

Standard Note on the Maharashtra Mathadi, Hamal
and Manual Workers (Regulation of Employment and
Welfare) Act, 1969.

In order to regulate the employment of unprotected manual workers such as Mathadi, Hamal etc., engaged in certain employments, to make better provision for their terms and conditions of employment, health and safety measures, and general welfare, to ensure an adequate supply to, and full and proper utilisation of such workers in such employments, to prevent avoidable unemployment, the Government of Maharashtra has enacted a novel Act in 1969 named as Maharashtra Mathadi, Hamal and Other Manual Workers (Regulations of Employment and welfare) Act, 1969.

For the implementation of the above Act, provision has been made for establishment of Boards in respect of these employments and in the different areas (where necessary) of the State.

2. How for these objectives have been realized :

For the implementation of the above Act there are totally 14 Boards established in the State at the following places :

	<u>Boards</u>
1) Greater Bombay	9
2) Pune	1
3) Kolhapur	1
4) Nagpur	1
5) Sangli-Miraj	1
6) Nasik	1

The fisheries Board has stopped functioning right from the beginning due to non-co operation of employers representatives. Final notifications regarding establishment of Boards at Dhule, Jalna and Solapur-Barshi are pending as the State Advisory Committee has not yet been reconstituted.

The Government has agreed in principle to establish Boards at Aurangabad, Latur, Satara, Bhiwandi, Nizampur, Nanded, Akola, Amravati.

As per the policy of the State Government scrutiny is going on regarding economic viability of application of this Act to areas wherever there is concentrations of unprotected workers in Municipal Corporation area of Municipal Councils (Class A-1) area. Industry/Business-wise survey of such areas has been carried out by the State Government.

3. How many workers are benefitted by this Act.

There are presently 14 Boards working in the State to implement the provisions of Mathadi Act. At the end of March 1986, 63043 workers and 26,162 employers have been registered in these Boards. It means that 63,043 workers are getting benefits under this Act. The jurisdiction of some of the Boards has been extended to Thane and Raigad Districts.

4. Boards/Committees under this Act.

(A) As stated earlier, there are totally 14 Boards working in the State at present, excepting the Fisheries Board.

(B) In order to evaluate the functioning of these Boards and to ensure effective implementation of the Act, a Tripartite Advisory Committee was formed by the Government on the 5th August 1981. The proposal regarding reconstitution of this Committee is under consideration of the Government.

5. The Nature and functioning of the Boards/Schemes.

The State Government has appointed one Chairman and one Secretary on each of these Board to supervise the overall administration of the Board. Besides, the workers as well as

the employers are also equally represented on the Boards. Every scheme entrusted to the Board for implementation is duly sanctioned by the State Government. The scheme includes such details as the constitution of the Board, name of the Board, objectives behind establishment of the Board, the administrative staff, the duties and responsibilities of the Chairman/Secretary of the Board, the mode of functioning of the Board, preservation of documents, registration of employers and their duties, fees, holidays, conditions of service, as also security of employment, discipline, expenditure required for the administration of the Board, etc.

The benefits given to the workers are met by the amount credited to the Board by the registered employers by way of levy. Every registered employer is required to remit this levy, to the Board. This levy has to be remitted in proportion of the workers allotted to the employer and their related works.

6. Benefits conferred on the Mathadi Workers :

Every Board collects levy ranging from 28% to 35%. The expenditure on facilities to workers, and benefits such as provident fund, paid Holidays, Public Holidays, Bonus, Gratuity, Medical Allowance, Travelling Allowance, House Rent Allowance etc. is met from this amount of levy.

Financial Assistance to workers for house building is also given by the Government. Uptill now, 289 houses have been allotted to the workers at Washi. Efforts are afoot to allot 500 more houses at Nerul (near Washi). There is one such proposal for houses at Kalamboli. However, it has not so far received much response from the workers. They are nevertheless, being persuaded to co-operate in this scheme.

7. Problems faced by the Board in administration :

The prominent difficulty, amongst others, in running the Board smoothly is the inter union rivalry, and its adverse effect on the administration:

The Majority Union tries to pressurize the Chairman of the Board in one way or the other. The typical examples can be cited:

- 1) To recommend their own persons for appointment on the Boards establishment.
- 2) To interfere in the day to day functioning of the Board.
- 3) To suppress the minority Union by pressurizing the Board's officials on trifle matters.
- 4) To mi-represent facts to the higher Authorities, and Ministers regarding the Board Meetings by supplying distorted information.
- 5) To rush to the Industrial Court on Trivial matters every now and then.
- 6) To make allegations against the Chairman.
- 7) To raise objection in the matter of distribution of tollies and their works.
- 8) To raise objection to action taken by the Board against erring workers.
- 9) To threaten by giving notice of strike quite often.

Thus the Chairman of the Board has to work in tense atmosphere.

All this is primarily due to the multiplicity of unions and their tendency to take the law into their hands

Other problems faced by the Boards are such, as:

- 1) Overlapping jurisdiction.
- 2) In-adequate provision in the Act to dis-qualify members whose actions are not in the interest of the Board and who hamper the functioning of the Board on trival matters.
- 3) In-adequate punishment and fine imposed on the defaulting employers.

A model scheme on 'Mathadi ^{Board} Workers' is enclosed.