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Com. K. G. Srinivasan,
Secretary,
All India Trade Union, New Delhi.

Dear Comrade,

The situation in the Collieries of the AR & T. Co., Maghanta has become serious when our union i.e. Assam Coal Mine Workers Union has been functioning so long holding majority of the workers within its fold.

Perhaps you are aware of the fact that the issue of wages was ultimately referred to Tribunal with INTUC as party from workers' side and we were left out. Then, after hearing our petition, the Tribunal made us also formally a party in the Tribunal from workers' side. I think, you know the Award. Reference is: Hon'ble Central Govt. Industrial Tribunal Award by "Salim Merchant" as

Presiding Officer - Ref 44 of 1960
Colliery Dispute - between AR & T. Co. Ltd. and its workmen represented by Assam Coal Mine Workers Union and Assam Colliery Workers Congress. Published in Govt. of India's Gazette dated 16th December 1961.

Then, losing the case in Tribunal, the Company appealed in Petna High Court. But, on the other hand, INTUC-union gave a strike notice in spite of the fact that the issue of the strike itself was sub-judice and there were also other individual cases pending before a Tribunal under Sec. 33A, I.D. Act. According to INTUC notice the strike was to commence on and from 16th August, for implementation of Tribunal's award.

As INTUC-union refused to come to a common understanding with our union even regarding strike, our Union decided not to participate in their strike and the strike was only partial, practically a failure. Now Company is understood to be negotiating with INTUC for an agreement by-passing us, and, then obviously the Company will withdraw appeal from High Court in case a compromise deal is made. Company and INTUC represents

Please reply to: S. K. Prasanik,
Union Building,
A.O.C. Contractors Labour
Union, Charali,
P.O. Digboi, Assam.

Dear Comrades Dange, Raut, Herjikan &
other combatants of the A.O.C.

Herewith I am sending an account of the strike situation, the issues and parties involved, and the organised terrorism let loose by the Police in oil fields areas particularly at Duliajan and nearby areas after my arrest on 30.11.61 on ~~fantastic and~~ ^{questionable} charges u/s 115/502/436/307 I.P.C. ^{by Digboi P.S.} despite lawful ^{my continuous and well-known emphasis on maintenance of peace and order} and peaceful strike with sufficient notice ^{and no occurrence of any} incident anywhere - before my arrest, and long after. The strikers and volunteers showed exemplary patience, determination, courage and suffering and gave again and again proof of their lawful and peaceful attitude and disciplined organisation under the guidance of hundreds of volunteers when they marched last to Dibrugarh, about 40 miles away, to register their protest against my arrest and imprisonment and to demand my release, and squatted peacefully before the Court of the Dibrugarh District Magistrate near the prison and returned in a disciplined manner. The procession of over 4,000 workers started on 3.12.61, reached Dibrugarh on 4.12.61 and returned next day to Duliajan-Pagrijan-Faharkatiya areas. No incident occurred anywhere from the workers' side, though several incidents of assaults, intimidation and threats even with rifle occurred from the side of the rich and powerful Oil Companies' Contractors from sometime before the strike and written complaints were made to the Police and higher authorities regarding some incidents and the reported plan on the part of the vested interests and their agents and insignificant IWIUC Union having hardly 20 members, to cause provocations, assaults and incidents in a manner so as to involve the Police and give them plausible plea for taking to repressive measures and suppress the strike. On the night before the starting of the procession a curious incident of fire in the bazar occurred in which attempts were made to compell some shop-keepers to implicate some volunteers but they refused to give any false evidence as the shop-keepers generally asserted that it was the volunteers who raised the alarm and saved many shops from burning. No other incident occurred and the strike continued as completely, firmly and peacefully as ever.

The authorities ^{were} misled by the vested interests to believe that my arrest and imprisonment would cause the collapse of the strike. But this did not happen. On the contrary, the strike became more widespread and workers of Moranhat Oil Fields also expressed their willingness to join the strike at any time at their call, if necessary. Directly-employed workers of Assam Oil and Oil India in their thousands and all the surrounding public gave full support to the strike and to the workers' just and legitimate demands. No wonder, some incident was stage-managed and engineered by the vested interests and their agents. The Police arrested on 8.12.61 some batches of volunteers from different places on the slightest pretext on the alleged obstruction of questionable recruitment of new hands by trucks and cars with the aid of the Police. Then a number of workers came to Duliajan P.S. and demanded their arrest, too, on the same alleged offence. As the Police refused to arrest or release the arrested workers, they squatted peacefully on the roadside near the P.S. in a disciplined manner. According to the workers' version the Police and any authority concerned gave them only ten minutes to disperse. At the point - when some workers actually succeeded in persuading the strikers to leave the place and their procession was taking an about-turn, the Police lathi-charged and tear-gassed them and began to chase and beat them by lathis and other means. In this state of confusion when volunteers and other strikers were running hither and thither for protection, some incident happened and one constable got injured seriously at his head in peculiar circumstances. According to some reports he was seen to have fallen down during the chase and got himself hurt on some hard things and that he was known to have been suffering from fainting fits, too. What really happened may be known by careful and impartial investigation. It is deplorable and very unfortunate for the strikers that he succumbed to his injuries soon. This seems to have provoked the Police and led those who were in charge of law and order to take a vindictive attitude and let loose a reign of Police terror for days together. Volunteers and other workers were brutally beaten by lathis, blows, kicks, etc. Many were injured more or less seriously. Even shop-keepers and passers-by were not spared. The aggressive

Police is reported to have continued to chase the strikers and volunteers and beat them wherever found even by entering into shops and quarters. Meetings and processions were prohibited by notification. Peaceful picketing even with folded hands were disallowed. No volunteers could remain on duty. Red flags and caps of volunteers were seized and some were said to have been burnt, too. For fear of assaults the strikers most kept themselves hidden in various quarters and places and even in jungles. Several Contractors and their agents moved about gleefully and aggressively with the Police identifying the workers for arrest or for work by intimidation and even assaults.

In two main groups of 45 and 75 workers and some shop-keepers and one Oil India/AOC/BOC employee were reported to have been brutally beaten and brought to the Dibrugarh Jail in trucks. Many lawyers and other citizens from the Court premises and nearby street saw in their own eyes brutal assaults by lathis and other means on the under-trial prisoners at the entrance of the Jail gate and immediately complained to the Deputy Commissioner who sent S.D.M. to make a spot enquiry. Some Constables were identified by the complainants. Hearing of the complaints has been fixed on 18.12.61. Many have been more or less seriously injured. They did not get even timely medical aid. For days together even the badly-injured ones requiring immediate and adequate medical examination and treatment could not be sent to the nearby Dibrugarh Medical College and Hospital for want of timely order of the appropriate authority. ~~24~~ other workers were also brought to the prison later.

The A.D.M. S.J. Raj Kumar granted me a bail of Rs.10,000 for my release after my imprisonment but the bail order was stayed by an order of the D.D. Then on 9.12.61 S.J. Wareswar Goswami, Bar-at-law, moved the Assam High Court against the stay order and secured my release order on a bail of Rs.10,000. Thereafter I was released on 11.12.61. Thereafter bail petitions were moved for the release of about 7 groups of workers numbering ~~142~~ besides 5 shop-keepers. Some were charged under sections 143/342 and others u/s 143/342/307/³⁰²I.P.C. About 62 workers have been released on a bail of Rs.500 each. Ten others will be also released. All others have

remanded to the Jail custody till 22.12.61. The case of myself and an official of the Union has been fixed on 20.12.61.

A public meeting held at Dibrugarh protested against the assaults and the reign of Police terror and demanded immediate restoration of democratic rights of the lawful strikers and creating a peaceful atmosphere for an early settlement of the strike by prompt and effective Government intervention and strongly urged on the Assam Government to order for a JUDICIAL ENQUIRY into the facts and circumstances of the incidents and the acts of the Police and other measures of repression.

On 15.12.61 a huge Public meeting of workers was held at Duliajan under my chairmanship and similar demand for a JUDICIAL ENQUIRY was made. S.J. Binanda Barua, an Advocate of Dibrugarh Court, addressed the meeting, too, and narrated the said assaults at the entrance of the jail gate which he and other lawyers and other citizens witnessed and complained to the D.C.

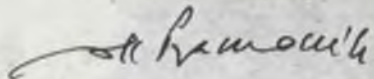
On 17.12.61 at Digboi an UNPRECEDENTED scene of a VAST GATHERING of over ten thousands workers of Assam Oil Company and Oil India and their contractors and other citizens occurred at the Union ground and the surrounding areas. Even nearby street and lanes were crowded by large numbers of people on hearing the announcement that I would come to address the meeting after my release. They waited for hours together. I was unavoidably detained at Dibrugarh for securing the release of about 62 under-trial prisoners on bail. The meeting was held very late at night when I and other speakers addressed the assembly and exhorted the workers to remain firm but completely peaceful and lawful in their activities in the interests of the strike itself and all concerned.

In the circumstances I ferverently appeal to all Trade Union organisations of this country and other countries of the world and to all democratic and public-spirited citizens of India and of Assam in particular to give full support, moral and financial, to the just and legitimate cause of over 4,500 strikers, to contribute liberally to the WORKERS' RELIEF FUND for defence and relief, to

press for the JUDICIAL ENQUIRY INTO THE INCIDENTS and to defeat the MOST UNFAIR attempts of the rich and powerful Oil Companies and their Contractors including the Oil India and their Contractors to REDUCE THE LONG-STANDING MINIMUM WAGES OF ABOUT Rs.4.75 to Rs.2.50 per day, to keep them unpaid and underpaid for months, to deny them lawful payment for overtime and to deny large numbers of them work for even 15 days or less unfairly and wrongfully. The strike is continuing from 19.11.61 and the unpaid and underpaid workers are already suffering terribly but they are determined to continue the strike until and unless their due and long-overdue wages are paid and other nine issues are settled on a fair and reasonable basis. All Central Trade Union Organisations and leading persons are requested to issue statements to the Press in support of the said demands and to do the needful so that the Central Government may be moved to take prompt and effective steps to settle the strike fairly without further delay.

With greetings and awaiting prompt response.

Yours sincerely,



(S. K. PRAMANIK)

General Secretary,
All-India United Trades Union Congress.

Chairman, Central Strike Committee & Negotiating
Committee of the Union.

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Person : S.K.Pramanik (General Secretary, All-India United T.U.C.), Union office near Hindi School, Duliajan, P.O. Huzrijan, Upper Assam. Dt. 14.4.62.

T.R. Dear ~~Chief~~ *Comrad Dey*

For the purpose of moving adjournment, giving 'calling - attention' notice, asking suitable questions, ^{through your H.P.s} issuing press statements, and taking all necessary steps FOR THE SPEEDY SETTLEMENT OF/DISPUTE BY BRINGING EFFECTIVE PRESSURE ON THE GOVERNMENT, I would invite your serious attention to the CONTINUED STRIKE of over 4000 contractors labour doing the work, unskilled, semiskilled and skilled, of not only OIL India Ltd. (wrong impression created by untrue and misleading statement of the ministry in the Lok Sabha on 30.3.62) but - also of Assam Oil Co. Ltd., and other B.O.C. Subsidiaries. The strike is nearing five months now from 20.11.61 and a large majority of the workers are determined to continue the strike as they are compelled to for no fault of their own, though under **STARVING CONDITIONS** since most of them have remained TOTALLY UNPAID FOR MANY MONTHS BEFORE THE STRIKE AND UNDERPAID OVER LONGER PERIODS, despite the said untrue statement to the contrary.

Similar untrue and misleading statements were made by Chief Labour Commissioner during my talks with Nandaji on 13.2.62 which I immediately contradicted as untrue and demanded a SEARCHING INQUIRY into the basis of such false and misleading information turning day into night and INTO OMISSIONS AND COMMISSIONS OF THE Central Labour Inspector & C.O., Dibrugarh, who, in league with a worse type of Oil India contractors and the powerful Oil companies and an insignificant INTUC Union of the ruling party (that represented nobody except a few nonstrikers and could not mobilise more than 20/25 persons in any meeting even for announcing the so-called agreement opposed by the vast body of workers/strikers) ~~that~~ had been so long PUBLICLY supporting the UNFAIR LABOUR PRACTICES OF NONPAYMENT & UNDERPAYMENT, VIOLATION OF AWARD AND AGREEMENTS, RULING RATES AND OTHER TERMS AND CONDITIONS OF SERVICE applicable to the contractors labour in the OIL INDUSTRY IN THE SAME REGION FOR SAME KINDS OF WORK.

Far from raising ~~the~~ any dispute even after July '61 as untruly stated, the said small Assam Petroleum Mazdoor Union had been publicly supporting the wrongful attempts and acts to UNDERPAY THE WORKERS

Workers at the TOTAL MINIMUM WAGES OF Rs 2.50 per day instead of 4.73 as paid and payable (still paid by a number of Assam Oil contractors and even by Oil India to its contractors for contract work of daily supply but not for the other kind of contract which ought to have been based also on the same fair basis -is.) It is well-known that the said small Union, which was so insignificant as to get no recognition so long from the Assam Oil Company/^{and its contractors} of ~~official~~ ^{sometime ago,} pressure until/it was used by some worse type of contractors of Assam oil and mainly of Oil India in order to get its support for their malpractices of nonpayment and underpayment, and violation of award and agreements on ~~xxxxx~~ observance of fair principle of seniority in the matter of employment and lay off, and other MINIMUM SAFEGUARDS against such wrongful acts. DURING THE JUST & LAWFUL STRIKE, too, this Union had been propagating FOR ACCEPTING TOTAL MIN. WAGES OF Rs 2.50 p.d. and resuming work. For this its workers have brought the INTUC into ^{Oil} disrepute in the whole/region.

~~When~~ Under the organised pressure of the strike and reasonable representation of the A.O.C. Contractors Labour Union and Assam Oil Companies' Contractors Labour Union even the OIL INDIA BOARD realised much belatedly after causing so much sufferings and losses to all the basic UNFAIRNESS OF NOT ENSURING FULL PAYMENT OF MINIMUM WAGES to ~~the~~ their contractors workers as paid to ~~the~~ their counterparts in the direct employ of the Company ON THE SAME LONG-STANDING ASSAM OIL BASIS AND EVEN ACCORDING TO ITS ORIGINAL FAIR WAGES ~~xxxxx~~ ^{CLAUSE} IN THE TENDERS, and UNDERSTOOD THE WRONGFULNESS OF DELETING THE FAIR WAGE CLAUSE SUBSEQUENTLY, This is also ADMITTED in the said statement of the Labour Ministry : "The Oil India Ltd. changed the system of contracts from July, 1961 by calling fresh tenders as a result of which the contractors were to pay lower wages." This means, before July '61 there was still FAIR WAGE CLAUSE IN FORCE. Therefore, the workers' ^{/strikers'} claim for PAYMENT OF PAST DUES ON THE SAME FAIR BASIS is so just and unquestionable.

The statement, however, sought to conceal the true state of affairs and the fact of WRONGFUL UNDERPAYMENT FROM LONG BEFORE JULY AND THE

responsibility
 Oil India's direct/~~xxxxxxxxxxxx~~ in failing to ensure full payment accordingly from the starting of contract till july'61 and to make payment of dues to its contractors thereafter ~~from~~ according to its admitted (wrongful) act of DELETING THE FAIR WAGE CLAUSE FROM JULY'61.

FAR from taking the fair, honest and straightforward course of OWNING this UNDENIABLE RESPONSIBILITY and arranging to make payment through its contractors from the starting of contract by its each contractor, ~~the~~ Oil India wrongfully backed its contractors and used this insignificant Union of the RULING PARTY (also to please the State bosses of the party & the INTUC) to enter into the so-called agreement BEHIND THE BACK OF THE STRIKERS AND THE LARGE MAJORITY OF THE WORKERS CONCERNED ^{of the same Oil industry} without any notice to them and the Union/fully supported and authorised by them in law and to the other parties. ~~xxxxxx~~
 The Oil India told the contractors before the so-called agreement ~~that~~ (reported to me as well by some contractors) that it would pay them ON THE SAME ASSAM OIL BASIS from 1.1.62. So the contractors agreed to pay them from little earlier, i.e. 23.12.62, the date of the so-called agreement (its text still unknown to us). ^{The Oil India privately agreed too.} This was, therefore, evidently done so unfairly and wrongfully ~~xxxx~~ in the so-called conciliation held IN NO BONAFIDE, PROPER AND FAIR MANNER to regularise payment from only 1.1.62 and to deny the workers their just and legitimate dues which is the FIRST ISSUE of the STRIKE NOTICE. The dues are certainly payable in all fairness (and even in law though it may be disputed).

The fact remains that the said dues and all other nine issues (not even so-called conciliation was made on the nine issues) or in respect of the DISPUTE CONCERNING ASSAM OIL COMPANY & OTHER B.O.C SUBSIDIARIES & their Contractors) remain fully unsettled until now, which the Ministry's statement has sought to conceal, despite its admission re: the dispute raised by the strike notice on 10 demands. It is incontrovertable that there was NO CONCILIATION ON THE TEN-POINT DISPUTE OF THE STRIKE NOTICE--AND NOT EVEN SO-CALLED CONCILIATION PARTLY ON ONE ISSUE RE: OTHER OIL COMPANIES & THEIR CONTRACTORS until now, although the CONCILIATION was compulsory in law since ^{admitted} the strike notice included also SCAVENGING SERVICE OF PUBLIC UTILITY with their specific demand for DIRECT EMPLOYMENT UNDER THE COMPANY AS BEFORE ~~also~~ along with similar demands as others. This was evidently unlawful.

Yet the Ministry has tried to conceal the ESSENTIAL FAIRNESS OF THE WORKERS' CLAIMS and THE UNLAWFULNESS AND UNFAIRNESS OF THE SAID ~~WROUGHT~~ ACTS AND THE GOVERNMENT'S PERSISTENT REFUSAL TO HOLD CONCILIATION (though compulsory) ON THE TEN-POINT STRIKE DISPUTE ~~XXX~~ concerning not merely Oil India & its contractors but all other Oil Companies & their contractors in the region, who are not parties to the so-called agreement which was made without notice to them and the long-standing Contractors' Association. The statement has also sought to conceal the fact that the B.O.C. Subsidiaries and their contractors are still paying at the lowest possible rate of Rs 2.50 per day as they are not bound by even the said agreement.

The dispute was raised not from July '61 nor by the said ^{INTUC} Union supporting the wrongful payment so long but by the A.O.C. Contractors Labour Union long before July '61 even in the cystyled resolutions of the Annual Conference at 31.2.60 and 28/29/2/61, which were sent to the Ministry and all concerned. The correspondence with the Government and even with the OIL India would show that no objection was ever taken until lately by Govt. as to the right of the A.O.C. Contractors Labour Union to represent the Oil India contractors labour, the Oil India admittedly succeeding the same BOC-Owned Assam Oil Co (that started the Oil India as major partner for long and later from May '61 (not from 1.1.61 as now wrongly claimed) in equal partnership with the Central Government) in the same extended Oil fields which were so long developed by the Assam Oil Contractors labour largely and by Assam Oil staff now employed from 1.1.62 under the Oil India WITHOUT INTERRUPTION OF PAST SERVICE AND ON THE SAME ASSAM OIL TERMS & CONDITIONS OF SERVICE AS BEFORE. Why then should the MUCH-EXPLOITED CONTRACTORS LABOUR SHOULD BE DEPRIVED OF EVEN THEIR JUST AND LEGITIMATE MINIMUM WAGES ?

Unquestionably, the A.O.C. Contractors Labour Union has the lawful right to represent its same members who do not only Assam Oil work but also work of Oil India, its lawful successors, too. Certainly ~~its~~ a long-standing Union of a large majority it is of the same Oil industry and as unquestionably supported by a large majority and duly authorised by them, has the right to represent them according to section 36(1) (a) and (c) of the I.D. Act.

It is also untrue that our Union launched a strike from 28.9.61 to 3.10.61 but, in fact, it is well-known that the Union officials advised them not to stop work, however justified, as a protest ^{against} NONPAYMENT AND UNDERPAYMENT FOR MANY MONTHS & VIOLATION OF AWARD AND AGREEMENTS. It was through the same Union officials the OIL India Management got the workers back, though still unpaid, assuring them that their dispute would be settled amicably. But nothing was done after their resumption of work from 4.10.61.

It is also untrue that the strike was started during any

On during any conciliation on the TEN-POINT STRIKE DISPUTE. ~~which~~ ^{lawfully} the contrary, although the Central L.I. & C.O. was bound to hold conciliation on the same, he intimated the strikers' representatives that on 15.11.61 that he was holding no conciliation on the said strike dispute and took no cognizance of the strike notice. This was also made clear in the Union's letter dt. 17.11.61 pointing out the said statement of his which remains uncontradicted upto now. The letter also enclosed a resolution of the (Strikers') workers' general meeting authorizing the A.O.C. Contractors Labour Union and Assam Oil Companies' Contractors Labour Union to represent them, questioned the bonafide and fairness of the conciliation meeting called on 15.11.61 - excluding ~~the~~ various parties of employers and workers concerned, challenging the right of the insignificant INTUC Union that had nothing -g to do with the Strike notice and ^{long-pending} the dispute, to represent them except a few, and intimated the L.I. & C.O. that it would again produce ~~the~~ any requisite authority in law whenever any proper conciliation would be held with due notice to them and all parties concerned, and that it would hold any C.O. responsible for any ^{DAMAGES} DAMAGES CAUSED BY improper, unfair and malafide conciliation, NO notice was at all served for the so-called ^{said to be held} conciliation/ partly on one issue and with only one group of contractors on 23.12.61. We have challenged and denied its validity IN DENYING THE WORKERS' DUES BEFORE ~~the~~ 23.12.61.

* Over ~~22x~~ 2600 strikers (1st instalment) under their signatures had already, in their representation to the Labour Minister, contradicted ^{earlier} directly similar/untrue and misleading statement of the Ministry and DEMANDED CONCILIATION WITHOUT FURTHER DELAY ON THE TEN-POINT STRIKE DISPUTE AND ,FAILING CONCILIATION ON ANY POINT, TO REFER THE DISPUTED ISSUES TO ARBITRATION. I have made the same fair - claim again in my last discussions with Nandaji on 6.4.62 and showed documents which ~~xxxx~~ proved the untruthfulness/and misleading nature of the Ministry's statement in the Lok Sabha and its highly partisan nature. Shri Nanda, being unable to contest the essential fairness of the claims and the UNLAWFULNESS AND UNFAIRNESS OF THE C.O.'S ~~xxxx~~ refusal to hold conciliation (compulsory), took shelter behind the so-called agreement and counselled me to TAKE RECOURSE TO THE LENGTHY AND EXPENSIVE PROCESS OF LITIGATION against his own declared policy and principles.

Many hundreds more signed later. 8/hrs are daily coming to life.

Please to be useful for the strikers to the Government of Assam.

Duliajan office of A.O.C. Contractors Labour Union, Assam
Oil Companies' Contractors Labour Union & Indian Oil Workers
Union, Assam, representing direct & indirect employees.

Dear friend,

Hope you are well. Please do try and get through D.P.S. + other Press Statements.

This is to remind you of the URGENCY of giving calling attention NOTICE without further delay and putting suitable questions in that connection as well as sending short notice questions for reply. I have already sent several communications to you to enable you to do the needful and to give appropriate reply to any untrue, misleading and evasive statement that may be made on behalf of the Ministry of Labour or Ministry of Oil responsible for the OIL India Ltd. owned by the Central Govt. in partnership with the B.O.C. owning fully the Assam Oil Company whose contractors labour as well as of other B.O.C. contractors are also on strike since 20.11.61 (Assam Oil Contractors labour of Digboi on strike from 27.11.61.

I have just sent a telegram to you and I hope you must have received it. Please don't delay IN THE BEST INTERESTS OF THE TRADE UNION MOVEMENT AND THE BROAD WORKING CLASS UNITY to send calling attention notice and suitable questions, now that the strike is nearing SIX MONTHS and the long-unpaid and under-paid strikers ~~which~~ still forming a very large majority are virtually under starving conditions.

Whatever work is being done is done largely by new recruits except a few non-strikers belonging to the INTUC Union, Assam Petroleum Mazdoor - Union that had been PUBLICLY supporting (to the knowledge of the working people and the general public of the region and the direct employees who have been supporting fully the strikers' JUST CAUSE throughout - mgs meetings attended by many thousands of workers and processions are often being held now and then at Duliajan and Digboi and Tinsukia, though hardly reported) the illegal and unfair labour practice of the OIL India Contractors and BOC Contractors of under-paying the workers at the rate of total wages of Rs 2.50 p.d or even less ~~less~~ instead of Rs 4.75 p.d as payable, for instance, for August '61, or little more or less according to the variable monthly D.A. from long and during the period of strike.

The Ministry and the Oil India had been denying untruly the fact about the continuation of the strike by a large majority of unpaid and under-paid strikers and the EXTENT OF LOSSES THEY HAVE BEEN SUFFERING with the superior motive to STARVE THE WORKERS INTO SUBMISSION. But they are not going to submit as they know that their MAIN CONSPIRACY (in league with the Insignificantly small INTUC UNION (extremely unpopular) and the Central L.I and R.L.C. backing ~~is~~ and worst types of contractors) to DIMINISH UPON THE MINIMUM WAGE OF RS 2.50 p. d. instead of about Rs 4.75 p.day. has been defeated by us.

All Contractors have suffered and are suffering much losses, they know because they would require at least 5 workers to do the work formerly done by 2 senior and competent workers, often 2 new recruits (largely from under-employed or unemployed tea gardens and agricultural labour - they will soon leave work and go back to their land or tea gardens) do the work of one worker. The Companies ~~also~~ also suffer losses because they have TO KEEP ~~THE~~ MANY WORKS PENDING (CONTRACTS NOT GIVEN) and the QUALITY OF WORK has been not of a low standard. Most of them are bound to go. In fact, the Contractors are appealing to the old workers to come back. ~~Many~~ Many of them even told the new recruits that they would have to go when their old workers would return. New workers themselves tell the strikers that they would leave when they would come so let them get whatever money they can, meanwhile. These real facts are concealed by the Oil India and the Labour Ministry officials with the motive to starve them into submission. But they will not. Even if they return with to work, they will go with the CONSCIOUSNESS OF THEIR VICTORY ON THE MAIN ISSUE SINCE ~~THE~~ EVEN THE OIL INDIA BOARD HAD ASSURED ME THAT THEY HAD ACCEPTED MORE OR LESS THE SAME ASSAM OIL BASIS OF PAYMENT OF MINIMUM WAGES and some other conditions and would make suitable provision in the contract to ensure payment and compliance with laws and award and agreements. But they have not made any settlement with us. The INTUC Union is still trying to restore the same Unfair labour practice and to force new recruits to become members through the Contractors. However, new recruits are coming to us for membership.

The only or main obstacle to settlement is about the PAYMENT OF DUES BEFORE 1.1.62. Both Mr. Khandubhai Desai, ~~Chairman~~, and Mr. Finlay, ~~Managing~~ Director of Oil India as well as Mr. Govindan Nair, ~~financial~~ Directors, while giving verbal assurances to that effect to me, made the plea that the Oil India took full responsibility (meaning thereby, from Assam Oil Company that had been managing all works for the Oil India) from 1.1.62. This plea is untenable.

1.1.62
before ~~1.1.62~~

The Oil India's RESPONSIBILITY in the matter of LONG-OVERDUE WAGES which the Oil Companies' Contractors refused to pay at all from August '61 and did not make any payment in August, September, October and November '61, i.e, before the strike dt. 20.11.61 led to the FIRST STOPPAGE IN PROTEST from 28.9.61 to 3.10.61) is evident from the even/statement made by the Labour Minister in the Lok Sabha on 30.3.62, which contained several untrue and misleading statements. The first sentence of the said statement, which runs as follows, clearly established the Oil India's responsibility - fully in the matter of UNPAID DUE WAGES :-

"The Oil India Limited changed the system of contracts from July, 1961 by calling fresh tenders as a result of which the Contractors were to pay lower wages." Oil Companies' Contractors stopped payment

That is why/on the plea of uncertainty of the basis of payment and that it would be practically very difficult to pay the same workers for the same month for the same kind of ^z indoor work at two/^{widely-} different rates, at Rs 4.75 (as in August '61) ~~xx~~ for DAILY SUPPLY contract work/still paid by OIL India at the ruling Assam Oil rate of wages as before, and at Rs 2.50 per day for other kinds of contract work as was - being underpaid by many Oil India contractors before July '61. They still refuse to make payment of due wages during this period on the same plea and until final ~~sett~~ settlement with the STRIKERS' REPRESENTATIVES & representative of the A.O.C. Contractors Labour Union/duly authorised by the strikers forming a large majority.

This is because none of contractors ~~believe~~ can rely on the so-called settlement by the R.L.C., Calcutta, between a small minority Union representing none but a few and one group of Oil India Contractors (to the exclusion of other parties and without any notice to them or the strikers ^{raising the} / the Ten Point Dispute by strike notice dt. 31.10.61 covering even scavenging service of PUBLIC UTILITY) - a settlement in which the Oil India contractors is said to have accepted Rs 4.66 p.d. as minimum wages from only 1.1.62 / ^{or 23.12.61} thereby denying payment of dues before that date on the same basis though accepted as fair so late by the Oil India, too. Even the contractors feel that this so-called settlement has no validity in law or fairness. So they still await ^{, presumably} FINAL SETTLEMENT / THROUGH GOVT. CONCILIATION, or directly with us by some mediation. So they wait and don't pay, although they want the strikers/old and efficient workers back in their own interests owing to their continued losses. The workers cannot also go back without any SETTLEMENT WITH US REASON-VICTIMISATION with work according to seniority as before, upheld by Tribunals - ON ASSURANCE/IN WRITING AND SETTLEMENT OF the issues of payment of dues either by

direct payment without delay or by reference to the issue along with other disputes including direct employment to scavengers as under Assam oil issues to ARBITRATION preferably or adjudication. No conciliation through ~~comp. Conciliation~~, was held on Ten Point Dispute. None vs. Assam oil Contractors.

This also gives lie to the statement made by Abki Ali on 30.3.62 that the strike was called by the A.O.C. contractors labour Union and was called off on 4.10.61 though it is well-known throughout the region that the long-unpaid and underpaid workers stopped work (that too, against the advice of the Union leaders) in protest against such nonpayment and violation of laws and awards and agreements. The said long-standing and recognized representative Union was called so falsely as rival to the INSIGNIFICANT INTUC UNION of recent birth and no standing — due to its extreme smallness not still recognized by Assam Oil Company and many of its contractors, despite UNFAIR GOVT pressure (R.L.C., Calcutta, also pressed ^{its} for/recognition by Assam Oil Co.) The workers, though still unpaid, were persuaded by ~~our~~ our Union leaders to go back on the assurance of Manager, Oil Matters, to get the dispute settled through contractors soon. But he did nothing. Why did the OIL INDIA MANAGEMENT CALL President & Secretary of A.O.C. Contractors Labour Union and not the smallest INTUC Union for settlement or for persuading the strikers to go back; Because all knew that that Union represented only a few.

It was also a false statement that no authority could be produced before the C.O. L. I., Dibrugarh (now compelled to resign) ^{on 17.11.61} by our Union/ The said L. I. acted ^{wrongful} illegally on the advice of the R.L.C. All documentary evidence and facts ~~are~~ ^{are} would show the falseness of the statement. The said L. I. & ~~the~~ C.O. admittedly refused also to hold any conciliation on the STRIKE NOTION ISSUES/TEMPORARY DISPUTE, although conciliation was compulsory under the Act.

That the strike still continues ^{by a large majority} also gives lie to the other parts of the Labour Minister's statement. The strikers have already DEFEATED ^{THE} /MAIN CONSPIRACY to reduce the minimum wages from Rs. 4.75, a little more or less, to Rs 2.50. Even Saturday work is being/paid at full day's rate for 4 hours work as before. Pay slips are to be issued each in advance. If work is allotted according to seniority principle upheld by tribunals, as before and assurance is given for no victimisation of workers, then only issue remains: PAYMENT OF DUE WAGES / BEFORE 23, 12, 61/ 1.1.62. ~~But~~ according to the said admission in the Lok Sabha the Oil India will have to settle the dues through its contractors. The Oil India is also admittedly (admitted by its own documents) successor of Assam Oil Co. (BOC-owned) in the same extensive oil fields and as such also LAWFULLY BOUND BY PREVIOUS AWARD, agreement, undertakings given by Assam Oil. either the Assam Oil or the Oil India or both jointly with their contractors will have to take the responsibility for clearance

of dues.
There is no escape from this position certainly in fairness.

So please do not

*Handwritten signature: J. Prasad
SK Prasad
11.5.62*

May 3, 1962

Dear Com. Barin Chowdhury,

Shri S.K.Pramanik met us here and talked about the strike in oil co. going on there. He wanted our help.

Please let us have your report about it and suggestions, if any.

With greetings,

Yours fraternally,

K.G.

(K.G.Sriwastava)

Copy.

Barpathar (New Colony),
P.O.Tinsukia.
7.5.62.

To
Com.K.G.Sriwastava,
Secretary,
A.I.T.U.C.

Ref:- Your letter dated May 3, 1962.

Dear Comrade,

I have received your letter just now. So far Shri S.K. Pramanik's strike is concerned, I am giving you the following informations.

Against reduced wage-rates, - the contractors' labourers, engaged in the constructional work of "Oil India Ltd.," had resorted to strike. Labourers of some A.O.C. contractors also had struck work. Socialist-led, A.O.C. contractors' Labour Union had given this strike-call and there was no registered trade union or un-registered trade union to formally lead that strike in Oil India Ltd. Everything was done in the name of A.O.C. Contractors' labour union. After arrest of Shri B.K. Pramanik, the strike was continued by Socialist Leaders who were also, like Pramanik, very careful to see that no AITUC-man get scope for becoming popular by way of helping strikers.

After the clash that took place in Duliajan Police Station area with the worker (as a result of which one constable died subsequently in Dighi Hospital), I had gone to Duliajan. But the leaders were not willing to see us so much physically in the spot! They want money from us, but the workers should not be in our touch. So, S.K.Pramanik will go to Delhi or perhaps write to W.F.T.W. but avoid us planfully here. I had personal talk with him too. He claims to have sent his resolutions every where but not to STUC! Moreover, the strike exists in Pramanik's file and papers but Oil India's work is going on in full swing!! Let him change his policy in field, and, then go to you for help i.e. money!!!

Sd./-Barin Chaudhury.

A. I. C. 3 14 MAY 1962
119



1722

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

Received here at ——— H. ——— M.

O MD(12-20) 54 DIBRUGARH 10

S DANGE NEWDELHI.

.....P/EASE GIVE WITHOUT DELAY CALLING ATTENTION NOTICE
REGARDING NEARLY SIX MONTHS STRIKE OF LONG UNPAID OIL COMPANI-
ES CONTRACTORS LABOUR LARGE MAJORITY DEMANDING PAYMENT LEGA-
LLY COMPULSORY CONCILIATION ARBITRATION.

Recd.

SUDHIRINDRA PRAMANIK.

File me
COPD AT 1400HRS.

This form must accompany any enquiry respecting this telegram.
I.A.P. Delhi-1961.

A. I. T. U. C.
Received 3/5/62 6/10/62
Replied.....

To Comrade K.G. Sriwastava,
Secretary,
All India Trade Union Congress, New Delhi.

Dated Tinsukia the 3rd September, 1962.

Dear Comrade,

Received with thanks your letter of Aug. 13, 1962.

2. The Cha Mazdoor Union, Assam had applied for remission of arrears of affiliation fees to you and got the reply to the effect that the Union was to apply with a recommendation of the STUC. So the matter, being referred to the STUC was discussed in the working Committee and subsequently I wrote to you. Anyhow, I shall send copy of your letter to Com. Bhowmick.

3. The Circular No. STUC/11/62 of Aug 8, 1962 could not be acted upon by us in time. I was outside Assm at that time (I had to go to Hyderabad).

4. Regarding some organisational affairs I think it necessary to bring certain things to your notice. In recent period TU-membership of some of our good unions have declined, but on the other hand of course we have gained a few new fields, too. But, in its totality, the position is not good. STUC-centre, having absolutely no income for last one year or so had to be dependant on party-fund that can be managed by me individually even for meeting day-to-day expenses. In Namrup Gas Plant, Sibsagar Oil exploration area, Oil India, Noonmati Refinery etc I could not do our preliminary organisational work to set up Trade Unions. Whether some financial aid can be given for meeting these preliminary ~~things~~ things may be considered by you, I mean the AITUC-Secretariat and Com S.A. Dange. I am putting up the proposal and hope to get the reply as early as possible because even if some attempt has to be made it should be in time.

~~With greetings~~

5. As you know flood has become a new problem in various areas. Our comrades are trying their best to do their little bit in relief work.

With greetings.

Yours Fraternally

Berim Choudhury
Gen. Secy.,
Assam S.T.U.C.

P.S.
Situation in coal-field is very serious. In my tomorrow's dispatch you will get all matters, and, in advance I request you to take prompt steps on this score. BChoudhury.

From : Barin Chowdhury,
General Secretary,
Assam State Committee of the AITUC.
Barpathar (New Colony); P.O. - TINSUKIA.
A S S A M .

12th Oct/62

To : Com. G. Sundaram,
General Secretary,
Petroleum Workmen's Union.
"Shramajeevi ~~Avaz~~", Sewree Cross Road, Sewree, Bombay-15.
Ref: Your letter Dated 26-9-62 regarding ~~XXXX~~
Ankleshwar Oil Field Workers.

Dear Comrade Sundaram,

I had received your letter in time. I am trying to reply to your points as far as possible through this letter, but obviously it may not be comprehensive because it is often very difficult to formulate the experiences of a very long period.

However, what is needed urgently now is how to go ahead in the work of organising petroleum workers in various parts of our country ~~wh~~ when not only joint enterprises (e.g. The Oil India Ltd, Duliajan) but public sector undertakings are coming into ~~existence~~ existence engaging thousands of workers and carrying on both exploration and production of oil.

The workmen of the Assam Oil Company thrive on their tradition since long and their organisation, namely A.O.C. Labour Union and the A.O.C. Contractors' Labour Union (both re-registered in Jan/47) are not affiliated to either any national T.U.-centre or any all-India Trade Federation, - thanks to the influence of Shri. Sudhin Pramanik there who is against any sort of all-India affiliation.

In the year 1956, INTUC registered another organisation named ~~S~~ Assam Petroleum Mazdoor Union but failed to disrupt the workmen employed by the A.O.C. though they could bring within their ~~to~~ organisational fold some contractors' labourers. Even then, the AOC Contractors' Labour Union was the dominating force in Digboi. ~~most contractors labour~~

The A.O.C. Labour Union being a recognised organisation of the AOC-workers could successfully conduct negotiation and movement and could achieve good results. Failures or shortcomings were there but they are mainly due to the faulty leadership.

Even in the month of September, the AOC Labour Union could show good mobilisation and unity when they observed demand week from 1st Sept. to 8th Sept/62 by wearing black badges inscribed with "Fulfil Our Demands" and last day's programme was submission of memorandum to the Manager, AOC Ltd, Digboi with silent procession. It was a very good demonstration

~~XXXXXXXXXX~~. But, the movement for 5 month's bonus and for realisation of the so-called Charter of Demands is faced with a stalemate situation because of refusal of the Company to fulfil the demands in spite of Union's strike-threat.

P.T.O.

Demand week was observed in similar manner in the Oil India also and almost similar memorandum was submitted there. The show was very good. But the situation there is a bit different.

You have correctly narrated that the Oil India Ltd was partly or mostly created out of the private A.O.C. A large number of ~~A.O.C.-workers~~ A.O.C.-workers ~~and~~ as well as Officers were taken ~~from~~ to the Oil India and naturally they went there with all there traditions, illusions, vices and virtues. The Oil India Ltd. had taken formally the assets and business of the Assam Oil Company/whereafter this latter Company ceased to operate, and ,consequently the workmen's services with the Assam Oil Company came to an end on 31st December/61 and they became employees of the Oil India without interruption in their services.

But all the same there are some new factors in the situation .The concern ~~is~~ a joint enterprise where 50% share is with the Govt. of India ; and there are under direct employment and indirect employment(i.e. through Contractors) thousands of new workers who are free from ~~the~~ feeling of pride in the traditions of past struggles of the AOC Labour Union.

Though Sudhin Pramanik could register a trade Union named 'Indian Oil Workers Union, Assam, Regtd. No. 512' but INTUC could make some organisational initiative and manoeuvre at the outset and then Oil India's authorities gave recognition to the INTUC-union though majority of the workers are not its members. Contractors' labourers strike in Oil India was practically crushed through repressive measures. Shri. Sudhin Pramanik finds himself in a very difficult condition to-day because on the one hand he is to fight against "communist-infiltration" inside his union and on the other hand give a frontal battal with INTUC and the Authorities of the Oil India .Anyhow that is another subject !

But crux of the problem that transpires out of all these developments is that the Govt. enterprises or semi-Government enterprises are more difficult places for real trade unionism. We require more patience, resourcefulness and tactfulness there.

Anyhow, please keep me informed about the developments in Ankleshwar Oil fields.

With best wishes and warm greetings.

Yours Fraternally

Barin Chowdhury

(Barin Chowdhury)
General Secretary,
Assam State Committee of the
A.I.T.U.C.

Copy to -
Secretary,
All India Trade Union Congress

in the Oil files of the Oil India

OFFICE OF THE ASSAM BRANCH COMMITTEE OF THE A.I.T.U.C.
R.O.C.F.C. - TINSUKIA
A s s a m .

Dated Tinsukia the 12th Oct/62

To
Comrade K.G. Sriwastava,
Secretary,
All India Trade Union Congress.
New Delhi.

Dear Comrade,

Please find herewith a copy of my letter addressed to Com G. Sundaram, General Secretary, Petroleum Workmen's Union. The letter speaks for itself. /

Regarding the affairs of the collieries here in Ledo Margherita area, I had sent you recently some letters and you also received some letters from the Office of the Assam Coal Mine Workers Union, Ledo.

Please try to give us reply to those things as early as possible.

Moreover, the situation in the collieries here are such that even for keeping the morale of the workers as well as helping us in our movement some MPs should visit the coal field. This will also enable the MP-comrades move the matters in the Parliament better. Please contact some MP and arrange to send at least one to visit this coal-field area in Assam.

Your early reply is anxiously awaited.

With greetings.

Yours Fraternally

Barin Chowdhury
(Barin Chowdhury)

OFFICE OF THE ASSAM STATE COMMITTEE OF THE A.I.T.U.C.
H.O. & P.O. TINSUKIA, ASSAM.

Ref. EI/1-302

Dated Tinsukia the 17th Oct '62.

From: Barin Chowdhury,
General Secretary,
Assam State Committee of the A.I.T.U.C.,
Tinsukia.

To
Shri K.P. Tripathi,
The Hon'ble Labour Minister to the Govt. of Assam,
Shillong.

Dear Sir,

With reference to the brief talk that I had with you last month after the Second Annual Session of the Assam - Productivity Council held in Tinsukia on 30th September/62, I wish to bring to your notice the following issues regarding which prompt measures should be taken in order to safeguard the vital interest of the working class and to foster proper industrial relation.

On Road Transport

I For regulating the working conditions of the road transport workers, the Motor Transport Workers Act, 1961 has been enforced. According to a notification issued by the Government of India, dated January 23, 1962, - the said act has come into force on and from February 1, 1962 in Assam. But upto now, rules have not been framed and appropriate machinery has not been set up for the practical operation of the act as a result of which immense difficulties are being faced by the trade unions in this sector.

Therefore, immediate measures should be taken in this regard without any further delay.

On Abolition of Contract Labour system.

II The trade Unions have been long since campaigning for abolition of contract labour system. The Second Five year Plan had also visualised that - Accordingly talks were formulated amongst other things to

"Secure gradual abolition of the contract system when studies show this to be feasible, care being taken to ensure that the displaced labour is provided with alternative employment.

"Secure for contract labour the conditions and protections enjoyed by other workers engaged by the principal employes etc. etc."

Moreover, 19th Indian Labour Conference took the specific decision to the effect that contract labour will not be engaged in the type of work referred to in the Supreme Court judgement (Standard Vacuum Refining Co. of India Ltd -V- Their Workmen and another 1960(2) LLJ 223-1960 SC 948-18 FJR 345) on the subject namely factories where -

(a) The work is perennial and must go on from day to day.

Contd...2.

(b) The work is incidental and necessary for work of the factory.

(c) The work is sufficient to employ a considerable number of whole time workmen, and -

(d) the work is being done in most concern through regular workmen.

The 20th Indian Labour Conference reiterated that the principles agreed to at its 19th session should be strictly adhered to by all the parties.

Moreover, the specific directions of the Tribunal regarding the mine workers are there which remains to be implemented in our State.

But, what I want to emphasise here before you is that in spite of the Union Labour Ministry's directive vide their No.LWI(1)14(16)/61 dated November 1961, the contract labour system is growing in various factories of our State for example:

(i) In Assam Veneer & Saw Mill, Makum - almost all the permanent workers were retrenched. Now only about 6 workmen are working from amongst old permanent hands and about 48 workmen are contract labour. The Union met several representations to the Labour Dept. but to no effect.

(ii) In Assam Forest Products, Makum, all the workmen of the Saw section have been retrenched and now the saw mill is being run on contract system.

(iii) In the National Saw & Plywood Works, Tinsukia the saw mill section is run on contract system after retrenching directly employed workers.

(iv) In the Veneer Mills, Tinsukia Saw Section is now run on contract system after retrenching permanent hands.

(v) In Birla's "Woodcrafts" Mariani, contract labour are in a very large number engaged in the process of manufacturing in every section.

(vi) In Himalayan Plywood Industries, Tinsukia, the Contractor's workers are performing the job of permanent nature. etc. etc.

In view of the decision of the 19th Indian Labour Conference which was ratified by the 10th Indian Labour Conference, the State Government should ~~decide~~ what to do with this growth of contract labour system. I submit, steps must be taken to implement the 19th India Labour Conference ~~direction~~ ^{direction} when employers are openly violating the same in more extensive scale.

Minimum Wages Act 1948 to be applicable to the Veneer Plywood and Saw Mills.

3. In the Veneer Plywood and Saw Mills in our State, thousands of workers are under employment but in the matter of wage rates, the prevailing situation is nothing but a chaos. The question of wage rates, annual increments are the issues over which there have been series of struggles of the workers bringing in varied results. It is high time for the State Government to bring this Industry under the Minimum wages Act and this can be done in exercise of the powers conferred by section 27 of the said Act, and, take prompt measure for prescribing uniform pay-scales commensurate with requirement of the workers.

On Rising prices of commodities.

4. The spiralling prices of food grains and other articles of daily use of the common people has become a matter of serious concern because it again and again upsets and reduces the real wages of the workers.

The consumer price Index Numbers for working class of Gauhati, Silchar and Tinsukia are of some course published by the Government, but hardly that can reflect the real state of affairs.

But, what concerns us vitally is that this never ending rise in prices depresses the living standards of the people on the one hand and enrich a handful of speculators and profitters and monopolists.

In order to safeguard the interests and achievements of the working class, some effective steps should be taken for arresting this price rise and bring down the same to a reasonable standard.

Your early reply and decision in regard to the matters referred to will be highly appreciated.

Thanking you,

Yours sincerely,

Barin Chowdhury

(Barin Chowdhury)
General Secy.

Assam State Committee of the
A.I.T.U.C.

Copy to:

1. The Hon'ble Labour Minister,
Government of India,
New Delhi.
2. The General Secretary,
All India Trade Union Congress,
New Delhi.

Barpathar (New Colony)
P.O. Tinsukia
Assam.

126 file

To

The General Secretary,
All India Trade Union Congress
4 Ashok Road, New Delhi.

A. I. T. U. C.
Received 3913 23/6/62

Dear Comrade,

I am sending herewith a copy of my letter addressed to the Labour Minister to the Government of Assam, Shillong.

This is for your information and necessary action.

With greetings.

Yours Fraternally

Barin Chowdhury 18/10
(Barin Chowdhury)

General Secretary,
Assam State Committee of the
All India Trade Union
Congress.