्यपद्धतीवर विश्वास असणाऱ्या कोणत्याही राजकीय पक्षाच्या सभासदास संघाचे सभासद होता येते. संघ ही वस्तुतः कामगारांचे औद्योगिक प्रश्न सोडविण्याची संयुक्त आघाडी आहे. ज्यांना खरेखुरे कामगार हित व्हावे, असे वाटते, त्यांनी कामगारांना संघात जाण्याचा सल्ला द्याव्यास पाहिजे होता. पण कामगार हितापेक्षा राजकीय पक्षबाजीने पछाडल्यामुळेच समितीतल्या पुढाऱ्यांनी हा ‘स्वतंत्र’ युनियनचा डोळारा उभारण्याचा घाट घातला आहे.

ज्या कारणाकरिता समिती पुढाऱ्यांनी एक युनियनची घोषणा केली आहे, ते कामगारांचे प्रश्न संघच परिणामकारकपणे सोडवीत आहे. संघानेच कामगारांचा सामाजिक दर्जा उंचावून त्यांचा कोट्यावधि रुपयांचा फायदा करून दिला आहे. कामगारांची बेकारी घालविण्यासाठी आणि त्यांचे प्रश्न प्रभावीपणे सोडविण्यासाठी ‘एक युनियन’ची घोषणा करणाऱ्या या पुढाऱ्यांना स्पष्ट विचारांचे की त्याबाबतीत आपण आतापर्यंत काय दिवे लावलेत? आतापर्यंतचा इतिहास असे सांगतो की कामगारांची बेकारी घालविण्याकरिता आणि त्यांच्या प्रश्नांचा बट्ट्यावोल्ल करण्यासच त्यांचा हातभार लागला आहे. हे पुढारी दिस्वावू घोषणा आणि निदर्शने करित असता संघच कामगारांचे प्रश्न खऱ्या निष्ठेने, कटकळीने सोडवित आहे. असेच दिसून येईल. गेल्या काही महिन्यांतील घटना पाहिल्यावर याची प्रचिती येईल.

(मागे पहा)

अलिकडचे काही कार्ये

कामगार बंधूना, संघाच्या प्रयत्नामुळेच सेक्सरिया मिल पूर्ण पगारावर सरकारने चालवावयास घेतली. एस. एम. जोशी प्रभृति पुढारी कितीहि गप्पा मारोत, संघाने ठाम भूमिका घेतली नसती तर ही गिरणी इतक्या लोकर मध्येच्या स्थितीत चालली नसती. विरोधकांनी ही गिरणी दोन तृतीयांश पगार चालविण्याची तयारी दाखविली होती, पण संघाने त्यांचा डाव हाणून पाडून मुंबईत पगारकपातीचे भूत येऊ दिले नाही.

धनराज कामगारांच्या जीवनाशीहि विरोधकांनी असाच खेळखंडोबा चालविला. पण धनराजच्या कामगारांनी त्यांना दूर लोटून संघाचे नेतृत्व स्वीकारण्याचा सूत्रपणा दाखविला. त्याचा परिणाम ही गिरणी लोकरच पुनः पूर्ववत चालू होण्याची सुचिन्हें दिसू लागली आहेत.

स्वदेशी मिलच्या कामगारांच्या वोनसचा डोकेदुखा प्रश्न बरेच महिने लोंबकळत पडला होता. पण संघाने सदर कामगारांच्या सन १९५३, १९५४, १९५५ व १९५६ च्या वोनसचा प्रश्न नुक्ताच लवादामार्फत समाधानकारकपणे सोडवून घेतला आहे.

ज्युबिली मिल आगीत जळाली, पण या कामगारांचे गिरणीकडून सर्व ग्रॅणें संघाने मिळवून दिले आहे. तसेच या कामगारांना इतरत्र काम मिळवून देण्याचीहि संघाने खटपट चालविली आहे.

विरोधी पक्षाप्रमाणे संघ रोणा भीमदेवी थाटाच्या घोषणा करित नाही की प्रक्षोभक कृति करित नाही. संघाचे कार्य नंदादीपाप्रमाणे किंवा शिमश्रीम पडणाच्या पावसाप्रमाणे आहे. संघ जरूर तथे लढा देण्यास मार्ग पाहणार नाही. पण लढ्याकरिता लढा हे संघाचे ध्येय किंवा कार्य नाही. संघ विरोधकांच्या 'एक युनियन'च्या घोषणेने मुळीच विचलित झालेला नाही. पण कामगारांना मात्र या वावतीत इपारा देणे जरूरीचे वाटते. कामगारांनी हे लक्षांत घ्यावे की ही एक युनियनची घोषणा त्यांच्या हिताकरित नसून त्यामार्गे राजकीय बनावणी आहे. या दृष्टीने सार्थी दडबते यानी या एक युनियनची केलेली मिमांसा बरोबर आहे. ही कामगारांची एकजूट नसून केवळ सधाविरोधी आघाडी आहे. कम्युनिस्ट या आघाडीचा फायदा घेऊन तीतील इतर पक्षीयांना खाऊन टाकतील व या वावतीत इतरत्र आलेल्या अनुभवाचीच त्यांना येथेहि प्रचिती येईल.

कामगारबंधूनी हा धोक्याचा इपारा लक्षांत घेऊन या तथाकथित 'एक युनियन' पासून दूर राहवे आणि संघाच्याच मार्गे एकदिलाने उभे राहवे. संघ हीच त्यांची खरी ताकद आहे व ही ताकद त्यांनी वाढवावी. संघाची ताकद वाढणे म्हणजे खुद्द त्यांचीच ताकद वाढण्यासारखेच आहे.

मजदूर भ्रातृत्व

पत्रक, मुंबई नं. १२

ता. ११/११/१९५८

आपला नम्र

नि. शा. देशपांडे

अविद्यम सरचिटणीस

राष्ट्रीय मिल मजदूर संघ.

आखिल भारतीय टेक्स्टाइल इंजिनियरिंग कामगार परिषद
यशस्वी करण्यास सक्रीय सहाय्य करा.

टेक्स्टाइल इंजिनियरिंग कामगार कमिटी, मुंबई.

— कामगार परिषद —

कापड गिरण्यांत इंजिनियरिंग काम करणाऱ्या इलेक्ट्रिक व मेकॅनिककडील आणि
कपडा, वासन आदि खात्यांतल सवे टेक्स्टाइल इंजिनियरिंग कामगार बंधुनीं,

आपल्या चळवळीचा इतिहास

१९४७ सालीं मुंबईतील कापड कामगारांच्या पगाराचे स्टॅंडर्ड औद्योगिक
न्यायालयाने ठरवून दिले. त्यावेळीं औद्योगिक न्यायालयाने बहुतेक इंजिनियरिंग कामगारांना
'अनिर्दिष्ट' या सदरात घातले होते. या निकालाचा फारविचार करून मेकॅनिकल,
इंजिनियरिंग व तत्सम कामगारांच्या पगाराचे स्टॅंडर्ड करण्याची मागणी १९४९ सालीं
संघातर्फे करण्यांत आली. गिरणी धंद्यातील इंजिनियरिंग काम करणाऱ्या कामगारांच्या पगाराचे
स्टॅंडर्ड तयार करण्याचे काम इंजिनियरिंग धंद्यासाठीं आधीच नेमण्यांत आलेल्या इंजिनियरिंग
स्टॅंडर्डायझेशन कमिटीकडे औद्योगिक न्यायालयाने सोपविले. इंजिनियरिंग स्टॅंडर्डायझेशन
कमिटीने गिरण्यांतील इंजिनियरिंग कामाची खास पहाणी करून १९५० सालीं आपला
अहवाल सादर केला. या अहवालांत इंजिनियरिंग स्टॅंडर्डायझेशन कमिटीने असे
स्पष्टपणे म्हटले होते की "कापड धंद्यातील इंजिनियरिंगची काम ही
इंजिनियरिंग धंद्यातील कामाप्रमाणेच असतात." आणि त्या आधारे कमिटीने
अशी शिफारस केली हाता की मुंबईच्या कापड गिरण्यांतील इंजिनियरिंग
कामगारांना इंजिनियरिंग धंद्यात इतरत्र मिळते त्याप्रमाणे वार्षिक पगार-
वाढीची वेतनप्रेणी देण्यांत यावी.

अशा प्रकारे इंजिनियरिंग स्टॅंडर्डायझेशन कमिटीची शिफारस
स्पष्टपणे आपल्या बाजूची असतांनासुद्धा राष्ट्रीय मिल मजदूर संघाचे नेते
श्री. आंबेकर यांनी १९५१ मध्ये वार्षिक पगारवाढीच्या वेतनप्रेणीची मागणी
सोडून गिरणी मालकांशी करार केला. आज आपल्यावर लादले गेलेले पगार हे या
कराराचे फळ आहे. याच करारान्वये बढती मिळण्याचा प्रश्न सर्वस्वी गिरणी मालकांच्या
मजबूर सोपविण्यांत आल्यामुळे १९५१ सालीं जे पगार ठरले त्यावरच अद्याप बहुसंख्य
इंजिनियरिंग कामगार रखडत आहेत. कामगारांच्या वाढत्या अनुभवाचा व कुशलतेचा
फायदा गिरणी मालक लुटत आहेत पण त्याचा मोबदला आपल्याला काहीच मिळत नाही.

या प्रभावाबत संघपुढाऱ्यांकडे फार मोठ्या प्रमाणांत तक्रारी झाल्या. तेव्हां वर्ष
दोन वर्षांनंतर पुनः केव करून हे स्टॅंडर्ड आम्ही बदलून घेऊं. तुम्ही सर्व इंजिनियरिंग
कामगार आपली कमिटी संघटित करून संघाच्या पाठीशी उभे रहा व आपल्या कामाची माहिती
द्या असे संघ पुढाऱ्यांनी सांगितले आणि १९५१ पासून १९५५ पर्यंत जवळजवळ सर्व

गिरण्यांतील इंजिनियरिंग कामगार संघाकडे सभासद होते. एवढेच नव्हे तर कामगारांनी आपल्या कमिटीमार्फत इंजिनियरिंग खात्यांतील सर्व कामांची तपशीलवार माहिती संघ पुढाऱ्यांना लिहून दिली होती व निरनिराळ्या प्रकारचे काम करणाऱ्या इंजिनियरिंग कामगारांना कशी वार्षिक पगारवाढीची वेतनश्रेणी देण्यात यावी यासंबंधीच्या मागण्यासुद्धा इंजिनियरिंग कामगारांनी संघपुढाऱ्याकडे दिल्या होत्या.

चार वर्षे झाली तरी संघाने नवीन केस दाखल केली नाही की तडजोडीतसुद्धा इंजिनियरिंग कामगारांचा प्रश्नही उपस्थित केला नाही. यामुळे इंजिनियरिंग कामगार नाराज झाले. संघाच्या पुढारीपणाखाली चालणारी कमिटी मोडून पडण्याच्या वेतास आली. याचवेळी संघपुढाऱ्यांनी पंचवार्षिक बोनस करार करून २॥ लाख कापड कामगारांना अत्यंत नापसंत असे पाऊल टाकले आणि तेव्हापासून इंजिनियरिंग कामगारांनी सघाकडे पाठ फिरविली.

अशापकार उदासीन व विस्कळित परिस्थितीत इंजिनियरिंग कामगार असतांना दुसऱ्या पंचवार्षिक योजनेतील धोरणानुसार हिंदुस्थान सरकारने ३० मार्च १९५७ मध्ये कापड घंथासाठी वेतनमंडळ नेमले. कापडघंथाचे पगार पुनः नव्याने ठरणार असे जाहीर झाल्यापासून इंजिनियरिंग कामगार-कार्यकर्त्यांत विचारविनिमयाला सुरवात झालीच होती. वेतन मंडळापुढे कोणत्याहि संघटनेला अथवा एखाद्या कामगारालासुद्धा आपले म्हणणे लेखी व तोंडी मांडता येईल असे वेतन मंडळाने जाहीर केल्याने गिरण्यां गिरण्यांतील इंजिनियरिंग कामगार कार्यकर्त्यांनी एकत्र जमण्यास सुरवात केली आणि या प्रयत्नांतून नवीन व राष्ट्रीय संघापासून स्वतंत्र अशा टेक्स्टाईल इंजिनियरिंग कमिटीचा जन्म झाला.

टेक्स्टाईल इंजिनियरिंग कामगारांकडे नेहमीच दुर्लक्ष

कापड गिरण्यांतील इंजिनियरिंग कामगारांकडे आजपयंत नेहमीच दुर्लक्ष झाले आहे. याचे एक कारण हे आहे की कापड गिरणीतील इतर सर्व खात्यांच्या कामापेक्षा इंजिनियरिंग काम निराळ्या प्रकारचे आहे आणि प्रत्यक्ष कापड उत्पादनाशी आपल्या कामाचा संबंध येत नाही, त्यामुळे सर्व संघ गिरणीच्या यंत्रसामुग्रीची एफिशियन्सी इंजिनियरिंग कामगारांच्या कामावर अवलंबून असली तरी त्याकडे दुर्लक्ष झाले आहे आणि इंजिनियरिंग कामगारांनीही आजपयंत आपल्या हक्कासाठी संघटित चळवळीचा मार्ग अवलंबिला नव्हता. इंजिनियर साहेबांची मर्जी संपादन करण्यावरच आपल्या लोकांचा भर राहिला. आपल्या न्याय्य मागण्यांकडे दुर्लक्ष झाले. कापड गिरण्यांतील इंजिनियरिंग कामगारांना चळवळीच्या मार्गाने जाण्यास संघटित करण्यासाठी आणि विशेषतः मध्यवर्ती वेतन मंडळासमोर टेक्स्टाईल इंजिनियरिंग कामगारांचे दुर्लक्षित गान्धारण आधारपूर्वक व ठामपणाने मांडण्यासाठी आपली टेक्स्टाईल इंजिनियरिंग कमिटी स्थापन झाली.

इंजिनियरिंगमधील प्रत्येक कामाच्या कामगारांच्या बैठका घेऊन त्यांच्याशी विचार-विनिमयाने टेक्स्टाईल इंजिनियरिंग कमिटीने आपली कैफियत तयार केली. वराडकर हॉलमध्ये

भरलेल्या जाहीर सभेने ही कैफियत एकमताने मंजूर केल्यानंतर इंग्रजीमध्ये तयार केलेली ही कैफियत ता. १२ फेब्रुवारी १९५८ रोजी वेतन मंडळाला सादर करण्यात आली. या कैफियतीचे मराठी भाषांतर कामगारांसाठी "कापड गिरण्यांतील इंजिनियरिंग कामगारांच्या मागण्या" या नांवाच्या पुस्तिकेच्या रूपाने टे. इं. कमिटीने प्रसिद्ध केले आहे.

वेतन मंडळापुढे आपण ज्या मागण्या ठेवल्या आहेत त्यांतील सर्वात प्रमुख मागणी ही आहे की-कापड गिरण्यांत काम करणाऱ्या इंजिनियरिंग कामगारांचे काम इंजिनियरिंगचे आहे, ही गोष्ट वेतन मंडळाने चौकशी करून मान्य करावी. इंजिनियरिंगचे काम जादा अंग. मेहनतीचे काम आहे. तसेच ते अधिक धोक्याचे काम आहे आणि सर्वात महत्त्वाची गोष्ट म्हणजे प्रत्येक वर्षागणिक कामगारांचा अनुभव व कुशलता वाढविणारे हे काम आहे. म्हणून इंजिनियरिंग कामांतील कुली सारख्या सर्वात कमी कसबी कामगाराला इतर कामांतील विगान्यापेक्षा अधिक पगार मिळाला पाहिजे आणि कुलीपासून तो अत्यंत कसबी कामगारापयंत सर्व सर्व इंजिनियरिंग कामगारांना वार्षिक पगारवाढीची वेतनश्रेणी मिळाली पाहिजे. या तत्त्वानुसार खालील मागण्या टेक्स्टाईल इंजिनियरिंग कमिटीने मध्यवर्ती वेतन मंडळापुढे मांडल्या आहेत.

टेक्स्टाईल इंजिनियरिंग कामगारांची मागणी

सर्वसामान्य कसबी कामगार

- १. बॉयलर कूली २. वायरमन कूली ३. टिनस्मिथ कूली
- ४. मोल्डिंग कूली ५. कार्पेंटर कूली ६. मोटार मेकॅनिक कूली
- ७. मॅसन कूली ८. फिटर कूली ९. लॅरी किलनर १०. वेल्डर कूली
- ११. हॉल अटेंडंट १२. विंडोपेन किलनर १३. मोची १४. मशीन पाट किलनर १५. झाडूवाला १६. हयुमिडिफायर किलनर १७. आज ज्याचा पगार महिना रु. ३० आहे. अशा इंजिनियरिंग काम करणाऱ्या सर्व कामगारांना ही वेतनश्रेणी मिळावी.

रु. ६५-२-८५
२३ - १०

- १. इंजिनियरिंग नवगाणी २. हॅमरमन ३. पेंटर व व्हाईट
- वॉशर ४. हयुमिडिफायर अटेंडंट ५. बॉयलर किलनर ६. बंबवाला
- ७. फायरमन ८. इलेक्ट्रिक ऑइलर.

रु. ७५-२३-११०

- १. रस्सिवाला २. ऑइलर-शॉफ्टिंग ऑइलर ३. मोटरमन-
- मोटर अटेंडंट ४. चिपर्स.

रु. ८५-२३-१२०

- सुपरवायजरी-बिल्डिंग मुकादम २. नवगाणी मुकादम
- ३. शॉफ्टिंग ऑइलर मुकादम ४. रोप स्पायसर मुकादम ५. इलेक्ट्रिक
- मुकादम.

रु. १००-३-१३०
५ - १३५

निमकसबी कामगार

- (१) सेकंड क्लास बॉइलर अटेंडंट, (२) लेटर पेंटर, (३) मेसन

रु. ९०-४-१३०

- (१) टर्नर (इंजिनियरिंग व विन्डिंग स्पिनिंग वगैरे खात्यातील)
 (२) फिटर (इंजिनियरिंग व विन्डिंग, स्पिनिंग वगैरे खात्यातील)
 (३) हथमीडिफायर फिटर (४) लोहार (५) टिनस्मिथ (६) सुतार
 (७) पॉलिशमन (८) सेकंड क्लास मोल्डर (९) क्रॉवर मेकर
 (१०) फर्नेसमन (११) क्युपोला ऑपरेटर

जे कामगार यापैकी कोणत्या ना कोणत्या नांवांनी ओळखले जातात व ज्यांचा पगार आज दरमहा रु. ९१ अथवा त्याखाली आहे त्यांना ही वेतनभेणी लागू करावी.

- (१) लॅरी ड्रायव्हर रु. १०५-५-१५०
 (२) स्ले लाईन मेकर (२) कॅबिनेट मेकर रु. ११०-५-१६०
 (१) वायरमन (२) वेल्डर (३) फर्स्ट क्लास मोल्डर रु. १०५-५-१७५

सुपरवायजरी

- (१) बॉयलर मेसन (२) हेड ब्लॅकस्मिथ (३) हेड टिनस्मिथ
 (४) ओव्हरहॉलिंग फिटर (५) स्ले मेकर रु. १३०-५-१८५

कसबी कामगार

- (१) मशीनिस्ट [हा शब्द आम्ही कसबी व अनुभवी टर्नर या अर्थाने वापरला आहे.]
 (२) मिलरहाईट फिटर (३) बॉयलर फिटर (४) मिलर (५) कॅम्प्टन ऑपरेटर (६) मोटर मेकॅनिक (७) लाईन लेव्हॉलिंग फिटर
 (८) इन्व्हेशन फिटर (९) फर्स्ट क्लास बॉईलर अटेंडंट (१०) पॅटर्न मेकर

- (१) इलेक्ट्रिशियन [या वेतनभेणीत आर्मेचर वाईडर, केबल जोईंटर, स्विच बोर्ड ऑपरेटर असलेल्या व सध्या फर्स्ट क्लास ग्रेडचा पगार घेणाऱ्यांना समावेश होता]
 रु. १५०-५-१८५
 १० - २२५

सुपरवायझरी

- (१) फॉइ मेल्री (२) पॉवर हाऊस ऑपरेटर (३) बुडवर्क मेल्री
 (४) हेड फिटर (५) हेड वेल्डर (६) हेड टर्नर (७) हेड मोटर मेकॅनिक
 रु. २००-१०-२६०

उच्च कसबी

- क्रवाईड वेल्डर [गॅस वॉल्डिंग, इलेक्ट्रिक वॉल्डिंग, गॅस फिटिंग, लेड बॉर्निंग वगैरे करणार]
 रु. २००-१०-३००

क्रवाईड कॅम्प्टन टूल सेटर व कॅम्प्टन ऑपरेटर

- सुपरवायझरचे सर्टिफिकेट असलेला वायरमन अथवा इलेक्ट्रिशियन
 रु. २५०-१०-३५०

प्रत्येक कामगाराला त्याच्या एकूण चालू मिळकतीत (मूळ पगार + महागाईभत्ता) चोकरुटा रु. २५ वाढ होईल अशा रीतीने किंवा नवीन वेतन भेणीत आतावर्यत झालेल्या नोकर्यांच्या दर दोन वर्षांमागे एक पगारवाढ मिळेल अशा रीतीने यापैकी जी रक्कम जास्त असेल ती रक्कम सुरवातीचा मूळ पगार म्हणून मिळावी.

गिरणीमालकांची चढाई व कामगारांची प्रतिचढाईची तयारी

वेतनमंडळापुढे आपण मागण्यांचे निवेदन सादर केल्यानंतरच्या काळांत देशभर व विशेषतः मुंबई रथे गिरणीमालकांनी पगारवाढविरोधी चढाई सुरू केली. तिसऱ्या पाळ्या बंद करून, बदली पास रद्द करून, गैरकारभारामुळे डबघाईला आलेल्या गिरण्या बंद पडू देऊन कापडधंद्यांत गिरणी मालकांनी बेकारीचे कृत्रिम अरिष्ट तयार केले. गिरणी मालकांच्या तीव्र विरोधामुळेच वेतनमंडळाचे काम रेंगाळले आणि इंजिनियरिंग विभागापुरती चाललेली आपली हालचाल मंदावली.

पण देशातील व मुंबईतील गिरणी कामगार चळवळ हातपाय गाळून बसली नाही. मालकांनी निर्माण केलेल्या अरिष्टावर उपाय म्हणून बंद पडलेल्या गिरण्या सरकारने ताब्यांत घेऊन चालवावयात अशी मागणी कामगार चळवळीने जोरात पुढे आणली. सोलापूरची निरसिगिरजी मिल यशस्वी रीतीने व फायद्यांत चालली आणि कापड धंदा तोट्यांत चालला आहे ही मालकांची भोरड सपशेल खोटी असल्याचे सिद्ध झाले. सक्ठेरिया मिल सुरवाती पासून पूर्ण पगारावर सरकारला चालवावी लागली आहे. दिवाळखोरीत निघालेली धनराज मिल आतां लवकर ताब्यांत घेऊन चालू करा, मुंदडा झोटी माधव मिल बंद पडून न देतां ताबडतोब ताब्यांत घेऊन नीटपणे चालवा. या मागण्या मुंबईची कामगार चळवळ जोराने पुढे आणित आहे. महागाईभत्ता कपातीचा गिरणी मालकांचा अर्ज औद्योगिक न्यायालयाला फेटाळवा लागला आहे.

पण अजूनही पगारवाढीचा प्रश्न लोंबकळतोच आहे आणि गिरणी मालकांनी कामवाढ करून बेकार करण्याचा हत्ता खात्याखात्यांतून विशेषतः त्रासन खात्यांत अलिकडे फार जोराने उघडला आहे. हा बेकारीचा हत्ता परतविण्यासाठी आणि योग्य पगारवाढ लवकर संपादन करण्यासाठी मुंबईचे गिरणी कामगार डांगे, एस्. एम्. जोशी, आर. डी. भंडारे, उद्धवराव पाटील व दत्ता देशमुख यांनी घोषित केलेली एकजूटीची मुंबई गिरणी कामगार युनियन उभारण्याच्या कार्याला लागले आहेत.

अहमदाबादचा महत्त्वाचा निवाडा

या उत्साहवर्धक परिसरांत आपले इंजिनियरिंग कमिटीचे कार्यकर्ते व इंजिनियरिंग कामगारही पुनः जोराने हालचाल करू लागले आहेत. टेक्स्टाईल इंजिनियरिंग कामगारांच्या हद्दीने एक खास महत्त्वाची घटना अलिकडे घडली आहे.

अहमदाबाद मजूर महाजनच्या बाहेर टेक्स्टाईल इंजिनियरिंग कामगारांची वाढ लागलेली सघटना मोडण्यासाठी या चळवळीपुढे असलेल्या विभागाला-बॉयलर अटेंडंट,

आर्मेचर वाईडर, वायरमेन वगैरे लोकांना-अहमदाबादचे गिरणी मालक व मजूर महाजनचे पुढारी यांनी संगनमताने सवलत देण्याचे ठरविले. टेकनीशियन, सुपरवाइजर व स्ट्राफ यांचे पगार, रजा, प्रॉ. फंड, ग्रॅज्युईटी वगैरे बाबत १९५५ साली दाखल केलेल्या दाव्याचा निकाल मालकांचे प्रतिनिधी शांतिलाल मंगलदास व मजूर महाजनचे प्रतिनिधी सोमनाथ दवे यांच्या लवदाने एकमताने २१ एप्रिल १९५८ रोजी दिला.

या लवदाने फर्स्ट क्लास बॉईलर अटेंडंट १२०-१०-२००

सेकंड क्लास ,, ,, १००-७३-१७५

आर्मेचर वाईडर ८०-५-१५०

वायरमेन ६०-५-१००

टर्बाइन अटेंडंट ८०-५-१५०

ड्राफ्ट्समन ८०-५-१५०

असे वार्षिक वाढीचे स्केल दिले आहे. टेक्स्टाईल इंजिनियरिंग कामगारांच्या एका विभागाला कां होईना पण वार्षिक वाढीचे स्केल अहमदाबादला मान्य केले गेले ही टेक्स्टाईल इंजिनियरिंग कामगारांची एक महत्त्वाची कमाई आहे.

तसेच या निवाड्यांत “ बदली, राजिनामा, नोकरकपात अथवा मृत्यू यामुळे खाली झालेली जागा अथवा नवीन निर्माण केलेली जागा शक्यतो कंपनीत नोकरीवर असलेल्या अनुभवी माणसांमधूनच त्या जागेसाठी आवश्यक कार्यक्षमता व कसब आहे असे पाहून भरली जाईल ” ही मागणीही मान्य करण्यांत आली आहे. टेक्स्टाईल इंजिनियरिंग कामगारांमधील थोड्या लोकांना या सवलती दिल्यामुळे अहमदाबाद टेक्स्टाईल इंजिनियरिंग चळवळ तात्पुरती कुटली पण ती पुन्हा दुपट जोराने उभी रहात आहे. अहमदाबाद टेक्स्टाईल इंजिनियरिंग मेकॅनिक सेवा मंडळ या नांवाने अहमदाबादच्या गिरण्यांतील इंजिनियरिंग कामगारांनी आपली संघटना उभारलेली आहे. या संघटनेचेच तीन प्रतिनिधी दोन महिन्यापूर्वी मुंबईस आले होते आणि त्यांनी सर्व प्रकारचे हार्दिक सहकार्य देऊं केल्यामुळेच आपल्या टेक्स्टाईल इंजिनियरिंग कमिटीने मुंबईस अखिल भारतीय टेक्स्टाईल इंजिनियरिंग कामगार परिषद भरविण्याचे पाऊल उचलले. आपल्याशी सहकार्य सुरू केल्यापासून अहमदाबाद टेक्स्टाईल इंजिनियरिंग सेवा मंडळाच्या कार्यकर्त्यांवर दबाव आणण्याचे व मंडळ मोडण्याचे आर्टोक्राट प्रयत्न अहमदाबाद मजूर महाजनने केले. पण तेथील इंजिनियरिंग कामगारांच्या निर्धारामुळे व एकजूटीमुळे मजूर महाजनच्या कार्यकर्त्यांना मंडळांतून राजिनामे देऊन बाहेर पडावे लागले आणि मंडळ अखिल भारतीय परिषदेत भाग घेण्याच्या दिशेने जोरदारपणे अहमदाबादेत पावले टाकत आहे.

देशातील सर्व टेक्स्टाईल इंजिनियरिंग कामगारांना वार्षिक पगार-वाढीचे स्केल मिळाले पाहिजे आणि प्रत्येक अनुभवी व कसबी इंजिनियरिंग

कामगाराला रिकाम्या होणाऱ्या वरच्या जागेवर कुणाचीही अजीजी करावी न लागता हक्काने बढती मिळाली पाहिजे, या मुख्य मागण्या घेतून मंडळा समोर जोराने पुढे मांडण्यासाठी अखिल भारतीय टेक्स्टाईल इंजिनियरिंग कामगार परिषद भरविण्याचे कार्य अहमदाबादच्या सहकार्याने आपण अंगावर घेतले आहे.

परिषदेचा देशातील प्रमुख गिरणी कामगार केंद्रात प्रचार करण्यासाठी व परिषदेच्या समारंभासाठी येणाऱ्या खर्चाची तरतूद म्हणून प्रत्येक इंजिनियरिंग कामगाराकडून १ रु. वर्गाचा जमविण्याचा निर्णय घराडकर हॉलच्या सभेत घेण्यांत आला होता. त्याप्रमाणे आतापर्यंत सुपारीबाग (२१७) मलमल (१७६) सयाजी (११६) न्यू ग्रेट (११०) सिप्लेक्स (९६) स्वदेशी (९३) न्यू युनियन (९२) माधव मिल्स (८६) ब्रॅडबरी (७५) न्यू सिटी (७५) एल्फिन्स्टन (७५), टाटा (५९) इ. यु. नं. ४ (५०), फिनिक्स (४९) इ. यु. नं. ६ (४७) स्वान (४४), हिंदुस्थान (४३), गोल्ड मोहोर (४०), प्रकाश (३७), कमला (३१), फिन्ले (२५), जाम नं. १ (२५), न्यू पल्हाद (२४), मधुपुरन (२५), स्टॅंडर्ड (१९), दिग्विजय (१८); संचरी (१६), हिंद (१३), अशा रीतीने एकूण १७७३ रु. मिथी जमा झाला आहे.

माचच्या पहिल्या किंवा दुसऱ्या आठवड्यांत आपली परिषद व्हावयाची आहे. फेब्रुवारीच्या पगाराला आपले निघो जमविण्याचे काम पुरे झाले पाहिजे.

परिषदेच्या प्रचारासाठी खालील प्रमाणे सभांचा कार्यक्रम आखण्यांत आला आहे. ज्या दिवशी ज्या भागातील सभा असेल त्या दिवशी त्या भागातील सर्व टेक्स्टाईल इंजिनियरिंग कामगारांनी सभेत अवश्य हजर रहावे व सर्व गोष्टी समजाऊन घ्याव्यात, आपल्या प्रश्नांचे व शंकांचे निरसन करून घ्यावे आणि आम्हीही आमच्या न्याय्य मागण्यांसाठी, चळवळीसाठी उभे रहात आहोत हे दाखविले पाहिजे. ता. ७ फेब्रुवारी रोजी सर्व भागातील टेक्स्टाईल इंजिनियरिंग कामगारांची परिषदेच्या प्रचाराची एक मिरवणूक काढण्याचे कमिटीने ठरविले आहे. मिरवणुकीचा कार्यक्रम नंतर जाहीर करण्यांत येईल.

आपल्या खात्याच्या खास मागण्यांसाठी संघटितपणे प्रयत्न करित असतानाच कापड गिरण्यांतील सर्व इंजिनियरिंग कामगार व २॥ लाख गिरणी कामगारांची एकजूट उभारण्यासाठी स्थापन झालेल्या मुंबई गिरणी कामगार युनियनच्या प्रत्येक कार्यक्रमांत व माच दहा तारखेस होणाऱ्या सभासद नोंदणीत उत्साहाने व आपुलकीने भाग घेतील असा आम्हांस विश्वास आहे. २॥ लाखांची एकजूट व संघटना हेच सर्व गिरणी कामगारांचे हत्यार होय. हाच आपला आधार होय.

अखिल भारतीय टेक्स्टाईल इंजिनियरिंग परिषद यशस्वी करा !

नव्याने स्थापन होत असलेली

मुंबई गिरणी कामगार युनियन बलशाही आणि यशस्वी होवो !!

प्रचार सभांचा कार्यक्रम

सर्व सभा दिवसपाळी सुटल्यानंतर ताबडतोब ४ वाजता हातील.

वेळ	ठिकाण	मिळ
१. सोमवार ता. २ फेब्रुवारी ५९	भोईवाडा मैदान, पोलीस स्टेशन समोर.	टाटा, मोरवाग, भंवांडा, कोहिनूर १, २
२. मंगळवार ता. ३ फेब्रुवारी ५९	मोगल हौस मधील पटांगण.	अॅपोलो, शापुरजी, पादार, न्यू युनियन.
३. बुधवार ता. ४ फेब्रुवारी ५९	नागूसयाजीची वाडी, पत्र्याच्या तालमी समोर.	टेक्स्टाईल, क्राऊन, स्टॅटर्ड, मॉडर्न नं. २
४. गुरुवार ता. ५ फेब्रुवारी ५९	श्री राम मिल नजीक, गोर्धी मैदान.	श्रीराम, न्यू प्रल्हाद, नारायण, एडवर्ड, डॉन, फिनिक्स, सयाजी, रघुवंशी.
५. शुक्रवार ता. ६ फेब्रुवारी ५९	माधव सुवन, १३ नं. पोस्ट जवळ.	कमला, सुकसेरिया, श्रीनिवास, हिंद.

ऑफीसचा पत्ता:—
C/o दत्ता देशमुख,
११अ, बापू लॅज,
कृम बँक रोड, मुंबई नं. ८.

यशवंत वि. चव्हाण,
अध्यक्ष.
बी. जी. कामत } संयुक्त चिटणीस.
रघुवीर सावंत }

261

Monthly Bulletin of the
Union of Textile Technical & Administrative Personnel.

4th Floor, R. K. Building No. 2,
Gokhale Road (North), Bombay, 28.

Vol. I.

January 1959

No. 4

**"ROLE AND STATUS OF A WELFARE OFFICER IN PERSONNEL
MANAGEMENT AND HOW FAR HE CAN FUNCTION ADEQUATELY
AS A MANAGEMENT PAID EMPLOYEE"**

(Paper read at a Seminar programme on 20th September 1958)

By: B. A. Pinto, (Student - Industrial Relations & Labour Welfare Group,
Tata Institute of Social Sciences.)

Books referred :

1. Watkins : Labour Management Industry
2. C. Myers : Industrial Relations in India.
3. J. Q. C. Brown : The Social Psychology of Industry.
4. The Factories Act, 1948.
5. Dr. Moorthy's article in the Journal, 'Management Executive'.

As an introduction allow me to say, that the problem of industrial relations is an outcome of the Industrial Revolution. The pattern of human relations is changed. With the radical economic and social changes an old order was uprooted in which everybody had a fixed place in a transparent social system. Life and its institutions came to be organised on a more impersonal level. What a man did, how he did it, whether he succeeded or whether he failed was entirely his own affair. That this principle furthered the process of indi-

vidualisation is obvious, and is always mentioned as an important item on the credit side of modern culture. But it is in this very isolation of modern man that we must seek for many of the answers to the problem of industrial unrest, increasing neurosis and crime, and the lack of meaning in the lives of many people to-day. No doubt it has a good deal to do with the success of totalitarian groups which, however spurious their claims are able to offer emotional security and comradeship.

We in India to-day, have come to accept the new machine industry as a necessary agency in the creation of greater material wellbeing but at the same time we wish to avoid the pit-falls of the West. We have therefore, embraced the concept of the Welfare State in which social justice, equality of opportunity, and a more equitable distribution of the products of industry is our goal. To accomplish this and more, smooth and harmonious industrial relations become a compelling necessity. This brings me to the main subject of my study—the role of the Personnel or Welfare Officer in doing the task.

The management of personnel has developed for the primary purpose of dealing with the neglected human forces in industry and business, seeking always that degree of co-ordination between mechanical and human elements which will not only result in the required degree of efficiency but also assure the prevalence of equity in the whole scheme of employment relations. To the attainment of these ends, proper co-ordination of mechanical and human factors is indispensable.

Welfare work has been defined by Watkins in his book "Labour Management in Industry" as "comprising any plans and activities designed to improve the social and intellectual status of employees over and above the wages paid, which are not an absolutely necessary obligation of the industry nor required by law." The vital role of the Personnel or Welfare Officer highlights the problems and possibilities of more effective utilisation of human resources in Indian Industry. In India, the

Factory Act of 1948 required the appointment of a Welfare Officer for every factory employing more than 500 workers and prescribed his qualifications. The term "labour welfare suggests the difference between the concept embodied in the Law and the Personnel Officer appointed on management initiative as part of Management staff. The duties and responsibilities of Welfare Officers were structured by various Govt. rules and regulations. They were expected to see that the provisions of the act relating to labour welfare and working conditions were observed by Management and that grievances of workers were promptly settled or redressed. This class of professional men were to be selected by Management from among those who had earlier qualified in recognised institutions of Welfare training as the Tata Institute of Social Sciences. The role of the Welfare Officer and his training were therefore prescribed in a manner unheard of in the Industrial countries of the West.

Distinction between a Personnel Officer and a Welfare Officer :

The distinction is probably best brought out by an analogy - The Welfare Officer occupies the position of a house - wife - he does the baby-sitting, supervises working conditions, maintains amity, and smoothens out discords and dissensions within the house whereas the overall control, the formulation of procedure and policy is left to the "Personnel Man". Mr. Myers therefore says in his book "Industrial Relations in India" "There is a fundamental difference between thinking in India and in U. S. concerning the function of the Welfare

Officer". The Indian theory of his function is that he is a kind of "third force" or "independent liaison officer" between the conflicting groups of Management and labour. In the United States and the West, the Industrial Relations Officer is advisory of staff to line management - he is definitely identified with management and has no neutral status. It is his duty to advise Management as well as employees on any phase of industrial relations policy or procedure of the Company, for which he works. He exercises his function at all Management and staff levels. On the other hand, although employed by and answerable to Management the Welfare Officer is supposed to occupy a middle ground between workers and Management and to interpret each to the other. If, for a brief moment we examine the Bombay Welfare Officers Rules 1952, we find that his duties are not confined solely to Welfare but include Industrial Relations and Personnel Management as well.

He performs Personnel functions when he promotes relations between factory management and workers which will ensure production efficiency as well as amelioration in the working conditions and helps the workers to adjust and adapt themselves to their working environment. Secondly, when he encourages the formation of workers and Joint Production Committees, Co-operative Societies and Safety First and Welfare Committees and supervises their working. Thirdly, when he advises management on questions relating to training of new starters, apprentices, workers on transfer and promotion, regulations in respect of leave with wages and other leave privileges

and the supervision and control of notice-board and information bulletins.

He is a purely welfare officer when he advises and assists factory management in the provision of amenities, such as canteens, shelters for rest, creches, adequate latrine facilities, drinking water, sickness and benevolent scheme payments and gratuity payments. In this capacity he also advises factory management in providing housing facilities, food stuffs and recreational facilities to the workers and generally promotes their well-being.

The following duties may be listed under the Industrial Relations head :

(i) to establish contacts and hold consultations with a view to maintaining harmonious relations between the factory management and workers.

(ii) to bring to the notice of the factory management the grievances of the workers, individual as well as collective with a view to securing their expeditious redress.

(iii) to watch industrial relations with a view to using his influence to prevent a dispute arising and if a dispute does arise to help to bring about a settlement by persuasive efforts.

(iv) and lastly, to advise workers against going on illegal strikes and the management against declaring illegal lockouts and to help in preventing antisocial activities.

We, therefore, realise that in India he occupies an office that is confusing. This rather anomalous position of the Welfare Officer has led to dissatisfaction

and a certain amount of frustration. Many of them are of the opinion that they are not consulted by top management in formulating company labour policies or before taking actions which create new labour problems. A few feel that firms employ them merely to show them the most facile means of circumventing the provisions of the factories Act and other state enactments. Indeed, some managements use welfare officers to carry out decisions which have already been made in consultation with the Personnel Officer and thereby give them no chance to negotiate an mediate. Since they are management paid and have an obligation to it, they feel it impossible for them to function adequately and impartially according to the dictates of their reason and conscience.

This dilemma has led some to believe that it would be better if labour welfare officers were Govt. paid and appointed so as to give them an independent status. In point of fact, when the amended Factories Bill was being debated in the Constituent Assembly of India Mr. Upendranath Barman (W. Bengal) welcomed the idea of a statutory provision for Welfare officers, but his submission was that these officers should be Govt servants and not employees of the Occupiers. If the Welfare Officer be a direct employee of the Govt., it would have greater control over him and every defection on the part of the employer in the execution of the provisions prescribed would be at once reported enabling it to take adequate steps. But if the Welfare Officer be an employee of the Occupier he will have a poble responsibility satisfying Govt.

and pleasing Management - a position which is embarrassing and doubtful.

In the end, however, it was decided that he should be an employee of the Management but his appointment and dismissal will be subject to Govt. sanction.

I assert, that in taking this decision the Govt. acted wisely. A Welfare Officer should without doubt be a Management man - a necessary part of the Employer's function. Labour Welfare Officers well recognise that they would have less influence with top Management if they were paid by Govt because they would not have trust of management and not be admitted to management Policy discussions. They would be looked upon as the "watch-dog" of Govt, and viewed always with suspicion. Surely none expect Welfare Officers to exercise police functions but rather to help and aid Management to find the right blending of business interests with human interests. As one of Management employees he is in direct contact with the Managing Agents and they listen to his advise before taking a position on a major grievance or demands raised by the union. To-day, he enjoys the position of a top status advisory and service officer. His voice on labour policies is invariably heard and respected.

But in the final analysis, it is not by whom the Welfare Officer is paid that really matters for his efficient functioning. It depends on the man himself to be guided by a spirit of service and the realisation that he has a mission to fulfil. There is so much in industry

which can be put right not by economic methods only, but by the right psychological approach. I believe, that the nation which first masters and applies the laws of psychology in industry, and which gives satisfaction and happiness in work and fellowship in purely human terms as well as economic well being, will make an important contribution not only to its own prosperity and advancement, but also to that of other nations. The answer is, more humanity and humaneness in industry. Every man should be treated as a human being. A Welfare Officer or Personnel Officer, call him by what name you may is there for that and Only that. To my mind, he is nothing more or less than a specialist in "Management". He has to educate the man at the top as much as the man at the bottom.

In Industry, as everywhere else, personal relationship are reciprocal. Friendliness can start from any side, but if it starts from one side it must be answered by a positive response if it is to be of any lasting value. We all know how great the force of example is. The good example must come from men in higher places, especially, from those in authority against whom all suspicions are directed. Men invariably respond to genuine kindness but they do not respond to a pose of kindness put on as a piece of good business. Working men are very good in distinguishing the genuine from the false

There is absolute need to-day of fairness and impartiality in industry and the responsibility rests primarily with the Welfare or Personnel Officer. He has to make judicial decisions every day, if not every hour. By being fair to workers you are also being fair to the

Management because unfairness discredits the whole Management in the eyes of the operatives. As soon as the workers have lost faith in the justice of the Management they throw away the whole code of morality at work. There are so many things which need fair treatment—the distribution of the load of work, the distribution of better paid or lower paid jobs in the same work-shop, the distribution of overtime, the speed with which machines handled by men on piecework are repaired, and a thousand and one other things, and it is not enough that the Welfare Officer or the other executives know that they are being fair—the workers themselves must have the same conviction. The Welfare Officer must explain to the workers the reasons for his decisions, talking their language and applying their idea of fairness. They are often not the same ideas as those of an intellectual; there is nothing theoretical about them. They believe in equality of chances, and rewards related to work, effort and sacrifice. The worker of to-day regards himself more as a junior partner entitled to voice his opinions on all basic issues which involve conditions of work or the prospect of employment. The work-place in which his lot depends is his work place; it is a social unit of the first importance.

I have nearly done—it only remains for me to end in the words of the eighteenth century politician and statesman Edmund Burke which contain the key to harmonious industrial relations "no men" he said "can act with confidence who do not act in concert; no men can act in concert who do not act with confidence, no men can act in confidence who are not bound together with common opinions, common affections and common interests"

Monthly bulletin of The UNION OF TEXTILE TECHNICAL
& ADMINISTRATIVE PERSONNEL.

4th Floor, R. K. Building No. 2, Gokhale Road (North), Bombay 28.

Printed and Published by V. V. GOKHALE At De-Lite Printers, Tulsipipe
Road, Bombay, 28. for The UNION OF TEXTILE TECHNICAL
AND ADMINISTRATIVE PERSONNEL, 4th floor, R. K. Building No. 2,
Gokhale Rd.(North), Bombay, 28.

Distributed free to Members.

Annual Subscription Rs. 3/- for non-members.

BOOK POST



To,

All India Trade Union

Congress

4, Ashok Road

New Delhi

All our Products are backed by Technical Service.

AHMEDABAD — DELHI — CALCUTTA

Phone : 2 6 1 1 9 2

BOMBAY.

195 D, Nauroji Road,

Tricolor INDUSTRIES

With best Compliments of :

THE TEXTILE ENGINEERING COMMITTEE, BOMBAY.

Tel: 77371

C/O Shri Datta Deshamukh, M.B.A.,
11/A, Bapu Lodge,
Club Back Road,
Byculla, Bombay No.8.

Following is the statement submitted to the Central Wage Board for Cotton Textile Industry by the Textile Engineering Committee, Bombay.

Introductory.

10th September 1957 was the announced date for submission of written statements to this Wage Board by all concerned. We, the workers of the engineering section of the cotton textile industry in Bombay, are aware that in submitting our written statement now, we are late by nearly five months. We express our heartfelt regrets for the same.

However, we would crave the indulgence of this Board to draw its attention to certain matters pertaining to this delay. It is a fact that workers came to know of the appointment of this Wage Board, long after the publication of your Questionnaire. It may be due to inactivity or inattention on the part of our trade union organisations. But in our opinion the more important reason is that no millowners in Bombay displayed on his notice board, the papers he received from this Wage Board, for the information of his workers. It must be borne in mind that this has happened in spite of the express request from the Chairman of this Wage Board to do so in his letter accompanying the Questionnaire. It will not be farfetched if we say that this apparently minor procedural negligence on the part of the millowners, betrays in essence their attitude.

There is another reason also for this delay in submitting our statement. Under the Industrial Relations Act of the Bombay State no party other than the representative organisation can represent all or even a section of the workers of a particular industry, in any dispute involving collective interest. Under this Act the Rashtriya Mill Mazdoor Sangh is the representative organisation for the textile industry in Bombay. The general policy of the leadership of the Sangh and their method of functioning has not earned the confidence of the workers and they do not feel sure that this leadership will press their demands in as partisan and as firm a manner as they should, or that they will do everything necessary to achieve those demands. However, because of the impression that the Sangh alone will have the right to represent Bombay textile workers before this Wage Board, there was no stir among the workers even after the news of the appointment of the Central Wage Board had spread fairly widely. It was only after, we the textile engineering workers came to know that this Wage Board has called on all organisations and even individuals concerned with textile industry to submit written statements and record evidence before this Board that we started holding meetings and constituted the Textile Engineering Workers' Committee, Bombay and tried to prepare this case of the engineering section of the textile industry.

We welcome this policy adopted by the Board, of inviting all parties desiring to speak for the workers, to appear before them. But we do so only in the present context of the peculiar organisational condition of the textile workers of Bombay. Workers will not always welcome such a policy. Where workers are united in a single trade union organisation which functions efficiently in their interest and as such enjoys the confidence of the mass of the workers, workers will dub such a policy as disruptionist and they will be justified in doing so.

Trade Union is an organisation of workers' unity and of their collective strength. There should be only one union in one

industry, workers of every industry should speak with one voice through their union and they should fight their struggles under the flag of their single united trade union organisation. Such a course alone serves the interests of the workers. Workers learn of this great principle of their trade union movement through their experience in the fire of the day to day struggles and it ever remains their unceasing effort to do away with disorganisation and disruption and to unite and organise the strength of their numbers into a single organisation. The policy of recognising a union as the sole representative of the workers of a certain industry, irrespective of whether the union enjoys the confidence of at least the majority of the workers, does not always lead in practice to the strengthening of the unity and organised strength of the workers. If the policies of the leaders of such an organisation are in consonance with the aspirations of the workers, if they take workers into confidence and consult them, allow the will of the majority to prevail when differences arise, then the representative status may prove helpful to the workers in developing their unity and organisation. However, if contrary is the case, if the leadership of a legally recognised representative organisation holds views which are against the aspirations of the mass of the workers and if it refuses to consult workers in laying down policies of the union, then the representative union becomes an agency of spreading disorganisation and disruption in the ranks of the workers. The textile workers of Bombay have had enough of this experience. A representative trade union on whom is bestowed by law the right to represent all the workers of an industry, must also by law be compelled to adopt maximum democracy in its internal functioning. This is very essential. This demand naturally issues out of the experience of the textile workers of Bombay. However, democracy is not something which can be gained as a matter of gift from somebody. The workers by becoming more self-reliant, more conscious and more self-respecting alone, will they be able to achieve democratic rights for themselves. If the textile workers of Bombay are required by the exigency of the situation to build their united trade union movement in the framework of the Rashtriya Mill Mazdoor Sangh, we are sure that they will learn to exercise the democratic rights already contained in the constitution of the Sangh and also to extend the field of their democratic rights.

Now when after full ten years the question of the upward revision of wages has become an immediate question for workers in the textile industry all over India, the textile workers urgently need a united organisation to speak on their behalf with a single voice and to rally their total strength in the struggle for proper rise in wages, not only for Bombay, but also for the whole of India. The Bombay textile workers intensely feel today, the need for such a united and efficient trade union organisation of theirs. But they have not as yet acquired the consciousness and the self-reliance necessary for defeating and keeping under check forces of disruption in their movement. It is in the context of this organisational condition of the Bombay Textile Workers that we welcome the policy adopted by the Wage Board.

We are unequivocally opposed to building departmental or craft unions. We are definitely of the opinion that workers must not scatter their strength in departmental or craft organisations. They must unite their strength of numbers on the basis of the principle, one industry one union. Under the peculiar circumstances obtaining in our trade union movement, we have organised ourselves as the Textile Engineering Workers' Committee, Bombay, with a view to represent the special problems of the textile engineering workers, before this Wage Board. We shall take every care to see that in getting ourselves organised we do not add to the already existing organisational disruption and disunity among the textile workers of Bombay. We are sure that the Textile Engineering Workers' Committee, Bombay, which unites in its fold textile engineering workers of more than $\frac{1}{4}$ th of the mills of Bombay irrespective of their political opinions and trade union affiliations,

will prove to be of great help in the efforts that will be made in future to build a single, united and efficient trade union organisation of the two and half lakh textile workers of Bombay. It will be our endeavour to consciously work in that direction.

Our position regarding the general demand for wage rise in the Textile Industry.

Before going to the question of the grievances and demands of the textile engineering section and the basis of their urge to make a special representation to this Wage Board, we would first state our views regarding the question of general wage rise in the textile industry. The various trade union organisations who will represent the textile workers before this Wage Board, will, doubt make detailed and elaborate statements on this subject. We therefore would confine ourselves to a brief statement of our views.

- 1) During the last seven years, the five years of the First Five Year Plan and the subsequent two years of the current Five Year Plan, national income is estimated to have increased by about 28 %. During all this period even workers in the organised industries have not received a rise in their real wages. The growing amount of dearness allowance may have inflated the pay packet considerably, but it has not meant any rise in the real wages of the workers. On the contrary, with the method of paying dearness allowance at flat rate, compensating fully, only the lowest paid worker, it has meant actual reduction in the real wages of workers belonging to skilled categories. The workers must get a share of the increased national income in the form of a rise in their real wages.
- 2) The production of cloth in the textile industry itself has increased from 407 crores of yards in 1951 to 530 crores of yards in 1956. In 1957 the production of cloth is reported to be slightly more than in 1956. The rise in the production of yarn is greater than in the case of cloth. Thus the production of cloth and yarn has risen by about 30 to 32 per cent. The average number of workers at work in the textile mills in India during this period has risen from 7 lakhs 14 thousands to 8 lakhs 19 thousands. Thus the number of workers had increased by only about 13 per cent. It can therefore be safely concluded that not only has the total production of the textile industry gone up but per worker productivity of the industry also has increased. It is obvious that with the good market conditions the industry has been enjoying almost continuously and in the absence of any rise in the real wages of the workers, this increased production and productivity have got transformed into higher profits for the millowners year after year.
- 3) The third important ground on which the demand for a general wage rise is justified, is that of the social objectives of Second Five Year Plan. The Second Five Year Plan is the officially recognised National Development Programme of our country. In this programme we have not only the resolve to increase industrial and agricultural production, but also the particular line or method or pattern of development we are to adopt. A large part of the investments which are expected to be made during the Second Five Year Plan period, are scheduled to go to the building up of plants and works under governmental ownership. The emphasis of developmental effort in the industrial sector is to be on basic industries, industries such as steel, machine production, power generation, oil etc., which constitute the basis of industrial development. The Second Five Year Plan clearly recognises that if agricultural production is to increase, land reform, a reform of the relations in agriculture must take the first place. The actual tiller of the soil must be able to retain with himself the large part of his annual product, that he must have

security of tenure, the tiller must become, as early as possible, the owner of the land, without having to pay a heavy price for it. This aspect of the agricultural problem is expected to receive greater emphasis during the Second Five Year Plan period. The process of land reform is at the same time expected to be aided by such activities on the part of the State as provision of cheap credit to the peasant, ensuring stability of prices for his product, supply of water, fertilisers, good seeds, and scientific education. The basic social outlook or the objective of the Plan goes further ahead than the important aspects of Plan mentioned above. We give below three selected quotations from the Second Five Year Plan, which in our opinion contain a very clear and concise statement of the social philosophy or the fundamental social outlook underlying the Second Five Year Plan.

"3 Essentially, this means that the basic criterion for determining the lines of advance must not be private profit but social gain, and that the pattern of development and the structure of socio-economic relations should be so planned that they result not only in appreciable increases in national income and employment but also in greater equality in incomes and wealth. Major decisions regarding production, distribution, consumption and investment - and in fact all significant socio-economic relationships must be made by agencies informed by social purpose. The benefits of economic development must accrue more and more to the relatively less privileged classes of society, and there should be progressive reduction of the concentration of incomes, wealth and economic power. The problem is to create a milieu in which the small man who has so far had little opportunity of perceiving and participating in the immense possibilities of growth through organised effort is enabled to put in his best in the interests of a higher standard of life for himself and increased prosperity for the country. In the process, he rises in economic and social status. Vertical mobility of labour is thus no less important than horizontal mobility, for nothing is more destructive of hope and more inhibitive of effort than a feeling that the accident of birth or of a poor start in life is likely to come in the way of capable person rising in life in terms of economic and social status." (Page 22, Second Five Year Plan).

"6. Within this broad approach the Second Five Year Plan has been formulated with reference to the following principal objectives:-

- (a) a sizeable increase in national income so as to raise the level of living in the country;
- (b) rapid industrialisation with particular emphasis on the development of basic and heavy industries;
- (c) a large expansion of employment opportunities; and
- (d) reduction of inequalities in income and wealth and a more even distribution of economic power.

These objectives are interrelated " (Page 24, Second Five Year Plan).

"19. Economic development has in the past often been associated with growing inequalities in income and wealth. The gains of development accrue in the early stages to a small class of businessmen and manufacturers, whereas the immediate impact of the application of new techniques in agriculture and in traditional industry has often meant growing unemployment or under-employment among large numbers of people. In course of time this trend gets corrected partly through the development of countervailing power of trade unions and partly through state action undertaken in response to the growth of democratic idea. The problem before under-developed countries embarking upon development at this late stage is so to plan the alignment of productive resources and of class relationships as to combine development with reduction in economic and social inequality;

the process and pattern of development has, in essence, to be socialised. There are existing inequalities of income and wealth which need to be corrected and care has to be taken to secure that development does not create further inequalities and widen the existing disparities. The process of reducing inequalities is a two-fold one. It must raise income at the lowest levels and it must simultaneously reduce incomes at the top. The former is, basically, the more important aspect, but early and purposeful action in regard to the second aspect is also called for." (Pages 32-33, Second Five Year Plan).

National productivity must rise rapidly but the resulting rise in national income must not intensify the present disparity in incomes and wealth. The rich must not become richer and the poor poorer. Present disparity in incomes and wealth must be reduced. The increased production must be utilised to improve and raise the standard of living of those who produce the wealth of the nation by toiling in the factories, fields and at other places and the toilers working on other jobs. This social policy of the Second Five Year Plan is the most important and the fundamental feature of this Plan. On the implementation of this social policy depends the success or failure of the Plan. If it is recognised that enthusiastic and creative participation and co-operation of the people is the greatest single prerequisite for the success of the Plan then it is a matter of course that the implementation of the social policy of the Plan, the policy of devoting a large part of the increasing production towards improving the standard of living of the toiling people who lay their own labour to produce all the wealth of the nation, must be regarded as of fundamental importance. It is no wonder that the Second Five Year Plan discards the wage freeze policy and adopts the policy of rising real wages in its place. The statement of wage policy in the Second Five Year Plan reads as follows.

"21. A wage policy which aims at a structure with rising real wages requires to be evolved. Workers' right to a fair wage has been recognised but in practice it has been found difficult to quantify it. In spite of their best efforts, industrial tribunals have been unable to evolve a consistent formula. A major difficulty experienced in the fuller implementation of the principle of fair wage is the 'drag' exercised by marginal units in determining the wage structure. While the financial position of average units in a centre requires to be made the basis of wage fixation, if progress towards fair wages is to be accelerated, the conflicting considerations of closure of marginal units and its effect on unemployment also become pertinent in the context of planning" (Page 578, Second Five Year Plan).

We regard the appointment of this Wage Board as the first step in the implementation of this policy and we submit that this Wage Board must deal with the problem entrusted to them in the spirit of this policy.

After considering all relevant factors we have come to the following conclusions with regard to the question of general wage rise in the textile industry. (1) All workers in the textile industry must get a clear rise of 25% on their present total monthly emoluments inclusive of dearness allowance. (2) The lowest paid employees in the industry must get wages enough to enable them enjoy the standard of living unanimously accepted by all the parties at the tripartite Indian Labour Conference, as minimum wage standard. To bring the wages of this section of workers to the advanced minimum wage standard, a rise of more than 25% be given, if and as needed. (3) Those categories of workers whose wages were not properly determined at the time of standardization of wages, should receive special attention and they be given appropriate rise above 25%, on the basis of the evaluation of their work.

The recent "crisis" in the textile industry.

While concluding this statement of our views regarding the question of general wage rise in the textile industry, we must make a note of certain recent happenings in the textile industry of our country. For the last eight months or so the millowners were busily engaged in creating a big noise that the textile industry was in crisis. The millowners and the wholesale dealers created a picture of accumulating stocks in the mills. The 'Badli' workers in many mills were discharged. Some of the mills closed one of their shift and some others closed down altogether. Taking this background of an atmosphere of crisis, the millowners issued a plethora of statements and publications demanding reduction in excise duties, change in the priorities of the Second Five Year Plan, larger allocation of foreign exchange for import of new automatic textile machinery and above all demanding abandonment of the policy of wage rise for the workers. It was only too obvious from all these statements that the crisis in the textile industry was a made up affair and that it was aimed as a blow against the increased excise duty on the one hand and against the policy of fair wages on the other.

We will not go here into a detailed statement of facts regarding this artificial crisis in the textile industry which was so to say nursed during the last eight months or so. We will mention only three salient facts in support of our statement. (1) Only about a year and a half back by June 1956 or so an appearance of a rapidly growing demand for cloth was created in the cloth market. The stocks with the mills at that time fell far below their usual average stocks. The prices of cloth of practically all the varieties rose. The Government of India increased the excise duty on cloth with the declared intention of restricting the sale purchase transactions in cloth as well as of mopping up the extra profits which would be reaped as a result of rising prices. (2) With the increase in excise duty, the dealers stopped buying cloth. Stocks began to accumulate with the mills. But even with the accumulating stocks, the millowners were not too eager to dispose of their stocks and the dealers in no hurry to buy. The dealers to avoid the burden of extra excise duty went to the extent of not lifting the bales for which they had already contracted. This led to accumulation at the mill end, of cloth already sold but not lifted along with unsold cloth. The stocks were advertised by interested parties as unprecedented. But despite these huge stocks more than 90 per cent of the mills did not change their production programme at all. Some mills which are known for mismanagement and dubious financial operations partly curtailed their production and very few closed down altogether. These partial and complete closures by a few mills were advertised a great deal to bring pressure on the Government of India to reduce excise duty. But in spite of these partial and complete closures one may be surprised to learn that cloth production during the year 1957 is higher by several crores of yards than cloth production during 1956. Naturally enough, although there was talk of accumulation of unprecedented stocks and crisis in the cloth industry all around, the prices of cloth did not show the slightest tendency to look downwards. (3) During the past fortnight the face of the wholesale cloth market has undergone a radical change. The writer of the 'City Notes' column in the Times of India wrote on 17th January 1958 "..... Traders report that in Bombay alone business for about a lakh of bales was concluded last week and about 40,000 bales are expected to be sold during this week. Advices from Ahmedabad are also encouraging."

The facts mentioned above lead us to certain very clear conclusions. The shortage and the ultra-prosperity in the wholesale cloth market experienced in 1955-56 and the heavy stocks and the depression experienced in 1956-57 were both equally artificial and fake. Both these crisis were artificially brought about by the millowners and the wholesale dealers for achieving their economic-political aims, in opposition to the general scheme of the Second Five Year Plan. And for this they unscrupulously and with complete disregard for the interests of society as a whole, used the

economic power concentrated in their own hands. We, therefore, submit that this Wage Board must not allow itself to be affected by such very shortlived, artificially created phenomena as mentioned above but must consider the problem of general wage rise on the very real premise that the cotton textile industry is going to enjoy stable prosperity during the Second Five Year Plan period.

The opposition of the big capitalist interests to the Second Five Year Plan and the need for precautions.

The big capitalist interests in India are basically opposed to the all sided, integral policy of the Second Five Year Plan. The pattern of industrial development as envisaged in the Second Five Year Plan itself meets with bitter opposition from these big vested interests. They are opposed to the social policy of the Plan and they are also opposed to the taxation policy which is implied in the Plan. There is nothing surprising in the fact that the textile magnets have come forward to take a lead in the matter of putting this policy of opposition into practice. The millowners have, time and again even during the recent post-independence period, demonstrated how for their private gain they can play with lives of the people and the workers, without any scruples whatsoever.

The Second Five Year Plan envisages that "Major decisions regarding production, distribution, consumption and investment - and in fact all significant socio-economic relationships - must be made by agencies informed by social purpose." (Page 22, Second Five Year Plan). The cotton textile magnets are doing everything to add to the difficulties of the Second Five Year Plan. In view of this attitude on their part it is urgently necessary that the Govt. of India places this industry, which is at present under the private ownership of big capitalist interests, under the control of a body "informed by social purpose".

The problem of marginal units in the textile industry was already taking shape with reference to the question of payment of yearly bonus to workers. The events of 1957 brought this problem to the fore. In our opinion the only thing responsible for the present plight of these so-called marginal units is mismanagement and financial malpractices. If management of these mills is improved, financial malpractices stopped, initial capital requirements provided and in the case of a few of them if replacements & additions to the plant are made, they will easily lift themselves to a higher grade. Proper solution of the problem of marginal units is very vital to the question of securing fair wage to the workers. The Second Five Year Plan clearly takes note of the "drag" exercised by the marginal units in determining the wage structure and also lays down how the problem may be required to be handled. The relevant quotation from the Second Five Year Plan is as follows:

"21. A major difficulty experienced in the fuller implementation of the principle of fair wage is the 'drag' exercised by marginal units in determining the wage structure. While the financial position of average units in a centre requires to be made the basis of wage fixation, if progress towards fair wages is to be accelerated, the conflicting considerations of closure of marginal units and its effect on unemployment also become pertinent in the context of planning. This means that steps require to be taken to improve the working of marginal units. One way of making such units more viable is their amalgamation into larger units, voluntarily if possible, compulsorily if need be, consistent with the requirements of a decentralised economy. Data on the functioning of marginal units are lacking. Extensive surveys require to be undertaken before it can be determined whether a unit falls in the marginal category or not. Even after the marginal character of a unit is established, there will be difficulties in the process of amalgamation, but these will have to be tackled as they arise." (Pages 578-79, Second Five Year Plan).

It is really disgusting that our Government should sit with folded hands for months and months together, seeing with open eyes thousands of cotton textile workers deliberately being thrown into the streets to face unemployment, when the policy for dealing with the problem of marginal units has already been laid down so clearly in the Second Five Year Plan. It appears that the ruling party machine and State machine have made it their creed, not to implement the social policy of the Second Five Year Plan unless compelled to do so under heavy and effective pressure from the people. This is the main thing that is largely responsible for the confusion with regard to the implementation of the Second Five Year Plan. If there is any danger to the Second Five Year Plan then the root cause of the danger is here.

The millowners threaten the working masses saying, 'if you demand wage rise then we will invoke the demon of unemployment'. If this anti-social resistance coming from the millowners is to be broken and the policy of fair wages is to be implemented, then Govt. must firmly deal with the question of marginal units expeditiously, either by government itself taking them over under its management or by making efficient industrialists to take over such units. Delay in this respect will be dangerous.

We may make here a passing observation that so long as the Industrial Disputes (Appellate Tribunal) Act was in force no employer could bring about a material change in the conditions of work or pay while a dispute was pending before any industrial tribunal, without obtaining the express permission of the tribunal concerned. This provision was repealed by the government in spite of strong opposition from working class organisations. Since the appointment of this Wage Board the millowners in this country have tried to create conditions of insecurity for the workers by resorting to cancellation of 'badli' passes by thousands, by closing one shift in the case of some mills and all the shifts in the case of a few others. In the case of the journalists the big capitalist owners of news paper chains have gone still further and have challenged the competence of the Wage Board to determine the wage structure in the news paper industry. If government does not take a serious note of these doings on the part of big vested interests, then it will be difficult even to maintain industrial peace, let alone the talk of worker management co-operation for increasing production. We submit that this Wage Board must bring these matters to the attention of the Government for emergent measures.

Before we turn to the case of the textile engineering section we would mention here one point about the standardisation of wages in the textile industry in Bombay. When standardisation of wages was effected in 1947 for the first time, standard of muster and of conditions of work was not prepared by the standardisation authority. In determining the rates and allowances for piece work several essentials were neglected. These two major shortcomings were taken advantage of by the millowners to cheat workers of the rise in wages they had gained either by effecting direct wage-cuts or indirectly by effecting increased work-load and reduction of complement. This policy of the millowners has created numerous problems in the wake of standardisation in practically every department of the industry.

Now that a new wage rise is being considered Bombay textile workers will say from their experience that it will not be enough to fix a certain percentage and have done with it. If the full benefit of the wage rise that may be agreed to is to go to every worker without any cut or any additional increase in workload accompanying it, then rates and allowances for piece work must be carefully examined and improved and standard of muster and conditions of work of every category of work must be prepared. If this Wage Board does not have time enough to go into all these details for all the textile centres, then they must give a clear directive regarding the urgent necessity of preparing these details and also must make adequate provision for the same.

Textile Engineering Workers neglected so far.

The Role of Engineering Section.

Now coming to Textile Engineering proper, our first submission is that the workers of this section of the textile industry have been utterly neglected in the various inquiries and investigations held so far. We cite below only a few glaring instances. The five hundred page volume of the final report of the Textile Labour Enquiry Committee, Bombay (1940) does not contain a single reference to the Engineering Section of the textile industry. The still more bulky and in many respects rich and informative volume of the Report of the Working Party on Textile Industry does not mention even once textile engineering. The Industrial Court, Bombay, while standardising the wages in the textile industry in Bombay (1947) went into a detailed study of practically every other department or section of the textile industry but the Engineering.

This failure on the part of the investigating authorities to take note of a whole section of an industry, and an important section at that is totally unjustifiable but it is not altogether inexplicable. The place and role of the engineering section in the textile industry is basically different from that of all other sections of the industry such as mixing, blow room, card room, combing, speed frame upto bleaching, furnishing and calendering. While all other departments or sections of the industry constitute one or another link in the chain of the cloth making process, and dislocation of any one of them, minor though it may be, directly affects all other sections, and the production of cloth, stoppage of any one of them brings the whole process to a standstill. Not so with the engineering section of the textile industry.

Workers in the engineering section -mechanical, electrical, as well as departmental workers, are responsible for the upkeep, maintenance and efficient working of all the big and small machines in a mill. They arrange the supply of power and see to the smooth working of every shafting, of every loom, every frame and every other machine in any of the departments of a textile mill. Keeping a check on the condition of all the machines and shaftings and other mechanical and electrical devices to carry out timely repairs or replacements is another of their important duty. Several parts go out of order every day and they have to be worked upon and treated in the workshop before they can be used again. Several others altogether go out of use and new parts have to be manufactured in the workshop for replacement. Manufacture of parts of various machines, may they be of wood, iron, soft steel, tin, brass, copper, aluminium or any other metal, is still another important function of the engineering section of the textile industry. Practically all mills carry out their own major repairs such as those of calender rolls, of all sorts of shaftings of loom frames etc. not to speak of hundreds of minor repairs. They manufacture nearly all the parts they require. Certain mills in Bombay, for example, India United Mills No.1, Kamala Mills, Shri Ram Mills, etc. run central workshops for carrying out major repairs and manufacturing parts for themselves as well as for other mills belonging to the same group (Indu group for example) or for other customers. The chief gain for the mills in carrying out their own major repairs and manufacturing their own parts, is that they can be sure to get the work done in time. The same cannot be guaranteed if orders are placed with engineering firms outside. With efficient management there must be good savings in costs also. Lastly, the engineering section has also to undertake erection of new machinery. Some times this work is done by contractors employed by the suppliers of new machinery but as a general rule it may be said that this work also falls to the lot of the engineering section and this is a very strenuous work requiring knowledge, skill and experience.

Thus the engineering section of the textile industry is the very basis of efficient working of the industry. Responsible as it is

for upkeep, maintenance, repairs, manufacture and provision of new replacements and erection of new machinery any dislocation in the engineering section is bound to affect, though indirectly, the efficiency of the industry. But the shortsightedness of most of those who are in control of the industry to-day is too well-known and it is only to be expected that such a section of the industry as engineering which does not constitute directly a part of the clothmaking process, which affects that process only indirectly & in the long run, should be neglected at their hands. But more regrettable is the fact that the various textile enquiry bodies have failed to pay even scant attention to this section.

There is also another and equally important reason for this state of affairs and this reason may perhaps have greater import for the textile engineering workers themselves. The idea that they are maintenance workers, sort of essential service workers has been inculcated in their minds to such an extent that they have been coming to the mills on Sundays and holidays for work without overtime pay ungrudgingly and have kept themselves aloof from the militant trade union movement of the textile workers. The mill-owners and the Govt. have so far investigated into the demands and working conditions of those sections of the industry, who "create trouble" for them. Those who remained aloof from 'mischief' and waited to be rewarded for their loyal and efficient services, they could wait till "mischief" took hold of them too. The Bombay textile engineering workers appear to have caught the wind! We hope and expect that this Wage Board will not neglect the engineering section of the textile industry and will give it the special attention it needs and deserves.

Nature of work in Engineering Section.

in

The work carried on by the engineering section/the textile industry is fundamentally different from the work in the various departments which constitute the links in the chain of the cloth manufacturing process. The work in the engineering section is essentially engineering work and it has all the features of engineering work. Here we beg the permission of this Wage Board to digress a little and draw their attention to certain special features of the work in the engineering industry and their effect on the conditions of work and pay there. The Engineering Standardisation Committee to which the matter of preparing standard of wages of engineering section of the textile mills in Bombay was referred in 1949, in its report has "after visiting three textile mills with a view to find out the nature of the operations performed, the conditions of work and the wages paid in the engineering section of the textile industry" clearly and emphatically opined that "the occupations in the textile industry were similar to the corresponding occupations in the engineering industry". After these very conclusive remarks of the Engineering Standardisation Committee, it is not necessary for us to labour on the point of similarity between the work in the engineering section of the textile industry and that in the engineering industry itself. Work in the engineering industry is generally heavy manual work. While common, non-specialised jobs such as those of navaghanies for instance may be the heaviest, those of skilled fitters, welders, electricians, turners, carpenters, etc., are certainly heavier than jobs in other industries and require more than average physical strength, stamina and endurance. The industrial tribunal adjudicating in the dispute between Mazgaon Docks Ltd., Richardson Cruddas & Co. Ltd. and Alcock Ashdown and Co. Ltd. - engineering concerns of different magnitude and carrying on work in different lines - on the one hand and their workmen on the other, has clearly recognised this feature of engineering work in their award. On page 64 of the award the tribunal states "I have visited the factories and I too could see that on the whole the work of the workmen of all categories was arduous and hazardous in varying degrees. It would, therefore, appear that for an engineering worker the dietetic norm of 2,600 calories would be definitely inadequate."

The industrial tribunal even after clearly recognising the arduous and hazardous character of work in engineering industry, if it fixed the minimum wage for engineering industry at only a little above the minimum wage prevailing in the textile industry, at Rs.32-8-0, it was so only because it was handicapped by the prevailing minimum wage and the Governmental wage policy. The concept of a fair minimum wage as laid down by the Fair Wages Committee had not yet received official recognition as a matter for immediate implementation. The unanimous decision of Tripartite Indian Labour Conference, concretising the idea of fair minimum wage, in terms of expenses on food, clothes, rent and miscellaneous items had yet to come. However, it is to the credit of this industrial tribunal that it recognised the special feature of engineering work and recommended a higher minimum wage for the Engineering Industry than that of the common textile industry to which all tribunals had got stuck so far.

The second characteristic feature of work in engineering industry is the considerably high range of skill and adaptability that can be acquired through longer and longer experience and study of a job. It takes a longer period of apprenticeship for an engineering worker to become a semi-skilled or a skilled worker, several times longer than say a worker in any other section of the textile industry. The longer an engineering worker works at his job, the better is his productivity in quantity as well as in quality and the difference at every stage is considerable. There is no end to the wonders that an engineering worker may learn to do through experience with his machine and tools. If courses in science of mechanics and electricity are made available to engineering workers at various intervals, the range of development of their skill and productivity rises considerably higher. It is no wonder that an employer in the engineering industry is not generally ready to part with his old hands and take in new ones as easily as an employer in the textile industry would do. The system of giving annual increments in wages to workers and promoting workers who have acquired adequate skill and experience to higher grades is a long established system in the engineering industry even in our own country, while it is totally absent in most other industries. In the textile industry, which is the biggest industry in our country, the system of annual increments is totally absent so far as workers are concerned. While the system of annual increments is justified on grounds both of increase in family responsibilities as well as of enhancement in the skill of the worker with experience, it may safely be said that workers in the engineering industry enjoy the benefits of this system, not because their employers are concerned with the welfare of their growing families but the very nature of work in the industry has forced them to adopt that system. In this connection we would also draw the attention of this Wage Board to the method of paying Dearness Allowance in the engineering industry. Besides the revised textile D.A. scale, there exists another 'percentage of pay D.A. scale'. Every worker has the option to choose one of these two scales, the textile scale being usually chosen by those whose earnings are below Rs.2-8-0 per day or so and the percentage of pay scale being chosen by those earning a daily wage above Rs.2-8-0. The flat rate system of paying D.A. in effect reduces the differentials and it is with a view to safeguard the incentive value of differentials that the engineering industry has been required to grant a different scale of D.A. to their skilled employees earning more than Rs.2-8-0 a day.

This brings us to the third characteristic feature of the work in the engineering industry. There is greater scope for creative ability, for originality, for initiative, for innovation and invention in the engineering industry than in most other industries. The willingness or unwillingness of a worker in the engineering industry makes greater difference in production, qualitatively as well as - quantitatively, than in most other industries. The system of annual increments in wages and promotion

of workers to higher grades after they have acquired the necessary experience, is a matter of necessity for engineering industry. In the absence of such methods of remunerating the advance in skill, efficiency and mastery over a job, there is no incentive and the quality and quantity of production is affected as a matter of course.

The last feature of engineering work to which we would draw the attention of the Wage Board is its generally hazardous character. The hazardous character of work in engineering industry was noted along with its heaviness by the Industrial Tribunal for Engineering Industry in their award. The relevant quotation has already been given above and need not be repeated here. Practically every job in the engineering industry is accompanied by some sort of hazard. A group of navagaries carrying to and fro shaftings, electric motors, calender rolls and such other heavy material, weighing several tons, lifting them several floors high work in constant hazard of a break down and danger to limb or even life. A shafting oiler going about his oiling duty with a ladder 16 feet in length and 15 to 18 inches in breadth and weighing about 50 to 60 lbs., through hundreds of machines, numerous other devices and connections, may have to pay with his life, for the slightest inattention on his part. The people in the molding department have to work around and with live fire itself. The hazard in the blacksmith's job is too apparent to need description. The electrical personnel handle electrical current of 230 to 22,000 volts which means they have to work within easy reach of death by electrocution. A welder has to work with heat of 1300 degrees centigrade and a current upto 300 amperes. When carrying out big gas welding jobs, he has to work for hours together in furnace heat. Electric welding work at odd places during rains means constant danger of receiving shocks. Welders' is a job which demands at the same time skill, alertness, as well as great endurance capacity. That way the list could be prolonged to include practically every job in the engineering industry.

Thus in view of the special features of engineering work mentioned above, namely, (1) heaviness, (2) high range of development of skill with experience and study, (3) greater need for initiative, creative faculty, inventiveness etc., (4) greater hazard and hardship the engineering industry has been and is being progressively required to adopt, (1) generally higher level of wages, (2) incremental time scales, (3) systematic promotion to upper grades, (4) system of dearness allowance which will retain the incentive value of differentials of basic pay, (5) provision of paid privilege and casual leave, (6) of clothing on jobs on which soiling and wear & tear of clothes is more than average, (7) of goggles, shoes, hand-gloves, gumboots and such other articles necessary for the protection of the worker on a hazardous job, (8) of milk for jobs which greatly affect the health of the workers.

It is the chief demand of the workers in the engineering section of the textile industry that their work be recognised as engineering work and that all the conventions in the engineering industry now reinforced by various awards be applied to them. It is their submission that they have been grossly neglected so far. It will not be out of place here to refer to certain facts from the history of the fixation of the present wage structure of the engineering section of the textile industry in Bombay.

History of present wage structure of Engineering Section.

As already mentioned above most of the categories of the workers in engineering section were left to be included in the unspecified schedule III by the Industrial Court in its standardisation award of 1947. The Rashtriya Mill Mazdoor Sangh in its application No.2 of 1949 for the review of the award demanded standardisation of wages of "mechanical, engineering and other allied operatives". The matter was referred to the Engineering Standardisation Committee for report. That report was made in March 1950 and the great merit of the report, as already mentioned by us, was that it clearly recognised that "the occupations in the

engineering section of the textile industry were similar to the corresponding occupations in the engineering industry itself" and it recommended incremental time scales for all categories of workers working in the engineering section of the textile mills in Bombay. It must be borne in mind that incremental time scales were recommended by the Committee inspite of bitter opposition from the Millowners' Association. In their unanimous report the Engineering Standardisation Committee have recorded, "In reply to our query about how they would reward a worker in a particular grade after a number of years' service when his experience and usefulness to mills would be considerably higher, they pointed out that this would be done by promoting the worker from a lower grade to a higher grade, wherever vacancies occur. The millowners have opposed introduction of time scales and have proposed flat rates of wages in their schemes. However, we are of the opinion that there is much force in the argument of Shri Ambekar that the increase of skill of workers with the passage of time and their consequent usefulness to the concern is an important factor in the case of workers employed in the engineering occupations of the textile industry. The system of "chain promotions" described by the Millowners Association would not be satisfactory in general as the number of vacancies available in the higher categories is very limited. The scales recommended by the Engineering Standardisation Committee were not in themselves very satisfactory, but the system of incremental time scales would have been an acquisition for textile engineering workers had the report of the Standardisation Committee been accepted. But that was not to be. When the matter came up for hearing on 14th November 1950 the opponents, the Millowners' Association, raised a preliminary objection that "the recommendations in the Committee's report were beyond the scope of review". In order that the matter might be free from all possible doubt the court expressed the view that in the circumstances it would be better that the applicant should file an application for modification of the original award. Such an application was filed by the Sangh. While the matter was before the Court the Rashtriya Mill Mazdoor Sangh and the Millowners' Association arrived at an agreement and asked the court to make an award in terms of the agreement. Surprisingly and shockingly enough, the Sangh leaders had agreed to forego the workers' demand for incremental time scales which had been unanimously endorsed by the Engineering Standardization Committee in their report, despite bitter opposition from the millowners. As a result of this agreement textile engineering workers not only lost incremental time scales but they did not get any statement from the millowners regarding promotions to higher grades, a statement which as a matter of fact they had already made before the Committee. Regarding the method of fixation the agreement only said the following:

- "(2) Each worker shall move to the next immediate higher rate of wages and the grade in which that falls shall constitute the grade of the worker.
- (3) Having ascertained the grades of the workers by this method, these grades shall be frozen or pegged for that particular mill."

What does the clause "these grades shall be frozen or pegged for that particular mill" mean? Does it mean that the workers are also frozen along with the grades on their particular grades or that the grades are fixed and any vacancies arising in the upper grades are not to be abolished and are to be filled with suitable persons from the next immediate grade. The actual practice, so far as the millowners are concerned, has been, all these seven years, of abolishing or keeping vacant vacancies or filling them with applicants from outside. As a result, practically all the workers in the engineering section have rotted on the same grades, the same pay, which they got immediately after agreement.

The result of the method of fixation agreed to between the Rashtriya Mill Mazdoor Sangh and the Millowners' Association was very shocking to many of the workers. While some of the workers got

substantial increases in this process there were many who received a rise from 4 annas to a rupee or two only. The wage increases were not only uneven but absolutely arbitrary. They had no relation either to merit or seniority or to category.

Before standardisation, the wages paid for the same work in different mills in Bombay were highly uneven. Standardisation of wages aimed at creating conditions wherein the same sort of work was paid near about the same pay. But the situation as it emerged after fixation of grades in the engineering section according to the rule agreed to, namely, "each worker will move to the next immediate higher rate of wages", was far from this objective. The top grades of Rs.130, Rs.117, Rs.104, etc., were created only in those mills where already wages were higher and in the majority of the mills where the wages were low these grades awarded by the standard have not come into existence at all. Not that the fitters, turners, machinists, welders and other skilled workers in the majority of the mills are less skilled than their opposite numbers in the other mills. If it were so the maintenance in these mills could necessarily have suffered and besides, if differences in pay in various mills were justified on the basis of difference in skill then standardisation would be meaningless.

The agreement created the grade of master craftsman, for exceptional ability and skill in any one of the main trades, namely, turner, fitter, carpenter, machinist and welder. The master craftsman is supposed to get a minimum of Rs.156/-. But the agreement stipulates that these posts are meant to be filled "solely at the discretion of the management". No verifiable or objective test has been set or no procedure has been laid down. The result has been as was to be expected. Very few mills and those also in very rare cases have promoted workers to the post of master craftsmanship and even where these posts exist Rs.156/- has become their maximum pay and not minimum as stated in the agreement.

So far as the common run of workers are concerned they may not be master craftsmen but they certainly add to their experience and skill year after year and take upon themselves greater and higher responsibilities while dragging along on the same pay. A navaghany who has worked long as a fitter coolie will be found doing the work of a fitter, on the pay of a navaghany. An old, experienced pattern maker will be found engaged in maistry- duties besides pattern-making, while drawing only Rs.117/- the pay of a pattern maker. There are combined welders, welders who can do electric welding, gas welding and gas cutting etc., carrying on for years on Rs.91/- only. A certain mill gives to all its welders the designation of assistant welders, although most of them when they joined had welder's certificates and they have since put in not less than 5 years welding services in this mill. A carpenter coolie after years of apprenticeship has already become a full fledged carpenter but he must carry on as a coolie on Rs.30/- only. Kespon Operator is a highly skilled job but Kespon tool setting requires still greater skill. But a worker doing both the jobs gets only Rs.91/- and has no future. A wireman who has passed Supervisor's Course and has the highest qualification in his line has no future beyond Rs.97/8/- p.m. Erection work is a skilled and strenuous job. Some mills pay their fitters higher pay when they engage them on erection work but revert them to their original as soon as erection work is over. Many of the mills get the erection work done on the usual pay only. A carpenter has become skilled enough to become a slay maker or a slayline maker and these jobs are entrusted to him but he is paid only a carpenter's wages. Such complaints abound in the engineering section especially since the agreement, because since then managements have ceased to make even very ordinary usual promotion.

Thus, as a consequence of this agreement on which the present wages of the textile engineering workers are based, they neither have time scales nor a system of proper promotions. There is no reward for greater experience or greater usefulness. The number of

vacancies in higher grades is necessarily limited, as the Engineering Standardisation Committee very rightly feared. The present state of affairs so far as wages and grades in the engineering section are concerned is most discouraging, especially in the particular context of the skill of every workman gradually developing with experience. It will not be an exaggeration to say that a mood of disgruntledness pervades the workers of the engineering occupations in the textile industry.

The present wage structure in the engineering occupation of the textile industry must be basically changed and the new structure of wages and service conditions for this section must be based on the various conventions already established in the engineering industry.

Three important matters.

There are certain matters about the engineering occupations in the textile industry, in addition to all these we have stated so far, which we would urge upon this Board to bear in mind while considering the actual quantum of basic wages of the various categories of workers in this section. The first thing to be remembered is the new context of rapidly growing engineering industry in our country. Industrially backward as we were we depended for every machine, for every screw and nut on foreign countries. Our engineering industry was no more than sparsely spread and ill-equipped repair-shops. With independence things have changed and with the Second Five Year Plan giving special emphasis on basic industries, the engineering industry in India is growing by leaps and bounds. It is no more a mere repairing industry or even assembling industry but it is growing to be a full fledged machine manufacturing industry, which will act as the lever to transform our country from an industrially backward country with very low industrial and agricultural productivity into an advanced, industrialised country with rapidly developing industry and agriculture. The day the three huge steel manufacturing plants will go into operation the place of engineering industry and also of the engineering worker in the economic life of our country will undergo a qualitative change. It must be remembered that the engineering worker is feeling this change in his every day work and he is already demanding that he be recognised in his new role and accorded his new status. As the engineering industry has spread and developed during the last 10 years, so has grown the trade union movement of the engineering workers. While for the last ten years the scales of pay and dearness allowance etc. have been practically static or have moved very little in the textile industry, during this same period the scales of pay and dearness allowance and service conditions have been revised upwards not less than three times in various engineering concerns. Formerly, the engineering worker was illiterate, he did not know the theory of the practical work he handled with great ability through sheer experience and talent. He feared unemployment in a warped industry and working in small groups on servicing and repairing jobs he never felt the strength of the numbers of his own kind. The natural consequence of these conditions was inordinately low wages compared to the worth of the work done and very bad working conditions. These things have had to change with expansion and development of the engineering industry in our country during the second world war and since. The change has been especially rapid during the last ten years under pressure from organised trade union movement of the engineering workers. During the Second Five Year Plan period and the subsequent Third Five Year Plan period the demand for trained engineering workers of all categories is going to grow multifold. This is the new context in which this Wage Board will have to consider the question of fixing the wages of various categories of engineering workers engaged in textile industry.

The present wages of engineering workers in the textile industry are in our opinion, pretty low, considered in the light of the work that each one of them is called upon to carry out. A very large percentage of them have very little literacy. Very few of them have done any courses. They have risen from the lowest rung. The rank of coolie - to the positions of foremen, mistries, pattern makers, head fitters, power house operators, armature winders, etc., through sheer experience, self-study and talent. Ill-advantage has been taken of their weakness from the point of view of literacy and theoretical knowledge and of their low start to keep them on wretchedly low wages. There is a growing tendency to recruit for top grades young workers from outside who have done courses in some institute or other or have gone through apprenticeship period at some recognised engineering establishment. There is also a tendency to increase the number of degree holders in the grades of Supervisors and Engineers. While in the present day world of advanced engineering and growing use of electrical appliances and automatisations the need for theoretical education on engineering jobs is great. But this need cannot be adequately satisfied by increasing the non-practical degree holders at the top or by injecting the practical diploma holders in the middle. Facilities must be provided for workers from the lowest ranks to take short courses in engineering. Incentives must be provided by way of promotions to workers distinguishing themselves at these courses and in applying the newly gained knowledge in their work. The experienced workers doing skilled and complicated jobs through long experience to their credit must be helped with theoretical lectures relevant with their jobs and those showing capacities to pick up and develop further should be duly rewarded. Only in such an atmosphere of scientific education of practical workers and application of science in practice from bottom to top of the much needed union of theory and practice, will the valuable knowledge of degree holders be properly and fully utilised and the craft acquired by trade apprentices will help improve level of efficiency and productivity.

So the second important thing we wish to bring to the notice of this Board is that a large majority of engineering workers in the textile industry are people with long services, with years of experience and very detailed knowledge of their environment and job and with proved ability to handle any situation or job that may confront them. It is the wage structure of such an experienced personnel that is to be evolved, in the case of the engineering workers of the textile industry.

The third and the most important matter which we wish to bring to attention of this Board is the difference between the work done in the generality of engineering concerns and that done in the textile mills of Bombay. In the engineering industry the work is generally of production on mass scale of standard goods. Every worker is assigned his bit of work, may it be of turning, fitting, milling, welding, phasing or any other, and he has to do it in the shortest possible time over and over again all the seven and half hours. The worker naturally gains in efficiency or rather speed in his work but inevitably loses in versatility and is reduced to the position of a machine attendant. In the textile industry the nature of work that engineering workers have to undertake is different. They are responsible for maintenance, and repairs of all the machinery and the whole building housing the machinery of a mill. They are also responsible for production of most of the parts required for replacement and for the erection of new machinery. This work involves thousands of jobs of the most varied kinds and every job requires to be tackled in its particularity in a fresh way, noting all that is new and out of the ordinary about it and not as routine job. Engineering work in a textile mill demands more will, alertness, originality, all-sidedness from every worker from the lowest to the highest. It is not as if only one thinks, conceives, plans and all the others merely carry out. Everyone has to think, conceive, plan and play his part well in a collective effort. For

this all concerned must understand the job. That is how an experienced navaghany comes to know what the engineer has in mind in a particular situation. Taking into consideration this aspect of the matter that engineering work in a textile mill stands generally on higher level, we submit that wages for textile engineering work must be generally higher than those prevailing in the engineering industry.

To sum up, textile engineering work is engineering work and a higher type of engineering work than the work ordinarily done in the engineering industry. While determining the quantum of pay the context of the rapidly expanding and developing engineering industry must not be lost sight of. Present personnel in the mills is highly experienced personnel, who know their job well and with the help of a little theoretical education they will take greater responsibilities on their shoulders. With these considerations in view, we suggest the following time scales for various categories of workers in the engineering section of the textile industry.

Suggested Scales.

AVERAGE SKILLED WORKERS.

<u>Designations.</u>	<u>Scale suggested by us</u>
(1) Boiler Coolie, (2) Wireman's Coolie, (3) Tinsmith's Coolie, (4) Moulding Coolie, (5) Carpenter Coolies, (6) Motor Mechanic Coolie, (7) Mason Coolie, (8) Fitter Coolie, (9) Lorry Cleaners, (10) Welder's Coolie, (11) Haul Attendant, (12) Windowpane Cleaners, (13) Mochi, (14) Machine Part Cleaners, (15) Sweepers, (16) Humidifier Cleaner and any worker from the engineering section who is getting at present Rs. 20/- p.m. as basic pay should be eligible for this scale.	Rs. 65-2-85-2½-90
(1) Engineering Navaghany, (2) Hammarman, (3) Painter & White Washer, (4) Humidifier Attendant, (5) Boiler Cleaner, (6) Bambvala, (7) Fireman, (8) Electric Oiler, (9) Electric Coolie Mukadam.	Rs. 75-2½-110
(1) Engineering Rassiwalla or Rope Splicer, (2) Engineering Oilers, i.e. Shafting Oilers, (3) Electrical Motormen or Motor Attendants, (4) Chippers.	Rs. 85-2½-120
<u>Supervisory.</u> (1) Building Mukadam, (2) Navaghany Mukadam, (3) Shafting Oilers Mukadam, (4) Rope Splicers Mukadam, (5) Electrical Mukadam.	Rs. 100-3-130-5-135.

SEMI-SKILLED WORKERS.

(1) Second Class Boiler Attendant, (2) Letter Painter, (3) Mason.	Rs. 90-4-130.
(1) Turner (Engineering as well as departmental) (2) Fitter (-do-) (3) Humidifier Fitters, (4) Blacksmiths, (5) Tinsmiths, (6) Carpenters, (7) Polishmen, (8) Second Class Moulders, (9) Choremakers, (10) Furnacemen, and (11) Cupola Operators - All those workers who are known by any one of the abovementioned names and also earn Rs. 91/- & below should be fixed in this scale.	Rs. 90-5-150.

- Lorry Driver. (Rs.105-5-150)
- (1) Slayline Makers and (2) Cabinet Makers. (Rs.110-5-160)
- (1) Wiremen, (2) Welders (3) I. Class Moulders. (Rs.105-5-175)

Supervisory.

- (1) Boiler Mason, (2) Head Blacksmith (
 - (3) Head Tinsmith, (4) Overhauling Fitters and (
 - (5) Slay Makers. (
- Rs.130-5-185

SKILLED

- (1) Machinists (We have used this word to mean skilled and experienced Turner, (
 - (2) Millwright Fitter, (3) Boiler Fitter, (4) Miller, (
 - (5) Kenson Operator, (6) Motor Mechanic, (7) Line Levelling Fitters and Fraction Fitters, (
 - (8) First Class Boiler Attendant, and (
 - (9) Pattern Makers. (
- Rs.150-5-180-10-200.
- (1) Electrician (Armature Winders, Cable Jointers, Switch Board Operators earning the present I Class Grade pay are covered by this scale) (
- Rs.150-5-185-10-225

Supervisory.

- (1) Foundry Maistry, (2) Power House Operator, (
 - (3) Wood Work Maistry, (4) Head Fitter, (5) Head Welder (
 - (6) Head Turner, (7) Head Motor Mechanic (
- Rs.200-10-260.

HIGHLY SKILLED.

- (1) Combined Welder, (
 - (2) Combined Kenson Operator-Kenson Tool Setter (
- Rs.200-10-300
- Wiremen or Electrician having Electrical Supervisor's Certificate. (
- Rs.250-10-350

The new starting salary of every worker in the scale should be so fixed as to give him either an increase of 25 % of his present total income (basic wages + Dearness Allowance) in his basic wage or one increment for every two years of service in the present grade, whichever is more.

Few words about scales.

The lowest scale which we have suggested is Rs.65-2-85-2½-90. We assume here that the minimum wage for the textile industry has to be round about Rs.55/- p.m. at 1950 price level. Anything less than that, in our opinion, will not provide the minimum necessities of food, clothing, shelter and miscellaneous wants agreed to as the minimum living standard by the tripartite Indian Labour Conference. Heavier and more hazardous as engineering work is we suggest a starting pay of Rs. 65/-p.m. as the minimum wage for the engineering section with acquisition of skill with experience the worker on the lowest rung must be able to reach with the annual increments of Rs.2/- for the first ten years and of Rs.2½ for the subsequent two years to Rs.90/-per month. This scale covers the following categories. (1) Boiler Coolie, (2) Wireman's Coolie, (3) Tinsmith's Coolie, (4) Moulding Coolie, (5) Carpenter Coolie, (6) Motor Mechanic Coolie, (7) Mason Coolie, (8) Fitter Coolie, (9) Lorry Cleaners, (10) Welder's Coolie, (11) Haul Attendant, (12) Windowpane Cleaners, (13) Mochi, (14) Machine part Cleaners, (15) Sweepers, (16) Humidifier cleaner. Any worker from the engineering section who is getting at present Rs.30/-p.m. as basic pay should be eligible for this scale.

The second scale we suggest goes from Rs. 75-2 $\frac{1}{2}$ -110. This we may name as the Engineering Navagany Scale. It must be clearly understood that the work of an engineering navaghany is totally of a different nature from the work of navaghanies in carding, weaving, spinning and other departments. It is not merely a work of carrying heavy loads from one place to another, like that of a bale-stacker. The job of the engineering navagany is to carry out all the heavy jobs in the engineering work.

For example a shafting line from 2 to 6 inches in diameter with its shaftings, pulleys, couplings and all has to be taken down for repairs or to be lifted up for being fitted. This work has to be carried out with great care, while machines are buzzing around in full speed. The engineering navaghanies have to move huge machines from their departments to the workshop and from workshop to the departments during repairs. They have to help the fitters in changing ball bearings, pulleys, couplings and calender rolls. They have to take the worn out parts to the workshop for turning and there, they have to help the turners to put them properly on the lathe. They are responsible for movement of new machinery coming into the mill. They have to help the boiler fitter in his work. They have to remove the cover of electric motor of 200 to 250 H.P. and carefully take out the roter weighing about one ton, clean it and put it back without damaging the delicate connections around. Carrying motors weighing 4 to 5 tons to the height of 100 ft. or taking down and replacing calender rolls weighing 1 $\frac{1}{2}$ to 2 tons are very heavy & responsible jobs. It is the engineering navaghanies who have to take up and properly bind the huge steel wire of the lift with a carrying capacity of 1150 lbs. Height of the lift is usually 50 to 100 ft. and the huge steel wire has to be coiled round twice or thrice. There are always occasions when the pulleys, couplings, bearings or brass on the shaftings get jammed and refuse to come off. The shaftings are at a height of 15 to 16 ft. It is the engineering navaghanies who have to take a suitable position in some odd place and from there to give hammer stocks. To balance oneself and to handle the hammer in such places is really a feat.

These are some of the difficult jobs which engineering navaghanies have to carry out. Every mill has some 15 to 17 engineering navaghanies, the number rising according to the size of the mill. They are able to carry out work only because they work in a team and with the technique that has developed through years of practice and is handed down to new people only through practice. An engineer would feel helpless without the hearty co-operation of the team of engineering navaghanies and experienced engineering navaghanies to lead the team. A navaghany is so close to a fitter in his work that if he has an aptitude he can pick up fitter's work and become a fitter. Fitters have risen from amongst navaghanies and have reached head fittership. There is a growing demand therefore that young navaghanies showing aptitude for fitter's work should be given opportunity and facilities to learn fitter's trade.

We have dealt with this category of engineering navaghanies rather at length firstly because of their importance and secondly because it is the unanimous opinion of the engineering workers and of engineers also that these workers have been very unjustly treated in the last revision of wages.

We have included under this scale other categories whose work is either heavier as in the case of hammerman of the blacksmith or a little more skilled or a little more hazardous. This scale should cover (1) Engineering Navaghanies, (2) Hammerman, (3) Painter and White Washer, (4) Humidifier Attendant, (5) Boiler Cleaner, (6) Bambvala, (7) Fireman, (8) Electric Oiler, (9) Electric Coolie Mukadam. Electric oilers are not to be found in all the mills at present but wherever they are, as in the Tata Mills, for instance, they should be covered by this scale.

The third scale we suggest is R.85-2 $\frac{1}{2}$ -120. This scale may go after the name of the Rassiwala or the Rope Splicer. Here we must clearly differentiate the departmental Rassiwala from the engineering Rassiwala. Engineering Rope Splicers are the navaghanyes who in addition to the navaghany's work do the rope splicing work whenever it is necessary. Rope splicing may be said to be a special craft which is learnt through long experience. Engineering Rope Splicers have to deal with big ropes upto one and three fourth inches in diameter. Departmental ropes are easier to handle because they are adjustable but not so with the big ropes which the engineering Rope Splicers have to handle. Firstly, they must join the rope with such consummateness that the rope will not be bigger at the joint and it will rotate smoothly over the pulley. Secondly, the length of the rope has to be so exact as not to be either loose or tight when fitted on the pulleys. If the rope belt becomes tight then there is danger of the brasses and the motor getting hot. If it is loose it will not hold the pulleys properly in motion. The fitting of these heavy ropes is itself a very heavy job. There is danger of the rope giving way also. In all this work the other navaghanyes help the Rope Splicers but the know how is supplied by the Rope Splicer and the responsibility rests upon him.

In this scale we have included engineering oilers i.e. the Shafting Oilers, Electrical Motormen or Motor Attendants & Chipperers.

The three scales suggested above may be said to be scales for average skilled workers. We do not accept the category 'unskilled' in which generally these workers are put. No worker who is required to do any work in the environment of highly mechanised processes can be called unskilled. He has to acquire training, habit, experience before he can handle any job in the mill with the requisite efficiency and speed. Therefore, we call this category, "average skilled" workers.

We suggest the fourth scale of R.100-3-130-5-135. This may be called the Mukadam Scale. All the Mukadams exercising leadership and supervision over the various workers of the average skilled category should be covered by this scale. We would include under this scale (1) Building Mukadam, (2) Navaghany Mukadam, (3) Shafting Oilers Mukadam, (4) Rope Splicers Mukadam, (5) Electrical Mukadam. This scale is a scale of long service, experience, ability and supervisory function. It is not that all the above mentioned posts exist in all the mills. But it is necessary to create all these posts to provide proper leadership to the various groups of workers engaged in different types of work. With regard to these as with regard to all higher posts, we demand that they should be given to the seniormost persons.

Now we come to the scales of second category, namely, the semi-skilled. In this category we suggest six different scales. The lowest in this category comes the scale of the Second Class Boiler Attendant, starting from R.90/- and reaching to R.130/- within ten years by annual increments of R.4/-. We include in this scale the Letter Painter and the Mason.

Rs.90-5-150 is the second scale we suggest in this category. This may be named the Turner-Fitter Scale. Turners and Fitters are the key crafts so far as the mechanical side of the engineering section is concerned. The Turner is responsible for making a part so as to fit in its place exactly. Accuracy to the hundredth, to the thousandth of an inch is the watchword of turning trade. The Fitter is responsible for fitting a manufactured or repaired part exactly. He may have to do cutting, chipping, filing, scraping, drilling, tapping, dieing, reaming, rivetting, shaping, planning, slotting, milling, plumbing and levelling etc., all aimed at achieving the same thing, namely, the correct fitting of a part. Any mistake on his part may lead to friction, more than average wear and tear, fall in efficiency or even a breakdown. We include in this Turner Fitter Scale the engineering as well as departmental turners and fitters Humidifier Fitters, Blacksmiths and Tinsmiths, Carpenters and Policemen, Second Class Moulders and Choremakers, Furnacemen and

Cupola Operators. All these are skilled workers and their range of acquisition of skill is greater and hence a longer scale for them. All those workers who are known by anyone of the above-mentioned names and also earn 91/- and below should be fixed in this scale.

We suggest for the Lorry Driver a scale of Rs.105-5-150. Lorry Driver is a category by himself with his particular skill and responsibility. Lorry Drivers in Bombay Mills although they do not have to go riding long distances they are required to drive heavily loaded lorries through busy streets of Bombay. They are also responsible for the safe and timely delivery of the materials loaded in the lorries. Many a times they along with their cleaners have to be on duty for more than eight hours.

Slay. e-makers and Cabinet-makers are craftsmen with higher skill who should be placed between an ordinary Carpenter and a skilled Pattern Maker. We, therefore, suggest the scale of Rs.110-5-160 for them.

The highest scale in this category of workers as suggested by us is that of Wiremen and Welders starting from Rs.105 and reaching Rs.175/- within 14 years, by yearly increments of Rs.5. These are trades which require longer training and apprenticeship and which are fraught with greater hazard than most other engineering trades. A wireman is required to pass an examination of the Public Works Department of the Govt. and obtain a Wireman's Certificate before he can work as a fullfledged Wireman. Govt. generally requires the mill managements to employ Wiremen with certificates for Wireman's job, but this requirement is not always satisfied. The managements economise and employ workers without licences so that they can get the work done on lower pay. This is very wrong and dangerous economy. It will not be an exaggeration to describe it as a penny wise and pound foolish policy. This Wage Board must, while giving complete protection to the present experienced Wiremen without certificate, enjoin upon the mill managements that they strictly satisfy the requirement that any person employed to do Wireman's job must be a Wireman with certificate. At the same time Wireman's Coolies and Motormen should be allowed and given facilities to learn Wireman's work and appear for the Wireman's Certificate Examination.

We give below some of the main jobs the Wireman has to carry out. He has to do all the wiring work, insulation work and insulation test work. There are several types of wiring such as case wiring, slit, lead cover wiring, citius, pipe fitting, overhead etc.. Casing, slit and citius wiring has to be carried out at height and on ladder or wooden stools. Overhead wiring work is more difficult and has to be done with great care. Pipe fitting work is very hard, exacting and requiring skill. The pipes from half to two inches in length have to be threaded and wherever necessary they have to be given proper and aesthetically fitting bend. The same is the case with concealed wiring. It is especially difficult to detect fault in concealed wiring and set it right. If an electric motor is to be set up the wireman has to test the various materials and armature etc. to detect faults if there may be any.

There are several things which a Wireman cannot do on a working day and has to do those on weekly holiday when the mill is closed. Dismantling of the high capacity main switches, circuit breakers air breakers and cleaning or changing their contacts, to renew oil in the switch tank, to see if the switch mechanism is in order or not, these are some of the main operations which a Wireman has to carry out on weekly holidays. If a motor fails then the Wireman has to find the fault and set it right. The Wireman must know the distribution board of main switches in the mills and fuses and other things. He has to dismantle electric motors of capacities between 25 H.P. to 200 H.P. and repair their contacts, carbon brasses, brass bearings etc., to take gauge feeler and to varnish them and reset them. He has to take care that the insulation is not damaged in the process of resetting.

out

Group drive is fast being replaced by individual drive. The number of motors is increasing and the number of motors going out of order and requiring attention is also up to the foreign standard as yet in durability and efficiency. That again is a factor in increasing incidence of breakdown and repairs. A mill wireman has a special disadvantage or hardship in that he has to work in steam and with soaked clothes on.

It may be said in carrying out his various duties the Wireman has to do besides electrical work, Carpenter's work (as in case wiring), Fitter's work or Tinsmith's work (as in soldering) and he has to do this work not in comfortable positions but in very difficult positions and places. He has also to carry out the delicate work of repairing electric clocks and meters.

A Wireman must know wiring diagrams, starters of small motors, automatic controllers, overload devices etc. otherwise he will not be able to repair or assemble a machine.

Besides these duties he has to pay attention to the lighting in mills also. He has to remove short circuit, put up bulbs, put in fuse, carry out rewiring and earthing operations. A slight mistake on the part of a Wireman in making connections can lead to burning of a whole motor or even greater damage. A Wireman working on low, medium and high voltage always stands the danger of death by electrocution.

We have purposefully given this rather long description of the work and responsibilities of a Wireman. It will be clear from the foregoing how very essential it is that the mill managements are compelled to employ only workers with wireman's certificate for doing Wireman's jobs. It is our suggestion that all those who have been doing Wireman's job for more than 5 years should get Wireman's scale irrespective of the fact whether they have a Wireman's certificate or not. Armature Winders, Switch Board Attendants earning the pay of the present II Class Certificate grade should be fitted in the Wireman's scale. Non-certificate holder at present working as Armature Winders and Switch Board Attendants should be fitted into the scale of Electrical Motorman.

When the wages of the various categories of engineering workers were last fixed the various jobs of different grades on the electrical side were not properly distinguished. On the contrary, as a result of the designations used, a confusion was introduced. Switch Board Attendant and Armature Winder is the common designation used and it is divided into three grades, namely, (1) those with first class certificates, (2) those with second class certificates and (3) those who are unqualified i.e. without certificate. The wages of these grades range from Rs.39 to Rs.97-8-0

We reject this classification as totally unscientific. Firstly, there is nothing like a I Class or II Class Certificate. What is called a First Class Certificate is in fact Supervisor's Certificate which a Wireman gets after he has acquired considerable experience and theoretical knowledge of the science of electricity. Supervisor's examination is a very stiff examination. At present there are very few wiremen who have passed this examination and they can be counted on the finger tips. By passing this examination, these Wiremen qualify themselves for post of Supervisors or Electrical Foremen. We strongly submit that the value of the Electrical Supervisor Certificate must be properly recognised and the Wireman's Certificate must also be given its due. The I Class and II Class designations introduced by the agreement between the Sangh and the Millowners' Association are wrong and detract from the worth of both these certificates.

In the scales suggested by us three grades for the electrical side (1) Wireman, (2) Electrician, (3) Power House Operator. Any Wireman having passed the examination of a Wireman can with experience do the work of an Electrician and later on that of a Power House Operator. For these three grades Wireman's Certificate with adequate experience is enough qualification.

Senior most Wireman should be promoted to the vacant post of an Electrician and the senior most Electrician should be eligible for the post of the Power House Operator wherever it is to be filled. Any electrical worker who has passed the examination of Supervisor's Certificate should be taken up as Foreman or given a Supervisor's Scale.

We have put the Welder in the same scale as the Wireman. Welder's is a very onerous and arduous job and it takes long to become a specialised Welder. He must learn to adjust the welding current to the thickness of the metal he is welding. For this he must know the melting points of the various metals he has to handle in welding such as mild steel, carbon steel, etc., aluminium, lead, high tensile steel, carbon steel, etc. Welder has to handle a current upto 300 amperes and has to work in heat of 1300 degrees centigrade which is the melting point of steel. The carrying out of big jobs which require preheating in the furnace is a highly arduous and skilled work. The fumes that a welder inevitably inhales in the course of welding work affect his health greatly.

In view of the important and skilled job of the 1st Class Moulder we suggest that he should be also covered by this scale.

The last scale in this category should be the boiler mason's scale starting at R.130/- and by yearly increments of R.5 reaching R.185 within 11 years. The Head Blacksmith, the Head Tinsmith, Overhauling Fitters and the Slaymaker should be covered by this scale.

The third category of the workers is the 'Skilled'. Included in this category are the Millwright Fitters, Machinists, Motor Mechanics, Line Levelling Fitters, Erection Fitters, Pattern Makers and Electricians.

We suggest the following two scales for the skilled category.

1. For the Millwright Fitter, Boiler Fitter, Machinist, Miller, Kepsom Operator, Motor Mechanic, Line Levelling Fitters & Erection Fitters and 1st Class Boiler Attendants Pattern Makers the scale of R.150-5-180-10-200.
2. For the Electrician we suggest the scale of R.150-5-185-10-225.

We have used the word Machinist to mean a skilled and experienced Turner. Armature Winders, Cable Jointers, Switch Board Operators earning the present I Class Grade pay, are covered by Electrician's scale.

Vacancies in this grade should be filled with senior most employees from the lower grade.

All those who are drawing more than R.95 p.m. should be fitted in these scales.

Above the scale of skilled workers we suggest a scale for the Skilled Supervisory Category. In this category we include (1) Foundry Maistry, (2) Power House Operator, (3) Wood Work Maistry (4) Head Fitter, (5) Head Welder, (6) Head Turners, (7) Head Motor Mechanic. These are senior most and most experienced persons in their trades. While carrying out the most difficult and most skilled jobs themselves they also have the responsibility of supervision on their shoulders. We, therefore, suggest for this category a scale of R.200-10-260. Vacant posts in this category must be given to senior most employees from the skilled category. In every mill there is a power house from where power is distributed to the various departments of the mill. It is highly necessary that a highly experienced and responsible man with a thorough knowledge of electricity and the ins and outs of the electrical network in the mill must be given charge of the power house. At present in several mills power house work is understood

as carrying out some routine operations and taking down some routine readings and ordinary switch boards attendants are in charge of power houses. In the interest of safety this practice must be summararily stopped and the post of power house operator compulsorily created in every mill, the seniormost Electrician being promoted to the post. There are several mills where many of the posts in the skilled category and skilled supervisory category do not exist at all and all the work of these posts is taken from employees on lower grades of pay. The creation of these posts in all the mills, with a view to bring about uniformity must be made compulsory as a part of standardisation. New scales should not be fitted from bottom upwards but from top downwards.

The last scale we suggest is for those who may be called highly skilled or exceptionally skilled. For example, a Welder who can do electric welding, gas welding, gas cutting and even lathe burning and from whom the mill takes work of all these kinds must have a scale for himself. Similarly, a worker who is a Kepson Tool Setter and also works as a Kepson Operator should get more than a skilled worker. For such workers as do several kinds of skilled work for the mills they must get more pay than that pay belonging to any one of those jobs. For Combined Welder and Combined Kepson Operator, Tool Setter, we suggest a scale of R.200-10-300.

The Wireman or Electrician who passes the Electrical Supervisor's Examination should be given the supervisory grade of R.250-10-350.

In certain mills there are certain posts of assistants such as Asst. Fitters, Asst. Welders etc. If these workers are found to have put in more than 5 years of service in their posts of assistants or after they do so, they should be regarded as full fledged Fitters, Welders, Turners, etc. If they are required to continue as assistants for completion of 5 years in the job they should be given an initial rise of R.25/- in their basic pay and annual increment of R.2½. No new posts of assistants be created.

If a worker working as electric Motorman passes the Wireman's Certificate Examination he should be given an allowance of R.10/- p.m. and he should be promoted to a Wireman's post, as soon as there is a vacancy. Similarly, if a Fireman or Agawala passes the Second Class Boiler Attendant's Examination, he should be given an allowance of R.10/- p.m. and after passing the examination of I Class Boiler Attendant an allowance of R.25/- p.m.

Posts of Foremen and Asst. Foreman: Although these posts are in, what is called, the starr, it has been the practice to recruit for these posts men from amongst the workers. Lately there is a tendency to recruit persons from outside for these posts or to abolish them altogether. These are posts which develop the self-respect of the engineering workers and inspire them to work hard to rise as high as possible. We strongly feel and urge that these posts should not be abolished and the practice of promoting talented, diligent workers of long standing to these posts should be continued.

Fixation in new scales: The fixation should be done in such a way that every worker will get an adequate wage rise. There is danger of those who are at present earning the highest salary of a particular category, suffering in the process of fixation. To safeguard against this possibility we suggest the following method of fixation. The new starting salary of every worker in the new scale should be so fixed as to give him either an increase of 25% of his present total income (basic wages + Dearness Allowance) or one increment in new scale, whichever is more.

Dearness Allowance: We have already discussed this point and stated our views on the question. We are of the opinion that textile engineering workers, should like the workers in the engineering industry be paid dearness allowance by two scales, workers having the option to choose, either the revised textile scale or the percentage of pay according to cost of living index scale. This is necessary to safeguard the incentive value of differentials in basic wages of workers of various grades of skill.

½ each two years' period of service.

Privilege leave and casual leave.

Engineering worker as a rule is comparatively less given to absenteeism and going on long unpaid leave. His work also is very much strenuous. It is therefore desirable that engineering workers should have 21 days privilege leave in a year and a paid casual leave of seven days in a year. Paid casual leave is generally given in the engineering industry.

Payment on monthly basis.

It is generally the demand of the engineering workers that they should be paid on monthly basis and not on daily wage basis. The tribunals have so far rejected this demand on the ground that the change will not result in any material benefit to the workers and it will cause lot of trouble to the management in costing work, in which the system of daily rates of wages is, according to them, more convenient. It is our submission that in the case of the textile engineering there is no question of calculating per unit costs because it is primarily maintenance and repairs work and no inconvenience will be caused to the management if the wages of textile engineering workers are calculated and paid on monthly basis. We have suggested all our scales to suit monthly basis of payment.

Working clothes and other protective accessories.

For reasons already discussed the following categories of workers should be provided the articles mentioned against them.

Welders: Gum boots Handgloves, a pant and a shirt.
Welders Coolie: The same as Welder.

Blacksmith, Hammerman, Tinsmith, } A pant and a shirt.
Tinsmith's helper, Fitter. }

Moulder's Coolie: Proper boots and Apron.

Mason's Coolie } Clothes as the Navaghanies at present get.
Carpenter Coolie }

White Washer, Painter: Pant and shirt.

Wireman: Rubber shoes, handgloves & their work tools should be supplied by the company. At present they are required to bring their own private tools.

Boiler Attendant: Pant and Shirt.

Welder should be given 1 seer of milk every day.

Fitters working in dyeing and bleaching departments have to work in acid, caustic, Amonia and such other injurious materials. They should be given each a set of working clothes and a disagreeableness allowance of Rs. 5/- per month.

Night Shift Work.

The number of engineering workers in the night shift is generally less than in the day shift. The reduction is mainly in mechanical engineering staff. Usually it so happens that a Fitter or Turner called for night shift work is required to carry out jobs of greater responsibility than he ordinarily does in day shift. A job which is handled by a Turner earning Rs. 91/- or Rs. 104 in the day shift has to be carried out by a Turner whose monthly pay is Rs. 78/- only at the night shift. The demand therefore is that a worker when on night shift should be given additional pay commensurate with the higher grade job he executes.

Work on Sundays & paid festival holidays. The prevailing practice in the engineering industry in Bombay in this respect is clearly recorded as follows, in the award of the industrial tribunal in the dispute between Mazagaon Docks and other engineering concerns and their workers.

"1) For working on a weekly off day (Sunday) a workman gets 1½ times his basic wage and ½ times his D.A. He thus gets an additional 50 % of his basic wages and dearness allowance.

- "2) For working on a paid holiday the workman gets double his basic wages and double his dearness allowance.
- "3) For overtime work on weekly off days and paid holidays the worker gets double his basic wages & double his D.A. for the hours worked as provided by the Factories Act. All overtime irrespective of the day on which it is worked is paid in accordance with the Factories Act."

At present textile engineering workers do not get any additional wages for Sunday and holiday work. It is a long standing demand of the textile engineering workers that the above practice should be followed in the textile industry. They suggest only two minor modifications, namely, (1) Hours of work on Sunday should be four instead of eight, so that a worker can carry out his work and at the same time enjoy at least some part of the day with others. However, if he is required to work more than 4 hours he should be paid at double the basic pay and D.A. for additional hours worked, (2) As far as possible workers should not be called for work on paid festival holidays such as Divali etc., which are very few in number. However, if they are called they should be paid double the wages and D.A.

This change in the present practice of the textile mills will cost insignificantly little to the mills but will give great - psychological satisfaction to the workers.

No reduction in complement & increase & regularisation of electrical personnel: The last and the most important matter to which we wish to draw the attention of this Wage Board, in conclusion of our statement, is the necessity of giving an express directive to the mill managements not to reduce their present engineering complement. It has been generally the policy of the millowners to follow up any rise in wages with a drive for reduction in the number of workers and increase in per worker workload. A very large part of the present machinery of the textile mills in Bombay is very old and depreciated and maintenance & repairs work is all the while increasing. With the coming in of new machinery, erection work is growing and will keep on growing at least for a decade more. The new machinery made in India, as we have already observed, is not upto the mark and increases the work of the engineering department. Considering all these factors we must emphatically state that any reduction in complement and attempt to overload workers with additional work will greatly affect the efficiency of maintenance and repairs work, ultimately affecting cloth-productivity of the mills.

Automatisation of processes is increasing in the mills. Replacement of group drive by individual motors is increasing the number of motors to be attended. Under the new & development circumstances it is necessary that the number of electrical personnel of various grades required in every mill should be regularised, relating it to the consumption of electricity by the particular mill and the lighting points and motors to be attended to. We tentatively suggest the following method of regularisation.

In a mill consuming between one thousand to two thousand kW of electricity there should be the following maintenance staff in every shift: (a) One Power House Operator, and one Coolie, (b) Two Electricians and two Coolies, (c) For every 500 lighting points one Wireman & one coolie, (d) For every hundred loom motors of $\frac{1}{2}$ H.P. to 3 H.P. one Wireman and one Coolie. Permanent staff in the day shift: (a) For wiring erection work 2 Wiremen, 2 Coolies, and one Supervisor, (b) Two Light Cleaners for every 500 lighting points, (c) One Electrician, One Armature Winder and one Cable Joiner, (d) For every high tension motor one Motorman.

All the statements made by us so far are to the best of our knowledge true and correct. We do not however presume that some of them may not have to be amended, improved or corrected.

In conclusion we urge upon this Board either to appoint a sub-committee of its own to study in detail the engineering section of the textile industry, which has so far remained uninvestigated or advise the Govt. of India to appoint such a committee to investigate into the working of the engineering section of the textile mills and the conditions of service and pay existing therein.

261
Award in the dispute between Mohan Lal Labourer of the Doubling Department, Hissar Textile Mills, Hissar and Shri R.S. Arghuvan, Spinning Master of the same Mills referred for arbitration by the parties on 4.1.1958.

Present :- Parties, with Shri H.C.Jain General Manager of the Hissar Textile Mills, Hissar and Shri T.S. Subramaniam, President of the Hissar Textile Mills Workers Union, assisted by Shri Rachhpal Singh, Labour Leader.

Award.

Shri H.C.Jain General Manager of Hissar Textile Mills, Hissar and Shri T.S. Subramaniam, President of the Hissar Textile Mills Workers Union, have referred for arbitration, the alleged dispute between Shri R.S. Raghuvan, Spinning Master and Shri Mohan Lal, Labourer of the Doubling Department, consequent on the complaint of the latter of the mis-behaviour on the part of the former.

The case of Mohan Lal Labourer is that he came for work on 3.1.58 at 2-45 p.m. and having checked up the machine was ready to start work at 3.0 p.m. At 3-13 p.m. Shanker Mistry came and informed him that Shri Raghuvan, Spinning Master wanted him to see him. Mohan Lal then went to Shri Raghuvan, who asked Mohan Lal whether he had any objection to his transfer to the night shift. Mohan Lal objected to it on the ground that the notice was short. Shri Raghuvan is then alleged to have threatened Mohan Lal saying that the Mill did not belong to 'his father' and asked Shanker Mistry to call the Watch and Ward to turn Mohan Lal 'Sala' out. Mohan Lal came back to his machine but was called by Shri Shanti Sarup, Spinning Master, and met him in

his room in the presence of Shri Raghuvan. Both these gentlemen then took Mohan Lal to the gate and showed him the way out and on refusal of Mohan Lal, he was pushed out by Shri Shanti Sarup.

Shri Raghuvan has denied having told Mohan Lal that the Mills did not belong to 'his father' or having abused him 'Sala' and stated that under orders of Shri Shanti Sarup Mohan Lal was transferred from the evening to the night shift and that Mohan Lal was given an assurance by him that he would get the same machine and further that if still Mohan Lal found any difficulty, he would try to remedy the same. However, Mohan Lal continued to work on the machine and he called him again through Shanker Mistry when Mohan Lal came to him second time, he became unruly and stated that he (Shri Raghuvan) could do whatever he wanted to, but that he (Mohan Lal) would not leave the machine. Shri Raghuvan then informed Shri Shanti Sarup who called Mohan Lal to his office. Mohan Lal met Shri Shanti Sarup and Shri Raghuvan when they had come out of the office and the three went towards the Labour Office.

There Shri Shanti Sarup explained things to Mohan Lal and suggested to him not to raise unnecessary objections for a simple transfer. Shri Shanti Sarup put his hand on the shoulder of Mohan Lal and patting him asked him to go and take rest. Mohan Lal then went away.

On behalf of Mohan Lal, three witnesses, including himself, were produced. Shri Raghuvan produced two witnesses including himself.

The undisputed fact is that Mohan Lal labourer stood transferred on 3.1.58 and notwithstanding the order of transfer conveyed to him, he persisted in continuing to work. Mohan Lal was twice summoned by Shri Raghuvan who gave him all the assurances yet on Mohan Lal's persistence, he was called for the third time by Shri Shanti Sarup and

and showed the way out of the factory. It is clear that both Mohan Lal Labourer and Shri Raghuvan had heated discussion, the former persisting to work and the latter insisting on obedience of orders. It was contended before me that the Standing orders of the Hissar Textile Mills provide for transfers such as the one involved in the present case, even at short notice. Be that as it may, the fact remains that Mohan Lal labourer had no prior intimation of his transfer and it seems that he felt aggrieved consequently and probably lost balance and disobeyed orders and as a matter of fact anyone would have done the same in the circumstances, without meaning any intentional disrespect or disobedience to orders.

The action of the management in transferring Mohan Lal Labourer from the Second to the third shift may be legal but it certainly lacked personal touch. The attitude of Shri Raghuvan in trying to enforce orders could not in any way, be described as unreasonable, having regard to the cordial relations between the workers and the management of the Hissar Textile Mills,

It may be that in doing so Shri Raghuvan may also have become agitated in mind and may have uttered a word or two, not exactly of the type alleged by Mohan Lal and other two witnesses produced by him, which words probably Shri Raghuvan would not have spoken ordinarily in his daily contact with the labourers in the Mill. At any rate, this appears to have been unintentional and without any malice towards Mohan Lal Labourer. The parties are agreed that their relations have been excellent on the personal level and that the Hissar Textile Mills as also its labour force and Labour Union can boast of a place amongst the best in the country and I have no reasons to doubt this claim of

the parties viewed against this back-ground the whole incident involved appears to be the result of a misunderstanding throughout without any intentions or motives. In the result my finding on the dispute is :-

That Mohan lal labourer did not mean disrespect to his superiors or dis-obedience to their orders, nor did Shri Raghuvan mean any insult to or malice against Mohan lal. This being so, I do not see any reason to believe that Shri Raghuvan abused Mohan lal in the alleged terms. Also I am satisfied that by his persistence to work in the second shift, Mohan lal did not mean to disobey orders or to show any dis-satisfaction over his transfer at short notice.

The parties deserve my thanks for the confidence reposed in me and for the conduct of the arbitration proceedings in a calm, peaceful and cooperating manner and it is hoped that the above award will be interpreted in the same spirit in which it has been made and this dispute shall be treated as closed both the management and the labour, in the interest of cordial management labour relations.

Award be now submitted to the parties.

Sd. Sukhraj Bahadur,
P. C. S.

City Magistrate, Hissar.

Arbitrator.

Hissar:

7.1.1958

Dated the 7th January, 1958.

A-1 T. O. C.

(261)

MEMORANDUM OF AGREEMENT UNDER SECTION 19(3)
OF THE INDUSTRIAL DISPUTES ACT, 1947.

Name of Parties:

Representing Employers: Management of Hissar Textile Mills.

Representing Employees: Hissar Textile Mills Workers Union.

Short recital:

It is felt by the representatives of the workers and the Management of the Hissar Textile Mills that in order to foster good relations between the Management and the workers and to keep the workers satisfied and to improve the efficiency of the Mills, it is desirable that there should be complete mutual understanding, and disputes, if any, should be settled mutually without recourse to any outside agency as far as possible. If, however, it is not found possible to come to any mutual understanding on any matter of dispute, in such matters recourse may be taken only to constitutional means.

The most important matter, which is likely to create friction every year, is the question of bonus, and, therefore, it is felt that an agreement be first arrived at on this important issue.

With the above object in view, while the Management is prepared to give a bonus despite losses and without any precedence for future, the workers on their part also assure the Management that they will work towards maintaining industrial peace and harmony in the Factory. It is also agreed that in consultation with the workers and appropriate machinery will be evolved to advise the Management in cases of individual grievances. It is also agreed that there would be no joint action by the workers in cases of individual disputes.

With regard to bonus, the following agreement has been arrived at between the parties mentioned above.

The terms of settlement are as under with reference to the Demand Notice No. 386/58, dated 23-12-1958:-

1. Regarding bonus;

(a) The agreement will operate till the end of financial year ending 30th June, 1959.

(b) The quantum of bonus to each individual worker will be determined at the rate of 75% of the rate declared as bonus payable to the employees of the Delhi Cloth Mills and Swatantra Bharat Mills in terms of their average monthly wages; for example, the bonus given to the employees of the Delhi Cloth Mills and the Swatantra Bharat Mills for the year ending 30th June, 1958, being equivalent to two months and twelve days' (i.e. 72 days) basic wages, the workers of Hissar Textile Mills will get a bonus of 54 days' basic wages ($1 \frac{24}{30}$ monthly average basic wages).

(c) It is agreed that the employees who are working on deputation for this unit from any other unit of the Company will be paid bonus at the rate equivalent to the rate paid in the unit from which they have been sent on deputation.

(d) As a special case, the rate of bonus for the year ending 30th June, 1958, will be increased, so as to make the quantum for each worker equivalent to 56 days' average basic wages for the year ($1 \frac{26}{30}$ monthly average basic wages).

(e) The quantum of bonus for the year ending 30th June, 1959, shall be determined at the rate of 75% of the bonus declared payable to the employees of the Delhi Cloth Mills and the Swatantra Bharat Mills for the year ending 30th June, 1959, or 54 days' basic wages, whichever is higher.

(f) All other conditions attached to the payment of bonus in respect of disbursements will be the same as in the Delhi Cloth Mills.

(g) In case any dispute arises over the bonus in the Delhi Cloth Mills and the Swatantra Bharat Mills

for the year ending 30th June, 1959, the quantum of bonus fixed in the above para i.e. 54 days will be distributed in the month of January, 1960, and the balance, if any, to which the workers of the Hissar Textile Mills may be entitled, as decided in para 1(a) above will be paid after settlement of the Delhi Cloth Mills and Swatantra Bharat Mills dispute.

2. The demand of recognition of the Union is not accepted by the Management.

3. Code of Discipline:

Both the parties have already ratified it in an agreement reached on 26-6-1958, but, unfortunately, it was not properly observed. Now both the parties solemnly agree that the Code will be observed in its letter and spirit.

4. Re. Shri Sarvan Singh, a dismissed employee, the Management is not prepared to reinstate the worker. However, both the parties agree that this case may be sent to adjudication jointly.

5. Two demoted workers - Ram Lal and Malkhan Singh - will give an assurance in writing for their good conduct in future, and they will be made permanent. The cases of Hari Om and Kapil Dev could be reviewed at a later date.

6. Item 6 of the Demand Notice dated 23-12-58 is mutually settled.

7. Item 7 of the Demand Notice dated 23-12-58:- This demand was mutually discussed and explained.

8. Item 8 of the Demand Notice dated 23-12-58 is mutually settled and the demand is dropped.

9. The Grievance Procedure has been accepted by both the parties and a copy of which is attached as Appendix A.

10. A representative of the Union will be allowed to take part in the departmental enquiry to defend the worker, provided (i) he is an employee of the Mills and signs the proceedings and (ii) he will not be paid if he

remains absent from his duty in this connection.

An Enquiry Procedure is enclosed as Appendix B.

11. Copies of enquiry proceedings are already being supplied to the charge-sheeted worker.

12. The representatives of the Union have agreed to accept the suggestion from the Management that interest-free-loans will be given to workers for the purchase of cycles. Details of this Scheme will be worked out later-on mutually.

The Union withdraws the demand regarding the bus service.

13. The 'Badli' workers will be given equal work as far as possible.

14. This demand was mutually discussed and it was decided that the Union agrees to supply a list of those workers to the Management in whose cases the Union is of the opinion that injustice has been done on the question of promotion to permanent posts. The Management will consider this list on merits of the cases and will promote workers in ^{whose} these cases injustice has been done, subject to a vacancy out of the total strength in that particular department. The list will not contain more than 30 names. The decision of the Management will be final. If the Union is not satisfied with the decision of the Management they may take recourse to only constitutional means.

15. The question of supply of uniforms to some categories of workmen will be taken up at some later date.

16. This demand was mutually settled.

17. The Management is already conscious that while making a worker permanent, a fault of very minor nature is not taken into consideration and the Management will continue this practice.

18. This demand is already under consideration of the Management.

Apart from the demands given in the Demand Notice No. 386/58 dated 23.12.1958, the following points were mutually agreed to :-

19. The list of the protected workmen was not received by the Management in the stipulated period. Therefore, the Management does not agree to accept the list.

20. It is agreed that in an individual dispute if the worker feels dissatisfied with the decision of the General Manager, the dispute will be referred to arbitration, if both the parties agree, and failing that to adjudication. Till such machinery is exhausted no agitation or joint action will be resorted to by the Union.

21. No permanent worker will be refused work if he reports for duty at the schedule time, subject to clause (30) of the Standing Orders.

Both the parties set their hands below to the above settlement, this 11th day of February, 1959.

Signatures of the parties :-

Representatives of the Union:-

1. Shri Bikram Singh.
2. Shri Raghpal Singh.
3. Shri Sat Narain.

Representatives of the Management:-

1. Laha Bansi Dhar, Managing Agent.
2. Shri H. C. Jain, General Manager.

Signed in the presence of the Labour and Conciliation Officer, Camp Hissar.

Attestation
11/2
CO
Prinipal
Camp Hissar

APPENDIX A.

GRIEVANCE MACHINERY.

I. Preliminary:

1. Union Shift Representatives, Mistries, Shift Officers, Departmental Heads, Grievance Committee and the General Manager will be the constituents of the Grievance Machinery for administering the grievance procedure.

2. Union Shift Representatives will be nominated by the Union in the following way:-

From Blow Room to Ring Department -One representative
in each shift.

From Winding to Baling: -One representative
in each shift.

General: -One representative.

Total: Seven representatives

These shift representatives will be allowed a special pass to meet the head of the department in off duty hours to present a grievance of a worker. The time fixed will be only two hours daily.

3. Complaints affecting one or more individual workers in respect of their wage payments, over-time, leave, transfer, promotion, seniority, work assignment, working condition and interpretation of service agreements would constitute grievances.

Complaints of general nature or considerable magnitude will not be considered through this machinery, but will be taken up directly by the Union with the Management.

II Grievance Machinery:

1) An aggrieved employee shall first present his grievance to his immediate Mistry alone.

ii) If the worker is not satisfied with the decision of the Mistry, he will personally present his grievance to the Shift Officer alone, in the first instance, and again with the help of the shift representative, if he so desired.

The Shift Officer will reply to the grievance within 24

hours of the representation of the complaint to him.

iii) If the worker is not satisfied with the decision of the shift Officer, or the decision is not given within the stipulated time limit, the aggrieved worker shall, either in person or through the departmental union representative, present his grievance to the Departmental Head. The Departmental Head shall reply to the grievance within 48 hours of the presentation of the complaint to him.

iv) If the worker is not satisfied with the decision of the Departmental Head or the Departmental Head fails to give his decision within the stipulated time-limit, the worker can request the Departmental Head to forward his complaint to the General Manager, who shall decide the case within 6 days of the worker's request.

v) If the worker is not satisfied with the decision of the General Manager, The Union may take recourse to the Machinery provided under the I.D.A., or other relevant legislation or to the arbitration.

III. General :

1. The aggrieved workman and the departmental union representative, if he accompanies the workman, shall leave their work during working hours for purposes of this procedure only with the permission of the immediate superior, and this permission shall not be ordinarily refused.

If the permission is given for absence from work in this regard, the workman and/or the Union Departmental Representative, as the case may be, shall not be marked absent.

2. The aggrieved workman shall have the right to present any complaint to the next higher authority in the first instance, if it relates to any act of omission or commission by any superior.

3. A workman will have to carry out the order served upon him, notwithstanding the fact that he wishes to avail of the Grievance Machinery, or has not exhausted all steps. Care will be taken that an order will be given in a way that it becomes effective only after the time stipulated in all steps of the Grievance Procedure has been exhausted.

4. If the workman wants to take his case to the next higher step, he must prefer his appeal within 48 hours of the receipt of the order, against which he wishes to appeal.

5. The above arrangement will continue for one year and if any difficulty arises in the working of the above the same can be modified with mutual consent.

11/2

Appendix B.

Procedure for Enquiry.

1. No workman shall refuse to accept a charge sheet, show cause notice or any other notice in respect of these notices issued to him.
2. Any suspended worker will have to enquire from the Labour Office at 10 O' clock in the morning the next day after the submission of the explanation for the time and place of the enquiry.
3. No worker shall refuse to sign the enquiry proceedings.
4. All enquiries shall be held during office hours and in case of emergencies they could be extended beyond the office hours and no objection would be taken to the timings of the enquiry by the night shift workers. The Enquiry Officer should see that the workers working in the late night duty be called at 8 A.M. and the enquiry should not go beyond 11 A.M. ; meaning 3 hours daily.
5. The Management shall have the right to appoint any person as the Enquiry Officer. No objection to this appointment will be taken by the charge-sheeted workman or his representative except when the Enquiry Officer is a person against whom there is a counter-charge by the workman concerned.
6. The Management will accept any application or document submitted by a worker during his enquiry.
7. The above arrangement will continue for one year and if any difficulty arises in the working of the above the same may be revised.

11/2

261
Friendly agreement reached between M/s Rachhpal Singh, Subermanium and 3 their companions with Mr. Shanti Swaroop of the Hissar Textile Mills, Hissar, in the presence of Shri J.D.Mehta, Labour Inspector, Hissar.

1. That regret will be shown publicly by Mr. Shanti Swaroop for the alleged naming of the Union office as Shadi Daftar in the Drama.

2. That on the 27th March 1958 in the Mill colony M/s Tek Chand and Sat Narain were beaten by some workers. This incident will be condemned publicly by Mr. Shanti Swaroop and the workers M/s Pawan Kumar and Dharam Pal, who beat M/s Tek Chand and Sat Narain would also express their regret for the incident.

3. The other alleged participants in the quarrel M/s Tilak Raj, Mela Ram and Sheodan Singh, will show their regret before M/s Tek Chand and Sat Narain, for their negligence in their duty to check the possible quarrel in their capacities of Mistries and Janadars for their undesirable attitude.

4. That the person responsible for the sad incident, Shri Bharat Kumar, will be given the maximum punishment amounting to dismissal within one week's time.

5. That now some outsiders of bad repute entered in the Mill premises, an investigation to this effect will be conducted.

6. That Mr. Rachhpal Singh will publicly express his regret for the alleged abusive utterances used by the responsible members of the Union at the Gate meetings against the management.

7 & 8*.

This agreement is reached as friends and in their unofficial capacities. The parties agree to honour the same in true spirit.

*7. That the Union will withdraw the strike notice

Settlement reached between the Representatives of the Union and the Management of the Hissar Textile Mills, Hissar, in connection with the evolving of the appropriate machinery which will ~~xxxx~~ advise the Management in cases of individual grievances in the light of Memorandum of Settlement reached between the representatives of the Employers and the representatives of the employees, dated the 17th January, 1958.

It is agreed as follows :-

1. That 5 representatives of the Union representing as under will be authorised to approach and discuss the individual worker's grievance if any with the Departmental Officers concerned :-

- | | |
|---|------|
| i. First shift | -- 1 |
| ii. Second shift | -- 2 |
| iii. Third shift | -- 1 |
| iv. Workshop, Electrical and
General | -- 1 |
| v. Permanent day | -- 1 |

2. Further 3 representatives of the Union will be authorised to discuss mutually any disputes or pending matters with the management of the Hissar Textile Mills. It was also assured by the Management that all the pending complaints, if any, would be disposed of within 10 days.

Sd. Rachhpal Singh

Sd. Shanti Sarup

2.4.58.

261

Bombay, 1st February 1959.

To

Com S.A. Dange. M.P.
Bombay.

Respected Sir,

We the workers of Ring Dept. ~~Saksaria~~ and Roving Dept. Seksaria Cotton Mills, Bombay 13, beg to draw your kind attention to the following few lines trusting to receive your kind perusal and very sympathetic consideration.

That at the first instance we all the workers are extremely indebted to the leaders of Samiti who lead in re-starting the mills with their continuous efforts, and saved 5000 workers families from the verge of starvation. Now a days Govt. is trying to reduce the unemployment problem but sorry to state that in our Ring & Roving dept. it is created, Formerly there was one machine operated by one worker, whileas now one worker is forced to operate two machines. On account of this several D.Boys, Labourers, Kandiwallas, and Machine operators are thrown unemployed. And if this practice is adopted in other 60 mills also then the number of unemployed workers would increase heavily. Formerly 14 No. count (yarn) was run single side/ but sorry to state that the Mills forced the workers to run it DOUBLE (thus reducing the number of workers). Secondly the Jobbers/^{Carding Master etc} are making blackmarket i.e. giving work only for 4-5 days to some Sub.hands & some Sub. hands are given 18 to 20 Badlis in a month (from whom they get bribe) and such sort of step motherly treatment is given to workers. It is requested to kindly visit the mills and remove the injustice done to us urgently. We are sorry, you have appointed a ~~Shankar~~ Committee but it also does not pay attention to grievances of workers and hence this petition is made to you.

It is hoped you will do justice to us and visit the mills immediately, and relieve us from the harassment stated above.

Yours faithfully,

workers of Ring & Roving
Dept. Seksaria mills.

10 MAR 1959

261
Rashtriya Mill Workers Union,
Amalner, Sath Building,
Amalner, East Khandesh.
Date:- 2nd March, 1959.

From

The General Secretary,
Rashtriya Mill Workers Union, Amalner, E.Kh.

To

The Minister of Labour and Employment,
Government of India, New Delhi. ✓

Sub:- Demand for Investigation of the Pratap Spinning,
Weaving and Manufacturing Company Ltd. Amalner
under Sec. 15(b) of the Industries (Development
& Regulation) Act 1951.

Sir,

The Pratap Spinning, Weaving and Manufacturing Co. Ltd. Amalner is an old concern of more than 50 years standing and Motilal Manekchand & Co. Amalner are the Managing Agents of the Company. There are 1958 permanent workmen and about 500 badlies working in the Pratap Mills. The Company occupies very important position in the economic, social and political life of the city of population about 50,000. Nearly one third of the population is directly or indirectly dependent on the Mills for its livelihood.

The Company have earned the reputation of not having very good relations with their employees and every time particularly since 1937, since the advent of the first Congress Ministry in our province. The Management has every time resisted legitimate demands of the workers in the form of dearness allowance, bonus, wage scales etc. However due to the united stand of the workers of the mills, they were able to win certain concessions though at great and considerable sacrifices.

However during the last 10 years despite the irrefutable fact that the Textile industry as such was thriving and making huge profits, the management has constantly refused to grant any concessions regarding bonus etc. thanks to the consistent policy of support they secured at the hands of the Rashtriya Mill Majdoor Sangh, the representative and approved union for Amalner city area under the Bombay Industrial Relations Act 1946. The Sangh which has the monopolies to speak on behalf of the workmen have negotiated settlements with the management on several issues resulting in retrenchment of workers, loss of bonus and other concessions. Even according to the spokesman of the Sangh during the last 10 years they helped the management in reducing the total number of workmen from about 2400 to 1958 thus resulting in the net saving of about Rs. 6 lakhs per year in the form of wages and D.A.

(P.T.O.)

Not satisfied with the unsalable thirst for more profit, the management under the spacious plea of accumulation of stocks closed down the night shift on 11-1-58 which they have started two years ago, throwing about 900 workmen out of employment. With the discontinuance of night shift the nation also lost about 6552 bales of cloth per year. The Government sat idle though 900 workers were deprived of their livelihood. The workers protested against this onslaught, but due to their organisational weakness they did not succeed in compelling the Government to intervene in the matter.

Emboldened by the inactivity of the Government and organisational weakness of the workers the management at the end of March, 1958 threatened the workers to close down the Mills if cut in D.A. would not be accepted. The management in league with one section of the leadership of the R.M.S. conspired to reduce the D.A. by about 33 to 40 % from 1-4-58, thus resulting in the reduction of the monthly earning of the workers, about Rs. 23 to 33. Thus the management saved about Rs. 60,000 per month in the wage bills. The workmen demonstrated against this cut, but they were forced to agree this. The workmen then organised their united organisation - "Rashtriya Mill Workers Union, Amalner" in order to prepare themselves to fight back the attacks of the Management.

But even this drastic cut in D.A., according to the management did not save the company from going about bankrupt. The Profit and Loss Account for the year ending 30th June, 1958 has shown a net loss of Rs. 18,99,065-73.

Incidentally another sister concern of this Managing Agents namely the New Pratap Spg. Wvg. & Mfg. Co. Ltd. Dhulia is following the same process of retrenchment and cut in D.A. Here also the R.M.S. the representative and approved union joined the chorus of the management of accumulation of stocks and lack of market.

It will be pertinent to refer here to two other units in Khandesh namely ^{as} Khandesh Spg. & Wvg. Co. Ltd. Jalgaon and other as the Chhaganlal Textile Mills Private Ltd. Chalisgaon. These two units also consume the same variety of cotton i.e. local cotton known as 197/3 (virnar), manufacture same varieties of cloths such as long cloth, medium and course dhoties and saris, shirting etc. and cater to the same market as at Amalner and Dhulia. All these four units are working under the same economic and social conditions. Despite this D.A. in these two units have not been reduced. These units have been able to make certain profits also.. It is true the management of the Chhaganlal Mills is constantly threatening their workers that they will have to follow suit of Amalner and Dhulia units and reduce D.A. But the D.A. in the Chhaganlal Mills is not reduced mainly because the representative and approved union at Chalisgaon is not affiliated to I.N.T.U.C. and it led the united the movement of the workmen against any cut in the D.A. It is certainly not out of any kindly consideration that the cut

in D.A. has not been effected.

A table showing comparative positions of the Pratap Mills, Amalner and the Khandesh Mill, Jalgaon regarding the number of workers employed, the number of looms and spindles installed, ~~xxx~~ important items in expenditure and Income side etc. (attached ~~xxx~~ herewith) will convince any ~~xxx~~ body that it is not the accumulation of stocks that is mainly responsible for the ~~4~~ stringent economic condition of the mills but the reason to be found in something else.

From the accompanying ~~xxx~~ statement which is attached herewith the following conclusions are obvious. (1) In both the units the ^{variety} ~~quality~~ of the cotton is the ~~xxxx~~ same and varieties of cloth are the same. (2) To the expenditure side the amounts under certain heads such as cotton consumed, stores & spare parts consumed, Power & Fuel and repairing in case of the Pratap Mills are extremely huge as compared to those in case of the Khandesh Mill, Jalgaon. The price of cotton consumed per spindle in the Pratap Mills, Amalner is Rs. 93-58 and that in the Khandesh Mill, Jalgaon is Rs.75-21 when the quality of the cotton is the same. Expenditure of the stores & spare parts consumed, that of Power and fuel and that of repairs per loom in the Pratap Mills Amalner are Rs. 1119-9, Rs. 494-5 & Rs. 114-5 respectively, but the figures ~~for~~ for these items per loom are Rs.489-4, Rs. 302-4 & Rs.28-4 respectively in the Khandesh Mill. We are of the opinion that there might be bungling of about Rs. 21 lakhs under these four heads.(3) The Pratap Mills Company is either showing meagre profits or heavy ~~xxx~~ losses, but the Khandesh Mill Company is earning huge profits though that unit is small. In the year 1957-58 the Khandesh Mill Company has shown loss of Rs.2,08,171, but it is not actual working loss, but it is the loss shown after providing Rs.3,20,000 for Employees' Gratuity Fund. The Industrial Courts have always opined that the Gratuity Fund should always be distributed over 5 years.

It is not our intension ~~xxx~~ to suggest that the Khandesh Mill at Jalgaon is running as ideal unit. What we want to emphasize ~~xxx~~ here ~~xxx~~ is that normal functioning would have not cause so much loss. The mismanagement, misappropriation and neglect are the reasons for this crisis.

There is some accumulation of stocks, but the real reason for this accumulation and its consequent effects is to be found in the utter incompetancy of the management and the supervisory staff corruption, favouratism, mismanagement and inefficiency at all ^{levels of the unit} ~~levels~~ ^{deliberate refusal to learn from} ~~experiences~~ experiences gained in the trade and inefficiency and bungling in managing the sales department of the mill which is in charge of the brother in law of the managing agents of this unit.

For instance a cursory perusal of the Annual Report of the Company (extract of which are attached herewith) will show that the management has so many mushroom concerns under different

names run by close relatives of the Managing Agents. It is reliably ~~learnt~~ learnt that the Company has paid about Rs.1,25,000 to these mushroom ~~concerns~~ concerns in the year 1954-58. This is only what is patent. This is ~~bound~~ bound to have serious loopholes and leakages in the administration ~~which~~ which is reducing the whole unit to a miserable condition.

It is said that, there is deterioration in quality of cloth and also that the cloth supplied or offered is not upto the mark. But if any body is responsible for this mess it is certainly not the workers but the management and supervisory staff who are incompetent and inefficient to carry out their jobs. Production of sorts which are not in keeping with the samples is the ~~main~~ main cause of accumulation of stocks. This matter regarding the mess in the sales department and other issues were, to our information, brought to the notice of the Labour Minister of Bombay - Shri. Shantilal Shah last year. We do not know what the Government had done regarding this serious complaint, but so far as we know the Government of Bombay has not taken any step.

It should also be noted here that there has been a substantial fall in the volume of production of cloth and yarn in the Pratap Mills since January 1958 due to ~~shortage of coal, sizing and other materials and also due to bad qualities of cotton and other materials.~~ shortage of coal, sizing and other materials and also due to bad qualities of cotton and other materials. In the months of November and December 1958 one of ~~the~~ these mills was closed down for 3 weeks. As there is always shortage of sizing materials there is insufficient supply of sized beams to the weaving department and this causes many loom idle. In Spinning Department also about 7 to 8 thousand spindles ~~are~~ are, it is learnt, kept idle. In the months of October to December 1958 there was shortage of dyeing materials, hence many looms were kept idle in want of coloured yarn. The quantity of ~~cotton~~ cotton used in the mill has so deteriorated that spinners are over strained due to large number of breakages and there by the production of yarn has decreased substantially and hence this badly affects production in Warping, Winding & Weaving departments. Due to worst quality of the sizing materials the production in weaving department has still further badly affected. From the chart it is obviously seen that the production in the Pratap Mills has gone down from Rs.1,62,48,695 in 1956-57 to Rs. 1,16,29,673 in 1957-58 while that in the Khandesh Mill remained nearly the same for those years.

The continued deterioration in the financial position of the mill, despite several reliefs granted by the Government in form of reduction in excise duty, export concessions etc; great sacrifices made by the workers in form of cut in ~~W.D.A.~~ W.D.A., drastic reduction in the total strength of the workmen, and lack of bonus for last so many years leads only to one conclusion ~~namely~~ namely ~~that~~ that the unit is managed by persons who are utterly incapable of any improvement and who are only after making more and more

easy money at the cost of the industry and the people.

Thus it will be quite clear to the Government that the manner in which the Pratap spinning, weaving and manufacturing Co. Ltd. is been run is highly detrimental to the Textile Industry and is wholly against public interests and hence we are forced to demand from the Government a thorough enquiry into the working of this unit.

Hoping an early action and reply.

Yours Faithfully,

M. N. Parkhi

GENERAL SECRETARY

RASHTRIYA MILL WORKERS UNION, AMALNER ?

AMALNER, E. KH.

Copies for information and necessary action :-

- 1) The Minister for Commerce and Industry to the Govt. of India. New Delhi.
- 2) The Textile Commissioner, New Delhi.
- ✓ 3) Shri. S. A. Dange. M.P.
- 4) " Nath Pai. M.P.

Comparative information regarding looms, spindles, number of workers, various items in expenditure and income sides etc. of the Pratap Mills, Amalner and Khandesh Mill, Jalgaon.

Particulars.	1955-1956.		1956-1957.		1957-1958.	
	Pratap Mills	Khandesh Mill.	Pratap Mills	Khandesh Mill	Pratap Mills.	Khandesh Mill
Year of establishment.	1906	1873-74				
Number of units.	Two.	One.				
Number of shifts.	Mill one- One Sft Mill 2nd- one sft from 1-7-55 to : 11-11-55. Two shifts from : 11-11-55 to 30-6- -56.	One Shift 2nd shift	Mill one-One Shift. Mill 2nd-Two shifts:	One Shift.	Mill one-One shift Mill 2nd-Two shifts : 1-7-57 to 10-1-58 & One shift from - : 10-1-58 to 30-6-58	One shift.
Number of looms installed :	1059.	485	1076	582	1076	582
Number of spindles installed.	51552.	26396	51552	26396	51552	26396
Number of looms in terms of 8 hours working day.	-	-	1696	582	1403	582
Ratio of looms in terms of 8 hours working day of two Mill companies.	-	-	2-9	1	2-4	1
Number of spindles in terms of 8 hrs working day.	-	-	81072	26396	67099	26396
Ratio of spindles in terms of 8th hrs. working day of the two Mill companies.	-	-	3-07	1	2-54	1
Number of workmen.	-	-	2700	873	1958	873
quality of Cotton.	Local variety of Cotton known as : 197/3.(Virnar).	Local variety of Cotton known as : 197/3 (Virnar).	Local variety of Cotton known as - : 197/3 (Virnar).	Local variety of Cotton known as : 197/3 (Virnar).	Local variety of - : Cotton known as - : 197(3) / (Virnar)	Local variety Cotton known 197/3 (Virnar)
Varieties of Cloth.	Long cloth, series :shirting, dhoties, :waste blanket etc.	Long cloth, series :shirting, dhoties, - :waste blanket etc	Long cloth, series :shirting, dhoties, - :waste blanket etc.	Long cloth, series :shirting, dhoties, :waste blanket etc	Long cloth, series :shirting, dhoties, :waste blanket etc.	Long cloth, series :shirting, dhoties, :waste blanket etc.
Stock of Cloth & yarn at the beginning of year.	Rs. 15,15,407	Rs. 14,63,050	Rs. 24,21,744	Rs. 9,94,260	Rs. 43,59,5772	Rs. 14,15,8
Price of cotton consumed in the year.	Rs. 62,85,193	Rs. 17,25,448	Rs. 76,07,059	Rs. 19,33,194	Rs. 62,78,981	Rs. 20,31,0
Price of cotton consumed in year per spindle.	-	-	Rs. 93-38	Rs. 73-24	Rs. 93-58	Rs. 75-21
Stores and spare parts consumed.	Rs. 14,61,486	Rs. 2,71,251	Rs. 16,47,533	Rs. 2,59,162	Rs. 15,71,336	Rs. 2,84,8
Expenses of stores & spare parts consumed per loom.	-	-	Rs. 971-0	Rs. 442-1	Rs. 1,119-9	Rs. 4
Power and fuel.	Rs. 6,14,028	Rs. 1,29,586	Rs. 7,36,481	Rs. 1,56,475	Rs. 6,93,789	Rs. 1,76,0
Expenses of power and fuel per loom in a year.	-	-	Rs. 405-2	Rs. 269-8	Rs. 404-5	Rs. 3
Repairs.	Rs. 2,33,018	Rs. 4,841	Rs. 2,97,458	Rs. 9,887	Rs. 1,60,645	Rs. 16,1
Expenses of repairs per loom. in a year.	-	-	Rs. 175-3	Rs. 16-99	Rs. 114-5	Rs. 1
Salaries and wages.	Rs. 34,18,769	Rs. 10,29,367	Rs. 47,01,077	Rs. 12,64,964	Rs. 36,80,140	Rs. 12,88,0
Interest on loans.	Rs. 1,42,60,400	Rs. -	Rs. 2,73,934	Rs. -	Rs. 3,60,811	Rs. -
Managing Agents Commission or Commission to the Secretaries and Treasurer.	Rs. 1,41,453	Rs. 31,966	Rs. 35,000	Rs. 26,909	Rs. 35,000	Rs. Commis taken.
Depreciation.	Rs. 4,50,578	Rs. 88,401	Rs. 3,28,784	Rs. 59,077	Rs. 2,99,496	Rs. 59,
Sale of cloth and yarn in the year.	Rs. 1,29,88,743	Rs. 47,46,363	Rs. 1,43,10,862	Rs. 39,54,104	Rs. 1,20,75,592	Rs. 37,84,
Stock of yarn and cloth at the end of the year.	Rs. 24,21,744	Rs. 9,94,260	Rs. 43,59,577	Rs. 14,15,815	Rs. 39,13,658	Rs. 19,15,
Total production in the year.	Rs. 1,38,95,080	Rs. 42,77,573	Rs. 1,62,48,695	Rs. 43,85,659	Rs. 1,16,29,673	Rs. 42,84,
Average value of production per loom.	-	-	Rs. 9,581	Rs. 7,537	Rs. 8,290	Rs. 7,
Net profit.	Rs. 4,52,682	Rs. 8,16,280	Rs. 5,343	Rs. 2,18,449	Rs. -	Rs. 2,08,
Net loss.	-	-	-	-	Rs. 18,99,065.	Rs. -
						Note:- The no actual loss. But providing Rs. 3,20,000 employees' Fund this has been s

Mathapark

श्री प्रताप सिंग, सिंगे 303 मॅन्युफॅक्चरिंग कंपनी लि. अमरावती,
 पु. रवा. च्या भागीदारान्या ला. १९ जानेवारी १९५९ रोजी आलेल्या
 चोपळान्या सर्वसाधारण सभेस मंजूर झालेल्या ठरविलांनी नमुने

७) स्पेशल ठराव -

“ आपल्या कंपनीचे मॅनेजिंग (जं२) यांचे मालकीचे चोपडे येथील
 भाणकचंद रतिराम झा गांवाचे जिनिंग फॅक्टरीत आपले मीलनी कपारा रान
 १९५८-५९ चे कमाडीचे हंगामांत ला. १५-१-१९५९ पासून ३१ जुलई १९५९
 आखेर पावेली चोपडे येथील पाच जिनिंग फॅक्टरीत, फॅक्टरीचे जाईरुमधे ठरलेल्या
 दराने म्हणजे दर लोजारा रुपये १४-२-० (अदीरी रुपये चौदा आणे दोन मान)
 प्रमाणे लोडण्यास परांति देण्यांत येत आहे ”

८) स्पेशल ठराव -

“ रान १९५८-५९ चे कमाडीचे हंगामांत तारीख १५-१-१९५९
 पासून तारीख ३१ जुलई १९५९ पावेली चोपडे येथील मोतीलाल भाणकचंद
 लोरा फॅक्टरीत आपले मीलच्या रुई गांठी चोपडा प्रेरुत अतोरी (राज्यचे
 रान १९५८-५९ सालाकरिता आपले मीलसाठी ठरविलेल्या सर्वसाधारण
 दराने म्हणजे दर गांठीस रुपये ९-१२-० (अदीरी नऊ रुपये चौदा आणे मान)
 प्रमाणे लोरा करण्यास परांति देण्यांत येत आहे ”

९) स्पेशल ठराव -

“ चोपडे येथील आपले मीलचे कपारा व रुई यांचे स्वरेदीकरिता
 लोडण्यास येवता आपले मील कंपनीत रान १९५८-५९ चे कमाडीचे हंगामांत
 आपले कंपनीचे मॅनेजिंग (जं२) यांचे मालकीचे दुकान श्री. भाणकचंद रतिराम
 दुकान चोपडे सोपेठडे मोक्याच्या व मीलचे कॅटरन पर्येसरेचे एकपट्टी कामां
 आगर मीलचे मागणीकामां त्यांच्या बटवडा वरून जसेजसा व्यवहार होईल, तसेतसा
 जमाखर्च होवा व (वट्या कामाकरिता आपले मील कंपनीत भाणकचंद
 रतिराम दुकान चोपडे यांना रान १९५८-५९ चे कमाडीचे हंगामांत तारीख
 १५-१-१९५९ पासून तारीख ३१ जुलई १९५९ पावेली जेवढा बटवडा होईल
 त्यावर दर अंकास रुपये ०-८-० (अदीरी आठ आणे मान) प्रमाणे मेहनताना
 (शॉपिंग) देण्यास परांति देण्यांत येत आहे ”

१०) रपेडाक ठराव -

॥ आपले मिल्स कंपनीचे मॅनेजिंग (जॉर यांच्या मालकीचे) चोपडे येथील माणकचंद रतिराम गांवाचे दुकानचे दोन गोडाऊनमध्ये आपले मिल्सच्या मालकीची कच्ची कपाती, रई आणि/अथवा सरकी ठेवण्यासाठी वरील दोन गोडाऊन मध्ये दरमहा र. १२५/- (अशरी रुपये (एकशे पंचवीस मात्र) जागिरे पाठे आकारून तारीख १५-१-१९५८ ते ३०-१२-१९५८ अखेर पावेतो आउतात देण्यात परांतो देण्यात येत आहे. ॥

११) रपेडाक ठराव -

॥ सन १९५८-५९ चो कपातीचे हंगामात तारीख १५-१-१९५८ पासून तारीख ३१ जुलई १९५८ पावेतो चोपडे येथील कॉरन मॉल्समध्ये आपले मिल्सची जी कपातीची रचरेकी होईल ती चोपडे येथील मेसरी रजिस्ट्रार माहलामात अंतिम अंती अंती ज्या गाउया येथील त्यापैकी आपले कॉरन मॉल्स ज्या गाउयांचा माल परांतो करतील व भाव ठरविलील ह्या गाउया दर मजारा रुपये ०-०-८ (अशरी पै वडा मात्र) जागिरे अंती देऊन रचरेकी ठरवण्यात परांतो देण्यात येत आहे. ॥

— ० —

कपड़ा मज़दूर एकता यूनियन

गोशाला गेट, किशनगंज मिल एरिया, दिल्ली

Ref No. RMEU/D.C.M./44/59.

सिक्रेटरी * धातु * जमरुल * सिक्रेटरी

सिद्ध प्रार्थी

To

261
The Managing Agent,
Delhi Cloth & General Mills Co., Ltd.,
Bara Hindu Rao,
Delhi.

6th Feb. 1959.

Dear Sir,

Subject: Refusal to entertain representation from Works Committee members, as a part of campaign to subvert Works Committee.

In the past 8-9 months we have had on a number of occasions to complain against the calculated attempts of the management of the Delhi Cloth Mills to snatch away the right of members of the Works Committee to represent to the management or the Departmental Officers the individual grievances of workmen. We have also held that this is a part of their policy to deprive the workers and their institutions of rights won by them by practice, custom, usage or by force of law. This policy, which is diametrically apposed to the policies pursued by this very management till about a year back, has been initiated by Mr. E.D. Pathak, who took over as General Manager of the Mills last August. We also venture to submit that not only this, but a number of sound practices and conventions that helped in harmonising labour-management relations have been abandoned during this period of 8 months or so in favour of patently unfair, reactionary and retrograde labour practices. Such policies have already brought about a serious breach in labour management relations in the Delhi Cloth Mills and are likely to aggravate matters further in view of the relentless campaign of victimisation and unfair labour practices followed by the management concerned.

contd.2

A typical instance of how the management is trying to bring down the prestige of the Works Committee and its members, practically all of whom happen to owe allegiance to this Union, is furnished below:

Shree Lalta Prasad represents the workmen representing all the three shifts of Spinning Department No. 1. Naturally therefore, he is approached by workmen of all the three shifts to assist them in obtaining the redress of their grievances. But now the management, as a part of their policy to put the screw tight on the Works Committee members, seems to have decided that Shree Lalta Prasad has no right to extend his good offices to workers working in shifts other than the one in which he himself is working. ~~In pursuance of this policy,~~ On 24-2-1959, he accompanied a worker, belonging to shift No. 2, to the Section Officer, one Mr. Garg. This gentleman is reported to have told Shree Lalta Prasad that he would not like to talk to later since Shree Lalta Prasad belongs to another shift of the Department. Shree Lalta Prasad told him that since he represents workmen in all the three shifts he has a right to assist any of his constituents to obtain redress of his grievance. Soon afterwards the same instructions (i.e. he should not try to assist workmen in shifts other than his own) were repeated to him by Shree Gujral, who is probably senior Section Officer. Later the Departmental Officer, Mr. Gangoly also told Shree Lalta Prasad that he has no business to come to the mills after his duty was over.

Now if only you ponder over this particular incident dispassionately, you will clearly see that it only signifies one thing, that the management is bent upon reducing the Works Committee to a farce and humiliate or mortify its members individually so as to destroy the morale of the common worker. If the Works Committee member wants to assist any worker in his own shift he is told that he cannot leave his work. If he does

his duty at the expense of his own leisure outside his working hours he is told he cannot come into the mills after his own shift is over. Why then should the management have a Works Committee at all in this mills - they should have the courage to disband it!

We once again request you to persuade the management of Delhi Cloth Mills to give up such high-handed anti-labour policies and practices.

Yours faithfully,

sd/-

(B.D.Joshi)
General Secretary.

Copies forwarded for information and necessary action to:

1. Shree G.L. Nanda, Union Minister for Labour, Government of India, New Delhi;
2. Shri R.L. Mehta, I.A.S., Evaluation and Implementation Division, Ministry of Labour, Government of India, New Delhi;
3. Shri Gopinath Aman, Chairman, Implementation Committee, Delhi Administration, Delhi;
4. Director of Industries and Labour
1-Rajpur Road, Delhi;
5. The General Secretary,
All-India Trade Union Congress,
4-Ashoka Road, New Delhi;
6. The Provincial Secretary,
All-India Trade Union Congress,
1-C/33, Rohtak Road, N. Delhi.
- 7- D.C.M. Branch of the Union.

B.D. Joshi
GENERAL SECRETARY.

-7 FEB 1959

TEXTILE LABOUR UNION (RED FLAG)

RASTRIYA MILL MAZDOOR CONGRESS.

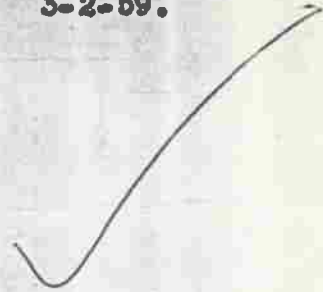
Pali (Rajasthan)
3-2-59.

Ref No. 41/58-59.

To

The Factory Manager,
Maharaja Shri Umaid Mills Ltd.,
Pali (Marwar)

261



Sub;- Closure of III shift.

Ref;- Your notice of change dated 1-2-59.

Dear sir,

We were surprised to learn from the workers of IInd shift that at about 5 $\frac{1}{2}$ P.M. on 1-2-59. you have exhibited a notice of your intention to close the III shift. The copy of the said notice was received by us much later.

You may be knowing very well by now that the settlement dated 26-2-58, arrived at between the Mills and the two registered Trade unions then in existence, was really a settlement regarding "adjustment of work load, wages and introducing rationalisation and working of the third shift". (preamble of the said settlement) the Management of the Mills have repeatedly assured us in their proposals of workload and rationalisation made to us or before the Rajasthan Cotton Textile Labour Enquiry committee, that as a result of this workload adjustment and rationalisation, no worker, not even a temporary or substitute worker will be ^{be} ~~be~~ ^{re}trenched and the III shift will be started on a permanent basis to absorb the surplus staff. At the time of the settlement and after that we were again assured that at present 44 Ring frames will be run by the Management in the III shift and their endeavour will be to increase the same and even run the Loom-shed in the III shift after the working conditions have settled for better.

We are of the definite opinion that the condition of Textile Industry in general and Pali Mills in particular have considerably improved both as a result of the settlement dated 26-2-58. and the events following. The market position has improved.



10/2/59
10/2/59

improved the Tax-burden has lightened and productivity and efficiency have improved as a result of recent changes of Technical Management of the factory. The cost of production undoubtedly today is 25% less than what it was prior to the settlements on the same unit of production of yarn or cloth, under the circumstances and in the face of written and oral assurance as stated above we are not prepared to accept the contention that "Third shift working of the Mills is not economic, on account of trade reasons ~~and which~~ which are beyond control." (Your change Notice)

As your present notice will lead to retrenchment of number of workers of III shift and also of substitute workers in I and II shift and also loss of wages to number of worker, to us it is clear now that the object of the Mill Management was only to deceive the workers and their Unions, so that in the name of running a 'Sham' III shift they could introduce higher workload, wage cut, rationalisation and effect retrenchment, as is being done now, in the manner the present notice is put it is clear that the management was not prepared to lose a minutes time or consult workers unions before putting its ill intentions in practice.

Therefore on serious consideration of all the issues involved in the present dispute we have come to the firm conclusion that your notice of change dated 1-2-59, is not only unjustified but also malafied.

Otherwise how can one explain the deliberate delay on your part to enforce some provisions of the settlement or settle pending disputes for last 8 to 10 months compared with such a extraordinary hurry to declare the III shift closed on the day the basis period of the settlement is over?

More so, we even challenge your right to give this notice of change at this time and in this particular manner. Here it will be sufficient to draw your pointed attention to clause 14 and 15 of the settlement^{ent} dated 26-2-58. You will see that these two clauses follow the clause of which you seem to make use in the present notice of change. You should also, realise that these two clause will remain in force even after one year i.e. 7th March 59, and the question of

(Circular) file

question of termination of the settlement or any change in any part of it will also be governed and settled according to the procedure laid down in these two clauses.

Again we will like to draw your attention to the provisions of Sec. 19 of Industrial Disputes Act 1947. You must realise clearly that a legal notice to terminate an important part of the settlement and effect the proposed changes should be of a period of 2 months and such a notice can only be served after 26.2.59.

Clearly therefore the notice of change dated 1-2-59 is illegal and barred by the terms of the settlement, which is still in force.

Obviously we therefore are going to oppose the said illegal, unjustified and malefide notice of change. We cannot support any change which results in retrenchment of any worker, (even substitute or temporary) and wage cut and which has been notified in violation of the established principles of collective bargaining.

In the end we will like to remind you of your moral obligation, as a member Mills of Bombay Mill Owners Assn., who is a party to the Tripartite agreements arrived at Delhi and Noida Labour Conference.

In coming to above conclusions we have considered its consequences.

~~concluding,~~
concluding, we now propose that;

- (1) The said notice of change dated 1.2.59 be withdrawn expressedly
- (2) The issues raised by us jointly in our letter No. 39/58-59 dated 25-1-59 be settled immediately.
- (3) Your present proposals be submitted with complete details to the Unions and in case of difference provisions of clause 15 of the settlement be followed.

If our proposals do not find favour with you then you should consider this letter of ours as a notice of our intention (through us of the workmen of your Mills) to revert back in all Departments, simultaneously with the illegal closure of III Shift,



श्री. वि. वि. वि.
अधीन (महाराष्ट्र) शासन
(महाराष्ट्र) शासन

to the workload and strength as it existed immediately preceding the settlement dated 26.2.59.

We hope the management will even now show its benedict and work according to the spirit and letter of the settlement dated 26-2-58, which still is in force.

Thanking you.

Your's Sincerely.

Isparihar

General secretary,
Textile Labour Union, P.A.L.I.

[Handwritten signature]

Encl- Copy of clause 13, 14 & 15 General secretary,
of the settlement dated Rastriya Mill Mazdoor Congress, P.A.
26-2-58.

Copy to :-

- (1) The Managing Directors, M.S.U. Mills Ltd. Pali.
- (2) The Labour Conciliation Officer, Jodhpur.
- (3) The Labour Commissioner, Jaipur.
- 45
33-57 (4) All India Trade Union Congress, New Delhi.
- (5) Indian National Trade Union Congress, New Delhi.



राष्ट्रीय मजदूर कांग्रेस.
पाली (राजस्थान)

Relevant & clauses of the settlement dated 26-2-58. between M.S.U. Mill and its workmen.

Clause (13) That the management desires to run the third shift on permanent basis, but in the event of closure of 3rd shift for trade reasons or reasons beyond control of the Management, it is expressedly agreed that all the permanent workers on musters prior to starting of 3rd shift shall be reverted to their original posts in the 1st or 2nd shift with continuity of service and as per terms and condition of this settlement.

Clause (14) That it is further agreed that for a period of one year from the ^{date} of enforcement of this settlement no further rationalisation or increase of Work load or reduction of hands other then settled here in this settlement in the Departments, shall be effected by the management and without prejudice to their right to demand the enforcement of the recommendations of the Rasthan Cotton Textile Labour enquiry Committee or any future recommendations of the Central Wage Board for Textiles, no dispute or demands regarding workload, wages and Dearness Allowances which are settled herein this settlement shall be raised by the workers Unions, as parties to this settlement.

Clause (15) That it is further agreed that after a period of one year from the date of enforcement of this settlement, if the Management wants to introduce any scheme of rationalisation or workload adjustment or any other similiar matter in any Department or if the workers Union wants to raise any demand or dispute regarding wages, Dearness Allowances or any matter settled herein this settlement the parties shall follow the following procedure for the settlement of such a proposed change or dispute or demand for a period of six months:-

(1) A Notice of change with necessary details shall be given to the other party or parties as the case may be.

(b) The parties shall within a period of 3 weeks attempt an amicable settlement by discussion and mutual co-operation.

(c) If the parties fail to arrive at a mutual settlement during the prescribed period then the matter of dispute shall be referred jointly for arbitration under sec. 10 A of the Industrial Disputes Act or for adjudication under sec. 10(2) of the Industrial disputes Act.

From the Settlement dated 26-2-58.



Textile Engineering Committee, Bombay

Telephone No. 77371.

C/o Shree Datta Deshmukh, M. L. A.
11A, Bapu Lodge, Club Back Rd.,
BOMBAY - 8.

- 6 FEB 1959

Date 3rd February, 1959 .

The Editor,
Trade Union Record,
New Age Printing Press,
5, Jhandewallan Estate,
M. M. Road,
NEW DELHI.

Dear Friend,

I am sending herewith a copy of the statement submitted by the Textile Engineering Committee, Bombay to the Central Wage Board, Cotton Textile Industry in February 1958 and a copy of a circular letter issued to organisations of cotton textile workers in important cotton textile centres in India regarding the proposed All India Conference of Engineering Workers in the Cotton Textile Industry. I am also sending herewith a copy of a Marathi leaflet issued by the Committee in Bombay. These papers will give you some idea about the movement of the Textile Engineering workers in Bombay and Ahmedabad, who are the joint conveners of this Conference.

However, I may mention here some more points about this movement for your information.

1) Engineering workers in the Cotton Textile Industry had kept themselves aloof from militant trade union activity even in a centre like Bombay till recently. This section which has been brought up in the mentality of looking for improvement in their lot, by seeking favours of their departmental superiors was for the first time started moving, and organising itself with a view to militant trade union activity in complete association with their colleagues of other departments.

2) Whole masses have moved into the movement inspite of opposition from the INTUC affiliated legally representative trade union.

Textile Engineering Committee, Bombay

Telephone No- 77371.

C/o Shree Datta Deshmukh, M. L. A.
11A, Bapu Lodge, Club Back Rd.,
BOMBAY - 8.

- 2 -

Date _____ 195

3) This has happened not only in Bombay but in a centre like Ahmedabad where Mazdoor Mahajan holds sway. The meeting of mill representatives held in reception of Bombay Engineering Committee delegates in Ahmedabad on 27th December 1958 was attended by 350 representatives from nearly all the mills of Ahmedabad. The general meeting held under the auspices of the Ahmedabad Mechanic Seva Mandal on 4th January, 1959 was attended by no less than two thousand Textile Engineering workers. Although Mazdoor Mahajan activists who were in the Seva Mandal, succeeded in creating confusion at the meeting, they were compelled to resign in the succeeding meeting and the Seva Mandal has come out the stronger of all the sections of Textile Workers which have recently revolted against policies of the Mahajan; engineering workers promise to be stable and capable of being self-reliant.

4) The Bombay Textile Engineering workers are totally in favour of the new united union sponsored by Sarvashri Dange, S.M. Joshi, R.D. Bhandare, Uddhavarao Patil and Datta Deshamukh. The Textile Engineering Committee has made it a part of its platform and propaganda.

5) This movement of this section which includes in its ranks skilled workers and technicians as well as coolie and navaghanies represents a further defect of the INTUC in the Textile Industry.

We desire that this movement which has gripped the Textile Engineering workers of Ahmedabad should spread all over India to all the Cotton Textile Centres.

We are approaching A.I.T.U.C. affiliated Cotton Textile Workers' Unions, but it would be of great help to us if you cover these recent happenings and the Conference move in Trade Union Record.

With greetings,

Yours fraternally,

Y.V. Chavan

(V.Y. Chavan)
PRESIDENT.

TEXTILE ENGINEERING COMMITTEE.

9 FEB 1959

ESTD 1943

Textile Labour Union

(Red Flag) Regd.

Affiliated A. I. T. U. C.

PALI (Marwar)

Ref. No. 51/58-59

Dated _____ 19

7-2-59

To
The Manager,
Maharaja Shri Limited Mills Ltd.,
Pali-Marwar.

Subj. - Your notice of change dated 1.2.59 regarding closure of
III rd Shift
Ref. - In continuation of our letter No. 51/109/Lr 112 dated 4.2.59

Dear Sir,

We have not received any reply to our letter No. 51/109/Lr 112 dated 4.2.59. In the meantime the letter No. 51/109/Lr 112 dated 4.2.59 in reply to our certain other demands, makes it clear that you persist in your intention of illegal closure of III rd Shift, with consequent retrenchment and wage reduction, affecting nearly 600 permanent and daily workers. We therefore can safely assume that you are not prepared to accept our suggestion of withdrawal of your notice and submit its subject matter to joint discussion.

Under clause 15 (c) of the Settlement, we therefore consider that the parties have failed to arrive at a mutual understanding.

We hereby call upon you under the provisions of clause 15 (c) of the Settlement dated 26.2.58, to make an application jointly with us to The State Government under Section 9 of the Industrial Disputes Act, for reference of the question of justification of your proposed changes, to arbitration, or to adjudication under Sec. 10 (2) of the Act.

As the matter is very urgent and has to be decided before 7.3.59 the date proposed for changes, we may bring it to your notice that if a satisfactory reply is not received from you within a period of 3 days, we shall

Textile Labour Union

(Red Flag) Regd.

Affiliated A. I. T. U. C.

PALI (Marwar)

F. No.

Dated _____ 19

2.

matter, then our Union will be free of all its obligation etc and proceed to take steps including direct actions against your said illegal, unjustified, and mala fide notice. The consequence of all such actions will be entirely yours, so please note.

Thanking you.

Yours Sincerely

J.H.

General Secretary

Copy for information and necessary action to: -

1. Jodhpur Conciliation Officer, Jodhpur.
2. Labour Commissioner, Jaipur.
3. Managing Directors, M.S.U. Mills, Pali.
4. INTUC, New Delhi.

56
58-52/5. AITUC, New Delhi.

13 FEB 1959

TRADE UNION COUNCIL
PONDICHERRY.

7, Vellala st.
Pondicherry
10th Feb. 59

The Chief Secretary
Pondicherry state Govt.
PONDICHERRY.

Sir,

The swadeshi cotton mills co. Ltd. (Pondicherry branch) gave a notice of closure of the mill, to the workers, to take effect from 1st Feb. 1959 for a period of one year at the first instance.

We pointed out to him in our letter dated [redacted] and copy of which was sent to you also that as the management had not complied with the provisions of art. 39 of the labour code read with the ministerial circular on the art. 38 to 40 of the labour code, the notice of closure could not be enforced at all; we pointed out that the contentions of the mills necessitating their so-called closure, were all bogus, mala fide.

The management of the mills, on the receipt of our letter and perhaps after some advice of the govt. have withdrawn their notice of closure for a year at the first instance; they have now put up another notice by which they say that have decided to lay off for some time.

We have by our letter dated 30/1 a copy of which was sent to the Govt. also, pointed out that this cannot be a lay-off at all; we have pointed out that this is actually a closure under a cloak resorted to with the sole intention of escaping from the obligations of the management to the workers under circumstances of closures and termination of contracts of employment with the workers.

Subsequently we had a discussion with the managing agents of Mills, namely the Jaipurias. They have told us that they cannot but close down the mills; on 7th Feb. 59; R.L. Jaipuria told me that he could run the mills only if we co-operate with them to get permission from the Govt. to remove the old spinning frames and bring new ones and erect them here. He further told me that even if the permission is given immediately, it would take 5 or 6 months to re-start the mills. He lastly told me that he could consider the running of the mill in the intervening period only if the workers agree to share the losses.

This particular discussion with R.L. Jaipuria has confirmed my first statement in my first letter addressed to the mills that the real motive behind the threat of close-down is to get the workers agree to "sharing the losses" even without proving that there has been a loss on the basis of audited report. This means the intention of the mills is to get the workers and union to keep quiet about all their violations of the labour code, award, existing practice etc., both now and in future.

Under these circumstances, we feel that the Govt. should intervene and take effective steps to see that the management is told ~~xxxxxx~~ ~~xxxxxx~~ by the govt. to withdraw their closure under the run the mills continuously pending the submission of the demands of t

management to be met either by the workers or the government and discussion, conciliation or adjudication by appropriate authorities.

We have sent copies of all our correspondence ~~with~~ with the mills to the labour inspector and to the Govt. We have made direct representations to the labour inspector. We have requested the labour inspector-cum-president of the labour consultative commission to convene the commission to discuss the issue.

But the 15th of Feb. 1959 is fast approaching. We therefore request you to kindly intervene in the matter and do the needful.

In this connection, we request you to kindly give us an interview with you, any time this week when we could represent our views on the matter

Thanking you in anticipation,

Yours faithfully,

Copy to:
The Minister for labour, NEW DELHI
The Minister for external affairs, NEW DELHI
S.A. Dange, MP.


D.K. Ramanujam
General. Secret

12 FEB 1959

Phone No. 149

WORKERS UNITE

HISSAR TEXTILE MILLS WORKERS UNION

Regd. No. 40

NAGORI GATE,

HISSAR

Ref. No

127/59

Dated

11.2.59

Dear Comrade Sirivastava

Reference my indorsement dated 23.12.58 and

other correspondence in connection with the dispute with the Hissar Textile Mills Hissar. In this connection I am glad to inform you that an agreement is signed on all most all the demands, copy of the Agreement is inclosed.

A part of the settlement regarding our demands, we have tried to ~~have~~ ^{form} an agreed grievance procedure, and few details in connection of departmental inquiry. This is a completely new experiment for us. I wish much obliged if you kindly send your detailed comments on both the documents.

For this settlement Com. Satish ^{has} ~~have~~ taken active part - and he has spent three day at Delhi with me. I hope you will reply me earlier.

HISSAR TEXTILE MILLS
WORKERS UNION, HISSAR.

with greetings
Rachpal Singh

2/13

13th February, 1959

Dear Comrade,

Many thanks for your letter
No. 127/59 of 11.2.59.

Congratulations for the agreement.
Now that the agreement has been entered
into, let us work it out and see its
advantages or otherwise in practice.

Then we can ^{now} ~~can~~ the management
to review it amicably.

We are thinking of publishing
it in TUR of March issue as it is.

With greetings,

Yours fraternally,

mo
Feb 13
(K.G.Sriwastava)
SECRETARY

Com. Raghpal Singh,
Hissar Textile Mills,
Workers Union, Hissar.

TUR.

[Handwritten signature]

कपड़ा मज़दूर एकता यूनियन KAPRA MAZDOOR EKTA UNION

Goushala Gate, Kishenganj Mill Area, Delhi

Ref. No. KMSU/D.O./21/59.


Date: 13th Feb. 1959.

Dear Comrade Shrivastav,

An industrial dispute between our Union and the management of D.C.M. Silk Mills has recently been ~~referred~~ referred by the Delhi Administration for adjudication. The terms of reference of this dispute are as in enclosure I. Silk weaving as an organised mill industry is new to Delhi. The D.C.M. Silk Mills, with about 200 looms and Printing and allied processes has now completed 1st year of its working at full capacity. We possess precious little information with regard to wages, and other service conditions ^{prevailing} in Silk Weaving Industry and would very much like to obtain such information from other centres of the industry.

I have already written to Com. Chitnis in Bombay to get us the requisite information. Will you kindly help us in the matter by sending for information ^{from other centres} on the points listed in enclosure II attached to this letter? I am told there is flourishing Silk-weaving industry in Amritsar, but I don't know whom to write there.

As the next hearing in the case is due on 2/3/59, I shall be obliged if you could send for the information urgently.

Yours sincerely,

G. S. JOSHI
General Secretary.

✓ Com. N.S. Shrivastav,
Joint Secretary,
All-India Trade Union Congress,
4-Ashoka Road,
New Delhi.

TERMS OF REFERENCE.

1. Whether the complaint of the workmen that piece-rates on the various sorts, including Creps, Taffetta, Georjette and Jatin, have been reduced by the management in the course of the last 2 years or so, has any substance, if so what steps are necessary to restore the rates to previous level, having particular regard to any increase in physical effort or workload for the Weavers?
2. Whether the piece-rated earnings of Weavers on the Nylong sort woven on Double-beam Dobby looms, require to be increased, if so, to what extent?
3. Whether the relief, if any, granted under terms 1 and 2 above, should have retrospective effect, if so, from what date?
4. Whether a scheme of Standardised piece-rates covering all sorts woven in the mills should be introduced, and if so, what should be its basis and details? To what extent the demand of the workmen for the introduction of a Standardisation Scheme on the basis of guaranteed piece-work or fall-back minimum basic earnings of Rs. 150/- per month for a 4-loom Weaver, is justified?
5. Whether the existing as-assignment of looms to each Weaving-helper or Smash hand, requires to be reduced, if so, to what extent?
6. Whether a Weaver-Helper or a Smash-hand should get paid wages on the basis of the earnings of weavers to whom he is attached? What other directions in this respect are necessary to ensure a reasonable standard of basic ~~earnings~~ earnings for this class of operatives?
7. Whether the present time-rated basic wages of Seam Gaiters require to be stepped up, if so by how much?

- (i) What is the normal loom-assignment for each Weaver in some of the leading Silk Mills of the City?
- (ii) Method of payment of wages - piece or time rates - average monthly basic earnings and Dearness Allowance separately, on 1-loom, 2 looms or more looms wherever prevalent.
- (iii) Whether there is in existence any Scheme of Standardization of Weaving-rates? If so what is its basis and details - How did it come into existence - whether through an award, settlement; and since when is it in operation?
- (iv) Is there a Scheme of guaranteed piece-work earnings - or minimum fall-back wage, in any of the mills, if so what is its basis?
- (v) Nomenclature, wages, job assignment or number, etc. of any auxiliaries e.g. Smash-hands, helpers, etc., employed for assisting weavers? What is the basis for payment of wages to such operatives?
- (vi) Nomenclature, wages, job assignment, etc. of operatives employed on Beam gaiting.
- (vii) Details of Bonus paid during the last 3-4 years;
- (viii) Other service conditions, Efficiency or other rewards or bonuses, allowances, etc.

.....

Date 14-2-1959

To
The President,
Textile Engineering Committee,
Bombay.

Following is the report of our tour to Madras and Bangalore conducted under the auspices of the Committee with a view to build contacts among engineering workers in Textile Industry in South India, particularly in cities like Madras, Coimbtore, Madurai and Bangalore and for getting their co-operation in organising an All India Conference of Textile Engineering Workers.

We, Comrade D.S.Deshpande and Comrade S.F.X.Pereira, left Bombay for Madras on 3rd Feb. and reached there on 5th inst. Some office bearers of Madras Dock Workers Union had come to receive us. On our request to live in ~~Madras~~ Madras Labour Unions' Office, the President Comrade S.C.C A.Pillai, M.P., conceded to it. We had some discussion with the General Secretary Comrade Phakiraswami Pillau, M.L.A., (socialist) when he raised some issues, viz. (1) whether a section of Textile Workers should have their demands based on separate considerations, (2) whether or not such considerations will lead to separatist tendencies. After having heard our understanding about those issues we were informed that the textile workers in B & C mills have under an agreement, been drawing an increment of 1% every year since 1942-43. Our talk with the office bearers could clear misunderstanding about the motives of our proposed Conference and Comrade A.Pillai asked us to write to him again by 22-2-1959 at Delhi when he will finally decide to come to inaugurate the conference. A meeting of 150 Engineering workers in B & C Mills was organised on 6th when we addressed the meeting. We met Comrade P.S.Chinadurai, M.L.A., Secretary of Textile Workers' Union from Coimbatore. Here we came to know that an award is already awaited with in a fortnight by the Workers in Engineering section in Coimbtore wherein it is expected that a graded scale principle will be accepted by the Tribunal. Comrade Chindurai assured us their co-operation and told us that a two-men delegation from his side will attend the Conference. We also saw Comrade Sundaram, one of the secretaries of Tamilnad T.U.S. and had some discussion. He was insisting for our visit to Coimbtore and Madurai which were big textile centres. However, we were not inclined to agree for the following reasons:- (1) That though the strength of textile workers was big, there was no substantial number of engineering workers. They were only maintenance staff and the repair and other jobs were done by outside agencies. (2) Comrade Chindurai's information was verified and confirmed. He had advised us to rely on him. (3) A.I.T.U.C. comrades had assured us and their co-operation and had agreed to send copies of our memoranda to their Unions in Coimbtore and Madurai.

Their local addresses were also given and we agreed to maintain further contacts with them. (4) In view of these factors we did not feel it necessary to visit these centres by spending more time and money.

We came to Bangalore on 7th and met Comrade Kannan, President of Mysore State H.M.S., a Socialist. He made arrangements for our stay and helped us in contacting I.N.T.U.C. and A.I.T.U.C. Comrades. Our meeting that same morning with Shri V. Harirao, Secretary of State INTUC was very useful one. We had exchange of opinions and he called us again in the evening. The Union of Binny Workers is had by INTUC. However, the President of Union Shri Ramachari was found to be very hostile and non-co-operative and so we had to find out other means for contacting the workers direct. We went to their quarters and talked to them. The experience with staff Association of Binny's was very encouraging. Comrade B.N. Subban ne, their Secretary not only helped us in giving all the information we required, but also accompanies us to A.I.T.U.C. office and assured us to take personal interest in contacting engineering workers and if possible to arrange for a delegation of those workers. A.I.T.U.C. comrades were also helpful. One of their leading ~~workin~~ workers was an office-bearer in the INTUC Union of Binny Workers and agreed to propagate the views of the Conference in his Union. It was observed that here the rates of wages, D.A. and increments etc. were the same as in Madras. In Mysore Spg. and Wvg. Mills minimum wage is agreed upon as Rs.27/- (1/10th less than ours) and so all rates are 9/10th of Bombay wages.

Our tour to Madras and Bangalore, we hope, will contribute to the success of our all India Conference. Though we could not bring forth any spectacular results immediately, we feel sure, our visit has established contacts with two old centres in South which can be developed further. We observed throughout that the workers in Engineering section and Unions representing them were anxious to join in any of this neglected section.

A statement of accounts, other information regarding wage rates etc., addresses of different Unions in the South are submitted herewith.

Yours faithfully,

किशनगढ़ मिल्स राष्ट्रीय मजदूर कांग्रेस

मदनगंज-किशनगढ़ (राजस्थान)

(सरकार से रजिस्टर्ड तथा आई. एन. टी. यू. सी. से सम्बन्धित)

पत्र संख्या २१

ता० १४-२-१९५६

श्रीमान पी.एन.ताल जा साहब, सुखाडिया
मुख्य एवं उधीग व वाणिज्य मंत्री,
राजस्थान राज्य सरकार,
जयपुर.

माननीय सुखाडिया साहब,

दा महाराजा किशनगढ़ मिल्स लि० राजस्थान हाई कोर्ट
के आदेशानुसार लाइवा डेशन में अप्रैल ५८ में चला गई थी। आप किशनगढ़ मदनगंज तथा
आस पास के गांवों की ४० छात्र जनता की परिस्थिति से परिचित है कि इस हलाके
की आर्थिक स्थिति बहुत बुरी गयी मिल्स पर निर्भर करती है.

आप सन १९४८ से ही इस मिल्स के इतिहास से पूर्ण जानकारी
रखते हैं इसलिये उसको धारा १०१ के अन्तर्गत आपके समुत्स सभ्य के साथ बन्द्याय करना होगा
ता० २६ , १२ , ५८ को लाइवा डेटर ने एक नोटिस निकाला है कि वह
मिल्स को ७ साल के लिये लाज पर देना चाहते है. और १५ फरवरी ५६ तक इस
सम्बन्ध में टर्म्स मांगे है. अगर कोई पाटी लाज पर लेका चलाना चाहता है तो कोई
प्रश्न नहीं उठता है लेकिन दूसरा पाटी लेगा नहीं तो मजदूरों ने आपके और
राजस्थान सरकार के धरोरे पर इस मिल्स को सत्कारि बाधा पर चलाने की हिम्मत
की है मजदूर कांग्रेस ने जी शर्तें मेषा है वे इस पत्र के साथ संलग्न है.

इसके साथ ही मिल्स को चालू करने के धारों में हमारी भी योजना है
की इस प्रकार है.

१. मिल्स में काम करने वाला प्रत्येक मजदूर १० रु० का कम से कम हिस्सेदार होगा
सत्कारि समिति की कैपीटल १० लाख रु० होगी. हर माह की तनख्वाह की
निश्चित राशी केग कैपीटल में जमा की जायेगा.
२. मैनेजमेंट को इस प्रकार गठित किया जायेगा कि एक्विस्विनसी ज्यादा से
ज्यादा करे और उत्पादन दर कम से कम हो.
३. बाकी कैपीटल के लिये १ लाख से लेकर १५ लाख तक के लिये हमारे पास पाटी
लेगा है. सतीज के लिये आप उस पाटी से सार्धरि बात चीस भी कर सकते
है.
४. हमारी शैरमनी के बाधा पर सरकार हमें कम से कम १ लाख रूपया का
की कोआपोटिव फंड्स के अन्तगत शो प्र मंशु किया जाय जिससे मिल्स की
चालू करने का प्रारम्भिक कार्य शुरू हो सके.
५. मिल्स में नई मशीनों लगाने हेतु ५ से १० लाख रूपया का की उधीगिक

• जयहिन्द •
किशनगढ़ मिल राष्ट्रीय मजदूर कांग्रेस

मदनगंज-किशनगढ़ (राजस्थान)

(सरकार से रजिस्टर्ड तथा आई. एन. टी. यू. सी. से सम्बन्धित)

पत्र संख्या.....

ता०.....१६५

२ २ २

विषयक विचार के नियमों के अन्तर्गत दिया जाय.

६. साकारों व गैर साकारों पूजा की सुहा के लिये साकारों नियमों के बाधाओं पर पूरी कंट्रोल व्यवस्था कायम की जायेगी.

आपको साकारों की बीर से आप को घोरता हुई है कि साकारों बाधाओं पर खेता की व्यवस्था लागू करने का केन्द्रीय साकारों को योजना के बाधाओं पर बमल किया जायेगा. इसका मजदूर कांग्रेस स्वागत करती है और आप से निवेदन करती है कि उद्योगिक क्षेत्र में भी इस साकारों योजना को बमल में लाने हेतु किशनगढ़ के मजदूरों के इस सहायक हार्दों को आप बमली रूप देने में नागपुर राज्य अधिवेशन के इस मुख्य समाजवादी ढंग को तत्समाज व्यवस्था की साकारों प्रणाली लागू करने के प्रस्ताव को राजस्थान के इस मुद्दे को देकरा बीर उबड़ते हुए किशनगढ़ में यहाँ के मजदूरों के सहयोग से पूरा करने को उठाये.

आप बच तक हमको यहाँ कहते आये है कि किशनगढ़ मिल के मजदूरों के बारे में मैं बहुत चिन्तित हूँ लेकिन मिल पर लाठी चाली का क्या है और इसमें फगड़े है इस लिये साकारों के बल का हलाक नहीं है, बस इसका हलाक करना आप जैसे डाक्टर के लिये सख्त हो गया है ११ अप्रैल ५८ को इस मिल के लीक्वीडेशन में जाने के बाद सुनते पुराने कर्मी तथा अन्य फगड़ी का सागर मामला तब ही हुआ है. यह सारी बुम्भेदारी अब लीक्वीडेटो की है और वह इसको ७ साल के लिये लीज पर दे रहा है. इसलिये साकारों इस मिल को खुद लीज पर लेकर भालू को अन्यथा मजदूरों को साकारों बाधाओं पर इसको चालू करने में हमको आप साकारों की बीर से पूरी मदद दिये. इस सम्बन्ध में हमारी प्रतिनिधी सभा के सदस्य श्री केशरी चन्द चौधरी की विस्तार से जलपुर में बात चित्त का लें.

आप इस बारे में क्या मदद उठा रहे है कृपया शीघ्र सूचित करवे ताकि उसी बाधाओं पर लीक्वीडेटो की मजदूरों को बलावा जा सके.

आपका
शुभो मिशन
प्रेसिडेन्ट १४-२-५८

किशनगढ़ मिल राष्ट्रीय मजदूर कांग्रेस, मदनगंज, किशनगढ़.

प्रातिलिपा सेवाये,

१. श्री मति हन्धा नाथी, प्रेसिडेन्ट बाल हॉन्जा कांग्रेस कमेटी, नई दिल्ली.

२. श्री एम. जे. मुहलिया, आफि सिकल लीक्वीडेटो, दोमहा राजा किशनगढ़ मिल लि०

स्टेड्ड टू राजस्थान हाई कोर्ट, जोधापुर.

शुभो मिशन
प्रेसिडेन्ट १४-२-५८

16 FEB 1959

Radhakrishnan Nagan
Aloda.
14.2.59.

(261)

Dear Comrade D.

You must have read in the papers that Sarataram Ramprasad Mill Aloda did not pay wages on the 10th of this month.

Earlier on the 8th, the General Secretary of the Mill Company called the representatives of the MTC union and Clerks' association and told them that 'every month there was a loss of Rs 25000 and that the workers should make good the loss by agreeing to a deposit of $12\frac{1}{2}\%$ to 15% of their wages into the mill if they wanted the mill to run. It may be recalled that in last July when the closure notice was there, there was a united movement of the workers under the initiative of our ATUC union in which MTC representatives had also participated. It is because of this the MTC representatives came to us. On the initiative and pressure of the workers a joint Action Committee was formed. Sagarji D. Rajgiri, the

leader of the IATUE union was not at Akola when this Joint Action Committee was formed and the workers refused any wage cut, whether in the shape of deposit or otherwise. Actually, earlier last month Sagun Niagi had suggested that because the mills were finding financial difficulties, the workers should agree to a $12\frac{1}{2}\%$ deposit. He is still proposing that, though under pressure of the general workers and cadres of the IATUE union he has agreed to the Joint Action Committee and taking of unilaterals steps. We do not know what he does behind the curtain.

The non-payment of wages was a probe by the management to see whether the IATUE union is able to terrorize the workers to accept a wage cut. The bait did not work. Therefore, we expect that the mill management may even close the mill, ~~the~~ dispensing with the provision of justice required.

It is true that there is difficulty of working Capital. The depositors have withdrawn their deposits after 7th when closure notice was given.

We are preparing for a deputation to the Minister. The management has paid today. I gave a call for self-contribution to Action Committee on which immediately 1500 Rupees were collected.

Apart from the legal steps for non-payment of wages and advance, we would like you to advise us on this. We realize that any acceptance of deposit or wage cut here will mean the roller moving on other mills.

We may be going to Bombay on the 17th or so.

Hope to hear from you at your earliest convenience.

14.2.59.

Enc. 1/2
R. C.

AMC

Sincerely yours
B. N. Tubekyeje

Garden Reach Textile Workers' Union

REGD. NO. 463

(Affiliated to All India Trade Union Congress)

Q 77, AKRA ROAD : CALCUTTA - 24

No. G/KC/59/49Date Feb. 16, 1959.

Shri R.L.Mehta I.A.S.
Joint Secretary,
Ministry of Labour & Employment,
Government of India.

Re: Violation of Code of Conduct by INTUC branches
in Kesornam Cotton Mills Ltd., Calcutta-24.

Dear Sir,

Please refer to our representation (Letter No. G/KC/59/29 dt. 19.1.1959) regarding the violation of Code of Discipline by the management of Kesornam Cotton Mills Ltd. It would be evident from our representation and facts that the Company with a view to deprive the workmen of their legitimate rights and with a view to crush the legitimate trade union movement has taken recourse to violation of Code of Discipline.

The management has not only violated the Code of Discipline as mentioned in our earlier representation but with a view to crush our 10,000 strong Union and the real organisation of the workmen, has started a reign of terror and victimisation of leading workmen of the Union and at the same time has taken resort to start Company's Union. Unfortunately some people who call themselves as supporters of INTUC are openly using the name of INTUC in violation of Code of Conduct.

It may be recalled here that there is one INTUC branch in the mills, named as Natisbruz Textile Labour Union, whose membership has been claimed by INTUC. During the last year the above Union was discredited before the workmen as they always kept ~~man~~ and also gave direct support over the unfair labour practices of the Management of the mills. The Company always used the said union against the legitimate demands of the workers. But after the publication of the Cotton Textile Tribunal Award, 1958 as the management refused to implement the Award and as the management saw that this Union (N.T.L.U) is not in a position to help the management in their unfair task and especially after the bonus dispute of this year, they formed another rival trade union, in the name of INTUC. This union, which is called Kesornam Mill Labour Union, with one K.A.K.M as President (we do not know whether it is still Registered or not) is out and out a Company's Union. It is regretted that a section of the INTUC leaders are giving their support to this Company's union in violation of Code of Conduct. There are, therefore, two rival INTUC Unions here now, which is significant. Of course, we are not interested in their internal factional squabbles.

Herewith, we beg to put before you some of the instances which

contd. 2.

Garden Reach Textile Workers' Union

REGD. NO. 463

(Affiliated to All India Trade Union Congress)

Q 77, AKRA ROAD : CALCUTTA - 24

-2-

No.

Date

would reveal the true nature of this Company's Union (K.M.L.U.):

1. The Officers of the mills are openly threatening the workmen to join the Union (KMLU) formed by the management and headed by Shri K.K.Ram.
2. Though our Union is the only representative Union of the workmen, having a membership of more than 10,000 workmen and having secured all seats of the Works Committee, the management refused to have joint discussions with us and on the other hand Shri K.K.Ram and his followers enjoy all the privileges. The Labour Officer of the mills have become practically the Officers of the Union (KMLU) and Shri K.K.Ram works in close association with them.
3. The representatives of our union are not allowed to be present in the enquiries held into cases of disciplinary action, nor even the members of the Works Committee are being allowed to be present, whereas Shri K.K.Ram is always found present and his members are always found to give evidences openly in favour of Company against the workers.
4. In December 1958, when Shri Ramanujam, President, INTUC, came to Calcutta, he was called in a meeting in the Library of the mills. The meeting was organised by the management, and Shri V.B.Singh, Labour Officer of the mills was in the forefront of the preparations.
5. It may be mentioned here that the undersigned and many others of our Union are not allowed to enter even the mills workers' colonies, by the authorities of the mills. The above reception meeting of Shri Ramanujam is very conspicuous. It is unfortunate that Shri Ramanujam, in the meeting openly incited workers against our union and repeated the same slanders in the meeting as done by the personnel of the management.
5. Shri V.B.Singh, Labour Officer of the mills, Shri N.Rao, another labour Officer of the mills, Shri Jognal, Officer-in-charge, night shift, spinning department, Shri Pujari, Asst. Chief Officers and many such others openly campaign to enroll the workers as members and patrons of this Company's union (K.M.L.U).
6. Workers are being encouraged to become members of the said union (KMLU) by the topmost officers of the mills. Chargesheeted and suspended workmen who agree to become members of this union are being taken into work, while others who refuse to do so are being kept suspended for month after month. Further, new workers are being recruited through this Union.

Garden Reach Textile Workers' Union

REGD. NO. 463

(Affiliated to All India Trade Union Congress)

Q 77, AKRA ROAD : CALCUTTA - 24

-3-

of. No.

Date

7. The members of the Company-sponsored union, with lathis in their hands, go into departments and threaten the workers while on work. As the workmen and the Union protested against this, the members of the Company-union have been given Uniforms of Security staff though many of them are known ~~xxxxxxx~~ criminals and anti-social elements.

8. On 14.1.1959, in the attempts of the management to run 3 sides working in Ring Frame Section in place of 2 sides illegally, some officers of the mills and some members of the Company-union threatened and even assaulted the workers who refused to comply to their threats. One Shri Moheswar, a workmen of Warp Spinning 'B' was assaulted mercilessly in the department by some officers and members of Company-union, and thus created extreme provocation in the mills. It may be mentioned here that the management has suspended about 46 workmen of the Ring Frame department belonging to our Union on the alleged charge of indiscipline but the Officers and members of the Company's union against whom Police has instituted case u/s. 147/325 P.P.C. have been spared and they are not only working but are still threatening the workers of ~~the~~ our Union with impunity.

9. To crown all, the incident of Republic Day (26th January 1959) would reveal the actual state of affair. Your goodself is aware that the workers of Kesoram Cotton Mills under the leadership of our Union are ~~gt~~ fighting for the following just demands of the workmen;

1. Payment of balance bonus for the year 1955-56 & 1956-57 as per agreement dt. 6.12.1956.
2. Payment of bonus for the year 1957-58 as per agreement dt. 6.12.1956.
3. Implementation of the Award of the Cotton textile tribunal dt. 10.6.1958.
4. Acceptance of the Code of Discipline by the management of the mills.
5. Withdrawal of the order of dismissal and suspension of the leading workers of the mills.

And as the management ~~xxx~~ turned a deaf ear to the recommendation and requests of the labour department and the Labour Minister, West Bengal, ~~butxxx~~ the workers of the mills have no other alternative but to prepare for a Strike struggle for the realisation of the above demands. The management in order to foil the justified struggle of the workers and to crush the Union made a vile conspiracy and made a planned

Garden Reach Textile Workers' Union

REGD. NO. 463

(Affiliated to All India Trade Union Congress)

Q 77, AKRA ROAD : CALCUTTA - 24

No.

-4-

Date

attack upon the peaceful procession of the textile workers. The newly formed Company's Union gave their full support to this vile attack of the Company. The ~~xxx~~ procession of the Garden Reach Textile Workers' Union was 6,000 strong and was absolutely peaceful. The mill authorities organised an armed demonstration headed by Shri V.B.Sing and other officers of the mills and with 200 armed-people with lathis. These people ~~xxxxxx~~ assembled in the mill workers lines of the Company, where Shri S.N.Hada ~~xxxx~~, Chief Officer of the mills, addressed them in a most provocative fashion and incited them against the workers of Kesoram Cotton Mills who are organised in our Union and also against our Union. It may be noted that Shri V.B.Singh ~~xx~~, Labour Officer of the mills was armed with a loaded revolver.

In order to avoid any incident, we detained our procession for a period of more than 45 minutes in a Maidan and after the above armed demonstration passed the crossing of Nudiali Road and Garden Reach Road and went in the Eastern direction, we brought out our procession and took it in the opposite direction. But as the organisers of the armed demonstration of the mills had the deliberate plan to bring out a clash they from another side came round and in front of the Tent Shed of the Kesoram Cotton Mills ~~xxxx~~ came face to face with the peaceful procession of the workers. Though our workers gave them more than 2/3rd of the street to allow them to pass, All on a sudden they started attacking the workers with lathis. Shri V.B.Singh opened firing upon the peaceful workers and injured some workers and thus created widespread disorder. These people also began to shower stones and brickbats ~~xx~~ in all directions. As a result of this one old tailor has died and many injured. The employer aided by K.K.Ram is now capitalizing the situation and is trying to put blame upon the workers and the Union with ulterior motives.

From all these above it would be evident that due to the factional politics of some of the people of INTUC they have formed 2 Unions amongst themselves and both are overzealous to have the favour of the Company and are acting in a manner which is against the Code of Conduct. It is regretted that both the Unions, claiming affiliation with INTUC are working in a manner against the interest of the workers and are working as under the direction of the mill authorities and the management to crush the Trade Union activities of the workers and with a view to deny the workmen their due rights and benefits are pampering their own Union in violation of Code of Discipline.

The management of Kesoram Cotton Mills Ltd. since year
.....5.

Garden Reach Textile Workers' Union

REGD. NO. 463

(Affiliated to All India Trade Union Congress)

Q 77, AKRA ROAD : CALCUTTA - 24

No.

Date

-5-

after years have been following all sorts of unfair practices and have paid scanty respect to all labour laws and laws of the land.

It is regretted that even after the acceptance of Code of Discipline and Code of Conduct in the Indian Labour Conference the management is bent upon to violating them for ulterior motives, thus inviting grave industrial unrest.

It may be mentioned here that our Union from the beginning and still now endeavours its best to cooperate with the management on sound footing of Code of Discipline and Code of Conduct.

We urge upon you to make a through impartial enquiry and through your intervention bring the management to its senses and abide by the Code of Discipline and stop all such unfair practices.

We assure our sincere cooperation.

Thanking you,

Yours faithfully,

C. C. to:

1. Shri G.L.Nanda,

Union Minister for
Labour & Employment,
Govt. of India.

2. General Secretary,

All India Trade Union Congress.
4, Ashok Road, New Delhi.

(Arun Sen)

General Secretary.



PHONE : 24011 (4 LINES)
GRAMS : "YARN"

DELHI CLOTH MILLS

DIRECTORS : THE DELHI CLOTH
GENERAL MILLS CO., LTD.

BARA HINDU RAO
POST BOX NO. 1039
DELHI.

No. *L/o 736*

Date *17th Feby 1959*

The General Secretary,
All India Trade Union Congress,
4 Ashoka Road,
New Delhi.

Dear Sir,

We regret to have to bring to your notice certain acts perpetrated by the executives of the Kapra Mazdoor Ekta Union, namely Sri Asa Ram and Sri Baldeo Singh for your kind and careful attention. The above named persons have been persistently doing such acts which have not only been subversive of discipline but have been of such a nature as to derogate the organisation to which they belong. We have, in the past, repeatedly brought their actions to the notice of the authorities of the Kapra Mazdoor Ekta Union but, unfortunately, instead of deprecating their illegal activities the union has been encouraging the same.

It is due to the above reason that we are constrained to address this letter to you, since the Ekta Union is affiliated to your organisation, in the hope that you would take immediate appropriate action in the matter.

On 13th February, 1959, at about 6 P.M. Sri Baldeo Singh, an important executive of the Ekta Union, collected a number of workers, working under the Tailoring Contractor of Towels for Export and local market, at our officers' gate where led by Sri Baldeo Singh and Sri Chandramani they shouted abusive slogans against the officers of our factory. They also burnt an effigy of an officer at the said gate of our factory in the presence of several officers and other employees of the mills.

Later the mob led by the above named persons proceeded to the residence of Sri S.P. Malik, Folding Master of our mills, where they were joined by Sri Asa Ram, Joint Secretary of the Kapra Mazdoor Ekta Union. Sri Malik was in his residence at that time. His mother had met with a severe accident only a day before resulting in compound fracture of her leg. While Sri Malik was in such a domestic worry the mob repeatedly shouted out to him to come outside using most objectionable and abusive language in respect of him. It can very well be imagined what an atmosphere would have been created at that time in the line, which is inhabited by company's officers and workers, on account of the above action on the part of the union executives and their followers at the psychological moment when Sri Malik was in distressed condition. Not only this they even went to the extent of burning the effigy of Mr. Malik in front of his house and after the effigy was burnt out they performed "Kapel Kirya" the ritual of breaking the



DELHI CLOTH MILLS

DIETORS : THE DELHI CLOTH
GENERAL MILLS CO., LTD.

BARA HINDU RAO
POST BOX NO. 1039
DELHI.

-2-

No.
Date 17th Feby 1959

skull. Luckily Sri Malik was not allowed by his relations to come out of his house in view of the most defiant and aggressive attitude of the mob. Otherwise, in all probability, he would have been subjected to further insults and even physical assault by the people assembled there.

The above incidents speak for themselves and need no comments. We are prepared to furnish you with any further information which you might like to have from us and would request you to please enquire into the matter yourself to satisfy yourself with regard to the correctness what we have stated above.

You can very well judge how far such acts on the part of responsible executives of the Ekta Union reflect on union and your own organisation to which the said union is affiliated.

We look forward to appropriate action against guilty persons by you at an early date.

Yours faithfully,


GENERAL MANAGER.

261

PATKAR

BOMBAY GIRNI KAMGAR UNION

DALVI BUILDING

PAREL BOMBAY

ASK CHITNIS GIVE FIFTYTHOUSAND PRINT TO RAJHANS AND FIFTYTHOUSAND
TO CHAVAN OF FIRST SERIES WHITE PAPER STOP DELIVERY MUST BE
MADE ON FIRST MARCH STOP GIVE TENTHUSAND PRINT OF THREE
RUPEES TO RAJ PRINTERS COLOUR GREEN

DANGE



261

February 17, 1959

Dear Comrade Dang,

An industrial dispute between the Kapra Mazdoor Ekta Union, Delhi and the management of DCM Silk Mill has recently been referred to by the Delhi Administration for adjudication. Silk weaving as an organized mill industry is new to Delhi and our comrades of the above union, have, little idea about the wages and other service conditions in silk weaving industry in other parts of the country.

Since there is a flourishing silk-weaving industry in Amritsar, I am sure you are in a position to send us the required information regarding wages and other service conditions based on the terms of reference of the dispute between our union and the DCM Silk Mill management.

Since the next hearing of the case is due on 2.3.59, please send the above information latest by the end of this month.

With greetings,

Yours fraternally,

Rmc
Feb 17
(K.G.Sriwastava)
SECRETARY

Garden Reach Textile Workers' Union

REGD. NO. 463

(Affiliated to All India Trade Union Congress)

Q 77, AKRA ROAD : CALCUTTA - 24

cf. No.

Date 18th Feb 59.

Comrade Bhupesh Gupta M.P.
2, Windsor Place.
New Delhi.

Re: Kesoram Cotton Mill Ltd. (Birla Bros.).

Dear Comrade,

You are aware of the incident of 26th January 1957, when an armed demonstration organised by the management of the above mill deliberately made a clash with the peaceful procession of Garden Reach Textile Workers, as a result of which a local tailor died and about 100 injured.

The local congress here is controlled by the mill management and Shri Vijoy ~~Das~~ Bahadur Sing, Labour Officer of the mills is the President of the Mondal Congress. The armed demonstration was organised in the name of Congress and INTUC, which is also a paper Union of the Management of the mills. The demonstration of the mills was fully armed with lathis and V.B.Singh was carrying a loaded revolver.

In order to avoid any incident, we kept our workers detained in a Maidan (M'idiya Kabardnaga) for more than 45 minutes and we took the demonstration in the Western side as the armed demonstration passed to the Eastern side of the Mudiya and Garden Reach Crossing. But these demonstrator deliberately came from another direction and just in front of the Tent Shed of the above Company started lathi charge, stone throwing and V.B.Singh firing from his revolver.

After the incident the mill management aided by local congress and INTUC is trying to put entire blame upon us in connivance of the Police. Workers of our Union are being arrested and are being kept in Jail custody under section 302 I.P.C. Warrant has been issued against all leaders of the Union with the same charges.

Workers who have witnessed the incident and go to the Police Station are either being arrested or their complaints are not being recorded. None of the persons of the management etc. have been arrested. Though Shri Bin Sarkar lodged written complaint in the Police Station and also to the District Magistrate. Another Shri Bhimraj Jadau who has been injured by a bullet, ~~has~~ though he has submitted a written complain, but the Police is taking no action upon the real criminals.

Shri V.B.Sing, Labour Officer of the mills and President of the Mondal congress, has got previous record of firing the peaceful workers from his revolver. In December 1956,

Garden Reach Textile Workers' Union

REGD. NO. 463

(Affiliated to All India Trade Union Congress)

Q 77, AKRA ROAD : CALCUTTA - 24

f. No.

-2-

Date

he fired upon the workers. The Garden Reach Police arrested him but after sometimes the case was hushed up from the above.

Section 144 has been promulgated in the entire area and the management and the Police have stated a reign of terror against the workers and the Union.

Shri Kalipoda Mukherjee, Home (Police Minister) , West Bengal is taking a very active part in these operation. It may be mentioned that one his ~~NEE~~ NEPHEW, Shri Narayan Mukherjee is now an employee in the mills with good salary. Formerly Narayan Mukherjee was a worker of INTUC.

I am enclosing herewith, some of the copies of our appeal and memorandums from where you can get all the facts . Some of the items have also been published in Swadhinata.

We would be glad if you can raise the issue in Rajya Sabha to draw the attention of Government of India. Here the Police and the Ministry ~~is making~~ are acting in the manner which suits the Birlas.

With greetings,

Yours Comradely,



(Arun Sen)

General Secretary.

26

18th Feby, 1959.

The General Secretary,
Kapra Mazdoor Ekta Union,
Above Gaushala Gate,
Double Phatak Road,
Kishan Ganj, Delhi -5



Dear Comrade,

Find herewith a copy of a letter received from the management of the Delhi Cloth Mills.

Please verify the charges made in the letter against certain officials of the union, and let us know your comments at an early date.

With greetings

Yours fraternally,

Handwritten signature

(K.G.Sriwastava)
Secretary.

Copy to:-
The General Secretary
Delhi Pradesh Trade Union Council.

20 FEB 1959

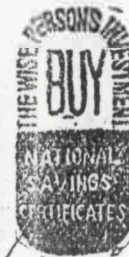


C-3

261



2430



INDIAN POSTS AND TELEGRAPHS DEPARTMENT

No.

Received here at _____ H. _____ M.

0 VF SRIGANGANAGAR 19

DANGEY M P DELHI

.... KEDARNATH STARTED HUNGER STRIKE FOR TEXTILE UNION DEMANDS...

... RAMSINGH SECRETARY...

COPD AT22.35

The sequence of entries at the beginning of this telegram is—class of telegram, time handed in, serial number (in the case of foreign telegrams only), office of origin, date, service instructions (if any) and number of words.

This form must accompany any enquiry respecting this telegram.
MGIFPAh.—121—30.4-57—91,370 Bks.

कपड़ा मज़दूर एकता यूनियन
KAPRA MAZDOOR EKTA UNION

Goushala Gate, Kishenganj Mill Area, Delhi

Ref. No. KMEU/D.C.M./ 28 /59

Dated: 21st Feb. '59.

To

(211)

The General Secretary,
All-India Trade Union Congress,
4-Ashoka Road,
New Delhi.

Dear Comrade,

We are in receipt of your letter No. nil of 18th February, 1959, forwarding copy of a letter received by you from the Management of Delhi Cloth Mills, making serious allegations involving breach of 'Code of Discipline' on the part of certain leading office-bearers of the Union. In this connection I have to report as under:-

The Union emphatically refutes the charges levelled by the management against its office-bearers, in particular, against Sarvashree Asha Ram, Baldeo Singh and Chandramani. All the three are responsible and tried workers of the Union and have all along been held in the greatest ~~esteem~~ esteem by thousands of workers. Indeed it could be said without any fear of contradiction that till last year this same management acknowledged that these and some other workers in the mills, who are also now person^a-non-grate with the management, represented the most enlightened and responsible leadership enjoying the confidence of the vast majority of workers. For sometime past, particularly since October, 1958, the management have started an all-out offensive against the Union and its workers. The Union has all along ~~at~~ kept you and the Government informed of the anti-labour and anti-union activities of the management following in the wake of Union's demand for implementation of the decisions of the 16th Tripartite Indian Labour Conference, particularly those relating to the ratification of the 'Code for Discipline'. A reference in this connection is invited to

contd.....2

the letters mentioned in the enclosure.

As regards the complaint in the instant case, I regret to say that the management's version of events is grossly distorted and highly coloured. The facts of the case are as follows:-

The Delhi Cloth Mills Company has been employing a large number of workers under some sort of a "contract system". The workers, through this Union have all along been agitating for abolition of this system, since it deprives them of practically all the privileges and rights which ordinarily accrue to other workmen. They are engaged on jobs which form regular or normal part of the work of the undertaking, yet the management refuses to treat them as its employees and ^{has} adopted the ~~a~~ subterfuge of interposing another intermediary, a so-called "independent contractor", between them and the workmen. Every year there is some ~~xxx~~ trouble in these departments, managed through the so-called 'contractors,' since these persons run away due to ⁱⁿ inter-al group ^{rivalries} ~~policies~~ among the officers of the Company, often depriving the workers of their dues. In the year 1955, the State Government referred the issue involving the determination of the status of these workmen ^{for adjudication} ~~qua~~ the management. The following year another reference requiring adjudication of the Union's demand for abolition of this ^{obnoxious} ~~noxious~~ system altogether was made. These two cases have ever since been pending before the Industrial Tribunal, Delhi. The management were afraid that the decision of the Court may go against them; they, therefore, adopted all ~~xx~~ sorts of dilatory tactics to thwart the proceedings before the Court. At last they were able to obtain a direction of 'stay of proceedings' from the Punjab High Court, and the matter is since then resting in the files of the High Court. The management has utilised this opportunity to the fullest extent for bringing about a radical change for worse in the

service conditions of the workmen, who cannot claim any relief from the Court so long as their exact status is undefined.

One of the departments where the aforementioned system of employment obtains, is what is known as the 'Tailoring Department'. It employs about 200 operatives regularly. Almost all these workmen happen to be active members of the Union. So they have always been a thorn in the side of the management.

Recently the management terminated the 'contract' of the ~~old~~ ^{old} 'contractor' and handed over the Department to a Sindhi gentleman. This man was reported to have fallen foul of some officers in the Department over financial transaction and tried to escape without making payment of ~~workers~~ workers' wages to them. The workers raised a hue and cry against this and were able to wring their dues out of him with great effort. The 'contractor' then told the workers that he was not responsible thenceforward for the payment of their wages, as the remuneration offered by the management for the work entrusted to him ^{is} as totally insufficient. Thereupon the workmen approached the General Manager and other officials of the management requesting them to guarantee the payment of their wages to the workers. When both the management as well as their 'contractor' refused to undertake payment of wages to them, the workers stopped working and asked for an assurance ~~xxx~~ from the management that the piece-work wages earned by them would be paid to them even if their 'contractor' vacated the post. It seems the management, who had all along been in a look out for an opportunity to get rid of these workers, struck at the workers heavily and turned them out of the factory on the plea that since the 'contractor' had given up the work, the workers being his employees had no right to be inside the factory.

It was against this high-handed, grossly unfair, and patently improper action of the management that the workers of the Tailoring Section in Company with other workers, took out a procession from the mill gates on the evening of ~~the~~ 13th inst. They demonstrated peacefully in front of the mill gates. It is ~~also~~ correct that a small section of workers demonstrated in front of the residence of the Officer incharge, Folding Department. But the allegations that abusive ^{the} slogans were shouted against any officers of the Company, or that any effigy was burnt at the gates or in front of Mr. Malik's residence, are patently false. In making such wild and fantastic allegations the management, in the person of Mr. B.D. Pathak, General Manager, is actuated by a deep-rooted malice and ~~an~~ hostility towards the Kapra Mazdoor Ekta Union and its workers and sympathisers. It is interesting to note that in ~~idea with his fast practice~~ the manager has gone to the extent of associating the names of leading officers of the Union, Sarvashree Asha Ram, Baldeo Singh and Chandramani with the alleged incidents. Two of these workers, namely Shree Bal-Deo Singh and Shri Asha Ram have already been under suspension for the last 3 months on the charge of participating in a perfectly peaceful demonstration outside the factory premises. This demonstration was staged as a mark of protest against the repeated failure of the management to implement awards and settlements and against calculated attempts to suppress trade union activity and stifle all opposition to their high-handed policies. The case of these two workmen is already before the Industrial Tribunal. By falsely implicating these workers in such imaginary incidents, the management is trying to find a support for their previous ~~and~~ ^{full} story. They hope that by weaving such a web of accusations, they would be able to influence the mind of the adjudicator.

The present complaint of the management is also part of a planned campaign to malign and vilify the Union, which is not liked by the General Manager of the ~~XXXXXX~~ mill since it stoutly defends the ~~the~~ ^{Cause} ~~cause~~ of the workers and generally supports the democratic left trend in politics.

The General Manager (in the other hand happens to be a ~~staunch~~ ^{staunch} communalist and has been instrumental in bringing into existence an R.S.S. - Jan Sangh sponsored Union as a second line of defence in case I.N.T.U.C. Union fails into ^{its} objective of disrupting the unity of workers.

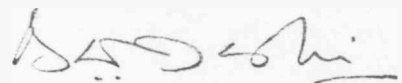
I must hasten to assure you that it has all along been our endeavour to honour the commitments made by the representatives of the I.N.T.U.C. in respect of observance in word as well as in deed of the provisions of the Code of Discipline in the Industry. In fact the Union has had to incur the displeasure of certain sections of the workers for what they called its 'weak-kneed' policy in relation to matters of discipline. But by their consistent and determined efforts to undermine the strength of the Union and to smash the unity and organisation of the workers, the management have made it difficult for us to keep the large mass of workers under indefinite restraint.

I may also inform you that three of the Tailoring workers have now started a ~~xx~~ fast in front of the gates of the mills. The management have already started a campaign of vilification against the workers through ~~bulletins~~ ^{leaflets} etc. The situation is becoming more and more delicate every day. But the management refuse to give up their reactionary policies. For 3 months the Union knocked the doors of the Government and offered to have its complaints against the management examined by ^a the tripartite body consisting of representatives of the two parties and the Government. But the management

moved earth and heaven to frustrate ~~any~~ such efforts. The local Government is too weak to prevent even the most flagrant violations of the Code on the part of the management. In the circumstances the Union is left with no alternative but to devise its own methods to bring home to the management the utter absurdity and dangerous possibilities of their ill-conceived and anti working class policies and actions.

Notwithstanding the above, however, the Union would gladly abide by your advice ⁱⁿ the matter and would request you to use your good offices to persuade the management to adopt a reasonable attitude towards the workers and their movement. The Union is even prepared, if you so desire, to ~~XXXX~~ accept the ~~XXXX~~ arbitration of an independent person or to entrust its case to a board of arbitrators representing the workers and the management. We however, see no other alternative to this proposal, except prolonged friction, strife and bitter conflict.

Yours Comradely,



(B.D. Joshi)
General Secretary.

Annexure

Letters already addressed to the All-India Trade Union Congress on the subject of Breach of 'Code of Discipline' by the Management of Delhi Cloth Mills.

Letters No.

KMEU/DCM/219/58, dated 10/13- October, 1958;

KMEU/DCM/230/58, dated 23-10-58;

KMEU/DCM/~~225~~ 237/58, dated 25-10-58;

KMEU/DCM/ 285/58, dated 29-11-1958;

KMEU/~~DCM~~/Govt. 314/58, dated 29-12-58;

KMEU/Govt./313/58, dated 29-12-58;

KMEU/Govt./295/58, dated 3-12-58.

.....

Note on the draft Constitution.

The constitution generally follows the routine draft constitution supplied by the office of the Registrar of Trade Unions. Changes are made in the following respect either by way of modifications or additions.

- Clause 4: (1) Honorary members to be admitted by the General Council - their number not to exceed 35 subject to section 22 of the Trade Unions Act.
- Clause 11: (2) A President, a General Secretary, not more than six Vice Presidents and five Secretaries and two Treasurers - elected by the General Council.
- Clause 12: (3) Managing Committee to consist of 125 other members to be elected by the General Council in such a way as to provide at least one representative to each one of the 65 cotton/textile mills in Greater Bombay.
- Clause 20: (4) Delete the provision of acting General Secretary
- Clause 22: (5) Addition - Secretariat.
- Clause 23: (6) Addition - General Council.
- Clause 24: (7) requisition clause - by 1/5th of the General Council or 5% of the ordinary members.
- Clause 27: (8) Addition - Mill Committees.
- 27A: (9) " + Centre bodies.
- Clause 28: (10) Provisions necessary for becoming eligible (A), (B), (C) to be registered as an Approved Union, the main being "Every industrial dispute in which a settlement is not reached by conciliation shall be offered to be submitted to arbitration and that arbitration under Chapter I shall not be refused by the union in any dispute."

The changes are made in response to three needs in the main -

- 1) To suit the structure of the industry, the huge number, mill-wise distribution, locality-wise grouping of mills etc.
- 2) To provide for collective functioning of Office Bearers.
- 3) To provide for becoming Approved Union.

While all other changes are already broadly agreed the addition of clauses required for being eligible to be registered as Approved Union is not yet agreed. It is yet to be discussed. Following points need to be considered in this matter.

1) Under the B.I.R. Act Section 73 Govt. can refer any dispute to the arbitration of the Industrial Court. Any strike after the reference of a dispute to the Industrial Court is illegal. Thus this clause takes away the right of workers to strike.

2) By agreeing to submit every unsettled dispute to arbitration as required by section 23 pertaining to Approved Unions, we stand to gain the following privileges which are not given to a Representative Union under the B.I.R. Act.

Section 25:

"

- (a) to collect sums payable by members to the union on the premises where wages are paid to them;
- (b) to put up or cause to be put up a notice board on the premises of the undertakings in which its members are employed and affix or cause to be affixed notices thereon;
- (c) for the purpose of the prevention or settlement of an industrial dispute -
 - i) to hold discussions on the premises of the undertaking with the employees concerned who are the members of the union;
 - ii) to meet and discuss with an employer or any person appointed by him for the purpose the grievances of its members employed in his undertaking;
 - iii) to inspect, if necessary, in any undertaking any place where any member of the union is employed."

The following section completely dispells our fears regarding the possibility of not being granted status of Approved Union even after we make necessary provisions in the Constitution and surpass Rashtriya Mill Mazdoor Sangh in size of membership. Section 23(4) reads -

"Any union complying with the conditions specified in sub-section(1) and having a larger membership in an industry in a local area than an approved union for such industry shall on application in that behalf be entered in the aproved list in place of such approved union."

For some time past the trend of thought in the Central Labour Ministry and under its influences in the Tripartite Labour Conferences is leaning, of course under pressure of environments, towards providing for expeditious settlement or decision of industrial disputes and towards recognition of at least the minimum rights of the working class and the place of the working class in the life of our country as it is developing. This background which is altogether different from the one which, existed at the time of the framing of the 'Black Act' and of its further development to a darker ^{hue} ~~view~~ till recently, may be sufficient reason for us to re-examine our position in the matter especially in the context of the united and organised way in which Bombay's textile worker promises to forge ahead.

CONSTITUTION AND RULES OF THE MUMBAI GIRANI KAMAGAR UNION.

NAME

1. The name of the Union shall be the Mumbai Girani Kamagar Union and it shall, in the following rules, be referred to as the "union".

OBJECTS

2. (A) The objects of the Union shall be :-

- (a) to organise and unite the persons employed in the Cotton T-extile Industry in the Greater B-ombayCity and to regulate their relations with their employers;
- (b) to secure to the members fair conditions of life and service;
- (c) to try to redress their grievances;
- (d) to try to prevent any reduction of wages, and if possible, to obtain an advance whenever circumstances allow; ~~and on~~
- (e) to endeavour to settle disputes between employers and employees amicably so that cessation of work may be avoided.
- (f) to endeavour to provide against sickness, unemployment, infirmity, old age and death;
- (g) to endeavour to secure compensation for members in cases of accidents under the Workmen's Compensation Act;
- (h) to provide legal assistance to members in respect of matters arising out of or incidental to, their employment;
- (i) to endeavour to render aid to the members during any strike brought about with the sanction of the Union or lock-out
- (j) to obtain information in reference to the industry in India and outside;
- (k) to co-operate with organisations (of Labour), particularly those having similar objects, in India and outside,
- (l) to help, in accordance with the Indian Trade Unions Act, the working classes in India and outside in the promotion of the objects mentioned in this rule; and
- (m) generally, to take such other steps as may be necessary to ameliorate the social, economic, civic and political conditions of the members.

ADMISSION OR ORDINARY MEMBERS.

3. Any person employed in the Cotton Textile Industry in Greater Bombay City, who has attained the age of 15 years

shall be entitled to become an ordinary member of the Union on payment of ~~an admission fee of~~ ~~four annas~~ and a monthly subscription of four annas provided he agrees to abide by rules and bye-laws that may be made by the Union from time to time.

ADMISSION OF HONORARY MEMBERS

4. Persons who are not eligible to become ordinary members of the union may be admitted as honorary members of the Union by the General Council for purposes of being elected or co-opted to the Managing Committee and they shall be honorary members of the Union during the period of their Office. Subject to the provisions of section 22 of the Indian Trade Unions Act, 1926, their number shall not exceed thirty five.

FINES AND FORFEITURES

5. A member failing to pay his monthly subscription for six months with the permission of the Managing Committee or three months without the permission of the said Committee, shall cease to be a member of the Union. But he shall be entitled to rejoin the Union on paying his arrears.

BENEFITS

6. No member of the Union shall be entitled to any benefits that the Union may decide to give to its members unless he has been a member for at least six months and has paid all contributions.

7. A member of the Union who is in arrears with his subscription or dues shall not be entitled to any benefits until all arrears have been paid and a period of two months has elapsed from the date of payment of such arrears.

8. Should the members of the Union go on strike without the sanction or approval of the Managing Committee, they shall not be entitled to any benefits whatever.

REGISTER OF MEMBERS

9. The Union shall keep a register of all its members containing their names and particulars of their place of work, their residence, etc.

10. The register shall be open to inspection by any member or Officer of the Union at the Head Office during the hours during which the Office of the Union is open

on any week day excluding holidays.

OFFICE BEARERS

11. The Union shall have a President, not more than six Vice President, a General Secretary, ^{five} Secretaries and Treasurers (two). All of them shall be elected at the Annual General Meeting of the General Council of the Union and they shall be eligible for re-election.

MANAGEMENT OF THE UNION

12. The Managing Committee, subject to the provisions of Section 21 of the Indian Trade Unions Act, 1926, the affairs of the Union, financial and otherwise, shall be conducted by a Managing Committee consisting of the Office-bearers and not more than 125 other members elected at the annual general meeting of the General Council of the Union in such a way as to guarantee at least one representative to each ~~one of the 65~~ Cotton Textile Mills in Greater Bombay. The same Managing Committee will continue functioning till the new one is appointed.

VACANCIES AND REMOVALS

13. Should a vacancy occur among the office-bearers or the members of the Managing Committee it shall be filled by the Managing Committee by co-option.

14. Any office-bearer of the Union or a member of its Managing Committee can be removed by the General Meeting of the General Council by a three-fourths majority for committing any fraud or having acted against the interests of the Union, provided the office-bearer or the member to be removed is given adequate opportunity to explain his conduct.

MEETINGS OF THE MANAGING COMMITTEE

15. The Managing Committee shall meet once a month on such days and at such place as may be fixed by the General Secretary in consultation with the President.

16. The presence of at least one-third members of the Managing Committee shall be necessary to form a quorum. No quorum is necessary for adjourned meetings.

17. At least three days' notice shall be given for a Managing Committee meeting.

DUTIES OF THE OFFICE-BEARERS

18. The President and the Vice-Presidents :- The President shall preside over all meetings of the Union and the Managing Committee, preserve order, sign all minutes and shall be allowed to give a casting vote only. The President shall have power, if necessary, to call special meetings of the Managing Committee or of the Union, whenever necessary. One of the Vice-Presidents shall function in place of the President in his absence.

19. The General Secretary :- The General Secretary, shall take minutes of all union and committee meetings, conduct all correspondence, convene all meetings, keep all accounts, exercise a supervision over the affairs of the Union and shall also keep a correct account of all receipts and expenditure. He shall prepare a balance-sheet annually ^{in the prescribed form} ~~showing clearly every item~~ ~~of receipts and expenditure~~. He shall be responsible for submitting to the Registrar of Trade Unions all returns and notices that should be sent to that officer under the Indian Trade Unions Act, 1926. He shall have power to engage, in consultation with the President and subject to the approval or confirmation of the Managing Committee, any assistants for organising and clerical purposes he considers necessary, and all such assistants shall be under the control of the General Secretary.

20. The Secretaries :- The Secretaries shall generally help the General Secretary in his work.

21. The Treasurer :- The Treasurers shall be responsible for all sums of money which may from time to time be paid into the union and for duly banking them. He shall make payments towards all expenditure sanctioned by the Managing Committee. They shall not have the power to draw money from the Bank without first having the cheque signed by the President or the General Secretary.

22. Secretariat:- The President, the General Secretary, the Vice Presidents, The Secretaries and the Treasurers together shall constitute the Secretariat of the Union. The Secretariat shall meet as and when necessary on ~~the~~ at least one day's notice in the office of the Union. An emer

office of the Union. An emergency meeting of the Secretariat may be called on a notice ~~on a notice~~ of twelve hours. The presence of atleast eight members of the Secretariat shall be necessary to form a quorum. ~~The Secretariat shall take all the day to day decisions and do all the day to day work of the Union in accordance with the policies laid down by the Managing Committee and the General Council of the Union. The Secretariat shall function on the principle of near unanimity.~~

*the by the
the General
secretary
the members*

THE GENERAL COUNCIL

23. The General Council of the Union shall be constituted of all the representatives of the members of the Union, elected by them on a Mill wise basis in the proportion of one representative for every 200 members or a part thereof exceeding hundred. Elections for the General Council shall be conducted by the Secretariat every year ordinarily in the month of February or March. (Provided that every mill shall have at least one representative.)

GENERAL MEETINGS.

24. There shall be held in the month of April or May an Annual General Meeting of all the members of the General Council of the Union, to transact the following business :-

- a) To adopt the report of the work done by the Union and the audited statement of accounts;
- b) To elect the Office-bearers and other members of the Managing Committee for the current year; and
- c) To transact such other business as may be brought forward with the permission of the Chairman.

25. The President or the General Secretary may call a General Meeting of the members of the General Council of the Union whenever he thinks necessary and shall call it on a requisition signed by one fifth of the total strength of the General Council of the Union or by 5% members of the union within twenty days of the receipt of the requisition. In case the President or the General Secretary fails to convene such a meeting the requisitionists themselves shall call a meeting after due notice and the proceedings of the meeting shall be binding on the Union.

26. At least 15 days' notice shall be given to the members for a General Meeting.

27. The presence of at least one-third members shall be necessary to form a quorum at a general meeting. No quorum is necessary for adjourned meetings.

28. Mill Committees :- There shall be a mill Committee of the Union for conducting the work of the union and on behalf of the union in every Mill. The Committee shall consist of representatives of the members of the union in that mill, elected annually in the proportion of one representative for every 50 members. The Secretariat shall arrange elections for Mill Committees along with the elections for the General Council every year. Members of the General Council from a Mill shall be exofficio members of the Mill Committee. Mill Committee shall elect its own President and Secretary. Members of the Mill Committee shall have the right to be re-elected. *The functions of the Mill Committees shall be defined & Regional*

28 A. Centre Bodies :- Union may constitute ^{of} Centre bodies to co-ordinate the working ^{of} the union activities in a group of mills of a particular area, carried through the respective mill committees. *Regional*

29. General :- (A) All resolutions passed by the Secretariat, Managing Committee or the General Council of the Union shall be recorded in a minute book kept for that purpose;

(B) Every industrial dispute in which a settlement is not reached by conciliation shall be offered to be submitted to arbitration and that arbitration under chapter XI shall not be refused by the Union in any dispute;

(C) No strike shall be sanctioned or resorted to by it unless all the methods provided by or under this Act for the settlement of an industrial dispute have been ^{exhausted} exhausted and the majority of its members vote by ballot in favour of such strike.

(D) The Union shall not enter into any agreements with the millowners unless it has obtained prior sanction of the workers who are likely to be affected by such an agreement by some suitable method such as a public meeting or vote by ballot, which may be decided for the purpose by the Secretariat.

GENERAL FUNDS

30. The General funds of the union shall consist of the subscriptions from members, donations, etc. They shall be deposited in a Bank or Banks, approved by the Managing Committee in the name of the Union and the account shall be operated by ^{any one of the two} the Treasurers and ~~any one~~ of the President or the General Secretary. The General Secretary or the Treasurer shall not keep more than Rs. ~~50/-~~ with him for current expenses.

OBJECTS ON WHICH THE GENERAL FUNDS CAN BE EXPENDED

31. Subject to the provisions of Section 15 of the Indian Trade Unions Act, 1926 the General funds of the Union shall not be spent on any other objects than the following namely :-

- a) the payment of salaries, allowances and expenses to officers of the Union;
- b) the payment of expenses for the administration of the Union including audit of the accounts of the general funds of the union;
- c) the prosecution or defence of any legal proceedings to which the Union or any member thereof is a party when such ^{prosecution} prosecution or defence is undertaken for the purposes of securing or protecting any rights of the Union as such or any rights arising out of the relations of any member with his employer/or with a person whom the member employs;
- d) the conduct of trade disputes on behalf of the Union or any member thereof;
- e) the compensation of members for loss arising out of trade disputes;
- f) allowances to members or their dependants on account of death, old age, sickness, accidents or un-employment of such members;
- g) the issue of, or the undertaking of liability under policies of assurance on the lives of members, or under policies insuring members against sickness, accident or
- h) the provision of educational, social or religious benefits for members (including the payment of the expenses of funeral or religious ceremonies for deceased members) or for the dependants of members;

i) the upkeep of a periodical published mainly for the purpose of discussing questions affecting employers/ or workmen as such ;

j) the payment in furtherance of any of the objects on which the general funds of the Union may be spent, or contributions to any cause intended to benefit workmen in general, provided that the expenditure in respect of such contributions in any financial year shall not at any time during the year be in excess ~~more~~ of one-fourth of the combined total of the gross income which has up to that time accrued ~~to~~ the general funds of the Union during that year and of the balance at the credit of those funds at the commencement of that year and

k) Subject to any conditions contained in the notification, any other object notified by the appropriate Government in the Official Gazette.

ANNUAL AUDIT

32. The Union shall make due provision for the annual audit of the accounts of the Union by competent auditors appointed by the Managing Committee in accordance with rule 18 of the Bombay Trade Unions Regulations, 1927, and an auditor appointed by the Government may audit its accounts at least once in each financial year.

INSPECTION OF BOOKS OF ACCOUNTS

33. The books of accounts of the Union shall be open to the inspection of any member or officer at the head office of the Union during the hours during which the office of the union is open on any day excluding holidays.

AMENDMENT OF RULES

34. The rules may be amended, altered, replaced, rescinded or added to at any time by majority of the members present at a General Meeting provided previous notice of at least seven days is given to the members of the proposed alterations.

DISSOLUTION OF THE UNION

35. The Union shall not be dissolved except by the vote of a majority of three fourths members present at a General Meeting called for the purpose, provided the total number of votes cast at such a meeting is not less than two-thirds of ~~vote~~ the total number of the members then on the rolls of the Union.

The funds of the Union after meeting all the liabilities shall be disposed of in accordance with the decision of the dissolution meeting.



DELHI CLOTH MILLS

DIRECTORS, THE DELHI CLOTH
GENERAL MILLS CO., LTD.

BARA HINDU RAO
POST BOX NO. 1039
DELHI.

to. 40767

Date 21st Feby 1959

The Director of Industries & Labour,
1, Rajpur Road,
Delhi.

Dear Sir,

We have to invite your attention to our letter No.LO/753 dated 18.2.1959 whereby we informed you about the proposed hunger strike by two workers formerly engaged by the Tailoring Contractor. The hunger strike has since been started from 2 P.M. on 19th Feby 1959 at the officers' gate of our mills and the same is continuing.

The above hunger strike has been engineered by the Kapra Mazdoor Ekta Union which is evident from the fact that since the hunger strike has been started, Sri B.D.Joshi, General Secretary of Kapra Mazdoor Ekta Union, Sri Narain Prasad, Joint Secretary and Sri Baldeo Singh, Vice President of the union have been holding demonstrations and delivering highly provocative speeches at the gate. Copies of the text of speeches delivered by them on 19.2.59 at 10.30 A.M. (Annexure A) and at 2-30 P.M. (Annexure B) are attached herewith for your information.

Since 19.2.59 such demonstrations accompanied with shouting of offensive slogans and provocative speeches are being held several times every day by the executives of the Ekta Union who are attempting to exploit the workers' sentiments on the pretext of the hunger strike and to foment trouble in our factory.

In order to explain the whole facts behind the hunger strike and to apprise them of the correct position the management has issued a leaflet and distributed the same among the workers with a view to prevent them from being misled. A copy of the said leaflet is also enclosed herewith.

We request you to please look into the matter and take necessary action immediately.

Yours faithfully,


GENERAL MANAGER

✓ Encls. 3

Copy to General Secretary, Trade Union Congress, 4 Ashoka Road
New Delhi.

770
21/2/59

आज ता० १६-२-५६ को रात १०-३० बजे से ११ बजे तक वकीर गेट पर १०० कारीगरों के बीच में तकरीर करती हुए मुन्शी नारायण प्रसाद ने कहा कि साधियों यह तो आप लोगों को मालूम है कि यहाँ पर ठेकेदारी सिस्टम बहुत जोरों पर है और इस ठेकेदारी सिस्टम की ख़तम करणी के लिए यूनियन ने धाँच उठा रखा है। देखना क्या यह गिज़ में एक छोटा सा दरज़ी खाता है जिस में २००-२५० दरज़ी काम करते हैं, इन बेचारों की हर दूसरे तीसरे साल जानबूझ करती रहती है, क्योंकि कि कम्पनी ठेकेदार को बदलती रहती है और जो कम रेट में ठेका ले उसी को कम्पनी बढ़ा कर देती है। जहाँ एक दूसरे ठेकेदार आए थे जिन्होंने बहुत कम रेट पर ठेका लिया और जब महंगा पुरा हुआ तो इन ठेकेदारों को ठेकेदार ने तनज़ा देने से इनकार कर दिया। आज़िज़ इन लोगों ने काफी दौड़ धूम की और बड़ी मुश्किल से अपनी तनज़ा ले पाए। कम्पनी ने इस ठेकेदार को भी निकाल दिया, जब यह मज़दूर पाठक साहिब से मिले और कहा कि साहिब अब हम काम किस के सहारे करें अब हमें तनज़ा कौन देगा, तो पाठक साहिब ने साफ़ इनकार कर दिया कि माई इस की ज़ुम्मेदारी कम्पनी की बिल्कुल नहीं होगी काम करो या न करो। अब देखिये कि काम तो करें इस गिज़ में ज़ुम्मेदारी और कौन ले, इस बात पर इन लोगों ने ता० १३-२-५६ को मुज़ाहिदा भी किया किन्तु कोई सुनाई नहीं हुई आज़िज़ को मरता क्या नहीं करता, अब इन लोगों ने गांधी जी के बतार हुए रास्ते पर चलना शुरू किया है। गांधी जी कहा करते थे कि 'करो या मरो' उस का मतलब था कि मरो या मारो। इसलिए बोसों इन लोगों ने जान का बाज़ी लगा दी है और आज साढ़े तीन बजे से जो बहादुर साधी मूक हड़ताल पर बैठ गए हैं। जिन्होंने हीसला अफ़ज़ाई आप लोगों ने करनी है। हर घुट्टी के टाइम पर आप लोगों को उन के पास जाना चाहिए और आइन्दा गेट मीटिंग भी उसी गेट पर किया करें। आप लोगों को यह मालूम होना चाहिए कि यह दरज़ी खाते के मज़दूर बड़े लड़ाके और बहादुर मज़दूर हैं। और हर खाते के मज़दूरों से जाने कलने वाले हैं। जोशिला वालों का फायज़ा चला उस में भी सबसे आगे चले और कई ऐसे मौके आए हैं जिन में कि इन साधियों ने राव से जाने कदम रखा है, इस लिए मैं आप लोगों से अपील करता हूँ कि इन बहादुर साधियों का आप पूरा पूरा सम दें। आज कम्पनी ने इन को निकाल कर बाहर कर दिया है जल को आप लोगों पर भी यह बात आने वाली है। दरज़ी शिकायतें अब भी हमारे पास आई हुई हैं कि कम्पनी ज़बरदस्ती रिटायर करने ला रही है क्योंकि कि महंगारों का फेस ज़वास्त में चल रहा है अगर इन लोग जात गए तो कम्पनी ने काफी पैसा देना पड़ेगा इसलिए पहिले से ही पुराने २ आदमियों को रिटायर करना शुरू कर दिया है और नई महंगारों लाई जा रही हैं जिस से १० आदमियों ०

का काम २ आदमियों से ही लिया जायगा और इस दरजी खाते के बन्द करने से फोटो लिखें और रंग खाते के मजदूरों पर भी आफत आसगी । इन दोनों खातों से कितने ही कारीगर बेकार कर दिए जायेंगे । और इस का असर बुनता और दूसरे खातों पर भी लाजमी पड़ेगा । कम्पनी ने इस दरजी खाते को उठा कर स्वतंत्र भारत मिल में भेज दिया है और यहां से माल ट्रकों पर लाद कर वहां भेजा जाया करेगा । अब देखिए ट्रांसपोर्ट का कितना सर्वा बढ़ गया और वह सब हमारे बोनस में से ही पूरा होगा ।

स्वतंत्र भारत मिल में भी दो कारीगरों ने खाता इन्चार्ज के दफ्तर में मूस हड़ताल कर रसी है । उभर खाद समस्या पर जाल जाल मूस हड़ताल चल रही है और सरमायदार और सरकार को दमन चक्की मजदूरों पर बड़ी तेजी से चलाई जा रही है । मिल मालिक अपनी पालिसी के तहत पाठक जी को यहां लाए और पाठक जी मजदूरों को मूस मरो के मुंह में धकेल रहे हैं । ऐसा ही उन्होंने स्वतंत्र भारत मिल में किया था । कितने ही मजदूरों को निकाल बाहर किया और कितने ही मजदूरों को सजाये करवाई । यहां पर भी उन्होंने जाते ही वही काम शुरू किया और यूनियन से तीन बड़े कार्य कर्ता निकाल कर बाहर कर दिए । पाठक जी यह न साँचे कि यह बाहर ही रहेंगे । जवाबदा से जोते गे तो जीतेगे करना डंडे के ज़ोर से मिल में आसगे । मिल हमारा है और हम मिल में काम करेंगे । एक दिन वह जायगा कि इन सब को यहां से भगा दिया जासगा और मिल पर मजदूरों का कब्जा होगा ।

एक बात और मैं आप लोगों को बतला देना चाहता हूँ कि दिल्ली कलाय मिल के अफसरान हज़ारों रुपया तनज़ा से हलावा वेष्टमानी करके ले जाते हैं मगर कम्पनी इन से कोई स्कान नहीं लेती क्यों कि इस कम्पनी का यह रूल है कि ५० हज़ार रुपया का मुनाफ़ा दिखा कर कोई भी अफसर कितना ही खा जावे । इससे कोई स्कान नहीं लिया जाता । इस लिए दोस्तों आप लोगों को एक ही कर चलना है और यूनियन की दो हुई लाईन पर जमल करना है । अब यूनियन ने यह तह कर लिया है कि नैनीताल कानफ़ेन्स के फिर गर फ़ैसलों पर कोई अमल नहीं किया जायगा यों कि सरमायदार तो शुरू से ही अमल नहीं कर रहे हैं और सरकार को भी अच्छी तरह से डेस लिया है । तमाम सरकारी मशीनरी को आजमाया कर चुके हैं । बोनस और निकाले हुए ताधियों का बावत तमाम जाल धूम लिए मगर कोई सुनाई नहीं हुई । कहां है वह अमन कमेटी जो सरकार ने बनाई थी । इस लिए दोस्तों यूनियन का यह कहना है कि जब शान्ति का ज़माना नहीं है, सहयोग को ज़रूरत नहीं । जब तो असहयोग से ही काम लेना पड़ेगा । हमें किसी मास्टर या लाला जी या पाठक जी से कोई ज़ाती दुश्मनी नहीं है, हमें उन के नापाक हरादों और उन के काम से दुश्मनी है, जिस से कि मजदूरों को पसना जा रहा है ।

पाठक जी ने किला बन्दी शुरू कर दी है, तमाम मिल के गेटों पर लोहे की चदरे लगावा दीं, कंटीन का दरवाज़ा बन्द करके मिल के अन्दर खोल दिया ।

सत्यवती पार्क में किला बन्दी करा दी वगैरह २ । इसलिए हम इस पाठक को
चेतावनी देते हैं कि वह भूल जाये इस चीज को कि मज़दूर दब चुका है । यह बोनस
का मसला नहीं है कि मज़दूरों को पैसे की ज़रूरत थी इस लिए तुम ने प्रमाण पत्र
लिखवा कर बोनस बांट दिया और यह समझ लिया ही कि दिल्ली क्लाइम मिल
का मज़दूर दब गया है । यह कभी नहीं हो सकता और इन दरज़ी हाते वालों का
फ़सला कम्पनी ने नहीं किया तो जो भी अशान्ति मिल में होगी वह तारो मैनेजमेंट
और यहां के मैनेजर पाठक की होगी । मज़दूरों की नहीं होगी । इसके बाद मीटिंग
बरखास्त हुई और नारे लगार गर ।

नारे:- इन्कलाब जिन्दाबाद, दुनियां भर के मज़दूरों एक ही जावों, दरज़ी
हाते वाले ज्या जावों है- इन्साफ़ चाहते हैं, पाठक शाही नहीं चलेगी नहीं चलेगी,
गुन्हा गदीं नहीं चलेगी ।

Amesbury

नकल गेट मीटिंग स्कता यूनियन ता० १६-२-५६

ता० १६-२-५६ को २-३० बजे दिन दर्जी खाता के कारीगरों ने फाँडे लिए हुए वकीर गेट पर इकठे हुए और दो कारीगर श्री लख राम व महेन्द्र सिंह के गले में फूलों के हार डाल कर लाये । जिन के साथ में बी० डी० जोशी - मुन्शी नारायण प्रसाद और बलदेव सिंह मौजूद थे । बूट्टी के टाईम पर लोगों को रोका गया और गेट मीटिंग की । गेट मीटिंग में २००-२५० कारीगरों ने भाग लिया और मुन्शी नारायण प्रसाद, बी० डी० जोशी और बलदेव सिंह ने तक्रारें कीं । मु० नारायण प्रसाद ने कहा कि साथियो मेनजमेन्ट ने दर्जी खाता को अब बिल्कुल जवाब दे दिया है कि हम ने ठेकेदारी सिस्टम खत्म कर दिया है । दर्जी खाता के कर्मचारियों की बात चीत ना कामियाब होने के बाद वे हमारे स्कता यूनियन के दफ्तर में आर कि आप हमारा किस अपने हमथ में ले अदालत में यह किस चल रहा है कि कम्पनी किसी भी कारीगर को जो कि मिल हदूद के अन्दर काम करता हो वह निकाल नहीं सकती । कम्पनी की यह चाल है कि पहले दर्जी खाता को साफ़ कर दिया जाए । बाकी एक के बाद दूसरे को देखा जायगा । हमारे पास २४ दर्जी भाईयों के नाम बरार भूस हड़ताल जो कि गांधी जी का आखरी हथियार बताया हुआ है आ चुके हैं । जिनमे २ दर्जी ३-३० बजे दिन आफिसर गेट के बाहर भूस हड़ताल शुरू करेंगे । हर मौके का इन दर्जी भाईयों ने दूसरे खाता को साथ दिया है । तुम्हे भी चाहिए कि अब इन की इमदाद करे क्यों कि स्कता का नारा है कि एक हो जाओ । स्कता के मतलब को समझो और उस पर अमल करो । २०० कारीगर दर्जी भाईयों को और एक हजार उन के बाल बच्चों को कम्पनी ने भूस मरी के मुह में डाल दिया है सरकार भी सरमाया दारो की है । सरमायदार १२ रूपया मन गेहूँ खरीदता है और उसी गेहूँ को २५ रूपया मन फ़रोख्त करता है अगर आज भी सरमायदारों का मुकाबला नहीं करें तो आगे चल कर इस का बुरा हसर होगा ।

बी० डी० जोशी ने कहा कि भाईयो दिल्ली कलाथ मिल में जब से श्री पाठक जी आये है उसी दिन से हिटलर की तरह तोड़ फोड़ शुरू कर दो कम्पनी ने ऐसी मशीनरी का हुजम दिया है जहां की १५ मज़दूर काम करते हैं वहां सिर्फ़ दो ही कारीगर काम करेंगे । उन की जगह पूरी नहीं की जायगी । पाठक साहब ने हमारे सामने कई फ़रेंट खोल दिए हैं । एक अदालती कारवाई दूसरे चार्ज शीट तीसरे रिटायरमेन्ट इस वक्त हमारे सामने महंगाई मते का केस बहुत भारी है । जिस को हम लड़ रहे हैं । इसलिए वक्त की कमी की वजह से आप भाईयों के सामने जा कर गेट मीटिंग करने का समय मौका नहीं मिलता । स्वतंत्र भारत मिल के अन्दर पाठक साहब ने किला बंदी कर रखी थी कि कोई भी आदमी बीड़ी पी नहीं सकता । इकठा मिल के बैठ नहीं सकते । इस पाठक शैतान दिमाग ने ५०० मज़दूरों को सज़ारं दिलवाई । मुझे याद है ७ जुलाई १९४६ का वाका

दर्जी खाते के आंदोलन के बारे में

गत दिसम्बर के अन्त में हर मास की तरह इस साल भी तौलियों की सिलाई के ठेके के टेण्डर खोले गए और जिस पार्टी का टेण्डर सब से ज्यादा ठीक समझा गया उसे कम्पनी ने मंजूर कर लिया। पुराने ठेकेदार का टेण्डर ऊंचा होने की वजह से मंजूर नहीं हो सका और १९५६ का ठेका एक नए ठेकेदार सर्वश्री नानिक जलवानी एण्ड कम्पनी को यथाविधि दे दिया गया। लगभग ४० दिन काम ठीक तौर से चलता रहा। १० फरवरी १९५६ की शाम को ठेकेदार के मातहत काम करने वाले उसके कारीगरों ने मुझसे यह शिकायत की कि उन्हें जनवरी की तनखाह उनके ठेकेदार ने नहीं दी है और वे इस मामले में चाहते हैं कि मैं दखल देकर उनकी तनखाह उनको दिलवा दूं। करीब एक घण्टे तक उनकी शिकायतें जाती तौर पर सुनकर मैंने यह कहा कि ठेके की शर्तों के मुताबिक तनखाह देने की जिम्मेदारी ठेकेदार की ही है लेकिन अगर ठेकेदार के बिल वगैरह के मामले में कुछ देर है तो कम्पनी ठेकेदार को बिल की अदायगी के मुकाबले पेशगी रूपया दे सकती है। ठेकेदार के कारीगरों के बहुत प्रार्थना करने पर ठेकेदार को रात ही में रूपया मंगा कर दिया गया और उन सब आदमियों को जोकि १६२ में से १३६ थे, ठेकेदार ने उसी रात को तनखाह बांट दी। बाकी जो ५६ आदमी पाँके पर मौजूद नहीं थे, वे दूसरे दिन सिलाई खाते में, जहाँ ठेकेदार के दूसरे आदमी काम कर रहे थे, पहुँचे और चलता हुआ काम बन्द करा दिया। इन में से कुछ आदमियों ने फिर मुझसे प्रार्थना की और कहा कि ठेकेदार पर ज़ोर देकर उनकी भी तनखाह बंटवा दी जाए। एक्सपोर्ट के तौलिये सिलाई में बन्द हो जाने के कारण, कम्पनी के माल सप्लाई का वादा पूरा न हो सकने के खतरे की वजह से, कारीगरों को सलाह दी गई कि वे अपना काम न छोड़ें ताकि न तो उनकी दिहाड़ी मारी जाए और न ही कम्पनी के एक्सपोर्ट के माल का नुकसान हो। उन सभी कारीगरों ने यह यकीन दिलाया कि उनकी हड़ताल की वजह सिर्फ तनखाह का न मिलना ही था और वे फौरन काम शुरू कर देंगे और भविष्य में कभी ऐसी गलती नहीं करेंगे।

ठेकेदार के फिर पेशगी मांगने पर बिल का हिसाब ठीक न होने पर भी इतना रूपया उसे दे दिया गया जिससे १३ फरवरी को बचे हुए सभी आदमियों की तनखाह बांट दी गई। हड़ताल के कारण १२ फरवरी को ही ठेकेदार को नोटिस दे दिया गया कि बन्द हुए काम को वह ४८ घण्टे की मियाद में शुरू करा दे, वरना ठेके की शर्तों के मुताबिक कम्पनी को मजबूर होकर उसका ठेका खत्म कर देना पड़ेगा। ठेकेदार द्वारा १३ फरवरी को तनखाह बांट दिये जाने पर भी कुछ बहकाने वाले लोगों की बात में आकर ठेकेदार के आदमियों ने काम शुरू नहीं किया और नोटिस की ४८ घण्टे की मियाद खत्म होने के बाद १४ फरवरी की शाम को ठेका खत्म हो गया। ठेकेदार ने कारीगरों के हड़ताल न छोड़ने की खबर और अपनी मजबूरी की इजला कम्पनी को दे दी।

१३ फरवरी को कारीगरों की तनखाह बंट जाने के बाद और ठेका खत्म होने के पहले शाम के वक्त दर्जी खाते के कारीगरों ने मिल से अक्टूबर मास के माँअचल फिर हुए

कुछ मजदूरों के नेतृत्व में एक जुलूस निकाला, जिसमें उन्होंने दो अर्थियाँ बनाईं। एक अर्थी को उन्होंने मिल के दरवाजे पर लाकर जलाया, लोगों में नफरत और हिंसा पैदा करने वाली तकरीरें कीं और दूसरी अर्थी को जुलूस में कम्पनी के फोर्निंग विभाग के बड़े अफसर मलिक साहब के घर पर ले गए। वहाँ मलिक साहब को बाधा देने के लिए ललकारा और जब कि मलिक साहब अपनी माता के साथ दुर्घटना हो जाने के कारण अपनी एक विपत्ति में दुखी थे, अनेक प्रकार की दुष्प्रति गालियाँ दीं, अपमानजनक बातें कहीं, उनके घर को जला देने के लिए जुलूस के आदमियों को भड़काया और उनकी पत्नी और उनके बच्चों के दिल को ठेस पहुंचाने के लिए उनकी अर्थी वहीं उनके दरवाजे पर जला कर नफरत और गुस्सा फैलाने वाली तकरीरें कीं। उसके बाद उसी अर्थी के पास कबाल किया की गई और अनेक विन्दनीय नारे लगाए गए। यह सब अफसरों के उन क्वाटरों के बीच में मलिक साहब के मकान पर हुआ। यह बता देना जरूरी है कि मलिक साहब अपने शांत स्वभाव और बड़े व्यवहार के कारण उनके खाले के कारीगरों में, आस्पार के पड़ोसियों में और मिल परिवार के सभी अफसरों में अत्यन्त लोकप्रिय हैं। इस ठेके के मामले में न उन्होंने कभी किसी के साथ कोई कुर्बानवहार किया है, न कोई भी ऐसा कार्य किया है जिसे ठेकेदार के किसी भी आदमी से घुमा फिरा कर भी कभी अन्याय या कड़ा व्यवहार कहा जा सके।

गत १८ फरवरी को शाम के समय जब कि मलिक साहब अपनी गाड़ी में अपने घर जा रहे थे, दर्जी खाले के कारीगरों के जुलूस ने जोकि सड़क पर जा रहा था, उनकी मोटर पर फण्डों की लाठियों से प्रहार किया और गाड़ी रोकने की चेष्टा की। यदि मलिक साहब उस समय गाड़ी रोक देते तो ये नादान और नतीजे से ग्राफिल जुलूस वाले क्या कुछ न करते और उसका परिणाम इन जुलूस वालों के लिए और सभी के लिए कितना दुःखदायी सिद्ध होता, इसका सही अन्दाजा हिंसा और नफरत को प्रचार करने वाले और प्रहार और हत्या के लिए भड़काने वाले शायद ठीक ठीक तनका नहीं या रहे हैं। १८ फरवरी से दर्जी खाले के दो कारीगर मिल के कारीगरों में फूठी अफवाहें फैला कर नफरत और गुस्से की आग सुलगाना चाहते हैं और दर्जी खाले के लिए भूख हड़ताल कर रहे हैं, ऐसा प्रचार कर रहे हैं। इनके नेता लोग जैसी आग सुलगाने वाली, बनारनाक, मड़कीली और मिल के ऊंचे अफसरों के नाम ले ले कर उनके खिलाफ जाती दुर्घटना दिखाने वाली तकरीरें कर रहे हैं, उनसे उनके इरादों का पता चलता है। एक्सपोर्ट के माल की सिलार्ड बन्द हो जाने से कम्पनी का और देश का जो जबरदस्त नुकसान हो रहा है, उसी का दवाब डाल कर मिल के मजदूरों में गलत तरह की हमदर्दी पैदा करना ही इस आन्दोलन का उद्देश्य है।

जैसा कि समय समय पर कारीगरों को बातों का ठीक ठीक रूप हमने अपना कर्तव्य समझ कर बताया है, उसी के अनुसार हम अपना कर्तव्य समझते हैं कि सब बातें कारीगरों के सामने रख दी जाएं और वे स्वयं इस आन्दोलन के चलाने वालों का मकसद समझ कर खुद ठीक रास्ते पर चलते रहें और बापू के पूज्य नाम के साथ जोड़ कर किए जाने वाले छोटे कामों को समझें और किसी के वहकावे में आकर कोई गलत काम न करें। दिल्ली क्लाय मिल

और उससे संबंधित दूसरे मिलों के मजदूर सच भूठ परखने की जुद्ध रखते हैं और सदा की तरह शांति पूर्वक अपना मार्ग ठीक ठीक बना कर चलना जानते हैं । हमारी तो परमात्मा से यही प्रार्थना है कि वे सब को सुखद्वि और सुविचार दें और खोटे मार्ग और खोटे कामों से बचारे ।

बृहस्पति पाठक

जनरल मैनेजर

दिल्ली -लाध मित ।

ALL-INDIA TRADE UNION CONGRESS
4 Ashok Road,
New Delhi

261

February 23, 1959

Com. B. D. Joshi,
General Secretary,
Kapra Mazdoor Ekta Union

Dear Com. Joshi,

We have received further complaints from the Delhi Cloth Mills. Now they have sent reports about the gate meetings on 19th inst. ~~work~~ in both the shifts and also complained about the hunger strike.

Will you please find time to drop in our office any time to discuss this matter?

You being our representative in the E&I Committee, it is very essential that the more cautiously we should move and also see to it that we send report of the incident to the Labour Ministry from our side properly.

With greetings,

Yours fraternally,

non
Feb 23
(K.G. Sriwastava)
Secretary

ALL-INDIA TRADE UNION CONGRESS
4 Ashok Road,
New Delhi

261

February 23, 1959

Com. B.D. Joshi,
General Secretary,
Kapra Mazdoor Ekta Union

Dear Com. Joshi,

We have received further complaints from the Delhi Cloth Mills. Now they have sent reports about the gate meetings on 19th inst. ~~times~~ in both the shifts and also complained about the hunger strike.

Will you please find time to drop in our office any time to discuss this matter?

You being our representative in the E&I Committee, it is very essential that the more cautiously we should move and also see to it that we send report of the incident to the Labour Ministry from our side properly.

With greetings,

Yours fraternally,

K.G. Sriwastava
4 Feb 59
(K.G. Sriwastava)
Secretary

25 FEB 1959

PHONE : 24011 (4 LINES)
GRAMS : "YARN"

261

DELHI CLOTH MILLS

PROPRIETORS : THE DELHI CLOTH
GENERAL MILLS CO., LTD.

BARA HINDU RAO
POST BOX NO. 1039
DELHI.

No. 4/777

Date 23rd Feby 1959

The Director of Industries & Labour,
1 Rajpur Road,
Delhi.

Dear Sir,

In continuation of our letter No. L0/767 dated 21st Feby 1959 we have to inform you that the hunger strike at officers' gate of our factory, started by the two workers formerly engaged by a contractor of our mill, whose contract has been terminated, is continuing since 2 p.m. of 19th Feby 1959. From the after-noon of 21st Feby 1959 another man said to have been working under the same contractor has joined the hunger strikers.

Meetings and demonstrations are continuing to be held several times daily at our factory gates by Sri B.D. Joshi and his other comrades namely, Sri Asa Ram, Sri Baldeo Singh and Sri Narain Prasad, all of whom are office bearers of the Kapra Mazdoor Ekta Union. The speeches delivered by them in these demonstrations are continuing to be highly provocative and inflammatory.

We are herewith enclosing a copy of the speech delivered by Sri B.D. Joshi on the 21st Feby, 1959 at 3 p.m., at the workers' gate of our factory which is an unmistakable provocation to the workers and incitement to them to commit acts of violence against our officers. In the underlined portion of his speech he has made a reference to one Sri Dhanpat Singh, an ex-officer of our mills, whom the workers had brutally assaulted inside the mill premises some years back under the instigation of the Ekta Union. This reference by Mr. B.D. Joshi to the above noted incident clearly shows that he is out to incite workers to take recourse to similar assault on the officers of our mills.

We may also bring to your notice that while Sri B.D. Joshi was addressing the above said gathering at the workers gate brickbats were thrown by some of the workers assembled there in his presence and one brickbat struck watch and ward duty officer, Sri Damodar Singh at his chest inside the gate. The brickbat which struck him has been kept in the custody of our Watch & Ward department.

We need not mention that when persons like Sri B.D. Joshi preach and encourage violence and openly instigate workers to assault officers, it is only natural that dangerous consequence may follow.

Kindly look into the matter and take necessary action in time to prevent untoward occurrence.

Please treat this as very urgent.

Yours faithfully,

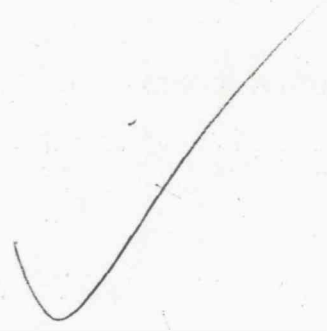
[Signature]
General Manager.

Encl. one.

ता० २१-२-५६ की रात को १०-२० बजे से ११-४५ तक ठेकर गेट पर स्थित
यूनियन की पाटिन में जो बा० डी० जी० का मासज :-

जो बा० डी० जी० :- साधिका] में पाठक को जो १९४६ से जानता हूँ जब यहाँ
दिल्ली क्लब मिठ में हड़ताल हुई थी और पाठक साहित्य का टीप एक नम्बर गेट
से ४ न० गेट तक मोटर से पहिच की तरह लुड़कता फिरता था । दिल्ली क्लब
मिठ के इतान विभाग वाले बाबे माजिरी ने स्त्री मतलब से लिए पाठक को यहाँ बुलाया
है । जब हमनी ने देखा कि स्त्री यूनियन मजिरी, ग्रेजुटी, टेम्परी, ठेकारों
और दूसरे कैरी को लड़ रही है तो पाठक यह वाक्या करके यहाँ जाया कि यह ४०००
कारिगरों से स्त्री ही प्रीडकान करेगा । जिस के लिए उसने कई नीचे डीठ दिए ।
बूढ़े बूढ़े कारिगरों को ज़बरदस्ती हटाकर करना शुरू कर दिया । २०० दर्जी वाले
वालों को निकाल बाहर कर दिया । बाप जीगों को पता होना चाहिए कि दर्जी
साता का मामला कोई क्या मामला नहीं । सात बाठ पाठ फाँटे का मामला है जब
हमनी दर्जी साता, लीकले वालों का मामला जॉर्ड में पेश किया था । स्त्री न ही कि
हम कामयाब ही जाएं इस लिए इन फाँटे वालों की यूनियन की बांध में फुड़ किया ।
हमें उस कारिगरों बाबे तरफ मुकाबिला करना पड़ रहा था । हमारा स्थाप ठंडी
लड़ाई लड़ी का जो फार उध इतान विभाग और कुँ के फाँटे वाले पाठक ने २००
बाधिका का मजल का किया । १९४६-४७ की हड़ताल में उस का यहाँ से मुह काटा
हुवा था और वह २०० बा० मिठ में का गया । बाबे भी उसी मिठ को पेश का
दिया । मिठ के बाबे तरफ दोवार सिंखाई, स्टाटर्स में से गिद दोवार सिंखाई ।
कोई बोड़ी सिगरेट यहाँ पा सकता था । कोई यूनियन का नाम नहीं ले सकता था ।
कमनी वाले हुए मुन्डीं बाबे लिए फटाँठ कराई । दर्जी कारिगरों को निकाला ।
लावार के ६ बाठ के संघ में से एक के निकले हुए मांधे ही कारिगरों को पिन पर
काल तक के हड़ताल है, हमनी बरी कराया, उन को जमानते कराई । जिस पर यूनियन
का ३०००० रुपये तक हुआ । यही मजल बाठ जब स्त्री यहाँ शुरू कर रहा है । बोनस
के समय भी हंड मिठ समवा कर दसवसत कर लिए जिस का कैप हम मजकूती से लड़
रहे हैं और हम उस बाठ के बोनस को लड़ाई लड़ कर पूरा समित इन से बरूठ करे । बाप
को याद होगा एक बार फतल ने भी स्त्री बोनस बंटवाया था । हमें विश्वास है कि
हमारे कारिगर साधिका में कम है । यह जब हमनी पर का जाते हैं तो फिर वही बाठ
होता है कि मास्टर जीग था क्लमरियाँ के पीछे या कुँ के नीचे हुते हैं । हाँ स्त्री
फार है कि कारि मरे हैं तो मरे हो रहते हैं । तो बरिस्ती बाप ने धांधल करना है कि
कम जीगों में गिरत है, कम है, स्या है । धरे और शुरू नहीं तो बाधिकाओं से ज़रामजी
करता लड़ दो । ज़रा निगाह ही टेंडी कर ली । पाठक जिसर से गुजरी टेंडी निगाहें
यह पेश कर तो मजकूत कर है कि कारिगर माराज़ है । यो एक पिन स्त्री करी । उसी
बाप बाबे भी बताया जाएगा । इस बाबे स्त्री ही करी । जब बाप जीग बाफ़ीधर
गेट तक चली ताकि तापी मजम्बर पयाठ की मुख हड़तालीं के धांधल किया जाए ।

नोट:- मीटिंग के दौरान मैं टेबल गैट के सामने वाली कुर्शानों की तरफ
से रौंदा फूँके गए। एक तो जोशी जी के सामने गिरा। जोशी जी ने
यह कह कर इनामीत कर दिया कि फ्रू लीग सेवा करें। दूसरा रौंदा
गैट के अन्दर छिपुटी बाफ़ीसर बरदार दानोवर सिंह के सीने पर लगा
रौंदा कपड़े में छिपा गया। जी वाच स्पेड पाई में जका है।



कपड़ा मज़दूर एकता यूनियन

गोशाला गेट, किसानगंज मिल एरिया, दिल्ली

Ref. No. KMEU/D.C.M./30/59

सेक्रेटरी/जनरल/सेक्रेटरी

Dated: 23rd Feb 9

दिये जायें,

To

The Managing Agents,
Delhi Cloth & General Mills Co. Ltd.,
Bara Hindu Rao,
Delhi.

Dear Sir,

Subject: Unfair Labour practices by D.C.M.
Management and closure of Tailoring
Section of the Mills.

~~XXXXXXXXXX~~,

It is once again with the greatest regret that we find ourselves constrained to address you on the above subject. It has become all the more necessary for us to do so since the General Manager of the Delhi Cloth Mills, in keeping with his ~~set~~ ^{past} practice, has started a campaign of vilification of the Union and gross distortion and misrepresentation of facts with a view to discredit and defame the Union and its leading functionaries, and hence made it unavoidable for us to clarify our position.

As you are very well aware some workers belonging to the Tailoring Section of the Union have been on hunger-strike in front of the Officers' gate of the mills. You are also aware, no doubt, that the workers have been compelled to resort to this last weapon in their armoury since the management with its vastly superior resources in money, organisations influence and favour of the Government, has hurled all its forces against the small group of semi-starved Tailoring workers. Overwhelmed by this titanic might, the poor workers seem to have preferred a heroic death by starving themselves out at the mill gates to a life of misery and degradation which the management wanted to force on them.

We would very much like the following statement of facts
contd 2

should go on record in the nature of a caveat lodged on their behalf in case the parties are one day called upon to defend their actions before the bar of public opinion.

The demand of the workers that the Company should abolish the abnoxious system of employing labour through intermediaries, or the so-called 'contractors' has been a subject-matter of agitation and dispute for the last 5-6 years. The company has been employing a large number of workers in Tailoring, Coal, construction and maintenance Departments. The jobs entrusted to them form a normal part of the working of the mills. Most of these workers have been working ~~regularly~~ regularly in the mills for periods ranging between 8-16 years. Yet the management refuse to treat them as mill-employees. In order to justify their stand the management have adopted the subterfuge of 'contract' system. By this clever device they have managed to deprive a large number of such workers of rights, privileges and monetary benefits ordinarily admissible to mill employees.

Some years back these workmen joined this Union in large numbers, and took up their demands with the management as well as with the Government through the Union. On 2 or 3 occasions thereafter the management made attempts to get rid of these employees by effecting a change in the incumbency of the intermediary or 'sub-contractor'. But these efforts were always frustrated by timely action of the workers who insisted that their employment in the departments concerned must be continued irrespective of any change of 'contractor'. Thus there have been bitter conflicts on one or two occasions in the past on the issue.

At last the Government through two separate references entrusted to whole matter for adjudication by the Industrial Tribunal, Delhi. The issues framed in these references, viz. Ref. F. 1(140)/56, E.I. & L., dated 30.7.'56 and No. F. 10(14)

-3-

58, E.I. & L, dated 3-3-1958 are as follows:-

(a) Whether the workmen, employed, through intermediaries or 'contractors' should be treated on par with other regular employees in respect of wages, Dearness Allowance, etc.

(b) Whether the workmen engaged through intermediaries or sub-contractors should be deemed to be regular workmen of the Company, and whether workers engaged on operations like construction work which formed a normal feature of working should be treated as regular workmen and given benefit of past service and entitled to the same service-conditions as other workmen and what directions are necessary in this respect?

From the very beginning the management seemed to be aware to the weakness of their case, and they, ~~therefore~~ therefore adopted all sorts of dilatory tactics to thwart, delay and if possible ~~a~~ nullify the proceedings before the Industrial Tribunal. In this game they have been successful. The proceedings before the Industrial Tribunal now stand 'stayed' by an order of the Panjab High Court. Having thus brought the legal proceedings to a standstill, the management launched a fresh offensive against the Tailoring workers who happen to be in the forefront of the struggle for abolition of the so-called system of 'contract labour' in the mills. This offensive ~~a~~ was especially intensified after Mr. B.D. Pathak took over as the General Manager of the Delhi Cloth Mills. Mr. Pathak has always been a sworn enemy of any sound trade Union movement. One of the many steps taken by him to cripple the influence of the Union among the workers was to manoeuvre the replacement of the old contractor by a new one, so that the latter would work directly under his instructions in all matters. In so doing, however, the rates for tailoring work were fixed so low that there was no margin of profit left for the 'contractor'. An attempt was then made to further depress the already poor wage-rates of workers. When this was resisted by the workers, the 'contractor' threatened them that they would have ~~to~~ to lose their job since he would give up the

'contract' if his margin of profit did not go up. He actually informed them on the 11th inst. that he was thenceforward not responsible for making payment of their wages to them. No payment was in fact made to them on their pay-day which fell on 10-21-59. At this the workers got agitated but settled down to their work soon after when the General Manager got the payment of their earned wages made to them from the Companies' funds. The next day, however, the 'contractor' again informed them that if they wanted to work they should first obtain an assurance or guarantee from the Company for payment of wages earned by them and that he ('the contractor') accepted no liability for such payment, since the General Manager had refused to increase the rates of Tailoring work unless he got rid of some of the "undesirable" elements among the working force. These undesirables were supposed to be no other persons than the active union workers in the Department. Since the 'Contractor' did not readily agree with this suggestion, the manager was bent upon turning him out. Thereupon the workmen approached the General Manager and wanted to know from him as to who was going to make payment of their wages to them thenceforward since the 'contractor' had disowned any liability for such payment. They were told by the General Manager that the management too accepted no responsibility for their wages or employment and that they need not work till this or some other "contractor" took charge of the Department.

Having thus contrived to trap the workers, the management then came down with a heavy hand on the poor workers and refused to allow them to enter the mill-premises with effect from 16th February, 1959 on the false plea that the workers had struck work and that the 'contractor' whose employees they were, had left the work.

-8-

The Union, thereupon, sought the intervention of the Director of Industries and Labour and the Conciliation Officer. But they seemed to be helpless in the matter, as they always are when employers like the Delhi Cloth Mill Company or the Birlas happen to be in the picture. As the workers already know from their experience that it is futile to expect any relief in such matters from the local administration, they have resorted to such lawful methods as are open to them to rouse public conscience against the unbridled tyranny and oppression of the Delhi Cloth Mills management.

Three of the 175 and odd workers who have thus mercilessly been thrown on the streets have been on a fast unto death in front of the gates of the Delhi Cloth Mills with effect from the 19th inst. Their condition is reported to be suffering deterioration every day. The tension among the other sections of workers in the Delhi Cloth as also in other Textile Mills is mounting.

Unless, therefore, the management can see their way to deal out justice to the workers and undo the wrongs done to them, the Union will deem it to be its bounden duty to unleash a widespread struggle in support of the demand of wronged workers of the Tailoring Section of the Delhi Cloth Mills. The management of Delhi Cloth Mills, as also the Labour Directorate of the Delhi Administration, who have signally failed to discharge their functions in this matter, will be responsible for the consequences which may flow from such a struggle.

Yours faithfully,

(B.D. Joshi)
General Secretary.Copy forwarded for information
and necessary action to:-

1. The Director of Industries & Labour, Delhi.
2. Conciliation Officer, Delhi
3. Gopinath Aman, Chairman, Labour Advisory Board Delhi.
4. Shri R. L. Mehta, M/o Labour, New Delhi.

P.T.O.

25 FEB 1959

THE DELHI CLOTH MILLS.

261

4/789

Delhi.

24th Feb., 59.

The Director of Industries & Labour,
1, Rajpur Road, DELHI.

Dear Sir,

During the last several days we have been repeatedly bringing to your notice the facts of demonstrations being held and inflammatory speeches being delivered by Sri S.D. Joshi, General Secretary of the Kapra Mazdoor Ekta Union and his other comrades at the gates of our factory.

We regret to bring to your notice again that on 23rd February, 1959, on the instigation of the above named persons, a number of workers of our mills created serious rowdyism inside our factory premises at about 7-30 p.m. One Sri Bachi Ram, weaver Wvg. B Mill raised a false alarm that his food had been spilled by a sepooy named Ram Kishan, whereupon a number of workers assembled, caught hold of the said sepooy and assaulted him. One of the workers threw a tin mug at the sepooy which struck sepooy Sajjan Singh at his mouth and hurt him. Jamadar Sri Jagannath who tried to rescue sepooy Sri Ram Kishan was also assaulted by the workers and was hurt.

Sri Bachi Ram laid himself down on the ground and pretended to be unconscious and dying. After this some active workers of the Ekta Union made Sri Bachi Ram lie down on a stretcher and took him round the factory from department to department shouting that Sri Bachi Ram had died and appealing to the workers to strike work. A hand-out issued by the Management to the workers regarding the above incident is enclosed.

After the above incident Sri S.D. Joshi addressed a gathering of the workers at 10 P.M. at the workers gate of the factory. A copy of the speech, which is extremely provocative and inciting the workers to violence, is attached.

The above serious incident bears testimony to the facts that the Ekta Union people are out to create mischief and cause chaos in our mill and to bring the factory to a stand-still by hook or by crook.

We may also inform you that the Ekta Union has announced that a large procession of workers from all the textile mills of Delhi will reach the gate of our Mills this afternoon at 3 P.M. for staging a huge demonstration.

We are bringing the above facts to your notice with a request to you to take immediate steps to prevent the situation in our mills from deteriorating further.

Yours faithfully,

[Signature]
GENERAL MANAGER

Enc. 2.

Copy to the General Secretary,
All India Trade Union Congress,
4, Asoka Road, New Delhi.

300
24/2/59

गेट मीटिंग एकता यूनियन २३-२-५६, समय १० बजे रात

बाज बारीस २३-२-५६ को रात के १० बजे लेकर गेट पर एकता यूनियन को मीटिंग हुई। २००-२५० के करीब चढ़ने वाली शिफ्ट के कारीगर मौजूद थे। श्री बी० डी० जोशी जी ने तक्रार करते हुए कहा:- साथियों! पाठक की सक्तियाँ और उसके जलूम हद से बढ़ रहे हैं। अब वह अपने वाच एण्ड वार्ड स्टाफ से मजदूरों पर धातक हमले करा रहा है। ज्ञाते बाज अभी धीड़ी देर पहले उस ने वाच एण्ड वार्ड से २ कारीगर साथियों को बुरी तरह फिटवाया। दोस्तों तुम लोग सब तक यह बरदास्त करते रहोगे। बाज से कसम खाओ कि हम बदला लें। याद रखो अगर बाज से ही इन बातों की रोक धाम न की गई तो बहुत मुश्किल ही जायेगी। पक्का इरादा कर लो कि या तो हमारी लारें निकलेंगी या पाठक का मुँह काला होगा। बाप लोग भागे भागे हमारे पास आ जाते ही और कहते ही कि बोनस दिलवा दो, महंगाई बढ़वा दो, यह कर दो और वह कर दो। हम यह कैसे कर सकते हैं। हमारे पास फ़ौज नहीं, पोलिस नहीं। यह सब जरूर पाठक के हैं। हमारे पास एक ~~मिशनर~~ - बाप का संगठन। अगर संगठन करना है और अपनी यूनियन को सहयोग देना है तो हम सब कुछ करेंगे - और अगर कुछ नहीं करना तो जाओ अपने अपने घरों को। अभी से साँच लो कि तुम्हारे सारे केश भी डूब जायेंगे। यह दर्जों साते के तीन आदमी भी मर जायेंगे और न मालूम क्या कुछ होगा। मेरी तरफ से बाप की लाठियाँ लो या जूते लो लेकिन अगर अभी से हाँस में आ जायेंगे तो सब कुछ ही जायगा। यहाँ पर सड़े पोलिस वाले और सी वाई डी वाले नाँट कर हैं। अगर कल तक पोलिस ने इस बात का कोई एक्शन न लिया तो हम ज्यादा बरदास्त न करते हुए वाई डी और कमिश्नर तक की कोठियाँ पर धरना देंगे। इसी समय बागे प्रकाश दर्जों साता ने कहा, साथियों! मेरे साथ नारा लाओ। सून का बदला सून से लेंगे - जोशी जी ने कहा कि बाप डिप्युटी पर जाते जाते जातों में नारे लाओ। कल २ बजे मुजाहिरा ही रहा है। सब गरमा गरमी से वहाँ जाओ। फिर हम पाठक को देखेंगे।

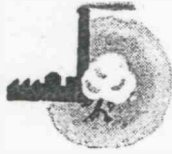
कारिगरों के लिए सूचना

कुछ रात हाफ टाइम की कुट्टी में एक ऐसी घटना हुई, जिससे यह मालूम होता है कि कुछ लोग किसी न किसी तरह मिल में असंतोष फैलाने और फगड़ा कराने पर उतारू हैं। जुनता नं० २ के एक कारिगर बच्चिराम ने कारिगरों के गेट पर ड्यूटी वाले संतरी से खाने का कटोरदान न खोलने की जिद करके तकरार कर ली और उसको बहुत आगे बढ़ा दिया, यहां तक कि गेट के बाहर के लोग भी मौका पाकर अन्दर आ गए। हालांकि इस आदमी को कोई चोट नहीं लगी है, फिर भी फगड़ा करने के इरादे से उसको स्ट्रेचर पर डाल कर खातों में घुमाया गया ताकि कारिगरों में गुस्सा और असंतोष पैदा हो। कारिगर खुद ही अगर चाहें तो पता लगा सकते हैं कि इस आदमी को कोई चोट नहीं आई है, यहां तक कि किसी हस्पताल ने भी उसे दाखिल नहीं किया और वह आदमी चलता फिरता मौजूद है। सारी बात तो यह है कि कुछ लोग दूसरे राजनीतिक भक्खदों को पूरा करने के वास्ते कुछ न कुछ फगड़ा कराना ही चाहते हैं। जिन लोगों ने भूख हड़ताल की हुई है, उन के बारे में मैंने पहले ही कारिगरों को सब बातें साफ साफ बतला दी हैं। ये सब मामले, जैसा ऊपर कहा गया, किसी न किसी तरह फगड़ा कराने की मंशा से ही किये जा रहे हैं। मैं कारिगरों से अपील करता हूँ कि वे शांति से अपने काम में लगे रहें।

यह भी मुझे पता है कि कारिगरों पर तरह तरह के दबाव डाले जाएंगे कि वे काम में रुकावट पैदा करें। लोगों में बेचैनी फैलाने के लिए अफवाहें भी उड़ाई जायेंगी। मगर आप लोग समझदार हैं और अपना भला बुरा समझते हैं। मुझे उम्मीद है कि आप लोग मिल के अंदर कोई ऐसी नीज नहीं होने देंगे जिससे आपका और कम्पनी का नुकसान हो।

PHONE : 24011 (4 LINES)
GRAMS : "YARN"

27 FEB 1959



DELHI CLOTH MILLS

PROPRIETORS : THE DELHI CLOTH
AND GENERAL MILLS CO., LTD.

BARA HINDU RAO
POST BOX NO. 1039
DELHI.

Ref. No.

d/s 813

Date

25th Feby 1959

The Secretary,
Evaluation & Implementation Committee,
1 Rajpur Road,
Delhi.

Dear Sir,

We are herewith enclosing for your information and needful, a copy of the speech delivered by the General Secretary, Kapra Mazdoor Ekta Union, during demonstration held at the officers' gate of our factory in the after-noon of 24th February 1959.

Yours faithfully,

B. S. Bhatnagar
General Manager.

Encl. one.

*d/s 814
25/2*

Copy to The General Secretary,
All India Trade Union Congress,
4 Ashoka Road, New Delhi.

ता० २४-२-५६ को श्री वी० डी० जी० द्वारा दिया गया भाषण

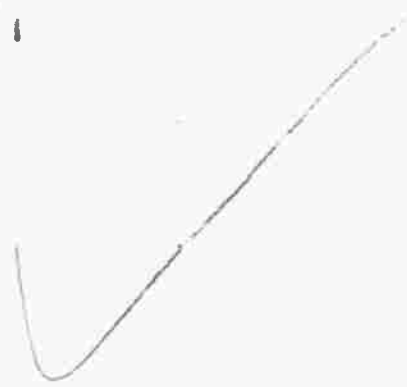
(२-३०-बजे डीपहर)

वी० डी० जी० ने कहा :- साथियों ! चार बातें मैं ने कही हैं । आज जो संघर्ष जीर लड़ाई है उस की गहराई की सींचा है । यह नहीं समझना कि हम ने अपनी रीटो को रक्षा करनी है - या जिन्दगी को रक्षा करनी है । यहां पाठक ने हमारी कमाई का कितना ही रूपया कांग्रेस को दे दिया और कितना ही अपनी गुन्डों को बांट दिया । हम ने इस पाठक की नीति का जवाब आज अपनी संघर्ष से देना है । पाठक मूर्ख है । इस की जवाब अपनी ताकत से देगे । हम अपनी जिन्दगी को सड़कों पर बरबाद कर देंगे मगर इस पाठक की हथ का जवाब देंगे । हमें पाठक से कोई दुश्मनी नहीं है न कोई फगड़ा है । क्यों कि पाठक खुद ही लाला जी की लम्बीरी पर हाथ मारता है । यह फगड़ा सरमायदारी ने कर रखा है क्यों कि सरमायदारी ने पिछले साल से डील पीट रखा है कि हमें घाटा रहता है । महंगाई मता कम करी । हमें हटनी करने दी । जब उस लोगों ने कहा कि हटनी नहीं होने देंगे । महंगाई बढ़ाने की मांग की तो सरकार ने एक बैज बाँट बनाया मगर इस बैज बाँट की भी तो पता नहीं कहा गया । इस लिए दोस्तों ऐसे पाठक बहुत पैदा होते हैं । यह सरमायदारी के गले से पैदा होते हैं । सरमायदार सरकार से मांग करते हैं कि हमें जापानी मशीने लाने की इजाजत दी । क्यों कि वहां पर उड़कियां मशीने चलती हैं और एक मजदूर कई मशीने चला कर प्रोडक्शन बढ़ाता है । मालिक लोग यह भी समझते हैं कि जापानी लूम लाने से मजदूर बहुत कम ही वाली और पाठक जैसे मनेजर ने हटनी करा दी जायगा । ऐसे ऐसे पाठक बहुत पैदा होते हैं । मगर कोई तो ५ डिगरी का कोई १० डिगरी का होता है । यहां तो यह पाठक १०० डिगरी का है । मजदूरों के गले काटने में बड़ा तेज है । इस लिए सरमायदार समझता है कि इस पाठक जैसा जातिम और कानि मिळ जकता है । यह पाठक वहां से वायदा करके जाया है कि यहां पर सिर्फ ४००० मजदूरों से उतना ही काम ले सकता हूँ जितना अब ही रहा है और इस की यहां लसी गड़ से छाया गया है कि यह मजदूरों की हटनी करके बहुत कम आदमियों से काम पूरा करेगा । हम साफ़ कहते हैं कि अब तक यहां लाल फण्डे की युनियन है उस वक्त तक हटनी नहीं ही सकती । यहां पर नारायण प्रसाद, बख्सेव सिंह और धाराराम जैसे हजारों पैदा ही सकते हैं । पाठक ने एस० वी० एम० में भी एक साची जेठ बनाई । १९४६ में यह वहां से नागे थे । एस० वी० मिळ में यह बड़े बगला मक्ता बने । राम राम अपना शुक कर दिया । मजदूरों की कालीनी में यह पाठक बापशाह की तरह चली थे । मजदूरों का कीड़ी पीना बंद कर दिया । जातिर मजदूरों से बरबादत नहीं हुआ और इस को मुहं तौड़ जवाब दिया । मैंने एक रोज़ कहा था कि पाई पाठक तुम अपनी मशीने देती रही । मजदूरों की संघ न किया करी । मगर वहां पर ५०० मजदूरों पर कूठे मुकदमें किए और पीकड़ों को जेठ पिज्जाया मगद सकता युनियन की सत्ता

नहीं कर पाया। यूनिक्स की ताँड़ी में कम्पनी ने २०,००० खर्च किया मगर यूनिक्स न टूट सकी। इस ने पीलीसि के ज़रिए मज़दूरों पर मुकदमे चलाए। बन्ता सिंह कीरह को भी ३ साल तक घसीटा गया। हम ती कहते हैं हमारा तुम्हारा कगड़ा हा क्या है। हम ती समझते थे कि इस ने कुछ सक्क सीख लिया होगा। मगर इस ने कुछ न सीखा। मले जादमी सीधे वक्ता सीचते हैं कि मैंने आज कितने का मला किया है और कल कितने का करूँगा। मगर पाठक सीचते वक्त यह सीचता है कि मैंने कल कितने कारीगरों का बुरा करना है। इस के जाने जाने के रास्ते बंद कर दिए, दरवाज़ों में ताले लगाए, हमारे कार्य कक्षाओं को निकाल दिया और मूठे इलाजाम लगाए कि फाटक तोड़ दिया। ताला तोड़ दिया। इस को ती वही बकरी और मेड़िए वाली मिसाल है कि तुम ने मुझे एक साल पहले गाली दी। बकरी के बच्चे ने कहा कि इस वक्त ती में पैदा भी नहूँ हुआ था - मेरी उमर ती २ महीने की है। ती मेड़िए ने कहा तुम ने न दी होगी तुम्हारे बाप ने दी होगी। पाठक जी ती वही हाल है कि ताला न तोड़ा होगा जंज़ार तोड़ी होगी या मुझे गाली दी होगी या मुरे हुक्म को नहीं माना। इस लिए मैं तुम को ताऊंगा। बीनस ने इस ने कसो लातों कपया मज़दूरों का छड़प कर लिया और दोले से बीनस भांट दिया। हम लोग बीनस के मामले में जल्दी नहीं से कर पाए और बीनस बंट गया ती पाठक ने समझा क्या मार दिया पापड़ वाले को। यहाँ फिट्ट लोग बहुत मरे हुए हैं। कुछ हंजन ताता के हैं कुछ फ़ोल्डिंग के। इन दज़िंधी ने पाठक ने हमला किया है और अपने फिट्टुओं को तरक्की देना शुरू की है। ^{उपरोक्त तीनों का अवरदस्ती रिटायर करने का मुकदमा} किसी को कहते हैं तेरे बाल सफ़ेद हो गए किसी को कहते हैं तेरे दांत हिली ली हैं। डाक्टर से कह कर अवरदस्ती रिटायर कराया जा रहा है। जो फिट्टू लोग राजा हो रहे हैं उन का भी नम्बर जाने न बाठा है। एक दो फिट्टू हमारे पास जा चुके हैं। कहते हैं हम अवरदस्ती निकाल रहे हैं। हम ने कहा और करी फिट्टू गीरी। अब हमारे पास क्या आए ही मगर हमें ती सभी की सुननी पड़ती है। यहाँ यह पाठक ऐसा शैतान जा गया है कि कस किसी को सुनता ही नहीं। हम ने सरकारी मशीनरी को भी लिता मगर सब पाठक को धमका में जा जाते हैं। एक मथाई साहिब पंडित नेहरू के सैटरीं थे कल कितने ही रुपये ला यथा मगर उस से कोई रक्शन नहीं लिया गया बल्कि २०,००० की कीठी उसके नाम करदी। जो करीड़ों की मालियत है। इस सरकार के पास ऐसे ऐसे बहुत से मथाई मरे पड़े हैं जो सरमायादारी के तरीदे हुए हैं। अब यहाँ पर एक चौधरी इस प्रकार जाने लगे हैं जो पहले मनिस्टर थे। एस० वा० मिला में कितने ही मज़दूरों को सज़ा कराई थी। अब यहाँ मज़दूरों की नुम नुमाईदगी करने जा गए हैं। पाठक यह समझता होगा कि मैं जीत गया हूँ। हम दावा से कहते हैं कि जब तक दज़िंधी का फ़ैसला नहीं होगा उस वक्त तक पाठक को कार जन्वर नहीं जास्ती। कल एक बड़ा वाक्य हुआ जिस से मज़दूरों में बड़ा

जीत या मगर खूबता युनियन का यह नीति नहीं है कि वह फगड़ा वीं ।
हमारी पीटिंग में पत्थर फेंकवार गए । एक राम किशन चमरासी इनके मुंह छा
हुआ है । इस में हमारे दो साथियों को पिटाया गया । हम कहते हैं कि छलाशी
छा उन का काम है । मगर छलाशी भी तो किसी ठंग से ठे । पहले भी इतने कई
कारागारों को बहज्जती की है । यह पाठक का सास गुंडा मालूम पड़ता है । सभी
बच्चों को यहाँ पर भी २५० बी० मिल वाले हालात पैदा करना चाहते हैं ।
साधा बच्चा राम वालों को हस्पताल वालों ने दाखिल नहीं किया । डाक्टर
ने कहा कि यह पीलीस केस है । इस लिए इसको पीलीस हस्पताल ले जाओ । तो
यह साधा रात भर पीलीस हस्पताल रहा । जब सुबह ६ बजे पाठक भी वहाँ गए
न मालूम दिन को क्या कह कर जाए । इन को १५-२० मिनट के बाद ही बच्ची
राम को उस के घर भेज दिया गया । वहाँ हस्पताल में पाठक जो बच्ची राम के
साथ गए कि और पूछा कि भाई और कुछ मदद चाहिए तो साधा बच्ची राम ने
कहा कि साहब तुम्हारे पास और क्या सेवा है बहुत करी ने तो मुझे यहाँ बाज
शीट भेज डोगे । यह सेवा तो तुम्हारे बस का है । अब साथियों । मगर पुलिस ने
पीटने वाले से मगर कोई रकन नहीं लिया तो हम पुलिस के खिलाफ भी मुजाहिदा
करेंगे । साथियों का मामला अदालत में चल रहा है तो पहले ही इन को निष्कलकर
बाहर कर दिया है कि कमा इन को रकना न पड़ जाए और महंगाई का केस भी
अदालत में चल रहा है इस लिए पुराने पुराने जादमियों को रिटायर किया जा
रहा है कि कमा यकीन खत जाएं और इन को पूरी रकम स्कूल में पड़ जाएं ।
इस लिए पहले ही जादमा कम कमा न कर दो और सरमाखदारी ने हमारी जान
को बहुत से मुकदमें खड़े कर रहे हैं । एक का पैसा मुगतते हैं - दूसरी तैयार कर
देते हैं । आज पाठक साहब ने एक पोस्टर निकाला है इस में तियासत का जिक्र
किया है । हम कहते हैं कि पाठक साहब आप सियासत को क्या जाने आप हंजीनिय
हैं । मजिन का काम जानते हैं अपना ही मजान को ठीक रखते रहें । राजीतिक
बाती में न जाएं । वह दिखाव कर रहे हैं कि पूरे को मिल गए हस्की की गांठ तो
पंखारी ही बन बैठे । इन को भोजन मिल गई तो मालिक ही बन बैठे और तुम
मिल के मैनेजर ही इन के गेट चाहे बंद करवा दो या दीवारी लिखवा दो, तुम्हारे
हाथ में है मगर फाल्खु बातों में मत जाओ । तो दीवारी खबर को हद ही चुकी है ।
बन्दर जारतों में जाओ । शीरे मधाजी, बदनमो फौलाजी, हर एक अफसर को
गुस्से का निवाह से देखा और पाठक को तरफ तो रही देखी उसे खाने को दीड़ते
हैं और वह काम भी करते रहना जिन्ना को तुम लोग कमा कमा कर दिया करते
हो । मखल बीम काटना, काम बंद कर देना कीरा कीरह ताकि पाठक यह समझ
पाए कि मजूर तो से मारा है और गुस्सा बाहिर कर रहा है । मिल के जन्दर
और बाहर गुस्से का छहर पीड़ जाह । इन बाज शीटी से मत पवराओ । बाज
शीट तो पाठक साहब मुदा पाट तक देते रहेंगे और इन मारा बाजी पर बाज

शॉट देने का कोई हक नहीं है। पिछले दिनों हमारे दरखी जाते वाली ने पाठ
को और भा० मल्लिक को क्यों निकाल दो थी। इसी पर बाप शॉट देना शुरू
कर दीं। हम पूछते हैं कि तुम नर तो नहीं मर थे और न किसी के कान से
कोई मरता है। हम जो हरकतें धरती करते और जो भी फिलिम उसी
को मारेंगे। मिल के अन्दर नहीं घुसने देंगे वरना हमारी बत्ता फूटला करी।
क्यों कि हमारे एक साथी महिन्द्रा सिंह की हालत बहुत बुरा है। अब मैं ज्यादा
नहीं बोलूंगा। मेरे साथ नारे लाएंगे।



5 MAR 1959

D. B. R. MILLS WORKER'S UNION

AFFILIATED TO I. N. T. U. C.

Reg. No. 441.

President :

Office

Gen. Secretary:

1-2-690, Bakshiguda
Hyderabad.

Joint. Secretary:

Date 21.2.59. 195

Ref No.

Com. S.A. Dange,

M.P.

General Secretary,

All India Trade Union Congress,

New Delhi.

Dear Comrade,

The workers of this mills have been waging a bitter struggle for wage increase from the last two years. With disruption from rival union, also affiliated to the INTUC, the workers could not achieve their demands and the wage structure remains as it was more than nine years ago. Even bonus has been virtually stopped these years since 1954. With the policy of the Govt. as it is, the workers could get only a reference to the Tribunal for adjudication on the demands of basic wages, D.A., and House Rent.

Our union desires that the memorandum of the AITUC presented to the Textile Wage Board and the eviance tendered by you and other textile comrades of the AITUC may be kindly made available us for the use for and in the conduct of the case in the Tribunal. It may be mentioned that Com. Raj Bahadur Gour, M.P., has been requested by our union to appear as one of the witnesses in the case. The case is posted for evidence from the 4th March, and we would be needing the above material by the second week, latest.

Soliciting your guidance & help

With fraternal greetings,

Fraternallly,

S. Manikyam
President

*Refer here to write
to Com: chitani*

*mpo
5/3*

किशनगढ़ मिल राष्ट्रीय मजदूर कांग्रेस

मदनगंज-किशनगढ़ (राजस्थान)

(सरकार से रजिस्टर्ड तथा ग्रार्ड. एन. टी. यू. सी. से सम्बन्धित)

पत्र संख्या

दिनांक

26-2-1942

261

श्री भक्ति हन्ता गान्धा,
प्रेसिडेन्ट, राज ठन्डिया कॉग्रेस कमेटी,
नई दिल्ली.

सम्मानित हन्ता जी,

आप राज ठन्डिया कॉग्रेस कमेटी का लेख प्रेसिडेन्ट जूनो गं
के लिये मजदूर कांग्रेस का पत्र से आस्था व्यथा भेजता है.

राजस्थान में इस महानामा किशनगढ़ मिल लिये मदनगंज किशनगढ़.
के नाम से एक टैक्स्टाइल मिल है. राजस्थान में के किशनगढ़ का नाम कपड़े का बजा
मिले है जिनके किशनगढ़ का नाम एक नाम है.

लेखक लेकिन यह मिल का बंद हो जाने से बहुत है बच में कुछ समय के
लिये किशनगढ़ विशेष आर्थिक आता चालु हुआ. इसका १७ अक्टूबर १९३७ को बन्द कर दिया
गया. जो मिल में करब है जो हजार मजदूर काम करते थे और सका प्रसर किशनगढ़
मजदूरों के लिये एक आर्थिक का बन्द हो जाने के कारण उनका के आर्थिक व सामाजिक जीवन
पर बुरा है किशनगढ़ मजदूरों का बंद हो जाने का अत्यन्त ही राजस्थान में बसा महत्व पूरा
मान्यता था जो भी बन्द हो गया है.

मिल के मालिकों का कारण सिप्रिफिड बताया जाता है कि मिल
घाटे में जाता है. जो कारण मिल मालिकों को फीस दे. अब कि वास्तविकता यह है कि
घाटे का कारण एक आर्थिक कारण था. जो मिल का आर्थिक कारणों का गंवन किया
गया. जो कारण को भी वे सम्मानित बंद के लिये चुनना चाहें तो मिल प्रकार का
आर्थिक, मजदूरों का आर्थिक कारण को भी जो आर्थिक कारणों को भी प्रधानत में सम्मानित
के लिये बंद करे है. जो कारण से मिल के मालिकों को मालिकों को भी और हारालाल
पाटनवा का भी कहा जाता है. लेकिन अत्यन्त ही मजदूर कांग्रेस के बार बार मांग
को भी को भी जो भी राजस्थान के कारण से भी केन्द्रिय के कारण ने इस मिल को और
जिन्हा बंद कर दिया.

मिल में १९००० रुपयों का पूंजी लगाये हुये है जहाँ तक घाटे का प्रश्न
है जो कि बहुत बड़ा है. जो बात मालिकों को कारण से फीस लेने के लिये बसका
सम्मानित करते है. जो मिल में घाटा उन्को का प्रश्न है नहा जाता है. यदि मैनेजमेंट
मानवता से चलाया जाय.

राज्य सरकार और केन्द्रिय सरकार अब तक यह कहता था कि इस मिल पर
आर्थिक कारणों का कारण है जो पाटनवा का कारण है इसलिये सरकार कुछ नहा कर सकती

किशनगढ़ मिल राष्ट्रीय मजदूर कांग्रेस

मदनगंज-किशनगढ़ (राजस्थान)

(सरकार से रजिस्टर्ड तथा आई. एन. टी. यू. सी. से सम्बन्धित)

पत्र संख्या.....

ता०.....१९५

= २ =

हे.जेकिन ११ अप्रैल पूरे को यह मिल लोकवादेश में चली गई है. इसलिये राज्य सरकार और केन्द्रीय सरकार लपट से ले देन व पुराने फगडी को कोई चुम्बेदार नहीं बताते है.

उन्के बलवाना लोकवा उठार ने भी ता० २६, २२, ५८ को इस मिल को ७ साल के लिये लोअ फू देने का भी नोटिस निकाला है जिसकी प्रतितिपी साथ में लथी है इसके लिये मजदूर कांग्रेस ने सहकारी समिति के आधारे पर इस मिल को चलाने के लिये हमने भी लोकवा उठार को शर्तें में है और राज्य सरकार के मुख्य मंत्री श्री मोहनलाल जी सुभाडिया को भी पत्र भेजा है जिनकी प्रतियाँ भी साथ में भेज रहा हूँ.

नामपुर कांग्रेस के सहकारी आधारे लेती करके प्रस्ताव को पूरा करने का प्रयत्न आपने और प्रधान मंत्री श्री जवाहरलाल जी नेहरू ने देश वासियों से का है, ये वाक्या ज्ञान को किशनगढ़ के इस उजडते हुये इन्क उद्योग की ओर दिलाना जरूरी लस सम्भवता है. लेती में सरकार सहकारी आधारे को अपना का लस्य जनाकर चल सकती है तो फिर कोई धारण नहीं है कि किशनगढ़ का यह मिल सहकारी आधारे पर नहीं चले पौ.

देश की छोटी और बड़ी चीनी की प्रकार का जोषनाथो से कोटी लपटा का रूहा है तो क्या इस मिल के लिये राज्य सरकार या केन्द्रीय सरकार २० या २५ लाख लपटा लगाकर इस इलाके के छः सौ हजार मजदूरों को रोजगार नहीं दे सकती है जो की व ४ साल से बेकार है. इस मेंथकर बेकारी का बसर यहाँ के की व तीस चासीस हजार लोगो पर पड रहा है. जो हसी देश के एक बंग है. का आष और आपकी भाटी की राज्य व केन्द्रीय सरकारें किशनगढ़ के इन भूले ली मजदूरों को रोजगार दिलाने में अपना सहय का परिचा देगे. जो वास्तव में आपके घोषित समाजवादी सहकस्तेडिंग को समाज रचना का ही एक बंग है.

हमारी निम्न प्रार्थना है.

१. या महाराजा किशनगढ़ मिल लि को राज्य या केन्द्रीय सरकार लुड अपने

अधिकार में लेकर चासू करे जेपे लम्बे मार कोल सरकार ने इस प्रकार को मिल को लेकर वहाँ के मजदूरों को रोजगार दिया है.

२. या सहकारी आधारे पर इस मिल को चासू करने के लिये मजदूरों को खिलाई जाय वार राज्य सरकार व केन्द्रीय सरकार में सहकारी समिति को आवश्यक काम दिया जाय.

किशनगढ़ मिल राष्ट्रीय मजदूर कांग्रेस

मदनगंज-किशनगढ़ (राजस्थान)

(सरकार से रजिस्टर्ड तथा आई. एन. टी. यू. सी. से सम्बन्धित)

पत्र संख्या.....

ता..... १९५५

= ३ =

मजदूर कांग्रेस को उपरोक्त प्रकृत प्रतिकार स्वीकार करने को कृपा करावे
प्रति जो माना में व्याजनाओ व्यवस्था को लागू करने का उहास जो किशनगढ़
के मजदूरों ने किया है उसमें उमानदारा से मदद देने का कष्ट काजिये. बापसे
किशनगढ़ के डेराकार मजदूर सिकार तना हा अपना हक मांगने को छिमाकर कर रहे
है जिस हक दिजाने का आप वाजा कर रहा है.

राज्य सरकार या केन्द्रीय सरकार का यह कहना कोई कौमत नही
रकता है कि इस मिल को सरकारो हथो मे लेने मे वैधानिक बज्जव आता है
जिस प्रकार बापको कूकले सरकार ने आगीरकारी प्रथा उत्प को है जिस
प्रकार भगो को राज्य सरकार ने नापकारा मन्त्रि को व्यवस्था अपने
अधिकार मे लेने का कानून का रकता है जो प्रकार किशनगढ़ मिलो
को सरकार अपने कानून अधिकार मे ले सकता .

बाशा है हमारा इसे व-छो को अधिकार को आप व्यवस्था
पूरा करवाने मे मजदूरों को मदद करेगा. बार मंत्र का उत्तर शीघ्र हा दिजाने को
कृपा करेगा. ताकि मजदूरों का उसा वाधा पर जन्ता-छ दिलाया जा सके.

आपका

कृष्ण कानूनवादी

प्रसिद्ध २७-२-५५

२२
२७-२-५५

किशनगढ़ मिल राष्ट्रीय मजदूर कांग्रेस, मदनगंज, किशनगढ़.

प्रतिमो :-

- १. माननिय जी जवाहर लाल जी नेहरु, प्रधान मंत्री भारत सरकार, नई दिल्ली.
- २. माननिय जी गुलजारी लाल जी भन्दा, प्रम मंत्री, भारत सरकार, नई दिल्ली.
- ३. माननिय जी मोहनलाल जी सुभाषिनी, मुख्य मंत्री, राजस्थान सरकार, जयपुर.
- ४. आई. टी. यू. सी.

आपका

कृष्ण कानूनवादी

प्रसिद्ध २७-२-५५

किशनगढ़ मिल राष्ट्रीय मजदूर कांग्रेस, मदनगंज, किशनगढ़.

किशनगढ़ मिल राष्ट्रीय मजदूर कांग्रेस

मदनगंज-किशनगढ़ (राजस्थान)

(सरकार से रजिस्टर्ड तथा आई. एन. टी. यू. सी. से सम्बन्धित)

पत्र संख्या.....

ता०.....१९५

= २ =

मैं वरिष्ठ योजना काल से गुजर कर देखकर तोष ही योजना को तैयारी में ला रहा है और जिधका मुख्य नारा भाती छे उद्योगिकरुष घोर सङ्घारि होती है उही राज्य मे किशनगढ के दो हजार मजदूरों को रोजगार के लिये सरका मद रहा है. महन्त करके रोटी खाना चाखी है लेकिन उनके हुंह से रोटी कोनी जा रही है. हमारी राज्य के मुख्य मंत्री श्री मोहनलाल जी सुताशिया ३० लाख रुपया करजाकर अपने शहर उज्जपुर मे स्वदेशी काटम मिल काढेका मिल खुलवा रहे है लेकिन किशनगढ का पाठु मिल सिधे मिले १० या १५ लाख रु० लगाकर नहा चउवा सके यह बात हमारे समक में नही जा सकेतो है यह सिपन किशनगढ के मजदूरों के साथ ही मेदभाव का बतौव नही है बल्कि सन्धि मापना का जहर फेलाया जाता है.

सकूरे मजदूर काँग्रेस ने माँग की है कि यदि राज्य व केन्द्रीय सरकार आबजान और सङ्घारि उद्देश्य को बख में लागू करा जास्की है तो यह मिल मजदूर काँग्रेस को सङ्घारि बाधार पर हस को चालू करने को इजाजत दे. जबकि प्राधिकरित लीक्वीटर को धोर से यह मिल ७ लाख के लिये खोब फू दिये जाने का मा घो-बधा को जा चुकी है. इसके इलावा सरकार चाहे तो प्राञ्जित निहाल कर या शक बनाकर एय मिल खो बपने बाधिसार में ले सकता है.

भाप कहेंगे कि मिल को इस घटना से बापका काग तालुक या बापके पात्र सरकार थोडे हो है या सरकार का धोर बापका काम या उद्देश्य चला सला है लेकिन मे बापकी यह नौर देकर कहूंगा कि बापके इस मुदान यज्ञ बान्दोलन धोर सम्पति जान यज्ञ से बहुत कुछ इस मिल का भी सम्बन्ध है. बाप भूमि होन किसानों के लिये भूमि जान में लेते है. क्योंकि हमारे देश को ५०, ५५ प्रतिशत बातापि खेतों है हर है. और बाप बमीशारी बागीरदारों तथा भूमिवाली का दित जीत कर इस समस्या का हल करना चाखी है.

यह हमारा बहोमान्य है कि बापकी यात्रा के बीच हमारा किशनगढ भी बापकी उपस्थिति का लाभ उठा सका. इसलिये इस अवसुता फू मजदूर काँग्रेस किशनगढ के दो हजार मजदूरों के नाम फू बापसे माँग करती है कि बाप जिन प्रकार भूमि होन किसानों के लिये भूमि को माँग करते है उही तरह किशनगढ के खेतीकार और भूले मजदूरों के लिये बाप इस किशनगढ मिल को जान में ले को माँग करके सङ्घारि बाधार पर हसको चालू करने को सही मांगो में सङ्घारि बान्दोलन को सप्र-त करने का योग्य करे.

जिन प्रकार बाप भूमिहीनों के लिये भूमि को माँग करते है उही

किशनगढ़ मिल राष्ट्रीय मजदूर कांग्रेस

मदनगंज-किशनगढ़ (राजस्थान)

(सरकार से रजिस्टर्ड तथा आई. एन. टी. यू. सी. से सम्बन्धित)

पत्र संख्या.....

ता०.....१६५

= ३ =

सर ए किशनगढ़ से उजड़े हुये शहर को बचाने के खातिर, उसके मूठो मरते हुये मजदूरों को रोजगार दिवाने के खातिर, इस मिल को सरकारी भांजा पर शीघ्र चालू करवने मे किशनगढ़ के मूठे नी मजदूरों का साथ दीजिये, चाफकी सिर्फ इतनी प्रार्थना है.

चाफकी इस बंधित हात्कर पर र राज्य व केन्द्रीय सरकारो पर तथा मिल मालिकों पर धितना होता है. क्योंकि जान तक मासिको घोर सरकार ने धितकर हमारी इस सच्ची ओर सही मांग को बराबर उभारते पाये है.

बन्त ने किशनगढ़ के इन दधि कुवते मजदूरों की ओर से फिर क्रान्तिकारी अभिनन्दन करते हुये करतूतकर सरकारी बान्धो ल मे चाफकी बाशीवाद को धामना करते हुये.

चाफका
श्री १०/११/५५
प्रेसिडेन्ट ३-३-५५

किशनगढ़ मिल राष्ट्रीय मजदूर कांग्रेस, मदनगंज, किशनगढ़.

६४
३-३-५५

प्रतिनिधो :-

१. श्री मति बन्दा गान्धी, प्रेसिडेन्ट, बाघ ए निवा राष्ट्रीय समिती, नई दिल्ली,

२. श्री कि जवाहरलाल जो नेहरु, प्रधान मंत्री, भारत सरकार, नई दिल्ली.

३. श्री मोहनलाल जी कुाडिया, राजस्थान सरकार, जयपुर.

४. श्री डांगे A. G. T. U. E. नई दिल्ली चाफका

चाफका
श्री १०/११/५५
प्रेसिडेन्ट ३-३-५५

किशनगढ़ मिल राष्ट्रीय मजदूर कांग्रेस, मदनगंज, किशनगढ़.

Phone : 24952

4 MAR 1959

कपड़ा श्रमजीवी संघ (रजिस्टर्ड)

कटरा शाहनशाही चांदनी चौक, देहली

KAPRA SHARAMJEEVEE SANGH

(Regd.)
No. 350

KATRA SHAHANSHAI CHANDNI CHOWK, DELHI.
Affiliated with A.I.T.U.

Ref. No.....

Dated..3.....3.....1959.

संकेत है

कामपेड़ संसद से उठे

जगजल से के डी प्राल हेडिमा ट्रेड यूनियन का अंग

प्रिय सभा

कपड़ा श्रमजीवी संघ का एक प्रतिनिधि मंडल अंग्रेज

मिलाना चाहता है। प्रतिनिधि मंडल का उद्देश्य युवाव्यवस्थापिका

की दिशाओं में कामकाज को बेहतर बनाना है।

कार्यक्रम बनाने से होगा।

भारत सरकार के युवा मंत्री गुलजारी लाल गुप्ता

का भी एक पत्र लिखा है, प्रारंभ अंग्रेज कटारि वर धारा

प्रतिपक्ष के प्रतिनिधित्व से मिले।

युवा मंत्री से मिलने से पहले हम अंग्रेज मिलाना

चाहते हैं।

आशा है युवा मंत्रालय के

समर्थन से कार्य संपन्न

आपका

This letter is sent
for the...
The D.B. is...
with...
1/3

जगजल से के डी कपड़ा श्रमजीवी संघ

RAJASTHAN TRADE UNION CONGRESS

राजस्थान ट्रेड यूनियन कांग्रेस, व्यावर (राजस्थान)
(Provincial Committee of A. I. T. U. C.)

PRESIDENT :
Swami Kumaranand.
SECRETARY:
Keshrimal
Municipal Commissioner.



BEAWAR (Raj.)

Dated... 3... 3... 1949

श्रीमान
A.I.T.U.C.

रोजनल पास पोर्ट अधिकारी साहब
कर्जन रोड बोरक न्यू देहली
C/o डिस्ट्रिक्ट मजिस्ट्रेट साहब अजमेर
विषय :- पासपोर्ट प्राप्ति हेतु।

प्रिय महाराज

सुप्रसन्न आल इन्डिया ट्रेड यूनियन कांग्रेस ने आपने पत्र दिनांक १८ फरवरी के द्वारा यह हिदायत की है कि मैं मई दिवस पर हुजारी जाने वाले पत्र के साथ जाते हेतु पास पोर्ट प्राप्त करने के लिये प्रार्थना पत्र पेश करूँ। उसी पत्र के आधार पर मैं आपके समक्ष ये प्रार्थना पत्र आपकी स्वीकृति के लिये पेश कर रहा हूँ जिस आप शीघ्र स्वीकार कराने की कृपा करेंगे।

इससे पूर्व मैंने ३१-१-५८ का भी एक प्रार्थना पत्र आपकी सेवा में पेश किया था जिसमें दो जगह जाने के लिये पासपोर्ट देने की माँग की थी उस अर्ज के जवाब में आपका एक पत्र F.93. (383) ता. २४ जुलाई को लिखा हुआ मिला जिसमें आपने पासपोर्ट देने की रजामती लिखी थी लेकिन आपने जोर नहीं चाही थी कि बिराजा वागर आपके या कोई संगठन को उसके अंतर्गतने A. I. T. U. C. से जोर नहीं दिलायी थी। और आपके हस्ताक्षर भी जोर नहीं दिलाये थे। इसी लड़ाई से सारे दिग्दर्शक भी लेश उभरे लगे थे। २७ जुलाई के पत्र में आपने लिखा है क्या उन भी पासपोर्ट आने पर जब कि आपके द्वारा बताया गये तारीख समाप्त होगी जब कि हमने अपने २२-८-५८ के पत्र में लिखा था कि और क्या न हो निमंत्रण है आप पासपोर्ट में जो लड़िका उस पर कोई ध्यान नहीं दिया। उसके बाद लिखा पत्र करते ही आपका कोई उत्तर नहीं आया। १५ नवम्बर को मैं स्वयं देहली आया था आपसे मिलने हेतु लेकिन आपके कार्यालय में आपसे मिलने भी नहीं दिया और १५ दिसम्बर को आप का पत्र मिला कि आपकी अर्ज समाप्त हो गयी है पासपोर्ट की कृपा

RAJASTHAN TRADE UNION CONGRESS

राजस्थान ट्रेड यूनियन कांग्रेस, ब्यावर (राजस्थान)

(Provincial Committee of A. I. T. U. C.)

PRESIDENT :
Swami Kumaranand.

SECRETARY:
Keshrimal
Municipal Commissioner.



BEAWAR (Raj.)

Dated.....19

कि अब आपकी कम्प्रेन्स रही नरो को समाप्त हो गई। इस प्रकार एक लम्बी लिखा पत्रोद उस मरो अर्जी को समाप्त किया, जैसे आप चाहते की साथ ही इनको का सकन के लोकेन पासपोर्ट स्वीकार कर के भी उसको रोक रहे क्यों कि देना नहीं था और समय निबालकर उपरोक्त उत्तर दिया और ये आप जानते हैं कि एक अर्जी करने में ही ४० रु के करीब खर्च होता है।

अब आपकी सेवामें ये दुनारा अर्जी पेश कर रहा हूँ, इसके साथ ५ के स्टाम्प पर गाहनी दी गई है साथमें लक्ष्मीजया साहब द्वारा दिया गया सर्वोफिशियल उमर के कि में सर्वोफिशियल नहीं है लेकिन पर्यक वाली अर्जी में (39-4-52) धरे में प्रमाण पत्रों जो लम्बे से प्राप्त किया था। अब भी आपकी कुछ और गाहनी कागद चाहिए ता आप सीधा A. I. T. U. C. ऑफिस 8 अशाब रोड न्यू देहली को लिखें की ओर गाहनी के सबेरी जैसा आप चाहें, ये मैंने इस लि में लिखा कि अब ओर देर कर दे मुझे

अर्जित नहीं रखा जाय। साथमें A. I. T. U. C. द्वारा भेजा हुआ पत्र भी अरेस्टेड करा यादु का लागे है सब ही प्रकार से हमने इस को जाना पूरी पूरी की है। अब आप शीघ्र ही हमें पासपोर्ट मिलवाने की व्यवस्था करायें। साथमें आप हमारी अर्जी पर ध्यान देंगे।

नकल - A. I. T. U. C. देहली, ध. चवमद

2- R. P. O. कर्जन रोड नई दिल्ली

आपकी

इस पत्र के साथ निम्न कागज नचाई है।

बेवारी

- 1- पासपोर्ट कार्ड और अर्जित कागद और इतर कागद।
- 2- 90 की म. 0. लीड। 25 रु - 23 2. 54.
- 3- लक्ष्मीजया साहब द्वारा दिया गया यादु का प्रमाण पत्र
- 4- फार्म और गाहनी का कागज पर जिसमें बिशुप स्टाम्प है
- 5- तीन फोटो अरेस्टेड।
- 6- A. I. T. U. C. का पत्र अरेस्टेड।

261

March 4, 1959

The General Secretary,
Kapra Shranjeevi Sangh,
Katra Shahanshai,
Chandini Chowk,
Delhi.

Dear Comrade,

Your letter dated March 3, 1959.

Please contact Com.Parvathi Krishnan,
M.P., and Com.Vittal Rao, M.P., Vice-
President and treasurer respectively
of the AITUC. They will look into the
matter and if necessary bring it on the
floor of the Parliament.

You can fix an appointment with them
on phone. We are herewith giving their
phone numbers. Com.Parvathi Krishnan
44365, Com.Vittal Rao 45407.

With greetings,

Yours fraternally,

Amro
Kan 4
(K.G.BRIWASTAVA)
SECRETARY.

24
March 5, 1959

Com. S. Manikyan,
President,
DBR Mills Workers Union,
1-2-690 Bakshiguda,
Hyderabad-Dn

Dear Comrade,

Thanks for your letter dated 27th
February, 1959, addressed to Com. Dange.

Please write to Com. G.V. Chitnis in
Bombay regarding the memorandum of the
AITUC. He will be able to send you the
same. We are giving his address below:

Com. G.V. Chitnis,
All India Trade Union Congress,
R.L. Trust Building, (Law Room)
55 Girgam Road,
BOMBAY-4

Yours fraternally,

K.G.
(K.G. SRIWASTAVA)
SECRETARY

17 MAR 1959

TEXTILE LABOUR UNION

टेक्सटाइल लेबर यूनियन, ब्यावर (राज०)

(Affiliated : A. I. T. U. C.)

PRESIDENT :
Swami Kumaranand.

GENERAL SECRETARY:
Keshrimal
Municipal Commissioner.



BEAWAR (Raj.)

Dated..... 5-3-59 19

*Barmpura
May 20, 1959*

9507
12-48
12. G. श्रीमान्
मेन्नी A-I-T-U-C. नई दिल्ली
प्रियस्वामी

आपके पत्रके अनुसार मैं पासपोर्ट फार्म क्र. 8 को भरकर भेज दिया इससे पूर्व जो फार्म भरा था उस फार्म पर उन्होंने पासपोर्ट नहीं दिया था एक दफा पासपोर्ट अर्ज देने में करीब 300 उसी समय खर्च हो जाता है आगे तो इसमें भी ज्यादा रुकावट और इस समय भी इतना रूप का खर्च हो चुका है। मुझे ऐसा लगता है कि इसका पासपोर्ट दिया नहीं जायगा शकने को ही कोशिश की जायगी। समय भी बहुत कम रहा था ही लेकिन आप छोटी तकलीफें करें तो पासपोर्ट मिल सकता है और उसके लिये मेरे मित्र सुभाषों को आप पूरा करें तो बड़ी कुपहासी।

1- लखनऊ A. I. T. U. C. से डिप्टी सचिव को लिखें और अजमेर को लिखा जाये जिसमें यहाँ से जांच की कार्यवाही करी शीघ्र पूरी करके सारे पत्र R. P. O. नई दिल्ली को भेजने हेतु लिखा जाये।

2- लखनऊ R. P. O. नई दिल्ली को लिखा जाये कि नौ शी. म. अजमेर को लिये पत्र भेजवाने हेतु।

3- R. P. O. दिल्ली वाकॉस आप शीघ्र पूरें कि उन्हें कोई जमानत दी (माफी) जरूरत क्या हो तो आप A. I. T. U. C. संगठन से पत्र भेजने की कृपा करें।

4- आप अपनी ताफस भेजी लिये कि (R. P. O.) नौ शीघ्र पासपोर्ट बनाने उसमें लिखने न करें और आपकी ताफस जो भी लिये उसकी प्रतिक्रिया में मैं लिख दूँगा।
आपकी पासपोर्ट दिखाने में हमारी आपकी मदद करेंगे।
जिगरतना अभिवादन सहित आपका साथी

*Nothing is beyond
this time to be
we are sure
at the level
you will get
ministry APD*

713
Keshrimal

16 MAR 1959

PHONE : 24011 (4 LINES)
GRAMS : "YARN"

261

DELHI CLOTH MILLS

PROPRIETORS : THE DELHI CLOTH
AND GENERAL MILLS CO., LTD.

BARA HINDU RAO
POST BOX NO. 1039
DELHI.

Ref. No. TD/LM/1/17942

Date 5th March 1959

The General Secretary,
Kapra Mazdoor Ekta Union,
Gaushala Gate,
Kishanganj Mill Area,
Delhi.

Sub: Alleged Physical Assault on workers.

Dear Sir,

We are in receipt of your letter No. KMEU/DCM/31/59, dated the 24th February, 1959.

The contents of your letter are not consonant with the facts and are intended to give a completely erroneous impression.

The fact is that some workers appeared to have planned trouble at the Workers' Gate of our Factory at the time of the rest interval of the second shift on 23rd February, 1959. Sri Bachi Ram of Weaving B section who, according to your letter, is alleged to have been assaulted by Watch & Ward sepoy Sri Ram Kishen, was not assaulted by Sri Ram Kishen, or any other watchmen. While he was coming out of the gate the sepoy, as usual, asked him to open the Tiffin carrier to which he did not respond. When the sepoy again asked him to do so, some one from the crowd who was bent upon creating trouble, instigated the workers to man-handle the sepoy who was assaulted then and there. In this melee the Tiffin carrier fell down from the hand of Sri Bachi Ram and Bachi Ram got blows from those who were creating trouble. This situation was further exploited by the trouble makers who started attacking even the two other watchmen - one jamadar, Sri Dasrath Singh, the other sepoy Sri Sajjan Singh. Sri Bachi Ram was then brought out and put on a stretcher and taken on the shoulders of four persons who started raising slogans and declaring that Sri Bachi Ram was dead.

In spite of repeated requests by the Security Officer on duty and a large number of workers, they did not allow any body to go near Sri Bachi Ram whom they had at first declared as seriously injured. You would appreciate that had he really been injured, he would have been given first aid and those who wanted to help him would not have been stopped from doing so. The most surprising part was that some of the workers who were standing outside the workers' gate, finding the sepoy busy in saving himself from the attack, entered the mill premises in spite of the fact that they were not even working in that shift in order to lend a hand to the trouble makers.

Not a few but thousands of workers were witnesses to this most incredible act engineered by some of the well-known persons who have been identified by those who witnessed all this. Fortunately, the workers did not believe that Sri Bachi Ram was dead and as such the machines in the mills, wherever stopped by a handful of workers were promptly brought to normal working by the sane thinking workers.

DELHI CLOTH MILLS

IRS : THE DELHI CLOTH
ERAL MILLS CO., LTD.

BARA HINDU RAO
POST BOX NO. 1039
DELHI.

-2-

Date.....

All this took the mischief mongers over an hour when they carried Sri Bachi Ram on the stretcher from department to department. When he was brought back to the gate, he was not allowed to be put into the Ambulance of the Delhi Cloth Mills but, according to the wishes of some of the trouble makers, was handed over to the police. Sri Bachi Ram, who was later joined by Sri Narsingh complaining that he was also hurt, was taken to the E.S.I. Dispensary and then to Irwin Hospital which refused to admit both the persons as they had apparently no injury. Later on, as you already know, Sri Bachi Ram was detained for observation and final examination by the Doctor Incharge in the Police Hospital on Rajpur Road. Next morning he was also seen in the police hospital by the General Manager himself and was found to be in good health and good spirits. When the doctor incharge of the police hospital thoroughly examined Sri Bachi Ram he could have no trace of any injury and as such he was discharged from the hospital on the morning of 24th February. It may be mentioned that Sri Narsingh was not admitted in either Irwin hospital or even in the police hospital.

It is regrettable that you have been misinformed by the persons responsible for the hooliganism. If in the melee that ensued at the gate or when Sri Bachi Ram was being carried inside the departments, any untoward incident would have taken place, a capital would have been made of it and, as usual, attempt would have been made to place the responsibility on the shoulders of the management.

We, therefore, strongly urge the unions to dissuade their members from taking recourse to such actions which are fraught with grave dangers and adverse consequences of far reaching importance to the relations between the management and workers as also to the smooth working of the industry.

Yours faithfully,

sd. T. Nath
for Managing Agents.

TD/CM/1/12848

Copy to the General Secy, All India Trade Union Congress, 4-Ashoka Road, New Delhi.

[Handwritten signature]

9 MAR 1959

7/3/1959

Dear K.G., (261)
Thank you for your letter and copies
of TUR.

Till 10th inst. I am terri-
-bly busy with the mem-
-bership campaign of the
CKU. After that I will see
what I can do with
them. Till then I have
keeping kept the lot in the
office of the BSTU, and
asking Kollatkar to see
if he can dispose of
any of them.

(2) Enclosed herewith
are copies of the first
handbill issued by
the union.

Yours
A. B. ...

11 MAR 1959

Rashtriya Mill Workers Union Amalner
Sathel Building, Rani Laxmi Chouk,
Amalner, E.K.

Dated 9th March, 1959.

Dear Comred Dange,

I have already forwarded to you a copy of a memorandum, addressed to the Labour Minister, Government of India. Two representatives of our Union have already discussed this personally with you in the month of January, 1959, when your camp was in Bombay,

We request you to contact Shri. Gulzarilal Nanda, the Labour Minister, in order to make him understand the whole issue, and please let us know the results of the same.

Yours Comredely,

V.S. Ratnaparkhe

(V.S. Ratnaparkhe.)
General Secretary,
Rashtriya Mill Workers Union,
Amalner, E.K.

HISSAR TEXTILE MILLS WORKERS UNION,

NAGORI GATE,
HISSAR.

Regd. No. 40

Dated 6.5.1958

Ref. No. 92/58

श्रीमान लेबर इन्स्पेक्टर साहिब,
हिसार।विषय:- श्रमिका S/O शिवलाल खाता रिंग पास नं० 110 डिपर II
हिसार टेक्स्टाइल मिल्स, हिसार।

श्रीमानजी,

यह चर्कर 31-3-58 से 15-4-58 तक को छुटी लेत्र गया था परन्तु इसके भाई की शादी 23-4-58 को रख दी गई, इसलिये हमने 10 दिन की छुटी के लिये तार भेजा, परन्तु मिल अधिकारियों ने इसका कोई जवाब नहीं दिया, कि पुन्हारी छुटी मंजूर हुई या नहीं। जब यह छुटी काट कर आया, तो यूनियन के प्रधान के साथ मास्टर शान्ति स्वरूप जी मिला, मास्टर जी ने कहा था - कि हमारी गलती है, हमने इसके उत्तर नहीं दिया। हम इसके काम पर रख लेंगे और इसकी छुटी भी मंजूर कर लेंगे। मगर लेबर ऑफिसर श्री मेहता साहिब ने इसको अपने दफ्तर में बुला कर, और धमका कर, इससे एक कागज पर दस्तरखत करवा लिए और इसे बदली चर्कर बना लिया। मेहता साहिब का यह रवैया अच्छा नहीं है और यह कारीगर बिबुल अनपढ़ है।

आपसे प्रार्थना है कि इस चर्कर को परमानेंट करवाया जाए और मिल वालों से कह कर इस किसम का व्यवहार बन्द करवायें।

कापी -

लेबर ऑफिसर भिवानी।

" कमिश्नर उम्बाला।

" मिनिस्टर - चन्ही गढ़।

लाल अरतराम दिल्ली।

डिप्टी कमिश्नर हिसार।

सुपरिन्टेन्डेंट पुलिस हिसार।

आपका

Sd. हेमचन्द्र गुप्ता

मंत्री

Phone No. 149

WORKERS UNITE

HISSAR TEXTILE MILLS WORKERS UNION

Regd. No. 40

NAGORI GATE,

HISSAR

Ref. No 175/58

Dated

8-6-58

श्रीमान मैनेजर साहिब,
एन्च. टी. मिल्स, हिसार।

- विषय:-
1. साधुराम S/O दैलबहाम खाना, स्कोलिंग शिफ्ट I पास नं० 8
 2. इन्दरल S/O कल्लाल सिंह " " I पास नं० 10
 3. जोरासिंह S/O गबर सिंह " " I पास नं० 9
 4. सुवराम S/O राम " " I पास नं० 6

श्रीमान जी,

इन चारों वर्कर्स को स्कोलिंग खाते की शिफ्ट I के सुपरवाइजरने ती 4-6-58 को नाजाइज लॉर पर तंग किया और इन पर तीन पल्ले-चलाने का जोर देता रहा। यह वर्कर्स अपनी मशीनों पर काम कर रहे थे, और तीन पल्ले-चलाने से इन्कार कर रहे थे, क्योंकि तीन पल्ले-चलाने से काम का बोझ बढ़ता है और यह वर्कर्स भी फुल साइडरज है। आगे कर सुपरवाइजर साहिब ने, जबकि इनको काम करते हुए दो घंटे हो गए थे, मिल से बाहर कर दिया।

आपसे प्रार्थना है कि आप इनको तारीख 4-6-58 का पूरा पैसा दें और इन पर हो रही इस किसम की जापसतियों को बन्द करवाएं।

कामी —
लेखा इन्स्पेक्टर।

आपका
श्री सत्यनारायण शर्मा
मंकी

Phone No. 149

WORKERS UNITE

HISSAR TEXTILE MILLS WORKERS UNION

Regd. No. 40

NAGORI GATE,

HISSAR

Ref. No 177/58

Dated

6.6.58

श्रीमान मैनेजर साहब,
हिंसार टैक्स्टाइल मिल, हिंसार।

विषय - सुपरवाइजरो का वर्करो के साथ असभ्य व्यवहार ।

श्रीमान जी,

हमारे पास ऐसी शिकायतें आई हैं - कि कुछ सुपरवाइजर और मिली वर्करो के साथ बुरा सलूक करते हैं और गालियां देते हैं।

आप से प्रार्थना है कि आप इस किसम की ज्यादतियों को दूर करवाएं और ऐसा व्यवहार फौरन बंद किया जावे। वर्करो में इससे बड़ी बेचैनी फैल रही है।

आपकी -
लेखा इन्स्पेक्टर हीना।

आपका
Sd/- सत्यनारायण शर्मा
मंत्री

Phone No. 149

WORKERS UNITE

HISSAR TEXTILE MILLS WORKERS UNION

Regd. No. 40

NAGORI GATE,

HISSAR

Ref. No. 173/58

Dated

6.6.1958

श्रीमान जनरल मैनेजर साहब,
हिस्सर टेक्स्टाइल मिल, हिस्सर

विषय— डबलिंग खाते के कारीगरों के बारे में।

श्रीमान जी,
डबलिंग खाते के कारीगरों को मिस्रि व सुपरवाइजर पिछले तीन चार दिनों से बड़ा तंग कर रहे हैं। उन्हें धमकी दी जाती है - कि अगर तीन पल्ले चलाओगे तो तुम्हें चार्ज शीट देकर निफाल दिया जायेगा, इसी तरह बदली वाले कारीगरों को तंग किया जा रहा है, और उनसे कहा जाता है - कि जब तक तुम तीन पल्ले नहीं चलाओगे, हम तुम्हें काम पर नहीं रखेंगे।

पिछले तीन दिनों से बहुत से बदली वाले कारीगरों को लगातार काम से वापिस किया जा रहा है। आपसे प्रार्थना है कि आप डबलिंग खाते के कारीगरों की शिकायत दूर करें।

आपकी
लक्ष्मी—
लेखा इन्स्पेक्टर हिस्सर।

आपकी
Sd/- सत्यनाथ शर्मा
मंन्त्री

Phone No. 149

WORKERS UNITE

HISSAR TEXTILE MILLS WORKERS UNION

NAGORI GATE,

Regd. No. 40

HISSAR

Ref. No 182/58

प्रस्ताव

Dated 4-8-58

3-8-58 को एक वर्किंग मीटिंग की मीटिंग श्री विक्रम सिंह की अध्यक्षता में हुई जिसमें निम्नीलिखित प्रस्ताव पास किया।

यह मीटिंग श्री दरनि सिंह मैनेजर वर्किंग मीटिंग की दरखवास्त सुनने के बाद इस नतीजे पर पहुँची है कि उसकी बीबी की बीमारी के सिलसिले में जब कि पिछले डॉक्टर ने पर्चा लिखकर दिया कि हालत बड़ी चिन्ताजनक है इसलिए आप मिल की जीप लेकर जल्दी ही बड़े अस्पताल में पहुँच जाओ परन्तु मास्टर शान्ति स्वरूप जो कि *officiating manager* थे तो उन्होंने उस समय श्री दरनि सिंह से अच्छा सलूक नहीं किया वह खैरा बिल्कुल *Inhuman* था। हालांकि जैन साहिब का डुबम है कि किसी भी जरूरी समय या जरूरी तंजलीफ के पक कारीगर को जीप दी जाय।

यह मीटिंग जनरल मैनेजर से यह मांग करती है कि इसकी जांच की जाय और ठीक *action* लिया जाय। भविष्य के लिए इसका ठीक प्रबंध करें।

बाला भरतराज जी देहली प्रलोच मिल्स
देहली
जनरल मैनेजर साहिब हिसार

आपका
sd. देवचन्द गुप्ता
मन्त्री

श्रीमान् जी मैनजल माह व.

12-8-58

H. T. M. दिनांक ।

शुभ रात में निवदन है कि हमारी इस पाली में मिस्त्री जिमका
को लक्ष्मी चक्र अपना घोंघली बाजी चलाकर कारीगरी
को तंग कर रहे हैं साथे खाते में कुछ अपने आदमीयों को
रि कानुनी पापदा पहुँचाकर (जैसा माल में गडबड करना)

जायज बिना वारी के माल चलवाना इधर उधर से
माल फैलवाना और दुसरे कारीगरी से उर के लिए माल
चलवाना या *any other condition* में से जात माल
चलवाना इत्यादि 2) पापी बाजी बना (रही है) और

हमें बल नाम कहते हैं कि तुम ने सटपाटी बाजों
को रखा है । जब हम कोई शिकायत करते हैं-तो
भाई कुनाई नहीं होती - उजबसे माल में *distribution*
नियोजा है । उस समय से उर से आदमीयों को कुछ

चनी हो रही है। क्या कि इस तरह से सबको बलाव
त मिलता है । और उन को घोंघली बाजी नहीं चलती - साथे कारीगरी
बहुत बचनी फैल रही है और इस समय मजदूरी होने का समय रहता
। इस लिए हम आपसे प्रार्थना करते हैं कि इस चीज में

दूध ताप करके कारीगरी की बचनीको इरकिया
या उपारण के तौर पर हम आपको नोडिस में एक दो
अपने लिखते हैं।

सहीलात नीवकी . 2. कारीगरी की मातरी गडबडी . 3
माल के लागू लीटर 12-8-58 का मजदूरी . 4. कुछ कारीगरी के
में साथ दिखाने इत्यादी . आ हम आपको आशा करते हैं कि
जल्द साथ मिलकर इसकी जल्दी से जल्दी करवाई
नहीं

आपके हस्त
हस्ताक्षर

Phone No. 149

WORKERS UNITE

HISSAR TEXTILE MILLS WORKERS UNION

Regd. No. 40

NAGORI GATE,

HISSAR

Ref. No

185/58

Dated

14.9.1958

ترہیاں خیر خیر صاحب حصار ٹیکسٹائل ملز حصار۔

موجودہ ماہ ذرا دسویں دن کو حصار میں ریٹنگ کے ISL پالی کے دوروں کی شرکت کی رپورٹ
آئی ہے۔ حکومت اگلے اس بھیج رہے ہیں۔ کرپا کر کے اس دوروں پر انہی طرح کا پانچ فیصد
کے گورنمنٹ انتظام کیا جاوے۔ اور دوروں کی یہ ضمنی اور دوروں کے ٹیکسٹ ایس
افتتاحی دور ہیں تاکہ ضمنی تقریبوں میں کوئی رکاوٹ پیدا نہ ہو۔

سربراہ مل

اسکا

ٹیکسٹائل ملز
حصار

HISSAR TEXTILE MILLS WORKERS UNION,

Regd. No. 40

261

Resolution

NAGORI GATE,
HISSAR.

Ref. No. 18/58

Dated - 18-8-1958

17-8-58 को श्री विद्या सिंह की अध्यक्षता में वर्किंग कमेटी को एक मिनिंग हुई जिसमें निम्नलिखित प्रस्ताव पास किया - जो कि मास्टर शान्ति सरूप ने 15 अगस्त को राज रोडशा के समय कुछ कुछ प्रयोग किए -

वर्किंग कमेटी ने 15 अगस्त के दिन कंडालहाते एक मास्टर शान्ति सरूप जी Acting मैनेजर हिस्सार टेक्सटाइल मिल के माध्यम को संक्षिप्त रिपोर्ट सुनी - वर्किंग कमेटी ने विज्ञापन कर गैर मिनिंगो और वृत्तियन वर्करो के साथ सम्बन्धित निम्नलिखित वाक्य को सौजिस -

"कुछ बेवकूफ लोग गैर पर आकर शाली दिया करते हैं - ऐसे लुन्चे और लाफंगे आदमी शहरों में घूँटो घूमा करते हैं । मैं यह बात कहना तो नहीं चाहता था, पर तुम्हें में लिखना ही जगता -"

को बड़े दुख और अफसोस से सुना, वर्किंग कमेटी को पट रसम है कि कुछ औरसे से मास्टर शान्ति सरूप का रवैया सीधा तौर पर औद्योगिक शान्ति गंज करने को और जा रहा है ।

वर्किंग कमेटी ने इससे पहले भी मैनेजमेंट को मास्टर जी के Unhappy (अनहेल्दी) रवैया के बारे में कई बार लिखा है - वर्किंग कमेटी सहकार फिर जनरल मैनेजर और लाला भरतराज से प्रार्थना करती है कि वे इस सिद्धान्त में आकड़ों के कार्ड करें वरन्को कि मास्टर जी के इस रवैया से वर्करो में बहुत असन्तोष फैला हुआ है ।

- मैनेजर साहिब हिस्सा
- लाला भरतराज जी देहली
- डी.सी. हिस्सा
- लेबर इन्स्पेक्टर हिस्सा
- ॥ आफिसर गिरानो
- ॥ फोग इनर अम्बाला
- ॥ मानिस्टर - चंडीगढ़
- ॥ " " देहली
- A. I. T. U. C. देहली
- स्वतंत्री. हिस्सा

आपका

Sd. रघुचन्द गुप्ता
मंत्री

श्रीमान जनरल मैनेजर साहिब,
द्वारा देवरायल मिन, हिसार।

शेख में निवेदन यह है कि फल दिनांक 20-8-58 को शाम को लगभग सात बजे श्री मत्पपाल शिपर मिस्री ने सब स्टेशन पर आकर जहां मैं ड्यूटी पर था मुझ से एक कागज जिस पर उन्होंने कुछ लिखा और हसीदी रिकर लगाकर मुझ से उस रिकर पर दस्तखत करवाने चाहे मैं ने वह कागज लेकर अपनी जेब में रख कर उन को यह दिया कि यह कागज अब मैं आपको वापिस नहीं कर सकता। उसने कहा यदि मैं अब तुम से यह कागज वापिस ले लूं तो, मैंने फिर भी इन्कार कर दिया जिस पर उन्होंने मुझ को जाले से पकड़ कर अपना कागज मेरे हाथ में था मैंने तफलीफ और डर से मुझ को बचाओ की आवाज दी जिस पर उसने एक दफा जला और दबा कर छोड़ दिया और बाहर निकलने लगा जैसे वह बाहर निकला मेरी आवाज सुन कर वाच रण्ड वार्ड का ड्यूटी वाला आदमी सब स्टेशन के बाहर आ चुका था तथा श्री रायबन साहिब और श्री आनन्द साहिब भी गए और वह इत्को ले गए।

अतः मैं मजबूर हो कर अपनी डिफायत आप तक पहुंचा कर आपसे प्रार्थना करता हूँ कि आप इस पर विचार करके उचित कार्रवाई करेंगे।

दिनांक 21-8-58

मैं हूँ
आपको निवेदना पत्र

Sol. भावना राहाण S.B.I.
शिपर II
इलेक्ट्रिक Dept.

Phone No. 149

WORKERS UNITE

HISSAR TEXTILE MILLS WORKERS UNION

Regd. No. 40

NAGORI GATE,

HISSAR

Ref. No _____

Dated 21. 8. 58

श्रीमान मैनेजर साहब,
हिसार टेक्सटाइल मिल, हिसार।
सेवा में निवेदन है - कि हम श्री सत्यपाल शिफ्ट में जो इलैक्ट्रिक खाल
के मिली हैं, - के बारे में कई वकीलों की शिकायतें आप तक पहुंचा चुके
हैं। इसी तरह की एक और शिकायत आज हमारे पास आई है, जो
काफी गंभीर है।

यह शिकायतें ध्यान देने योग्य हैं, और श्री सत्यपाल
के बारे में इलैक्ट्रिक खाल के वकीलों में काफी असंतोष है। कल जो
सब स्टेशन पर श्री भगवत सहाय के साथ श्री सत्यपाल ने वतीव
किया, उससे पता चलता है - कि श्री सत्यपाल का चरित्र कैसा है, इसी
तरह की कई शिकायतें आपके पास पहुंच चुकी हैं। अन्त में आप से
प्राचीन है कि आप भी सत्यपाल को सरनत रुकवान लें। साथ ही हम
श्री भगवत सहाय की दरख्वास्त भी आपके पास भेज रहे हैं।

आपका

श्री. सत्यनाथन शर्मा

मिली

- 9 JAN 1959

Phone No. 149

WORKERS UNITE

HISSAR TEXTILE MILLS WORKERS UNION

Regd. No. 40

NAGORI GATE,

HISSAR

Ref. No

Dated 26-8-58

شہزبانہ میمبڑ صاحب حصہ، سندھ سٹائل ملز حصہ

شہزبانہ میمبڑ

گزارش ہے کہ ہم نے ایسا درخواست مورخہ 11/8/58 کو تمہیں سٹری اور لیجن کے خلاف کچھ شکایات آبی خدمت میں بھیجی تھی۔ لیکن درخواست پر ابھی تک کوئی محو نہیں دیا گیا۔ جبکہ مارکیٹوں میں بے چینی ہے۔ اور ریٹنگ کھاتے میں دن بدن تا بائز سختیوں کی جا رہی ہے۔ جبکہ زبانی شکایت سپروائزر اور آبی خدمت میں کی جا چکی ہے۔ لیکن ابھی تک اس کا کوئی حل نہیں دیا گیا۔ ریٹنگ میں مال کی بہت کمی ہے۔ پرمانٹ ورکرز کو ایسی سال نہیں ملتا۔ دیپس کے ورکروں کو لگانا اور اسپن کیا جا رہا ہے۔ یہ سب بھی اگلے ہفتے سے سٹری سٹ ٹرانس نے مورخہ 8/8/58 کو بھیجی لیکن ابھی تک کوئی جواب نہیں دیا۔ ہم ہر ایک بار آپ سے درخواست کرتے ہیں۔ آپ ورکرز کی مشکلات کا بندھن سے جلدی حل کریں۔ اور آپ نے جلدی سے کوڑھیں خرابایا تو ورکرز کسی وقت بھی اس لئے کر دینگے۔

اسکا
سب قہر لینا

تمہیں درخواستی ابھی

HISSAR TEXTILE MILLS WORKERS UNION,

NAGORI GATE,
HISSAR.

Regd. No. 40

Dated - 30-8-1958

Ref. No. 211/58

29-8-58 को श्री विक्रम सिंह की अध्यक्षता में हिसार टैक्सटाइल मिल वर्करज यूनिफन की संकल्पना हुई जिसमें निम्नलिखित प्रस्ताव पास हुआ:-

हिसार टैक्सटाइल मिल वर्करज यूनिफन की वर्किंग कमिटी ने एक प्रस्ताव 3-8-58 को पास करके भेजा था, जिसमें मास्टर शान्ति स्वरूप जी ने जो व्यवहार यूनिफन की वर्किंग बगेरी में मैनेजर श्री दर्शन सिंह के साथ किया था। उसके बारे में मैनेजमेंट ने अभी तक कोई कदम नहीं उठाया है और ना ही यूनिफन को कोई संतोष जनक उत्तर दिया है। इसका प्रस्ताव यूनिफन की वर्किंग कमिटी ने 17-8-58 को भेजा था - जिसमें मास्टर शान्ति स्वरूप जी ने 15 अगस्त को ध्वज रोहता के समय, यूनिफन के प्रति जो शब्द कहे थे - और ना ही कोई संतोष जनक उत्तर यूनिफन को दिया है इससे वर्करों में बहुत खैरेनी बढ़ गई है।

आज की यह सभा मांग करती है इस प्रस्ताव पर जल्दी से जल्दी ध्यान दिया जाए और उसके बारे में कोई कदम उठाया जाए, यूनिफन को यह आश्वासन दिया जाए कि आपन्दा ऐसा व्यवहार और विरोध उत्पन्न पर कोई ऐसे शब्द न कहे जाएं जिससे यूनिफन की प्रतिष्ठा को ठेस लगे।

- लेबर इन्स्पेक्टर हिसार
- " ऑफिसर भिवानी
- " फार्मिस्टर अम्बाला
- " मैनिस्टर चंडीगढ़
- " मैनिस्टर देहली

लाला भरतराम जी देहली

मैनेजर खाहिल हिसार

डी. सी. हिसार

स्प. पी. हिसार

A.I. T. U. C. New Delhi

P.T. U. C. जालंधर।

आपका

Ed. टंकचन्द गुप्ता

मन्त्री

HISSAR TEXTILE MILLS WORKERS UNION.

NAGORI GATE,
HISSAR.

Regd. No. 40

Dated 2.9.1958

Ref. No. 236/58

श्रीमान जनरल मैनेजर साहिब,
हिस्सर टेक्सटाइल मिलज, हिस्सर।

सेवा में निवेदन है - कि कल तारीख 1-9-58 को मास्टर शान्ति स्वरूप जीने हमारे सैक्रेट्री श्री सत्यनारायण के साथ दुर्विचार किया और आपका ब्यक्त करना इस प्रकार है :- कि श्री सत्यनारायण को बर्करी के बारे में मास्टर शान्ति स्वरूप जी के पास गए, क्योंकि श्री राधावल साहिब ने उनकी काम पर रखने से इन्कार कर दिया था, और उन्होंने कहा था - कि मास्टर जी (शान्ति स्वरूप) के पास जाओ। इसके बाद सत्यनारायण मास्टर जी के पास गया, पर मास्टर जीने सत्यनारायण की बात सुनने के बजाय उसे निम्नलिखित आपका ब्यक्त करे :-

" कि मेरे पास आने की जरूरत नहीं है, और ना ही तुम्हारी बर्करी की जरूरत है, और अगर ज्यादा चीं - चण्ड करोगे, तो जमादारी को कुला के बाहर निकलवा दूंगा। "

यूनिफन ने पहले भी कई प्रस्ताव इसी विषय में आपके पास भेजे हैं - कि मास्टर शान्ति स्वरूप जीका बर्करी के साथ दिन व दिन खराब होता जा रहा है। अगर मास्टर जीका बर्करी ऐसा हो रहा, तो यूनिफन को सजबूर होकर कोई आन्दोलन करना पड़ेगा, जिसकी सारी जम्मेवारी मैनेजमेंट पर होगी।

आपका :-

श. रंजचन्द्र गुप्ता
मंत्री

- लेखा इन्स्पेक्टर दिल्ली
- " ऑफिसर भवानी
- " कमिश्नर अम्बाला
- " मास्टर चंडीगढ
- लाला भरतराम देहली
- लेखा मास्टर देहली।

जल्द से जल्द कारवाई की जाए।

HISSAR TEXTILE-MILLS WORKERS UNION.

Regd. No. 40

NAGORI GATE,
HISSAR.

Ref. No. _____

Dated 7-9-195

श्रीमान जनरल मैनेजर साहिब,
हिस्सर टेक्सटाइल मिल, हिस्सर।

श्रीमान जी, मैं निवेदन यह हूँ कि हम आपके भी मास्टर शान्ति स्वरूप जी के खर्चे के बारे में शिकायतें भेज चुके हैं, जो इस प्रकार थीं:—

1. नमोड वर्किंग रीड्स की धर्म पत्नी में न चला होने के अलावा पर उहे जीप न देना और वही तरह प्रकार का खर्च भी भेजा करना।
 2. 15 अगस्त के शुभ अवसर पर पूनियन के वर्कर्स को बुद्धिमत्ता आदि कहना।
 3. पूनियन के लैकडी कामरेड लया-रायाण के बुद्धिमत्ता करना।
4. अब यह सुने से आता है कि मास्टर जी शायद ही बुद्धिमत्ता की फिर से दोहराने की कोशिश में हैं मुना जोरदा है कि न फिर हमारे किसी वर्कर पर हमला आदि करने की योजना बना रहे हैं। पूनियन हमसे पहले यह बातचीत कर चुकी है और हमारी बुद्धिमत्ता - जो किसी भी समय बंद नहीं - होने का खर्चा करके हमें हमारी तरफ से थकीन दिलाना चाहते हैं कि वर्कर अन्तिस समय तक अन्त रहने का प्रयास करेंगे और हम औद्योगिक शान्ति बहाल करने में पूरा सहयोग देंगे। अगर इस के बावजूद भी कोई ऐसी बात बनी तो उसकी सारी जम्मावारी मास्टर शान्तिसलप जी पर होगी।

आपकी
कार्यालय कार्यालय
आफिस में

सेवा में,

दिल्ली टैक्सिडल मिल्स वर्कज थ्रॉपन

मैं निवेदन है कि मुझे मिल्स में काम करते हुए आज दो वर्ष ही अधिक हो गए हैं। पल्लु मिली की दायंथली से मुझे जानु डाफर (बना दिया गया है) जब कि मेरा एक फुल साइड (full side) का है। नया कि जब से मैं अक्लिंग लाते से काम करता हूँ। उस समय से 14 वर्ष तक बाबा पल्ला चलाता हूँ। आज से 5 महीने पूर्व जब राम साइड (नया पल्ला) का आगोडा हुआ तब से मुझे मिली में डाफर में काम देना शुरू कर दिया और आज तारीख 30-10-58 को मुझे परमानेंट ऑफिस बना दिया है।

मैं अपनी प्रतिपत्न के प्रति नाथिय से निवेदन करता हूँ कि जब मेरे बाबा के फुल साइड बनाया है। उस का और मेरा रिकॉर्ड देकर कर (मुझे मेरा एक मिल कामान की सुझा करे।) उम्मीद की उम्मीद हुआ होगा

आपका
करना सिद्धे 510 कंधुला सिद्धे
कामान का मिल 19 सिद्धे

251 ✓

Consultations regarding the formation of a new united union of textile workers were held in Bombay on Saturday, the 22nd November 1958 and Messrs. Dange, S.M. Joshi, R.D. Bhandare, Uddhavrao Patil and Datta Deshmukh have issued the following statement.

" For a long time discussions have been going on among Bombay textile workers, their unions and leaders about the necessity to establish a united union that would give shape to their urges, aspirations and sentiments.

Lacs of textile workers in the last two or three years have gone into united action in defence of their trade union rights and right to work and living. The union of INTUC which has been made representative under the law has failed to represent the workers in all these actions.

In the present crisis of closures, unemployment, rationalisation and the attacks of the employers, it is necessary to have a united union of the workers to defend their interests.

We have therefore decided to give a call to start a union that will give form to the large measure of unity of thought, feeling and action that prevails among the Bombay textile workers.

The union will be an independent organisation and will carry forward the great fighting tradition of the Bombay's working class in the interest of the class and the country.

The programme for the foundation rally, membership etc. will be announced.

To

Shri P. Sabanayagam, I.A.S.,
Committee to go into the question of
Economies in Madura Mills Co., Ltd.

*Good Case for
publishing
S.A.S.*

First Memo of representation on behalf of the Madurai
Textile Workers Union, Vikramasingapuram Textile Workers Union
and Tuticorin Mill Labour Union.

I. Administration Charges.

We have reason to believe that the Administration
charges in this Company are unduly heavy and have tended to
show an upward tendency in the last 10 years. Therefore
it is necessary to go in some detail to the question of the
number of administrative personnel and their emoluments at
least over a period of 10 years. To our knowledge there
are the following categories in the Administrative Personnel:

- (1) The Managing Agents == A. & F. Harvey Ltd.,
(On this see I-B)
- (2) Managing Director: On Rs 10,000/- per month.
- (3) Deputy Managing Director: On Rs 8000/- per month.
- (4) Managers: Per pro officers or Mercantile Assistants.

- i. M. Andrews,)
- ii. A.N. Cooper, :
- iii. D.E.B. Watson, : On Rs 4000/ per month.
- iv. B.W.C. Johnston, :
- v. J.J. Grant, :
- vi. R.G. Nyran,)

- vii. Thomas Adamson,)
- viii. T.K. Sivasamban, : On Rs 2000/- to
- ix. M. Krishnamurthi, : Rs 3000/= per month
- x. J.R. Perthasarathy, :
- xi. T.K. Raghavachari, :
- xii. Chandra,)
- xiii. Chakkram Rao)

(5) Office Assistants or Covenanted Officers:

- i. N.A.V.S. Kannan) On Rs 1000/- per
- ii. Raman) month.

(6) Junior Assistants or pro-officers.

25 officers on Rs 500/- to 800 per month.

(7) Technicians - Engineers:

- (a) i. Watt,)
ii. Peacock,) On Rs 4000 per month.
iii. Hogen)

(b) Juniors:

- i. 5 on Rs 2000/- to 3000/= per month.

(8) Spinning Masters:

- (a) i. Robinson,)
ii. Turner,)
iii. Watson, : On Rs 2500/ to
iv. Ghosh, : 3000/ per month.
v. Isaac.)

(b) Assistant Spinning Master:

- 6 on Rs 800/ per month.

(9) Supervisors:

- About 100 on a minimum of Rs 800/- per month.

There may be more in these categories and there may be more categories also. The Management may be directed to produce a full list of the entire Administrative personnel and their present emoluments. It is also necessary to find out if there has been any addition to categories (4) to (9) above.

I. A.

Here below in the cash and other benefits to senior officers who draw a salary of Rs 950/ and above.

Allowances+:-

- per month?
1. D.A. Rs 75/- per mensem
2. Marriage allowance Rs 250/ per mensem
3. Children allowance Rs 50/- per child subject to a maximum of Rs 150 p.m.
4. Special allowance: Rs 100/- for those who are on Manager's grade.

Other Cash benefits:

Company's contribution to

1. Provident Fund at 6% of salary and D.A.
2. Pension fund at 20% of salary (covered by an insurance cum pension scheme with Gresham Life Assurance Co., Ltd., Bombay).

Other benefits in kind:

1. Free and full furnished bungalow equipped with large scale modern furniture (inclusive of mattresses and pillows), Air Conditioners and electrical gadgets such as Frigidaire, heaters etc.
2. Fuel coal or firewood and kerosene.
3. Free maintenance of bungalows;
4. Servants and gardeners,
5. Electricity charges,
6. Petrol 20 gallons allowed for those who own a car,
7. Vegetables supplied by Company's farm at concessional rather nominal rates,
8. Free medical treatment for the entire family (including maternity) - free supply of medicines including food tonics,
9. For those who are on Manager's Grade a car & driver are given at their disposal.

NOTE:-

1. The pension scheme was started in 1955 until then the company's contribution to pension fund was only 2½%.
2. D.a. of Rs 250/ was merged in salary to get more benefit in Pension Scheme.
3. Medical charges for families was allowed from 1956.
4. Air conditioners were installed in office and bungalows during 1956 & 1957.
5. Bungalows were remodelled and large scale furniture were added to during 1956/1957.
6. Marriage and children allowance were allowed from 1955.

I. B. Managing Agency.

Managing Agency.
Commission.

1940	Rs	50952		2, 20, 44, 406
41		498757		
42		2142753	1955	973004
43		4000000	56	1180934
44		3223100	57	607093
45		2329077		-----
46		1478316		3, 48, 05, 437.
47		1026859		
48		2218442		
49		677791		
50		191527		
51		1298899		
52		878817		
53		729084		
54		<u>1230032</u>		
		220, 44, 406.		

A & F Harvey is the Managing Agency Firm. The above Table will show the collagal amounts to appropriated by this firm till statutory restrictions came. Even under present statute they get more than 11 lakhs. Whatever may be permissible under law, when the productive unit namely Madura Mills Co., Ltd., is alleged by the Management to be in difficulties, it is only fit and proper that there should be an appreciable reduction in the Commission allotted to A. & F. Harvey. If they don't come forward for a cut in the Commission they cannot persuade the Administrative Personnel to accept any measure of sacrifice.

The Managing Agency Commission includes

- (a) 10% on net profit (the net profit includes amounts set apart for taxations, 50% of depreciations, amount set apart for reserves and provident fund and pension contributions).
- (b) Rs 500/- per month on every 25000 spindles.

I.C.

1. Sir James Doak as adviser is paid Rs 5500/- per month.
2. One Mr. Hughson at the London Office of Harvey Bros. is paid from Mill funds a monthly salary of Rs 2500/-
3. Servicing charges of about Rs 2000/- per month are paid from the Mills for this London office.
4. Very recently a senior officer and two junior Officers from the Pandyan Insurance Company have been transferred to the Mills. Similarly another senior officer from Punalur Papers has also been transferred to the Madura Mills. The Additional burden may easily exceed Rs 1 lakh per year.

All the above are unnecessary and must go.

Madurai :
27-11-1958. :

M. M. M. M.
GENERAL SECRETARY,
Madura Textile Workers Union,
Madurai.

To

Shri P. Sabanayagam, I.A.S.,
Committee to go into the question of
Economics in Madura Mills Co., Ltd.

Second Memo of Representation on behalf of the Madura
Textile Workers Union, Vikramasingapuram Textile Workers'
Union and Tuticorin Mill Labour Union.

Cotton Purchase arrangements:

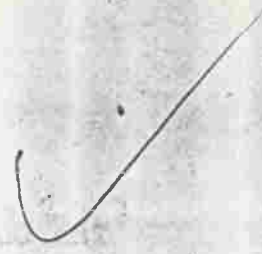
Our information is as follows:-

All cotton purchase for the Madura Mills is through a
sister concern by name The Comerin Investment and Trading
Company (Private) Ltd. This Company has no capital of its
own. The funds of the Mills are transferred to this company
through the National Bank.

Cotton, foreign or indigenous, is purchased in the
name of this Company and then despatched by it to the three
Manufacturing Centres namely Madurai, Ambasemudram and
Tuticorin. A purchasing Commission of 2½ per cent is added
on to the actual price and passed on to Madura Mills Co., Ltd
Madurai. This means for an average annual purchase of
Rs 8 to 10 crores, the Comerin Investment and Trading Company
(Private) Ltd. makes a commission of Rs 20 to 25 lakhs per
annum.

Cotton purchased locally is sent to ginning factories
owned by the Mills and ginned there at Mills' cost; but
the ginned cotton is credited to Comerin Investment and
Trading Company (private) Ltd., first and from there comes
to Madura Mills Co., Ltd. carrying the extra 2½ % commission.
The ginning charges come under gin and process account which
is always "a loss account". To spend Mill funds for ginning
and then to get it through Comerin Investment and Trading
Company (Private) Ltd. and write accounts accordingly is a
strange anomaly.

*ow many
... are
...?
R. said that
it was never
...
And that was
Capital ...
Rs. 1000/-
It is wrong to
say Co. has no
Capital ...
...
...
we said ...
...
...*



The Comerin Investment and Trading Company (Private) Ltd accounts do not come into Madura Mills accounts.

We learn that the staff of the Comerin Investment and Trading Company (Private) Ltd. is maintained on Madura Mills Funds.

At present about 80 per cent of cotton is imported and the gins at Nallattanputtur and Dindigul have been closed down.

We reliably understand that both at the purchasing point by Comerin Investment and Trading Company (Private) Ltd., and transfer to Madura Mills sales tax comes in. The burden of this is also passed on the Madura Mills account.

Our contention is that the Comerin Investment and Trading Company (Private) Ltd. is only a name assumed by Madura Mills Co., Ltd. for their own purposes. This is an unnecessary and unwarranted arrangement through which large funds are indirectly taken away by the Management. It is relevant here to remember that the Managements, both during the bipartite talks held with labour representatives and tripartite talks urged that they had to make a saving of about 15 lakhs per annum. If this fiction of the Comerin Investment and Trading Company (Private) Ltd. is removed from the scene on the Mills purchase their cotton needs directly there will be a saving to the Mills of 15 lakhs of rupees. if not more. Whatever justification there may have been for the existence of the Comerin Investment and Trading Company (private) Ltd., there is none at present. Apart from other things at the present moment of alleged stringency as a measure of economy the Comerin Investment and Trading Company (Private) Ltd., must vanish from the scene.

Madurai,

27-11-1958.

Mammegam
GENERAL SECRETARY,
Madura Textile Workers Union,
Madurai.

श्रीमान् जी मैंने जहाँ साहब
हिला है उसका हिसा
हिसा !

श्रीमान् जी मैंने जहाँ साहब
मैंने जहाँ साहब है कि हमें आपका डायरीज पोते के कारीगर
आपकी सेवा में मिली श्री एम सत्य की निम्नलिखित बातों की
शिकायतें मंजूर रहे हैं। आशा है आप हमारी शिकायतें पूरा करवाने का
प्रयत्न करेंगे।

हम है आप के 3 आफ डायरीज के कारीगर

1. मिली श्री एम सत्य ने धमकी दी है कि मैं तमाम डायरी साइडो को
एक ही माह की अवधि में दिला कर बदली करवा मिल में निकलवा
दूंगा।
2. मैंने एक को तो सजा दिया पर बदली करा बना दिया है अब तुम
सब एक एक को ठीक कर दूंगा।
3. उस ने अब पोते में जली धमकी देना शुरू कर दी है कि मैं दिल्ली
का गुंडा हूँ। एक एक को फुल्ल कर दूंगा। तम पोते के भांडे से
आपकी ही तो क्या मैं पाँच भाँडे में बसियाँ गुंडे हूँ। फुल कारीगर
को अलग बना कर धमकाता रहता है।
4. हर आँग को जो सजा दी है उसे हम डायरी के साथ अन्याय समझें हैं
डायरी के साथ न्याय दिया जाए।
5. कुछे शर्तों में कारीगर लाकर हमारे पोते से वापसी कर रहा है।
6. जब कारीगर मजान खंड कर पानी पीने से पैशाब करने जाता है तो
दिक्के मजान
7. हमारे पास लाइट अनि के 15 मिनट बाद देता है।
8. कारीगरों को जोड़ी या पल्ले की बदली बराबर नहीं देता।
9. लगभग 2-2 1/2 साल से जो कारीगर काम कर रहे हैं उन्हें परमानेंट नहीं किया
गया जबकि 1 1/2 सवा साल के कारीगर को परमानेंट करके फुल साइडर बना
दिया और 2 साल वाले कारीगर को डाफर बना दिया।

हमें उम्मीद है कि आप इन तमाम बातों की निष्पक्ष जांच करेंगे
और बातों में धांधलियाँ बन्द करवा देंगे। सधन्यवाद।

ली. 8 - 11 - 58

काशी लंबा इन्फोर्मर हिसार।

5/11

10 डायरीज कारीगर

From--- General Secretary,
The Sholapur Spg & Wvg. Co. Ltd.
Girani Kanger Union, 52, Murarrji Peth,
Opp/ N.G.Mill. Sholapur.
Sholapur.

To,

v The Hon'ble Shri Shantilalaji Shah,
Minister for Labour & Law, Bombay State,
Bombay.

Sub--- Textile Labour Conditions in Sholapur City.

Sir,

We are herewith submitting the condition of the Textile workers of Sholapur City. The workers are at present pressed hard & their condition & living standard is going from bad to worst. If the Government will not intervene in this situation on, the workers will have to agitate for their physical existence & lively hood & this agitation may be disturb the peace of city & industry also.

There are five textile mills in the city & the condition is as follows.

1) The Vishnu Cotton Mfg. Co. Ltd. The Laxmi Cotton Mfg. Ltd. & The Jam Shri. Ranjitsingji Mills. Ltd.

In all the above three Mills, the workers are getting reduced D.A. & thus they have to suffer a loss of Rs. 20 to 22/- permonth. Due to this reduction the workers are getting a cash payment of Rs.3 to 10 Rs. per month after deductions of P.F. & Grains. The Co-Operative Society dues are not being recovered, due to less pay. It was so declared that though all these Mills are running in loss & the concerns promised that the workers will not be retrenched, the D.A. was reduced by the R.G.Kanger Sangha, the representative Union, by an agreement with these concerns. But ignoring the promises, the proprietors are retrenching the workers, under the name of voluntary resignations. The programme of Rationalisation is rapidly undertaken & the workers thrown out of employment.

The Representative Union itself has accepted this, but but not doing anything, & thus the workers are thrown out of employment legally the workers are not getting any retirement benefit, such as Gratuity. Due more thing to add & that is retrenching employees by way of agreements with the representative Union. Regarding all these three Cotton Mills We strongly request the Government to enquire in to the working of these Mills along with all the agreements of the last years. We are sure you will find the real things from such an enquiry & then you may be able to do the needful.

2) Regarding N.G.Mills (U.R.S.) we have only to say that the pay & D.A. should be restored immediatly & Govt may retrench some of the supervisory staff, who in our opinion is superfluous.

3) Now regarding the famous Sholapur Spg & Wvg. Co. Ltd. Regarding this mill we for the sake of the nation, people & industry request for you for immediate strict supervision by the Government officials is necessary. Somani's enquiry's committees report is on the Government's favorable & before some two months back by the permission of the Hon'ble High Court, Mill has been restated. Workers are taken watenly & pay given to them at an very lower rate & also by changing designations, without any legal sanction. The Mill has started & going on with only 1000 workers out of 6500 workers. The D.A. given to them is at the rate of Rs. 1-25, that means workers is losing a rupee per day. Moreover any workman is taken without any seniority they are paid at a very meagre rate & anybody is asked to go home on any day

(2A)

without any reason or so.

It is reliably understood that the management is not at all ready to run both the mills, i.e. B. & C. mill, and they have determined to close down B. Mill permanently by selling out the good heavy machinery. We have heard that Govt. has purchased the A Mills huge building and we propose that Govt. should install 2000 spinning looms & restart it as its own concern. There is good market for yarn in Sholapur city.

We are sure that Govt. will seriously consider our all suggestions mentioned above & will maintain industrial peace & promise livelihood to the workers of the Sholapur city.

Thanking you.

Dated 29-11-1958

Handwritten signature

Copy to,
Hon. ble Minister of Labour,
of Central Government.

Yours Faithfully.

S.A. Dange,
Udharao Patil, M.L.A.
Bombay, State, Bombay.

- 6 DEC 1958

Madura Textile Workers Union,

Regd. No. 289.

346, NEW JAIL ROAD,

MADURAI. (S. India)

Ref No. / 1958

Date 3/12/1958

~~JATA Sami~~

To

The Secy,

(261)

AITUC,

New Delhi

Dear Comrade:

We are enclosing herewith one copy in each of the 2 memos submitted by us before Sri P. Sabanayagam I.A.S, committee to go into the question of economics of the Madura Mills Co. Ltd, Madurai.

The Management wanted to increase some Rs 15 lacs by way of increasing workloads; but we have been successful in the broken side of the Mills

We demanded arbitration on this which the management refused. After the conciliation proceedings, the Govt appointed Sri P. Sabanayagam I.A.S as a member of a

Office of the Official Liquidator attached to Rajasthan High Court, Jaipur.

Dated 20-12-58.

Notice.

The Maharaja Kichangari Mills Ltd (In Liq) situated at Madanganj,
Kichangari (Rajasthan) is to be given on lease for a period of seven years.
Running spindles 14000, Looms 396 with three boilers, Steam Engine 750 H.P. with-By:
Dyeing, Bleaching and well equipped mechanic shop. Open for inspection from 11 A.M.
to 4 P.M. daily except Sunday. Terms invited. Write or contact to H.J.Mardia,
Official Liquidator attached to Rajasthan High Court, Jaipur upto 15th Feby. 1959.

(H.J.Mardia)

Official Liquidator attached to Rajasthan
High Court.

HISSAR TEXTILE MILLS, HISSAR

Proprietors :

Delhi Cloth & General Mills Co. Ltd. Delhi.

HISSAR,

Dated 25. DEC. 1958 195

No.

**The General Secretary,
Hissar Textile Mills Workers Union,
Hissar.**

Dear Sir,


We are pained to write that for the last about a week the office bearers of your Union have been organising Gate meetings at the end of each shift, delivering objectionable speeches, uttering filthy slogans, instigating workers for going on strike and trying to disturb the peace in the Mills as well as the Colony. It is further sad that on 22.12.58 in the night a meeting was held just in front of the Labour Gate by the office bearers of your Union. After delivering objectionable speeches they organised a procession and led it to the residence of Mistry Yashpal with his effigy. He was hooted in a very bad way there and his effigy was burnt in front of his quarter. Proper "snaaps" was performed and the procession was then led to the residence of the Mill Labour Officer and in the same way he was also hooted, humiliated and intimidated. Filthy and unbecoming slogans against the dignity of Mistries and Officers were uttered. This continued upto 12-30 in the night. Thus till late hours of night the peace of the whole Colony was disturbed and scenes of unruly mob prevailed.

The prominent participants in the above ugly demonstrations were M/S. Tek Chand, Benarsi Das and Kishan Chand.

You will please appreciate that such ugly demonstrations on the part of your office bearers is a clear infringement of the Code of Discipline. Such an attitude is totally unbecoming, is against good behaviour, good moral and civil manners. Such actions can never bring good name to a Registered and responsible Organisation like yours and are beyond the province of healthy Trade Unionism and cannot maintain peace in the Industry and develop and promote harmonious relations most essential in the present time especially when the Textile Industry is passing through a crisis.

We hope, you will kindly take appropriate action to ensure that the office bearers of your Union do not indulge in such unlawful actions. In case such mal-practices are not immediately stopped we shall be compelled much against our wishes to take disciplinary action against such workers who indulge in such nefarious activities.

Yours faithfully,


GENERAL MANAGER.



12 DEC 1958
MILL MAZDOOR UNION
(RED FLAG)

BAPURAO JAGTAP, M.L.A.
President

S. G. PATKAR, M.L.A.
Gen. Secretary

Dalvi Building,
Parel, Bombay 12.
Tel. 63674

261
December 10, 1958.

Shri Gulzarilal Nandaji,
Union Minister for Labour & Employment,
Ministry of Labour,
Government of India,
NEW DELHI.

Dear Sir,

1. The conditions in the textile industry of this centre have been laid before you in a number of communications addressed to you over the year past by this Union, the Anti-Unemployment Samiti here and the All-India Textile Committee of the A.I.T.U.C.

Despite all these representations there has been no improvement in the overall situation from the point of view of labour. Rather it has deteriorated continuously over this period, and bids fair to deteriorate even further.

Frustrated, the textile workers joined in the protest action of July 25th last organised by the Joint Action Council of all the trade unions in the City.

It was hoped that the protest would at least serve to draw the attention of the authorities concerned to the unbearable plight in which over two lakhs working in the industry here have been thrown, and impress upon them the urgent need for effective intervention so as to bring some relief.

We regret to have to state that the expectation has not come to true.

2. When the representatives of AITUC and other trade union Centres demanded at Hainital the immediate setting up of an expert Committee to probe into the growing closures and the unemployment caused thereby, they expected that such a Committee would study the closures with a view to recommending measures towards their immediate reopening.

Instead the Committee brought out a report upholding the Millowners' case for rationalisation and modernisation of Mills, and recommending a series of concessions to the industry and left the workers to look forward to the establishment of the statutory autonomous corporation which it recommended to take over and run the closed concerns.

Even before the Committee could submit its final report, and acting on their interim recommendations the Government hastened to bring forth a measure to rationalise the entire structure of excise duties, so as to give a further relief of Rs.5.5 crores to the industry, thus bringing the relief in these duties extended to the industry in this year to Rs.20.5 crores. Action on other recommendations too followed on the heels of this, and a number of concessions followed in quick succession - abolition of export duties, reduction in freights, permission to reserve five per cent of the foreign exchange earned on exports for necessary imports, postponing the decision to raise the Provident Fund contribution from 6½% as at present to 8-1/3%, reduction of the obligatory minimum of customary export to be adhered to by Mills seeking to instal automatic looms for manufacture of cloth for export from 87½% as fixed before to 50 per cent, liberal facilities for the import of new machinery - particularly automatic looms, cheap credit facilities etc. etc.

3. With these concessions one would expect the crisis in the industry to lift, and the suffering of the workers to end.

The Millowners however seem to be bent on utilising it fully. Having won the tax and other concessions they seem to be intent now on exploiting it further to cut the wages of the workers, and introduce full-dress rationalisation in the industry.

Having imposed the wage cut at Dhulia, Amalner, Sholapur and other mofussil centres in the State, the Millowners' Association here is now striving to impose it in the City Mills.

An application for a 33 per cent cut in the D.A. paid to the City workers has already been made to the Industrial Court, and is fixed for hearing from 82nd inst.

4. A virtual rationalisation offensive is opened in a number of City Mills.

The Bombay Mills, we may add here, have all along been rationalising since ten years past, and a sizeable portion of equipment has already been modernised in a number of City Mills. But the rationalisation schemes so far invariably concerned mainly the smaller departments, such as Winding, Warping, Sizing, Bleaching etc. In the name of

crisis the Millowners are now trying to take these scheme to the bigger departments such as spinning and weaving. In Morarjee Gokuldas the existing two side system in the Ring Department is sought to be replaced by four sides, with every sider being required to attend to double the number of spindles. Some four months past some 150 Siders were discharged from the Mill. Two months later another batch of 150 was again sent out - a direct corollary of the change being effected.

In Roving Department of the same mill, changes have been effected last month. The worker who thus far gave 10 'deliveries' and received Rs.42.25p as his wages is now being asked to give 20 'deliveries' for Rs.66.62p. Again, in the same Department, a batch of two gave 20 deliveries and each received a wage of Rs.42.25p. Now each of them is being asked to give 14 deliveries against a wage of Rs.52/-

These changes have been effected on November 4th and November 1st respectively. The result - ten hands are working today in each shift in place of the 14 that worked earlier.

In Finlays, the 'four sides' system has been introduced in the spinning department in December last. Workers attending to 360 spindles have now to tend 720 under the change, and those attending to 500 have now to look after 1,000. Some 195 hands were retrenched in the three shifts, as a result of the change.

In Combing, where only two years back, a change from two to four machines per worker sent 36 workers out of the Mill, it is now proposed to assign 6 machines per worker.

In Winding in the same mill the assignment has increased from 12 spindles to 18 per Winder as from December last. This would render 36 women workers in the Department, surplus.

In the Reeling section 88 women workers have been discharged in September last. Last year, another batch of 100 was sent out from the same department.

In Roving in the same mill it is proposed to raise the assignment from 2 to 4 machines per worker. This would render some 30 to 40 hands, surplus.

In Bleaching and Folding it is proposed to retrench some 280 hands in the three shifts together.

A notice was put up to this effect on the Mill gate, and negotiations are in progress, we understand, at present between the Mill and the Representative Union concerning this.

In Weaving the existing two loom assignment is again proposed to be replaced by 4 loom. Some 379 are expected to be thrown out, as a result of this change.

We may add here that the Mill had tried to introduce this change in 1954. The case however had later to be withdrawn at the Appellate Tribunal stage. The same scheme, now, is sought to be revived.

In the India United Group of Mills which till before the alleged 'crisis' employed some 18,000 workers, schemes are afoot for large scale retrenchment of workers. On November 13th, 282 hands from Weaving and Winding sections of No.4 Mill, and 800 from Spinning and Winding sections of Mills No.2 & 3

were retrenched. Another 201 from the Spinning section of Mills 2 & 3 and 175 from Weaving section of Mill No.4 are served with notices, effective as from 25th inst.

In Mill No.5 of the same group there is reported to be a proposal to close down the entire 3rd shift. Those from the Weaving section that may be rendered unemployed as a result of this, are proposed to be absorbed by reducing the assignment in the other two shifts from 6 to 4 looms per worker. But some 700 from Spinning and other sections will have to join the rank of those on the streets.

In No.1 Mill - the biggest unit - some 500 are expected to have been retrenched in the four months past.

It is reported that the Management are considering proposals to effect a reduction in the complement of the Mills to the extent of some 5,000.

Instances of similar increases in workload and rationalisation can be cited from the Kohinoor, the Simplex - all prosperous units.

We would like to know whether this offensive is not in stark violation of the Delhi Tripartite Agreement of 1957 on rationalisation.

5. With an eye on rationalisation the Mills have been picking on every thing that can help them to reduce the strength of workers. We may mention here in instance the recent amendment the Millowners made to their Standing Orders, which permits compulsory retrenchment of workers - male workers at the age of 63 and women workers at 50. You are aware that at the recent meeting of the Tripartite Standing Committee in Bombay, which considered this question no agreement could be secured on fixing any age for compulsory retirement, and it was felt unfair to make such a provision when the employers are not ready for an oldage pension system. The Industrial Tribunal which considered this on an application from the Millowners also expressed similar feelings though finally it gave an award favourable to the Millowners. Taking advantage of the award the Millowners have now literally started bounding the aged workers from the Mills. Scores of notices have been issued last month - the first after the amendment - in every Mill, and the process is continuing this month as well.

You can imagine the panic caused by this, in the aged workers, since in a number of cases the age entered in the Mill registers is not the correct age, and the worker has no proof concerning the correct one, should he wish to challenge any wrong issue of such notices.

6. The account year 1958 is now virtually at an end. But workers have not received their annual bonus for 1957 so far.

We do not propose here to go into all aspects of the workers' longstanding grievance over their bonus. But we must add that since over two months past the workers have been agitating for the declaration of the bonus. But the Millowners have observed a studied silence concerning so vital a question. Naturally the workers are apprehensive that the Millowners propose to deprive them of their bonus, in the name of the 'crisis' in the industry.

7. The workers' grievances are numerous and are assuming an urgent character. From Mill after Mill, complaints are flooding our office - complaints concerning defective material supplied to the workers which affects the earnings of the piece-raters, the high handed attitude of the officers, the mischievous issue in large numbers of charge sheets, warnings and even suspension orders, the general harassment of the workers and the victimisation of trade union activists etc. etc. The policy of the Millowners and the State Government does not allow us to settle any of these grievances through either negotiations or adjudication with the result that grievances can not be redressed in the natural way, and discontent continues to mount.

8. The workers can hardly accept that the Mills are continuing the attack on their jobs, wages and service conditions to fight the alleged crisis. With the change in situation and the concessions given by the Government the industry has largely overcome its difficulties, and the crisis is now a thing of the past. The recent address by the Union Minister for Commerce and Industry to the Textile Consultative Board indicates that there is substantial improvement in the position of the Mills, that the current production is being fully lifted, and that the stocks with the Mills represent the backlog the industry has been carrying.

The workers can hardly believe that the Bombay Mills can not pay the existing scales of D.A. when they know that even with these scales the Mills here have competed successfully with their upcountry rivals and made huge profits in the decade past, that the reduction in the excise duty has yielded them a saving that can fully make for the amount they parade they will save by the proposed cut, and the recent 10% fall in the prices of many varieties of raw cotton will enable them to save substantially in their costs which according to their own admissions come to over 50 per cent of the total manufacturing costs.

The continued attack is therefore naturally interpreted by them as a calculated policy to resist the workers' demand for a wage rise and to introduce full-dress rationalisation so as to yield them a permanent advantage.

9. We regret to have to note that in this one-sided war the workers have not received any assistance from the Government - either the State or the Union. While the Millowners have been conceded crores in taxes and liberal concessions in every field, the workers have not been ensured in practice, even the benefit of the positive features of the unanimously accepted Tripartite Agreements. Rather they have witnessed the recent policies and measures negating many of these. In instance we may cite the Expert Committee's recommendations concerning modernisation and rationalisation, which have only served to give the much needed moral sanction to the Millowners' case on this. By accepting the recommendations the Government have now themselves opened the gates for the offensive and buried deep the spirit of the Delhi Tripartite Agreement.

The Central Wage Board was constituted in March 1957. One and half year has passed since then, and the Board is yet nowhere near the end of their labour. When this was raised recently in the Loksabha the Dy. Labour Minister replied that the Board had decided to hasten slowly in view of the 'conditions in the industry'. You may be aware of that an application of the Representative Union here for a Wage rise made before the constitution of the Board has been adjourned indefinitely by the Industrial Court after the Board was set

up for the enquiry. The same Court has however now admitted the Millowners' application for a cut in Dearness Allowance and its hearing is in progress.

The workers naturally find it difficult to swallow this discrimination.

We have referred above to the numerous concessions given by the Government to the industry on the recommendations of the Expert Committee. The only recommendation positive from the workers' point of view concerning formation ^{of an} autonomous Corporation to take over and run the closed concerns, was however rejected. Another recommendation concerning the amendment to the Industries Act so as to enable taking over of concerns without their necessarily having to go through circuitious liquidation proceedings was quietly dropped. The 2,200 workers of the Dhanraj Mill unemployed since June 22nd on which date the Mill closed down, who were to be the direct beneficiaries of the recommendation, would now have to wait till the Mill completes the tortuitions proceedings before any step could be taken in the normal way to reopen the Mill.

The Committee had further recommended that Mills taken over by the Government should run on the same terms and conditions as units under private management. Frampling on the spirit of this however the State Government have enacted lately a legislation which puts all concerns taken over or even newly started in the name of unemployment relief beyond the scope of labour legislations and permits their running even with wage cuts, if necessary.

The Expert Committee had categorically observed that given necessary conditions the success of textile concern is either made or marred by the management. It has also averred that mismanagement was one of the principal factors responsible for the present conditions in the industry. You can imagine therefore the bitterness of the workers who see the Millowners who brought about the ruination of their concerns many times through criminal malpractices - and thus dealt a blow at the economy of the country, who in a number of cases robbed them of their Provident Fund and other dues, balances of their Co-operative Credit Societies and even their earned wages being favoured with one concession after another, while they who fulfilled and overfulfilled the Plan targets much ahead of time being offered unemployment, wage cuts and back-breaking workload through rationalisation.

10. The total effect of all this is that the workers are getting increasingly convinced that the Millowners mean to carry this war to its logical end, and the Government can not be more than a silent spectator to their sufferings. Nay, they feel that even the Government policies are undergoing a change under pressure from the Millowners, and acquiring a reactionary ~~harsh~~ content. Facts like the disclosure made by the Union Minister for Commerce and Industry that the Millowners did not look with favour on the Expert Committee's recommendation for the establishment of a Corporation to take over and run the closed concerns, and the Government's rejection of the recommendation can not, you will agree, fail to inspire such feelings.

Recent debates in Parliament concerning export promotion and automatic loans and the exhortation by the Union Minister for Commerce and Industry to the Millowners to follow the example of the Jute Mills in modernising their plants are sufficient proof of this.

Another instance is that the Government who at the Fifteenth Tripartite joined with Labour in imposing vital restrictions on employers seeking to introduce rationalisation later remained a silent witness when the employers opened their offensive in violation of the agreement and have now themselves accepted 'rationalisation without tears' as their set policy.

The workers who know that there can be no rationalisation under the social system we live in 'without tears', and who see every day scores of their brethren turned out of the Mills with every introduction of 'change', can not but feel that the words 'without tears' are intended to give them only a false sense of security.

The workers are thus coming to the conclusion that they would have to bank on their own strength to fight this offensive - that only a united struggle can help them to survive, and defend their position.

You will agree that such a feeling in the workers can not be congenial for either peace in the industry, or its smooth progress.

The proposed cut in the Dearness Allowance, if it materialises, may well prove the last straw that may break the workers' patience.

From what we see here, we feel that the workers would not fail to resist any such cut.

It is difficult to foresee what form the action would take in that event.

We are laying this before you in the hope that your intervention, even at this stage, may bring some improvement in the position.

If you take any action on this, please let us know.

Thanking you,

Yours faithfully,

B. D. Jagtap
B.D. Jagtap
PRESIDENT

S. G. Patkar
S.G. Patkar,
GENERAL SECRETARY.

c.c. to:

- 1) Shri Y.B. Chavan,
The Chief Minister,
The Government of Bombay,
BOMBAY.
- 2) Shri Shantilal H. Shah,
The Minister for Labour & Law,
The Government of Bombay,
BOMBAY.
- 3) Com. S.A. Dange, M.P.,
The General Secretary,
All India Trade Union Congress,
4, Ashok Road, NEW DELHI.
- 4) The General Secretary,
The Bombay State Committee of A.I.T.U.C.,
166, Khandelwal Bhuvan,
Dadabhai Navroji Road, BOMBAY-1.



MIILL MAZDOOR UNION

(RED FLAG)

BAPURAO JAGTAP, **N.L.A.**
President

S. G. PATKAR, **N.L.A.**
Gen. Secretary

Dalvi Building,
Parel, Bombay 12.
Tel. 63674

December 26, 1958.

261

**The Secretary,
Ministry of Labour,
Government of India,
NEW DELHI.**

Dear Sir,

**Sub:- Unfair Labour Practice - Violation of
the Code**

**Victimisation for trade union activity,
- Shri Bhagwan Tawade of Madhav Mills,
Bombay.**

1. This is to draw your urgent attention to one more case of victimisation of trade union activist - Shri Bhagwan Tawade, a worker of the Madhav Mills here, by the management of the Mill.

2. Shri Tawade was working in the Sizing Department of the Mill since over eight years past. He is today 46 years of age and his service in the mill industry would add upto 21 years.

.....2

2. The Madhav Mill, a Mundhra concern, is in serious difficulties since over a year and a half past. We have represented to the Ministry earlier concerning the way the Mill is running. Since the beginning of the year the Mill is playing off a large section of its complement. In May the situation had worsened to such an extent that the Management had ceased to feed the preparatory departments with cotton, with the result that the succeeding processes and departments had been virtually paralysed. The entire Badali complement was axed. Finally the British India Corporation who owned the Mill had to dispose off in June their entire Dyehouse comprising bleaching, dyeing and processing departments to the Sassoon Spinning and Weaving Company of Shri Navinchandra Mafatlal. The Management further could not get along with the old Manager Mr. Wilde, and he was replaced by Shri Mukherjee. Since then the position has deteriorated further. Over 25 per cent of the workers are being regularly played off. Those who are being played off are not paid their play-off wages since four months past. The Provident Fund and the E.S.I.C. contributions deducted from the workers' wages were not made over to the Government as required under the relevant Acts, and the Collector of Bombay had to move in this month to recover the outstanding Provident Fund dues which we learn amounted to some Rs.1,50,000.

3. The Management have further not made over to the workers' Co-operative Credit Society, some Rs.94,000/- deducted from the wages of the workers. These deductions were to be in payment of the loans taken by the workers from the Society. The result has been that the Society has ceased to grant any loans to its members since over two months past. The default has long been brought to the notice of the authorities concerned, but this has not led to any improvement in position, and the Mill still continues to be in default.

4. Since August the Mill has been committing defaults in payments of even the earned wages of the workers. Thus the wages for August were paid in two instalments - on 13th and 17th September instead of in one single payment on 10th. The wages for September were paid again in two instalments and subsequent to October 17th; the wages for October were paid by other Mills on November 9th, on account of the Divali Festival which was from November 10th to 12th. But this Mill paid a bare advance of Rs.20/- to its workers on November 10th, and the balance of wages were paid on November 29th. The Wages for November 1958 have not been paid even to this date.

You can imagine the exasperation caused to the workers by this, in these days of high prices.

5. We do not go here into the other grievances of the workers such as defective ~~xxx~~ yarn supplied to them which affects the earnings of the piece raters, the large number of play-offs in different departments etc.

6. On 12th inst. Shri Bhagwan Tawade and other workers approached the Manager and then the General Manager for their wages. The General Manager told them that it would not be possible for him to give them any definite date. On this the workers asked the Manager some questions. Irritated by this the General Manager directed on 13th inst. a charge sheet to be given to Shri Tawade. Shri Tawade submitted his reply and also produced witnesses. The enquiry that was first to be held on 15th instant was however postponed to 22nd inst. at 3 P.M. On 22nd however the case was not taken up at the appointed time. Later at 5 p.m. Shri Tawade was suddenly summoned in the General Manager's Office and was asked if he had to add anything to his statement. Shri Tawade was refused permission ~~xx~~ to call in his witnesses and the enquiry was concluded on the basis of the statements of the Manager and the Labour Officer.

Day-before-yesterday on 24th inst. Shri Tawade was served with an order directing his immediate dismissal.

Shri Tawade was a prominent functionary of this Union in the said Mill. And he used to take a leading part in voicing the grievances of the workers before the Management.

It is not surprising therefore that he was a constant eyesore to the Management who had twice sought to get rid of him even before.

This is yet another instance of how selfseeking private enterprise who after ruining the industrial concern under its care in its greed for profit, attacks anybody - more especially its employee - who seeks to oppose its policies, expose its wasteful management or defend his working and living conditions. Another instance was that of Shri Robert Gomes, a worker of India United Mills No.4, who was victimised in August last. We had represented his case to your Ministry on September 2nd and we have yet to hear of any action taken thereon.

We must emphasise that the acquiescence of the Govt. in the continued attack of the Millowners on the employment, wages and working conditions of the workers, and their tolerance of their violation of vital labour laws and tripartite agreements including the Code of Discipline is making the workers extremely sceptical of the utility of relying on the Government or the Tripartite machinery for defence of their vital interests and rights. You would agree that such a feeling is hardly congenial for the smooth development of the industry - much less for industrial peace.

We would request you to register this case as yet another instance of unfair labour practice followed by the Millowners and violation of the Code of Discipline.

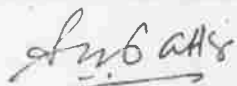
If you take any action on this, please let us know.

Thanking you,

Copy to:

- 1) Shri Shantilal Shah,
Minister for Labour & Law,
Bombay.
- 2) Shri S.A. Dange,
General Secretary, AITUC,
4 Ashok Road, NEW DELHI.

Yours faithfully,


(S. G. Patkar,
M. L. A.)
GENERAL SECRETARY.

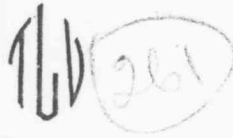
TEXTILE LABOUR UNION

टेक्सटाइल लेबर यूनियन, ब्यावर (राज०)

(Affiliated : A. I. T. U. C.)

PRESIDENT:
Swami Kumaranand.

GENERAL SECRETARY:
Keshrimal
Municipal Commissioner.



BEAWAR (Raj.)

Dated... 26-9-1922

प्रिय महाशय

हम आपकी सेवा में समाचार प्रकाशनाथ भेज रहे हैं कृपया
आप अपने अखबार में इसका स्थान दें। अन्य वाद
आपका
हरजोराज
सेक्रेटरी

ब्यावर के कृष्णा मिल में पिछली 28 दिसम्बर 1922 को
वर्कर्स कमेटी के चुनाव हुए इस चुनाव में 6 उम्मीदवार टेक्सटाइल
लेबर यूनियन के नाम पर (जो जॉब प्रेन्स) ने 6 उम्मीदवार इन्डकॉर्पोरेशन
द्वारा इन्डकॉर्पोरेशन की दूसरी साखा मजदूर को गायने खेड किए। टेक्स
टाइल लेबर यूनियन के वाइस प्रेसी डेन्ट साधी केशरमिंद निधि
राध चुने गये क्योंकि उनके सामने किसी ने अपना उम्मीदवार
ही नहीं किया बाकी 6 साधियों ने अपने विरोधियों के भारी
बहुमत से द्वारा यूनियन के 6 सातो साधी जीत करके साथ
प्रह स्थान रहे कि इसी मिल में वर्क लोड जो छोटती के सम
ले का रोकने लिये लोड जो से सघन चल रहा है।

HISSAR TEXTILE MILLS, HISSAR

Proprietors :

Delhi Cloth & General Mills Co. Ltd. Delhi.

No.

Dated HISSAR,
27. DEC. 1958 195

The General Secretary,
Hissar Textile Mills Workers Union,
Hissar.

Dear Sir,

We have to refer to your Charter of Demands bearing No. 383/58, dated 23.12.58.

Please note that you have made a number of false allegations against the Management and one of the noteworthy item therein is that you are staging a protest Strike on 3rd of January 1959 on flimsy grounds, which if held, will be illegal and unjustified on the following facts:-

1. On 18.1.58 you entered into an agreement with the Managing Agents, who inspite of huge losses awarded Bonus in order to foster good relations between the Management and the workers, to keep them satisfied and to improve upon the efficiency of the Mills. At that time it was agreed by you that in case it is not found possible to come to any mutual understanding on any matter of dispute the reports will be taken to constitutional means and there would be no joint action by the workers.

2. Your Notice of Strike is a ga inst the very letter and spirit of the decisions of the 16th Indian La bour Conference held at Naini Tal and consequent Code of Discipline for Industry and Code of Conduct.

3. Your responsible Office bearers and some other active workers are instigating workers for going on strike in the Mills. They are indulging in unlawful activities, like burning of effigies in front of the private residences of the Officers, intimidating and humiliating them, holding ugly and non-peaceful demonstrations, shouting abusive and filthy slogans against the good names of the Mill Officers.

We hope that you will please take a realistic view of the situation and abstain your office bearers and workers from unlawful activities as above immediately. The Strike may also be avoided, but in case your office bearers and other active workers precipitate an illegal and unjustified strike the Management reserve the right to take suitable action against the participants.

Yours faithfully,


GENERAL MANAGER. P.T.O.

#4/7/11189

- Copy to :
- (1) All India Trade Union Congress, New Delhi.
 - (2) Secretary, Labour Department, Punjab, Chandigarh.
 - (3) Labour Commissioner, Punjab, Ambala Cantt.
 - (4) Labour Officer, Bhiwani.
 - (5) Labour Inspector, Prem Nagar, Hissar.
 - (6) The Ministry of Labour & Employment, Evaluation & Implementation Division, New Delhi.
 - (7) All India Organisation of Industrial Employers, 28, Ferozeshah Road, New Delhi.
 - (8) Textile Commissioner, Kanpur.
 - (9) The Managing Agents, D.C.M. Delhi.

PD/K.
26/12.

HISSAR TEXTILE MILLS, HISSAR

Proprietors :

Delhi Cloth & General Mills Co. Ltd. Delhi.

HISSAR,

No.

REGISTEREDDated 27. DEC. 1958 195

The Labour Commissioner,
Punjab,
Ambala Cantt.

Dear Sir,

We have to report that the Hissar Textile Mills Workers Union, Hissar, have submitted a Charter of Demands bearing No. 382/58, dated 23.12.58, a copy of which has also been forwarded to you. Besides a long list of demands the Union have made a number of false allegations against the Management and one of the noteworthy item is that the Union is staging a protest strike on the 3rd of January 1959 in the Mills, which, if held, would be illegal and unjustified in view of the following facts:-

1. On 12.1.58 the above said Union entered into an agreement with the Managing Agents, who inspite of huge losses awarded Bonus in order to foster good relations between the Management and workers, to keep them satisfied and to improve upon the efficiency of the Mills. At that time it was agreed by the Union that in case it is not found possible to come to any mutual understanding on any matter of dispute the recourse will be taken to constitutional means and there would be no joint action by the workers.

2. The Notice of Strike is against the very letter and spirit of the decisions of the 16th Indian Labour Conference held at Naini Tal and consequent Code of Discipline for Industry and the Code of Conduct.

3. As already intimated the Union office bearers and some other active Union workers are instigating workers for going on strike in the Mills on 3.1.59. They are indulging in unlawful activities like turning of effigies in front of the private residences of the Officers, intimidating and humiliating them, holding ugly and non-peaceful demonstrations, shouting abusive and filthy slogans.

We hope that a realistic view is taken by the Union ~~and~~ and unlawful activities as above are immediately stopped by the Union and the Strike is avoided as well. But in case the Union precipitate an illegal and unjustified strike the Management reserve the right to take suitable disciplinary action against the participants.

Yours faithfully,

[Signature]
GENERAL MANAGER.

- Copy to :
- (1) The Secretary to Government, Punjab, Labour Department, Chandigarh.
 - (2) The Labour Officer, Shiwani.
 - (3) The Labour Inspector, Prem Nagar, Hissar.
 - (4) The Textile Commissioner, Kanpur.
 - (5) The District Magistrate, Hissar.
 - (6) The Superintendent of Police, Hissar.
 - (7) The Union Ministry of Labour and Employment, Evaluation and Implementation Division, New Delhi.
 - (8) All India Organisation of Industrial Employers, 28, Ferozeshah Road, New Delhi.
 - (9) All India Trade Union Congress, New Delhi.
 - (10) The Managing Agents, D.C.M. Delhi.

4/7/11207
D/K.
26/12.

कपड़ा मज़दूर एकता यूनियन

गोशाला गेट, किसानगंज मिल एरिया, दिल्ली

URGENT

केटरी ब्रांच/जनरल सेक्रेटरी KMEU/Govt/314/58

Dated: 29th December 1958

प्रिय सार्ज, To

Shri Gopi Nath 'Aman',
Chairman, Labour Advisory Board,
Delhi Administration, Delhi.

Subject: Disputes between the managements of certain Textile Mills and the workmen represented by this Organization regarding non-implementation of the Mainital Conference - Decisions etc.

Dear Sir,

I am directed to invite your serious and urgent attention to the correspondence resting with this Union's letter No.KMEU/Govt-300/58, dated 8.12.58, on the above subject and to request you to take immediate steps to implement the explicit assurance given to this organization that all its complaints involving allegations of grave violation of the 'Code for Discipline' by the management of Delhi Cloth Mills would be investigated by a sub-committee of the State Implementation Committee, consisting of representatives of both the parties. It is indeed highly regrettable that the Government has slackened its efforts to set up and function an investigation team, the moment the Union took decision to suspend its agitation. In the meantime the management have been left free to indulge in all sorts of irregular and unfair labour practices, including unilateral and adverse changes in service and working conditions of workers, refusal to negotiate or deal with representative Union of workers, victimization of Union leaders and sympathisers, refusal to function the Works Committee, etc. as a result of worsening of labour management relations, many of the most pressing and urgent issues like that of Bonus for the year ending June 1958, remain unresolved and workers are being subjected to undergo unprecedented hardships and privations. The situation has already assumed alarming proportions. In the circumstances the inordinate delay on the part of the administration to take

- 2 -

any positive steps to look into the grievances of the workers, can only be described as totally unjustified and reprehensible.

The idea underlying the formation of Evaluation and Implementation machinery is to investigate any breach of the provisions of the 'Code for Discipline' the moment either of the parties brings the matter to the notice of the Government. This has been felt to be essential in the interests of maintenance of industrial peace and of continuity of production. The present dispute has been before the State Administration for the best part of the last 4 months, without any concrete steps being adopted on its part to subject it to a just solution. Thus the very idea of setting up an evaluation or implementation machinery is being reduced to a mockery. It is, therefore, natural that the workers should like to be told without any further loss of time whether or not the Government is capable of taking action in time to prevent a major breach of industrial peace, or it will merely content itself by carrying out a 'post-mortem examination' of the dispute as in the case of 'Premier Automobiles' dispute in Bombay.

Strong ~~rumors~~ ^{rumors} are afloat suggesting that partisan considerations totally unrelated to the merits of the dispute are influencing the Government's attitude and policies, in this important matter. Serious efforts are reported to be on to bring in the discredited INTUC Union into the dispute, although it has had nothing to do with it all this time. This Union has been the sole complainant from the very beginning. To give representation to the INTUC on any contemplated investigation or enquiry team, would be highly improper, unjust and inimical to the interests of the vast majority of the workers whose unreserved allegiance this Union enjoys. We, therefore, take the opportunity to make it plain that this organization cannot under any circumstances consent to accept any nominee of the INTUC to sit in judgment over its action

or policies. We must emphasize that the pattern followed by the Central Evaluation and Implementation Division in investigating the breach of 'Code for Discipline' in Bombay, Calcutta and other places should be followed strictly in Delhi too. We renew our demand that the Union's charges against the management should be investigated by a committee consisting of one nominee each of the central organization to which the parties (i.e. this Union and the DCM management) are affiliated with an independent chairman to be appointed by the Government.

As the dispute is likely to take a serious turn any moment, we request that an interview may kindly be granted to representatives of this Union urgently to acquaint you with the situation.

Yours faithfully,

sd/-
(S.D.Joshi)
GENERAL SECRETARY.

- Copies forwarded for information & necessary action to:
1. The Hon'ble Minister for Labour & Employment, Govt. of India, New Delhi.
 2. Shri R.L.Mehta, IAS, Joint Secretary, Govt. of India, Evaluation & Implementation Division, Ministry of Labour & Employment, New Delhi.
 3. ✓ The General Secretary, AIUOC, 4-Ashoka Road, New Delhi
 4. The Secretary, Delhi Provincial Trade Union Congress, 1-C/33 Rohtak Road, Delhi.

S.D.Joshi
GENERAL SECRETARY

कपड़ा मज़दूर एकता यूनियन

गोशाला गेट, किसानगंज मिल एरिया, दिल्ली

Ref. No. KMEU/Govt./313/58.

Most Urgent

29th December, 1958

~~क्रिस्टली~~ ~~ब्रा~~ ~~जर्नल~~ ~~सेक्रेटरी~~

~~XXXXXX~~

To

The Director of Industries & Labour,
1-Rajpur Road,
Delhi.

Dear Sir,

Subject: Refusal to implement 'Code for Discipline' and continued breach of the same by the management of Delhi Cloth and Swatantra Bharat Mills.

It is my painful duty to address you on the above subject for the nth time now. It is hoped that you have not forgotten that early this month the Union had been assured by the Government, both at the centre as well as on the local level, that the Union's charges involving grave and calculated violation of 'Code of Discipline' on the part of the management of the Delhi Cloth Mills, would be subjected to an impartial investigation of a Special Sub-Committee of the Implementation Committee set up by the Delhi Administration. The matter had also been a subject-matter of repeated discussion at the meetings of the Labour Advisory Board and the Implementation Committee. At these meetings the demand of the Union's Spokesman that the whole dispute may be investigated by a Committee consisting of representatives of the Central Organisation to which each of the parties - i.e. the Union and the Delhi Cloth Mills management - are affiliated, was agreed to in principle.

Despite all these assurances and undertakings, the ~~XXXXXX~~ administration is adopting extremely dilatory attitude in the matter. It is highly unfair on the part of the administration to sit tight on the matter after the workers have been led into calling off their agitation for implementation of the

'Code' by holding out assurances referred to above.

The indifference now displayed by the administration has emboldened the employers to carry on their campaign of ~~riots~~ and victimisation of trade union workers, / unfair labour practices. The workers are totally deprived by their basic right to be represented through their most representative organisation, and imposition of unilateral and high-handed decisions by the management has become an order of the day. Works Committee is in a state of virtual suspension for the last 4 months.

It is most surprising that despite full knowledge of the anarchic state of industrial relations in the Delhi Cloth and Swatantra Bharat Mills, the administration has adopted an attitude of silent spectator of events. The Union has reasons to believe that partisan considerations, connected with the anxiety of the ruling party to foist its own labour organisation - i.e. the Indian National Trade Union Congress - on the workers is responsible for its inaction during the last 3 weeks. The Union had sincerely believed that its voluntary action in putting off the token protest strike on the 6th inst. will be appreciated by the Government and justice secured for the workmen. But these expectations now being ~~believed~~ by *facts. Inevitable events.*

I am directed by the Working Committee of the Union to place on record our emphatic protest and resentment at the breach of explicit understanding given to the Union regarding investigation and settlement of its dispute with the management. I am further required to convey to you the Union's decision to resume its agitation, suspended on 4-12-'58, with immediate effect, and so as to safeguard the workers' interests which are being trampled over by the management.

Yours faithfully,

General Secretary.

Copies forwarded for information and necessary action to:-

- (i) Shri Hon'ble G.L. Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi;
- (ii) Shri R. L. Mehta, I.A.S.,
Evaluation and Implementation Division,
New Delhi;
- (iii) Shri Gopinath 'Aman',
Chairman,
Labour Advisory Board,
Delhi;
- (iv) General Secretary,
All India Trade Union Congress,
4-Ashoka Road, New Delhi;
- (v) The Secretary,
Provincial Committee,
All India Trade Union Congress,
1/c/33- Rohtak Road, Delhi;
- (vi) Conciliation Officer,
1-Rajpur Road, Delhi;
- (vii) The Chief Commissioner,
Delhi.


General Secretary.

13-18

IN

✓

AGREEMENT BETWEEN THE HISSAR TEXTILE
MILLS WORKERS UNION & THE MANAGEMENT OF THE MILLS

Below is given the full text (excluding ^{the appendices containing the details} about the Grievance Machinery, and the Procedure for Enquiry) of an agreement between the management of the Hissar Textile Mills ^{and the} Workers Union, Hissar (AITUC). The agreement was signed on 11th February 1959 by Coms. Bikram Singh, Rachpal Singh and Sat Narayan on behalf of the union and by Lala Bansi Dhar, managing Agent and Shri M.C. Jain, General Manager, on behalf of the management, in the presence of the Labour Inspector and Conciliation officer, Camp Hissar.

a Textile

SHORT RECITAL:

It is felt by the representatives of the workers and the Management of the Hissar Textile Mills that in order to foster good relations between the Management and the workers and to keep the workers satisfied and to improve the efficiency of the Mills, it is desirable that there should be complete mutual understanding, and disputes, if any, should be settled mutually without recourse to any outside agency as far as possible; If, however, it is not found possible to come to any mutual understanding on any matter of dispute, in such matters recourse may be taken only to constitutional means.

The most important matter, which is likely to create friction every year, is the question of bonus, and, therefore, it is felt that an agreement be first arrived at on this important issue.

With the above object in view, while the Management is prepared to give a bonus despite losses and without any precedence for future, the workers on their part also assure the management that they will work towards

A delegation of five textile engineering workers on behalf of the Textile Engineering Committee Bombay and the Ahamedabad Textile Engineering Mechanic Seva Mandal has recently toured the important textile centres of India in ~~response~~ response to the proposed All-India Textile Engineering Workers Conference presumed to be held in Bombay by the middle of March 1959.

The delegates have visited Baroda, Indore, Gwalior, ~~and~~ Kanpur and Delhi. A similar delegation was also sent to South India which visited Textile centres like Madras, Coimbtore, Madurai and Bangalore. Both the delegations had direct talk with the textile engineering workers where ever they went and this was possible only by the active support and co-operation of the H.M.S. and A.I.T.U.C Comrades working at these centres.

The delegates' observal throughout that the workmen in engineering section and unions representing them were anxious to join in any collective efforts to ventilate the grievances of ~~xxx~~ this neglected section. The delegates had an good response from the sorkers' and they feel that the proposed All India Conference will be a success and that the contacts which have been established among the workers themselves will last long and help in building the movement.

The delegation was composed of the following members: Shri S.F.X.Pereira, Shri B.G.Kamath, Shri Gulam Ahmed ~~for~~ from Bombay and Shri T.H.N.Nayar, Shri Jaikrishnadas from Ahamedabad.

To,
The Secretary,

.....Union.

Dear friend,

Perhaps you are aware that a serious attack has been launched against the workers of Kesoram Cotton Mills and their Union by the police at the instance of the management of Birla owned K.C. Mills.

The attack and reign of terror started on and from 26th Jan '59. As usual this year also, the workers of Kesoram Cotton Mills under the banner of their union brought out a procession of 6000 strong for observing the Republican Day. The Mill authorities also brought out another procession which included more than hundred knowned goondas armed with Lathis. Despite Union's earnest effect to avoid both the processions met on the street of Akre Road, when the armed goondas attacked the peaceful procession with lathis and brickbats. Not only that, one of the organiser of the Coy's procession, the Labour officer of the Mill who was carrying loaded revolver fired on the innocent workers. As a result of this brutal attack about a hundred people were wounded more or less including a local tailor who died on the spot.

Capitalising this death, the police immediately started repression on the workmen. Section 144 was promulgated, warrants of arrest has been issued against the leaders of the Union and indiscriminate arrests of innocent workers and terorisation in the workers' Bustoes have been started.

Even a local Lawyer Sri S.K. Paul who generally depends our case in the police court and renowned trade Union leader Sri Kamalapati Roy when went to the police station to discuss about the situation were arrested. On the other hand quite a large number of goondas are still at large despite definite complaints lodged against them.

May it be recalled that the workers were agitating for realisation of their demands, viz, Back-Bonus for the year '56 & '57 as per agreement, this year's Bonus (1958), implomentation of tribunal award, reinstalation of victimised workers etc. etc. since somotimos. All attempts for a negotiated settlement having been failed, the Union had no other alternative but to advise the workers to prepare for strike struggle. And with this end in view, the preparations were started and the decisions also were announced in the open general meetings. Jan. 27th was fixed for submitting striko notice.

The Brilas just to foil the workers strike action launched the criminal attack on the workers on the auspious of the Republican Day. About a hundred prosens have been arrested under various charges including that of Sec. 302 (mourder charge) and their bails also have been refused.

On this grave situation, we on behalf of Gardon Roach Textile Worker's Union, appeal to you and through you to all members of your Union to stand by our side and foil the game of Birlas and the police in their attempts to smash the Union.

We hope and expect that you will respond to our appeal for financial help and send letters and resolution to the State Govt. with a copy to us.

W I T H G R E E T I N G S,

Yours faithfully,

For and on be half of
Gardon Roach Textile Worker's Union.

S. A. Farooqui
(S. A. Farooqui)
Prosident.

Kg/lr.

To
The Chief Minister,
Government of West Bengal.

Sir,

Law News papers

We, the undersigned workers of the Kesoram Cotton Mills, Garden Reach, beg to submit the following for your urgent attention and favourable action:-

(1)

That a perfectly peaceful and disciplined procession organised by the workers on January 26th in celebration of Republic Day was attacked without provocation by a rival procession organised and led by certain officer's and agents of the management.

(2) That in consequence of the said assault with the help of lathis, brickbats, and even firearms and large number of workers have received injuries some of which are of a serious nature;

(3) That, despite the above, the local police and thana authorities have consistently been refusing to record the complaints of the injured workers or the statements of witnesses to the assault on the workers;

(4) That, further, the police has been carrying out widespread and indiscriminate arrests, house searches and intimidation of innocent workers, while refusing to take any action whatsoever against the management's officers and agents who personally instigated and led the assault of Jan. 26th, later organised raids and looting of general workers' houses;

In these circumstances, we humbly request you to take immediate action to halt the reign of terror and victimisation launched by the police against innocent workers, to ensure that the latter are freely allowed to record their statements and complaints and to prosecute the company's agents who are guilty of murderous assault of general upon our peaceful procession.

Yours faithfully,