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## **STRUCTURAL DEVELOPMENT OF LABOUR UNION IN ODISHA**

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**ABSTRACT-**Collective bargaining method is used by the trade unions as a representative organization of workers to eliminate the exigencies of individual workers, individual employer. It bargains with the employer on such matters as wages, allowances, bonus, hours of work, working conditions, welfare facilities etc. individually, a worker is a weak bargainer, the trade union, however, can be strong enough to become their bargaining agent, and negotiate with the employer on their behalf. The process of collective bargaining should be essentially between management and trade union and it should be free from external agency or from government. In India, we have judicially controlled bargaining rather than free bipartite collective bargaining.

**KEY WORD-**

1-Trade Union, Bargaining, Craft, Work force, conspiratorial and organizational structure

**INTRODUCTION-**

An industrial union is organized on the basis of an industry rather than a craft. If the workforce of a cotton textile factory decide to form a union consisting of workers of different crafts, the union will be called an industrial union. A general union is one whose membership cover workers employed in different industries and crafts. In India, trade unions have largely been organized by industry rather than craft. Although industrial unions have grown continuously, craft unions have also emerged here and there. They exist among non-manual workers like administrative staff, professionals technicians, etc.

The Indian Trade Unions Act, 1926 with minor modifications continues to be the main legal instrument for existence, continuance and functioning of trade union industry. The Act has given to Indian trade union movement legal sanctity, social status and organizational coherence hitherto unknown. Legally trade unions could no more be regarded as conspiratorial associations against the established law and order and good government. The code of discipline in Industry 1958 also tried to circumvent the defects of the Act by establishing new norms of human behavior for labour management towards each other to promote industrial democracy and industrial harmony. But the spectrum of public policy as embodied in the Act and in other non-legislative measures with regard to trade unionism continues to be the hallmark of labor policy. During all these developmental years trade unions in India have come to be dominated by state, political parties and other interests.

**THE ORGANIZATIONAL STRUCTURE CONSIST OF THREE LEVELS:**

- 1- Plant or shop
- 2- State
- 3- The centre.

**STRUCTURE OF TRADE UNIONS**

Trade Union can be classified into three categories

- 1- Craft unions
- 2- Industrial unions
- 3- General unions

The pattern of organization of Indian Trade Unions is found to be unsound practice. There is no organic relationship between different parts of the structure. In the whole set-up, the state

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organization holds a key position. As one Indian trade union leader writes ‘it (state committee) is not only the crucial link between the national and local, if it functions effectively, it can become the organization which supplies active leadership in urgent and complicated problems’, guide movements, pool, assimilate and generalize local experience, help in the much needed and equally much neglected task of cadre training, cement and build up the movement on state wide basis.<sup>2</sup> But in fact, the state committees do not justify the onerous task which develop upon their shoulders. Due to lack of funds and lack of experienced trade union leaders, these state committees tend to become, more or less, coordination bodies of independent unions instead of powerful bodies having democratic control. The General Secretary of HMS complained in 1966 that in Andhra Pradesh and Assam, though state conferences took place after a lapse of several years and were very enthusiastically conducted they had not brought noticeable new life to the organization of HMS there. In this respect, Indian National Trade Union Congress (INTUC) due to its better finances and All India Trade Union Congress, (AITUC) due to its professionally devoted cadre of trade union leaders, are in somewhat better position. Nonetheless, they too have their limitations due to the basic organizational shortcomings. The faction which took place in West Bengal state-branch of the INTUC some years back or dissensions which grew some time back in the Panjab State branch of the INTUC, act adversely upon its organizational efficiency. The organization of the state Committees of the AITUC is not better. They too are ineffective and weak. The fact is that the existing pattern of structure of Indian Unions has created organizational problems at all levels. The problem originates from below i.e, the plant unions, which are so small in size that they cannot regularly pay their dues to the state-committees. In most cases, dues are never paid and arrears go on accumulating for years. The state committees are faced with a problematic situation. They either write off the outstanding dues, or disaffiliate the union. Apart from this, the small local union (in some of the places e.g. Bombay, Ahmedabad and Punjab, there are local federations organized on industrial basis, but they are not industrial unions) cannot meet many expenses relating to office establishment, salary to whole time cadres and the cost of fighting cases in conciliation courts and tribunals. Moreover, in the existing set-up due to dearth of union organizers the same functionaries work at the local as well as the state level

### **PATTERN OF STRUCTURE:**

Another aspect of the structure of unions in India relates to their pattern of relationship between national level, regional level, local level and plant level unions.

i. Local level federations : This is the second level in the structure from below.

The local trade union federation hold together the plant level unions at the local level in a particular craft and industry. The local level federation might be affiliated to either some regional level or national level federation discussed below or they may be independent.

ii. Regional level federation ; These are the organizations of all the constituent unions in a particular state or region. In a vast country like India, conditions vary from region to region. The style of living, language, customs, traditions, working conditions etc. are different

### **EMERGENCE OF TRADE UNION IN ODISHA-**

The new province of Orissa was born on 1st April 1936 but the origin of trade union movement in Orissa was older than that of this province. Taking a clue from the Annual report on the working of the Indian Trade Union Act.1926 for the year ending 31st March 1937. It can be safely said that Rice Mill Labour Association, Rambha was in existence as the only union prior to the formation of Orissa. The Rice Mill Labour Association was born in the year 1935 Sujan Bhattacharya was made its first President. This trade union ceased to function in 1938, when the mill was closed

due to financial difficulties. In 1938 late Pyari Shankar Ray, a Congress man organized the press works of Mission Press workers of Mission Press, Sarswata Press, Observer Press, Satyabadi Press, Navbharat Press, Kohinoor Press and Manmohan Press and the Press workers Union, Cuttack was formed on 1st March 1938., Dhuleswar Bastia, Socialist, was another dedicated leader, named as the architect of trade union movement in Orissa who took up the cause of working class at Choudwar,Rajgangapur, Talcher and Rourkela. A younger student of St. Cambridge College, Calcutta. Md. MussaKhan who was brought by NilamaniRoutray to look after the INTUC in Orissa, moved through out the land from this end to that end and observed the pities of the toiling millions in 1949. He concentrated his entire efforts at IB Valley Colliery, Brajarajnar and Jeypore Sugar Company, Rayagada. In the IB Colliery, he convinced the management how trade union is essential for the healthy growth of mines and organized the mining workers with the help of a local political worker Upendra Dixit, who had been elected as MLA from that areas twice subsequently. In the trade union front, the INTUC leader like Rama Chandra Khuntia, Mahesh Prasad Pani, PatitapabanPradhan, Ghanasyam Jena made strenuous efforts to build the mansion of INTUC in the state. President of the state unit of INTUC, Binoy Kumar Mohanty could be able to remain at the helm of INTUC affairs in Orissa till his demise in November 1986. After his death, Kanti Mehta a central leader was taken as the resident of the INTUC of state branch who subsequently handed over the charge to Rama Chandra Khuntia in 1988. However, under the patronage of leaders of the Indian National Congress, INTUC unions registered all round growth since 1980 despite its internal conflicts.

The Hind MazdoorSabha (HMS) unions under the leadership of RajkishoreSamantaray, BiswanathPandit, BhagabatBehera, Krushna Chandra Patra, Rajendra Prasad Singh, SamarendraKundu, BrajakishoreTripathy, James Toppo devoted time and energy for trade union activities and established their position in the trade union front. In the meantime RajkishoreSamantary was elected as the president of Hind MazdoorSabha in the centre and the image of HMS union in the state brightened. Now BrajakishoreTripathy is taking all the initiatives to take hold of major trade unions under HMS.

The leaders of Communist Party of India and of the official bulletin of AITUC “SHRAMIK’ in Oriya, edited by DurgaCharanMohanty, secretary state unit of AITUC, attracted more and more readers. After the sad demise of Mr.DurgaCharanMohanty, DwitiKrushna Panda became the secretary to guide the AITUC state unit.

The lonely BMS leader S. K. Mitra also did not improve the position of his organization in the state. The most successful period of CITU was in between 1980-90. It improved its position astonishingly. The credit for such success goes directly to the CITU leadership of the state more particularly to Ajoy Rout and his dedicated comrades like LambodharNayak, Kalu Panda, Naba Kishore Mohanty.

#### **FACTORS RESPONSIBLE FOR THE GROWTH OF LABOR UNIONS IN ODISHA:**

The predominance of industrial unions can be attributed partly to conditions not favouring the growth of craft and general unions and partly to the environmental support to industrial unions. **The specific reasons are as listed below :**

- i-By passing of merchant craftsmen stage of capitalism:
- ii-Higher wages of skilled workers: In early days of union growth, the skilled workers enjoyed higher rates of remuneration due to their relative scarcity.
- iii-Influence of outsiders
- iv- Industrial centres

Some other trade union organizations claiming all India character and membership are as follows ;

1. Centre of Indian Trade Union (CITU).
2. BharatiyaMazdoorSangh (BMS)
3. United Trade Union Congress Lenin Sarani (UTUC-LS)
4. National Front of Indian Trade Unions (NFITU)
5. Trade Union Coordiantion Centre (TUCC)
6. National Labour Organization (NLO)

#### **SOCIAL RESPONSIBILITIES OF A TRADE UNION :**

Trade unions are a part of society and so they must keep the well-being and progress of the community constantly before them in the midst of their endeavour to help the working class. Unions have a stake in the success of national plans for economic development, since these are formulated and implemented as much for maximizing production as for distributing the benefits of development in an equitable manner. Unions have to adopt themselves to changing social needs, and rise above divisive forces of caste, religion and language. It is only thus that they can progressively become instruments for social and economic development. In this context, some important social responsibilities of trade unions appear to be in the field of

- i. Promotion of national integration;
- ii. Generally influencing the socio-economic policies of the community through active participation in their formulation at various levels, and
- iii. Instilling in their members a sense of responsibility towards industry and the community.

#### **SHORTCOMING OF TRADE UNION IN ODISHA ;**

The Indian trade unionism suffers from a number of weaknesses such as :

- i. Existence of large number of trade unions with small membership.
- ii. Trade unionism is mostly confined to workers in urban areas and in organized industries. Unionism in mining and commerce is also negligible.
- iii. Political rivalry is a marked feature of trade unionism,
- iv. Most of the unions in India are weak in finances.
- v. Outside leadership is a striking feature of Indian trade unionism. Internal leadership has not grown to any satisfactory extent. This is mostly due to lack of education of the workers and fear of victimization of the intending leaders.
- vi. Multiplicity of unions causes weak bargaining power as it erodes workers solidarity. There is no labour legislation providing recognition of representative trade union.
- vii. The method of appointing wage boards and giving them the role of collective bargaining. Collective bargaining, being the essence of trade unionism, its suppression weakened trade unions.

#### **MEASURES TO STRENGTHEN TRADE UNIONS IN ODISHA :**

- i. To avoid violent actions bargaining units should be defined and the area of bargaining be streamlined. Statutes should give protection and recognition to the bargaining unit.
- ii. There should be no distinction between private sector and public sector matters that can be settled by collective bargaining should not be referral to adjudication.
- iii. A code of conduct and discipline should be accepted by all trade unions.

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iv. In the view of multiplicity of trade unions, a united front of trade unions should be formed on certain agreed and common programmes.

v. Encouragement should be given to grow proper leadership amongst the workers. Training on trade union activities should be imparted to the organizers.

vi. On the growth of internal leadership the National Labour Commission offered suggestions such as intensification of workers education (b) penalty for victimization of workers by the employees and establish convention that no union office bear will concurrently hold office in a political party.

### **RELEVENCE OF TRADE UNION IN ODISHA-**

In recent years, the character of trade unionism appears to have undergone much change. Some five decades ago, soon after the country became independent, trade unionism was associated with the central organizations each identified with a political ideology or party and firmly arranged against those from rival parties and ideologies. This kind of trade unionism went with a certain type of leadership, that was drawn from a political party, an identifiable political ideology or social movement. For several years now it has seemed that newer industries with their educated and skilled workers have been moving towards enterprise based unions, as different from the industrial pattern of organization. The linkage between the enterprise union in these newer industries and the central organizations, their ideologies and leadership is one of the unanswered questions. In newer industries like power, the extent of unionism among permanent employees is near total. Independent unaffiliated trade unions which are hardly visible in older industries, jute, cotton, railway, tea make their presence in new industries. Central organizations do have a strong presence in the power industry but among insecure contract labourers. Dues paying membership is quite small in older industries where dozens of central organizations vie for the loyalty of the workers, whereas in modern high technology industry where the number of players is small the density of membership is considerably more. In new industry like power enterprise level, unions encompassing the entire workforce become the dominant form of organization and employees activists and outside trade unionists who avoid being politically labelled become the major providers of leadership. There is a growing tendency to scale down permanent employment by replacing permanent workers with contract, casual or temporary employees. What is worse, this reduction in size of the permanent workforce is often a direct consequence of improved security and benefits, to permanent workers as a result of legal enactments or more effective organization by trade unions. Another aspect to notice is that the support the trade unions receive at the time of agitation cannot be correctly gauged by the extent of their membership. Trade unions have extensive support in the tea plantations, jute mills, coal mines, but can not claim very much by way of dues paying membership.

**CONCLUSION**-Trade unionism in India can be made powerful, vital and successful only when we do away with the local plant pattern, which has now outlined its utility. Today, many problems of workers are common to all in an industry. The policy of the Government is common at least inside each state and the employers are increasingly following agreed policies. Thus all these require coordinated action which becomes easier on the basis of a single powerful industrial union rather than small, multiple plant unions. Not only are there competing claims to workers support, but also there are rival claims to virtually every banner. There are several unions of the INTUC, HMS, each claiming to be the true successor to the mantle in the past the labour movement was only split by ideologies. It is now split in addition by fictional groups within every ideological strain working unabatedly to promote individual leaders and their ambition. The labour movement in most old

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industries is, in fact, wallowing in this more of mindless fragmentation. The existence of a union affects the organization and its management in many ways for the personnel manager, the existence of a union means that all personnel decisions shall be subject to union's checks and controls. Apart from a union's effect on policy making, there are several other areas which are affected by the existence of unions. The mere presence of the union restricts management's freedom of action in many areas. In dealing with labour unions, it is important for the management to recognize that improved union management relations play a vital role in the success of the organization.

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