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Confidential  
For Members of General  
Council only

# Report of an Inquiry under Code of Discipline

Bombay General Strike of July 25, 1958 and strike in  
Premier Automobiles

ALL-INDIA TRADE UNION CONGRESS

4 Ashok Road, New Delhi

AITUC REPORT

The trade unions had been complaining for a long time that there is no machinery under the Government of India to check up whether the laws, enactments and awards that come into existence from time to time, are implemented or not. It is not until a strike has taken place that a case of non-implementation of a measure in favour of the workers, is discovered.

In view of this complaint, the Government of India set up an Evaluation and Implementation Division in the Ministry of Labour in October 1957 and asked the State Governments to do the same.

After the adoption of the Code of Discipline at Nainital in May 1958, the question of breaches of the Code was also entrusted to this Evaluation and Implementation Cell or officer.

Mr. R.L. Mehta, I.A.S., was the officer in charge of this work, in the Union Ministry of Labour and Employment.

The first case that came up before him was that of the Jamshedpur strike of May 12, 1958. He went to Jamshedpur and made an inquiry and report.

It was agreed in the tripartite, on the suggestion of the Labour Minister Shri Nanda, that these reports should not be published as publication may affect their usefulness.

But the reports were kept so secret that even the unions affected were not allowed access to them. That destroyed their utility altogether, except as secret inquiries and judgments which Government were free to use for deciding their policies, prejudices and lines of action.

There was an uproar recently in the Parliament when the Deputy Minister for Labour, Shri Abid Ali, made a blatantly ~~false~~ statement that the AITUC opposed the publication of these inquiries, particularly the one on Jamshedpur. The AITUC contradicted Shri Abid Ali's statement. Now it is learnt that these evaluation reports may be published.

So far, four inquiries only have been undertaken - one, on Jamshedpur strike (May 12, 1958); two, on the strike in Premier Automobiles and Bombay General Strike (July 25, 1958); three, on Calcutta tramway strike (August-September 1958) and four, on Kerala plantation workers' strike (October 1958).

The report on Jamshedpur was denied circulation even to the unions under the plea that the strike took place before the Code of Discipline came formally into existence on July 1, 1958. Hence that inquiry by Mr. R.L. Mehta was without jurisdiction.

The strike of the Premier Automobiles (Bombay) workers which is the subject matter of the present report by Mr. Mehta began on April 11 and ended on July 29, 1958, lasting 110 days. During this period there was a one-day general strike in the whole city of Bombay.

As this is the first report of its kind, in the sense that it is made on the basis of a tripartite convention and is not a report of a statutory tribunal or a court of inquiry, it deserves special attention from all concerned, that is, the trade unions, employers and Government. This first report, if not appraised properly and criticised, is likely to set the tone for the rest that are to follow.

Shri R.L. Mehta is a capable person. He belongs to the I.A.S. cadre and holds the post of Joint Secretary to the Government of India. For a period he has also served as a District and Sessions Judge. The report bears the imprint of all these qualifications.

The report is written in a clear manner. The facts are marshalled well for a definite conclusion. But the conclusion above all is less concerned with the Code of Discipline and more with politics and political parties. Even the occasional footnotes are so framed and placed that they show the political bias of the writer. An undertone of political venom against the Communist Party and the Samyukta Maharashtra Samiti, with a highbrowed sneer for the working class and the great strike action runs through the whole report. And yet it is all done in the correct IAS manner. In places he does not fail to point out the mistakes of the employer also. And that lends colour of impartiality to the report and raises its value as a weapon to beat the workers.

In short, this report is all that it should not be. Let us mark a few places and note a few facts.

When one reads the report, it all looks as if the Secretary of the Union, Shri R.J. Mehta, painted in the report as a vain-glorious, abusive, foolish and gangster-type leader, deliberately developed a situation of strike and prolonged it for 110 days, without any reason or any gain in the end.

We are not concerned here with the character of R.J. Mehta, the Union Secretary. May be he was abusive and vainglorious. But, the Company itself had tolerated him and negotiated with

him since 1952. The report does not show any plausible reason why the Company of Mr. Lalchand Hirachand suddenly insisted on making Shri R.J.Mehta, the Union Secretary, a cultured gentleman and for that reason, refused bonus to the workers and voluntary arbitration proposed by them.

The report fails to mention the guilt of the Bombay Labour Minister, in refusing arbitration to the Union. In fact, the Bombay Labour Minister refused to accept the Nainital conventions and refused to set up implementation machinery till as late as the Madras Session of the Indian Labour Conference (July 1959). And even now the Committee has not been actually put into form. Yet Shri R.L.Mehta is all praise for this Labour Minister, who by himself, is the single biggest evil agency in Bombay to prolong disputes and strikes and harass the workers.

The report of Shri R.L.Mehta is all loaded against the workers. He fails to evaluate and assess the fact that this dispute was a subject matter of discussion at the Nainital Conference. There the Bombay Labour Minister refused to help in the settlement of the strike. The trade unions in Bombay, in response to a request from Shri Nanda, had postponed the decision to call a general strike on May 19, 1958, in the hope that the Nainital consultations would help in the settlement. The failure at Nainital was wholly due to the Bombay Labour Minister and Shri R.L.Mehta, who was present there, hides these facts. Perhaps, as an officer, he dares not tell the truth.

Shri Mehta's report is seriously wrong with regard to certain very vital facts. It is not that he does not know them. But it does not suit his line of thinking to mention them.

He wants to show that the Premier Automobile dispute which was merely for bonus, etc., was evolved into a political struggle by the parties in the Samyukta Maharashtra Samiti, for their own ends.

Hence he fails to mention that in the strike of July 25, 1958, and the consultations at Nainital, the trade unions had put on the agenda the question of closures and retrenchment in the textile mills in Bombay and the labour policy of the Government on this vital question.

The proposed strike of May 19, which he mentions, was for these two questions as also the settlement of the Premier Automobile strike.

The Nainital Conference discussed this question and adopted a resolution also. But since Government failed to act on them, the strike of July 25 had to take place. All this is conveniently ignored by Shri R.L.Mehta and his report.

Because, he was determined to blame the Samyukta Maharashtra Samiti. Somehow he confuses the Samiti with the body that conducted the strike of July 25. The trade unions in Bombay had formed an Anti-Unemployment Samiti to fight closures and retrenchment. It is this Samiti, which contained groups that had nothing to do with the political Samyukta Maharashtra Samiti, that organised the General Strike. But Shri R.L.Mehta, blind with his prejudices, refuses to see this trade union Samiti.

Shri R.L.Mehta, just in passing, puts in a footnote that "the Communist Party and the Jana Sangh are active members of the Samyukta Maharashtra Samiti". There was no occasion for this remark and it is also not correct because the Jana Sangh had gone out of the Samiti long ago and was not its member. Shri Mehta while mentioning names is insistent on describing their party and wants to suggest that it the Communists who for political advantage created a strike situation.

And yet the peculiar position is that Shri Asoka Mehta was the President of the Union. The Union is affiliated to the HMS. And Shri R.L.Mehta, our Judge, is so much in love with Shri Asoka Mehta that in one place he says that Shri Asoka Mehta's name was being used because it was a "magic name" (p.21) with the workers. If so, who had prevented this "magic name" from averting the workers' misery and settling the strike? The report itself says that even Shri Asoka Mehta failed to put through a negotiated agreement. But Shri R.L.Mehta is very pleased to record that "on the day of the token strike - July 25 - Shri Asoka Mehta . . . was approached to address the workers. He refused to do so."

For Shri S.M.Joshi, the Report has a soft corner as shown in the following para:

"I have not so far mentioned Shri S.M.Joshi though he entered the lists on the side of the workers fairly early in the struggle because, in addition to being a well-known Samiti leader, he is also a leading trade unionist. To begin with, his support of the Sabha was purely from the trade union point of view. Later, however, when he saw other possibilities, he too acquiesced in the use of strikers for political purposes." (p.16)

"In a speech on July 23, Shri S.M.Joshi cast all caution to the winds and made public the real purport of this agitation. He declared: 'Since the issue involved in the strike is the labour policy of the Bombay Government, there is nothing wrong if the strike is motivated by political ends'. The labour dispute had now openly become a political issue." (p.17)

But when Shri S.A.Dange spoke, the report says:

"On May 12, Shri S.A.Dange (CPI) speaking to the workers criticised the Bombay Government and announced a donation of

Rs.500 on behalf of AITUC. By now the workers were beginning to feel more enthusiastic about fighting the Bombay Labour Minister than the Management of the Premier Automobiles, more anxious to have a Samyukta Maharashtra State than the satisfaction of their demands; the slogans at the daily meetings were now not only against the Management and for the demands, but also for the establishment of a Samyukta Maharashtra State in Bombay and against the policy of the Bombay Labour Minister." (p.16)

How did Shri Mehta get all these various shades, if not through his own political bias or somebody's instructions?

While the Report emits sneering poison against the heroic struggle of the workers, it has no strong condemnation for the employer who rejects voluntary arbitration, a principle by which the Government swears day and night, nor has it a word of regret for the murder of one of the workers, by name Dayanand Suvarna, who was killed when the goondas attacked the union office.

One can point out many more such things in the Report. The document tries to assume an impartial air and put a blame here and there on the employer. But in fact, the report is a biased document, written with an eye on damning the workers and all those who took their side. In that attempt, it even falsifies certain facts or suppresses them.

The Code of Discipline and the inquiries under it are more and more being turned into an instrument to suppress trade unionism not amenable to the dictates of the Government and the employers. This first report is a typical example.

We are circulating this report to our leading workers as an object for study, show them how highly placed officers and Government agencies look at the mighty struggles of the working class.

Our unions may like to know that Shri R.J.Mehta, the Secretary of the Engineering Mazdoor Sabha, is now engaged in attacking the AITUC unions and using the same methods and manners of which he is accused in this report. But that will not colour our approach to the Premier Automobile workers or their union and their struggles. The AITUC is proud of the great action of July 25, 1958 undertaken against the closure of textile mills, against the labour policy of the Bombay Government and in solidarity with the Premier Automobile workers. That action took the TU movement forward and helped to secure some redress of the grievances also.

S. A. DANGE  
General Secretary  
All-India Trade Union Congress

New Delhi

February 11, 1960

PART II

BEFORE THE STRIKE

CHAPTER I

THE ENGINEERING MAZDOOR SABHA

The Engineering Mazdoor Sabha is affiliated to Hind Mazdoor Sabha (HMS). It is the majority union in the Premier Automobile. It has never been formally recognized, though it has represented the workers in negotiations with the Company since 1952. The Company has, from time to time, signed agreements with it.

Past record

Shri Asoka Mehta is its President and Shri R.J.Mehta, its Secretary and Treasurer. Shri Asoka Mehta is seldom in Bombay and never for any length of time. Shri R.J.Mehta, therefore, functions as also the de facto President of the Sabha. Not only in day-to-day matters, but also in major issues like giving a strike notice, signing an agreement, launching a strike or calling it off, he acts independently of all authority. When so much power is concentrated in a single person, the plural society which a trade union represents perishes to give way to the monolithic. This partly explains Shri R.J.Mehta's hold on the workers of Premier Automobile, who number about 5,000.

The Sabha has had many disputes with the Management. Some of these disputes were referred to adjudication and others settled through private arbitration. There are also small settlements affecting sections or groups of workers. All these disputes involved agitation by the workers. The agitation took various forms. Some times demonstrations continued for a whole week<sup>1</sup> during which practically no work was done. Sometimes

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<sup>1</sup>"A week of demonstrations was observed by the workmen from 29th October to 5th November 1953. During the week, the Secretary (Shri R.J.Mehta) and other representatives of the workmen used to address workmen inside the plant during the recess hours". (Statement filed by Shri R.J.Mehta).

token strikes were organised<sup>1</sup> and some times threats of strikes were given<sup>2</sup>.

## CHAPTER 2.

### Events leading up to the Strike

#### Arbitration refused

The present dispute began in February 1958 when the Sabha asked for the settlement of its claim for bonus for 1956-57 and demanded private arbitration. In the past the Sabha had rarely sought the help of the conciliation machinery of the Labour Department of Bombay. In this dispute too it relied on its own strength to deal with the Management. "No direct approach or request was made by the Sabha to the Commissioner of Labour for his intervention in the dispute" (Shri R.J.Mehta's letter No. S/M/PA/614 dated October 31, 1958)7. On March 12, it reduced to writing its demands and asked for an early reply. The demands included a request for private arbitration. On March 29 the Management replied that they could not accept the Sabha's request. The reply is laconic. It does not give any reasons for not entertaining the Sabha's demands. At that time some other matters raised for the Sabha earlier were also pending consideration by the Management, e.g., re-classification of the monthly-rated clerical staff and daily rated workmen, the non-grant of annual increments which had been due for some time, non-provision of uniforms which had been promised to be issued to members of the Traffic Department by the end of January 1959 and so on. To settle these matters and the bonus issue, the Sabha sought an appointment with the management and April 5, 1 p.m. was fixed for a meeting with the General Manager.

#### The letter of April 5

In the meantime, the Management decided that they would have nothing more to do with Shri R.J.Mehta. Accordingly, on April 3, the Staff Manager warned Shri R.J.Mehta that the General Manager would not be able to see him on April 5. Shri R.J.Mehta

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1. "A successful strike of all daily-rated and monthly-rated staff on Sunday, the 29th September 1957, gave a rude shock to the Company". (Statement filed by Shri R.J.Mehta).

2. "The Company was not willing to have private arbitration, but accepted the same when work-men threatened to resort to constitutional agitation". (Statement filed by Shri R.J.Mehta).

replied that the warning notwithstanding, he would keep his appointment with the General Manager at the pre-arranged time and should the promised interview be refused, he would bring out the workmen and stage a demonstration. In a letter the Management explained to Shri R.J.Mehta why they could not see him any more. This letter was delivered to him as he arrived at the gate of the factory on April 5. It bans Shri R.J.Mehta's entry into the premises of the Company and withdraws the facilities hitherto given to him to negotiate with the Management on behalf of the workers. Among the reasons it sets forth for this decision are Shri R.J.Mehta's abuse of the privileges granted to him, his policy of keeping alive an atmosphere of restlessness and discontent among the workers by following one set of demands and grievances by another, his habit of playing to the gallery by shouting abuses at the Management and threatening to let loose hell at the slightest provocation. All this, the Management alleged, was calculated to undermine discipline and respect for the Management and make workmen feel that Shri R.J.Mehta and not the management were in control of the factory. The letter gives one or two instances of the use of foul language by Shri R.J. Mehta. He is alleged to have called an officer of the Company "a bastardy person". Reference is made to an pamphlet issued by him on March 27, 1958 in which he is stated to have described another officer as a pigmy whose "type may bark like street dogs". For officers in general his description in this pamphlet is "heinous plotters and clique-wallahs. Plotters pledge themselves as true Congressmen. But when the time comes for action, they forget all except money". A few more scurrilous and defamatory innuendoes contained in this pamphlet are mentioned. In view of this behaviour of Shri R.J.Mehta the Management said that they had decided not to have anything more to do with him or even the Sabha, so long as he was its leader. But, this, the letter added, did not mean that the workmen's elected representatives could not discuss with the Management "in a proper spirit of co-operation any grievances that the workers may have."

Simultaneously with the delivery of this letter of Shri R.J.Mehta, the workmen's representatives were explained why Shri R.J.Mehta's entry into the premises of the Company was prohibited. A Marhatti translation of the letter was read out to them.

#### The sit-down strikes

As soon as Shri R.J.Mehta received this letter he rang up the Staff Manager from the gate and threatened a lightning strike if he was not allowed in immediately. He even talked of bloodshed. The Management paid no heed to these threats.

Shri R.J.Mehta was as good as his word. Within an hour began a sit-down strike. Reason: the Management's refusal to allow Shri R.J.Mehta to enter the premises of the Company.

By 3 p.m. work in the plant was at a standstill. This strike continued for two more days. On April 8, it was withdrawn and, in the words of Shri R.J.Mehta "a regular notice was served on the Company". This notice was for 21 days at the end of which the Sabha would go on strike if by then "all their outstanding demands including demands for restoration of recognition of the Union and the demand for strike pay (that is, from April 5 to April 8) were not met".

Incidentally, "restoration of recognition of the Union" really meant the restoration of Shri R.J.Mehta as the sole bargaining agent on behalf of the workers since, as already said, the Sabha was never formally recognized by the Management. Anyhow, the strike notice was not allowed to run its full course. On April 11, at 5 p.m., the Company served discharge notices on ten workmen for absenting themselves on March 21 and 29. The next morning, April 12, began another sit-in strike. Its immediate cause was the discharge of ten workmen.

#### Certain departments closed

On April 14, the Management put up a notice appealing to workmen to resume work immediately. On April 15, under Standing Order No.19, "as a security measure" the Management closed down certain departments of the factory in view of the "striking workmen either sitting inside the departments or squatting on the premises of the factory or loitering inside the factory premises". The order clarified that "this notice of closure under Standing Order 19 is only intended to prevent the strikers coming in and squatting inside the departments or on the premises of the factory and this notice by itself shall not have the effect of terminating the contracts of employment of the striking workmen". The order also promised that "a notice will be put up as to when work will be resumed".

Various notices from time to time were put up urging workers to resume duty. A few workers - but only a few - answered the call. In the main the strike continued till July 29 when it was withdrawn unconditionally. A detailed account of what happened during the strike will be found in Chapter 4.

### CHAPTER 3

#### Responsibility For These Events

In the recital of the events leading up to the strike in the last Chapter, I have not analysed the responsibility of the parties concerned.

#### R.J.Mehta - a union in opposition

From a perusal of the statements filed by the Sabha and

the Management and from listening to the witnesses who deposed before me, including Shri R.J.Mehta and the top officials of the Management, I feel that though the Engineering Mazdoor Sabha enjoyed de facto recognition from 1952, all along it behaved like a union in opposition. For instance, early in April 1957, the Management drew Shri R.J.Mehta's attention to the threatening tone of his letter to Seth Lalchand Hirachand, the Chairman of the Company. In reply, Shri Mehta wrote:-

"For your information we may state that it is not the policy of the Sabha to threaten any one. If it finds that direct and militant actions were necessary in any dispute the Sabha resorts to the same without giving threats to any one".

Again, during the same month, the Company complained about go-slow tactics of some workmen, their unpunctuality and indiscipline. Shri R.J.Mehta wrote back:-

"Party which submits the demand should go to the other for discussions. We are, therefore, to request you to call at our office at any time convenient to you with all facts and figures to substantiate your demands which have been termed as complaints by you".

On July 9, 1957 Shri Mehta held a meeting in the Company's premises without first obtaining permission from the Management. When this irregularity was brought to his notice, he replied:-

"A serious view has been taken by us on your introducing a new rule for the Sabha by asking it to take permission in writing before holding any meeting... we make it clear to you that we shall not do the same in future too".

Writing to the Labour Officer of the Company during the month, Shri R.J.Mehta said:-

"We feel that you should refresh your memory which seems to have weakened due to innumerable problems that you are to resolve in the Company. We only wish that we should not be made victim of your weak memory".

On October 6, a notice in Marhatti was put up by the Sabha in the traffic garage stating that:-

"all traffic colleagues are hereby informed that when Mr. R.J.Mehta is coming on 11th October 1957 at 3.30 p.m. they should remain present - BY ORDER".

On November 3, 1957 the Sabha staged a demonstration in front of the house of Shri P.N.Shah, the Deputy Staff Manager, and shouted, "P.N.Shah Mordabad". When this impropriety was brought to Shri Mehta's notice, he wrote back:-

"The demonstrations staged at the residence of Shri P.M. Shah have nothing to do with conditions of service in your factory and/or with any other industrial disputes. Hence you have no business what ever to address the letter to the undersigned on this subject matter and much less to hold out the threat on behalf of Shri P.M. Shah that if any untoward incident takes place, the undersigned shall be made responsible. The writer takes a serious view of your letter and reserves the right to take necessary action against you".

On March 8, 1958 in a heated discussion in the office of the Labour Officer Shri R.J.Mehta called the Labour Officer and Shri P.M. Shah "scoundrels" within the hearing of the latter who sat next door.

#### R.J.Mehta's attitude towards Management

Shri R.J.Mehta hailed the settlement of February, 1954 reached after three months of bitterness, suffering and loss on both sides, as "a victory over management" (Statement filed by Shri R.J.Mehta). One would have normally expected an all-round eagerness for better relations after a long period of mutual recrimination and unrest. One wonders if remarks like the one quoted above, did not ruin whatever chances of rapprochement a settlement offered. To take another example, immediately after the bonus settlement for 1955-56 Shri R.J.Mehta claimed that he had "bullied down" the Management. The Management complained that this kind of attitude put them on the horns of a dilemma. If they did not yield to his demands, they were dubbed as "heartless capitalists adamant in their attitude towards workers". If, on the other hand, they accepted his demands, they were supine creatures who were easily browbeaten.

#### Demands in quick succession

No sooner was settlement reached over one set of demands than another set was put forward. 1953 is a typical year in this regard. Early in the year there was agitation over lay-off in certain departments. Soon after a dispute over paid holidays, allowances, overtime payment, etc., was raised. No sooner was it referred for adjudication than "a strong agitation for securing bonus for the year 1951-52 and 1952-53 (Statement filed by Shri R.J.Mehta)" was started. "A week of demonstration was observed by the workmen from 29th October to 25th November 1953 (Statement filed by Shri R.J.Mehta)". This was followed by a strike and a lockout from November 8, 1953 to February 6, 1954. Thus it went on from year to year. Conflict between the Sabha and the Management seems to have become an immutable law of nature.

Some good may have accrued to workers from these non-stop disputes. But it is the kind of thing that can be overdone.



The use of provocative language in correspondence and personal dealings with the Management, demands in quick succession and interference with problems which concern the administration of the factory engendered a perpetual state of war. When it was not a shooting war, it was a cold war - a war of nerves. Such a state could not last long. It made relations so strained that they were bound to snap sooner or later. When they did, Shri R.J.Mehta was caught napping; he made mistakes.

#### The mistakes

When he suddenly found on the morning of April 5, that he was denied admission to the factory in which he had held unquestioned sway for five years, he called a lightning sit-down strike, little realising that a strike on a personal matter - to rehabilitate himself with the Management - had no meaning as an industrial dispute. This was his first mistake. It took him two days to see it.

When he withdrew the strike on April 8, he revised his old charter of demands to include his own rehabilitation in it and served it on the Management. Three days later on April 11, 10 workmen were discharged for repeated absence from duty. Without first moving the machinery provided by Government for resolving disputes between employers and workers Shri Mehta called another strike. Not to have invoked the relief machinery provided for the purpose was Shri Mehta's second mistake. He never recovered from it. In fact, it led to other mistakes, which eventually cost him his leadership.

#### The main weakness of the Management

The main weakness of the Management in dealing with the situation as it developed till the eve of the strike lay in the flabbiness of the intermediate level of its administration. Under the Staff Manager and the Deputy Staff Manager there is only one Labour Officer - a very junior person both in status and salary and comparatively young. He has three Welfare Officers to assist him. But one of them does other than welfare work. Thus, the actual day-to-day handling of a working force of about 5,000 men was left to a Labour Officer and two Welfare Officers. This staff too was not appointed till a few months before the strike began. Till then there was practically no welfare personnel. No wonder, therefore, the Management did not know their men nor their pulse. While dealing with the Management Shri R.J.Mehta disregarded the Labour Officer and his Assistants and they, taking the line of least resistance, did nothing to assert themselves or otherwise make their presence felt. Yet, in every encounter with the Sabha, the Management first pushed forward the poor Labour Officer. When I pointed to the Management the folly of having so weak a vanguard in their dealings with the Union, they suggested that something was better than nothing, little realising that to encourage a gardener to tackle a wild elephant with an air gun on the plea that something is better than

nothing is the best means of getting rid of the elephant, but the gardener.

In matters concerning labour-management relations it is the officer in direct touch with workers who counts. If this contact is weak, or if the officer is unable to pull his weight, his advice is neither dependable nor is it respected. In the administrative set-up of Premier automobile, both these weaknesses are obvious and explain the mistakes made by the Company in handling the situation. These mistakes were: (a) in pursuance of a policy of appeasement, the Management went so far as to make any change in this policy impossible; (b) when the Management decided to give up its policy of peace-at-any-cost and to get tough with the Sabha, it did so in a manner that a head-on collision became inevitable; and (c) the Management unnecessarily delayed fulfilling their commitments with the union.

#### Its policy of appeasement

Earlier in this Chapter I have quoted extensively from Shri R.J.Mehta's letters to the Management to show that he treated them with scant courtesy. Occasionally they whimpered or lodged a mild protest. But, by and large, they put up with insults, threats and even braggadocio for a number of years. They explained this by saying that they did so in an attempt to buy peace. They had the same explanation for yielding on the question of Shri R.J.Mehta's presence at the meeting of the Works Committees. But gradually they discovered that giving in to pressure in the form of offensive language and insulting behaviour in pursuit of a policy to appease brought them neither respect nor mercy from the Sabha. The peace thus bought, they found, was expensive in the long run. It was the peace of the timid and the frightened. Its price increased at each encounter till they realized that they could afford it no longer. So they decided on a volte face early in April 1958.

#### A head-on-collision became inevitable

I am inclined to agree with the Management that when they made up their mind on April 3 to break with the past, the break had to be complete and sudden. No half measures can succeed in a matter like this. I cannot, therefore, take exception to the Management's letter of April 5 to Shri R.J.Mehta forbidding his entry into the factory. And, as it was, the Management won the first round. The strike that was launched in consequence of this letter was hurriedly withdrawn after two days, and a 21-days notice served. Here I think was an opportunity to pause and to take stock of the situation and not to rush things for a second round. There was enough time to bring in the conciliation machinery of the State Government or to open direct negotiations with the workers. This was certainly not the time to precipitate matters by discharging ten workmen, unless the Management were anxious

then  
for a show-down. If they were, they must share with the Sabha the responsibility for the strike and what followed. If, on the other hand, they did not want a show-down, they must take the blame for an untimely and unwise act. Whatever the justification for the discharge of these ten men - this is discussed in the Chapter on the Code of Discipline - the time chosen for the issue of the discharge notices was wrong. Feelings were running high. A 2-day strike had just ended. Bad blood engendered during these two days had not yet had time to cool down. To churn it up again so soon, unless deliberate, was a mistake. Anybody could have guessed that the Sabha's reply to this move of the Management would be another strike. So it was.

#### Delay in fulfilling commitments

Atmosphere had been further vitiated by delays on the part of the management in implementing their obligations under various settlements with the Sabha. In the course of the inquiry the following instances of avoidable delays were brought to my notice. The Management had no satisfactory explanation for them.

(1) In January 1958, the Company agreed to provide three sets of uniforms to the members of the Traffic Department. These uniforms, however, had not been supplied even in March.

(2) In January 1953, an award had made certain recommendations regarding acting allowance. These recommendations were not being implemented fully.

(3) The question of re-classification of certain daily-rated workmen had been pending for long. A large number of workmen who were designated as "helpers" were actually doing the work of skilled men. Similarly many employees called 'number takers' were working as clerks, but not being paid as such. There were also discrepancies in the basic wages of some other workmen doing identical work.

In sum, its weak personnel department was all right so long as the Management followed a policy of buying peace. The moment it tried to get tough its 'appeasing' chickens came home to roost, and added to the discontentment caused by delays in implementing agreements and the refusal to refer the claim for bonus for 1956-57 to private arbitration. A head-on collision was inevitable.

FACTS  
CONCERNING THE STRIKE

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CHAPTER I

The Sequence of Events

Events during the first strike

The first strike which lasted from April 5 to April 8 was not without ugly scenes. In the afternoon of April 6 workers lay in front of the main office, thus preventing officers from going home for two hours. The tyres of the cars of the Deputy General manager and the Staff Manager were deflated and they (the Manager) were subjected to a good deal of hooting and jeering.

On April 7 a procession marched to the Deputy Staff Manager's house, shouting "P.M. Shah Mordabad". The same day the Management appealed to the workers through a notice to desist from squatting and loitering inside the factory and asked them to resume work. They did not listen to this appeal but later in the day when Shri S.M. Joshi advised them to end the strike, they did.

The second strike

The course of the second strike was long. It ran for 110 days, from April 11 to July 29, 1958. Its record of acts of violence, assault, coercion, and intimidation, therefore, is proportionately long. According to my calculations acts of major violence and rioting number about 30; occasions on which workers were incited in public speeches to resort to direct action are at least 7; speeches in which undignified and provocative language was used are numerous; obstruction was caused to others on several occasions; on 3 occasions demonstrations were organised which resulted in violence. The statement filed by the Engineering Mazdoor Sabha is silent on these activities. When I pointed this omission to Shri R.J. Mehta he promised to let me have his version of acts of violence. It has not come yet. My report on these incidents, therefore, is based on police records, the files of Bombay Government and the information collected from the witnesses examined by me. All these sources tell the same tale. In addition, I listened to tape-recordings of some of Shri R.J. Mehta's speeches.

A few typical incidents

A brief account of a few typical incidents is given below:-

(1) On April 15, officers and monthly rated staff were

prevented from attending office and factory. Stones and brickbats were thrown at the police posted at the gates. Eight officers and 18 men were injured. Two police vehicles and one private car were damaged. The windows of the Deputy General Manager's car were smashed and Shri S. . Bhagwo, a driver-cum-mechanic, who was driving the car was pulled out and badly belaboured. The police resorted to a lathi charge and arrested five persons for rioting.

(2) On April 19, the milk supplier to the canteen was assaulted and his milk pot thrown away. This provoked the milk-men who lived in a nearby colony. In a body they attacked the union office at Kurla later in the day and beat up, among others, Shri Dayanand Suvarna. Shri R.J.Mehta escaped through the back door. Shri Suvarna died five days later in a hospital. Fourteen milk-men were arrested.

The Sabha's statement on this issue enlarges on the attack on the union office and Shri Suvarna's death, but is completely silent on its genesis - the assault on the milk supplier to the canteen.

(3) Led by Shri R.J.Mehta and Shri S.L.Joshi, a procession of strikers was going towards Kamgar Maidan, Parel, for a meeting on May 1. On the way some processionists entered "cafe Amrit", which is owned by the canteen contractor of Premier automobile. The processionists picked up a quarrel with the Manager over not getting drinking water promptly. Then the inevitable happened. Glasses and soda-water bottles were broken and furniture damaged. A boy was injured.

(4) On the morning of June 3, the strikers threw acid bulbs and stones on two vehicles carrying workmen to the factory. Eleven workmen sustained acid burns. Three of these were serious.

(5) On June 7 the strikers dragged out the driver of a car of the Company which was parked on the G.B.Road to pick up some officials of the factory. Stones were also pelted at the car smashing the wind-screen and the rear window. The driver and the occupant were injured.

(6) At 10 p.m. on June 13, the police were subjected to a barrage of stones from the strikers. As soon as the police arrested 3 workers, about 300 strikers made a determined effort to overpower the police under cover of stones. The lights at the gates of the factory and the approach roads were smashed and the road barricaded with boulders and tree trunks, making reinforcements impossible. An attempt was made to set fire to the police cap; the policemen's beddings were burnt and acid bulbs thrown at them. The police had to open fire. Not till nine rounds had been fired did the mob disperse.

(7) At about 1.30 a.m. on July 28 the police got a wireless message that there was heavy barricading to the (poro) road to the factory and that there was persistent stone-throwing.

As the approach to the factory is a public thoroughfare, the police cleared off the barricade despite a continuous shower of brickbats. Eleven members of the police, including one Deputy Commissioner and one Inspector were injured.

In addition to the above incidents, there were many instances of stray assaults on supervisory and clerical staff of the Company, way-laying of workers not on strike, coercion, intimidation and violent picketing and incitement to violence.

#### Abuses and threats

The use of undignified language in the speeches made by labour leaders was also common. These speeches were made at the daily meetings of the workers. A few extracts are given below:-

(Deputy Staff Manager)

1. "P. N. Shah has arranged to bring goondas and he himself is a thief... Col. Ajit Singh (In charge, watch and ward and traffic Department) is a fat pig which should be minced..." (Shri Janardhan Gunde (member of the Works Committee and a turner in the Machine Shop of the Factory), June 10/).

2. "P. N. Shah desires a split in our camp. This scoundrel does not know that all workmen and their wives are out today". (Shri Janardhan Gunde, May 6).

3. "Seth Lalchand is a poisonous serpent..." (Shri R. J. Mehta June 2.)

4. "Meswani (General Manager) is a goonda No. 1... We also have goondas on our side. These goondas may have a battle of Panipat inside the factory and also finish off Mr. Meswani... We shall look forward to seeing this... We shall see that Lalchand will fall on our feet. Today he holds his head high on account of his riches but tomorrow he may come to our houses to cleanse our utensils". (Shri R. J. Mehta, June 5).

Occasionally, threats were also held out, e.g.,

1. "Those who are trying to take such signatures (signature of workers on a typed application to return to work) are warned that they are working against the union and for that they would have to face consequences". (Shri R. J. Mehta, July 12).

2. "One person was observing us through binoculars yesterday. Let him know that one day the binoculars will not remain in his hands; the glasses will be thrust in his eye sockets." (Shri R. J. Mehta).

3. "Nowadays the Congress Party is fast weakening and if Lalchand will not make an early settlement, he will be no more, just like the Congress Party in Kerala". (Shri R. J. Mehta, May 21).

4. Pradhan (The Labour Officer) should leave aside his dirty tactics, as he also has a family" (Shri Janardhan Gunde, May 24/).

5. "If Mr. Payde (A Police Officer) does not mind his own business, he will meet the same fate as Bhagwe (The driver who was beaten up badly on April 15)". (Shri Janardhan Gunde, June 9).

The Bombay Labour Minister was arraigned at these meetings almost every day for, what they called, his anti-labour, pro-capitalist and partisan policy, e.g.,

"Shri S.M.Joshi has said that he would urge in Delhi that Shri Shantilal Shah should change his policy. But I said to him that that was not necessary. He (Shri Shantilal Shah) is worthless... So long as he will not go away several strikes will occur. The dog would never change his policy". (Shri S.J.Mehta, July 21).

"So long as Shantilal Shah will remain our Labour Minister, workers are never to get any benefits. He is a very mean-minded man and I have never seen such a man. He is not fit for this post." (Shri S.G.Patkar, July 21).

"Shri Shantilal Shah has long hair on his ears. So he cannot hear us. We shall have to go to the sixth floor of the Sachivalaya and bring him down and make him listen to us." (Shri R.J.Mehta).

#### Aid from outside

As soon as on April 15 the factory was closed down except for essential services and the Works Committee was told that the Management was determined not to submit to any pressure this time, the Sabha realised that they were in for a prolonged struggle. But, they knew that alone they could not sustain it. Assistance from outside was necessary. There were only two sources: The All-India Trade Union Congress (AITUC) and the Samyukta Maharashtra Samiti (SMS). They had both shown active interest in the strikers fairly early in the struggle.

#### SMS and CPI enter the fray

So early as April 15 Shri S.D.Mokashi, the Secretary of the Kurla branch of the Samyukta Maharashtra Samiti, addressed the strikers and promised Samiti's support in their struggle by suggesting a general token strike in Greater Bombay. The idea of a token strike appealed to the strikers. A gesture in their favour by other workers, they thought, should advance their cause. But, according to various witnesses who appeared before me, it seems that for the Samiti leader, a general token strike carried a different meaning. He thought that if the workers in Bombay who are mostly Maharashtrians could be brought under one banner even for a day, their support could, in

due course, be enlisted for the establishment of a Samyukta Maharashtra State. So the Samiti mooted the idea of a token strike and the Engineering Mazdoor Sabha took it up as early as April 15 - but for different reasons. The point, however, is that the idea caught on immediately. This encouraged Shri K.B. Malwade and Shri Korpade, both from the Kurla branch of the Samyukta Maharashtra Samiti, also to address the strikers on two consecutive days - April 18 and 19. In fact, on April 19, Shri Malwade was in the chair and the meeting was organised under the auspices of the Samiti. An open attempt was made to shift the emphasis from the Premier automobile as the villain of the piece to the Bombay Government by alleging that the Bombay Labour Minister was responsible for the adamant attitude of the Management. Shri Datta Deshmukh, MLA(SMS), who also addressed the workers, stressed this point.

On April 23 the Communist Party of India<sup>\*</sup> (CPI) also entered the fray. A meeting of the strikers was organised by the Chembur branch of CPI. Among other speakers Shri V.R. Deshpande MLA (CPI), addressed the audience. The Management were blamed for adopting backdoor tactics to support a company union in the factory. No one asked how these allegations were likely to help the strikers - their demands, the reinstatement of discharged workers, the restoration of Shri R.J. Mehta as the recognised leader of the members of the Engineering Mazdoor Sabha. The quarrel was being broadened far beyond the workers' comprehension and new leaders were taking over. The initiative was passing out of the hands of Shri R.J. Mehta.

On April 29, Shri Gulabrao Ganacharya (CPI & SMS) alleged that the Labour Minister of Bombay was pursuing an anti-labour policy, which he condemned. Next day, Shri Sapurao Jagtap, MLA (CPI), also criticized the Bombay Labour Minister. On May 1, Shri P.K. Kurane (SMS), a Municipal Corporator, blamed the Bombay Government for being pro-capitalist.

On May 8, the Samyukta Maharashtra Samiti party, which dominates the Bombay Municipal Corporation brought a resolution in the corporation supporting the struggle of the strikers.

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\*The Communist Party and the Jana Sangh are active members of the Samyukta Maharashtra Samiti

Soon after the meeting of the Corporation, Shri S.S.Dhume (CPI & SMS), Shri S.S.Tawde (SMS) and Shri .Harris (SMS) told the workers that the only opposition they feared to their resolution in the Corporation was from the Congress members of the Corporation. This, according to some witnesses was meant to draw workers closer to the Samiti and estrange them from the Congress.

On May 12, Shri S..Dange (CPI) speaking to the workers criticized the Bombay Government and announced a donation of Rs.500/- on behalf of AIFUC. By now the workers were beginning to feel more enthusiastic about fighting the Bombay Labour Minister than the Management of the Premier Automobile, more anxious to have a Samyukta Maharashtra State than the satisfaction of their demands; the slogans at the daily meetings were now not only against the Management for the demands, but also for the establishment of a Samyukta Maharashtra State in Bombay and against the policy of the Bombay Labour Minister.

Both the Samyukta Maharashtra Samiti and AIFUC leaders continued to speak to the workers almost every day on the twin subjects of a general token strike and the anti-labour policy of the Bombay Government. Shri S.S.Tawde (SMS) spoke again on May 13, Shri Gajanian Bagve (SMS) on May 15 and Shri Prabhakar Kunte (SMS) on May 16, Shri V.R.Tulla, MIA (SMS) on May 19, Shri V.G.Deshpande, P.P. (Hindu Mahasabha and Pro-SMS) on May 29, Shri B.S.Dighe (SMS) and Shri Ramdas Kalaskar (Jan Sangh and Pro-SMS) on June 2.

I have not so far mentioned Shri S.M.Joshi though he entered the lists on the side of the workers fairly early in the struggle because, in addition to being a well known Samiti leader, he is also a leading trade unionist. To begin with, his support of the Sabha was purely from the trade union point of view. Later, however, when he saw other possibilities he too acquiesced in the use of strikers for political purposes.

On July 2, Shri Datta Deshmukh, MLA (SMS), returned to the charge that Bombay Government was in collusion with capitalists. In fact, from now on he and Shri S.G.Patkar (CPI) took as leading a part in guiding the strike as Shri S..Joshi (SMS). The three of them among others, addressed the workers on July 21 and their attack on the Bombay Labour Minister was more vehement than before. Things were coming to head. Banks had to be closed and the propaganda machinery geared for the final onslaught. The combined oratory of Shri Datta Deshmukh (SMS) and Shri S.. Patkar (CPI) was again brought to bear upon the workers the next day. The burden of the song was the general token strike to demonstrate the unity of the workers against the Bombay Government and disapproval of the partisan and anti-labour attitude of the Bombay Labour Minister. The Bombay Branch of the Communist Party of India which met at Dalvi Building

privately on July 21 evening also decided to give full support to the token strike.

#### Preparations for the Token Strike

On July 22 the Mill Mazdoor Union (Red Flag) organised a meeting where Shri Gulabrao Ganacharya (SMS) and others spoke about the token strike and its objectives. Along with the Mill Mazdoor Union (Red Flag) came in many other labour organisations controlled by AITUC or having SMS leanings to support the idea of a token strike. Some of them were the Insurance Employees' Federation; the Bombay State Bank Employees' Federation, the BEST Workers' Union and the Municipal Mazdoor Union. A joint meeting of the first two was addressed, among others, by Shri S.M.Joshi and Shri M.G.Kotwal (PSP) on July 23. The same day the BEST workers heard Shri Dutta Dashmukh (SMS), Shri S.M.Joshi, Shri S.C.Patkar (CPI) and others. There was complete unanimity on the question of a general token strike to bring home to Government that labour could no longer tolerate what they called "the oppressive partisan labour policy of Shri Shantilal Shah". By now the support of the Transport and Dock Workers had also been enlisted and July 25 fixed for the token strike. An Action Committee had been formed earlier and volunteers enrolled. Street corner meetings were held all over and leaflets distributed. The Mill Mazdoor Union (Red Flag) alone organised 6 such meetings in the mill areas. Batches of volunteers visited different factories and warned them that they could remain upon on July 25 at their own peril. It was made out that all trade unions in Bombay except those controlled by IFTUC were prepared to come to the rescue of the Premier automobile Workers. Appeals were made to the textile workers, particularly of the Swadeshi Mill Co. (Kurla) to participate in the proposed strike. To leave nothing to chance it was arranged to send batches of 50 men in the early hours of the 25th morning to see that no buses left the Kurla Bus Depot, no shops opened and no industrial concern functioned. In a speech on July 23 Shri S.M.Joshi cast all caution to the winds and made public the real purport of this agitation. He declared:

"Since the issue involved in the strike is the labour policy of the Bombay Government, there is nothing wrong if the strike is motivated by political ends".

The labour dispute had now openly become a political issue.

On July 24 the excitement and preparations for the strike reached their peak. A rally of 10,000 workers was held under the auspices of the Action Committee. At Lane Bore where it converged in the evening, it was addressed by Shri S.M.Joshi (SMS), Shri George Fernandes (HMS), Shri S.C.Patkar, [CPI] (General Secretary, Mill Mazdoor Union (Red Flag)), Shri Arjanan Desai (SMS), Shri P.B. Donda (BEST Union), Shri S.M.Joshi (CPI) and others.

While most speakers spoke about the anti-labour policy of the Bombay Government, Shri S. V. Dahanu, the General Secretary of the AITUC declared that the IITUC was planning to take up the challenge against the decision of the working class to stage a token strike and had decided to run some factories at Worli and oil installations at Sewri and exhorted the audience to see that the IITUC plans were frustrated.

#### How transport was paralysed on July 25

As arranged beforehand, from early hours of the morning of July 25, picketing began at the gates of the various BEST Depots. From about 12.30 A.M., 30 to 50 workers owing allegiance to the H.M.S. controlled BEST Workers' Union and the AITUC-controlled BEST Workers United Front Union staged continuous demonstrations in front of the various depots. They shouted slogans and intimidated and obstructed others from going in. Some non-strikers were even obstructed others from going in. Some non-strikers were even manhandled.

The president of Municipal workers Union, had warned BEST workers in a speech on July 23 that whoever went to work on July 25 would be beaten up. Their women folk were also told that if they desired the safety of their men, they should not let them go out to work on July 25. The Bombay Municipal Corporation which owns the BEST had also advised the Management not to run any buses or trams on July 25. The Management, however, decided to run a skeleton bus service, but no trams, as possibility of sabotage in trams by interference with brakes, is greater. Besides, being track-bound, they are easily immobilized by unruly elements. Only 281 buses fitted with weld-mesh or expanded metal guards all round its passenger saloon and driver's cabin were available on July 25, against the usual complement of 714 in the morning peak hours and 732 in the evening peak hours. More than enough men to run this skeleton service turned up for work, in fact 11,718 out of the total strength of 18,593. A large number of them had slept in the depots/<sup>30</sup> to escape picketers in the morning. But while intimidation, coercion and even violence were perpetrated against them, the unarmed police that was provided on request generally held a watching brief. Out of the 160 buses that were turned out in the morning some returned after running for about 100 yards because of stone throwing and obstruction; others were damaged so badly or their drivers so incapacitated by injuries that they had to be abandoned. Operation staff were freely assaulted and passengers forcibly evicted from the buses. Satyagraha was also offered from about 9 A.M. outside the exits of the different depots. This prevented the turning out of more buses in service and also rendered impossible the sending out of relief crew to the buses already in service. At places the situation got out of control. Shri Dutta Deshmukh rang up the Chairman of BEST from Dadar that if the Chairman did not promise immediately to

take the buses off the road, Shri Deshmukh would not be responsible for what might happen.

When, on 24th July, the Management to run even a skeleton bus service were thwarted: by 1 P.M., all buses were stopped.

#### Success of the Token Strike

A good deal of the success of the token strike must be attributed to the paralysis of all road transport brought about by picketing and violence in which workers from AITUC and HMS controlled unions, including the Transport and Dock Workers Union, freely indulged. To a large extent they were encouraged by the helplessness of unarmed police who witnessed breaches of law and order being committed under their very nose but could not do much to stop them. As the stoning of buses was greater in the labour areas viz. Parel, Lalbaug, Sewree and Worli, the few buses out of the skeleton service meant to run in these places could do so only spasmodically. A large number of workers who were not on strike did not stir out of their houses for fear of being molested; those who did failed to report for duty for lack of transport.

Other means were adopted in those factories in which absence of transport was not likely to keep workers from going to work. In the textile industry which employs the bulk of labour in Bombay, intense propaganda in favour of the strike had been carried on for days. The Mill Mazdoor Union (Red Flag) and the Cotton Mill Mazdoor Sabha (HMS) had posted pickets at the gates of various mills. The majority of the Mills were, therefore, closed. In some, workers came out because of persistent pressure from agitators inside or stone-throwing from outside. The mills which had to be closed because of stone-throwing were the Bradbury Mills, the Dawn Mills and the Century Mills. Only the Sassoon Spinning and Weaving Co., Mazgaon, and the Shree Ram Cotton Mills worked with a fair complement.

Similarly the Banks and Insurance companies in Greater Bombay were affected. So were the Silk Mills, the Engineering Industry and the petroleum installations. Most of the port and dock

For one day's absence from duty the Engineering staff of BEST dealing with transport lose 4 paid offs. Fearing that the General Manager may apply this rule to absentees on July 25, the Corporation passed a resolution asking the General Manager to consider the desirability of seeing that nobody who absented himself on July 25, loses more than one day's wages.

workers too abstained from work as also did the employees of the Bombay municipal establishments. But both the refineries at Bombay worked normally. So did the railways.

Having got the various industries closed the strikers moved in processions in their respective areas. They shouted slogans in support of the token strike and Samyukta Maharashtra and against the Labour Minister, Bombay. Little was heard about the demands of the workers of Premier Automobile or ejection therefrom of Shri R.J.Mehta. When they converged on the Oval Maidan, the processionists numbered about 5,000. Apparently a number of processions from the mill areas did not go to Oval Maidan. They dispersed earlier.

The strikers were addressed by Shri S.V.Kolhatkar, [Docks (PSP)], Shri E.Jagtap/[CPI], Mill Mazdoor Union (Red Flag), Shri H.G.Kotwal (PSP), Shri Datta Deshmukh (SMS), Shri S.A.Dange [AITUC (CPI)], Shri S.M.Joshi (SMS), Shri S.N.Deodhar, Shri S.R. Kulkarni (PSP) and Shri R.J.Mehta. The speakers denounced the labour policy of the Bombay Government and claimed success for the token strike. A deputation saw the Chief Minister who advised them to call off the strike in the Premier Automobile in order to create a favourable atmosphere for the settlement of the demands of the workers.

The workers went home.

#### Acts of violence on July 25

The day passed off, but not without ugly scenes. There was a serious case of stone-throwing near the Stock Exchange Building. Several other incidents of stone-throwing, intimidation, obstruction (by lying prostrate in front of buses etc.) which necessitated intervention by police were reported. In a few cases a mild cane charge was also made. In all 124 persons were arrested.

#### July 26 - an anti-climax

On July 26 all the workers of Greater Bombay went back to work except the workers of Premier Automobile. They felt like shorn lambs. Most of the AITUC and SMS leaders who had led the strike of the previous day went their different ways. The short alliance between them and the Premier Automobile workers seemed to have ended.

In the meantime the workers who had deserted the ranks of the strikers and had rejoined Premier Automobile and the new recruits had organised themselves into the Premier Automobile Workers' Representative Samiti. On July 27 they brought out a leaflet informing the strikers that the management had concede majority of their demands and withdrawn some of the show-cause notices served on the strikers. The leaflet also said that the factory would open soon.

For this reason and to stop the strikers from entering the factory there and the police in the early hours of the 28th morning. Later in the day the Premier's representative Sumita announced that the factory would reopen on July 29.

### Unconditional surrender

On July 29 the strikers announced an unconditional withdrawal of the strike. The next day 3,000 of them swarmed the factory gates wanting to be admitted all at once. It was, however, explained to them that it takes a few days for all sections of a factory which has been closed for so long to pick up full production and that they would be taken in section-wise. That day 500 workers were admitted. The rest dispersed peacefully.

### Shri Asoka Mehta

The bringing in of CPI and SMS leaders was one of the many ways in which the Sabha tried to prop up the sagging morale of the strikers. The others were introduction of women into the struggle and when things looked particularly gloomy, playing with the magic name of Shri Asoka Mehta to raise hopes of the promised land. Lives of workers and other women were brought in to participate in processions, to picket and even to preside over meetings. The moral was obvious. If women could do this why not men.

During his brief visits to Bombay in the course of the strike, Shri Asoka Mehta addressed the workers only once - May 20 - and that was to clear a misunderstanding created by Shri R.J.Mehta. The latter had accompanied Shri Asoka Mehta to one of his meetings with Shri Fulsidas Kilachand to negotiate a settlement of the dispute. Shri Fulsidas Kilachand did not know Shri R.J.Mehta by appearance and came to know of his presence at the meeting only when he heard a garbled version of its deliberations given at a meeting of workers by Shri R.J.Mehta. Shri Lalchand Hirachand, therefore complained to Shri Asoka Mehta that Shri R.J.Mehta had made improper use of the discussions they had had together and at which Shri R.J.Mehta was present without his knowledge. Shri Asoka Mehta felt it his duty to clear this misunderstanding. So he addressed the workers. On the day of the token strike - July 25 - Shri Asoka Mehta again happened to be in Bombay. He was approached to address the workers. He refused to do so.

These incidents bring out in sharp relief the difference of approach towards the Premier Automobile dispute between Shri Asoka Mehta and Shri R.J.Mehta and pose the eternal problems of ends and means, of rectitude and expediency. They also show that though he is the President of the Engineering Mazdoor Sabha, Shri Asoka Mehta does not generally

interfere in its affairs. Nonetheless he met Shri Lalchand Hirachand, the Bombay Labour Minister and even the Union Labour Minister quite a few times in an attempt to find a settlement of the dispute. Shri R.J.Mehta made use of these meetings in his speeches to workers to keep up their morale. Though these references always helped to tide over an immediate crisis, sometimes when they were not very tactful they had the effect of queering Shri Asoka Mehta's pitch in his negotiations. For instance, talking about an impending meeting between Shri Asoka Mehta and the Bombay Labour Minister and Shri Lalchand Hirachand, Shri R.J.Mehta said that if a settlement was not reached in Bombay, he would get one from New Delhi. These constant allusions to New Delhi in a dispute which was the concern of the local Government, must have caused unnecessary irritation in Bombay and made settlement more difficult.

The Balance Sheet

Though the Management lost production and sales worth Rs.5 crores, the loss to workers in wages and salaries was also considerable Rs.30 lakhs. Loss of business to ancillary industry is difficult to calculate. On the credit side there is nothing for the strikers. Their surrender was unconditional; even Shri R.J.Mehta agreed to give up the offices of Secretary and Treasurer of the Engineering Mazdoor Sabha, if that would rehabilitate the Sabha with the Management. The new alliance between Shri S.A.Dange and Shri S.M.Joshi and the formation of the Mumbai Girni Kamgar Union are direct outcomes of the token strike of July 25.

CHAPTER 5

The Code of Discipline

Discipline is essential to the well-ordered conduct of any activity, even if that activity be a strike. In the Premier Automobile, however, indiscipline bedevilled industrial relations long before the strike was launched. It became worse during the strike and did not improve even after it was called off. In this Chapter an attempt is made to fix responsibility for acts which are banned under the Code of Discipline. Since the Code of Discipline became effective from June 1, 1958 strictly speaking only events that took place after that date can come within the purview of the Code. In this connection, however, the following extract from a letter of October 4, 1958 from Shri Megaram Pulpule, General Secretary, Hind Mazdoor Sabha is relevant:

"I would state that on technical grounds we could side step the inquiry... claiming that the whole episode started... violation of the ILC,

and is therefore outside the purview of the Code. However, we are anxious that the authority and spirit of the Code should be established and in that spirit are not raising any technical grounds against the inquiry. We trust that the other parties to this inquiry will also approach it in the same spirit. If, however, any of them are inclined to plead merely technical reasons for wriggling out of their obligations or consequences of their actions, it will only mean that they do not really accept the spirit of the Code."

#### Infringement of the Code Before the Strike

As already indicated in Chapter 2, long before the strike began, in his correspondence, interviews and negotiations with the Management, Shri R.J.Mehta undermined respect for them and their officers and kept up a ~~spirit~~ of discontent and restlessness among the workers. In doing this he breached Clause I. (iv) (e) of the Code of Discipline.

The Management, on their part, "for the sake of buying peace and goodwill tried to placate the Sabha". But when they found that this policy did not yield results, on March 29 they refused to refer the bonus dispute for 1956-57 for arbitration. This was a departure from previous practice. Bonus disputes for 1954-55 and 1955-56 were settled by arbitration. For this departure the Management gave no reasons. It is possible that Shri R.J.Mehta had exhausted the patience of the Management, that they had come to the end of their tether and were longing for a show-down. But the main purpose of the Code is to reduce to the minimum possibilities which lead to show-downs; they are expensive hobbies - expensive for the nation, for the workers and for the employers. That is why the Code bans unilateral action in industrial matters and recommends the utmost expedience in the utilisation of the existing machinery for the settlement of disputes. This machinery includes mutual negotiations, conciliation and voluntary arbitration. The Management's summary dismissal of the Sabha's request to allow arbitration on the bonus issue disregarded the provisions of clauses II (i), (ii) and (iv) of the Code, and was responsible for further deterioration in their relations with the Sabha.

In this connection the Management raised the question that considering the unhelpful attitude of Shri R.J.Mehta, they had no alternative but to refuse to have anything more to do with him. The answer to this is that, to begin with, they should not have leaned over backwards as they did to appease Shri R.J.Mehta even if the purpose was "to buy peace". Secondly, when they decided to swing to the other direction, they should have done so after weighing all the pros and cons of their action. The letter of April 5, served this purpose well. But to refuse arbitration on this score, in contravention of an established practice is to create suspicion in the minds of the workers and

make them an easy prey to agitation, why the Sabha did not make an issue of this refusal is not easy to understand.

#### The First Strike

The strike of April 5 was against the Code. The Code prohibits stay-in and sit-down strikes in particular. [Clause II(vi)]. It was also illegal, for it was without notice and was over a personal issue - disciplinary action taken by the Management against the Union's Secretary for his behaviour towards the Company's officials and not over any industrial question of wages or bonus or similar claim. Besides at that time an adjudication reference was pending before a Bombay Industrial Tribunal.

Shri R.J.Mehta argued before me that the Sabha was forced to go on strike when the Company refused to have anything to do with its representatives. The answer to this argument is contained in the last paragraph of the Company's letter to Shri R.J.Mehta:-

"We would like to make it particularly clear however that if there are any genuine grievances felt by the workmen, their own representatives are at all times free to approach the management in proper spirit of presentation and negotiation and consistently with discipline and respect. Further, the ordinary peaceful channels and machinery of conciliation etc., provided by the law for the express purpose of maintaining industrial peace will naturally remain open, and therefore there will be no justification whatsoever for the workmen to adopt anything but a peaceful approach whenever necessary either to the Management or to the Government as the case may be".

The Company refused to deal with Shri R.J.Mehta, but not with the workers; its refusal to have anything to do with the Sabha was only so long as Shri R.J.Mehta was its leader. A peaceful approach could still be made to solve the dispute.

#### The Second Strike

The strike which began on April 12 was also illegal. The notice for 21 days which Shri R.J.Mehta served on April 8 had run for 3 days only. And the strike had nothing to do with the demands contained in the notice. Besides as already stated, an adjudication reference was at that time pending before a Bombay Industrial Tribunal - reference No.172 of 1955 made at the instance of the Sabha. This strike was also against the Code not only because it was illegal, but also for other reasons. The immediate reason for calling it was the dismissal, on April 11, of 10 workmen. The justification or otherwise of this discharge order is discussed later, but an immediate strike on this account cannot be justified under the Code.

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The machinery which the Code would like to see used "with the utmost expedition" was completely ignored. The only weapon that was used "with expedition" was strike which, according to the Code, should be resorted to only when everything else has failed. If "mutual negotiations" were not possible, the aid of the conciliation machinery of the State Government could have been invoked or an appeal against the discharge order made to the Management under the Standing Orders. By deciding on direct action the Sabha violated clause II(ii) of the Code.

#### Discharge of 10 workmen

The daily-rated workmen in the Premier Automobile Factory have 5 paid holidays in a year, as against 12 for the monthly-rated staff working in the office of the Company. The daily-rated staff attached to the office thus lost 7 working days as compared with their counterparts in the factory. Therefore, they asked for, and were allowed, to work on certain Sundays and holidays.

The monthly-rated office workers choose their own 12 holidays. For 1958 they did not include March 21 (Gudi Padra) and March 29 (Ram Naumi) in this list. So, on March 21 and March 29 the following departments, among others, were working:-

- (1) Service Maintenance,
- (2) Parts, Stock Room, and
- (3) Sales, Storage.

The rest of the factory was closed. The daily-rated workers of these three departments were told to come to work on these days. On March 18 Shri R.J.Mehta wrote to the Company suggestion that the daily-rated workers be allowed holidays on these two days and substitute work be arranged for them on Sundays. The Management argued that since these departments are attached to the office the daily-rated workers of these departments could work only on days when the office was open and not on Sundays or weekly holidays when the office was closed. The company, therefore, advised the daily-rated workers attached to these departments

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Shri R.J.Mehta's reason for not doing so was two-fold, as he explained in his evidence. Firstly, the State conciliation machinery takes inordinately long to decide an issue and, secondly, there was no hope of this machinery taking up the Sabha's cause because of the illegal strike from April 5 to April 8. It seems that the practice in Bombay is that if you go wrong once, you are out of court for a year or so. In any case no reference was made to the State Government, to help resolve the dispute.

to report for work on both these days by a letter addressed to Shri R.J.Mehta and by notices put up on the notice boards. Accompanied by some of the workmen of these departments, Shri R.J.Mehta saw the Staff Manager, tore to pieces his letter and threw it on the Manager's table and told the workers not to report for duty on March 21 and March 29. The workers absented themselves on March 21. They were warned. On March 29 they repeated the offence. On April 11, at about 5 p.m. the Company served discharge notices under Standing Order No.21(1) on 10 workmen out of about 200 who were guilty of absence on these two days. I think the Company was right in insisting on the workers turning up for work on March 21 and March 29 and Shri R.J. Mehta wrong in inciting them to flout the Company's orders. If daily-rated workers in departments attached to the office were given additional work, they obviously can have it only on days on which the office functions and since the office staff have the choice of their holidays the daily-rated workers in departments attached to the office must sink or swim with them. They cannot have it both ways - ask for more work and also dictate the days on which they will do it. Shri R.J.Mehta's stand on this issue was wrong and his manner of making it known to the Management, objectionable. He is guilty of encouraging insubordination among workers and thereby infringing clause IV(iv) of the code.

Of the 200 workers involved in this episode, only 10 were discharged. Invariably Managements succumb to the temptation to use such occasions to weed out those who have been thorns in their side and leave the rank and file alone. As discriminatory disciplinary action always leads to trouble on a wide scale, I do not see the advantage of it. Discharge may be symbolic or exemplary. Trouble is never so. Coercion and intimidation turn a partial strike into a complete strike over-night. On the other hand, symbolic or exemplary action smacks of victimization, particularly if no charge-sheets are served and no opportunity afforded to workers to explain their case. Therefore, a fair number of delinquents should have been charge-sheeted and after enquiry those found seriously involved discharged. Since this was not done, the Management must be held guilty under clauses III(ii) and (c) of the Code. In fact, in this case the Management admit victimization. In their letter of November 1, 1958 addressed to me, they say:

"Regarding 10 discharged workmen, when we decided to take action against some of the workmen to make an example we decided to take such action against 10 workmen out of a total of about 200 men.

"In consultation with the departmental heads, these 10 workmen were selected as undesirable from the point of view of work and behaviour".

So these 10 workmen were discharged not so much because they

disobeyed orders, as because they were "undesirable from the point of view of work and behaviour". the Management stand condemned on this issue.

If disciplinary action leading to discharge is not "subject to an appeal", it would attract clause III (v) of the Code. But in this case there was provision for appeal. Standing Order 26 says "any question arising out of or in connection with or incidental to these Standing Orders shall be subject to an appeal to the authority superior to the Manager notified on this behalf". By not taking advantage of this procedure, the Sabha infringed clause II(ix) of the Code.

#### R.J.Mehra and the Code

It is hardly necessary to repeat here the indisciplined behaviour of Shri R.J.Mehra during the strike and the encouragement to indiscipline and violence he gave to workers by his speeches and otherwise, which again render him guilty under clause IV(iv) (e) of the Code.

#### Indiscipline during the First Strike

During the first sit-down and stay-in strike from April 5 to April 8, there was no question of the Management importing fresh workers or the police giving them protection. Despite absence of any provocation the strikers indulged in rowdy demonstrations, picketing, coercion and intimidation of willing workers among the monthly-rated staff and officers.

When, on April 8, work was resumed, there was a definite and deliberate attempt at go-slow. All this involves breaches of various clauses of the Code, e.g., IV(ii) (rowdyism in demonstrations), II(v) (a) and (b) (coercion and intimidation), II(v) (d) (Go-slow).

#### Indiscipline during the Second Strike

The first two days of the second strike were uneventful. On April 14, the Management appealed to the workers to resume work immediately. On their failure to do so, they were virtually locked out on the morning of April 15. Anticipating breach of peace, the police was present at the factory gates. The strikers prevented officers and monthly-rated staff from entering the factory. The police intervened. The strikers retaliated by

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\* Shri Janardhan Gunde who admitted 'go-slow' in the course of his evidence before me, explained it by saying that the Management deliberately supplied wrong material. To spite their cheek they cut their nose!

throwing stones. Some policemen were injured. A lathi-charge followed. Among the persons manhandled was an officer of the Company, Shri P.C.Patel. Among the property damaged was Deputy General Manager's car. A monthly-rated mechanic-cum-driver, Shri Bhagwa, who was driving the car was dragged out and beaten up.

In indulging in other acts of indiscipline, coercion, assault, etc. the Sabha breached the Code in various ways. The Management had given no provocation, nor had the police unless it be by its presence. But had the police not been present, the law and order situation would have taken an uglier turn.

Such incidents were frequent throughout the strike. Some of them have been described in Chapter 4. There was no justification for any one of them. Cars were stoned, individual workers waylaid and assaulted, and acid bulbs thrown at new recruits and old willing workers. Officers attending to essential services were interned and monthly-rated staff prevented from attending office. Roads were blocked and tyres of cars deflated. Rowdy demonstrations and rallies were convened at which often undignified language was used. About 60 persons were injured by acid bulbs and about 12 by stones. All this violence, physical duress, coercion, intimidation, rowdyism and the use of undignified language, are condemned by the Code.

#### Fresh recruits

The Sabha, however, contended that a good deal of this violence was forced on them by the Management trying to engage fresh recruits to run the factory. Even if it is conceded for the sake of argument that the Management was wrong in engaging fresh recruits (among whom must be included deserters from among the strikers), there is still a good deal of violence which was unprovoked and for which the Code must condemn the strikers unequivocally. After all, the Management did not bring in fresh recruits till May 16 and by then many ugly demonstrations had been held, much abuse hurled at the Management and the Bombay Government and many non-strikers assaulted, intimidated and obstructed and others, including policemen, hurt by stones and acid bulbs and so on.

Coming now to the Sabha's argument that the Management's attempt to engage fresh recruits was enough justification for strikers to take law into their own hands, I find that it does not carry conviction. The facts are that on the evening of May 14, the Management put up a notice informing the strikers attached to the Service Maintenance and Assembly Inspection Departments that none of them had resumed work so far despite the notice of April 30 asking them to do so. The Management further informed them to resume work within 7 days, failing which their vacancies would be filled up by new hands and they would lose their jobs. An earlier notice had also said that the Management had decided to start work from May 15 in the Assembly Line Department.

and its allied services in view of some of the 111 workers who expressed willingness to resume work. The strike had been going on for over a month and there was yet no sign of its being given up in the near future. Matters were further complicated by the Sabha not having so far sought the assistance of the Labour Department of Bombay Government to resolve the dispute. In fact, the general policy of the Engineering Federation Sabha is along has been to try direct negotiations with the Management, and when these failed, to take the matter to private arbitration without the intervention of the conciliation machinery of the State Government. To this must be added another complication, the declared policy of the Bombay Labour Department that if a union ignores the conciliation machinery of the Government and resorts to a trial of strength, Government do not interfere. In this case Government had declared the strike illegal. It is too much to expect the Management to sit back and watch the enforced idleness of the factory. The Management's attempt to engage fresh recruits was, therefore, justified. After all, there is nothing to stop the strikers from taking up temporary or part-time work while on strike. In fact, many do. Others go home to their fields. Why shouldn't the Management then engage fresh hands and, with the assistance of non-strikers and those who are willing to return to work, re-start the factory. To condemn them for doing so would be wrong, particularly when it is borne in mind that the strike had been declared illegal and there were no signs of its being called off in the near future.

#### The Code of Discipline and the State Government

In addition to laying down rights and responsibilities for workers and Management, the Code required the Central and State Governments to "arrange to examine and set right any short-comings in the machinery they constitute for the administration of labour laws". In pursuance of this directive the Central Government has set up an Evaluation and Implementation Division. It is an official organisation that functions unofficially and is particularly useful in situations in which the formal official machinery cannot or does not operate. The Division is assisted in its work by a tripartite committee. Most State Governments have also set up similar organisations. Bombay has not so far. It had not even nominated an officer to deal with cases of non-implementation when the strike in the Premier Automobile began or while it lasted. Quite a few State Governments had done so by then. As discussed already the avowed policy of the Labour Department of Bombay is not to intervene in a labour dispute in which the parties have already entered upon a trial of strength. Nor does it volunteer its service if they are not specifically asked for. In the present case neither party had sought the assistance of the Labour Department for conciliation. Arbitration through official agency required that both parties sign an agreement under section 10(a) of the Industrial Disputes Act and forward copies of it

to Government and the Conciliation Officer. Neither party had done this or anything else to stir the Labour Department. The proposal for voluntary arbitration had been turned down by the employers. Thus, while the Labour Department was hors de combat because of its declared policy and the Sabha, complacent in the consciousness of its strength, stood on prestige and refused to make a formal approach for the intervention of Government, the implementation machinery, particularly its tripartite committee, had one been set up, would have at once taken cognizance of the dispute and stepped in. Whether it could have resolved the dispute it is difficult to say, but it would have certainly provided a forum for a discussion of the problem and possible imposition of a cease-fire. Thus the stalemate would have been broken and further deterioration of the situation arrested. A senior official of the Bombay Labour Department, in charge of the State Implementation and Evaluation machinery, would have taken the matter in hand and saved it from being exploited by other parties. But, unfortunately, no such machinery has so far been set up in Bombay and so long as it is not established, the Bombay Labour Department can be blamed for not "setting right shortcomings in the existing arrangements for the administration of labour laws" as required by the Code of Discipline.

#### The Union Labour Minister

This is, however, not to suggest that nothing was done by either Delhi or Bombay to resolve the dispute. As early as the second week of May the Union Labour Minister invited Shri S.M. Joshi and others for consultations to Nainital. The Bombay Labour Minister was already there for the meetings of the Indian Labour Conference. This effort averted the one-day token strike in Greater Bombay which had been fixed for May 19, but it did not end the main strike in Premier Automobile. Further efforts continued to be made by the Union Labour Minister to solve the tangle and on a number of occasions he conferred with Shri Asoka Mehta and with Shri Nath Pai and the top management of the Company. He also spoke to the Bombay Labour Minister on ~~trunk~~ telephone a few times.

#### The Bombay Labour Minister

Similarly the Bombay Labour Minister, in his personal capacity, tried to resolve the dispute. On April 30 a meeting was held at his residence where Shri Asoka Mehta and Shri Tulsidas Kilachand, a Director of the Premier Automobile, were present. The meeting was abortive. Various permutations and combinations to resolve the dispute were discussed, but none seemed acceptable to both Shri Asoka Mehta and Shri Tulsidas Kilachand.

On May 2<sup>nd</sup>, 1958 in reply to a speech made by Shri Asoka Mehta, the Bombay Labour Minister wrote to him:-

"Though in my opinion the strike is illegal and the

" Government should not intervene, - am still willing personally to do what I can to find a solution".

Again on May 27, the Labour Minister met representatives of the Sabha and the Management at Poona in an attempt to resolve the dispute.

On June 27, a tentative agreement was drawn up between Shri Asoka Mehta and the Management in the presence of the Bombay Labour Minister. The terms of the agreement are given below:-

- " (A) There will be no victimisation of workers.
- (B) The Management will be free to take appropriate action under the Standing Orders against those who have indulged in violence e.g.
  - (i) Attacks on supervisory and other members of the staff and workers of the Company including obstructions, insults and surroundings.
  - (ii) Obstruction or so-called 'Satyagraha' near the factory and threats to officers, staff and workers at their homes and on the way.
  - (iii) Speeches by workers in support of or inciting or justifying any of the above acts.
- (C) In case any worker has a grievance against the management for action taken against him, the same may be discussed between Shri Asoka Mehta and Shri Tulsidas in the same way as in the case of other matters.
- (D) Shri Asoka Mehta and Tulsidas may, if they so agree ask the Company and the Union to refer to arbitration or adjudication such of the matters in the dispute including those under (C) as are agreed upon between them".

There are two versions why this agreement did not go through. According to Shri Asoka Mehta and Shri H.J.Mehta, the agreement came to nothing because of the wrong interpretation put on clause (B) by the Management. In his letter No.S/ML/PA/786 dated December 17, 1958, Shri H.J.Mehta says:-

"Before the Sabha could put the terms of the Agreement before the workmen for their approval, the Company sent charge-sheets dated 30th June 1958 to more than sixty-five workmen.

"This act on part of the Company created grave doubts about its bonafide. Clause B of the tentative agreement provided for punishment under Standing Orders in respect of those who were charge-sheeted prior to the agreement being reached. That is how we interpreted the agreement. The act of serving charge-sheets after 27th June 1958 was an afterthought".

The Management on the other hand, say that though acceptable to Shri Asoka Mehta, the agreement was not acceptable to Shri R.J.Mehta. Seeing in it an appeaser he quickly backtracked and sabotaged it. The fact, however, is that the tentative agreement remained a dead letter.

The Code and the General Strike of July 25

The incident of July 25 was an interlude in the tragedy which the strike in the Premier Automobile was; it was a play within the play to serve a particular end. The ostensible reason for the token strike of July 25 was to express sympathy for the Premier Automobile workers. But, as already discussed, the Premier Automobile workers got nothing out of it. Sympathy for them was merely a cloak to serve other ends. Two questions, therefore, arise: (i) How far in a planned economy the dislocation/caused by such "sympathetic" strikes is justified? (ii) How far are workers on strike entitled to commit all sorts of penal offences against others, in the act of picketing?

One can understand the "right to strike" if it is for the redress of one's legitimate grievances after the machinery provided by Government for the purpose has failed. But, if this "right" is exercised to gain an advantage over a rival party under the guise of "sympathy" for some one else, then it is not only abuse of the "right" but also an infringement of the Code of Discipline.

Secondly, the "right to strike" is invariably interpreted to include a right to prevent others from working. The right to work according to a contract accepted on either side, is a right guaranteed by the Constitution in Article 19. Those who infringe this right by preventing non-strikers from going to work by intimidation, coercion and violence not only breach the Code of Discipline, but also act against the law of the land. Finally, it is waste of national resources to allow any organisation to disrupt production wherever it likes by twisting round its little finger the greatest single element among all that go to make production, viz., man-power. The whole idea of token strikes like the one organised on July 25 is against the letter and the spirit of the Code. The propaganda and the agitation organised for it were undemocratic.

So far as the Premier Automobile workers are concerned, the token strike made no difference to them. It solved nothing. On the other hand, it inveigled them and others, particularly the BEST Workers' Union, into committing serious acts of violence. These have already been described in detail and these must be condemned under the Code, as the Code must also condemn the workers for their last scene of violence enacted in the early hours of July 28.

After the Management put up a notice on July 29 that the factory would re-open by stages, Shri R.J.Mehta and Shri S.M. Joshi addressed the workers. Shri S.M.Joshi explained why the strike was being called off and exhorted the workers not to view the end of the strike as a defeat. Shri R.J.Mehta, however,

sounded his usual note:

"The Action Committee of the Engineering Mazdoor Sabha is not in favour of calling off the strike. But we are bowing to the decision of the leaders who have all along been supporting our cause".

### To Sum Up

Thus it would appear that though both the Management and the Sabha infringed the various provisions of the Code, the Sabha's share of the infringements is greater. The Management must be blamed for not providing enough staff for looking to the day-to-day problems of the workers and for not implementing agreements with expedition. They are also guilty under the Code for refusing arbitration. But they were perfectly justified in withdrawing from Shri R.J.Mehta the facilities which they had given him. It was wrong on Shri R.J.Mehta's part to advise the Factory Committee (consisting of representatives of workers of various departments) to launch a strike on this account. The strike was illegal as well as against the Code and so were the various acts of indiscipline, rowdiness, etc., committed by the strikers during the few days it lasted. The discharge of 10 workmen, coming when it did, was an indiscreet step. Besides, to make an example of "10 workmen out of a total of about 200" was against the Code. But an instantaneous strike was not the answer to this. Two wrongs do not make a right. The discharged workers could have appealed to higher authorities; they could have sought redress by approaching the conciliation machinery of the State Government. Strike should have come after all these steps had been tried and found wanting. What followed infringed almost all canons of the Code. In the end, to keep up the sagging morale of the strikers, the leaders of all the parties opposed to Government were brought in at a very heavy cost. The demands of the workers were rendered away to a demand for a "Sanyukta Maharashtra State" and an attack on the Bombay Labour Minister. This trading of labour interests is an unfair practice which both the letter and the spirit of the Code condemn. After reaping their harvest on July 25, these leaders left the strikers to their own fate. The strikers reverted to their old ways. Like the last flicker of the lamp before it goes out altogether, on July 28 the strikers staged a grand finale in which they reconstructed on a miniature stage all they had done during the 110 days the strike had lasted - stone throwing, obstruction, barricading, fighting the police and so on. Then the strike died of sheer exhaustion; the workers surrendered unconditionally.

### In gratitude

Before I conclude this report I feel I must express my gratitude to the Bombay Government who agreed to my undertaking this study and provided facilities for it. I am also grateful to H.M.S., A.I.P.U.C. and I.M.T.U.C. and their unions for their

courtesy and co-operation. To the General Manager and other officials of the B.E.S.T. Undertaking I am particularly obliged for bearing with me while I interrogated them and their workmen. The Management of the Premier Automobile were good enough to take me round their factory and let me examine their files and listen to tape-recordings of some of the speeches of Shri R.J.Mehta during the strike. I am thankful to them also. Lastly, though this debt is the greatest of all, I am grateful to Shri Asoka Mehta for the frankness with which he gave me his version of this marathon strike and to Shri R.J.Mehta the main actor in this drama, for the efficiency and patience with which he compiled for me almost a book which gives an account of the events connected with the strike from his point of view. But for the assistance received from all these quarters my task would not have been so pleasant as it was.

Sd/--  
(R.L.Mehta)  
22-4-59