THE URBAN CASUAL LABOUR MARKET IN KERALA

A Study of the Headload Workers of Trichur

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the requirements for the award of
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I hereby affirm that the research for this dissertation titled "The Urban Casual Labour Market in Kerala: A Study of the Headload Workers of Trichur" being submitted to the Jawaharlal Nehru University for the award of the Degree of Master of Philosophy was carried out entirely by me at the Centre for Development Studies, Trivandrum.

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Certified that this dissertation is the bonafide work of Sri P.S. Vijayasankar and has not been considered for the award of any other degree by any other University. The dissertation may be forwarded for evaluation.

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⁂

C O N T E N T S

		Page
Chapter I	INTRODUCTION	1
Chapter II	THE DEVELOPMENT OF THE TRADE UNION MOVEMENT: ISSUES AND CONTEXT	32
Chapter III	THE CONFRONTATION OF 1980-81: BACKGROUND AND RESULTS ...	72
Chapter IV	THE KERALA HEADLOAD WORKERS ACT, 1980 AND ITS CONSEQUENCES ...	120
Chapter V	CONCLUSIONS	139
Appendices		
References		

CHAPTER I

I N T R O D U C T I O N

Our study of the headload workers in Trichur seeks to explain the development of trade union movement and its consequences on an important segment of the urban informal (or the 'unorganised') sector in Kerala. This statement may sound paradoxical given the fact that lack of unionisation is usually considered an important characteristic of the 'informal sector' in general. The term 'informal sector' was first used by Keith Hart (Hart:1973) in his study of urban Ghana . It became popular after the ILO Employment Mission to Kenya (ILO:1972) accepted it and used it to analyse the employment situation in Kenya. Since then the term has been used in very different contexts with varying meanings. The importance of the concept of informal sector is definitely not associated with its analytical adequacy and rigour. As Jan Breman remarks : "It is noticeable that the reports which are based on factual research are often particularly critical of the conceptualisation..... the concept is analytically inadequate" (Breman:1976, p.1871).

The analytical inadequacy arises out of the vagueness surrounding the concept. Yet the concept of the informal sector is important because it opened up new areas of research. It attracted the attention of economists and politicians to hitherto unexplored areas of economic activity. By doing this it set the ground for the discussion of a new set of questions which were of vital importance to analysis and policy. "This was both a challenging and useful step to take . . . useful because, as pointed out by Bienfeld and Godfrey, the employment debate had become preoccupied with measuring the underutilisation of labour and had drifted into futile discussions about which criteria should be used to classify people as employed, unemployed and underemployed. The ILO report rightly rejected these exercises and focussed attention on the more important issue of what people actually do if they are not directly employed in the formal sector, what potential their activities have and what income they can derive from them" (Schmitz: 1982, p9-10). This reorientation of focus led people to ask a number of new questions about that part of the economy which mostly go unnoticed and unrecorded - the questions about what the people do there, their relationships with others, the survival strategies adopted by them and the role of the State[1]. Our present study is the first of its kind on the urban casual labour market in Kerala.

Popularity Of The Concept

Ray Bromley (1978), in trying to explain why this concept became so popular in a short time, points to the liberal international policy climate of the early 'seventies. The policy prescriptions that follow from the ILO analysis of the role of the informal sector in the development process that emphasized the potential for stable and profitable employment opportunities in the small scale sector appealed to the liberal public opinion of the West. Apart from ILO many other leading research institutions developed a world-wide range of research programmes on the informal sector that generated a large amount of literature on the subject. Ineed the informal sector concept got a very good launching pad.[2/]

One can also see that the concept of informal sector had its roots in the dualism models which were propounded by people like Lewis (1954) and Fei and Ranis (1964) and 1978). Whereas these models envisaged a dichotomy between modern and traditional sectors within the framework of the economy of an underdeveloped country, the new concept of informal sector introduced a similar dichotomy to the third world city. The Lewis model, which outlined a situation in which the modern sector grows by absorbing the labour force from the reserve pool of the traditional sector (which meant for the modern sector unlimited supplies of labour at constant

real wages), implied that the developing countries had unlimited growth possibilities (Lewis : 1954). The new concept had an intellectual appeal because it was rooted in the earlier dualism models.

THE TWO APPROACHES TO THE STUDY OF INFORMAL SECTOR

One important aspect about the informal sector concept is that for most people it is defined negatively or as a residual category - i.e. something which is not the formal sector. This partly accounts for the ambiguity about the concept because when we are speaking about informal sector we could actually be meaning a vast range of activities. Bromley (1979) makes this point clear when he says "it is realistic to conceive of a continuum stretching from stable wage work to true self employment and to give particular attention to the intermediate categories and the transition process along the continuum" (p.5). He therefore devises four intermediate categories to divide the labour force in the informal sector such as short-term wage work, disguised wage work, dependent work and true self-employment. This is at variance with the contrast usually posited between wage employment and family labour Casual work is generally defined as lacking a moderate degree of security of income and employment. Casual work is everything that falls outside permanent wage work. But

within it we have to draw the distinction between wage working and the self employed labour.

The concept of the range helps clear two points. Firstly, that the informal sector is not a homogenous sector and the conditions and forms of labour vary along the range. Secondly, the informal sector is not a residual category where people can not find stable jobs in the urban areas accumulate. It does give rise to stable and profitable income opportunities.

The Unit of Analysis

Unlike Bromley who attempts to classify the workers in the informal sector directly on the basis of the characteristics of the labour market, there are also studies which have analysed the range of informal sector activities by taking the scale of the enterprises or the production unit as the basis (Papola : 1981, Heather & Vijay Joshi:1976). There is a high level of arbitrariness in classifying the units according to the scale of operations. Normally, a minimum number of workers or the turnover of business or capital invested is taken as the cut-off point. The logic behind this is that the units above the minimum size are governed by special public regulations regarding conditions of employment, investment and so on.

The nature and conditions of work in small-scale establishments would differ from one another considerably

depending on whether the unit in question is "autonomous" or "subordinated". Thus the link is established between the conditions of labour in the small enterprises and the set of relationships in which these small enterprises operate. The conditions of employment and the worker's welfare would depend on how the small-scale firm functions in the product and factor markets, nature of technology that it uses, the relative position with respect to and the web of relationships with the large firms and the Government's policy towards the small-scale firm. Subcontracting is one of the important forms of dependency relationship emerging between the large firm and the small. There are a number of studies that have attempted to analyse the subcontracting relationships that are fast emerging in the industrial sector (Schmitz: 1982; Alison MacEwan Scott; 1979; Nagaraj: 1984; Watomabe : 1983). They emphasise the handicaps of the small firms in the form of blocked or limited access to product and factor markets. The larger firms are able to gain from the low overhead cost of the small firms, the family labour employed in them which is often cheap and unprotected and the Government's policy favouring the small firms in various forms such as reservation of certain areas for them, duty exemptions and other fiscal measures and the provision of marketing outlets and credit windows. The large firms are also able to protect themselves to an extent from market fluctuations through the subcontracting practices.

Thus one may discern two alternative approaches to the understanding of the informal sector : a) to take the economic production or service unit as the basis of analysis; and b) to analyse directly the characteristics of the workers in the labour market and classify them on the basis of the conditions of employment. The confusion between the two approaches would go a large way to explain many of the definitional debates in the informal sector literature. The confusion is inevitable given the fact that the two approaches are not mutually exclusive. The various types of casual workers that Bromley and Gerry (Bomley and Gerry, 1979) have enumerated would be predominantly employed in the small scale enterprises in the manufacturing and tertiary sectors, unorganised, tertiary sector and the self-employed sector[3]. Thus both the approaches overlap to a great extent.

However, it may be noted that the incidence of casual labour is not a specific characteristic of the small scale or unorganised sector alone. Large scale organised industrial establishments, especially in the third world, deploy a large number of casual workers. The 'Badli' work force of Bombay textile mills have been closely studied by numerous scholars. (Morris D.Morris : 1965, Mazumdar; 1973). Conversely, small scale establishments in unorganised sector may employ a small segment of its workers on permanent secure tenures. Further, for example, the self employed wholesale broker can in no

sense be considered to be a part of the informal sector.[4]

CATEGORIES OF WORKERS IN THE INFORMAL SECTOR:

The above discussion points to the need for evolving a classification scheme which would take into consideration both the characteristics of the unit of employment as well as the specific conditions of work.[5] The formal sector consists of employees in the large scale enterprises or organized service sector who enjoy various forms of job security such as minimum or fair wages often arrived through a process of collective bargaining, regulated working hours, overtime payments, various types of bonuses, leave with wages, paid holidays, life or accident insurances, provident fund and various subsidized social benefit schemes. The exact benefits enjoyed may vary from firm to firm. But there is an unmistakable tendency for regular employees in the organized sector to enjoy greater obligations from the employers and the State.

We would follow the common procedure of including all the residual categories of workers in the informal sector. But we shall delineate the important segments of the work force with this heterogenous informal sector on the basis of certain common characteristics. Our classifications overlap with each other and one may also find numerous ambiguous cases. But our effort would provide much richer

insight highlighting the various employment conditions, units of operation and contractual relationships under which workers labour. It would enable us to appropriately situate the headload workers of Kerala within the spectrum of informal activities.

First, we shall discuss two borderline categories between formal and informal sector. The first case is workers who enjoy the benefits of long term contractual employment in the small scale units. Second, there are the temporary or casual wage workers employed in large units. It must be noted that the difference between short and long term contract is essentially one of degree. But it is an important distinction to be drawn. The casual workers in the large scale units do not enjoy the degree of security of income and employment that are associated with permanent workers in such units. Similarly, the workers in small scale units even when they are under long term contracts, more often do not enjoy the security and earnings of the permanent employees in large scale units. Both these sections of the workers may be considered segments of the informal sector.

The Casual Wage Workers

The most important and perhaps the largest segment of the informal sector consists of the casual wage workers

other than those who work in the large scale units. These workers are employed for a short duration ; a day, 4 week month or a season for fixed terms of tasks and paid accordingly. There is no guarantee for continuous employment or compensation for unemployment. They lack the level of social security which the permanent workers in large units enjoy.

The casual wage workers in the informal sector may be located in the industrial sector as well as the service sector. The unit of employment in the industrial sector may be further classified into different categories depending upon the degree of autonomy or dependence vis-a-vis the large units. A similar exercise may be undertaken with respect to the units of employment in the service sector. But the more important division within the service sector is between workers who are directly employed by the various transportation, trade and other service establishments and the workers who are not directly employed by any establishment but who sell their services to a variety of customers for a wage.

The Self-Employed Workers

Apart from the above segments of casual workers, the next most important section consists of the self employed. The self-employed workers may further be subdivided into

three groups on the basis of their degree of autonomy. The first is the disguised wage workers. As the name itself implies though they are formally self-employed, their independence is totally illusory. They are piece-rated wage workers in disguise. The most common examples of these workers are the "outworkers" of the traditional industries or repair shops. Unlike the casual workers, they do not work on the employee's premises and have formal ownership of most of the means of production. Instead of verbal or written contracts as in the case of casual workers the disguised wage workers take the work of subcontract for specified wage or commission.

The second category of self employed workers consists of the dependent workers who rely on the large enterprises for the market of their product, raw materials, technology, capital requirements etc. The dependency relationships enable the larger units to extract a part of the surplus of these dependent workers.

Finally, one may discern a category of workers who are truely self employed who are neither dependent nor disguised wage workers. However, it must be noted that with the development of capitalism this species of workers is increasingly becoming extinct and exploitative dependency relationships increasing. Thus one may even speak of a transition

from truely self-employed to dependent work, then to disguised wage work and finally to casual wage work. The various segments of casual work correspond to varying shades of autonomy/dependence in terms of the control over the means of production.

HEADLOAD WORKERS OF KERALA

To which segment of the informal sector do the headload workers in Kerala belong ?

"Headload worker means a person engaged directly or through a contractor in or for an establishment, whether for wages or not, for loading, unloading or carrying on head or person or trolly any article or articles in or from or to a vehicle or any place in such an establishment, and includes any person not employed by any employer or contractor but engaged in the loading, unloading or carrying on head or on person or trolly any article or articles for wages, but does not include the person engaged by an individual for domestic purposes" (Kerala Headload Workers Act; 1980,p.3). The above definition in addition covers vehicle operators such as handcartment and bullock cart operators etc., who carry goods for short distances. The above definition covers only workers engaged for commercial purposes,if we extend the definition to cover those are engaged in similar work for domestic and non-commercial purposes, it could be considered as a comprehensive definition of the headload workers.

Thus defined, the headload workers can be located in the tertiary sector of the economy engaged in the operations of loading, unloading, carrying and other types of activity in connection with the storage and transportation of goods. A number of them have been employed on a casual basis by wholesale and retail shops for a duration long enough to establish a regular employer/employee relationship with the shopowners. But the majority of the workers are non-regular workers, some of whom do not have even a direct shop employer, but are hired by the customers and vehicle drivers when the need for their services arises. There are other non-regular workers who work in a number of shops during the day, so that they do not have any single direct shop employer.

The Pull Factors

There are reasons to believe that from the late 'sixties/early ' seventies there has been a phenomenal increase in the number of headload workers in the state. Various push and pull factors have operated to increase the headload worker population in Kerala.

Transportation of commodities has always been an important economic activity in Kerala given its commercial nature. It is one of the most momentised economics of India. Over 60 per centof the cropped area is under

commercial crops mostly meant for exports. The traditional industries such as coir, cashew etc., are also export oriented. On the other hand, the State imports most of its food requirements as well as most of the consumer durables. According to a study by the State Planning Board, the total exports of Kerala by rail, road and ship totalled Rs. 982 crores and imports Rs.1130 crores for the year 1974-75(SPB: 1980). It may be noted that the State Domestic Product(SDP)for that year was Rs.2029.44 crores (Statistics for Planning: 1980:p.69). Tentative results of an ongoing enquiry suggests that the imports and exports of Kerala both absolutely as well as relative to the SDP have 'continued to increase during the latter half of 1970's (C.R.Reddy & Thomas Isaac: ongoing).

The trade and the construction sectors of the economy have also received a strong fillip from the Gulf boom. In the post 1970 period the migration to Gulf and remittances therefrom increased substantially.[6] The foreign remittances substantially pushed up the demand and consequent import of consumer durables and building materials into the state. The construction boom[7] may indeed be considered the single most important contributor to the swelling of the ranks of headload workers. The need for integrating the rail-road and water canal transport channels also would have contributed to the higher incidence of employment in the transport sector (High Level Committee:1981).

The Push Factors

So far we have discussed the increased demand for headload workers. One may also discern certain push factors operating on the supply side. We have the peculiar occupational pattern of Kerala with a larger than national average proportion of workers employed in the tertiary sector. The data from 1981 census is not yet available in a form that allows comparison of occupational distributions in the primary, secondary and tertiary sectors. However, the 1971 census returns showed that 24.9% of Kerala's workforce was in the tertiary sector compared to the all-India average of 16.4%[8]. This phenomenon has been explained to be the result of low potential of labour absorption in the agricultural sector due to a very low land/man ratio and the peculiarities of crops grown. The various traditional industries as well as the evern expanding tertiary activities have been areas where the surplus population has been accommodated. The pressure on the commercial and service sectors has increased even more in the recent period due to the severe crisis that most of these traditional industries in Kerala are facing. Here again recent (1981)data are not available; but a comparison of the 1961 and 1971 census returns shows that the relative proportion of workers in the two important sub-sectors (i) trade and commerce and (ii) transport, storage and communications increased appreciably in that decade[9].

Unfortunately there is no statistical data to confirm that the number of headload workers has significantly increased over the past 15 years. Majority of the workers are concentrated in the major market centres in towns, while others are scattered in rural market areas and important transport junctions. We must await the publication of complete and detailed census returns of 1981 to statistically demonstrate the increase in the numbers, which is clearly suggested by all the processes at work in Kerala's economy since the late 1960s[10].

There appears to have been an increase in the headload worker population between 1961 and 1971. The non-comparability of the 1961 and 1971 censuses is well known. So the data presented in Table-I must be viewed with some circumspection. However, firstly, they provide an order of magnitude and, secondly, the increase is too sharp to be induced purely by changes in concepts and definitions.

The above growing segment of casual labour in Kerala have been the centre of heated controversy in the press and political circles. The relatively higher wage rates that certain sections of headload workers enjoy today and the tacticis that they adopt to maintain their wage rates and deployment have generated heated criticism and condemnation from numerous quarters. It will not be an exaggeration to

Table I

Headload workers in Kerala, 1961 and 1971

	All Kerala		Trichur	
	Urban	Total	Urban	Total
1961	6,750	19,132	261	2,423
1971	19,621	51,588	NA	NA

Notes: 1. 1961 data pertain to "loaders and unloaders" - Family 899 in Group 89 (labourers not elsewhere classified) in the National classification of occupations.

2. 1971 data relate to loaders/unloaders Family 971 in Group 97 (Material Handling and Related workers). Data for loaders/unloaders are not published at the district level in 1971.

3. 1961 data, at the district level, are probably underestimates given the large unspecified Group 89 'labourers n.e.c'; estimates of which are more prone to error at the more disaggregate level of districts/towns (C.R.Reddy; 1980).

4. Sources: Census of India(Kerala),1961 and 1971.

say that there is not a section of workers whose activities have been source of as much controversy and passion as the headload workers. But there has been no systematic attempt to analyse the issues involved in a wider setting of conditions of employment in the informal sector and the survival strategies of the workers therein are forced to take recourse to.

CHARACTERISTICS OF CASUAL LABOUR MARKET : INDIA AND KERALA

A survey of literature of the informal sector workers in India will not be of great help in throwing light on the functioning of the urban casual market in the tertiary sector. The reason is that most of the Indian case studies were done in the context of the industrial sector (Harriss: 1982, Streefkerk: 1981). However, certain conclusions regarding the casual labour market in the tertiary sector may be drawn on the basis of insights given by these studies as well as occasional references made on the casual workers in the tertiary sector.

1. The most important characteristic of the casual labour market is its highly competitive nature. The number of employment seekers is invariably more than the number of job opportunities and there is a near permanent situation of too many chasing too few jobs. The jobs offered are mostly with very low skill requirement, work generally is not specific, and there is little task differentiation rendering the mutual exchangeability and substitutability of labour very high. Therefore, the labour market is characterised by relative ease of entry.

2. For the above reasons, the casual wage labour market is characterised by high labour turnover. The non-specific and temporary character of work constantly keep the labour

force revolving and further there is also a high degree of fluctuation in work location and mobility of labour.

3. The workforce which enters the casual labour market came from the poorest strata of society and the low caste. Some studies (Todaro: 1969) see casual work as the point of entry of the immigrants from rural areas into the urban economy, who later move to the formal sector. These migrants are unable to secure employment in the modern sector and have to undergo a period of waiting in the urban traditional sector at much lower wages than their long run supply price. The traditional segment of the labour market is visualised here as bearing the brunt of adjustment in response to the excess labour supply. However, because of the very slow growth of the formal sector, numerous case studies such as Harriss (1982) have revealed that immigrants are forced to confine to this sector for generations. Even though large scale units also purchase labour power from the casual labour market, the vast majority of the employers are small scale entrepreneurs or customers mostly belonging to the elite strata of upper castes and educated.

4. The fourth characteristic of the casual labour market is the unregulated nature of the employer-employee relationship. The protective legal measures of Government such as Factories Act, Minimum Wages Act, Industrial Disputes Act, Bonus, PF, ESI and Compensation paid on retrenchment do not

generally apply in the case of casual workers. Even such measures as the Prohibition of Child Labour Act are not implemented because of the scattered nature of employment and the subsequent difficulty of supervision and ease with which regulations can be avoided.

5. Low wages, low employment and low earnings characterise this part of the labour market. All these studies that we have been able to survey have invariably revealed the pitiable working conditions and low earnings of the casual wage labourers.

6. In a situation of acute scarcity of employment, personal contacts becomes the most important way of getting work. When there are a lot of competitors and work is a scarce commodity, giving or taking it becomes akin to offering or accepting a favour. The personal contacts with either the employer or the recruiting agents are maintained at various levels such as caste, religion, region, language or household loyalties (Breman:1977). Thus, it is common to find paternalistic ties operating in the labour market by which the worker tries to fortify his economic position. Continuous employment is at the mercy of the employers or the recruiting agents. The labour market, therefore, is also characterised by vertical ties binding the workers with employers, which to some extent dampens the competitive process in the market.

7. Finally, the labour market is characterised by the absence of any formal collective bargaining. Trade unions

are practically absent among the casual wage workers in India.

The casual wage labour market in Kerala, especially that related to the transportation of the commodities presents a very sharp contrast to the above situation. The most visible and often commented feature perhaps is the high wage rates that workers in this sector are able to claim and obtain. This is partly due to the very strong barriers to entry that the workers have erected in the labour market. This acts in such a way as to reduce the competition for work within the market. The labour has become very specific in the sense of performing a set of clearly defined tasks. The paternalistic relations are conspicuous by their absence. Though the workers hail mostly from the lower caste or poorer strata of society they share relatively high level of literacy with the rest of Kerala as well as a greater level of collective consciousness. Workers here are protected by various pieces of social security legislation, the most important being the Kerala Headload Workers Act, 1980. The Act ensures their wages and working conditions. Last, and perhaps the most important, strong and militant trade unions have come up in this market as instruments of collective bargaining by the workers. The labour market under our study had, in the 1950s, remarkable similarity to the broad picture that we got from the case studies. The dramatic change in the relations within the labour market is primarily due to

the growth of trade union movement among the workers.

THE TRADE UNION MOVEMENT

The absence of unions among the casual labourers, but for the instances of unionisation of casual workers employed by the large scale industries such as cotton, jute etc., should not lead one to conclude that the labour force in the casual labour market is totally passive and submissive to the domination of capital. The recent but the growing literature on the history of the subaltern classes (R.Guha: 1981) shows that the domination over them is never complete and they retain an area of autonomy in which they resist the domination. Such resistance can be studied not only in the flash points of rebellions, but also in the everyday forms of it which can be discerned in the workers life inside and outside the work-place. But these resistances, for various reasons, fail to take the form of systematic and continuous organised expression of trade unions or political organisations of the subalterns. It is here that the experience of Kerala significantly differs from the rest of India.

There already exists a significant number of studies on the trade union movement of the informal sector in Kerala. Perhaps, the most comprehensive effort in this line has been the study of Thomas Isaac on the development of trade union movement in the informal sector of Coir weaving industry in Alleppey (Thomas Isaac: 1984). He has attempted

to delineate the conditions that facilitated the growth of militant unions in the small scale coir weaving units and map out the consequences for the industrial structure. The most important factors that emerge are the general political atmosphere of the Alleppey countryside and the historical links of the trade union movement in the small-scale coir weaving units with the militant trade union movement in the erstwhile large scale coir manufacturies; and the appropriate tactics of struggle that the trade union movement were able to forge in the informal sector. Trade union movement among the coir weavers has also been the subject of study by other scholars (Jayadevadas: 1983). Other notable studies in this direction are the studies on Beedi industry (Pyarelal Raghavan: 1986) construction industry (K.N.Harilal:1986) and Coir spinning industry (T.M.Thomas Isaac: 1983). One may also refer to the work of A.V.Jose undertaken in the late 1970s on agricultural labourers, even though our focus has entirely on the non-agricultural sector (Jose:1980).

The focus of our study is on the casual wage labourers in the urban tertiary sector. But still the above case studies of trade union movement in the informal sector in Kerala would provide one with important insights into the processes at work. In order to give a sharper focus to the analysis as well as to keep the study within manageable

limits, we have chosen the method of case study of an urban locality in Kerala. The town chosen is Trichur, an important commercial centre situated in the region of the erstwhile Cochin state.

THE SCOPE OF THE THESIS:

With the background of our theoretical discussion in the present chapter, we shall attempt to analyse the evolution of the casual labour market of headload workers in Trichur town during the post independence period. As we have already noted the most important distinguishing feature of the casual labour market is the development of militant trade union movement. Chapter II is entirely devoted to documenting the growth of trade union organisation amongst the headload workers in Trichur. What were the work conditions they were organising against ? What was the general context or the external atmosphere that facilitated rapid unionisation ? What were the issues and tactics taken up by the union ? Such are the questions that we are attempting to answer in the second chapter.

The third chapter seeks to present an analytical description of the casual labour market of headload workers at the end of '70s. We shall attempt to link the analysis of labour market at the end of '70s to the issues taken up

and the tactics adopted by the union. Our analysis will underline the success of the union to improve the working conditions, develop a closed-shop kind of situation and gain a significant say in the work allocation and managerial functions.

These developments generated a violent reaction from the employers which snowballed into a long drawn out head on confrontation in 1980-81. This confrontation and the new compromise also is the theme of Chapter III.

The above developments were not entirely unique to Trichur. Confrontation between headload workers and the employers and in certain cases even with the general public occurred all over the State with greater or lesser severity creating law and order problems. It forced the Government to intervene to regulate market conditions of headload workers through the Kerala Headload Workers Act (KHWA;1980). In Chapter IV, we shall analyse the various provisions of the Act and its implications for the future functioning of the headload workers labour market, deriving from our observations on the contemporary trends at Trichur.

In Chapter V, we shall attempt to draw some general conclusions from our study.

Data and Methodology

The study utilized both primary and secondary information. Secondary information in the form of books and/or articles written about the headload workers or their unions did not exist with the possible exception of journalistic pieces in newspapers and magazines. The secondary data that has been utilized in the study were derived from the trade union histories of the period, gazetteers, government reports, memoirs of old workers and the souvenirs of Trichur Chumattu Thozhilali Union (TCTU). Files of the various trade union offices and the head office of the Vyapari Vyavasayi Ekopana Samiti (Chamber of Commerce) and the Trichur District Merchants Association and of some government offices, most notably that of the Kerala Headload Workers Welfare Board (KHWWB) were consulted. Several difficulties were faced here since the files were not kept in order and some of them, particularly older ones, were not to be found. Another difficulty was posed by the frequent shifting of loyalties of the workers as between unions and the splits within the unions as these invariably resulted in some files being misplaced or lost. Despite these difficulties we were fortunate to have access to some of the important memoranda submitted by the unions to the Chamber of Commerce and Government, demand notices presented, the agreements arrived at the details of wages, bonus and other similar benefits allowed in the agreements and certain items of correspondence between these parties.

In addition to the above sources, as a method of verification, newspapers for the relevant period were consulted. For the documentation of the period of growth of the union during 1960s and 1970s, we consulted the back issues of local malayalam daily of Trichur, The Express, Desabhimani, (Calicut) and Mathrubhumi (Calicut).

In a study like this it is essential that primary sources of data too should be tapped. This was done through three field trips covering nearly three years (1984-86). Each trip was of varying length ranging from one month to three months. The primary purpose of the study was not to provide a quantitative estimate of either the wages or earnings of the workers or of their standard of living, consumption pattern etc. The purpose was to understand the relationships between the persons who are involved in the labour market and how these relationships have changed with time. Hence, we followed the method of field interviews rather than sampled survey, since this would allow more scope for discussions and clear articulation of views. Questions were put mainly in the form of how the systems of labour recruitment, work allocation, wage payment and labour control were functioning and how they have evolved over time. We took care to include, in the persons chosen for interviews, representatives from all sections of workers as well as

members from the employers' side. Talks with the officials of the KHWWB have been extremely useful in understanding how the KHWA was implemented in Trichur. The former leaders and trade union activists such as RM Manakkalatt, M.A.Kakku, A.M.Paraman etc., and Rev.Bishop Paulose Mar Paulose, were also interviewed.

Case studies on the informal sector in India have generally been static in character. In other words, they provide a picture of the relationships within the informal sector as they exist at a point of time. But in our study, we have attempted to provide a dynamic picture of the relationships within the informal sector by adopting a historical perspective. Our central question has been how these relationships have changed with time as a consequence of various factors and what were the directions of change. A historical mode of inquiry would make it clear that the complex web of relationships by no means remain the same but undergo rapid changes in time.

Footnotes to Chapter I

1. ILO's Report had a clear message. It pointed out that the informal sector activities form a thriving sector of economic activity which has a potential for dynamic and evolutionary growth. The policy prescription implied was that the Government should stop discriminating against these activities and instead actively support them (See Schmitz: 1982).

2. Two collections of papers on informal sector have been done by Ray Bromley (1978) and Bromley and Gerry (1979). A Bibliography of the informal sector is provided in Breman (1976).

3. For example in Papola's study we find that the informal sector employment constitutes over three fourths of workers in agriculture and allied activities, 73% in transport and communications and 67% in trade and commerce. It is around 50% of the employment in construction and other services, but only a little over 25% in manufacturing (Papola:1981.pp.26-28).

4. Because of the problems of demarcation of sectors, the various estimates of informal sector workforce done by various scholars are not comparable. However, all estimates show that the informal sector employs a substantial proportion of the urban workforce. Studies on Calcutta, Bombay and Ahmedabad have placed it around 45% of the urban work force (Papola:1981). Chandramohan has provided 5 estimates of the relative size of the unorganised sector in urban sector which range from 67.26% to 45.96% for India as a whole (Chandramohan:1984).

5. The difficulties posed by the problem of a proper definition of the informal or unorganised sector has been sought to be overcome by providing various empirical measures of the sector (Chandramohan: 1984).

6. Table 1 Trends in the Estimated Foreign Remittances to Kerala (Rs. Million)

	1976-77	1977-78	1978-79	1979-80	1980-81
1. Remittances	1500-1875	2490-3110	2775-3470	4670-5835	7340-917
2. Kerala's SDP at factor cost(current prices)	23280	24630	26900	30350	33140
3. Remittances as a proportion of SDP (%)	6-8	10-13	10-13	15-19	22-28

Source: Gulati & Mody (1983.Table-4.p.61)

7. K.N.Harilal (1986) has provided evidence for the expansion of the building sector p.53-8.

8. The following Table shows the industrial distribution of workforce in 1971 - Kerala & India (Percentages of rural, urban and total)

	Kerala			India		
	Rural	Urban	Total	Rural	Urban	Total
Primary	64.4	19.3	57.6	85.6	14.0	73.0
Secondary	16.2	24.9	17.5	6.2	31.1	10.6
Tertiary	19.4	55.8	24.9	8.2	54.9	16.4
Total	100.0	100.0	100.0	100.0	100.0	100.0

Source: Chandramohan (1978) p.15.

9. Working population by industrial category - Kerala 1961 and 1971 (Percentages of workforce)

	1961	1971
1. Cultivators	20.92	17.08
2. Agricultural Labourers	17.38	30.69
3. Mining, Quarrying etc.	8.65	7.47
4. Hosehold Industry	8.68	4.27
5. Manufacturing other than household industry	9.04	11.46
6. Construction	1.26	1.73
7. Trade and Commerce	5.72	11.28
8. Transport, Storage and Communication	2.71	3.89
9. Other services	25.28	13.59
Total	100.00	100.00

Source: Statistics for Planning; 1980, p.6.

10. A comparison of the provisional figures of 1981 census with the corresponding figures of 1971 shows that the percentage share of main workers in agriculture and household industry have declined from 48.49 to 41.37 and 4.28 to 4.09 respectively, that of the category 'other workers' (which includes secondary sector other than household industry and the tertiary sector, which includes trade and commerce and transportation) has gone up from 47.23 to 54.54. (Statistics for Planning;1983, p.15).

CHAPTER II

THE DEVELOPMENT OF THE TRADE UNION MOVEMENT: ISSUES AND CONTEXT

In this chapter we seek to document the growth of trade union movement among headload workers upto the end of 1970s. We shall first analyse the conditions of employment of the headload workers in Trichur during the 1950s. It would be seen that the headload workers in the 'fifties had yet evolved as a distinct group of the working class and found their identity. For any change in the situation that was prevailing then the articulation of the rival interests of the employers and workers was essential. The articulation of the interests of a group becomes possible only through collective action towards definite stated ends. Trade unions are one of the major instruments of voicing working class protest at the shopfloor level. Organised trade unions came into being among the headload workers in Trichur at the end of 1950s. The formation of tradeunions was in response to the intolerable condition of workers at that time, the high insecurity, low wages and lumpen social status accorded to

the headload workers. The formation of the union has also got to be situated in the historical background of a secular nationalist working class traditions of Trichur from the early '30s.

We have divided the course of the development of headload workers' trade union movement into three broad phases. The first phase (1957-59) consists of the formation of the union and its struggle to wrest recognition from the employers and the Government. The recognition implied the acceptance of the trade union's right to speak on behalf of the workers in negotiations about the conditions of work. In the second phase (1960-67), the efforts of the union were directed towards forcing the employers to accept the existence of an employer-employee relationship in the headload labour market, a relationship with a set of mutual responsibilities and obligations. This demand was tacitly accepted by the employers when theyrecognised a part of the workforce as directly employed by them and eligible for certain benefits. The third phase (1968-1979) is characterised by numerous localized struggles, inter-union rivalries and compromises, tensions and convulsions arising from the tactics adopted by the unions in their effort to provide security of income and employment to a large number of nonregular workers. A complex system of work sharing,

compartmentalisation of the labour market, specification of tasks and elaborate wage schedules evolved during this phase. We shall attempt to link each of the new spurt in the trade union activity to the general political developments in Kerala, thereby underlining the importance of the overall radical political milieu of the State in providing impetus to the growth of unions. Trade unions in Trichur had grown as a part of the national movement and exhibited strong radical tendencies. These aspects will be considered in the next section.

TRICHUR HEADLOAD LABOUR MARKET IN THE 'FIFTIES

Trichur was a very important trade and commercial centre in the erstwhile Cochin State with a population of less than 60,000. The commodity market of the town in the first half of the 'fifties, fits with the traditional picture of commodity markets in most parts of India: a market predominantly of primary products with a mixture of certain amount of manufactured or processed items(R.Hali:1967). It imported rice and provisions, coal, iron and steel, textiles, groundnuts and vegetables and exported coconuts, arecanut, tapioca products,fish , eggs etc. (Gazetteer: 1962). Vegetable and General markets were not separated. The Railway goodshed with its FCI godowns were in Kokkalai, also an important arecanut marketing centre, which was about 3/4 Km. away from

the General market. Kokkalai also had a ferry where goods were handled. Bullock carts were used to transport goods from the ferry to themarket or from the Goodshed to General market.

Trichur town had a high proportion of Christian community who were primarily traders.[1] Valloms(country boats) were the most common means of communication and transportation of goods used in the district[2]. Valloms were used in canals and backwater areas. Their main advantage was their low cost of transportation. Bullock carts were used to transport goods from the landing places of Valloms to transport vegetables and arecanut and other primary products from the villages. The loading and unloading of goods in bullock carts was done by people hired by the cart driver. Wages were paid by the latter. Hand-carts were used to carry goods from the market to local areas. They were mainly hired either by the final consumers for taking their goods home or by traders to transport goods from wholesale shops to retail shops. Wages of these hand cartmen were paid by the customer upon the delivery of goods. Normally the shopowner would recommend the cartmen. Trains and lorries were the principal means of long distance trade. Lorries began to gain importance by the beginning of 1960s. Main impediments for the expansion of lorry transport were the poor conditions of roads and culverts.[3]

The Work and Workforce

Loading-unloading work in the 1950s had not evolved into a distinct set of operations. It seems highly likely that the boundaries between shop work and headload work were rather thin. Labour process was unspecified and fluid. This would mean that as the work was not specialized, the mutual substitutability among workers was very high. Since there was no wage schedule which detailed the operations to be performed and the wage rate for each operation, lot of "invisible" [4] (meaning unpaid) work seems to have also been performed. The headload workers were a sort of floating population in the market, picking up work whenever they could. Work was not regular and there seems to have been hardly any barriers to entry. Seasonal migration of workers from rural areas into the town seems to have been a common feature, giving to a part of the labour force the migratory character which has been much commented upon. (M.D.Morris: 1965; R.Dasgupta: 1976). The number of workers in the market was around 500. (Souvenir: 1971; Also see Appendix-I). Christians and lower caste Hindus were predominant in the workforce. The Muslim population was confined to the Kokkala ferry region and around the railway goodshed. Though some workers enjoyed the status of regular employees of the shop, in the sense that they worked only in that shop if work was available there, the distinction between regular/

non-regular workers was by no means evident. Job security was not guaranteed by any legal or political backing.

In such a situation, personal contacts with the employers or recruitingagents and the fellow workers were the most important element in establishing the worker in the market. Such contacts were maintained at several levels, such as religion,caste, language, region etc. This is made clear by the fact that Christian employers had an affinity to Christian workers (M A Kakku: Interview dated 15th October, 1986). Since work was not regular and depended on the good-will of the employer, the workers were anxious to maintain good relations with the employers and were always ready to toil extra for a pittance wage. There was no other benefit that the workers enjoyed apart from this pittance wage. There was no standardisation about the weights to be carried, distances to be covered and the remuneration to be paid. Many among the old workers recollect that for many more years, even after the formation of the union and the struggles waged by them, wages actually paid were often lower than what was given in the wage schedule. In addition, they were asked to do housework for the employers. (Souvenir: 1971; p.137-142) Working in such conditions seems to have made a telling impact on the worker's body and health. This is evidenced by the leaving of work at an early age (Souvenir: 1971;p.139-140).

The scarcity of work and the need to be in good contacts with the employers may have been the factors that caused the neglect of the question of health by the workers.

The idea of a wage schedule, where every movement of the worker is classified and evaluated is conspicuous by its absence. Holidays, leave with wages or compensation while leaving work were totally unheard of. The system of no work no pay existed.

The prominent mode of wage payment in the 'fifties was the piece rate system. Even now the form of wage payment has not changed. But the continuity of the form conceals the tensions woven around it and the attempts by collective action towards changing the content.

Piece rates came to be used in the market due to various reasons. Employers preferred piece rates primarily because they make close supervision of labour unnecessary. The piece rate system can be considered as an incentive system deployed to ensure the desired level of output as it becomes in the worker's own interest to sweat and work at maximum speed. Secondly, tasks which can be easily quantified and which do not require close supervision to ensure quality are the most amenable to giving out on piece rates. Another favourable condition that obtains is the divisibility of

the combined labour process into its more or less constituent parts, so that each of these parts can be separated,quantified and evaluated (Cf - C.R.Reddy: 1986).

In the headload market, piece rate system is used because the work process is seldom continuous. Work is highly conditional on the arrival of goods vehicles. The 'pores' of a working man's day are fairly high and within limits, intensification of labour would be nearly impossible. Hence, the continuous employment of workers on time wages was inconceivable. Piece rates were the only option possible.

Piece work acts in such a way that the competition among the workers is maximised. It isolates and individualises the worker whose interest is made to be maximum personal gain. The differences in skills, efficiency and the pace of work too cause dissensions among the workers.

BACKGROUND OF THE FORMATION OF TRICHUR CHUMATTU THOZHILALI UNION

Trichur being mainly a commercial centre, commercial employees have always been the leading participants in the early trade unions formed in the town. As in the rest of Kerala, the turbulent '30s drew large number of workers into the main stream of nationalist politics. The Great Depression had given a rude shock to the economy and unemployment,poverty

and indebtedness had increased. The decline in the prices of primary products had driven large masses of peasantry into a desperate situation [5]. At the political level, the disillusionment created by the withdrawal of the Civil Disobedience Movement, the spread of socialist and communist ideas, the growing admiration for the USSR and the radical pronouncements of some of the young Congress leaders like Jawaharlal Nehru all these contributed towards the crystallisation of a strong Congress Socialist Party (hereafter CSP) faction within the Congress in Malabar in 1934.(AKG Centre: 1984; Thomas Isaac: 1986). The CSP activists took initiative in building up class organisations among the peasants and workers. They were also instrumental in transforming the existing reformist and philanthropist organisations into radical ones. It is important to note that the activities of the CSP was not confined to Malabar, but spread to the princely states ofCochin and Travancore. It would hardly be an exaggeration to say that the spread and growth of trade union movement in Kerala in the pre-independence period is closely related to the initiatives and guidance given by the CSP and later on by the Communist Party.[6]

The Labour Brother hood

The Labour Brotherhood, founded in 1935, was the first working class organisation in Trichur town. Following the death of a headload worker in a densely populated area

of the town, the workers living in that area arranged for a simple funeral by collecting money from among themselves. This incident made the workers feel the need to have an organisation. The result was the formation of the Labour Brotherhood[7]. From an agency for humanitarian activities, it gradually grew into an organ for voicing working class opinion through the intervention of the CSP activists like K.K.Warrier and George Chatayammuri[8].

The Brotherhood had a membership of 250-300 workers drawn from all categories of employment and young radical intellectuals. Initially workers were very reluctant to join the forum and associate with its programmes such as the May Day demonstrations etc.[9] The organisation was acting more like an agency for political education of workers rather than as a trade union.

Following the secondAll Kerala Workers Convention held at Trichur in 1937, it was decided among the Brotherhood activists to form industry-based unions. Consequently, the Rickshaw Workers Union, Motor Transport Workers Union, the General Workers Union and the Shops and Establishments Workers Union were formed during the 1937-38 period. In all these unions, the Brotherhood activists played the key role.

Some attempts seem to have been made for bringing all the casual workers, including perhaps the headloaders, under the banner of trade unions. The Daily Workers Union formed in 1938 was an attempt in this direction. It is also likely that the workers performing loading unloading operations in the shops might have participated in the Shops and Establishment Workers Union. But it is unlikely that the headload workers were an easily identifiable group in the market.

Several other unions had come into being in the Cochin State and other parts of Kerala during the 'thirties (Prakasam: 1979; Balaram: 1973)[10]. Even before the foundation of the Labour Brotherhood, Cochin Labour Union, (CLU) based in the port town of Cochin had come up in February, 1933. The CLU got support from similar other organisations in the area, such as the Agricultural Workers Union organised under the leadership of K.M.Ibrahim and Mathew Manjooran.[11] The first strike that took place under leadership of the CLU was Tin factory strike at Palluruthi in 1934. Though the strike did not achieve the desired results, it gave the workers in other parts of the Cochin state inspiration to get organised.

The Labour Brotherhood activists participated in the struggle for responsible government in Cochin during

1938-39, when the second world war broke out they started a strong anti-war anti-imperialist agitation. Many of its prominent leaders were arrested. (P S Namboodiri: 1971; Prakasam: 1979; Balaram: 1973).

The Cochin State Praja Mandal

These nationalist stirrings culminated in the formation of the Cochin State Praja Mandal in 1941. The twin objectives of Praja Mandal were attaining universal adult franchise and a responsible government in Cochin state. The Praja Mandal encouraged the organisations of several sections of workers as a part of their mass mobilisation efforts. The peasant movement in Cochin also owe to them a great deal for its success.

One notable development of the period was the formation of a new union among the shop employees and headload workers by R.M.Manakkalatt and Krishnankutty Nair.[12] Due to the efforts of the two Shop Employees Unions, the Cochin Legislature passed the Shops and Commercial Establishments Act in 1948. The main demand put forward by the unions was the reduction of working hours of shop employees. (Manakkalatt: Souvenir, 1971: p.80). The new Act allowed a paid holiday to the shop employees. When the shop owners refused to comply, the shop employees unions went on an agitation. The shop owners had to grant the holiday finally.(Souvenir:1971, p.6-7; Shops & Establishments Act, Cochin,1948).

After the war, the Cochin government opened a food-grain depot and started public distribution of foodgrains to tide over the near-famine conditions. The possibility of organising workers performing loading and unloading work in the depot under a contractor was opened up When, in October 1945, the wages of the workers in the central depot were cut by 12½% by the Supply Department of Cochin government. (Prakasam: 1979: p. 148). The workers protested against this and on 15th October, 1945 a protest meeting was held with P.K.Deaver as Chairman. Later, the union itself offered to take up grain distribution on contract. But when the rationing system itself ended, the workers became unemployed and had to move to the shops in general market in search of work. The brief spell of trade union activity among the workers came to an end with it.

Meanwhile, the agitation for responsible government in Cochin was gaining strength. The agitation was being spearheaded by the Praja Mandal. As a part of the struggle, a hartal and a general strike was called for on 29th July, 1946 (K.Damodaran and C.Narayana Pillai: 1957). The response to the call was good as workers in all parts of the state struck work. Eventually, the Diwan rule in Cochin was ended and the unification of Travancore and Cochin was effected.

The First Communist Ministry

The years immediately following independence (1948-50) were the years of intense repression for the trade union movement in the State. The right of the workers to form unions and to strike were seriously jeopardised. Nevertheless, the leading role played by the communist party activists in the postwar nationalist upsurge in Kerala, as exemplified in the peasant struggels of North Malabar and the Punnapra-Vayalar armed uprising in Travancore raised the prestige of the party and paved the way for its rapid spread in the post Independence period. The class organisations of workers and peasants played an important role in the growth of communist influence in Kerala. The 1948-50 period of repression could hardly stem the tide. Thus, in 1957, after the first assembly elections of the newly formed Kerala state, the Communist party rose to power.

The fact of the communist government being in power was a crucial factor in favour of the development of working class organisations all over the state . Of special importance was the new police and labour policy formulated by the Ministry (G.K.Leiten: 1982: p.89-115; Also T.V.Satyamurthy; 1985). It was formally announced that the police would not intervene in labour disputes unless required by severe law and order problems. Labour disputes, in the Government's view, ought to be settled by workers and management without the interference

of the State. There was a marked rise in the number of unions and their membership during the period immediately following 1957 [13]. The headload workers of Trichur were quick to grasp the message of this surge of activity for themselves. On 29th April 1957, the Trichur Chumattu Thozhilali Union (TCTU) was formed.43 workers attended the meeting.

Earlier, the shop employees had formed the Shop Employees Association (SEA) in 1954 and had been agitating for the full implementation of the Shops and Establishments Act of 1948. The SEA decided to observe two weeks from December 2-16, 1956 as the Shop Act week. A memorandum containing this demand was presented to the Governor in 1956. (Souvenir: 1971, p.154-157). The memorandum also demanded other benefits to be provided to the shop employees such as bonus, P.F., gratuity, national and state level holidays and minimum wages. This exhaustive memorandum may have become a point of reference to the TCTU. When the Communist ministry came to power in 1957, SEA presented the memorandum again. In the reply dated 19-10-1957, the Government of Kerala informed the SEA that the Minimum Wages Act would be extended to the employees of shops and commercial establishments.[14] It also promised that a Minimum Wage Committee under Section 5(1)d of the Act will be constituted

to advise the Government for the fixation of minimum wages in shops and establishments. This was another crucial step which encouraged the headload workers to get organized.

STRUGGLE FOR THE RECOGNITION OF THE UNION

Around the time the TCTU began to function, the rationing system was reintroduced in Trichur and a temporary foodgrains depot was opened. The TCTU put forward the demand that in employing workers for loading-unloading work in the depot the union should be consulted. This was the first attempt by the union to get itself recognised. The Communist Government agreed to this demand and accordingly the names of 70 workers were registered in the depot. Union also signed an agreement with the contractor in regard to wages to be paid to workers.

Following these events, TCTU presented a memorandum containing urgent demands of the headload workers to the shop owners. The memorandum dated 16-9-1958 contained the following demands:

(a) An agreement over wage rates was to be arrived at. The notion of a uniform wage schedule containing various items of work and wage rates to be paid for each

(in piece rates) was introduced. Once the basic schedule of wages and work was accepted, it could be further modified by bringing in new items and separating some items to form different schedules.

(b) Two months earnings was to be given as bonus. The shop employees earlier had demanded 25% of the annual earnings as bonus.

(c) Compensation was to be given in the case of accidents while doing work for any shop. Free medical aid was to be provided.

(d) Leave with wages and paid holidays was to be granted to the workers;

(e) The provisions of the Shops and Establishments Act was to be made applicable to the headload workers.

The shop owners replied that as the headload workers were casual labourers, working for various shops during the day at piece rates, there was no regular employer-employee relationship between any shop owner and the workers hired by him. Matters came to a head when a prominent member of the Chamber of Commerce refused employment to regular workers doing the loading unloading work in his shop. The Union called for vigorous struggle against denial of work. About 400 volunteers participated in the two month long agitation in front of the merchant's shop. The agitation ended by

the merchant agreeing to pay Rs.400/- as compensation to all the workers who were denied work. This was the first compensation award that the union was able to successfully wrest from the shopowners.[15] The payment of compensation was the first step towards the formal recognition of the employer / employee relationship in the headload labour market. The militancy of the headload workers and the neutrality observed by the police made it difficult for the merchants to hire new workers.

However, no general agreement was arrived at on the memorandum submitted by the union earlier. So on 16th December, 1958, workers of six wholesale shops went on a strike from 1 PM onwards.[16] The strike compelled the chamber of commerce to come forward for discussion with the TCTU. The mutually agreed wage schedule came into being from 1-1-1959 onwards. No general agreement could be reached on the other demands made by TCTU in the memorandum(See Appendix I).

The union was thus able to reach at a general agreement on wages by introducing the idea of the wage schedule. This wage schedule became the basis for further wage bargaining in the future. Further, signing of an agreement with the Chamber of Commerce (which was the representative of the employers) meant that the union got formal recognition

from the employers.

Thus, we find that the union of headload workers in Trichur established its legitimacy as the representative of the working class in negotiations with employers through a series of localized struggles. The piecemeal attempts carried out in the earlier decades failed to establish the union in the market. Such was the might of the merchant and weakness of the workers that these isolated struggles, even though they were in several cases initiated and supported by the Communist Party activists, failed to arrive at a comprehensive statement on the conditions of work. The vital boost came in the form of the Communist Party's ascendency to power and the explicit statement on police and labour policy. The changed political climate made possible the mobilisation of workers and attainment of legitimacy by the union. The gesture by the government in accepting the union's role in discussions on recruiting workers to the foodgrains depot was another important pivot on which the union's fortune turned.

In the decade that followed, the agitations that took place were modelled on that of the 1957-59 phase. The issues raised and the demands put forward were similar to the two charters of demands placed during this phase - that of the shop employees (1954) and Headload workers (1958).

STRUGGLES OF THE 1960s : THE FORMALIZATION OF THE EMPLOYER - EMPLOYEE RELATIONSHIP :

There was a lull in the trade union movement after the fall of the Communist ministry in 1959. Another union, Desiya Chumattu Thozhilali Union, affiliated to INTUC as a rival to TCTU which had been affiliated to AITUC, started to function in the market. This seems to have led to some skirmishes between the unions in regard to sharing of work in Kokkala ferry.[17] In the agreement arrived at by the Labour Commissioner, it was mentioned that work should be shared among the unions and nobody who had been working there should be denied work.[18]

In the general market too the working of the union was far from satisfactory. The demand for bonus was repeatedly turned down by the employers with the usual disclaimer that they were not the employers of headload workers. The TCTU made an unsuccessful attempt to utilize the statewide peasant agitation called by the Communist Party at the end of 1961 to press for their demands.[19] Though some shops agreed to pay an ex-gratia amount, no general accord in this regard was arrived at[20].

The Strikes of 1964 and 1967

The TCTU continued to participate in the general agitational programme called by the AITUC. But it was only

in 1964, utilising the general political unrest created in Kerala due to inflation and food scarcity, that the union was able to come out with an independent agitation on the basis of a charter of demands for headload workers. In the memorandum dated 10-5-1964, the following demands were raised:

a) revision of the piece-wage rates fixed five years earlier.
b) Extension of bonus payment, medical aid, compensation in the case of accidents etc. to the headload workers,
c) Provision of leave with wages and paid holidays; and
d) fixation of Rs.3.50 as guaranteed minimum wage: last demand was clearly inspired by the formation of the Minimum Wage Committees[21].

Failing to arrive at a settlement on these issues the TCTU called for a token strike at the end of June 1964.[22] The Chamber of Commerce, the organized body of the merchants retaliated by closing down the shops and called for a hartal. The TCTU gave call for a general strike from July 28th. About 600 workers participated in the strike. The strike went on till August 8th.[23] Meanwhile the popular unrest fermented by the deterioration of the food situation and the general increase in price level was aggravating. Central

trade unions had called for a statewide general strike and hartal on the 31st of July. The momentum of the statewide popular struggle helped the agitation of the headload workers.

While the headload workers were on strike, attempts were made to bring workers from other parts of the district to move goods. Workers objected to this and started to physically disrupt the scabs from transporting the goods. Several cases were charged against the union activists and on one occasion the strikers were lathicharged. In face of the resolute attitude of the headload workers, Collector was forced to recall the police and persuade the merchants to arrive at a settlement. It was agreed to refer the dispute over wages for adjudication. Even though the union had demanded 100 per cent increase in wages, in the final agreement reached in 1964, only a twentifive per cent increase was granted. No general agreement was arrived at on the demands like bonus, PF etc.

The Communist-led united front came to power in 1967. The TCTU and other newly formed unions of headload workers together presented a memorandum the most important demand being a general revision in the wage rates from the 1964 level. The political umbrella of protection granted by the Left Front as well as the general atmosphere of

political unrest created by inflation and food scarcity were favourable factors for a new confrontation with the shop owners. In Trichur, after a token one day strike an indefinite strike was launched at the four largest whole sale shops in the market. This was an alternative to a general strike in all shops, which would have undermined the popular support to the struggle given food scarcity in the State. As a measure of countering the strike, merchants closed all the other wholesale shops pleading lack of police protection.[24/] They refused to open the shops till an assurance for their life and property was given.

The strike and lockout continued for some time. After about a week, the conciliation talks initiated by the Labour Commissioner succeeded in arriving at a settlement. As per this settlement, workers were granted a 50% increase over the 1964 wage rates. This was twice the wage revision granted in 1964. However, much more important than the quantum of wage increase was the employers' acquiescence to the two other demands: (1) an exgratia payment (in lieu of bonus) of Rs.80 to 120 to a certain category of the so-called 'regular' workers and (ii) overtime benefits for work after 8 P.M. (Agreement: 1967; Souvenir: 1971-p.122-123.) The former is the first acknowledgement by the employers as a whole of the existence of an employer/employee relationship in the headload labour market and the latter the

first acceptance of the notion of a working day. These two important issues require some elaboration.

Employer-Employee Relationship

The main thrust of the trade union movement from the very first memorandum onwards, was to establish an employer/worker relationship between the shopowners and the headload workers and to win the privileges that this status would fetch to the workers. This demand pertained to those headload workers who worked regularly in a particular shop. The demand as it was expressed had two clear sources of inspiration. The first was the influence of the factory form of production and the position that a regular permanent worker would enjoy in a typical factory. The second was the kind of benefits that the various categories of employees of the shop (such as the shop assistants and attenders) had already obtained which were contained in the two Shops and Establishments Acts of 1948 (Cochin Government) and 1960 (Government of Kerala). According to these two Acts, the shop employees were eligible for all facilities that were availed by a worker in a modern factory. The headload workers had therefore been constantly demanding an extension of the coverage of the Shop Acts.

Under the 1967 agreement an exgratia payment henceforth had to be made to those workers who worked regularly in a particular shop. This was towards satisfying the demand

for bonus made by unions. By such an agreement, old argument of the merchants that there was no employer/ employee relationship in the headload labour market was, in effect, made invalid. In all the agreements that followed, exgratia payment and gratuity had to be invariably considered. Regular workers in hardware shops, parcel agencies and the goodshed also demanded and obtained agreements similar to the 1967 agreement which came to force initially in grocery wholesale shops. These regular workers continued to be piece rated casual workers, but now they worked only in a particular shop and were sure to be employed if that particular shop had work. Over time, they were to consolidate their position as 'permanent' employees of the shop and obtain benefits such as bonus (exgratia payment), paid holidays, compensation on removal from service and accident insurance.

One must note that this recognition of employer/ employee relationship was accorded only to a certain section of workers, thereby creating regular/non-regular distinction in the labour market. The non-regular workers were not employees of any one shop but where employed by the shop-owners as a whole, as they worked in various shops during the same day. This was to have important implications for the functioning of the labour market. We shall discuss this later.

The Working Day

Similarly, the 1967 agreement to pay over-time beyond 8 P.M. was the first acknowledgement of the notion of working day in the headload labour market. This has to be viewed in the context of the labour market as it existed in the 1950s and 1960s. Work was scarce and the headloaders picked up whereever they could whatever work was available. The working conditions were hardly standardised and unpaid labour was common as the distinction between headload and other kinds of work was thin.

Though the first memorandum (see Appendix I) does speak of the prevalence of 'unpaid' work and 'extra hours of hard labour', it did not specifically demand a normal working day of 10 or 12 hours. But here again the elements of such a recognition were already there in the Shops and Establishments Acts of 1948 and 1960. The principal attempt of the early trade union movement among the shop employees was to get a piece of legislation passed whereby the working time of the workers was regulated and they were allowed a holiday during the week.[25] The shops and Establishments Act of 1948 was the result of this attempt. In the later memoranda of the headload workers a demand was made to make the provisions of the Shop Act applicable to them too, and thus get their working day recognised. No decision was arrived at till the 1967 agreement spelt out that over time payment will be made for the work beyond 8 P.M. In the

later agreements this limit of 8 P.M. was further brought down to 7.30 P.M., 7 P.M. and ultimately 6 P.M.(Agreements 1968-1983).

The year 1969 saw another strike wave in the headload labour market. TCTU and other unions in the memorandum given to the Chamber of Commerce demanded bonus, special holidays and benefits of the shop Act. When this memorandum was rejected by the Chamber on the grounds that it was in violation of the agreement of 1967 [26] the unions called for a strike on the 1st of August.[27] The strike was finally ended by the Chamber of Commerce, on behalf of the merchants, agreeing to revise the exgratia payment made in 1967 to Rs.155 per worker and to allow, for the first time in the headload market, five paid holidays. But the demand to revise wages and to include headload workers in the purview of the Shops Act were flatly rejected (Agreement: 1969, Souvenir-p.122-123)

THE SEVENTIES: NEW CHALLENGES AND THE STRATEGIES FOR THE REGULATION OF LABOUR MARKET

The 'seventies were years of numerous local level agitations which generalised and carried forward what the movement had already achieved. Major struggles like those in 1958, 1964 and 1967 did not take place in this decade. The normal practice became to present a demand notice around

July/August. An agreement would be reached in August/ September at times after a strike, but more often without any significant strike action.

On the economic front, this period saw the consolidation of the gains won by the unions in 1960s. Through the various demand notices presented and the agreements that followed the movement carried forward what it had achieved through past struggles in the form of economic gains and a reduction in the physical strain involved in work. It made use of demands like 'special wages'[28], a payment made in lieu of the exgratia payment to non-regular workers, to keep all sections of workers satisfied (Agreement: 1972). As a consequence of the various steps taken during this period, the wage schedule, which had already been recognized by the employers as a tool for valuation of work, became more comprehensive and detailed. This wage schedule (discussed in detail in Chapter III) became more rigorous in taking into account the physical aspects of work and its valuation. With the emergence of new operation-based unions, the wage schedule also was broken up to form separate basis of negotiations for various kinds of operations.

However, the important developments took place during the 1970s in the manner of recruitment, work allocation, growth of closed shops etc., all of which were to provoke

public resentment and an employer backlash in the 1980s. The developments in 1970s also seems to suggest that having achieved major economic gains, the movement was now solely concerned with defending its achievements. In short, had the movement reached the limits of economism ?

Multiplicity of Trade Unions

The 1970s saw the emergence of numerous trade unions with divergent political affiliations. The split in the communist movement created a rift in the TCTU. The Trichur General Workers Union (TGWU) was formed which later got affiliation to the CITU. Later another faction broke away from CITU to form a separate union. The INTUC union received a shot in the arm with the declaration of Emergency and attempts were made in Trichur as well as all over Kerala to strengthen this union. The multiplicity of unions and inter-union rivalry made concerted action difficult and the reconciliation of conflicting interests could often be reached only after intercine violence.

The first and most important development was the tactics employed by the unions to restrict the entry of new workers into the market. There were even earlier several cases of tension resulting from the attempts to ward off

the 'aliens' (or 'scabs' in a more common parlance) from the premises during strikes, as, for example, it happened in 1964 and 1967. But now the entry to the labour market began to get increasingly difficult even during the normal times. The most immediate result of the closed shop policy was that the unions began to have a monopoly in recruiting workers. A worker could enter the market only through a union. Simultaneously, forming a union became a way of getting entry to the market since the newly formed union can demand its share in the total work.

The outcome was the multiplicity of unions and their mutual rivalry. In the Trichur market the rivalry between the old established unions and the newly formed unions reached an explosive situation in the Railway Goodshed during 1967-'69. The problem began when the regular workers belonging to the Foodgrain Transport Workers Union(AITUC) were denied work in FCI godowns and it was given to the newly formed Kokkala Chumattu Thozhilali Union (CITU)[29]. In the agreement of 29-12-1967 arrived at the conference in RDO's office, it was mentioned that the work in FCI godowns should be divided equally among the workers of two unions.(Goodshed Agreement: 1967) It also required maintenance of an attendance register whereby all workers who were performing the loading/unloading work became regular workers under the FCI contractor. Though the agreement was signed in 1967,

the problem of distribution of work continued to be a source of trouble between the unions. On 5th April, 1968, the five month long dispute was sorted out by the intervention of the state labour Minister[30].

This incident is a classic example of the sort of problems that were to plague the headload labour market in the years that followed. Since no records were maintained to show who was the regular worker in an area, frequent clashes of interest and cases of work denial were being reported from all parts of the State during the 'seventies[34]. New unions always emerged utilizing the discontent of the unemployed and attempted to break existing job monopolies arising out of closed shop unionism.

Closed Shop Tactics

Secondly, simultaneous with the enclosure of the labour market there were attempts to build up local job monopolies which amounted to having closed shops within closed shops. Since the non-regular workers were the most threatened by the newcomers, attention was focussed on them and to keep their membership strictly limited. The workers who were not having any direct employer but who were associated with the loading/unloading work in the vehicles, such as trucks, bullock carts , handcarts etc., were organised on

the basis of their occupation. We have the beginnings of Lorry Loading unloading workers union (1967) Bullock cart workers union (1968), Handcart workers union etc. Workers specializing in various commodities and various markets were similarly organised. We have the vegetable tharaku workers union (1967), Foodgrain Transport Workers Union (1966), Kokkala Chumattu Thozhilali union (1967) etc. All these unions were organized during the period 1966-69.

Thirdly, a significant section of the loading/ unloading workers were now situated outside the market. These workers were usually unemployed youth who based themselves around important junctions on streets. The unionisation of such workers occurred towards the second half of 'seventies. The workers outside the market enrolled themselves as members of the prominent unions and functioned as sections working within their fold.

Fourthly, the regular/non-regular distinction had come into existence after the 1967 agreement in the market and the ones that followed. Work allocation among non-regular workers gave rise to severe conflits as these workers did not have any regular employer and hence they tended to float in the market looking for work. Moreover, the status of a non-regular worker is what an immigrant to the market first acquires before he becomes a regular worker. The unions, therefore, sought to tackle this problem of divisions

within the workers by introducing the concept of limits and boundaries and thereby "cutting up" the marketplace into different areas or 'sections' within which only the the non-regular workers will be allowed to move. The non-regular workers were permanently anchored to these sections and the overlapping of areas was strictly prevented. Within the 'section', however, they were assured of employment. The precise dating of the origin of sections is difficult, but it seems highly likely that they emerged between 1970 and 1976 and became rigid by the end of the decade.[31] In Trichur these sections were never written down in any contract, but only tacitly recognized. Even though section boundaries were set up to very fine levels, conflicts over rights to work never ceased to exist.

Unemployment and the Labour Market

All these developments -- inter union rivalry, geographical/operational boundaries, closed shops, barriers to entry etc., have to be situated in the context of the high level of unemployment that prevails in Kerala. Table 1 presents unemployment rates in Kerala in selected years.

Table 1 brings out in sharp relief the acute shortage of work in Kerala, where the incidence of unemployment is the highest in all states. It is obvious that in such a situation the unskilled workers are the most affected.

Table 1 : Unemployment in Kerala & All India
(Urban, males as % labour force)

	Kerala	All India
1972/3	23.52	8.2
1977/8	25.17	9.54
1983/4	22.60	9.20

Notes: 1. These are current Daily Status rates which insofar as they are based on the employment-unemployment changes from ½ day to ½ day within a reference period of a week, are the most appropriate measures of un-/underemployment.

2. 1972/3 and 1977/8 figures are for workers in age group 15-59 while 1983/4 estimates are based only on subrounds 1 and 2 (December to June) while the earlier two estimates are for all four sub-rounds.

3. Source: Sarveksana, Vol.III,No.3 January, 1980
Sarveksana, Vol.IX,No.4 April,1986.

The developments of 1970s in the headload labour market can be seen as desperate attempts to maintain an adequate quantum of work and income in an economy where demand for labour was limited.

One should yet be cautious in not justifying the developments of 1970s in terms of the acute unemployment prevailing in Kerala. The elements of this strategy of unions became increasingly clearer over time. The strategy and the "rules of the game" that result from it where the products of localized struggles before they were in any way generalized. Even when they were generalized, the operation of the rules varied across region depending on the balance of forces. Even though the unions were successful in weilding this strategy to further their economic gains and security, they aroused much middle class resentment and isolated other sections of the working class and peasantry from the movement. This was utilized by the employers during the 1980s to isolate and defeat the movement.

Footnotes

1. In Trichur district as a whole, the percentage of Christians in total population was higher than all Kerala. In 1971, 25.19 per cent of the population in Trichur district were Christians while the state average was only 21.05. In Trichur town proper, the percentage of Christians was as high as 43.90.

2. The Kokkala ferry was an important landing place in the long chain of waterways running from Cochin to North Kerala. (Gazetteer; 1962).

3. The NCAER Survey (NCAER:1969) points it out as a major impediment to the expansion of lorry transport in Kerala. p.179.

4. 'Visibility' and 'invisibility' of work is in terms of whether it is included in the wage schedule or not. If it is not included, it is equivalent to extraction of unpaid labour.

5. The extent of the fall in prices and its impact on the peasantry are brought out by the Report of the Economic Depression Enquiry Committee (1931) appointed by the Travancore Government. See Balaram (1973) p.10-15.

6. The importance of CSP in Malabar also lay in the contribution it made towards an integration of the anti-landlord struggle with the nationalist movement of Malabar(K.Gopalankutty: 1981). Apart from the works already cited, the early history of trade union movement in Malabar, Alleppey and other parts of Kerala is extensively discussed in Andalatt:1978, Gopalankutty:1980 and AKG Centre for Research and Studies: 1984).

7. K.K.Warrier has described the organisational work of the Brotherhood - See Andalatt (1984) p.88-90. Foremost among his recollections is the solidarity that the organisation was able to build up with the public; Also see K.K.Warrier: Souvenir (1966) p.25-29.

8. The activities of the labour Brotherhood was not confined to Trichur town alone. Its activities covered the nearby areas and villages too.

9. The May Day demonstration of 1936 was organised by the Labour Brotherhood with just 7 participants.(K.K.Warrier; Souvinir: 1971.p.17-18).

10. In Kerala, as a whole, the number of trade unions seems to have gone up from less than 16 in 1936 to over 54 in 1939 (Balaram: 1973.p.71 and 101).

11. Though it was called Agricultural Workers Union, the principal issue taken up by it was the cancellation of the indebtedness of the tenants (C Achutha Menon: 1971: p.35-6). In that respect it bears similarity to the peasant movements in the Malabar region.

12. It was a part of the mass mobilisation efforts undertaken by the Praja Mandal activists for gaining political muscle. R.M.Manakkalatt (Souvenir: 1971:p.79-80) P. Narayanan Nair (1973.p.218-19). Also R.M.Manakkalatt: Interview dt. 20/9/1986.

13. The number of registered trade unions went up from 1213 in 1957-58 to 1538 in 1958-59 and 1842 in 1961-62. The total membership of the unions rose between 1957-58 and 1958-59 (from 3,55,000 to 3,74,000) but fell sharply in the following years to reach 2,62,000 in 1961-62. (K.Ramachandran Nair: 1973,p.134).

14. The letter is cited in Souvenir: 1971. The Minimum Wage Committee's report came into force in 1961. (Souvenir: 1971,p.160-162)

15. In the following year (1958-59) the TCTU was able to get five more compensation awards for the workers who were retrenched by shops. The compensation ranged from Rs.110 to 200 per worker (Souvenir: 1971,p.178)

16. Express, Local Daily, Trichur - 18/12/1958.

17. Express, 25/5/1960, 27/5/1960, 1/6/1960.

18. Express 2/6/1960.

19. This major agrarian agitation was launched by CPI on November 27,1961. The main demands were to put a ban on eviction of tenants and to institute a land survey so as to locate the excess lands. The agitation lasted 41 days. The Kerala Kisan Sanghom (KKS) Conference held in November 1961 had laid down specific steps to be undertaken in this regard. The agitation was meant to exert pressure from below for the implementation of the Agrarian Relations Bill, passed by the 1957-59 ministry. (T.K. Oommen: 1985, p.112-113).

20. Deshabhimani, Calicut. 18/12/1961; Express 19/12/1961

21. Several Minimum Wage Committees were already functioning, starting from 1952 onwards in Kerala.

22. Desabhimani : 26/6/1964.

23. Express: 8/8/1964.

24. Express, 5/8/1961.

25. The Shops and Establishments Act, 1960 lays it down that the working day of "shop employees" (the category to which the headload workers were attempting to gain entry) shall not exceed eight hours in a day and forty eight hours in a week. It provides for overtime payment if the number of hours exceeds.

26. Express, 1/8/1969

27. Express, 2/8/1969, 3/8/1969.

28. Special wages were an additional amount paid to the nonregular workers over and above their ordinary piece rates. The arrangement was aimed at procuring for the irregular workers an additional payment for each day that they work, which multiplied with the number of days worked, will give an amount sufficient to compensate for the absence of the exgratia payment.

29. Express - 22/12/1967

30. Express - 6/4/1968.

31. In the struggles of 1967-69 and 1970, there were no references at all to geographical boundaries within the market. But by the time the Select Committee began to collect evidence on the Kerala Headload workers Bill, the section boundaries seem to have been clearly established in Trichur as well as other markets (Evidence: 1976). The speech of the Labour Minister and Discussion on the KHW Bill (Kerala Legislative Assembly Proceedings: 1976, p.154-192) also indicates it.

32. The results of another survey (Survey on Housing and Employment: 1980) show that 82% of the labour force got any employment during the year 1979-80 and the rest (18%) were unemployed. It also showed that the extent of underemployment is also very high. 67.49% of the total employed persons in Kerala got employment for 200 or more days in the year.- 32.51% of the employed got jobs below 200 days, in an year. 15.76% of the total employed got jobs for 120 to 200 days, 10.18% for 60 to 120 days and 6.57% for below 60 days in an year. Thus one can see that not only is the level of unemployment high but among those employed itself the extent of underemployment is substantial.

CHAPTER III

THE CONFRONTATION OF 1980-81: BACKGROUND AND RESULTS

Introduction

The strategies employed by the trade unions to maintain and ensure the daily earnings, employment and working conditions of the workers resulted in the formation of a number of unique structures in the headload labour market by the end of 1970s. As we have seen in the last chapter, these structures evolved out of continuous localized struggles on the shopfloor between employers and workers and in the process of competition between the workers belonging to various unions. These structures have come up in the form of a set of new rules[1] about the recruitment, allocation and control of work, which, though seldom actually written down in the form of an agreement or entered in the contract, are nevertheless accepted by both employers and workers[2]. These rules are accepted out of the concern for the economy of time and movement or out of sheer compulsion.

We shall first discuss how these new rules regarding closed shop system and minute labour market segmentation resulted in the abrogation of the managerial powers of the employers. We shall then examine the evolution of the elaborate and intricate wage schedule which completely foreclosed any possibility of managerial personal discretion in the wage payment and assignment of tasks.

The next section is devoted to the consequent gains that the headload workers were able to achieve in terms of wages, bonus etc. and improvements in the physical conditions of work. It must be admitted that our analysis has a serious limitation - we have no information about the earnings of the workers whatsoever.

The new developments thus resulted not only in monetary loss to the employers but also in an erosion of their managerial rights. With the formation of the Left Front ministry in 1980, the militancy and demands of the Unions began to increase. The employers considered the situation intolerable and started a series of concerted manoeuvres to resist the union inroads into what they considered their managerial power. This resulted in the bitter and prolonged confrontations of 1980 and 1981.

In the final section of the chapter, we shall discuss the events of the confrontation in 1980 and 1981. What was

the general environment that helped the employers to successfully resist the union tactics ? What were the real issues at stake ? And what was the outcome of this confrontation ? Such questions will be considered in the final section.

THE BACKGROUND

As we have seen in the last chapter, the most striking consequence of the growth of trade union movement in the labour market was that the whole market became a vast closed shop. The closed shop tactics were employed not only with respect to the market at large but also with respect to minute subdivisions created within the market on the basis of specialization according to the area of work, commodities handled and the operations involved in work. We shall now examine in some detail the high degree of specialization of labour and the barriers to the free flow of labour which were erected by the trade union movement.

General Market

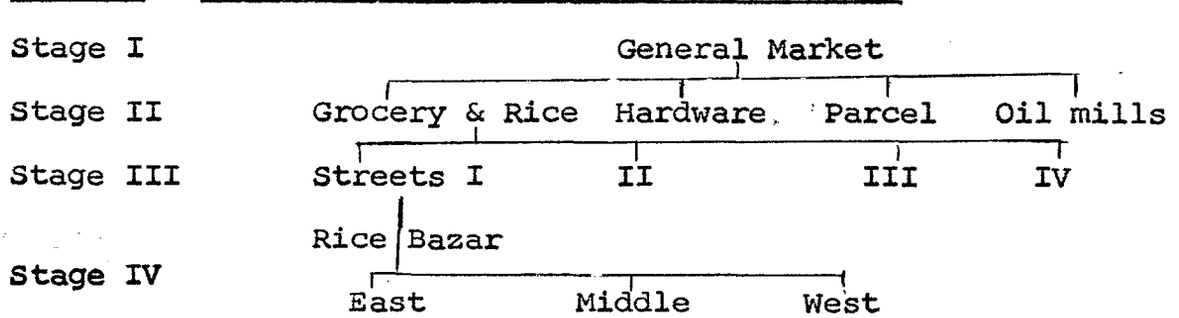
Trichur market consists of three main markets, namely a) General market b) STN market and c) the Railway Goodshed. These three markets are areas where the loading/unloading activities of goods take place. These are situated in

geographically separate regions within the town. Each of these markets has peculiarities about the kinds of goods which are handled, vehicles used in transportation, the nature of work, the mode of payment and the form of commodities handled. Besides, important road junctions of the town have also developed into independent local markets. However, we shall not consider them here.

First, we shall examine the General market. It consists of (a) wholesale shops dealing in rice, grocery items etc; (b) shops dealing in hardware items such as iron rods, wires, building materials etc; (c) parcel agencies and (d) oil mills.

These sections of the General market are further compartmentalised into sub-sections or areas. We were able to find cases where this division of areas was carried to the extent of having in the same street several still smaller sub-sections covering a few shops. A schematic presentation of this area specific compartmentalisation is given in the chart below:

Chart 1 Area specialisation in General Market

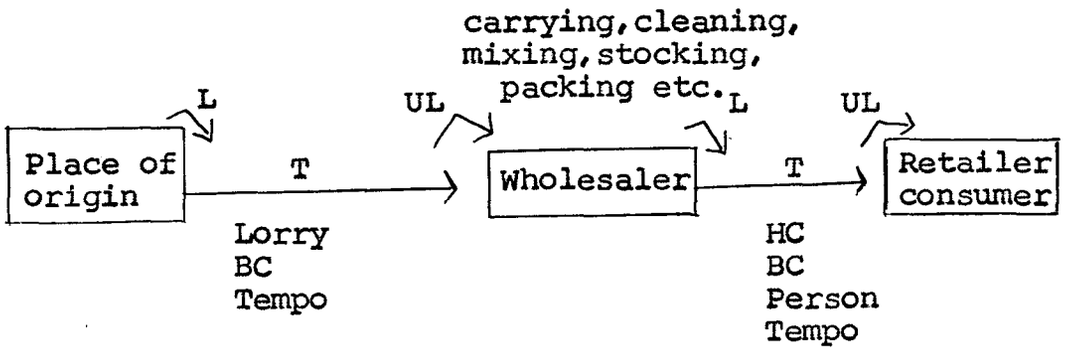


We can identify four stages of compartmentalisation in the General market as shown in the chart above. Stage IV may be something peculiar to the grocery shops and is made possible because of the fact that both the number of grocery shops and the share of grocery items in total turnover are much higher than the corresponding figures for hardwares and parcels. At each level, the mobility of labour becomes increasingly limited.

Besides, workers in each area are further specialized according to the nature of operations involved and the type of commodities handled . In the General market we have workers who specialize in certain commodities like grocery, hardware , oil, tea and so on. Some others work only for the parcel agencies. However, since most of the shops dealing with each of these commodities cluster in the same street or parts of it, the area specialization and commodity specialization often overlap. It is likely that the specialization in terms of commodities increases efficiency because each of the goods handled has uniqueness about its packing, weight and jobs associated with it.

The specialization according to operations is more strictly implemented. The operations involved in the movement of goods in the General market and the ways in which operations are separated can be explained with the help of the following flow chart:

Chart 2: Operations in the General Market (Grocery)



L: Loading

UL:Unloading

T : Means of transport used

HC : Handcart

BC : Bullock cart

Person:By the headloader himself

The form of goods that arrive in the grocery sub-market of the general market is generally bags weighing 75 Kg - 100 kg. Cotton, paper, chilli etc. arrive in bales measuring about 180 Kg. The place of origin of goods is usually distant, meaning places outside the district. Goods arrive through either (a) road or (b) rail. If they come by road, it can be directly unloaded in the shop or the godown. If they come via rail, they are unloaded at the goodshed and the forwarding and clearing agents send them to the shops through bullock carts or tempo vans. The goods are then unloaded and carried

into the shop or godown. In the godown or shop there are operations such as cleaning, mixing, weighing, packing, bundling and stacking. In the case of hardware, we have detailed procedures of cutting, packing and so on. From the wholesalers the goods are transported to the retailers. This again involves removing sacks from the stacks, in certain cases unbundling them and carrying them to the vehicle - handcart or bullock cart or lorry or tempo - and loading in them. From the retailer it goes to the final consumer.

The different sets of operations which are handled by separate categories of workers in our description above are:

a) unloading goods from the vehicle and loading of goods into the vehicle. These tasks are performed by a group of workers known as 'atti-mari' workers (atti- vehicle loading; mari - vehicle unloading)

b) Carrying goods from the vehicle to shop and from shop to the vehicle. These operations are performed by a group of workers called 'Kayattirakku' workers.

c) Stacking and unstacking within the shop. In some big shops these activities are done by

a separate group of people, who could be called 'shop bundlers'.

d) In addition to the above, there are operations such as packing, weighing, cleaning etc. which are also performed within shops. In big shops, these operations would be performed by a separate set of people.

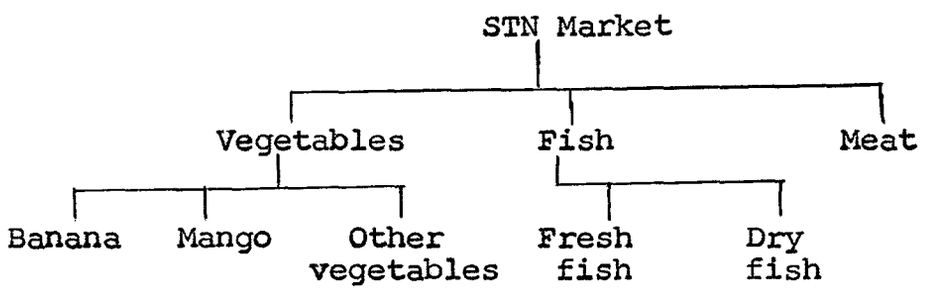
Wages of the atti mari work are paid by the vehicle owners, but are included in the total vehicle rent. The vehicle loading/unloading work of a large scale is demanded principally for lorries because their carrying capacity is higher than other means of road transport. But vehicles such as tempo vans and bullock carts too require the help of atti mari workers to some extent. Lorry owners may be considered as the main employer of these workers.

For other types of work the wages are paid by the shopowner himself.

The STN Market

Now we shall examine the commodity specialization in the Sakthan Thampuran Nagar (STN) Market. This market is a wholesale market for vegetables, fresh and dry fish and meat. It has the following sections.

Chart 3 : Commodity Specialisation in STN Market



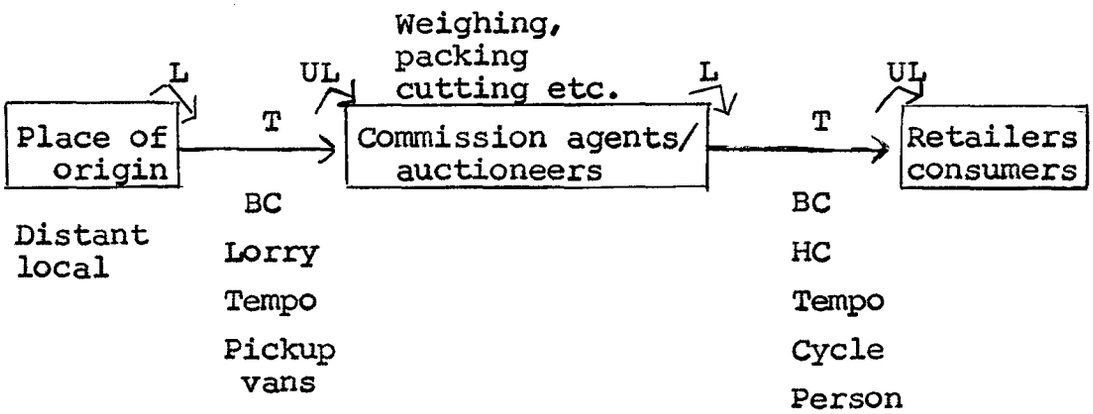
The market yards are allotted according to commodity groups. One may say that commodity specialization overlaps with area specialization.

A unique feature of this wholesale market, especially for vegetables and fish, is the system of nightwork. So here we have the case of specialization on the basis of the time of work. Workers who work during the night do not work during the day time and vice versa. This is akin to , but not identical with, the usual shift system adopted in factories. It is not identical with the shift system because here the workers in the two shifts are not interchangeable[3].

Operational specialization is prevalent in this market too. The merchants here are not pure traders but agents (tharakukaran; tharaku: commission agency). The trading activity takes place in tharakus situated in

rows of shops in the market yards. The trader acts as the auctioneer and the commission agent. There are peak hours of work in the vegetable market, which are between 2 AM and6 AM. The goods that arrive at that time are auctioned off and the agent gets a commission varying between 6-8% of the total sales proceeds. The operations involved in the market are brought out in the flow chart below:

Chart 4: Operations in the Vegetable market.



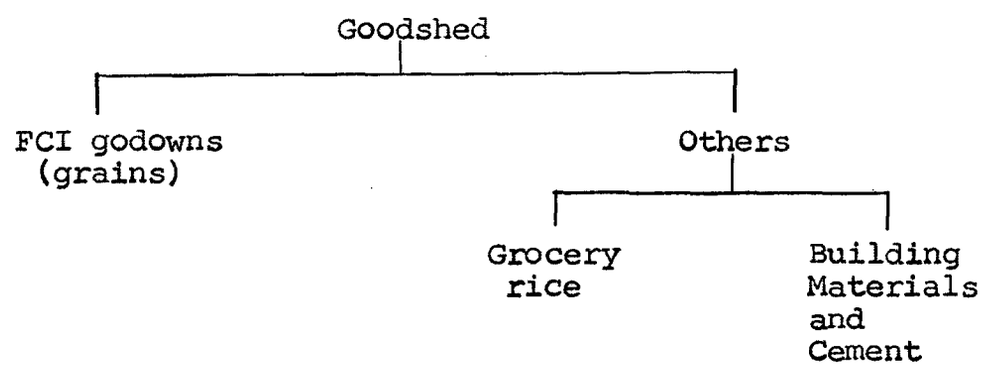
The operations involved are (a) loading and unloading of commodities in vehicles and b) weighing, cutting, packing etc. There is no employer/employee relationship between the agent and the workers. Wages for (a) are paid by the vehicle owners or by the owners of commodities and for (b) by the final buyer. Perhaps due to the perishability of goods, the agent tries to avoid holding of unsold stocks.

Consequently, activities like stacking and unstacking, which are done inside the shop in the General market are not significant here.

The Goodshed

We shall now examine the third major market- the Railway Goodshed. This market handles grocery items and building materials that arrive through rail. It also consists of the Food Corporation of India (FCI) godowns, which handle the rice and grocery items meant for meeting the requirements of the public distribution system. The commodity specialization in this market is shown in the Chart 5 below:

Chart 5: Commodity Specialization in the Railway Goodshed



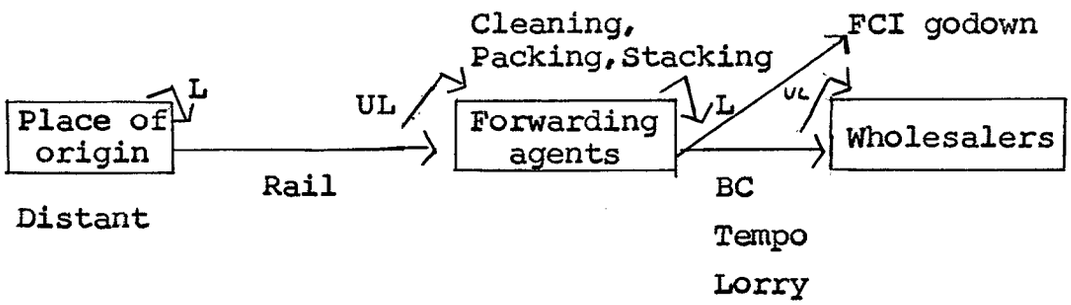
The transportation of goods from the Goodshed to the wagons and vice versa are conducted by a set of agents called forwarding and clearing agents, also called transport and labour contractors. These agents get a commission either from the FCI officials or the private traders for arranging labour and vehicles for transportation of goods. Some of these agents also own lorries and other vehicles which are engaged in carrying goods.

In this market operations involved are identical with those of the General market except the intervention in the Goodshed by the forwarding agents. Wagons that arrive are unloaded by the workers employed by the agents. There are both regular and non-regular workers in the Goodshed. The regular workers work for only one agent while non-regular workers can be hired by any agent. Wagons have to be cleared within a day after their arrival, after which a demurrage is charged. After being unloaded from the wagons, the goods are either carried to the godown and stored there for some time or are taken to the vehicles that wait outside the Goodshed and loaded in them. In the former case, there will be operations like cleaning, weighing, packing, stacking etc. The principal means of transport used for goods movement from the Goodshed to the General market are bullock carts, tempo vans and lorries. The wages for all operations from unloading/

loading in the wagon to loading/unloading in the vehicle are paid by the agent. It is thus possible for a group of workers to be permanently under the employment of one agent and have a discernible employer/employee relationship with him. The wages paid by the agent are included in the total bill to the FCI or the private merchants in General market.

The operations involved are shown in ~~the~~ Chart 6.

Chart 6 Operations in the Goodshed



The operations involved here are as follows:

a) Loading/unloading of goods from wagons and in other vehicles, such as lorries, bullock carts etc.

b) carrying goods into and from the godowns; stacking and unstacking them in godowns.

c) Cleaning, mixing, packing, weighing etc. are involved in the case of certain goods.

There is a clear separation of operations between (a) vehicle loading/unloading work and the carrying, stacking, weighing and mixing work. There is the distinction regular/non-regular among the workers in the Goodshed and the regular workers are considered to be employees of the forwarding agents.

The process of separation of operations and specialization results in the splitting up of a unified labour process into a number of more or less self-contained constituents. It has resulted at times in the creation of operation-based unions. These unions either existed separately or were subsumed under the rubric of more general unions; forming sections within them. Evidently, these kinds of unions are possible only when the operations in question are clearly identifiable to be set apart, such as those associated with the loading, unloading or using a vehicle. It is also necessary that the volume of goods movement is sufficiently high to make separation of operations economically feasible. The Lorry loading and unloading workers union and the Bullock cart workers union are examples of the independent operation-based unions. The handcart workers formed a separate section under the General Workers Union.

The implications of the above developments for the employers should be noted. They do not have any say in

regard to the recruitment of workers not only into the market at large but even for work in the shops. It is the unions which recruit workers and allocate the work. In this context, it is interesting to note the various arrangements for sharing of work made and implemented by the trade unions.

Work sharing Arrangements

In any situation of scarce employment opportunities, worksharing arrangements become important as means of ensuring a minimum level of income to all. In the special context of headload work there are two levels at which work is shared: between the different unions and between workers within a union itself in a section. Agreements among the unions on sharing work are arrived through either open negotiations between themselves and Labour Department officials (Goodshed Agreement; 1967) or by a tacit understanding between the unions. Such arrangements become essential when there occurs a dispute over the right to move goods among the workers belonging to various unions. In the cases of markets where the system of gangwork prevails, such as the Railway Goodshed, unions are consulted before the gangs are formed or when the membership of a gang is expanded, so that each union gets representation in the gang according to their relative strength. In various sections of the General market and among the lorry loaders and unloaders, the total wages

earned by the workers in a day are shared among all those who were present for work on that day[4].

The personal contacts with the employers, which was so much important earlier in sustaining the worker's position in the market, has become of little importance. Now, the worker's position is ensured by written contracts with the employers and through membership in the trade unions. The union leader is the writer of the contract, the negotiator with the employers. The trade union is the guarantor of the worker's position in the market. The strong personal bond between the worker and the employer mediated through the caste/religions/regional/household loyalties has given way to a relationship of the market sale and purchase of labour power.

The impersonal nature of the new relationship is best exemplified in the detailed wage schedule that has evolved in the labour market:

THE WAGE SCHEDULE

The wage schedule gives the piece rates of headload workers for various types of operations in different markets. It is the epitome of collective bargaining in the headload labour market. The wage schedule is simultaneously a list

of operations to be performed and a way of valuing them. The rates are usually presented as per unit of the commodity handled.

The most striking point about the wage schedule is its detail. Since it is the basic tool for evaluating and rewarding work, it is essential for the workers to ensure that no item of work is left out from its coverage. What is not included in the wage schedule is tantamount to unpaid labour. The detailed nature of the wage schedule arises from the attempt to prevent the unpaid labour. There is no trust between the parties concerned; there is no guesswork or taking things for granted. Everything had to be written down in the agreements and brought down to the level of monetary transaction.

The very idea of such a wage schedule was absent in the headload labour market before 1959. The wage schedule came into being essentially as a consequence of 1958/9 struggle.[5] From then onwards, it became the foremost instrument of collective bargaining. The attempt was constantly directed towards widening the scope of the wage schedule by having more and more items included in it as the circumstances changed. Consequently, while the wage schedule of 1959 covered 25 items of work, in 1986, it covered nearly 350 items in various markets (See Appendix 2).

Along with the growth in the number of items covered, the single wage schedule of 1959 broke up into a multiplicity of schedules, each covering one market or one particular group of workers or commodities. The stress on detail is by no means accidental. It corresponds to the extension and rigidification of the labour process. As the areawise, commoditywise and operationwise specialization began to take shape, the wage schedule also underwent a transformation. Thus the details of the wage schedule have evolved over time and is a corollary to the developments in the labour market such as the separation of operations, demarcation of area and the formation of operation -based unions.

Wage rates in the schedule are fixed on the basis of the amount of physical energy that is spent in the handling and carrying operations. But other factors such as the value of the commodity and scarcity of labour for any particularly 'skilled' operation also count. In general, the wage rates are fixed according to the following considerations:

a) the weight of the commodities handled.
b) the distances to be covered while doing the carrying operations;[6/]
c) the height to which the worker is expected to carry it; and

d) the time involved in the operations.[7]

Revisions in the Wage Schedule

The wage rates once fixed are revised periodically, after discussions between the employers and the workers or after prolonged struggles. There was no uniformity earlier in the way wage increases were allowed, the amount of wage increase granted and the time period over which these new rates would prevail. Everything was left for the balance of opposing forces to decide. But in the post 1974 period, we can see that wage increases were granted almost annually. In the post 1984 period, the procedure seems to have undergone further modification. Instead of yearly discussions, the unions began to insist on a two or three year agreement, whereby the wage increases to be given in future are fully anticipated and stipulated. By this time the multiple wage schedules had become established and separate negotiations were conducted for revising each of them.[8]

The wage schedule bears on it the marks of the struggle in the workplace. As we have already mentioned, the first wage schedule came into being as a consequence of the 1958/9 struggle. Thereafter, care was always taken to write down all possible work in the schedule and fix a wage on them. In each demand notice and agreements based on them new items always surfaced. These could be of two types - a) new work which comes into being because of a

change in the nature of the market in terms of the commodities handled (at times even the packing involved of goods handled was also considered), means of conveyance used etc.[9] and b) the work which was hitherto 'invisible' in the sense of not entering the economic calculations of the negotiators and which, consequently, was left unrewarded[10]. To a great extent, the surfacing of new items goes along with the separation of wage schedules, but it also takes the form of an elaboration of the already existing wage schedule/s. The inclusion of these new items is never conceded by the employers without resistance.

On the other hand, we have also some items of work which drop out from the wage schedule in course of time. Such items are those which have a direct impact on the worker's body and health. Examples of such operations which are discouraged by the unions are handling of bags weighing over 100 kg.[11] and 75 Kg.[12] and carrying of bags above a certain weight to certain heights.[13] What we thus find in the various demand notices and memoranda prepared by the unions and the terms of settlement arrived at in disputes is a constant attempt towards reducing the physical strain involved in work, a consideration which arises from the concern for the worker's body and health. Such a concern

is equally evident in the attempts to increase the leisure of workers, such as those contained in the demands for more holidays, leave facilities, accident insurance, compensation and gratuity upon retirement and the incorporation of the provision for rest after a few hours of continuous work in the Act.(KHWA, 1980:p.5-9)

The wage schedule is hence constantly in a state of flux. Old operations change their form and drop out from it while new items of work constantly emerge. The trade union assumes the role of the scout, always on the look out for a leeway. Table 1 brings out the flexible character of the wage schedule and the changes that it has undergone from 1959 to 1982 in the General market.

Table 1 : Changes in the wage schedule in the General market, 1959-1982

	Grocery			Lorry loading/ unloading			Hardware		
	T	D	N	T	D	N	T	D	N
1959	27	-	-	-	-	-	-	-	-
1964	41	2	16	-	-	-	-	-	-
1967	37	7	-	-	-	-	-	-	-
1970	40	8	14	-	-	-	-	-	-
1974	38	2	-	27	-	-	85	-	-
1978	38	-	-	41	-	14	86	-	1
1980	40	-	2	-	N.A.	-	87	-	1
1982	42	-	2	56	-	15	87	-	1

T: Total items; D: Old items of work dropped; N:New items of work added

Source: Wage Schedules : 1959-82.

The wage schedule summarizes the labour process in the workplace. It gives us in a nutshell all the possible movements that a worker in work performs. Such movements are the exchange values that the labourer sells to the employer and the wage schedule gives us the monetary equivalent of these movements. In doing so it exposes the physical character of work as an expenditure of the stored energy in the labourer's limbs for a specific duration of time. This movement is economically useful and is directed towards definite ends. Since it is the operation, the movement of worker's body and limbs and the co-ordination of gestures, which are valued with the piece rate and since the operation performed has a temporal duration , there is a direct link established between body movement, time involved and money. The wage schedule elaborates the body movements of the worker and strikes an equivalence of them with the time involved and money. In other words, while lifting a bag or loading a cart the worker is made to feel that he is selling bits and pieces from his working time or converting time into money. "(Time) measurement embodies a simple relationship. Those who are employed experience a distinction between their employer's time and their 'own' time. The employer must <u>use</u> the time of his labour, and see that it is not wasted: not the task but the value of time when reduced to money is dominant. Time is now currency: it is not passed but spent"(E.P.Thompson: 1967, p.43).

TRENDS IN WAGES

Now we shall turn to the quantitative aspects of the wage schedule, that is, the trends in wage rates. Given the changes in the items of work included in the schedule as well as the changes in work norms, it is very difficult to construct a series of long run trends in real wages of head-load workers.[14] Further upto the mid-seventies, there was no uniformity in the way money wages were revised. The usual practice was to give an across-the-broad increase of a certain percentage. However, the rate of increase given and period over which the new rates would prevail were quite arbitrary. But after the mid-seventies, the practice seems to have stabilized at an year-to-year revision of wage rates by 10%.

Even though a general percentage increase in wage rates was in practice, we find that the money wage rates in the various schedules have not moved at the same pace over time.[15] Therefore, the choice of a representative item to analyse wage rates of the headload workers is difficult. On the basis of our discussions with the trade union activists and our own familiarity with the market we have chosen one operation (Operation No.3 in the Grocery section of the General market, which is carrying bags weighing below 100 Kg) for our analysis. We have continuous data for this operation from 1960 to 1982 and this operation is the one in

which a high proportion of the workers are engaged in.[16/] It may be noted that the rate of increase in real wages of certain sectors like attimari workers (lorry loaders/unloaders) were more than double that of the workers in the operation that we have taken as the representative. The table below gives the percentage increase of money wages granted to the grocery workers from 1964 onwards and the rate at which the money wage rates of Operation - 3 has grown.

Table 2: Percentage Increase in Money Wages in General Market

Year of Revision	Percentage increase in grocery market	Percentage increase in Op.3
1964	25	33.0
1967	50	50.0
1970	50	50.0
1973	25	28.0
1974	20	21.7
1977	10	10.7
1978	10	9.6
1979	10	8.8
1980	12	10.8
1981	10	9.8

Source: Relevant Wage Schedules.

It can be seen that the growth rate of Operation-3 corresponds closely to the overall agreed percentage increase in the grocery market. The deviation between the two is explained by

the practice of rounding off of fractions. This operation therefore can be considered representative of the grocery wage schedule.[17/]

The following Table 3 gives the money and real wage rates of headload workers in the grocery section of the General market:

Table 3: Money wages, Real Wages and Price Index

Year	Money wage rate /100 bags	CPI(1970=100)*	Real Wage rate
1960-61	6.00	55	10.90
1961-62	6.00	56	10.71
1962-63	6.00	57	10.53
1963-64	6.00	62	9.68
1964-65	8.00	70	11.42
1965-66	8.00	76	10.53
1966-67	8.00	83	9.64
1967-68	12.00	89	13.48
1968-69	12.00	94	12.77
1969-70	12.00	99	12.12
1970-71	18.00	100	18.00
1971-72	18.00	103	17.48
1972-73	18.00	114	15.79
1973-74	23.00	148	15.54
1974-75	28.00	182	15.38
1975-76	28.00	170	16.47
1976-77	28.00	160	17.50
1977-78	31.00	161	19.25
1978-79	34.00	171	19.88
1979-80	37.00	191	19.37
1980-81	41.00	223	18.38
1981-82	45.00	239	18.83

* CPI: Consumer Price Index for Trichur.

Source: Wage Schedules

Table-4 Index of Real Wage Rates

Year	Index	% increase over previous year
1960-61	100	-
1961-62	98	- 2
1962-63	97	-1.02
1963-64	89	-8.25
1964-65	105	17.98
1965-66	97	-7.62
1966-67	88	-9.28
1967-68	124	40.91
1968-69	117	-5.65
1969-70	111	-1.53
1970-71	165	48.65
1971-72	160	-3.03
1972-73	145	-9.38
1973-74	143	-1.38
1974-75	141	-1.39
1975-76	151	7.09
1976-77	161	6.62
1977-78	177	9.93
1978-79	182	2.82
1979-80	178	-2.19
1980-81	169	-5.06
1981-82	173	2.37

Source: Wage Schedules

It is clear that the index of real wages has grown over 70% in 21 years. Assuming that there is no sharp fall in the hours/days of employment and the total volume

of work, this would mean an increase in their real earnings. However, we do not have the time series data on monthly or annual earnings to throw this point into sharp relief.

Further it may be noted that the table underestimates the increase in real wages. The weights to be carried have been progressively reduced from above 100 kg. in 1960-61 to 75 kg. in 1980-81. The workload has therefore altered alongwith higher realwages.

Fluctuations in Real Wages

It can be seen from Graph 1 that the real wage rates are subject to considerable fluctuations. The fluctuations and the cyclical pattern are explained by the peculiarity of the bargaining process in the market, where the money wage rates are refixed periodically and between two points of revision they remain constant. Together with the rising price level this results in lower real wage rates in the years when no revision takes place and sharp rises in real wage rates in the years when money wage rates are revised.

The point of interest is to know by how much the real wages have grown in the years of revision and whether it has been sufficient to compensate for the erosion in the earlier years. Evidently, the workers were able to win money wage revisions sufficient to compensate for the fall

in real wages due to price rise. The real wage rates after 1967/8 have always been higher than the 1960/1 levels.

Equally interesting is to note that though the index of real wages is subject to considerable fluctuations, the minimum point or the trough of each successive cycle of a downswing and an upswing has either been remaining constant (1966/7) or rising. Hence we can say that not only has the minimum level of real wage rates risen over time, but the extent of their downward movement has also decreased. This can be explained as a consequence of the growing bargaining strength of the workers: they do not allow real wages to fall below that obtaining in the previous year of revision. (Cf. Baby : 1986).

The maximum points of the four cycles correspond to the years when money wage rates are revised upwards. The implication is that in those years the workers were able to get a substantial rise in the money wage rates that more than compensated for the rate of inflation. Hence a steady rise was recorded. But on two occasions (1973/4 and 1974/5) the revision of the existing money wage rates failed to cause an increase in real wages. This could possibly be the reason which induced the unions to press for the demand for yearly renewal of contracts.

It is clear that most of the increase in real wages has taken place during the period 1960/1 to 1970/1. In the following decade 1970/1 to 1981/2 the headload workers were only able to maintain the real wage rate and push it up marginally. At the end of 1970/1 real wage index (base 1960=100) stood at 165, whereas in 1981/2 it stood at 173, after a decline from 182 in 1978/9. Real wages grew about 65% between 1960/1 and 1970/1, while in the following decade, 1970/1 to 1981/2, they grew by 4.6%.

Increase in Real Wages - a Comparison *

How do the real wages of headload workers compare with those of the other groups of workers in Trichur ? We have taken three other groups for comparison: a) unskilled labour in the construction sector, b) shop attenders (A) in the trade and commerce sector and c) paddy field labour(Male). The first two are segments of the urban labour force while the latter is typically rural. The results of such a comparison are shown in Table-5 and the Graph 1. The index of real wages of headload workers has gone up considerably in comparison with those of others. While the other three indices seem to have settled in the vicinity of 130, that of the headload workers seem to have gone up to over 190.

* To find the real wages of all groups of workers, we have used the consumer price index as the deflator.

Table 5: Indices of Real Wages of Agricultural Labour, Construction Workers, Shop Attenders(A) and Headload Workers, 1960-61 -- 1981-82

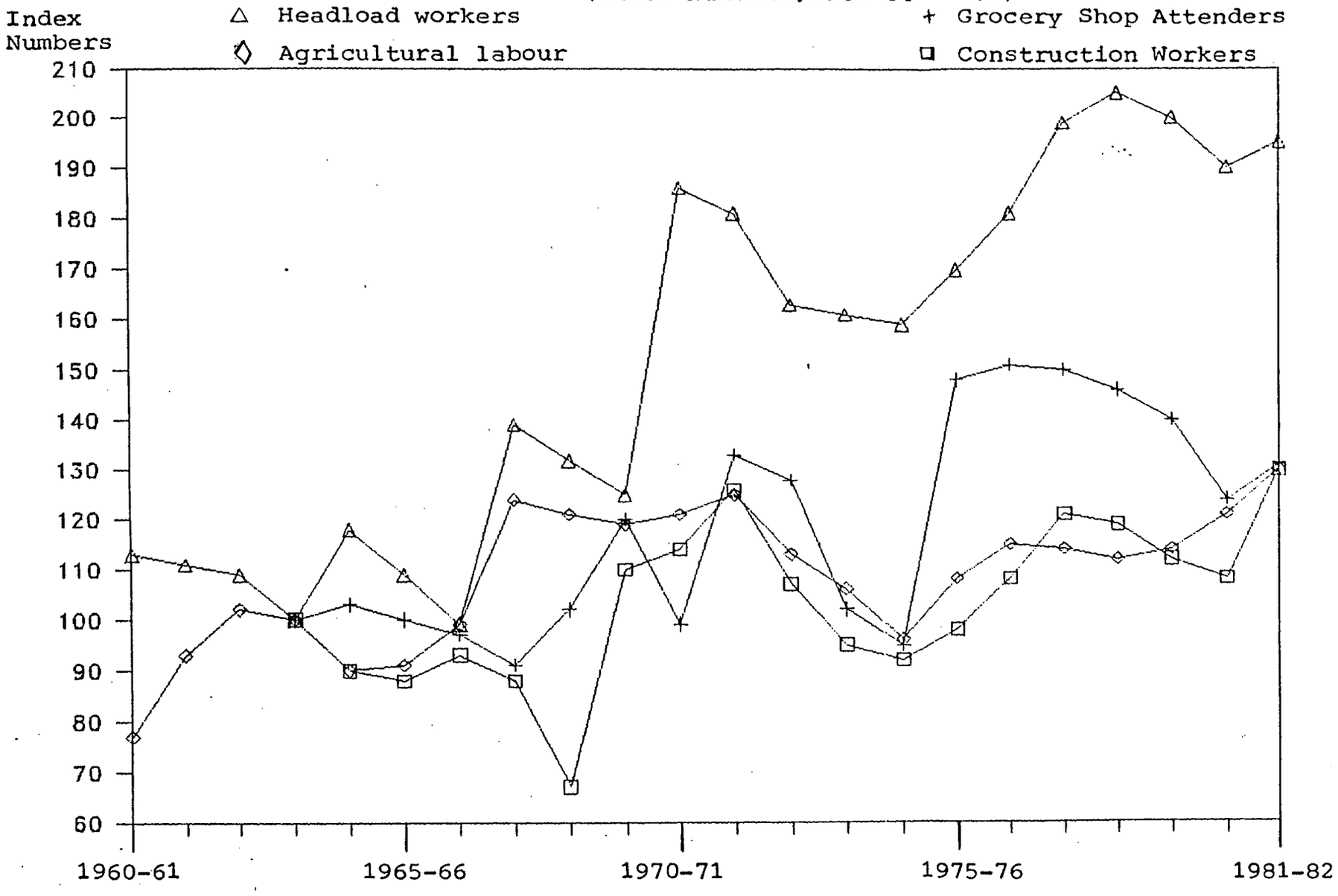
Year	Construction workers	Shop attenders(A)	Agricultural labour	Headload workers
(1)	(2)	(3)	(4)	(5)
1960-61	NA	NA	77	113
1961-62	NA	NA	93	111
1962-63	NA	NA	102	109
1963-64	100	100	100	100
1964-65	90	103	90	118
1965-66	88	100	91	109
1966-67	93	97	99	99
1967-68	88	91	124	139
1968-69	67	102	121	132
1969-70	110	120	119	125
1970-71	114	99	121	186
1971-72	126	133	125	181
1972-73	107	128	113	163
1973-74	95	102	106	161
1974-75	92	95	96	159
1975-76	98	148	108	170
1976-77	108	151	115	181
1977-78	121	150	114	199
1978-79	119	146	112	205
1979-80	112	140	114	200
1980-81	108	124	121	190
1981-82	130	131	130	195

Source : For (2) & (3) : Wage structure Survey of Kerala, 1972 and Statistics for Planning, 1979, 1980 and 1983, Bureau of Economics & Statistics.

For (4) : Season and Crop Reports, BE&S

For (5) : Wage Schedules.

GRAPH 1 : TRENDS IN REAL WAGES : 1960-61 to 1981-82
(Index Numbers, 1963-64 = 100)



Sources: Wage Schedules; Bureau of Economics & Statistics (See Table 5)

Between 1960/1 and 1963/4, the index of agricultural labourers has grown considerably while those of headload workers have in fact declined. But after 1970/1 the real wage index of headload workers was substantially above the index of agricultural labourers and others.

In addition to substantial increases in real wages, the headload workers have gained other benefits too from the employers. They are shown below:

Table 6: Other Benefits Gained by the Headload Workers:

Agreement year	Bonus (Ex-gratia) (Rs)	Spl.wages (to non-reg. workers) (Rs)	Holidays (no.)	Other benefits
1967	80-120	--	-	Overtime from 8PM onwards
1968	120	--	-	" "
1969	155	--	5	" "
1970	200	--	6	Overtime from 7.30PM
1971	250	--	7	" onwards
1972	300	0.50	7	" "
1973	360	0.65	7	" "
1974	432	0.78	7	" "
1975	450	0.85	7	" "
1976	NA	NA	7	" "
1977	455	1.15	9	" "
1980	525	1.30	9	Overtime from 7PM onwards
1981	NA	1.45	9	" "
1982	545	1.60	9	" "
1983	555	1.75	9	" "
1984	NA	1.95	9	Overtime after 6.30PM onwards

Source: Wage Schedules and Agreements (for various years).

REACTION FROM THE EMPLOYERS

Twenty years of trade union movement has also been successful in bringing out certain limited self-awareness amongst the headload workers. This has imparted to them a

sense of self respect and a feeling of collectivity. There has been a diffusion of left politics amongst them unlike in the '50s when they were used as paid storm troopers of reaction. Today we find them increasingly coming out in solidarity with other sections of workers. Because of their militancy they form an important part of the trade union movement in the town.

We shall now examine the response of the employers to their unenviable situation. Before that it is necessary to situate the headload workers movement in a wider context of the general public opinion in Kerala.

Headload Workers and Economism

It has to be noted that the level of consciousness of the headload workers is permeated with deep economism. Perhaps this is contributed by the closed shop tactics and severe inter-union rivalries. For example, they failed to distinguish between large and small shopowners, shop owners and consumers and between their employers and the general public. This was particularly true of the unions in road junctions. Several complaints were raised because of the impolite conduct of the workers, their drunkeness and the belligerent tactics adopted in bargaining especially with the consumers. Much of these are recognised by the union

leaders themselves as is evident in their writings and self-criticism.(TGWU: Annual Reports, 1980,1981,&1983).

In 1980, the Left Front under the leadership of the CPI(M) came to power in Kerala. Like its predecessors in 1957 and 1967 this government also adopted a pro-labour police policy by making it clear that police will not interfere in labour disputes unless a severe law and order problem is involved. This was taken by the labour movement as a cue to put forward their demands.

By the time, unions had become extremely widespread among the headload workers all over the State. Many unions had sprung up in areas where business was thriving or construction activities progressing. It is worthwhile to remember that there was no attempt at horizontal mobilisation covering headload workers of various towns and bringing them together under one banner till the middle of 1970s. But by the end of 1970s there had come into being several all Kerala federations of headload workers, to which the scattered unions in the towns and their neighbourhood were affiliated. These federations had different political leanings, which heightened the inter-union rivalries. As we saw in the last section, in Trichur market the headload workers were able to get their money wage rates revised periodically so that the erosion in real wage rates were

held in check and even push the real wage rates upwards. Their working conditions were substantially improved and among them, some sections of workers were enjoying the status of regular employees of shops. The existence of multiple unions and competition for work had made the head-load market extremely unsettled and a scene of constant strife. The same story was repeated in different parts of the State in different forms: strong organised unions equally well organised employers, competition for work, high wage rates and the resulting conflicts.

On 10th August 1980, the TCTU and the General Workers Union (CITU) went on strike on the wage issue. This was sorted out and the strike ended on 12th. The agreement was to give a 12 per cent increase in piece-wage rates and Rs.525 as bonus. Following this agreement other sections of workers, like the Lorry Loading Unloading Unions, Vegetable Tharaku Union etc. also gave notices for wage increase and bonus. They too were conceded and strikes were withdrawn.

Code of Conduct Controversy

Around this time, in Trivandrum, a code of conduct for the headload workers was formulated and implemented by the mediation of the District Collector. The immediate cause that provoked it was the conflicts in Chalai bazar between

INTUC and CITU workers. This code of conduct required that the workers should be seasonally or permanently employed in the headload work and should wear a badge. The owner of goods has the freedom to hire or not to hire a worker and on no account should the workers insist that the work should be given to them. This was particularly made applicable to the general public who purchased goods for domestic purposes and they were free to employ or do without workers.[18]

This code of conduct was considered a great victory by the merchants all over the State. This would have effectively reduced the capability of the unions in the market to allocate work. The merchants in Trichur drew inspiration from this and demanded a similar code of conduct to be formulated and implemented for Trichur market.[19] The stage was set for a confrontation.

A committee was constituted by the District Collector for formulating a similar code of conduct in Trichur. While this committee was working on the problem, on 9th September merchants started an agitation by closing shops indefinitely. The shops dealing with the four important goods in the general market - rice, grocery, oil and tea - were affected by the hartal. The reason given was that in a grocery shop a temporary worker refused to work when demanded on the ground that he belonged to

another section (area) and therefore required the permission of the union leader to work in that shop. The merchants began the hartal by asking the question: For whom is the work to be given-to the worker or the union ? In other words, who has the authority to decide who should work in a particular area ?

The hartal lasted for 15 days till 25th September. The unions argued that the merchants' managerial right to hire the worker of one's choice meant recruitment of outsiders as workers into the market and intensification of thecompetition for work. Such a free flow of unemployed labour into the market would adversely affect the real wages and earnings of workers who are already in the market. The District Collector tried to mediate the following compromise formula. There would be a panel of people doing work in the market from among whom the traders could choose their workers. Till the code of conduct came into force, the status quo as on the 7th September 1980 should prevail. The question as to what was the status quo was, however, left open.

The merchants called for an indefinite hartal covering the entire district on the 25th of September. A Statewide hartal was also called on 29th September. The trade unions on the other hand, called for a general strike

in Trichur on 24th. However, both parties were persuaded to arrive at a settlement on the 25th . September.

In the agreement the "managerial prerogative "of the employers to choose the workers was granted, but with a qualification. The merchants could choose a worker from among the already existing workers only. They cannot bring outsiders into the market.[20]

In spite of this agreement, the section boundaries did not vanish. Disputes cropped up in many shops. The attempts by the merchants to recruit workers from various parts of the market in shops were resisted by unions by withdrawing workers from the shops and by blocking the movement of goods.

The employers interpreted the agreement in a broad sense. They claimed that the union had recognised their right to choose the worker. The section and area boundaries set up by the unions within the market had no general validity any more. The union, on the other hand, contended that the employer's freedom of choice of the worker was limited to workers within a section or an area. Implicitly the unions were willing to concede only their right to allocate work within the section or an area for the purpose

of work sharing, rotation of workers etc. Thus, there was conflicting views on the content of the agreement.

Strike of August - October 1981

The matters came to a flash point in the wage negotiations of 1981. The unions as usual gave a demand notice to revise the wage rates and bonus. But the Chamber of Commerce and the newly formed Vyapari Vyavasayi Ekopana Samiti categorically rejected the demand in a letter.[21] The letter said that the prevailing piece wage rates and ex-gratia payment should continue for the next five years and no higher wage will be provided for handling bags above 75 Kg. The unions resorted to the strategy of withdrawal of workers as a means of pressurising the employers into a settlement. Finally the union called for a lightning strike from 22nd August, 1981. This was effective in paralysing the whole loading/unloading work in the market. About a hundred lorries which had arrived in the market had to be diverted to nearby areas like Chalakudy, Kunnamkulam, etc.[22]

The merchants now asked the Government to implement the agreement of 1980 as per which a merchant could bring a worker of his choice even outside the market if the enlisted workers refused to do the job. The 'fundamental

right' to employ a worker of one's choice was conceived by them as an effective strike breaking instrument. The, youth wing of the merchant association came forward proclaiming that if all other alternatives fail they would move goods by themselves. But the unions too were equally strong in resisting any such move.

The strike which was initially confined to the General market soon spread to the Vegetable market and the Railway Goodshed.Merchants in retaliation indefinitely closed down all shops. The expectation of the merchants that this move would create a situation of scarcity which would heighten the public resentment against the headload workers was belied for the following reasons. The network of Maveli Stores, the retail outlets of the Civil Supplies Corporation, and the co-operative wholesale stores was functioning effectively. Further the Labour Minister of the Left Front Government reiterated at the Joint Conference of Merchants and Unions that the merchants could not bring workers from outside the market. The question of police intervention also was ruled out.[23] The merchants found themselves in a very vulnerable position as demurrage charges at the Railway Goodshed mounted.[24]

The strike which began on 22nd August went on till 14th October. The merchants were by then thinking about a new tactic of stopping all goods movement in and out of the State. This would be done by contacting other Chambers of Commerce in South India, particularly Tamil Nadu and Andhra, and seeking their support. It would have been for the first time in the State that such an extreme measure was to be tried out. As Kerala is a chronic food deficit State, movement of goods is the lifeblood of it.

The strike finally ended by the intervention of the noted Chaldean Syrian Bishop, Rev.Paulose Mar Paulose. This Church is confined mostly to ~~only~~ Trichur and has some influence over the merchants there. The Bishop also had a good relationship with the left movement in the town. Instead of the flat percentage increase in wages as demanded by the unions, the new formula introduced by the Bishop was accepted, whereby piece rates of each items of work was separately negotiated. The money wage rates were revised, but when calculated in percentages this would prove to be much lower than what the unions had demanded. The agreement, interestingly, was silent on the merchant's right to recruit the worker of his choice and the union's right to allocate work.

The Stalemate

What do we make out of these struggles ? First, it should be kept in mind that though Trichur was the area where the struggles took place or surfaced in a major scale, the issues raised by it were by no means relevant to Trichur alone. As we mentioned already, the "atrocities" of the headload workers was the main theme discussed throughout the State during this period. The struggles were unique because they led to the emergence, for the first time in the State, of a statewide merchants organisation - the Vyapari Vyavasayi Ekopana Samiti. The leadership of the Samiti was inevitably vested with the powerful wholesale merchants of Trichur. The organisation became the merchants' voice in economic and political matters. The fightback by the merchants was aimed at undermining the managerial authority assumed by the unions and what was in question was the strategy followed by the unions in labour market regarding work allocation.

Nevertheless, it can be seen that the struggles of 1980 and 1981 failed to produce any definite outcome in regard to the vital issue of the regulation of work allocation and the managerial powers enjoyed by the unions. A state of stalemate prevailed. The shop owners continued to insist on their "fundamental right" to hire any worker

of their choice and occasionally continued to enforce it. The workers, on the other hand, continued to regard their section boundaries as sacrosanct. The result was intermittant convulsions in the labour market.

But the position of the unions had definitely weakened. They failed to wrest formal recognition to their customary practices from their employers. There were several factors responsible for their weakness like (a) adverse reaction from the public and the press and (b) emergence of new militant merchants' organisations. The merchants' organisations also began to adopt an openly confrontationist line and were aided in this by RSS, Youth Wings of the Chambers of Commerce, etc.

Likewise, the employers also realised that they could not have things in their own way. The state of permanent unrest was not conducive to the growth of commerce. Moreover, several divisions and differences of opinion had emerged within their organisation itself, principally, between the large and small merchants.

Both employers and workers realized that Government intervention to regulate and mediate the structures that had evolved in the market as indispensable. On the part

of the Left Government too compulsions were mounting to keep the situation under control. Serious law and order problems were threatening to affect the stability of the elected Government. Hence, during and after these struggles, serious steps were taken for the speedier implementation of the provisions of the Kerala Headload Workers Act, 1980.

Footnotes

1. "A system of industrial relations is a system of rules. These rules appear in different guises: in legislation and statutory orders; in trade union regulations; in collective agreements and arbitration awards; in social conventions; in managerial decisions; and in 'custom and practice' .... A study of industrial relations may therefore be described as a study of the institutions of job regulation". (Flanders, quoted in R.Hyman: 1975,p.10-11).

2. The importance of informal rules in work regulation along with the formal written rules is emphasized by many writers on industrial relations (See Armstrong et al: 1983).

3. The monopoly over nightwork in STN Market is held by a group of workers called "Seniors" . They form a privileged stratum of workers in that market. The nightwork coincides with the peak market hours from 2 A.M. to 6 A.M. and hence is very lucrative. The other category of workers are the "Juniors", the relatively new entrants to the labour market.

4. In certain markets the workers belonging to various unions/groups follow a system of rotation of work whereby a worker will be having 24 hours of work followed by 24 hours of rest. In a recent paper, Harriss (1986) has pointed out that this system exists among the load carriers of Coimbatore.

5. Acceptance of the wage schedule was an important demand of the 1958/9 struggle. The first Memorandum of the headload workers (1958), (See Appendix I) contained a wage schedule of 22 items and was accepted by the employers. The rates of wages allowed, however, were very much lower than what was demanded.

6. The distance covered is explicitly taken into account in the work of, for instance, the hand cartmen, who carry goods from shops and godowns to retailers and consumers. But what is not so evident is the fact that distance is an implicit element in the evaluation of ordinary loading/unloading work. The wage schedules that we collected from the Calicut market, (1981) makes this point clear. It is mentioned there that in the places where lorries cannot enter, loading/unloading and carrying of goods should be valued according to the number of paces walked by the worker, yards covered etc.

7. It is interesting to note that when the queue system for vehicles was introduced for the lorries in Trichur in 1986, the workers who were carrying bags felt that they were at a losing end since now they had to walk a longer distance to earn the same amount of wages. Though many such complaints have been voiced in this regard, no concrete outcome has emerged so far.

8. The grocery section in the General market used to take the lead in arriving at a settlement, while others followed.

9. The new items which formed the Lorry loading and Hardware wage schedules in 1974 and further items which were added on to them are examples.

10. In the Agreement of 1972, a new item surfaced (Operation No. of wage schedule in Appendix-I) which, in all likel hood, was always there.

11. This regulation was implemented through the wage schedule of 1967.

12. This regulation was implemented through the wage schedule of 1980. The method of implementation was to fix a higher penal wage on the carrying operations involving weights above the prescribed weight.

13. This was implemented through the wage schedule of 1970.

14. The following Table gives the number of operations that are comparable (whose work norms have not changed) in the General market:

	Grocery (1959-82)	Lorry loading (1974-82)	Hardware (1974-82)
Comparable	16	27	23
Non-comparable	10	27	0
Total	26	54	23

15. Part of the variation from the agreed percentage of wage increases can be explained as occurring due to the practice of rounding off of fractions We also have cases where the money wage rates of a specific item of work rising faster than or

slower than or remaining constant with respect to the agreed percentage increase at various periods. It seems likely that such changes occur due to a change in the bargaining position of one group of workers with respect to others.

16. The work norms of this operation, however, have not remained constant. The weight of the bags had come down from over 100 Kg to 75 Kg.

17. There are some operations the money wages of which have grown much faster than the operation that we are considering. For instance, the operations of Lorry loading and unloading which rose by 275% between 1964 and 1970.

18. Code of Conduct, Trivandrum - Desabhimani, 13/8/1980; Mathrubhoomi, 14/8/1980.

19. The decision to form a committee to evolve a code of conduct was taken on 21 August, 1980, Express : 22/8/1980.

20. Memorandum of Settlement (1980).Express, 26/9/1980

21. Letter from General Secretary, Trichur, Chamber of Commerce, dated 1/8/'81.

22. Express, 24/8/1981.

23. Express, 5/9/1981; Mathrubhoomi, 5/9/1981.

24. Letter from Secretary, Chamber of Commerce, 24/9/1981

CHAPTER IV

THE KERALA HEADLOAD WORKERS ACT, 1980 AND ITS CONSEQUENCES

In the present chapter we shall discuss the Kerala Headload Workers Bill of 1978, which was enacted in 1980 (KHWA: 1980, hereafter). This was the first major intervention by the Government in the headload labour market. The role of the Government till then was only one of crisis management. There had earlier been numerous local level interventions by the Government to adjudicate and quell law and order problems. But as we have graphically presented in the last chapter, by the 1970s both the employers as well as workers had reached a situation where they considered a general and formal intervention by the Government a necessity.

Nor was this the case of Trichur town alone. Lack of governmental legislative regulation of employment conditions and wage levels was leading to a state of anarchy in

the headload labour market all over the State.[1] Several cases of disputes arising from improper allocation of work, work denial to the already employed headload workers and the conflicts due to the clash of interests of different groups of workers were reported from various parts of the State.[2] Lack of records to show who had been working in a particular area and the closed shop tactics employed by the unions were the principal reasons behind such incidents. Such disputes were worsening due to the politically factionalised unionism and the rivalry between various political parties. One can see that the headload labour market all over Kerala was in an extremely turbulant state.

The wages arrived at through the agreements between the trade unions and the employers were laid down in the form of detailed wage schedules in all important market centres (and, as in the case of Trichur, for work outside the market region as well) in Kerala. Several separate agreements were similarly signed regulating the physical conditions of work in the headload labour market. But there was no uniformity in regard to either the rates of wages and other benefits to be paid or on the working conditions. Such discrepancies may have become more evident when the merchants and workers in Kerala began to be organised in

State level bodies. This was an additional reason why the governmental regulation of wages and working conditions was called for by both parties.

In this chapter, we shall first briefly examine the legislative history of the Kerala Headload Workers Act, 1980 and the modifications that it had undergone over time. Then we shall examine in some detail the provisions of the Act as it was implemented in 1980. Finally, we shall examine the course the implementation of the Act took in Trichur town during the period 1985-86.

LESISLATIVE HISTORY OF KHWA, 1980

The Kerala Headload Workers Bill was first introduced in the Kerala Assembly in 1976. The stated purposes of the Bill were threefold: (a) to regulate the wages and working conditions of the headload workers; (b) to make provisions for the social security of headload workers by extending the benefits of government's social security measures to them; and (c) to create a machinery for the urgent settlement of industrial disputes that had become an extremely common feature of the headload labour market (KLA Proceedings: 1977; p.3442) . Though the Bill was presented and discussed, it could not be passed before the Assembly

elections of March 1977. The Bill was reintroduced in 1977 by the new ministry and was referred to a Select Committee. The Select Committee toured the State and collected evidence from all district headquarters. The report of the Select Committee containing its major recommendations was presented in the Kerala Assembly in August 1978. The Bill was passed in 1978 and was sent for President's approval. The President's approval was given on 29th September, 1980, immediately following the merchants' agitation in Trichur. Though the Act came into force in 1980, its implementation was slow and chequered. Even six years after the President's approval, the Act has not come into force all over the State. Its implementation has been confined to a few selected centres in the State and there again only the scheme constituted under Chapter VI of the Act, which covered the non-regular workers has been tried out. Thus one can safely say that the application of the Act has been confined to less than 5 per cent of the total headload workers of Kerala.[3/]

One of the serious problems that the Select Committee had to face was how to regulate the employment conditions of the non-regular workers. Unlike the regular workers, these workers were not employed by any one shop throughout a working day and therefore did not have any clearly identifiable employer/employee relationship with a shop. While

the State Federation of Headload Workers [4] and various trade union representatives contended that all headload workers should be brought under the purview of the Act, representatives from the employers' side argued that they had no employer/employee relationship with the non-regular workers and the vehicle loaders/unloaders and hence they should not be covered by the Act(Evidence: 1978). During the discussions of the Select Committee a suggestion came up to introduce a statutory board or committee which would be in charge of allocation of work and payment of wages to the non-regular workers in an area. Such boards were in existence in some of the ports in India, like Bombay (Evidence:1978;p.80-87).

In its final report the Select Committee recommended to incorporate a new chapter, Chapter VI, in the Bill for the purpose of regulating employment, payment of wages and other benefits and solving disputes in regard to the non-regular workers. The Select Committee suggested that a Local Committee consisting of the representatives of employers and workers and the Government officials should be constituted and it should take charge of the non-regular workers of the area. The Government was empowered to introduce through Gazette notification to introduce schemes

for the welfare of nonregular workers as in the case of regular workers (Report of the Select Committee: 1978, p.i to iv).

A welfare scheme covering all headload workers was notified in the Gazette in May,1981. (Kerala Gazette: 1981). Though the Scheme had provisions for registration of headload workers, no steps for registration were taken till 1983. In 1983, the Government made it imperative that the registration of all headload workers (both regular and nonregular) should be completed before 31st December,1983. But immediately following this announcement, in October the same year all efforts of registration were suspended and a separate scheme, covering only the non-regular workers was introduced. The reasons behind this dramatic turnaround are not clear. It was this scheme which began to be implemented in selected centres of the State from March, 1984 onwards.

The first centre chosen for implementation (or should one say experimentation ?) of the scheme was Trivandrum. It was introduced in the 37 and 38 wards of Trivandrum Corporation, covering the main market of the town, Chalai Bazar. Later it was extended to Ernakulam and Trichur. Of these three places the implementation has been described smooth and successful only in the case of Trichur town.

PROVISIONS OF THE KHWA, 1980

The KHWA classifies the headload workers into three groups: (a) those who are regularly employed in a shop or an establishment and who, therefore, has a direct employer, (b) those who work under contractors and (c) those who work in various shops by rotation during a day and hence do not have any direct employer. The definition of the headload worker includes all those who are engaged in loading/unloading or carrying of goods but excludes those who are engaged for "domestic purposes"[5] (KHWA:1980,p. 3).

Regulation of Employment

The Act makes it compulsory that the registers of all headload workers shall be maintained. The list of establishments where the register of the workers shall be kept is given in the schedule of the Act.. The purpose of the register is to ensure that a person who has been working in a particular establishment gets work irrespective of his union affiliation and no rightful person is denied work. Disputes about work occur mainly due to the difficulty in answering the question as to who has been working in an area and for how long. The maintenance of a register is meant to arrive at a speedy settlement of disputes. Further, such a register is maintained

to pool workers in an area once the local committee to be set up under the Act begins to function in that area.

The KHWA provides that the workers continue to get all the benefits that they were enjoying through their past agreements with the employers. It attempts to provide a legislative framework for these so that they do not become arbitrary and susceptible to regional variations. The most important of these is the definition of the working day of eight hours and the fixation of overtime payments. The 'normal working day' was defined by taking into consideration the type of goods handled and the nature of work in the market. Overtime payment was 1½ times the usual wage rate. After providing for the fixation of the absolute length of the working day, the KHWA insists that a headload worker cannot be asked to work for more than three hours at a stretch. After every three hours of continuous work, a half-an-hour interval should be provided to the workers. No worker who is more than sixty years of age is eligible for the benefits under the Act. This was an indirect method of fixing the 'retirement age' for the workers. Another factor that indirectly influences the health of the worker is the weight that he is required to handle. The Act fixes the maximum weight of the bags that a headload worker is required to handle as seventy five kilograms (KHWA:1980, p.6). This

significant recommendation was on the basis of the directive given by the Select Committee (Report of the Select Committee: 1978). We have already seen in the last chapter that the reduction of weights handled and deletion of certain types of strenuous work from the wage schedule were two of the major issues taken up by trade unions in Trichur to regulate the physical conditions of work. The Act generalizes such local restrictions contained in the agreements between employers and workers.

Provisions for Welfare of Workers

Chapter IV of the Act empowers the Government to make one or more welfare Schemes for the workers. The Scheme will be administered by a Welfare Board constituted under the Act. The Scheme is comprehensive and is meant to provide for any of the following matters: the health and safety measures of the headload workers, constitution of funds like PF for the benefit of the workers, for registering the headload workers under the scheme and thereby restricting their recruitment and entry, for regulating their employment and benefits they enjoy and for pooling the headload workers who do not have a direct employer or contractor (KHWA: 1980, p.8). The members of the Welfare Board will be nominated by the Government from the employers, workers and Government officials.

The Act next speaks of the creation of Local Committees in areas specified for implementation and monitoring of the scheme or schemes constituted under the Act for the welfare of the nonregular workers. The Committee would act as the virtual employer of the workers who have no direct employer but are registered with it. The Local Committees are special instruments to regulate the working conditions of the irregular workers only. The basic functions of the Committee are to pool the nonregular workers in an area, to allot them respective jobs during the working day, distribute wages among them and to take disciplinary action against them wherever necessary (KHWA: 1980,p.11-12).

Settlement of Disputes

The last four chapters of the Act are devoted to the issue of devising a proper machinery for the settlement of disputes in respect to the employment of workers. The Act provides for a three tier system for settlement of disputes consisting of the conciliation officer (not below the rank of an Assistant Labour Officer), appellate authority (not below the rank of a District Labour Officer) and the Government, which has powers either to refer a dispute in an area directly to the appellete authority or to settle the disputes themselves. This machinery's work is proposed to

be made easier by the maintenance of proper registers and records showing details of work in a particular area. Thus the third objective of the Act is a speedier on the spot settlement of labour disputes.

THE IMPLEMENTATION OF KHWA, 1980 IN TRICHUR TOWN

The Welfare Scheme constituted under the KHWA, 1980 began to be implemented in Trichur from May, 1985 onwards. When the Scheme was first started, 500 workers were registered with the Local Committee which was in charge of implementing the Scheme. The number began to increase subsequently as more and more workers were brought under the purview of the Scheme. It stood at 754 on 1-11-1986. The workers who were covered in the Scheme were all non-regular workers of the General and STN Markets and the Lorry loading and unloading, workers. These workers were clubbed into 14 pools[6]. The number of workers covered in the Scheme went up further with some of the regular workers in various establishments in the market agreeing to sever all links (which included the employer/employee relationship established over a long period of struggle) with the shopowners and become the "employees" of the Committee.[7] By the act of registration with the Committee such workers lose their regular status and become non-regular workers.

It becomes the duty of the Committee to provide them employment, pay them wages and bonus and grant them other benefits. They have no direct links with the shopowners anymore. Once the registration of the regular workers is completed the total number of registered workers is expected to go up to 1400.[8/]

New Arrangements for Work Allocation

Any employer requiring the services of registered headload workers will have to register with the Committee. Since the Committee is now the employer of the nonregular (registered) workers, those who need their services have to hire them through the Committee. This is done by depositing an amount approximately equal to one week's wages of the workers hired or Rs.200/- whichever is higher, with the Committee. Once the deposit gets depleted, the shop-owner has to renew the deposit.

One serious difficulty of this system is that the merchants will have to anticipate their total work during the week for which services of the workers are hired, the total number of workers to be employed and the total wage bill. If the number of workers proves to be inadequate during the peak hours of activity, the merchant may have to rush to the Local Committee office in search of workers.

The inflexibility of this system was sought to be reduced in Trichur in two ways: a) by maintaining the erstwhile division of the market into areas and sections, so that the workers are always locally available from their reserve pool, and b) by having group leaders in each section (which is now renamed as "pool") to whom the Committee delegates limited power as allocators of work. It becomes the duty of the group leader to act as the representative of the Local Committee in an area or pool. He keeps an attendance register of all workers of that pool and allocates them to each shop at the shopowners request. The group leader is elected from among the workers periodically, once in a month, and his task is purely one of supervision.

For the actual payment of wages and keeping an account on the work done, a system of work cards is used. After every day's work, the group leader approaches the employer with the work cards which the employer fills up in triplicate. One copy is kept with him and the other two are handed back to the group leader. The Committee calculates the wages for the work done on the basis of the prevailing wage schedules, deducts the sum from the employer's account and credits it to the worker's account. This sum is paid out to the workers at the end of every month. In addition to wages, an additional 25% of the total wage bill is

collected from the employers as a levy. This levy is used for paying workers such annual benefits as bonus, provident fund, gratuity etc. A part of the levy is used to meet the establishment charges of the Board. 10% of the total wage bill is collected from workers as a levy and this sum is refunded to them when they retire. The group leader plays the crucial role of allocating the work. But in the matter of actual wages obtained by each worker during a day he has limited control. This is because in the pool the wages obtained by all workers during a day are shared equally among workers. This can lead to tensions because the differences in the productivity and efficiency of workers are evened out.

The results of the functioning of this system in Trichur town are described as "satisfactory" or even "successful" by the trade union leaders, merchants' representatives and the Chamber of Commerce and the Government officials. One reason for this "success" seems to be that the Committee has not attempted to alter, while implementing the Scheme, the informal arrangements in the labour market in any major way. The section boundaries are kept intact and actually renamed as pools. It has not attempted to destroy the foundations of local operation based unions like the lorry loaders and unloaders (attimari workers). They continue to perform their monopolised jobs of atti and mari and they

are not relocated to do the ordinary carrying work. Similarly, an ordinary load carrier is not asked to do atti or mari work. In the pooling of workers, the criteria taken were the nature of work performed by the worker till then: the area of work (market, sub-market,etc) nature of the operations involved and the types of commodities handled. Therefore, pooling of workers in Trichur did not cut across the section, operation and commodity market boundaries erected earlier.

However, the unions will have to give up their right to redivide the section boundaries or allocate work among the workers. Such functions are now assumed by the Local Committee. The Committee has the formal power to ask a registered worker to do any work during the working day.

Implications of the Act

How does the implementation of the Scheme or Act affect the collective bargaining in the labour market ? The Act is silent on the two crucial issues: (a) How are wage rates for various operations fixed, or how the wage schedule is periodically revised. The Act only says "the employers shall pay wages as may be prescribed"(KHWA:1980, p. 6). In the case of Trichur, two such revisions were

made in 1985 and 1986 by the method of Gazette notification. But nothing seems to be explicitly stated as to how exactly and on what basis wages will be revised.[9] (b) Secondly, the Act is totally silent on how new workers will be recruited and how the size of the labour force will be expanded. The underlying criterion has to be the volume of work; but how do the authorities determine whether there is any scope for further expansion in employment ? So long as these two issues are not tackled there is always the possibility of tensions arising in the market.

The most crucial change that occurs due to the implementation of the Scheme is that the Committee (and through it the Government) becomes the de facto employer of registered headload workers. The managerial powers of the unions and the employers pass on to the Committee. Since all workers in an area are registered and their service conditions are assured, the problems of work denial do not arise any more. The allocation of work is done by the Committee through the group leaders and the disputes regarding work allocation are likely to have been solved. Wages and bonus are paid by the Committee. What would be the status of the unions in such a situation ?

One can visualise a shift from local level wage bargaining to a State level bargaining through the All

Kerala federations of headload workers. The persistence of local level bargaining cannot be ruled out, but such federations are likely to play a more direct role in the wage negotiations with the Government and the employer organisations, which are similarly organised on a State level. What is likely to happen is an 'articulated bargaining' with two levels: the State level bargaining will lay down the basic minimum of wages and working conditions, and further details incorporating regional pecularities and differences will be worked out at the local level.

But the situation has also become such that a worker can exist in the market without the backing of a union. His wages and other economic benefits and conditions of work are now fully secure and taken care of under the Committee. A worker without a union, something which was totally unimaginable earlier, has now become a possibility. But one could still expect that the unions would continue to be important at least in the immediate future especially because the Act is silent on the two crucial issues of wage fixation and revision and recruitment of new workers. This silence can once again make the headload labour market turbulent with conflicts, with unions actively articulating the demands of the workers.

Footnotes:

1. Labour Minister's speech in Kerala Legislative Assembly (KLA) Proceedings (1977) p.3441.

2. A few such cases reported from various places of the State are given below:

Year/date	Place	Nature & issues involved
1971	Palghat	Work allocation
1974	Trivandrum	Work allocation
27/12/1976	Thodupuzha	Work allocation
28/12/1976	Pazhayannur	Work allocation/denial
22/3/1978	Irinjalakuda	Work allocation/denial
22/5/1978	Cochin	Work allocation/denial
28/5/1980	Trivandrum	Work allocation/denial

Source: Compiled from newspaper reports.

3. The total number of registered workers in Kerala as on 1st January,1986 was 1774. If we add workers who were subsequently brought under the Scheme in Trichur, the number will still be less than 2,500. Even if we take the total number of headload workers in the State as 50,000 (1971 Census) this would be less than 5% of the total. Some unofficial estimates put the total headload workers of Kerala as around 2 lakhs.

4. The State Committee of Kerala State Headload Workers Federation (CITU) suggested changes in the KHWB, 1977 so as to include all headload workers under its purview.(Desabhimani, 22/1/1978). This view was also expressed in the various memoranda presented by the unions to the Select Committee (Evidence: 1978).

5. The term used in the original KHW Bill, 1977 was "private use". The Select Committee found this expression very wide in scope and chose to restrict the exclusion to "persons engaged for domestic use only". (Report of the Select Committee: 1978,p. i to iv).

6. Of the total pooled workers, 74 per cent is in the General market (Pools I to VIII) and 26 per cent in the STN Market (Pools XI to XIV). Some pools are not filled in anticipation of new workers who are likely to be registered.

7. The regular workers who are to be registered with the Committee will be first 'retrenched' from the shop/establishment where they are regularly employed. This is done through the agreements between unions and the employers and by paying workers adequate compensation and gratuity. An example of such an agreement is the Parcel Agreement (1986).

8. The question why workers prefer employment under the Committee to their regular status in shops, no clear answer was given. It seems likely that they feel more secure under the legal protection by the Government than otherwise. The employers too prefer the new arrangement as they have no direct involvement with the workers.

9. Since at the time of the wage notification in 1985 and 1986 both pooled and non-pooled workers coexisted, the problem was considerably simplified. The non-pooled(regular) workers had carried out theirindependent negotiation with the Chamber of Commerce and arrived at a settlement (See Agreement: 1986) by which 10% increase in wage rates was granted. The Government therefore had to grant the same percentage increase for the pooled workers as well. The real problem is likely to surface when all workers become part of the pools and the category of regular workers ceases to exist.

CHAPTER V

C O N C L U S I O N S

In this thesis we have been concerned with the evolution of the casual labour market in Trichur town. We have sharply brought into focus the remarkable changes that have occurred within a span of 20 years. The contrast between the two situations are listed in the chart below:

Item	End.of 1950s	Early 1980s
1. No.of workers	Nearly 500	2500
2.Social composition	Christian	Mixed,though Christians predominate
3. Nature of labour process	unspecified and general	Specified, specialization according to operations and commodities and area of work
4. Entry into labour market	No barriers	Strong barriers
5. Wage rates	No uniformity	Wage schedule
6. Extent of competition	Competitive	Segmented
7. Legal Protection	None	KHW Act,1980
8. Working conditions	Poor	Rise in real wage rates; standardised and regulated working conditions.
9. Working day	undefined	Defined.

In the introductory chapter we had attempted to survey the literature on informal sector and situate the headload workers of Kerala within the broad spectrum of activities that constitute the informal sector. We found that the market for casual non-agricultural labour in India at large is more akin to the situation of the headload labour market in Kerala during the 1950s.

The central problem of the thesis was to understand the factors responsible for the unique features of the contemporary headload labour market in Kerala. We have attempted to answer this through a historical analysis of the evolution of this labour market in Trichur, a major commercial centre of Kerala. Our analysis has been centered around the class struggles in the workplace and the growth of trade union movement among the workers. Unionisation constitutes the single most important difference between the urban casual labour market in Kerala and the rest of India.

What were the factors that facilitated the development of strong trade union movement among the headload workers of Trichur ? Our analysis in Chapter II has underlined the importance of the following three factors: Firstly, the formation of the trade unions has

to be linked with the traditions of working class movement in the region during the pre-Independence period. Secondly, we have emphasized the general radical political atmosphere of Kerala that has been conducive for the unionisation of sections of workers who are generally unprotected in other parts of India. We have shown that the method adopted by the union in its early agitational phase has been to work in tandem with other mass movements. Further, the Left Front governments of 1957, 1967 and 1980, with their policy of police neutrality in trade union struggles encouraged the workers in the informal sector to get organised. It is no accident that the first union,TCTU was formed in 1957/8. Thirdly, one has also to appreciate the effectiveness of the closed shop tactics adopted by the unions.

The main issues taken up by the unions has always been wages, bonus, conditions of work etc. Initially, the important target of the union was to gain the formal recognition of the union by the employers and Government. During the 1960s, the most important aspect of workers struggles was to gain formal acceptance of the employer/ employee relationship in the headload labour market.

Their success in this direction created a category of workers known as regular workers , who had a clearly identified direct employer/employee relationship with the shopowners. The main thrust of the struggles of the 1970s was towards guaranteeing the security of nonregular workers.

In the background of high level of unemployment, the unskilled casual labour, with high level of substitutability would always be threatened by the new entrants to the market. The unions were able to erect barriers to entry into the labour market as a whole and prevent the free flow of labour within the labour market through extreme level of labour market segmentation as well. Division of work was created on the basis of the nature of operation, commodity and area of work. We have documented how this process resulted in the creation of market segments and local job monopolies, wherein the managerial authority of the shopowning merchants was thoroughly questioned. The heightened bargaining power has also resulted in significant improvements in wages and the conditions of work.

This was the background for the confrontation between workers and employers in 1980-81. The employers wanted to reassert, their managerial authority to employ

the worker of their choice. This would mean, in effect, the breakdown of the boundaries erected by the trade unions in the labour market. The confrontation ended in a stalemate, each side claiming victory. It was evident that the intervention by the Government to regulate the market had become a necessity.

The incident also revealed the growing resentment on the part of the general public against the workers' movement. In their attempt to safeguard their gains, the headload workers isolated the support of common people to their movement. The failure to distinguish between large and small shopowners as well as shopowners and the general public strengthened the public resentment. This isolation was a fertile ground used by the employers in the 1980-'81 period. The local job monopolies created were directed not only against a potential entrant into the market but also against other workers belonging to other parts of the market and other unions. The scene was further complicated by severe interunion rivalry, with unions vying with each other for the right to work. The experience of the headload workers of Kerala points to the limits of economistic trade union struggles.

In Chapter V we have briefly described the main features of the Government intervention through the KHWA. We have attempted to draw out the possible consequences of the implementation of the Act on the basis of the limited experience of Trichur. The implementation of the Act marks a new phase in the evolution of the headload labour market. The most important change will be that the Local Committee constituted under the Act will become the direct employer of the headload workers. Workers will be allotted to shopowners on the basis of the request made to the Committee and the wage payment will be done by the Committee. So far the Committee constituted under the Act in Trichur has not made any attempt to alter the divisions in the market created by trade unions earlier. Two wage revisions have been given without causing much complaints. But one can only speculate how far this situation of tranquility would continue.

It is significant that the possibility of a worker continuing to work in the market without the support from a union has been opened up. The rights of the workers are now protected and regulated by the Government. It is too early to conclude that the union has become redundant. But the standardisation and regulation of workers' rights through Governmental intervention definitely brings out the limits of the trade union's role as the protector of workers' rights.

⁞⁞ ⁞⁞ ⁞⁞

APPENDIX I : The First Memorandum of Urgent Demands Submitted by TCTU to the Chamber of Commerce and Shopowners

1. The headloadload workers of Trichur numbering 500 and working regularly in shops in the market areas of Rice Bazar, Nayar Bazar, High Road etc. are having many grievances. Though there are several pieces of legislation covering workers, these workers are not getting any of the benefits provided in them. It is the common practice to retrench a worker if the employer feels like it.

2. Wage rates provided for each item of work is very low. Moreover, from those who come to buy goods and who bring goods to sell, workers are not getting wages in the rate that they should be paid. Same items of work are rewarded differently in different places. For additional 'shop work', in most places workers are not paid anything. Over and above their work in connection with shops, workers have to do housework also for the employers. They are not paid anything for such work. It is cruel to compel the headload workers to do housework for the shopowners.

3. It is usual to have accidents while at work. But if such accidents occur, workers are not entitled for free medical aid or holidays. The employers adopt the attitude that the workers have to bear it themselves.

4. It is a common custom to give a certain amount during the year as bonus. Only in a few places is even a nominal sum given as bonus. The attitude of most employers is that only the monthly salaried people are eligible for bonus. Denying bonus to the headload workers who physically toil for the shops is intolerable.

5. Though workers are entitled for paid leave and holidays in a year, they are not getting any such benefits.

In such circumstances, we putforward our limited and just demands and request their urgent redressal.

Urgent Demands

1. Wage rates should be allowed in the following way :

Wage Schedule of 22 items

No.	Item of work		50 lb to 162 lb	163 lb to 230 lb	231 lb to 300 lb
			Rs. As. Ps	Rs. As. Ps.	Rs. As. Ps.
1.	Unloading in shops & godowns	(per bag)	0 - 0 - 9	0 - 1 - 0	0 - 2 - 0
2.	Loading -do-	"	0 - 0 - 9	0 - 1 - 0	0 - 2 - 0
3.	Weighing -do-	"	0 - 0 - 9	0 - 0 - 9	0 - 2 - 6
4.	Measuring	"	0 - 1 - 0	0 - 1 - 0	....
5.	Packing bags	"	0 - 0 - 9	0 - 0 - 9	....
6.	Changing bundle inside godown	"	0 - 0 - 8	0 - 1 - 0	0 - 2 - 0
7.	Changing bundle godown to godown ¼ furlongs only	"	0 - 1 - 3	0 - 1 - 9	0 - 3 - 0
8.	Mixing only	"	0 - 1 - 6	0 - 1 - 6	....
9.	Carrying bags to terraces of shops & godowns	"	0 - 0 - 9	N o t	applicable
10.	Unloading from terraces	"	0 - 0 - 9	"	"
11.	Bundling	"	0 - 0 - 9	0 - 0 -9	.....
12.	Weighing and Bundling	"	0 - 0 - 9	0 - 0 - 9	0 - 2 - 0
13.	Packing bales in one bag	"	....	....	0 - 4 - 0
14.	Drying chillis	"	....	....	0 - 4 - 0
15.	Bundling 50 empty bags	"	....	....	0 - 4 - 0
16.	Unloading & bundling tins	(per 100 tin)	....	....	2 - 1 - 8
17.	Loading tins	"	....	....	2 - 1 - 8
18.	Unloading empty tin	"	....	....	0 - 8 - 0
19.	Loading empty tins	"	....	....	0 - 8 - 0
20.	Carrying 100 tins from bazar to bazar	"	....	....	6 - 4 - 0
21.	Weighing tins	"	....	....	2 - 1 - 8
22.	Labelling tins	"	...	....	4 -11 - 0

(Note: 1. Loading/unloading here includes carrying of goods as well).

2. Bonus : Two months total earnings should be given as bonus.

3. Accident aid : If any accidents occur while at work or inside the shop, allow free medical aid and leave with wages till health is recovered.

4. Holiday facilities : when holidays occur in shops allow paid holidays to headload workers

   (a) May Day, Independence Day, Republic Day etc. should be paid holidays.

5. Benefits as per the Shop Act should be allowed.

Dated: 16--9--1958.

APPENDIX II -- THE WAGE SCHEDULE

We have pointed out in our discussion on the Wage Schedule in Chapter III that the most striking aspect of the Schedule is its sense of detail. To illustrate this we shall discuss the wage schedule for the headload workers of Trichur Municipal area as published in Kerala Gazette (Extraordinary) Vol.XXX, No.409, dated 10th May,1985.

This wage schedule gives the wage rates of registered (non regular) headload workers of Trichur town for various items of work mentioned. There are 335 items of work given in the schedule. Wage rates are given separately for each section of workers* The two significant sections of workers who are not mentioned in the schedule (the reason being that they are not registered under the Local Committee) are the Godshed workers and the Handcart operators. They have already established their wage schedules through contracts with the employers. If the wage schedules of these workers are also taken into consideration, the total items of work in the whole Trichur market would be more than 350.

The total items of work in each section in the wage schedule are given below:

(i)	Grocery	41
(ii)	Lorry Loading/unloading	77
(iii)	Hardware	86
(iv)	Parcel	39
	Total General market	243
(1)	Vegetable	43
(2)	Fresh & Dry fish	12
	Total STN Market	55
(1)	Arecanut	16
(2)	Tyre Mould	21
	Total Miscellaneous	37

As an illustration of the detail with which these wage schedules are worked out, we give below the example of the wage schedule for the Grocery section of the General market (p.1-3 of the Wage Schedule of 1985)

1. Grocery

Item of Work	Wage	Rate (Rs)
1. Unloading bags of 75 Kg orbelow	per bag	0.48
2. Unloading Paper/Chilli Bales	per bale	0.87
3. Loading bags of 75 kg or below	per bag	0.62
4. Loading Paper/Chilli bales	per bale	0.87
5. Weighing bags of 75 kg or below	per bag	0.38
6. Weighing Chilli/paper bales	per bale	0.69
7. Measuring bags	per bag	0.62
8. Packing bags	per bag	0.40
9. Cleaning packing and bundling	"	1.85
10. Packing Chilli bales in one bag	"	1.41
11. Chilli bags packing & bundling	"	1.17
12. Unloading and bundling tin	per tin	0.16
13. Weighing tin	"	0.16
14. Loading tin from the bundle	"	0.16
15. Mixing and packing bags	per bag	0.85
16. Small repairing and changing bags from one bundle to another	"	0.33
17. For loading on unloading bags above 50 kg on terraces of shops (in addition to loading/unloading charges)	"	0.26
18. Bundling bags after weighing	"	0.26
19. Weighing and carrying bags	"	0.42
20. Taking bags to retail shops:		
(a) from Nayar bazar	"	1.45
(b) from Rice bazar	"	1.61
(c) from Rice bazar and Nayar bazar - Sugar bags	"	2.43
(d) - do - Chilli bale	per bale	2.39
(e) -do - coconut oil tin	per tin	0.59
21. Arranging bags in a row in front of shops	per bag	0.38
22. From one godown to another	"	0.38
23. (a) From Nayar bazar to any other place	"	1.02
(b) From Chantha bazar to any other place	"	1.02
(c) From Nayar bazar to chantha bazar	"	1.17
(d) From chantha bazar to Nayar bazar	"	1.17
(e) From Ayyanthole line to Nayar bazar etc.	"	1.25

(..contd...)

Item of work	Wage rate (Rs)	
(f) From Rice bazar to Nayar Bazar or chantha bazar	per bag	1·25
(g) From the eastern parts of Rice bazar to other bazars	"	1.34
(h) From Damian godown to Nayar bazar & chantha bazar	"	1.52
(i) From Palakkal bazar to Nayar bazar etc.	"	1.85
(j) Carrying boxes to bus stand	per box	1.34
(h) Carrying bags to bus stand	per bag	1.52
24. Unloading sugar, Khandasari, Rava, Maida, Atta weighing more than 75kg	"	0.60
25. Loading sugar, khandasari, rava, maida, atta weighing more than 75kg	"	0.78
26. For goods mentioned in item 24 & 25 for all other work 25% more should be paid.		
27. For all other goods except those mentioned in item 24 & 25, 50% more should be paid for all workers		

Rice Bazar, Nayar Bazar and Chantha bazar are streets in the market area.

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