



INDUSTRIAL UNREST OR CONFLICT IN INDIA

Arun P Pardhi

(Research Student)

Industrial unrest means conflict between employers and employees in industries. Industrial unrest or conflict in the industry or at normal parlance is a part and parcel of life. Conflict surface due to limitations of resources, competition and differences in values, goals, attitudes expectations etc. Whenever there is an industrial unrest or conflict prolonged for any reason the industrial employees display their protests in the form of strikes, gheraos, go slow tactics, demonstrations and so on, whereas the employers show their might by retrenchment, dismissals, lock-outs etc. Industrial unrest thus results into industrial recession and ultimately decline in national income. For any reason if conflicts are not managed properly they may adversely affect the organization. Industrial unrest or conflict may arise due to any reason attributable to the personal injustice or injustice cause to group i.e. either in respect of genuine personal matter or may be matter of common interest. So far as industrial unrest is concerned it happens due to wrongful act in relation to service condition of an employee, and hence depends upon the type or nature of illegal acts or action the said conflict or a dispute is labeled as individual dispute or dispute of certain group of employees or all employees of an organization which commonly known as industrial dispute or conflict. If the dispute cannot relates to industrial matters i.e service conditions of an employment of employees concerned then it is termed as individual dispute or personal dispute which may occur due to difference in opinion, non-cooperation at works, misunderstanding, improper communication and so on . The class conflict also could be termed as industrial disputes. Considering probable causes of disputes it differentiates as dispute between the employee and employee or between the employee and employer or between the employer and employer .However to bring the awareness about the reasons the major factors of industrial unrest are highlighted as below:

Followings are The Major Factors of Industrial Unrest or Conflicts:

- (a) The trade union leaders try image-building exercises.
- (b) Taking advantage of the political instability of the country.
- © Trade union leaders seek concessions from the factory owners.
- (d) Rampant trade unionism has led to a deteriorating work culture amongst workers.
- (f) Communication is one of the important factor which causes conflict.
- (g) The hire and fire policy of the employers
- (h) Losses occurred by industries
- (i) Lack of welfare and social security
- (j) High competition amongst industries
- (k) Rising wages and low productivity
- (l) The demand of higher bonus.

The attempts to understand the industrial unrest does not emerge all of a sudden, it is a process which is nothing but part and parcel of human life. Considering causes of industrial unrest it may happen as a course of process action or may happen due to external provocation or internal rivalry. In an industry conflict can occur at individual, group and organizational level. Likewise, conflict is inevitable in working organizations. In addition to the above factors, the introduction of new technology also leads to technological unemployment. The automation or other technological changes in industry results in reduction of manpower other than necessary to produce a finished product. Throughout the course of economic development, particularly since the time of industrial revolution man has been forced to adjust to the process of mechanization. Industry has diminished an average man's economic security since every advancement in technology leads to the displacement of human labour. Thus, improvements in machine technology, over-production, falsely stimulated speculation, social emphasis upon monetary success and the inevitable depression—all these make for crippling disruption in the demand of labour which ultimately leads to industrial unrest . The industrial unrest may be reduced appreciably if great emphasis is put on:

- (i) Creation of opportunities for self-employment;
- (ii) Augmentation of productivity and income levels of the poor working force and
- (iii) Shift in emphasis from creation of relief type of employment to building up of durable productive assets.

- (iv) Improving methods of communication
- (v) Employee counselling
- (vi) Building trust amongst employees
- (vii) Solving labour related matters by giving priority
- (viii) By intervening into matter of conflict due to misunderstanding
- (ix) By keeping transparency at work and in the business
- (x) By involving employees at least into the matters of their interest

The government of India has established machinery for the settlement of industrial disputes. This machinery could be classified into two types I,e Consultative And Industrial Relations Machinery.

(a) **Consultative Machinery:** The government of India has taken every effort to constitute consultative machinery. The basic objective of this machinery is to bring the parties together for mutual settlement of differences in a spirit of cooperation and good will. At the industry level the machinery is bipartite in character. Considering the growth of the nation as well as economic progress or upliftment of the industries both the government I,e Centre and state has made the provisions of authorities as mentioned below with certain provisions to control and solve the industrial conflict –

- (i) Works s Committee
- (ii) Conciliation Officer
- (iii) Board of Conciliation
- (iv) Courts of Enquiry
- (v) Labour Courts
- (vi) Tribunals
- (vii) National Tribunals
- (viii) Arbitrator
- (ix) Joint Management Council

Under the provisions of Industrial Disputes Act, 1947 works committee is to be set up in an organization, this committee is having the responsibility of removing the causes of friction between workers and management in day to day working.

A provision of joint management council was also made in the year 1958 with the objective of establishment of cordial relations between workers and management.

To investigate and settle the industrial disputes various authorities has been formed at industry as well as state and national level like Wage Board, Labour Advisory Boards, Indian Labour Conference, Standing Labour Committee etc.

In the event employer and unions cannot arrive at an agreement Industrial Disputes Act provides the process of conciliation, arbitration and adjudication for resolution of industrial dispute. This act has the following two basic objectives--

- (i) Prevention and peaceful settlement of disputes, and
- (ii) Promotion of good industrial relations with the help of labour management and cooperation.

Beyond these would be the industrial tribunals. These tribunals exist at state and national levels. The state government has the authority to adjudicate disputes regarding wages, bonus, sharing of profit, etc., by appointing one or more industrial tribunal. A person holding the rank of a High Court Judge is to be on the tribunal. The Central government appoints the national tribunal for adjudicating disputes which involve issues of national importance.

Apart from the above methods, the following practices are becoming common.

Joint Management Councils enable workers to participate in management, help them to understand industrial problems and bring about better relations between the management and labour. The Indian Labour Conference evolved a Code of Discipline in industry in 1958. According to the code, employers as well as labourers voluntarily agree to maintain mutual trust and cooperation.

The above code of discipline listed the following activities to follow in factories:

- (a) For declaring strikes and lock-outs prior notice is required.
- (b) The parties can take any action only after consulting each other.
- (c) There should not be any deliberate attempt to damage plant or property.
- (d) Disputes should be settled speedily.

Several employers and trade unions, which are not members of any central employees and labour organization, have accepted this code of discipline. The National Arbitration Promotion Board was established in July 1967 by the Government of India to promote voluntary arbitration for settlement of disputes. The Board has representatives belonging to the employers' and laborers' organizations, PSUs, etc. The Board endeavors to ensure that employers and laborers take voluntary initiatives to settle disputes.

It is quite true that in attempting to solve labour and industrial disputes is not directly concerned with the new Arbitration and Conciliation Act 1996. At the same time one has to bear in mind that on many occasions' arbitration and conciliation processes are better steps to be taken in solving even major industrial disputes. . Even otherwise the spirit and backbone of industrial relations depends in taking necessary steps towards conciliation and arbitration whenever necessary.