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अखिल भारतीय ट्रेड यूनियन कांग्रेस
ALL-INDIA TRADE UNION CONGRESS

Rani Jhansi Road, NEW DELHI.

File No. _____

SUBJECT _____

(NR)

1963



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A note on the implementation of the Employees' State Insurance Scheme.

Ever since the Employees' State Insurance Act came into force from October 1954, there have been very serious complaints against the Scheme. Many a trade Unions have repeatedly made representations in respect of these complaints to the authorities concerned but have not found a redressal of their grievances. There are certain complaints which mainly arise as a result of the inefficient and the defective implementation of the Scheme while there are others which are the result of the limitations of the scheme itself. The chaos as the result of the defective working of the scheme is so great that in the City of Bombay about 82623 workers are in danger of losing their identity as insured persons and the medical practitioners are in danger of losing their capitation fees. With the introduction of the scheme the employers have emboldened themselves to openly ignore the observance of the factory rules in maintaining the prescribed ambulance room directly under the supervision of a qualified medical personnel assisted by an adequate staff, retaining only the services of a compounder. This is proving so dangerous that during accidents inside the premises of a factory or mill, when immediate medical aid is necessary it is not made available to the insured worker. Due to this lack of any provision, an insured worker under the scheme died in the mill premises without any medical aid having been received by him. It is not yet decided whose responsibility it was to render medical aid to the dying worker, there being divergent opinions, expressed by two top ranking officials connected with the scheme. The case is at present before the Medical Services Committee for investigation as ordered by the State Government on being pressed by the Corporation. Such is the state of affairs even after 3 years of introduction of the scheme.

We will list below some of the glaring defects experienced by the trade unions and their workers:

1. Delay in payment of sickness cash Benefit:

Almost from every trade union affiliated or associated to B.S.T.U.C., We have received bitter complaints under this category. Workers are made to attend the local Offices several times before payment is made. When an insured worker falls ill he is given leave on loss of pay and his sustenance solely depends on sickness benefit. If the payment of the benefit is delayed the worker is put to untold hardships. Apart from the hardships and the harassment he loses wages and leave for attending the Local Office.

2. Non acceptance of medical certificate from area not covered by E.S.I.C. (Alternative evidence by an insured worker falling sick at his native place).

When a workman proceeds to his village on leave and falls ill, generally produces a medical certificate of the local physician of that village. Such a certificate is refused by the Corporation on the plea that the certificate is not properly attested by the village Official (either by official rubber stamp or the official seal). Usually the village officials are not provided by the Government with any seal or rubber stamp. Under such plea the insured worker is not granted his sickness benefit and is penalised for no fault of his. In cases where a worker has succeeded in procuring a medical certificate with necessary seal, it has been found that the Regional Director has refused to accept the certificate in his own discretion. Thus the acceptance of alternative evidence rests solely on the discretion of the Regional Director and is generally used against the interest of the insured worker. We would like to quote one or two instances in point.

(1) Shri A.F.Hayes, Ins.No.31/129246, went to his native place in August 1956. He fell ill there and had submitted

a medical certificate for 15 days from 28.8.56 to 11.9.56 from Dr. J. S. Rao, Hon. Asst. Surgeon, Govt. Werlock Hospital, Bolar, Mangalore duly endorsed by the village official. The village official had stated while endorsing the said Medical certificate that he was not provided with a rubber stamp or seal he could not affix the same. The insured workman had also produced the fitness certificate. In spite of meeting all the requirements and going through the formalities the worker was not paid his sickness benefit. This matter was represented to the Regional Director by Shri Shantilal Desai, Hon. Secretary Tata Oil Mills Employees Union (Bombay).

(2) Ins.No.31/463912, H.H.Kahar. This workman fell ill in his village while on leave. He produced a medical certificate covering his sickness from 21.2.57 to 23.4.57, to the Local Office, Andheri, Bombay, who asked him to get an endorsement of the Village Panchayat on the certificate, which was duly complied with. After some time, on making enquiries at the Local Office, he was asked to make enquiries at the Regional Office. After about 1½ months, he received a reply from the Regional Office refusing to pay the sickness benefit, quoting Regulation 53.

3. Disability Benefit:

- (a) Delay in assessment of the injury;
- (b) Delay in payment of disability benefits.

In many cases time taken for final determination of Permanent Disability is very astonishing. For instance a worker (I.P. No.31/736705) received a serious injury to his right eye resulting into loss of his eyesight on 16.2.1957. He was getting treatment but he did not receive Temporary Disablement Benefit till 15th June 1957. On 15th June he came to the Union (Mill Mazdoor Union), and the Union represented his case by a letter to the Regional Director on the same day

and after about a month the Union received reply that he is being paid T.D.B. For the period from 16.2.57 to 30.7.57 the worker could not resume his job and hence he had no means to maintain himself. It is true that the whole amount of T.D.B. for the above period was paid to him but after 5 months. Further the T.D.B. was stopped as the case was referred to the Medical Board for final estimation of his permanent disability. The Union wrote a letter to the Regional Director on 26th August, 1957. No reply was received and his permanent disability still remains unestimated.

After such disability the worker cannot do his job and naturally he wishes to resign and go to his native place as living in Bombay is too costly for him. However, he cannot do so as he may be called anytime by the medical board. Hence he has to remain in Bombay till his claim is finally settled.

2. Rama Krishna Chavan, I.P.No.31/12 632 received an electric shock on 12.8.56 from which he did not completely recover. True, he received his full T.D.B.amount. However, as he had not completely recovered and as there was a danger that after sometime he may become permanently disabled and thus become unfit for work, the Union sent a letter on 29.12.56 informing the E.S.I.C. authorities that the injury is likely to result in permanently disabling the worker. The Regional Director referred the matter to A.M.O. and finally on 3.9.57 (i.e. after about 9 months) there was a reply from the Regional Director that the medical board has assessed his permanent disability provisionally for one year at 25%. Thus the matter was settled after 11 months after the injury and 9 months after the representation by the Union.

The workers have to suffer a lot on account of the delay. In some cases of accidents although the employer sends a certificate of the accident to the Local Office and

a copy to the Panel doctor, the Local Office will, at the time of the payment of benefit demand the production of a certificate from the employer. This procedure adds to the delay in making the payment. There are instances wherein it is found that workers get tired of the tedious and delayed procedure adopted by the determination of permanent disability and gives up the treatment and runs the risk of being permanently disabled. He sometimes gives up the treatment under E.S.I.C and goes to the private doctor and in the end foregoes the permanent disability Benefit in addition to running the risk of being permanently disabled. It is likely that the treatment may be appropriate but the absence of regular payment of temporary Disablement Benefit in time exhausts the worker completely. This delay is not something inevitable and will prove criminal as it involves the future of the life of a worker.

4. Sickness Cash Benefit to T.B. Patients:

Since 1956 the Corporation has extended cash benefit period from 56 days to 18 weeks. However, the rate at which he is paid for the extended period is less than the normal S.C.B. rate. The T.B. patient has to take a long treatment and he should be paid for the extended period at the same rate as the S.C.B. rate. Further there is always delay in considering whether a particular T.B. Patient be granted extended benefit. This delay should be avoided and when the medical authorities express that they suspect that the patient is suffering from T.B. he should be paid and given extended benefit without delay. Similarly, there are no adequate number of cots reserved for T.B. patients and hence a worker has to wait for a number of days. There are instances showing that workers had to wait for more than two months.

If a worker manages to get admission in some other Hospital there is no reason why should he not be supplied

with the necessary medicines. If the Scheme cannot provide adequate Hospital accommodation and as long as it cannot, one wonders why should the medical benefits be not extended to a worker if he finds accommodation in any Hospital.

5. Compensation to insured person who are temporarily & permanently disabled on account of Medical treatment:

Sometimes it happens that a worker gets permanently or temporarily disabled on account of some injection or any other medicine administered on him by the panel doctor. Such person is legally entitled to S.C.B. for a period of 56 days a year. However, he has to remain unemployed for a very long time as he is disabled. Many times he loses his job as his employer can discharge him according to rules of the E.S.I.C. In such cases, there should be guarantee that he does not lose his job. Further he should get S.C.B. for the whole of the period required for his complete recovery and in case he is permanently disabled he should be paid P.D.B. for his whole life.

Following instances will illustrate the necessity for such provision :

I.P.No.31/202956, received an injection on or about 27th June 1956; his right hand was paralysed. His case was represented by the Union and the Union took him before the Medical Service Committee whose function is to hear such complaints. On 23.1.57 and placed its evidence and requested the Chairman to pay the I.P., S.C.B. for the whole period as the I.P. had not recovered till then. The Chairman said that it is not in his powers. According to rules the I.P. has rights to appeal to the State Government one month after the decision of Surgeon General. In the above case Union received a reply on 11th May 1957 informing that the M.S.C. findings shall be communicated to the Union. The Union did not get them and had to wait. Again the M.S.C. called the Union on 23.7.57 and the evidence was placed with the above

request for S.C.B. No reply is as yet received. Further, the Regional Director has no powers to give S.C.B. in such cases and hence the worker had to suffer from the disability for over a year and had to remain unemployed. Fortunately, the employer was kind enough to give him light job in June 1957. Anyway he had no job for 10 months, because of the above disability. Such cases be treated on par with injuries arising out of employment and compensation be paid to the insured persons. It is likely that the medical practitioner may not be at fault at all. However, the worker has to suffer and he should therefore be paid compensation.

6. Maternity Benefit:- A worker who has not paid 18 contributions in the corresponding period is not under the Scheme entitled to any S.C.B. This rule should not be made applicable in case of women worker and a woman worker paying the subscription should from the very beginning be entitled to maternity benefit. The Maternity Act in this respect is too old and it should be amended so as to allow this concession to women workers.

7. Medical treatment under the Scheme: Though it is a fact that due to the agitation conducted by the Trade Unions and by the Panel doctors Association there is slight improvement in the supply of drugs and injections, still the scheme does not provide all the medicines necessary for curing an illness. Consequently the workers are forced to purchase medicines at their own cost. In cases which can be characterised as serious, full discretion should be given to the consultant for prescribing whatever medicines are necessary. It will be a matter of interest to note that the Panel doctors are not authorised to prescribe injections like Vit.B.Complex. In our Country the poorer strata of the people are largely suffering from the deficiency of vitamins and particularly that of Vit.B. Hence these injections ~~should~~ should have been on the

list of drugs permitted, right from the beginning. But for obtaining these injections through the proper channels of E.S.I.S. an insured person has to spend a day or two by taking leave from the factory which involves loss in his earnings. These injections do not cost more than Rs.2 and even if the worker is asked to purchase these injections he would be saved from the sickening waiting in queue and the consequent loss in his earnings which he may have to forego. The list therefore should be comprehensive with regard to common diseases and should be kept abreast of time.

Undue delay in getting appointment with the Consultant, causing harassment and loss of earning on transport.

In this connection we want to point out that just as in cases of insured workers suffering from T.B. Cash Benefit period is extended from 56 days to 18 weeks; similarly patients suffering from diseases like cancer, Gastric or Duodenal ulcers, Hypertension, Asthma which require a long treatment and rest, should be given the extended Cash Benefit like the T.B.patients.

Panel doctors refuse to give treatment to a sick worker under the plea that the case is under the investigation of a consultant whenever a case is referred to a consultant. We know of a case in which a worker suffering from an ulcer on his wrist, while being investigated by a consultant was refused treatment by a panel doctor under the plea that the diagnosis was not clinched. The treatment meanwhile, would have, at the most involved, dressing of the wound and that was essential in order to keep the ulcer clean.

Insufficient Hospitalisation facilities:-The number of beds reserved for the ailing insured person are so inadequate that frequent visits to the Hospital by insured workers for admission has become a common experience. Request for room has become the rule and admission has become the exception. The non-insured members of the public get admission more

readily than an insured worker. Thus an uninsured member of the public has more guarantee of hospitalisation than an insured worker. The insured person in need of hospitalisation ~~throux~~ ~~insured~~ has to present himself once a week at the Hospital which he does by taking leave from his work only to be told that he must try again. There is no arrangement to send him word so that he could be saved from further botheration. The harassment which an ailing person has to undergo for admission into the Hospital is thus extremely agonising and insulting. The Gandhi Memorial Hospital which was announced to be built for insured persons under the Scheme is not yet in sight, though three years have passed. The arrangements which the Corporation has mde with two private Hospitals in the City are, to say the least, most unsatisfactory.

The authority to declare a workman unfit for work:

If an insured worker becomes unfit for work either due to old age, general debility or any prtracted illness, he cannot be declared to be unfit for work by anybody under the scheme. The authority does not vest either with the Panel doctor or the Consultant or the Medical Services Committee. We are of the opinion that this authority must lie either with the Consultant or a Board of Doctors and such a worker who is declared unfit for work should be entitled to his gratuity and other benefits no matter how many years of service he has put in. The employers will be generally opposed to such a provision as is the experience in the Textile Industry where the Gratuity Award makes it obligatory upon the employers to grant gratuity at the rate of one month's basic wage for each completed year of service for the period before the coming into force of the Provident Fund Act 1952 in Textile Industry in Bombay and half a month's basic wages for each completed year of service thereafter subject to a maximum of 15 months' basic wages to be paid to him or to his heirs or executors or nominees as the case may be. (Bombay Government Gazette dated 13th December 1956).

Disentitlements:- Many a times it so happens that the employers do not send the workers' contributions to the Regional Director in time, whereby the Regional Director sends a notice of disentitlement to the worker concerned which he generally does not receive in time. Only when the worker goes to the doctor for medical benefit he comes to know that he is disentitled to any benefit. The insured worker becomes entitled only when he produces a certificate in Form ESIC 37. The worker in this case has to suffer for no fault of his and such cases become the cause of unnecessary embitterment between the doctor and the insured worker. Even if a worker becomes disentitled to medical benefit according to the provisions of the Scheme he must know it before the disentitlement starts.

Miscellaneous:- Firms taking undue advantage under the Scheme

When a workman falls ill for 8 days including the weekly holiday which is an unpaid day, ~~sixty~~ while the Corporation calculates his wages for all the 8 days and pays half the amount as sickness benefit, the employer, where he has the practice of paying full wages for sickness, takes into account only 7 days and calculates wages for only 7 days and pays only the residual amount ~~of~~ out of the 7 days wages after deducting the amount of benefit paid by the Corporation. In actual fact he should have paid the half wages for the 8 days.

Some employers, where they have continued the sick leave benefit granted prior to the Insurance Scheme coming into force, are deducting per force privilege leave of workmen against sickness if that workman has no sick leave to his credit under the company's old sick leave rules. Thus the workman is forced to exhaust his privilege leave for sickness covered under the Scheme. The Corporation says such an action on the part of the employer is not in violation

of the E. S. I. Act.

** This they do under the plea that the sickness must be covered by an authorised leave under company's rules.

टेलीफोन : ४६९८

उत्तर प्रदेशीय राज्य कमेटी

अखिल भारतीय ट्रेड यूनियन कांग्रेस

मजदूर-समा भवन

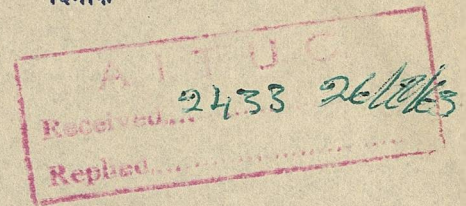
१२/१ ग्वालटोली, कानपुर

क्रम संख्या 187/63

25th August, 63

दिनांक.....

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



Dear comrade,

Please find enclosed herewith details of the CB Case No 42(B)/61, which has not been referred to adjudication nor the employers agreed for arbitration. This is an important case regarding the dismissal of 15 workmen including the General Secretary, Treasurer and member executive of the Labour Union, Baheri. Please take this matter with the Central Labour Ministry at the earliest.

With greetings.

Yours comradely

(Samir Kumar Dhar)
For General Secretary.

Con A
na
24/8/63
UP

dated 23rd August, 1963

The Secretary,
All India Trade Union Congress,
5, Jhandewalan,
Rani Jhansi Road,
NEW DELHI-1.

Dear Sir,

Subject :- Regarding C.B.Cases ^{/in} which Adjudication
not granted.

With referenceto to the circular letter No. 8/63 dated 27th July, 1963 of U.P.T.U.C., regarding the above noted subject I am ~~am~~ herewith supplying the requisite information in the prescribed form as under :-

WHERE ADJUDICATION HAS BEEN TOTALLY REFUSED.

1. Name of the Company. ... The Kesar Sugar Works Ltd.,
Baheri. N.E.RLY. DIST. BAREILLY.
2. Name of the Union. ... The Labour Union, Baheri. N.E.H.
Registration No. 346 dated
23rd June, 1946.
3. Demand charter with the ... Demand Charter was submitted in
date on which it was ... the second week of March, 1961
submitted. ... in respect of 20 demands of the
workmen among which main demand
was in respect of Payment of
Bonus for season 1951-52 long
due.
4. Conciliation proceedings... C.B. Case No. 42-(B) of 1961.
with date and result. ... Application was submitted to
the Regional Conciliation Officer
Bareilly on 29th May, 1961.
The case was heard finally on
14th July, 1961.
Copy of the written statement
submitted before the R.C.O.,
Bareilly is attached herewith.
5. Whether offer for ... No Offer for Arbitration was
Arbitration was made ? ... suggested.
If so, give result and
name of the Arbitrator
suggested.
6. Whether the Govt. ... Govt. communicated the Union for
communicated to the Union ... not referring the case for
the reason not referring ... Adjudication without giving any
the case to adjudication ... reason.
and copy of this. ... Copy of the in-expedient order
is attached herewith.
7. The number of workmen ... Sixteen workers involved.
involved.

Yours faithfully,
FOR THE LABOUR UNION,

Ranabhai
SECRETARY.

Encls :- (as above).

प्रीजन,
श्रम कमिश्नर, उत्तर प्रदेश,
पोस्ट बक्स नं० २२०
कानपुर।

सेवा में,

शंजी, लेबर यूनियन, बटैरी,
जिला-बरेली।

संख्या १३४५३ / ५३६-जी ५३२-सी.जी. ४२ (बी) ६१, कानपुर, दिनांक १४/१२/६१

विषय: - मेरु - केशर सुगर वर्क्स लिमिटेड, बटैरी, जिला बरेली

तथा उसके अधिकारी/कर्मियों के संबंध में

औद्योगिक विवाद संख्या ४२ (बी) १५ ६१

कार्य को सूचित किया जाता है कि उक्त विवाद के तथ्यों पर प्रशासन से विचार करने के उपरान्त उच्च अधिनियम के विधि गैर मान्यता के अधीन संभाला गया है। अतः यह विवाद दाखिल दफ्तर कर दिया गया है।

(रामप्रताप मोहंती)

सहायक श्रम कमिश्नर, उत्तर प्रदेश
श्रम कमिश्नर, उत्तर प्रदेश की ओर से

WEST BENGAL COMMITTEE

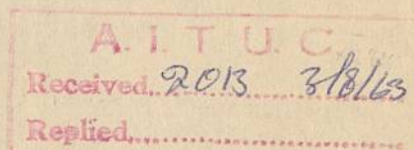
All India Trade Union Congress

249, BEPIN BEHARI GANGULI STREET, CALCUTTA-12

Ref.....

Date 1st. August, 1963.

To,
Com: Satish Loomba,
Secretary,
All India Trade Union Congress,
New Delhi.



Dear Com: Loomba,

You have perhaps already received a letter (an unsigned one) from the Garden Reach Textile Workers' Union giving details of disputes which have not been referred to Adjudication by the State Labour Department.

I am enclosing herewith a copy of letter received from the Bengal Motion Picture Employees in the same matter.

We have issued a Circular to all unions asking for such particulars as have been asked for in your earlier letter. I would continue to send you particulars as soon as these are received from Unions.

The list of unions is being prepared and will be sent shortly.

With greetings,

Yours comradely,

Collect it,
M. S. S. S.

T. S. S. S.
Secretary

BENGAL MOTION PICTURE EMPLOYEES' UNION
126A, Dharamtala Street, Calcutta - 13

31-7-1963.

Secretary,
West Bengal Committee,
All India Trade Union Congress,
249, Bowbazar St.,
Calcutta.

Sub:- Your Circular dated 24.7.63.

Dear Comrade,

In reply to your above circular we are sending our annual return for the year ending 31st March '63 as it is required.

According to the item No. 2 of your circular we are submitting the following facts :-

1. Following are the disputes which have not been referred to adjudication or arbitration by the State Government.

(A) Opera Cinema, 5, Dharamtolla St. Calcutta, dismissal of Sri Pachu Tarai on 31.12.61 (Labour Officer Sri S. Bhattacharjee).

(B) Plaza Theatre (Karseong) dismissal of Sri Kaziman Pradhan (Conciliation officer A.L.C. Darjeeling).

(C) Meghdoot Cinema, (Seliguri) Denial of a job to Sri Basista Singh (Conciliation Officer A.L.C. Darjeeling)

(D) Dipti Cinema, Calcutta. Illegal deductions from salary of 4 workmen Sri Hari Sadhan Chatterji, Mihir Kr. Acharyya, Ram Malakar and Kesto Mondal (Labour Officer Sri S.K. Banerjee).

contd/2

(E) Refusal of Government to send the dispute on denial of job to 10 workmen in Park Show - Noor Mahal Cinemas, Calcutta on an absurd plea that this denial of job to 10 workmen is an individual individual dispute.

(F) Refusal of the Government to refer the dispute on dismissal of Sri Amar Das (Chief Operator of Paramount Cinema, Calcutta) to adjudication on the fake plea that his case was not represented by the Union.

(G) Refusal of the Government to refer the dispute on dismissal of Md. Osman of Regent Cinema, Calcutta, to adjudication on an untenable plea that allegation against him made by the company was apparently true.

(H) Denial of Medical benefit to Cinema Industry workmen (provided in the Award of Omnibus Tribunal for Cinema Industry of 1960).

Thanking you,

Sd/- Haripada Chatterji
Secretary E.M.P.E.U.

Garden Reach Textile Workers' Union

REGD. NO. 463

(Affiliated to All India Trade Union Congress)

~~17, AKBAR ROAD~~ : CALCUTTA - 24
I/I, Garden Reach Road.

Ref. No. TU/4/63/559

Date 29.7.1963.

A. I. T. U. C.
Received 1.8.63
Replied.....

Comrade General Secretary,
All India Trade Union Congress,
Rani Jhansi Road, New Delhi.

Dear Comrade,

We have resolved to raise signature of ten-thousand on the Great petition and already more than 2,000 signatures have been collected. Union militants and workers are collecting the signatures in squads in differant 'bastis' and localities of workers. The response is very good. The INTUC Union and the management are making campaign opposing the signature campaign stating that signature goes against the Defence of our country and amounts to campaign against Nehru Government. But the response is very good. Many workers belonging to INTUC and Congress have signed the petition.

Buzuk

We have hold a general meeting of the workers on 25.7.63 at Kabala Maidan and have started the campaign of countering the anti-working class stand of the INTUC and out stand for Defence and development of India.

The Jute workers of our area are also doing very well.

We expect to raise 20,000 signatures from workers and their families in our area.

I enclose herewith some particulars in respect of reference of disputes to Adjudication as directed by BPTUC.

With greetings,

Yours fraternally,

(Arun Sen)
General Secretary.

Enclosed: as above.

ref. circular issued by SK

KESORAM COTTON MILLS LTD. (Birla Bros).

List of disputee which has not been referred to Adjudication, despite recommendation by the Labour Commissioner, W. Bengal.

1. Permneny of workmen.

There are more than 1,200 workmen and employees in the above mills. From the same 10,500 workmen are members of the Provident Fund Insitution i.e. have got continous service for more than one year.

The mill runs 7 days in every week, by giging stagarring weekly off days to different workers in different days.

The mills require 8,200 workers every day and one-sixth is required to work in weekly off days. i.e. 9,600 workers are required for daily requirement.

But the mills has kept only 6000 permanent ~~xxx~~ hands. Thus about half of the workmen are being shown as Badli or temporary hands.

The Union raised the dispute for permanency of workmen as early as July 1960. Conciliations took place firstly by the Labour Officer and then by the Deputy Labour Commissioner, Sri Quader Nowaz. On 23.8.63 in a joint conference the representative of the management agreed upon a formula, which was confirmed by Sri Nowaz by his letter No. S/3069 LC dt. 24.8.60. (a true copy enclosed).

But after that the management refused to implement the same. And the Labour Commissioner sent a report under sec. 12(4) of the I.D. Act recommending Adjudication of the dispute as the management refused to settle the dispute. But the Labour Department of West Bengal has kept the said report in cold storage. We were informed by the Asst. Secretary, Labour Department that discussion with the management is being done regarding the above.

Taking advantage of the situation, the management is introducing widespread 'rationalisation' and increase of workload unilaterally.

2. Increase of workload and introduction of Rationalisation.

The company has increased workload and have introduction various rationalisation schemes unilaterally and even in violation of Sec. 9A of the I.D. Act. Workmen are not even given the share of the gains of 'rationalisation' and though there is an agreement dt. 23.12.57 (Tripartite) that such would be mutually settled. The Union raised the dispute and many joint conferences were held. Some dates are given: 7.12.60, 27.5.61, 30.5.61, 7.6.61, 11.7.61, 6.12.61. The mills were also visited by the conciliation officer. The company refused to settle the matter and the conciliation officer has recommended "ADJUDICATION" of the dispute and has sent report under sec. 12(4) as early as May 1963. But the same is also being kept in cold storage by the Labour Department.

3. Refusal of employment of 5 workman.

Some 5 workmen were denied work without asiging any reasons in the year 1961 and the Union raised the dispute Joint conference numbering more than 10 were held, from 11.7.61 8.12.61, 22.5.62, and other dates by the conciliation officer, Sri S. Bhattacharjya, Labour Officer, W. Bengal.

We offered for arbitration. But the management refused. During this time one worker, Anu had to resign, for long period of denial of work.

And the Company dismissed one worker formally, namely Sewalal.

Strangely on 24.4.63, the Government vide their letter No. 1673-IR/IR/8L15(F)/62 informed us that

" Md. Hanif, it transpires that the Factory Manager of the company requested the Labour Directorate to direct Md. Hanif to see him. Sri Hanif was accordingly advised but did not see the factory manager.

" Sri Sewalal was given work only at the request of the Union after a period of absence. The workmen prayed ~~for~~ to be excused for low production"

" Rajendra in the leave application did not mention the period for which extension of leave was prayed for. He did not also mention the nature of illness in the application. The application for extension of leave was, therefore, rejected by the Management.

..."Government do not consider the cases of these workmen fit for intervention."

The Union protested against the above arbitrary decision of the Govt. vide our letter No. KC/11/63/349 dt. 6.5.63.

We stated that Md. Hanif was denied work without charge sheets for more than 2 months, though he is a permanent worker. He was taken back into work after the dispute was raised by the Union. The contention that he did not meet the Manager is false as he was allowed to work only after he met the Manager. He has not yet been paid wages for the period of unemployment.

2. Sewalal was not absent for a single day. He was denied work without any reasons, or charges for 3 months. The company has dismissed him without taking permission from the conciliation officer.

3. Rajendra could not mention about ~~his illness~~ name of disease (the medical certificate of the Doctor states the same). The Doctor advised him rest and treatment till recovery ~~xx~~ as such he could not mention the period.

4. Re; Jhingoor- he is a permanent worker and he was denied work without charges for more than 2 months.

As yet the Government has not taken any steps or have not yet referred the matter for adjudication.

4. Wage cut in colour Winding & Doubling Dept.

The company made illegal and arbitrary wage cut of the workers of the department. The Union raised the dispute as early October 1962. Some joint conferences were held. We suggested arbitration and the conciliation officer wrote both the parties on 11.12.62 (S/3979(2)/LC from Sri B.K. Roy, Asst. Labour Commissioner whether we are

agreeable to voluntary arbitration. We accepted the same and suggested the conciliation to act as Arbitrator. We were told on 9.4.63 that the company is agreeable to accept arbitration and the name of Sri H.M. Ghosh, Deputy Labour Commissioner, was accepted by both the parties. We signed the arbitration form on that day. But as yet the same has not been referred to ARBITRATION.

5. Demoting 57 clerks as Semi clerks.

In West Bengal there is no provision of keeping employees as semi clerks. The Award of cotton textiles of W.Bengal mentioned only 2 types of clerks. Matriculate with a scale and grade and nonmatric with another scale of grade and scale.

The company illegally demoted 57 clerks as semiclerks after the report of the 'Cotton Textile Wage Board.'. We raised the dispute. The same was raised in April 1961. Many joint conferences were held. Sri S.N.Roy, Deputy Labour Commissioner, W.Bengal and Sri Sesadri, Joint Secretary, Ministry of Commerce & Industry, Govt. of India, made enquiries visiting the mills, going through books etc. The report to the Govt. was given by Sri S.N.Roy, accepting our contention and suggesting the ~~work~~ employees to be treated as 'Clerks' and with benefits of wages board and as per agreement dt. 1.3.62.

But the company has kept still now all of them as semi clerk. Have denied them the clerical grade and scale, special high cost allowance etc.

The Govt. has not taken any steps against the company nor have referred the matter to ADJUDICATION.

6. Demotion of helper weavers.

For 4 loom working in the mills there is an agreement dt. 4.7.57 stating that helper weaver for each 4 weavers, i.e. 16 looms will be paid 6% percent more than the weavers. Some permanent helper weavers have been demoted to the rank of weavers.

The Union raised the dispute on 10.8.61. After that as many as 15 joint conferences were held (Conciliation officer) Sri S.K. Bhattachajya. dt. 18.12.61, 14.11.61, 15.1.62, and other dates.

Please note the delay of the conciliation officer in the above. We offered for Arbitration, but with no avail.

7. Dismissal of workmen- during the period of Industrial Truce.

As you know that many workmen have been dismissed or discharged and victimised taking the advantage of emergency. We have raised dispute since October 1962 about the same.

We offered for Arbitration but the company has not agreed to the same.

8. Violation of the Award 1958 in respect of Gratuity, Sick leave, and contract labour.

The cotton textile Award granted 15 days wages as gratuity for the uncovered period of P.F. and rules for gratuity was as per P.F. dues. The Company refused to accept the same.

15 days sick leave with wages to all workers. But the company pays only to those who put in 240 days work in the year preceeding. All others are denied.

Contract labour was abolished. But the company engages in the process of work.

The compalin of the Union is from August 1958. Many conferences were held. The State Implementation Officer gave report against the company. We raised the same in the State Evaluation Committee. The Labour Commissioner, West Bengal in the said committee personally took the responsibility to take up the matter.

He convened 5 joint conferences. But the company refused to accept even his terms. The Labour Commissioner had sent his report on 1.10.1962. But the same is being kept in cold ~~stage~~ storage by the State Labour Department.

..... The above are few examples how disputes are handled and denial of adjudication and implementation done.

1. Name of the Company:- Kesoram Industries & Cotton Mills Ltd., 42, Garden Reach Road, Calcutta-24. (Birla Bros).
2. Name of the Union:- Garden Reach Textile Workers' Union, 1/1, Garden Reach Road, Cal 24.
3. 4.5.- Given above.
- v. Only in case of 3 (refusal of employment) some false plea has been given for not referring the case to adjudication. In other case Govt. is keeping num.
- vii). Permanency- 4000 workers, Workload- 900 workers, Semiclerks- 57, Helper weavers- 11, Dismissal & victimisation- 150, Award 58 all workers.

With greetings .

Yours ~~faithfully~~ fraternally,

(Arun Sen)
General Secretary.

(True copy).

Government of West Bengal,
Officer of the Labour Commissioner, West Bengal,
New Sectt. Buildings, 11th floor, Calcutta-1,

From: The Deputy Labour Commissioner, W/Bengal.

To: The Factory Manager, Kesoram Cotton Mills Ltd.,
42, Garden Reach Road, Calcutta-24.

Subject: Permanency of workmen.

Dear Sir,

Please refer to the discussions held in the course of the joint conference ~~by~~ at my office on 23rd August 1960, in which the management was represented by Sri S.K. Sen and the Garden Reach Textile Workers' Union who ~~were~~ are representing the workmen of Kesoram Cotton Mills Ltd., by Sri Arun Sen. After ~~some~~ detailed discussion regarding permanency of workmen in the Kesoram Cotton Mill the following were agreed upon:

1. The management will employ on permanent basis the number of workmen who are required to run the three shifts of the mill.
2. The number of workmen required to be made permanent as per para 1 above will be made permanent department-wise. The management shall commence to publish the list of permanent workers department wise from the month of Sept. 1960 and complete the publications of all the lists by the end of January 1961. The workmen mentioned in the list shall become permanent with effect from the dates of the publication of the list.
3. The selection for inclusion in the list of permanent workers shall be made on the basis of seniority cum efficiency. All these workers who have completed 240 days continuous employment will be eligible for permanency.
4. Any workman who may be aggrieved after the publication of the list of permanent workers will be at liberty to represent their grievances to the management.

The above terms may please be confirmed within a week from the date of receipt of this letter.

Yours faithfully,
Quader Nawaz, Deputy Labour
Commissioner.

Memo. No. S/3069 LC. dt. 24.8.1960.

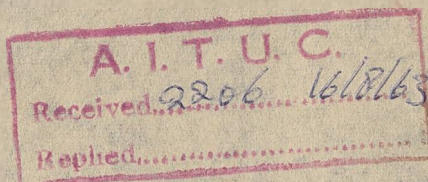
UNION OF SCALE WORKERS

REGISTERED WITH A/D.

93/3/1/1, Hari Ghosh Street,
Calcutta-6.

Dated the 12th August, 1963.

To
Shri Gulzari Lal Nand,
Hon'ble Labour Minister,
Govt. of India,
New Delhi.



Dear Sir,

Violation of terms of services of Sri Debendranath
Bhattacharjee employed in Messrs. Wooma Churn
Karmokar, 23B, Narkeldanga Main Road, Calcutta-11.

I have to institute this appeal before you for
reviewing and reconsidering the following dispute, which
has been refused by the West Bengal Government to be sent
to the Industrial Tribunal for adjudication.

1. That Sri Debendranath Bhattacharjee is an
employee as a clerk in the above firm since 1946/47, on
a consolidated salary of Rs.90/- per month. In addition to
this, he was given a rent free family quarter at 24/2,
Narkeldanga Main Road, Calcutta-11, consisting of two bed
rooms, kitchen etc. (a complete suite).

2. That the agrieved employee continued work under
the said company till the year 1957 on the terms including
a rent free quarter and this fact was admitted by the
representative of the company before the concilliation
officer.

3. That the company informed him that the lease
period of the house which Sri Bhattacharjee was occupying
expired in 1957 and the company due to financial paucity, was
unable to renew such lease and as such he would have to
vacate the quarter. But on further representation, the
company agreed in view of his poor salary without any
increment of 10 years, to pay him Rs.50/- per month in lieu
of the free quarter. These were verbal. It will not be out
place to mention here that it is a small company accomoda-
ting not more than 25 workers and the company never give
any letters of appointment to their workers stating the
terms and conditions of service. But this amount was never
paid to the employee.

4. That the agreed employee approached the
company several time but he only got the hopes of such
payments without any material effect.

5. That in view of the agrieved worker being
heavily encumbered with his family he was afraid of moving
the matter through the Union and as such to raise a dispute,
in apprehension of his losing his services.

6. That when the agrieved employee found all his
representations to the management was fertile, he sent a
letter to the company under Certificate of Posting. But
instead of replying in writing, the company assured him
verbally that they were arranging the payment without any
further delay. But he was never paid.

contd.....

7. That finding no other alternative the said employee moved the matter through the union who lodged this dispute before the Labour Directorate, West Bengal.

8. That I enclose a copy of letter No. 836-IR
IR-10L-167/62
dated the 2nd March, 1963 received from the Assistant Secretary, Labour Department, Govt. of West Bengal, Calcutta, and my comments are as follows :-

(a) It is frivolous and flimsy that a partner would allow an employee a rent free quarter on his own capacity to reside for 10 years as a gift which fact is beyond and belief.

(b) The premises at 24/2, Narkeldanga Main Road, Cal-11 was not the partners' own house but the company took a lease of the house to accomodate rent free quarters to their staff. A driver of the said company was also given a portion of the house to reside rent free. But he died before termination of lease period of the house.

(c) None of the partners resided ~~and~~ the said premises and they have got their own houses and they still reside there.

(d) Regarding "The contention of the union that Sri Bhattacharjee was assured payment of Rs.50/- per month as house rent could not be established", I have already told in my above contention that the company never gave any letter of appointment to any of the workers stating the terms of service conditions. So such demand on the part of the West Bengal Government is not justified and reasonable.

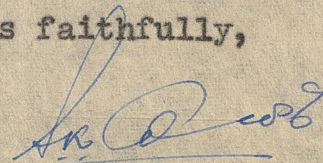
9. That this dispute should be judged on the facts that the said employee occupied the said premises free of rent since the inception of his employment and enjoyed this for over 10 years but the company failed to renew the lease of the premises further. So he was definitely given an understanding to get as compensation for the less of rent free quarters.

In the circumstances, I shall be grateful if you will please review the whole circumstances and settle the dispute.

*Copy to the General Secretary
All India Trade Union Congress.
5, Jhandewallan Rani Jhansi
Road*

New Delhi-1

Yours faithfully,


(S. K. Ghose)
President.

with a request to necessary action.

Sudhir Ghose

GOVERNMENT OF WEST BENGAL

L a b o u r D e p a r t m e n t

I. R. B r a n c h

No. 836-IR
IR/10L-167/62

From:

Shri S.C. Mukherjee,
Assistant Secretary to the Govt. of West Bengal.

To

The Secretary, Union of Scale Workers,
93/3/1/1, Hari Ghose Street,
Calcutta-6.

Dated Calcutta, the 2nd March, '63.

Subject: Dispute relating to non-payment of house rent
at the rate of Rs.50/- per month to Shri Debendra
Nath Bhattacharjee - an employee of Wooma Chaman
Karmakar.

.....

Sir,

I am directed to say that the above dispute has been enquired into. It transpired on enquiry that Shri Bhattacharjee was allowed by one of the partners, in his individual capacity, to live in a portion of the latter's house at 24/2 Narkeldanga Main Road, Calcutta. On the expiry of the lease period, Sri Bhattacharjee vacated the house. The contention of the union that Sri Bhattacharjee was assured of payment of Rs.50/- per month as house rent could not be established. The dispute in the circumstances, is not considered fit for intervention.

Yours faithfully,

Sd/-

Assistant Secretary.

GE/

Sholapur, 9th August 1963.

From:

Sholapur Girni Kamgar Union.
Opposit N. G. Mills,
12 Muraraji Peth, Sholapur.

The General Secretary,
Sholapur Girni Kamgar Union,
Opp. N. G. Mills (U.R.S.)
Sholapur. (Maharashtra State)

A.I.T.U.C.
2136 13/8/63
Recd.

To,

The Secretary,
All India Trade Union Congress,
5-E, Jhandewalan, Rani Jhansi Road,
New Delhi. 1

M. K. Kamgar
A.I.T.U.C.
2136 13/8/63

Dear Conrade,

This is in reference to your letter of date 22nd July 1963 addressed to M.R.T.U.C. Bombay, in respect of conciliation failed but not referred to adjudication by Govt. our Union gives below a concrete case where adjudication has been totally refused by Govt., and Government itself being its employer.

(A) Where adjudication has been totally refused.

1. The Name of the Company. Sholapur Electrical Undertaking. ~~B. & C. Department~~, Sholapur. (Run by the State of Maharashtra)
2. The Name of the Union : Sholapur Shahar Electric Kamgar Sangh. Sholapur.
3. Demand charter etc. : Demand for 32 items, made on 30-7-1961.
4. Conciliation proceedings: Conciliation proceedings took place i.e commenced on 1-1-1961.
5. Whether offer for arbitration was made. Conciliation proceedings held, on 26th Sept. 1962, 16+3 demands accepted by the Management, but 13 demands rejected. Failure report regarding 13 demands was made by the Conciliation Officer, on 15th Oct. 1962. The Union was willing for arbitration.
6. Reasons for not referring: The ~~Employer~~ ^{has} Government could not communicated the Union the reasons for not referring the case to arbitration.
7. No. of workers involved: 250 workers.

You are therefore requested to pursue the matter as declared by Shri Nanda at the 21st Session of the Indian Labour Conference, and the adjudication be granted in this case immediately.

With Greetings,

Yours fraternally,

B. Kulkarni
General Secretary.

Sholapur Girni Kamgar Union, Sholapur

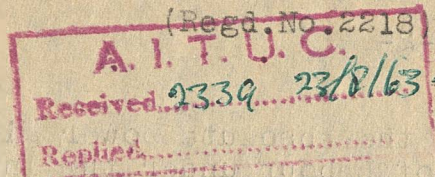
Copy to M.R.T.U.C. Bombay.

Sholapur Girni Kamgar Union.

A. S. J. J.
ms
18/8/63

Poona Jilha P.W.D.Kamgar Union, Poona.

(Regd. No. 2218)



C/o Trade Union Centre,
101 Shivajinagar, Poona 5.
No. TUC/PWD/505 of 1963.
Dated 6th August 1963.

To

Com. Satish Loomba,
Secretary,
All India Trade Union Congress,
5-E, Jhandewalan, Rani Jhansi Road,
NEW DELHI-1.

Dear Comrade,

With reference to your circular letter dated 22-7-1963 which reached to our hand only on 5th August through Poona Jilha Parishad Kamgar Union, Poona which is affiliated to the All India Trade Union Congress and as such could submit you the information required. However I would like to submit the following information.

(A) Where adjudication has been totally refused:

- i) The Name of the Union: Poona Jilha P.W.D. Kamgar Union, Poona
- ii) The name of the Company: Here company is not the employer but the following two Government departments of Maharashtra are the employer.
1. Building & Communication Deptt.
 2. Irrigation and Power Department.
- iii) Demand charter with the date on which it was submitted. The charter of demands was served to the Superintending Engineer, Central Circle and Deccan Irrigation Circle, Poona under this office No. TUC/PWD/109 dated 18th March 1963. As no reply was received, The Assistant Commissioner of Labour, Poona was requested to admit the dispute in conciliation under this office No. TUC/PWD/157 dated 12th April 1963. He was again requested to intervene on 19-6-63. But till this day the dispute has not even been admitted in conciliation. The Labour Minister of the Central Government was approached and he informed us that the matter has been referred to the State Government.
- iv) Number of workers involved. About 300 in Poona District.

Similar attempts have been made by our sister unions in other districts; but the same attitude of silence is shown by the concerned Assistant Commissioner of Labour. The workers are naturally restive. They are on daily wages to-day. Some concessions have been very recently granted. A copy of the same is enclosed herewith.

M.
✓

Contd
VMS
MMS

This is all due to the absolute power given to the Assistant Commissioner of Labour under the Industrial Disputes Act, 1947 in deciding whether the dispute really exists or not and whether the dispute should be admitted into conciliation or not.

This is not the first time that the union has approached the Conciliation Officer, ~~xxx~~ about four years back we ~~tried~~ tried the same channel; but without any positive result.

We have, therefore, to request you to kindly see that Government takes early steps to redress the grievances of the workers.

Not a single worker is taken on regular establishment. All are on daily wages ranging from Re.1.25 to Rs.4.50 per day for skilled and unskilled workers.

Yours fraternally,

(A.D. Bhonsle)
General Secretary

Copy to the Secretary, Maharashtra Rajya Trade Union Committee of A.I.T.U.C., First Floor, Dalvi Bldg. Parel TT Bombay 12-DD. for favour of information.

MAHARASHTRA P.W.D. WORKERS' FEDERATION

C/o Trade Union Centre,
101 Shivajinagar, Poona 5.
No. TUC/MPWDF/ 572 of 62.

To

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

Sub: Demands of the P.W.D. workers in Maharashtra.

Sir,

I have to bring to your kind notice the following facts for your immediate intervention.

The Building and Communication Department and Irrigation and Power Departments of Maharashtra State employ skilled, semi-skilled, unskilled and highly skilled workers on various irrigation works, construction of dams, construction and maintenance of Government buildings and repairs of the same, construction, repairs and maintenance of roads, maintenance of gardens and in mechanical workshops. The workers are divided in the following categories.

1. Workers on daily wages paid from contingencies,
2. Workers on work charged establishment,
3. Workers on temporary establishment, and
4. Workers on permanent establishment.

There are a few workers who are on permanent establishment. This number is very negligible compared to the vast number of workers on either daily wages or on work charged establishment which is roughly more than 10,000 in the whole of Maharashtra.

Very few are taken on temporary establishment. The number will be about 5% and about 2% of the skilled workers have recently been taken on work-charged establishment in Building and Communication Department in some cities like Poona and Bombay. The rest of the 10,000 workers are on daily wages.

The workers on daily wages except those working on dams get a very low daily wage. They get the following daily wage:

| Category | Zone I | Zone II | Zone III | Zone IV |
|-------------|----------|----------|----------|----------|
| Skilled | Rs. 3.00 | Rs. 3.50 | Rs. 3.12 | Rs. 2.75 |
| Semiskilled | Rs. 2.85 | Rs. 2.75 | Rs. 2.37 | Rs. 2.00 |
| Unskilled | Rs. 2.37 | Rs. 2.00 | Rs. 1.75 | Rs. 1.50 |

Bombay is classified as Zone I, Poona, Solapur, Jalgaon, Kalyan, Ambarnath, Thane and suburbs of Bombay are classified as Zone II (Municipal areas of these cities are only covered) towns having population of more than 3,000 are classified as Zone III and the rest as Zone IV. But the application in respect of zone IV is being extended every time. Thus majority of the workers engaged on road repairs, construction and maintenance are deprived of their right to receive minimum wage. Besides this wage they do not get any facility. No paid weekly off, not no paid festival holidays, no leave with wages, no provident fund, no gratuity, no pension, absolutely nothing besides average monthly wage of Rs. 39.00 to 71.75 in zone IV; Rs. 45.50 to Rs. 81.25 in zone III Rs. 52.00 to 91.00 in zone II and Rs. 62.12 to Rs. 104.00. It is worthwhile to note these workers are on daily wages for generations. At present there are workers who have served from 5 to 30 years in the above two departments.

The second category is that of workers on workcharged establishment. They are given a scale, dearness allowance but not house rent allowance or compensatory local allowance. No provident fund, gratuity, pension is given to this category. Thus their long years of service in Government department is wasted. They must also be taken on permanent establishment.

Not a single mazdoor is taken on workcharged establishment in Buildings and Communication Department. There are some in Irrigation & Power Department.

These workers demand only one thing that they should be taken on permanent establishment and their past services should also be considered. Once these demands are met others can be met because they follow from the order of permanency. In this connection I wish to state that the Government of India has a similar department by name Central Public Works Department through which this kind of work is being done. But the department has taken many workers on permanent establishment. The argument advanced by the Government is that the workers will not work once they are made permanent. This contention of the officers is absurd and have no foundation. Similar type of work is carried out by Jilhe Parishad (i.e. road repairs, maintenance and construction) but the workers doing that work has been made permanent.

For the redressal of these very elementary demands, the workers through their district unions and Federation tried all the avenues. Conferences were held, deputations were sent to the Ministers concerned, demonstrations were held, on 16th February 1959 about 2000 P.W.D. workers in all over Maharashtra demonstrated before the State Assembly. The workers were assured that their demands will be met. But upto this time nothing has been done. On 13th August 1960 the P.W.D. workers all over Maharashtra went on a one day's protest strike. When the workers saw that the Government is not serious in solving their problem, they tried to approach the Assistant Commissioner of Labour. The Unions submitted their demands and sought intervention of the conciliation officer under Industrial Disputes Act. But the Commissioner of Labour refused to admit the dispute in conciliation. The Government is not prepared to grant their demands nor they are given the opportunity to place their demands before the Industrial Tribunal.

Establishment of Socialistic Pattern of Society is now the goal of Government India. But the workers fail to understand how is goal is to be achieved when the workers are not given the fair deal even after a lapse of 15 years.

When we approach you it is with the intention that you should personally look into the matter and see that the Labour Policy of the Government of India is implemented by the State Government.

You have also appealed to the workers to approach you in the case of emergency and before taking any direct action. Though the workers do not wish to take any direct action now due to the more pressing need of the day, i.e. the defence of the motherland, we do wish to convey to you the feelings of the workers in the above two departments of the Government of Maharashtra.

We strongly hope that you will direct the Labour Department Maharashtra State to refer the matter to the Industrial Tribunal or recommend to the Government to accede to the demands of the workers.

You will also agree that the workers who have worked faithfully in Govt. departments for a pretty long time have every right to demand permanency and fair conditions of service. If the Government does not implement its own policy we cannot expect the private sector to implement it. Hence it is earnestly requested that intervention may please be made.

Thanking you,

Yours faithfully,

Y. B. B. Patil

(M.G. Pense)

General Secretary

Daily rated establishment under
Buildings & Communications Department
& Irrigation and Power Department -
Improvements in the service conditions
of --

Government of Maharashtra
Buildings and Communications Department
Resolution No.ESW 1063/55-E(II)
Sachivalaya, Bombay No. 32 BR, 25th January 1963.

Resolution of Government

The question of improving the service conditions of the mile and canal mazdoors working on daily-rated establishment under Buildings and Communications Department and Irrigation and Power department was under the consideration of Government in the past. In order to grant certain stability and security in service to this class of establishment, Government is now pleased to grant the following concessions to Mile and Canal Mazdoors etc., working under Buildings and Communications Department and Irrigation and Power Department whose services are required all the year round year after year.

(1) Earned Leave : Earned leave should be granted upto 1/22nd period of continuous duty performed since the expiry of last spell of such leave and limited to one month at a time subject to the following conditions :

(i) Leave shall not be granted unless the Mazdoor has served for at least 24 months continuously.

(ii) Mazdoor agrees in writing to the effect that he will resume duty for a period of not less than 6 months after expiry of his leave or forfeit his leave salary.

(iii) Leave earned shall not be cumulative, i.e. leave due at any time shall be calculated only on the period of continuous duty then performed and that whenever the duty is interrupted claims to leave earned upto that date will be forfeited.

(2) Casual Leave : Casual leave upto 10 days during the calender year should be granted to those mazdoors who have put in 24 months continuous service. (Detailed procedure of maintaining records of earned leave, casual leave will be issued hereafter).

(3) Terminal gratuity : Terminal gratuity should be granted to those mazdoors who have put in at least 25 years of continuous service. The amount of gratuity should be at the rate of 15 days' pay per year of service at the rate of wages drawn by the Mazdoor at the time of retirement provided that no mazdoor shall be employed after he or she attains the age of 60 years.

The Mile and Canal Mazdoors who are in continuous service on 1st April, 1957 should, however, be entitled to draw terminal gratuity at the time of retirement at the rate of 15 days' pay per year for the period they have served Government between 1st April 1957 and the date of retirement.

Mazdoors employed after 1st April 1957 should be held eligible for terminal gratuity only after they have put in 25 years of continuous service.

(4) Promotions : Mile and Canal Mazdoors who have put in continuous service for not less than 24 months should be considered for appointment to the posts on work charged establishment. Due weightage should be given to seniority (sub-divisionwise) subject to suitability of the candidate and remoteness of the place of work of the mazdoor where vacancy on work charged establishment is to be filled in. The Executive Engineer will be the competent authority in the matter.

(5) Wound and Injury pension, gratuity and Travelling Allowance : The Mile and Canal Mazdoors should be granted wound and injury pension and gratuity as per rules in the Bombay Civil Services Rules. They should also be granted travelling allowances as admissible to the members of work charged establishment.

(6) Holidays : The mazdoors should continue to enjoy weekly paid holidays and 3 paid special holidays on 26th January, 15th August, and 2nd October as hithertofore.

3. The expenditure involved on the above account should be debited to the Budget Head "50-Public Works-B-Repairs-(1)-Repairs Ordinary" so far as expenditure on Road and Building works are concerned.

4. The expenditure on Irrigation works should be debited to the Budget Head "43-Irrigation, Navigation, Embankment and Drainage works (Commercial)-A-Irrigation works (b) Un-productive II-Maintenance and Repairs".

5. The expenditure required during the current financial year should be debited to the above heads of account and should be initially met with from the advances of Rs. 80,000 and Rs. 20,000/- sanctioned for Buildings and Communications Department and Irrigation and Power Department respectively from the Contingencies Fund vide Government Memorandum, Finance Department, No. CNF 1161/93/XVII, dated the 10th January 1963 and Government Memorandum, Finance Department, No. CNF 1161/94/XVII, dated the 10th January 1963 respectively.

6. Necessary action to recoup the amount drawn from the contingency Fund should be taken during the next session of the Legislature.

7. This Resolution issues with the concurrence of the Finance Department under its un-official reference No. C-53/66-XVII, dated the 10th January 1963.

By order and in the name of the Governor of Maharashtra,

M.A.Faqih,
Assistant Secretary to Government

Demands of the workers in Building and Communication
Department and Irrigation & Power Department in Poona
District.

Demand No.1: Permanency:

All the workers who have put in 2 years of service either on daily wages or on work-charged establishment or on temporary establishment should be taken on permanent establishment w.e.f. 1-4-1963.

Demand No.2: Pay-scale:

| <u>Category</u> | <u>Pay-scale</u> |
|--|------------------|
| 1. Mason, Carpenter and Fitter | Rs.120-5-195 |
| 2. Painters and Tile turners | Rs.100-5-175 |
| 3. White-washer and Mali | Rs. 80-5-155 |
| 4. Mile mazdoors, Canal mazdoors and other mazdoors. | Rs. 65-3-110 |

Demand No.3: Dearness allowance and other allowances:

All the workers should be paid dearness allowance, house rent allowance and C.L.A. at following rates:

| <u>Pay slab</u> | <u>D.A.</u> | <u>H.R.A.</u> | <u>C.L.A.</u> |
|----------------------|-------------|---------------|---------------|
| Pay upto Rs.100 | Rs. 15.00 | Rs.10.00 | Rs.5.00 |
| Pay from 101 to 149 | Rs. 15.00 | Rs.15.00 | Rs.7.00 |
| Pay from 150 onwards | Rs. 30.00 | Rs.15.00 | Rs.7.00 |

Demand No.4: Leave and holidays:

All the workers should be given the following leave and holiday facilities every year:

1. All gazetted holidays with pay.
2. 1/11th of the days spent on duty as earned leave.
3. 1/22nd of the days spent on duty as sick leave.
4. 15 days casual leave in a year.

Demand No.5: Uniform:

All male workers should be provided with two khaki half pants and two khaki bush-coats and a pair of chappals every year and a Kambal every two years.

All female workers should be provided with 2 nine yard saris two blouses and a pair of chappals every year and a kambal every two years.

Demand No.6: Contributory Provident Fund:

A contributory Provident Fund scheme on the lines of that enacted by the Government of India should be introduced w.e.f. 1-3-1963.

Demand No.7: Gratuity:

All the workers should be paid gratuity equal to one months emoluments (pay and allowances) for each years service on superannuation, resignation, termination of service or death or permanent incapacitation within six months from leaving the job.

18-3-1963.

Sd/- A.D.Bhonsle
General Secretary

The 4th Annual Session of the BOMBAY STATE TRADE UNION
CONGRESS.

Resolution on increasing Taxation.

This 4th Annual Conference of the B.S.T.U.C. views with grave concern the upward swing in prices of the basic essentials for existence of the working people. During the period of last 13 months, the rise in prices of such essential commodities have risen by a ~~maximum~~ minimum of 40% upto and including 80%. This rise in prices has upset the entire mode of living of the working people. The increased tax burden imposed on the common man in the name of the 2nd Five Year Plan has only added to the distress of the working people in no small measure.

In this circumstances, the emoluments of the workers have remained either frozen or have shown no appreciable rise. Not even a proportionate portion of the rise in the National Wealth due to rise in productivity has been replaced in the earnings of the workers.

This Conference therefore calls upon the Central and State Governments to immediately convene tripartite conference in order to arrive at some settlement of the critical situation that faces the working people.

This Conference call s upon the working people to hand themselves together and launch a movement, against the increase in prices and to obtain satisfactory solution.

This Conference appeals to all Central Trade Unions to join hands and fight the increase in prices and bring reliefs to the distressed working people.

Dr. Shirodkar Smarak Mandir Hall,
Parel.

Dated; 26.10.1957.

The 4th Annual Session of the Bombay State Trade Union Congress.

ON FOOD CRISES.

This 4th Annual Conference of the B.S.T.U.C. views with grave concern the deteriorating food situation in the Country in general and in U.P., Behar and W.Bengal in particular.

This Conference condemns the callous and indifferent attitude of the Congress Government who instead of attempting to solve the problem of the distribution of food, have been attempting to creat an impression that all is well on the food front. The surplus area like Andhra is invaded by hoarders and black-marketeers from places even outside the Southern Zone, and the Government have taken no steps to regularise proper distribution of food grains or penalising the invading hoarders. As a result of this attitude of the Government the people's food has been haarded and gone into black-markets. Prices have shot up and gone beyond reach of the common people. There have been starvation deaths in West Bēngal and Bihar and it is reported in Southern Bombay the spectre of famine also haunts Eastern Utter Pradesh. This Conference while sympathising with the people in distress calls upon the Government both at the Centre and the States to take the following steps immediately:

- (1) Prices of food grains and other necessities of life should be subsidised and controlled;
- (2) Fair price shops should be immediately opened and their management should be entrusted ~~to~~ in the hands of the persons elected by the people.
- (3) Immediate distribution of free grains to the people in the affected areas and relief Centres to be opened.

Dr. Shirodkar Smarak Mandir Hall,
Parel.

Dated: 26.10.1957.

The 4th Annual Session of the Bombay State Trade Union Congress.

Resolution on application of P.W. Act to the area of Thana District and Constitution of separate Authority for that area.

Government of Bombay for the first time has applied P.W. Act to the establishment covered under Shops & Establishment Act in the notified area. While doing this, the Government has omitted Thana District from the said notified area, thus deprived thousands of workers working in ~~thousands~~ different establishments in Thana District covered under Shops and Establishment Act of the benefits under P.W. Act.

Workmen working in establishments covered under Shops & Establishment Act find it impossible to recover even their earned wages from their employers, for, there is no machinery for quick and early disposal available for the same. This Conference of B.S.T.U.C. therefore, demands that the area of the Thana District should be brought under notified area for the purposes of the applicability of the P.W. Act to the establishments covered under Shops and Establishments Act.

Government of Bombay has declared Thana District area as "Industrial Estate". As ~~xxxx~~ a result of this policy many new industries are built near-about Thana, Kalyan and Ambarnath. Thousands of workers are working in these newly developed industries. Workmen working in these industries find it a great handicap in recovering their rightful claim of wages under P.W. Act from their employer for want of Separate Authority under the said Act. Workers are required to approach the Civil Judge of this area for the recovery of claims of wages, which authority being not separate and independent one take very long time for the settlement of claim.

This Conference therefore demands that Government should appoint a separate and independent authority for the area of Thana District immediately which will give an early relief to the workers for the settlement of their claim under P.W. Act.

Dr. Shirodkar Smarak Mandir Hall,
Parel: 26.10.1957.

The 4th Annual Session of the Bombay State Trade Union Congress.

BAN ALL NUCLEAR WEAPONS:

This Fourth Annual Conference of Bombay State Trade Union Congress appeals to the General Assembly of the U.N. to fulfil its responsibility in this grave situation by bringing about an agreement for the immediate and unconditional prohibition of nuclear test explosions of all kinds.

Such agreement, in the opinion of this Conference, will be the first step for general disarmament and complete prohibition of the manufacture, use and stock piling of all nuclear weapons.

It is the firm opinion of this Conference that the prohibition of nuclear tests must not be allowed to be made conditional on the solution of other political problems but should be proceeded with forthwith.

Dr. Shirodkar Smarak Mandir Hall,

Parel.

Dated: 26.10.1957.

The 4th Annual Session of the Bombay State Trade Union Congress.

GREETINGS TO GOVERNMENT OF KERALA.

The Fourth Annual Conference of the Bombay State Trade Union Congress whole heartedly greets the people of Kerala and their Communist Government for taking quite progressive and radical measures for improving the conditions of working class in particular and the people in general.

The recently enacted Education Bill, the peaceful settlements of all labour disputes, the proposed legislation for distribution of Government land to the peasants with special weightage to the Scheduled Caste people in the distribution, the declaration of minimum bonus to all labourers etc., are the measures which inspire and enthuse the people of India. We feel confident that, given peaceful period to the Government of Kerala for next five years, it will become as the best benavolent and democratic Government in the country whose example it will be the task of other state Governments and the Government of India to imitate, if not imulate.

Reactionaries both in Kerala and outside are not at all happy with this situation and are striving their utmost to see that this Government is unseated. It shall be the task of the Democratic people in our country and the working class of Bombay in particular to foil their plan of reaction.

Dr. Shirodkar Smarak Mandir Hall,
Parel.

Dated: 26.10.1957.

- 2 -
RESOLUTION ON WAGES.
=====

This 4th Annual Conference of the B.S.T.U.C. hereby resolves that:

The present wage conditions of the industrial workers are simply deplorable. With the steep rise in the cost of living, increase in workload and tempo of production have combinedly led to the lowering of real wages not only in itself but also relatively. This is proved even from the official figures of production and wages published from time to time by the State Government and the Union Government clearly point out to the fact that production is increasing in year by year while wages are falling.

The wages structure in India have completely become anarchic and require immediate remodelling. The disparity between the maximum wage earner and the minimum wage earner leads to an imbalance. This does not mean that the maximum wage earner is really getting an adequate wage but what it really means that the minimum wage earner is getting a starvation wage while the skilled worker is not adequately paid for his skill.

The question of wage structure in every industry must now be satisfactorily solved by immediate constitution of competent wage boards in every major industry as agreed to in the 15th Session of the Tripartite Labour Conference.

This Conference is further of the opinion that in fixing proper wages in every industry, the following necessary factors must be considered and acted upon:

1. Fixation of proper norms for food, housing, clothing, health, education, and cultural progress.
2. Investigation in the working class family budgets and correct reconstruction of working

class indices with special reference to the new items that have been added in the living of workers.

3. Payment of dearness allowance on the slab system of wages and not on the flat system of minimum wage, fully neutralising in the rise of cost of living. Same dearness allowance in the same locality in every industry.
4. At least 50% of consolidation of dearness allowance in the basic wage.
5. The minimum wage to be the fair wage, irrespective of the capacity of an industry, to pay, progressively leading to the attainment of living wage as determined from time to time.
6. Statutory check up and restriction of all production and incentive bonus scheme leading to workload, deterioration of health and subsequent loss in productive capacity of workers.

In the meantime, this Conference demands that the workers should be given the following immediate reliefs in the matter of wages:

1. Ad hoc increase of 25% in the present wages.
2. Consolidation of 50% of dearness allowance in the basic wage.
3. Where the system of payment by result exists, full payment for every increase in production over the minimum target.

Dr. Shirodkar Smarak Mandir Hall,
Parel.

Dated: 26.10.1957.

4th Session of the Bombay State Trade Union Congress.

RESOLUTION ON THE ANTI-LABOUR POLICY OF THE GOVERNMENT OF BOMBAY.

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This Annual Session of the Bombay State Trade Union Congress strongly condemns the discriminating and anti-labour policy of the Government of Bombay, as evidenced in a large number of cases of industrial disputes within the State. (The functioning of the Industrial Disputes Act by the Conciliation Officers and by the Labour Department of Government of Bombay has led to acute discontent amongst the workers in the Bombay State.) In spite of the statutory requirement of completing the conciliation proceedings expeditiously the Labour Office of the Government of Bombay takes months and months and sometimes even more than a year in concluding the conciliation proceedings. It has been the constant experience of trade unions that the conciliation officers pay more attention to the whims of the employers, give more facilities to them than to trade unions and make reports which are contrary to facts. The conciliation officers make a most formal report on the failure of conciliation proceedings, a copy of which is generally sent to the trade unions. At the same time, however, these very officers make a confidential report to the Government, the contents of which are never made available to the trade unions and this confidential report forms the basis for the Government either to refer the industrial dispute to a Tribunal for adjudication or reject it. The Conciliation officers, even in cases where the inspection of the Balance-sheets and Profit & Loss Accounts of employers, by the trade unions representatives would be necessary, refuse to compel the employers to allow such inspection. Many times the conciliation officers try

to act as adjudicators of the dispute or argue questions of law arising during the conciliation proceedings. In a large number of cases the conciliation officers go on calling for statements from trade union representatives and then declare after this inordinate delay that the dispute is admitted in conciliation or not.

The Government on its part changes the original demands according to its whim, drops some of the demands altogether and justify their action by extraneous or irrelevant reasons. In the giving or refusal to give a reference for adjudication the Bombay Government's policy is moulded either by partiality or prejudice, according to the affiliation of trade union.

Whereby the sheer callousness of an employer the workers go on a strike, even though the same may be a legal strike, the Government instead of intervening on behalf of the workers, tries to penalise the workers by refusing to refer their dispute for adjudication. In cases, however, where an employer would like a dispute to be referred to an Industrial Tribunal for adjudication, the Government would waste no time to oblige an employer even though a strike would be on.

In many cases where the High Court decisions go in favour of the workers under an existing law, the Government of Bombay loses no time in amending the law so as to deprive the workers any gain in future on that point. Where however the High Court has recommended an amendment of a law to remove an ambiguity or to make the provisions specific, the Government of Bombay is never known to have been diligent in acting upon such recommendations, if the same would be more favourable to the workers' interests.

The Government of Bombay is also guilty of great discrimination against the A.I.T.U.C. It refuses to give any representation to the A.I.T.U.C. on bodies like Employees' State Insurance Corporation, Wage Boards, Minimum Wages Committee, Labour Welfare Committee, etc.

The Conference therefore, demands of the Government of Bombay that it immediately desist from its anti-labour and discriminatory policy and amend, its machinery for settling industrial disputes so as to bring speedy settlements of the same and give adequate representation to the A.I.T.U.C. on all committees pertaining to labour problems.

Dr. Shirodkar Smrak Mandir Hall,
Parel.

Dated: 26.10.1957.

Resolution on the Main Conclusions of the 15th Session of
the Indian Labour Conference.

This 4th Annual Session of the B.S.T.U.C. has given its serious attention to the main conclusions and recommendations of the 15th Tripartite Indian Labour Conference held at Delhi in July 1957.

This Conference is of the opinion that some of the agreements reached in the said Conference on certain important aspects of the Indian working class conditions do constitute some advance on previous position in favour of the working class. It is a sign of the times that the Government and the employers' class are more and more giving their attention to some of the problems arising in the industry and relating to the working class. The Indian working class is playing a noble role in the programme of national reconstruction and it is but fair and necessary that this role of the working class should be not only recognised but also appreciated by them. In view of this some of the agreements reached in the Labour Conference are certainly welcome to this Conference. The Conference believes that these agreements will necessitate and lead to further exploration of problems facing the working class at this juncture.

Analysing some of the agreements reached in the said Labour Conference, this Conference is of the opinion that the wage policy during the Second Five Year Plan as adumbrated in that Conference will not lead to a speedy improvement of the working class conditions. The reason for this conclusion is that the norms taken as a guide for fixation of wages are too low and even unscientific. In no part of India today a normal working class family is of less than $4\frac{1}{2}$ consumption units. The intake of ~~21~~ calories cannot now in the year 1957

be calculated on the basis of Dr. Akroyd's formula. The clothing norm of 18 yards per annum per capita is not a norm for clothing but for nakedness. Basing the minimum wage on these standards is likely to lead to a continuity of the poverty stricken conditions of the working class. It is therefore necessary in the opinion of this Conference that the wage policy agreement should be further studied to bring it in line with the real requirements of the Indian working class.

The agreement relating to the discipline in industry also requires considerable reconsideration and improvement. This Conference cannot forget the fact that the Supreme judiciary of India in a recent judgement went to the length of holding union leaders responsible and answerable to their employers even for their trade union activities. It is therefore strange to find that no efforts seem to have done to remove that great injustice done to the Indian working class movement and organisational freedom and right. The Indian working class is by temperament and tradition prone to discipline but discipline is not a unilateral code of behaviour.

The agreement in regard to rationalisation is one which this Conference supports as an improvement in the solution of this much vexed problem. This Conference however reiterates its firm opposition to any rationalisation being introduced in any industry leading to any unemployment.

This Conference in the end hopes that the Indian working class will jealously guard all the gains it is likely to secure out of these agreements and will work to gain further benefits for equipping itself to discharge its national tasks more ably.

Relating to the question of housing, this Conference

is of the opinion that provision of housing for workers must be made by legislation as an inviolable precondition to opening up of new factories and that top priority to the housing problem must be given by every State Government.

Dr. Shirodkar Smarak Mandir Hall,
Parel.

Dated: 26.10.1957.

THE 4TH ANNUAL SESSION OF THE BOMBAY STATE ~~UNION~~
UNION CONGRESS.

R E S O L U T I O N S .

1. Tripartite Congress.
 2. Wages.
 3. Anti-Labour Policy of the Govt. of Bombay.
 4. Greetings to Government of Kerala.
 5. Ban on Nuclear Weapons.
 6. Increasing Taxation.
 7. ~~xxxxxx~~ On Food Crisis.
 8. E. S. I. Scheme.
 9. Application of P. W. Act to Thana District.
 10. Cash Payment of Bonus.
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BIKANER DIVISION TRADE UNION COUNCIL: BIKANER
(Head Office:-1, Khazanchi Building Bikaner).

No. 1295

dt/-

31 OCT 1963
18-11-63

To

Com. Satish Loomba
Secretary, A.T.T.U.C.
5 E, Jhandewalan, Rani Jhansi Road,
New Delhi-1.

A.T.T.U.C.
Received 22/12/63
Replied

Sub:- Report on the Industrial Disputes regarding references.

Dear Comrade.

Kindly refer the correspondence resting with your Circular date 22-7-63, and information of Part 'A', desired by you is given here in below:-

Following cases in which the Govt. of Rajasthan totally refused to refer these matters for adjudication:-

- 1.- (a) Rajasthan State Electricity Board, Bikaner.
(b) Bikaner Circle Electy. Employees Union
(c) Demands charter was submitted on 1-3-1962
(d) Conciliation proceedings were held from 3-10-62 to 15-2-63
(e) Offer for arbitration was made and union were agreed to accept arbitration but employer refused.
(f) No reason so far been communicate for non reference of the dispute to adjudication.
(g) Number of the workers involved - 900.
- 2.- (a) Water Works Deptt. Govt. of Rajasthan.
(b) Water Works Employees Union, Bikaner.
(c) Demands Charter was submitted on 6-7-61.
(d) Conciliation proceedings were held from 20-10-61 to 26-3-62.
(e) Offer for ~~an~~ arbitration was made and union were agreed to accept the same but employer refused.
(f) Reason was communicate by the Govt. that the demands are general nature and can not be referred by one union. Which is not proper reason and also in facts all demands were not of general nature. Local demands were also not referred.
(g) Number of workers involved - 300.
- 3.- (a) Garden Department Govt. of Rajasthan
(b) Gardens Labour Union, Bikaner
(c) Demands charter submitted on 20-10-61
(d) Conciliation proceedings were held from 15-1-62 to 20-12-62
(e) Offer for arbitration was made and union were agreed for the same but employer refused the same.
(f) No reasons so far been communicate by the Govt. for non reference of the dispute from adjudication.
(g) Number of the workers involved - 100.

In addition I have to inform you that the large number of cases are pending in Conciliation machinery since long but Labour Deptt. Rajasthan neither declared failure nor try to settle these cases by conciliation and they are linger on these cases for unlimited time. It can be said openly that I.D. cases are not dealt with properly in Rajasthan.

Kindly ask the Govt. of Rajasthan whose many cases were taken up in conciliation in private and public sector both and what number of cases were referred for adjudication and how many cases were settled by Tribunal in the last 2 years. Also ask the Govt. for whose many times there was no tribunal and Labour courts in Rajasthan and why it was not arranged. Here I can give you a concret example of the case of Sh. Bharat Bhushan Arya V/S. R.S.E. Board which pending in Conciliation and Tribunal since, 1956.

Hence report submitted.

Yours faithfully,

B. Bhushan Arya
(Bharat Bhushan Arya)
General Secretary

SUPPORT Labourers
to Serve the NATION

*Hand signed to Com
Mansoor - on the subject
V.A.*

BIHAR STATE COMMITTEE
ALL INDIA TRADE UNION CONGRESS

PRESIDENT :
Habibur Rahman

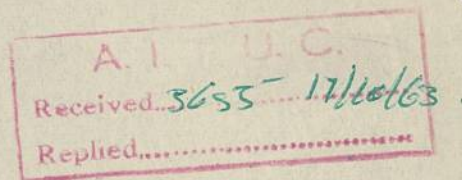
GEN. SECY :
Ratan Roy

LANGERTOLI, PATNA-4

Ref. No. 24/102/63

Dated 12. 10. 1963.

To
The Secretary,
AITUC, NEW DELHI.



Dear Comrade,

Please refer to your circular dated 22nd July, 1963 regarding pending cases which have not been referred to adjudication and where conciliation has failed. The State labour Deptt. also wanted a list of such cases which are pending before them.

I am sending the copy of letter along with lists of pending cases which I have addressed to Secretary, Commissioner of Labour Deptt. Bihar. This is for your information and necessary action.

With greetings,

Yours fraternally,

R Roy
(Ratan Roy)
General Secretary.

Adj. Secy. File.

83.
18.7

BIHAR STATE COMMITTEE
ALL INDIA TRADE UNION CONGRESS

PRESIDENT :
Habibur Rahman

GEN. SECY :
Ratan Roy

LANGERTOLI, PATNA-4

Ref. No.

Dated 2. 10. 1963.

From:
Ratan Roy,
General Secretary, Bihar State Committee AITUC,
Langartoli, Patna - 4.

To
The

- 1) Labour Secretary
- 2) Labour Commissioner,
Govt. of Bihar,
Patna.

Sub: Disputes pending for long not disposed off

Sir,

In pursuance of the Industrial Truce resolution we were asked by you to send the list of pending disputes so that the labour machinery could expedite their disposal. Unfortunately though I forwarded a list in January 1963 itself, I have not heard anything about it from you till now. I am again sending the list with a hope that you will at least inform me as to when they are likely to be disposed off (Annexure 'A').

2. I am also sending another list to you which I have received from the concerned union sometime back (Annexure 'B'). It would appear from the list that these cases are also pending for a long time. May I request you to expedite disposal of these cases also ?

Please acknowledge receipt of this letter.

Thanking you,

Yours faithfully,

Ratan Roy
(Ratan Roy)

ANNEXURE 'A'

List of ~~cases~~ Disputes raised by Bihar Mica Mazdoor Sangathan, Giridih.

| Sl. No. | Particulars | Name of Management | Pending for |
|---------|---|-------------------------------------|--------------|
| 1. | Case of Kamal Mustafa & others | Goenka Co., Giridih | 3 years |
| 2. | Victimisation of each and every members of the works Committee, of C.M.R. including the case of Mahabir Kumar | C.M.R. Giridih | 2 to 3 years |
| 3. | Harish Rai & others | J. Modi & Sons Giridih | 1 year. |
| 4. | Alijan Mian & Others | L.R. Tarway, Giridih | 1½ years |
| 5. | Meghu Barhi | Shyam Sunder Mica Industry, Giridih | 2 years |
| 6. | Rashul Mian | Harinarain Agarwal Giridih | 1½ years |
| 7. | Habib & Others | Jamuna Singh Mica Factory, Giridih | 1 year |
| 8. | Mahabir Dnobi | Rishab & co, Giridih | 1 year |
| 9. | Ramkishun Rai | C.M.I. Ltd. Giridih | 2½ years |

LIST OF DISPUTES BY PHULWARI SUTI MILL MAZDOOR UNION, Phulwarisharif, Patna.

| | | | |
|----|--|--|---------|
| 1. | Implementation of the recommendation of the Textile Wage Board in respect of linking of D.A. with cost of living index | Bihar Cotton Mills Ltd. Phulwarishariff Patna. | 3 years |
|----|--|--|---------|

Rabauhy

ANNEXURE 'B'

LIST OF CASES OF VICTIMISATION OF THE WORKMEN OF BARABEE COKE PLANT BY THE MANAGEMENT OF THE BARABEE COKE CO. LTD. AND THE INDUSTRIAL DISPUTES ARISING THEREOF.

| Sl. No. | Name & Designation of the workmen concerned | Action taken by Management | Complaint filed by union on - date. |
|---------|--|----------------------------|-------------------------------------|
| 1. | Rambaran Singh, Elevator Attendant | Suspension & dismissal | 17. 1. 1962 & 29. 1. 1962 |
| 2. | Gokal Hari II, Sweeper | -do- | 17. 1. 1962 |
| 3. | Bhageran Singh, Loading & unloading Mazdoor & Sardar | -do- | 17. 1. 1962 |
| 4. | Rahamat Ali, Latheman | Dismissal | 29. 1. 1962 |
| 5. | Sarjoo Jaswara, Oven Mazdoor | -do- | 26. 3. 1962 |
| 6. | Guja Hari, Elec. Pump Khalasi | -do- | 14. 4. 1962 |
| 7. | Sarjoo - Canteen Mazdoor | Termination of service | 20. 4. 1962 |
| 8. | Ramdas - Canteen Man | | |
| 9. | Satyanarain Lall, Water Treatment Plant Mazdoor | All cases of dismissal | 31. 8. 1962 |
| 10. | Ramkaran, Benzol Plant Mazdoor | | |
| 11. | Bahadur - Gasman | | |
| 12. | Mati Jaswara - Tar Mazdoor | | |
| 13. | Abdul Rajak, Mason | Dismissal | 28. 12. 1962 |
| 14. | Mustaque Khan General Mazdoor | Termination of service | 28. 12. 1962 |
| 15. | Balooram Jaswara, Oven Mazdoor | Dismissal | 12. 3. 1962. |

list of disputes by P. W. D. workers union, Lakhi Sarai Branch Lakhi Sarai, Monghyr.

1. Illegal dismissal of 14 workers in P. W. D. in Lakhi Sarai & Jamui sub-division.

P. W. D.
Govt. of Bihar

7. 9. 1963.

Ratan Singh

The 4th Annual Session of the Bombay State Trade Union Congress.

This Fourth Annual Session of Bombay State Trade Union Congress expresses its grave concern over the most unsatisfactory working of the Employees' State Insurance Scheme.

The hope expressed at the time of introduction of the Scheme in regard to its effective working and maximum benefits to the employees has been belied. Working of the Scheme for the last 3 years has shown that the workers are put to great hardships in getting cash, medical and other benefits provided in the said scheme.

The first worry of a worker who falls sick, even before he can think of his health and medicines, is getting the certificates from the Medical Practitioner for if he fails to submit the certificate to the company and the Local Office he is rewarded with punishment at the hands of the management, let alone not getting the cash benefits from the Corporation. Even for getting these cash benefits from the Corporation a workman is required to go to the local office several times, for which purpose he has to remain absent from duty and forego his wages for those days.

Workers do not get adequate medical aid from the Medical practitioner and many times, being fed up with the treatment under the Scheme, he is forced to spend from his own pocket for private treatment. There is no proper arrangement of referee and serious patients are not immediately attended to. To get an admission in the hospital is itself a job and there are incidents where the workers have met with death for want of Hospitalisation.

The worker suffers from another great hardship under the Scheme. If he falls ill while in his native place, the certificate presented by him from the local medical practitioner or even a hospital, is not accepted by the Corporation and the

he is deprived of sickness benefit.

In the case of compensation to the injured person, the workmen are not satisfied with the present system and they do not get adequate benefit at all.

There are certain employers who deduct contribution from the salaries of the employees and fail to deposit to the authorities under the Scheme. Because of this, the employees do not get any benefit on the ground that he is not eligible, for no fault of the employee.

In view of this unsatisfactory working and inadequate provisions in the said Scheme, this Conference demands that the following measures be adopted immediately:-

1. That the system of submitting the periodical certificate should be discontinued and only one certificate intimating that the worker is ill and one fitness certificate should be required to be submitted.
2. Cash Benefits should be made available at the time office of the factory.
3. Compensation payable to injured worker should be paid in one lump-sum.
4. Failure on the part of the employer to remit contributions should not be a bar for the worker getting the benefits under the Scheme.
5. Separate Hospital and adequate beds with full equipment for medical examination and operations should be provided and the construction of the Hospital under the Corporation should be started immediately.
6. Medical practitioners should be given full discretion as to what treatment is essential in each case.
7. Rate of benefit should be increased by 50%.
8. Full contribution of employers must be taken by the Corporation.
9. The Scheme should be extended to the family of the worker.

Dr. Shirodkar Smarak Mandir Hall,
Parel.

Dated: 26.10.1957.

Resolution on Withholding of Cash Payment of Bonus.
=====

This 4th Annual Session of the B.S.T.U.C. views with very grave concern the reported decision of a sub-committee of the Standing Labour Committee to withhold a part of worker's bonus exceeding Rs.100/- and compulsorily crediting it to his provident fund account or purchase of National Savings Certificates during the Second Five Year Plan period. The Indian working class has always looked upon the payment of bonus as an integral part of his wage in a deferred form. The Indian workers are already getting most insufficient wages and to deprive such workers of cash benefits of bonus is to deprive them of even their meagre piece of bread. While the Government on their part and the employers are refusing to put a ceiling on the employers' profits, this levy of a forced contribution is a ridiculous attempt to finance the Second Five Year Plan. The basic object of every economic plan must be the improvement of the material conditions of the people, and such an attempt to withdraw from the workers a part of their meagre earnings becomes a repudiation of that basic object.

This Conference strongly condemns the amendment made by the Government of Bombay to the Payment of Wages Act prohibiting the payment of bonus of more than three months in cash to the workers. The amendment is a negation of equality of laws and an unreasonable and unwarranted restriction on the earnings of workers. This Conference therefore demands that the amendment to Section 6 of the Payment of Wages Act be immediately repealed and the reported decision of the sub-committee of the

Standing Labour Committee be dropped.

**Dr. Shirodkar Smarak Mandir Hall,
Parel.**

Dated: 26.10.1957.

The Standing Labour Committee was set up in 1952 to study the problems of workers and to recommend measures for their welfare. It has held several sessions and has submitted several reports to the Government. One of its main concerns has been the payment of bonus to workers. It has recommended that the Government should take steps to ensure that workers receive their bonus in a timely and adequate manner. However, the Government has not taken any effective steps to implement these recommendations. This has led to widespread dissatisfaction among workers and their representatives. They feel that the Government is not taking any real interest in their welfare. They demand that the Standing Labour Committee should be dropped and a new committee should be appointed to study the problems of workers and to recommend effective measures for their welfare. They also demand that the Government should immediately take steps to ensure that workers receive their bonus in a timely and adequate manner.

MAHINDRA & MAHINDRA EMPLOYEE'S UNION

1433 Shukrawar Peth, Poona 2.

President :
B. S. Chitre, Advocate
Gen. Secretary :
Wasant Tulpule

Regd. No. : 2804
Ref. No.

Date 9th. Aug. 1963.

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



Sub.:- Refusal to give Reference/ Mahindra Owen Ltd.
Pimpri, Poona.

Dear Comradè,

The Government of Maharashtra has refused to refer the industrial dispute in Mahindra Owen Ltd. Pimpri, to the Industrial Tribunal.

In this concern the Daily paid workers have the D.A. linked up with the Cost of Living Index, which the monthly paid staff, mainly office staff, gets in fixed amount. As a result of this, as the prices increase the difference between the D.A. of daily paid and monthly paid goes on increasing. At present the daily paid workers get Rs.3.50 per day as D.A. while the monthly paid get only Rs.60 per month.

The main demand of the ~~daily~~ monthly paid staff is that their should also be linked with the Index No. The management is not ready to agree to this, on grounds of principle, though they have accepted this principle in case of the daily paid workers long ago. In negotiations they showed willingness to raise the D.A. by Rs.10/-. The Union could not accept this rise and stuck to its original demand. While refusing the reference of to the ~~Index~~ Industrial Tribunal the Government has stated that the rise suggested by the management is sufficient. It may be mentioned here that after the failure report was submitted the Company showed its willingness to raise the D.A. even by Rs.20/ in some cases. So the refusal of the Govt. has already affected the workers adversely.

We personally approached the Labour Minister and explained the position. But to ~~know~~ no effect.

The stand of the Union is that on principle there

Mahindra Owen Ltd.

✓

D.A.

should be no difference in the method of giving D.A. to daily paid and monthly paid employees. We want to get this claim established from the Tribunal.

In this context I may state that I learn from very reliable sources that the Maharashtra Govt. has taken a policy decision not to give reference to Unions affiliated to A.I.T.U.C. and when it is absolutely impossible to delay the same as much as possible. Mahindra Owen is the pointer of the first and the case of Indian Allum Co. Hadapsar is the example of the second. In this case the Conciliation Officer has submitted his failure report 3 months back and still a reference is not given.

A detailed information of the case and all the necessary papers are attached herewith.

Yours Comradely,

Wasant Tulpule

(Wasant Tulpule)

Gen. Secy.

M.R.T.U.C.

MAHINDRA & MAHINDRA EMPLOYEE'S UNION

1433 Shukrawar Peth, Poona 2.

President :
B. S. Chitre, Advocate
Gen. Secretary :
Wasant Tulpule

Regd. No. : 2894

Ref. No.

Date

9-8-63

^{vs}
Mahindra Owen Ltd. ~~V.S.~~ its employees represented
by Mahindra and Mahindra Employees Union.

NAME OF THE COMPANY. Mahindra Owen Ltd. Bombay-Poona
Road, Pimpri, Poona.

NAME OF THE UNION. Mahindra and Mahindra Employees
Union, 1433, Shukrawar Peth, Poona 2.

DEMANDS. Submitted on 21 August, 1962. The demands were
taken into conciliation on 18th Dec. 1962 and the
Conciliation Officer submitted his failure report on
30th March, 1963.

ARBITRATION. No arbitration was suggested.

A copy of the Govt.'s letter rejecting the demands
for reference as well as our rejoinder to it has been
attached.

Number of monthly paid employees is 125 and the
total strength at present is approximately 500.

Wasant Tulpule

*F.C.
Gen. Secy.
M.R.T. V.C.*

*Contd
10/11/63*

The Chemical Worker's Union

(Regd. No. 4262)

Wasant Tulpule
Gen. Secy.

Ref. No. _____

Date 9-8-63

NAME OF THE COMPANY : Indian Allium Industries Hadapsar.
Poona.

NAME OF THE UNION: THECHEMICAL WORKERS UNION,
327/28 Kasba Peth, Poona 2.

DEMANDS. the demands were submitted on 16th. Nov. 1962.
They were taken into conciliation on 28th. Jan. 1963 and
the failure report was submitted on 17th. May, 1963.

NO. OF WORKERS. AT present the strength is 75.

The demands were made for the first time. The minimum
wages including D.A. is Rs. 50 per month, which in the
adjoining factories come to Rs. 85 or more according to
the Index Number.

Wasant Tulpule
Gen. Secy.

A copy of the failure report attached.

Ref. No.

Dated:- 22-7-63.

From,

The Mahindra & Mahindra Employees' Union,
1433, Shukrawar Peth,
Poona 2.

To

The Under Secretary
to the Govt. of Maharashtra,
Sachivalaya,
Bombay 32.

Sub :- Dispute regarding scales of pay, Dearness Allowance, Gratuity, promotion etc.

Dear Sir,

We are in receipt of your communication No. AJM-93(1) 63/99846-LAB.II dated 9th July 1963 (received by us on 11th July 1963) regarding the above dispute and have to submit as under for reappraisal of the whole case in making a reference to the Industrial Tribunal under Industrial - Dispute Act 1957.

1. SCALE OF PAY : It is a fact that the existing scales were fixed under a settlement before the Conciliation Officer in March 1959, and since then a considerable period of six years has elapsed, the Union has requested the revision of the scales as well as the enlargement of the span in view of the following :-

a) In view of the provisions of Sec. 9 A of the Industrial Disputes Act, the principle of Res Judicata are not applicable, assuming that the same are applicable to agreements.

b) The company has made a very good progress as regards the manufacturing aspect and has been granted a substantial expansion programme by the Government of India, thereby increasing the capacity of the plant as well as recruitment of additional staff members to cope up with the expansion programme. This naturally will result in the increasing volume of work and related responsibility on each individual.

(c) Majority of the monthly-paid staff has reached and are about to reach to the maximum of their respective scales and thereby curtailing their future prospects. In view of this, the Union has requested for a 15 years' span.

(d) The various establishments in this region, which have come recently, have been paying better scales of pay than the prevailing ones in the Mahindra Owen Limited, Impri.

2. DESIGNATIONS : The present designations certainly warrant a thorough change for smooth running of the plant. The designations should be in keeping with the increasing tempo and volume of work.

3. DEARNESS ALLOWANCE: This is a very crucial point, inasmuch as the cost of living, which is becoming dearer and dearer day by day, is concerned. It will be pertinent to take into account the following submissions :-

(a) The index figure for the last one and a half years against which the daily-paid workmen of Mahindra Owen Ltd. are being paid dearness allowances, is itself self-explanatory. It reached 3.56 Nps. per day in January 1963 i.e. for 26 days work the amount of D.A. was 92-56 Nps., whereas the dearness allowance fixed on slab system in accordance with the settlement of 1959 applicable to the monthly rated workmen remains stagnant at Rs.60/- per month. Thus in the same Organisation there is a wide disparity in payment of dearness allowance. We also would like to draw your attention to the decision of the Supreme Court in the case of Indian Steam Navigation Co. (1959 I.L.I.) where in it has been specifically stated where there is no link of D.A. with cost of living Index the matter can be adjudicated upon.

(b) Most of the Industries in this area have also felt the need of linking Dearness Allowance with the cost of living and have adopted this and have been paying their monthly-rated employees also the dearness allowance as per the cost of living. In this instance it may also be pointed out that even our Madras Factory monthly-paid staff are also being paid dearness allowance according to the cost of living index. Further the following firms in this area have also started paying dearness allowance linked to the cost of living index :-

- (1) M/s. Ruston Hornsby, Chinchwad.
- (2) M/s Cooper Engineering Ltd. Chinchwad.
- (3) M/s. Sanvic Asia & Other group of firms.

(c) The cost of living is going up and up and it is learnt that the Poona Index will also be introduced by the Government very shortly.

The Union, therefore, feels that a great injustice has been done to the people working in Mahindra Owen Ltd., i.e. Monthly-rated workmen in not awarding dearness allowance as prevailing in the Organisation for the daily-rated workmen.

4. Privilege Leave :- The Union feels that the
5. Sick-Leave :- present provisions in this
6. Casual Leave respect are inadequate, and
request for reappraisal in this regard.

7. House-rent subsidy :- As already submitted the demand is self-explanatory inasmuch as the housing problem in Poona area is very critical and exorbitant rents are prevailing beyond the reach of the middle class.

8. Travelling Allowance :- With the growing cost of living and the dearth of proper accomodation near factory, the existing provision falls far short of adequacy and reasonableness.

9. Gratuity :- The scheme of gratuity as applicable to the daily-rated workmen of Mahindra Owen Ltd., is acceptable.

10. Factory Allowance :- The Administrative Staff generally works for 36 hours in a week whereas in Mahindra Owen, Ltd. staff works for 48 hours in a week. Hence they should be compensated for the additional hours of work put in by them.

11. Transport facilities :- The Union requests that the Company should provide transport for workmen, as has been done in the case of certain staff. This may be a subsidised transport.

12. Educational Facilities :- The existing facilities should be broadened to cover all deserving cases.

13. Medical facilities :- The medical treatment scheme, the one at present in Operation in Mahindra & Mahindra Ltd. Bombay, should be introduced in toto for monthly-paid workmen of Mahindra Owen Ltd. Pimpri.

14. Promotions :- The seniority in Mahindra Owen Ltd. should be the practice for promotion, irrespective of the scale of the higher category. The job specifications should invariably be notified and the higher vacancies should be filled in by appointing internal candidates only.

15. Officiating allowance :- This allowance should be granted for a period more than a week.

16. Outdoor allowance :- The staff on out-door duty are exposed to the Sun, rain and cold and run the risk to their lives also. They should be adequately compensated for the extracting nature of their job.

In view of the foregoing, we request the reappraisal of the whole case at the hands of the Government and a reference be made to the Industrial Tribunal for which act of kindness the monthly-paid workmen of Mahindra Owen Ltd., Pimpri, will ever be grateful.

Thanking you,

Yours faithfully,
FOR MAHINDRA & MAHINDRA EMPLOYEES' UNION,

Wasant Tulejy

Secretary.

TRUE COPY

No. AJM-93(1)63/99846-LAB.II.
Industries and Labour Department
Sachivalaya, Bombay 32.

9th July 1963.

From,

The Under Secretary to the Government of Maharashtra,
Industries and Labour Department.

To

The Mahindra & Mahindra Employees' Union,
1433, Shukrawar Peth,
Poona 2.

Sub :- Dispute regarding scales of pay, dearness allowance,
gratuity, promotion etc.

Sir,

I am directed to state that the Government had considered submitted by the Conciliation Officer, Poona, under sub-section (4) of Section 12 of the Industrial Disputes Act, 1947 (XIV of 1947) in respect of the above dispute between the Mahindra Owen Limited, Pimpri, Poona, and the workmen employed under it, and that the Government is satisfied that there is no case for reference thereof under Sub-Section (5) of the said Section 12 & for the following reasons viz. :-

1) Scales of Pay :- Scales of pay have been fixed under & the settlement before the Conciliation Officer in March 1959 and considerable time has not elapsed to warrant wholesale revision of these scales. Moreover, the Company has offered to enlarge the span of present pay-scales from 10 years to 12 years to accommodate employees coming near the maximum of the current scales and add a few new categories by way of increasing the range and making better promotional opportunities possible and this offer of the Company is reasonable.

ii) Designations :- The demand has not been substantiated.

iii) Dearness allowance :- The offer of the management to & increase the existing slabs of dearness allowance, which was also settled in the previous settlement, by Rs.10/- all along the line is reasonable and the total dearness allowance that would be paid compares favourably with the dearness allowance paid in comparable establishments in the area.

iv) Privilege Leave :- The existing provision in this respect is adequate.

v) Sick leave :- The existing provision in this respect is adequate.

vi) Casual leave :- The company is granting 7 days casual leave to the workmen at present and this is adequate.

vii) House rent subsidy :- The demand is in effect for house rent allowance. An element on account of hours rent is taken into consideration when wages are fixed and the Union had withdrawn a demand for house rent allowance at the time scales of pay and dearness allowance were last settled under the settlement dated 20th March 1959 and no case has been made out for reopening the demand.

viii) Travelling allowance : The existing provision in this respect is adequate.

ix) Gratuity :- The management have offered to introduce for

monthly rated workmen gratuity scheme on the basis agreed to by them in their settlement dated 13th August 1962,, entered into with the Union in respect of daily rated workmen and this offer is - reasonable.

X) Factory allowance :- The demand has not been substantiated.

xi) Transport facilities :- The provision of transport - facilities is not the responsibility of the management and hence, the demand is not substantiated.

xii) Educational facilities :- The matter falls within the discretion of the management.

xiii) Medical facilities :- The existing facility in this respect is adequate.

xiv) Promotions :- The matter falls within the discretion of the management.

xv) Officiating allowance :- The existing practice in this respect is adequate.

xvi) Outdoor allowance :- The workers who are requested to go out for outdoor duty are generally sent in Company's vehicle and hence the demand is not substantiated.

2. The management of the concern are being requested to implement their offer regarding scales of pay, dearness allowance and gratuity as mentioned at items No. (i), (iii) and ix) above.

Yours faithfully,

Sd/

Under Secretary to the Government
of Maharashtra, Industries & Labour
Department.

No.ACL/ID/140 of 1962/6009/
Office of the Asstt. Commissioner of Labour,
Bungalow No.5. Bombay Poona Road, Poona No.5.
Dated, the 17th, May 1963.

From:-

Shri.V.M.Shinde,
Consoliation Officer,
Industrial Disputes Act,1947,
P O O N A.

To

The Secretary to Government of Maharashtra,
Industries and Labour Department,
SACHIVALAYA. BOMBAY NO.32.

Subject:- The Indian Alum Manufacturing Co.Ltd,Poona
Dispute in... regarding the demands for
wage-scales,dearness allowance,classifi-
cation,leave,holidays,uniforms.etc.....

As required by Section 12(4), of the Industrial Disputes Act.1947, I send herewith my report regarding the dispute between the Indian Alum Manufacturing Co.Ltd,Poo Poona and its workmen represented by the Chemical Workers Union,a Registered Trade Union,over the workmen:s demand for wage-scales,dearness allowance,classification,leave, holidays,uniforms,etc.The scrutiny of the membership records of the Union showed that it has a membership of about 22 workmen during the months of September,October and November,1962 while the concern employed 45 workmen during the same period,on an average.The Management did not raise any objection to the membership of the Union.

This is a factory manufacturing heavy chemicals salts and it started production in September,1960. On the 16th November 1962, the Chemical Workers Union sent a letter to the Managemen of the Indian Alum Manufacturing Co.Ltd. Poona,requesting that the demands referred to above should be granted by the Management. On the 4th December 1962, the Union approached this office requesting conciliation in the dispute.The Union also explained that no reply had been received from the Management to its communications to them in connection with the demands and requested interventio n in the dispute.After the preliminary enquiries regarding the dispute were completed, the demands regarding wage-scales,and grades,dearness allowance,classification,sick leave,casual leave,previlege leave,holidays,holiday working allowance,permanency,Unioforms,and grace period were admitted in conciliation by me on the 28th January,1963 and the parties were informed accordingly.The conciliation proceedings were fixed on the 18th February,1963 and finally on the 28th February,1963.Shri.R.S.Potdar,Secretary of the concern who attended the statement with regard to the demands and said that the Union admitted that the five workmen who were present with the office beareres of the Union for the conciliation proceedings,were workmen of his factory,and that some other workmen were also continued.The views of the parties on each of the demands and the suggestions made by me for settlement of them are enumerated seristum as follows:-

DEMAND NO 1 : WAGE-SCALES AND GRADES.

The following scales and grades should be granted to workers excluding Dearness Allowance:-

| | |
|--------------------|--------------------|
| UNSKILLED. | Rs.1.50-0.20-2.50. |
| SEMI-SKILLED..... | Rs.2.00-0.25-3.25. |
| SKILLED. | Rs.3.50-0.40-5.50. |
| HIGHLY SKILLED.... | Rs.4.50-0.50-7.00. |

(B). ADJUSTMENT: Point to Point adjustment should be given to the workmen taking into consideration all the service in the Company.

(C). The wage scales should become applicable from 1st January 1961.

The unskilled workmen in this concern are paid wages at a consolidated rate of Rs.1.75 per day and according to the Management the workers are granted some increase after completion of one year of service. The Management has also stated that the persons joining as unskilled workers, are getting Rs.70/- per month before completion of three years of service, and in view of paying capacity of the concern refused to consider the demand. The Union stated that this is a Chemical industry and there is no other comparable unit around. The Union desired to compare the wage level with the Indian Hume Pipe Co, which is an engineering concern near the above concern.

Although the Management has stated that the workmen are given increase in their wages after completion of one year's service it is found that the majority of the workmen are paid only Rs.1.75 per day and that there is no classification of consolidated wages with minimum of Rs.3/- per day for an unskilled workmen and Rs.5/- per day for skilled for consideration to the Management, but the suggestions were not accepted by the Management.

DEMAND NO.2: DEARNESS ALLOWANCE:

(a) All the daily and monthly paid employees should be paid Dearness Allowance equal to 100 per cent neutralisation of Sholapur cost of living index number.

(b) The Dearness Allowance at the above rate should become applicable from 1st January 1961.

The Union has stressed this demand on the grounds that the wages paid are very low and there is a big gap between the total emoluments paid to the workmen and the high cost of living as reflected in the Index Number. The Management however, did not consider it possible to concede the demand on the grounds of financial position of the Company.

DEMAND NO .3: CLASSIFICATION.

The job of every worker should be carefully assessed designated and to be properly classified as per wage scales in Demand No.1.

The Management has stated that the jobs of the workmen have already been classified as fitters, lead burner, Boiler Attendants, and rest as labour. This means except half a dozen workmen all are considered as unskilled. The Union also feels that there is no proper classification, but the Management refused to consider the demand.

DEMAND NO 4 : SICK LEAVE.

Every workmen should be entitled to 15 days sick leave with full wages and Dearness Allowances or 1 months sick leave with half pay and Dearness Allowance.

Workmen should have the option of taking privilege leave for sickness if he so desires and also of taking one leave in continuation of the other.

DEMAND NO 5: PRIVILEGE LEAVE.

Every workmen should be given 1 months privilege leave with full pay and allowances for every year of service and the same leave be allowed to be accumulated for 6 months.

DEMAND NO.6 : CASUAL LEAVE.

Every workmen should be given 15 days casual leave with full pay and allowances per year without any condition attached to it. This may be allowed to be prefixed and suffixed to weekly off days and holidays.

DEMAND NO .7: HOLIDAYS.

The workmen should have 8 paid holidays every year and the same be fixed in consultation with the Union.

No leave facilities except those under the Factories Act are given to the workmen in this concern. The Union has pressed for the above demands as similar facilities are given in other industries. Moreover, the Union stated that the frequency of cases of burns are more in this concern and hence 15 days sick leave is absolutely necessary. The Management, however, did not consider the demands on financial grounds.

DEMAND NO 8: HOLIDAY WORK ALLOWANCE.

Whenever a workmen is allowed to work on a holiday he should be given a compensatory off days which may be allowed to be stashed to any leave at the option of the workmen, plus 1/2 times wages in addition to his normal wages for the day in the case of paid holidays and 2 and 1/2 times wages in the case of unpaid holidays.

As there is continuous process in this factory it works on all days of the month and the workmen are given weekly holidays separately in rotation. The Union has, therefore, raised the above demand to compensate the inconvenience causing to the workmen on holidays. The Management, however, should unwillingness to consider the demand on grounds of paying capacity.

DEMAND NO 9 : UNIFORMS.

All workmen should be supplied with three sets of Uniforms every year. They should consist of an overall or full shirt or coat and full or half pant according to work. They should also be provided with rebber hand-gloves and gum-boots. Watch and Ward Staff and Sweepers should also be given suitable uniforms.

Company should arrange for washing of the Uniforms or alternatively should give washing allowance. Lockers should be provided for keeping the Uniforms.

The Union stated that on account of working with acids the cloths of the workmen get spoiled and this causes hardship to the workmen. The Management, however, referred to the provisions of the Factories Act with regard to the protective clothing and stated that every individual is not required to be given clothing and hence refused to consider the demand totally.

DEMAND NO.10 : PERMANENCY.

Any workmen who has put in an aggregate servise of 6 (Six) months in the company should be made permanent.

The Union has stressed this demand on grounds of stability to the workmen as the concern is not amenable to the provisions of the Industrial Employments Standing Orders Act. The Management stated that the workmen who have ~~completed~~ completed 240 days of service are made permanent and did not consider it necessary to reduce thi period to six months.

DEMAND NO 11 GRACE PERIOD.

A grace period of 15 minutes should be allowed for late attendance without effecting in any manner wages, attendance bonus, etc.

As the Factory is far away from the locality and the frequency of Local buses is less. The Union has pressed for the demand. The Management has stated that grace period is already granted, but continuous late coming for more than 3 consequitive days is not permitted. The Management did not mention the extent of grace period given.

The efforts made to persuade the parties to compromise having proved abortive conciliation proceedings were concluded by me as having ended in a failure.

The relevant file in attached herewith.

Sd/-
(VIMISHINDE).
Conciliation Officer,
P o o n a.

True Copy.

Ymk/31-5-63.

CHINI MILL MAZDOOR UNION, BISALPUR DISTT. PILIBHIT.

14, Old Sugar Factory
Compound, Pilibhit.
Dated 10.8.1963.

REGISTERED A/D.

The General Secretary,
U.P. Trade Union Congress,
12/1, Gwal Toli,
Kanpur.

REG: C.B. CASES IN WHICH THE UNION OFFERED
ARBITRATION TO THE EMPLOYERS, BUT THE GOVT.
DECLARED THEM INEXPEDIENT.

Dear Sir,

With reference to your Cir. letter No. 3/63 dated 27.7.63, regarding to above noted subject, I am, herewith, supplying the requisite information in the prescribed form as under :-

'A' WHERE ADJUDICATION HAS BEEN TOTALLY REFUSED.

1. The name of the Company.) M/S Cooperative Sugarcane and Processing Society Ltd., Bisalpur, distt. Pilibhit .
2. The name of the Union.) Chini Mill Mazdoor Union, Bisalpur (Pilibhit), Registered at No. 2536 on 22.2.1963.
3. Demand charter with the date on which it was submitted.) 15.12.1962. A printed copy of which addressed to Hon'ble Pt. Jawahar Lal Nehru, Prime Minister of India and copies endorsed to all concerned authorities including the employers (Regd. A/D) is enclosed herewith for your kind perusal.
4. Conciliation proceedings with date and result.) C.B. Case No. 55(B) of 1963. (i) Application was sent to the R.C.O. Bareilly on 2.4.1963.
(ii) The case was heard finally on 19.7.1963.
(iii) Copy of the written statement submitted to the R.C.O. Bareilly on 19.7.63 is enclosed herewith, which will speak itself whole history of the case as well as the union.
5. Whether offer for arbitration was made? If so, give result and name of the arbitrator suggested.) Yes. I suggested name of the President of the any Labour Court and Industrial Tribunal of U.P. The Opp. party did not agree, because the manager of the factory ~~xxxxxx~~ was of the opinion that the U.P. Govt. machinery would not interfere in his actions.
6. Whether the Govt. communicated to the union the reason not referring the case to adjudication and copy of this.) Not yet, but the distt. authorities are trying to get it dropped by the U.P. Govt.
7. The Number of workmen involved) 82 workmen out of 96 total workmen of the factory.

B. WHERE ADJUDICATION HAS BEEN PARTIALLY GRANTED.

Item No. 1 and 2) Question does not arise.

Yours faithfully,

B. S. Chauhan
(B.S. Chauhan) 10-8-63
President,

Chini Mill Mazdoor Union, Bisalpur (PILIBHIT)

Copy to A.P.T.U.C.
New Delhi

14, Old Sugar Factory Compound,
Pilibhit.
Dated 4/19th July 1963.

BEFORE THE REGIONAL CONCILIATION OFFICER AND CHAIRMAN,
CONCILIATION BOARD,

B A R E I L L Y .

C. B. CASE NO. 55 (B) OF 1963.

(Fixed for final hearing on 19.7.1963.)

The facts of the aforesaid case are as follows :-

1. That all the workmen concerned employed in the concern forming the opp. party are members of Chini Mill Mazdoor Union, Bisalpur, distt. Pilibhit, which is affiliated to U.P. Trade Union Congress, a Federation of trade unions approved by the Labour Commissioner, U.P. Kanpur under Rule 40 of the U.P. Industrial Disputes Rules 1957.

2. LLJ-I-1960- PAGE 529-(SC)- That Hon'ble Supreme Court of India held that activity of the corporation is not 'Industry' unless it shares the com-mon characteristics of an industry. The following five characteristics are stated to be the conditions implicit in the difinition.

- (i) the activity must concern the production of distribution of goods or services ;
- (ii) it must be to serve others but not oneself ;
- (iii) It must involve cooperative effort between employers and employee, between capital and labour ;
- (iv) it must be done as a commercial transaction ; and
- (v) it must not be in exercise of purely Governmental functions.

3. That with the aims of the above charateristics, the U.P. Govt., under the schime of the Central Govt. started "Cooperative Sugarcane Marketing and Processing Society Ltd., Bisalpur, distt. Pilibhit " in 1957. The District Magistrate, Pilibhit and the Block Development Officer, Bisalpur are its President and Secretary respectively and Sri Rajendra Singh manager of the factory has also come on deputation from Planning Deptt. of the U.P. Govt.

DEMAND NO. I 0 (I) That the workmen concerned as per appendix to the application dated 2.4.63 have been working as

seasonal employees in M/S Cooperative Sugarcane Marketing and Processing Society Ltd. Bisalpur, distt. Pilibhit forming the Opp. party since very inception of the factory to the entire satisfaction of the employers without a single complaint from any corner.

2. That they (workmen) have also worked as seasonal employees in the factory in the whole of the second half of the crushing season 1961-62, which started its crushing on 5.12.1961 and ended on 22.4.1962 to the entire satisfaction of the management of the opp. party without a single complaint from any corner.

3. That as a measure of victimisation, harrassment and unfair labour practice the manager of the opp. party considering himself on behalf of the U.P. Govt. that U.P. Govt. machinery will not interfere in his management in any way, took the law in his hands and deprived the workmen concerned from ~~their~~ their following legal and rightful claims, accrued to them under the Factories Act, purposely, intentionally, deliberately with ulterior motive since very inception of the factory till end of the crushing season 1961-62.

- (i) No overtime U/S 59 of the Factories Act in lieu of the weekly rests not allowed U/S 52 of the Factories Act was paid to the workmen concerned.
- (ii) No overtime U/S 59 of the Factories Act for daily extra work out of 8 hours daily taken by the opp. party against section 51 of the Factories Act was paid to the workmen concerned.
- (iii) No interval for rest as provided in section 55 of the Factories Act was given to the workmen concerned.
- (iv) There ~~was~~ was no protection of employment of any workman in the factory at all, but it was upon the mercy and sweet will of Sri Rajendra Singh manager of the factory. He used termination of services of workmen in accordance with his wish without framing charge sheets and affording them opportunity to defend themselves.
- (v) Bonus for the crushing season 1960-61 equal to ten (10) days' wages was paid to the seasonal workmen including the workmen concerned, while permanent staff was paid one month's wages as bonus for the said season.

4. That under these circumstances workmen concerned to protect themselves from wrong, unjust, vindictive, harrassing and victimising actions of the manager of the concern formed

their union under the Trade Union Act in March 1962, which was registered on 22.2.1963. The formation of the union was very much disliked by Sri Rajendra Singh, manager, as it was against his expectations. This added fuel to fire.

5. That after formation of the union the President vide his letter dated 17.4.1962 requested the manager, besides several oral requests to make their legal payments, but in vain.

6. That finding no other way the workmen filed their application U/S 15 of the Payment of Wages Act in the court of the Sub Divisional Magistrate, Bisalpur, distt. Pilibhit on 26.7.1962 for recovery of Rs. 17,359.62 NP. This annoyed the opp. party and only for this reason the manager wanted to avail one pretext or the other to remove the workmen concerned from the service of the factory.

7. That the manager of the concern forced the workmen concerned through all possible manners to withdraw their said application U/S 15 of the Payment of Wages Act from the court of the S.D.M., Bisalpur and threatened them that otherwise they would have to face consequences thereof.

8. That the said manager tried to his level best to form another bogus union of workmen of the concern styled " Bisalpur Labour Contract Cooperative Society Ltd., distt. Pilibhit " and realised Rs. 3/- each from some of the workmen as its subscription of membership to break unity of the union.

9. That the said manager also forced the following 8 workmen out of the workmen concerned to withdraw their case. When they (workmen) did not meet his (manager) ill design, they were removed from the membership of the factory in Novr. 1962 illegally

- | | | | |
|----|--------------------|---------------------|---------------------|
| 1. | Shri Asharaf Shah | S/o Sri Ashgar Shah | mazdoor. |
| 2. | " Tej Ram | S/O " | Umrai lal " |
| 3. | " Rameshwar Dayal | S/O " | Chhadammi Lal " |
| 4. | " Dhakan lal | S/O " | Chheda lal " |
| 5. | " Prasadi lal | S/O " | Chheda lal " |
| 6. | " Lala Ram | S/O " | Ram lal Clerk |
| 7. | " Ram Bharosey lal | S/O " | Gendan lal mazdoor. |
| 8. | " Tula Ram | S/O " | Bulaki Ram " |

10. That at last when all efforts of the manager of the Concern failed to get withdrawn their said application dated

26.7.1962 U/S 15 of the Payment of Wages Act, he (manager) took revenge from them by not taking them in employment of the factory for the crushing season 1962-63, which started its crushing on 11.12.1962 and ended on 9.3.63 despite their regular attending the factory for several days on and from 11.12.1962 and kept quite new hands in their places .

11. That the President of the union requested the manager of the opp. party by endorsing copy of the letter dated 15.2.1962 addressed to Hon'ble Pt. Jawahar Lal Nehru, Prime Minister¹ of India to this effect as appendix 'A', but instead of showing courtesy to give any reply to the President, he (manager) disclosed his hot displeasure against him (President) by filing an application before the Sub Divisional Magistrate, Bisalpur to take action under the Contempt of Courts Act, which was dismissed on 22.3.1963.

DEMAND NO. 2 (1) LLJ-I-1961-Page 227 (SC)- Held--" It is because of this socio-economic aspect of the wage-structure that industrial adjudication postulates that no employer can engage industrial labour unless he pays it what may be regarded as the minimum basic wages. If he cannot pay such wage, he has no right to engage labour, and no justification for carrying on his industry; in other words, the employment of sweated labour which would be easily available to the employer in all undeveloped and even under developed countries is ruled out on the ground that the principle of supply and demand has lost its validity in the matter of employment of human labour, and that it is the duty of the society and the welfare state to assure to every workman engaged in industrial operations the payment of what in the context of the times appears to be the basic minimum wage. This position is now universally recognised. "

Page 229 . " If wages are small and the profits are high, then the workmen would be entitled to have a high rate of bonus. Indeed, if an employer makes consistently high profits and the wages continue to be low, it may justify the increase in the wage structure itself ; in other words, the award of bonus have

would have some relation to the wages paid to the employees. "

Held : " That the average wage of the order of Rs.217-00 per month was far below the standard of " living wage ".

2. That as would appear from the appendix to the application dated 2.4.1963 that the workmen concerned were paid lowest salaries specially at a time when the cost of almost all bare necessities of life keep on rising every day with the result they (workmen) are being faced with great difficulties to make both ends meet.

3. That M/S Cooperative Sugarcane Marketing and Processing Society Ltd. Bisalpur, distt. Pilibhit is a seasonal sugar factory and bonus is paid to workmen on the basis of the profit made out on production of season only. In all sugar factories of India bonus is paid equally to all workers without distinction of seasonal and permanent. In the opp. party also bonus equal to 15 days' wages for the crushing season 1961-62 was paid to the permanent workers in Feb. 1963, but no bonus was paid to the seasonal employees illegally only to put them in loss.

4. That from resume of the above it is absolutely clear that the opp. party's intention to take law in his hands is not only malafide, unjustified, arbitrary, but so inconsistent and so manifestly, revengeful. It amounts to harrasment and unfair labour practice and is entirely an extreme case of victimisation for their pro-union activities.

P R A Y E R.

It is, therefore, demanded as under :-

DEMAND NO. 1 That the opp. party be ordered to take the workmen concerned in employment of the factory as seasonal hands in their original jobs with continuity of their service and back wages with all other amenities for the crushing season 1962-63, which started its crushing on 11.12.62 and ended on 9.3.1963 and subsequent seasons till taking them in employment.

DEMAND NO. 2 That the opp. party be also ordered to pay 15 days' wages as bonus for the crushing season 1961-62, which was paid to permanent staff in Feb. 1963.

Dated $\frac{4}{19}$.7.1963

FOR AND ON BEHALF OF

CHINI MILL MAZDOOR UNION BISALPUR?DISTT.

UP. Member Executive
14. Secy Trade Union Congress, Pilibhit (B.S. CHAVHAN)

चीनी मिल मजदूर यूनियन, बीसलपुर-जिला पीलीभीत

१४, ओल्ड शुगर फैक्ट्री कम्पाउंड
पीलीभीत, यू० पी०
दिनांक १२-१२-१९६२

Registered A/D

(2 Copies)

महामान्यवर पंडित जवाहरलाल नेहरू जी
प्रधान मन्त्री, केन्द्रीय सरकार,
नयी दिल्ली।

श्रीमान जी,

आपको परतन्त्र भारत को दासता के चुंगल से मुक्त कराने वाले, वर्तमान आपात-काल में मात्र भूमि के कर्णधार, अन्याय का डटकर सामना करने का महामन्त्र देने वाले तथा दीन-हीन श्रमिकों एवं किसानों का एक मात्र सहारा समझकर सभी देशवासियों मात्र भूमि की रक्षा के निमित्त आपको ओर निर्निमेष दृष्टि से देख रहे हैं। इसी लिए मैं भी लाचार होकर आपकी सेवा में यहां के मिल प्रबंधकों के इस प्रजातन्त्र के राज्य में, विशेषतया देश के इस आपात काल में अपनी पराकाष्ठा पर पहुँचे हुए अत्याचारों की ओर आपका ध्यान आकर्षित करना चाहता हूँ। यद्यपि यह मैं भलीभाँति जानता हूँ कि वर्तमान भीषण परिस्थिति में श्रीमान जी के पास समय का अत्यंत अभाव है तथापि इन बेचारे श्रमिकों को भी आपकी शरण में जाने के आतिरिक्त अन्य कोई उपाय भी नहीं है।

- यहां M/s Cooperative Sugarcane Marketing and Processing Society Ltd, Bisalpur, Distt Pilibhit है। यह शुगर फैक्ट्री सन १९५७ ई० में चालू हुई थी। इसमें अधिकतर भाग सरकार का है। उसके मैनेजर सरदार राजेन्द्र सिंह हैं, जो यू० पी० सरकार के नियोजन विभाग से डिप्यूटेशन पर मार्च सन १९६३ तक आए हुए हैं। उक्त शुगर मिल के सिक्केट्री, बीसलपुर प्रसार क्षेत्र के अधिकारी हैं तथा प्रोजेडेंट जिलाधीश महोदय हैं।
- उक्त मिल में फैक्ट्री ऐक्ट भी लागू होता है। चूंकि इसके सभी प्रबंधक सरकारी अधिकारी हैं ऐसी दशा में कानून तथा फैक्ट्रीज ऐक्ट का पूर्ण-रूपेण पालन होना चाहिए, ताकि श्रमिकों की पूर्ण रूप से सरकार में आस्था रह सके। किन्तु यहां हो रहा है बिल्कुल इसके विपरीत, जैसा कि निम्नांकित से प्रत्यक्ष है।
- इस मिल ने गत सीजन १९६१-६२ में दिनांक ४-१२-१९६१ से २२-४-१९६२ तक गन्ना पिराई का काम किया था। उक्त सीजन में उसमें ४ स्थायी तथा ८६ सीजनल कर्मचारीयों ने काम किया था। जिनके वेतन इस प्रकार हैं:—

| | | |
|-----|------------------------------|---------------------|
| १- | ७४ कर्मचारियों के मासिक वेतन | ३५ से ४० रु० तक हैं |
| २- | ८ " " " " | ४१ से ५० " " |
| ३- | ३ " " " " | ५१ से ६० " " |
| ४- | ३ " " " " | ६० से ७० " " |
| ५- | १ " " " " | ८५ रुपया |
| ६- | १ " " " " | १०० " " |
| योग | | ६० |

- श्रीमान जी स्वयं विचार करें, जबकि देश में जीवन-निर्वाह की सभी आवश्यक वस्तुओं का मूल्य मंहगाई की पराकाष्ठा पर पहुंच गया है, तब ये बेचारे दीन-हीन सीजनल कर्मचारी इतने कम वेतन में किस प्रकार निर्वाह करते होंगे।
- यही नहीं उक्त श्रमिकों पर निम्नलिखित अत्याचार तथा अन्य य सन १९५७ ई० में मिल के चालू होने से अब तक बराबर यह समझकर किया जा रहा है कि मिल सरकारी अधिकारियों के प्रबंध में है। अतः उसके प्रबंध में कोई भी अन्य अधिकारी, चाहे वह किसी भी विभाग का क्यों न हो, किसी भी प्रकार का कोई हस्तक्षेप नहीं कर सकता है।

१ फैक्ट्रीज ऐक्ट की धारा ५२ के अनुसार कर्मचारियों को सन १९५७ से अब तक कोई साप्ताहिक अवकाश नहीं दिया गया है। और न उसके बदले में उक्त ऐक्ट की धारा ५६ के अनुसार उनको ओवरटाइम ही दिया गया है।

२—उक्त ऐक्ट की धारा ५१ के विरुद्ध प्रति दिन ८ घंटे के वजाय १०-११ घंटे तक काम लिया गया, किन्तु अधिक समय के काम का उनको उक्त ऐक्ट की धारा ५६ के अनुसार कोई ओवरटाइम भी नहीं दिया गया है।

३—फैक्ट्रीज ऐक्ट की धारा ५५ के अनुसार भोजन आदि के लिए अवकाश भी नहीं दिया गया और न उसके बदले में ओवरटाइम ही दिया गया।

४—उक्त अन्याय तथा अत्याचार के अतिरिक्त इस मिल के कर्मचारियों की नौकरी वहां के मैनेजर सरदार राजेन्द्र सिंह की दया दृष्टि पर निर्भर थी और है। उन्होंने जब जिसको चाहा नौकरी से निकाल दिया जिसके पर्याप्त उदाहरण हैं।

५—सीजन १९६०-६१ के लाभ पर जो बोनस मार्च १९६२ में दिया गया, उसमें सीजनल कर्मचारियों को केवल १० दिन के वेतन के बराबर बोनस दिया गया, जब कि स्थायी कर्मचारियों को एक मास का वेतन बोनस के रूप में दिया गया।

६. जब सरदार राजेन्द्रसिंह मैनेजर मिल के उक्त अत्याचारों से श्रमिकों में त्राहि २ मच गई, तब उन्होंने लाचार होकर वैधानिक रीति से मार्च १९६२ में अपनी यूनियन बनाई। तत्पश्चात मैने यूनियन के सभापति के नाते मिल मैनेजर से उक्त खंड ५ में दी हुई वैधानिक बातों के फलस्वरूप श्रमिकों को पैसा देने के लिए दिनांक १७-४-६२ को एक पत्र यूनियन के मंत्री द्वारा प्रेषित करके प्रार्थना की और उसकी प्रतियां (१) श्रम मंत्राणी महोदया, यू० पी० (२) श्रम-आयुक्त, कानपुर (३) सहायक श्रम आयुक्त, बरेली (४) फैक्ट्रीज इन्सपेक्टर बरेली (५) जिलाधीश, पीलीभीत जो मिल की प्रबंधक कमेटी के प्रेजिडेंट भी हैं, को भेजी। मैने स्वयं भी तीन वार मैनेजर साहब से मिलकर वैधानिक बातों को सुलझाने के लिए प्रार्थना की, किन्तु उन्होंने किसी प्रकार का कोई ध्यान नहीं दिया। फलतः लाचार होकर वाजिब पैसा की वसूली के लिये ७६ कर्मचारियों को Payment of Wages Act के आधार पर दिनांक २६-७-१९६२ को श्रीमान परगनाधीश (S. D. M.) महोदय बीसलपुर के न्यायालय की शरण लेना पड़ी, जहां यह विवाद अब भी चल रहा है। उक्त वाद को दिनांक २६-७-६२ को न्यायालय में प्रस्तुत करने के पश्चात दिनांक ११-१२-१९६२ तक (सीजन १९६२-६३ में कारखाना चालू होने की तिथि) तक मिल मैनेजर ने हर संभव तथा असंभव उपायों द्वारा कर्मचारियों को डरा और धमका कर कहा कि यदि वे (वादी-कर्मचारी) उनका (मैनेजर) की इच्छानुसार अपना वाद उक्त न्यायालय से वापिस नहीं लेंगे अथवा उनकी इच्छानुसार समझौता नहीं करेंगे तथा अपनी यूनियन को समाप्त नहीं करेंगे तो उनको सीजन १९६२-६३ के चालू होने पर मिल में नौकर नहीं रखा जावेगा। जब वादी कर्मचारियों ने मिल मैनेजर के घोर अन्याय के आगे अपने सर नहीं झुकाए तब उन्होंने सभी प्रकार के विधानों तथा सामाजिक न्यायों पर बजपात करके अपनी नादिरशाही का नग्न प्रदर्शन किया और उक्त ७६ वादी कर्मचारियों में निम्नलिखित ७१ कर्मचारियों को दिनांक ११-१२-१९६२ को मिल चालू होने पर काम पर न लेकर अपनी इच्छानुसार नए आदमियों को भरती कर लिया। यद्यपि उन्होंने (कर्मचारियों) मिल में कई दिनों तक बराबर हाजिरी दी, किन्तु फटकार खाने के पश्चात और कुछ भी हाथ नहीं आया।

| क्रमांक | नाम | पिता का नाम | ओहदा | मासिक वेतन |
|---------|----------------|--------------|----------------|------------|
| १ | श्री रामस्वरूप | श्री टोडीलाल | मशीन मैन | ३६) |
| २ | चतुरीलाल | दुर्गाप्रसाद | मजदूर | ३६) |
| ३ | अकबर | सूखां | " | ३६) |
| ४ | अशरफ शाह | असगर शाह | " | ३५) |
| ५ | तेजराम | उमरायलाल | " | ४६) |
| ६ | रामेश्वर दयाल | छदम्मीलाल | " | ३६) |
| ७ | नथूलाल | मंगलौराम | सिटिलिंग मजदूर | ३८) |
| ८ | सेवाराम | भिखारीलाल | " " | ४४) |
| ९ | लल्लू शेख | मुहम्मद एबज | मशीन मैन | ५२) |
| १० | श्रीगोपाल | बाबूराम | मजदूर | ३५) |
| ११ | रेवती | गनेश | सिटिलिंग मजदूर | ३६) |
| १२ | दुलारे | ख्यालीराम | " " | ३८) |
| १३ | गुलाबराय | केवलराम | मजदूर | ४२) |
| १४ | सुमेरलाल | शोभाराम | " | ३६) |
| १५ | ढाकनलाल | छेदालाल | " | ३६) |
| १६ | मौला बख्श | मलहू बख्श | " | ४०) |
| १७ | नथू शेख | जाफर शेख | " | ३८) |
| १८ | दुर्जनलाल | भोलानाल | " | ३७) |
| १९ | रामसहाय | रामचरनलाल | मशीन मैन | ३७) |
| २० | मेवाराम | चुन्नीलाल | " | ३६) |
| २१ | ज्वाला प्रसाद | दुलीराम | " | ३६) |
| २२ | प्रसादीलाल | छेदालाल | मजदूर | ३७) |

| क्रमांक | नाम | पिता का नाम | ओहदा | मासिक वेतन |
|---------|-------------------|-----------------|-------------------|------------|
| २३ | श्री प्यारेलाल | श्री भोलानाथ | मजदूर | ३६) |
| २४ | " बीरबल | " पूरन | " | ३६) |
| २५ | " बसंतलाल | " होरीलाल | " | ३६) |
| २६ | " गनेश प्रसाद | " केवलराम | मिस्त्री | ६७) |
| २७ | " लेखराज | " ईश्वरी प्रसाद | मजदूर | ३६) |
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| ३० | " दुलारे | " टोडीलाल | सी मैन | ३६) |
| ३१ | " महमूद खाँ | " मंगल खाँ | मजदूर | ३८) |
| ३२ | " बालकराम | " सोवरनलाल | " | ३६) |
| ३३ | " कड़ेराम | " सोवरनलाल | " | ३५) |
| ३४ | " नथूलाल | " थम्मनलाल | " | ३५) |
| ३५ | " लालता प्रसाद | " पूरनलाल | मशीन मैन | ३८) |
| ३६ | " कड़ेराम | " नोखेलाल | मजदूर | ३६) |
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| ५० | " नन्हूलाल | " पूरनलाल | " | ३५) |
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| ५२ | " भूमनलाल | " भूपराम | मेठ | ५२) |
| ५३ | " नथूलाल | " तोताराम | मजदूर | ३५) |
| ५४ | " लाखनलाल | " उमरायलाल | " | ३८) |
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| ५७ | " गयाप्रसाद मिश्र | " लोकीराम | वायर मैन | ५२) |
| ५८ | " तुलाराम | " बुलाकीराम | मजदूर | ३७) |
| ५९ | " पीतमसिंह | " रामचरनलाल | फिटर | ४५) |
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| ६१ | " कड़ेराम | " मैकूलाल | " | ३५) |
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| ७० | " छोटेलाल | " केवलराम | चौकीदार | ३७) |
| ७१ | " गुलाबराय | " लोकीराम | मजदूर | ३७) |

७. श्रीमान जी, मैनेजर महोदय को इस बेकारी के समय में उपरोक्त ७१ कर्मचारियों की रोजी ही लेने से सन्तोष नहीं हुआ, अपितु उन्होंने उक्त क्रमांक ४, ५, ६, १, २२, ४०, ४३ तथा ५८ के कर्मचारियों को, जो मिल में भागीदार होने के नाते अपना गन्ना भी सप्लाई करते थे, अकारण कारखाना की सद्दयता से पृथक करके उनको अपनी गन्ना की फसल को ठिकाने लगाने से बंचित करके केन्द्रीय तथा प्रान्तीय सरकार की सहकारी नीतियों पर कुठाराघात किया है।
८. आज देश में आपात काल के समय मिल प्रबन्धकों तथा श्रमिकों का परम कर्तव्य है कि वे देश की समस्याओं तथा आवश्यकताओं को दृष्टिकोण में रखते हुए शान्ति के साथ कानून का पूर्ण रूप से पालन करते हुए उत्पादन बढ़ाने का भरसक प्रयत्न करें और विशेष तौर पर सरकारी अधिकारियों का तो कर्तव्य विशेष है कि वे पूर्ण रूपेण कानून का पालन करें और कानून को तोड़ने वालों के विरुद्ध वैधानिक कार्यवाही के द्वारा उचित दंड दिलाकर शान्ती कायम रखकर देश वासियों में सरकार के प्रति हर प्रकार से आस्था रखने का सफल प्रयास करें किन्तु उक्त मिल में हो रहा है इस के विपरीत
९. कारखाना चालू होने से पूर्व श्रमिकों ने अपनी आम सभा में निश्चय किया था कि वे आगामी सीजन १९६२-६३ में शान्ति पूर्वक लगन के साथ परिश्रम करके अधिकाधिक उत्पादन बढ़ाने का भरसक प्रयत्न करेंगे तथा काम पर आने के पश्चात आंधक से अधिक पैसा सुरक्षा कोष में देकर सरकार के हाथ मजबूत करेंगे। किन्तु उनकी आशाओं को मैनेजर महोदय अपनी कृपा रूपी अत्याचारों द्वारा हर प्रकार से मिटाने का उपकरण कर रहे हैं। ऐसी दशा में सरकार को चाहिये कि इस प्रकार के विषैले तत्वों को उगते ही मिटा दें वे भयंकर रूप धारण करके समाज को विषमय न बना सकें।
१०. अतः उपरोक्त तथ्यों के प्रकाश में इन दीन-हीन श्रमिकों की रक्षा के निमित्त मेरी श्रीमान जी को एक मात्र सहारा समझ कर निम्नलिखित सादर प्रार्थना है और पूर्ण आशा है कि श्रीमान जी उनकी रक्षा के लिये शीघ्रातिशीघ्र उचित कार्यवाही करके मुझे तथा श्रमिकों को अनुग्रहीत करेंगे, ताकि बेकारी की परेशानियों से तड़पते हुए उनके बाल-बच्चे श्रीमान जी को दुआयें देते रहें।
- १- मैनेजर महोदय को तुरन्त आदेश दिया जावे कि वह फौरन उक्त कर्मचारियों को उनके गत सीजन के स्थानों पर काम पर लें और दिनांक ११-१२-६२ सीजन चालू होने की तिथि से काम पर लेने की तिथि तक बैठकी का पूरा पैसा दे।
- २- किसी उच्च अधिकारी द्वारा मेरे सामने जांच कराई जावे, और यदि मैनेजर महोदय के उक्त अन्याय तथा अत्याचार सही पाये जावें, तो उनके विरुद्ध उचित तथा वैधानिक कार्यवाही करके उनको उचित दंड दिया जाये ताकि इस प्रकार के अन्य अधिकारियों को भी सबक मिल सके।
- ३- सन् १९५७ से अबतक जिन कर्मचारियों को फैक्ट्रीज एक्ट की धारा ५२ के अनुसार साप्ताहिक अवकाश न देकर उनसे काम लिया गया है, उन को फैक्ट्रीज एक्ट की धारा ५६ के अनुसार ओवरटाइम दिलाया जावे, तथा उक्त धारा का उल्लंघन करने का उनपर मुकदमा चलाया जावे।
- ४- सन् १९५७ से अबतक फैक्ट्रीज एक्ट की धारा ५१ के विरुद्ध प्रतिदिन ८ घंटे से अधिक कर्मचारियों से जो काम लिया गया है उसका भी फैक्ट्रीज एक्ट की धारा ५६ के अनुसार ओवरटाइम दिलाया जावे।
- ५- सभी गत वर्षों का बोनस स्थाई कर्मचारियों के समान दिलाया जावे।
- ६- उपरोक्त खंड ७ में दिये हुए कर्मचारियों के मिल में भाग समाप्त करने के आदेशों को शीघ्र रद्द करके उन के भाग पूर्वत कायम रखे जावें, ताकि वे अपने गन्ना की फसल को बराबर ठिकाने से लगाते रहें, तथा उस प्रकार मनमानी करने वालों के विरुद्ध उचित तथा वैधानिक कार्यवाही की जावे।

विनीत

बी० एस० चौहान

सभापति

दिनांक १५-१२-६२

चीनी मिल मजदूर यूनियन, बीसलपुर
१४, औल्ड शुगर फैक्ट्री कम्पाउण्ड
पीलीभीत (यू० पी०)

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- ✓ Regd A/D 1. माननीय श्री गुलजारी लाल जी नन्दा श्रम एवं नियोजन मंत्री केन्द्रीय सरकार, नई दिल्ली । 2 Copies
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A. I. T. U. C.
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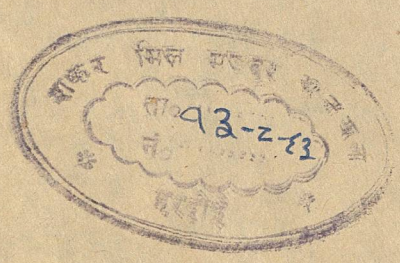
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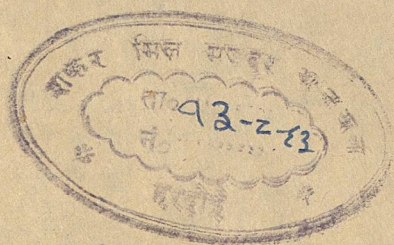
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२. प्रिन्स का नाम - शककर मिल मजदूर प्रिन्स
हरवाड
३. मॉग पत्र व इसके देन की तारीख - ७ - १२ - ६२
४. मॉग्यन कापवाड हुई - यह कापवाड दि० जनवरी तथा
१० मई १९६३ को R.C.O. लखनऊ के पद्ये हुई नतीजा
कुछ भी नहीं निकला।
५. आर्की टेशन के लिपे कहा गया तथा Conciliation
officer लखनऊ के नाम का ही आर्की टेशन के लिपे
सुझाव दिया गया।
६. साक्षात् न यह केस अदालत में न भेजने का कोड
कारण नहीं दिया है ड्राप हो जाने की केवल सूचना
दी है जिसका कापी मलगत है।
७. गज C. B. केस नं० ४२८/६२ में कुल रक ६०००/- का
का।



श्री श्री
(रामावती अमा)
राजा
शककर मिल मजदूर प्रिन्स
मुगा मिल बालोनी हरवाड

मेरे लिये

शुभ सन्धि, शुभ (क) विगाडा
उत्तर प्रदेश शासन, पो. नं० 220
वाराणसी

प्रेषित, मंगी

शुभ सन्धि नगर प्रहरी
शुभ सन्धि नगर प्रहरी

संख्या ६७५१ / आई-एलआर. पी. नं० २३/६३ वाराणसी दि० २४.१२.६३

विषय :- अध्यापक विद्यालय संख्या २३/१२/६३ (मैट्रिक) लक्ष्मी शुभ व आपका

पत्र सं० ६७५१ तथा उत्तर प्रदेश शासन (क) वि०)

प्राप्त की गई है। कि उक्त विद्यालय
लक्ष्मी शुभ व आपका है। उक्त विद्यालय
के अध्यापक हैं। उक्त विद्यालय
के अध्यापक हैं। उक्त विद्यालय

(६० शान्तिपुर गाँव २००१)

उक्त उक्त सन्धि

संख्या / आई-एलआर. पी. नं० २३/६३ वाराणसी दि० २४.१२.६३

विषय :- अध्यापक विद्यालय संख्या २३/१२/६३ (मैट्रिक) लक्ष्मी शुभ व आपका

(१) सन्धि, उत्तर प्रदेश शासन (क) विगाडा नगर

(२) लक्ष्मी शुभ व आपका

(३) सन्धि, लक्ष्मी शुभ व आपका

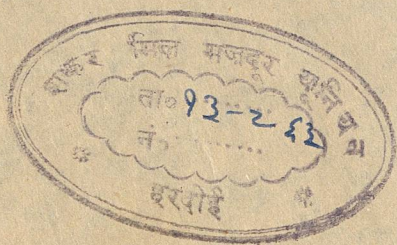
आपका पत्र सं० ६७५१

शान्तिपुर गाँव २००१
उक्त उक्त सन्धि

C.B. केस नं० ८३/६३ जिन्हे साक्षात् तथा हीन कष्टकार इत्यन्तर विना
पंच निरीप विलुल इन्वा विवा गपा ।

१. कम्पनी का नाम - दिल्ली सुमा मिल आपल मिल लि०
हरवाड
२. प्रिनसप का नाम - शुक्कर मिल मजदूर प्रिनसप
हरवाड
३. माग पत्र न उतव्य वेग की तारीख - १५-१-६३
४. शांति कर का प्रवाड हुई - पट्ट का प्रवाड दि० १०-५-६३
को R.C.O लखनऊ के यहाँ हुई । नतीजा कुछ भी
नहीं निकला ।
५. आवीटेशन के लिपे कदा गपा तथा Councilman
अधिकार लखनऊ के नाम का ही आवीटेशन के लिपे
सुमाव विवा गपा ।
६. साक्षात् में शर C.B. Case No 83/63 को अदालत में
नो मजबूत का कोर्ड कारण नही दिया है । इत्य
ही ज्ञान की केवल सूचना ही है जिसका
कापी अलग है ।
७. शर C.B. केस में कुल शक ही कम्पनी था ।

२। अमा
(शमावता (शमा)
तंगा



शुक्कर मिल मजदूर प्रिनसप
सुमा मिल वालाग हरवाड

५५०

सेवा में

शुभ कर्मिणा उ० प्र०

श्री श्री शंकराचार्य मठ प्रभु श्री

पो. नं० १२०

शुभ मठ काशी हरद्वार

काठपुर

संख्या ३७६७/आडि आर सी० नं० ६२४६/६२ काठपुर दि० अप्रैल १२, १९६३

विषय: पत्नी लक्ष्मी शुभाच आषल मित्त ली० हरद्वार

तथा उसके सुप्रीम को वध

आध्यात्मिक विवाह संख्या - ६२४६/१९६२

पार्थी को स्वीकृत किया जाता है कि उक्त विवाह के तथ्यों पर पूर्ण रूप से विचार करने के उपरान्त उसे औपनिषत्त के लिए सेंडे जाने के आदेश जारी किया गया है और उक्त विवाह दारिद्र्य दपत्ता का दिया गया है।

(दा. ए. सं. नं० ६०००/६०)

शुभ कर्मिणा उ० प्र०

शुभ कर्मिणा उ० प्र० की ओर

संख्या आडि - शुभ आर सी० नं० ६२४६/६२ काठपुर अप्रैल १२, १९६३
काशी मठ की सूचना - प्रापित:-

1. सानि - उक्त प्रकृतिप संख्या (शुभ (६)) विभागे करवक
2. साराधन आध्यात्मिक लक्ष्मी करवक / सी० नं० ६०००/६०
3. श्री श्री शंकराचार्य मठ प्रभु श्री / काशी मठ काशी हरद्वार उ० प्र०

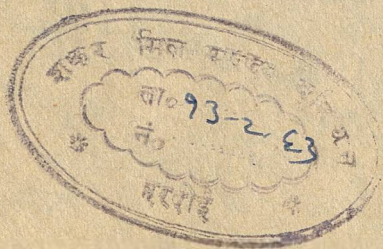
श्री ० श्री ० केस जिन्हें लिखा है तथ्य हीन कदम आपका विषय

पंच निराप बिलकुल इन्का विषय गदा

१. कमिनी का नाम :- वि लक्ष्मी शुभा व आपल मिल लिंग
हरवाई
२. प्रीतिपन का नाम - शकवा मिल मजदू प्रीतिपन
हरवाई
३. मांग का व उसके देने की तारीख १५-१२-१९६२
४. अश्वत्थ कापेवाई हुई - यह कापेवाई दिनांक १० जनवरी
१९६३ को ₹. ८० लाख तक के पैसे हुई। तभीजा
कुछ भी नहीं मिलता।
५. आर्बि टेशन के लिए कहा गया तथा Convention
ऑफिस लखनऊ केन्द्र के नाम का ही शुभाल विषय
गया कि इन्हे ही आर्बि टेशन बना लिया गया।
६. आका ने यह कानू नं० ४८४/६२ को अदालत में
जो मजदू का कोई कारनामा नहीं दिखता है। आप
दो जान की केवल सूचना ही है। किन्तु आपकी
तलाश है।
७. जेन ए. डि. कानू नं० ४८४/६२ में कुछ शक है
कामे चला था।

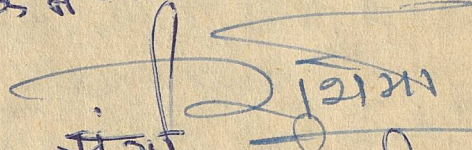
श्री ० श्री ०
(समावृता मिना)
सजा

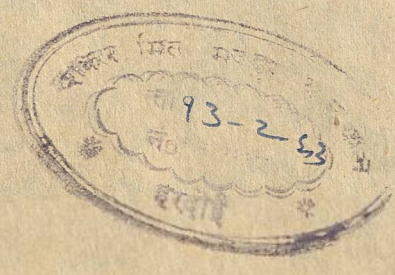
शकवा मिल मजदू प्रीतिपन
शुभा मिल का लिंग हरवाई



सो. बी. कोस जिन्हे स्वयंसेवक ने तय्य होत कर कर आप का दिया
पंच निरीप विलकुल इन्कार दिया गया

१. कम्पनी का नाम :- दिल्लुओ मुगा व आपल प्रिस्त लि०
इरवाडे
२. प्रिनिपल का नाम :- शिवकर मिल मजदूर प्रिनिपल
इरवाडे
३. मांग पत्र व उत्तर देने की तारीख :- २९-११-६२
(C.B कोस नं. ४८५/६२)
४. शरारत का पता डूँडे - यह कार्य कई दिनोंक
 १० जनवरी ६३ और १२ जनवरी को R.C.O लखनऊ
 के पहाँ डूँडे। नतीजा कुछ भी नहीं निकला।
५. आवी टेशन के लिए कहा गया था Cancellation
 officer Lucknow के नाम का ही आवी टेशन के
 लिए सुझाव दिया गया
६. स्वयंसेवक ने यह केश डाला कि कोस न
 डोजन का कोई कारनामा नहीं दिया और आप
 होने का कोई कारनामा ही प्रिनिपल को दी गई।
७. इस C.B कोस नं. ४८५/६२ में कुल ५ कारनाम
 हूँ। जिनके साथ प्रवन्धक ने discrepancies
 दिया था।


 संजा
 शिवकर मिल मजदूर प्रिनिपल
 मुगा मिल कालोनी
इरवाडे

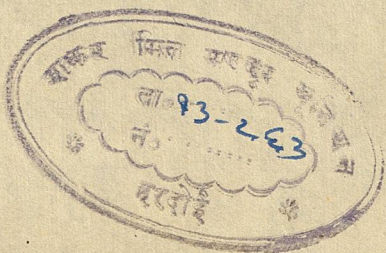


C. B. Case No 131/61 जिन्हे सत्याने तथा हीन कार्य कर
ज्ञाप कर दिया

पंच निरीप विद्वुल इन्का किया गया।

१. कम्पनी का नाम - वि लक्ष्मी मुगल आपल मिल लि०
हरवाड
२. प्रोत्पन्न का नाम - शिवकर मिल मज दूर प्रोत्पन्न
हरवाड
३. मांग पत्र न उतार देने की तारीख १२-३-६१
४. साक्षर कार्यवाई हुई - यह कार्यवाई दि० २-४-६१
२२-५-६१ तथा २-५-६१ को R.C.O लखनऊ के
वहाँ हुई। नतीजा कुछ भी नहीं मिलेला।
५. आर्वा टैग के लिए कहा गया तथा *Cancellation*
आपल के लखनऊ के नाम का ही आर्वा टैग के लिए
सुझाव दिया गया।
६. सत्याने यह केस 131/61 अदालत में न भेजे का
कोई कारण नहीं दिया और न ज्ञाप हीन का सूचना
प्रोत्पन्न को ही मिल सकी।
७. ज्ञा C. B. केस में कुल एक कार्यवाई थी।

शिवकर
(शिवकर (मज)
मंगी



शिवकर मिल मज दूर प्रोत्पन्न
मुगल मिल वालोनी हरवाड

A. I. T. U. C.
Received 23/8 26/8/63
Replied.....

To

The General Secretary,
Punjab State Committee,
All India Trade Union Congress,
JULLUNDUR.

Dear Comrade,

Please refer to your circular number nil dated 29/7/1963 regarding refusal of the State Government to refer industrial disputes for adjudication.

We have already submitted the details asked for in two detailed memoranda dated 26/9/62 and 25/2/63 submitted to Shri Gulzari Lal Nanda, the Minister for Labour Planning & Employment - Copies endorsed to you and the A I T U C.

Out of 20 cases mentioned in these memoranda, the first three cases in memorandum dated 26/9/62 have been referred refused again.

Apart from the above some more cases are mentioned in the annexure.

The fact is that the Punjab State Government has taken a policy decision not to refer any disputes for adjudication - especially in the case of AITUC Unions. As far as our union is concerned but for the above mentioned three long standing industrial disputes, not a single dispute has been referred for adjudication although our union had previously maximum number of reference in Punjab.

Dated 23.8.63

Parduman Singh
S. Serty

Textile Mazdoor Ekta Union (Regd.) Patlighar Amritsar

Copy AITUC.

Low A
12/8
20/8

| Name of the Mill. | Date of Demand chart and nature of dispute. | Date on which conciliation proceedings ended. | Arbitration | Number & date of State Govt. letter refusing adjudication. | Reason for refusing adjudication. | No. of workers involved. |
|--|--|---|--|--|--|--------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1. Hindat Weavers Production Co-operation Industrial Society Ltd: I/s Hathi Gate Amritsar. | 2-10-62. Termination of Services of workers etc. | 16-4-63 | Arbitration offered but refused by Management | No. 1430-II-Lab-III-63/4063 dated 21/2/1963. | Lack of Support. | 8 |
| 2. Fine Spinnders Batala Road, Amritsar. | 23-4-63 Quarters for Chowkidars. | 16-5-63 | Arbitration offered but refused by Management | No. ID/4/272-A-63/38673 dated 27/6/63. | Not obligation of employer to provide quarters to employees. | 8 |
| 3. Lall Woollen & Silk Mills, Putlighar, Amritsar. | 16-5-63 Re-employment of workmen. Termination of services of some workmen. Rate fixation. | 10-6-63 | Arbitration offered but refused by Management. | No. ID/3/143/B-63/52125 dated 25/7/63. | Workers did not report for re-employment or left after joining. Termination because of specific period <i>from</i> Different rates in market. | 40 |
| 4. Khanna Silk Mills (P) Ltd., Batala Road, Amritsar. | 8-5-63 and 15-5-63 re: wrongful dismissals. Loss of wages for various workmen. | | Arbitration offered but refused by Management. | No. ID/3/26-A-63/59152 Dated 17/8/1963. | Dismissals after valid enquiry. Nothing done on loss of wages. | 6 |

KARNATAKA PROVINCIAL PLANTATION WORKERS' UNION.

(AFFILIATED WITH A. I. T. U. C.)

President : M. C. NARASIMHAN. M.L.A.

Secretary : M. V. BHASKAR.

Secy. B.N. Kuttappa

MAHATMA GANDHI ROAD,

CHIKMAGALUR.

Ref. No. KPL 65/63-4.

Date 19-8-63.

To

1. The Minister for Home,
Govt. of Mysore, Bangalore.
2. The Minister for Labour,
Govt. of Mysore, Bangalore.

Sir,

Sub: Industrial Dispute between the Workmen and
the Management of Bacheralli and Bellotte Estate,
Tollalu Post, Belur Taluk, Hassan District.

We beg to complain as follows:-

1. Award of the Industrial Tribunal in I.D.No.9 of 1961 in the above matter was passed on 23-3-1963 and published in Pt IV I-C of the Mysore Gazette dated 9th May 1963. As per the award the Management shall have to reinstate 31 workmen with back wages at ~~the~~ half the rates with effect from 13th December 1960.
2. Instead of taking action to implement the award, the Proprietor of the Estate Sri.T.R.Maribasappa Setty with the help of other local Planters and Landlords engaged Goondas to forcibly evict the workmen from their living quarters. From the enquiries made by the Labour Officer, Chikmagalur, it is revealed that the Proprietor had fraudulently obtained signatures and thumb impressions from the workmen to the effect that they have nothing to do with the award or the Union and that each of them had received certain amount of money in settlement of their claims. None of the workers have been paid a single pie. It is found that when these workers were working in Kanaguppe Estate its Proprietor Sri.Putte Gowda obtained those signatures and thumb impressions by telling the workers that they were needed for having paid them their weekly wages. This fact has been found out by the Labour Officer in the course of his enquiry. But pressure is put on the Labour Officer not to divulge these facts. It is indeed surprising that the Police have not registered any case despite complaints by the concerned workmen and his, against Sri.T.R.Maribasappa Setty and the Goondas engaged by him for assault, theft, house-breaking etc., and against Sri.Putte Gowda for cheating as well as for being one among the persons who took part in forcibly throwing out the workers from their living quarters on the night of 2-8-1963. We learn that when the Labour Officer conducted his enquiry the Sub-Inspector of Police, Arahalli was also present. The Police appear to help the Planters and the Landlords in their nefarious deeds or they must be terribly afraid of the Planters and their goondas. We have furnished to the Police the list of the goondas engaged by Sri.T.R.Maribasappa Setty on the night of 2-8-1963.
3. Sri.T.R.Maribasappa Setty, ~~and his~~ and his goondas not only beat and otherwise assaulted the workers including women and children but they have stolen about

(Registered No. 146.)

KARNATAKA PROVINCIAL PLANTATION WORKERS' UNION.

(AFFILIATED WITH A. I. T. U. C.)

President : M. C. NARASIMHAN. M.L.A.

Secretary : ~~M. V. BHASKAR.~~

MAHATMA GANDHI ROAD,
CHIKMAGALUR.

Ref. No.

- 2 -

Date 19-8-63

50 heads of sheep owned by the workers and all their other belongings such as clothes, vessels, trunks, jewels etc. At midnight on 2-8-1963 the workers with their womenfolk and children ran for their lives having been taken unawares and took shelter in Tolalu Choultry (Chatra) from where after the enquiry by the Labour Officer they have been driven out by Sri. T. R. Maribasappa Setty with the help of local Planters and other Landlords. The Government, the Police and the Labour Department appear to be helpless in the face of gangsterism of the Planters and the Landlords of the locality. We feel that the Government apparatus is either unwilling or incapable of protecting the rights, liberties and life of the plantation workers. We could, for the present, only give wide publicity to the atrocities committed by the Planters.

Pray for favour of your personnel intervention to render justice to the workers and to take appropriate action to punish Sri. T. R. Maribasappa Setty and the geondas engaged by him on the night of 2-8-1963.

Yours faithfully,

B.N. Kuttappa

(B.N. Kuttappa)
SECRETARY.

Copies to:-

1. The General Secretary, ✓
All India Trade Union Congress, New-Delhi.
2. The Assistant Commissioner of Labour and
the State Implementation and Evaluation Officer,
Bangalore.
3. The Superintendent of Police.
Hassan District, Hassan;

From. Madhukar Utchade
General Secretary.

Akola Zilla Gumasta Muncal
Jaihind Chouk. Akola
Dt. 15.8.63.

To Com. Salish Koomba.

Secretary.

All India Trade Union Congress,
Delhi.

A.I.T.U.C.
2267 19/8/63

Subject:- Regarding adjudication
for the workers of shops
and Establishment - Akola.

Dear Sir,

The workers, by name "GUMASTA" of the following shops and establishments at Akola meeting held 30-5-60 in accordance with the provisions of rule 91 of the Industrial Disputes Settlement Act 1947. and the representatives of the workers are duly elected in the meeting.

2) The elected representative of the worker gave a notice desiring a change under section 32(c) of the above said Act on 27-11-1960. The Government Labour officer Akola informed the factory to the shopkeeper & owners to negotiate with the elected representative. But our shopkeepers never done that thing.

3) That no agreement was reached between the contending parties through mutual negotiations. That on no agreement being reached on the industrial matters as given in annexure 'A', the representative of employees still desiring change to be effected, forwarded to the Labour Commissioner a full statement of the case on which conciliation proceedings started and Shri. Waked Ali Labour officer, Akola was appointed by the

The Commissioner of Labour, Bombay as a Conciliator.

4) That no agreement was reached in the conciliation proceedings held by the conciliator and that Conciliation — proceedings held by ~~the~~ were closed on 16-Augst 1962.

5) Then the Akola Amalraj Mandal Akola. was applied to the state Industrial Court, Nagpur under the Section 38 (A) of the C.P. & Berar Industrial Disputes Settlement Act 1947. But all ^{the} case ~~were~~ rejected by the ^{Hon'} Court on the basis of timebarred. In fact, it was the fault of conciliator. He was not submitted his final report within the time.

6) Then we ~~are~~ were ^{applied} demanded to the Secretary of Industry & Labour Department, Sachivalaya, Bombay for the Arbitration. But the Government were rejected our demand by given the reason that then the shopkeepers ~~are~~ were not ready to accept accepted the arbitration.

* Now our demands is not settled up till now.

Annexure - Our demands.

1) 25% increase in the living wages of all employees. And increase wages should be given from the date of election of the

workers representative on 30.5.60, to the
gumasta.

- 2). One month's wages as bonus for each
year before (5) days of Sivali end
Such a bonus should be given to the
gumasta turn 1960.

Annexure A.

The 300 hundred -

workers are affected with this
in the industrial dispute.

The list of the shopkeeper.
which is connected with the dispute:-

- 1). The proprietor,
Amarajind store, cloth store - Alcova.
- 2). The proprietor,
Gandhi store, cloth store, Alcova.
- 3). Navinchandra Jamanadas - cloth store - Alcova.
- 4). Anantlal Company - cloth shop - Alcova.
- 5). Gunwant store - cloth shop - Alcova.
- 6). Prabhakar store, cloth shop - Alcova.
- 7). Swastik store - cloth shop - Alcova.
- 8). Newchittaranjan - " " "
- 9). Ramanik & Company " " "
- 10). Vinod store - cloth shop - Alcova.
- 11). Haridas store - cloth shop - Alcova.
- 12). Mandram Rajmal Bhandari.
- 13). Shridhar store - cloth shop - Alcova
" " "
- 14). Radhakisan Toshniwal - establishment.
- 20). Ramlehan Pundlik Bhat. Alcova,
cloth store,
Alcova

- 21) Vasant-stoar-cloth shops.
- 22) Hindustan stoar - ~~cloth~~ catary shop.
- 23) ~~Bombay cap~~
- 23) Bombay Navivan cap depot. Akola.
- 24) Bombay Imperial Cap depot.
- 25) Nihalchand Hajarikal - cloth shop - Akola.
- 26) Svarswali cloth shop - Akola.
- 27) Ashok stoar - Akola.
- 28) Maharashtra Cap depot - Akola.
- 29) Shriram Satynarayan - kirana shop.
- 30) Marwadi Trading Company - kirana shop.
- 31) Kalichand Tarachand
- 31) Tarachand Kalichand - kirana shop.
- 32) chunnikal Mujtal. " " Akola
- 33) Shankar Kanhyal. kirana shop. Akola.
- 34) Umashanker Pokarmal " " Akola
- 35) Shriram Bajriya - kirana shop - Akola
- 36) Vallabhdas Topalji " " "
- 37) Baldeo Day Panachand kirana shop - Akola
- 38) Rajanikant Kalyanji kirana shop - Akola
- 39) Chunitala Puraram - ~~ki. kirana~~ shop - Akola
- 40) ~~Shriram Ba~~
Amrutlal Panachand - kirana shop - Akola
- 41) Laddhar Jagjivandas. kirana shop Akola
- 42) Meghantak Tokarsi - kirana shop - Akola
- 43) Khusaldas Mehatta - kirana shop - Akola

- 44) Shrishivaji Kirana shop - Akole
- 45) E. P. Medical store - Akole
- 46) Chiraniya Brothers - Akole
- 47) Gokuldas Khemji - Kirana ^{shop} ~~Brothers~~ - Akole
- 48) Mayantel Bimji - Kirana shop - Akole
- 49) Motichand Keshavji - Kirana shop - Akole
- 50) Madhavji Amraji - Kirana shop - Akole
- 51) Narayandas Modi & Company - Cloth store - Akole
- 52) Babulal Premchand - Kirana store - Akole
- 53) Ramesh store - Cloth store - Akole
- 54) Patil & Company. Cloth store - Akole.
- 55) Panchshil store - Cloth store - Akole.
- 56) M. Mahendra Kumar & Company - Akole.
- 58) Bharat Cap Depot - Akole.
- 59) Hanuman Kirana shop - Akole
- 60)

The End.

Yours faithfully
 Madhukar Utchade
 Akole Zilla Kumbhar Mandal
 Akole.

Con
 Me.
 4/11

From Madhulca Ullchade
 President Kanyas Union
 Washim
 डी. ६१६३ डी. Akole.

मो. सवित्र लुम्बा.

सचिव - All India Trade Union Congress
Delhi.

Received 21.11.13/8/63.
 Replied.....

विषय - जिनसेस कायुगार युनियन - वाशिंग
 आणि - वाशिंग - गुमारा मंडळ - चं
निवेदन -

महाशय - सवित्र बाबाज। विजेती किं. जिनसेस -
 कायुगार युनियन वाशिंग च्या जारे जिनिंग
 व वाशिंग - गुमारा - जे Conciliation विभाग
 शार - यांची सर्व माहिती - पत्र नं. 9 आणि
 वाशिंग गुमारा मंडळ, वाशिंग - च्या
 वाशिंग एवढा शु दुकान - आणि संस्था - यातील
 गुमारांच्यांच्या पत्र व वाशिंग - आदि मागण्या
 वर Conciliation विभाग शारंत. पत्र
 लवाद भाव दुकानात शारंत जारी - च्या -
 माहिती पत्र नं. 10 मध्ये ^{पत्र नं. 10} ^{पत्र नं. 10} ^{पत्र नं. 10}
 महाराष्ट्र राज्य
 trade Union Committee of A. I. T. U. C.
 त्यांच्या ~~विषय~~ पत्रावरून - failure
 Conciliation - वाशिंग यातरी - शार.

Cont
 13/11/63

टीप:- अकोल्यात गुमाराची -
 संघर्ष करू या अडवण्यात
 आणि पाठई -

माधुलका उल्लहाडे
 President. Kanyas Union
 Washim

From: Madhukar Utichode.
President. Eimpress Kangar Union
washim
St. 818163.

To
Shri Satish Toomba.
Secretary - All India Trade Union Congress.
Delhi.

Subject: - Regarding adjudication.

Dear Sir,

1) The employees of the factory by named

- 1) The Basam jining & Pressing Factory - washim.
- 2) The Bhavarikal & Company lining Factory - washim.
- 3) The Mansing Balwantsing lining factory - washim.
- 4) The Ramjivan Hiratal lining & Pressing Factory - washim.

The meeting held on 16/3/62 in accordance with the provisions of Rule 71 of the Industrial disputes Settlement Act 1947. And the representatives of the workers are duly elected in the meeting.

2) The elected representative of worker gave a notice desiring a change under section 32(i) of the Act on 22-3-62, in accordance with Annexure. The government labour officer, Ahera informed the factory's managers and owners to ~~the non applicant~~ negotiate with elected representative by his letter No 54/d/F/Fl/ St. 17/3/62.

3) That ~~the~~ no agreement was reached between the contending parties mutual negotiations. That on no agreement being reached on the Industrial Matters, the representatives of the workers still desiring change to be effected, forwarded to the labour Commi Commissioner a full statement of the case on which Conciliation proceeding started and shri sy wahed ali labour officer, Ahera was appointed by the Commissioner of labour, Bombay as a Conciliator.

as annexure no. 1
on 7-4-62 in
of Form

4) That no agreement was reached in the Conciliation proceedings held by the Conciliator and that the Conciliation proceedings were closed on 4-7-1962 and on the same date the failure report was submitted to the Government.

P.T.O.

5)

After the submission of failure report, we are, on the behalf of GINPRESS KAMGAR UNION demanded for Arbitration, but our demand was rejected by the labour Commissioner and Government also. The labour offices inform us the main reason that the owner of the factory is not ready and not agree to accept the arbitration. That matter is still in pending.

6) ~~There are~~ The 600 hundred workers are affected in this industrial disputes.

7] The demand chart is attached with this letter for further action.

yours faithfully.

Madhukar utchade
President.

Ginpress Kamgar Union

Waghim...

Office copy

Ginpress Chart ANNEXURE

Demand Chart ANNEXURE

Every year each worker having worked in previous season

should be given work in the subsequent season, and every and each worker should be given 9 1/2 months work in every season.

Demand 2 All ginpress workers mentioned below be given following wages.

| Designation | Monthly wages. |
|--------------------------------------|----------------|
| (1) Boiler Attendant | 125 Rs. |
| (2) Turner and Moulder | 100 Rs. |
| (3) Gining Fitter | 125 Rs. |
| (4) Machine Driver | 100 Rs. |
| (5) Roll Cutter | 85 Rs. |
| (6) Valve man | 85 Rs. |
| (7) Mochi | 85 Rs. |
| (8) Fireman | 85 Rs. |
| (9) Oilier or oilmen | 85 Rs. |
| (10) Carpenters and Blacksmiths | 85 Rs. |
| (11) Wireman | 125 Rs. |
| (12) Press workers | Per 100 baies |
| (A) Lebacli. | Rs. - 75 |
| (B) Sirewalo | 2 - 75 |
| (C) Tolwalo | 2 - 50 |
| (D) Jalwalo (Lint carrier) | 2 - 25 |
| (E) Chadiwalo (Lint Carrier) | 2 - 25 |
| (13) Marker | 2 - 25 |
| (14) Cotton Balawala | 2 - 00 |
| (15) Press Mukaddam | 90 Rs. |
| (16) Gining Mukaddam | 90 Rs. |
| (17) Gin Mukaddam | 90 Rs. |
| (18) Lehar & Sutar Coolies | 65 Rs. |
| (19) Coalman Cooly | 65 Rs. |
| (20) Gin-Dallawallas. | 65 Rs. |
| (21) Gin Feeder | 50 Rs. |
| (22) Gin Zaduwala and Reliever. | 50 Rs. |
| xxxxx Gin-Dallawallas (Lint Carrier) | 50 Rs. |

From: Madhukar Uttchade
organising secretary
washim Lunardi Mandai.

473 n. 2.

मं० सेक्रेटरी.
All India Trade Union
Congress. Dehli.

विषय: अंत्युकेशन - आवत.

महाशय: सविनय नमण।

"अकोला जिल्हा गुमास्ता मंडळ" च्या कार्यगत आगचे
वाशीम गुमास्ता मंडळने-

मं० -

संस्था- एवांगेलिक काम- करणाऱ्या कामगारांनी (गुमास्तांनी)
ऑथोरिटीक कडून निवारण अधिनियम १९४७ च्या नियमांतगत
७० व ६१ कलामे लेंबर ऑफिसर एवांगेलिके कडे आपल्या
आपीनिधीक युनियन कडे "वाशीम गुमास्ता मंडळ" या
रजिस्टर्ड युनियन, मार्शल वर्ज दिव्यावर-

१) सरकारी लेंबर ऑफिसर- एवांगेलिक सदर
दुकाने व संस्था- एवांगेलिक गुमास्ता कामगारांचे- आपीनि
धी मंडळ येवून दि. ४-९-१९६१ रोजी निवडलेले.

२) नियुक्त कामगार आपीनिधींनी दि. २-११-६१
रोजी 'दुकान' व संस्थांचे मालक हो सावर- एवांगेलिक
ऑथोरिटीक कडून निवारण अधिनियम १९४७ धारा ३२ कडे
आगचे नोटीस ऑफ चेंज देवन गुमास्तांच्या सामुहिक पत्रक
सावर केले. ते आवत जोडलेले आहे. त्याच एन फॉर्मची आंक
गत सरकारी- लेंबर ऑफिसर एवांगेलिके कडेली.

३) आगचे मालक आणि संस्थांचे हो सावर-
एवांगेलिके सामुहिक वारदाती देल्या जाहीत म्हणून ऑथोरिटीक
निवारण अधिनियम १९४७ च्या धारा ३६ कलामे 'जे ७ फॉर्म'
मंडळी संघिस्त- डॅक्सीलेटर नेमण्याची डॅक्सी लेंबर
डुमिन्नर गागपूर एवांगेलिके कडे विलसर मागणी देली.

४) आग. ३०-११-१९६२ रोजी संघिस्तांची
Conciliators ची नेमणुक करण्यांत आली.

पत्र सदर कटमांतरेटर ने दिनांक १२-१२
१९६२ रोजी अरवशस्वी झाल्याचे १५ फेब्रुवारी १९६३ रोजी
आगचे डुमिन्नर आगचेत.

P.T.O

त्यानंतर औद्योगिक कल्लू- निवारण अधिनियम १९२७ च्या ३८ अे जाणजे लष्कराची मागणे- अकोला- जिल्हा गुमास्ता मंडळाचे वानिजे सचिव- लेबर आणि धुयोग- सचिवालय- मुंबई त्याच्यावेळे अनेकवेधी प्रमाणे माहिती- पण सरकार हातासि- होवादा करिता मालकु तयार नाही. अश्या- होवादाच्या कष्टव्यविर- होवादाच्या- नियुक्तारि- नकार वरीविल्ल-

ही जाण कामच्या- facular Conciliation ची माहिती.

गामच्या वागण्या

- 1) सर्व गुमास्त्यांस वीपानली पूर्वे प्रांच दिवस अगोदर अेक महिनांच्या पगारा इतका वीनस देण्यांत यावा. आणि ल वीनस अेन १९५६ पासून काम परत- देण्यांत यावा.
- 2) सर्व गुमास्त्यांस इमिन जाचालित पगारांत- माहितीचीच्या निवडधू- कर्च्या दि. १. ९. १९५१ पासून- देण्यांत यावी. आणि ही प्रमादवाढ शी. २५% इहे असावा. व बननाट वीन अुयवे सादनात Increment देण्यांत यावी.
- 3) आणि कामगारांचे वारीकरण- करण्यांत यावीत. - अशवा मागण्या सादर करण्यांत आल्या होत्या.

मज्जे १५० आणि ह्या कर्च Industrial disputes कागदार संबंधी- होले.

- दुष्मानांचे नावे.
- | | |
|---|--|
| 1) झांजापटर- गोकुलकरम अंडार- वाशिम | ११) अशियाकर- डिवाणा दुडान- वाशिम |
| 2) मथुरादास विठोबाजी तेंकारू- दुडान- वाशिम | १२) मोहनलाल विठ्ठलजी- लव्हांसू- दुडान- वाशिम |
| 3) भाऊसाहेब- व्याघोराय- अश्या दुडान " वाशिम | १३) जवाहर स्टेकर- वाशिम |
| 4) मदनलाल वीनसलाल डिवाणा दुडान- " | १४) राजस्थान स्टेकर- वाशिम |
| 5) गणेशलाल सागरलाल- " " " | १५) अयान जनरल स्टेकर- वाशिम |
| 6) कर्णय्यालाल एजारीलाल " " " | १६) महजुर्जी कर्णे |
| 7) दिवाणलाल लालचंद " " " | क. पी. पाटर्जी- डिवाणा दुडान- वाशिम |
| 8) काळदाशशादनामदस- " " " | २०) टंभीर सायबुल स्टेकर- वाशिम |
| 9) मोलीशा सुंदरसा जेण " " " | २१) अरुण लुथ स्टेकर- वाशिम |
| १०) पारणी अंड- कंपनी " " " | २२) लानासा जुलुबसा- डिवाणा दुडान- वाशिम |
| ११) पुरनमल प्रदमगुमार " " " | २३) मोलीलाल रामनारायण मोनाजी- दुडान- वाशिम |
| १२) चिरंजीलाल चांदलाल अश्या " " " | २४) वसमत स्टेकर- कामंड- दुडान- वाशिम |
| १३) चैननसुख विंकराज- अण्ड दुडान- वाशिम | २५) रचुकायालाल हातापलाल- डिवाणा दुडान- वाशिम |

RESOLUTION ON NATIONAL CAMPAIGN FOR REDUCTION IN PRICES, INCREASE IN WAGES, DEARNESS ALLOWANCE AND BONUS, AND FOR NATIONALISATION

(Adopted by the General Council of A.I.T.U.C. on 13-12-63)

1. The All India Trade Union Conference, convened by the A.I.T.U.C. to discuss certain immediate and most pressing issues confronting the working class and the toiling people of our country and to find practical ways and means for solving their burning problems which have assumed a countrywide character, has arrived at the following conclusions and decisions:-

2. In the opinion of this conference, the biggest single issue with a country-wide impact on the day-to-day life of the common people is that of rising prices of food stuffs and essential commodities and the constantly rising upward curve of the cost of living of the masses, and this is happening despite the rise in national production and national wealth.

This development, has become even more pronounced and has assumed unprecedented proportions in the recent period. Prices have gone up by between 15 to 40 per cent all over the country. No commodity or article which enters into the normal family budget of the working people has remained unaffected. The prices of basic foodgrains have spiralled to heights beyond the reach of the poorest sections of the community in both town and countryside, while an organised black-market flourishes as never before in sugar, rice, etc. In certain parts of the country, high prices have been accompanied by an absolute physical non-availability of foodgrains, resulting in near-famine conditions.

The suffering and privations of the toiling masses knows no bounds. Their already modest living standards are being further depressed every day.

3. This conference is categorically of the opinion that this phenomenon of high prices and scarcity, of the ever-rising cost of living and decline in the real wages of all categories of workers and also the fixed income earners, is not mainly the product of natural causes, agricultural shortfalls, or climatic vagaries as the Government seeks to make out. Where such natural causes may have arisen they have been further used by the anti-people profiteers for their selfish ends.

This crisis is essentially a man-made one. Its creators are firstly, the monopolies who control the decisive sectors of the country's industry, banking and commerce, and who are utilising their economic dominance to boost up prices of their products in a sheltered market, to create artificial shortage whenever their profits demand it, and even to obstruct and sabotage full utilisation of the productive capacity which is at their disposal, despite the requirements of the national economy and the people.

Secondly, the market in foodgrains and several crops is overwhelmingly dominated by the big, wholesale traders and their combines, by all manner of profit-hunting middlemen and speculators, by hoarders and black-market operators who are permitted with impunity to carry on their anti-social and criminal activities, with the help of bank loans, the stock-market, LIC investments and other supports.

So daring and powerful have these interests become that they have engineered a major sugar scandal in the country, a major rice shortage in West Bengal with blackmarket prices ruling higher than during the Great Famine of 1943, and a sharp rise in wheat prices of more than 25 per cent even in wheat producing tracts in North India.

A simultaneous phenomenon with catastrophic consequences is the deprivation of the small farmer of fair prices for these very foodstuffs and crops of which he is the primary producer. The peasant is constantly defrauded by

these very sharks and exploiters of his legitimate price for, and return on, his sugarcane yield, his paddy, wheat or raw jute.

Thirdly, this conference indicts the Government, both at the Centre and in the States, which is not only allowing the monopolists, price-racketeers, speculators and hoarders to play havoc with the necessities of the common man's life, but shows no practical inclination, apart from words, to use its sweeping emergency powers to protect the people from the robbery and exploitation of the profiteers.

Moreover, the Government itself has contributed massively to the rise in prices by its inflationary budgets and its deliberate policies of adding to the crushing burden of indirect taxes which directly affect the common man's pocket.

4. The sufferings of the vast toiling masses can be easily gauged from the plight of that section which is the most united and best organised, the most experienced in class battles and the best equipped to defend its interests — the working class in our factories and mines, as well as the white-collared employees of commercial and banking establishments, all of whom have learnt to follow one trade union organisation or another.

Even this great and growing working class, directly engaged in the production of wealth, stands today virtually stripped of any effective protection against the rising price levels and consequent erosion of their real wages. All their gains in money wages, secured through numerous struggles, stand in danger of being completely wiped out if the present price rise is allowed to go unchecked.

The Bombay textiles and a few other individual concerns are exceptional instances where the Dearness Allowance paid is not only adjusted on a sliding scale with the cost of living indices, but also affords full neutralisation for the rise in the index though only for the lowest-paid category of workers. But, generally speaking, the D.A. systems prevalent today are either fixed amounts at a flat rate or vary according to the cost of living indices but do not ensure more than 70 to 85 per cent neutralisation. In both these types of Dearness Allowance schemes, a very serious decline in the workers' real wages is taking place as a result of run-away prices.

In the public sector undertakings, where Government is expected to act as a model employer, either no D.A., or very low D.A., is paid, and nowhere is it linked with the cost of living index.

Further, tens of thousands of workers are employed in such industries, mines and plantations where the separate category of Dearness Allowance does not exist at all, and the wage paid has no link whatsoever with the cost of living indices.

The situation is still further aggravated by the gross manipulations in the compilation of many of the official series of cost of living, or consumer price index numbers in different centres, as a result of which the real extent of the price rise is being deliberately concealed in order to deprive the workers of their rightfully due compensation in the form of higher Dearness Allowance on a sliding scale. For example, between September 1962 and September 1963, the all-India consumer price index moved up by 3 points only, during a period in which every objective source has estimated the price rise at between 15 to 40 per cent!

This monstrous fraud, obviously perpetrated by the bureaucracy and employers acting in collusion, has been well exposed by all the main T.U. centres with reference to the Bombay indices, and the great 'Bombay Bandh' strike of August 20th has compelled the State Government to undertake an 'expert' review of its index figures and the method of their compilation.

Bogus statistics have become an important weapon for worsening the conditions of the workers. Reliance on them would mean, for example, that all those Central Government employees who are governed by the Pay- Com-

mission's award would scarcely be able to qualify for a D.A. increase on the basis of a stable 10-point rise in the index lasting for 12 months, which is the pre-condition prescribed for getting a higher D.A. Actually, this 10-point rise in the index series based on 1949 is the equivalent of no less than 35 points of the old series based on 1939.

The struggle for exposure and correction of the fraudulent index figures is therefore assuming great importance and an all-India character.

This conference also notes with indignation how cynically the employers have torpedoed with Governmental connivance the solemn tripartite agreement of 5th August 1963 to the effect that cheap grain shops should be opened throughout the country at every establishment employing 300 or more workers. Even such a measure for partial relief to the working class has remained on paper to this day both in the private and public sectors alike.

5. While the steady erosion of real wages is now an admitted fact, it must also be remembered that lakhs of workers in the small-scale and less organised, sweated sectors of industry and trade have never even enjoyed the benefit of the Minimum Wages Act to which they are entitled. In many such cases, minimum wage-fixation committees have not been appointed despite all representations; in many more, the wages prescribed by such committees are not implemented by the employers concerned, and the Government machinery does not enforce them. In still other cases such minimum wages fixed several years ago have become out of date and urgently need to be revised upwards, but no such action is taken.

Consequently the economic condition of this section of the working class which is normally covered by wage boards, tribunals, or collective agreements is the worst prevailing in the country.

6. This Conference also expresses the profound dissatisfaction of the entire working class with the injustice and anarchy prevailing in the field of Bonus payments. The tremendous profits which are being appropriated today by the bigger and organised industries on the basis of higher production in a protected monopoly market are not at all reflected in the so-called "profit-sharing" Bonuses which the employers are compelled to pay wherever the trade union organisation and movement are strong enough.

The workers' share in the surplus value which is the direct creation of labour is nowhere governed by equitable principles, and is subjected to all sorts of capitalist imposed preconditions or ad hoc awards based on a fictitious "Profit and Loss", as recorded by Company Balance Sheets. The whole position is one of uncertainty except where long-term agreements exist, and the claim for Bonus has to be agitated afresh every year. In certain sectors of industry, no Bonus is paid at all to this day. Lakhs of public sector employees, including even those productive workers in the Government-owned companies and corporations handling vital means of production, have so far remained excluded from the benefit of any Bonus Scheme, except such as lead to intensification of labour. Even though the Bonus Commission was appointed to go into the question of Bonus for both private and public sector undertakings, under its terms of reference several public sector undertakings have been unjustifiably excluded from the Commission's consideration.

This Conference voices the growing impatience of the workers at the inordinate delay in the completion of the work of the Bonus Commission which has been sitting for two years and has not yet submitted its recommendations.

7. In this situation which is daily becoming more and more difficult for the working class and the toiling people in general, the need for immediate and substantial measures of relief has become imperative. This Conference considers that the following minimum demands must be met by the Government and the employers without further delay, and necessary legislative and administrative steps to fulfil them must be initiated at once:

(1) A 25% general reduction in prices, especially in foodgrains and all essential commodities of life;

(2) An all-round 25% increase in the wages paid at present to all workers and employees of both the private and public sectors;

(3) Immediate linking of all Dearness Allowances with the consumer price indices on a sliding scale; where no separate D.A. is paid, the consolidated wage to be linked up with the consumer price index;

(4) Cent per cent neutralisation for every rise in the cost of living to be automatically ensured for workers of all wage categories through a sliding-scale D.A.;

(5) Correction and revision of the existing fictitious and fraudulent or wrong official index figures and their calculation, through the agency of suitable tripartite machinery;

(6) Immediate fixation, and wherever necessary, revision of minimum wages for industries and trade covered by the Minimum Wages Act, and immediate implementation of wages already fixed there under; adequate minimum wages for agricultural labour;

(7) Publication of the Bonus Commission's report by the end of 1963, and announcement of Government's decision thereon within a month thereafter;

(8) Acceptance and implementation of the basic principle of a minimum guaranteed Bonus, irrespective of profit or loss, to all workers and employees in all industries and trades;

(9) Abolition of private wholesale trading in food grains, and its total transfer to the State;

(10) Fixation and enforcement by law of fair, minimum prices to the peasant for his agricultural produce; and guaranteed supply to him at reasonable prices of essential articles for his everyday use;

(11) Nationalisation of banks, export-import trade, and the oil and sugar industries as a first step towards furthering State acquisition and control over decisive sectors of the national economy.

the entire toiling masses of the country, embracing not only the organised
This Conference puts forward the above 11-point *Charter of Minimum National Demands of the Toiling masses* as a platform of unity and action for working class and its trade union organisations, but also all middle-class sections, working farmers, small traders and shopkeepers, and others who are groaning under the intolerable burden of high and rising prices, food shortages, black-marketing and profiteering, and the increasing load of indirect taxes.

The demands for taking over by the State of wholesale trading in food grains and progressive nationalisation of key industries, commencing with the private banks, oil monopolies, sugar mills and the country's export-import trade, correspond to the most vital interests of the overwhelming majority of our people. Their fulfilment can alone bring the anarchy in the food market under control, destroy the grip of the speculators and hoarders, bring down and stabilise prices, and strike a decisive blow at the centres of capitalist economic concentration and monopoly power, which are used today to swell the private sector's profits, rob the country of its foreign exchange earnings and resources, and exploit the common consumer mercilessly.

8. This Conference is well aware that its Charter of Demands cannot be had for the mere asking, and that its realisation, even in part will require the broadest possible unity and action of the toiling masses led by the organised working class. United organised and disciplined action mobilising the vast masses for struggle on these common demands can overcome the powerful resistance of the reactionary monopolists and their patrons inside the Government and ruling party, and compel them to heed the people's voice.

This is no easy task. At the same time, this conference reminds the people of the massive power of their united action, a striking manifestation of which was the Great Petition and March to Parliament on September 13th last, which played a decisive role in smashing the hated and extortionate Compulsory Deposit Scheme, and making the Government undertake a review of its policies and performance. This experience should generate confidence in the people's minds and hearts that once they begin to move and act unitedly, their voice cannot be ignored by the ruling classes.

This Conference, therefore, decides to initiate and launch an all-National campaign for reduction of Prices and Taxes for Increase of Wages and earnings, for D.A. and Bonus, and for Nationalisation.

The National Campaign will be launched on 1st January, 1964 throughout the country, and its opening phase will culminate in the observance of an all-India Day on 12th/13th January (the choice of date to be according to local convenience) through mass meetings, processions and demonstrations for the eleven demands listed above.

The National Campaign Day of the Toilers of India will be observed by the working people in every town and village, in every factory and office.

This Conference hopes that the Government will not sit tight and allow the situation to deteriorate still further, thereby leaving the masses no alternative but to launch direct action on an all-national scale in defence of their most elementary interests.

There is still time for Government to pay heed to the burning demands of the people and to come forward with positive measures for the relief of the masses as outlined above.

Should the Government and the employers fail to evince any response and make any substantial concessions to the working people, the National Campaign of the Toilers of India will be further continued with all peaceful forms of action including a mighty *NATIONAL PROTEST STRIKE AND HARTAL* throughout the country.

This Conference appoints a National Campaign Committee consisting of the following members namely: Coms. S. S. Mirajkar, S. A. Dange, Balchandra Menon, P. Ramamurthi, S. S. Yusuf, Kedar Das, Parvati Krishnan, Ranen Sen, T. B. Vittal Rao, Indrajit Gupta, K. G. Sriwastava, Satish Loomba, K. T. K. Tangamani, Mohd. Elias, and Dutta Deshmukh, along with one Secretary or President from each State Committee of the A.I.T.U.C. with the right to co-opt or join with such representatives from other Central T.U. Organisations and all-India Trade Federations, not affiliated to the AITUC, as may be persuaded to join in this campaign.

This Conference authorises the Committee to take all the necessary steps to build a powerful unity of all genuine Trade Union Organisations of all affiliations including their leaderships, irrespective of their political views in order to make the campaign a success in achieving the demands outlined above.

The National Campaign Committee is authorised to review the situation as it develops upto 31st January 1964, and in the event of the Government's and Employers' failure on State and National level to respond satisfactorily to the Charter of Demands, to meet in the first week of February and to decide on the final preparations for the observance of the National Protest Strike and Hartal on a specific date.

The Conference appeals to all sections and T.U. Organisations of the working class and salaried employees to co-operate in making the National Campaign of the Toilers of India including the proposed General Strike and Hartal a mighty historic success.
