

GENESIS AND GROWTH OF TRADE UNION ACT IN INDIA

Abhinaya Mohan

Research Scholar

UGC Center of South and Southeast Asian Studies
University of Madras, Chennai , Tamilnadu , India

Abstract: *In every economy where there is inhuman treatment against labourers there are unions formed for the support of the labourers. Trade union is usually an association or group of workers joined together for the protection of the employees pertaining to issues regarding wages, condition of employment and other benefits at the time of unemployment, sickness ,old age. The trade union movement has now become more or less an integral part of the economic scene in India. There is hardly any industry worth the name which does not have a representative organisation of workers. Government employees as well as those employed by autonomous bodies have formed trade unions. These organisations seek better service conditions for their members in their respective fields. Today, workmen employed in various industries enjoy a lot of such benefits, which about a hundred years ago their brothers could not have even imagined. The trade union of India was historically developed from the trade union movement of India. Trade union movement in our country has a century-long history. The first quarter of the present century saw the birth of the trade union movement, but the seeds of the movement were sown much earlier.*

This article gives a description of the historical background and the growth of the major trade unions in India

In every economy where there is inhuman treatment against labourers there are unions formed for the support of the labourers. Trade union is usually an association or group of workers joined together for the protection of the employees pertaining to issues regarding wages, condition of employment and other benefits at the time of unemployment, sickness ,old age. The basic task for the unions is recruitment of members, improve economic status of the member. In countries like India trade unions are basically dominated by loose complex structure and there are political interference.

History of Trade unions

There was rapid industrialization in countries such as India and this led to social evils like child labour and exploitation. There was no organized employment and the workers were at the mercy of the employers. Due to the unbearable conditions of the workers there was a strike that took place in 1877 by the workers of the Empress mills, Nagpur and a worker meeting was held in 1884 under the leadership of N.M.Lokhande and a memorandum was also passed which had no effect on the condition of the workers. As a result another mass meeting was held and the workers demanded the following:

- One weekly off day
- Half hour rest at the noon
- Reduction in working hours
- Payment of wages not later than 15th of the month
- Compensation to injuries occurring during work

These conditions were accepted by the mill and the in 1890 N.M.Lokhande found the Bombay hand mill association which was the first association of Indian worker.

Some of the other unions formed were:

- The printers union of Calcutta,1905
- The Bombay postal union at Calcutta and Madras,1907
- The social service league,1910

The first union that was registered was the India was the Madras Textile Labour union that was formed in 1918 by B.P.Wadia . This was when there This was when there was setting up of textile and clothing mills around few of the port cities like Bombay(Mumbai),Calcutta(Kolkata),Madras(Chennai) and Surat which led to the beginning of industrial workforce in India. This led to the formation of 14 more trade unions.¹

The first conference of ILO was held in 1919 without taking into account the present trade unions and as a result of this all the existing trade unions met in Bombay and established the AITUC(all India trade union congress) on 1920 and this move got the support of a number of leaders.

The ILO brought in a new resolution stating that all labourers must be given freedom to form a union. After the First World War and rapid industrialization there was increased strikes about more than 1,000 between 1920-1924. These strikes led to arrest of prominent leaders for creating a stir among the Labourers against the British and attempting for a communist movement.

The trade union act came to effect from 1926 which was passed to create rule and regulations in monitoring all the Trade unions.²

Labour movement vs. Trade unions

Labour movement varies from the movement of trade unions and this can be said as labour movements are for the employees whereas trade union are for the employees. Labour movements were started much earlier than the trade unions and were started with a motto to improve conditions of workers through the government and other social reforms whereas trade unions were started with a motive of improving conditions of the workers by the workers themselves.

Formation of Trade unions

Apart from AITUC which was the central Trade union there were several other unions passed as a result of trade unions act.

In 1931 as a result of a rift between leaders in the AITUC, the union split and a new union formed AITUF (All India trade union federation) was formed. The AITUC yet again had a split due to fundamental differences and as a result a new union called the RTUC (Red trade union congress) was started by communists B.T. Ranadive and S.V. Deshpande. There was rise in central trade union and this led to rise in other important organizations like All India Railway Federation (AIRF) and Textile Labour Association (TLA).

In 1933 the railway and AITUF amalgamated to form a new union called NTUF (National Trade union federation). In 1935 after fall in the conditions of the workers in Bombay where workers were thrown out of employment the RTUC amalgamated with the AITUF and was recognized as the central organization.

There was another rift that took place between the leaders of the AITUC in 1941 on the question of supporting the government on the war during the second world war and radicals left to form a new union called the Indian Federation Labour (INF).

Post independence the conditions of the workers again became a fact of doubt and a series of strike took place across the country. There was interference of political party in the unions who eventually kept control of these unions and in 1948 socialist broke from the congress and a new political party called Praja Socialist party was formed.

Trade union leaders working in the INTUC were supporters of the Praja Socialist party and there was a new trade union called Hindustan Mazdoor Panchayat (HMP). This HMP merged with the Indian Federation of labour and together the Hindustan Mazdoor Sabha was formed in 1948.³

In 1949 the radicals and lefties group did not agree with the principal of AITUC and HMS and formed another organization called the United Trade Union Congress (UTUC).

In 1959, few union led by HMS formed the Hindu Mazdoor Panchayat (HMP), an organization of Samyukta socialist party. In 1962 a new organization called confederation of free trade union (CFTU) was formed. There was another rift in 1970 in AITUC that led to formation of CPM and CPI. The CPI held the AITUC and CPM formed a new organization called Center of Indian Trade Union (CITU).

In 1972 there was a split in national congress that led to a split in the INTUC, where the ruling congress held the INTUC and the new congress formed a new union National Labour organization (NLO).

In 1972, there was a National Council of central Trade union (NCCTU) formed with representatives from AITUC, INTUC and HMS thus isolating CITU which soon formed a rival union called Union Council of Trade Union (UCTU).

There are 12 recognized central trade unions by the Ministry of labour. All these trade unions are linked with political parties. The names and parties that the trade unions are affiliated is given in the table below:

Name of Trade union	Political Affiliation
Bharatiya Mazdoor Sangh (BMS)	Bharatiya Janata Party
Indian National Trade Union Congress (INTUC)	India National Congress
All India Trade Union congress (AITUC)	Communist party of India
	Non Independent socialist organization
Center Of Indian trade union (CITU)	Communist party (Marxist)
United trade Union congress (Lenin Sarani) (UTUC (LS))	Socialist unity center of Indian political party
United Trade Union Congress (UTUC)	Revolutionary socialist political party

Trade union co-ordination center(TUCC)	All India Forward bloc political party
Self employed women's association (SEWA)	Non Independent
Labour Progressive Front(LPF)	Dravida Munnetra Kazhagam political party
All India center council of trade unions(ICCTU)	Communist party of India(Marxist Leninist)Liberation group
Indian national Trimool trade union congress(INTTUC)	All India Trimool Congress political party

Source : compiled from <http://www.yourarticlelibrary.com/trade-unions/6-major-central-trade-unions-of-india-trade-unions/26113>

Present Trade unions

Trade union movement in India became a political movement over the period of time. These unions have gained remarkable status in the labour movement and they are consulted for any labour matters. Unions have also begun to participate in formulating policies and ideologies of the state and at national levels. At present there are a number of central unions namely:

1. INTUC(Indian national trade union congress)
2. AITUC(All India Trade union Congress)
3. BMS(Bharatiya mazdoor sabha)
4. HMS(Hindu mazdoor sabha)
5. UTUC(United Trade union congress)
6. CITU(Center of Indian trade union)

1. INTUC (Indian National Trade Union Congress)

It was formed in 1974 by the congress party under top leaders like Jawaharlal Nehru and Patel in association with. The main objective was to settle the labour disputes arising therewith peacefully. This union became the representative union in 1948 and represented the Indian labour organization in the ILO meets up to 1978. This union has strong roots in West Bengal, Gujarat, Maharashtra and Bihar. There are large number of members from textile, tea, jute and mining industries.

2. AITUC(All India Trade Union Congress)

This was the first trade union that came into existence in the year 1920 and serves the labourers forum of communist party of India. It is the second largest union and has strong roots in Tamilnadu, Kerala, Andhra Pradesh and Punjab.

3. BMS(Bharatiya Mazdoor Sabha)

This was an affiliated union formed as an affiliation to the Bharatiya Jan Sangh Party. There is a membership rise in this particular union in the recent time.

4. HMS (Hindu Mazdoor Sabha)

This union was formed in 1981 in Calcutta who were against INTUC and AITUC. The main aim of this union was not allow political interference and it has members from railway, coal mining, post and telegraph department. The Praja Socialist party and samyuktha socialist party dominates this union and as a result these parties became constituent of the Janata party.

5. UTUC(United Trade Union Congress)

1949 this union was formed as a rival to the NCCTU by the CITU. It functions mainly in Kerala, Bihar, West Bengal and Tamilnadu. It has political affiliations with the Left wings.

6. CITU (Center of Indian Trade Union)

It was formed in 1970. It has lot affiliation unions.

There are few changes that came as a result of these trade unions:

- Political leaders now show more emphasis to labour leadership by giving more attention for the improvement of the union.
- The national federation arranges for the training of workers.
- Trade unions have begun to function as autonomous units than adhering to a political party. ⁴

Trade Union Act, 1926

This act provides for the registration of trade unions and thus defining the laws relating to the same. This act extends to the whole of India. The particular government will appoint persons to be the registrar of the trade union for each state. The appropriate government may appoint additional and deputy registrars as required to fit for the purpose. There are seven or more members of a trade union can subscribe their name to the rules of the trade union and by complying with the terms of registration can apply for registration of the Trade union under this act.

The application of registration of the trade union may be made to the registrar and shall be with the copy of the rules of trade union and a statement comprising of name, address and occupation of the members of the application, name and address of the trade union and its head office and titles, names, ages, address and occupation of the office bearers of the trade union. A trade union which has been in existence for more than one year shall make a statement of its assets and liabilities in such form containing particulars as may be prescribed.

1. The provisions to be contained in the rules of a trade union:
2. The name of the trade union
3. The objective of the trade union
4. The list of members in the trade union need to be maintained
5. The conditions under which member are registered in the trade union
6. The procedure in which members or other office bearers are appointed or dismissed in the trade union
7. The annual audit and account book of the trade union need to be maintained
8. The general funds of the trade union need to be properly and lawfully used
9. The manner in which trade union may be dissolved

The registrar on feeling contented that all the amendments to start trade unions are fulfilled shall register the trade union in the registrar to be maintained. The registrar after registering the trade union may issue a certificate of registration in the prescribed form which will be a evidence for the trade union being registered.

All communication and notices of the trade union shall be addressed to its register office.

Rights and liabilities of registered Trade unions:

1. The objects on which the general fund of the trade union maybe spent are payment of salaries, allowances and expenses to office bearer of the trade union
2. payment of administration of the trade union
3. Compensation to members for any loss arising from the disputes in the trade union.
4. The provision for education, social or religious benefits for members (payment of funeral expenses for deceased members) or for dependents of the members.
5. Any other object notified by the government in the official gazette
6. The registered trade union has the right to maintain general fund and a separate fund for political purposes.

The acts that do not apply to the trade union are

- The societies Registration act, 1860
- The cooperative societies act, 1912
- The companies act, 1956⁵

India has the largest number of trade union but the development of these trade unions has been slow. In spite of slow development, they have impacted the social, economic betterment of workers. One of the basic objectives of trade union is to promote industrial democracy.

Recent Trade union activities:

There is an aggressive engagement in collective bargaining by staging many strikes by trade unions. There has been unrest due to labour reforms that have been introduced by the government in industries such as coal and insurance.

Trade union also is seen to be seeping in the information sector /service sector. The trade union traditionally did not involve in themselves in the service sector by off late in the recent times in the involvement of the trade unions in the service sector has immensely brought into a revolution in the sector. There are proposed various labour laws by the state and central government and that has impacted the workers in a huge way.

In a country like India there is no specific right to strike but if an employee is involved in illegal strike then he may be penalized with imprisonment or fine. Trade unions are also trying to penetrate in the unorganized sector. All the present trade unions have separate programs aimed at listing membership to the informal sector. The political influence though spread across the trade unions help in the development of the trade unions.

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