

labour policy and achievements

(v)

Though Kerala State is comparatively far behind many other parts of India in industrial development, there being very few big modern industries, the working class of Kerala is well organised and is a major force in the political life of the State. At present, there are quite a large number of trade unions with membership ranging from less than 100 to 10,000 and more. The majority of them are affiliated to the AITUC. Some RSP-led unions are affiliated to the UTUC.

In Alleppey district there are 75 trade unions of workers engaged in different industrial activities, their total membership being nearly 30,000. The biggest of them is the Communist-led Travancore-Cochin Coir Factory Workers' Union with a membership of 10,000. In the leading plantation district of Kottayam about 40,000 plantation workers are organised in unions. In Quilon district there are nearly 100 unions in cashewnut, coir, plantations, and other industries, almost all under Communist leadership.

The Ernakulam-Alwaye belt may be said to be the most important industrial and commercial part of Kerala, comprising as it does the Cochin port and modern industries like fertilisers, rayons, rare earth, glass and engineering. Out of the total labour strength of 75,000, more than 32,000 are organised in unions affiliated to the AITUC. In the Malabar part of Kerala there are more than 60 trade unions with a membership of more than 65,000. Thus, the trade-union movement in Kerala today is far stronger than what it was in 1935, when in the first All-Kerala Trade Union Congress a bare 30 unions were represented.

Being the initiators and organisers of the trade-union movement in Kerala, it was natural that on coming to power, Communist labour policy should follow a direction quite different from that followed by the previous governments. The ministers in the previous ten years can hardly be accused of having any labour policy, unless following the beaten track may be called one. The Congress governments favoured the INTUC, flagrantly discriminated against other trade unions and thus split the workers and weakened their collective bargaining power. Secondly, in accordance with set bureaucratic practices, in all trade disputes they invariably found justice on the side of the employers and used the law and the powers of the government in aid of them.

The Communist government's policy was a sharp departure from this beaten track. It stood for recognition and strengthening of all trade unions, for fostering the unity of the working class and for strengthening their collective bargaining power. And its attitude towards working class struggles has been remarkable for its originality and represents a fundamental departure from all hitherto existing ways. This approach has been unambiguously explained by Kerala's chief minister. He regards it his government's responsibility to help the toiling millions 'to more effectively carry on their struggle for the improvement of their working and living conditions, and, through such struggles, to realise their immediate and ultimate objective.' (See *Kerala On The March*, Kerala government publication, introduction by E. M. S. Namboodiripad, p. vii.)

Now, the question of the working people's struggle for the improvement of their living and working conditions is inseparable from the question of the role of the police in such struggles. Traditionally, the police has been using security proceedings under section 107, prohibitory orders under section 144, detention without trial, lathi charges and firings to suppress all popular agitations. The British government used them against the Congress and people's movements in pre-independence years and the Congress governments have been freely resorting to them in post-independence years against working class and peasant struggles.

As against this traditional approach, the Communist government consistently with the natural development of civil liberties and individual rights of the working people,

squarely stated that labour and agrarian disputes are primarily matters for the labour and other departments of conciliation, adjudication and arbitration, and not for the police to deal with. The police, the Communist government decided, can enter the picture only when the labour-employer disputes lead to violation of the person and property of any section of the people.

In short, this new policy is expressive of a change in the role of the state in the mutual relations between the owning and toiling classes. It proceeds from the basic premise that the relations between the workers and the capitalists, the peasants and the landlords, etc., are relations which should primarily be settled between these classes. The government desires that amicable settlement of disputes should be brought about by negotiations between individuals and by collective bargaining between sections of people.

In other words, the Government of Kerala drew a sharp line of demarcation between the law-and-order section of the government functioning through the police, and the machinery for settling disputes between various sections and classes of people, which latter role is played not by the police but by the labour and other departments of the government machinery of conciliation, adjudication and arbitration.

It has to be noted, however, that this specific policy within the ambit of the Indian Constitution is not viewed in terms of juxtaposing the working class to other classes in a diabolical plan of 'class war' and 'totalitarianism.' Its object again is to fulfil the tasks laid down by India's national plan of raising production. Inaugurating the silver jubilee session of the AITUC at Ernakulam in the last week of December last year, EMS said that 'the Kerala government were making their utmost endeavour to see that a proper atmosphere was created in the State for further industrial expansion in which just as the working class would be assured that their legitimate interests and rights would be safeguarded and defended, the industrialists would also be assured that they would be allowed to make industrial profits.' (*Indian Express*, 26 December 1957.)

EMS pointed out that this policy with regard to the use of the police helped the trade unions and the kisan sabhas, since it put an end to the 'positions of strength' from

which formerly the capitalists and the landlords bargained with them. The toiling classes could now bargain with the capitalists and landlords 'on terms of relations of equality, with no Damocles' sword hanging over their heads.' And in spite of all the hue and cry that was raised about this policy, instead of aggravating industrial unrest, it actually helped in considerably easing the situation.

The second important aspect of the labour policy of Kerala government is the encouragement given to settlement of industrial disputes by mutual consultations and negotiations. The previous practice was that in case conciliation proceedings failed in a dispute, it would be referred to industrial tribunals for compulsory adjudication. The disputes thus dragged on for months, and in some cases even years, and the workers, therefore, are naturally opposed to compulsory adjudication. In practice this method resulted in putting off solution of disputes, and by preventing the workers from taking to direct action indirectly helped the employers.

In its attitude towards industrial disputes, the Communist government proceeded on a more fundamental basis. It was not considered enough to merely settle individual disputes with regard to wage increase, bonus and other questions as and when they arose in this or that industry. It decided upon a policy of solving these problems on an industrywise and Statewise basis through relatively long-term agreements arrived at between employers and employees, aided by the officers of the labour department. Industrial Relations Committees were set up in such important industries as coir, oil mills, engineering, textiles, tiles, chemicals, plantations, etc. Within the first six months of its rule, the Communist ministry was thus able to settle 90 per cent of the disputes that arose through tripartite negotiations.

Here again, the policy decision is with a view to bring about economic development of the State through constructive policies involving the close cooperation of the workers and the owners, and there is no intention of 'black-mailing' or 'forcefully subduing' the capitalist classes. Emphasising the need for long term solution of labour-capital relations industrywise and Statewise, EMS told the AITUC: 'This aspect of the problem of the working classes was as important as the proper solution of the question of wages, bonus, etc. Unless this problem was tackled on a national

basis, unless the resources of the State, private capitalists as well as the financial resources even of the smaller man were tapped in order that all the existing industrial units were not only maintained but further expanded and strengthened and new industrial units were established, the working class in Kerala had no salvation.'

The eminent justification of such an approach can hardly be questioned. It is to be noted with regret that placing the interests of their party over the interests of the State and its people, the Kerala Congress initiated a high-pitched campaign against this labour policy. Their thesis was that the Communist government's policy of aiding and encouraging organised working class and of helping them to secure their legitimate demands was a barrier to the industrialisation of Kerala, and that so long as this policy continued there was no possibility of establishing new industrial units. Not only this. When some private industrialists came forward with concrete proposals, they did their best to dissuade them by raising imaginary bogies.

Extending this tripartite policy on the State level, the Kerala government constituted an industrial relations board. A sub-committee of this board, taking into consideration the need to make the employers and workers understand their respective rights and obligations, submitted a report which on most points is based on unanimity of understanding. Its proposals covered such questions as wages, bonus, works committees, negotiating machinery, code of discipline in the industry and industrial peace, etc. Its proposals for the satisfaction of the legitimate demands of the workers are: (1) to fix a State minimum of earning for every worker; (2) to provide for payment of gratuity when workers retire by way of superannuation or by voluntary relinquishment of service; and (3) to provide for the payment of a guaranteed minimum bonus of 6¼ per cent of the annual earnings of the workers in every industrial establishment of the State, irrespective of profit or loss; and also for a surplus bonus annually out of the profits of the establishment.

It is unnecessary to point out that these proposals have no novelty about them, being accepted by the ILO and the labour ministry of the government of India. That is why the trade unionists and the working classes of the State were surprised when in December last, Morarji Desai, then

Union industries minister visiting the State, expressed views which were at variance with the understanding of the government of India's ministry of labour. Addressing the industrial relations board he expressed his disapproval of the sub-committee's proposals and even opposed many of them.

Knowing fully well that the government can bring success to its efforts towards the satisfaction of workers' legitimate demands only when the workers in State industrial establishments are given a square deal, the Communist ministry gave special attention to the workers in State concerns. Thus, Kerala government gave substantial wage increases to all categories of employees in the State transport department, and a guaranteed minimum bonus of 8½ per cent of the annual earnings. All the labour laws were made applicable to the workers in the department and a management board was constituted with representation for the workers.

In the Trichur Sitaram Spinning and Weaving Mills managed by the government, the workers were given about Rs. 1,30,000 as bonus advance, dearness allowance was enhanced and nearly 100 retrenched workers were taken back. Wage rates were increased by about 100 per cent in Kozhikode Government Soap Factory, Shark Liver Oil Factory and Hydrogenation Factory. Wage increases were given in the Kundara Ceramic Factories, Punalur Plywood Factory, Electric Allied Industries, etc. Substantial concessions were also given to various categories of PWD workers, from the sweepers upwards, provident fund schemes were extended, housing schemes have been taken in hand, leave facilities were brought in line with other levels of employment and works committees are being set up.

Of great significance as the first attempt of its kind in India was the decision of the Kerala government in January this year to give financial aid to workers discharged or dismissed on questionable grounds during the pendency of adjudication or arbitration of their disputes with the employers. The aid fixed is 50 per cent of the average wages drawn by him during the month preceding the date of discharge or dismissal. This will be paid in monthly instalments for a maximum period of six months or till the decision of the adjudicating authority or arbitrator. In case of reinstatement with arrears of wages, the worker is required to refund the amount of financial aid received. Then, as

the government statement said, labour was enabled 'to stand on an equal footing with the management in industrial disputes.'

With regard to the extensive plantations in Kerala, a committee of representatives of workers and employers has been formed to fix a just rate of wages. Pending the final decision, an interim rate has already been fixed which benefits 2,00,000 plantation workers. According to the terms of this agreement arrived at Kottayam on 6 January 1958, the increased wages will be paid at the following rates:

Categories	Existing Rates			Increased Rates		
	Rs.	As.	Ps.	Rs.	As.	Ps.
1. Minimum Time Rates:						
(a) Field workers						
Men	1	9	6	1	11	6
Women	1	3	3	1	5	0
Children	0	12	9	0	13	9
Women tappers	1	6	6	1	8	0
Adolescents	1	0	0	1	1	0
(b) Factory workers						
Men	1	13	0	1	14	0
Women	1	6	0	1	7	0
Adolescents	1	2	1	1	3	0
Guaranteed time rates will be paid as follows :						
(a) Men	0	12	6	0	14	0
(b) Women						
(i) Tappers	0	12	6	0	14	0
(ii) Other than tappers	0	9	6	0	11	0
(c) Children	0	6	3	0	7	3
(d) Adolescents	0	7	10	0	9	0

In the case of the male factory workers who are already getting Rs. 1-13-0 and above, they will be given an increase of one anna in their existing wages. The above wage increase applies to the tea estates which admeasure 100 acres in bearing and above and rubber estates which admeasure 200 acres and above in bearing and above in extent. Workers in other estates were granted a flat rate increase of one anna for adults, both in the minimum time rates and guaranteed time rates. The rate of increase per adolescent and adult is 9 pies and 6 pies respectively.

These rates are higher than in Madras where a wage freeze has been applied till 1961, and where there is no piece-rate system and so no guaranteed time rates. Further, in Kerala the plantation workers are not only guaranteed a minimum wage, but are also guaranteed employment on days when normal employment is not possible. If on a day the employer cannot give them any work, they have to pay the guaranteed minimum time rates to the workers. Further, the Kerala government has amended rules under the Plantations Act which make it incumbent upon the planters to open schools in all estates which will be under the administrative control of the State Education Department and actively assisted by it. Similarly, all estates have been enjoined to open hospitals with fixed number of beds and with maternity benefits. Provision has also been made for child care. Furthermore, from March 1958, the government has fixed minimum wages for workers in cardamom plantations.

Equally energetic has been the Communist government in the matter of extending the Minimum Wages Act to an increasing number of industries. Minimum wage has been fixed for all industries under the schedule. Further, five more industries have been brought under the Act. And the government has already decided to extend it to seven more industries. For example, even such neglected workers as toddy tappers, gang mazdoor workers engaged in public works, workers in the tile industry, etc., have now their minimum wages fixed statutorily by government orders. And committees are working to fix the minimum wages in cashew industry, timber industry, printing presses, and handloom industry. Indeed, no other State in India can be proud of such a long list of achievements for the welfare of the working classes.

Nor have the agricultural labourers been ignored. The following rates of wages have been fixed for agricultural operation by different categories of agricultural wage-earners :

Minimum time rates for an eight hour day :

1. Ordinary agricultural operations	Rs. nP.
(i) Men	1 50
(ii) Women	1 00
2. Preparing pits or bunds for planting coconuts (excepting in sandy tracts)	1 62

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| 3. Digging or ploughing and preparing mounds, ridges or basins for topioca or sugar cane cultivation (excepting in sandy tracts) | 1 62 |
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Minimum piece rates for plucking of cocoanuts :

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| Per cocoonut tree | 0 44 † |
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Ploughing :

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| 1. Ploughing with labourers' bullocks for a four-hour working day | 2 75 |
| 2. Ploughing with cultivators' bullocks for a four-hour working day | 1 50 |

Transplanting operations :

The minimum wages shall be the same as for any ordinary labour but the working hours shall be five for **kayal** areas and six for other areas. The hours of work fixed above are hours of actual work (i.e., excluding time spent in assembling, proceeding to the work spot and returning, rest periods etc.)

Harvesting and threshing :

1/9 of the harvested paddy in addition to the customary payment called '**theerpu**' or '**vellamkudi**.' Workers will be entitled to remuneration for carrying '**katta**' if threshing ground is not provided at the rate of one for every 2,000 paras of paddy field.

(If the existing rates for all or any of the above agricultural operations are higher than the rates above, the higher rates will continue to be paid.)

† One cocoonut for every 25 trees or part thereof.

Another novel departure of the Kerala government has been a move to organise labour and construction cooperatives in the State with the object of employing the large unutilised manpower resources and thus enabling the people to improve their economic conditions. Hitherto government contract works have been attended to only by private contractors. This benefits only the contractors and a few skilled workmen. The Communist government decided that in collaboration with other departments, labour and construction cooperatives could, by stages, replace the existing contract system so that each area derives the maximum possible benefit in terms of income and employment from works which are undertaken for its development. With this end in view a scheme has been drawn up envisaging the organisation of 25 societies, one each in 25 NES block areas as an experimental measure. Care is being taken to organise these labour contract cooperative societies on sound lines

and to provide them opportunities for work on reasonable terms and also to give them the necessary guidance and supervision.

The work of these 25 pilot projects will be watched for one year before the question of extension to other areas is considered. Minor works such as maintenance of buildings and roads, construction of roads in respect of forest department, construction of culverts and school buildings, earth works, surfacing, gravelling, metalling, maintenance and minor repairs, etc., in other departments, costing not more than Rs. 25,000 and minor irrigation works not requiring skilled labour which are let on contract, will be entrusted to such labour contract societies by competent authority. All facilities, such as advance payment of 25 per cent of the approved estimates, providing materials like iron, steel cement, etc., at usual rates at which they are issued to the contractors have also been ensured.

This novel experiment is full of immense possibilities, visualising as it does the peaceful elimination of notoriously corrupt contractors and guaranteeing increased earnings to the workers.

It should be pointed out that while thus following an active policy to ensure the legitimate rights and claims of the workers, the Communist ministry is at the same time always reminding the working classes of their obligations and duties. Thus, addressing a workers' gathering at Trivandrum on 26 April last, labour minister T. V. Thomas said: 'It was the duty of society to ensure a decent and reasonable standard of life for the workers in all fields of activity. So far as the workers were concerned, when they are demanding their rights, they have to remember their obligations also and realise that rights arose only when their duties were discharged. Without realising their responsibility, the workers threatening to stop work and hampering progress in industries were not showing a proper attitude. For all agitations, public cooperation and support were essential. It had to be realised that in order to ensure public sympathy, the demands made should be reasonable.' (*Hindu*, 28 April 1958.)