

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

अखिल भारतीय ट्रेड यूनियन काँग्रेस  
ALL-INDIA TRADE UNION CONGRESS

4, ASHOK ROAD,  
NEW DELHI

President : S. S. MIRAJKAR.

General Secretary : S. A. DANGE. M.P.

OFFICE COPY

May 21, 1960

To STUCs - Tamilnad, Andhra, Bengal, Punjab, Kerala,  
Delhi and Karnatak

Dear Comrade,

Several complaints have been received that AITUC is being discriminated against in the matter of representation on State-level tripartite committees, even in States where according to verified figures, we have the majority.

Will you please inform us the position in your State, in the attached proforma.

We are submitting a memorandum to the Union Labour Ministry on this question and your reply should reach us before June 1, 1960.

In this connection, we are informed that in one State, the State Labour Ministry has taken up the attitude that the verification of membership undertaken by the Union Labour Ministry will not be taken into consideration for the purpose of representation at State level. The figures supplied by the State Labour Commissioner is said to be the basis. Does this happen in your State also.

Also give references to your letters if you have objected to lesser representation to AITUC in your State and what reply was received from the State Government.

We also wish to remind you that the concrete Memorandum re. violation of Code of Discipline and Code of Conduct which the State TUCs were to submit to the State Governments (as we did at the Centre) do not seem to have been done by you. This should be prepared and sent as early as possible and copies should be endorsed to this office.

With greetings,

Yours fraternally,

(K.G. Sriwastava)  
Secretary.

Encl:

0961 AM 52  
25 MAY 1960

Hyderabad, 20. 86

22.5.1960.

Dear K.G.

Received your letter.

What agenda can we suggest for D.L.C?  
Should we suggest that third ~~five~~ plan  
be discussed? But it would be repetition  
of what standing committee has done.

I am inclined to suggest a discussion  
on the working of the integrated labour  
policy of minimum wage, recognition  
of union and ~~worker~~ demoralisation  
of industrial administration. What  
are the main hurdles and how are  
they to be overcome? Conclude decisions  
for future action.

Second question is price policy  
during the plan period and protection  
of working class by linked D.A.

Third question should be one of  
revision of minimum wage schedule.

Some industries have to included.

In problems of Social Security we have to emphasise on housing and Housing Act. Expansion of ESI with full family benefits and hospitalisation.

Provident Fund expansion both in quantum of contribution and extent of application.

Have we made up our mind on Pension / Provident Fund problem? No.

I am in Delhi on June 18. We shall have an opportunity to discuss matters then.

I shall be unable to go to Jabalpur on 13<sup>th</sup> June. There are Municipal Elections in Hyderabad. I have to spare every day for them. They have

Very reluctantly agreed to leave  
me on 16.6.60 for Delhi.

With regards to Late Anand Prasad  
Lahori Minister's letter in reply  
to mine, I think it is satisfactory.

You send a copy of my letter to  
Anand L. P. and his reply to  
APTOC Office here for their  
information.

The State Executive Conference  
is meeting here in Hyderabad  
by month end. There is a District  
Conference on 23rd June on June 3  
to discuss the implementation of  
Way Board recommendations.

Best wishes.

With greetings.

Yours faithfully

Raj Bahadur Gouss

Handwritten  
|

- 3 JUN 1960

Phone : 34-2044

WEST BENGAL COMMITTEE  
All India Trade Union Congress

249, BOWBAZAR STREET, CALCUTTA-12

dt: 2-6-60.

President :

Sri Hemanta Kumar Bose,  
M. L. A.

To  
The Secretary,  
A.I.T.U.C.,  
New Delhi.

Dear Comrade,

With reference to your letter dated 21st May '60, the information asked for are given below :-

Vice-Presidents :

Dr. Ranen Sen, M. L. A.  
Janab Md. Elias, M. P.  
Sri Sudhir Mukhoti  
J. Md. Ismail  
Dr. Sushil Bose  
Sri Anadi Das

REPRESENTATION TO WORKERS' ORGANIZATIONS ON STATE LEVEL  
TRIPARTITE COMMITTEES.

Sl. No. COMMITTEE. Total No. of Workers' Representatives. AITUC INTUC HMS UTUC Other Organizations.

Sl. No.	COMMITTEE.	Total No. of Workers' Representatives.	AITUC	INTUC	HMS	UTUC	Other Organizations.
1.	Labour Advisory Board:	5	1	2	2	1	-
2.	E&I Committee:	4	1	1	1	1	
3.	Employment Advisory Committee:						
	i) for 24-parganas.	5	1	2	1	1	
	ii) for Calcutta:	5	1	2	1	1	
	iii) for Raniganj:	30	1	1	1	Nil	
4.	Regional Board of ESI:	4	1	2	1	Nil	
5.	Regional Board of EPF:	4	1	2	1	Nil	
6.	Workers' Education:	4	1	1	1	1	
7.	Industrial Committee:						
	i) Engineering:	4	1	1	1	1	
	ii) Teaplan-tation:	4	1	1	1	1	
	iii) Cotton Textile:	4	1	1	1	1	

General Secretary :

Sri Indrajit Gupta

Secretaries :

Sri Manoranjan Roy  
Sri Hrishu Banerji  
Sri T. N. Siddhanta  
Sri Saroj Ghosal  
Sri Manindra Bose  
Sri Sitaram Sett

Treasurer :

Sri Nirode Chakravarty

contd

( 2 )

iv) Newspaper Establishments:	4	1	1	1	1	
v) Mercantile Firms.	6	1	1	1	1	
vi) Iron & Steel:	4	1	1	Nil	Nil	2

Yours fraternally,

one

*T. N. Chakravarty*  
Secretary.

Sri Nirode Chakravarty

Sri Nirode Chakravarty

111/ 107 Kashi ganj: 30	1	1	1	Nil
4. Regional Board of ESI: 4	1	2	1	Nil
5. Regional Board of EPF: 4	1	2	1	Nil

KERALA STATE TRADE UNION CONGRES (1)  
TAMIL NAD TRADE UNION CONGRESS (2)  
ANDHRA PRADESH TRADE UNION CONGRESS (3)  
DELHI STATE TRADE UNION CONGRES?? (4)  
KARNATAK PRADESH TRADE UNION CONGRESS (5)

June 3, 1960.

Dear Comrade,

On May 21st we had sent you a letter asking for information relating to representation of workers organisations on State level tripartite bodies. We had also sent you a proforma which was to be filled up and sent by you.

We regret to note that you have not replied to the above letter. As we had informed you, we required the information in order to collect facts with regard to discrimination against the AITUC which is being practised even in States where according to verification we have the largest membership. You will appreciate that general complaints about discrimination will have no meaning if concrete facts are not cited.

Please therefore send the information without any further delay.

With greetings,

Yours fraternally,

*K.G.*  
(K.G. Srinastava)  
Secretary.

- 4 JUN 1960

Panchmarhi  
St 2. 6.

Dear Com.,

I have come here for the Lab. Hd. Board Meeting I will send you the report on reaching back Juvve.

I want to suggest that we should raise the question of

1. "The status of Recognised Unions" as a part of Industrial Relations, at the next tripartite.

The question assumes importance because the principle of Recognition of one union having been accepted, that Union - if it is I.M.T.U.E. Union (which is invariably is) is being sought to be built up as a monopoly Union. That one Union alone gets the representation in all Committees and Board etc. When we raised that question the Lab. Minister's reply is that he shall deal with only recognised Union. So give you concrete idea let me mention that only

The I.M.T.U.E. has representation on  
a) P.F. Board. b) E.S.I. Board.  
c) Local Committees of E.S.I. d) Board of Workers Education e) 17. ways Committee (f) Productivity Council

Recently a Pilot Workers Institute has been started at Juvve by Lab. + Ed. Dept. It is housed in the office of the I.M.T.U.E. It will arrange lectures and give group cultural training to workers. Shivmali came to inaugurate it. But only I.M.T.U.E. was invited. When we protested it was said that only Recognised Unions will be invited!

Again grants in the name of Welfare grants are given by thousands of Rupees to the I.M.T.U.E. I raised the question at today's meeting. But the L.M. said that this policy cannot be revised.

This is not a question of unit N.P. This will increasingly form the pattern and this issue should be raised at All India level.



2. Another question to be raised is that of 'inquiry' for recognition. B. Bas & fresh.
3. Mostly the question of work committees. N.P. refuses to have work committees or even conciliation committees.

more later.

Hope to meet you about conference at Jabalpur on the 13th. I had been to Jab. for 2 days. We have confirmed Sarajich.

Yours  
Homi Bhabha

N.B.: I think S. A. D. will return by the 10th. Though we are not proposing him - can he come to Jab. even for a day?  
Homi Bhabha

अन्तर्देशीय पत्र  
INLAND LETTER



Com. K. S. Shrivastava  
All India Trade Union Congress  
4 Ashok Road  
New Delhi.

पहला मोड़ First fold

तीसरा मोड़ Third fold

दूसरा मोड़ Second fold

भेजने वाले का नाम और पता :- Sender's name and address :-



यहाँ काट कर खोलिय To open cut here

- 9 JUN 1960

Telephone: 2025

86

Punjab & Himachal Committee

## ALL-INDIA TRADE UNION CONGRESS

G. T. Road,  
Jullundur City.

Ref. No. LABS/24-60

Dated 7th June, 1960

**Shri Harday Singh Ghina, IAS,**  
Secretary to Govt. Punjab,  
Labour and Employment Dept.  
Gandigarh, Ludhiana

Dear Sir,

Please refer to your letter No. 4898-IV-lab-II-60/  
17285.

1. The position as explained by you in this letter with regard to the basis on which representation is given to AITUC on various bodies is totally unacceptable to us.

At the Indian Labour Conference it has been decided to check and evaluate the membership claims of various central organisations specifically with a view to according them nominations in various bodies. The verification for 1957-8 has been completed, and that for 1958-9 is nearly finished.

As disclosed by the verification for 1957-8, the AITUC has the largest membership in Punjab and in fact is bigger than the INTUC and HKS put together.

Your statement therefore that INTUC and AITUC are given representation in the proportion of 2 to 1 is totally unacceptable to us. Will you please be good enough to clarify why the findings of the machinery provided by the Indian Labour Conference are not accepted by you and why this unfair discrimination is made against the largest Trade union organisation in the state viz AITUC.

2. We are also unable to agree with you that area to area decision cannot be taken, because the central verification also provides such figures. However, even if your principle is accepted, still this does not explain why only the INTUC, which is a much smaller body than AITUC alone is given representation in certain bodies and the AITUC is excluded.

ALL INDIA TRADE UNION CONGRESS

3. May I state that in my view this discrimination is based purely on extraneous political considerations and amounts to excluding genuine representatives to trade unions on the basis of their accepted and verified membership, so that a trade union organisation with which the political party in power is in agreement should be somehow foisted on the workers.

I shall be thankful if you clarify the points raised by me in this letter, and accept the demands of justice and fairplay.

Yours faithfully,

  
( Satish Loomba)

Copies to:-

- i) Shri G. H. Nanda, New Delhi.
- ii) Pt. Amar Nath Vidyalanagar, Chandigarh.
- iii) Secretary, AITUC, 4-Ashoka Road, New Delhi, with request to take this matter up at the central level.

1774  
14/7/60  
No.1/64/60-LRI  
Government of India  
Ministry of Labour and Employment

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From

Shri G. Jagganathan,  
Under Secretary to the Government of India.

To

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

13 JUL 1960

Dated New Delhi, the

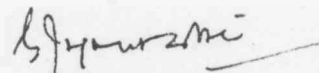
Subject:- Ballot to determine representative character of  
trade unions.

.....

Sir,

I am directed to refer to your letter dated the 10th June, 1960 suggesting inter alia the above cited item for inclusion in the agenda of the forthcoming Indian Labour Conference. As you are aware this question was discussed at the Indian Labour Conference held at Madras in July, 1959. The consensus of opinion was in favour of continuance of the existing criteria of recognition of unions, as embodied in the 'Code of Discipline. In view of this recent tripartite recommendation, it would be appreciated that a discussion of the said item at the forthcoming session of the Indian Labour Conference would not be appropriate.

Yours faithfully,



( G. Jagganathan )  
Under Secretary

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No.506/9/60-Fac.  
Government of India  
Ministry of Labour & Employment.

- - -

From

Shri P.D.Gaiha,  
Under Secretary to the Government of India.

To

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

Dated New Delhi, the

23 JUL 1960

Subject:-Reduction of hours of work in hazardous occupations -  
inclusion of the item in the agenda of the 18th  
session of the Indian Labour Conference.

- - -

Sir,

With reference to your letter dated the 10th June, 1960, suggesting inter alia inclusion of item 12 regarding reduction of hours of work in hazardous occupations in the agenda of the 18th Session of the Indian Labour Conference, I am directed to say that your suggestion has been carefully examined. There does not appear to be any case for the reduction of hours of work in hazardous occupations unless some specific occupations with necessary facts and figures are brought to notice, when the position in respect of such occupations can be examined on merits of each case.

Yours faithfully,

*E. Dally*  
23/7/60.

(P.D. Gaiha)

for Under Secretary.

*in preparation  
for the  
Minister -  
23  
11/60*

13 JUL 1960

NO. 16/2/60-RI-Pt.  
GOVERNMENT OF INDIA  
MINISTRY OF LABOUR & EMPLOYMENT

.....

From

The Joint Secretary to the Government of India,  
Evaluation and Implementation Division.

To

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

Dated New Delhi, the 10<sup>th</sup> 9/1960

Subject:- Agenda for the 17th Session of the Indian Labour Conference.

Sir,

I am directed to refer to your letter No. 174/A/60 dated the 10th June, 1960 on the above subject and to say that the working of the Code of Discipline was reviewed in detail at the last Indian Labour Conference held at Madras in July, 1959. It is, therefore, felt that it is too early again to discuss its implementation at the next session of the Indian Labour Conference. Moreover it is not a fact, as mentioned in the note sent by you, that the Code is a dead letter so far as the State sector is concerned. The Code already applies to public sector undertakings worked as "companies" and "corporations", excluding Defence undertakings, banks and the Life Insurance Corporation. The question of extending the Code to Defence undertakings is under the consideration of the Ministry of Defence. The question of applying the Code to the banking industry and Life Insurance Corporation is also being actively pursued. Simultaneously every attempt is ~~being~~ being made to cover the remaining public sector undertakings under the Code.

Yours faithfully,

*Manjani*  
for Joint Secretary

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No.174/A/60  
June 10, 1960

Dr. B. R. Seth,  
Deputy Secretary to the Govt. of India,  
Ministry of Labour & Employment,  
New Delhi.

Sub: 18th Session of the Indian Labour  
Conference - agenda for the.

Dear Sir,

With reference to your letter No.L.C.9(31)/60 dated May 4, 1960, we would like to suggest the following items to be placed on the agenda of the 18th Session of the Indian Labour Conference.

- (1) Implementation of Recommendations of the Central Wage Board for Cotton Textile Industry and the Central Wage Board for Cement Industry
- (2) Linking of Dearness Allowance paid to workers with consumer price indices
- (3) Surplus workers in Construction Projects, especially Steel Plant Projects
- (4) Implementation of the Code of Discipline in Public Sector and Removal of Discrimination in applicability of the Industrial Disputes Act, 1947 in relation to employees of Government (Central and States)
- (5) Policy of Discrimination pursued by State Governments in giving representation to State Committees of AITUC in State level Tripartite Committees
- (6) Appointment of Wage Boards for Industries remaining to be covered as recommended by the 15th Indian Labour Conference
- (7) Legislation to provide for democratic ballot to determine representative character of trade unions for purposes of granting them recognition
- (8) Working of the Employees State Insurance Scheme
- (9) Formation and functioning of Industrial Committees
- (10) Functioning of Works Committees
- (11) Subsidised Industrial Housing Scheme
- (12) Reduction of Hours of Work in Hazardous Occupations.

If your Ministry does not consider any of the items proposed above as necessary to be placed on the agenda of the conference, the reasons thereof may kindly

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No.174/K/60  
August 22, 1960

Com.Jatin Chakravarty,  
Secretary,  
United Trade Union Congress,  
Calcutta.

Dear Comrade,

Thank you for your letter No.L/66/60 dated August 17, which I saw today on my return from tour.

2. I heartily welcome your suggestion for mutual discussions between AITUC, HMS and UTUC, regarding steps taken for or against boycott of the tripartite bodies and other issues, from time to time.

3. As you are aware, unfortunately, the HMS at its Working Committee meeting held at Nagpur on 5th July decided to boycott tripartite committees. I flew there on 5th July night to meet HMS leaders and issue a joint statement regarding 14th July strike and discuss other matters but they were adamant in having nothing to do jointly.

4. Again, in the end of July, Com.Devan Sen, yourself and myself agreed for joint statement for the observance of September 2 as TU Rights Day. The same evening, as you know, it was not possible for HMS leaders to sign the joint statement and two statements, one jointly by AITUC and UTUC and the other by HMS were issued.

5. In our discussions in Delhi in July, I and my colleagues of the AITUC had made it very clear that the decision to boycott the tripartite committees can be taken only by our Working Committee.

6. The Secretariat of the AITUC decided to boycott the Minimum Wages Advisory Committee as it was directly concerned with the decision of the 15th Indian Labour Conference regarding minimum wages. I had to go out of station but my colleagues informed you that we ~~xxx x~~ were attending other tripartite meetings that took place in that week.

7. Our Working Committee is to meet in Delhi on 11th and 12th September.

8. Even after the issue of the statement for September 2 and giving call for joint observance, I find that in many States, the HMS units, and in Delhi the UTUC unit, are not cooperating. In Delhi, the HMS and UTUC units have decided to observe the day separately. And this is after our AITUC unit wrote to them for joint observance.

9. As regards boycott of tripartite bodies, you know that the decision of HMS was unilateral. They have also taken some more decisions in their last Working Committee meeting held at Delhi on 13th and 14th August, without even informal consultations amongst us. As an organisation, they are, of course, fully entitled to take any decision they like but you can well understand as to how far it goes with the idea of mutual consultations.



page two

10. You will agree that it will be a wrong procedure to take decision in one's organisation, announce it and then ask others to follow suit in the name of united stand.

11. If we can give a united fight to the proposed bill to ban strikes in essential services and ban on outsiders in the tripartite committees, we think it should be done. No doubt, the movement outside will be the decisive force.

12. Whether the fight is to be inside the Committee/Conference or outside, we are one with you on the need for mutual consultation. That is why, while seeking information from the Labour Minister, we have endorsed copy of the same to the other central TU organisations, to keep them posted. Also, when we boycotted the meeting of the Minimum Wages Advisory Committee, we sent you copy of our letter to the Labour Ministry notifying our decision. Whenever we receive a reply from the Labour Ministry, we will be sending copy of the same to you and others.

13. There has, therefore, been no action whatsoever on the part of our organisation which can be interpreted as volte face.

14. Whatever steps have to be taken against the proposed bills and to fight against victimisation of Central Government employees, we are prepared to work unitedly with other central TU organisations.

15. We suggest a meeting of the representatives of AITUC, HMS and UTUC, and INTUC if they are prepared to join us, on any day after 12th September, to discuss the next steps in this connection.

With greetings,

Yours fraternally,

*K.G. Sriwastava*

(K.G. Sriwastava)  
Secretary

अखिल भारतीय ट्रेड यूनियन काँग्रेस  
ALL-INDIA TRADE UNION CONGRESS

President : S. S. MIRAJKAR.

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

D. O. No.174/K/60  
August 11, 1960

Dear Shri Nandaji,

We have learnt from press reports and statements made in Parliament that Government is proposing to bring in a statute prohibiting strikes by certain sections of workers and also to ban "outsiders" in trade unions.

In the past, it has been the practice that all amendments in connection with labour legislations have been usually discussed in the Indian Labour Conference or the Standing Labour Committee. The proposed measures are very important ones and I am sure that the practice of discussing them in tripartite bodies before introducing in Parliament will be adhered to in this case also.

I have seen the agenda of the 18th Session of the Indian Labour Conference circulated in your Ministry's letter No.LC-9(31)/60 dated August 10, 1960. There is an item on the agenda described as "Industrial Relations in the Public Sector". I have not received the memoranda on this item. May be you propose to discuss the proposed measures under this item. If so, we would like to have a note in this regard well in advance.

Secondly, I would suggest that the representatives of Central Government employees' organisations which are concerned with the proposed legislation should also be invited to participate in the conference, when this item is being discussed. They should not remain observers as was the position of the representatives of the All-India Defence Employees Federation at the 17th Session but should be allowed to participate in the discussions.

I shall be thankful for a line in reply, clarifying the position.

With regards,

Yours sincerely,

*K.G.*  
(K.G.Sriwastava)

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

(14)

D.O.No.174/K/60  
August 29, 1960

Dear Shri Nandaji,

Wide letter from your Ministry bearing No.IC/9(31)/60 dated 27.8.60, we have been informed that item 2 of the agenda for the 18th Session of the Indian Labour Conference to be held on 24th and 25th September, viz., 'Industrial Relations in Public Sector' is to be deleted.

On behalf of the AITUC, I strongly protest against this deletion. Industrial Relations in Public Sector is a burning issue of the trade union movement and it was rightly put on the agenda for the 18th Session of the Indian Labour Conference. It should be discussed in the forthcoming session of the Indian Labour Conference.

I have not yet received reply to my d.o. letter 174/K/60 dated 11th August 1960 in spite of reminder on 22nd August. My efforts to meet you personally did not succeed as I am constantly told by your staff that you are too busy.

I would urge upon you to reconsider the issue and place this item on the agenda.

Yours sincerely,

*M.G.*  
(K.G.Sriwastava)

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

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Statement showing the items suggested by the All-India Trade Union Congress  
for inclusion in the agenda of the 18th Session of the Indian Labour Conference

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S.No.   Item suggested.

Reasons for non-inclusion in the agenda

1. Implementation of recommendations of the Central Wage Board for Cotton Textile Industry and the Central Wage Board for Cement Industry.

The State Governments have already been requested to secure implementation of the recommendations of the Wage Boards on Cotton Textile, and Cement Industries. <sup>Agree</sup> ~~Arrangements~~ regarding implementation have been reached between the parties in a large number of States while in others negotiations are in progress. It is, therefore, not considered necessary to discuss the subject in the Conference.

2. Linking of Dearness Allowance paid to Workers with consumer price indices.

The Government are studying the problem and it is, not considered ripe for discussion at the Conference.

3. Surplus workers in Construction Projects especially Steel Plant Projects.

The Government of India have already set up a Central Co-ordinating Agency for finding alternative employment for workers who may be rendered surplus on the completion of national projects both in the public and private sectors. This Agency functions through a Central Co-ordinating Committee. Similar arrangements also exist at the State level. In view of the arrangements already existing it is not considered necessary to discuss the subject in the Conference.

4.(i) Implementation of the Code of Discipline in Public Sector;

Reply has already been sent vide Ministry of Labour and Employment letter No.16/2/60-E&I-Pt., dated the 11th July 1960.

4(ii) Removal of Discrimination in applicability of the I.D. Act, 1947 in relation to employees of Government (Central and States)

It has since been decided to put back ~~to~~ the item "Industrial Relations" in Public Sector" on the agenda of the Indian Labour Conference and certain aspects of the subject would be open to discussion generally at the Conference. It is therefore not necessary to include this as a separate item in the agenda.

5. Policy of Discrimination pursued by State Governments in giving representation to State Committees of A.I.T.U.C. in State Tripartite Committees

If desired, the matter can be discussed in the informal meeting with Workers' representatives on the 23rd September 1960.

6. Appointment of Wage Boards for Industries remaining to be covered as recommended by the 15th I.L.C.

The subject has been discussed in all its aspects in recent tripartite conferences. A further discussion regarding this matter in the forthcoming Conference is not therefore considered necessary.

7. Legislation to provide for democratic ballot to determine representative character of trade unions for purpose of granting them recognition.

Reply has already been sent vide Ministry of Labour and Employment Letter No.1/64/60-LR-I, dated the 13th July 1960.

Items suggested.

8. Working of the Employees' State Insurance Scheme.
9. Formation and functioning of Industrial Committees.
10. Functioning of Works Committees.
11. Subsidized Industrial Housing Schemes.
12. Reduction of hours of work in hazardous occupations.

Reasons for non-inclusion in the agenda of the Conference.

The subject has been discussed in several recent Conferences. It is, therefore, not considered necessary to place the subject for discussion again before the next Indian Labour Conference.

The meetings of the Industrial Committees are being called as and when these are considered necessary to discuss any urgent or specific subjects.

Reply has since been sent vide Ministry of Labour & Employment letter No.1/64/60, dated the 18th August, 1960.

~~But~~ The matter is receiving attention in consultation with the Ministries concerned. It is considered premature to discuss the subject at the next Indian Labour Conference.

Reply has already been sent vide Ministry of Labour & Employment letter No. 506/9/60-Fac., dated the 23rd July, 1960.

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D.O. No. 174/K/60  
August 11, 1960

Dear Shri Nandaji,

We have learnt from press reports and statements made in Parliament that Government is proposing to bring in a statute prohibiting strikes by certain sections of workers and also to ban "outsiders" in trade unions.

In the past, it has been the practice that all amendments in connection with labour legislations have been usually discussed in the Indian Labour Conference or the Standing Labour Committee. The proposed measures are very important ones and I am sure that the practice of discussing them in tripartite bodies before introducing in Parliament will be adhered to in this case also.

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Secondly, I would suggest that the representatives of Central Government employees' organisations which are concerned with the proposed legislation should also be invited to participate in the conference, when this item is being discussed. They should not remain observers as was the position of the representatives of the All-India Defence Employees Federation at the 17th Session but should be allowed to participate in the discussions.

I shall be thankful for a line in reply, clarifying the position.

With regards,

Yours sincerely,

(K.G.Sriwastava)

Shri G.L.Nanda,  
Minister for Labour & Employment,  
Government of India,  
New Delhi.  
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# United Trades Union Congress

86

Central Office :

249, Bowbazar Street, Calcutta-12.  
( FIRST FLOOR )

Calcutta, the August 28 1960

No. L/86/60.....

nt :

kantan Nair

Com.K.G.Sri vastava,  
Secretary, A.I.T.U.C.,  
4, Ashok Road,  
New Delhi.

residents :

Chaudhuri, M. P.  
Bhattacharya  
r Hariban Singh  
Shukla  
ett  
R. Acharia  
manand

Dear Comrade,

Thanks for your letter No.174/K/60 dated the  
22nd August, 1960.

We are glad that you welcome and support our  
suggestion for mutual discussions amongst the three  
organisations regarding the step to be taken in respect  
of the tri-partite conferences and other issues.

il Secretary :

Sudha Roy

While appreciating your sentiment that the HMS took  
an unilateral decision and agreeing with you that it  
would have been better if HMS tried for previous consul-  
tation with the other two organisations before coming to  
that decision, we would like to suggest that these should  
not stand in the way of taking a joint decision in the  
matter. We would like to suggest that you should write to  
Com.Deven Sen directly about the proposed meeting of the  
representatives of the three organisations fixing up a  
date convenient to all of us for mutual discussion and  
finalisation of the step to be taken. On our part we  
would prefer 13th September or 14th for the purpose and,  
if possible, the undersigned will try to be present in  
that meeting failing which Com.Tridib Chaudhuri, Vice-  
President of our organisation, will represent us. We have  
got the report that he had already had a talk with you in  
this matter and that you are awaiting the final decision  
of your Working Committee to be held on the 11th and 12th  
September, 1960.

vies :

Chakravorty, M. L. A.  
ath Dey  
manathan  
Bagchi

mer :

Das

In the meantime, we are in touch with Com.Sen here  
and we propose to have a discussion with the representa-  
tives of the HMS available in Calcutta along with Com.  
Ranen Sen and Com.Indrajit Gupta. Com.Gupta is expected  
to leave for Delhi on the 30th September, 1960 and on his  
arrival he will be in a position to report to you the  
result of the talks we are going to have tomorrow.

P.T.O.



# United Trades Union Congress

Central Office :

249, Bowbazar Street, Calcutta-12.

( FIRST FLOOR )

Ref. No. ....

Calcutta, the.....196 ..

.. 2 ..

President :

N. Srikantan Nair

Vice-Presidents :

Tridib Chaudhuri, M. P.  
Nepal Bhattacharya  
Thakur Hariban Singh  
B. D. Shukla  
Sita Sett  
S. V. R. Acharia  
T. Parmanand

General Secretary :

Miss Sudha Roy

Secretaries :

Jatin Chakravorty, M. L. A.  
Bhadrach Dey  
K. Ramanathan  
Durga Bagchi

Treasurer :

Sara Das

In Calcutta we are going to have joint observance of the "TU Rights Day" under the auspices of the TU Relations Committee on which all the organisations are represented. From the "trade union record" we find that in U.P. the three organisations have jointly issued a statement and are going to have joint demonstrations. We have already instructed our State Committee officials to have joint action there. From Kerala also we have got the report that our representative has already contacted Com.P.Balachandara Menon, Secretary of your Kerala Committee in this regard. While it will not be possible to have the observance of the Day on the 2nd owing to the "Onam" festival, the greatest of their festivals, falling on the same day, they propose to shift to the 15th of September by mutual discussion. We have instructed our friends there to issue joint appeals and make arrangement for joint meetings and demonstrations. We hope, our instructions will be carried out.

As regards Delhi, there may be some difficulty in the joint observance as the H.M.S. unit there is opposed to making any joint demonstration. We would request you to appreciate that everywhere it is not always possible to rise above the unfortunate prejudices which had been prevailing so long. But, we must try our best to achieve unity as far as possible under the circumstances.

With fraternal greetings,

Yours fraternally,

cc Com.Deven Sen,M.L.A.

cc Com.Tridib Chaudhuri,M.P.

*Jatin Chakravorty*  
(Jatin Chakravorty)  
M.L.A.,  
Secretary.

19 AUG 1960

# United Trades Union Congress

Central Office :  
249, Bowbazar Street, Calcutta-12.  
( FIRST FLOOR )

86

Ref. No. L/66/60

Calcutta, the August 17, 1960

President :

Srikantan Nair

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

IMMEDIATE

Vice-Presidents :

Radhib Chaudhuri, M. P.  
Kapal Bhattacharya  
Bakur Hariban Singh  
D. Shukla  
Sita Sett  
V. R. Acharia  
Parmanand

Dear Comrade,

This is with reference to your letter No.174/A/60, dated the 11th inst. We are not a little confused to go through the contents of your letter to Sri G. L. Nanda (D.C No.174/K/60 dated August 11,1960) a copy of which you have enclosed with your letter under reply.

General Secretary :

Miss Sudha Roy

From your letter to the Labour Minister the conclusion is inevitable that your organisation proposes to attend the 18th Session of the Indian Labour Conference. If it is so, I am afraid your proposed step is sure to be interpreted as a volte face, specially in the context of your letter No.184/R/60 dated the 2nd inst. enclosing a copy of your letter addressed to the Union Labour Ministry re: the Four meeting of the Minimum Wages Central Advisory Board.

Secretaries :

Bin Chakravorty, M. L. A.  
Ajitnath Dey  
S. Ramanathan  
Surgu Bagchi

May we also remind you about the discussion you had with the undersigned and Com. Deven Sen, President of the Hind Mazdoor Sabha, while we were in Delhi in the first week of the current month. Your unilateral decision for participation in the ensuing Labour Conference is sure to have had bad reaction, specially after our previous joint decision of abstaining from the Minimum Wages Central Advisory Board.

Treasurer :

Sara Das

We strongly feel that before you finally decide there

should

18th August '60

Dear Nandaji,

From statements made in Parliament and also through the Press, we learnt of Government's intentions in regard to the future set up of the industrial relations machinery for Central Government Employees. Prominent among these is Government's reported intention to ban strikes and prevent outsiders from associating such unions.

We have also in mind your assurances that you intend to call a meeting of representatives of Organisations of Central Government Employees within 6 months to evolve an agreed form of relationship. Government's categorical statements contradict and militate against the procedure that you have suggested - one of an agreed solution.

Then there is also the question of proposed bill embodying Government's decisions in these matters. I understand from the Central Trade Union Organisation (AITUC, HMS & UTUC) that the practice is to consult the Tripartite Labour Conference before any labour legislation is introduced. The agenda of the 18th Session of the Indian Labour Conference that has been circulated through your letter No. LC-9(31)/60 of the 10th August 1960 does not specify Government's intentions or proposals, though there is a reference to an item "Industrial Relations in the Public Sector". There are no memoranda relating to the item. In view of this it may not be possible for any representatives of the Labour Organisation in the Public Sector, or for that matter any representatives of the Central Trade Union Organisations, to make any contributions to this item.

In view of the urgency of the problem I would be grateful if you would call a special Conference for the Public Sector before any measure is introduced in Parliament. In any case, and so long as the item "Industrial Relations in the Public Sector" is maintained in the agenda, the representatives of the All India Railwaymen's Federation (AIRF) should be invited to participate.

I shall be grateful for a consideration of these suggestions.

With best wishes,

Yours Sincerely,

S/d.....

(Peter Alvares)

Shri Gulzarilal Nanda,  
Minister for Labour & Employment,  
Yogana Bhawan,  
Parliament Street,  
New Delhi.

Telegram : RAILWAYMAN 29 AUG

Telephone : 62052



# All India Railwaymen's Federation

(AIRF)

86

**President**

S. GURUSWAMI  
(Res. Tel. 71602 Madras)

**Vice-Presidents**

MANIBEN KARA  
BASAWAN SINGH, M.L.A.  
NATH PAI, M.P.

**General Secretary**

PETER ALVARES  
(Res. Tel. 73604 Bombay)

**Treasurer**

RAM C. CHAKRAVARTY

SEVA SADAN (Parel Workshop)

G. 242, Suparibaug Road, Parel,  
Bombay 12.

Ref. No. ....

Dated, 28th Aug. '60

Dear Com.Sriwastava,

/to

I have been directed by  
Com.Peter Alvares to send you a copy of  
his letter to shri G.L.Nanda, Minister for  
Labour and Employment, New Delhi, as desired  
by you. The said copy is sent herewith.

This has reference to your letter  
No.174/A/60 of 11-8-60 to the General Secretary  
AIRF amongst others.

With best wishes,

Yours Sincerely,

( M.K.Pandit )

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

119 AUG 1960

86

At a meeting of the Working Committee of the United Trades Union Congress held at the office of the Delhi State Committee of UTUC on 6th and 7th of August, 1960 to consider the situation arising out of the strike of the Central Government employees and its aftermath and the future course of action of the organisation in relation thereto, the following decisions were taken. The meeting was presided over by Shri Tridib Kumar Choudhury, M.P., Vice-President of UTUC.

(1) The meeting considered the report placed by the Secretary, Shri Jatin Chakravorty, regarding the Central Government employees' strike and expressed satisfaction at the manner in which the different State Committees of the UTUC had acted in support of the strike.

(2) The following resolution was adopted in regard to the post-strike situation :

"The strike of the Central Government employees was waged on some of the major issues of vital concern confronting not only Central Govt. employees as such, but also the entire working class and toiling masses of India. Two among the many other issues which were of major importance were (i) the linking of wages to price level and (ii) principles of wage determination.

On both these issues the recommendation of the 2nd Pay Commission adversely affected the employees let alone marking any improvements. The 2nd Pay Commission had gone to the extent of seriously whittling down and depressing the standards, rates of compensation and the principles laid down by the 1st Pay Commission and accepted by the Government in 1948.

The Central Government Employees' unions were therefore perfectly justified in demanding that the standards propounded by the 1st Pay Commission should be restored and secondly that the principles of wage determination enunciated by the 2nd Pay Commission should be modified in tune with the norms and standards laid down by the 15th Indian Labour Conference & reiterated at subsequent Labour Conferences.

In the opinion of the Working Committee of the UTUC, the strike declared on the basis of these demands were perfectly justified from the trade union point of view and fulfilled all the requirements of a legitimate strike by the accepted criterions relating to industrial disputes. In the opinion of the Committee the refusal of the Government to negotiate with the authorised representatives of the employees and their failure to meet the just and reasonable demands of the latter are responsible for the strike.

The Committee condemns the policy of brutal repression launched by the Government against the strikers and their attempt to suppress the strike by arrests, mass dismissals and suspensions of the employees by taking resort to the Essential Services Maintenance Ordinance.

The Committee is dismayed to find that the policy of repression has not stopped even after the withdrawal of the strike unconditionally. The Government have now launched a vindictive campaign of victimisation against thousands of workers and are trampling underfoot the basic rights of the trade-union organisations unscrupulously. The latest act of the Government is withdrawal of the recognition of the well-established and fully

representative trade-unions of the Central Govt. employees with long and glorious past traditions like the All India Railwaymen's Federation, the National Federation of Posts and Telegraphs employees the All India Defence Employees' Federation and the Confederation of the Central organisations. This will mean not only the withdrawal of the right of these unions to act as the authorised bargaining agents for the workers but also will mean their physical liquidation for all practical purposes and the imposition of pro-government unions on the employees, because no government employee can be a member of any unrecognised union or association of employees. ~~Tax~~ To crown all this, legislation is also threatened to crush the right to organise and strike. All these can be regarded as nothing but a blatant negation of the principles of harmonious industrial ~~relations~~ relations and the principles recognised by the government in successive Tripartite Labour Conferences.

\*  
\*  
\*  
\*  
\*  
\*  
The Working Committee of the UTUC strongly protests against this policy of the Central Government and is of the opinion that as an expression of the justified indignation of the entire working class in the country against this reactionary policy of the Government the question of abstaining from the Tripartite labour bodies of the Central Government should be placed and ~~it~~ duly considered at a joint conference of the representatives of the Central Trade Union Organisations, namely, the Hind Mazdoor Sabha, the All India Trade Union Congress and the United Trades Union Congress and suggest that the final course of action in this regard should be taken at that conference. The Working Committee would decide in the meantime on the question of the participation in the Central Tripartite bodies in consultation with the executives of the other two organisations and the State executive committees of the UTUC are authorised to take similar decisions in regard to the State-level Tripartite bodies in consultation with the all-India Secretariate

**ALL INDIA DEFENCE EMPLOYEES FEDERATION****70 MARKET ROAD, KIRKEE, POONA 3.**

No. DO. 1034.

Dated the 5 SEP 1960.

The Hon. Minister for Labour,  
Government of India,  
NEW DELHI.

Dear Sir,

We learn from press reports that Government of India are considering to enact certain labour legislation restricting the freedom of a certain section of Government employees of going on strike or having outsiders as office-bearers in their Unions. Since it is a very important issue involving serious change in the pattern of trade unions in the country, we have no doubt that the **Labour** Ministry will consult the various central trade union organisations and Federations of Central Government employees before taking any final decision in this regard.

We also understand that there is a proposal to discuss " Industrial Relations in the public sector " at the forthcoming 18th. Session of the Indian Labour Conference. If that is so, it is necessary that the Federations of the Central Government employees should be invited to participate in this session as full fledged members since they are vitally connected with this matter and are not affiliated to any of the Central Trade Union organisations as such.

We feel that you will agree to this request since you have yourself said that " th distinctive feature of our labour policy is that it is **outcome** of meetings held from time to time with all the parties concerned. It is based on a **general** agreement built up over a time with the support and consensus of opinion of all those concerned."

We **have** also not yet received the agenda and other literature in respect of the proposed session. Please forward a copy of the same as soon as it is ready.

We shall be grateful to have an early reply indicating your proposals on the above issues.

Thanking you,

Yours sincerely

*Sd. S.M. Joshi*

( S.M. JOSHI ).  
GENERAL SECRETARY.

11 4 SEP 1960

No.L.C.9(31)/60  
Government of India  
Ministry of Labour & Employment

13 SEP 1960

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

13 SEP 1960

Subject:- 18th Session of the Indian Labour Conference -  
agenda for the .

Sir,

I am directed to refer to your letter No.174/A/60, dated the 10th June 1960 forwarding a list of subjects for inclusion in the agenda of the 18th Session of the Indian Labour Conference. The Government of India have carefully considered the items and for the reasons stated in the enclosed statement it is regretted that it has not been found possible to place them on the agenda of the Conference.

Yours faithfully,

  
( R.C. Saksena )  
Under Secretary.

Encl:1.



Monoranjan Roy,  
Secretary, W. B. Committee of the  
All India Trade Union Congress

9 SEP 1960

MAHANANDAPARA  
P.O. Siliguri, Darjeeling

Dated 6.9.60

My dear K.G.,

I wrote you a letter about  
a fortnight ago but I am sorry,  
no reply has yet been received.

However I am sending here with a report  
of 2<sup>nd</sup> left observance by Terai Tea  
workers, Duars & Hill workers too  
observed the day by holding meetings  
in their respective gardens.

Hope you are O.K.  
How is Lou Dauge? Has he  
returned to Delhi?

I don't know what the W.C.  
will decide. But personally I feel that  
it will be wrong to boycott all tripartite  
committees. By the way a meeting of the  
House subcommittee will be held  
on 17<sup>th</sup> next. Would you kindly  
make it a point to send me a wire  
immediately after the working committee

10 SEP 1960

Phone : 6296

# ALL INDIA DEFENCE EMPLOYEES FEDERATION

70 MARKET ROAD, KIRKEE, POONA 3.

To

No. 1010.

Dated the 7<sup>th</sup> Sep 60.

The Secretary,  
All India Trade Union Congress,  
4, Ashok Road,  
NEW DELHI.

Subject:- PROPOSED GOVERNMENT MOVES FOR PROHIBITING  
STRIKERS IN " ESSENTIAL SERVICES " AND  
BANNING OUTSIDERS IN TUs.

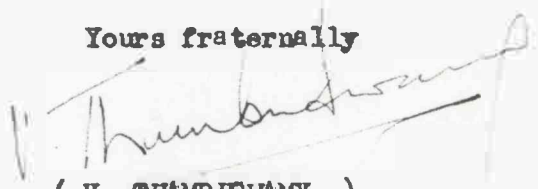
Dear Comrade,

Please find enclosed herewith a copy of letter  
No. DO 1034 dated 5 Sep 60 addressed to the Hon. Minister  
for Labour, Government of India in response to your  
letter No. 174/A/60 dated 11 Aug 60.

With greetings,

Yours fraternally

Encls: (one)

  
( V. THAMBUSWAMY ).  
JOINT SECRETARY .

7. SEP 1960

# COMMUNIST PARTY OF INDIA

WEST BENGAL HEADQUARTERS

64-A LOWER CIRCULAR ROAD :: CALCUTTA-16

Telegrams : "COMMUNIST"

Telephone : 44-5999

Com. C. G. Prasad

Dear Com. G.,

Your letter.

1) I realize that my presence in the  
W.B. meeting may be helpful in some  
way. But here in W. Bengal we are  
starting a signature campaign against  
the Govt's policy on T. U. rights from  
the 24th Sept. If everybody leaves  
the place nothing could be done.  
As Puja is very near, we have to  
start this signature campaign  
before and wind <sup>it</sup> up before the Puja  
starts. Therefore, it is not possible  
for me to go to Delhi.

2) Re: boycott of Tripartite Conference  
I wish to state that - The A. I. T. U. C.

COMMUNIST PARTY OF INDIA  
WEST BENGAL HEADQUARTERS  
11, PAPER STREET, CALCUTTA-1

not gained through these the recommendations  
of these tripartite bodies. on the whole  
the employers have gained.

Anyway, it is for the W.C. of  
the A.G.T.U.C to decide.

2) After the strike the A.G.T.U.C has not  
discharged its responsibility <sup>fully</sup> it ~~has~~ <sup>has</sup> ~~not~~ <sup>not</sup>  
those employees. ~~we~~ have not adopted  
any programme of action in favour  
of the employees and against ~~goals~~  
attack on them. <sup>even all with campaign etc</sup> even the H.M.S  
has taken some programme. Now it is  
too late.

with love & regards.

Yours

Ramen Sen

6.9.60.

7 SEP 1960

Telegrams  
HINDMAZDUR—BOMBAY

**HIND MAZDOOR SABHA**  
ALL-INDIA HEADQUARTERS

(Affiliated to International Confederation of Free Trade Unions)

86

President :  
DEVEN SEN  
General Secretary :  
BAGARAM TULPULE  
Treasurer :  
K. A. KHAN  
Secretaries :  
RAM DESAI  
PARITOSH BANNERJEE

Servants of India Society's  
Home,  
Sardar Patel Road, Bombay-4, (INDIA).

September 5, 1960.

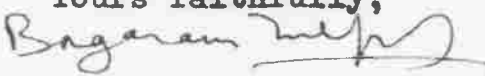
Ref. 111/6

The Secretary to the Govt. of India,  
Ministry of Labour & Employment,  
NEW DELHI.

Sir:

Re: 18th Session of the Indian Labour Conference.

In accordance with the decision of the Working Committee of the Hind Mazdoor Sabha to withdraw from the tripartite bodies set up by the Government of India as a protest against the attitude and policy of the Government in regard to the Central Government employees, the Hind Mazdoor Sabha will not participate in the 18th Session of the Indian Labour Conference to be held in New Delhi on September 24, 25, 1960. This may please be noted.

Yours faithfully,  
  
Bagaram Tulpule  
General Secretary

Copy to :-

Indian National Trade Union Congress,  
NEW DELHI.

All India Trade Union Congress,  
NEW DELHI.

United Trade Union Congress,  
CALCUTTA.

174  
Copy of letter from  
DR RANEN SEN, Calcutta  
dated 4.9.60

Dear K.G.,

Your letter.

1. I realise that my presence in the Working Committee meeting may be helpful in some way. But here in W.Bengal, we are starting a signature campaign against Government policy on TU rights, from the 7th September. If everybody leaves the place, nothing would be done. As Puja is very near, we have to start this signature campaign and wind it up before the Puja starts. Therefore, it is not possible for me to go to Delhi.

2. Re. boycotting Tripartite Conference, I wish to state that the AITUC makes a statement and boycott the coming ILC and the Standing Committee and other Committees where general policies are laid down or are agreed upon, e.g., Minimum Wage Board, etc.

There is no question of boycotting Wage Boards which stand on a different footing.

This boycott, I propose, is not forever. We may or may not make that declaration in our statement. The arguments in favour of the boycott are:

- Protest against Govt's attitude to the recommendations and decisions of the tripartite bodies, e.g., 15th Indian Labour Conference decision, decisions of the Committee to amend the I.D.Act, etc.
- Protest against the Ministry's refusal to accept the recommendations of the tripartite conferences.
- Protest against the GOI's actions before, during and after the strike of the Central Govt employees.
- Protest against the attempts to attack the TU rights.

I feel that if the AITUC boycotts the tripartite bodies, that will have a pressure on the Govt and the machinations of the Government will stand exposed before the bar of public opinion. This will enthuse the Central Govt employees whose plight today is miserable.

Demand to boycott tripartite bodies is catching among the workers and we will inspire the workers if we boycott these bodies.

After all, the working class has not gained through the recommendations of these tripartite bodies. On the whole the employers have gained.

Anyway, it is for the working committee of the AITUC to decide.

3. After the strike the AITUC has not discharged its responsibility and duty it owes to those employees. We have not adopted any programme of action in favour of the employees and against Govt's attack on them, e.g., an all-india campaign, etc. Even the HMS has taken some programme. Now it is too late.

IX. FORMATION AND FUNCTIONING OF INDUSTRIAL COMMITTEES

MEMORANDUM

It was officially stated at the 16th Session of the Standing Labour Committee that Industrial Committees on the ILO pattern were to be convened for the following industries:  
(1) Plantations (2) Coal Mining (3) Cement (4) Cotton Textiles  
(5) Tanneries and Leather Goods Manufactories (6) Jute  
(7) Building and Construction (8) Mines other than Coal  
(9) Iron and Steel (10) Chemicals (11) Engineering and  
(12) Transport Services.

Of these, only in Plantations and Coal Mining has there been regular Industrial Committee meetings in the recent period .

The AIFUC has already pointed out that the failure to convene the industrial committees regularly makes it evident that tripartite consultations on industrial problems have not been given the consideration they deserve and this has, in the main, proved to be the negation of the very purpose with which these Committees are sought to be constituted under the ILO pattern.

It is therefore essential that the necessity for evolving a clear-cut policy for the periodical convening of these Industrial Committees should be stressed by the Indian Labour Conference.

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VIII. WORKING OF THE EMPLOYEES STATE INSURANCE SCHEME

MEMORANDUM

The serious complaints levelled by the trade unions with regard to the functioning of the Employees' State Insurance Corporation remain as acute as before. Very little progress has been made on the question of (a) extension of the scheme to the families of insured workers, (b) construction of hospitals for insured workers at all industrial centres (c) improved sickness benefits, (d) removal of administrative defects, etc.

These grave shortcomings have been brought to the attention of the ESI Corporation and the Government several times by the trade unions but no effective steps have been taken to improve matters. The extremely callous attitude of the ESI Corporation and the State Governments in this respect has created a feeling of exasperation among the workers and several demonstrations and protest actions have been staged by the trade unions on this score.

The fact that even after eight years of implementation of the ESI Scheme, family coverage could not be provided to bulk of insured workers and that adequate number of separate hospitals could not be constructed speaks volumes about the progress of the ESI Scheme. No effort has also been made by the Corporation to realise employers' contributions at schedule I rates.

It is therefore essential that the 13th Session of the Indian Labour Conference makes a comprehensive review of the E.S.I. Scheme and recommend measures to improve it.

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AITUC proposals for  
agenda of 18th IIC

VII. LEGISLATION TO PROVIDE FOR DEMOCRATIC  
BALLOT TO DETERMINE REPRESENTATIVE  
CHARACTER OF TRADE UNIONS FOR PURPOSES  
OF GRANTING THEM RECOGNITION

MEMORANDUM

In order to ascertain the representative character of trade unions where rival claims exist, the easiest, most simple and certain method is to hold a ballot of the workers in the plant/area/industry concerned.

It is therefore suggested that the Indian Labour Conference should recommend suitable action/legislation for this purpose.

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VI. APPOINTMENT OF WAGE BOARDS FOR INDUSTRIES  
REMAINING TO BE COVERED AS RECOMMENDED BY  
THE 15TH INDIAN LABOUR CONFERENCE

MEMORANDUM

The 15th Indian Labour Conference (Delhi - July 1957) recommended that "the appropriate machinery for wage-fixation would be tripartite wage boards similar to the one already appointed for the cotton textile industry. Setting up of Wage Boards were suggested by workers' representatives for the following sectors of employment: (a) Jute, (b) Plantations (c) Mines other than Coal (d) Engineering (e) Iron & Steel (f) Chemicals (g) Sugar (h) Cement (i) Railways (j) Posts and Telegraphs (k) Civilians employed in defence establishments covered by the Industrial Disputes Act, 1947, and (l) Ports and Docks."

Apart from the Wage Boards appointed for cotton textiles, cement and sugar, decision was taken to set up Wage Boards for tea, coffee and rubber plantations on April 27, 1950 and for the jute industry on December 11, 1959. (However, the wage boards for the plantations and jute industries have not yet been actually constituted and the delay in submission of their reports and action thereon can be imagined.) The Central Pay Commission, to an extent, may be said to have considered wage-fixation of workers in Railways, P&T and civilians in defence establishments.

Thus it will be seen that vital sectors of industry as engineering, iron and steel, mining and ports and docks have been left uncovered by any wage-fixing machinery. The AITUC has already pointed out that the failure of the Government to appoint Wage Boards in these industries constitutes not only a gross violation of the wage policy enunciated under the Second Plan (even when the Plan is in its fourth year), but amounts to breach of faith with the workers and their organisations on the assurances of a fair deal held out to them repeatedly by Government spokesmen.

The trade unions have also time and again pointed out that grave disturbances to industrial peace have occurred over wage demands precisely in those industries where the Government has failed to appoint Wage Boards.

Therefore, the 18th Session of the Indian Labour Conference should recommend that constitution of Wage Boards as suggested at its 15th Session should not be delayed any longer.

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AITUC proposals for  
agenda of 18th ILC

V. POLICY OF DISCRIMINATION PURSUED BY STATE GOVERNMENTS  
IN GIVING REPRESENTATION TO STATE COMMITTEES OF  
AITUC IN STATE LEVEL TRIPARTITE COMMITTEES

MEMORANDUM

It will be recalled that the Report of the Committee of the 17th Indian Labour Conference observed, inter alia, with regard to representation at tripartite conferences, etc., that "The allocation of seats to each organisation should be based on the relative strength of each organisation determined in accordance with the latest available data regarding its membership" (conclusions of the meeting held in Delhi on September 5, 1959). This was meant for deciding representation on tripartite bodies at Central and State level.

The AITUC regrets to note that particularly some of the State Governments have tended to adopt a policy of discrimination against non-INTUC unions in this respect, thus defeating the very purpose of tripartite consultation in which the workers are fully represented by their organisations.

The scandalous limits to which such discriminatory practices have gone will be evident from the following few instances.

In Punjab, where according to verified figures of membership, the AITUC has the majority following, the AITUC has only 7 representatives on the Employment Advisory Committee whereas the INTUC has 13. In the Minimum Wage Committee, INTUC has been given 23 seats but only 7 to AITUC. In the State Labour Advisory Board, INTUC has 7, AITUC has only 4.

In W. Bengal, in almost all tripartite committees on State level, the INTUC has been given double the representation of AITUC, while according to verified figures of membership, AITUC has majority following.

In Andhra Pradesh, where the AITUC membership is many times that of INTUC, when the Regional Board of ESI was set up, only the INTUC was represented on it.

In Uttar Pradesh, the State Committee of the AITUC has been excluded from all tripartite committees except the one on Workers Education and ESI Committee.

In Madhya Pradesh, the State Government has decided to give representation to INTUC only in the Regional PF Board, ESI Board, local committees of ESI, Board of Workers Education, Minimum Wages Committees and Productivity Council.

It is clear from the above that if such discriminatory practices persist, there could be no effective functioning of tripartite machinery in the States. The Indian Labour Conference should therefore lay down measures to rectify the position.

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AITUC proposals for  
agenda of 18th ILC

IV. IMPLEMENTATION OF THE CODE OF DISCIPLINE IN  
PUBLIC SECTOR AND REMOVAL OF DISCRIMINATION IN  
APPLICABILITY OF THE INDUSTRIAL DISPUTES ACT,  
1947 IN RELATION TO GOVERNMENT EMPLOYEES (CENTRAL  
AND STATES)

MEMORANDUM

The Code of Discipline ratified by the 16th Session of the Indian Labour Conference held two years ago remains as yet a dead letter as far as the State Sector is concerned. This is so even after the Tripartite Conference on Public Sector held in January 1959 and the agreement at the conference that the Code will apply to industrial undertakings of the Government has been nullified by the virtual refusal of the employing Ministries to ratify the Code of Discipline. The Union Ministries of Railways, Defence (in relation to civilian employees), Transport & Communications, Works, Housing & Supply who employ large numbers of industrial employees have not yet ratified the Code of Discipline.

Moreover, the pronouncements made by the Finance Minister on the floor of Parliament have revealed that the Government has no clear-cut stand on the validity of tripartite agreements. It is therefore desired that the 18th Session of the Indian Labour Conference discusses this matter and the Government representatives clarify their attitude to tripartite decisions.

The employees of the Central and State Governments, both industrial and non-industrial, are being discriminated as far as reference of disputes to adjudication, etc., is concerned, under the provisions of the Industrial Disputes Act, 1947. This practice of the Government puts the employees at a great disadvantage as far as settlement of disputes is concerned. Therefore, the Indian Labour Conference should recommend that there should be no discrimination in applying provisions of the Industrial Disputes Act, 1947, to employees in State Sector.

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AITUC proposals for  
agenda of 18th ILC

III. SURPLUS WORKERS IN CONSTRUCTION PROJECTS  
- ESPECIALLY IN STEEL PLANT PROJECTS

MEMORANDUM

The problem of surplus workers in construction projects under the Five Year Plan has become extremely acute in recent period. The thousands of workers who contributed their labour in these nation-building projects have been turned destitute overnight in the absence of measures to provide them alternative jobs.

In the three steel plant projects of Bhilai, Rourkela and Durgapur, the problem of surplus workers has assumed immense proportions.

The workers' organisations have proposed to the Government that there should be a National Pool of Project Workers and the workers engaged in one project may be transferred to another on completion of construction.

In view of the national importance of the problem, it is desired that the Indian Labour Conference adopts a recommendation in favour of setting up a National Pool of Project Workers and outlining other measures to tackle this problem on a national scale.

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AIFUC proposals for  
agenda of 18th ILC

**II. LINKING OF DEARNESS ALLOWANCE PAID TO  
WORKERS WITH CONSUMER PRICE INDICES**

**MEMORANDUM**

Prices of essential commodities have been rising very fast during the past few years and this trend is continuing unabated. The scales of Dearness Allowance paid to workers have however remained static in most of the industries with the result that there has been a sharp fall in real wages. Even in those few industrial units where a sliding scale of Dearness Allowance linked to consumer price indices is paid, the dearness is not fully neutralised.

The demand for linking Dearness Allowance with consumer price index numbers has been raised by all sections of workers and it is, in fact, one of the most important demands of the workers in the present period. This should therefore be part of a national wage policy and hence it is desired that the 18th Session of the Indian Labour Conference adopts a recommendation to this effect by tripartite agreement.

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AIFUC proposals for  
agenda of 18th ILC

I. IMPLEMENTATION OF RECOMMENDATIONS OF THE  
CENTRAL WAGE BOARD FOR COTTON TEXTILE INDUSTRY  
AND THE CENTRAL WAGE BOARD FOR CEMENT INDUSTRY

Although the Reports of the Central Wage Board for Cotton Textile Industry and the Central Wage Board for Cement Industry, along with Government resolutions on them, were published early in March, 1960, the recommendations of the Wage Boards remain largely unimplemented.

The workers in these two industries waited for over two years for the Wage Boards to submit reports and the inordinate delay in implementing the much-needed wage increases recommended by the Boards has justifiably led to a tense industrial situation. Token strikes involving thousands of workers have taken place on this issue and general strikes are being planned.

At the 18th Session of the Standing Labour Committee held in January 1960, it was agreed by all including employers that unanimous recommendations of the Wage Boards will be implemented. However, the majority of the employers in the cotton textile industry and all employers in cement industry have refused to do so.

It is therefore essential that the 18th Session of the Indian Labour Conference considers the question of implementation of the recommendations of the Wage Boards and evolve suitable measures to ensure effective implementation.

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X. FUNCTIONING OF WORKS COMMITTEES

MEMORANDUM

Experience with regard to the functioning of Works Committees remains as disappointing as before, despite some attempts at discussion on this question at the 17th Session of the Indian Labour Conference. The typical cases of active opposition from employers and State Governments to the functioning of Works Committees, forwarded by the AITUC over two years ago to the Union Labour Ministry, remain as they were and to quote from our Memorandum on this subject (submitted as proposals for agenda of 17th ILC):

"A typical case of such hostility was forwarded to the Labour Ministry by the AITUC in July last year. The case related to the Kesoram Cotton Mills in Calcutta where despite the holding of elections to the Works Committees in September 1957, the management consistently refused to convene a single meeting of the Committee and the situation remains so to this day. The company concerned belongs to one of the biggest industrial combines in India - Messrs. Birla Bros., and hence no better example need be cited to illustrate the attitude of the employers on this question."

The AITUC had also quoted from a letter (No.1952-A/II/IR dated May 1, 1958) addressed to the Masdoor Sabha, Sehore, by the Labour Commissioner, Government of Madhya Pradesh in which the Labour Commissioner said that "the constitution of Works Committee at this stage is not found necessary as the Bhopal Sugar Industries Employees Union which has the largest membership of workers employed in the factory is virtually recognised by the employer for all the purposes of industrial relationship between the employer and his employees."

The position in Uttar Pradesh, where the State Government by an order No.2746(LL)/DVII-4(LL)-49 dated October 25, 1950 dissolved all Works Committees in the State, continues as before. The AITUC had raised this question at the recent meeting of the Central Implementation and Evaluation Committee (Delhi, April 25, 1960) but the Government of U.P. does not seem to have moved in the matter of revoking such a preposterous order.

The AITUC had pointed out that an overwhelming factor which weighs with authorities in this regard is their extreme anxiety to safeguard the position of a particular national TU centre. This is seen specially in the Bihar Government's Order allowing "nominations" by "recognised" unions to Works Committees in the State, while the Industrial Disputes Act expressly provides for elections. There was also the example of cancellation of Works Committee elections in



Kargali collieries by the National Coal Development Corporation. Finding that AITUC union representatives were getting elected at other collieries of the NCC, the management cancelled the election to be held on November 29, 1958.

At the 17th Session of the Indian Labour Conference, it was decided to set up a small tripartite committee to draw up 'guiding principles' relating to the composition and functioning, etc. of Works Committees. This committee, however, could do nothing more than drawing up some hasty conclusions, ~~after~~ without proper discussion. The Union Labour Ministry has not yet circulated the conclusions of the committee in order to elicit opinion on them from central organisations of employees and employers.

It is therefore necessary that the question of Works Committees be discussed in detail in the 18th Session of the Indian Labour Conference and suitable measures adopted in order to ensure effective implementation of the statutory provisions re. constitution and functioning of Works Committees, both in the State Sector as well as Private Sector.

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## XI. SUBSIDISED INDUSTRIAL HOUSING SCHEME

### MEMORANDUM

Despite the recommendations made by the 15th Indian Labour Conference for overcoming the lag in industrial housing, the progress in this direction has been extremely unsatisfactory. The scheme of subsidised industrial housing has also not made much progress, largely due to the bureaucratic impediments to the efforts made by workers to get requisite governmental aid. The scheme is also at present confined to workmen as covered by the Factories Act. Middle-class employees, transport workers and employees of banking establishments, etc., are not covered by the scheme.

It is therefore necessary that the scope of the scheme should be widened, eliminating the above drawbacks. Provision should also be made for granting loans and subsidies to cooperative societies of employees in the Public Sector, including Government employees, on the same basis as given to the co-operative societies of employees in the private sector.

XII. REDUCTION OF HOURS OF WORK  
IN HAZARDOUS OCCUPATIONS

MEMORANDUM

The demand for shorter working hours needs serious consideration in respect of hazardous occupations. This is particularly so in mining and in the chemical industry where the workers are put to considerable bodily risk, both by way of the relatively high rate of industrial accidents as well as exposure to unwholesome conditions of work.

When shorter hours of work have been awarded to large sections of industrial workers in all modern countries, in India a beginning should be made in this direction at least in hazardous occupations.

It is therefore suggested that the 18th Session of the Indian Labour Conference should adopt a general recommendation on this question.

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INFORMAL MEETING OF LABOUR MINISTRY  
WITH T.U.CENTRAL ORGANISATIONS  
ON NOVEMBER 18th 1959

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Note  
by Indrajit Gupta

Present:

Labour Ministry: G.L.Nanda, Abid Ali, Menon,  
Subramaniam, Nigam, R.L.Mehta,  
C.L.C.

INTUC : Ramanujam, Shatt  
AITUC : Indrajit Gupta  
HMS : Anthony Pillai, Tulpule  
UTUC : Srikantan Nair, Jatin Chakravorty

Minister explained object of informal consultations is to finalise agenda for next meeting of Standing Labour Committee.

Programme fixed by Ministry is as follows:-

January 2nd : State Labour Ministers' Conference  
" 3rd : Further informal meetings  
" 6th & 7th : Standing Labour Committee

Ministry's suggestions for Agenda:

- (i) Drafting of "Labour Policy" chapter in 3rd Five Year Plan
- (ii) Proposal for legislation for Wage Boards
- (iii) Code of Discipline & Code of Efficiency and Welfare

Re: (i) - Nanda said some suitable forum and machinery is to be decided (for 2nd Plan it was done through specially constituted Labour "Panel"). This time, it is suggested a more broad-based forum should be created - State Governments were upset last time at their non-representation on the Panel - nobody should be given cause for complaint - so this time why not use Standing Labour Committee itself as the machinery? This should be the nucleus with some invitees added on i.e., a few "experts", etc.

The TU representatives said they would consider this suggestion in their respective organisations.

Re: (ii) - Issue is: how to enforce decisions of Wage Boards? If decision is unanimous it can be given statutory sanction by a special Act or if Parliament is in recess, by an ordinance. But

if decision is not unanimous, should it be referred to a commission for a final and binding decision? Nanda felt such a commission might consist of a Judge a suitable status, who would go into the records of the Board, seek any necessary elucidations, and give its decision expeditiously and with some retrospective effect.

TU representatives expressed apprehension that (a) if a commission is provided for, employers would tend to obstruct agreement at the Board stage, and (b) the whole process would again become prolonged. If only employers are opposed to a majority decision, Government should take responsibility of enforcing it. As far as unanimous decisions are concerned, the TU representatives felt that enforcement should be sanctioned by suitable amendment in the I.D.Act.

No conclusion was reached. Nanda felt that perhaps legislation should be deferred for the time being in view of difficulties. Position may be dealt with when we are actually faced by a Wage Board decision which is not unanimous and various pressures will combine to find some way out. At present, employers are strongly opposed to any legislation.

Textile Wage Board's decision is in the offing and is expected to be unanimous. Cement also nearly finalized, but unfortunately the Board has linked up workers' gains with question of reducing excise duty on Cement. This, in Nanda's view, should not have been done by the Board. He apprehended some difficulties being raised by other Ministries on grounds of Plan resources, foreign exchange, etc.

Re (iii) - Minister explained that he has no idea of imposing Code of Efficiency - he had simply mooted some ideas for discussion - he agreed that, first the working of the Code of Discipline should be improved - if that failed, everything would fail he requested all concerned not to condemn outright the idea of a Code of Efficiency for the future, but to think over it seriously - Meanwhile he would not pursue it without the approval of others.

Ministry has prepared a review of the working of the Code of Discipline - complaints received and investigated, and what do the show, etc. - this will be circulated to central TU's as "confidential" for the present - contents of this ~~view~~ review were read out - similar procedure was taken with employers in previous days' informal meeting - Nanda invited discussion on how TU's could contribute better to observe of Code and minimize breaches.

1 TU's representatives strongly attacked employers for their attitude and practice - also, criticism of State Governments made and this was supported by the CLC who felt machinery in the State was totally inadequate and powerless.

any concrete instances cited of employers' unfair labour practices, denial of recognition, provocation to strike, etc. - AITU representative specially cited cases of:

(a) Bombay Dyeing and Manufacturing Co.'s rationalisation offensive - Abid Ali wanted to object on ground that Bombay GKU's formation was itself breach of the Code, hence no cognisance be taken of complaints by it unless the recognised union also makes similar complaints - but Nanda disagreed, saying complaints against the employer must be looked into even if brought to Government's attention by "x the devil himself".

(b) Hindusthan Lever's cancellation of AITUC union's recognition and State Government's x refusal to carry out detailed verification of INTUC union's claim - R.L.Mehta said this was being looked into and correspondence is going on with the management.

(c) Rare Earths Ltd. - continuing non-recognition for 2 years despite Union satisfying various unreasonable conditions asked for by the management - Mehta asked for the papers to be looked into.

Another point discussed was whether to publish reports of inquiries - Nanda opposed publication as it would worsen relations - HMS pressed for publication and cited continued malpractices of Premier Automobiles management - AITUC supported non-publication at this stage, and suggested procedure be limited to confronting the parties concerned with the findings and trying to secure some assurance for the future - INTUC and UTUC pressed for early inquiry into Munnar firing - Mehta said it is held up because AITUC has not yet submitted its Memorandum.

Other suggestions generally approved:-

- (a) I.D.Act to be amended giving tribunal and labour courts specific power to go into propriety of dismissals, extent of punishment, etc. - at present, they are barred by various higher Court Judgements;
- (b) Individual employers should be asked to agree specifically to voluntary arbitration principle on dispute concerning agreed subjects;
- (c) Conference of State Labour Commissioners should be called to review and tighten up State machinery for Evaluation and Implementation.