

In fine, *Amidst Heat and Noise* is a different species of book in the genus of business or industrial literature. One thing is quite clear from the narrative style adopted by the author : when you manage any organisation, you face a common set of problems, and you tend to react (or proact ?) to them in the same way whether you are a trade-unionist turned manager, or otherwise. I recall having read Walter Citrine (later Lord Citrine) who was an arch-trade unionist, turned Chairman of the National Coal Board (U.K.), managing his massive organisation reacting much the same way as Mr. Tulpule. As a reviewer I missed the same candid elaboration in respect of the subjective side of Mr. Tulpule's taking on the mantle of a General Manager of DSP, shedding his trade unionist role. For good measure, he might have thrown some light on his own way of managing a trade union, and perhaps drawn some comparisons between the same and that of managing DSP.

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A Guide to settlement of Industrial Disputes, Third Edition, V. P. Arya. New Delhi, Law and Allied Publishers, 1977. 146 p. Rs. 40.00

The law governing labour-management relations is one of the most important branches of Law — a law which provides the legal basis on which a very large number of industrial workforce earn their living. But it would be wrong to say that law makes a significant contribution to the standard of living enjoyed by industrial workers. For example, the level of wages, whether nominal or real, which is an important issue over which the disputes

between labour and management frequently arise, can only be marginally influenced by legal rules and institutions. Though it has to be admitted that minimum wage legislation has made an attempt to help those at the bottom rungs of the ladder, particularly the labour in specified industries and some non-industrial sectors, its impact on the industrial worker is not so significant.

Nevertheless, in countries like India, legislations have been enacted with a view to providing the necessary benefit to or undertaking welfare activities for the labour and for providing machinery to resolve disputes or differences between labour and management.

The book under review which has entered into the third revised edition aims at providing guidance to one so that one can appreciate the statutory provisions and the principles and practices of settlement of industrial disputes. There is no doubt that a need is often felt for a book of its kind. The book has been rewritten to incorporate amendments to various statutes as well as to bring up-to-date references to the reported cases. Further the book contains the discussions on several new topics such as "Production bonus", "Workers' participation in management" and "Criteria for recognition of trade union" which the reader will find quite useful and relevant.

The book consists of two parts : part I concerns itself with machinery and methods for investigating and settlement of disputes which are the basic objectives of the industrial Disputes Act 1947 (Hereinafter called the Act of 1947). The cornerstone on which the edifice of the law governing employment relationship between industrial workers and management has been built up, is the law of

contract of employment. The employers' rights based on the freedom of contract are not absolute and these have to be adjusted with the claims of industrial workers for social justice, though the relationship between the labour and management is based on the Contract of Employment. The author of the book takes note of this aspect by making a brief reference to the implication of freedom of contract in the changed social context. The author makes a brief survey of the various machineries provided in the Act of 1947 for settlement of industrial disputes through conciliation, adjudication and arbitration. In the chapter on Adjudication, the author has drawn a distinction between compulsory adjudication and voluntary adjudication — a doubtful distinction as it would imply that in the case of latter, the parties can approach the adjudicating machinery without a reference by the appropriate Government under the Act of 1947. Ideally, perhaps, such a provision would have been justified, but in reality, it is not so.

The second part of the book deals with some of the areas where the conflict between the labour and management most commonly arises, for example, wages and dearness allowance, bonus, reinstatement, leave and holidays and retirement benefits. The book takes into account the principles by the help of which the demands and counter-demands relating to these areas are adjudicated upon, which provide, no doubt, some guidelines which are legally significant.

Bonus has, in recent years, become a major issue of conflict between labour and management. Under the payment of Bonus (Amendment) Act, 1976 special provisions

have been incorporated with respect to payment of bonus linked with production and productivity. The book contains an appendix on production bonus which provides guidelines which will be found useful by the employers in case an agreement or a settlement has been arrived with the employees for the payment of bonus linked with production and productivity. However, after the publication of the book an Ordinance was passed in September 1977 which later on resulted in the passing of the Payment of Bonus (Amendment) Act 1977. The Act received the assent of the President on December 24, 1977.

The author has drawn from the code of discipline the norms for the recognition of trade unions, and rights of recognised trade unions, vis-a-vis minority union. However, it would have been pertinent to refer to the legislation passed by the State of Maharashtra in respect of these matters. The State of Maharashtra has broken fresh grounds in its enactment titled 'Recognition of Trade Unions and Unfair Labour Practices Act, 1972' (Maharashtra Act No I of 1972) which came into effect in September 1975.

The book has been written in a lucid style providing practical guidance to managers, trade unionists, personnel and labour officers and students of labour-management relations.

Asit Kumar Bose

Working Class of India — History of emergence and movement by Sukomal Sen. Calcutta, K. P. Bagchi & Co., 1977. Rs. 60.00.

This book is a welcome addition to the