

GENESIS OF INDUSTRIAL DISPUTES/CONFLICTS IN COLLIERIES IN WEST BENGAL: Exploration of causative factors

Dr. Parimalendu Bandyopadhyay^{1*}

^{1*}Department of Commerce, Kazi Nazrul University, Asansol, e-mail: email2pari@gmail.com

Abstract

Industrial dispute is dispute or difference between employer and workers. Such dispute arises when workers want to satisfy their physiological and psychological needs and management fails to satiate such needs. In other words, workers want more wages, allowances, incentive housing accommodation, medical benefits, transport facilities canteen facilities, good working conditions, better welfare amenities, fringe benefits, social security measures, challenging job, authority, responsibilities, promotion, status, recognition, good treatment etc. but management fails or shows unwillingness to meet up their requirements. In such situation, interactions between management and workers create difference/dispute between them, which, in turn, takes the shape of industrial dispute.

Key Words: Industrial Dispute, Welfare, Social Security.

Introduction

In narrow sense, industrial dispute means conflict between parties in industrial establishments. So industrial dispute is disagreement / mutual contest as of ideas, interests etc. between parties in industry. In industry, there are two parties, i.e. workers and management. In the process of working, workers express their need, expectation, desire for fulfillment and satisfaction. They like to get more money i.e. attractive wages, allowances, monetary incentive which the management may not be agreeable to pay. Workers demand for better welfare facilities but management may provide less than that of their requirements. They like to get recognition, status, power, advancement, higher qualities of work life but management may be reluctant to give. Under such situation, a state of disagreement/mutual contest between workers and management develops which gives birth to industrial disputes. Generally, industrial conflict is a general concept and this conflict gets the shape of industrial dispute in a specific dimensional situation.

According to section 2 (k) of Industrial Disputes Act 1947, 'industrial dispute' means any dispute or difference between employers and employees or between employers and workmen or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the conditions of labour, of any

person.” Industrial disputes are of frequent occurrence in India. They result in strikes, gherao, work stoppage etc on the part of workers and lockouts on the part of employers. Disputes in Indian industries generally crop up due to the following factor:-

- Inadequate wages
- Appallingly unsatisfactory working and living conditions
- Long hours of work
- Unstable employment
- Rationalization and automation
- Demand for participation in management and profit.
- Trade unions
- Sympathy for workers’ grievances
- Political unrest
- Bonus demand etc.

Objective of the Study

The objective of the study is to explain to analyse working of disputes the prevailing state of IRs practised in West Bengal collieries.

Research Methodology

IRs are not created in vacuum. They are the product of the circumstances in which people work and live together. It is an abstract idea. So its direct measurement is not possible. It can be measured indirectly only through certain appropriate and important parameters. After surveying the literature and making an exhaustive study of the subject certain parameters have been identified as yard-sticks, having important bearing on IRs. These parameters are:-

1. Industrial disputes.
2. Grievance handling procedure.
3. Trade union rivalry.
4. Frequency of occurrence of misconduct.
5. Breach of code of discipline.
6. Welfare facilities & amenities.
7. Social security.
8. Mode of collective bargaining.

Information and data were collected personally by the authors from each of the concerned department from files and documentary sources. After collection, information and data were compiled and duly represented. A few office bearers of the trade unions as well as company employees have been interrogated through stratified random sampling method to know their views regarding the effectiveness of collective bargaining

process of this industry. The investigators also interviewed management personnel to have their views. Workers in colliers resort to different forms of disputes when disagreement / difference of opinion crop up between trade unions and management. In such situation, industrial climate starts exposing to different state of situation where smooth and effective functioning of industrial activities get affected resulting in manifestation of different forms of disputes.

Results and Discussion

Pocket Book of Labour Statistics indicates the following factors responsible for work stoppages:

- Wages and allowances
- Indiscipline
- Personnel
- Charter of demands
- Standing orders / Rules / Service Condition / Safety measures
- Bonus
- Non-implementation of agreements
- Better amenities
- Leave, hours of work and shift
- Inter/intra union rivalry
- Retrenchment and lay off
- Violence
- Work load.
- Suspension/change of manufacturing process
- Other factors

Industrial disputes Act 1947 prescribe the causes of industrial disputes. In terms of section 2(k) of the Act causes of industrial disputes are:

- Employment causes
- Non-employment causes
- Terms of employment causes
- Causes concerning conditions of labour of any person

For the purpose of exploring / digging out causative factors creating disputes in coal belts in West Bengal and extensive research work was carried out by the researcher in sampled collieries in West Bengal and various mechanism like use of interactive exercise, administering questionnaire, informal discussion, attending social ritual performances were introduced / applied. Tangent groups for such purpose were workers, trade union officials and management personnel in the respective collieries. It was observed that the genesis of disputes in collieries involved both economic and non-economic issues.

Taking into view of the respective responded posses of disputes in collieries are given hereunder:

1. Attractive wages
2. Higher allowances
3. Non-payment or less payment of allowances
4. Bonus
5. Promotion
6. Change of shift
7. Defective tools
8. Unusable cap lamps
9. Supply of cap lamps
10. Inferior quality of Canteen food
11. High price of Canteen menu.
12. Medical treatment.
13. Apathetic of medical staff.
14. Not paying head to problems of employees by management.
15. Mal treatment by boss.
16. Treating the workers as employee not as human beings.
17. Inadequate housing facilities.
18. Unhygienic living condition.
19. To lay off, retrenchment.
20. Intra-union rivalry / inter union rivalry.
21. Non implementation of grievance procedure, irregular use of grievance procedure
22. Attitude of management
23. Attitude of trade union leader, non-facilitative, non-cooperative union
24. Stubborn management
25. HR policies / practice.
26. Delay in payment of gratuity, provident fund, pension etc.
27. Training – not having link to requirement (need base training)
28. Delay implementation of awards, court orders, agreement.
29. Participation, employment, involvement
30. Unsatisfactory working condition
31. Intervention by political party
32. Voluntary retirement
33. Leave encashment, leave fair concession
34. Pending / accumulated grievances
35. Delay in implementation of Wages Board recommendation
36. Employment casual, badli and temporary workers
37. Closure of mines
38. LTC (Leave Travel Concession) / LLTC (Long Leave Travel Concession)
39. Over time
40. Insubordination

Analytical Study of Disputes in West Bengal Collieries

There are some cases which have a single immediate cause for strike but mostly strikes occur on a multiplicity of issues. And so, strikes have been classified according to the most important immediate cause which led to industrial strife causing work stoppage. If there are number of immediate causes, the most important among them form the basis for classification.

The causes compiled by the Ministry of Labour (Central / State) are grouped under the six heading:¹

- Wages
- Bonus and Allowances
- Personnel and Retrenchment
- Leave and Hours of work
- Indiscipline and violence
- Others

It is observed that causes like wages, bonus and allowances, leave and hours of work are much less important now, while causes like indiscipline and violence have become more responsible for industrial strifes. For systematic understanding of causes of industrial disputes, these can be grouped into four categories viz., economic causes, management practices, trade union practices, and legal and political factors,

The examination of Table 1 shows that the 'closure of mines' and 'wages and allowances' were predominating factors to interrupt production activities of the mine. The other factors viz. Bonus, Retrenchment, Indiscipline and Violence also disturbed the smooth running of coal mines.

It is revealed that during all the years under study i.e. from 1992-93 to 2001-02, maximum stoppage of work was due to closing down of the collieries by the management. It is gathered through interaction with higher management in collieries that miners developed a sense of fear psychosis of losing employment and they ceased work. The percentage of work stoppage due to closure of mines was very high in 1992-93, 1993-94, 1994-95, 1995-96 and 1996-97 reasons for such higher magnitude of work stoppage are due to closure of maximum number of mines / collieries during this period (number of collieries closed in 1992-93, 1993-94, 1994-95, 1995-96 and 1996-97 were 12, 11, 9, 5 and 3 respectively).²

It is also understood that due to indiscipline and violence activities of local anti-socials colliery activities suffered. Workers demanded safety and security to work collieries and

¹ [HANDBOOK OF LABOUR STATISTICS AND ANNUAL REPORT, MINISTRY OF LABOUR]

² [Date were collected personally from the office of E.C.L., Sanctoria, West Bengal in December 2003]

on such issues they ceased work. There is evidence that management took action to provide security to the colliers and they engaged Central Industrial Security Force CISF personnel for such purpose. But such measures were inadequate considering the magnitude of violence and indiscipline activities resorted to by anti-socials. The percentage of indiscipline and violence, which was 1.1 in 1992-93, increased to 13. It shows a very deplorable situation in management action.

It is also revealed from the above table that there is not a single instance of work stoppage during 2000 to 2002. The reasons for such state of affairs particularly in industrial relations climate in West Bengal collieries may be due to the following factors:

1. Fear psychosis of losing employment and transfer, to a far off place.
2. Deployment of Central Industrial Security Force (CISF) in affected areas.
3. Reduced anti social activities due to deployment of CISF and created congenial atmosphere to work (no instances of gharao, murder etc. by anti-social were prevalent).
4. Restrained from closure of mines;
5. Monitoring leave and hours of work according to the rules and regulations of Coal Mines Act.
6. Issues like wages, allowance, bonus did not crop up due to effective implementation of Wage Board Recommendation.
7. Smooth and systematic monitoring leave and hours of work as per rules and Coal Mines Act.

Data / information regarding the causes of industrial disputes in West Bengal collieries were collected from the office of the E.C.L., Sanctoria, West Bengal. The causes along with work stoppage during 1992-93 to 2001-02 are given in Table-1.

TABLE 1:PERCENTAGE DISTRIBUTION OF INDUSTRIAL DISPUTES 1992-93 TO 2001- 02 IN WEST BENGAL COLLIERIES							
YEAR	PERCENTAGE OF STOPPAGES ON ACCOUNT OF						
	Closure of mines	Wages and allowances	Bonus	Personnel & Retrenchment	Leave, Hours of work	Others	Indiscipline and violence
1992-93	57.5	26.5	9.5	2.9	1.2	1.3	1.1
1993-94	48.0	34.1	12.5	2.7	0.5	1.0	1.2
1994-95	45.3	33.2	12.3	3.3	0.8	0.9	4.2
1995-96	44.0	31.3	9.3	5.7	1.1	1.2	7.4
1996-97	42.2	29.6	8.9	7.3	1.7	1.5	8.8
1997-98	42.6	28.2	7.3	9.5	1.5	1.7	9.2
1998-99	40.7	27.9	7.1	9.3	1.1	1.6	12.3
1999-00	40.3	27.5	7.0	9.1	1.3	1.8	13.0
2000-01	NIL	NIL	NIL	NIL	NIL	NIL	NIL
2001-02	NIL	NIL	NIL	NIL	NIL	NIL	NIL

[Source: OFFICE OF ECL, Sanctoria]

Industrial relations in West Bengal collieries during the years 1992-93 to 2001-02, that means not so peaceful and harmonious and also not so gloomy. Number of strike, mandays lost, wages lost and production lost sometimes decreased and sometime increased considerably in comparison to the previous year. So it is indicating that the IRs situation in West Bengal collieries is not so consistent in nature. The delay in the publication of the Wage Board Recommendation and closure of mine also aggravated the situation and added to the tension and sense of frustration amongst the colliery workers who resorted to a series of strikes during the year 1992-93 to 1996-97. The industrial relations situations started deteriorating in 1981-82 and continued till the year 1996-97, demonstrated the years of lawlessness, violence, gheraos, assaults and murders and the spate of such unexpected labour situation increased the number of work stoppage, workers involved and mandays lost, production lost and wage lost. It is important to note that mandays lost and production lost was the highest in 1992-93 during the study period, due to several industrial unrest resorted by the collieries workers over the implementation of the Wage Board recommendation (NCWA-IV) and closure of maximum number of mines / collieries(12) during this year. Lawlessness, often enough erupting in violence, assumed alarming proportions in the West Bengal Coalfields and seriously hampered production in large number of collieries. Inter-union rivalry stemming from the conflicting interests of political parties, rather than authentic industrial disputes was primarily responsible for this state of affairs, which seemed to have become chronic in the coalfields.

The causes of industrial unrest were manifold. The issue over the linked questions of increased dearness allowance in terms of the Wage Board Recommendations interalia and closure of mines assumed a supreme importance in causing strikes.

During 1997-98, 1998-99 and 1999-2000 years labour-management relations in West Bengal coalfields was somehow peaceful on the whole. Number of work stoppage, mandays lost, production lost were almost constant decreasing comparison to the previous year. The main causes of industrial conflict were non-implementation of all the accepted recommendations of the Wage Board for coal mining industry, welfare and social security, non-payment of outstanding dues and closure of mines.

During last two year, i.e. 2000-01 and 2001-02, observed that there were no stoppages of work due to fear psychosis of losing employment, deployment of CISF in affected areas and restrained from closure of mines and maintaining stable law and order etc.

Now data / information regarding the law and order in the West Bengal collieries were collected from the office of the ECL, Sanctoria, West Bengal which is shown below in Table-2.

Data / information regarding the stoppage of work / lighting strike, number of workers involved, number of mandays lost, production lost and wages lost during study period in the West Bengal collieries were collected from the office of the ECL which are shown in Table-2

TABLE 2: STOPPAGE OF WORK / LIGHTING STRIKE DURING 1992-93 TO 2001-02 IN THE WEST BENGAL COLLIERIES					
YEAR	NO. OF LIGHTNING STRIKE OR WORK STOPPAGE	NO. OF WORKERS INVOLVED	NO. OF MANDAYS LOST	PRODUCTION LOST (IN TONNES)	WAGES LOST (Rs. IN LAKH)
1992-93	28	7998	93125	203086	4.21
1993-94	15	3217	32735	78278	2.78
1994-95	25	6977	78875	168875	3.91
1995-96	14	4123	41324	101325	3.25
1996-97	23	9718	63325	117121	3.17
1997-98	13	323	845	4997	3.01
1998-99	07	217	698	3978	2.79
1999-00	04	212	595	3290	2.26
2000-01	00	00	00	00	00
2001-02	00	00	00	00	00

SOURCE: OFFICE OF ECL, SACTORIA AND ANNUAL REPORT ECL

It is very well understood that industrial disputes act as a roadblock in the smooth functioning of coal mines. Industrial disputes result from four main categories like economic causes, management practices, trade union practices and legal and political factors. Among the economic causes, the most important are wages and allowance, bonus, retrenchment, indiscipline and violence. Activities in collieries are greatly hampered due to violent activities of anti-socials. Law and order situation has deteriorated in collieries which led to the closure of work by the employees. The management has not taken appropriate action to rectify the law and order problem.

It reveals from table-3 that the gherao by workers, go-slow, agitation, inter-union rivalry, hunger strike, demonstration, gate meeting, confinement and dharna are decreasing constantly during under study period. All these forms of industrial disputes / conflicts are the reflection / manifestation of group / concerted action of the workers of the West Bengal collieries for redressal of their grievances. Most of these are due to closure of mines, serious injury, wage board recommendation, land oustees and welfare measures.

Gherao by workers was the most during the period 1992-93, 1993-94, 1994-95, 1995-96 and 1996-97. From 1997-98, there is a sharp decrease, less workers are going for gherao.

Assault on executives was maximum during the period 1992-93, 1993-94 and 1994-95 but it steadily declined and became negligible in the period 2001-02.

Assault on workers was maximum during 1992-93, but it also steadily declined and became zero in the period 2001-02.

Go-slow was maximum in the years 1992-93 and 1993-94, but it constantly declined and became zero in the period 2001-02.

Inter-union rivalry was not a major factor, but it steadily decreasing in the years and became negligible.

Hunger strikes were the maximum during the year 1992-93 but decreased considerably over the years.

Demonstration, gate meetings, confinements, dharna and agitation were the maximum during 1992-93 and 1993-94 but it declined considerably over the years.

ITEMS	1992-93	1993-94	1994-95	1995-96	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02
(1) GHERAO BY WORKERS	80	75	72	68	53	45	39	30	16	01
(2) ASSAULT ON EXECUTIVES	25	19	17	15	16	12	09	05	06	03
(3) ASSAULT ON WORKERS	10	09	07	07	08	06	05	02	00	00
(4) GO-SLOW	24	25	17	16	14	12	05	01	02	00
(5) INTER-UNION RIVALRY	05	07	04	03	05	02	03	01	00	00
(6) UNDER STRIKE	45	39	33	29	24	18	15	12	08	03
(7) DEMONSTRATION	72	66	54	46	36	29	23	21	17	19
(8) GATE MEETING	32	29	22	19	15	18	16	14	01	01
(9) CONFINEMENT	21	17	12	06	05	08	05	04	01	01
(10) AGITATION	27	23	19	16	12	15	07	03	05	00
(11) DHARNA	45	37	34	30	29	30	22	16	08	03
TOTAL	386	346	291	255	217	195	149	109	64	31

SOURCE: OFFICE OF ECL, SACTORIA AND ANNUAL REPORT ECL

**LAW AND ORDER DURING 1992-93 to 2001-02 in the WEST BENGAL
COLLIERIES**

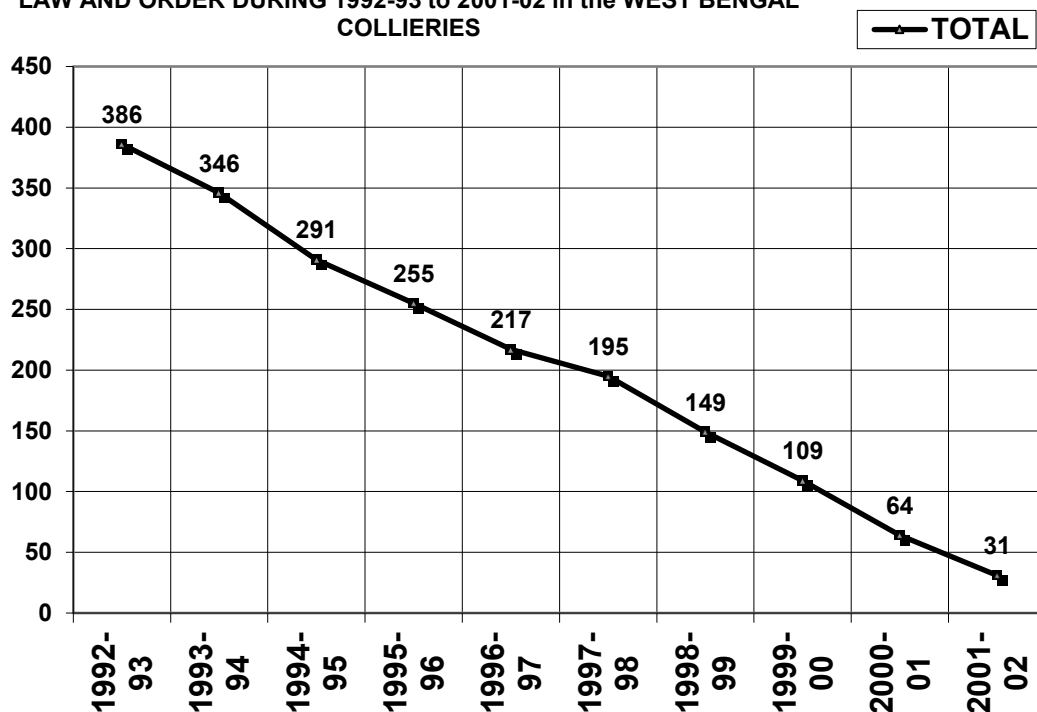


TABLE 4: TREND ANALYSIS OF DISPUTES

YEAR	Y_t	t	$\log Y_t$	$\log_{yt.t}$	t^2	$\log e^{yt}$	Anti $\log e^{yt}$
1992-93	386	-9	2.5866	-23.2794	81	2.2423	174.703
1993-94	346	-7	2.5391	-17.7737	49	2.1341	136.176
1994-95	291	-5	2.4639	-12.3195	25	2.0258	106.121
1995-96	255	-3	2.4065	-7.2195	9	1.9175	82.699
1996-97	217	-1	2.3365	-2.3365	1	1.8092	64.447
1997-98	195	1	2.2900	2.2900	1	1.7009	50.223
1998-99	149	3	2.1732	6.5196	9	1.5927	39.147
1999-00	109	5	2.0374	10.1870	25	1.4844	30.507
2000-01	64	7	1.8062	12.6434	49	1.3761	23.774
2001-02	31	9	1.4914	13.4226	81	1.2678	18.527
			22.1308	-17.8660	330		

Here N = 10

Putting $\log e^{yt} = a + bt$, we have

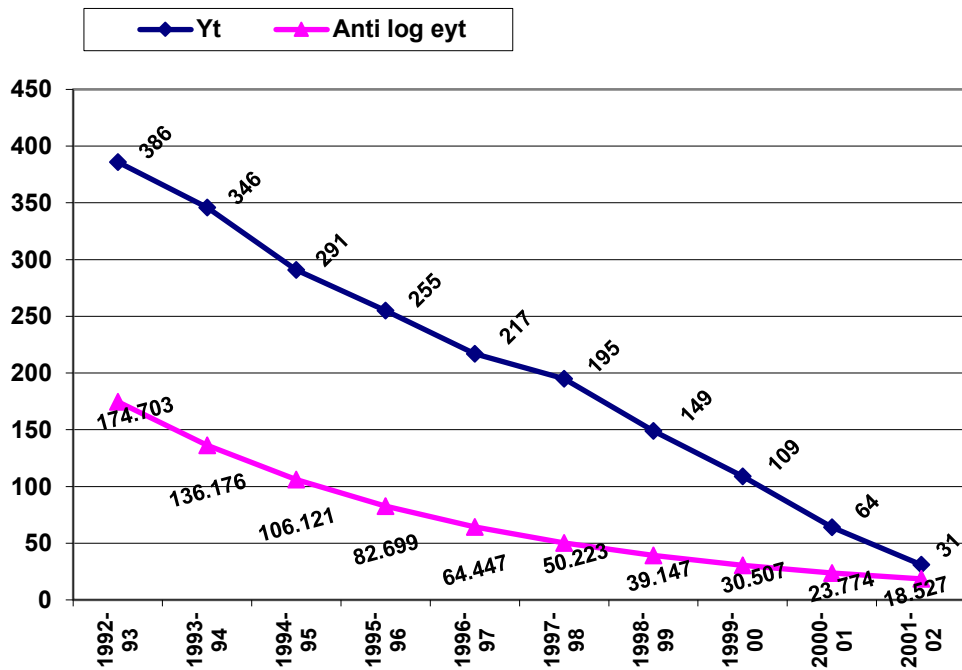
$$a = \log a = \frac{\sum \log y_t}{N} = \frac{22.1308}{10} = 2.21308$$

$$b = \log b = \frac{\sum \log y_t \cdot t}{t^2} = \frac{-17.8660}{330} = -0.0541$$

From the trend equation $\log e^{yt} = a + bt = 2.21308 - 0.0541 \cdot t$
 (57.409) (-8.068)

Here $R^2 = 0.89055^*$ (65.091)

Here percentage rate of growth = \downarrow F value = -05.4139% \downarrow t value



Using trend analysis by fitting exponential trend, it is observed that number of industrial disputes decline significantly at 1% level. The overall estimation of the trend equation in this case is also statistically significant as evident from the value of $R^2 (0.89055)^*$.

Conclusion

Establishment of sound IRs largely depends on how the disputes are settled whether through joint negotiations / conciliation machinery or through compulsory adjudication.

Congenial and conducive IRs climate exist in an organisation if the workers feel satisfied, happy and contented and this is possible when workers grievances / issues are expeditions settled through joint discussion / negotiations. It is therefore felt pertinent to examine the settlement machineries used for settling workers' grievances / issues in West Bengal collieries.

References

1. Dr. Ghosh, A.K, Human Resources Management Text & Cases, Manas Publication, New Delhi.
2. Mamoria, Mamoria&Gankar, Dynamics of Industrial Relations, Himalaya Publication House, New Delhi.
3. Annual Reports of Coal India Limited.
4. Annual Reports of Eastern Coalfield Limited.
5. Agrawal.D, Industrial Relations and Collective Bargaining, Deep and Deep Publications, New Belhi, 1982.
6. Tandon.B.K, Collective Bargaining and the Indian scene, Sultan Chand & Sons, New Delhi, 1972.
7. Beestey.M, Industrial Relations in a Changing World, Croom Helm, London,1975
8. Agrawal.S.L, Labour Relations Law in India, Macmillan, New Delhi, 1980.
9. Dessler. Crary, Human Resource Management, Printice-Hall, New Delhi, 1998.
10. Monappa. Arun, Industrial Relations, Tata Mcgraw-Hill, New Delhi, 2004