

E 121  
I

GOVERNMENT OF INDIA  
MINISTRY OF LABOUR, EMPLOYMENT & REHABILITATION

COMMITTEE ON LABOUR WELFARE

FIRST INSTALMENT OF RECOMMENDATIONS  
OF THE COMMITTEE ON LABOUR WELFARE

\*\*\*\*\*

(OCTOBER 31, 1968)

~~C O N T E N T S~~

	<u>Page(s)</u>
1. Definition and Scope of Labour Welfare.	1 - 5
2. Creches.	6 - 10
3. Docks.	11 - 20
4. Railways.	21 - 24
5. Posts and Telegraphs.	25 - 32
6. <u>Plantations:</u>	33 - 37
i) Extension of the Plantation Labour Act to smaller plantations.	33
ii) Enforcement of the Plantation Labour Act.	33
iii) Additional welfare amenities for Plantation workers.	34
iv) Appointment of Medical Inspectors.	36
v) Need for Sociological Study of Labour Management Relations.	37
7. <u>Mines:</u>	38 - 58
i) Universal coverage of all workers.	39
ii) Minimum welfare amenities for the Mining workers.	40
iii) Canteen facilities.	43
iv) Creche.	44
v) Creation of General Miners' Welfare Fund.	45
vi) Priority of welfare amenities under Minor Minerals.	48
vii) Establishment of Director General of Mines Welfare.	48
viii) Housing facilities.	51

-----

'PDM'

## COMMITTEE ON LABOUR WELFARE

### DEFINITION AND SCOPE OF LABOUR WELFARE

1. In 1947, I.L.O., the highest Labour Parliament of the World have adopted a resolution defining the term "Labour Welfare" and the services, amenities that could be included in it. The resolution reads thus:-

"Such services, facilities and amenities as adequate canteens, rest and recreation facilities, sanitary and medical facilities, arrangements for travel to and from work and for the accommodation of workers employed at a distance from their homes, and such other services, amenities and facilities as contribute to improve the conditions under which workers are employed".

2. Labour Welfare, like all other social services is a dynamic subject. As the resolution was more than two decades old, it was felt that a National Welfare Committee should invite the views of the parties as to whether the term 'Labour Welfare' as defined in the ILO resolution was adequate and if not, what more could be done by way of specifying certain additional welfare amenities in it or by extending or modifying the scope of the term "Labour Welfare" as defined in the resolution. Accordingly, the following question was put to the parties in the questionnaire issued by the Committee:

"Do you consider that the content of the term "Labour Welfare" as defined in the ILO resolution can be enlarged further to cover a wider sphere of welfare activities? If so, please indicate the extent to which it could be enlarged".

In the replies to the questionnaire and also during oral evidence before the Committee a good number of parties have stated that the definition of labour welfare stated in the ILO resolution, 1947 is adequate. The reasons given by them are that (i) the existing definition is elastic enough to include all necessary welfare amenities and (ii) in view of the fact that the welfare facilities envisaged in the said definition are yet to be secured to the workers fully. These parties include State Governments of Bihar, Punjab, Madras, Uttar Pradesh,

Madhya Pradesh, Himachal Pradesh and Tripura; Public Sector Undertakings viz., Indian Telephone Industries, Bharat Earth Movers Ltd., Bangalore, Hindustan Aeronautics Ltd., Bangalore, Heavy Electricals, Bhopal, Bokaro Steel Ltd., Hindustan Machine Tools, etc.; Employers organisations viz., Ahmedabad Millowners' Association, Indian Engineering Association, Calcutta; individual employers like Chowgule and Co. Pvt. Ltd., Mormugao, Century Chemicals, Kalyan and others. With special reference to plantation industry, the UPASI feel that in fact the statutory provisions and the benefits voluntarily provided by the employers go far beyond the ILO definition of Labour Welfare.

On the other hand a sizeable number of important parties have stated in their replies and also during the course of oral evidence before the Committee that in their opinion the ILO definition covers mostly physical activities within the work place and does not include other basic and important amenities intended to promote welfare of workers out side the work premises. These parties include State Governments of Rajasthan, Maharashtra, Gujarat, Kerala, Orissa and Haryana; Public Sector Undertakings viz., Indian Airlines Corporation, Delhi, *Air India* Bombay, Heavy Engineering Corporation, Ranchi, Oil & Natural Gas Commission, Deharadun, Hindustan Steel Ltd., Ranchi, Hindustan Insecticides, Delhi, India Government Mint, Bombay, Kolar Gold Mining Undertakings, etc.; Employers Organisations like Madhya Pradesh Organisation of Industries, Bhopal, Indian Cotton Mills Federation, Bombay, Saurashtra Millowners' Association, Surendranagar, Millowners' Association, Bombay and Indian Jute Mills Association, Calcutta; individual employers viz., Delhi Cloth Mills, Delhi, Hindustan Lever Ltd., Bombay, Chodavaram Co-operative Agricultural and Industrial Society Ltd., Govada and others; and also the workers organisations.

The Government of Haryana has expressed that the definition given in the Labour Investigation Committee Report, 1944 covers a wider sphere of welfare activities and is more appropriate. The

Labour Investigation Committee had stated as follows:-

"For our part we prefer to include under welfare activities anything done for the intellectual, physical, moral and economic betterment of the workers whether by employer, by Government or by other agencies, over and above what is laid down by law or what is normally expected as part of the contractual benefits for which the workers may have bargained. Thus under this definition we may include housing, medical and educational facilities, nutrition (including provision of canteens), facilities for rest and recreation, cooperative societies, day nurseries and creches, provision of sanitary accommodation, holiday with pay, social insurance measures undertaken voluntarily by employers alone or jointly with workers including sickness and maternity benefit schemes, provident funds, gratuities and pensions, etc."

The Maharashtra Government has suggested an amendment in the ILO definition to broaden its scope. This Government has suggested that the last clause of the ILO definition viz., "and such other services, amenities and facilities as contribute to improve the conditions under which workers are employed" may be amended to read as "facilities as contribute to improve the conditions under which workers work, live and spend their leisure and to promote their general well being". With this amendment the ILO definition becomes broad enough and also sufficiently elastic to cover all such problems of general well-being of workers as are necessary to enable an Indian worker to meet his both ends and to maintain a reasonable living standard of his family within the context and limits of the economic and social development of the country and the demands of community on him in such fields as family planning, etc.

The views of the Government of India in the Ministry of Labour, Employment and Rehabilitation, contained in their memorandum submitted to the Committee are as follows:-

"Labour Welfare as has been considered in India, may be divided into two distinct divisions (i) welfare within the precinct of the undertaking such as medical aid, creches, canteens, supply of drinking water, etc. and (ii) labour welfare outside the

Undertaking such as, the provision of indoor and outdoor recreation, housing, adult education, visual instructions, provision for the future (i.e. social security) etc. Also alongwith 'welfare at work' or 'occupational welfare', there has been an awareness of a larger concept of social welfare, embodied, for example, in some of the Directive Principles of the Constitution".

Keeping in view the needs of the working class in this country these parties have suggested enlargement of the ILO definition as this definition does not appear to be comprehensive one to include all welfare needs of the workers in the present day economic, social and political set up of India. The following items have been suggested to be included in the term 'Labour Welfare' keeping in view the conditions obtainable in this country:-

1. Programme for the physical fitness and efficiency of workers.
2. Health Services including occupational safety.
3. Maternity benefits.
4. Family Planning facilities.
5. Education facilities including education for children, social education, scholarships and books to school children and adult education for workers and their families.
6. Proper housing facilities including water supply electricity, sanitation and management of industrial townships.
7. Opportunities for community recreation and cultural activities like excursions, open air cinema, cultural clubs, games and sports for workers and their families.
8. Library and Reading room facilities.
9. Holiday and convalescent Homes.
10. Encouragement of consumers' cooperatives and fair price shops and other arrangements for the supply of essential commodities at reasonable rates.

11. Social insurance measures including gratuity, old age pension and provident fund etc. including rehabilitation of displaced persons.
12. Benevolent funds and funds for lay off compensation and retrenchment compensation.
13. Saving and credit facilities.
14. Home industries and subsidiary occupations for women and unemployed persons.
15. Subsidies to workers' canteens.
16. Shift Allowance.
17. Uniforms.
18. Corporate activities of social nature including other programmes of welfare for women, children and youth.

The Committee discussed the matter in great detail in its 9th meeting held at Jaipur on March 5, 1968 and 16th meeting held at Srinagar on October 12, 1968 and felt that social security measures which too are primarily for the welfare of the workers be included in the term "Labour Welfare" which may be defined as under:-

"Such services, facilities and amenities as adequate canteens, rest and recreation facilities, sanitary and medical facilities, arrangements for travel to and from work and for the accommodation of workers employed at a distance from their homes, and such other services, amenities and facilities including social security measures as contribute to improve the conditions under which workers are employed".

-6-

COMMITTEE ON LABOUR WELFARE

RECOMMENDATIONS ON 'CRèches'

With the growing participations of women in the economic activities the need for the development of child-care services and facilities was internationally recognised and the provision of such facilities was considered an essential pre-requisite of the employment of women so that they could fulfil their employment responsibilities without detriment to their health, efficiency and domestic obligations. In recognition of the special needs of women workers the International Labour Conference has adopted a Recommendation concerning 'Employment of women with family responsibilities' which enjoins upon its member countries that the competent national authorities should encourage<sup>and</sup> facilitate the establishment or organise the provision of adequate and proper child-care services and facilities for meeting the needs of children of different ages and their working parents.

In India the provision of creche facilities in factories, mines and plantations is a statutory obligation under the relevant enactments. The Committee has evaluated the functioning of creches, in detail, on the basis of written replies, as well as oral evidence of different witnesses supplemented by the Committee's own observations at the time of their observation visits. The main points emerging from such evaluation have been utilised in formulating Committee's recommendations. These, the Committee considers, will not only remove the existing defects and draw-backs but will also fill up the gaps so that it would lead to the accretion of maximum benefit to the optimum number of women and their children.



Need for modifications in the existing statutory provisions in regard to Creches:

(i) The relevant provisions of the Factories Act, 1948, provide for the setting up creches for the use of children under 6 years of age where more than 50 women workers are employed. The Committee has examined the scope of the existing legal provisions relating to provision of creches in the industrial sector and it feels that the scope is limited. In this connection the relevant data are reproduced below:

Distribution of factories by size of employment

Year	Total number of factories submitting returns	Percentage of factories to the total		
		Employing less than 50 workers	Employing 50 or more but less than 500 workers.	Employing 500 workers and more
1952	24303	74	22	4
1953	24276	75	22	3
1954	26538	76	21	3
1955	26978	75	22	3
1956	28444	75	22	3
1957	31635	75	22	3
1958	34443	77	20	3
1959	36965	78	19	3
1960	39087	78	19	3
1961	40478	78	19	3
1962	43333	79	18	3

( Source: Statistics of Factories )

As the above Table indicates more than 75% of the small and medium sized factories employing less than 50 women workers fall outside the scope of the legal provision in regard to provision of creches. Moreover, in recent years, the State

Governments have placed increased emphasis on the development of small and medium industries in their industrial development programmes. Keeping in view the above facts the Committee recommends that -

"The limit of more than 50 women workers as laid down under Factories Act, 1948, for the provision of creches in a unit should not be strictly adhered to and the facility of a creche should not be withdrawn by the employers even if number of women employed in a particular industrial establishment fluctuates between 40-50 women workers". It further recommends that -

"The Factories Act, 1948, be so amended as to provide for a creche in an industrial establishment where either 40 women workers are employed or 20 eligible children of working mothers were to avail of the creche facility irrespective of the number of working mothers".

#### PROVISION OF KINDERGARTEN/NURSERIES IN THE CRECHES

The main objective of the provision of creche facilities for the children of employed mothers is proper up-bringing and all-sided development of the children by providing suitable facilities in the creches. The practice of providing kindergartens is quite common in the developed countries where kindergartens are generally attached to the creche situated in residential areas. In view of the above facts the Committee recommends that -

"That kindergarten facilities are essential and should form an integral part of the creche facilities and elementary schooling facilities should be provided to all the children belonging to the age group 3 years and above attending the creches".

#### PROVISION OF COMMON CRECHES FOR SMALL UNITS

According to the statistics given earlier, it is clear that more than 75% of the units employ less than 50 workers and it may not be financially feasible for such units to provide individually creche facilities for the children of

the women workers employed by them. Moreover, some of the smaller industries, viz., Coir, Cashew and Match industries employ substantial number of women workers. In view of the above considerations the Committee recommends :-

"The smaller industrial establishments situated in a contiguous compact area, and employing a substantial number of women workers i.e. 10 or more should arrange for common creche facilities on joint basis. The expenses incurred on the provision and maintenance of these facilities should be divided proportionately on the basis of the number of married women employed by each participating unit".

PROVISION OF COMMUNITY CRECHES:

In Western and Eastern European countries provision of community creches is a common practice. In these countries the provision of creches/<sup>tens</sup>kindergartens is the responsibility of the community near the workers' residential areas or at central places for the up-keep of the children of employed mothers. In India, the creche facilities in growing industrial cities are inadequate in comparison with the number of women employed and that too is confined to industrial workers only. Considering the above situation the Committee recommends that -

"With a view to providing appropriate facilities for the children of the employed mothers, the State Govts. Municipalities, and local bodies should set up community creches near the residential areas or central places in all the big cities and towns so that the working mothers are able to utilise this amenity to the maximum possible extent. Creches should also be provided in the labour colonies especially for the benefit of such workers whose place of duty is far away from their residence".

IMPLEMENTATION OF STATUTORY PROVISION IN REGARD TO CRECHES

The Committee's evaluation of the working and maintenance of creches in various industrial units reveals that in practice the standards of creches provided in industrial units vary from unit to unit. In some bigger and progressive industrial units the provision of creche facilities was up to the standard and satisfactory whereas in the majority of

- 10 -

industrial undertakings the facilities provided were not upto the mark. Moreover, it has been found that the industrial undertakings were implementing the provisions in regard to creches more in letter rather than in spirit. The Committee recommends that -

"Maximum emphasis should be laid on the implementation and enforcement of the existing statutory provisions in regard to creches so that the real objectives of the legislation are achieved and maximum benefit accrues to the concerned workers by strengthening the existing inspection machinery.

PROVISION OF CRECHE FACILITIES TO WOMEN  
WORKERS EMPLOYED THROUGH CONTRACTORS:

It has been found that employment of women workers through contractors is a common practice in India. Moreover, a substantial number of women workers are employed through contractors in various industries viz., cement, construction, etc. but creche facilities are at present not available to the children of women workers employed through these contractors. The Committee, therefore, recommends that -

" Suitable creche facilities should also be extended to children of working mothers employed by contractors who should bear the cost of the same."

RECOMMENDATIONS ON WELFARE AMENITIES FOR DOCK WORKERS

The Dock Workers can be classified into three main categories, viz. (i) registered workers, (ii) Unregistered or listed workers, (iii) Casual workers. The category of the unregistered or listed workers has become operative as a result of decasualisation schemes. Registered Dock Workers are such as have been brought within the Dock Workers (Regulation of Employment) Schemes framed under the Dock Workers (Regulation of Employment) Act, 1948. The total number of registered Dock Workers as on 1st January, 1968, under all the six Boards were 24,704.

These schemes, which are at present in operation in the major parts of Bombay, Calcutta, Madras, Vizagapatnam, Cochin and Mormugao have been brought into being to ensure regularity of employment as also to guarantee payment of minimum wages to the concerned workers. These schemes however cover only a few categories of workers such as Foremen, Winchmen, Stevedore Mazdoors, Tally Clerks and Tindals, etc.

Unregistered Dock Workers (Regulation of Employment) Schemes, 1957, (also called Listing Schemes) are in operation in the ports of Bombay, Calcutta and Madras. On 1st January, 1968, there were 14,467 unregistered (listed) workers in the

collect above three Ports. One of the objects of this scheme is to /  
necessary

data with a view to examining whether the listed workers can be ultimately decasualized and given the benefits of regular employment and minimum guaranteed wages, etc. These schemes are administered by the Dock Labour Boards which are tripartite bodies consisting of equal number of representatives of the (i) Central Government, (ii) Dock Workers, (iii) Employers of Dock Workers and Shipping Companies.

Certain welfare facilities for dock workers are provided by the Dock Labour Boards under the Dock Workers (Safety, Health and Welfare) Scheme, 1961. The scheme covers health and welfare measures such as, urinals and latrines, drinking water, washing & bathing facilities, canteens, rest shelters, and first-aid arrangements. Labour Welfare Funds have been constituted by all the Dock Labour Boards to provide Welfare amenities including medical and recreational facilities etc.

Welfare amenities listed above are provided out of the levy collected by the Dock Labour Boards on the rates mentioned in Appendix-I. All these amenities have been reviewed by the Committee on Labour Welfare on the basis of the replies received from the Dock Labour Boards, Unions operating amongst the Dock Labour Boards and on the basis of the

observational studies made by the Committee itself.

RECOMMENDATIONS IN RESPECT OF DOCK WORKERS

(1) The Dock Workers (Safety, Health and Welfare)

Scheme, 1961, inter-alia, provides for a number of welfare measures, these include arrangements for drinking water, construction and maintenance of urinals and latrines, provision of washing and bathing facilities, canteens, rest shelters, and first-aid arrangements. All these were provided under the above

scheme in 1961. The implementation of these welfare

was

amenities/discussed in the Dock Workers' Advisory

Committee held at New Delhi in August, 1964. The

Advisory Committee recommended that a Committee be

appointed by the Government to enquire into the

existing facilities provided to Dock Workers. In

pursuance of this recommendation, the Government of

India appointed a single Member Committee (i.e. N.S.

Mankiker Committee.)

The Committee examined the functioning of each of these amenities in five ports viz., Bombay, Calcutta, Madras, Cochin & Vishakhapatnam and submitted its report in October, 1965. The report of the Committee reveals that even basic amenities like provision of drinking water, maintenance of urinals

and latrines, rest-shelters and running of canteens etc. are not being implemented properly and effectively.

The Committee on Labour Welfare also paid spot visits to some docks to see for itself the provisions and functioning of these amenities. After submission of the Mankiker Report, respective Dock Labour Boards have either set up special Sub-Committees to ensure the implementation of Mankiker Committee's Report or initiated administrative measures to fulfil the requirements of the Report. Despite this Report and the measures taken thereunder, the implementation of these amenities still leave much to be desired. The Committee, therefore, recommends that:-

"Provision of welfare amenities prescribed under the Dock Workers Safety, Health and Welfare Scheme, 1961, should be strictly enforced without further avoidable delay. It is essential to make suitable arrangement for provision of health and education. High priority should also be given to family planning programme. All Dock Labour Boards should make urgent efforts to ensure that the Recommendations of the single member Committee are implemented immediately."

2) Dock employ a large number of casual and contract labour. They have not been provided with the same facilities as have been given to other departmental (Registered and Regular) workers, though the nature of work of both these categories is similar. The Committee after due consideration recommends that:-

"Welfare facilities available to departmental (registered and regular) workers should also be made available to Casual and contract labour."



(3) i) The Dock Workers are also required to perform duties in mid-stream or on other side. Obviously, / facilities such as canteens, are necessary for such workers as well. In view of the above the Committee recommends:-

"Port authority and Dock Labour Boards may jointly set up floating canteens wherever possible in order to provide necessary amenities to the workers, who are unable to come to the shore".

ii) All the major ports in the country work round the clock. Generally, the canteen facilities are available to workers in day shifts only. This deprives the night shift workers from canteen facility. Realising the need of canteens for workers in the night shift, the Committee has recommended that:-

"Canteen facilities should be made available to all categories of workers round the clock".

iii) The Committee further recommends that:-

"The respective Boards should pay greater attention to the quality of food served in the canteens."

iv) Difficulties have been experienced in ensuring smooth running of canteens on account of inadequate financial powers with authorities responsible for running the canteens. In order to overcome this difficulty and to ensure smooth functioning of the canteens, the Committee recommends that:-

"Persons who are entrusted with the running of the canteens should be vested with adequate financial powers in the interest of the proper functioning of the Canteens."

4. Some section of workers are engaged in the dock to handle cargo of a poisonous nature. This constitutes a danger to their health. It is a general practice in other industries that workers engaged on such operations are given free supply of milk and vitamin tablets. This serves two purposes. It increases their vitality so that they are not easily prone to diseases and also helps them to rejuvenate their vitality to handle hazardous work with greater efficiency. Considering all these aspects, the Committee recommends that:-

"The protection provided to the workers exposed to hazards of occupational diseases under Factories Act should be made available to Dock workers also."

5. The dock area is generally a protected area where the entry is regulated and restricted. Some of the shifts terminate at very odd hours. The ports in the country with exceptions like Mormugao generally are situated in big cities. The Committee, therefore, feels that the present quantum of housing facilities given to dock workers, by different Dock Labour Boards is not adequate. Housing programme needs to be speeded up and augmented. Although difficulties in acquisition of land near the docks, etc. was fully appreciated by the Committee but it is felt that housing programme should be given priority and the Government

should also extend the benefits of the Subsidised Industrial Housing Scheme to Dock Labour; the Dock Labour Boards at present do not receive the benefit of these amenities. The Committee has, therefore, recommended that:-

- a) As port and dock administration work needs very close collaboration and liaison with each other and premises also happen to be the same, the Port authorities and Dock Labour Board should jointly undertake to provide subsidised houses to all the workers, in the shortest possible time.
- b) For the provision of housing facilities, the Dock Labour Boards may be empowered to collect adequate levy from the dock employers.
- c) Central Government should pay adequate housing subsidy to finance various housing schemes.
- d) Government may also arrange wherever feasible for the land so that housing colonies can be constructed in areas adjacent to ports and docks and for the construction of houses, extent of loans may also be suitably increased.
- e) The definition of Workmen as given in the Industrial Disputes Act be adopted in respect of Port and Dock workers also, so as to enable them to derive advantage from the subsidised housing scheme.

6. In the field of educational facilities, the Dock Labour Boards are giving financial assistance like scholarships, children educational allowance, and reimbursement of tuition fees. But none of the Dock Labour Board provides any schooling facilities for the children of the workers. In the absence of any schooling facility being provided within a reasonable distance of the Port area, the workers' children are put to great handicaps. In order to remove these hardships and to provide some relief to workers in the matters of education of their children the Committee recommends that:-

"Where the dock workers are residing within the Port premises, it is for the employers to provide educational facilities to the employees' children."

7) Dissemination of adult education among workers would prove advantageous to both workers and industry, as an educated worker is a great asset to the industry as well as to the community. Realising the significance of adult education and its impact on the workers, the Committee recommends that:-

"The workers should be offered suitable incentives by the Dock Labour Boards in order to popularise adult education."

8) In order to encourage cooperative movement amongst the Dock workers and to insulate them against abnormal rise in the prices of essential articles of daily consumption the establishment of consumer cooperatives is

considered essential. In view of the above the Committee recommend that:-

"The State Govts., Employers' & Workers' Organisations should take necessary steps for setting up cooperative societies wherever practicable and feasible."

∠ In Dock areas

9) The transport facilities are not correlated with the working of the shifts in the Docks. In view of this the Committee recommends that:-

"provision of transport to its workers where normal transport facilities are not available is the responsibility of the employer. Employer should make necessary arrangements in consultation with appropriate authorities."

∠ transport

10) The Dock Labour Boards give financial assistance to the workers in the event of death, prolonged illness in varying degrees to its employees. Festival advances are also given to workers on important festivals once in a year. However, it is felt that the existing schemes are not adequate enough to meet the needs of the workers. As a measure of improvement, the Committee suggests that:-

" A scheme may be evolved to provide distress relief and cash benefits in the event of death, injury, sickness, etc."

Statement showing present rates of levy fixed by various Dock Labour Boards.

APPENDIX-I

Sl. No.	Present rate of levy in respect of			
	Monthly Workers	Pool Workers	Tally Clerks	Welfare Levy
1. Bombay	Nil.	105% of the wage rate from 1.4.1967.	55% from 1.5.1958.	10% of daily wage rate from 1.4.1967.
2. Calcutta	12% on gross wages.	120% of wages from 21.4.1968.	227% of gross wages from 1.4.68.	9 1/2% of gross wages of pool and monthly workers.
3. Madras.	Nil.	110% of the presumptive time rate wages from 1.4.1968.	-	40% of presumptive time rate wages from 1.4.68.
4. Cochin.	Nil.	100% of time rate wages with effect from March, 68.	100% of time rate wages.	5% of the time rate wage of workers.
5. Vizapatam.	Nil.	120% of time rate wages w.e.f. 1.4.68.	-	20% of the time rate wages w.e.f. 1.4.68.
6. Mormugao.	-	100% of the time rate wages w.e.f. 1.2.68.	-	5% of total wages of the workers.

-----

COMMITTEE ON LABOUR WELFARE

RECOMMENDATIONS ON WELFARE AMENITIES  
FOR RAILWAY EMPLOYEES

INTRODUCTION:

The Railways, in India, provide employment to about 13.6 lakhs of persons, including 3.10 lakhs on casual basis, with a capital investment of Rs. 34,630 million and as such their importance can hardly be over-emphasised in the national economy.

A BRIEF REVIEW OF THE EXISTING WELFARE AMENITIES  
IN RAILWAYS

On the basis of the available material before the Committee an attempt has been made to review briefly the existing welfare amenities available to the railway employees in the following paragraphs:

DETAILS OF EXISTING WELFARE AMENITIES:

The existing welfare amenities are financed through two sources. There is a Railway Ministers' Welfare and Relief Fund and there is a Staff Benefit Fund on each railway. The amenities provided to railwaymen include housing, medical and educational facilities, cooperative stores and cooperative credit societies, holiday homes for railway employees, a number of recreational and cultural facilities and organisation of cultural camps for the children of Railway employees.

The Railway Ministers' Welfare and Relief Fund was set up in April, 1961. It provides relief to railwaymen and their families in distress, particularly in such cases

where no relief can be sanctioned under the normal rules or where relief admissible under the rules is considered inadequate.

Made up of voluntary contributions, the finances of this fund are also augmented from the proceeds of charity shows arranged by various Railway Organisations.

The Staff Benefit Fund provides welfare facilities like education and recreation to the staff and their children. These funds also give relief for distress to members and even ex-members of the staff as also to their families. Made up of grants from the railways at the rate of Rs. 4.50 per non-gazetted employee per year, the resources of the Fund are also augmented by special grants for sports. In addition to this, 1150 scholarships varying from Rs. 15 to Rs. 70 are granted every year for the technical education of children of Railway employees.

The Committee has examined in detail the views/suggestions received from the Railway Board as well as various employees' organisations and it recommends as follows :-

1. It is desirable that non-statutory canteens as well as canteens run by the employees should be encouraged and treated at par with the statutory canteens. At present the practice is that in case of the statutory canteens, cent-percent of the expenditure incurred on the salaries of the staff, etc., is granted as subsidy whereas in the case of non-statutory canteens only 50% of this expenditure is granted as subsidy. It is, therefore, desirable that the same subsidy as is given to the statutory canteens by the Railways may also be given to the non-statutory canteens and canteens run by employees themselves.



2. Credit sales facility may be extended to railwaymen in statutory and non-statutory canteens for a fixed percentage of pay subject to overall limits laid down in the Payment of Wages Act, 1935. Suitable amendments, if necessary, may also be made to the Payment of Wages Act to permit recoveries of the Credit Sales.
3. The standardisation of canteens as well as eatables served therein is considered essential for a variety of reasons. It is, therefore, suggested that the medical department of the Railways should make arrangements for inspection of canteens at regular intervals.
4. It is very essential that gangmen and other similar staff working on the railway lines and at the small stations or loop lines are provided adequate health and family planning services.
5. Free supply of dentures, spectacles and artificial limbs should be extended to all employees drawing pay in the scale of Rs. 250 - 380 per month by the Managing Committee of the Staff Benefit Fund. At present the above facility is admissible to employees drawing pay upto Rs. 300/- only.
6. Railways have set up a number of holiday homes for the use of their employees. Keeping in view their utility their number should be suitably increased.

7. The railways have provided houses to about 38% of their employees. The Committee feels that, subject to availability of funds, more attention should be paid to the housing programme for railway employees. Co-operative housing societies of railway employees should also be encouraged so that they build their own houses.
  
8. In railway colonies recreational facilities and play-grounds have been provided but these facilities are inadequate. Considering their limited number the Committee recommends that recreational facilities should be extended to such railway colonies where facilities are either meagre or are non-existent.
  
9. The rate of grant of Rs. 4.50 per non-gazetted employee per year is given by Railways towards the Staff Benefit Fund. This rate was fixed some time in 1956. It should be reviewed and the per capita grant be revised upwards.

COMMITTEE ON LABOUR WELFARE  
(GOVERNMENT OF INDIA)  
NEW DELHI

RECOMMENDATIONS ON WELFARE AMENITIES  
FOR POSTS AND TELEGRAPHS EMPLOYEES.

The Posts and Telegraphs Department in the country provides employment to nearly 5 lakhs employees (including about 1,72,000 extra departmental Agents) working for it. The total investment in Postal and Tele-communications services as on 31st March, 1967, was about Rs. 350 crores of which nearly 320 crores is on Tele-communications alone.

EXISTING WELFARE AMENITIES:

The Welfare activities of the Posts and Telegraphs Department can be broadly classified into two heads viz.

- (i) The Statutory welfare measures as per different Acts and Regulations; and
- (ii) The voluntary measures provided under the rules framed by the P. & T. Department itself.

The welfare facilities introduced under the Statutory provisions are mostly confined to Departmental Industrial Establishments and are provided as per standards laid down under the statute.

The voluntary welfare measures mainly consists of steps taken by the Department on their own initiative and are distinct from the general benefits admissible to other employees of the Government of India.

(Contd.....2)

Immediately after the attainment of independence special attention was paid to the promotion of amenities and welfare activities for the postal employees. In 1948, an organisation was started with a Director Incharge of Welfare, assisted by a Deputy Director at the Centre and a Welfare Officer in each circle to promote and organise welfare activities.

To start with canteens, tiffin rooms, Consumer Cooperatives for procurement and distribution of controlled rationed and non-rationed commodities were set up. Dispensaries and night-schools came next. All these facilities were financed from the general revenues.

Later, in 1958 a Welfare Advisory Board was set up, and on the basis of its advice, a welfare fund was created in November, 1960 largely to cater for such activities as could not generally be financed directly from the general revenues.

This fund is financed through (i) Non-lapseable grant-in-aid of Rs. 10 lakhs per year from the Department, (ii) Voluntary contribution from the staff ranging from a minimum of 10 paise to Rs. 5 per month or a lump-sum; and (iii) Donations and Voluntary subscriptions, funds raised by Central meets, variety entertainments, etc. on All India basis.

(2)

It is administered by a Central Posts and Telegraphs Welfare Fund Committee under the Chairmanship of Director General, at the headquarters. This Committee has 27 Circle/ Administrative Welfare Fund Committees. The primary objects of the fund are to:-

- (1) organise Sports Meets;
- (2) organise P & T Arts and Crafts Exhibitions, Cultural Meets, Scouting and Holiday Camps;
- (3) arrange for training in First Aid and organisation of Ambulance Brigades;
- (4) provide financial assistance for setting up and maintaining P & T Recreation Clubs and Community Centres;
- (5) provide grants to Cricket, Hockey, Football, Volleyball and Badminton Clubs, Construction or/on repairs to Tennis and Badminton Courts, Cricket Pitch;
- (6) Supply cine projectors, loudspeaker equipment;
- (7) provide financial assistance for participating in various sports and games at the All India/ National levels, etc.
- (8) provide financial assistance for deserving educational institutions sponsored by the staff of the Department;
- (9) award scholarships and other help to children or dependents of P & T employees for Technical Education and in deserving cases to children of exceptional merit for non-technical education;
- (10) provide financial and medical assistance in cases of proved exceptional hardship resulting from serious or long illness or major surgical operations and financial assistance to dependents of deceased P & T employees;

(Contd.....4)

- (11) provide immediate relief of an emergent nature for which no provision exists or can be made available in the normal way; and
- (12) promote other welfare activities and give financial assistance for such other purposes which the P & T Board may decide. Financial assistance from the Welfare Fund is also given for various welfare activities and institutions and to employees in distress as may be approved of by the Central P & T Welfare Fund Committee from time to time.

RECOMMENDATIONS OF THE COMMITTEE:

1. Based on the information received from the Posts and Telegraphs and on the suggestions given by the National Federation of Posts & Telegraphs Employees, the Committee considered the implementation of the existing amenities and the adequacy or otherwise of these welfare amenities for departmental as well as an extra departmental employees.

As on March 31, 1967, the number of extra departmental employees was 1,72,374 and these employees are given a fixed allowance, which ranges between Rs. 43/- to Rs. 103/- per month, inclusive of ad-hoc increase. They work as Sub-Postmaster, Branch Postmaster, Stamp Seller and Messenger etc. etc. in far-flung villages. Such a large number of non-regular employees who do not receive the benefits of leave pension and gratuity etc. also do not receive the benefit of any welfare amenities. Some of these persons work on part-time basis and some of them accept these jobs after retirement. These conditions,

(29)

notwithstanding, it is felt that benefits of minimum welfare amenities of basic importance, should at least be extended to these employees. The Committee, therefore, recommends that:-

"There is a need to provide some minimum welfare amenities to 'extra departmental' employees whose number is 1,72,374. To such employees facilities like flood-relief, assistance in the case of prolonged illness, assistance to dependents in case of pre-mature death of the bread-winner, medical, educational and other similar amenities may be extended. In order to extend these facilities it would be necessary to raise the quantum of the welfare fund which is at present Rs. 10 lakhs. The Committee feels that this quantum should be raised and it should be based on 'per capita' basis as is the practice in the Railways."

2. The Posts and Telegraphs Department employs over 3 lakhs regular departmental workers. Out of these employees only 4% employees have been provided with houses by the Department. This compares very unfavourably with other Government Departments such as Railways, etc. and also other Central Government employees. The Committee, therefore, recommends as follows:-

"It is necessary that the department pays greater attention to providing housing accommodation according

(Contd....6)

to a phased programme to a large number of its employees, more so when P & T has its own programmes of construction of houses and has not to depend upon outside agencies."

3. The Posts & Telegraphs Department provides a number of welfare amenities. Effective participation of workers is an essential pre-requisite for the proper administration and fuller use of these amenities by the beneficiaries. To a certain extent this participation has already been achieved. In a number of larger P & T Offices, Welfare Committees have been formed to discuss with the Head of the office concerned various aspects of working conditions. There are about 1287 such Welfare Committees. There are representatives of staff on Welfare Advisory Board, Welfare Fund Committee, Sports Control Board and Minister's Benevolent Fund, etc. It was felt that some of the amenities could be administered well and the benefits of these amenities could be enhanced if certain steps were taken to streamline the administration of these amenities. The Committee, therefore, makes the following recommendations in this regard:-

- (i) Training of personnel concerned with the running of canteens cooperative stores, thrift and credit societies, etc.
- (ii) Promotion of welfare committees at the circle level consisting of the representatives of workers and the management to review the working of the various welfare measures and suggest measures for improvement periodically.



(2)

(iii) Coordination of various activities at the circle level with a view to providing necessary guidance for streamlining such organisations as are exclusively being run by the employees namely cooperative stores, thrift and credit cooperative societies, etc.

4. The P & T Department provides welfare amenities of a varied nature to a very large number of employees all over the country who have different customs, psychological background, sociological environments and come from different sections of the society. The Committee felt that it would be a very interesting and useful study for the Department to take stock of the changes that the impact of these amenities might have created on the out-look of the employees and their families. It, therefore, recommends that:-

"Periodical review of the adequacy or otherwise of the welfare amenities provided and evaluation of their administration, their impact on employer-employee relationship and on the sociological and attitudinal changes in the outlook of employees should be undertaken by an expert body. Provision and administration of welfare amenities should be suitably reorganised as a result of these reviews, if necessary."

(Contd.....8)

5. The basic amenities which have been provided by the Department should be continued and administered well. Their enhancement and alternations, if any, should be effected as a result of collective bargaining between the department and workers' organisations.

'PDM'

GOVERNMENT OF INDIA  
COMMITTEE ON LABOUR WELFARE  
NEW DELHI

RECOMMENDATIONS RELATING TO PLANTATION INDUSTRY

I. EXTENSION OF THE PLANTATIONS LABOUR ACT TO SMALLER PLANTATIONS:

The Plantations Labour Act, 1951, is applicable to such plantations as measuring 10.117 hectares or employing 30 or more persons. Thus, a good number of workers employed in plantations of smaller size are deprived of the welfare provisions under the Act. The matter was widely discussed and views of the workers' and employers' organisations and the State Governments have been obtained. The Committee feels that as the Plantation Labour Act was enacted 17 years ago, the Central Government may now review the scope of Plantations Labour Act, 1951, to cover the smaller plantations by extending the Act progressively. The Committee, therefore, recommends that:-

"The Plantations Labour Act should be extended progressively to such plantations as are not covered under the Act to the extent administratively practicable. The question of determining the extent to which the Act should be extended to the plantations not covered under it, should be left to the Government of India which might set up a special Committee to review the extension of the said Act periodically."

II. ENFORCEMENT OF THE PLANTATIONS LABOUR ACT:

The Plantations Labour Act, 1951, inter-alia provides for various welfare amenities, such as, health, canteen, creche, education, recreational facilities and housing facilities. The Act empowers the State Governments to frame relevant Rules on these amenities and enforce the same in all eligible plantations under their jurisdiction. Although all the State Governments having plantations, have framed Plantation Labour Rules containing provisions with regard to medical, health, housing,

canteen, creche, education and recreational facilities, but information available with the Committee on the basis of replies received to the questionnaire, discussions held with the representatives of workers' and employers' organisations and the State Governments, reveal that all these measures have not been enforced according to respective State Rules. For example, in the case of housing and health facilities including drinking water, by and large, the rules have been implemented. As regards others, the position of implementation differs from State to State. Having considered the situation, the Committee recommended as follows:-

"It has come to the notice of the Committee that in some plantation States, few provisions of the Plantations Labour Act have still not been enforced. The Government of India may undertake a comprehensive review of the need for such amenities as contained in these provisions by a tripartite machinery and enforce such of the amenities as are necessary and practicable without delay. Wherever the provisions of the Act cannot be enforced as such it may be advisable to bring into being some suitable alternative measures to meet the spirit of the provisions which have so far been held in abeyance for some reasons or the other."

### III. ADDITIONAL WELFARE AMENITIES FOR PLANTATION WORKERS:

The Plantations Labour Act, 1951, envisages the provision of medical, housing, creche, canteen, educational and recreational facilities, and the State Governments have framed rules relating to the above provisions.

Apart from emphasising the effective enforcement of the provisions contained in the Act and the Rules framed thereunder, it was generally felt that the Plantation Workers could also be provided some additional welfare amenities over and above those prescribed in the Plantations Labour Act, especially because of (i) interior and distant location of plantation in the States,

(ii) likely favourable impact which additional welfare amenities may have on the general outlook of the workers.

As regards the agencies to be created for administering the additional welfare amenities, it was felt that such amenities could be best administered through the Commodity Boards for each plantation, namely Tea, Coffee and Rubber, etc. Some amount of cess is already being levied by these Commodity Boards on their respective commodity for developmental and welfare activities. To quote an example under the Tea Cess Act, a cess of 4 paise per kilogram, which can be extended to 8 paise per kilogram, is at present, being levied by the Tea Board on Tea Plantations. This cess could be increased by the Tea Board if responsibility for administration of additional welfare amenities is given to the Tea Board. Similar practice could be followed by Coffee and Rubber Boards.

The Committee, therefore, recommends that:-

1. "Such welfare amenities which the Sub-Committee may like to recommend for the Plantations workers in addition to those already available to workers in Plantations should be provided and administered by the respective Commodity Boards by suitable enhancement of the existing levy under the respective Acts or by making suitable grants to the State Governments, which may administer the Act."

II. In respect of additional welfare amenities that may be provided to the workers, over and above, what has been contemplated under the Plantations Labour Act, 1951, and the Rules framed by the State Governments, the following items are recommended:-

- i) Provision should be made for distress relief and payment should be made to the workers in case of extreme hardships like long illness or other extraneous circumstances, such as death of the bread-earner, natural calamity like fire, flood, etc.
- ii) It is essential that sufficient medical and preventive welfare facilities are provided to all the Plantation Workers adequately.

This should also include suitable arrangements to provide medical treatment for infectious, occupational and complicated diseases. It is reported that arrangements exist in this regard in Southern Plantation States. It is necessary that such adequate medical amenities are made available to plantation workers in all the plantation States.

- iii) High priority to Family Planning Programme, implementation of maternal and child health facilities already provided in the Maternity Benefit Act and assistance for provision of protective food to expectant and nursing mothers, infants and children wherever not already provided, should be made.
- iv) Arrangement should be made to provide better sanitary facilities to the workers in the Plantation areas.
- v) The conducting of sight-seeing tours should be organised for the plantation workers.
- vi) Arrangements should be made to provide facilities for education of adult workers in the Plantation areas.
- vii) Arrangement should be made to provide a film library and mobile van so that the film shows could easily be organised in the Plantation areas.
- viii) A library and reading room facility should also be provided to the workers in the Plantation areas.

III. It was also agreed by the Committee that the above recommendations would obviously have to be phased out depending upon the priority and needs of workers in different plantation States. The phased programme would be periodically reviewed, say, between 2 to 5 years. The implementation of these amenities also be reviewed at least annually by the State tripartite bodies.

#### IV. APPOINTMENT OF MEDICAL INSPECTORS

According to the Plantations Labour Act, 1951, and the Rules framed and enforced by the State Governments thereunder it is obligatory on employers to provide medical facilities to Plantations labour. The standard of these facilities has been varying from plantations to plantations. Some of the Workers' Organisations have been complaining

that the non-Medical Enforcement Officers are not in a position to look after the qualitative aspects of the enforcement of the Medical Rules. The non-Medical Enforcement Officers are also not in a position to render any advice or give any suggestion to the employers with regard to the day-to-day maintenance of hospitals, etc. It is understood that this matter, inter-alia, was discussed in the 11th session of the Industrial Committee on Plantations. As a result of these discussions, some amendments to the Act are being envisaged by the Government, and it has been proposed that the State Government might be authorised to appoint any public officer as an Inspector under the Plantations Labour Act. The Committee felt that it would be more appropriate to specifically apprise the Government of the necessity of appointing Medical Inspectors under the Act. It, therefore, recommends that:-

"The Ministry of Labour & Employment be requested to provide for appointment of Medical Inspectors specifically in the proposed amendment."

V. NEED FOR SOCIOLOGICAL STUDY ON LABOUR MANAGEMENT RELATIONS.

The Employer-Employee nexus in Plantation States had a different footing than the one obtainable in factory establishments. A very close relationship, is claimed to have been established between the parties as a result of proximity of resident labour on the work-site in Plantations. This single factor, it was felt, might have resulted in creating a better understanding and appreciation of each others' difficulties and problems. The Committee felt that it was a subject on which a valuable study could be conducted. It, therefore, recommends that:-

"A Sociological Study relating to the impact of close association between the workers and management in Plantations on the industrial relations and productivity, etc., may be conducted."

COMMITTEE ON LABOUR WELFARE  
RECOMMENDATIONS ON MINING INDUSTRY

The Committee on Labour Welfare considered recommendations regarding the Mining Industry in its meeting held on October 16 and 17, 1968 at Srinagar.

Opening the discussions in the matter, the employers' representative Brig. K. Bagh Singh stated that the Committee, while making its recommendations on welfare amenities for mining workers, should take into consideration that though mining is a hazardous industry minimum welfare amenities had to be given to the mining workers. The quantum of the welfare measures should be decided upon in the background of the fact that this industry is a wasting asset. It is subject to <sup>h</sup>diminishing law-of-returns and its cost of production goes on increasing with the increase in operations. He also emphasised the fact that the new burdens that might be cast upon this industry would not only affect the private employees but the public sector would also have to bear the burden because the National Coal Development Corporation have also big stake in the mining industry. He further stated that in so far as Coal Industry was concerned the cost of production had already gone up as a result of the recommendations of the Wage Board for Coal Mining workers. While the cost of production was going up in this industry, the productivity had not



increased.

The workers representative Shri Phani Ghosh stated that the economic and productivity of the industry did not depend upon the workers alone, their wage bill and the money spent on their welfare amenities. There were various factors which affect the economy and productivity of any industry of which mining is no exception. The minimum welfare amenities had to be provided to the workers and the Committee on Labour Welfare should weigh all the pros and cons of the matter and then give recommendations for the welfare measures for workers engaged in mining industries.

The Committee then made the following recommendations with regard to welfare measures/welfare amenities for mining workers unanimously:-

1. UNIVERSAL COVERAGE OF ALL WORKERS  
IN MINES FOR WELFARE AMENITIES:

Keeping in view the hazardous nature of mining industry and location of mining establishments, the Committee on Labour Welfare recommends that all workers in the mining industries be provided with a certain standard of welfare amenities (as at present Mines Act, 1952 applies to limited number of establishments).

2. MINIMUM WELFARE AMENITIES  
FOR THE MINING WORKERS :

(a) Living facilities:

Mining establishments are generally located at out of the way places, which are at a distance from cities and towns. In view of this there is a greater need to provide living facilities to the mining workers as near the site as possible. The Committee, therefore, recommends that suitable living facilities for married workers and hostel accommodation for bachelors or widowers should be dealt with on a priority basis.

The Committee further recommends that in mines situated in remote places and where the life of a mine is uncertain, short or it is of a seasonal nature, the housing programme be made flexible to suit local, climatic and environmental conditions. One standard need not be applied to all places and conditions. For uncertain and seasonal mines a good thatched house can serve the purpose, if it is well built in healthy and clean surroundings. In such mines pre-fabricated houses, portable hutments and temporary houses built of cheap and locally available building material should be encouraged to serve the purpose. This will be realistic, practicable as well as cheaper.

(b) Health, medical and Family Planning Facilities:

The Committee recommends that health, medical and family planning services for mining workers should include the following :-

- (i) Wholesome and cool water supply.
- (ii) Environmental sanitation - latrines, disposal of night soil and refuse, urinal and drainage.
- (iii) Family Planning, maternal, antenatal, natal and postnatal and child care, nutrition of mother and children.
- (iv) Prevention and control of disease(s) prevalent/associated with the working situation and/or place of living.
- (v) Emergency medical care on the spot, provision of medical attention as close to the place of work as possible and adequate mobile services in emergency cases for hospitalisation.

(c) Educational Facilities:

Education is the primary responsibility of the State. However, as a large number of mining establishments are located in out of way places, suitable educational facilities are not generally available to the children of mining workers. The Committee, therefore, recommends that provision of reasonable educational facilities for the workers' children in the mining area be made.

The Committee, also recommends that these educational facilities should include Nursery classes, Children Health Clinics, and vocational training of some sort or the other to enable the workers to make both ends meet by learning some crafts. This training will also be helpful to workers

during the period they are unemployed due to closure of mines for a long period. This training will enable them to supplement their income with a reasonable effort. Arrangements for imparting vocational training be undertaken by the concerned mining Welfare Funds.

(d) Consumers' Cooperative Store:

For meeting day to day requirements of the workers it is essential that arrangements be made to cater to their daily consumption demands. The private petty shops near their houses or near their place of work are inadequate firstly because they are not in a position to cater to the demand effectively, and secondly workers because of their low level of literacy are prone to become easy prey of exploitation of the local shopkeepers. A Cooperative Store has to play an essential part. Such stores are in a position to maintain the level of the real wages of the workers. The Consumers' Cooperative Stores may thus be opened to all types of mines, in all mining areas and within easy reach of every mine. The need for such stores is all the more essential for controlled and rationed articles.

(e) Transport Facilities:

As mining establishments are generally located in out of the way places and some of them become inaccessible in rainy weather, the Committee, therefore, recommends that proper approach roads be provided in mining areas. The Committee further recommends that where workers have to come from a distance of more than 2 miles, they may be given suitable cycle advances by the management recoverable in easy instalments. In order to ensure that the recoveries are properly effected, suitable amendments in relevant Labour Laws, to make deductions of the recovery from the wages of the workers, be effected.

- (iii) Due to short supply of sugar and cereals, the managements find it difficult to run the canteen.

As against these where canteens have been provided and light refreshments and tea were made available, these were popular amongst the workers.

As the provision of canteen is a statutory obligation, it should not only be run well but it should also be able to provide at least one balanced meal a day to workers at rates cheaper than those charged by private establishments in the nearby localities.

The Committee further recommends that as management provide free electricity and water for the maintenance and building of the canteen, these canteens be run on "no-profit no-loss basis".

In order to popularise the canteens amongst the workers, the Committee further recommends that credit facilities to the mining workers for purchase of edibles be extended to maximum limit of 15% of the basic wages and dearness allowance subject to the overall limit laid down in the Payment of Wages Act, 1936. The management should also keep these canteens open for at least two shifts where the mine works round the clock.

#### 4. CRECHE:

The maintenance of a Creche is also a statutory obligation under the Mines Act. The Committee visited a number of mines to see the working of, inter alia, creches in Mines. The Director General Mines Safety, also undertook a Sample Survey of 5% of the Mines through its various Regional Offices to review the functioning of the creches in the mines. The comments received from the Director General, Mines Safety,

There should be unified agency to enforce the labour welfare amenities of a certain uniformed standard. At present, welfare provisions are applicable only in respect of Coal, Mica and Iron Ore. Just because one section of the Industry, is bigger and stronger, the workers in that industry alone must have all the welfare amenities does not stand to reason in a welfare society. For example, in the Iron and Steel Industry, where Mica, Iron Ore, Coal, Lime-stone and fire-clay, etc. are necessary, only person engaged in Mining Coal and Iron Ore are covered by welfare schemes while others are not, although all the miners are engaged in feeding a common consumer Industry. By the creation of a Common Miners' Welfare Fund, this discrimination can be put to an end. This idea of a Common Miners' Welfare Fund was also suggested by the Minister for Labour and Employment, Government of India, Shri Jaisukhlal Hathi, when he addressed the 81st Advisory Committee Meeting of the Coal Mines Welfare Organisation at Dhanbad during January, 1968.

Considering the above aspects, the Committee has recommended to create a General Miners' Welfare Fund for the welfare of miners engaged in minor minerals besides specific welfare funds for big mining industries like coal, mica and iron ore, etc. which are already functioning. This Fund is created on the existing lines of the Coal, Mica and Iron Ore Welfare Fund. The Committee further considered that since the levy on any minor mineral was ultimately to be paid by the consumers, it should be restricted to the minimum. The quantum of levy would have to be considered separately in respect of each mineral. In case of some minerals which are export oriented namely manganese, levy of cess may result in less exports which is not desirable. The collection of levy or cess on the

minerals other than coal, Mica and Iron Ore should be on the basis of value i.e. ad-valorem or on the basis of tonnage produced. It was also decided that the levy on tonnage basis would not be justified in case of certain minerals whose prices are very high. The best solution would be to divide the minerals into a number of groups on the basis of prices and to levy cess at different rates as under:-

- (i) For minerals whose value is upto Rs. 25/- per tonne, a cess of 25 paise per tone may be levied.
- (ii) For minerals whose value vary from Rs. 25/- to Rs. 50/- a cess of 50 paise per tonne may be levied.
- (iii) For minerals fetching prices higher than Rs. 50/- per tonne, the rate of levy may be Re. 1/- per tonne.

It was felt that this will help in distributing the burden on each mineral equally.

In the case of stones, and minerals where the unit is carats or kgm., the cess should be levied on the ad-valorem basis ranging between 1% to 2½% of the value.

Within the realisation on the basis of tonnage from 0.25 paise to Re. 1/- and on ad-valorem basis at the rate of 1% to 2½%, Advisory Committee for purpose may review from time to time the priority for the various amenities. It may also review the rate of cess whenever considered necessary. It was further suggested that the collection and administration of the proposed Fund should be entrusted to one Administrative Agency. This may devise its own methods to associate effectively at the State Government level for the purpose of collection, administration and planning of welfare amenities for the workers.

## 6. PRIORITY OF WELFARE AMENITIES UNDER MINOR MINERALS.

Having decided that all workers in the Mining Industries be provided with a certain standard of welfare amenities, the Committee realised that it might not be possible to provide all the welfare amenities available to workers employed in mining establishments of major minerals to such workers as are employed in establishments of minor minerals. It was, therefore, necessary to lay down a priority of welfare amenities which must be extended to workers in minor minerals in accordance with a phased programme.

In view of the above, the Committee has recommended the following order of priority for provision of welfare amenities to workers employed in mining establishments of minor minerals:-

- (a) Drinking water facilities.
- (b) Mobile Medical Dispensaries.
- (c) Recreational activities like mobile cinema unit including films on family planning and other documentary films.
- (d) Multi-purpose Institutes.
- (e) Co-operative Societies.
- (f) Loan on easy instalments to workers for building of their houses.
- (g) Accident Benefits.

## 7. ESTABLISHMENT OF DIRECTOR GENERAL OF MINES WELFARE.

The Director General of Mines Safety is entrusted with the task of implementation of the provisions of the Mines Act. The officers of this organisation are generally qualified technical engineers in mining operations. Most of their time is devoted to ensuring effective implementation of the technical provisions of the Mines Act relating to safety and



other allied measures. The Director General of Mines Safety, had, therefore, requested the Government of India, in the Department of Labour and Employment, that the implementation of non-technical provisions of the Mines Act including those relating to welfare measures be transferred to some other Organisation under the administrative control of the said department. This matter was also considered in detail by the Sub-Committee on Mining of the Committee on Labour Welfare. The Sub-Committee decided that it would be appropriate to relieve the Director General of Mines Safety, of the responsibility of ensuring enforcement of the welfare measures under the Mines Act. It was thus decided that a separate set up namely Director General of Mines Welfare, be recommended to the Government for enforcement of the statutory welfare measures and for provision and administration of the non-statutory welfare measures for all mining establishments in the country. The Sub-Committee also decided that the set up of the Director General of Mines Welfare, be established on the lines of the set up of the Director General of the Mines Safety. This recommendation of the Mining Sub-Committee, has been accepted by the Main Committee on Labour Welfare.

As a new set up of Director General of Mines Welfare, has to be brought into being for looking after all welfare amenities in mining establishments, it is essential that all the existing statutory welfare funds be pooled together and placed under the charge of one administrative agency. In view of the above the Committee recommends that:-

"All the existing statutory welfare funds namely Coal Mines Welfare Fund, Mica Mines Welfare Fund and Iron Ore Mines Welfare Fund, be pooled together and placed under one Administrative Agency like Director General of Mines Welfare and that Directorate should be empowered to implement and enforce statutory and non-statutory welfare measures for all mines in India. This set-up should be on the lines of Director General of Mines Safety and should work region-wise as per location

and density of mining workers in different areas of the country with Headquarters at Dhanbad so that the coordination programme with mines safety should continue."

There are some non-technical provisions under the Mines Act and Mines Rules 1955 which can be divided into following four categories:-

- (i) Health and sanitation provisions (Chapter V of the Mines Rules).
- (ii) Provisions relating to welfare amenities such as rest shelter, canteen, etc. etc. (Chapters IX of the Mines Rules).
- (iii) Provisions relating to leave with wages and overtime. (Chapter VI of the Mines Rules).
- (iv) Provisions relating to First-aid and Medical appliances (Chapter VI of Mines Rules).

The provisions relating to first-aid and medical appliances in Chapter VI of the Mines Rule which are closely connected with accident and injuries in mines and drinking water in the underground may continue to be administered by the Director General of Mines Safety.

The provisions relating to leave with Wages and overtime in Chapter VIII of the Mines Rules fall under the broad purview of the "Payment of Wages" and may, therefore, be looked after by the Industrial Relations Machinery under the Chief Labour Commissioner (C), Government of India.

All other non-technical provisions including rest shelters, canteens and welfare officers, etc. should be enforced and implemented by the Director General Mines Welfare in all mines in India and rules be made or amended accordingly by legislation, if necessary.

The Committee also recommends that the set up of the

organisation of the Director General, Mines Welfare may be as follows:-

DIRECTOR GENERAL MINES WELFARE

1. Director, Housing, Sanitary Installation, Water Supply Holiday Homes Convalescent Homes.	2. Director, Canteen, Consumer Cooperation, Fair Price Shops, Transport.	3. Director, Sports, Physical Fitness, Recreational & Cultural Activities, Youth Programme Bharat Darshan.	4. Director, Education Children Adult Social Vocational Subsidy Occupation Library Reading Room Women & Children Programme.	5. Director, Saving Credits Benevol- ent Funds.	6. Director, Health & Family Plann- ing.
7. Director, Accounts.	8. Director, Administration.	9. Director, Publicity and Information.			

The groups can be so adjusted that each Directorate deals with problems which are associated with each other. The principle that may be observed for staffing should be such that each directorate has technical experts who can guide, advise and provide supervision and the number of persons should be such that the persons from the Directorate or Sub-offices visit Mines not only on receiving complaints but regularly about twice a year for inspection, guidance and maximising welfare services with available resources.

8. HOUSING FACILITIES:

Mining Industry can be broadly divided into two main Groups namely Coal Mines and Non-Coal Mines.

(52)

Data regarding housing in the Coal Mines was collected by Labour Bureau, Simla, recently. According to the findings of the Bureau, the position with regard to housing in the Coal Mines is as follows:-

(a) Percentage of workers provided with standard type of accommodation.	-	16.25%
(b) Percentage of workers provided with other than standard type of houses.	-	26.61%
(c) Percentage of workers living in villages and elsewhere who may not require housing accommodation.	-	0.76%
(d) Total percentage of workers having accommodation.	-	43.62%
(e) Percentage of workers who should be provided with accommodation so that 75% of the workers may be covered.	-	31.38
(f) Total number of workers employed in the Coal Mining Industry.	-	446018
(g) No. of houses required to be built to provide for 31.38 per cent of the workers at ('c' above).	-	139964
$\frac{446028 \times \cancel{31038} - 31038}{100} = 31.38$		
(h) No. of workers who will be provided with accommodation after all the sanctioned houses of the fund are completed.	-	30.373
(i) No. of workers for which more houses are required to be provided to reach 75%.	-	109591
(j) Total estimated cost of houses @ Rs. 4000/- per house 400 x 109591.	-	438364000/-

---

N.B. The number of houses built by the Coal Mines Welfare Fund already was also taken into consideration while conducting the survey.

(Contd.....16)

According to the above survey it is clear that only less than 1% of colliery workers do not stand in need of housing facilities because they come from nearby villages. The importance of speeding up the housing programme for coal miners cannot, therefore, be minimised. It was in view of this fact that the Government of India decided that 50% of the total revenues from the cess on coal should be spent on housing schemes only. Keeping in view the enormous funds required for housing units, the Committee felt that the entire responsibility for the construction of houses for the miners could not be placed upon the Coal Mines Welfare Fund. It, therefore, recommends that:-

- (1) The responsibility of the employer to provide some percentage of housing to its workers cannot be denied.
- (2) It was felt that the location of the mining industry was more or less the same as that of the plantation industry. In Plantation provision of housing has been made a statutory responsibility. Under mines too, some percentage of houses should be built by the employers.
- (3) It was decided that at least 20% of the houses required for colliery workers in each colliery should be built by the employers, the remaining 80% should be built with the amount provided by the Welfare Fund.

The obligation to construct 20% houses by the employers included re-construction and re-modelling of the existing dhowras already provided by the mine owners to colliery workers.

- (4) Keeping in view the difficulty in the acquisition of land for construction of houses, the State Governments must streamline the process of acquisition of land and make it available to the employers at reasonable prices.
- (5) As the cost of construction of housing units has been going up, the subsidy for construction of houses should be suitably increased by the Coal Mines Welfare Fund.
- (6) The workers in Coal Mines should also come forward to take advantage of the "Build Your House" scheme or co-operative housing. The trade union leaders should take effective measures for popularising the above schemes amongst colliery workers.

- (7) There is shortage of land in certain Coal-fields, the housing colony in such cases be located at some distance. To facilitate the workers to go to the place of duty, the State Governments, should run transport services for this purpose and also improve communications in the area.
- (8) As the existing rate of cess on the despatch of coal is inadequate to meet the growing needs for construction of more housing units (as well as for extension of other welfare amenities) financed through the Coal Mines Welfare Fund the rate of levy may be raised to Re.1/-.
- (9) Hostel accommodation for bachelors and widowers be provided at suitable places.

The Non-Coal Mines can be broadly divided into two categories - major minerals and minor minerals. The Committee recognised the fact that the same kind of pattern of housing and the need for housing cannot be applied to both the major and minor minerals. Different requirements and patterns have, therefore, to be worked out for both the categories.

The employment figures in major minerals have been given in the appendix\*. The employment figures in the major minerals, 44 in number, comes to 2,75,000 on the basis of the returns submitted by the employers to the Director General Mines Safety for the year 1966-67. Out of these 44 minerals, large undertakings of copper, gold, iron ore, limestone and manganese have provided housing accommodation to a sizeable number of workers. These undertakings are Kolar Gold Field, Hutti Gold Mine, Khetri Copper Mines, Zawar Mines, Iron Ore Mines at Balladela, Kiruburu and Hindustan Steel Limited in the Public Sector and Tata Iron & Steel, Indian Copper Corporation, Associated Cement Companies Limited, Indian Iron & Steel Co. and Bird & Co. in the Private Sector.

The provision of housing facilities to workers employed in the above mining establishments has resulted in stabilising the availability of skilled labour force for these establishments. This is yet another reason as to why housing facilities

---

\* To be sent later.

should be provided to workers employed in non-coal mines as well.

For providing housing facilities to workers employed in Mica Mines, Mica Mines Welfare Fund, tried to follow a similar pattern as that of the Coal Mines Welfare Fund, but it could not make much headway for various reasons. The managements have been contending that the life of Mica Mines is very short and the workings also keep on shifting at short intervals. This is not wholly correct because there are mines and areas of mining activity over 30 to 40 years old in the mica field where no attempt has been made to provide houses for the workers. The Mica Mines Welfare Fund, did not get an encouraging response for construction of houses from the employers. The housing facilities for the mica workers, have, therefore, remained negligible.

The position with regard to housing efforts made by the Iron Ore Welfare Fund, is different. In this case the Fund was constituted in the year 1961 only and has not been able to make any progress so far even though the employers have been approaching the Fund authorities to give them subsidy for construction of houses for the workers. No houses have, therefore, been given to the workers employed in Iron Ore Mines by the Fund so far. Houses in Iron Ore Mines have so far been built only at the initiative of the employers themselves.

Out of a total of about 2,75,000<sup>\*</sup> workers employed in Non-Coal Mines 1,80,000 persons are working in Gold, Copper, Limestone, Iron Ore and Manganese Mines. Out of these, 41,000 persons are said to have been provided with housing units.

---

\* These figures do not include number of workers employed in such very small mining establishments as do not submit returns to the Director General of Mines Safety. The number of such workers is also said to be quite large though no reliable statistics are available in respect of them.

Taking into consideration the ratio as has been worked out in the case of coal mines, it can be assumed that another 10 to 15% of the mining workers or 20,000 mining workers live in some sort of accommodation while another 10 to 15% or 20,000 come from neighbouring villages. In all, therefore, more than 2 lakhs mine workers stand in need of houses in non-coal mining establishments. It is, therefore, essential that housing projects for the non-coal mining workers are also dealt with on a priority basis.

In formulating a housing policy for non-coal mining workers, some special problems have to be faced. By their very occurrence in nature, the non-coal mines are scattered, patchy and uncertain in size and value. A long term programme for these mines is, therefore, rather difficult in most of the cases. It is also true that most of the deposits are found far away from townships and cities. The need for providing houses to mining workers cannot, therefore, be over-emphasized but one has also to take into consideration other unfavourable factors for finding out a reasonable solution of the problem. The Committee, therefore, felt that in mines situated in remote places and where the future life of the mine is uncertain and seasonal, the housing programme could be made flexible to suit local, climatic and environmental conditions. One standard need not be applied to all places and conditions. A good thatched house is, therefore, as good as a brick house if it is situated in healthy and clean surroundings. Where the life of mine is short, houses built of pre-fabricated concrete slabs, portable hutments, temporary houses built of cheap and locally available building material should be encouraged instead of the conventional types.

Taking in view the above factors, the Committee has made the following recommendations for major and minor non-coal minerals:-

- (1) In so far as provision of housing to mining workers employed in Copper, Gold, Iron Ore, Lime Stone and



Manganese Mines, the balance of the workers who have not yet been provided with housing facilities may be provided with housing accommodation by the managements with suitable subsidy from the proposed Common Minerals' Welfare Fund.

- (2) As for the remaining major minerals, at least 20% of the housing units should be provided by the employers and the balance, according to requirements, be constructed with suitable assistance from the proposed Fund.
- (3) As for minor minerals no reliable statistics are available with the Committee to take any firm decision in the matter. The Committee, is, however, very keen that because large number of workers are employed in these Minor Minerals, suitable housing facilities commensurate with the conditions of work and the terms of lease held, should be provided to the workers as a whole. It may be recognised that it is difficult for individual mine owners to provide housing facilities to these workers. The proposed welfare fund, should, therefore, offer assistance to mine owners for construction of houses. As for the standards and specifications of housing is concerned, these may be laid down by an Expert Body. In mines situated in remote places and where the life of mine is uncertain and seasonal, the housing programme should be made according to the local, climatic and environmental conditions.
- (4) Repairing and renovating of old dhowras and houses already built by employers, should be carried out by the employers themselves.

(28)

While agreeing in principle that the employers may provide some housing units to mining workers on their own, one of the employers' representative Brig. K. Bag Singh, on the Committee on Labour Welfare, disagreed that housing should be a statutory responsibility on the employers in the mining industry. He also stated that the responsibility for re-construction and renovating of the existing dhowras already provided by the mine owners to colliery workers should be undertaken by the respective welfare funds or they should provide adequate subsidy for the same. The Coal Mines Welfare Commissioner, Shri S.N. Pande, who is also a member of the Committee, did not agree to the above suggestion and stated that if the employers were to give a Minute of Dissent on the above decision, he would also be obliged to disagree with the employers and submit his Minute of Dissent, accordingly.

---

'PDM'