

D.O.No.174-A/VT/58

November 19, 1958

Dear Shri Nandaji,

I am writing with reference to the question of verification of membership of central trade union organisations and certain materials asked for by the Chief Labour Commissioner in that behalf.

I find that the Chief Labour Commissioner is not prepared to take into consideration those unions which have applied for registration but have not been given such registration despite the fact that the applications have been pending before the Registrars for over a year, sometimes, a number of years. This subject was brought before the tripartite conference and it was agreed that registrations should be immediately issued. Despite such agreement, there is no reason why, if the Governments in various States have failed to issue registration, the central organisations to which these unions are affiliated should be penalised by being deprived of their claims for membership.

Registration of trade unions is a duty of the Government and if the State Governments fail to carry out their duties, why should the Central Government which is responsible for the overall supervision of all State Governments, abet the failure of Registrars of trade unions to do their duty and penalise the central TU organisation by denying its claim? It is obviously not in our hands to compel Registrars to give us recognition. Hence we cannot be deprived of our membership for an act of failure of the governmental machinery.

I think this ruling of the Chief Labour Commissioner, which I am told has been upheld by you, is totally unjust and it amounts to a victimisation of my organisation particularly because it is we who are denied registration while unions of the INTUC are registered without the slightest delay, as far as I know. We have pointed out several cases of this nature.

I would therefore request that where our unions have been formed and have been functioning and have applied for registration six months before the date of this certification, their membership should be taken into account for purposes of returns. This should apply to the other central TU organisations also.

There is another point with regard to registration which I would like to raise before you.

In some cases, we have not been able to quickly furnish the registration number of certain unions and hence these unions have been struck off our list for verification. I admit that this can certainly be characterised as an item of inefficiency on our part. But there is no reason why the verifying officer cannot refer to the Registrars' lists which are easily available to him and find whether the union is really registered or not, as we claim.

Even in the case of those unions who registration numbers are quoted, I am sure, the officers concerned are bound to refer them to the Registrars' lists to see whether those are registered or not. They could therefore easily do the same kind of reference in regard to those unions whose registration numbers are not shown in our returns.

I am afraid the approach to the whole problem by the Chief Labour Commissioner seems to be too much technical and non-cooperative. The verification should surely not be treated as if it is a case of evidences, examinations and witnesses in a court of law so that the moment an organisation fails to quote a certain number, the whole union and all its members are simply thrown out of court and out of existence! I would plead for a change of attitude and procedures in this matter so that by cooperation on either side, this new mechanism brings out a tolerably correct picture of the organisational condition of the trade unions in our country.

With regards,

Yours sincerely,

Sd/-

(S.A.Dange)

Shri G.L.Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi

No.LC-75(1)/58
Government of India
Ministry of Labour & Employment

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From

Shri R.C.Saksena,
Under Secretary to the Government of India.

To

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

Dated New Delhi, the 16th December '58.

Subject:- Allocation of labour seats on the
reconstituted Rubber Board.

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Sir,

I am directed to refer to your letter No.172(201)/NM/58 dated the 21st November, 1958, on the above subject and to say that the procedure followed by Government regarding giving of representation to Workers' Organisations on various Tripartite Bodies is to allot the labour seats on the basis of verified membership of the four Central Trade Union Organisations in the particular industry concerned.

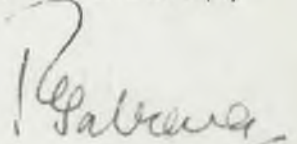
So far as the allotment of labour seats on the Rubber Board is concerned the All-India Trade Union Congress did not show separately, the membership of its unions operating in the rubber plantations in the claimed lists for the year ending 31.3.56. The Organisation did not also submit the required information regarding membership of its affiliated Unions as on 31.3.57. The claimed membership figures of the four Central Trade Union Organisations as on 31.3.58 are being verified by the Chief Labour Commissioner and according to the time schedule prescribed in the revised verification procedure, the verified figures would be available only by

about.....

about the end of April 1959. As the term of the labour representatives on the Board expired in August/October '58 and separate verified membership figures of the Central Trade Union Organisations in the rubber plantations were not available, Government had no other alternative but to maintain status-quo viz. to re-allot three seats to the Indian National Trade Union Congress and one seat to the All-India Trade Union Congress on the reconstituted Rubber Board. The All-India Trade Union Congress have already been requested to forward the name of their representative on 29.10.58 by the Ministry of Commerce & Industry vide their letter No.15(4)Plant(B)/58 dated the 29th October, 1958.

In view of the position explained above, you will appreciate that no discrimination has been made against the All-India Trade Union Congress in the allotment of labour seats on the Rubber Board.

Yours faithfully,



(R.C.Sakochia)
Under Secretary.

19 DEC 1958

No. 10-20(1)/58
Government of India
Ministry of Labour & Employment

From

Shri K.J. Narayan,
Deputy Secretary to the Government of India.

To

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

Dated New Delhi, 15.12.58

Subject:- Allotment of labour seats on Development Councils.

Sir,

In reference to your letter No. 172/DCI/58, dated the 24th October 1958, to the Union Labour Minister regarding allotment of labour seats on Development Councils, I am directed to say that the allocation of seats on the Councils shown at items 1, 11, 12 and 13 of the statement furnished by you is not correct. The correct allocation in respect of these Councils is as under:-

| | | |
|-----|--|----------------------------|
| (1) | Development Council for scheduled industries engaged in the manufacture and production of Drugs, Dyes and Intermediates. | INTUC -1 I.M.S -1 |
| (2) | Development Council for Electric Motors etc. (Heavy Electricals) | INTUC - 2 |
| (3) | Development Council for Bicycles | ... I.M.S - 1 AITUC - 1 |
| (4) | Development Council for Oil-based and Plastic Industries etc. | INTUC - 2 I.M.S - 1 |

I may mention for your information that the policy followed by Government in the matter of grant of representation to the four Central Trade Union Organizations on the various development Councils, Boards etc. is to allot the labour seats on the basis of the relative verified membership figures of these Organizations in the industry concerned. The selection of workers' representatives on the 14 Development Councils referred to by you has been made in accordance with this policy. On this basis, the Indian National Trade Union Congress is not represented on the Development Council for the Bicycle Industry, the Hindustan Cables is represented on three Councils (Drugs, Dyes and Intermediates; Bicycles and Oil based industries, Soap, Paints and Plastics) and the All India Trade Union Congress on two Councils (Internal Combustion Engines and Power Driven Pumps; and Bicycles). The allegation of the All India Trade Union Congress that Government have shown a tendency of discrimination and partiality in the matter is, in the circumstances, not correct.

Yours faithfully,

K. Narayan
(K.N. Narayan) 17.12.58
Deputy Secretary

UTILISATION OF MANPOWER

G. L. Nanda

In relation to the future pace of development in the country, specially in regard to the Third Five Year Plan, we are called upon to locate the unutilised surpluses which may become available for investment in one form or another. Attention has so far been concentrated on what we can lay hands on in different ways in order to raise the funds needed to match the size of our Plan outlays. There has been a keen realisation of the need to mobilise the human capital of the country, but there is not much evidence, so far, of successful effort to locate in specific terms the unused manpower of the country, or to evolve ways and means for its fuller and better utilisation.

We have only very rough estimates of the number of people who are totally unemployed. For partial and under-employment, the data is altogether meagre. A matter for immediate consideration is therefore what steps should be taken to improve the statistical and other information on the subject.

In the calculations made for the Second Five Year Plan, the backlog of unemployment was estimated at the figure of 5.3 millions (Rural - 2.8; urban, educated - 2.5). It was also reckoned that during the five year period, 10 million persons will be added to the labour force of the country. With the original scale of the Plan, i.e., a total of Rs.7,200 crores (Rs.4,800 crores in the Public Sector and Rs.2,400 in the private sector), the quantum of employment, to be furnished outside the agricultural sector was in the neighbourhood of 8 million. It was expected that the remaining 1.6 million would be absorbed in agricultural occupations. This would have left untouched the figure of backlog of unemployed persons assumed for the opening date of the Second Plan.

It appears now that with the changes that have occurred in the estimated outlay for the Second Plan and the shrinkage in its physical contents owing to the rise in the price level and other factors, the ~~un~~employment content of the Plan in the non-agricultural sector has been reduced from 8 million to 6.5 million. The backlog at the end of the 2nd Five Year Plan will, therefore, increase from 5.3 million to about 7 million. These calculations were based on a figure of 1.3% per annum as the rate of increase of population. It is now being held that we have actually a much higher rate of increase of population ~~xxxx~~ at present. It is likely to be about 1.8% now. Working on this basis, we shall have to provide full time employment for about 15 million people in the course of the Third Plan. The question that faces us is as to what answer we have for the very large number of people who constitute the backlog now and the addition to it that may arise on account of our inability to provide employment through the normal channel of investment for the new entrants in the

labour force. Another aspect of the same question is whether it is not possible to convert this human energy which is running waste now into useful work or assets for the community.

As regards under-employment, the position is not ascertainable in precise terms. Various estimates which have been made lead to the conclusion that its magnitude is considerable, especially in the rural areas.

The efforts so far made, to put to use this vast number of wasted hours, has met with encouraging response in some areas, but the total effort in relation to our problem of planned development in the country cannot be regarded as very impressive.

In what manner can we now make the maximum use of the idle manpower of the country? What are the possibilities in this direction? What means and techniques have to be employed to take the utmost advantage of these resources. These are some of the questions to which we have to apply our minds.

A few general considerations bearing on these questions may be set out at this stage.

Our aim should be to provide normal occupational opportunities for all the people seeking work. Those for whom special arrangements have to be made should be a small residue and a diminishing proportion of the labour force. This residue has to be treated as a problem of social security and unemployment relief.

2. The capacity of the economy to absorb the labour force in normal employment will depend upon both its structure and the dynamism of its growth. The Third Five Year Plan is expected to take these aspects fully into consideration.

3. Intensification of agricultural activity in various directions is bound to increase the volume of employment to a large extent but it may not solve the entire problem which in concrete terms will be largely to find supplementary remunerative activity for those (a) who do not have adequate work on land and (b) who have no work at all in the villages.

A number of these people may be able to find employment in connection with the numerous development programmes that are being undertaken all over the country. In the village itself, the increased agricultural production should itself create larger demands for various services and the products of artisans and craftsmen. For those who remain, special programmes will have to be devised.

4. These programmes will involve special arrangements which the individuals cannot make on their own account and which will require help through a suitable organisation, and may also have an element of subsidy. The Khadi Commission, for example, has undertaken an extensive programme of this kind. It will be necessary to make a critical survey of the existing activity at this time and to consider how it can be made more extensive and more effective.

5. There is a fairly large room for the application of unused time in productive activity which can only be undertaken on behalf of the community, because the advantage does not accrue to any particular individual, who may be expected to make private investment for this purpose. This will include:

- i) Irrigation works, their maintenance and improvement,
- ii) Drinking water facilities
- iii) Approach roads
- iv) Improvement of village sanitation
- v) Conservation of local manurial resources, compost pits, etc.
- vi) Buildings for community use
- vii) Soil conservation measures
- viii) Planting of trees.

These are a few examples.

Such activities can only be taken up on behalf of the community by the Panchayat or the village cooperatives. It will be found that there is work of this type available on a fairly large scale, if the needs and resources of the local areas are surveyed and plans made for the village, and for, certain purposes, in respect of larger areas also. It is only on the basis of decentralisation of power and functions that impressive results can be achieved in this field. At present the village communities are not properly organised and equipped for these functions and have inadequate resources. But the new programme for village panchayats and cooperatives are likely to create the institutional set up suited to a much fuller utilisation of idle time for useful purposes.

6. A very important avenue for raising the productivity of all those who are engaged in these simple tasks lies in the imparting of elementary skills, by arrangements for training. Some technical and other aid may enable the utilisation of local materials as well as skills to provide employment and for meeting important economic needs of the community. In some areas, brick-making has proved to be a very useful and profitable line of activity.

7. Shramdan stands, as a separate category. It will ordinarily be the free contribution of extra time of persons otherwise normally employed, for community service and creation of community assets. It has happened in a number of cases that work done through Shramdan has not produced any enduring results, because of lack of proper planning and coordination. There are many complaints that kucha roads built with the help of Shramdan drives are washed away during rains and the people become bitter and frustrated on that account.

Schemes of national service have been operated in certain countries. The experience of the U.S.A. in the New Deal period is remarkable in certain aspects. Proposals are being considered

for enlisting the educated youth of the country for a period of national service. The creation of a land army has also been suggested, specially for the purpose of speeding up our vast agricultural programmes. To the extent such schemes help to increase production and to create valuable community assets, they should be welcome. However, it is to be examined how far, having regard to the expenditure that will have to be incurred for running the schemes, there will be a net surplus available for the purpose of the current or the next Five Year Plan.

The problem of beggary has to be considered from the point of view of its economic consequences apart from moral and social aspects. Legal and other means have to be devised to prevent the drain on the resources of a country which is thus entailed.

G.L.NANDA

December 24, 1958

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My dear Dange,

Kindly refer to your D.O.No.174-A/VT/58, dated the 19th November, 1958. You have raised two points namely, that unions which have been functioning and have applied for registration six months before the date of verification should be taken into account for purposes of verification even though they have not yet been registered, and also for purposes of verification the Chief Labour Commissioner should not insist on the trade union organisations furnishing the registration numbers of unions.

2. As regards the first point, I know that your trade union organisation as well as some others have a grievance that the Registrars of trade unions in the states sometimes delay giving any decision on applications for registration. We had also discussed this in the Indian Labour Conference. I quite agree with you that in this matter there should be no avoidable delays in giving a decision one way or the other. We have already taken up this matter with the State Governments, When specific complaints of such delays are received, they are also taken up with the State Governments, When specific complaints of such delays are received, they are also taken up ~~this matter~~ with the State Governments. I am, however, unable to agree with your suggestion that for purposes of verification unregistered unions should also be counted of their applications for registration have been pending for more than six months. As you know, the object of this verification is to ascertain the strength of registered trade unions. If unions which have not yet been registered and whose applications are pending are counted and if subsequently the registration is refused by the registrar on the ground that the provisions of the Trade Union Act have not been properly complied with, the verified figures will obviously be vitiated. We should avoid that. In the circumstances, I think the best course is to adhere to the existing practice of counting only registered unions for purposes of verification. The question of dealing with delays in registration is a separate issue which has to be pursued separately.

3. As regards the second point, I can see that there is some force in your contention. But on our side there are certain practical difficulties which have to be looked into. The registration number of a trade union is a precise identification mark with the help of which the verifying authority can quickly obtain necessary particulars from the Trade Union Registrar's Office. When registration numbers are furnished, it facilitates the work of certification to a very considerable extent. Particulars like names and address of unions are not so precise as the registration numbers. Names and addresses furnished are sometimes vague. It may be possible, in many cases, to identify a union with the help of names and addresses and verify its membership but in other cases it may not be so easy and they may have to be left out. If that happens, my apprehension is that it may lead to a charge of discrimination later. We would like to be spared of such embarrassment. I suggest that we may discuss the matter at the next meeting of the Standing Labour Committee. If something on the lines suggested by you has to be done, we shall try to explore ways and means for the

dame, but meanwhile, for the present, I think the procedure already laid down should continue.

With kind regards,

Yours sincerely,

Sd/-

(G.L.Nanda)

Shri S.A.Dange,
Member, Lok Sabha,
4, Ashok Road,
New Delhi

Automatic Looms

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Memorandum ^{The} Main conclusions of the Meeting of Introduction of Automatic Looms in the Textile Industry, held on 22nd December, 1958, in Labour *New Delhi* Minister's Room.

The office note on the subject which had been circulated earlier was discussed. After considering the view points of the invitees present and Shri Dange's letter to Labour Minister on the subject, the proposals made in the office note were approved subject to the following decisions/conclusions :-

(1) Exports were important from the point of view of our economy. To labour they are important because dwindling exports would result in loss of employment. The proposal to instal 2500 automatic looms annually was marginal in character and could be supported without much difficulty by labour. Even so, the actual implementation should be preceded by steps to apprise the workers of its object and scope to prevent possible misapprehensions. It was emphasized that employers should totally desist from indulging in new recruitment while workers were being rendered surplus.

(2) It was agreed that in considering the safeguards afforded by the Indian Labour Conference recommendations on rationalisation, prohibition of retrenchment of workers should be interpreted to include substitute workers. This would be in tune with the recommendations in the Plan which had been approved by Parliament.

(3) In choosing units for introducing the scheme, Government might consult the appropriate employers' and workers' interests where necessary. While the normal ceiling on the number of looms to be allotted to a single unit will be only 144, in exceptional cases, allotments upto a maximum of 300 looms for a single unit may be made in consultation with the union(s) in the concerned unit.

(4) The country should be divided into appropriate regions for distributing the looms.

(5) In judging industrial relations in individual undertakings for choosing units, the extent to which the Code for Discipline is honoured will be a prime consideration.

(6) Should disputes arise over the implementation of these proposals either party must have the benefit of adjudication. In the meanwhile, mediatory efforts of the two-man team envisaged in the office note may be availed of, subject to the condition that the team will be strengthened by the addition of a third member from a Labour Court or Industrial Tribunal in case formal adjudications were needed. Labour Ministry would examine the legal implications of such a procedure.

(7) Government should ensure that employers and workers honour their commitments governing the introduction of the scheme. In the light of allegations from the labour side that in some textile centres, even the awards of arbitrators were sometimes not honoured, the sanctions behind the decisions of voluntary bodies like the Indian Labour Conference, came in for discussion. Labour Minister mentioned that the next session of the Conference will consider this question. Meanwhile, it was pointed out that so far as this particular scheme was concerned, while Government had no legal powers to punish the party which failed to honour its agreement, it would not be difficult to take appropriate measures to bring round the defaulting party.

(8) The working of the scheme should be reviewed once a year, and more frequently if any party should desire it.

(9) Details of the arrangement should be worked out by the Textile Commissioner and a representative of the Labour Ministry.

AGREEMENT BETWEEN THE INDIAN IRON & STEEL CO. LTD.
A N D
THE ASANSOL IRON & STEEL WORKERS' UNION.

PRESENT

Management.

U n i o n.

- | | |
|---|---------------------------------|
| 1. Mr. J. McCracken - General Manager. | 1. Mr. Michael John - President |
| 2. Mr. H.L.O'Connor - Prodn. Supdt. (I) | 2. Mr. D. Shaw - Dy. President. |
| 3. Mr. M.C. Addy - L. & W. S. | 3. Mr. Gopeshwar - Vice Pres. |
| 4. Mr. N. De - Dy. J. & W. S. (K) | 4. Mr. K. Prosad - Genl. Secy. |
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- | | |
|--|--|
| 1. Dr. S.N. Channa - O.S.D. - Govt. of India Ministry of Labour & Employment. | |
| 2. Mr. S.N. Chatterjee - Dy. Labour Commissioner, Govt. of West Bengal. | |
| 3. Mr. N. Bhattacharjee - Asst. Labour Commissioner, Govt. of West Bengal. | |

AGREED between the Management and the Asansol Iron and Steel Workers' Union at a meeting held in Burnpur on the 31st December 1958:-

1. Due to the closure of Nos. 4 and 5 Blast Furnaces and 'C' and 'D' Coke Oven Batteries, 775 workers have been rendered surplus belonging to various Departments as per lists already displayed on the Company's Notice Boards.
2. The Management will continue to make serious efforts for the absorption of these surplus personnel in the vacancies arising in Burnpur and Kulti Works. Those refusing such offers will be retrenched and no further effort will be made for securing alternative employment for them. Normal employment assistance will be rendered to them by the Government Employment Exchange.
3. According to the present estimates the following are the approximate vacancies which will be filled up by these surplus workers:-
 - (i) 141 vacancies at Burnpur - This includes 61 temporary workers who are to be replaced by surplus permanent Kulti workers.
 - (ii) 180 vacancies at Kulti -
4. The men retained on Kulti roll must be prepared to undertake to do work wherever they will be considered suitable by the Management and such work will have relation with their previous nature of job as far as practicable.
5. Those who remain surplus, will get their present wages and dearness allowance, and will be entitled to existing benefits and amenities except the production bonus up to 15th January 1959.

continued....

6. When they are employed in any vacancy temporary or permanent, they will get their present wages and dearness allowance or wages and dearness allowance of the job whichever is higher and will be entitled to all benefits and amenities including production bonus as exist in the Department during the period they are employed, there.

7. The workers, who will voluntarily resign or are employed in the Government Steel Plants, will be paid full retrenchment benefits as per Rules.

8. The workers transferred to Burnpur Works will be given continuity of service and present wages but there might be change in their designations, according to the nature of employment opportunities now available.

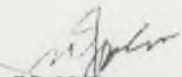
9. Vacancies which are now being filled at Burnpur by candidates sent by the Employment Exchange (Asansol) will now be entirely filled by the surplus persons of Kulti Works and this will be in force until all the willing workers of Kulti are absorbed.

10. The Management will provide free transport to and from Burnpur or bachelor accommodation at Burnpur or daily bus fare between Kulti and Burnpur Works and back.

11. Agreed that temporary workers being rendered surplus now will be given preference in employment as and when vacancies occur.

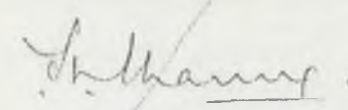
12. At the request of the Management, the Govt. of West Bengal and the Govt. of India are making earnest efforts jointly to get as many of the surplus workers of Kulti absorbed in alternative employment in the Govt. Steel Plants for which a Selection Board composed of the Representatives of the three Steel Plants of Durgapur, Bhilai and Rourkela is already in session at Kulti. Surplus workers are being given full facilities for appearing before the Selection Board. Both the Govt. of India and the Govt. of West Bengal have impressed upon the Govt. Steel Plants to issue offers of appointments to those willing and selected for employment with them. Sri Sudhir Ghose, Secretary, Hindusthan Steel Plant, New Delhi, and the Representatives of the three Steel Plants, according to the latest information received from the Chairman of the Hindusthan Steel (Private) Ltd., New Delhi, will issue the offers of appointments on 2nd January 1959.

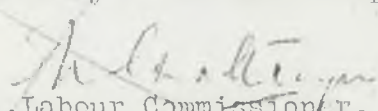
HD/N.


PRESIDENT.
THE ASANSOL IRON & STEEL WORKERS'
UNION.


GENERAL MANAGER
THE INDIAN IRON & STEEL CO. LTD.

Burnpur,
Dated 31st December 1958.


O.S.D. Govt. of India,
Ministry of Labour & Employment


Dy. Labour Commissioner,
Govt. of West Bengal.

COPY OF LETTER No.172-B/58 dated December 21, 1958
from Shri S.A.Dange, M.P., General Secretary, AITUC.

To
Shri Gulzarilal Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi.

Dear Sir,

I was not in Delhi when your Ministry's letter (D.O.No. E&P.11(6)/58 dated December 8, 1958 from Shri B.N.Datar) calling for the conference for consultation on automatic looms on 22nd December reached my office. My Secretary replied to you that the date may not be suitable to me. I regret that it is so. I shall, therefore, not be able to be present in the Conference.

I am however submitting to you my proposals in the accompanying note. If those proposals are not found acceptable, the AITUC should be taken as not having agreed to the introduction of automatic looms as envisaged by the Government and the employers.

In order to make it convenient for you to circulate my proposals to the Conference, I am enclosing 25 copies of my note.

Yours faithfully,

Sd....

(S.A.DANGE), M.P.
General Secretary
All-India Trade Union Congress

NOTE RE. THE PROGRAMME OF INTRODUCING
AUTOMATIC LOOMS

A section of the textile millowners in India have been pressing for a long time for Government help in the import and installation of automatic looms on a large scale. The grim results in relation to labour of large-scale introduction of automatic looms came out, when the Kanungo Committee discussed the proposal.

During all these years, the textile millowners have been carrying out rationalisation, sometimes with the consent of unions who would agree to it, but mostly without such consent. The subject became very hot two years ago and had to be discussed in the 15th Indian Labour Conference which was held in Delhi in June 1957.

. Now once again, the

Now, once again, the specific proposal for installing automatic looms has been brought forward as being an urgent national necessity.

The Government of India endorses and patronises the proposal on the ground that export of cloth has to be increased to earn foreign exchange and that such export can be stimulated only if cloth on automatic looms is produced in India.

The millowners seem to have convinced the Government of India on this score. The agreement between the Government of India and the millowners was very much visible during the debate in the Parliament on December 3 and 4, 1958, on the question of exports.

The AITUC has made its standpoint clear during the debate and before. We do not object to technical improvements as such. But when these would mean retrenchment, unemployment and increase in workload, the AITUC cannot endorse them just on the ground that they are necessary for other reasons.

It is pointed out to us that the effects of the introduction of automatic looms on the workers can be discussed and controlled in terms of the Delhi Convention on rationalisation, agreed to by all.

In this connection, the AITUC has to point out that rationalisation has been carried out by the millowners without reference to the AITUC in many centres and hence it is not responsible for them.

Secondly, the Ministry of Labour & Employment, Government of India, have informed the AITUC (vide letter No.E&I-34(13)/58 dated 1st July 1958) that the Delhi agreement is not an agreement but only a recommendation - thereby meaning that any employer is at liberty to go his own way, if he so chooses. This reply was given to us when we pointed out cases of retrenchment and unemployment resulting from rationalisation. In view of this, the Delhi Convention has not become an instrument of protection to the workers as was expected. Unless the Delhi Convention takes the form of a national agreement valid as between all employers and unions, whether recognised or not, it will not prove useful.

As regards the present proposal, the AITUC submits the following for the consideration of the Government and the Conference.

The Government is endorsing the textile millowners' demand for automatic looms only for exports and for foreign exchange. They put it forward as a national necessity.

So we propose that Government itself undertake to instal units of automatic looms and organise production and export in the State Sector, so as to earn foreign exchange directly on its own account. The Government has enough agencies through whom this can be done. The Government is already directly involved in the Ambar Charkha and handloom projects. The automatic looms project would be far easier to handle than these. Units of thousand looms each should be built in the various parts of the country, to meet the national necessity.

If purely State Sector activity is not favoured at the present stage, it can be undertaken in a mixed way. The mill-owners who are interested in exports can be given participation according to their capacity in capital contribution.

By this method, exports of cloth produced on automatic looms can be organised and needs of foreign exchange also met. It will not allow the private interests to use this national necessity for their own benefit.

Another feature of this method will be that when new units of automatic looms are built separately and are not introduced in the existing mills, questions of displacing existing employed workers and productive looms will not arise directly, and immediately.

By this method, we shall be serving the interests of the country, the workers and the industry.

We are, therefore, totally against allowing the existing mills to introduce automatic looms in their existing units. We can consider a proposal to build separate new units of only automatic looms. Such autonomous automatic loom mills and units exist even today in some parts of the country.

To allow automatic looms to replace the existing looms is to allow the massacre of employed workers, to add to unemployment and retrenchment and to create unrest. In our proposed method is accepted, this disastrous result can be avoided, even though temporarily. We say temporarily, because, in the long run, rationalisation under the capitalist system of private profit is bound to lead to unemployment for workers and super-profits for a few big employers.

We hope Government and the Conference will accept our proposals.

- S. A. DANGE, M.P.,
General Secretary,
All-India Trade Union Congress

4 Ashok Road,
New Delhi

December 21, 1958

MINISTRY OF LABOUR & EMPLOYMENT

INTRODUCTION OF AUTOMATIC LOOMS IN THE TEXTILE INDUSTRY

An important Term of Reference to the Textile Enquiry Committee was to study the causes for the recent decline in cloth exports and suggest remedial measures. The Committee drew attention to the preference shown in foreign markets for flawless cloth produced on automatic looms which our competitors had been using extensively and warned that our exports would continue to fall steeply unless we also exported cloth produced on automatic looms. Besides making a specific suggestion to instal 3,000 such looms purely for export manufacture, the Committee recommended the creation within the country of a proper psychological climate to facilitate the introduction of automatic looms. In their Resolution on the Report of the Textile Enquiry Committee, Government had expressed complete agreement with this recommendation and also a hope that a simple procedure would be evolved for replacement by automatic looms, according to a phased programme. In pursuance of this policy, it is now proposed to instal 2,500 automatic looms annually during the calendar years 1959, 1960 and 1961.

2. In implementing this proposal, Government will be guided by the recommendations of the 15th session of the Indian Labour Conference in regard to modernisation and rationalisation. The Textile Enquiry Committee had agreed that the Indian Labour Conference recommendations would be both proper and helpful. It will be recalled that the Indian Labour Conference emphasised, in particular, that

- (i) there should be no retrenchment or loss of earnings of the existing employees i.e., the full complement required for the operations before rationalisation should be maintained except for cases of natural separation or wastage. Workers could, however, be provided with suitable alternative jobs in the same establishment or under the same employer, subject to agreement between the employer and his workers,

- (ii) there should be an equitable sharing of benefits of rationalisation as between the community, the employer and the workers, and
- (iii) there should be a proper assessment of work-load made by an expert or experts mutually agreed upon and also suitable improvement in the working conditions.

3. On the basis of these general principles, it is now necessary to evolve suitable criteria for deciding the selection of (a) undertakings for the introduction of automatic looms and (b) the number of looms to be allotted to each selected undertaking. In the light of criteria thus evolved, a two-man committee consisting of the Textile Commissioner and a representative of the Ministry of Labour and Employment could scrutinise applications from different units and decide on (a) and (b) above. After such a decision is taken and communicated to the concerned undertakings, employers and union(s) in those undertakings can go ahead to implement the scheme on the basis of the broad procedure worked out by the Indian Labour Conference (See Appendix). The machinery for arbitration/adjudication contemplated in clause (7) in Appendix will be the two-man Committee referred to above.

4. The considerations to be kept in mind in selecting undertakings and allotting the prescribed number of looms between them would appear to be:

- I. NEED TO PROMOTE EXPORTS - This is the genesis of the present proposals and should be the primary consideration. Units having established trade connections and sizeable annual exports to their credit and units which provide evidence that they could export if equipped with automatic looms should be given preference.

- II. NEED TO AVOID RETRENCHMENT - The capacity to absorb surplus labour is likely to be more in the case of larger establishments. Such units and also units belonging to an employer who controls more than one unit of the same type in the same area should be shown preference.
- (ii) For the same reason, undertakings where the natural separation or wastage is larger should be preferred.
- III. INDUSTRIAL RELATIONS IN THE UNDERTAKING - Units where the management are having cordial relations with the union(s) should be preferred to those wherein industrial relations are marred by frequent disputes and work stoppages. An assessment could be made on the experience in the preceding five-year period.
- IV. FINANCIAL CAPACITY TO BUY AUTOMATIC LOOMS - Even where the undertakings claim that they will be in a position to acquire the allotted quota, it should be verified. Otherwise, unutilised allocations will result.
- V. REGIONAL BALANCE - The total three-year target of 7,500 looms may be distributed evenly between different regions. While efforts should be made to distribute the annual quotas also evenly, any differences should be adjusted over the three-year period. If, at any stage, it becomes difficult for a region to utilise the allocation made to it, it

should be possible for this Committee to suggest a suitable transfer of the surplus allocation to other region/s. This could be done on the basis of the recommendations of the two-man team.

5. The next question for consideration is the maximum and the minimum number of looms to be allowed to each unit for their optimum utilisation. It is suggested that 48 looms could constitute a workable unit and may be fixed as the minimum to be allotted to an individual undertaking. The maximum to be allotted to a single undertaking might be fixed at 144 looms or thrice the minimum. In exceptional cases, the team may be authorised to allot even upto 300 looms to a single unit.

6. In so far as the sharing of benefits of rationalisation is concerned, it could assume different forms. It might be reflected in a varying margin between cost of production and price of product, in improved wages including bonus, in improved working conditions with or without change of costs and so on. It is impossible to lay down a general formula regarding distribution of benefits. Since the principle of distribution has been accepted, it is suggested that its actual application may be left to labour and management in the individual undertakings or to the industry and the representative union in a local area.

7. Similarly, the question of work-load may also be left for settlement at the level of the undertaking, since it will also depend on a number of varying factors as wages, working conditions and so on. It is difficult to generalise about the number of automatic looms which could be entrusted to a worker. The Textile Enquiry Committee have calculated that on the basis of an average

of 16 automatic looms per worker, the margin of reduction of labour employed on looms would be roughly of the order of between 25 and 30 per 100 looms. Even in the case of units which are allotted the maximum of 144 looms, the probable displacement will be roughly between 35 and 45. For a large-sized mill, absorption of this small order should not pose any serious problem.

Appendix on page 6

Extract from the decisions of the 15th Session
of the Indian Labour Conference
on "Rationalisation"

* pp 1-2 of note

* Subject to the above conditions, the following broad procedure was suggested to smoothen the progress of rationalisation. The Union or unions in an under-taking and the employer could enter into a working arrangement on the following lines:-

- (1) the company may seek to make such changes in machinery, layout and organisation as it deems necessary for efficient operation of machinery and rational use of labour and material without prejudice to the provisions of any law for the time being in force and subject to the provisions of the working arrangement.
- (2) before any such change is effected, the company shall give reasonable notice, ranging from three weeks to three months, to the union(s) of its intention to effect the change. The notice shall be in a form mutually agreed upon and shall contain full information regarding the nature of the proposed change, approximate date of such change, proposed duties for workers concerned and their job assignment and the expected earnings. Where, however, an appropriate procedure for notice of notice of change exists under the current legislation, the same should be observed in preference to the above.
- (3) the employer shall also furnish information regarding the change and the reduction in the number of jobs and also the effect of the change on the number of jobs in other departments affected by the same change.
- (4) the employer and employees shall meet and discuss the proposal as soon as possible after the notice has been given under para(2) above. The employer shall furnish all information necessary for a complete understanding of the proposed change and shall explain the contemplated change to the union(s).
- (5) the union(s) shall, within a week after the discussion with the employer, present its views or proposals to the employer. If there is agreement between the parties, the employer may introduce the change on the due date in accordance with the agreement.
- (6) the union(s) shall be given adequate opportunity to study the new change so as to enable it to gauge the work loads and the earnings of the employees engaged in the new operation.
- (7) if there are differences between the parties on any matter covered by this working arrangement, the matters in dispute shall be referred for arbitration or adjudication."



MINISTER OF LABOUR &
EMPLOYMENT AND PLANNING
NEW DELHI
Camp - Ahmedabad.
The 29th December 1958.

My dear *Dange,*

I have received your letter No. 172-B/58, dated December 21, 1958. Your letter raises a question regarding the nature and status of the agreements reached in the Indian Labour Conference. Since then I have spoken to you in this connection.

The communication from the Ministry to which you have referred does not, I am sorry to say, express the position accurately. The decisions of the Conference may be in the nature of recommendations for others but are to be taken as binding on the parties.

This elucidation should remove the doubt and apprehension which you have expressed in your letter. The understanding regarding the automatic looms will, therefore, now be treated as an agreement, on par with those which have been reached at the Indian Labour Conference.

with kind regards

Yours sincerely,

G. I. Nanda

(G. I. Nanda).

Shri S. A. Dange, K.P.,
4, Asoka Road,
New Delhi.

- 6 JAN 1959



No. 52/4408/59
MINISTER FOR LABOUR
INDIA.

New Delhi
December 31, 1958
5th Jan. 1959

(172)

My dear Dange

I am sending
my prayers and best wishes
for the New Year.

Yours sincerely,

G. L. Nanda

(G.L. Nanda)

Shri S.A. Dange,
Member Parliament,
General Secretary,
AITUC,
4, Asoka Road,
NEW DELHI

No. E&P-11(50)/58
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT

From

Shri B.N. Datar,
Labour and Employment Adviser.

To

1. The General Secretary,
Indian National Trade Union Congress,
17, Janpath, New Delhi.
2. The General Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.
3. The General Secretary,
United Trade Union Congress,
249 Bowbazar Street, Calcutta.
4. The General Secretary,
Hind Mazdoor Sabha, Servants of
India Society's Home Sardar Patel Road,
Bombay.

176 JAN 1959
Dated New Delhi, the

Subject: Role of Trade Unions in the Productivity Movement.

Sir,

I am directed to forward herewith a note on the above subject and to request that views of your organisation may kindly be communicated to this Ministry as early as possible.

Yours faithfully,

B.N. Datar
(B.N. Datar)
Labour and Employment Adviser.

d.a.refd.to
Rautela

*Checked
for file and copy
12/1/59*

(17-2)
No.EAP-11(82)/58
Government of India
Ministry of Labour and Employment

New Delhi, the

DEC 22 1958

From

Shri Mahindra Kishore,
Section Officer.

To

Shri S.A.Dange, M.P.,
4, Ashoka Road,
New Delhi.

Subject : Meeting regarding introduction of automatic
looms held at New Delhi on the 22nd Dec., 1958.

-.-.-.-.-.-

Sir,

I am directed to forward herewith the main
conclusions of the meeting which was held in the Labour
Minister's Room on the 22nd December, 1958, to consider
the question of introduction of automatic looms.

Yours faithfully,

Mahindra Kishore

(Mahindra Kishore)
Section Officer

JAMSHEDPUR MAZDOOR UNION(AFFILIATED TO ALL INDIA TRADE UNION CONGRESS)
REGISTERED NO. 672.

President : Sunil Mukherjee

Genl. Secretary : Kedar Das, M L A

JMU/Govt-2/6,7,8,1/59

33, SARKAR BUILDING,
JAMSHEDPUR - 1.

18-1-59.

19

Ref.

1. Hon'ble Labour Minister
2. Secretary Labour Dept
3. Labour Commissioner
Govt. of Bihar, 4) The Asst. Labour Commissioner
Patna.

Sir,

Please refer to our talks between a delegation of J.M. U and the Hon'ble Labour Minister and the Labour Secretary, Govt. of Bihar at Jamshedpur on 5th Jan, 1959.

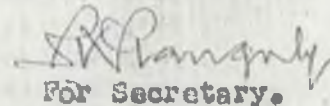
During the discussions our delegation had pointed out that the management of TISCO had stopped medical and Educational facilities to such workers who are rather discharged and dismissed by them. The Hon'ble Labour Minister had assured that he would see that educational and medical facilities of such workers were restored. The Labour Secretary had also expressed the view that under I.D. Act dismissed and discharged workers under dispute should be treated as workmen of the Company and as such they should continue to enjoy medical and educational facilities granted to the employees.

We pressed the matter through the Assistant Labour Commissioner, Jamshedpur and he has informed us verbally on 17th Jan, 59, that the management of TISCO are not willing to restore these facilities. Infact a large number of such workmen are facing great difficulties because their children have been refused admission in the local Tisco Schools. In such cases where the children of such workmen are in the school before hand their fees have been enhanced to the rate of Non-employees.

This action of TISCO management is not only justified but illegal as well.

We shall therefore request you to take prompt action as that the children of such workmen may be admitted in this session and the school fees may be reduced to the rate of employees.

Yours Faithfully.



For Secretary.

25 JAN 1959

Write a letter to
The Manager
39/11.

Copy to) Secy, AITUC, New Delhi
2) " BTUC, Patna - 4

Subject:- Role of Trade Unions in the Productivity Movement.

The productivity movement is one of the essential bases of prosperity and high standard of living. This movement, however, cannot develop fast enough unless Trade Unions take a leading role and this they cannot do unless they have their own productivity experts serving their interests in this complicated and technical matter.

In Scandinavian countries the trade unions have Productivity Experts on the Headquarter (some times even on the regional level), who handle all productivity matters at the National and Regional levels. These Productivity Experts go from plant to plant explaining the significance of higher productivity to trade union members and discussing details at the plants. These Experts participate in negotiations at the national and plant levels. They sort out difficult problems and give expert opinion about the extent to which productivity has increased and how far this increase should be shared with the workers. They also advise on work loads, time allowances and large number of other technical items which have to be scrutinised and settled. In Joint Studies, they participate on behalf of trade unions and are called in as technical advisers representing trade Unions when consultations are held by Governments. In short they are the focal point on the staff side of the trade union movement in so far as productivity affairs are concerned. They are technically qualified people on reasonable scales of pay comparable in quality with those that are engaged by managements.

If the trade union movement in India also decide to have a productivity expert in their own organisation, it would help them to handle productivity matters in a better way. Until they could offerd such an expert at their expense, a beginning could be made by obtaining the services of productivity experts through the Technical Assistance Programmes. A productivity expert coming from the trade union movement would be able to inspire more confidence and better protect the interests of the workers.

.....

Faint, mostly illegible text, possibly a letter or report, covering the upper two-thirds of the page.

KM Sundaram
191.57.

Faint handwritten text below the signature, possibly a date or location.

Cable : "AITUCONG"

T. U. LAW BUREAU:
R. L. TRUST BUILDING,
55, GIRGAON ROAD,
BOMBAY 1 (INDIA)

अखिल भारतीय ट्रेड यूनियन काँग्रेस
ALL-INDIA TRADE UNION CONGRESS

Telephones 18771
13414

4, ASHOK ROAD,
NEW DELHI.

President : S. S. MIRAJKAR.
General Secretary : S. A. DANGE, M.P.

2nd February, 1959

The Secretary to Government of India,
Ministry of Labour & Employment,
New Delhi.

Subject: Industrial Committee of Building & Construction
Industry - Discriminations in representation

Dear Sir,

We have represented a number of times earlier about the discrimination made by your ministry in giving representation to the representatives of the various Central Trade Union organizations ~~to the IITUC~~ ^{- Special} to the IITUC on the one hand and other Central Trade Union organizations on the other ~~in~~ in the Tripartite Committees and meetings. In spite of our representations and protests this practice has not ceased.

In the Industrial Committee on Building and Construction Industry while IITUC has been allowed six nominees IATUC is allowed only one.

In the last Industrial Committee meeting of Building and Construction Industry held in the year 1955, IATUC was allotted 2 seats. While it is acknowledged on all hands that the strength of IITUC has increased in these years; we are surprised to hear that our representation has been reduced from two to one in this committee in the year 1959.

The Working Committee of our organization which met at Kurla on 12th February 1959 considered this matter and has decided to boycott this committee unless and until the injustice done to our organization is rectified.

Yours faithfully,

(K. G. Srivastava)
SECRETARY

2nd February, 1959

The Secretary to Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: Industrial Committee of Building & Constructions
Industry - Discriminations in representation

Dear Sir,

We have represented a number of times earlier about the discrimination made by your ministry in giving representation to the representatives of the various Central Trade Union organizations representing to the INTUC on the one hand and other Central Trade Union organizations on the other and in the Tripartite Committees and meetings. In spite of our representations and protests this practice has not ceased.

In the Industrial Committee on Building and Construction Industry while INTUC has been allowed six nominees AITUC is to have only one.

In the last Industrial Committee meeting of Building and Construction Industry held in the year 1955, AITUC was allotted 2 seats. While it is acknowledged on all hands that the strength of AITUC has increased in three years; we are surprised to hear that our representation has been reduced from two to one in this committee in the year 1959.

The Working Committee of our organization which met at Bangalore considered this matter and have decided to boycott this committee unless and until the injustice done to our organization is rectified.

Yours faithfully,

(K.G.Srivastava)
SECRETARY

4th February, 1959

The Secretary,
Ministry of Labour & Employment,
Government of India,
NEW DELHI.

Sub: Notification of Acrenut (Betelnut) Plantations,
under the Plantation Labour Act.

Dear Sir,

This is to bring to your notice that though there are large size Acrenut Plantations in the various parts of the country, employing thousands of workers, who have to work under hazardous conditions and with a great risk to their lives, the Acrenut Plantations are not notified under the Plantation Labour Act. In the State of Tamil Nad only Acrenut Plantations cover about 500 workers. In the same way there are Acrenut Plantations in Kerala, Madhya Pradesh, Bombay, Assam and West Bengal employing a large number of workers.

In view of the hazardous labour and risk of life, that the Acrenut Plantation workers have to undergo, we feel that protection should be given to these workers by extending the Plantation Labour Act to Acrenut Plantations as well. At present there is no labour legislation either for the security of service or for service conditions of the Acrenut Plantation workers.

Hence, we request the Labour Ministry to consider this and take suitable action in the matter.

Thanking you,

Yours faithfully,

SECRETARY, AITUC.

Copy to Com. A. V. Sankaran, Secretary, Tamil Nad Trade Union Congress, 4/177, Broadway, Madras-1.

SECRETARY, AITUC.

True Copy.

Dt.9.2.59.

To

The General Manager,
The Indian Standard Wagon Co.Ltd.
Burrpur.

Dear Sir,

Re:Rumour of Layx Off out the Works of the
ISW Co.Ltd.Burrpur.

Our attention has been drawn to a rumour that the management of the Company are contemplating a genl.Lay Off in view of the fact that there is a shortage of component materials.

We would be glad if the rumours prove untruebut if the rumour has any basis at all please send us a list of the materials that are inshortage so that we may make representat-
ion to the Government for their availaibility.

We further make our honest overtures to you for a joint representation to the Govt and shall be too glad to put in our every bit of efforts towards ending this unhappy predicament.

Assuring our honest co operation.

Yours faithfully

Sd/B.P.Mockerjee

Copy to the Dty.Labour Commissioner For genl.Secy.
govt of west bengal.
The AsstLabour Commissioner Asansol
The managing agents Martin Burr Ltd.12 mission row

True copy

UNITED IRON & STEEL WORKERS UNION, BURNPUR.

To,
The Hon'ble Labour Minister,
Govt. of West Bengal,
Writers' Buildings,
Calcutta.

Dear Sir, Re: Apprehended lay-off at the Works of the
Indian Standard Wagon Co. Ltd., Burnpur

An apprehension exists in the minds of the workers ~~at~~ that some covert move is afoot here to bring about a general lay-off in the Works of the I.S.W. Co. Ltd., Burnpur, and we consider that this apprehension of the workers are not without any basis. It has been reported to us that pressure tactics are being resorted to by the officials of the Company for putting the workers on compulsory leave is the most desired course in view of the fact that the Company is contemplating a general lay-off.

This report, if true, signifies a serious predicament, and we would request you to kindly take a stock of the situation of the I.S.W. works and let us know on an early date the actual position.

Yours faithfully,

S/- Bamapada Mukherjee

.....
True Copy.
INDIAN STANDARD WAGON CO. LTD. (SANTA WORKS)
PO. BUREPUR
BURDWAN

Ref: P/59/5

11 th. Feb. 1959.

NOTICE

There has been no wagon construction work during the last few weeks due to a delay in the finalization of the design for the BOBS type wagons. Workers normally employed on this work have been rendered surplus. Redundant labour has not yet been stopped.

2. The management is now compelled for reasons beyond its control to lay off surplus workers. With effect from 17.2.59 450 men will be laid off from the Erecting Shop, Paint Shop and Welding Shop. Names of laid off men will be notified and they will receive benefits as stipulated under the Industrial Disputes Act.

Sd/ B. Basu
GENERAL MANAGER.

XXXXXXXX

12th February, 1959

Shri Gulzarilal Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi

Sub: Closure of two Sugar Mills in Rampur

Dear Sir,

This is to bring to your kind notice that since February 2, 1959, workers of the Baza and Buland Sugar Mills of Rampur are on a strike demanding reference of their dispute either to Arbitration or Adjudication. The managements of the above mills, have declared a lock-out since February 4, 1959, rendering more than 4000 workers jobless.

The details of the incident are as follows:

The management of the above mills curtailed the closure holidays by two days and the earned leave by four days in contravention of the Labour Department G.O.No.6849 dated 13-11-57 and the previous agreement arrived at between the management and the union.

Consequently on January 21, 1959, Shri Mushtaq Ahmed, General Secretary, Buland Sugar Mill Mazdoor Union and an employee of the above mill, went on a hunger strike. On February 2, 1959, the workers of the above mills had to struck work to save the lives of Shri Mushtaq Ahmed and Shri Behari Lal who had joined the hunger strike later. The management declared a lock-out on February 4, 1959. Since then the lock-out is continuing and the situation is worsening.

PTO

We hope you will look into the matter personally and do the needful.

Thanking you,

Yours faithfully,

Handwritten signature

(K.G.Sriwastava)
SECRETARY

19 FEB 1959

Burnpur
Dated 12.2.59.

Dear Com.Dange,

Re: Lay Off to the Workers of I.S.W.Co.Ltd.
at Burnpur.

We enclose herewith the last communications we have addressed to the Govt. authorities along with the Notice of lay off. The last para of the notice in question stipulate -s that the laid off workmen will be paid laid off benefits as provided in the I.D.Act. That means that the laid off workmen will be receiving statutory benefits upto 45 days. and on the expiry of 45 days it will be lawful for the company to retrench the workmen thus laid off. It is therefore to be noted that the ultimate result of such lay off is the wholesale retrenchment of the workmen and the company will be perfectly in their rights to retrench after a period of 45 days ' of lay off in accordance with the Statutory provision of the I.D.Act.

Such a situation cropped up in the Works of Burn & Co. at Howrah a few months ' back and in view of dangerous provision of the Act all the Unions there including the Union belonging to INTUC made a common cause and were succesful in concluding an agreement with the management which provided ^{would} the laid off workmen ^{could} continued to be in the employment of the company and would be receiving the benefits beyond the period of 45 days and that they would be taken back in service with the restarting of the depts. As you know this short of Joint agreement with INTUC as a party is not possible here and unless the lay off is averted or such an undertaking is taken for the Company thro' the Govt. this is every possibility of these workmen being retrenched.

We would request you to see Mr. Nanda and Mr. Manubhai in this connection and do what is needed in the circumstances of the case and advise us accordingly.

Comly Yours. .

C. S. Sanyal

Copy to Mrs. Henu Chakravorty,
The Secy. B.P.T.U.C.
The Secy Martin - Burn employees federation.

Station Road.
P.O. Burnpur.
Dt. Burdwan.

Dt. 12.2.59.

The Hon'ble Labour Minister,
The Govt of West Bengal,
Calcutta.

Re: Lay Off at the Works of the Indian Standard
Wagon Co. Ltd. Burnpur, Burdwan.

Dear Sir,

We enclose herewith a copy of the notice that has been issued by the I.S.W. Management on the night of 11 th. inst. laying Off 450 workmen of the Company.

While the country needs more and more wagons, and while the success of the plan greatly depends on rolling stock industries the decision of the management of the Indian Standard wagon co. ltd to lay off their workmen not only contravenes the conventions established by the Labour Conference, but also testifies to the anti-national conduct of our employers.

A serious unrest has reared its head among the workmen following the notice of the management and unless immediate steps is taken to avert the situation, unimaginable trouble may crop up.

We would therefore request you to immediately interpose and to bring the situation to normalcy by directing the company to withdraw their notice of lay off.

Your early action in the matter will be highly appreciated.

Yours faithfully

C. S. Dey
Joint Secy.

(Copy for Com. Dey)

- Copy to Hon'ble Labour Minister, Govt. of India
- Copy to Hon'ble Minister in Charge of Commerce & Industries, New Delhi
- Copy to Chairman, Ry. Board, New Delhi
- Copy to Asst. L.C., Hooghly
- Copy to Dy. L.C., Calcutta
- Copy to District Magistrate, Burdwan
- Copy to Hon'ble Chief Minister, Govt. of West Bengal

172
D.O.No.172-A/59
February 20, 1959

Dear Nandaji,

Mrs Renu Chakravarty has already drawn your attention to the lay-off threat of the Indian Standard Wagon Co. at Burnpur.

These tactics of the company hardly are conducive to fulfilment of the Railway programme or of employment needs.

At Burnpur, it seems, they always are intent on picking up some quarrel with the workers and keeping them on edge and excitement.

Would you please do something about it?

With regards,

Yours sincerely,

S. A. Dange

(S. A. Dange)

Shri G.L.Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi.

21st February, 1959

Shri Gulzarilal Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi

Dear Sir,

Kindly refer to the letter dated 16th February, 1959 addressed to you by the Secretary Coal Workers' Union, Giridih. We would like to request you to look into the matter and see that the grievances are redressed at an early date.

It appears that under the advice of the Ministry of Labour & Employment the Chief Mining Engineer notified that the Baniadih Workshop (P) Ltd., a concern under the N.C.D.C.(P) Ltd., would be treated as a mine coming within the purview of the Mines Act. This action has deprived the workers of the benefits like the annual leave wages and overtime which they were getting under the Factories Act.

The workers in the said workshop are very much agitated over the notification. There is a strong feeling among the workers that this action is quite inopportune and has a motive behind it. Therefore, we request you to take up the matter immediately and take necessary steps to stay the stay order.

Thanking you,

Yours faithfully,

lms
44321
(K.G.Sriwastava)
SECRETARY

112
21st February, 1959

Shri Pyare Lal Gupta,
Under Secretary to
Government of India,
Ministry of Labour & Employment,
New Delhi

Sub: Reconstruction of the Central Advisory
Board under section 8 of the Minimum
Wages Act, 1948.

Dear Sir,

With reference to your letter No. LW(I)-6
(15)/58-III dated the 15th January, 1959, I have to
inform you that the All India Trade Union Congress
nominates Shri N. Satyanarayan Reddy on the Minimum
Wages Central Advisory Board, whose address is
given below:

Shri N. Satyanarayan Reddy,
101, Jawaharnagar,
Chikkadpally,
Hyderabad-Dn (Andhra Pradesh)

Thanking you,

Yours faithfully,

K.G. Sriwastava
2/21/59

(K.G. Sriwastava)
SECRETARY

23 FEB 1959

49(MP)
1959



ASST. PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

172

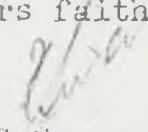
New Delhi, the Feb. 21, 1959.

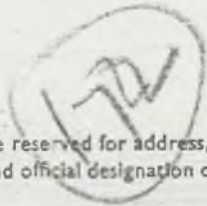
Shri S.A. Dange, M.P.,
General Secretary,
All-India Trade Union Congress,
4 Ashok Road,
New Delhi.

Dear Sir,

I am pleased to acknowledge the receipt of your ~~letter~~ D.O.No.172-A/59, dated the 20th February, 1959, to Shri G.L.Nanda, Union Minister for Labour, Employment & Planning.

Yours faithfully,


(J.C.Saxena)



India Service Post Card

(This side reserved for address, with signature
and official designation of sender.)

To

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

S. 49.

MFP-984 General-6811-(M-1021)-16-9-54-2,600,000.

GOVERNMENT OF INDIA

Min. of Labour & Emp't ~~OF INDIA~~

No. *PHS-370/35/59* *Mem. letter dated* the *31-3-* 1959.

The undersigned is directed to acknowledge receipt of your
~~letter~~ No. *N. 11*, dated *21/2/59* which is receiving attention.
~~memo.~~

Jal Bahadur

for Under Secretary to the
Govt. of India



26 FEB 1959

176-A

MINISTER FOR LABOUR
INDIA.

New Delhi, the FEB 1959

My dear *Shri M. V. Jayaraman*

The Code of Discipline for industry which took final shape at the Indian Labour Conference in May last has been recognised as an experiment of outstanding significance in the field of industrial relations. It has to operate in a very complex industrial situation and calls for a large reorientation of outlook and methods, on all sides. It was realised that the influences released by this new approach would take some time to make themselves felt and in the meantime the parties may not find full satisfaction with the working of the new arrangements. We have to grapple with the problems which are thus thrown up. I may, however, express my own sense of gratification at the goodwill, and earnestness which has characterised the response of all the parties with regard to their part in dealing with these difficulties.

I am encouraged to think of exploring other avenues for advancing the good of industry and the working class by steps which rest on the foundation of mutual goodwill and appreciation of common interests. I have in mind the whole question of raising levels of efficiency in industry as the most powerful factor in providing a better life for the work-people and establishing a progressive economy. I have broached this subject several times at our tri-partite meetings and I have felt that there is, on the part of all, a genuine appreciation of the need to move in this direction as soon as possible.

As the first step in this matter, I addressed the Ministers of Labour in the States and I made the suggestion that there should be a Conference for discussing this subject at an early date. They have welcomed the idea. I am now approaching the Central Organizations of employers and workers so that they may give close and careful consideration to the various aspects of the question and be ready with their ideas and suggestions which may be discussed at the proposed Conference.

I may, however, point out in this context that the subject of labour efficiency has numerous facets and a number of things on which the efficiency of the workers depends lie outside their own control. Sound industrial relations, of course, form an important basis for larger and more efficient production. But these results in their fullness can come about

only through positive incentives - material and otherwise. Payment to workers should more and more be linked with production and suitable incentive schemes should be devised in consultation with workers themselves. An effort to get the best out of the worker should be made in the interests of the economic progress of the country. The remuneration of the worker is one important factor. An assurance has to be created that the workers will have a fair and adequate share in the benefits of increased production and productivity. Labour efficiency also depends very much on several other elements which contribute to the well-being of the worker. Housing probably is the most important among them. It has so far received very inadequate attention. What we have to work out is not just a Code of Efficiency, but it is to be a Code of Efficiency and Welfare.

I may also mention in this connection our programme of Workers' Participation in Management. As long as it is regarded as an idealistic arrangement which has something to do with the raising of the status of the worker, its full implications and significance as an instrument for raising efficiency will not be realised. It is necessary to understand that the right motivation of workers and employers towards greater production is a very important factor in the whole scheme of raising productivity levels in the country. Workers' Participation has its great importance in this context.

I may add that to the extent management practices and rationalisation of management have a bearing on this subject, they will be relevant for discussion at this Conference.

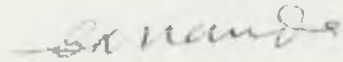
As a basis for discussion, we have worked out a draft for such a Code and also a more detailed document bringing in several aspects of the labour relations policy which impinge on the question of industrial efficiency. These papers have been sent to your organisation separately. The subject of Welfare will be dealt with in another paper. I shall be grateful for your views in the

.....

-3-

matter so that we can settle this Code and the document for discussion. I hope to have an early reply so that we may decide on the further steps in this connection.

Yours sincerely,



(G.L. Nanda)

Shri S.S. Mirajkar
President,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

No.LRIV-4434/59
Government of India
Ministry of Labour & Employment

From

Shri S. Sahasranaman,
Section Officer

To

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

Dated New Delhi, the

24 FEB 1959

Sir,

It is understood that the agenda for the last session of the All India Trade Union Congress general meeting held at Bangalore in January 1959, included a general report on 1958, industry-wise reports and trade union schools organised by the All India Trade Union Congress. I am to request that a copy each of the reports mentioned above may kindly be forwarded to this Ministry, if there is no objection.

Yours faithfully,

S.S. Sahasranaman
(S. S. Sahasranaman)
Section Officer

d.a.nil
"Jarwal" 19/2/

*Recd.
Shri S. Sahasranaman
Section Officer
19/2/59*



1554 9
ASSTT. PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

172
New Delhi, the Feb. 25, 1959

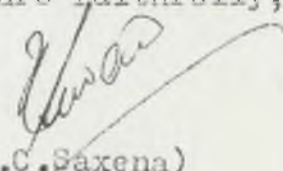
Shri Kalyan Roy,
General Secretary,
Indian Mine Workers' Federation,
Camp: 4 Asoka Road,
New Delhi.

Sub:- Serious accident in the
Saunda Colliery in Hazari-
bagh district of the Nation-
al Coal Development Corpora-
tion on the 27th January,
1959. & Demand for a Court
of Enquiry.

Dear Sir,

I am desired to acknowledge the
receipt of your letter, dated the
23rd February, 1959, to Shri G.L.Nanda,
Union Minister for Labour, Employment
& Planning, on the above subject.

Yours faithfully,


(J.C. Saxena)

Cable : "ATTUCONG"

T. U. LAW BUREAU:
R. L. TRUST BUILDING,
55, CIRGAON ROAD,
BOMBAY 4 (INDIA)

0/c
अखिल भारतीय ट्रेड यूनियन काँग्रेस
ALL-INDIA TRADE UNION CONGRESS

Telephones : 18771
43414

4, ASHOK ROAD,
NEW DELHI.

President : S. S. MIRAJKAR.
General Secretary : S. A. DANGE, M.P.

26th February, 1959

Shri Gulzarilal Nanda,
Minister for Labour & Employment,
Government of India, New Delhi.

Sub: Notice of Closure by M/S Maheshwari Devi
Jute Mills Ltd. Kanpur dated 23.2.1959.

Dear Sir,

Kindly refer to the letter addressed to you by the Secretary U.P. Trade Union Congress, Kanpur dated 24th February, 1959. We wish to represent this matter to you as it is a clear case of employer showing disregard to the Delhi Agreement on Rationalization and Code of Discipline in industry.

1500 workers employed in the Maheshwari Devi Jute Mills Ltd Kanpur were very much agitated when they read on 23.2.59 the notice of the management of the above mills informing the workers that the mills would be closed down from March 24.

The management in their notice of closure have tried to put the blame on the workers but it seems that it is an attempt to increase the workload of the workers by threatening to close down the mills. The complaint of the U.P. Trade Union Congress is with nothing which states that the employer did not supply them the scheme of Rationalization Act and to take over the mill.

We would, therefore, request you to personally look into the matter and prevent the management from depriving the 15,00 workers of their means of livelihood.

Thanking you,

Yours faithfully,

K.G. Sriwastava
4/2/59

(K.G. SRIWASTAVA)
SECRETARY

February 27, 1959

Shri S. Sahasranaman,
Section Officer,
Ministry of Labour & Employment,
Government of India,
New Delhi

Dear Sir,

Please refer to your letter No.
LRIV-4434/59, dated 24th February,
1959.

The General Report of, Industry
wise reports and the Trade Union
School programme and syllabus for
Trade Union Studies are under print
at the moment. We shall forward you
the same as soon as they are published.

Yours faithfully,

K.G.
44327
(K.G. SRINASTAVA)
SECRETARY.

28 FEB 1959

GOVERNMENT OF INDIA
Ministry of Labour and Employment

No. E&I.11(39)/58. Dated New Delhi, the Feb. 1959.

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Govt. of India.

To

The Secretary,
Jamshedpur Mazdoor Union,
33 Sarkar Building,
Jamshedpur -1.

Subject: Memorandum submitted to the Union
Labour Minister.

Dear Sir,

I am directed to refer to your letter No. JMU Govt.2/43/58 dated the 2nd November, 1958 and letter No. JMU/Govt.2/54/58 dated the 8th December, 1958 and to say that the position in regard to the points made by you is as follows :-

- (i) In each case of discharge or dismissal a proper charge sheet was issued to the workers concerned and after his reply was received, a date was fixed for holding departmental enquiries. Due notice of the date so fixed was given to him and he was asked to bring witnesses, if any, in support of his defence.
- (ii) The Zonal Works Committee have disposed of all cases of appeals. Most of the cases referred to the Central Works Committee have also been disposed of. The State Labour Commissioner has taken up some of the disputes in conciliation.
- (iii) It is not correct to say that a proper works committee is not functioning in TISCO, Jamshedpur.
- (iv) It is not correct that the Company is trying to prevent employment of all the dismissed/discharged employees with other employers. The circular referred to by you was issued without the knowledge or approval of the Company and the person responsible for it has already been reprimanded.
- (v) If any of the dismissed or discharged employees was undergoing treatment in the hospital at the time of his dismissal or discharge, his free treatment was continued till he was discharged from the hospital. The free treatment was not stopped because the person had been discharged or dismissed in the meantime. Similarly, children of such employees as were already at the Company's school were not removed from there because of dismissal or discharge of their parents or guardians. They were allowed to continue to enjoy the concession for the current school year. According to the Company's rule in regard to new admissions or concessions during the year subsequent to the dismissal or discharge, these persons would be treated as non-employees.
- (vi) It is only those dismissed/discharged employees whose cases have been finally disposed of according to the Grievance procedure that are being asked to take

settlement of their dues and to vacate the Company's quarters. It is not, therefore, correct to say that dismissed/discharged workers whose cases are pending with the Zonal Works Committee/Central Works Committee are being vacated from their quarters.

- (vii) According to the Company, profit sharing bonus for 1957-58 which became payable after their Annual General Meeting in August, 1958 is not payable to the employees who were dismissed or discharged before the bonus was declared.
- (viii) As regards the question of giving the right of representation to the victimised workers, your attention is invited to this Ministry's letter No. R&I.11(14)/58 Pt. dated the 18th August, 1958.
- (ix) The wage scales and dearness allowance are, at present, under revision in accordance with the terms of 1956 - Agreement with the recognised union.
- (x) The revised standard force, it is understood, has been determined for each department of the Company and after conducting proper studies.
- (xi) It is not correct to say that the work of temporary workers is being carried on through contract labour. Temporary workers are still employed as and when exigencies of work so demand.
- (xii) The allegation that there is delay and out-right refusal to register trade unions affiliated to AITUC is not justified. The complaint that normal trade union activities are sought to be prevented in numerous ways is also not correct.

It is requested that if there is any grievance in this matter, specific instances may kindly be brought to the notice of the State Government under intimation to this Ministry.

2. Other points made by you are under consideration.

Yours faithfully,

S.L.
(S.B.L. Nigam)
for Joint Secretary

Copy forwarded to the Secretary, All India Trade Union Congress, with reference to his letter dated the 4th February, 1959.

S.B.L. Nigam
(S.B.L. Nigam)
for Joint Secretary



D.O. No. F & I 11(39)CS.

MINISTER OF LABOUR &
EMPLOYMENT AND PLANNING
NEW DELHI

March 2,
February 23, 1959

My dear Sir,

Kindly refer to your letter, dated 4th February, 1959, regarding the alleged stoppage of medical and educational facilities to discharged and dismissed workers of TISCO.

I have had the complaint investigated. It appears that if a discharged or dismissed employee was undergoing treatment in the hospital at the time of his discharge or dismissal, he continued to receive free treatment till he was cured. In no case has the free treatment been stopped because the person had been discharged or dismissed in the meantime. Similarly, children of such employees as were already in the Company's schools were not removed from their rolls because of the discharge or dismissal of their parents or guardians; they continued to enjoy all the concession till the end of the academic year.

A detailed reply in this regard has already been sent to you by the Ministry.

Yours sincerely,

G.L. Manda

(G.L. Manda)

Sri R.C. Srivastava,
Secretary, All India Trade Union Congress,
4, Ashoka Road, New Delhi

*Send copy to the ...
from them to ...
...
...
...
...
...*

5 MAR 1959

D.O.No. E&I-35(156)/58

MINISTER FOR LABOUR

New Delhi, the March 4, 1959.

My dear *Dange*,

Kindly refer to your letter No. 172-C/58, dated the 23rd December 1958, regarding the alleged victimisation of Professor Subramanyam of the Indian Institute of Technology, Kharagpur. I have had this matter investigated. Professor Subramanyam's services were terminated while he was still on probation on a total assessment of his performance during the period of probation and not with reference to any particular incident.

with kind regards.

Yours sincerely,

G.L.Nanda

(G.L.Nanda)

Shri S.A. Dange, M.P.,
General Secretary,
All India Trade Union Congress,
4, Ashok Road,
NEW DELHI.

No. 172-A/59
March 6, 1959

Shri R.C.Saksena,
Under Secretary to
Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: Verification of trade union membership
and recognition of trade unions.

Dear Sir,

Please refer to your letter No. IC-37(2) '58
dated the 5th March, 1959.

Shri K.G.Sriwastava, Secretary, will
represent our organization in the meeting which has
been scheduled to be held on 19th March 1959, in
New Delhi, to discuss questions relating to
verification of trade union membership and recognition
of the trade unions.

Thanking you,

Yours faithfully,

*Wm
Mar 6*

(K.G.Sriwastava)
SECRETARY



Teja Singh Sahni
Deputy Secretary

13 MAR 1959

13 MAR 1959

LRIV-19(1)/59

Telegrams :-
"LABOUR"

MINISTRY OF
LABOUR AND EMPLOYMENT.

New Delhi, the 12th March 1959.

172

Dear Shri Srivastava,

Please refer to your d.o.

No. 172(a)/59, dated the 3rd March 1959
to Datar. A draft summary of the proceedings
of the Public Sector Conference will be sent
to you shortly.

Yours sincerely,

Teja Singh Sahni
13/3/59
(Teja Singh Sahni)

Shri K.G. Srivastava,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

13 MAR 1959

No. LAB-11-1/59.
Government of India
Planning Commission
(Labour & Employment Division)

Udyog Bhavan,
New Delhi, the 13th March, 1959.

From

Shri B.N. Datar,
Chief,
Labour & Employment.

To

Shri S.A. Dange,
General Secretary,
All India Trade Union Congress,
4, Asoka Road, NEW DELHI.

Sir,

I am directed to forward herewith a copy of the
Indian Labour Gazette - January, 1959 for your perusal and
retention.

Encl: As above.

Yours faithfully,

J. K. Chhabra
for Chief (L & E)

16 MAR 1959

17
No. L-IV-2663/58
Government of India
Ministry of Labour & Employment

From

Shri A.L. Handa,
Under Secretary to the Government of India.

To

Shri K.N. Srivastava.,
Secretary,
All India Trade Union Congress,
4, Asoka Road, New Delhi.

Dated New Delhi, the

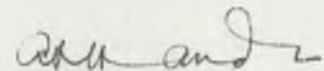
14 MAR 1959

Dear Sir,

Please refer to your letter No. 172/PV/58 dated the 25th October, 1958, regarding grievances of Flour and Oil Mill Workers of Vasudo, M.P. -addressed to Labour Minister.

As the matter falls within the state sphere, we have ascertained the position with regard to the grievances of the workers from the State Government. It is understood from the State Government that one Shri Ram Bahai, a self-styled Genl. Secretary of the Standard Flour and Oil Mazdoor Sabha, which is an unregistered union, wrote to the management and the labour Officer saying that if their demands regarding payment of bonus, overtime etc., were not accepted by 15th June 1958, the workers would go on strike from 16th June 1958. The Assistant Labour Commissioner and the Labour Officer visited Basoda and informed the leaders of the union that the strike would be illegal as the union was an unregistered one. The leaders withdrew the strike notice. The management in the meantime had written to the Tehsildar accepting some of the demands of the union. The workers took this letter as an agreement on the part of this management for acceptance of some of their demands, and later on represented to the State Government for non-implementation of the agreement. The dispute has been taken up in conciliation under the Bombay Industrial Relations (Adaptation) Act by the State Government and the result is awaited.

Yours faithfully,



(A.L. Handa)
Under Secretary

d. a. nil.

17 MAR 1959

GOVERNMENT OF INDIA
Ministry of Labour and Employment

No. LWI(1)-6(1)/59. Dated, New Delhi, the 16 March 1959.

From

Shri R. Kunjithapaden, M.A.,
Section Officer.

To

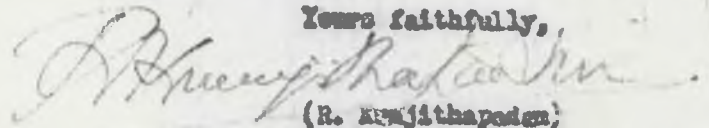
- (1) The Secretary,
All India Organisation of Industrial Employers,
Federation House, Barakhamba Road, NEW DELHI.
- (2) The Secretary,
All India Manufacturers' Organisation,
4th Floor, Cooperative Insurance Buildings,
Sir, P.M. Road, Fort, BOMBAY.
- (3) The General Secretary,
Indian National Trade Union Congress,
17 - Jaspeth, NEW DELHI.
- (4) The Secretary,
Hind Mazdoor Sabha,
Servants of India Society's Home,
Bardar Patel Road,
BOMBAY - 4.
- (5) The General Secretary,
All India Trade Union Congress,
4 - Asoka Road, NEW DELHI.
- (6) The Secretary,
The United Trade Union Congress,
249 - Bowbazar Street, (First Floor),
CALCUTTA - 12.

Subject:- Agenda for the fourth meeting of the
Minimum Wages Central Advisory Board
under Section 8 of the Minimum
Wages Act, 1948.

Sir,

I am directed to invite a reference to the letter from this Ministry of even Number dated the 17th January 1959 requesting you to indicate the items, if any, which should be included in the agenda for discussion at the next meeting of the Minimum Wages Central Advisory Board and to say that, since no reply has been received from you, it is presumed that you have no items to suggest. This may please be confirmed at an early date.

Yours faithfully,


(R. Kunjithapaden)
Section Officer.

18 FEB 1959

No. E&P-3(12)/58
Government of India
Ministry of Labour and Employment
New Delhi, the

From

Shri P.L.Gupta,
Under Secretary to the Government of India.

To

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

Subject : Report of the Study Group on Social Security.

Sir,

I am directed to forward herewith five copies of the above Report for the use of your organisation. More copies can be had from the Jain Book Agency, Connought Place, New Delhi, at Rs. 1.25 np. per copy, if desired.

Yours faithfully,

P. L. Gupta
(P.L.Gupta)
Under Secretary.

d.a.referred to.

No. 172(ACC)/52

March 10, 1959

Shri G.L.Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi.

Dear Sir,

Kindly refer to Shri Kalyan Roy, General Secretary Indian Mines Workers Federation's letter dated 23.2.1959 addressed to you, regarding the accident in the Saunda Colliery.

We feel that the matter is not only serious but urgent too, particularly in view of the fact that the mine is in the Public Sector. Failure of Government to institute a proper enquiry will only lead to a suspicion in the efficiency and efficacy of the Public Sector.

We fully support the demand of the Indian Mine Workers' Federation, for the appointment of a Court of Enquiry to go into the causes of the accident and to find out the persons responsible for it.

We hope the matter will receive your serious attention and you will appoint a court of enquiry.

at the earliest

Yours faithfully,

(K.G.SRIVASTAVA)
SECRETARY

March 19, 1959

Shri Gulzarilal Wanda,
Minister for Labour & Employment,
Government of India,
New Delhi

Sub: Retrenchment of workers - Four Berth
Construction site Port of Cochin

Dear Sir,

Please refer to the letter addressed to you and the Minister for Transport by the Cochin Port Temporary and Casual workers union, our affiliate, dated March 14, 1959 on the above subject.

It appears that the Cochin Port authorities have issued notices on 250 workers on the plea of shortage of work while they themselves are engaging hundreds of workers for overtime work. It should be kindly noted that out of a total of 44 wells majority of the monolithic wells are yet to be completed and there is no reason for retrenching a large number of workers.

We would request you to look into the matter personally and see that the retrenchment is stayed at an early date.

Thanking you,

Yours faithfully,

Wm
(K.G.SRIWASTAVA)

Copy to the Cochin Port ~~SECRETARY~~ & Casual Workers Union, Cochin, for information.

Wm
SECRETARY

Andhra Cement Company Employees' Union

Established 1942 - Registered No. 208

Affiliated to: ALL INDIA TRADE UNION CONGRESS & ALL INDIA CEMENT WORKERS' FEDERATION

President :

K. V. A. NARASIMHA RAJU

General Secretary :

S. V. SUBBARAJU

Kedarewara Peta,
BUCKINGHAMPET P. O.
VIJAYAWADA

The following is the English translation of the speeches made in Telugu at the meeting held under the auspices of the Andhra Cement Company Employees Union at Anzari Park on Sunday the 21st Mar. 59.

Sri K.V.A.N. Raju.

Opening the Meeting Sri K.V.A.N. Raju, President of the Andhra Cement Company Employees' Union, said that the Andhra Cement Company, which was started about 20 years ago with a daily rated capacity of 100 tons, has now expanded its capacity to 600 tons per day by installing two more additional units. All the workers and office staff working in this institution have formed themselves into an Union about 18 years ago and since then this Union is the sole Representative of all the workers and staff working in this institution. Till the other day, the Union is maintaining very cordial relations with the management and is able to solve all the problems that have been arising from time to time very amicably with the management and by negotiations without resorting to any direct action. But now, unfortunately, the Management has thought it fit to retrench suddenly about 165 workers in the quarries and about 78 people in the factory on 14th of this month, without consulting the Union. The Union naturally took a very strong objection for this action on the part of the management and requested them to reconsider their decision and withdraw the retrenchment notices, and also sent a copy of the Resolution adopted at the General Body meeting which was called immediately on receipt of retrenchment notices requesting the management to withdraw the Notices as otherwise the Union will be compelled to call a strike with effect from 7th April 1959. But to our great surprise, instead of considering our Representation, the Management have again retrenched on 18th inst., about 71 permanent workers working at the factory including those who have put in nearly 10 to 15 years of service without any consultations with the Union. These retrenchment orders were served on the workers while they are working at their tools. This action of the Management was highly provocative and having no other alternative, the Union regretfully had to resort to strike from 19th mid-night. To-day is already the 3rd day of the strike and it is continuing very peacefully and we are determined to continue the strike very peacefully until such time the management conceded our very just demands and withdraw the retrenchment notices.

It is really our good fortune to have Sri K.L. Narasimham Garu M.P. in our midst to-day and I now request Sri Jonayabhatta Saiyannarayana Garu and Sri K.L. Narasimham Garu also to speak on this occasion.

Mr. Subbaraju, the Union General Secretary will now speak.

Sri S.V. Subbaraju, General Secretary of the Union, speaking next, has explained in detail the circumstances under which the strike is forced on them. He said that the Andhra Cement Company which was established in 1939 with 100 tons capacity has installed an additional 200-ton unit in 1951 and with this unit the capacity has been increased to 600 tons per day.

Andhra Cement Company Employees' Union

Established 1942 - Registered No. 208

Affiliated to ALL INDIA TRADE UNION CONGRESS & ALL INDIA CEMENT WORKERS' FEDERATION

President :

K. V. A. NARASIMHA RAJU

General Secretary :

S. V. SUBBARAJU

Kedareswara Petri,

BUCKINGHAMPET P. O.,

VIJAYAWADA

-- 2 --

Company could not pay the wage 10 lakhs. Seeing the way in which this institution is getting enormous profits, the management has decided to expand the factory still further and in 1957, another unit with 300 tons capacity was installed. So the total daily capacity of all the Units is 600 tons per day. If the management was able to get such profits and if this success is what it is today, it is naturally due to the loyal and wholehearted cooperation of all the employees in coming to this institution.

During 1953, when the management was decided to retrench about 150 workers in the Mine at Nallakudi and the hope that they would be worked with only 40 people, we have represented to them that it would be impossible to work the mine with only a few people. But the management insisted on the retrenchment and we have agreed for the same and finally 150 workers in the Mine were retrenched. But their work was lost after 3 months the factory had to face a problem for want of limestone and the management could not find their mistake has reinstated those 150 workers.

Again during 1955-56, when the management wanted to retrench about 100 people working at the factory, we have written to the management that it would be difficult to manage with all the old works at the factory if these coolies were retrenched. But the management did not hear us but retrenched them and finally retrenched these people coolies. But even again the management failed in their assumption and found it very difficult to manage and finally they had to take back these retrenched people into service.

Again during 1958, while saying in the one hand that there are no day labour in the factory, they began to employ day labour and the recruitment was being done in a very novel way (i.e.,) whoever comes first in the queue will be taken into the works. The Union was very much worried about the way in which these workers are being taken into service and represented to them both orally and in writing that this sort of recruitment is about 100% of day labour workers are required for each job or without any planning should be immediately stopped and that such a recruitment or such recruitment should be in a systematic way being on principles of justice and equity. But unfortunately, they were not hearing to our representations and the result was that again 200 odd day labourers had been taken into works during 1958 approximately with the hope that they would complete 240 days of work and it may be difficult to remove these casual labour due to the provisions under the Act. But even if the Act, the Act, in spite of so many differences, the Union has been able to maintain cordial relations with the management and the management also on their part have never failed to consult the Union on any aspect relating to these matters.

Andhra Cement Company Employees' Union

Established 1942 - Registered No. 208

Affiliated to - ALL INDIA TRADE UNION CONGRESS & ALL INDIA CEMENT WORKERS' FEDERATION

President :

K. V. A. NARASIMHA RAJU

General Secretary :

S. V. SUBBA RAJU

Kedareswara Petta,
HUGKINGHAMPET P. O.,
VIJAYAWADA

-- 3 --

But unfortunately, the Management has suddenly issued retrenchment notices to about 165 people in the mines and about 70 people of the factory on the 14th of this month on the plea that this labour force was found surplus in the factory. We were very much surprised about this and immediately written to the management that it is very unjust to retrench people especially now when there is a great demand for cement and when the daily dispatch is about 600 to 700 tons per day. We have immediately called for a General Body meeting in which a Resolution was passed unanimously to request the management to withdraw the retrenchment notices and in case they fail to do so, the Union has no other alternative than to resort to strike with effect from 7th April. We have accordingly conveyed this resolution to the management. We naturally expected the management to call for us for discussing the matters relating to this retrenchment etc., when we thought of suggesting ways and means to the management as to how to get over this difficulty very amicably. But unfortunately, to our great surprise, the Management has issued fresh set of retrenchment notices, to about 71 permanent workers, including those who have put in 10 to 15 years of service. This is just like giving a slap on one cheek and then to give another to complain as to why this was done and that this is quite unjust, to give another slap on the second cheek and say, "Go and tell your grand-father". This sort of issuing retrenchment notices in these days is highly provocative. The workers have in their usual course attended to their respective duties on the 18th inst., as usual and these retrenchment notices were served on them when they were actually working at their tools. The whole thing was so sudden, swift and provocative that the workers were very much upset and wanted to leave the work premises they had there. But we have persuaded them to have patience and unless the matter is thoroughly considered from all aspects by the General Body they should not resort to any direct or indirect action. We have therefore immediately called for a General Body meeting on the 18th inst., where it was unanimously decided to strike work from 19th night. Having left with no other alternative, and in the face of highly provocative act of the management, the Union had decided to resort to strike very regretfully from 19th mid-night and we have accordingly communicated this resolution to the management with copies to the Labour Officer and to the Government. The strike is going on very peacefully and excepting a few Engineers on the factory side, and a few officers, not even one employee has failed to duty.

Now let us take the argument of the management with regard to the retrenchment. They say they want to mechanise and as such they found so much surplus labour force which has to be retrenched. I can understand if they actually mechanise and then retrench people if they found surplus. But here the things are otherwise. First they want to retrench and then they want to mechanise. On the face of it, it is a bit funny. Let me now tell you as to how the management is proceeding with the so-called mechanisation.

+ To day is already the third day of the strike.

Andhra Cement Company Employees' Union

Established 1942 - Registered No. 208

Alliated to: ALL INDIA TRADE UNIONS CONGRESS & ALL INDIA CEMENT WORKERS' FEDERATION

President:

K. V. A. NARASIMHA RAJU

General Secretary:

S. V. SUBBA RAJU

Kedareswara Peta,

BUCKINGHAMPET P. O.

VIJAYAWADA

-- 4 --

With a view to mechanise themselves, the Management have sometime back purchased a Ropeway costing about one lakh of rupees. But this was not installed and it is now lying idly in a very rotten condition and getting rusted and I doubt if we can get even one-tenth of its price on this rope-way. We have to simply sell this as a scrap, as the entire rope-way is not found to be useless. I am not speaking this now simply because we have not some differences now with the management. This is an open fact and anybody can see it.

Again they have purchased Tractor-Shovel for about Rs. 35,000/- but this all is also now lying idle. Similarly they have purchased one steam launch and two barges worth about Rs. 45,000/- with the idea of getting limestone from quarries by boats. These were specially made at Dowleswaram. Even at the time of purchasing these, we have expressed our own doubts whether these will be suitable for our purpose but the management said these boats can be used very efficiently for getting lime stone even in a depth of about one to two feet of water. But what is the result to-day? These tugs and the launch purchased at such a high cost are now lying idle in the canal near our factory, and the management has now found that they are not suitable for our purpose. Again they have purchased 2 dumpers and tractor loaders etc., These are also not working properly. This is the sort of mechanisation the Management has done so far and which they want to do hereafter.

With this sort of planning and without any idea of how many workers are required for each job, the management are now saying that they found the labour force surplus and on this plea they have retrenched nearly 314 workers. Even in this retrenchment, the Management have adopted a very strange method without any justice. They have retrenched workers who have put in nearly 10 to 15 years of service.

Since yesterday the conciliation proceedings have begun and during these proceedings when the Representatives of the Management were asked to explain the basis on which this retrenchment was done, they wanted time and to-day they have given some explanations which are vague and unconvincing and simply show that they are trying to defend their action somehow or other without basing on any principle or justice. They simply say 300 men are enough for running a cement industry. I am really wondering whether they have got any idea of cement industry. If so, they would not say like this, and it is something un-understandable that the management there do not know even after 20 years as to how many workers are required for each job and getting on without any planning what-so-ever.

To-day we have suggested before the Labour Commissioner to appoint a Committee to go into the question of retrenchment afresh and that we, on our part, are quite prepared to abide by the decisions of such a committee consisting of the representatives of management and union with a third party. But the management are not agreeable to this suggestion. While retrenching the workers here in the Workshop, the Management wants to get the spares etc., required for this factory from outside. Will any worker agree to this gross injustice?

No doubt, during the months before January there was some slump in the market for cement. The workers were then given lay-offs and they never grudged for this and all of them went on leave. The workers have always been very willing to cooperate with the management and after all it is not a pleasure for the workers to strike. They never want strike unless it is thrust on them. At present about 400 tons is produced every day and with 300 tons from surplus stocks, they are now despatching at the rate of 600 to 700 tons per day. Specially from 1st Feb. there has been a daily despatch of about 600 tons per day. While on the one hand, the management are saying that there is no demand for cement, on the other hand, the management are unable to load even lorries which come for taking delivery of cement and they have to wait at the factory for 20 to 24 hours to get their lorries loaded and in some cases, the lorries are returning back without loading especially now.

We have taken every aspect into consideration and it is only after a very careful consideration we have decided to strike and with great determination and unity, we want to defend ourselves from this attack on us and we are prepared to face any sacrifices and see that this strike ends successfully. In this struggle, I earnestly appeal to all the workers in this town and elsewhere and also the public of Berhampore to extend their wholehearted cooperation and help us in every way in our just struggle.

Sri Josyabhatla Satyanarayana:

After explaining the circumstances under which this meeting was held, Sri Satyanarayana said, that this was not a fight between the employers and employees of the Andhra Cement Co. Ltd., but this was a fight against the people of Berhampore or for that matter against the entire state of Andhra Pradesh. While, on the one hand, both Central and State Ministers, including our respected Prime Minister were proclaiming day in and day out that we were heading for socialism for which it was very necessary to successfully implement the 5-year plans and when great emphasis was being laid on the industrial progress in the country, on the other hand it was really surprising that the Management of the Andhra Cement Co., had thought fit to give a slap back to the industry by forcing a strike on the workers by their very provocative act of throwing nearly 314 workers out of employment including those who have put in nearly 10 to 15 years of service. This only showed that the employers had no respect at all for the Government proclamations.

Continuing Mr. Satyanarayana explained the important role that was being played by the cement industry in the national reconstruction and house building schemes etc.,. He said that huge quantities of cement were being supplied by this factory to P.W.D. and as a consequence of this strike one of the major projects in the country would be compelled to stop the work for want of cement which was something very serious and which the Government could not afford to sit quietly. It was something ununderstandable as to what made the Management to resort to this sort of retrogressive policy when the cement industry was one of the major industries in the country and which was bringing enormous profits to the capitalists.

Referring to the Tripartite conference, where the Chairman of this Factory also participated, the speaker said that it was agreed in the conference to abolish the contract system. But now it was really something strange to hear that this management was trying to reintroduce this contract system by backdoor methods. It was also most unjust to close the workmen in this factory only to get the cement from outside.

Continuing Mr. Satyeeswaraya referred to the 15th Labour Conference held under the auspices of the Labour Department where rationalisation was agreed to be implemented subject to the conditions that there would not be any retrenchment and that that there should not be any decrease in the present wages of the workers. Even under the new 'code of discipline' it was an accepted principle that the management should consult with the Union when the management, due to any extraordinary circumstances, was forced to retrench the workers. But nothing was done here. This only showed the utter disregard your employers had for the decisions arrived at the Labour Conference for which your Employer's Representative was also a party. It was also very surprising that even while retrenching the workers, your employers did not feel the necessity to observe any principles of justice and equity, and they retrenched people who have put in nearly 10 to 16 years of service.

Recalling the provisions of the Criminal Law Amendment Act, the Speaker suggested that the same punishment, which would be meted out to men who wish to commit suicide, should be awarded to those who wished to throttle the neck of an industry in spite of the fact of his being the owner of the same, which would result in throwing out of employment hundreds of people. He wished that the people of Bezwada should treat any such attempt as an insult to them and should unite to one man to put a stop to such an attempt if there is any on the part of the management. In this connection, the speaker recalled the events that culminated in the taking up of the Andhra Paper Mills at Rajahmundry by the Government when the public of Rajahmundry along with the workers put up a fight against the attempt of a Gujarati man to shift the entire industry from Rajahmundry to some other place. Any way, the speaker said, this sort of wholesale retrenchment in the factory would affect not only the workers and their families, who were till yesterday leading a very happy and peaceful life, but also would affect the public of Bezwada in a variety of ways. For example, the wage bill of these workers of Andhra Cement Co. would be one lakh per month. This amount of one lakh was neither being kept with the employees themselves for any safe deposit, or was being sent out of their state. Almost all this amount was being spent by the employees at Bezwada itself for provisions, milk, house rent etc. etc., things.

Continuing the speaker wondered whether Sri V. Ramakrishna who was a pioneer industrialist and a retired I.C.S. Officer and an Ex-Labour Commissioner was not aware of the serious consequences that flow from such a retrenchment on a large scale and consequential harm to the industry or whether he really wanted to destroy this factory here.

Whatever might be the consequences, the speaker exhorted all the employees to stand united and defend themselves from this attack of them by the Management and he assured full support to this struggle.

Sri K.L. Narasimham, M.P., speaking next, at the outset congratulated the employees of the Andhra Cement Co. Union for their brave fight against the sudden attack on them by their employers and assured them that the entire "Karmika Yargam" was with them in their struggle. He would treat this struggle as one not only between the employers and employees of the Andhra Cement Co. Ltd., but between a capitalist and the workers who want to defend their just rights at any cost.

Continuing the speaker said, that it was not understandable to him as to why the employers should try to give such a blow to this cement industry by unnecessarily provoking the workers to go on a strike which would naturally result in heavy losses to the nation as a whole especially now when cement was one of the major industries and when it was the only industry which was getting enormous profits to the capitalists. Evidently, they must have embarked on this retrenchment policy with a view to double their profits at the expense of the workers. Even according to the figures published by the Andhra Government in their Economic Bulletin, it was clear that there was tremendous improvement in the output of cement and that only 20% of the production costs was going towards workers wage bill. While on the one hand, the Management have entered into an agreement with the Union, on the other hand, they began to retrench the workers. Perhaps, this might be the American way of dealing with the workers. He strongly criticised the management for the way in which they have retrenched the workers. In this connection, he recalled the incidents in Chittivalasa Jute Mills and I.L.T.D.Co.; Chirola when the managements of these British managed factories had faced with the problem of retrenchment, they have instead of retrenching the workers outright, created a pool of surplus workers to act as relievers when-ever necessary. He regretted that an Indian Industrialist was not kind enough to show at least that much sympathy to his workers as a foreigner did when he was faced with the problem of retrenchment.

Concluding his speech, the speaker exhorted the workers to stand united and put up a determined fight against this attack on them by their employer and assured that the entire 'Karmika Vargam' was with them in their struggle and also said that it was impossible for their employer to run the factory with imported labour. He also appealed to the Government of Andhra Pradesh to move in the matter quickly and advise the management to withdraw the retrenchment notices immediately as this was a very serious matter effecting not only one of the major industries but also the economic structure of the entire Andhra Pradesh. If, the management were not willing to pay heed to the advice of the Government to withdraw the retrenchment notices, he would even request the Government to come to rescue of the industry and hand over the running of the factory to the workers who were quite willing to take the responsibility of running the factory in a very successful way. He once again exhorted the workers to stand united and fight for their just rights. He thanked the President for having given him this opportunity of speaking at this meeting.

Afterwards, Messrs. M. Polico, General Secretary of Kistna Cement Factory Employees' Union, V. Subbarao and N. Suryanarayana criticised the action of the management and exhorted all the workers to stand united and be prepared for any sacrifices.

The meeting came to a close after a vote of thanks by Sri K.V.A.N. Raju.

.....

A P P E A L.

24-3-59

314 WORKERS RETRENCHED.

1,300 Workers on strike from midnight of 19-3-'59.

Andhra Cement Company Limited was established in 1937 with a share capital of Rs.15,00,000/-. A plant with a capacity of 100 tons per day came into production in 1939. In 1946 they increased the capital by another Rs.40,00,000/- and expanded the plant by another 200 tons per day which came into operation in the year 1951. The factory has been manufacturing cement of very good quality producing over and above its rated capacity. The Company has grown financially from strength to strength and has been declaring good Dividends to its Share-holders, which is now at 10% every year. As the necessity of cement for projects and other constructions has grown, the Government gave licences for construction of new factories, and along with that, this factory also was given licence to construct a new plant with a further capacity of 300 tons. The Company with an additional capital of Rs.20,00,000/- constructed a third plant which came into operation in 1957. Now the Company is working with a total capital of Rs.75,00,000/- and the capacity of the Plant is 2,00,000 tons per year.

The capital required for a factory of this capacity according to the present standards in India is Rs.2,00,00,000. This shows that this factory is not working on modern lines with the modernised equipment, and the methods adopted for production by the Company are primitive and out-dated. More over the lay-out of the Factory is very congested without providing sufficient accommodation for Railway Sidings and storage of raw materials etc. As a result of these factors, the man-power now engaged by the Company, both at the Factory and at the Mines is very essential.

The Management previously retrenched 160 workers in the Mines in 1953, and 56 workers in the Factory in 1955 and they had to take them back, because they could not run the industry without the retrenched.

This Union, established in 1942 is the only Workers' Organisation, representing all the employees of the Company both at the Factory and at the Mines, which is recognised and maintaining good relations with the Management. Upto now all issues are being settled amicably through negotiations between the Union and the Management.

The Management abolished the Contract system through an Agreement in the Factory and at the Mines. Recently, the Management after prolonged discussions entered into an Agreement with the Union, enhancing the wages and providing leave facilities for certain categories. Now the question of wage revision in the Cement Industry is before the Wage Board appointed by the Government of India and they are going to finalise their decisions shortly.

Now to our surprise the Management changed their attitude and suddenly retrenched 314 workers with effect

from 16th and 18th March 1959. This is aimed at undoing the effects of the recent Agreement and the expected decisions of the Wage Board. Regarding this large scale retrenchment, the Management did not care to inform or discuss with the Union and retrenched the first batch of 243 workers. When the Union requested the Management to reconsider the matter, they came out with a further retrenchment of 71 permanent workers who have put in service upto 16 years, and provoked the workers for the strike. The workers having no other alternative commenced the strike from the midnight of 19th March 1959.

The Management while effecting this retrenchment violated the decisions of the 15th Indian Labour Conference. According to these decisions the Management had to discuss with the Union about this problem which they never did. Similarly not even a single worker should be retrenched even if Rationalisation is introduced in any Industry, but this Management retrenched 314, even without introducing any changes in the machinery etc. The Management again introduced Contract system in the Factory and at the Mines, violating the terms of the previous Agreement. In addition to all these things, the procedure laid down in the Industrial Disputes Act while retrenching workers is also violated. Reasons for retrenchment were not given, the seniority list was not put on Notice Boards 7 days before the date of retrenchment, and the principle 'last come first go' is not observed.

This industry is a Nation Building Industry, and in the Second Five Year Plan, it has a very important role to play. Further at a time when the Nation is said to be progressing towards Socialism, and when the Second Five Year Plan is aimed at industrialisation and reduction of unemployment in the country, the action of the Management is a violation of the aspirations of the whole Nation; and the 1,300 workers including Staff, excepting the Manager and Engineers of this Industry are left with no alternative except fighting against the policies of this Management. The strike is very peaceful and is going on even without picketing.

Therefore we appeal to one and all who are interested in the development of our Nation on the lines indicated in the Second Five Year Plan and, the various statutes made in the interest of the Industries and Labour and the various Tripartite Agreements, to support our cause and help us in all possible ways.

(S.V. SUBBA RAJU)
GENERAL SECRETARY.

ఆంధ్ర సిమెంటు కంపెనీ ఎంప్లాయిస్ యూనియన్

స్థాపనం : 1942 - రిజిస్టర్డ్ నెం. 208.

(ఆంధ్ర చారిత్రాత్మక యూనియన్ వ్యవస్థాపన, ఆంధ్ర చారిత్రక సిమెంటు వర్కర్స్ ఫెడరేషన్ కి అనుబంధించబడినది)

అధ్యక్షులు :
కె. వి. ఎ. సరపంచారాజు.
ప్రధాన కార్యదర్శి :
యస్. ఏ. సుబ్బారాజు.

28 MAR 1959

కేవలం కేవలం.
బరింగ్ హాంపేట పోస్టు,
విజయవాడ.

26.3.59
The General Secretary,

At the office of the
New Delhi

Shri. Chinn - Brothers Cement Company, Employees

I have always informed you about the affairs of the company. The Brothers Cement Company is a public limited company and its shares are listed in the stock exchange. It is a very big company and its shares are very valuable. I have always informed you about the affairs of the company and its shares.

I have always informed you about the affairs of the company and its shares. I have always informed you about the affairs of the company and its shares. I have always informed you about the affairs of the company and its shares. I have always informed you about the affairs of the company and its shares.

Yours faithfully,
For AJJINDA CEMENT CO. EMPLOYEES' UNION
S. V. Subbaraj
General Secretary.



28 MAR 1959

Government of India.
Ministry of Labour and Employment.

28 MAR 1959

No. LR-IV-28(12)/59. Dated New Delhi, the March, 1959.

From

Shri S.S.Sahasranaman,
Section Officer.

To

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

Subject:- Retrenchment of workers - Four Berth
Construction site-Port of Cochin.

.....

Sir,

I am directed to acknowledge the receipt
of your letter, dated the 19th March, 1959, addressed
to the Union Labour Minister, on the subject mentioned
above.

Yours faithfully,

S. S. Sahasranaman
(S.S.Sahasranaman)
Section Officer.

D.O.No. 172-A/AC/59

March 30, 1959

Dear Shri Nanda,

As you are perhaps aware, the 1300 workers of the Andhra Cement Co., Vijayawada are on strike from the midnight of the 19th March. The only issue involved in the strike is the unilateral decision of the management to retrench 314 workers, without even observing the provisions of the law, let alone advancing any cogent reasons.

The union in the establishment, the Andhra Cement Company Employees Union is our affiliate and is recognised by the management. In this case however despite the existence of a representative union, recognised by the employers, the management of the company did not think it fit to negotiate with the union before they took the drastic step of retrenching over 300 workers. What has been indeed more provocative is the fact that when the union protested at the earlier decision to retrench 243 workers, and asked for a negotiated settlement, the management announced the retrenchment of another 71 permanent workers forthwith, i.e., on March 18.

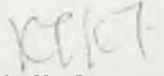
The AITUC would like to stress in this connection that our affiliate made utmost efforts to ensure the strict observance of the Code of Discipline by the parties concerned. But we cannot but express our disgust at the scant regard the employers entertain for the Code, when they take to such extremely provocative, unilateral actions affecting the lives of hundreds of workers.

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- 2 -

I hope you will inquire into this case
and do the needful.

Yours sincerely,


(K.T.K. Tangamani), M.P.
Secretary

Shri G.L.Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi.

30 MAR 1959

No.MI-5(1)/59-Part.
Government of India
Ministry of Labour & Employment

...

From

Shri P.N. Sharma,
Under Secretary to the Government of India

To

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

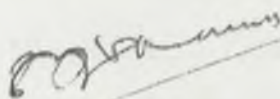
28 MAR 1959

New Delhi, the 26th March, 1959.

Dear Sir,

I am directed to acknowledge ^{the} receipt of your letter No.172(ACC)/59 dated the 19th March 1959, to the Minister for Labour and Employment and to say that the matter is receiving attention.

Yours faithfully,



(P.N. Sharma)
Under Secretary.

172

31st March, 1959

Shri Gulzarilal Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi

Sub: Strike in Braiburu mines and
Bichaikar Mines, Barajanda

Dear Sir,

It is reported to us by our affiliate, Mines Mandoor Union, Barajanda, that about 600 workers in the above mines are on strike from March 19, all attempts to reach a negotiated settlement having failed.

The notice of strike was issued by the union on March 2 but the Conciliation Officer (Central) at Jharsuguda refused to start any conciliation proceedings on the ground that the union has not been "registered". Incidentally, this union is one of those whose registration has been delayed for years by the Bihar Government, about which the AITUC had approached your Ministry earlier. If the conciliation officers of the Central Government are to behave in this manner, not to speak of the discriminatory policies of the Bihar Government against the AITUC this cannot but create a very serious situation.

We are also informed that far from moving in the direction of a negotiated settlement, the authorities are arresting the leaders of the union and the police force has been deployed widely with a view to crush the strike.

The strike has posed two important points of more than local interest. Firstly, the refusal of the officials of the Central Labour relations machinery to intervene, on purely legalistic grounds, would amount to violation of the spirit of the Code of Discipline, the prime objective of which is to maintain industrial peace. Secondly, the policy of

- 2 -

the Bihar Government which denies even registration to AITUC unions, as the present instance fully illustrates, would lead to even more explosive situations.

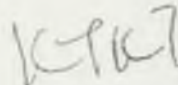
The AITUC also wishes to state in this regard that our affiliate which called the strike has extended its utmost to fulfil all its obligations under the Code of Discipline and that only after all avenues of settlement were denied to them that the strike action was decided upon.

A copy of the statement of demands submitted by the union is enclosed for your reference.

I hope you will ~~investigate~~ ^{look into} the matter and take necessary steps to bring about an amicable settlement.

Thanking you,

Yours faithfully,



(K.T.K. Tangamani, MP)
SECRETARY

Encl: 1

MINE MAZDOOR UNION, BARAJAMDA.

Statement of Demands

- 1) 12% profit Sharing Bonus for the years 1955-56-57-58.
- 2) 25% Increment of Wages to all category of workers.
- 3) Payment of D.A. from the years 55 to 58.
- 4) Issue Cheap Rate Rice to the Dependants of the workers.
- 5) Payment of one day leave as Local Holiday for the years 55 to 58
- 6) (a) Payment of Rice which is due to those who were on leave under M.B.Act for the year 58.
(b) Payment of two weeks wages to Dresser and Peeking and two weeks Rice to all for the period of W/E 22-3-58 and 29-3-58
- 7) Re-appointment of Illegally Discharged workers Mangal Singh, Landu Gope, Bharat Ghansham.
- 8) Arrangement of Canteen, improve the Baraiburu Creche facilities and a Creche at Tatiba as well as at Quarry side.
- 9) Arrangements to Puckka Quarters with a Baranda for the workers. Arrangements of Drinking Water, Urinals and a sufficient number of Latrines separately for Males and Females at Labour Camp and Quarry side.
- 10) Arrangement of a Hospital provided with a trained Doctor and a trained Nurse.
- 11) Arrangement of a Primary School a Night School and a Radio Set at the Labour Camp.
- 12) Submit the Standing Order as per rule.
- 13) Recognising of the Mines Mazdoor Union, Barajamda.

Mine

MAZDOOR UNION

BARAJAMDA.

ident : Kedar Das. M. L. A.
President : N. K. Bose
" : Fredric Purty
General Secretary : Muneshwar Prasad
Secretary : P. L. Chatterjee
" : R. Sowla
Treasurer : Simon Topno

B. O. Bonda & Karanjia.
Singhbhum.
(Bihar.)

Ref. MMU/108/59

Date 195

ANNEXURE.

Statement of Demands.

- 1) 12% as profit Sharing Bonus for the years ~~1955~~ 1955-56-57-58.
- 2) 25% Increment of wages to all category of workers.
- 3) Payment of ~~wages~~ D.A. on from the years 55 to 58.
- 4) Issue Cheap Rate Rice to the Dependants of the workers.
- 5) Payment of one day leave as Local Holiday for the years 55 to 58.
- 6) Payment of Rice which is due to those who were on leave under M.D.A ct for year 58.
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- 8) Re-appointment of Illegal Discharged workers Mangal Singh, Tandu Gope, Bharat Ghanshyam.
- 9) Arrangements of Canteen, Increment of Baraiburu Creach from 20 to 50. And a Creach at Tatiba as well as at Quarry side.
- 10) Arrangement of Puckka Quarter with a Baranda for the workers. Arrangements of Drinking water, Urinals and a sufficient number of Latrines seperately for Male & Females at Labour Camp and Quarry side.
- 11) Arrangements of a Hospital provided with a trained Doctor and a trained Nurse
- 12) Arrangements of a Primarry School a Night School and a Radio Set at your Labour Camp.
- 13) Submitt the Standing Order as per rule.
- 14) Recognising of the Mines Mazdoor Union, Barajamda.


GENERAL SECRETARY.

3 - APR 1959



172

796MD 9
PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

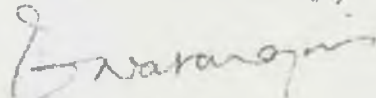
New Delhi, the April, 1, 1959.
2.

Shri K.T.K. Langamani, M.P.,
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dear Sir,

I am desired to acknowledge the receipt of your letter No. 172-A/AC/59, dated the 30th March, 1959, to Shri G.N. Sarda, Union Minister for Labour, Employment & Planning.

Yours faithfully,


(V. Natarajan)
P.A. to L.H.

7 APR 1959

No. APS/Lt. 84(101)/59



172

PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

New Delhi, the April, 6, 1959

Shri K.T.K. Tangamani, MP.
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dear Sir,

Sub:-Strike in Braiburu mines
and Bichaikar Mines,
Barajamda.

I am desired to acknowledge the
receipt of your letter dated the 31st
March, 1959, to Shri G.L. Nanda, Union
Minister for Labour, Employment &
Planning, along with its enclosure.

Yours faithfully,

D. Krishna.

for Asstt. Private Secy.

No. AFS/LM/... 82(m) 8

- 7 APR 1959



172

PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

New Delhi, on April, 6, 1959.

Shri K.T.K.Tangamani, M.P.,
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dear Sir,

I am desired to acknowledge the receipt of your letter dated the 31st March, 1959, to Shri G.L.Nanda, Union Minister, for Labour, Employment & Planning.

Yours faithfully,

Prishu

for Asstt. Private Secy.

श्रीमान् मैनजर साहब,

दी एडवर्ड मिल्स लिमिटेड ब्यावर
दी कृष्ण मिल्स लिमिटेड ब्यावर
दी महालक्ष्मी मिल्स कम्पनी लि० ब्यावर

:: विषय-सांग पत्र ::

प्रिय महाशयजी !

पिछले कुछ समय से तीनों मिलों में मजदूरों के साथ अन्ध-धुन्ध जुलम मिल मालिक अधिकारियों द्वारा करा रहे हैं। ता० २३-५८ को हमारे युनियन द्वारा रखी गई मांगों पर जिस पर भूख हड़ताल हुई थी मालिकों ने आपसी बातचीत से समझौता करने का आश्वासन दिया था परन्तु मजदूरों के दबाव में जो बातचीत से निपटाने का तय किया था मौका पाने ही वह उससे मुकर गये और बातचीत तोड़ दी। संघर्ष के दौरान में यह तय हुआ था कि बातचीत के दौरान में कोई परिवर्तन मालिक खातों में नहीं करेंगे परन्तु मालिकों ने उस बात को तोड़ दी। खास तौर से कृष्णा मिल्स ने बातचीत तोड़कर एक तरफा काम बढ़ व मजदूरों को संख्या में कमी करने का कार्य बराबर किया है इस तरह के परिवर्तनों से नित प्रति-दिन भगड़े व विवाद पैदा होते-रहे हैं।

दुमरी तरफ महंगाई तेजी से बढ़ रहा है और महंगाई भत्ता सन् १९५२ के बाद अभी तक नहीं बढ़ाया गया है।

हमारी युनियन ने इस बात का प्रयत्न किया कि सारे विवादास्पद प्रश्न आपसी बातचीत व समझौते से तय हो जाय परन्तु मिल मालिकों ने एक तरफा परिवर्तन करके मजदूरों को आपस में लड़ाने व उनकी उचित मांगों को टालने की नीति अपनाई व बातचीत तोड़ दी।

इस तरह मालिकों ने त्रिदली अनुशासन सहित व भूख हड़ताल संघर्ष के समय दिये आश्वासनों को तोड़ा है और हमारी युनियन को मजबूर किया है कि वह निम्न मांगों को पूरा करवाने के लिये सोच व सामुहिक कार्रवाही करे। इस कार्रवाही में धरना, भूख हड़ताल, हड़ताल, और सत्याग्रह भी शामिल हैं।

:: मांगें ::

मांग नं० १—उद्योग की मिला में कार्य व तनखाहों का उचित स्टैन्डर्ड तय हो और जो कार्यभार सन् १९५२ के नोटिफिकेशन के समय था और जिसमें मालिकों ने व खास तौर से कृष्णमिल्स ने एक तरफा परिवर्तन करके कार्यभार बढ़ाया है उसे रद्द किया जाय और अब तक बढ़ा हुआ कार्य करने का सम्बन्धित मजदूरों को उचित मुआवजा दिया जाय।

मांग नं० २—ठेके के कारीगरों को फ्लैट रेंट्स फिर से तय की जाय इस सम्बन्ध में साथ लगे अनुसूचि जो अग्रेजी में है को देखिये, और १९५२ के नोटिफिकेशन के बाद लागू की गई पौम रेंट्स से जो नुकसान ठेके के मजदूरों को पूर्व को औसत पगारों में हुआ है-उसकी भर पाई की जाय।

मांग नं० ३—महंगाई भत्ता, बढ़ाया जाय और बढी महंगाई की पूरी भरपाई करने अनुसार महंगाई भत्ता दिया जाय।

मांग नं० ४—सन् १९५७ व १९५८ का उचित बोनस तीनों मिलों के श्रमिकों को बिना शर्त दिया जाय।

मांग नं० ५—“छूटनी करना ले आफ करना” मशीने बन्द करना व कारीगरों के खाते व कार्य बदलना रोक जाय और ता० १-४-५६ से कृष्णमिल्स द्वारा २३१ के करीब आदमियों को छूटनी करने का नोटिस जो लगाया गया है वो वापिस लिया जाय। तथा एडवर्ड मिल ने जो ता० २-४-५९ को धारा ६ (A) का नोटिस दिया है वह भी वापिस लिया जाय।

मांग नं० ६—अजमेर राज्य द्वारा घोषित बदली नियमों को लागू किया जाय उनके मत-भेदों को निपटाने के लिये मजदूरों व मालिकों के बराबर प्रतिनिधियों की कमेटी (बदली कमेटी) बनाई जावे जिसमें मजदूरों के प्रतिनिधि चुने हुये हों।

हम यह स्पष्ट करना चाहते हैं कि मनेजमेन्ट ने शीघ्र हो इन मांगों का उचित फैसला ७ दिन के अन्दर आपको नोटिस मिलने को नहीं किया तो उन्हें पूरा करवाने के लिये सीधी कार्रवाही करनी पड़ेगी जिसकी ज़ुम्मेवारी आप पर होगी।

साथ में हम आपको यह भा स्पष्ट बता देना चाहते हैं कि अगर आपने इस दौरान में कार्यभार बढ़ाने किमी खाते में कारीगर कम करने या छूटनी आदि कराने का कार्य किया तो मजदूर उसे नहीं मानेंगे और उसका विरोध करेंगे।

:: धन्यवाद ::

वास्तो टेक्सटाइल लेबर युनियन

दिनांक 3-8-51

प्रतिनिधि—माननीय श्रममंत्रीजी राजस्थान सरकार जयपुर

(२) श्रीमान् श्रम आयुक्त जयपुर

(३) श्रम सचिव राजस्थान सरकार जयपुर

(४) श्रीमान् श्रम अधिकारी एवं कॉन्सलियेशन अधिकारी अजमेर

(५) श्रीमान् श्रम निरक्षक एवं कॉन्सलियेशन अधिकारी ब्यावर

(६) श्रीमान् कलेक्टर साहब अजमेर

(७) श्रीमान् S.D.O. साहब ब्यावर

(८) श्रीमान् सुपरिन्टेन्डेन्ट ऑफ पुलिस ब्यावर

सैक्रेट्री

RAJASTHAN TRADE UNION CONGRESS

राजस्थान ट्रेड यूनियन कांग्रेस, ब्यावर (राजस्थान)

(Provincial Committee of A. I. T. U. C.)

PRESIDENT :
Swami Kumarand.

SECRETARY:
Keshri Mal
Municipal Commissioner.



BEAWAR (Raj)

Dated... 5-8-41 19

श्री. K. G. श्रीवास्तव

43
पत्र

A. I. T. U. C. नई दिल्ली

प्रिय साथी

आपका पत्र मिला उसके लिए धन्यवाद, हमारे यहाँ बुधवार मिन 239
आर.मि.सी.सी. 22.11.40 का 226. के मातहत 1 महीने करना चाहते हैं इसके लिए
उन्होंने नोटिस-आमि.सी.सी. दे दिये हैं और जे. ए. भी लगा दिये हैं।

एडवोकेट मिलने पर ए. ए. के मातहत मारी क्वी. ए. के दस्तावेज नोटिस
दिवा है सबिस-जे. ए. करत का जवाब दिया है।

ब्यावर के तीनो मिलों के ओर आमि.सी.सी. दे नीच 1.2.41 के मातहत उद्देश
-14 है। जो मिलों में से एक लॉक आउट सिविल डिस्टेंस इसकी वजह पर ए. ए. करत
हमने बुधवार को लॉक आउट तीनो मिलों को नोटिस दिवा है कि ए. ए. करत
की पूरा किया जाय नहीं तो ए. ए. करत को नोटिस दिवा है।

ए. ए. करत को नोटिस दिवा है कि ए. ए. करत को नोटिस दिवा है।

आमी राजस्थान सरकारने लॉक आउट मारी क्वी. ए. के नोटिस दिवा है
इसकी वजह पर ए. ए. करत को नोटिस दिवा है।

E. 2. 1. के नीचे ए. ए. करत को नोटिस दिवा है।

ए. ए. करत को नोटिस दिवा है कि ए. ए. करत को नोटिस दिवा है।

आपके द्वारा ए. ए. करत को नोटिस दिवा है।

आपके द्वारा ए. ए. करत को नोटिस दिवा है।

आमी यूनियनों को ए. ए. करत को नोटिस दिवा है।

आपका साथी
K. G. श्रीवास्तव

T.B.VITTAL RAO,

2 Windsor Place,
New Delhi

173
April 14, 1959

Shri G.L.Manda,
Minister for Labour & Employment,
Government of India,
New Delhi.

Sub: Increasing number of accidents
in Stone Quarries of Associated Stone
Industries, Ranganjmandi, and other companies.

Dear Sir,

The Stone Quarries Labour Union, Ranganjmandi, Rajasthan had brought the attention of the Labour Ministry to the increasing number of accidents in the stone quarries of Ranganjmandi. From December onwards only, as a result of these accidents six workers were killed and many others seriously wounded.

This has created a tense situation in the mines area and it is reported that the local authorities, including the Regional Inspector, are not taking adequate steps to prevent the recurrence of these accidents. It is said that the employers do not have qualified mine managers or technicians and most of the accidents followed from faulty blasting.

I would also like to point out that in none of the above cases of accidents had there been any payment of compensation to the relatives of the dead or to those injured. Representations made to the Conciliation Officer (Central) have brought forth no results.

A thorough inquiry should be instituted into these cases immediately by the Ministry.

2. Despite the recommendations of the Industrial Committee on Mines other than Coal, the Minimum Wages Act has not yet been enforced in these quarries. Also, the union has reported that officials of the Labour Department do not pay proper attention to enforcement of the Mines Regulations, etc.

3. In order to bring the grievances of the workers before the public and the authorities, the Stone Quarries Labour Union, Ranganj Mandi (Kotah) recently decided that its General Secretary, Shri Amarlal Sharma should go on a hunger-strike from April 27. It is highly unfortunate that the workers are compelled to take to such a course of action.

I would therefore request you to kindly intervene in the matter in order to ensure that all the above instances of irregularities are rectified immediately.

Thanking you,

Yours faithfully,

(T.B.Vittal Rao)

112
April 15, 1959

Shri Gulzarilal Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi

Sub: Retrenchment of 231 workers of Krishna
Mills Ltd., Beawar - Rajasthan.

Dear Sir,

This is to bring to your notice that the management of Krishna Mills Ltd., Beawar, Rajasthan, have served retrenchment notices on 321 workers on March 31, 1959. The reasons given by the management for this retrenchment, i.e. rise in production cost: acute depression in coarse cloth, continued underselling of cloth produced by the mills, and the mills being run in losses since a long time are untenable for the following reasons:—

1. There seems to be no crisis in Beawar cloth market or in Beawar Textile Industry, since the other textile mills in Beawar are not facing the problem of accumulation of cloth. The plea taken by the management for retrenching the workers, that stocks have been accumulating with them is incomprehensible. The stocks have been accumulating not because of any general crisis in the cloth market or the textile industry in Beawar but because of mismanagement and other irregularities.

2. The management of the mills sell cloth at a very low rate to their own agents and thus make double profits while showing loss to the mills due to underselling of cloth.

3. Even the purchases including that of cotton are made from their own agents at exorbitant rates with a consequent loss to the mills.

4. The management pays heavy salaries to its own men thus showing huge amounts as over head expenses.

All these factors are responsible for the so-called losses suffered by the management. The sole object of the management in retrenching the workers is to reduce their wage bill by increasing work load on the remaining workers.

These unfair labour practices not only constitute violation of the Code of Discipline but violation of the provisions of the Industrial Disputes Act as well, since the dispute between the workers of the three textile mills in Beawar and the management is pending before the Labour Tribunal.

In view of the above we request you to intervene in the matter and bring about a peaceful settlement by using your good offices.

Yours faithfully,

T. D. V.

(T.D.Vittal Rao)M.P.
for General Secretary.

20 APR 1959



101 APS/LM/Asst. (M) / 58
Asstt. PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

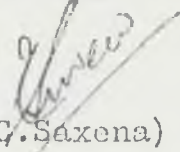
112
New Delhi, the April 18, 1959,

Shri T.B. Vittal Rao, M.P.,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dear Sir,

I acknowledge, with thanks,
the receipt of your letter dated the
15th April, 1959, addressed to Shri
G.L.Nanda, Union Minister for Labour,
Employment & Planning, who is at
present away on tour, re. retrenchment
of 231 workers of Krishna Mills Ltd.,
Beawar, Rajasthan.

Yours faithfully,


(J.C. Saxena)

D.O.No. LR-16(1)/59.

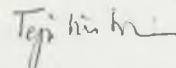
Government of India,
Ministry of Labour and Employment.

New Delhi, the 18th April, 1959.

Dear Shri Mirajkar,

I am desired to refer to the Memorandum circulated with this Ministry's letter No. LC-9(1)/59, dated the 14th April, 1959 to be discussed at the forthcoming meeting of the Indian Labour Conference and to say that quite frequently divergent views are expressed at the Conference by various parties and a decision has to be taken on the spur of the moment without full opportunity of examining the issues involved or alternatively the discussion has to be sufficiently prolonged to give the due thought to the problems. As the time at the disposal of the Conference is usually very limited, it is proposed to obviate both these eventualities by obtaining the tentative views of the parties to the Conference before hand and to examine them here with regard to the possibility of their acceptance or otherwise and also to circulate a summary of these views to the parties to the Conference before the Conference actually meets. I am therefore, to request that you may kindly formulate your views in the matter on all the items contained in the Memorandum on Industrial Relations and let us have a brief note containing the views which you are likely to express at the Conference. We shall be grateful if the same could be done before the 5th of May, 1959 so that we are left with sufficient time to examine the implications as also to summarise them for circulation before the meeting of the Conference.

Yours sincerely,



(Teja Singh Sahni)

Shri S.S. Mirajkar,
President, All India Trade Union Congress,
4, Ashok Road, New Delhi.



111(M.P) 9.
Asstt. PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

New Delhi, the April, 20, 1959

172

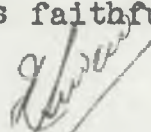
Dr. Raj Bahadur Gaur, M.P.,
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dear Sir,

Sub:- Irregularities in the imple-
mentation of the Coal Award by
the National Coal Develop-
ment Corporation at Bhurkhunda
Colliery.

I am desired to acknowledge the
receipt of your letter dated the 17th
April, 1959, to Shri G.L.Nanda, Union
Minister for Labour, Employment &
Planning, along with its enclosure,
on the above subject.

Yours faithfully,


(J.C. Saxena)

To

Honourable Shri G.L.Nanda,
Minister for Labour,
Government of India
New Delhi

Sub: Central Wage Board for Sugar Industry inclusion
of sugar cane plantation workers of the sugar
companies

Respected Sir,

During the course of the proceedings, before the Central Wage Board for the Sugar Industry in Bombay on 2nd, 3rd and 4th April 1959, the Board was pleased to make it clear that sugar cane plantation workers of the sugar companies are not covered by the present inquiry. In this respect we have to place before you the following for your earnest and immediate consideration.

So far there is always parity in Wage Level, bonuses, retirement benefits and other service conditions of Factory and Farm Labour and this decision of the Government is a departure from this traditional parity, as far as industry in Bombay State is concerned. It will also create an unnatural and artificial barriers and division in factory and farm workers. Needless to state that the conditions of farm labour of these sugar factories are on higher level than the surrounding agricultural workers. To that extent the disparity between agricultural workers of the sugar companies and the surrounding agricultural workers is already there.

As distinct from U.P. and Bihar Sugar Industry in Bombay State, the companies grow and cultivate their own cane. Over 90% of the cane supplies are from the companies farms. This is an admitted position and it is beyond dispute. This factor has played tremendous role in stabilizing and prospering this industry here. This is an integral part of the companies. It cannot be separated and detached.

The majority of the labour employed by the sugar companies is on plantation side, and if the same is left outside the scope of the Wage Board it would be improper and be source of unrest. Throughout in the past this plantation labour is treated on par with the factory labour by the companies themselves.

The Industrial Courts and Labour Appellate Tribunal have consistently refused to treat the labour of sugar companies on a different footing.

The following facts are note worthy in this respect:

1. The wage level of the factory and plantation labour was on par.
2. This parity is confirmed by the Labour Appellate Tribunal Award.
3. The sugar cane plantation labour of the sugar companies is covered by the standing orders, awards and agreements.
4. The workers get bonuses on par with factory workers.
5. The Bombay Industrial Tribunal

6. The Balance-sheets of the companies are common for factory and farms.
7. These workers have been awarded Provident Fund by the awards of Industrial Courts.
8. These workers have been awarded gratuity scheme.
9. The payment of wages Act (iv of 1936) has been amended by the Bombay Government to enable it to make that Act applicable.
10. Under these enabling powers the Bombay Government has made that Act applicable to the sugar-cane plantation workers of the sugar companies.
11. The leave benefits are on par for both factory and farm labourers.
12. The most important factor is the sugar companies have accrued benefits from the possession of these farms, cultivation and growing of their own cane. They apply modern and scientific cultivation, organized supervision and control also play their role. They also get the benefit of absence of too many intermediaries in this transaction of supply of raw materials.

The following are the observations of the labour Appellate Tribunal on two different occasions. Both were the industry-wise disputes in this industry in this State.

1)".....The next point urged before us is that that distinctions should be made in fixing rates of wages between the factory worker and the farmer. The first note-worthy point in this connection is that no distinction is made at present by the sugar factories in the payment of wages between these classes of employees. Had there been any real distinction between these two classes of workers there would have been a decrease in their existing wages. The second point is that the Government of Bombay has issued a notification under Section 11(2) of the Bombay Industrial Relations Act, 1946, recognizing certain sections of the undertakings in the sugar industry as occupations for the purposes of Act. That notification divides the occupations broadly into two sections-the factory section and agriculture section. The occupations in the agriculture sections are following:

- F Tractors (operation and mechanics)
 - Blacksmiths
 - Carpenters
 - Cleaners
 - Drivers
 - Firemen
 - Fitters
 - Greese men
 - Mistries
 - Mechanics
 - Streermen
- G Mukadam
 - Supervisors
 - Bullockmen
 - Labourers working on the sugar cane fields.
- 1 General workers (agriculture)
 - Cane weighing boys
 - Cart drivers

It is easy to see from the above list that the factories carry on sugar cane cultivation is an organized and more or less in a mechanized system. The workers there have supervisors over them and cannot afford to work in a haphazard manner as the

been fixed by the Learned Lower Court is the rock-bottom figure from the same fact that they are engaged in agricultural operations. It does not follow that their minimum needs are less than those of the factory workers. Some of the workers engaged on the farm have to do mechanical work, i.e. those who are with lifting of water by mechanical means....Having regard to these considerations, we, see, no good reason to make any distinction in the matter of basic wage 'between a factory and a farm'. (Labour Law Journal Vol II 1954 page 345).

2. "The work in the case before us is mainly connected with the cultivation of sugar cane, i.e. the raw material for the industry which is being carried on by these companies. Shri Narayanswami urges that it is not necessary that the sugar companies should produce their own raw materials, and in fact they do not do so in other parts of India, for example in Bihar and U.P. Hence he urges the cultivation of sugar cane is not an ordinary part of the undertaking. . . . Here according to the accepted practice, the whole is ordinarily part of the undertaking. Hence the objection fails.

(B.G.G.Part I-L dated 13.9.56, at page 3293)

Under these circumstances it would be really harmful to exclude these plantation workers from the scope of the Wage Board inquiry.

We have, therefore, to request you to take necessary action to bring all the occupations and categories of work in the sugar companies in this State that are covered and recognized by the Bombay Industrial Relations Act, 1946. The portion of the Government notification in this respect is quoted above in the L.A.T.Award.

Expecting an immediate and favourable reply.

Yours faithfully,

Sd/- S.S.Patil, MIA,
President, Sakhar Kamgar Union,
Kolhapur (A regd. representative and
approved Union under BIR Act for the
local area of Karvir Taluka) AND
Panchaganga Sahakari Sakhar Karkhana
Kamgar Union, Ichalkaranji (A regd.
union under Indian Trade Union Act)

2. Shri P.D.Dighe, General Secretary,
Sakhar Kamgar Union, Kolhapur, AND
Warna Sahakari Sakhar Karkhana
Kamgar Union, Kodoli, (A registered
union under Indian Trade Union Act).
3. Shri Jeevanrao Sawant, President,
Warna Sahakari Sakhar Karkhana Kamgar
Union, Kodoli.
4. Sd/- M.S.Shete, General Secretary,
Panchaganga Sahakari Sakhar Karkhana
Kamgar Union, Ichalkaranji.

From:-

- i) Shri S.S.Patil,
M.L.A.,
President,
(1) Sakhar Kamgar Union, Kolhapur.

A Registered, Representative and Approved Union
under B.I.R. Act for the local area of Karvir
Taluka.

and

- (2) Panchaganga Sahakari Sakhar Karkhana Kamgar Union,
Ichalkaranji.

A Registered union under Indian Trade Unions Act.

- ii) Shri P.D.Dighe,
General Secretary,
Sakhar Kamgar Union, Kolhapur.

and

- (3) Warna Sahakari Sakhar Karkhana Kamgar Union,
Kodoli,

A Registered Union under Indian Trade Unions Act.

- iii) Shri Jeevanrao Sawant,
President,
Warna Sahakari Sakhar Karkhana Kamgar Union, Kodoli.

- iv) Shri M.S.Shete,
General Secretary,
Panchaganga Sahakari Sakhar Karkhana Kamgar Union,
Ichalkaranji.

To

Honourable Shri G.L.Nanda,
Minister for Labour,
Government of India,
New Delhi.

Sub:-Central Wage Board for Sugar Industry
inclusion of sugar cane plantation
workers of the sugar companies.

Respected Sir,

During the course of the proceedings, before the
Central Wage Board for the Sugar Industry in Bombay on 2nd,
3rd and 4th April 1959, the Board was pleased to make it
clear that sugar cane plantation workers of the sugar
companies are not covered by the present inquiry. In this
respect we have to place before you the following for your
earnest and immediate consideration.

So far there is always parity in Wage Level, bonuses,
retirement benefits and other service conditions of Factory
and Farm labour and this decision of the Government is a
departure from this traditional parity, as far as industry

in Bombay State is concerned. It will also create an unnatural and artificial barriers and division in factory and farm workers. Needless to state that the conditions of farm labour of these sugar factories are on higher level than the surrounding agricultural workers. To that extent the disparity between agricultural workers of the sugar companies and the surrounding agricultural workers is already there.

As distinct from U.P. and Bihar Sugar Industry in Bombay State, the companies grow and cultivate their own cane. Over 90% of the cane supplies are from the companies farms. This is an admitted position and it is beyond dispute. This factor has played tremendous role in stabilizing and prospering this industry here. This is an integral part of the companies. It cannot be separated and detached.

The majority of the labour employed by the sugar companies is on plantation side, and if the same is left outside the scope of the Wage Board it would be improper and be source of unrest. Throughout in the past this plantation labour is treated on par with the factory labour by the companies themselves.

The Industrial Courts and Labour Appellate Tribunal have consistantly refused to treat the labour of sugar companies on a different footing.

The following facts are noteworthy in this respects:

- 1) The wage level of the factory and plantation labour was on par.
- 2) This parity is confirmed by the Labour Appellate Tribunal Award.
- 3) The sugar cane plantation labour of the sugar companies is covered by the standing orders, awards and agreements.
- 4) The workers get bonuses on par with factory workers.
- 5) The Bombay Industrial Relations Act, 1946 recognises these plantations-fields is part and parcel of the companies.
- 6) The Balance-sheets of the companies are common for factory and farms.
- 7) These workers have been awarded Provident Fund by the awards of Industrial Courts.
- 8) These workers have been awarded gratuity scheme.
- 9) The payment of wages Act (iv of 1936) has been amended by the Bombay Government to enable it to make that Act applicable.
- 10) Under these enabling powers the Bombay Government has made that Act applicable to the sugar-cane plantation workers of the sugar companies.
- 11) The leave benefits are on par for both factory and farm labourers.

- 12) The most important factor is the sugar companies have accrued benefits from the possession of these farms, cultivation and growing of their own cane. They apply modern and scientific techniques. Along with mechanised and scientific cultivation, organised supervision and control also play their role. They also get the benefit of absence of too many intermediaries in this transaction of supply of raw materials.

The following are the observations of the Labour Appellate Tribunal on two different occasions. Both were the industrywise disputes in this industry in this State.

1) ".....The next point urged before us is that that distinctions should be made in fixing rates of wages between the factory worker and the farmer. The first noteworthy point in this connection is that no distinction is made at present by the sugar factories in the payment of wages between these classes of employees. Had there been any real distinction between these two classes of workers there would have been a decrease in their existing wages. The second point is that the Government of Bombay has issued a notification under Section 11 (2) of the Bombay Industrial Relations Act, 1946, recognising certain sections of the undertaking in the sugar industry as occupations for the purposes of Act. That notification divides the occupations broadly into two sections-the factory section and agriculture section. The occupations in the agriculture section are following---

- F Tractors (operation and mechanics)
- Blacksmiths
- Carpenters
- Cleaners
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- Fitters
- Greasesmen
- Mistries
- Mechanics
- Streermen
- G Mukadam
- Supervisors
- Bullockmen
- Labourers working on the sugar cane fields.
- 1 General workers (agriculture)
- Cane weighing boys
- Cart drivers.

It is easy to see from the above list that the factories carry on sugar cane cultivation in an organised and more or less in a mechanised system. The workers there have supervisors over them and cannot afford to work in a leisurely manner as they can when working under ordinary landlords. Moreover the rate that has been fixed by the Learned Lower Court is the rock-bottom figure from the same fact that they are engaged in agricultural operations. It does not follow that their minimum needs are less than those of the factory workers. Some of the workers engaged on the farm have to do mechanical work, i.e. those who are engaged in tractor operations or in operations connected with lifting of water by mechanical means...Having regard to these considerations, we see, no good reason to make any distinction in the matter of basic wage 'between a factory and a farm.' (Labour Law Journal Vol.II 1954 page 345).

2 " The work.....in the case before us is mainly connected with the cultivation of sugar cane, i.e. the raw material for the industry which is being carried on by these companies. Shri Narayanswamy urges that it is not necessary that the sugar companies should produce their own raw materials, and in fact they do not do so in other parts of India, for example in Bihar and U.P. Hence he urges the cultivation of sugar cane is not an ordinary part of the undertaking.....Here according to the accepted practice, the whole is ordinarily part of the undertaking. Hence the objection fails.

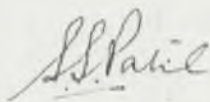
(B.G.G.Part I-L dated 13-9-56, at page 3293).

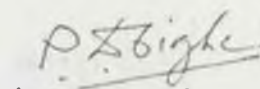
Under these circumstances it would be really harmful to exclude these plantation workers from the scope of the Wage Board inquiry.

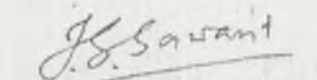
We have, therefore, to request you to take necessary action to bring all the occupations and categories of work in the sugar companies in this State that are covered and recognised by the Bombay Industrial Relations Act, 1946. The portion of the Government notification in this respect is quoted above in the L.A.T.Award.


Expecting an immediate and favourable reply,

Yours faithfully,


(S.S.Patil)


(P.D.Dighe)


(Jeevanrao Sawant)


(M.S.alias Nana Shete)

P.S. A copy of our replies is sent by separate post for your Honour's perusal.

22 APR 1959

From: The President and General Secretaries,
Sakhar Kamgar Union, Kolhapur,
Panchaganga Sahakari Sakhar Karkhana Kamgar Union,
Ichalkaranji, Dist. Kolhapur,
Warna Sahakari Sakhar Karkhana Kamgar Union,
Kodoli, Dist. Kolhapur.
1881'D', Shaniwar, Kolhapur.

To

Com. S.A. Dange,
M.P.,
General Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Sub-Central Wage Board for Sugar
Industry..Inclusion of Farm
workers in the present inquiry
of the Wage Board.

Dear Comrade,

We have attached herewith a copy of our representation
to the Union Labour Ministry on an important and urgent
issue.

We have to request you to take up the issue with
the Labour Ministry. The solution of the issue will be
of immense help to the cause of democratic movement in
general and of the sugar workers in the South- especially
Bombay State, in particular.

With greetings,

Yours faithfully,

S.S. Patil

(S.S. Patil),
M.L.A.

President, Sakhar Kamgar Union,
Kolhapur, Panchaganga Sahakari
Sakhar Karkhana Kamgar Union,
Ichalkaranji.

P.D. Dighe

(P.D. Dighe)

General Secretary, Sakhar Kamgar
Union, Kolhapur, Warna Sahakari
Sakhar Karkhana Kamgar Union,
Kodoli.

J.S. Sawant

(Jeevanrao Sawant)

D.L.B. Member,
President, Warna Sahakari Sakhar
Karkhana Kamgar Union, Kodoli.

M.S. Shete

(M.S. alias Nana Shete)

D.L.B. Member,
General Secretary, Panchaganga
Sahakari Sakhar Karkhana Kamgar
Union, Ichalkaranji.

Cable : "AITUCONG"

T. U. LAW BUREAU:
R. L. TRUST BUILDING,
53, GIRGAON ROAD,
BOMBAY 4 (INDIA)

अखिल भारतीय ट्रेड यूनियन काँग्रेस
ALL-INDIA TRADE UNION CONGRESS

Telephones : 48771
13414

4, ASHOK ROAD,
NEW DELHI.

President : S. S. MIRAJKAR.
General Secretary : S. A. DANGE, M.P.

No.172/IL/59
April 22, 1959

(172)

Shri G.L.Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi.

Sub: 17th Indian Labour Conference

Dear Sir,

We have received a communication from Shri Teja Singh Sahni, your Deputy Secretary (D.O.No. LR-16(1)/59 dated 18/19 April 1959) proposing that we should give our views on the agenda before the Indian Labour Conference well in advance of the actual meeting so as to enable decisions being taken which, many a time, are shelved because of want of time. We approve of the suggestion as it would help quicker consideration of the important points coming up before such conferences.

At the same time, we must point out that this prior expression of views is possible only if the agenda is available long before the conference meets and the memoranda on the subject are circulated to the organisations sufficiently in advance of the meeting dates. That alone would enable us to consult our constituent organisations on such points as may require consultation.

It may also be pointed out that the views expressed in advance of the conference sometimes are likely to get modified after hearing the discussion and hence advance formulation of views should not rule out a full discussion at the conference table itself.

We shall be forwarding our views on the memorandum on industrial relations before 5th of May as suggested by you.

.....page two

Cable : "AITUCONG"

T. O. LAW BUREAU:
R. L. TRUST BUILDING,
55, GIRGAON ROAD,
BOMBAY 4 (INDIA)

अखिल भारतीय ट्रेड यूनियन काँग्रेस
ALL-INDIA TRADE UNION CONGRESS

Telephones : 48771
43414

4, ASHOK ROAD,
NEW DELHI.

President : S. S. MIHAJKAR.
General Secretary : S. A. DANGE, M.P.

page two

May we also point out that while fixing the date of the conference in the last week of May, we would prefer to have the conference finished before 27th of May as our President and myself have engagements in Bombay on 28th May and onwards which cannot now be postponed to a later date.

Yours faithfully,

(S.A.DANGE)
General Secretary



122 (mp) 9.
Asstt. PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

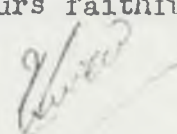
New Delhi, the April, 23, 1959.

Shri S.A.Dange, M.P.,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dear Sir,

I am desired to acknowledge the receipt of your d.o.no.172/BS/59, dated the 22nd April, 1959, to Shri G.L.Nanda, Union Minister for Labour, Employment & Planning, along with its enclosure.

Yours faithfully,


(J.C.Saxena)

20 APR 1959



B.N.Datar,
Labour & Employment Adviser.

D.O.No.E&P.25(5)58

Telegram
"LABOUR"

MINISTRY OF
LABOUR AND EMPLOYMENT.

New Delhi, the 23 APR 1959

Dear Shri Tangamani,

You might recollect that at the meeting of the Sub-Committee on Workers Participation in Management and Discipline in Industry held on the 19th September, 1958, it was decided to maintain a list of Panel of Experts, whose good offices should be used by the Govt. to settle differences if any in the working of Joint Councils. We accordingly requested your union to send us the names of 3 Experts so that a list may be maintained by this Ministry and circulated to participating units in case of need- vide this Ministry's letter No.E&P.25(5)58. dated the 3rd November, 1958. Thereafter we reminded your union on the 15th December, 1958, 20th January, 5th February, and 26th February, 1959, but we have not so far received the names of the Experts from your side.

We shall feel grateful if early action is taken to send the names of three Experts so that action may be taken by us to draw up the required list.

Yours sincerely,

(B.N.Datar)

Shri K.T.K.Tangamani,
Secretary,
All-India Trade Union Congress,
4 Asoka Road, New Delhi.

1. Ratan Lal
2. M.T.K.
3. ~~Asoka Road~~ G. Srinivasan

No. IRIV.13(1)/58.
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT.

From

Shri Teja Singh Sahni,
Deputy Secretary to the Government of India.

To

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

Dated New Delh , the

27 APR 1959

Sir,

Kindly refer to the correspondence resting with the Labour Minister's letter No. LM/3303, dated the 14th May 1958, regarding the proposed discussion on the demands of the cashew workers' union, Mangalore, with the Labour Minister, Mysore State, at Nainital during the Labour Ministers' Conference

The proposed discussion, however, could not take place as the Labour Minister, Mysore State, did not attend the Labour Ministers' Conference at Nainital. I am to forward herewith a note indicating the latest position in respect of the demands of the cashew workers as intimated by the State Government.

Yours faithfully,

K.S.
D.A.REFD.TO
23.4.59

Teja Singh Sahni
27/4/59
(Teja Singh Sahni)
Deputy Secretary.

NOTE

The position in respect of the various demands made by the Cashewnut Workers' Union, Mangalore, in their resolution dated the 27th April 1958, is indicated below:-

1) Declaration of cashewnut factories as seasonal or non-seasonal.

A settlement has since been brought about between the management of M/S. Fernandes Bros., Cashew Factory, Mangalore, and the Cashewnut workers' Union, Mangalore, whereby an amount of Rs. 5/- per worker has been fixed as compensation in lieu of all past claims of workers from 1953 upto the end of 1958. A copy of the agreement signed between the parties is enclosed. The State Government now do not propose to take any action under Section 25-A(2) of the Industrial Disputes Act, 1947, to declare the Cashew Industries as seasonal or non-seasonal.

2) Enactment of the Maternity Benefit Bill.

The Mysore Maternity Bill has been framed by the State Government. The Central Government have also framed a Central Maternity Bill and propose to introduce it in Parliament during the current session. We have asked the State Government to withhold or suitably amend their bill. The State Government are examining this suggestion.

3) Inclusion of the cashewnut industries in the Schedule II of the Minimum Wages Act.

As regards the inclusion of "Cashewnut Industry" in the Schedule to the Minimum Wages Act, the State Government have intimated that a notification publishing draft amendment to ~~persons~~ the Schedule inviting objections and suggestions from the persons likely to be affected has already been issued on the 21st January, 1959, and the matter will be considered and finalised shortly.

Mines
MAZDOOR UNION

BARAJAMDA.

President : Kedar Dass. M. L. A.
Vice-President : N. K. Bose
" " : Fredric Purty
General Secretary : Muneshwar Prasad
Asst. Secretary : P. L. Chatterjee
" " : R. Sowla
Treasurer : Simon Topno

B. O. Bonda & Karanjia.
Singhbhum.
(Bihar.)

Barajamda

Ref. MEU/148/59

Date 7th May 59 195

To
The Deputy Labour Minister
Government of India,
New Delhi.
New Delhi.

Sub:- Strike in Baraiburu Mines Owned by M/s R.C. Pasari.

Dear Sir,

It is to draw your kind attention towards the above facts that there is a Strike in the above Mines, 300 workers of the said Mines have gone on Strike since 19th March 59. All the attempts to reach a negotiated settlement have failed. Many representations before the Conciliation Officer, R.L.C. and before the management had no success.

The Union on behalf of the workers is ready to make the settlement but the management with a view to crush the Strike is still far from any negotiation.

50 Days Old Strike with a complete peace fail to understand that why the Government machinery of this Dept. are not taking any step for a settlement?

The View of the management for the appointment of new hands cannot but create a serious situation in the way to keep Industrial peace.

In the last it should also not be out of mention that the Demands of the workers are very poor & acceptable one, but in a view to crush the workers yet it has not been settled by the management.

We, therefore may hope that you will immediately enquire into this matter and take necessary step to bring about amicable settlement thus the poor 300 workers can be free from this trouble.

Further, It has also been reported that the following named Strikers were died in these period. 1. Siropani 2. Mangra 3. Sumi w/o Mangra and 4th Gangi Kari. Still some are on bed due to fast.

Praying to treat it as urgent.

C.C. Secretary, A.I.T.W.U.C. New Delhi.

Yours faithfully

(Signature)
Asst. Secretary.

No.172/(271)/N/59

May 11, 1959

Shri N.Krishnamachari,
Section Officer,
Ministry of Labour & Employment,
New Delhi.

Sub: Meeting on 29th May to discuss
continuance of Coal Award.

Dear Sir,

We are in receipt of your No.IRII/4(12)59
dated May 9, 1959, intimating us that a meeting
under the Labour Minister's chairmanship will be
held on May 29 to discuss continuance of the Coal
Award.

2. Shri Kalyan Roy, General Secretary, Indian
Mine Workers' Federation (address: 47 European Asylum,
Calcutta) will represent our organisation at the
above meeting.

Yours faithfully,

Vmo
25/5
(K.G.Sriwastava)
Secretary

May 13, 1959

Shri R.C.Saksena,
Under Secretary to the Government of India,
Ministry of Labour and Employment,
New Delhi.

Sub:- Conference of Trade Unions of the
Asian and African Countries
proposed by SOHYO, Japan.

Dear Sir,

Reference:- Your letter No. L.C.II(21)/59
dated 12th May 1959.

We have always ^{started} the idea of a conference
of Trade Unions of Asian and African Countries
we have also informed the SOHYO ~~to~~ of our above views.

We note that our organisation will have to meet
the expenses of delegation to such a conference, if
convened.

Yours faithfully,

^{VMD}
^{MS-13}
(K.G.Sriwastava)
Secretary

14 MAY 1959

Dear Comrade.

The management of Bhurkunda colliery have posted a notice of retrenchment of one thousand labours from 1st June 1959. A great panick spread in this colliery regarding our Union. INTUC workers are spreading the cause of this retrenchment in another way. They are saying that the labours are in the influence of Red Flag and due to that they are going to be retrenched.

Management show that these labours are surplus in Bhurkunda colliery. Several collieries under N.C.D.C. have been opened in this localities and if these labours are surplus why the management do not observe them in these collieries. Now labours are being recruited for Gidi, Saunda, Chorgharha and Bayal but here the management are retrenching the labours. The distance of Saunda, Gidi, Chorgharha and Bayal collieries are not more than a mile from Bhurkunda colliery

In this respect meet immediately to Labour Minister and try to stop the retrenchment other wise our position will be very bad.

kindly send the reply very soon.

rest is O.K.

Yours sincerely

Mahendra Nath Bharati

Mahendra Nath Bharati
Secretary

Coal Workers Union
P.O. Bhurkunda
Dt. Hazaribagh. Bihar.

No.172/NC/59
May 15, 1959

IMMEDIATE

Shri Gulzarilal Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi

Sub: Threatened retrenchment of 1000 workers
in Bhurkhunda Colliery (N.C.D.C.)

Dear Sir,

Over one thousand workers in the Bhurkhunda colliery under the National Coal Development Corporation have been served with notice by the management that they would be retrenched from 1st June 1959. Such a large-scale retrenchment, if effected, would have serious repercussions.

The argument of the management that these workers are 'surplus' is unconvincing since the NCDC is having a programme of rapid expansion and such expansion work has been already taken in hand.

We would therefore request you to intervene in the matter and prevent the contemplated retrenchment, in the interest of industrial peace.

Thanking you,

Yours faithfully,

1000
May 15
(K.G. Sriwastava)
Secretary

16 MAY 1959

172

No. MI-5(1)59.
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT.

.....

From

*

Shri P. N. Sharma,
Under Secretary to the Government of India.

To

Shri Malaven Roy,
General Secretary,
Indian Mine Workers' Federation,
Camp: 4 Asoka Road,
New Delhi.

15 MAY 1959

Dated New Delhi, the

Dear Sir,

With reference to your letter dated the 6th April 1959, I am directed to say that the Mines Inspectorate which inquired into the accident at the Saunda Colliery on the 27th January 1959, has come to the conclusion that the accident was caused by the ignition of inflammable gas as a result of smoking. As there is no doubt about the facts, there is no need to set up a Court of Inquiry.

2. As regards the remaining points raised in your letter, a separate communication will follow.

Yours faithfully,

172
1959
172

(P. N. Sharma)
Under Secretary.

72
No.172/BJ/59
May 16, 1959

Shri Gulzarilal Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi.

Sub: Strike in Braiburu Mines and
Bichaikar Mines, Barajamda

Dear Sir,

It is a matter of deep regret that our letter of 31st March 1959 on the above strike has not as yet a reply from you: on the other hand, the strike which began on March 19, is still continuing.

We had pointed out in our earlier letter that the Conciliation Officer (Central) at Jharsuguda refused to start any conciliation proceedings on the ground that the union has not been "registered". The fault is not that of the union but of the Bihar Government which has withheld registration for nearly two years in respect of this union. We hope you will therefore direct the officers concerned not to stand on legalistic grounds but to help bring about an amicable settlement to the dispute.

Thanking you,

Yours faithfully,

VMS
20/5/59
(K.G. Sriwastava)
Secretary

172
May 16, 1959

To

Dr. Ranen Sen, MLA,
Calcutta

Com. N. K. Krishnan,
Coimbatore

Com. G. Sundaram,
Bombay

Dear Comrades,

The Labour Ministry is maintaining a list of Panel of experts, whose good offices should be used by the Government to settle differences when they arise in the Joint Councils of Management, as per the decision of the Sub-Committee on Workers' Participation in Management.

The AITUC is to send its three nominees for the above Panel of Experts. We have accordingly nominated you on the Panel.

With greetings,

Yours fraternally,

VMS
May 16

(K. G. Sriwastava)
Secretary



16 MAY 1959

No. APST/LM/L...4104...189
Asstt. PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

New Delhi, the 16 May, 1959

172

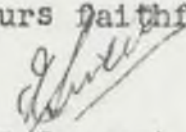
Shri K.G.Sriwastava,
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dear Sir,

Sub:- Threatened retrenchment of
1000 workers in Bhurkhunda
Colliery (N.C.D.C.)

I am desired to acknowledge the
receipt of your letter No.172/NC/59,
dated the 15th May, 1959, to Shri
G.L.Nanda, Union Minister for Labour,
Employment & Planning, on the above
subject.

Yours faithfully,


(J.C.Saxena)

15 MAY 1959

D.O.No. M-III.2(1)/59

MINISTER FOR LABOUR

New Delhi, the May, 16, 1959.

My dear *Shri Tangamani*

Kindly refer to your letter dated the 31st March 1959, regarding the medical facilities in the mines and labour colonies at MacLillan and Ajit Hills, Chiria (Bihar). The Mines Act does not provide for dispensary facilities. It has provision only for an ambulance room under rule 43 of the Mines Rules, 1955 and even the ambulance room facilities are open to the employees only and not to the dependants. Since the matter under reference is beyond the purview of the Mines Act, 1952, no action can be taken by the Department of Mines. A reply in the matter has already been sent to the General Secretary, United Mineral Workers Union, Gua, Bihar.

With kind regards

Yours sincerely,

G.L. Handa

(G.L. Handa)

Shri K.T.K. Tangamani, A.P.,
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
NEW DELHI.



4164 9
Asstt. PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

21 MAY 1959

New Delhi, the May, 19, 1959

20

172

Shri K.G.Sriwastava,
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dear Sir,

Sub:- Strike in Braiburu Mines
and Bichaikar Mines,
Barajamda.

I am desired to acknowledge the
receipt of your letter No.172/BJ/59,
dated the 16th May, 1959, to Shri
G.L.Nanda, Union Minister for Labour,
Employment & Planning, on the above
subject.

Yours faithfully,

J.C. Saxena

(J.C.Saxena)

470
172/BJ/59

No.172/SM/59
May 20, 1959

Shri G.L.Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi.

Sub: Mass dismissal of 261 workers in
Standard Motor Products of India
Ltd., Madras.

Dear Sir,

Our affiliate, the Auto-Engineering and Allied Industries Workers' Union, Tambaram, Madras, has already approached your Ministry in connection with the mass dismissals in the Standard Motor Products of India Ltd., Madras. Workers with 5 to 10 years' experience in the factory are the victims of these vindictive measures.

The unfair practices on the part of the management is particularly evident from the fact that of the 261 dismissed, the management agreed to re-employ 20 of them on condition that they will be treated as new employees and on lesser wages.

As you will admit, such a provocative and vindictive policy would not be conducive either in fostering peaceful industrial relations in the factory or in augmenting production in this unit, which has an important bearing on the Plan allocations for automobile manufacture.

We would therefore request that steps may be taken to bring about a satisfactory settlement of the dispute and for reinstatement of these experienced workmen who have been subjected to vindictive measures.

Thanking you,

Yours faithfully,

K.G.
(K.G.Sriwastava)
Secretary

No. 172/VP/59
May 21, 1959

Shri G.L.Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi.

Sub: Verification of Trade Union membership
- Meeting at New Delhi of 21st March, 1959
- conclusion reached at.

Dear Sir,

Ref: Ministry of Labour letter No.LC-13(2)/59
dated May 15, 1959.

I have just now received the minutes of the meeting which took place on 21st March 1959.

I am hurrying to send my remarks so that you are able to decide on it before leaving for Geneva. The verified lists are, I am told, almost ready and may not be held up for want of this clarification.

In the proceedings, at item 5, the procedure of verification has been curtailed.

During discussion on this point, which I may also point out was initiated without previous intimation to participants about any change in the verification procedure, certain opinions were expressed and my feeling is that the viewpoint that as this procedure has been adopted by the Indian Labour Conference, no change should be made, was accepted by the Committee. Specially, the deletion of the last sentence of para 6 of Labour Ministry letter No.LC-37(2)/58 dated 32.7.58, viz. "If considered necessary, steps to refer these disputes to an independent agency will be taken by the Ministry of Labour & Employment", is very important.

Vide Labour Ministry letter No.LC-37(2)/58 dated 5.3.59, this meeting was called to discuss only one point, viz., whether the verification under this procedure and purpose is for giving representations in the various committees, conference, etc., or for the purpose of recognition of individual unions. But during discussions, some more issues relevant and irrelevant were raised.

My feeling is that this meeting could take decisions on minor clarifications and re-adjustments but not change the procedure as such.

At the same time, the following two other clarifications decided upon by the meeting are not in the proceedings;

(i) Physical verification of membership in the factory will not be done in the presence of factory officials. This was announced by you on a representation of the Jamshedpur Mazdoor Union and this was agreed to by all. You rejected another part of the demand that physical verification should be done at places of workers' residence.

(ii) It was also agreed that those unions which have not sent annual returns to the Registrar of TUs but have not been de-registered should be taken into account in the verification and not scored out, as reported by the Chief Labour Commissioner.

I would therefore request you to include the above two clarifications in the procedure and delete only para 5 of the proceedings which deals with vital changes in the procedure of verification adopted by the Indian Labour Conference.

If changes in procedure of verification is considered necessary, it may be taken up in the forthcoming Indian Labour Conference.

Your decision on the above before you leave for Geneva will be helpful in the present stage of discussions of the representatives of four central TU organizations with the Chief Labour Commissioner.

Thanking you,

Yours faithfully,

Sd/-

(K.G.Sriwastava)
Secretary



23 MAY 1959

Asstt.

No. APs/L/4252/59

PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

New Delhi, the May, 21, 1959.

Shri K.G.Sriwastava,
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Sub:- Mass dismissal of 261 workers in
Standard Motor Products of
India Ltd. Madras.

Dear Sir,

I am desired to acknowledge the
receipt of your letter No.172/SM/59,
dated the 20th May, 1959, to Shri
G.L.Nanda, Union Minister for Labour,
Employment & Planning, on the above
subject.

Yours faithfully,

(J.C. Saxena)

No.172/BJ/59
May 23, 1959

The Secretary to Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: Strike in Braiburu Mines and
Bichaikar Mines, Barajamda

Dear Sir,

The strike in Braiburu Mines and Bichaikar mines, Barajamda, Bihar, which began on March 19, is still continuing. The AITUC had requested the Union Labour Ministry to intervene in the dispute on March 31 and May 16, 1959, but no steps in this connection seem to have been taken by the Ministry.

The demands of the workers relate to wage increases, cheap grain supply facilities, medical help, etc. What is most disconcerting is the fact that the Central conciliation machinery is refusing to intervene on the ground that the Mines Mazdoor Union, Barajamda, which is leading the strike is not a registered union.

The discriminatory policy of the Bihar Government in denying registration to unions of the AITUC has been, many a time, brought to the attention of the Union Labour Ministry. There are now over half a dozen well-established unions in Bihar affiliated to the AITUC which could not get registration despite persistent efforts during the last 2-3 years.

The disastrous consequences of the above policy of the Bihar Government is self-evident from the very fact that the strike in this instance has prolonged for over two months. We hope you will therefore realise the gravity of the situation and do the needful to bring about an amicable settlement of the dispute.

Thanking you,

Yours faithfully,

VPS
23/5/59
(K.G.Sriwastava)
Secretary

23 MAY 1959



172-7

4279
Asstt. PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

New Delhi, the May, 23, 1959

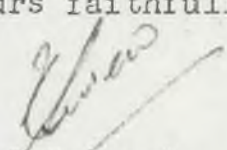
Shri K.G.Sriwastava,
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dear Sir,

Sub:- Verification of Trade
Union membership - Meeting
at New Delhi on 21st March,
1959- conclusions reached
at.

I am desired to acknowledge the
receipt of your letter No.172/VP/59,
dated the 21st May, 1959, to Shri
G.L.Nanda, Union Minister for Labour,
Employment & Planning, on the above
subject.

Yours faithfully,


(J.C.Saxena)

File
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Telegram: "MINFUEL".

No. G2-17(8)/59

GOVERNMENT OF INDIA.
DEPARTMENT OF MINES & FUEL.
(MINISTRY OF STEEL, MINES & FUEL.)

New Delhi, the 23rd May, 1959.

From

Shri R.N.Chopra, IAS.,
Deputy Secretary to the Government of India.

To

The Secretary,
Coal Workers Union,
Bhurkunda,
P.O. Argada (Bihar)

Dear Sir,

Receipt of your telegrams dated 20th May 1959 regarding the threatened retrenchment in Bhurkunda colliery is hereby acknowledged. Please get in touch with the Managing Director, National Coal Development Corporation, Ranchi, who will explain the position to you.

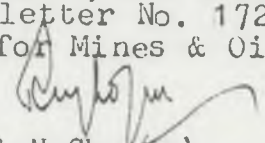
Yours faithfully,

Sd.

(R.N.Chopra)
Deputy Secretary to the Govt. of India.

.....

✓
Copy forwarded to Shri K.G.Sriwastava, Secretary, All India Trade Union Congress, 4, Ashok Road, New Delhi, w for information with reference to his letter No. 172/NC/59 dt. 15.5.1959 addressed to the Minister for Mines & Oil.


(R.N.Chopra)
Deputy Secretary to the Govt. of India.

D.O.No.172/NC/59
May 25, 1959

Dear Shri Malaviya,

With regard to the retrenchment of miners in Bhurkhunda collieries under the NCDC, I had written to you on May 15 and telegrams have been sent to the Ministry by our affiliate, the Coal Workers' Union, Bhurkhunda, requesting for your intervention. Shri R.N.Chopra, Deputy Secretary to the Government of India, in your Ministry (vide his No.C2-17(8)/59 dated 23rd May 1959) has graciously replied to us and the union asking us to "get in touch with the Managing Director, NCDC, Ranchi, who will explain the position to you."

Now, as you will please appreciate, it was only when the workers and the union were not convinced by the "explanations" of the NCDC authorities that we had to approach you directly. Thus The Deputy Secretary's above-quoted letter can hardly be of any solace to us. On the other hand, such a callous attitude on the part of the officials when questions of mass retrenchment of workers are referred to them, is highly deplorable. I would therefore request you to kindly look into this matter which presents the sorry spectacle of mass retrenchment at one pithead and new recruitment at the neighbouring pit - and all done by the same management, the NCDC.

Thanking you,

Yours sincerely,

K.G. Sriwastava
(K.G.Sriwastava)
Secretary, AITUC

Shri K.D.Malaviya,
Minister for Mines and Oil,
Government of India,
New Delhi.

May 26, 1959

Shri Gulzarilal Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi

Dear Sir,

It has been reported to us by our West Bengal Committee, that the Bengal Chambers of Commerce & Industry has made a move to seek amendments to the Code of Discipline agreed to at the Nainital session of the Indian Labour Conference. The Bengal Chambers of Commerce & Industry has forwarded its suggestions for amendment to the Labour Commissioner & Chairman, State Evaluation Committee, West Bengal, who has sought to have a discussion on the proposals for amendments.

We wish to bring it to your notice that we take strong objection to this move of the Bengal Chambers of Commerce & Industry to seek amendments to the Code through the Evaluation Committee. As a matter of fact, we consider it beyond the purview of the Evaluation Committee to even discuss such proposals.

Hence, we request you to direct the West Bengal Government not to entertain such proposals, which are meant solely to create confusion among the ranks of the workers and to disrupt the industrial peace.

A copy of the letter sent by the Bengal Chambers of Commerce & Industry is being sent herewith for your perusal.

Yours faithfully,

6/10/59
11.5.59
(K.G. Sriwastava)
Secretary

29 MAY 1959

Asst. Private Secretary to the
Minister for Labour and Employment



Asstt. PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

New Delhi, the May, 28, 1959

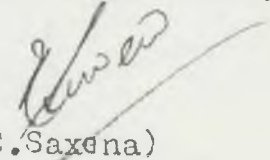
Shri K.G. Sriwastava,
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Sub:- 43rd Session of the ILO -
Delegation from India.

Dear Sir,

I am desired to acknowledge the receipt of your letter dated the 27th May, 1959, to Shri G.L. Nanda, Union Minister for Labour, Employment & Planning, on the above subject, along with its enclosure.

Yours faithfully,


(J.C. Saxena)

30 MAY 1959

MINISTER FOR LABOUR

New Delhi, the May 29 1959

My dear *Shri Sriwastava,*

Kindly refer to your letter No.172/NC/59, dated the 15th May, 1959 about the retrenchment of workmen in Bhurkunda colliery. The Conciliation Officer (Central), Hazaribagh held conciliation proceedings in respect of this matter on the 21st and 23rd May, 1959. It is understood from his report that the management had agreed to absorb in their other collieries, without break in their services, all the male workmen, who are proposed to be retrenched. The period between the dates on which their names are struck off from the rolls of Bhurkunda colliery to the dates on which they are absorbed in the other collieries would be considered as leave without wages. In view of this arrangement, only 200 women labourers would be affected.

The Ministry of Steel, Mines & Fuel have also taken up with the National Coal Development Corporation the question of providing employment to all the retrenched workers.

I understand that this retrenchment was unavoidable and that none of the workmen has completed one year of continuous service. The National Coal Development Corporation Authorities are also issuing orders to their collieries not to recruit any workmen from the open market until and unless all the male workmen, who are proposed to be retrenched from the Bhurkunda colliery, are absorbed.

Yours sincerely,

G.L. Nanda

(G.L. Nanda)

*See copy to Bhurkunda
to am for retrenchment position
enc
2/5/59*

Shri K.G.Sriwastava,
Secretary,
All-India Trade Union Congress,
4, Ashok Road, NEW DELHI.

1.1 JUN 1959

D.O.NO.LR-IIF-22(7)/59

Telegrams.—
"LABOUR"

Teja Singh Sahni
Deputy Secretary

MINISTRY OF
LABOUR AND EMPLOYMENT

New Delhi, the 30th May, 1959.

Dear Shri Tangamani,

Please refer to your letter to
Labour Minister No. 172-A/Ac/59, dated the 30th March
1959 regarding the Andhra Cement Co., Vijayawada.
As you know the employees retrenched belong partly to
the factory and partly to the mines. Whether the retrenchment
is justified, and if not to what relief the workmen are
entitled have already been referred to adjudication.
The adjudication order has been issued by the State
Government in respect of factory employees and by the
Central Government in respect of mine employees.

Yours sincerely,

Teja Singh Sahni
30/5/59
(Teja Singh Sahni)

See Copy to the Minister
1/59
Shri K.T.K.Tangamani, M.P.,
Secretary,
A.I.T.U.C.,
4, Asoka Road,
New Delhi.



ब्यावर के नागरिक बन्धुओं से सहयोग की अपील

प्रिय बन्धुओं,

ब्यावर के कपड़ा मजदूरों पर पिछले २-३ वर्षों से बराबर छूटनी का हमला मालिकों ने बोल रखा है। कृष्णा मिल से करीब अब तक ३०० आदमियों की छूटनी हो चुकी है, वैसे तो मिल में नई मशीनें भी बहुत आई हैं लेकिन उन पर आदमी बढ़ाने के बजाय उन्होंने और उल्टे काम किये हैं।

अभी ३१-३-५९ को कृष्णा मिल ने २३१ मजदूरों की छूटनी करने का नोटिस और लगा दिया है। और साथ २ ही एडवर्ड मिल ने भी २-४-५९ को एक नोटिस दिया है जिसके द्वारा श्रमिकों पर बिना एक पैसा बढ़ाये भारी वर्क लोड और छूटनी करने की योजना रखी है।

इस प्रकार ब्यावर के कपड़ा मजदूरों पर जो हमला लगातार हो रहा है उसका श्रमिकों ने समय २ पर प्रतिरोध भी किया है और भूख हड़ताल के समय जो मालिकों ने समझौते का वायदा किया था वह भी उन्होंने भंग कर दिया है। हमने बहुत परिश्रम किया कि किसी प्रकार सब ही बातों पर समझौता हो जाय लेकिन मालिक किसी भी मांग को माने वगैरे श्रमिकों पर वर्क लोड और छूटनी करते चले जा रहे हैं।

श्रमिकों पर हो रही छूटनी और कामवाढ के मालिकों के एक तरफा हमले में कांग्रेसी सरकार ने खूबे रूप से उनको सहयोग किया है इसीलिये मालिकों की इतनी हिम्मत बढ़ रही है कि वो गलत और गैर कानूनी तरीके से सारे कार्य कर रहे हैं और श्रम विभाग आराम से सुराटे भर रहा है।

इस छूटनी और काम के वाढ के एक तरफा हमले को रोकने के लिये हमने कम्पनी को कुछ मांगें भेजी हैं जिसमें साफ लिखा है कि छूटनी को रोक दें और वर्क लोड और पगार के सम्बन्ध में समझौता कर लें। यदि मालिक ने ऐसा नहीं किया तो यूनियन ने ११ अप्रैल ५९ से सत्याग्रह करने का निश्चय किया है। हमारा आन्दोलन शान्तिपूर्ण आन्दोलन होगा।

ये सत्याग्रह तब तक जारी रहेगा जब तक सरकार छूटनी, वर्क लोड और पगार आदि सारे मामलों में समझौता नहीं करादे या कृष्णा मिल और एडवर्ड मिल द्वारा लगाये छूटनी और कामवाढ के नोटिस के मामले को हमारे द्वारा भेजी गई मांगों सहित इन्डस्ट्रियल ट्रिब्यूनल के समक्ष नहीं भेजदे।

नागरिक बन्धुओं और मजदूर साथियों, व्यापार के मिल मालिक सरकार की शह पाकर जो जुल्म कर रहे हैं और जिस नीति से कार्य कर रहे हैं उससे शहर की शान्ति पर, व्यापार पर और नागरिक जीवन पर बहुत बुरा असर पड़ने वाला है। तीनों सीलों से करीब १००० हजार आदमियों की छटनी होने वाली है उससे सम्बन्धित ५००० लोगों के जीवन भरण का प्रश्न पैदा हो गया है देश में बेकारी पहले ही अधिक है और मिल मालिक और बेकारी बढ़ा रहे हैं। इसीलिये हम आपसे अपील करते हैं कि इस अमानवीय हमले को रोकने के लिये टेक्सटाइल लेबर यूनियन द्वारा शुद्ध किये आन्दोलन को सफल बनाने में पूरा सहयोग कीजिये।

सरकार से भी हम अपील करते हैं कि वो हमारे सारे मामलों को अदालत में शीघ्र भिजवाने की व्यवस्था करे जिससे हमें सत्याग्रह रूपी आन्दोलन शुरु करने की आवश्यकता न पड़े।

सत्याग्रह आन्दोलन को सफल बनाओ !

छटनी को बन्द करो !

हमारी मांगे पूरी करो !

हर जोर जुल्म की टक्कर में हड़ताल हमारा नारा है

मजदूर एकता जिन्दाबाद !

लास भन्डा जिन्दाबाद !

आपका—

कॉ० केशरोमल

जनरल सेक्रेट्री

टेक्सटाइल लेबर यूनियन, ब्याबर

गजानन्द प्रिन्टिंग प्रेस, ब्याबर

No. 172/E/185/59
June 1, 1959

The Secretary to Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: Violation of the Code of Discipline -
Chapui Khas Colliery (Sahu - Jain
concern) Raniganj Belt.

Dear Sir,

Our affiliate, the Colliery Mazdoor Sabha, Asansol has sent you the above instance of violation of the Code of Discipline on April 7, 1959.

The situation in the colliery has further deteriorated since the management seems to be determined to employ more and more C.R.O. Labour, with a view to suppress the trade union activities of the workers. Armed bands are being employed to create an atmosphere of tension.

The management is also guilty of violation of tripartite decisions regarding contract labour. More and more departments are being handed over to contractors.

We would therefore request you to intervene in the matter and the management impressed upon to rectify the violation of the Code of Discipline.

Thanking you,

Yours faithfully,

Viro
1/12
(K.G.Sriwastava)
Secretary

Copy to: Colliery Mazdoor Sabha,
G.T.Road, ASANSOL

2 JUN 1959

K.N.Subramanian, I.C.S.,
Joint Secretary.

D.O.No.MI.5(1)/59

Telegram: —
"LABOUR"

MINISTRY OF
LABOUR AND EMPLOYMENT

New Delhi, the 1st June 1959.

Dear Shri Sriwastava,

The Labour Minister who, as you know, has left for Geneva has asked me to reply to your letter No.172(ACC)59, dated the 19th March 1959, regarding the accident in the Saunda Colliery. The Mines Inspectorate which inquired into the accident has come to the conclusion that the accident was caused by the ignition of inflammable gas as a result of smoking. As there is no doubt about the facts, it is felt that there is no need to set up a Court of Inquiry. The Indian Mine Workers' Federation has been informed accordingly.

Yours sincerely,

K.N. Subramanian
(K.N. Subramanian) 1.6.59

Shri K.G.Sriwastava,
Secretary,
All-India Trade Union Congress,
4, Ashoka Road,
New Delhi.

*Write to Mr. Subramanian
172 ACC 59 re Saunda Colliery
M. M. Workers' Federation*

*1/6/59
2/6/59*

अखिल भारतीय ट्रेड यूनियन काँग्रेस
ALL-INDIA TRADE UNION CONGRESS

T. U. LAW BUREAU:
R. L. TRUST BUILDING,
55, GIRGAON ROAD,
BOMBAY 1 (INDIA)

4, ASIOK ROAD,
NEW DELHI.

President : S. S. MIRAJKAR.
General Secretary : S. A. DANGE, M.P.

No.172/L/185/59
June 1, 1959

The Secretary to Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: Illegal lock-out in Northbrook
Colliery, Jaykaynagar, Burdwan Dt.

Dear Sir,

We have informed by our affiliate, the Colliery Mazdoor Sabha, Azansol, that the management of the Northbrook Colliery has declared a lock-out from May 28, 1959 onwards.

The lock-out has followed a series of measures taken by the management to prevent the Colliery Mazdoor Sabha from functioning. Activists of the union were prevented from joining duties, several charge-sheets were issued against others and anti-social elements are being instigated to create an atmosphere of violence and tension in the area.

The majority following of the Colliery Mazdoor Sabha in the colliery was very obvious when officials of the Central Labour Relations Machinery visited the colliery and verified the membership of the union.

The lock-out shows how certain employers in their anti - trade union behaviour resort to extreme steps to suppress the unions, with scant regard for the Code of Discipline.

The details of the case have been forwarded to the Ministry of Labour and Employment by the Colliery Mazdoor Sabha, vide their No. CMS/NB/13/59 dated May 8 and May 28 1959.

We hope you will institute an inquiry expedite the withdrawal of the lock-out and protect the interests of the workers concerned.

Thanking you,

Yours faithfully,

K.G. Sriwastava

(K.G.Sriwastava)
Secretary

13 JUN 1959

2 JUN 1959

Government of India
Ministry of Labour & Employment
....

No. 4311/1()/59 Dated New Delhi, the 1st June 1959.

From
Shri Teja Singh Bahui
Deputy Secretary to the Government of India.

To
Shri . . . Santamuni, H.F.,
Secretary, All India Trade Union Congress,
4, Connaught Place, New Delhi.

Dear Sir,

I kindly refer to your letter dated the 1st March 1959, regarding strike in Gadburu Mines and Bichaikar Mines, Rajasthan, addressed to Labour Minister.

I have enquired into the matter and find that even in unregistered Union may have its case represented before Conciliation Officer subject to fulfilment of the condition stipulated in section 16(1)(c) of the Industrial Disputes Act. As this condition was not fulfilled by the unregistered union - the Mines Labour Union, Rajasthan (unregistered), the inability of the Conciliation Officer to hold conciliation proceedings in the matter caused by the unregistered union is not to be taken into account.

Yours faithfully,

Teja Singh Bahui
1/6/59

(Teja Singh Bahui)
Deputy Secretary to the Govt. of India

*his copy to Com AFA
I am his legal opinion
since this is the
opinion of the State
Govt. and the State
Govt. is not bound
to accept his.*

Teja

5 JUN 1959

Government of India
Ministry of Labour & Employment

....

No. PHI-370/IS/59

173

Dated New Delhi, the

5 JUN 1959

From

Shri Balwant Singh,
Under Secretary to the Government of India.

To

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

Subject:- Application of the Employees' State
Insurance Act, 1948, to mines.

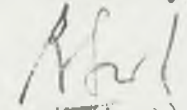
....

Dear Sir,

With reference to your letter dated the 21st February 1959, I am directed to say that the question of exclusion of Baniadih Workshop (P) Ltd., from the purview of the Mines Act is under consideration and a separate communication will follow in this connection.

2. As for the point raised by the Coal Workers Union Giridih in their letter dated the 16th February 1959, (which was forwarded with your letter dated the 21st February 1959 referred to above) regarding application of Employees' State Insurance Act to the State concerns, it may be pointed out that Employees' State Insurance Act, 1948, makes no distinction between public and private factories.

Yours faithfully,



(Balwant Singh)

Under Secretary to the Government of India.

June 9, 1959

The Secretary to the
Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: The Vizagapatam Dock Workers
(Regulation of Employment)
Scheme, 1958

Dear Sir,

This is to remind you that the Ministry of Labour & Employment had in the month of June last year published a draft scheme called "The Vizagapatam Dock Workers (Regulation of Employment) Scheme, 1958".

Comments from Trade Unions were invited on the draft scheme and they were sent to the Ministry long ago. Almost a year has elapsed and we have not yet been informed whether the Scheme has been finalised or how long it will take to finalise it.

Please inform us about the stage at which it stands to day and oblige.

Thanking you,

Yours faithfully

13/6/59
(K.G.Sriwastava)
Secretary

11 JUN 1959

No. Genl. 3(8)/56
Government of India
Ministry of Labour & Employment

.....

From

Shri Balwant Singh,
Under Secretary to the Govt. of India.

To

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

9 JUN 1959

Dated New Delhi, the

Sir,

With reference to your letter No. 172(pb)/59, dated the 23rd April 1959, I am directed to say that the concession allowed to the registered Trade Unions/ Federations etc. on the purchase of the Ministry of Labour and Employment's priced publications i.e. 25% discount on the published price was upto 31.3.59. The extension of the concession is under consideration and the decision taken will be communicated to you in due course.

Yours faithfully,

S. Balwant Singh

for Under Secretary.

d.a.nil
sehgal.
7.6.59.

*Probably he wanted
to know the procedure
to know while this
concession can be availed of.*

*10/6
11/4*

11 JUN 1959

No. E&P-12(34)/59/II
Government of India
Ministry of Labour and Employment

Dated New Delhi, the 10th June, 1959.

From

Shri P.L. Gupta,
Under Secretary to the Government of India

To

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

Subject:- The Belur Report - 1958.

Sir,

I am directed to say that as you are already aware the Second Five Year Plan recommended that case studies should be carried out in important industrial undertakings with established tradition of good labour management relations so that the factors that make for harmony may be clearly brought out and made widely known. The first case study was undertaken at the Tatas by the Director, Labour Bureau, in cooperation with the Tata Iron & Steel Co. Ltd. and the Tata Workers' Union. Copies of that report have already been sent to you. Subsequently case study at the Belur Works of the Indian Aluminium Co. Ltd. Belur has been carried out by the Xavier Institute of Labour Relations, Jamshedpur, with financial assistance from the Government of India. I send herewith 5 copies of the Belur Report 1958.

Yours faithfully,

(P.L. Gupta)

Under Secretary to the Government of India.

*Send a copy to
B.P. for
10/6/59*

11 JUN 1959

Telegram: "MINFUEL".

No. 12-17(1)/59

GOVERNMENT OF INDIA.
DEPARTMENT OF MINES & FUEL.
(MINISTRY OF STEEL, MINES & FUEL.)

New Delhi, the 10th June 1959

To

Shri S.S. Chidambaram,
Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Re: Wages and retrenchment in
Bamburda Colliery

Sir,

In reply to your letter No. 172/UC/59, dated
11.5.59, 10th, addressed to the Minister for Mines
& Oil, I am directed to explain the position as under:-

1. Immediately on receipt of your earlier letter
dated 24.5.59, Mr. the Managing Director, National Coal
Development Corporation was requested to furnish a full
report. Thereafter it was suggested to him telegraphically
that he may invite the Union leaders and representative
of the Regional Labour Commissioner to discuss the position
regarding the proposed retrenchment. This the Managing
Director did and a meeting took place on 23.5.59 at which
a agreed decision was arrived at.

2. It appears you have not been kept fully informed
of the latest developments by your affiliate Union.

Yours faithfully,

(R.S. Chopra)

Joint Secretary to the Govt. of India.

*As per report for
the basis. I am told that
was a demand for a meeting
held at Bombay before the
11/6*

15 JUN 1958

No. M.III 18(2)/58
Government of India
Ministry of Labour & Employment

.....

From

Shri P.N. Sharma,
Under Secretary to the Government of India.

To

The General Secretary,
All India Trade Union Congress,
R.L. Trust Building,
455, Girgaon Road,
Bombay-4

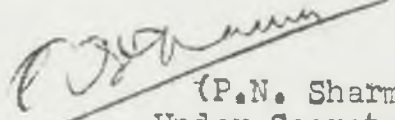
dated New Delhi, the

Subject:- Goalkhpur Labour Organisation-Constitution of the
Advisory Committee at Dhanbad.

Sir,

I am directed to say that in supersession of the letter of the Government of India No. M.III.18(2)/58, dated the 29th May 1958, the Labour Commissioner, Uttar Pradesh, Kanpur, has been nominated as ex-officio member of the Advisory Committee set up at Dhanbad in this Ministry letter No. M. 17(24)/54-III, dated the 14th Feb. 1955.

Yours faithfully,


(P.N. Sharma)
Under Secretary.

No. M-III-34(6)58.
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT.

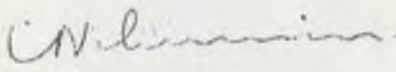
.....
Dated New Delhi, the

OFFICE MEMORANDUM.

12 JUN 1959

Subject:- Amendment of the Rules relating to Welfare Officers,
under the Mines Rules, 1955.


.....
The undersigned is directed to forward herewith for information a copy of notification No. M.R./A.M.(4) M-III-34(6)/58) dated the 16th May, 1959 making amendments in rules 72, 73 and 74 of the Mines Rules, 1955. This notification was published in the Gazette of India Part II. Section 3 - Sub-section (i) dated the 23rd May, 1959, as G.S.R. 607.


(C. N. Subramanian)
Section Officer.

To

Copy forwarded to:-

15. General Secretary, All India Trade Union Congress, R.L. Trust Building, 55, Girgaon Road, Bombay-4.


(C. N. Subramanian)
Section Officer.

k.s.
d.a.refd.to
8.6.59

B.N. Datar,
Lab. & Emp. Adviser.

DOM REP 25(7)58.



17 JUN 1959

MINISTRY OF
LABOUR AND EMPLOYMENT.

New Delhi, the 13th June 1959.

My dear Sriwastava,

I have received your
letter dated 5th June, 1959.
As you know Labour Minister is
away in Europe, I will place
the letter for his instructions
on his return.

Yours sincerely,

B.N. Datar
(B.N. Datar)

Shri K.G.Sriwastava,
All-India Trade Union Congress,
4, Ashoka Road,
NEW DELHI.

12
15th June, 1959

Shri Balwant Singh,
Under Secretary,
Government of India,
Ministry of Labour & Employment,
New Delhi

Dear Sir,

With reference to your letter No. Genl.3(8)/56 dated June 9, 1959 we would request you to inform us the procedure for obtaining the concession on the purchase of Ministry of Labour & Employments' priced publications.

As we have already pointed out in our earlier communication No.172(Pb)/59 dated April 23, 1959 to your office that one of our affiliates The Garden Reach Textile Workers Union Calcutta had to approach a number of officials but without any result. Hence we approached you in the matter.

Please inform us at an early date when the concession will be extended to the Registered Trade Unions and Federations.

Thanking you,

Yours faithfully,

K.G.
15/6
(K.G.Sriwastava)
Secretary

THE MADRAS HARBOUR WORKERS' UNION

FOUNDED IN 1946 - REGISTRATION No. 429

(AFFILIATED WITH A.I.T.U.C. & W.F.T.U.)

President:

M. RAMASWAMY

Vice-Presidents:

KALYANI KUMARAMANGALAM, M.A.

MEMBER, MADRAS DOCK-LABOUR BOARD

T. R. GANESAN, M.L.A.

S. NAGIAH

General Secretary:

A. S. K. IYENGAR, M.A.

MEMBER, MADRAS DOCK-LABOUR BOARD &
MEMBER, DOCK-WORKERS' ADVISORY COMMITTEE*Secretaries:*

S. Thangasami

M. Poraikalam

K. R. Ramaswami

B. N. Sreeramulu

" BHAGAT HOUSE "

173, Broadway,

MADRAS-1.

Date, 15 -6- 1959

Ref. No.

The General Secretary,
All India Trade Union Congress,
No.4, Ashoka Road,
New Delhi.

Dear Comrade,

I am sending herewith our Comments on the Draft Amendments suggested by the Government of India to the Dock Workers' Act and Scheme.

Please find also some urgent Amendments suggested by us.

I would request you to urge the Government of India to accept these Amendments also as they are found very urgent. You can yourself find them so if you kindly go thru' them.

I hope and trust you will kindly see that the Comments and Fresh Amendments are ~~properly~~ duly considered and accepted.

Trust this finds you fit.

With Greetings,

A.S.K. Iyengar
16.6

(A.S.K. IYENGAR)
General Secretary

Encl.
Bns.15/6.

*M. S. S. & L.
S. S. S. S. S.
18/6*

THE MADRAS HARBOUR WORKERS' UNION

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General Secretary:

A. S. K. IYENGAR, M.A.

MEMBER, MADRAS DOCK-LABOUR BOARD &
MEMBER, DOCK-WORKERS' ADVISORY COMMITTEE*Secretaries:*

S. Thangasami

M. Poraikalam

K. R. Ramaswami

E. N. Sreeramulu

" BHAGAT HOUSE "

173, Broadway,

MADRAS-1.

Ref. No.

Date, 195 .

Comments on Amendments proposed to the
DOCK WORKERS' (REGULATION OF EMPLOYMENT) ACT
1948 (9 of 1948).

(1) Proposed Amendment:

Add "efficient performance of Dock Work" to
Preamble.

Comment:

No objection:

(2) Proposed Amendment:

Add Provision for imposition of Registration Fee
on Employeess:

Comment:

The imposition of a Registration fee as envisaged
by Clause 15(d) of the Scheme should not be deleted.

Why should Clause 15(d) be deleted and Clause 22 of
the Scheme by which each worker is required to pay
"a registration fee of rupees two" be retained?

On the plea that there is no "express provision in
the Act itself" and so "any provision in the Scheme
for payment of Registration Fee by employeess would
be of doubtful validity" is no valid argument for
deletion of Clause 15(d). The Straightforward course
is to suitably amend the "Act itself", so that the
relevant provision in the Scheme cannot be assailed
on legal grounds.

*/-

There is absolutely no justification whatsoever for making any invidious distinction, as far as the Act and Scheme are concerned, between employers and Workers. If Workers are to pay a Registration Fee, the Employers ~~and the Shipping Companies~~ too must pay a Registration Fee for getting the benefits under the Act and Scheme to wit,

"efficient performance of Dock Work"
(new Amendment).

(3) Proposed Amendment:

Provision to supersede Dock Labour Boards under certain circumstances.

Comment:

This cannot be agreed to. It is much too draconian. During the last 6 or 7 years of the functioning of the Dock Labour Boards in the Ports of Bombay, Calcutta and Madras, no occasion had arisen when the non-existence of such a provision as is sought to be introduced now, acted as a fetter and brought the Dock Labour Board to a standstill.

In the existing Schemes there are enough provisions by which for instance the Chairman can declare "a State of Emergency" and clothe themselves with extraordinary powers which are normally not exercised even by the Dock Labour Board themselves. Under these circumstances, the amendment now proposed cannot be accepted.

(4) Proposed Amendment:

Provision for framing Rules under the Scheme.

Comments:

The Act may be amended to provide for framing of the Rules, but the draft Rules before they are enforced should be discussed by the various Dock Labour Boards and on the basis of suggestions made should be suitably amended and only then enacted.

The members of the Dock Labour Board may be credited with a more intimate knowledge of the Working of the Scheme and so are competent to make suitable Rules. This right should not be taken away from the Dock Labour Boards and all rights be concentrated in the hands of the Central Government.

(5) Proposed Amendment:

Advisory Committee—"The Employers of Dock Workers and Shipping Companies."

Comment:

There is no objection to amending the Act to include representatives of Shipping Companies provided parity as between Workers Representatives and Employers Representatives is maintained. Otherwise voting on important issues will result in employers view always securing a majority.

x and workers Union

hkn

Committee bears ample testimony, Workers views are all defeated by the Majority which consists of employers plus Government Nominees. This danger should be averted.

(6) Proposed Amendments:

(1) Eviction from Board's Quarters:

Comment: The normal laws of the land for eviction are considered enough.

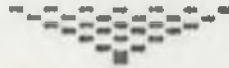
No new and special evictions laws for Board's Quarters need be enabled.

(2) Enquiry into working of the Board:

Comment: No Comment.

(3) Board-Constitution:

Comment: No Comment.



A.S. Kalyan
16.6

THE MADRAS HARBOUR WORKERS' UNION

FOUNDED IN 1916 · REGISTRATION No. 429

(AFFILIATED WITH A.I.T.U.C. & W.F.T.U.)

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173, Broadway,

MEMBER, MADRAS DOCK-LABOUR BOARD

MADRAS-1.

T. R. GANESAN, B.E.

Ref. No.

Date, 195 .

S. NAGIAH

General Secretary:

A. S. K. IYENGAR, M.A.

MEMBER, MADRAS DOCK-LABOUR BOARD &

MEMBER, DOCK-WORKERS' ADVISORY COMMITTEE

Secretaries:

S. Thangasami

M. Poraikalam

K. R. Ramaswami

B. N. Sreeramulu

New Draft Amendments with Explanatory Notes.

The Government of India may be pleased to incorporate the following Amendments, a draft of which is sent herewith.

I. Clause 18(3)(e): As it exists:

"(e) The Working under these conditions shall be examined after a year of the rotational booking with a view to fixing the number of days for which the Guaranteed Minimum Wages under Clause 31 should be paid. From then onwards the workers will be entitled to all the benefits under the Scheme."

Draft Amendment:

"(e) The working under item (c) shall be examined after a year of rotational bookings with a view to fixing the number of days for which the Guaranteed Minimum Wages under Clause 31 should be paid etc."

Explanatory Note:

The object of this Amendment is just to clarify item (e) which due to clumsy drafting lends itself to various interpretations.

The short questions is:

Which is the date-line from whence the payment of the Guaranteed Minimum Wages is to begin.

The Scheme says one year from the date of rotational booking, under item (c).

In other words if rotational bookings for say Tally Clerks under item (c) started on 1-3-1958; the Guaranteed Minimum Wage shall have to be paid from 1-3-1959.

*/-

The Madras Dock Labour Board holds that the Guaranteed Minimum Wages shall be paid on and from 15-10-1959; "which is the date of expiry of one year from which rotational booking was given after re-assessment of the provisional registration under Clause 18 (3)(d) of the Scheme."

[Secretary's letter No.215/59-A2 d/21-5-1959]

Let us see how the Bombay Dock Labour Board interpreted the Scheme and implemented it.

".....we introduced rotational booking for our Tally Clerks from 1st April 1957. The benefit of Attendance Allowance was given from 1st October 1957. From 1-4-1958 the Tally Clerks were given all the benefits admissible to other registered stevedore workers." [Letter of Secretary, Bombay Dock Labour Board.]

It is obvious that the relevant clause is being interpreted in two different ways by the Madras Dock Labour Board and Bombay Dock Labour Board.

~~It is to be noted that~~ The Bombay interpretation is the one that reflects the correct spirit of the said Clause.

The amendment suggested is intended only to obviate two interpretations and make the intention clear in words.

II. Clause 31 Guaranteed Minimum Wage in a Month

Amend: After Clause 31 (a) & (b) insert the following:

"Explanation = where a weekly OFF is granted a month "shall mean 26 days."

Explanatory Note:

Under Clause 31 (2) the minimum number of days in the month for which wages are guaranteed by the Madras Dock Labour Board to Reserve Pool Workers is 21.

But since a weekly OFF obtains in Madras, a Worker who attends "all days of the month as directed by the Administrative Body" means attending 26 days in the month since he is not required to call at the Call Point on 4 days i.e. the Weekly OFF Days.

So if he attends 26 days, he should be entitled to 21 days Guaranteed Minimum Wage.

A dispute over this question having arisen, the matter was referred to the Government of India.

The Under Secretary to the Government of India in the Ministry of Labour and Employment No.Fac.178(15)/58 dated 12-12-1958 says:-

"Thus if a Worker attends for work on 26 days (the remaining 4 days being weekly OFFs) and gets employment for only 18 days the method of calculation will be as follows: -

| | | |
|---|---------------------|-----------|
| No. of Days for which Minimum Guaranteed Wage is payable: | $26 \times 21 = 30$ | Days: 18. |
|---|---------------------|-----------|

Does this mean that the Guaranteed Minimum Wage of 21 days is just notional and is not actually intended to be given to any Worker? For no worker can present himself for work on his weekly OFF, no one would so much as take cognisance of his presents. So to say 'a month' means a calendar month is wrong. It can only mean the number of days on which he is expected to present himself for work. Please note that in Clause 31 "month" is used in contradistinction to "a Calendar month" used in the very next Clause 32.

Hence the Amendment suggested.

•••••

Asks...
16.6

MINISTRY OF LABOUR & EMPLOYMENT

New Delhi, the 16th. May 1959

G.S.R. 607.- In exercise of the powers conferred by section 58 of the Mines Act, 1952 (35 of 1952), the Central Government hereby makes the following amendments to the Mines Rules, 1955, the same having been previously published as required by subsection (1) of section 59 of the said Act, namely:-

Amendments

In the said Rules.

1. In rule 72,

(a) for sub-rule (1), the following shall be substituted, namely:-

"For every mine wherein 500 or more persons are employed ordinarily, the owner, agent or manager shall appoint a suitably qualified person as Welfare Officer; and where the number of persons so employed in a mine exceeds 2,500, such welfare officer shall be assisted by one suitably qualified additional Welfare Officer for every additional 2,000 persons or part thereof employed."

(b) After sub-rule (4), the following sub-rule shall be inserted namely:-

"(5) The post of Welfare Officer shall be advertised in a newspaper having a wide circulation in the State."

2. The existing rule 73 may be re-numbered as sub-rule (1) of that rule and the following added as sub-rule (2):

"(2) Every Welfare Officer shall keep a record of his day-to-day work and shall, at the end of every year, forward to the Chief Inspector through the manager of the mine concerned, a summary of the report of his work during the year."

3. in rule 74.

(a) for sub-rule (2), the following shall be substituted, namely:-

"The conditions of service of a Welfare Officer shall be the same as of other members of the staff of corresponding status in the mine:

Provided that before the owner, agent or manager discharges or dismisses a Welfare Officer, who has satisfactorily completed a probationary period of six months, he shall consult the Chief Inspector or an Inspector authorised in this behalf by the Chief Inspector."

(b) after sub-rule (2), the following sub-rule shall be inserted, namely:-

"(3) A Welfare Officer shall not be given less than two hundred rupees as his basic pay per mensem."

[No.M.R./A.M.(4)MIII-34(6)/
58.]

Copy of letter No.MIII-6(3)/59 dated 16/20 June 1959

From

P.N.Sharma, Under Secretary, M of L.E.

To

Kalyan Roy, Gen. Secy, IMWF

Sub: Representation from the INWF regarding
condition of Miners, loaders and other Workers.

Dear Sir,

In continuation of this Ministry letter No.MI-5(10)/59 dated 18th May 1959, I am direct to say that on enquiry it appears that no miners and loaders have ever been asked by the administration to work for more than the scheduled hours and no compulsion was ever exerted to force the coal cutters and coal loaders to work more than the hours of work permissible under the Mines Act. In Kargali colliery, three-shifts-working in Mines is going on but the same could not be introduced in Bokaro colliery due to certain difficulties.

Yours faithfully,

Sd. P.N.Sharma

June 17, 1959

Shri Gulzarilal Nanda,
Minister for Labour & Employment,
Government of India,
New Delhi.

Sub: Closure of Bhavnagar Rayon Mills Ltd.,
Bhavnagar, from March 8, 1959.

Dear Sir,

The Bhavnagar Rayon Mills Ltd., Bhavnagar, Bombay State has remained closed since March 8, 1959, rendering over 160 workers unemployed. The trade union and the workers have since been agitating for re-opening of the mill since there are no valid reasons for the closure, and they have also requested the Government to institute an inquiry into the financial affairs of the company. On May 21, 1959, a deputation of the Mill Kamdar Union, Bhavnagar, waited on Shri Shantilal Shah, Bombay Labour Minister, in this connection, but it is reported that the State Government expressed inability to intervene on the ground that necessary initiative has to come from the Central Government.

We would therefore request you to kindly see that the management is compelled to re-open the mills immediately or in the alternative, take over the mills for management by the State, under the Industries (Development & Regulation) Act. The Mill Kamdar Union has also suggested that if the Government may not be willing to take over the management, the mills may be handed over to a workers' co-operative, giving them necessary financial assistance. We hope you will take speedy action in the matter.

Thanking you,

Yours faithfully,

Y/no
17/6/59
(K.G.Sriwastava)
Secretary

*Reminded sent
on Sept. 7*

No.172/CR/59
June 17, 1959

Shri C.N.Subramanian,
Section Officer,
Ministry of Labour & Employment,
New Delhi.

Dear Sir,

Your letter No.M-III-34(6)58 dated
June 12, 1959 was received by us today since
it was sent to our Bombay address.

It is now over three years since the
Central Office of the AITUC has been shifted
from Bombay to Delhi. It is therefore
requested that the change of address be
noted by your Section, even at this late
stage.

Thanking you,

Yours faithfully,

VSM
17/6
(K.G.Sriwastava)
Secretary

No.172-(BT)/59

June 19, 1959

The Secretary to Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: Threatened Closure of
Krishna Mills, Beawar, Rajasthan

Dear Sir,

Further to our letter of April 15, 1959, in connection with the mass retrenchment in the above mills, and the subsequent interview Shri Swami Kumaranand, President, Textile Labour Union (AITUC), Beawar, had with Shri Gulzarilal Nanda, we wish to inform you that the situation has become very critical and the mills may be closed down any moment.

It was requested earlier that the mills may be taken over by the Government under the Industries (Development and Regulation) Act. We would urge that a decision on this matter should be taken without any delay.

Thanking you,

Yours faithfully,

Mmo
19/6
(K.G.Sriwastava)
Secretary

*Reminded
sent on
14/9/59*

29 JUN 1959

Government of India
Ministry of Labour & Employment

No.HI-17(2)/59

Dated New Delhi, the

19 JUN 1959

From

Shri Balwant Singh,
Under Secretary to the Government of India.

To

1. The General Secretary,
Indian National Trade Union Congress,
Central Office,
17, Janpath, New Delhi.1
2. The General Secretary, ✓
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.
3. The Secretary,
All-India Organisation of Industrial Employers,
28, Ferozshah Road,
New Delhi.1

Dear Sir,

I am directed to refer to your letter

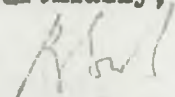
(1) No.VIII/23 dated the 4th March, 1959

(2) Dated the 5th March, 1959.

(3) No.I.E.478/XI-12 dated the 5th March, 1959

on the above subject and to request that the comments
of your organisation on the Report of the Study Group
on Social Security may kindly be expedited.

Yours faithfully,



(Balwant Singh)

Under Secretary to the Government of India.

22 JUN 1959

174
No. Fac.179(1)
Government of India
Ministry of Labour & Employment

From

Dr. B.K. Bhattacharya, I.A.S.,
Deputy Secretary to the Government of India.

To

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

20 JUN 1959
Dated New Delhi, the

Subject:- Vizagapatam Dock Workers (Regulation of Employment)
Scheme.

Sir,

With reference to your letter dated the 9th June,
1959 on the above subject, I am directed to say that the
Scheme is expected to be finalised shortly.

Yours faithfully,

K. K. K.
15/6
for Deputy Secretary

d.a.nil.
h.s. 6/6

27 JUN 1959

M. APS/LM/4807/107

Asstt. PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.



172

New Delhi, the June, 21, 1959
22,

Shri K.G.Sriwastava,
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dear Sir,

I acknowledge with thanks the receipt of your letter dated the 17th June, 1959, to Shri G.L.Nanda, Union Minister for Labour, Employment & Planning, who is away on tour to Geneva to attend the I.L.O. Session.

Yours faithfully,

Handwritten initials

Handwritten signature

for Asstt. Private Secretary.

112
No.172/BT/59
June 22, 1959

The Minister for Labour & Employment,
Government of India,
New Delhi

Sub: Non-payment of wages, &c. in
Edward Mills, Beawar, Rajasthan.

Dear Sir,

We are informed by our affiliated union, the Textile Labour Union, Beawar, that the management of Edward Mills, Beawar, Rajasthan, have not paid the wages of workers from the month of March onwards. It is also understood that the management have also failed to deposit with the authorities the workers' and employers' contribution to the P.F. and E.S.I. and have misappropriated these funds.

The situation in this mill as well as other establishments in Beawar, were reported to you personally by Swami Kumaranand, President of our Rajasthan Committee, when he met you in May last. It was requested that immediate steps should be taken by Government to rectify the irregularities noted above as well as order an inquiry into the affairs of the Edward Mills. Since the situation has deteriorated further, we would now request that the Government should also consider taking over the mills under the Industries (Development & Regulation) Act.

Yours faithfully,

K.G.
(K.G.Sriwastava)
Secretary

*Reminders
sent on
September 7
1959*

23 JUL 1959

No. PF.II. 5(53)/58
Government of India
Ministry of Labour & Employment

.....

From

Shri P. D. Gaiha,
Under Secretary to the Government of India.

To

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

Dated New Delhi, the 22nd July, 1959

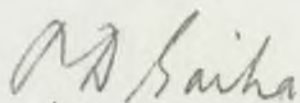
Subject:- Supply of copies of documents etc. circulated to members of the Central Board of Trustees, Employees' Provident Fund.

.....

Sir,

In continuation of this Ministry's letter No. ~~SI~~ I - 11(38)58, dated the 31st December, 1958 on the above subject, I am directed to say that in case of Statutory Boards and Committees, agenda papers etc. for their meetings are supplied to the members of such Boards and Committees, and it is for the members concerned to keep the Organisations they represent, posted with what happens.

Yours faithfully,


(P. D. Gaiha) 22/7/59
Under Secretary

August 5, 1959

Shri K.P. Veera Rangan,
Under Secretary to the
Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: Re:inder re. Demands
of the Workers at Lime
Stone Quarries at Ram-
Gajmandi.

Dear Sir,

Received your letter dated 23rd July
1959.

The demands of the Ramganjmandi workers
should be considered without any more delay
as these are pending for a long time.

Please let us know that whether the
conciliation office has submitted the report
and what is the decision of the Government
in that case.

Yours faithfully,

(K.G. Sriwastava)
Secretary

22 JUN 1959

Ministry of Labour & Employment

GOVERNMENT OF INDIA,

Office/Deptt.

No. ~~E.A.I.~~ 12(150)/59

172

2 June 1959
the 1st June 1959

The undersigned is directed to acknowledge receipt of your letter No. 172/4/150 dated 1st June '59 which is receiving attention.
memo. 59

S. S. Mukherjee
for Joint Secretary

File
172/4/150

25 JUN 1959

GOVERNMENT OF INDIA
Ministry of Labour and Employment

No. LWI(1)-6(15)/58(11). Dated, New Delhi, the 23 JUN 1959 June 1959.

From

Shri P.R. Nayar,
Under Secretary to the Government of India.

To

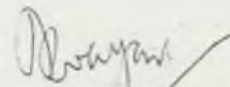
The Secretary,
All India Trade Union Congress,
4 - Ashoka Road, NEW DELHI.

Subject:- Reconstitution of the Minimum Wages
Central Advisory Board.

Sir,

I am directed to invite a reference to your letter No. Nil,
dated the 21st February 1959 and to request that details of the
scheduled employment with which Shri Satyanarayanan Reddy is
associated may please be intimated to this Ministry urgently, as
desired in this Ministry's letter No. LWI(1)-6(15)/58.III, dated the
15th January 1959.

Yours faithfully,



(P.R. Nayar)

Under Secretary to the Government of India.

*What is this
Scheduled employment
Ref. 1st.*

*mc
2/1/59*

26 JUN 1959

APB/LM/4694/59



Assett: PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

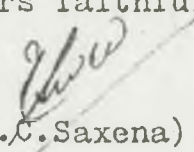
New Delhi, the 25th June 1959

Shri K.G. Sriwastava,
Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dear Sir,

I acknowledge with thanks
the receipt of your letter No. 172/
BT/59 dated the 22nd June 1959
to Shri G.L. Nanda, Minister for
Labour & Employment, who is at
present away on tour to Geneva to
attend the I.L.O. Session.

Yours faithfully,


(J.C. Saxena)

No.172/MNC/59

June 26, 1959

The Minister for Labour & Employment,
Government of India,
New Delhi.

Sub: Strike in Machinery Manufacturers Corporation Ltd., Calcutta protesting against mass retrenchment.

Dear Sir,

Over 1000 workers employed by the Machinery Manufacturers Corporation Ltd., Calcutta, have gone on strike from June 20 onwards protesting against the unilateral decision of the management to retrench 249 workers on alleged shortfall in orders.

There has been a critical situation in this factory for some months now, with the management keeping the workers under perpetual threat of mass retrenchment and the Government of India's attention had been drawn to this fact. It is learnt that the present plea of shortfall in orders is completely incorrect. The attempts of the W.Bengal Labour Commissioner^X to bring about a settlement failed since the management did not accept his advice.

The Government of India has got a heavy financial interest in the concern and has its nominees on the Board of Directors. The factory is a well-equipped engineering unit but is being badly managed. We would therefore request that the Government should intervene, institute and inquiry and prevent the mass retrenchment of the skilled workmen.

Thanking you,

Yours faithfully,

Vmo
26/6/59
(K.G.Sriwastava)
Secretary

26 JUN 1959

172
No. Genl. 3(8)/56
Government of India
Ministry of Labour and Employment

...

From

Shri Balwant Singh,
Under Secretary to the Government of India

To


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

Dated, New Delhi, the 26 JUN 1959

Dear Sir,

With reference to your letter dated the 15th June 1959 I am directed to say that Government of India publications on labour matters are supplied to registered trade unions/Federations at a discount of 25% on the published sale price of publications. The indents are forwarded to the Manager of Publications, Civil Lines, Delhi through the Registrar of Trade Unions concerned.

Yours faithfully,


for Under Secretary

d.a.nil.
b.k.m.22/6

T. U. LAW BUREAU:
R. L. TRUST BUILDING,
55, GIRGAON ROAD,
BOMBAY 4 (INDIA)

अखिल भारतीय ट्रेड यूनियन काँग्रेस ALL-INDIA TRADE UNION CONGRESS

4, ASHOK ROAD,
NEW DELHI.

President : S. S. MRAJKAR.
General Secretary : S. A. DANGE, M.P.

172

No. 185-11(1C)/59
July 3, 1959

Shri R.L.Mehta, I.A.S.,
Joint Secretary to the
Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: Violation of Code of Conduct.

Dear Sir,

Please refer to your letter No.E&I.10(11)/59 dated June 25, 1959 on the above subject. While the clarification offered on the role of the E&I Division in relation to breaches of the Inter-Union Code of Conduct is noted, we may point out that para 2 of the Code of Conduct does not expressly provide x that the Union Labour Ministry or its E&I Division may take upon itself the job of implementing the Code.

What has been provided for is only that: "For the time being, Shri Nanda, the Union Labour Minister, might invite the parties, from time to time, for further developing and amplifying the Code." Apparantly, this has not been done nor has the other provision to set up a machinery consisting of representatives of the four central labour organisations with an independent Chairman, might be set up for implementing the Code of Conduct, been arranged for.

The AITUC feels therefore that no purpose would be served in corresponding with the E&I Division on matters pertaining to the implementation of the Inter-Union Code of Conduct.

Yours faithfully,

(K.G.Sriwastava)
Secretary

← on the basis of
was expanded for
the last 6 months
months

useful
specific
as much

4 JUL 1959

GOVERNMENT OF INDIA
Ministry of Labour & Employment Office/Deptt.

No. LR 14-1142/59 *dy.* New Delhi, the 26 7 1959

The undersigned is directed to acknowledge receipt of your ^{addressed to the Director for Labour & Employment}
~~letter~~ memo. No. 172/M.C. dated 26.6.59 which is receiving attention.
159

P. C. Mehta
[P. C. MEHTA]

Section C ser
Minister Labour & Employment,

No. 172/PD/59
July 6, 1959

The Under Secretary,
The Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: Amendment of the Dock Workers
(Regulation & Employment) Act, 1948

Dear Sir,

With reference to your letter No.FAC.171
(10), dated 9th June 1959. I am enclosing
herewith some comments on the proposed amend-
ment to the Dock Workers (Regulation & Employ-
ment) Act, 1948, for necessary action.

I am also suggesting some fresh amendemnts
to the said Act with explanatory note which may
be incorporated with the official amendments.

Yours faithfully,

K.G.
6/6
(K.G.Sriwastava)
Secretary

No.LRII-22(13)/59
Government of India
Ministry of Labour & Employment

Dated New Delhi, the

From

Shri A.P. Veera Raghavan,
Under Secretary to the Government of India.

To

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

Subject :- Demands of the workers of the sand stone
quarries at Jhalawar and lime stone quarries
at Ramganjmandi.

Sir,

I am directed to acknowledge receipt of your
letter dated the 4th June, 1959 and to state that the
Conciliation Officer has already taken up conciliation
of the demands of the workers of Ramganjmandi quarries.
He has been instructed to take up conciliation of the
demands of the workers of Jhalawar quarries also.

A Mines Board for Rajasthan has recently been
set up.

It would be helpful if the workers' Unions are
advised to take up specific instances of non-enforcement
or violations of labour laws with the appropriate field
officers responsible for enforcing them.

Yours faithfully,

A.P. Veera Raghavan

(A.P. Veera Raghavan)
Under Secretary.

AS/67

(172)

No. LEII-4(12)/59
Government of India
Ministry of Labour & Employment

8 JUL 1959

Dated New Delhi, the

From

Shri A.P. Veera Raghavan,
Under Secretary to the Government of India.

To


1. The General Secretary,
Indian National Trade Union Congress,
17, Janpath,
New Delhi.
2. The General Secretary,
Hind Mazdoor Sabha,
Servants of India Society's Home,
Sardar Patel Road,
BOMBAY.
3. The General Secretary,
All India Trade Union Congress,
4, Ashoka Road,
New Delhi.

Sub:- Arbitration on certain issues pertaining to workmen
employed in the coal mining industry.

Sir,

I am to refer to this Ministry's letter No. LEII-4(12)/59 dated the 10th June, 1959, forwarding a copy of the 'agreement' reached on the continuance of the Coal Award beyond the 25th May, 1959. As you are aware, one of the points of agreement was that the workers' organisation would submit their written statement to the Arbitrator, with copies to the employers' organisations, by the 25th June, 1959. I am to request you to confirm that copies of the statements filed by your organisation before the Arbitrator have been sent to all the employers' organisations as well as to the Managing Director, National Coal Development Corporation (P) Ltd., Ranchi. If copies have not been already sent to them these may kindly be sent immediately. This Ministry may please be informed of the action taken in this matter.

Yours faithfully,


(A.P. Veera Raghavan)
Under Secretary.

Dr. B.K. Bhattacharya, IAS,
Deputy Secretary.



D.O. No. HI-17(2)/59

Telegrams :-

"LABOUR"

MINISTRY OF
LABOUR AND EMPLOYMENT.

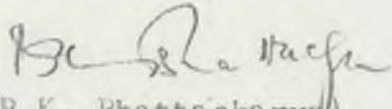
New Delhi, the 8th July, 1959.

Dear Shri Sriwastava,

Kindly refer to your letter dated the 5th March, 1959 and our letter No. HI-17(2)/59 dated the 19th June, 1959, regarding the Report of the Study Group on Social Security.

2. We shall be grateful if the comments of your Organisation on the Report of the Study Group are expedited.

Yours sincerely,


(B.K. Bhattacharya)
8.7.59

Shri K.G. Sriwastava,
Secretary, All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Vag no - Take
disburse for ~~the~~ ~~introduction~~
hi: om: rep: h

1000
12/11

No.LAB-11-1/59
Government of India
Planning Commission
(Labour & Employment Division)

Udyog Bhavan,
New Delhi, the 11th July, 1959.

From

Shri B.N. Datar,
Chief,
Labour & Employment,

To

Shri S.A. Dange,
General Secretary,
All India Trade Union Congress,
4, Asoka Road, New Delhi.

Sir,

I am directed to forward herewith a copy of the
Indian Labour Gazette - May, 1959 for your perusal and
retention.

Encl: As above.

Yours faithfully,

Jai Singh Lamba
for Chief (I&E).

172

D.O.No.172/SC/59
July 14, 1959

Dear Shri Bhattacharya,

Thank you for your D.O.letter No.HI-17 (2)/59 dated July 8, 1959, regarding the Report of the Study Group on Social Security.

The AITUC welcomes the proposal for an integrated system of social security.

We would like that the various administrative agencies now functioning separately for the E.P.F.Scheme, the E.S.I.Scheme, etc., should be integrated into one for administrative purposes only, which would lead to saving in expenditure and expeditious handling of the disbursements.

Though the recommendation of the Study Group to integrate the existing schemes and convert the P.F.Scheme into a pension scheme is, in principle, unobjectionable, the AITUC feels that the workers' bitter experience of the unsatisfactory working of the E.S.I.Scheme and the lack of response to the suggestions for improvement, are bound to evoke spontaneous opposition from the workers.

Moreover, we feel that the report of the Study Group proposes only the integration of the existing schemes, and hence falls short of our demand for a comprehensive system of social security.

It is, therefore, felt that before any scheme of integrating the existing schemes into a pension scheme is discussed, the Government should first carry out in full the measures promised under the E.S.I.Scheme, viz., giving medical benefits to the families of insured workers, realisation of full contribution from the employers, construction of separate hospitals, etc. These demands and defects in the functioning of the E.S.I.Scheme have been voiced in our resolutions and in the various meetings of the E.S.I.Corporation and tripartite gatherings. We regret to note

page two

that, by and large, these still remain unattended and unfulfilled.

The AITUC would therefore urge upon the Government to take immediate steps to rectify the position in relation to the ESI Scheme and thus restore confidence among the workers.

There is serious apprehension that an integrated pension scheme at this stage would provide an excuse not to fulfil the obligations under the E.S.I. Scheme, viz., family coverage, separate hospitals, etc., and that their fulfilment would be all the more vitiated, delayed and sidetracked by the additional considerations of the further liabilities of the pension scheme. These considerations prompt us to the conclusion that the integrated pension scheme should not be taken up at this stage.

Yours sincerely,

K.G. Sriwastava

(K.G.Sriwastava)

Dr. B.K.Bhattacharya, I.A.S.,
Deputy Secretary,
Ministry of Labour & Employment,
Government of India,
New Delhi.

9

D.O.No.172/SC/59
July 14, 1959

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①

page two

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Yours sincerely,

K.G. Sriwastava
(K.G.Sriwastava)

Dr. B.K.Bhattacharya, I.A.S.,
Deputy Secretary,
Ministry of Labour & Employment,
Government of India,
New Delhi.

1772
No. 172/VP/59

No. 172/VP/59
July 15, 1959

श्री सी.एल.नन्दा,
Minister for Labour & Employment,
Government of India,
NEW DELHI.

Sub: Verification of Trade Union Member-
ship - meeting at New Delhi on 21st
March 1959 - conclusions reached at

Dear Sir,

Kindly refer to our letter No.172/VP/59
dated May 29, 1959. We had requested for certain
clarifications on the above subject. An early
reply will be much appreciated.

Thanking you,

Yours faithfully,

K.G. Sriwastava
(K.G. Sriwastava)
Secretary

July 18, 1959

Dear Shri Nanda,

I am enclosing copy of a letter I have sent to the Chief Labour Commissioner (Central) with regard to verification of membership, for your information and action as deemed necessary.

Yours sincerely,

K.G.
18/7/59

(K.G.Sriwastava)

Encl:

Shri G.L.Nanda,
Minister for Labour & Employment,
Government of India,
NEW DELHI

22 JUL 1959



5893
Addl. PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

(172)


New Delhi, the 21 July 1959.

Shri K.G.Sriwastava,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dear Sir,

I am desired to acknowledge receipt of your letter dated the 18th July, 1959, to Shri G.L.Nanda, Union Minister for Labour, Employment and Planning, along with its enclosure.

Yours faithfully,


(J.C.Saxena)



1959

No. APS/LM/...../38
Addl. PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

New Delhi, the 27th July 1959.

To

Shri K.G.Srivastava,
Secretary,
All-India Trade Union Congress,
4, Ashok Road, New Delhi.

Dear Sir,

I am desired to acknowledge the receipt of your letter No.172/1L/59, dated the July 22, 1959, to Shri G.L.Nanda, Union Minister for Labour, Employment & Planning.

Yours faithfully,

(J.C.Saxena)

No.LRII-22(13)/59
Government of India
Ministry of Labour & Employment

Dated New Delhi, the

23 JUL 1959

From

Shri A.P. Veera Raghavan,
Under Secretary to the Government of India.

To

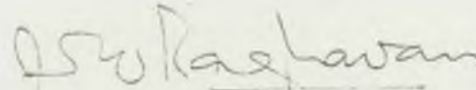
✓
The Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Subject:- Demands of the workers at lime-stone
quarries at Ramganjmandi.

Sir,

I am directed to refer to your letter dated 11th July,
1959, and to say that the Conciliation Officer's failure report
on the subject mentioned above is under consideration.

Yours faithfully,



(A.P. Veera Raghavan)
Under Secretary.



21 JUL 1959

No. APS/LM/.../59

Addl. PRIVATE SECRETARY TO THE
MINISTER FOR
LABOUR AND EMPLOYMENT.

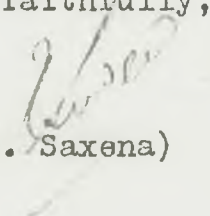
New Delhi, the July 24, 1959.

Shri K.G. Sriwastava,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dear Sir,

I am desired to acknowledge receipt of your letter No.172/IC/59, dated the 21st July, 1959, to Shri G.L.Nanda, Union Minister for Labour, Employment & Planning.

Yours faithfully,


(J.C. Saxena)

ALL INDIA TRADE UNION CONGRESS.

VIEWS OF A.I.T.U.C. ON GOVERNMENT LABOUR POLICY AT

17th I.L.C - MADRAS.

1. The papers prepared by Government for this conference completely shut their eyes to certain pressing problems affecting the workers, though these problems dominated the Nainital Conference and continue to remain acute as before. At Nainital every delegation raised the question of closures, retrenchment and unemployment. We discussed these problems and Government and employers promised to do certain things. But situation has not improved.

2. True, one Textile mill in Bombay has been taken over since then. But many more units in Bombay and elsewhere remain closed. Large scale retrenchment and rationalisation in Textiles, engineering etc., are taking place, which the employers declare have the consent of the recognised unions of the INTUC as in Bombay and Madhya Pradesh.

3. Several strikes have been taking place on these questions of retrenchment and victimisation of trade union workers. Court judgements permitting dismissals at the sweet pleasure of the employers are evoking protest strikes to defend the rights of the working class. Strike in the Grindlays Bank, the Mahindra concern in Calcutta, Romington Rand, The National Electric and Now Era Silk in Bombay, the lockout in the Harveys, the failure to take over Kaleswarar Mills in Coimbatore, show that the Government of India and the State Governments after having debated the question at Nainital, have gone back to their usual position of leaving the workers alone to fight the superior weight of the employers.

4. In this period some wage agreements have been negotiated. The Jamshedpur wage agreement has come out. But even there, the problem of work loads is still unresolved and unless wages and

(Contd.....)

workloads are resolved together, it is useless to expect the workers to settle down to calm work. Workloads and retrenchment in Jamshedpur the failure to evolve proper wages scheme in Lurgpur and elsewhere, disturb the Iron and Steel sphere, the most vital one for our economy. Tea Bonus is still unsettled and a Wage Board for Metal and Engineering as a whole is an urgent necessity.

The promises made to appoint the wage boards for industries have been frozen. . Even the Pay Commission and the Textile wage Board have been unable to report though a long period, enough to exhaust the patience of the workers, has passed since their appointment.

The Labour Minister Mr. Nanda has personally intervened in the Coal disputes and in the Banking dispute. But such interventions while securing temporary relief, do not make up for a policy as a whole. They become only benevolent exceptions to a bad labour policy, which does not allow urgent questions of life of the workers to be resolved in their favour as a natural result of a correct policy.

The promises made at Nainital and perspectives held before the workers have been belied for the most part. Where small fulfilments have been shown they had to be extracted by prolonged suffering and struggles of the workers.

5. This not only shows the Labour policy of the Government in actual practice, it also shows that what is called PLANNED DEVELOPMENT has no plan, unless all these retrenchments, closures, victimisations, and lockouts are a part of the "PLAN" of the Government and the employers for better Development of the profits of the Gentlemen of enterprise.

(Contd.....)

6. Not content with the position in which the employers aided by the Government machinery are launching offensives against the workers, it seems in this conference, the Government has put forward an agenda on Industrial relations, which is calculated to hamstring still further the freedom of the workers and their trade Unions.

The proposal to give unheard of powers to the Registrar of Trade Unions, that is Government Officials, over the Organisations of trade unions, is the most reactionary proposal on the agenda. He is no more a mere Registrar. He is to be the Supreme Maker and Unmaker of trade Unions. He is to judge how many and where the workers should have unions or not. In one state he is even given the power to dismiss and decide the Office bearers of the Union. Very soon it will not be the workers, who will be running the unions, but the nominees of the Government or its party. So long it was done behind the back of the workers. Now it is proposed to be done with the sanction of the law. We refuse to accept this position. All those proposals of enhancing the powers of the Registrar or keeping his Veto on the Unions must be scrapped in toto.

7. The Government of India has not been able to compel observance of the code of discipline by the employers, by the State Government or by its own Ministries. The Unions of the AITUC particularly have not reaped a single benefit under the code./And there is the most flagrant case on record, where the Secretary of the Union of Employees of Audit and Accounts has been dismissed on charges, one of which is that he submitted memo to the Pay Commission of the Government of India, and suggested curtailment of the authority of his employer (immediate boss). We need not cite further facts which are too numerous to be quoted here.

8. The experience of the working of the code shows that the majority of the employers and the State Governments as also Ministries of the Government of India are not prepared to honour the

Code. Hence the AITUC thinks that the code of discipline be suspended until the employers and Governments come in the proper mood to work it -- and that the AITUC be allowed to withdraw from its obligations, where the employers and states do not reciprocate and adopt a policy of special discrimination against AITUC. To begin with AITUC will like to opt out ^{of the code in} the Bihar, Madhya Pradesh and Bombay.

9. The Government of India compels the workers to subscribe Crores of Rupees to ESI. In spite of the promises, it has failed to provide hospitalisation, care of the families of the insured and enhancement of the employer's contributions. Provident fund monies of the workers are known to have been swindled by lacs. In Madhya Pradesh alone about Rs.50/- lacs have been so swindled. So is the position in Bombay and elsewhere. Several Governments have been abetting this position and workers in need do not get relief. And yet this open daylight fraud is not nailed down by confiscating the concerns involved in it. Where is Morality, Democracy and observance of law and the code of discipline in all this?

10. The AITUC has always held that compulsory recognition of trade unions is a vital necessity in India, and that in order to decide which union has the workers' support and is representative a secret ballot of the workers is the only correct method. Both these demands have been refused by the Government. Ballot is regarded as the most Democratic method in the Political field. Then why is it denied in the Trade Union field? The verification method is one sided and is heavily loaded on the side of the Government, and the employers and their supporters. The very fact that Unions of the INTUC or those recognised by the employers alone can collect subscription money in the factory handicaps the others in making rolls and registering fully paid membership. Over and above this some of the verifying officers are subjected to influences hostile to the AITUC.

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Compulsory recognition of Trade Unions and ballot to decide their representative character are the absolute preconditions for peace in industry and better industrial Relations. These two measures will bring about a fundamental change in the situation and help the economy and the working class to go forward.

11. We have made the above remarks on some of the problems before us in general, because they embrace the most important aspects of any progressive labour policy.

For over 40 years, since the workers began to act in defence of their interests and formed mass unions, the Government and the employers have been avoiding direct collective bargaining between the unions and the employers. There has been a consistent attempt to interpose some other agencies between the workers right to collective bargaining and the employers who as a class the world over have always resisted direct negotiations with and recognition of trade unions. The Congress Ministries with their avowed adherence to Socialism have not followed a different path. Even where they agreed to give bargaining right and recognition it is offered in exchange for surrender of some fundamental rights as shown in that new breed of unions called 'approved unions'. Hence for the last ten years there has been continuous arguments about all kinds of Tribunals, arbitration boards, conciliation machineries, appeals and so on. The present Tripartite has again put of these question on the Agenda. We hold that unless a clear cut socialist policy of labour is adopted and unless compulsory recognition of Trade Unions, Collective bargaining and ballot are introduced, no amount of tribunals, boards, and bans on this and that will lead to a satisfactory solution. However we will give our views on the various proposals in ^a general way.

3.3. We endorse the provisions for the ballot in the Kerala Industrial relations bill.

- 4.3 Since only a Committee is to be appointed to once more discuss the works committee nothing need be said. The employers do not want the works committee, nor do the Government concede. We want works committees to have more powers and we want them as elected committees. The works committee in principle must so evolve as to be the basis of Socialist Management in the future set up.
- 5.2 Agreements, negotiated and signed by any union must be submitted for ratification, in the first instance, to the executive committee of the Union and in case of sharp differences to the General Body of the Union. Where 15% of the workers affected by an agreement negotiated by a union object to or demand amendment of the agreement, which must in all cases be publicised before the workers in all suitable ways, the union shall take steps to call the General Meeting of the workers affected if it is an establishment and an elected delegates meeting or the elected works committees of all the establishments in the Industry if the agreement covers whole Industry, to ratify, amend or reject the agreement and the union thereupon shall carry out the decision of such a meeting. In the absence of such ratifications the agreements will not be binding on the workers, for the mere fact that it has been negotiated and signed by the Union whether representative or not.
- 6.2. Arbitration boards may be instituted to which recourse may be had by either party to dispute of their own free will. The Government should have no discretion to judge the merits of the case and then grant or withhold reference to arbitration.

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7.3 We do not want to adopt any "Model Principles" as such to predetermine the reference of disputes to adjudication. If the adjudication machinery is to exist it must be available fully and freely to the Trade Unions. The present Voto exercised by the Government on such reference and their tampering with the issues framed by the workers must be done away with. The Government are known to exercise their Voto and powers to the detriment of Unions whom they dislike and to the benefit of employers whom they favour.

8.4. The labour appellate tribunal as such need not be revived because that would be no cure to the appeals sent up to the Supreme Court unless Industrial disputes are banned from the purview of the Supreme Court. The element of delay and costs also affected the L.A.T. when it existed. We would suggest that all High Courts, institute an Industrial Bench in their jurisdiction in which the Judges should make themselves versed in all questions effecting Industrial disputes as such, besides common law and Industrial law.

9.3. The Madras Government proposal be endorsed. All the three fears expressed in 9.2 are groundless.

10.3. If the Central Government acts quickly and takes over the disputes to a national tribunal the difficulty can be overcome. But in the absence of such a decision by the Central Government the present power of reference to local tribunal should remain.

(b) 11.4. The A.I.T.U.C., is of the opinion that we have come to a stage where unions in certain sectors, of our economy can find enough cadres and leadership to manage all their affairs, provided the Union Leadership is guaranteed protection from the victimisation in any form. No union functionary should be dismissed, discharged or transferred during his occupancy of the union post. Secondly no dismissed or discharged worker shall be considered as an outsider for the Unions of his industry or trade.

Thirdly one fourth of his working time shall be available to the Office bearer for his trade union work. Only Unions in an industry like coal mining, plantations and Class IV employees are not yet in a position to contribute suitable cadres for specialised sides of Trade Union work, such as correspondence drafts of agreements, court work etc., for which outsiders are required by them. Hence the NREUC is prepared to discuss which industry or trades can even now be urged to accept a total elimination of outsiders, if the other national Trade Union Centres would agree, and the employers and the Government would provide the above Guarantees.

11.5 Yes; annas four may be made the minimum.

11.6 Registrars' powers be curtailed even as at present and some decentralisation may be done.

11.7 No powers of this type be given.

11.8 No power of this type be given.

11.9 The power exists and may be continued.

11.10 Even the suggestion is preposterous.

As the Government is aware and frankly shows it in its memorandum, all these powers, existing or proposed are against the spirit of the freedom of Organisation guaranteed under the Constitution.

The failure of the Government to ratify the ILO convention No.87 on this subject is a serious breach of democratic behaviour and the Governments duties to the Constitution. That the Government of India did not consult the Tripartite Conference on the question of its refusal to ratify the convention should be taken note of by this conference. Curtailment of the freedom of association even with the concurrence of representative organisations is impermissible. And this is specially so when the Government's criteria to determine the representative character of an organisation, is of a partisan type and is worked by itself with partiality

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and extreme considerations. The latest verifications of membership and representative character of national Trade Union organisations carried out by the Government Officers in all of instances to prove the above statement. Even if verification were true and valid, no organisation has the right to curtail the freedom of association of others and the Government has no moral Constitutional justification to undertake curtailment of that freedom. It is undemocratic and unconstitutional.

Madras.
26th July, 1959.