

A Tale of India's Socio-Economic Transformation

Progress amid Paradox



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**A TALE OF INDIA'S SOCIO-ECONOMIC
TRANSFORMATION:
Progress amid Paradox**

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Contents

| | |
|--|---------|
| <i>Acknowledgement</i> | v-vi |
| <i>Preface</i> | vii-vii |
| 1. Public Expenditure on Housing in India <i>Dr. Jyotsna</i> | 1 |
| 2. Eco-Sanitation and the Future of Sanitation Work in India <i>G. Ponni, A.B. Sagar</i> | 10 |
| 3. From Tradition to Transformation: India's Gen Z Climate Activism in Socio-Economic Context <i>Dr. Anjali Ramaria</i> | 22 |
| 4. An Economic Analysis of Social Safety Nets in Mitigating the Feminization of Poverty with Special Reference to Coimbatore District of Tamil Nadu <i>Dr. B. Maheswari</i> | 35 |
| 5. The Management and Workers' Role in Resolving Industrial Disputes in India <i>Dr. R. Rajesh Kanna, Ms. A. Aswini & R. Nageswari</i> | 47 ✓ |
| 6. The Problems of Gig Economy in India: A Critical Analysis <i>Chandan Kumar Dwivedi</i> | 59 |
| 7. Education for Viksit Bharat@2047: Vision, Strategy, and Transformation <i>Dr. Puneet Kumar Srivastava</i> | 69 |
| 8. Authoritarian Beliefs and Support for Transgender Rights in Indian Society <i>Dr. Santosh Kumar Singh</i> | 77 |
| 9. Modern Agriculture: Pathways to Economic Growth and Farmer Empowerment <i>Dr. Yogesh Kumar</i> | 84 |
| 10. India's Industrial Sector: Present and Future <i>Mr. Piyush Singh</i> | 94 |

Chapter-5

The Management and Workers' Role in Resolving Industrial Disputes in India

Dr. R. Rajesh Kanna¹, Ms. A. Aswini² & R. Nageswari³

ABSTRACT

It is concerned with the relationships between management and workers and the role of regulatory mechanism in resolving any industrial dispute. The relation between workers and management have undergone Himalayan changes in our country there had been a system of king and his subjects, all should work to improve the coffers of the king. Later Zamindaris came and workers were at their mercy – some time bonded also, later with the formation of East India company and British Rule a heart less Hire and fire system was established Industrial workers were no man's child neither the employers nor government cared for them, there were no union also. Gradually enlightened leaders came in like, Gokale, MK Gandhi Roy, Tilak etc. felt the need for workers union. Their relentless efforts forced both governments and the employers to think of workers lot small unions were formed, government enacted rules like Trade union Act 1926. Industrial disputes Act etc. The workers began to realize their status and they were awakened. A sort of up righting workers and reluctant management has started functioning. Soon workers motivated by different Industrial Acts enacted by parliament supporting them, and looking after their health, welfare, safety, social security etc. Got emboldened to raise their voice. At the same time management also has started improving, more and more industries were nationalized, public sector came in to existence at number of places, textile insurance, banks transport etc. With increasing number of public sectors, workers life style changed, assured job arrogated unions, appeasing management, administration with less account ability – workers had their field day. Public sectors started doing more of social service than business and profit doling out public exchequer. Slowly this trend is changing with

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the government's reversal policy, decentralization Privatization etc. Compelled by universal need to compete in business, activated by world Trade organization, global economy etc, government turned towards foreign investments and industrial set ups by foreign investors. Stringency of some of the laws are disappearing monopolies Restrictive Trade Practice, I.T.R.A etc. consequently issues like productivity linking productivity with emoluments are also coming into fore front. With new companies coming in, formation of merry unions have come to a standstill, no union worth the name is there in I.T sector in our Tidal Park, Chip's World etc. Job security is diminishing, legislations, are not coming as before because we have to live in a competitive world, of industries where downsizing out sourcing productivity etc. has become the watch word.

1.1 Introduction

Managing Industrial Relations changes. There are phenomenal changes in industrial relations field in India why globally also the same thing. To improve the working conditions in industries and also to safeguard the interest of the workers and to put a check on amassment of wealth by industrialists, in early fifties Nationalization of industries galore started. This has resulted in public sector undertakings, with improved industrial relations. With increasing education level of workers, growing industries, foreign companies coming in, etc. requires our scrutiny of relations with industrial workers. There should be a shift in the maintenance of industrial relations in the light of above changes.

Now after half a century the myth of socialistic pattern public sector mode is having a shift to privatization which has become a global necessity also. Need for cordial relation became necessary.

- To have workers whole hearted co-operation in our modernization endeavors
- More transparency is required everywhere and this helps in better collective bargaining
- This will not only facilitate enhancement in production but also improve productivity
- The net outcome of increasing efficiency and profit will go to industrialists as well as to workers.

Industrial relations (IR) changes and productivity objectives are intrinsically linked. Effective industrial relations, characterized by harmonious relationships between management and employees, are crucial for achieving productivity goals. Conversely, a focus on

productivity can drive changes in industrial relations practices to foster a more efficient and collaborative work environment.

1.2 Objectives

1. To resolving industrial disputes in India, involving both management and workers.
2. To maintain industrial peace, protect workers' rights, and promote fair practices
3. To promote measures for securing good relations between employers and employees
4. To enforce labour and industrial laws in a simplified manner.

13 P.M and H.R.M – Industrial Relations

Companies have started to improve their personal management, instead of personal management, concept of human relations management has taken over this aspect. This has created new ways to improve relation. This enables to consider work force as a part of management and proper motivation and career planning etc. are attended to properly. By developing team spirit 'give and take' policy is pumped in, the memorandum of understanding M.B.O approach which fixes the thing at proper perspective is gaining momentum by improving relations The above approach and flattened hierarchical set up, improves the communication and no room is given for suspicion misunderstanding. Since there is 'spelt out' career growth this helps to improve efficiency of workers for mutual benefit. H.R.M is giving more scope for proper union activities resulting in better negotiations and meaningful settlements. The participative forums envisaged right from 1947 through Factories Act etc. is gaining momentum improving Industrial Relations.

H.R.M replacing personal management has made lot of changes in personal relationships and personal handling the Industrial Relations changes are visible as follows. The rules regulations etc. are now days so tailored to suit the workers they are seen with a humanitarian approach. The old pattern, I don't know what you will do is changed, a co-operative attitude is taken now, this has resulted in a jump in Industrial Relations. The laid out procedures are contracted as per need of the hour. The focus is to get the things done not to stick to reties and get stuck up. The superintendence pattern is shifted and a guidance pattern is adopted by managers hence workers feel homely and as a team.

The managers facilitate the works under the transformed leadership, not the old transfixed position. Team work is facilitated 'Go and do it' is changed into 'let us go and do it' Industrial workers are industrial assets has become the motto of Tata iron and steel company's motto is Tata assets a feeling of oneness this has resulted in owning of the industry. This motto has paved way for its phenomenal growth and diversification more or less it is coming towards Japanese style. Higher thrust is given for the development of workers, skill improvement, management development career growth planning etc has improved the industrial relations.

Industrial Relations Changes has brought lot of changes in. Management, entrepreneurs, employees because of necessity and compelling circumstances. In the trade unions. In the workers themselves. Attitude of the government and politician's .Judiciary also this can be discussed follows as Management has changed Human Relations Management policies know what you will do is changed, a co-operative attitude is taken now, and this has resulted in a jump in Industrial Relations.

Employers have formed their effective associations to tackle not only their workers but also to compete. Linkage with international business organizations, participation in world trade suggesting requisite changes in commercial laws etc. has become the order of the day. Linkage with international labour organization they can, up to date, the information to see their suggestions and improve workers conditions. ASSO CHAM chamber of commerce etc. have emerged as confederation of Indian Industries.

Status of Trade unions

After independence of our country more and more industries were coming, trade unions were becoming stronger.

In private sectors trade unions were masters they could to strong arms tactics at the same time some industrialists could suffocate the unions with their gangs. Things were extreme union leaders were in the pocket of industrialists. When nationalization of industries started, more public sectors came in to being public sector bureaucrats cannot purchase or give pressure on union leaders like private management hence they have to take other steps to keep the relations better. Hence industrial relations had to be attended to keep industries running smoothly. With Nationalization spree trade unions affiliated themselves to political parties more vigorously, rather unions became a pawn in the hands of

politician. Real union leaders lost their faces. Masked politicians became the string pullers in industrial affairs

1.4 Change and Workers

1. Workers have started making hay while the sun shines. They joined unions which are powerful, not unions which are principled.
2. Might is right those who can get us more will be our leader, theirs is our union.

Interests of management, justifiable demands etc. gone with the winds the net result employers dilemma and lack of their enthusiasm. This was a stage at which the most union minded comradely states Kerala and west Bengal became almost devoid of industries worth the name in Bengali language for going to office wages, and to work O.T was a saying.

Gamut of industrial social security Acts came into being only keeping in mind the interest of industrial workers without any thought about the industry or the employers. Attitude of government and politician. Politicians were jubilant while there was nationalization since they can hold the reins The profit loss of P.S.U were linked with government money, which is unlimited, as such politician and government machineries were comfortable industrial relations got a boom. Back bone less management was seen in most of the industries, workers' wages enhanced, without increasing their responsibility or accountably. Almost after half a century after independence when the euphoria of independence waned – there was a sudden stop on nationalization, reversal started. More privatization disinvestments started, this has created strain or industrial relations. Amalgamation, merger, takeover, N.R.I. Companies, Foreign Companies invasion, started with full speed, workers baffled, unions got submerged, global competition necessity was felt by one all as such industrial relations was at balance. The new pattern of employment in information Technology, computer world- the word workers disappeared hence unions become out of questions.

If persons are posted as supervisors and managers straight away – they are not coming under workmen Act. The new employment set up of the country has money and comfort as such the relations of employer's employee is cordial. Industries which were having workers saw the competitive world and both employer employee appreciated the necessity for good relations to compete with others. This has become a golden relations period.

1.5 Change in Judiciary

1. Judicial Activism was pronounced, judges were free to decide for the country's welfare. A slight shift was perceptible in some place where employer's action was justified.
2. Through there were frequent brushings between judiciary and parliament, by and large development of the nation got a boom. Industrial relations and productivity,

Industrial relations are that part of management which is concerned with the man power of the enterprise whether ordinary, skilled workers or manager Betrel smith. Good industrial relations provides congenial atmosphere where workers can think of their job management thinks of their welfare and goal of the company the workers also are concentrating to achieve the goal of company. Welfare of the company where both manager and worker works becomes foremost there by all derive their benefit. Motivated workers moral become high the team spirit participative management profit sharing scheme etc. leaves the worker satisfied. A Satisfied workers is a most productive worker. Thus good I.R achieves better productivity increasing production is one thing, but increasing productivity is another thing. The achievement of greater productivity can be had by good industrial relations only.

1. Productivity can be of manpower, finance, marketing and workers' productivity man power productivity can be had by efficient development of work force, right man, the right place at the right time, for right type of job.
2. A deployment which equates full load to a perfect worker his optimum capacity is brought out. He can bring out his optimum only when he is fully satisfied his psychology is in good condition. Improvement of industrial psychology is done by good relations only.

Finance productivity is deployment of finance for just and best output. The receipt of finance at low interest and pay out should fetch high interest payment to workers also. If payment to workers are just and incentive oriented, stimulating, competitive, workers interest is aroused – results in higher production and more return on the money invested as finance, Hence this besides creating mutual confidence develops a team spirit and better relations.

Marketing productivity, for the efforts taken expenditure incurred by marketing department if sales are high it may be called a productive

marketing philosophy more marketing can be achieved if cost of production is less. Cost of production will be low if workers are a satisfied lot, if wastage is avoided, if best quality is produced, if disciplined production takes place within stipulated time at the stipulated cost and quality. This is easily achieved if morale of work force is high if they are motivated.

Workers productivity with increased sense of responsibility which comes of best team and cooperative spirit, we will produce, shows togetherness, best relation between employer and employee. Besides satisfied employment results in less absenteeism and reduced turnover absence of both automatically increase production and productivity. Strained industrial relations leads to industrial disputes which is a production loss to both employers and employee.

A comparative industrial dispute man days lost figure

| Year | No. of dispute | No. of worker involved (000) | No. of Mandays lost (000) |
|------|----------------|------------------------------|---------------------------|
| 1951 | 1071 | 691 | 3819 |
| 1961 | 1357 | 513 | 4919 |
| 1971 | 2752 | 1615 | 16546 |
| 1975 | 1943 | 1144 | 21901 |
| 1980 | 2856 | 1900 | 21900 |
| 1991 | 1810 | 1342 | 26428 |

Source: Annual report, ministry of labour Government of India hand book Labour Statistics

Productivity implies development of an attitude of mind and a constant urge to find better, cheaper, quicker easier and safe ways of doing a job manufacturing an article and providing a service – V.K.R. Menon.

Normally productivity is ratio of output / Input as per international labour organization. The ratio between output and one of the factors of input (men, material, money, talent etc.) is generally known as productivity of the factor concerned so far we explained this greatest output with smallest input productivity is to be calculated from the quantity of produce vis-a-vis the resources utilized (make best out of the things available) for that production. Productivity is necessary for all type of enterprises government quasi government or private sector etc. Introduction

Not mere production will elevate us we are to compete with the world, hence effective production improvement and productivity alone can raise our national productivity level should be hoisted up, economic

growth will be stable only with rising productivity and industrial goal is center around good industrial relations when productivity goes up economic growth shoots up, the industrial climate remains cordial and congenial to production development activities economic use of raw materials avoiding wastages giving optimum thrust by industrial workers reduces the cost of production the benefit of which goes to customers and society at large with more sales and profit automatically the workers' wages and benefits becomes better developing countries like us should give more thrust on productivity and attempts are made to link bonus with productivity a 'golden rule' if it comes to adoption legally. In a way increase in productivity expenditure on sees that Industrial Relations is stable input is reduced capital investment also may be reduced hence general economy improves with heightened productivity we see.

- Industrial workers touch their peak of efficiency
- Wasteful expenditure, wastages are systematically reduced.
- Total cost is reduced
- Automatically the quality improves by fine tuning by dedicated, motivated workers.

Workers emoluments are increasing and get share in the increasing profits. Industrial environment becomes healthy for expansion diversification and more employment industrial relations and productivity are influenced by the competitive market and dynamics of change necessities required. Globally has pushed us to resort to automation introduction of new and modern technology, mechanization, computerization etc. all those are aimed to improve not only. Production, but productivity also which can be achieved only by improved relation with workers.

Up gradation of employees by proper training development programmes etc. only will bring them at par to match with technology change etc. as envisaged earlier simultaneously, they are to be motivated there should be morale boosting which will improve the relations and go to improve productivity.

A capable H.R.M management should be there to cope up with the aspirations of new set of workers under new technology the managers should be talented to deal and convert the workers in to a useful team to achieve common goal.

From its side, the government rules, regulations sops, etc. should be compatible with the industrial needs. They should aid the improvement in productivity, such as pressure for a bonus which is productivity linked etc. putting more Responsibility on workers in industrial production. This will improve employer's relations which is also a part of industrial relations

1.6 Following Actions of Management may Affect Labour Relations

- Unbalanced management of men material by supervising managers here workers may be displeased and lower their efficiency.
- Untrained low caliber management, cannot cope with modernization resulting in fall out and cannot contribute to improve productivity or industrial relations.
- Failure to make scientific management to evolve systems and boost productivity.
- In competency at all three levels of management to bolster production or productivity.

1.7 The Productivity can be Increased along with Better Industrial Relations and Allied Activities Like

- Adoption of supply chain management to get best raw materials where maximum utilization becomes possible.
- Giving better environment to workers and improved working conditions environment should remove boredom or monotony and create zeal and dynamism.
- Updated machines with full scale mechanization will reduce cost of production.
- The work force should be correctly selected properly trained and fully loaded. This should be followed by training for updating.
- Proper rewards, either monetary or non-monetary should be arranged, incentive plans mutually agreeable should be framed and adhered to for moral boosting.
- Grievance Procedures should be implemented to 'nip the grievance in the bud' stage to avoid conflict, dispute etc.

India's Socio-Economic Transformation: Progress amid Paradox

Percentage distribution of disputes by causes (nearest round number Approximate figures)

| Causes | 1963 | 1973 | 1983 | 1991 | 1992 |
|-----------------------------|------|------|------|------|------|
| Salary wages and allowances | 28% | 34 | 29 | 25 | 24 |
| Bonus | 10% | 10 | 6 | 4 | 4 |
| Retrenchment | 26% | 24 | 22 | 18 | 15 |
| Leave and hour of work | 4% | 2 | 2 | 1 | 1 |
| Indiscipline and dividend | - | 6 | 14 | 18 | 21 |
| Other Causes | 32 | 24 | 27 | 34 | 35 |

Source – Pocket Book of Labour statistic labour Bureau ministry of labour.

Quality circles should be formed along with workers to take care of quality products wastage avoidance etc., which will improve productivity, but above two quality control and wastage control, can be there if relations are good thus interlinking has become a perpetual need. With the new industrial Scenario we have to change our personal management mode to the new H.R.M mode, more flexible worker oriented, enlightened etc. Productivity will automatically increase when the workers are satisfied. These in turn reduces industrial conflicts. Productivity and production are different. A satisfied worker is more productive with increase in productivity both management and workers can have better conditions and cooperation. In turn better and less costly by products reaches the society.

1.8 Future of Industrial Relations in India

The future of industrial relation in India can be reviewed from reports of the commissions constituted by the government for this purpose. From these certain issues are emerging which are posing challenges to the three actors in the system. The first is the issue of strengthening collective bargaining by trying to determine a sole bargaining agent for negotiations. The state of Maharashtra has already passed a law for the creation of a sole bargaining agency in every unit and industry. Collective bargaining is advocated where the parties involves have a fuller understanding. This will help to arrive at a speedier settlement of dispute, between themselves. The second issue relates to the gaps that are occurring as a result of the various that occur in central and state legislations as far as labour matters are concerned.

1.9 Evaluation and Suggestions

The foregoing discussion has shown that since independence, labour administration in India has expanded tremendously. The overall

economic growth of the country has resulted in expansion of industries, spurt in trade unionism, increase in the labour force and so forth. These developments created a need for an improved organizational structure of labour administration machineries. As such, under the guidance of constitutional provisions and economic planning, labour administration in India was expanded and revamped. However, certain deficiencies in the system, as also difficulties in operation, have been experienced during the course of its working.

1.10 Conculation

In India, labour fall under the concerned. In India, labour fall under the concurrent list though NCL has made a recommendation for forming a common labour code which is yet to be adopted. Adoption of this recommendation will go a long way in solving some of the problems that India's legislation process is facing. Another issue is that of workers participation in management. India has already experienced the working of many forms of workers-participation schemes but none of them seems to have made any headway. The reasons for the failure of these schemes need to be probed into. The three actors in the system need to take into account the effect of their actions on the consumers and society in general, owing to the growing inter-linkages between industry and its environment. They have to evaluate and decide on the appropriate alternatives in terms of the strategy they are going to adopt in managing the personnel and industrial relations functions. The environment is fast changing and the pressures from various groups involves are starting to get more vocal and intense. The strategy chosen for the attainment of the goals will have to depend on the objectives, values structures available and the environment in which they have to operate.

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