



## **CONGRESS MINISTRY AND LABOUR UNREST IN BIHAR, 1937-39.**

**Mahesh Kumar Deepak**

Assistant Professor, Dyal Singh Evening College, Delhi University.

### *Abstract*

*This paper seeks to analyse the condition of labour in colonial Bihar during the tenure of the first congress ministry, 1937-39. Also, it tries to contextualise the work of the congress ministry, established under the Provincial Autonomy under the Government of India Act, 1935, with respect to the labour demands.*

*The analysis finds that the congress ministry could not go too far in fulfilling the just labour demands because of (i) the limitation of the Act of 1935 and (ii) congress party's unwillingness to compromise on the strategy of class –collaboration instead of class-struggle.*

**Key Words:** *Labour, Provincial Autonomy, Act of 1935, Congress Ministry, Indian National Congress.*

### **Introduction:**

The new constitutional changes bringing in the provincial autonomy almost coincided in time with a phenomenal wave of labour unrest all over India. Bihar possessed dominant agricultural and industrial labour force. The advent of congress ministries of 'provincial autonomy' paved way for a genuine labour movement which is evident from the labour upsurge in Bihar at the different industrial centres.

The most striking feature of the province was that while it contained the largest deposits of coal, iron ore, copper and mica in India. Thus in the year 1933 only just over 100,000 persons were employed in factories.<sup>1</sup> According to the 1931 data, persons just over 1.1% of the total working force were engaged in the three main highly organised industries.<sup>2</sup>

<sup>1</sup> **The permanent settlement destined that the uprooted peasantry enter into the ranks of poor Industrial labour. The mineral wealth provided the impetus for industries and engaged them in the secondary sector, though in a limited way.**

<sup>2</sup> ***The Bihar Legislative Assembly Debates (henceforth BLA Debates), 14<sup>th</sup> April, 1938, p.1712.***

As noted earlier the mineral wealth of the province promoted several secondary activities. The foremost of all non-activities was that of mining and quarrying. The province accounted for about 70% of total coal produced in India and the Jharia coal field of Manbhum produced more than 1/3<sup>rd</sup> of the total output of coal in the whole of British India in 1933.<sup>3</sup>

The second most important organised industry in Bihar was that of metallurgy. The leader in this field was the Tata Steel Company located at Jamshedpur, in the district of Singhbhum. The Tata Iron and Steel works and its subsidiary companies provided employment to over half a lakh men, the labour force mostly being permanent.

Another concentrated industrial centre was the East Indian Railway workshop at Jamalpur in Monghyr district where about 12000 persons were employed.<sup>4</sup> About five miles from Jamalpur, the Peninsular Tobacco factory was located which employed over two thousand men.<sup>5</sup>

In these industrial areas, the labour force was permanent and bulk of it was recruited from the neighbouring villages where mainly small and landless labour lived.

The industrialisation of India during the colonial period was not accompanied with standards of safeguards which could ensure the larger welfare of workers. The result was that the labour force was compelled to work and live under one of the most appalling conditions.

The main problems of the Indian working class included extremely low wages and low standards of living, long hours of work, poor condition of women labour and menace of child labour. The Industrial Commission Report (1916), concluded that,

**“the worst type of *chawls* (shanties) forms the living space of the working people, it consists of single rooms, pitch dark, possessing very little in the way of windows; floors are often damp and air, sun and water arrangements are poor.....”<sup>6</sup>**

Likewise the Whitely Commission on Labour highlighted the plight of Indian Labour in the following words:

**“the areas occupied by the working class present a picture of terrible squatter.... Resulting in physical deterioration, high infant mortality rate and generally high death rate. About 97% of the workers live in single rooms that are occupied by, on an average 6 to 9 persons. Infant mortality rate reaches up to as high as 325/1000 in some areas.....”<sup>7</sup>**

---

<sup>3</sup> *Bihar & Orissa (Annual), 1932, p. 32.*

<sup>4</sup> *Bihar & Orissa (Annual), 1926, p.12*

<sup>5</sup> *Ibid.,*

<sup>6</sup> *Congress Socialist, 16<sup>th</sup> October, 1937.*

<sup>7</sup> *Ibid.,*

The plight of women labour was even more deplorable. Children above ten were forced to work for about twelve hours a day.<sup>8</sup> Many of them could not even utilize the break time because they had to go as far as half a mile for their mid day meal.

Greater mechanization and inadequate legislations had added to the difficulties faced by the female workers. Provisions for protecting them from excessive work were not satisfactory. Medical aid, maternity relief and welfare services were available only to a handful of women i.e., 10%, provision of this too was voluntary on the part of the factory owners. The wages of women workers were generally half that of men, which came to a meagre 2-4 annas a day.<sup>9</sup>

The sanitary and health safety procedures were hardly followed in the Indian industries which made the Indian workers prone to many fatal diseases.

## **BIHAR: MAIN INDUSTRIAL ACTIVITIES**

### **1) COAL-MINING**

During the initial years the coal –fields of Bihar suffered a shortage of labour due to the migration of workforce to the tea-gardens of the Assam. The main reason for the poor condition of a coal mine worker was that their wages did not vary in accordance with the increase in prices of food grains. The wages always remained low and in the wake of the great depression, dropped to a record low in the mid 1930s. Before 1914, the miners used to get 6 annas per day which increased up to. There was no scheme for bonus for labour except for in the Tata collieries. While deductions were made for under loading, no extra payment was done to the worker if he brought out an extra load.<sup>10</sup> The Coal Mining Committee (1937) concluded that the overall wages had fallen by 45% in the mining sector, underground labour 43% and surface labour by 47%.<sup>11</sup>

The main concern in the coal mines was the grave danger of sudden accidents often a result of poor maintenance of the mines by the management. During the year 1907, when the mines were regulated by the Indian Mines Act, 1901, there were 105 accidents involving the loss of 122 lives which was an increase of 16 over 1906 figure. The situation kept on worsening, with the number of mine fatalities getting doubled from 105 in 1907 to 209 in 1918.<sup>12</sup> The report attributed the expansion of mining industries without safeguards and increasingly

---

<sup>8</sup> Evidence of Mr. James Helm, Manager, The Bombay United Spinning and weaving Mills, April 21, 1875, quoted from A.R.Desai (ed), *Labour Movement in India: Documents*

<sup>9</sup> Congress Socialist, 22<sup>nd</sup> January 1937.

<sup>10</sup> Reply of the Colliery Labour union Enquiry Committee(Bihar Labour Enquiry Committee), 21.10.1938, Rajendra Prasad Papers, File no-1-A/39, Roll no. 5, Microfilm, Nehru Memorial Museum and Library.

<sup>11</sup> *India Annual Register* (henceforth *IAR*), H.N.and N.N.Mitra (ed), Vol II, 1937, p.430.

<sup>12</sup> Desai, *opcit.*, Vol.I, pp. 94-95.

difficult conditions of mining works as the main reason behind the increasing labour fatalities in the mines.<sup>13</sup>

Health conditions were always a low priority in the coal mining areas and the resultant mortality rate was as high as 41 persons per mile in 1895.<sup>14</sup> Coal areas were mainly infected by fevers like malaria and diseases like cholera were a common health hazard. The mining populace generally drank water from shallow tanks filled with washings and dirt/filth from surroundings populated areas; they remained always prone to germs of epidemic diseases.

Most of coal mines were owned by big landlords and foreign concerns which was partly responsible for the poor conditions of mine workers. Even the railway took coal mines from the Ramgarh Estate.

Apart from coal mining, the general condition of labour in the province was also very appalling. In the quarry sector, the wages were low and the workers often demanded 6 annas a day and 8 hours of work; a demand hardly met.<sup>15</sup>

Likewise, in the Mica industry about 50% of child labour was aged between 6-15 years and 20% young boys and girls between 15-20 years age group.<sup>16</sup> They were hardly examined medically.

Factory buildings, in many cases were badly ventilated and often fully exposed to weather. There was no arrangement to eliminate Mica-dust. Sanitary conditions were equally poor.

The provisions of Wages Act did not extend to the Mica industry. There were no trade unions so the wages were low and could not be negotiated. There were frequent complaints against the recruitment through the "Sardars", or the recruiting agents, who charged a weekly commission from the employed workers.

## **2) CEMENT INDUSTRY.**

The workers in the cement industry did not enjoy leave rules, scheme for gratuity and bonus. There were inadequate medical and sanitary facilities, also there were no protective equipments like face –masks for workers in hazardous occupations.<sup>17</sup> In some categories, over a period of time labour was shown as contract work which deprived the worker of right to compensation for any accident in that period. The work condition in many departments of cement industry was so harsh and hazardous that a limitation of 40 hours a week was

---

<sup>13</sup> **Ibid., p.94.**

<sup>14</sup> **Ibid., p.81.**

<sup>15</sup> **Ibid., Memorandum from Mr.H.K. Mukherji, stone quarry owner, Santhal Parganas to the BLEC.**

<sup>16</sup> **Ibid., Memorandum by Mr. S Nasiruddin, M.A., B.L., Advocate dealing with the Labour Committee on Mica.**

<sup>17</sup> **Rajendra Prasad Papers, *opcit.*, Reply of the Japla Labour Union, File no. 2-P/38, Roll no.1.(NMML).**

considered a necessity. In such departments it was sought that no more than four hours a day be allowed.<sup>18</sup>

### **THE RESPONSE OF EARLY NATIONALIST LEADERSHIP TO THE LABOUR PROBLEM.**

The early nationalist leadership in India, by and large, remained apathetic towards the poor plight of labour. The initial thinkers of India, economists, industrialists and social thinkers were inspired by the belief that the ultimate panacea of India was modern industry. They might have read what Dickens, Carlyle or Ruskin had written in criticism of modern industrialization, but they did so without an appropriate social purpose. This kept the question of labour welfare largely at an abeyance.

But the question of labour welfare started to be discussed during the 1870s when people like N.M.Lokhande came forward and organised labour union. The nationalist leadership also criticised many industrial legislations.<sup>19</sup>

During the decade of 1930s, the industrial discontent took a new and decisive form. By then, Indian workers were organised in various trade union Unions. Also they had come in contact with Soviet Marxism and British Trade Unionism. To top it all, they had the experience of many successful strikes behind them.

### **BIHAR CONGRESS MINISTRY AND THE QUESTION OF LABOUR (1937-39).**

The elections of 1937 and the advent of congress ministries in the provinces played the most crucial role in the awakening of the working class movement. The emergence of a peasants' movement made them aware of their latent power. Slowly and steadily, they got the support of the workers from the native states and Congress Socialist party which was committed for the welfare of the labour and peasant class.

**Congress policy is on the one hand to devise a suitable machinery for the settlement of disputes between the employer and on the other to secure the right workers to form unions and to strike for the protection of their interests.<sup>20</sup>**

The labour problem was one of the most important priorities of the newly formed congress ministries in the provinces. Realising the surge of working class expectations, the congress indicated the plan of work through which it could give relief to the worker populace:

- (i) Provision of eight hours a day for industrial worker without reduction of pay and living wage for them,
- (ii) Statutory provision for securing a living wage and suitable conditions for agricultural and industrial labours.

---

<sup>18</sup> **Ibid.,**

<sup>19</sup> **Bipan Chandra, *Bharat me Arthik Rashtravad ka Udbhav aur Vikas*, (in Hindi), Delhi, 1998, p.303.**

<sup>20</sup> **Congress Socialist, 12<sup>th</sup> March, 1938.**

## **THE TATA MILL STRIKE:**

The first important event during the early days of congress ministry was working class upheaval at the Tata works, Jamshedpur. The Tatanagar workers had an experience of conducting successful strikes during the years 1920 and 1928, but with the INC ministries in place, the scene was more energetic. The most remarkable feature of this movement was the unionisation of the marginalised segment of the working class.

At Tata, the chief whip of the INC and Deputy Speaker of the Bihar Legislative Assembly Prof. Abdul Bari played an important role. The demand of the workers at Tata were many. The foremost was the existing system of bonus. There was a wide difference in provision of bonus in various departments of the Tata works.

Secondly, the management kept on crushing the trade unionism in Tatanagar by regularly using the warring labour factories against each other which irked the workers. There were three unions at work in Jamshedpur. Two unions, namely, the Labour Federation and the Metal Works Union were controlled by Maneckji Homi and the Tata Workers Union by Prof. Abdul Bari<sup>21</sup>. The employers often took advantage of existence of more than one unions and set union against each other.

Serious discontent was brewing among the workers and the cue came from Tatanagar managements' decision to reduce the number of working days from 16 to 12 shifts per week in the sheet mills in 1938. The workers forwarded the following demands to the management:

- (1) Restoration of previous rates of wages,
- (2) Security of service,
- (3) Provident fund and maternity benefits,
- (4) Full wages and full-time work and,
- (5) Increase in wages of coolies and female workers.<sup>22</sup>

The matter was soon handed over to the Board of Arbitration. The ensuing events showed the capitalist tactics of weakening the working class unity. The first settlement was reached in March 1938, regarding the increase in working days in sheet mills. Both sides agreed to increase working shifts from 12 to 15 hours.<sup>23</sup> Both parties pledged to keep the terms of agreement strictly confidential.

But in order to divide the workers' unity, the management violated the agreement, announcing the terms of and made them known to Maneckji Homi, who was quick to take the credit for the settlement. The management was requested to contradict Homi, which was turned down. It even went on to recognize the Labour Federation of Homi.

---

<sup>21</sup> **Ibid.,**

<sup>22</sup> **Ibid., Memorandum of the Tata workers' Union to the Board of Arbitration.**

<sup>23</sup> **Ibid., File no. 1-A/39, Roll no. 1.**

The second settlement of April 1938 was repudiated by the company. The settlement was carried out in the presence of Deputy Commissioner of Singhbhum, and if implemented would have gone in favour of the working class.

The third and final settlement was reached on 4<sup>th</sup> June 1938, was in a way a victory for the workers' union; the main provisions were as follows:

- (i) The company agreed to give an additional half months' bonus so as to give three months bonus instead of 2.5 month bonus as contemplated earlier,
- (ii) Electrical charges were to be reduced from one to half anna. The company agreed to introduce points for electric lights in all lower rented quarters in three years time.
- (iii) The company agreed to make those hands permanent, other than those in construction works, with one year of continuous service.

The workers failed to gain maximum advantage out of their struggle due to lack of unity among the unions. The Tatas, after the March 1938 settlement not only repudiated it but strived to bring out lockouts or forced strikes upon all the unions, this trying to crush them through a concerted action.<sup>24</sup>

The Tatas did not give the new bonus to the sheet mill and traffic department and removed Oriya and Telugu languages from the syllabus of in the schools run by it, just to continue with its divisive tactics. Thus, it was not surprising that the company could not give effect to many of its promises. Questions like [1]. general increase in wages, [2]. gratuity, [3]. housing facilities for workers, [4]. reduction in house and land rent [5] revision of profit sharing scheme were left over to the Labour Enquiry Committee. Revision of departmental bonus in the Sheet Mills, extension of departmental bonus to certain other departments (e.g., electrical department and merchant mill) could not be settled to the satisfaction of the union. The prevalent system of recruitment was highly objectionable and the union's demand for an 'Employment Board', was paid little heed to.<sup>25</sup>

The Tatas represented and in fact struck to the capitalist ideologies and safeguard but ultimately gave way to the workers' aspirations under the nationalist pressure. Interventions from Jawaharlal Nehru, Subhash Chandra Bose and ultimately Rajendra Prasads' mediation represented the most powerful ideological force whose decisions were morally binding for capital and labour alike.

### **THE BIHAR LABOUR ENQUIRY COMMITTEE (BLEC).**

Although the problem of labour needed to be tackled on an all India basis, undisputable that each province had its' own peculiar conditions and problems which required corresponding solutions on a provincial basis. Realising the fact and showing a showing an awareness of workers' sentiment for improved conditions, the newly elected Bihar congress ministry

---

<sup>24</sup> **Ibid..**

<sup>25</sup> **Ibid., N.P.Thadani, Deputy Commissioner, Singhbhum to J.J Ghandy, G.M. TISCO, 7<sup>th</sup> April 1938, Jamshedpur.**

appointed the Bihar Labour Enquiry Committee (henceforth BLEC) in March 1938, under the chairmanship of Dr. Rajendra Prasad. The workers saw it as all earnest of nationalist commitment to resolve their problem and as a signal that could agitate without fear of repression.<sup>26</sup>

The committee outlined some primary principles which it pledged to keep in view while looking in to the labour problems:

- (i) Instead of creating any new machinery, the existing machinery should be adopted to our purpose as in compatible with efficiency,
- (ii) The total final financial impact of the recommendations on the industry must be carefully computed,
- (iii) Where the present expenditure, if wisely directed and co-ordinated, will yield better results, we should insist on regulation.
- (iv) With a view of increasing the capacity of the industry to pay better wages, we should insist on regulation,
- (v) We should endeavour to win the support of the intelligent and progressive opinion of the country.<sup>27</sup>

From the above outlined principles, it seems that the BLEC was more inclined to maintain the *status-quo* rather than going in for some serious and fundamental changes in the existing industrial relations.

Nevertheless, the BLEC did make some important recommendations on the labour question which were often debated, equally amongst the capital and labour alike during the 1930s and led to workers upsurge.

The investigation of the BLEC revealed that contractual labour was underpaid and badly treated. In some cases, contractors were big men with large capital. But a majority of them were small entrepreneurs who often worked themselves with labourers They were mainly located in sugar-mills and stone quarries.

The BLEC therefore, suggested that the management should put a clause in the work agreement that the contractor will pay the same rate of wages to the workers as the company pays for the similar nature and make the sections of The Payment of Wages Act apply to them too. The committee believed that the contractor would become more mobile, self-sufficient and organized.<sup>28</sup>

The labour, whether recruited directly or by contractors, charges of corruption were regular. The BLEC suggested that the recommendations' of the Royal Commission on Labour, be implemented which called for the appointment of a labour officer. The committee favoured

---

<sup>26</sup> **Ibid., Report of the Bihar Labour Enquiry Committee(BLEC), File no: 2-1/38, Roll no.1.**

<sup>27</sup> **Ibid., Circular of the BLEC, highlighting the underlying principles of the labour enquiry committee. 9.6.1939.**

<sup>28</sup> **Ibid.,**



the practice followed by Monghyr Tobacco Company by which the management wrote to the employees whenever there was suitable vacancies and gave the candidates sufficient time to join.

The committee found that the operations of the Factory Act, 1934 was dissatisfactory and the level of compliance low.

The question of minimum wage was very vital issue for the BLEC. From the worker/union, the demand for legal fixation of minimum wage was universal. Hence, the committee formulated the principle of minimum wage which related to:

- (i) Principle of cost of living, guided by normal needs of the workers,
- (ii) Economic capacity of the industry to pay.

Thus, on thy theory of “needs and capacity”,<sup>29</sup> the committee reached the conclusion that Rs.15 per month in a town and Rs.13 per month could be considered as living wages. The corresponding figure for women worker was fixed at Rs.12 per month and Rs.10 per month respectively.<sup>30</sup>

The BLEC termed the Payment of Wages Act, a good piece of legislation designed to protect the worker against some objectionable practices of scrupulous employees. Unfair deductions from the wages were common in the -coal mining areas. Complaints about delayed payment or non-payment were too numerous to be dismissed as frivolous by the BLEC. The committee recommended that section of 8 (viii) and 9(ii) of the Act be enforced strictly, which prevented the common practice of deducting fines for late attendance from the wages.

Most of the workers were paid so low that they could not be expected to make provisions for their own medical sickness. So the BLEC recommended a “Sickness Insurance Scheme” under which the company was supposed to bear the whole cost of medical aid while the worker would provide on the basis of mutual assistance, the fund for the payment of sickness allowance. It also contemplated that the state would help maintain a separate ‘Sickness Benefit Fund’, by amending the section 7(ii) of the Payment of Wages Act.

The BLEC also took in to considerations regarding the hardships faced by the workers in case of accidents at the workplace. It proposed that “all accidents which caused absence for more than seven days, be sent to the commissioner with a statement showing accident in respect of which compensation has been paid.

The BLEC also considered the question of trade unions and industrial peace. The committee while approving the right of the workers to unite and form association, cautioned the management “not to set up or encourage rival unions.”<sup>31</sup>

---

<sup>29</sup> **Ibid., The committee considered one man, wife and three children to be a family, and opined that the basic need of all in the family should take into account expenditure on food, sickness and transport.**

<sup>30</sup> **Ibid.,**

<sup>31</sup> **Ibid., Roll no 3.**

Though the BLEC looked in to a lot of problems faced by the industrial labour, it was not without some important limitations. The terms of reference of the committee tended to skip some of the very important segments of the working class. For example, the wages and other conditions of the employees engaged in the shops and other similar establishments were far from satisfactory but remained outside the purview of the BLEC. Similarly, there were many small factories outside the main industrial centres, which the committee could not take enough time to visit.

Similarly, the committee tried to the 'so called capitalist fear of working class radicalism'. Thus, while it took the side of trade unionism, it maintained that, Private property was a sacred thing which could not be alienated'.<sup>32</sup> Similarly, the committee declined to reduce the existing hours of work or interfere in with the provisions of the Factory Act, as it could raise the 'cost of production', harming the capitalists. There were many such instances which to a large extent disappointed the labour representatives to a large extent.

Nevertheless,. The BLEC signified an important point of departure in the history of labour relations in the province. It officially brought to the fore, the poor conditions of the labour. It also exposed the attitude of the self-serving capitalists who felt shy of providing the basic amenities to the labour. Many capitalists, which included the so called 'Nationalist capitalists' like the Tatas, opposed the minimum wages act legislation and sickness allowance scheme, saying that time was yet not ripe for it.

#### **DALMIYANAGAR WORKERS' AGITATION.**

The conditions under which the workers worked in Rohtas Industries in Dalmiyanagar were very bad. Wages as well as conditions were deplorable. This forced the workers to go on strike. When the labour situation in Dalmiyanagar became serious, the congress ministry sent its' Mr. Jagat Narayan Lal, Parliamentary Secretary, to look into the matter. His visit was welcomed by a mass demonstration organised by the workers.<sup>33</sup>

Meanwhile, scavengers working in the Rohtas industries also went on strike, as they resented to work 12 hours in a day.<sup>34</sup>

The grievances of the workers included:

- (i) Working hours were more than nine hours a day,
- (ii) The management compelled the workers to work for five hours on Sundays for which no full wages were paid,
- (iii) No festival holidays were given,
- (iv) Housing conditions were dissatisfactory,
- (v) no provision for sick leave.

---

<sup>32</sup> **Ibid.,**

<sup>33</sup> ***The BLA Debates, 14<sup>th</sup> April, 1938, Vol 1. p.1682.***

<sup>34</sup> **Ibid.,**

So the workers called a strike under the leadership of Basawan Singh and the Dehri Mazdoor Sangh on 11<sup>th</sup> October 1938 with the following demands:<sup>35</sup>

- I. Recognition of Rohtas Mazdoor Sangh,
- II. Immediate fulfilment of the demands already put forward by the scavengers,
- III. Fixation of Rs 15/- per month as minimum wage,
- IV. A general increment of 50%,
- V. Privilege leave with pay,
- VI. Eight hours a day work schedule,
- VII. Free living quarters.
- VIII. Extension of employee provident fund.

The management took recourse to repressive measures and not only arrested Basawan Singh but workers were denied the freedom of speech, picketing, demonstration and assemblage.

The matter was soon handed over to a 'Board of Arbitration', chaired by Mr. Shanker Deo, a member of the congress working committee.

There was an element of compromise in the award declared by the board. It provided the minimum wages at a meagre Rs.11/- per month for the permanent worker in the factory whereas the labour demand was Rs 30/-. It was surprising given the fact the Bihar Labour Enquiry Committee had fixed it at Rs. 15/- per month. There was no provision of minimum wage for the seasonal employees of the sugar mill. Hence, only 15% of the cement factory employees were expected to be benefitted by the award.

The increment awarded also benefitted the permanent employees who had put in at least one year of service.

The cycle of negotiations, conciliation, arbitration had been so arranged to negate the basic right of the workers i.e., to protest and strike. It is evident from the following clause which made the strike difficult:

**“A general strike shall not be called unless a secret ballot has previously been taken with 3/4<sup>th</sup> of the members of the union present and not less than 2/3<sup>rd</sup> of the workers involved vote in favour of cessation of work”.**<sup>36</sup>

That the workers had every reason to strike and they were living in the poorest of conditions was admitted by the chief of arbitration board, Mr. Shanker Deo, himself:

**“the construction of the factories goes on and nobody thinks that labour also requires attention. The miserable lives they have to lead in the interval are bound to give rise to dissatisfaction and revolt.”**<sup>37</sup>

The Bihar congress ministry failed to clearly adopt a pro –labour attitude. Dalmia successfully defied all provisions relating to the welfare of workers in the factories. The

---

<sup>35</sup> Congress Socialist. October 30<sup>th</sup> 1938.

<sup>36</sup> Congress Socialist. 27<sup>th</sup> November 1938.

<sup>37</sup> Congress Socialist. 27.11.1938

reputation of being a 'nationalist industrialist', helped him in crushing the rising worker menace.<sup>38</sup>

### **BIHAR AND ORISSA MICA (REPEAL) ACT, 1939.**

But a pro-labour policy of the Bihar ministry was the passage of the Bihar and Orissa Mica(Repeal) Act, 1939. In fact, the original legislation was passed in 1930 which was beneficial for the big capitalists, who wanted to monopolise the mica trade. The Premier Dr. Shrikrishna Sinha had himself visited the areas governed by the Mica Act, 1930 and concluded that it should be repealed. For many reasons, the government wanted to give the Mica Act(1930), a decent burial:

1. The Mica Act was generally disliked by the people of the locality,
2. The examination of the Act showed that it was based on a lot of inequalities. In fact, the provisions of the Act exclude from the trade small time miners usually called the 'diggers.'

The conditions imposed by the Act were difficult to fulfil. For example, only one person could get a permit and he was expected to work all alone without the help of his family. Likewise, the diggers could not sell mica without police supervision and that too on fixed days. The provision no. 10 of the Mica Act mandated the keeping of accounts, which was difficult for the small producers.<sup>39</sup>

Jawaharlal Nehru had also opposed the inequitable provisions of the Mica Act (1930) at the Hazaribagh political conference.<sup>40</sup> Thus, the Bihar and Orissa Mica(Repeal) Act, 1939 was passed which catered to the needs of small time Mica traders.

### **ASSESSMENT.**

It was not just a co-incidence that most of the strikes that took place during our period under study were against those very industrial concerns which were dubbed as 'nationalists', by the congress.

The double standards of the capitalists was fully exposed during various labour movements. For example, the Tatas took back in service men discharged during the Maneckji Homi's (who was a favourite of the management) labour movement but refused to do the same with the men discharged during the Civil Disobedience movement. The Singhbhum District Committee urged it to be more considerate, without any result.<sup>41</sup> The Tata company even urged the congress ministry to enact the Gunda Act on the lines of the Bombay Industrial Act, with an ulterior motive of crushing the tide of worker enthusiasm and urge of betterment. The guise of congress creed of non-violence helped them in mitigating the labour movement.

---

<sup>38</sup> Article titled '*Dehri Challenges Dalmia*', by B.P.Sinha, *Congress Socialist*, 6.11.1938.

<sup>39</sup> *The Bihar Legislative Council Debates(Henceforth BLC Debates.)*, Vol.IV., 1939, p.265.

<sup>40</sup> *Ibid.*, p.275.

<sup>41</sup> *Rajendra Prasad Papers, opcit.*, File no.3-L/1939. Roll no 4.

The capitalists served their interests by taking advantage of the division on the divided labour movement. The political and ideological difference among the leaders not only weakened the trade union movement, but also weakened the bargaining power of the unions. This was particularly true in the case of Jharia which had too many labour unions and the leaders were not always on their best of terms amongst themselves.<sup>42</sup>

The role of the Bihar congress ministry *vis-a-vis* the labour problem was characterised by caution. On one side, it tried to show that it was for the welfare of the small enterprises and labour but still could not be loud and clear enough to tell the capitalists that they need to do more for the worker welfare.

While considering the Mica (Repeal ) Act 1939, the congress ministry could not ignore the interests of big companies:

**The present position of the government is that after this act stands repealed may caused a great deal of harassment to the small miners, we shall at least try to explore every avenue for giving protection to the big miners and companies<sup>43</sup>**

The labour movement during the first congress ministry showed signs of attaining an independent trajectory. Prof. Abdul Bari's 'ultra-radicalism denoted such a possibility, which he expressed in the following words:

**Neither Gandhi nor Nehru or Rajendra Prasad could be able to do anything for the labour. It was useless for the congress people to have the reins of government, if they could not help the men to whom they have made so many promises in the election manifesto.<sup>44</sup>**

It was no surprise that the labour was not only in a position to challenge the strong right wing nationalist leadership but even aspired to influence it. Thus Bari expressed the fear that, "if the congress fails to keep pace with the masses, the leadership of Mahatma Gandhi would ultimately fail and it would be open for Subhash Bose to lead the country the way he liked."<sup>45</sup>

As compared to the Kisan movement, the congress leadership showed greater flexibility with regard to the labour demands. The main reason appears to be the fact that as compared to the labour movement, Kisan movement was a nascent organisation. As opposed to this, the labour movement had went hand in hand with the national movement. Also, the rise of the Congress Socialist Party (CSP), signalled a close relationship between congress and labour problem. It was no surprise that the Congress Labour Committee advised the congress committees 'to take earnest interest in question affecting industrial labour and give all possible help to the working of the unions, working on the policies and principles of the congress.'<sup>46</sup> The Bihar Provincial Congress Committee (BPCC), too, sent two men to

---

<sup>42</sup> **Ibid., Mukutdhari Singh to Rajendra Prasad, 14.7.1938.**

<sup>43</sup> **BLA Debates, opcit.,18 January 1939. p.264.**

<sup>44</sup> **R.P.Papers. opcit., File no.3-L/1939. Roll no 3.**

<sup>45</sup> **Ibid., A.R. Dalal to Rajendra Prasad. Dated 22.5.1939.**

<sup>46</sup> **India Annual Register, opcit.,The Congress Labour Committee Resolution, August 18-**

Ahmadabad for training in Trade Unionism, so that they could help in organising union activities in the Jharia mines.<sup>47</sup>

But it cannot be concluded that the congress party could have converted itself into with socialist inclinations'. The congress was a national organisation and not a class organization. It was natural that when labour struggle took a conflicting turn, the congress struck to its original creed. During the Rohtas strike, the congress ministry did not hesitate in using force in the name maintaining law and order. The National Trade Union Congress had expressed concern that provincial congress governments, even under the new regimes, were using repressive measures and prohibiting workers meetings.

Although the congress and labour stood on a different ideological grounds, yet the latter tried to establish closer ties with the nationalist struggle. In Bihar, it may be noted that most of labour disputed boards were chaired by prominent nationalist leaders like Subhash Bose and Rajendra Prasad.

To sum up, during the brief spell of the congress ministry certain measures were taken to protect the interests of the working class. But on the whole, these measures were not intended to antagonise the capitalists who were a part of the 'class collaboration strategy' of the congress for the freedom movement. While evaluating the congress policy towards the labour problem one must understand that it was working under the colonial machinery and it could not replace it in anyway.

## **REFERENCES.**

### **(1) PRIMARY SOURCES.**

#### **(A) PRIVATE PAPERS.**

Pamphlets and Reports on peasant movement (1929-49), Nehru Memorial Museum and Library(hereafter NMML)

Rajendra Prasad Papers,

Swami Sahjananda Saraswati Papers.

Jaiprakash Narayan papers.

#### **(B) OFFICIAL REPORTS AND OTHER GOVERNMENT PUBLICATIONS.**

Bihar District Gazetteers,

Bihar Legislative Assembly Debates,1937-39.

---

**19, Vol. II.1939, p110.**

<sup>47</sup> **Congress Socialist, 6<sup>th</sup> November 1938.**

Bihar Legislative Council Debates, 1937-39.

Bihar and Orissa (Annual), 1937-39

Bihar Labour Manual,

Census Report of India, 1921, 1931.

**(C) CONGRESS PUBLICATION AND OTHER ALLIED MATERIALS.**

Bulletins of the Indian National Congress, 1937-39.

Proceedings of the Indian National Congress, 1936-39.

Proceedings of the Congress Socialist Party, 1935-38.

**(2) SECONDARY SOURCES.**

**ARTICLES.**

Choudhari, B.B., Agrarian movement in Bihar (1919-1939).in A.R.Desai,ed., *Peasants Struggle in India*

\_\_\_\_\_, Land market in Eastern India, 1793-1940, *IESHR*, Vol. XIII, No 1&2. January and June 1975.

Simeon, Dilip., The Politics of Labour Movement: An Essay on Differential Aspirations, *National Labour Institute Research Series*, No 017/2001

Shukla, P.K., Labouring Men and the Indian National Congress: A Study of relationship between the Trade Union and the First Congress Ministry(1937)

Shukla. R.L., Bihar Congress and the Agrarian Problem in the 1930s, in *Society Ideology in India*, Essays in the Honour of Prof. R.S. Sharma., ed., D.N. Jha, 1996.

**BOOKS.**

Ahmad Z.A., *Agrarian Problems in India*, 1936.

Chandra Bipan., *Bharat Me Arthik Rastravad Ka Udbvhav aur Vikas*(in Hindi), Vikas Publication, Delhi. 1974.

Chatterji Basudev., *Towards Freedom*, 1938, ICHR. 1992.

Choudhry Valmiki., ed., *Rajendra Prasad Correspondence and Select Documents, 1934-48*. Delhi. 1984.

Dutta K.K., *History of Freedom Movement in Bihar*, Vol.II, 1957.

Desai A.R., *Labour Movement in India, Bombay, 1979.*

\_\_\_\_\_, *Labour Movement in India, Documents, Vol. I and II. Bombay, 1989.*

Dutt R.P. *Aaj Ka Bharat, Delhi, 1977 (in Hindi)*

Zaidi.,A.N., *Congress Presidential Addresses, Vol. VI, 1921-39.*

