

# CONTEMPORARY SOCIAL SCIENCES

PEER REVIEWED, INDEXED & REFEREED QUARTERLY INTERNATIONAL JOURNAL

ISSN 0302-9298

<https://www.jndmeerut.org>

[Vol. 35, No. 1 (January-March), 2026]

<https://doi.org/10.62047/CSS.2026.03.31.72>

## Ambedkar's Perspective on Labour Rights and Trade Union in India

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### Abstract

*This article is to primarily examine some issues relating to the labour movement and the rights of the working class or workers in the thoughts of Dr. Bhim Rao Ambedkar, in the light of the growing popular skepticism about utility and relevance of the labour movement in the changing politico-legal and socio-economic conditions in India. . In this paper, an attempt is also made to analyze how labour rights can be viewed as crucial legal constitutional rights of citizens belonging to the labouring class and how Ambedkar Independent Labour Party and trade union are important for the upliftment of depressed classes. Ambedkar has discussed two very important categories like 'Caste' and 'Labour', because he believe that division of labour is also based on caste in Indian society. Which not only divide the work of labour but also divide the workplaces in the factory premises? Ambedkar's idea of labour rights can be seen in the philosophy of Liberty, Equality and Fraternity is still relevant. This article explores Ambedkar ideas on labour rights, trade union to achieve liberty and equality for working class.*

### Keywords

Strike, Labour rights, Trade union, Liberty, Equality, Caste & class, Political democracy, Social democracy.

**Research Foundation International, New Delhi**  
(Affiliated to UNO)

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## **Ambedkar's Perspective on Labour Rights and Trade Union in India**

### **1. Introduction**

The changes taking place in the economy through the processes of privatization and liberalization and digitalization pose a strong challenge to the labour movement in recent decades. In this situation the basic right of the worker, to form an association or union is under threat. In the name of liberalization and economic growth, many labour reforms have taken place. Consequently, the employers use different methods to reduce the size of the labour, which has led to the process of weakening of the labour movement in India. On the other hand if we see that during the sixties and the seventies, the State institution worked a progressive role in protecting the rights of labour, and ensured that the space to labour movement is enhanced. It seems that there is a major change in the role of the state after the implementation of reforms. My aim in this article is to primarily examine some issues relating to the labour movement and the rights of the working class or labour in the thoughts of Dr. Bhim Rao Ambedkar, in the light of the growing popular skepticism about utility and relevance of the labour movement in the changing politico-legal and socio-economic conditions in India. According to Ambedkar, labour must be involved in politics in order to established and maintain the constitutional and legal right. In this paper, an attempt is also made to analyze how labour rights can be viewed as crucial legal constitutional rights of citizens belonging to the labouring class and how Independent Labour Party and trade union are important for the upliftment of depressed classes.

It is assumed that Ambedkar had not been vocal enough in raising his concerns regarding the category of 'class' and his generally looked upon for his analysis and critique of the caste system in India. However, in August 1936 when he founded the Independent Labour Party, with a comprehensive programme, is known to few. in the programme, he discussed two very important categories of 'Caste' and 'Labour', because he believe that division of labour is also based on caste in Indian society. Which not only divide the work of labour but also divide the workplaces in the factory premises? In this situation *dalit* suffer two levels of exploitation, one from capital and two, at the

level of the social. So the history of labour movement of India would not be complete without the study of Ambedkar's perspective on the intersection between caste and class. Ambedkar's idea of labour rights based on the philosophy of Liberty, Equality and Fraternity is still relevant.

## **2. Independent Labour Party and Workers' Movement**

When Ambedkar took initiated to form the Independent Labour Party in August 1936, he was questioned on the name of his party. He replied through an article which was published in *Times of India*. He said that 'the word Labour was used instead of the word Depressed classes because labour includes depressed classes as well' (Jaffrelot, 2005: 74). Ambedkar tried to set up himself as a leader of the 'labouring masses'. This change has happened to widen his social base of support to cater the electoral strategy. But Jaffrelot raise the question that to what extend could he carry through this strategy without excessively diluting the identity of his movement? As a political party Independent Labour Party participated in Bombay provincial election 1937. In the Bombay presidency, the Independent Labour Party put forward 17 candidates, 13 of whom contested in constituencies designated for the scheduled castes, achieving 11 victories. The party also had 4 candidates from the upper caste in the general constituencies, securing 03 seats (Jaffrelot, 2005).

Formation and programmes of Independent Labour Party establish the fact that the issues of labour were also a concern for Ambedkar. In 1942 Ambedkar was appointed the member of executive council of viceroy as a labour member. Ambedkar in his first Labour conference meeting emphasize three main objectives: (1) the promotion of uniformity in labour legislation, (2) the laying down of a procedure for the settlement of Industrial disputes, (3) employers-employees participation in discussion. In 1943 as a member for labour government of India, Dr. Ambedkar in an All India Radio broadcast raised the question of what labour wants. Ambedkar was influenced by three words of French revolution and labour wants Liberty, Equality and Fraternity. He emphasized that these values can be achieved by securing the rights of labour through legislation, because labour is satisfied with only achieving just working conditions. Labour wants equitable circumstances for life.

According to Ambedkar, labours have their own conception of liberty. This is very positive liberty which includes right to equal opportunity and growth of every individual according to his/her

needs. Labour demands equality and equality means elimination of privileges of every kind in law. Labour wants fraternity which means an all pervaded sense of human brotherhood, unifying all classes and all nations, with "Peace on earth and god will towards man" as its motto (Moon, 2014: 36).

In the colonial period, Indian labour movement or working class divided in different political ideological lines like – communist, royst, congress socialist, moderate etc. In 1920 All India Trade Union Congress (AITUC) was established. Although, all ideological groups were present in AITUC but the Indian labour movements was dominated by communist and socialist groups. Indian trade union movement was highly divided on ideological basis. There was a splits in the worker' federation in the thirties on ideological commitment. AITUC was very actively raising questions on the issues of working condition, minimum wage, and workers' rights. But Ambedkar took a different path to address the issue of labour class. Left dominated labour groups believe and argue on the line of class-struggle. They believe that labour will secure their rights only through the removal of capitalism. Dr. Ambedkar believes that without rights, a worker will always feel exploited, and if he/she is dalit then he will be doubly exploited. This is why he takes recourse to law to ensure basic minimum rights for those who labour. Dr. Ambedkar wanted to secure these rights through constitutional and lawful manner.

In the industrial system labour and his rights are important elements. Some labour rights are essential for worker because it ensure the political rights. Example:

- ▶▶ Right to form a union or association.
- ▶▶ Right to assembly.
- ▶▶ Freedom of speech, expression and publication.
- ▶▶ Right to work and strike.

In 1930s either peasant or working class struggle according to Ambedkar "In both cases dalit were peasants as well as worker; but as workers they were invariably in the lowest paid and most unskilled industrial jobs and as peasants they were likely to be landless or poor peasants who spent most of the time working as wage labourers as well as toiling as the caste imposed tasks of untouchables." (Omvedt, 1994: 155).

The party proposed a series of reform in different programmes for the protection of industrial workers' rights. The party in his manifesto

announced the list of benefits for the labour class like employment in factory, issues of promotion and suspension, fixed working hours, minimum wages leave with salary and better working conditions etc. (Keer, 1995).

## 2.1 Brahmanism and Capitalism and Labour

By 1930s, he had become deeply engaged in social movements not only the Dalit movement but also for the workers and peasants generally. In 1930s his weekly newspaper *Janata* was filled with articles urging the unity of 'Peasants and Workers' against 'Capitalism and landlords'. He made his famous *mahad* movement that characterized the enemies of Dalits as 'Capitalism and Brahmanism' (Omvedt, 2008). Independent Labour Party (ILP) also paid close attention to economic questions and to critiquing capitalism. Ambedkar thought about that Indian workers were sufferer of both Brahmanism and Capitalism (*Brahmanshahi* and *Bhandwalshahi*), these two system being dominated by the same social groups. Omvedt argues that Independent Labour Party was the only party in India that led fight or struggle against landlords and capitalist, as well as agitations against caste oppression and called for radical opposition to the system "Brahman-Bourgeois congress" and seeking to pull in dalits as well as non- Brahman (Omvedt, 2006). Through this Ambedkar was saying that both Brahmanism and Capitalism are enemies of labour. Ambedkar explained what he means by Brahmanism, "when I say that Brahmanism is an enemy which must be dealt with.....by Brahmanism I do not mean the power, privileges, and interests of the Brahmans as a community. That is not the sense in which I am using the word. By Brahmanism I mean the negation of the spirit of liberty, equality and fraternity." Ambedkar further said that:

"The real way to bring about unity is to remove the causes, which make one worker the antagonist of another worker on the ground of race and religion. The real way to bring about unity is to tell the worker that he is wrong in claiming rights, which he is not prepared to give to other workers. The real way to bring about unity is to tell the workers who make these social distinctions which result in unfair discrimination are wrong in principle and injurious to the solidarity of workers" (Moon, 2014: 181-182)

Brahmanism is not only the negations of liberal values like liberty and equality but it helps to divided workers on their social status. This division is as social as economic.

## 2-2 Relationship with Congress and Communist

Ambedkar was very critical about both congress and communist. He said congress is a bourgeois party who support landlord and industrialist and communist is using labour class to fulfill his political agenda. Further he said that both are not the true representatives of labour. Because in the pre independent period left projected that imperialism is our first enemy but Ambedkar was not agree with this view. For Ambedkar British government is not the main enemy rather discrimination on the basis of class or caste because landlords, mill owners and money-lenders who are in alliance to exploit people. If labour wants their betterment so they should join the party who genuinely speaks and works for workers rights.

For congress he observed that, 'the Congress was ruled by capitalist and that as long as their control continued there was no scope for betterment of economic condition of the depressed classes' (Mathur, 1991: 56).

## 3. 1938 Industrial Dispute Bill: The Right to Strike—Ambedkar Vision

In 1938, Bombay industrial Dispute Bill was being placed before the Bombay Legislative Assembly and Ambedkar stood to oppose this bill from very first reading. In the Legislative Assembly discussion he was arguing in favour of workers' right to strike or *hartal*. There were two important changes being introduced in the new Act which were not part of the 1934 Bombay Trade Dispute Conciliation Act. First, 'The Act of 1934 was intended to provide machinery for conciliation'. This conciliation was voluntary but in the new bill the conciliation was made compulsory. Second, other provision of this bill was right to strike because through the provision of this bill government was making right to strike shall be illegal, which was not illegal in 1934.

Ambedkar said first we need to understand the word 'strike', what does it mean? According to Ambedkar strike simply a violation of the contract of service. When a worker engages in a strike they are breaching the terms of their employment agreement, it means that he commits a violation of contract of service. He further argued if violation of service contract, a civil wrong? The answer is yes, because it is written in existing laws, it is civil wrong. Ambedkar said that if members are ready to take my definition of 'Strike' 'as being nothing more than a violation of contract', then I purpose that a strike is just another name for right to freedom, and once you agree the right to freedom, then you also believe in idea of right to strike, because

Ambedkar said the right to strike is just another name for the right to freedom (Jadhav, 2013). It is wrong to prosecute workers for the strike, because it will make workers, slaves. In Ambedkar's view, this bill should be termed 'The workers Civil Liberties Suspension Act'. That would be the appropriate title for it.

But as chairman of drafting committee of the constitution, in his last speech he gave warning about the dangers of democracy in India. Ambedkar argues that method like agitation and *satyagrahs* to achieve changes should be given up in favour of parliamentary way of trying to achieve changes. But another appeal was also very important where he warns about real dangers of Indian democracy. He said that the main threats come from inequality, from casteism, and from the affinities to 'hero' worship and generate to authoritarianism. In this regard he said, 'Those who suffer from inequality will blow up the structure of political democracy', that he deliver his persuasive statement of social democratic values:

"We must make our political democracy a social democracy as well. Political democracy cannot last unless there lies at the basis of it, social democracy. What does social democracy mean? It means a way of life which recognizes liberty, equality and fraternity as the principles of life" (Moon, 2014: 1216).

#### **4. Ambedkar's Perspective on Labour Leader's and Trade Union**

Trade Union is an important part of industrial relations in India. Industrial relation is not only between employer and employee; trade unions are also included in this relation. In 1930s number of labour disputes like strike and several labour movements struck the production process in India. In this context British government had appointed the Royal Commission to understand the conditions of Indian worker. Royal Commission in its report recommended the formation of several labour laws related to working conditions. This was the time when Ambedkar was also talking about the rights of depressed classes. Therefore he started to work with scheduled caste workers and established some organizations. In 1935 he formed a trade union for the municipal employees of Bombay, the *Bombay Municipal Kamgar Sangh*. He also emphasized the working condition of dalit workers in factories where caste exploitation became the basis of economic and social exploitation as well.

In this scenario Ambedkar said that if workers really want to resolve their grievances then they should form their own union. But

Ambedkar was also very cautious about the role of trade unions and he was not a great admirer of trade unionism. Ambedkar said that labour should discard mere establishment of Trade Union:

“The first thing to do is to discard mere establishment of trade Unions as the final aim and object of labour in India. It must declare that its aim is to put labour in charge of government. For this, it must organize a labour party as a political party. Such a party will do doubt cover Trade Unions in its organizations. But it must be free from the narrow and cramping vision of Trade Unionism. It must equally disassociate itself from communal or capitalist political parties such as Hindu Mahasabha or the Congress” (Chitnis, 1982: 274).

Therefore he said workers should know why they want to unionize? What are his objectives? Ambedkar also said if workers are not able to form their own union than they should join some other unions, but they must beware that the union should not use them for their self-interest. To avoid this situation Ambedkar suggested two mechanisms—one, worker should focus more on special representation in union executive, two; workers should focus on their contribution in union. Worker should have their own representatives.

“You must never forget that the remedy for the grievances that I have just mentioned lies in bringing about properly effective legislation. A measure such as that of a strike is not the sure means of removing your grievance. I do not grudge the right of the aggrieved to resort to strike. But that is not a weapon which they can every now and then use. How to get such legislation on the status book is again a question, which you have to solve. Unless you have your own representatives in the legislative councils, you will not able to do it. You must find men who will always promote your interests” (Chitnis, 1982: 274).

Labour should not only aim to form labour union, they should develop an ambition to capture Government. This will help workers to secure their rights. “The laboring classes have failed to acquaint themselves with literature dealing with the government of mankind. There is another and a bigger crime which they have committed against themselves. They have developed no ambition to capture government, and are not even convinced of the necessity of controlling government as a necessary means of safeguarding their interest. Indeed, they are not even interested in government. Of all the tragedies, which have beset mankind, this is the biggest and the most lamentable one” (Moon, 2014). Trade Unionism aims at controlling government “.....it would be a great

mistake to suppose that trade unions are a panacea for the ills of labour. Trade unions, even if they are powerful, are strong enough to compel capitalists to run capitalism better. Trade unions would be much more effective if they had behind them a labour government to rely on. Control of government must be the target for labour to aim at. Unless trade unionism aims at controlling govt. trade unions will do very little good to the workers and will be a source of perpetual squables among trade union leaders" (Jadhav, 2013). Ambedkar also mentioned three different objects of trade Unions:

".....a trade union may have three different purposes or three different objects, A trade union may have purely what are called trade union purposes, that is to say, purposes connected with the promotion of their particular interests as workers, wages, hours of work, promotions in industry and so on. Those are called purely trade union objects. In addition to that a trade union may have what we called social objects conferring certain benefits, giving old age pension, giving unemployment benefit to these members. In addition to that a trade union may have political purpose. A purpose, the object of which is to promote a particular line of politics, which the union thinks is best suited for the protection of its economic and its social position" (Jadhav, 2013: 225).

According to Ambedkar, labour must organize for the political purposes. Trade unions must participate in politics because trade union could not able to protect the interest of labour without securing political power. But he also stressed the idea that to confine your attention to trade unionism is to mistake the immediate task for the ultimate goal. Trade union objective should be to change this wage slavery by a system which recognizes the principles of social justice.

Ambedkar was critical when he observed and analyzes the functioning of trade union and their leadership. He said trade unionism in India is stagnant and stinking pool. Leadership of trade unions is selfish or misguided. Some leaders are working as politicians, who have limited their work to issuing statements in papers. A second type of labour leaders is engaged on forming trade union for the purpose of securing some place in as secretaries or chairmanship. The third type of labour leaders is those who are principally aligned with the communists but they are misguided body of man. Because Ambedkar believes that true revolution will not come only through labour dissatisfaction, what is required is intense profound belief of the justice, necessity, and political and social rights (Jadhav, 2013).

As a labour leader Ambedkar always tried to strengthen the rights of the labour. In 1940s he was very much involved in the formation of different protective labour laws. He mentioned several labour policy that are important for labour movement and labour rights like, uniformity in labour legislation, tripartite consultation, enhancing the status of workers, enhancing production, maintenance of industrial peace, ensuring reasonable wage and comfortable working condition, ensuring equity for labour, recognition of the workers right to strike and social security of the labour. The aforesaid labour rights found recognition in various labour legislation, government plans and judicial decisions. These labour policies are still very important and significant in labour right movement.

## **5. Conclusion**

In the era of new liberal policy hard earned workers rights are under threat. Liberalization of Indian economy poses the greatest challenge to the trade union movement in recent decades. In the name of liberalization and economic growth too many "labour reforms" has taken place. Consequently, the employers used different methods to reduce the size of the labour, by decentralizing production units and even sub-contracting for various production operations. This led to increase the contractualization of labour. The Contractualization is one of the reasons for weakening of trade union movement. There is a major change in its role after the introduction of reforms. This can be observed in the recent Supreme Court judgments, government policies and laws.

In recent times there is a strong demand for labour flexibility or they says that Indian labour laws are very hard. In Pre-liberlization period there was a sense that if state is not favouring labour then also not going against the labour. But now labour and trade unions are clear that with intensification of industry based development, labour is going to lose their hard earned rights. Increasing Informalization of work leading towards Contractualization, unit based production, sub-contract pattern in industry, de-politicization of workplace and employers with a different ways to avoid these laws: splitting up an production units into small units which are apparently autonomous of each other, creating artificial gap in employment so that workers never achieve permanent status, employing numerous contract workers on site who are regulated by labour contractors and therefore do not appear on the payroll of the company, or subcontracting production to smaller workplaces. This situation is making working class more vulnerable in terms of liberty, justice and equality.

Today working class conditions can be better understood in Ambedkars' view, The contribution of Ambedkar sought to establish that labour rights formulated by him was based on equality, social justice and humanism. He introduced a series of labour regulations for the betterment of working class. He wanted to secure dignity of labour particularly to scheduled castes and other exploited classes. So there is a need to redefine working class or trade union politics in the context of unorganized labour, because the conventional understanding of labour movement has been not able to challenge liberalization or its effects.

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