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NATIONAL COMMISSION ON LABOUR

Record of decisions of the Fourteenth Meeting of the National Commission on Labour held on January 4-8, 1969 at New Delhi.

The Fourteenth Meeting of the National Commission on Labour was held in the Commission's Office at D-25-B, South Extension, Part II, New Delhi on January 4-8, 1969.

The following were present:-

1. Dr. P.B. Gajendragadkar, Chairman
2. Dr. Baljit Singh, Member
3. Dr. Bharat Ram, Member
4. Shri Ramananda Das, Member
5. Shri B.C. Ganguli, Member
6. Shri D.C. Kothari, Member
7. Shri Manohar Kotwal, Member
8. Shri R.K. Malviya, Member
9. Shri P.R. Ramakrishnan, Member
10. Shri G. Ramanujam, Member
11. Shri Raja Ram Shastri, Member
12. Shri Naval H. Tata, Member
13. Shri S.R. Vasavada, Member
14. Shri B.N. Datar, Member-Secretary.

NATIONAL RESEARCH AND DOCUMENTATION
CENTRE
INDIA

ACC No ~~11~~ L-159
DATE 1-2-69

Item No.1: Confirmation of the record of decisions of the Thirteenth Meeting.

The record was confirmed.

Item No.2: Progress Report of the work done in the Commission since its Thirteenth Meeting held at New Delhi on December 7, 1958.

The progress was noted.

Item No.3: Printing of computerised tables giving analysis of the replies to the Questionnaire.

The cyclestyped copies of the computerised tables giving analysis of the replies to the Questionnaire were placed before the Commission. The Commission placed on record its appreciation of the work done by the officers and members of staff in preparing these tables in record time.

The Commission approved the proposal to get these tables printed through the Government of India Presses on a priority basis. These will form companion volumes to the Commission's report. The exact number of copies to be printed and the number of copies to be placed for sale with the Manager of Publications will be decided in consultation with the Department of Labour and Employment.

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Although the printing work involved was voluminous Member-Secretary hoped that the C.C.P. & S., who had been giving the Commission also assistance in getting its work done expeditiously, will endeavour to get this work done also on a priority basis. The Commission placed on record its appreciation of the assistance given by the C.C.P. & S. and the Government of India Presses for printing the Commission's Questionnaire and three Volumes of Statistics of Selected Manufacturing Industries efficiently and expeditiously.

Item No.4: Programme of future meetings.

The following dates for meetings of the Commission during January/February/March, 1969 were approved:

<u>Date of meeting.</u>	<u>Place of meeting.</u>
I. Friday: January 31, 1969) to Saturday: February 2, 1969)	Bombay
(*It was subsequently decided that the Commission should meet on February 2, 1969 also).	
II. Friday: February 28, 1969) to Monday: March 3, 1969)	New Delhi
III. Thursday: March 27, 1969) to Sunday: March 30, 1969)	New Delhi

... The Commission also decided to meet from May 5 to 10, 1969 for finalizing its report. It was agreed that the venue of the meeting may be decided by the Chairman. (Chairman has since decided that the meeting shall be in Simla. Arrangements are being made on this basis).

Item No.5: Other matters.

Member Secretary mentioned that three volumes of Statistics of Selected Manufacturing Industries, compiled in the Commission's Secretariat, had been printed through the Government of India Presses. A volume containing a State-wise appraisal of the changes in the structure and composition of the working class (Indian Worker - A Changing Profile 1947-1967) had also been prepared. This will be a companion volume to the Commission's report. The Commission placed on record its appreciation of the work done by the officers and members of the staff in preparing these volumes.

The record of decisions on Topic Notes discussed in these meetings is attached.

Record of discussions on Topic Notes.

The agenda for the Commission's meeting was the topic notes on (A) Trade Unions and Employers' Organisations, (B) Industrial Relations and (C) Wages, Productivity, etc.

2. The Chairman in his introductory remarks explained the basic assumptions underlying the suggestions made in the topic notes on Trade Unions and Industrial Relations. These were broadly to lay greater emphasis on collective bargaining for the settlement of industrial disputes and to strengthen trade unions so as to enable them to grow into effective collective bargaining agents.

3. Some members felt that the 'plan for discussions' prefaced to "Topic notes" was not as logical as it was claimed by the Secretariat. However, it was decided not to refer to the plan but to discuss the topics as arranged in the three volumes.

4. It was also decided that the last Section of every note (suggestions) should be discussed though such comments on the other Sections as are in the nature of help in drafting or checking up the references should be passed on to the Secretariat. Some members had already corrected their copies and raised queries. These copies will be left with the Secretariat for its guidance in drafting.

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5. Notes on "Trade Unions and Employers' Organisations" were then taken up for the discussion. The main conclusions reached in the course of the discussion are as follows:-

(A) In the report as will be drafted the arrangement of topics should be altered. The revised order will be (i) Role and Functions of unions; (ii) Trade union (a) legislation, (b) structure, (c) finances; (iii) Inter-union Rivalry; (iv) outsiders; (v) Union Recognition; (vi) Union-shop; and finally (vii) Check-off.

(B) There should be a separate chapter on Employers' Organisations.

6. Role and Functions of Trade Unions.

Page 11 The traditional functions of trade unions should
Para 18 (i) be enumerated in detail.

Page 11-12 The ideas expressed within quotations should be
Para 19(ii) put in our own words.

7. Recognition of Unions.

The suggestions made in Para 37 should be modified on the following lines:

- (i) Recognition should be compulsory in units employing 100 or more workers.
- (ii) A union seeking recognition under law should have a minimum of 25* percent membership for any industry and 30 per cent membership for a plant. The question about the qualitative tests to be applied to a union to make it eligible for recognition should be considered later. (*The exact percentage to be decided later).
- (iii) A para should be added suggesting the topics which could be dealt with exclusively by area-wise/ industry-wise unions and those which may be left to plant-wise unions where an industry union was recognised for the area. (Mr. Naval H. Tata offered to give an illustrative list of the subjects that should be within the competence of a recognised union at the industry/area level and at the plant level for discussion in the Commission).
- (iv) The decision on the basis of recognition was deferred pending further consultation between Mr. S.R. Vasavada, Mr. G. Ramanujam and Mr. Manohar Kotwal.
- (v) Minority unions should be allowed to represent individual grievances of their members. (To this extent the Para 36 (Page 33) will stand modified. Mr. Vasavada thinks that this should be confined only to proceedings before Courts.)
- (vi) The facilities to be made available to the recognised unions should be enumerated in detail.

Para 34. The suggestion of Dr. Baljit Singh, clause (i) of Para 34 was amended to read "determination of the subjects of bargaining and levels of recognition".

8. Union Security - Closed-shop/Union-shop.

- (i) There was difference of opinion as to whether union-shop mentioned in Para 22 (Page 43) referred to the worker being a member of the recognised or of any union. Union-shop should be allowed to evolve as a natural process.

9. Check-off.
para 17 (page 53) to be deleted.

10. Structure of Trade Unions.

- (i) Para 4 (Page 50) should be suitably revised to emphasize the fact that the split in the trade union

movement existed even before Independence and that some of the central organisations were in existence even before Independence.

- (ii) A para should be added explaining the international affiliations of the central trade union organisations in India.
- (iii) Para 22 (Page 68): The evolution of area/industry-wise unions should be explained. The suggestions regarding encouragement of the formation of industry-wise/area-wise unions should be suitably modified to bring out that if there is a tradition in any area of the development of industry-wise unions, it should be fostered. It has advantages in securing standardised conditions. Where there is concentration of particular industries in certain areas, industry-wise unions would be desirable. On the other hand, if industries are dispersed in different areas, there is no advantage in having industry-wise unions.

11. Inter-union Rivalry.

- (i) Paras 22, 23 and 24 (Page 81-82) to be deleted.
- (ii) Last sentence of Para 25 (Page 82) should be deleted.
- (iii) A historical review in greater depth of the problem should be given.

12. Outsiders in Trade Unions.

- (i) Para 22 (Page 96) should be deleted.
- (ii) Para 23 (d) (i) /Page 97_7 regarding number of outsiders in trade unions, the decision was left over for further consideration. (Shri G. Ramanujam will give an alternative scheme).
- (iii) The suggestion in 23 (d) (ii) should be deleted. It should be stated that "More opportunities should be provided to insiders to shoulder greater responsibilities as active office-bearers."
- (iv) In Para 23 (d) (iii) the present suggestion will be replaced by a general reference to the desirability of separation of the political and trade union offices. A mention may also be made of the practice adopted by some unions of laying down that a union office-bearer should cease to be an office-bearer in a political party.

This practice deserves emulation.

13. Trade Union Finances.

- (i) Para 22 (c) (Page 106) should read: "The minimum membership fee of trade unions should be raised to 50 paise per month".
- (ii) Para 22 (a) should read: "There should be a provision in the law to permit check-off where the recognised union demands such an arrangement".

14. Trade Union Legislation.

- (i) Para 21 (a) (Page 116): The provisions under the Trade Unions Act should equally be applicable to employers' organisations and the workers' organisations. This should be brought out clearly.
- (ii) Para 21 (b) (Page 117): It was decided that the requirements for registration should be raised to 10 per cent (subject to minimum of 7) or 100 whichever is lower. The paragraph will be suitably amended.
- (iii) Para 21(c) & (d) (pp.117-118): The provision regarding recognition of unions should not find a place in the Trade unions Act.
- (iv) Para 21(e)- Sub-Para 2 (Page 118): Registrar should also have the rights to enquire into irregularities suo-moto.
- (v) Para 21(e)- Sub-Para 3 (Page 118): This should tie up with the provision that the central organisations should first deal with such intra-union disputes.

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The main conclusions reached in the course of the discussions on the notes on Industrial Relations are as follows:

15. State and Industrial Relations.

- Para 19 (i) (Page 14). It should be clarified that Industrial Relations Commission and the Labour Court would be appointed both at the State and Central levels by the appropriate Governments. The word 'National' occurring in lines 3 and 4 to be deleted. The number of members of the Industrial Relations Commission may be 5 or 7. The Chairman will have the power to name the bench of one or more judges for any dispute. The method of appointment for the judicial members of the Commission will be by the High Court or the Supreme Court as the case may be. The lay members of the Commission to be

appointed (from panels prepared by the trade union organisations and employers associations) by a Board consisting of the Chief Justice, the Chairman of the Commission and the Chairman of the Public Service Commission. Qualifications of persons to be appointed as members of the Commission should be specified.

Para 19 (ii) The provision for a screening cell should be (Page 15). deleted.

Para 19 (iii) Should read "The Industrial Relations Commission should be authorised to review its awards for correcting clerical or factual errors" (on lines of Section 151 of C.P.C.)

Para 19(iv) Should be deleted. (Page 15).

Para 19(v) To be redrafted deleting the last two sentences. (Page 15). The provision for Labour Court should form a separate section.

para 19(vii) An illustrative list of Essential Services should (Page 16) be given. Reference to basic industries to be deleted.

Para 19(viii) Should go to the Section on Labour Court. (Page 16)

16. Role of ILC/SIC etc. in Industrial Relations.

There was general agreement on the suggestions for more frequent meetings of the industrial committees, and that the ILC should meet at least once in two years and the SIC more often.

The double discussion procedure was also welcomed.

Industrial committees should be set up for all major industries.

There should be a proper division of functions between the ILC and SIC so that the present practice of discussing the same issues in both is avoided. (Mr. G. Ramanujam will give a draft which would come to the Commission with the comments of Mr. Kotwal and Mr. Tata).

17. Code of Discipline in Industry.

The last sentence in Para 14 (Page 40) to be deleted.

Some of the provisions of the Code which will not be given legal shape will be incorporated into the qualitative conditions to be prescribed for recognition of unions.

18. Grievance Procedure.

Para 1 The word "dismissal" should be deleted and after (Page 41) the word discharges add "simplicitor".

Para 29 It should be made clear that an aggrieved worker (page 56) should be free to take up his complaint directly or through the union if he is a member of a union.

Para 29 The Chairman of such a committee should normally (Pages 56-57) be the highest official in the unit or his nominee.

19. Joint Consultation at the level of the undertaking.

The suggestions made in para 24 (page 70) were generally agreed to.

The matter will be taken up for discussion again after Mr. Tata gives his note on the sphere of Jurisdiction of Industry-wise Unions and Plant-wise Unions.

20. Joint Management Councils.

Dropped.

21. Disciplinary Procedures - Dismissals & Discharges.

Para 28 There should be a general reference that as (Page 93) between certain proposals made to the Commission and the provisions of the present Bill, the latter would be preferable and may be given a fair trial.

Para 28(a) The sentence should read: "In the domestic (Page 93) enquiry, the aggrieved worker should have the right to be represented by an executive of his union or a workman of his choice.

Para 28(b) Add the words "In the presence of the concerned (Page 94) workman" after the word 'language'.

Para 28(c) Add the words "during the period of suspension", (Page 94).

22. Procedures for settlement of Industrial Disputes, Collective Bargaining Vs Adjudication.

No Change.

23. Working of the Adjudication Machinery.

Para 22 sub-para 9 (Page 131) to be deleted.

24. Conciliation.

No Change.

25. Voluntary Arbitration.

No Change.

26. Strikes and Lock-outs

After considerable discussion, the majority view appeared to be in favour of the position summarised up by Mr Tata. The Chairman then added that Commission may discuss the question once again to see if unanimity could be reached.

Para 32(i) The strike ballot should be open to "all workers" (Page 174) instead of members of the union only.

Para 32 To be replaced by the following.

Sub-Sec. "The industries/Services shall be classified
7 & 8. into two groups:

- (a) Essential* and
- (b) Others.

2. When collective bargaining fails in industries/ Services coming under the group(a) viz. 'Essential', and when the parties to the dispute do not agree to arbitration, either party shall notify the Industrial Relations Commission, with a copy to Government, of the failure of such negotiations whereupon the Industrial Relations Commission shall adjudicate upon the dispute and its award shall be final and binding upon the parties.
3. In the case of "others" (non-essential industries/ services), following the failure of negotiations and refusal by the parties to avail of voluntary arbitration either party may give a notice of its intention to resort to direct action to the Industrial Relations Commission. After the receipt of the notice of direct action in the Commission (but during the notice period) it may offer to the parties its good offices for settlement.
4. After the expiry of the notice period the parties are free to resort to direct action. If direct action continues for 30 days it will be incumbent on the Commission to intervene and arrange for settlement of the dispute. However, at the instance of the appropriate Government, the Commission may step in any time after the commencement of direct action to hear the parties for final determination of the dispute. In such cases, the Commission shall decide whether the direct action should be terminated or not.

*Please see Annexure.

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5. Where the parties agree to refer the matter to voluntary arbitration (as in 2 and 3 above), the parties may request the Commission to nominate one of its members to be the Chairman of a Board of Arbitration, the other two members being representatives of the two parties.
6. Where the appropriate Government is of the opinion that any of the terms of an award in a dispute in an essential industry/service require modification in public interest, it shall be within its competence to do so with the approval of the Parliament/Local Legislature.
7. All agreements, settlements and awards shall be registered with the Industrial Relations Commission who shall forward to the appropriate Government a copy of the same for its information".

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27. As regards the topic notes on Wages, Productivity, etc. (Vol.III) it was decided that the Secretariat should prepare draft chapters, without giving any suggestions at the end, for discussion at the Commission meeting to be held towards the end of February, 1969.

A N N E X U R E

List of Essential Industries/Services

1. Railways including workshops.
2. Air Transport, including maintenance of shop/stall.
3. Posts & Telegraphs, Telephone Services, including workshops.
4. Any industry generating and supplying power and light.
5. Water supply, Public Conservancy or Sanitation.
6. Hospitals/Dispensaries.
7. Fire-Services.
8. Inland or water transport services/including workshops.
9. Defence Establishments.
10. Government Mints.
11. Security Presses.
12. Banks.
13. Coal.
14. Iron and Steel.

It shall be competent to Parliament to add to, alter or delete from the list any industry/service, which it may deem proper to do from time to time.

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NATIONAL COMMISSION ON LABOUR

Fourteenth Meeting

New Delhi

January 4, 1969

A G E N D A

1. Confirmation of the record of decisions of the Thirteenth meeting.
2. Progress Report of the work done in the Commission since its Thirteenth meeting held at New Delhi on December 7, 1968.
3. Printing of Computerised tables regarding analysis of the replies to the questionnaire.
4. Programme of future meetings.

NATIONAL COMMISSION ON LABOUR
INFORMATION DOCUMENTATION
V.V. ROAD, N.O. II,
NOIDA

ACC. No. L-152
DATE

1-2-69

NATIONAL COMMISSION ON LABOUR

Record of decisions of the Thirteenth Meeting
of the National Commission on Labour held on
December 7, 1968, at New Delhi.

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The Thirteenth Meeting of the National Commission on Labour was held in the I.C.A.R. Conference Room I, Krishi Bhavan, New Delhi on December 7, 1968 at 5.30 P.M.

The following were present:-

1. Dr. P.B. Gajendragadkar, Chairman.
2. Shri Manohar Kotwal, Member.
3. Shri R.K. Malviya, Member.
4. Shri G. Ramanujam, Member.
5. Shri Raja Ram Shastri, Member.
6. Shri S.R. Vasavada, Member.
7. Shri B.N. Datar, Member-Secretary.

Item No.1: Confirmation of the record of decisions
of the Eleventh and Twelfth Meetings.

The record was confirmed.

Item No.2: Progress report of the work done in the
Commission since its Twelfth Meeting
held at New Delhi on November 2-3, 1968.

The progress was noted.

Item No.3: Programme of Meetings during January,
February and March, 1969.

The programme of Meetings during January to March, 1969 as in Annexure I was approved.

Item No.4: Consideration of letters received from
Members of Parliament belonging to
C.P.I.(M) and S.S.P. Groups.

Chairman read out a letter received from the following Members of Parliament belonging to C.P.I.(M) in response to the Commission's invitation to meet them:

1. Shri P. Ramamoorthy
2. Shri K. Ananda Nambiar
3. Shri K. Ramani
4. Shri K.M. Abraham.

REPORT OF THE COMMISSION ON LABOUR

Chairman also read out the reply proposed which the Commission approved.

Copies of the letter and the reply sent are enclosed (Annexures II and III).

Shri S.M.Joshi, a Member of Parliament belonging to S.S.P. also sent a similar letter. The Commission approved that a reply similar to that sent to the C.P.I.(M) Members should be sent to Shri Joshi. A reply was sent accordingly by Member-Secretary. Copies of Shri Joshi's letter and reply sent to him are enclosed (Annexures IV and V).

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- 1. Mr. S. M. Joshi, Member, S.S.P.
- 2. Mr. S. M. Joshi, Member, S.S.P.
- 3. Mr. S. M. Joshi, Member, S.S.P.
- 4. Mr. S. M. Joshi, Member, S.S.P.
- 5. Mr. S. M. Joshi, Member, S.S.P.
- 6. Mr. S. M. Joshi, Member, S.S.P.
- 7. Mr. S. M. Joshi, Member, S.S.P.

Annexure II: Copy of the letter of Shri S.M. Joshi to the Commission dated 17th April 1953.

The record was consulted.

Annexure III: Copy of the reply of the Commission to Shri S.M. Joshi dated 17th April 1953.

The progress was noted.

Annexure IV: Copy of the letter of Shri S.M. Joshi to the Commission dated 17th April 1953.

The progress of the Commission's work during the year 1952-53 is as follows:

Annexure V: Copy of the reply of the Commission to Shri S.M. Joshi dated 17th April 1953.

The following Members of Parliament belonging to C.P.I.(M) in response to the Commission's invitation to meet them:

- 1. Mr. S. M. Joshi, Member, S.S.P.
- 2. Mr. S. M. Joshi, Member, S.S.P.
- 3. Mr. S. M. Joshi, Member, S.S.P.
- 4. Mr. S. M. Joshi, Member, S.S.P.

ANNEXURE I.

NATIONAL COMMISSION ON LABOUR

Programme of Meetings during January/February/March, 1969.

NEW DELHI.

Saturday	4-1-69	Afternoon	(i) Commission's meetings.
Sunday	5-1-69	Forenoon/Afternoon	
Monday	6-1-69	Forenoon/Afternoon	(ii) Meeting with the Planning Commission on January 7, 1969 from 10.30 A.M.
Tuesday	7-1-69	Forenoon/Afternoon	
Wednesday	8-1-69	Forenoon.	(iii) Meeting with representatives of Industrial Cooperatives on January 8 and 9, 1969. Meeting to be inaugurated by the Chairman on January 8, 1969.

BOMBAY.

Friday	31-1-69	Afternoon	(i) Commission's meetings.
Saturday	1-2-69	Forenoon/Afternoon	(ii) Meeting with the Chief Minister of Maharashtra and other signatories of the Joint Memorandum on the "Employment of Local Persons in Maharashtra" on any date between January 31, and February 2, 1969.
Sunday	2-2-69	Forenoon/Afternoon	

NEW DELHI.

Friday	28-2-69	Afternoon	(i) Commission's meetings.
Saturday	1-3-69	Forenoon/Afternoon	
Sunday	2-3-69	Forenoon/Afternoon	(ii) Meeting with Members of the Working Groups on Labour Administration on a date between February 28, 1969 to March 3, 1969
Monday	3-3-69	Forenoon	

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The timings of the Commission's meetings on the above dates will be as follows:-

Forenoon Session 9.30 A.M. to 12.30 P.M.

Afternoon Session 3.00 A.M. to 5.00 P.M.

The meeting with the Planning Commission on January 7, 1969 will be held from 10.30 P.M. to 1.00 P.M.

ANNEXURE II.

(COPY)

P. Ramamurti,
MEMBER OF PARLIAMENT
(LOK SABHA)

9, Talkatora Road,
New Delhi
6th December, 1968.

Dear Shri P.B. Gajendragadkar,

We wish to thank you for the invitation to appear before the Commission and give oral evidence on the various issues before it.

We must, however, point out that the way in which the Commission allowed itself to be used by the Government of India on the eve of the recent one day token strike by the Central Government employees is not one that inspires confidence in the Commission.

On the other hand, the Government of India is pushing forward its Bill to ban strikes by Government employees and certain other categories of workers. The fact that the National Commission on Labour has wide terms of reference and all these issues will be covered in its report has not deterred the Government.

And the strangest part is that the Commission has not even uttered a word of protest so far.

Under the circumstances, we feel that no useful purpose will be served by our appearing before you.

We, therefore, regret that we are unable to accept your invitation and appear before you.

Yours truly,

Sd/- P. Ramamurti
Sd/- K. Ananda Nambiar
Sd/- K. Ramani
Sd/- K.M. Abraham

Shri P.B. Gajendragadkar,
Chairman,
National Commission on Labour,
D.27, South Extension Part II,
New Delhi.

ANNEXURE III.

(COPY)

P.B.Gajendragadkar
Chairman

D.O.No.1(22)/68-NCL
Government of India
National Commission on Labour,
D-27, South Extension, Part II
New Delhi, dated December 7, 1968.

My dear

Please refer to your letter of the 6th instant.

It is a matter of deep regret that you and your colleagues have decided to deny to give to the Commission the benefit of hearing your views on the major topics included in the Commission's terms of reference.

While expressing my regret may I take the liberty to add that in my view the reasons set out by you in your letter for not meeting the Commission are neither fair nor sound nor justified. However, it is obvious that no useful purpose would be served by my entering into an argument with you on this point.

With kind regards,

Yours sincerely,

Sd/-P.B.Gajendragadkar

To

Shri P. Ramamurthi,
Member of Parliament,
9, Talkatora Road,
New Delhi.

Shri K. Ananda Nambiar,
Member of Parliament,
17, Windsor Place,
New Delhi-1.

Shri K. Ramani,
Member of Parliament,
13, Windsor Place,
New Delhi-1.

Shri K.M.Abraham,
Member of Parliament,
125, North Avenue,
New Delhi.

ENGLISH TRANSLATION OF ANNEXURE IV

S.M. Joshi,
Member,
Lok Sabha.

29, Canning Lane,
New Delhi-1.

December 5, 1968.

Dear Shri Datar,

I was thinking of meeting the Commission with a view to give oral evidence as per your letter in this regard, but our old Comrade Dange resigned from the Membership of the Commission in connection with the strike of the Central Government Employees on the 19th September, 1968. We condemn the way in which the resignation of Comrade Dange was considered by the Commission and the hasty manner in which the Government accepted the resignation. I discussed this with Shri Dange and had a first-hand knowledge on the subject. I do not appreciate the way the Government and the Commission have treated this matter. In the circumstances I do not feel it would serve any useful purpose to meet the Commission. I, therefore, regret my inability to attend the meeting of the Commission.

Yours sincerely,

Sd/-

(S. M. Joshi.)

Shri B.N. Datar,
Member-Secretary,
National Commission on
Labour, D-27, South Ext.Pt.II,
New Delhi.

ANNEXURE IV.

श्री. श्री. जोशी,
संसद सदस्य
(लोक सभा)

29, कॉनिंग लेन,
नयी दिल्ली - 1
5 दिसम्बर 1963.

प्रिय श्री दातार,

नेशनल लेबर कमीशन के साथ विचार विमर्श करने के लिए आपने जो पत्र भेजा था उस के अनुसार मैं आने का सोच रहा था परन्तु केन्द्रीय राजूरों की 19 सितम्बर की हड़ताल को लेकर कमीशन के सदस्य हारे बुजुर्ग सहकारी कामरेड डॉंगे ने कमीशन की सदस्यता से इस्तीफा दे दिया। इस इस्तीफे के सम्बन्ध में कमीशन का जो खर रहा और हुकूमत की तरफ से डॉंगे साहब का इस्तीफा मंजूर करने में जो जल्दबाजी बरती गयी वह निन्दनीय है। मैंने डॉंगे साहब से स्वयं इस सम्बन्ध में बातचीत की। उससे मुझे काफी जानकारी हासिल हुई। मेरी दृष्टि से कमीशन की और हुकूमत की इस मामले में जो भूमिका रही वह निन्दनीय है। ऐसी हालत में कमीशन के साथ विचारविमर्श करने के लिए जाना कोई अर्थ नहीं रखता। इसलिए मुझे यह सूचित करते हुए खेद है कि मैं नहीं आ सकूंगा।

आपका,

हउ श्री. श्री. जोशी

श्री बा. ना. दातार,
सचिव, राष्ट्रीय श्रम आयोग,
डी-29, साउथ रिकसटेंशन (भाग 2),
नयी दिल्ली - 3.

ANNEXURE V.

(COPY)

B.N. Datar,
Member Secretary.

D.O.No.1(22)/68-NCL(C)
Government of India,
National Commission on Labour,
D-27, South Extension, Part II
New Delhi, dated December 7, 1968.

My dear S.M.,

This is with reference to your letter of December 5, 1968. I have been instructed by the Commission to send to you a ^{*}copy of the reply sent by the Chairman to Shri P. Ramamurthi, M.P.

Yours sincerely,

Sd/-B.N. Datar

Shri S.M. Joshi,
Member of Parliament,
29, Canning Lane,
New Delhi.

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* Annexure III may kindly be seen.

Item No.2: Progress report of the work done in the Commission since its Thirteenth meeting held at New Delhi on December 7, 1968.

(1) Meeting with Central Ministries, Members of Parliament and some Organisations.

The Commission recorded evidence at New Delhi from December 5-7, 1968 as follows:

December 5, 1968:

- (i) I.C.F.T.U.
- (ii) Indian Social Institute
- (iii) Economic Secretaries
- (iv) Ministry of Home Affairs

December 6, 1968

- (iv) Department of Labour & Employment and its Attached Offices/Organisations.
- (ii) Members of Parliament -
D.M.K. Party
Shri Arjun Arora, M.P.

December 7, 1968

Members of Parliament -
Swatantra Party.

(2) Committee/Study Groups/ Working Groups

Since the last meeting of the Commission, report of the Working Group on Labour Administration (Eastern Region) has been received, bringing the total number of reports of Committees/Study Groups/Working Groups received so far, to 36. The final report of the Study Group for Fertilizers has also been received.

The report of the Working Group on Labour Administration (Western Region) only is now awaited. Of these, 26 reports have been printed and circulated to all concerned.

Progress of the work done on the Technical side:

1. Progress in decoding of computerised tables (analysis of the replies to the questionnaire) has been satisfactory. About 1100 out of 1700 tables have been decodified and stencilled. These are being presented to the Members of the Commission on January 4-9, 1969. Remaining 600 tables will be decoded during the next fortnight.
2. Topic notes mentioned in the last progress report have been completed and circulated.
3. Part II of the Volume on Statistics relating to Manufacturing Industries has come out and is being circulated among Members. Part I is expected to be received in a few days. Part III is also ready. Parts I and III will be presented to Members during their stay in Delhi between January 4 and January 8, 1969.
4. Following notes/industry notes have been completed:-
 - (i) Iron Ore
 - (ii) Mica
 - (iii) Rubber
 - (iv) Forestry and Fisheries
 - (v) Paper and Pulp
 - (vi) Heavy Engineering
 - (vii) Coffee.
5. Work on the following Chapters is in progress:-
 - (i) Agricultural Labour
 - (ii) Working Conditions
 - (iii) Housing
 - (iv) Labour Research, Statistics & Intelligence.
 - (v) International Labour Standards
 - (vi) Recruitment methods and procedure.

These chapters will be circulated by 15th of this month for discussion at the meeting to be held at Bombay.

A note on the "Feasibility and Labour Code" is also under preparation on the basis of the report of the Study Group on Labour Legislation.

6. A conference on Agricultural Labour was held from 23rd to 25th December. Prof. V.M. Dandekar presided. The draft recommendations of the Conference will be presented

to Members during their stay in Delhi between January 4 and January 8.

7. The volume "Indian Worker - a changing profile 1947-67" in draft is ready for distribution.
8. A Conference on Labour Administration will be held in the first week of March, 1969. All Members of the Working Groups on Labour Administration will be invited for the Conference. A working paper on Labour Administration is being prepared for this.

Item No.3: Printing of computerised tables regarding analysis of the replies to the Questionnaire.

About 1100 computerised tables regarding analysis of the replies to the Questionnaire have been prepared on the following subjects and are being placed before the Members:

- (i) Trade Unions and Employers' Organisation.
- (ii) Industrial Relations.
- (iii) Wages
- (iv) Views of respondents on inter-related questions.

About 600 more tables on the following remaining subjects will be prepared in the next two weeks and circulated to the Members:

- (i) Recruitment and Induction & Conditions of work.
- (ii) Incentives and Productivity & Social Security.
- (iii) Labour Legislation, Rural and Unorganised Labour & Labour Research and information.

It is proposed that all these tables may be sent for printing to the Government of India Press. The Chief Controller of Printing and Stationery may be requested to print them on a priority basis. This will be another companion volume of the Commission's report. The exact number of copies to be printed and the

number of copies to be placed for sale with the Manager of Publications will be decided in consultation with the Department of Labour & Employment.

Item No.4: Programme of future meetings:

The programme of meetings of the Commission upto March 3, 1969 as was approved at the Commission's meeting held on December 7, 1968 was circulated to the Members on December 10, 1968.

The Chairman addressed D.O. letters to all Members on December 18, 1968 requesting them to keep 4 days from March 27 to 30, 1969 for the Commission's meetings. The meetings may be held in the Commission's Office at D-25-B, N.D.S.E., Part-II, New Delhi, as follows:

Thursday: March 27, 1969

Afternoon ... 3.00 P.M. to 5.00 P.M.

Friday: March 28, 1969

Forenoon ... 9.30 A.M. to 12.30 P.M.

Afternoon ... 3.00 P.M. to 5.00 P.M.

Saturday: March 29, 1969

Forenoon ... 9.30 A.M. to 12.30 P.M.

Afternoon ... 3.00 P.M. to 5.00 P.M.

Sunday: March 30, 1969

Forenoon ... 9.30 A.M. to 12.30 P.M.