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GOVERNMENT OF INDIA
MINISTRY OF LABOUR, EMPLOYMENT & REHABILITATION

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COMMITTEE ON LABOUR WELFARE

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SECOND INSTALMENT OF RECOMMENDATIONS

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OF THE COMMITTEE ON LABOUR WELFARE

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(JANUARY 7, 1969)

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NATIONAL RESOURCE CENTRE OF LABOUR
INFORMATION DOCUMENTATION

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COMMITTEE ON LABOUR WELFARE
GOVERNMENT OF INDIA
NEW DELHI

RECOMMENDATIONS ON SUBSIDISED INDUSTRIAL HOUSING

Housing scheme for industrial workers was first started in 1946. Improvements in this scheme from time to time led to the emergence of a new Scheme, in September, 1952. The existing Subsidized Industrial Housing Scheme is based on two important ingredients, viz. the grant of subsidy and a long term loan at a reasonable rate of interest. The Scheme envisages the grant of Central Financial assistance for construction of houses for eligible industrial workers to the different agencies as follows:-

Construction Agency	Central Assistance provided on the basis of the ceiling cost.		Share of the Construction Agency.
	Loan	Subsidy	
State Governments and other agencies.	50%	50%	-
Employers	50%	25%	25%
Cooperatives of Industrial workers	65%	25%	10% workers' contribution.

The scheme is applicable to industrial workers covered by section 2(L)* of the Factories Act, 1948 and workers in Mines (other than those engaged in Coal and Mica Mines) falling within the meaning of Section 2(h)* of the Mines Act, 1952. Benefits of the financial assistance under the scheme are available to workers whose income does not exceed

* Annexure 'A'

Rs. 350.00 per mensem. Corporations or companies owned in part or full by the Central or State Governments, if liable to income tax, are also entitled to assistance under the Scheme.

Based on the functioning of the existing subsidised Industrial Housing Scheme and the views received on the subject in the Committee's Secretariat from various parties in their replies to the questionnaire or during the course of the evidence the Committee makes the following recommendations regarding housing for Industrial workers:-

1. Extension of the Scope of Subsidised Industrial Housing Scheme:

All the three groups viz., State Governments, Employers and Workers' Organisations have stated that the scope and coverage of the Subsidised Industrial Housing Scheme is limited and needs to be extended. As at present the scheme is applicable only to (i) workers whose income does not exceed Rs. 350/- per month, (ii) workers falling within the meaning of section 2(1) of the Factories Act, 1948 and (iii) persons employed in mines other than coal and mica mines falling within the meaning of section 2(h) of the Mines Act, 1952. Owing to the rise in money wages since 1952 either through bi-lateral agreements or through the Institution of Wage Boards or Awards of Industrial Tribunal and also in view of the fact the limit of wages for a worker under the Industrial Disputes Act is Rs. 500/- p.m. The

(3)

Committee, therefore, recommends that:-

- (a) All persons defined as workers under the Industrial Disputes Act should be eligible to receive the benefits of the Subsidised Industrial Housing Scheme. The State Housing Boards should, however, pay due regard to the needs of the lower pay group workers for whom the scheme is primarily meant.
- (b) the industrial workers even after crossing the wage limit prescribed under the I.D. Act be allowed to retain their tenements for a maximum period of 6 months on payment of economic rent to enable them to find out alternative accommodation.
- (c) the scope of the scheme be enlarged to cover the Government establishments which work as factories and whose workmen are not covered under the definition of workmen under the Factories Act, 1948.
- (d) the benefit of the Subsidised Industrial Housing Scheme should also be extended to certain categories (e.g. Drivers, Helpers, Fire-fighting staff, etc.) who are not at present covered under this scheme but are governed by the Industrial Disputes Act and the Factories Act and whose duties are incidental to or connected with the manufacturing process or the subject of a manufacturing process.

(Contd....4)

(4)

(c) the scope of the Subsidised Industrial Housing Scheme may be extended to factory workers of Government industrial undertakings run departmentally which do not have their own industrial housing schemes and are not liable to income tax by allotting at least 2 to 5% of the total industrial houses for such workers.

2. Need for Legislation for provision of houses to Industrial Workers by employers:

The Subsidised Industrial Housing Scheme provides for 50 per cent loan and 25 per cent subsidy to such private employers as undertake construction of houses for the industrial workers voluntarily. The facility of loan and subsidy provided under the Scheme has not been fully availed by the employers. This has affected the progress in the construction of houses to a considerable extent. The number of houses constructed by employers under this scheme was 29, 930 upto September, 1967. In view of the above, the Committee recommends as follows:-

"The Subsidised Industrial Housing Scheme is not available to all types of industrial establishments and it has also not been able to meet the total requirements of housing units. In plantations, the provision of housing is a statutory responsibility of the employers. As for the Mining Industries, the

(Contd.....5)

Committee has recommended that 20% of the houses be provided by the employers and the rest i.e. 80% of the houses by the Coal Mines Labour Welfare Fund. It is, therefore, desirable that certain percentage of houses are also statutorily provided by industrial establishments other than plantations and mining industries. The Committee, therefore, recommends that an All India enabling legislation be brought into being to give legal shape to this recommendation keeping, however, in view the nature and location of each industry. The employers may be given exemption or rebate from taxes for the amount spent on construction of houses for industrial workers."

3. Provision of finances for Industrial Housing:

It has been admitted by the State Governments as well as other concerned parties that housing projects require huge long term investment which is not available, at present. The Committee feels that substantial and stable sources of finance are essential and should be explored for encouraging housing programmes. With a view to raising finances for housing programmes, the Committee recommends as follows:-

- (i) Without setting up State Housing Boards, it would not be possible to raise funds speedily to execute housing schemes and also to look after the maintenance of the houses. Each State should,

(6)

therefore, have an Autonomous Housing Board for construction and maintenance of houses. The Board should earmark a minimum of 20% of its finances for construction of houses exclusively for industrial workers.

(ii) In order to augment the resources of these Autonomous Housing Boards for providing more housing facilities to the Industrial Workers the employers should come forward to advance loans to the Housing Boards on reasonable rate of interest.

(iii) The Life Insurance Corporation of India and the Central Provident Fund should also make substantial advances to Housing Boards for being spent exclusively for subsidised industrial housing. Suitable amendments to the LIC and Provident Fund Acts may accordingly be brought into being.

(iv) Additional releases from small savings over the present 2/3rd released to the State Governments be permitted to be utilised for augmenting resources for housing for industrial workers.

(v) As recommended by the Third Plan the setting up of a Central Housing Board will be useful in tapping private savings to provide additional resources for housing programmes. Moreover, it will act as a coordinating agency between the State Housing Boards

(Contd....7)

and the Centre. The Committee re-iterates the setting up of a Central Housing Board. The Committee further recommends that the initial capital of a substantial amount to meet the needs of such a Board for the first few years be provided by the Central Government out of plan funds.

(vi) Keeping in view the meagre resources available with the State Governments for housing programmes, the Committee recommends that Housing Boards should also encourage schemes to sell houses on no-profit no-loss basis or on hire purchase system so that the investment in housing is not blocked for longer periods.

4. Provision of suitable land and building materials for housing purposes:

The State Governments as well as a number of employers' workers' organisations have stated that one of the main impediment in the progress of housing programme is scarcity of land and shortage of building materials. The Committee, therefore, recommends that:-

"The State Governments should acquire land near and around industrial areas and after development it should be made available at reasonable rates to Housing Boards, workers housing cooperatives and Industrial Employers to build up housing colonies for industrial workers."

5. Revision in the existing ceiling cost under the subsidised industrial housing scheme:

It has been stated by State Governments and Employers' Organisations that overall ceiling cost of construction of houses prescribed under the scheme had become outmoded in view of the rise in the price of land as well as building materials. The Committee, therefore, recommends that the existing ceiling cost prescribed for construction of various types of houses under the scheme be revised wherever necessary.

6. Laying down of minimum standards in respect of housing for industrial workers:

(a) It has been stated by the State Governments workers' organisations and individual industrial units that the housing facilities provided voluntarily by various industrial employers vary in standard and specifications from industry to industry and in most of the cases, the housing facilities provided do not conform to the standards laid down under the subsidized industrial housing scheme. The Committee, therefore, recommends that certain minimum national standards laid down in respect of scale of accommodation for industrial workers, should be strictly adhered to.

(b) The Committee, further, recommends that the elementary facilities such as water supply, drainage, electricity, construction of roads, and conservancy and other community facilities should be provided wherever industrial houses are constructed and repairs should be undertaken by the appropriate authorities concerned periodically.

7. Encouragement to Cooperative House Building Societies:

It has been stated by all the parties concerned that industrial workers cooperative house building societies can play a very important role in the construction of houses for their members and can make up deficiency in the shortage of housing units considerably. State Cooperative Housing Societies in Andhra Pradesh, Maharashtra, Gujarat and Madras are reported to have made satisfactory progress and have received substantial loans from Life Insurance Corporation. The Committee, therefore, recommends that other States should also initiate necessary steps urgently to encourage the development of such cooperative housing societies amongst industrial workers and should provide suitable facilities to enable such societies to construct houses for their members.

8. Creation of housing funds by State Governments:

It has been reported that in Mysore two Banks have set apart Rs. 50 lakhs each and the State Government has given a matching loan to evolve a housing fund to help solve the housing problem. The Committee, therefore, recommends that other States should also examine the possibility of constituting such funds to provide suitable loan facilities to the parties who undertake construction of houses for industrial workers.

9. Multiplicity of authorities involved in housing programmes:

There are at present a number of authorities dealing with urban development and housing programme, such as Municipalities, Panchayats, Improvement Trusts, State Town Planning Board and Local Planning Authorities in each State.

The Committee, therefore, recommends that there is a need for effective coordination to control all land development, town planning and house building activities, at the State level.

10. Provision of house rent allowance to the industrial workers:

The workers' organisations have stated that only a very small percentage of workers in various industries have been provided with the housing facilities. The house rents in big cities are quite high and a sizeable portion of workers' income goes towards house rent.

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Although the Committee recognises the hardships caused to workers especially in big urban cities, it feels the remedy lies in accelerating the construction of more industrial houses especially for workers in urban areas. The Committee also hopes that realizing the difficulties of their workers, employers would also pay adequate attention to the provision of house rent allowance to such workers as are not allotted houses.

'PDM'

COMMITTEE ON LABOUR WELFARE
GOVERNMENT OF INDIA
NEW DELHI

EXTRACTS OF SECTION 2(d) FROM THE FACTORIES ACT, 1948.

(1) "Workers" means a person employed directly or through any agency, whether for wages or not, in any manufacturing process, or in cleaning any part of the machinery or premises used for a manufacturing process, or in any other kind of work incidental to, or connected with the manufacturing process, or the subject of the manufacturing process;

EXTRACTS OF SECTION 2(h) FROM THE MINES ACT, 1952.

A person is said to be "employed" in a mine who works under appointment by or with the knowledge of the manager, whether for wages or not, in any mining operation, or in cleaning or oiling any part of any machinery used in or about the mine, or in any other kind of work whatsoever incidental to, or connected with, mining operations.

COMMITTEE ON LABOUR WELFARE
GOVERNMENT OF INDIA
NEW DELHI

RECOMMENDATIONS ON EDUCATIONAL FACILITIES
FOR THE CHILDREN OF THE WORKERS.

The provision of adequate educational facilities for workers' children is as important and laudable an object as it is for the community as a whole. The workers' children, however, have a prior claim for these amenities in such undertakings which are away from the urban centres and where normal rules and principles, laid down by the State Governments for providing educational institutions, cannot ordinarily be applied. That is perhaps why provision of educational facilities has been made statutorily binding on the plantation employers under the Plantations Labour Act and in the case of Coal Mines another method to provide educational facilities has been found out by the creation of a Welfare Fund. In the case of Factory establishments, which are near the centres of urban population, it is perhaps not justifiable to make the provision of educational facilities for workers' children statutorily binding on those establishments.

As the Government has embarked on the policy of regional development and balanced growth, it has initiated necessary action in respect of dispersing the industries from the congested localities. As such, new locations which are generally found for the setting up of the industries, are far from the original places with the result that need has also been felt to provide some transport facility to the children of the workers. All these considerations lead to the confirmation of the need for provision for adequate educational facilities or easy access to these facilities.

(M)

The Committee, after deliberating over the pros and cons, recommends:-

1. Provision of education is the primary responsibility of the State Government. The State Governments must also, therefore, come forward to open more schools in areas of industrial concentration and they should also consider the possibility of relaxation of their rules even at places where the number of students fall below the minimum standard, prescribed for the opening of such schools. Adequate subsidy be given by the State to such employers as provide sufficient educational facilities, for workers' children on their own.
2. It has come to the notice of the Committee that the practice of levying educational cess in some States is prevalent. Even the local bodies like Panchayats also collect educational cess from industrial establishments including plantations and mines. It is felt that where provision of educational facilities is the statutory responsibility of the employers and the employers provide these facilities to their employees, the educational cess so collected from the concerned areas should be re-imbursed to those establishments to enable them to enhance their educational facilities.
3. As the provision of educational facilities to workers' children in plantation is a statutory obligation, the planters should provide these facilities adequately and should also maintain requisite standards at par with the institutions in their respective States. The Committee learns

(Confid.....3)

that in the State of Assam, the Government has taken over the educational facilities in two Districts of Sibsagar and Cachar because in some of the plantations this statutory obligation was not being fulfilled properly. The State Governments should ensure that educational facilities, in plantations, are effectively provided to workers' children by the employers.

4. Provision of educational facilities to workers' children in Coal Mines is, at places, being done by the employers themselves and in places the Coal Mines Labour Welfare Fund has augmented them. No such fund exists for non-coal mines other than Mica and Iron Ore Mines. The Committee has already recommended the creation of a Welfare Fund for other minerals as well. In such cases, the Fund and employers can pool their resources together to provide adequate educational facilities for workers' children.
5. Some of the managements are already giving stipends and other concessions such as subsidised educational facilities by way of grants for books and mid-day meals for the children. While no uniform standards can be laid down for the provision of these facilities by employers to workers' children, it is desirable and would perhaps lead to better man-management relations if industrial establishments take more effective and sustained interest in encouraging workers' children to enhance their educational attainments.

6. While some of the trade unions are reported to have been taking interest in the running of the educational institutions by the employers, a large number of trade unions do not seem to have taken interest in this matter. The Committee feels that as the schools are primarily for the benefits of the children of the workers, the trade unions should also actively participate in the efficient running of the institutions.
7. The low income of the workers particularly the semi-skilled and un-skilled ones makes it difficult for such workers to provide higher education even to their brilliant children. Though, various merit scholarship schemes are in vogue in the country, these are not adequate to meet the requirements of the situation. The employers and the trade unions may jointly undertake to provide scholarships to such meritorious children of the workers. If necessary, the funds could be raised through contribution by workers and employers to a Common Fund made for this purpose at the unit level.
8. The State Governments should formulate an integrated plan to provide primary and secondary educational facilities wherever any dispersal of industries is contemplated by the State Governments. Where these institutions cannot be opened by the State, it should run subsidised transport services for the benefit of the workers' children to enable them to avail of these educational facilities adequately. The employers should also consider the possibility of providing these facilities voluntarily.

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COMMITTEE ON LABOUR WELFARE
GOVERNMENT OF INDIA
NEW DELHI

RECOMMENDATIONS ON ADULT EDUCATION

It is a well known fact that the percentage of illiteracy is low in the country as a whole. The magnitude of this problem can be gauged from the fact that of the total of 439 million in 1961, 334 million could not read and write. The number of illiterates during the decade (1951-61) increased from 298 millions to 334 millions. The number of illiterates account for about 76% of the total population. The rapid increase of population, however, aggravated the problem. With the present rate of growth of population the number of illiterates is likely to swell up to a considerable extent by 1976, if no attempts are made to tackle the problem at this stage. In the light of this situation mass adult literacy assumes a problem of great importance.

At present, there are no statistics available in the country to indicate the magnitude of the problem relating to industrial workers as a class and their family members separately.

The Planning Commission has been seized of this problem. It had set up a Panel in 1964 to study the problem of literacy among industrial workers. The Panel submitted its report in November, 1964. The Committee is in agreement with the recommendations of the Panel and re-iterates that all the recommendations of the Panel be implemented effectively. The recommendation of the Committee in the

(Contd.....2)

matter thus runs as follows:-

"The Committee re-iterates the recommendations made by the Panel on Literacy among Industrial workers set up by the Planning Commission in 1964 and emphasizes the need for speedy implementation of the recommendations with a view to achieving the desired objectives."

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COMMITTEE ON LABOUR WELFARE
GOVERNMENT OF INDIA
NEW DELHI

RECOMMENDATIONS WITH REGARD TO RECREATIONAL FACILITIES

Provision of healthy diversions to industrial workers, absorbs the drag of monotonous life that they have to undertake either as cog of a machine or as a link in the chain of operations which are undertaken in factories, mines or plantations. Recreational facilities provide much needed relief that can fill the hiatus of social and cultural activities of the workers' monotonous life.

Keeping in view the suggestions received from various parties, the Committee recommends that:-

1. The need for providing recreational facilities on a regular and sustained basis to industrial workers including workers in plantations and mines as also to their families, cannot be denied. Some of the large scale establishments, both in private and public sector, are already spending considerable amount on providing recreational facilities to workers and their families. There is a need for every employer, including medium and small, to pay adequate attention towards provision of some basic minimum recreational facilities for their workers

2. The capacity of the industry to pay for these recreational amenities, especially in the case of small scale industries, has got to be taken into consideration. It is possible that even though the will to provide these amenities may be there, lack of capacity to pay may stand in the way. In such a situation, it is necessary for the State to intervene and lend a helping hand. This can either be done by suitable direct grants to the employers or by arranging recreational facilities for a group of small scale units. The cost of these amenities can be shared by the State and by the employers.
3. It is recognised that it is neither possible nor practicable for all factory establishments to provide centres for recreational activities within work premises on any extensive scale except where the establishments are spread over a sizeable area and they have already provided recreational centres in their project plans. It is, therefore, necessary that recreational centres are set up outside the place of work where a sizeable number of workers are residing. They should be well equipped to attract sufficient

number of workers.

4. In some States Welfare Centres are run departmentally. In some States these centres are run by statutory Labour Welfare Boards which are autonomous and are often tripartite in composition. This has resulted in workers taking not only greater interest in the utilisation of recreational facilities but even these facilities are better managed and effectively provided. It is, therefore, felt that instead of undertaking these activities departmentally such statutory bodies may be brought into being in all States which, besides other non-statutory welfare amenities arrange recreational amenities as well out-side the place of work. Such boards should be assured of adequate funds to discharge their duties effectively.
5. The need for providing atleast basic minimum recreational facilities to give some diversion to the monotonous life of plantation workers not covered by any welfare amenities including the recreational amenities provided under the Plantations Labour Act, cannot be over-emphasised. The Committee recommends that the State Welfare Boards referred to in recommendation 4 above should look into the needs of all industries in that State excluding Mines.

6. The recreational facilities which are being provided by the Coal Mines Labour Welfare Fund, have justified the need of setting up such funds for other minerals as well. The Committee has already recommended that there should be a common Minerals' Welfare Fund which should cover all minerals other than coal, mica and Iron ore or for which no such Fund exists so far. The setting up of such a Fund will help mitigate the rigours of the monotony of workers employed in mining establishments other than coal, mica and Iron ore for some welfare facilities in which due place should be given to the provision of recreational facilities.
7. The Committee feels that by and large there is no need for introducing any legislation for the provision of recreational facilities by employers in the case of factories and mining establishments in view of the recommendations given above. If these recommendations are accepted and implemented, the need for having even an enabling legislation becomes superfluous. It is strongly felt that this ^{is} a field where active initiative should also come from the trade unions to provide necessary healthy diversions to their members and also to re-orientate the working of the trade unions.

Considerable success can be achieved in popularising social and cultural activities amongst the workers if trade unions actively co-operate with the management in the matter.

8. The utility of excursions cannot be minimised. Besides providing much needed diversion to the workers these tours help broaden his outlook and enable him to understand his surroundings and his ownself better than before. This also helps in national integration and is in itself a great education. This media can also be further used for improvement of work methods and better relationship. The Committee strongly feels that such tours should be properly organised on regular basis for workers of all industries. It is further felt that the Central and State Governments, employers' and workers' organisations should all co-operate in promoting and organising these conducted tours. The funds for these tours should be shared by the State, Industry and the workers as well. Employers have been coming forward in the past and it is hoped they will continue to do so, more actively in future in promoting this idea and in keeping the workers' share in this venture to the barest minimum possible.

9. While the question of introducing an All-India Enabling Legislation, in the field of recreation is not desirable, the need for laying down a blue print for recreation, which can provide healthy diversions to people engaged in different industrial vocations on a national basis, cannot be over-emphasised. The Central Board of Workers' Education, the All India Council of Sports and allied institutions should jointly form a Council under the aegis of the Ministry of Labour, Ministry of Health and Family Planning at the Centre to lay down a minimum standard of recreational, sports activities which could effectively provide a base for keeping the workers fit, active and healthy.

COMMITTEE ON LABOUR WELFARE

RECOMMENDATIONS ON CANTEEN FACILITIES

According to an I.L.O. Study on "provision of facilities for the promotion of workers' welfare" brought out in January, 1950 for the Asian Regional Conference, the importance of adequate nutrition for workers was brought into prominence by the war, and the provision of canteens and other feeding arrangements at or near the place of work is a note-worthy development of recent years both in Asia and in other countries. Some of the objects of industrial canteens are aptly described in the report of the Indian Government Labour Investigation Committee, issued in 1946. The Report states that:-

"The workers' canteen is increasingly recognised all over the world as an essential part of the industrial establishment, providing undeniable benefits from the point of view of health, efficiency and well-being. To introduce an element of nutritional balance into the otherwise deficient and unbalanced dietary of the workers, to provide cheap and clean food and an opportunity to relax in comfort near the place of work, to save time and trouble to workers on account of exhausting journeys to and from work after long hours in the factory and (during war time at any rate) to enable them to surmount the difficulties experienced in obtaining meals and food stuffs, these are some of the objects of an industrial canteen."

The observations made regarding the nutritious value of providing canteens in or near the work place was also high-lighted before the Committee by a number of State Governments and workers' organisations. Some of

the employers' organisations also felt that this was an essential facility which should not only be provided in name but should also really answer the needs that the canteen has been provided as a statutory measure in factories, mines and plantations.. The views of all these parties had been symbolised before the Committee by Shri K.P. Tripathi, Minister for Finance and Labour, Assam, in the following words:

"On my visit to Cairo I was told by the Manager of a firm that 20% of the workers suffered from anaemia. Therefore, they introduced the canteen facility with emphasis on balanced diet. The canteen facility entailed an element of subsidy. After two years it was found that the anaemia had declined from 20% to 2%. The welfare facilities are financed in such a way that the capital expenditure is met by the State and the workers contribute part of the current expenditure which is mostly borne by the Management. It is a part of the social engineering in which we have to locate the weaknesses. Since the workers come from various places after being completely uprooted, you have to produce a chemical compound out of mechanical compound and then only you get a result. I think it is good to have an Advisory Body for a canteen. In England, after the last War it was realised that canteens helped in enhancing the physical efficiency of the workers. Therefore, through the help of the legislation the provision of canteen facility was made obligatory and it has helped in increasing the efficiency of the British workers. Through canteen it is possible to regulate the food of the workers in such a way that the deficiency in diet can be made good and thus it can be said that it helps in the social and health engineering. Canteen enables an establishment to plan the food habits of workers and regulate their timings."

The Committee had received a number of suggestions on canteen from various parties. On the basis of these suggestions and the impressions gathered by the Committee during its tours to various States, the Committee has made

a number of recommendations with regard to the improvement in functioning of the canteens and also with regard to the extension of this important welfare facility to cover larger number of workers. These recommendations are as follows:

(1) The purpose of providing canteens statutorily was to ensure that a worker working in Factories, mines and plantations is not only provided with beverages or eatables near the work-place but that he is also provided with clean and nutritious preparation at reasonable prices. This object, according to observation visits paid by the Committee to selected establishments and also the general impression gathered during the course of evidence tendered before the Committee, is not being met as effectively as it ought to be. At places where employers have provided good canteen buildings, the services are either entrusted to the Contractors or there is no proper supervision. The canteen management Committees do not run canteens effectively. The importance of providing a canteen in a work-place does not need any further emphasis. Various Expert Committees appointed from time to time have highlighted the need of not only the provision of canteen but also of its effective administration and good service of comparatively cheap, cleaner and nutritious eatables. Both the managements and the workers' organisations should, therefore, take active and effective interest in the

running of the canteens. Tripartite bodies should be constituted to ensure that the canteens are run properly and are popular with the workers.

(2) Section 46 of the Factories Act says that:

"The (State) Government may make rules requiring that in any specified factory wherein more than two hundred and fifty workers are ordinarily employed, a canteen or canteens shall be provided and maintained by the occupier for the use of the workers.

Without prejudice to the generality of the foregoing power, such rules may provide for:

- (a) the date by which such canteen shall be provided;
- (b) the standards in respect of construction, accommodation, furniture and other equipment of the canteen;
- (c) the foodstuffs to be served therein and the charges which may be made therefor;
- (d) the constitution of a managing committee for the canteen and representation of the workers in the management of the canteen;
- (e) the delegation to the Chief Inspector, subject to such conditions as may be prescribed, of the power to make rules under clause (c)."

This section enables State Governments to make rules requiring specified factories employing more than 250

persons, to set up canteens in conformity with prescribed standards and conditions as regards construction, accommodation, equipment, foodstuffs to be served and the prices to be charged and representation of workmen in the management of the canteen.

The Mines Act authorises the Chief Inspector of Mines to make rules for the provisions and maintenance in any mine for a canteen wherein more than 250 persons are ordinarily employed. Similar provision exists in plantations. These provisions are not being enforced properly and exemptions have been granted in various places by the State Governments to employers from providing canteens of specified standards. These exemptions should not be ordinarily granted or conferred as a matter of routine. The purpose of providing an important facility like that of canteen in any work-place is defeated if the related provisions are not properly and effectively implemented. It is, therefore, necessary that the State Government should make adequate arrangements for reviewing the functioning of the canteen by the State machinery at regular intervals say at least four times during a year to ensure effective implementation of the provisions.

(3) According to an Expert Study* conducted by ILO titled "The Quality of Labour and Economic Development, ILO, 1964" the level of nutrition measures by daily

* Galenson and Pyatt's study sponsored and published by the ILO.

calories available per head, yielded the closest relationship with the rate of economic growth. The relationship was much more significant in the case of under-developed countries.

The Committee, therefore, strongly recommends that the employers should take due interest in providing eatables of requisite standards and nutritive value to the workers employed in their establishments and should not only take the provision of canteen as a routine statutory obligation, which has to be fulfilled somehow. The Committee feels that the spirit behind the provision of the canteen is much more important than the mere provision of it and that this spirit ^{should} be borne in mind.

(4) According to a report of the Sub-Committee of the National Nutrition Advisory Committee on Nutritional requirements of working class families, it has been stated that:

"Nutrition plays an important role not only in the prevention of diseases but also in the promotion of health and efficiency at work. The various nutritional elements are classified in general into proteins, fats carbohydrates, vitamins, mineral salts, etc. Of these the first three which are termed as 'proximate principles' provide the energy for the various activities of life. The others, even though do not provide energy, are important for the regulation of the various functions of the body and for building up body structures like bones, teeth, etc. For a healthy and

vigorous life, all these nutritional elements should be present in the diet that one takes in adequate quantity. Apart from their adequacy in quantitative terms, their adequacy in terms of quality should also be ensured. For instance, in the case of proteins, their quality varies according to their content of different amino-acids which are essential for building body tissues.

Considerable research work has been done in other countries and to some extent in India too about the requirements of different nutritional elements. Formulation of diet schedules that would provide the essential nutrients adequately both in terms of quality and quantity, have also been attempted. A mass data has been collected particularly in regard to energy requirements. The energy requirements are known to depend on a variety of factors like age, sex, height, weight, climate, state of nutrition, etc., and they are generally estimated in terms of number of heat units called 'calories'. The total daily energy requirement depends mainly on two factors:

- (a) The energy requirement for certain essential functions like respiration, circulation, maintenance of body is at rest (called basal metabolism); and
- (b) The additional energy required for doing work.

The first component depends mainly on the height and weight of the individual. The latter component varies depending on the type of work done by him".

In view of these observations it is necessary that the Central Government amends all the Central Acts requiring the establishment of a canteen to provide that each State Government should make rules that to meet the object of nutrition a high level expert committee is set up for laying down standards of nutrition for different categories of workers and also to ensure that these standards are maintained in the canteens.

(5) Downward revision of the statutory limit regarding the number of workers for setting up canteens in the factories and establishments:

Under the Factories Act, 1948, Section 46, the minimum number of workers for whom the canteen may be provided has been fixed at more than 250 workers. According to the available statistics, this provision at the very outset deprives the sizeable working force employed in about 79% of the reporting factories and establishments which employ less than 50 workers of this facility. The percentage of the factories which employ 50 or more but less than 500 workers is only 18 and even a good number among them have not set up the canteens, near or at the place of the work. On the whole, thus, a large number of the workers have been denied the use of this basic amenity of the industrial life.

In the late forties, when the Factories Act was enacted, the industries like Jute, Textile, Sugar and some other large scale establishments with their labour intensive

character have been set up in the country. Gradually, this position has been undergoing some changes with the result that now a number of capital intensive industries such as electronics, telecommunications, machinery manufacturing, fertilizers, chemicals and pharmaceuticals, etc. have also come into being. Some of these industries have multi-plants at different places which necessitate them to distribute the total working force in these plants instead of at one place.

In order to cover quite a good number of factories and to provide this facility to ^a large number of workers, the Committee recommends that it would be advisable that in case of establishments employing less workers than the statutory limits prescribed at present for factories, mines and plantations if the workers request the management to open a canteen to be run on cooperative basis, necessary facility should be given to them by employers.

- (6) Amendment of the Factories Act, so as to cover the provision of canteen automatically without notification, when a factory employs more than the statutory limit of workers

The existing provision for notifying the factories for purpose of providing canteens is causing much delay specially in case of factories crossing the marginal limit of 250 workers (section 46(2)(a) of the Factories Act). The fact that

a certain factory or reestablishment has crossed the limit comes to the notice of the Inspectorate after a lapse of some time and the process of notifying a particular factory by Government involves some more delay, thus depriving the workers of this welfare provision for a considerable period.

In respect of other welfare provisions like welfare officers, creche, ambulance rooms, rest rooms, lunch rooms etc. there is no provision for the notification by Governments. After allowing some reasonable time of 6 months for construction of canteen buildings as per the standards laid down the section 46(2)(a) of the Factories Act may be so amended as to cover the provisions of the canteens automatically without notification of the date by which a factory or establishment shall provide it.

- (7) The canteens should preferably be run by workers on cooperative lines and employers should give encouragement to the workers for this purpose.

It has been widely felt that the contract system of running canteens suffers from the poor standard of service and maintenance, sub-standard food-stuffs and eatables, high prices, charged for the items etc. Suggestions have, therefore, been made that the canteens should either be run exclusively by the workers and their cooperatives

or under the joint auspices of management and workers on cooperatives lines. Involvement of the workers in the running of canteens will not only result in bringing about considerable improvements in this institution but also afford opportunities to the workers for responsible discharge of the duties. If done on the cooperative lines, this facility will also train the workers in many ways and prepare them to run other welfare institutions on cooperative basis. To avoid delays in the registration etc., of the cooperative canteens, the State Governments may be requested not only to complete the connected formalities as early as possible but also encourage the formation of such like cooperatives.

(8) Credit facility for purchases from the canteens:

The provision of credit purchases of deferred payment for purchases made from the canteens will popularise these institutions and also assist such workers as may find difficulty in making cash payments. Quite a large number of the workers' organisations have suggested that this facility should be given to them and 5% to 10% of their wages should be allowed as credit. As regards the misutilisation of the provision for credit purchases, it has been agreed that the permission to make such purchases

within a limit would check these tendencies among the workers. In such cases where canteens are not run on co-operatives lines, Payment of Wages Act, 1936 may be suitably amended so as to include deductions for credit to workers from canteen permissible under the Act.

(Separate recommendations in respect of Credit facilities for mines have already been given by the Committee).

- (9) Provision of mobile canteens for workers in such industries as are exploratory and have their labour force deployed in the distant and interior areas

The undertakings/industries like cement oil, and natural gas, tube-well organisation Neyveli Lignite Corporation, etc., deploy a number of their workers in the batches on exploratory, stone quarrying etc. jobs in the distant and interior areas. The workers engaged for these purposes face considerable difficulties for want of proper arrangements of food-stuffs, drinks, etc. at the work sites. This equally applies to workers employed in construction industry. In such industries canteens cannot be provided permanently at any place unless the strength of workers at that place is always to remain in the neighbourhood of the number of workers prescribed under the relevant Acts

at present. For such industries it is necessary that mobile canteen facilities should be made available to the workers by concerned employers/managements.

In view of this, it is suggested that mobile canteen facility should be made available for such workers by the employers/managements.

10. While the reduction in number of workers for the applicability of provision relating to the setting up of canteen has been recommended and the number suggested has also been indicated in case of factories, mines and Motor Transport Workers, the reduced limit of employment figure will still leave a large number of workers uncovered from the essential facility of a canteen. To cover such units which are still smaller, it is recommended that in order to mitigate hardships that might be caused to smaller units by providing the facility of canteen individually, the competent authority may be authorised to permit joint service by small employers situated in the same area/estates, and if necessary, amendments to the existing enactments may be made to provide for setting up of joint canteens.

COMMITTEE ON LABOUR WELFARE
GOVERNMENT OF INDIA
NEW DELHI

RECOMMENDATIONS ON VENTILATION & LIGHTING, DRINKING WATER, BATHING & WASHING FACILITIES, SANITARY AND CONSERVANCY FACILITIES, SITTING FACILITIES, STORING AND DRYING OF CLOTHING FACILITIES, ETC.

The Factories Act, 1948 provides for certain basic facilities such as lighting, ventilation, sanitary and conservancy facilities, supply of drinking water, Bathing and Washing, Sitting, Storing and drying clothing facilities for workers within the premises of an establishment. The provision of these facilities has been considered essential in the interest of workers' health, and efficiency.

On the basis of the replies received, evidence collected and observations made through on-the-spot visits it has been found that these measures are not being enforced as strictly as they ought to be in accordance with the prescribed standards.

The Committee, therefore, recommends that:-

"The above-mentioned facilities, provided statutorily, should be in accordance with the standards laid down under the Factories Act, 1948 and be enforced strictly. The Committee further recommends that in case of non-compliance with the provision of such facilities deterrent punishment should be imposed on defaulters."

COMMITTEE ON LABOUR WELFARE
GOVERNMENT OF INDIA
NEW DELHI

RECOMMENDATIONS ON FAIR PRICE SHOPS/
CONSUMER COOPERATIVE STORES

The Indian Labour Conference in its 20th Session held in August, 1962, adopted a scheme for the organisation of Consumers' Cooperative Stores amongst industrial workers in the public and private sector undertakings employing at least 300 workers. The minimum membership per society was fixed at 300. The question of setting up of Consumers' Cooperative Stores was reviewed by the Standing Committee set up to implement Industrial Truce Resolution. The Standing Labour Committee in August, 1963 recommended that as a measure of immediate relief to the workers in industrial establishments which have not so far already set up consumers cooperative stores, should open a Fair Price Shop and distribute through these shops rice, wheat and sugar at the same prices and scales as in general open fair price shops.

The matter was discussed in great detail in 14th and 17th meetings of the Committee on Labour Welfare. The workers representatives stated that the fair price shop scheme had been very useful for the workers and such establishments as had not established the fair price shops should be persuaded to do so and if necessary legislation might also be enacted for opening of fair price shops.

(2b)

They also suggested that the present limit of 300 workers for opening fair price shops be also lowered to even establishments employing 200 or more workers.

On the other hand the employers' representative said that this institution could not be said to be of universal benefits as conditions vary from industry to industry and therefore, they could not agree with the views expressed by the Labour representatives. The reasons for this were:-

- (i) The fair price shops were introduced under an emergency and they should not be treated as a permanent amenity either under compulsion or otherwise.
- (ii) As the supply of essential goods particularly food items which constitute 65% of the consumer expenditure of workers are outside the control of employers, the viability of these shops is in question.
- (iii) In certain industries the workers themselves have questioned the utility of these shops.
- (iv) The utility of fair price shops should be reviewed by an expert body.

The Committee, after detailed discussion on Fair Price Shops/Consumers' Cooperative Stores, adopted the following recommendations:-

1. The need to have a Fair Price Shops/Consumers' Cooperative Store in Industrial establishments employing 300 or more workers has already been recognised. 65% of such establishments have already opened either fair price shops or

(Contd.....3)

consumers' cooperative stores. The present limit of 300 workers does not make available the benefit of consumers' cooperative stores or fair price shops to a large number of workers. This limit should be progressively reduced so as to cover establishments employing 200 or more workers provided the turnover of the Fair Price Shops/Cooperative Consumers' Store is adequate and the workers do not get regular and cheap supplies of essential items of daily use from well organised private shops which may be located in the vicinity of the establishments, are run on competitive basis or can be controlled by the employers.

2. In order to popularise the fair price shops/cooperative consumers' stores, State Governments should take effective steps to ensure regular and adequate supplies of essential articles of food grains to these institutions.
3. Effective steps should be taken to persuade such employers as have neither yet established Fair Price Shops in their premises nor initiated steps for the setting up of consumers' cooperative stores. In the event of persuasive efforts not yielding any tangible results, legislation may be undertaken to ensure the provision of fair price shops, wherever a cooperative store has not to be established voluntarily.
4. Fair Price Shops/Cooperative Consumers' Stores may be opened in residential areas, and not in the premises of the establishments where large workers housing colonies of the same establishments have come up and which are away from the main urban settings - such fair price shops may also be set up by a number of establishments jointly where workers of these establishments reside in a colony.

(42)

GOVERNMENT OF INDIA
COMMITTEE ON LABOUR WELFARE
NEW DELHI

RECOMMENDATIONS ON LABOUR WELFARE
CENTRES RUN BY STATE GOVERNMENTS

In a number of replies received from the State Governments/Union Territories Administrations, mention has been made of the Labour Welfare Centres which are run by State Govts. either through the allocation of plan funds or through the institution of statutory labour welfare boards which are tripartite in character, as in the case of Maharashtra and Gujarat. In other States like Uttar Pradesh, Punjab, West Bengal, Orissa Haryana, Madhya Pradesh and Union Territory Administration of Delhi, such Centres are run by the Labour Departments of the concerned Governments and funds are provided for these centres in the budgets of the labour departments. Some of these funds are made up of plan allocations and some from the committed revenue expenditure.

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The pattern of activities undertaken by the welfare centres is more or less uniform in all the States. The Centres undertake to provide non-statutory welfare amenities to workers and amongst these, the emphasis is more on side of cultural and recreational activities. Some Centres also provide vocational training to members of the Workers' families and some render first-aid as also tender advice in matters of family planning. The need for setting up such Centres in all States has been recognised.

eed for widening
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abour welfare
entres:

According to the information available with the Committee, a number of welfare centres have been set up in most of the States, as is evident from Appendix 'A'. The utilisation of amenities available at these welfare centres is permissible to factory workers and their families only. As these Centres, except in the case of Maharashtra and Gujarat, are run out of plan funds, the Committee feels that they should be open to all workers and their families. It, therefore, recommends that the Welfare Centres should be open to all the workers whether employed in factories or in shops and commercial establishments. Wherever these centres are found to be inadequate vis-à-vis workers' requirements, their number should be suitably increased.

Constitution of
Tripartite bodies
for the adminis-
tration of labour
welfare centres:

During Committee's visit to welfare centres in various States, the members of the Committee were informed that the centres were not popular with the workers. The workers on the other hand, complained that the facilities provided at these centres were inadequate. In view of this, the Committee has recommended that:

"In order to ensure full utilisation of these centres by the workers, tripartite bodies may be constituted for administration of each welfare centre."

S/K/A

APPENDIX 'A'

Name of the State	No. of Welfare Centres	1966 (Provisional)	
		No. of working factories	Estimated average daily employment
1. Andhra Pradesh	11	5075	255,000
2. Bihar	25	11,602	238,000
3. Gujarat	38	4668	413,000
4. Jammu & Kashmir	6	19*	9,000*
5. Madhya Pradesh	33	2229	212,000
6. Maharashtra	72	9123	937,000
7. Mysore	16	2769	240,000
8. Orissa	24	386*	67,000*
9. Punjab	21	3552@	104,000@
10. Rajasthan	29	1511*	75,000
11. Uttar Pradesh	73	3595*	413,000*
12. West Bengal	50	5735	873,000
13. Delhi	10	1352	88,000
14. Tripura	5	54	2,000
15. Pondicherry	6	N.A.	N.A.

Source: Indian Labour Statistics, 1958 - Table 2.5

*Figures for the year 1965 have been repeated for the year 1966 as the returns for this year were not received.

@ Re-organised Punjab.

COMMITTEE ON LABOUR WELFARE
GOVERNMENT OF INDIA
NEW DELHI

RECOMMENDATIONS ON DISTRESS RELIEF AND CASH BENEFITS

The Committee on Labour Welfare is expected to review the functioning of both statutory and non-statutory welfare measures. One of the essential non-statutory welfare measures is Distress Relief and Cash Benefits to workers by employers without any legal compulsion, in unforeseen circumstances and as a measure of help in contingencies like sickness, accidents, premature death, invalidity of the bread earner or damage done by natural calamities like flood, fire and cyclone. It is a matter of common knowledge that no single individual specially of small means can provide on his own a compensation against such contingencies. Neither can these measures be generally organised by the employers themselves on their own because of their meagre means. It is, therefore, expected that by and large distress relief is voluntary measure resting on the humanitarian outlook of the employers.

Some such measures exist in certain establishments either on ad-hoc basis or as a regular practice. The Committee, in order to benefit by the views of employers' and workers' organisations in this matter posed a few questions on distress relief and cash benefits to the parties. The need for such measures has not been denied either by the employers or by the workers. The difference

of opinions arises on the means to provide these measures, as also on the question of giving a legal shape to these practices. Employers by and large feel that such facilities have already been in the statutes, such as the Workmen's Compensation Act, Provident Fund Act, Employees' State Insurance Scheme. Additions if any, should be left to the volition of the employers.

Workers on the other hand will like these measures to be adopted as a regular practice, may be on exgratia basis.

The Committee considered this matter in detail and has made the following recommendations:-

1. Wherever facilities in respect of distress relief and cash benefits do not exist, the employers and employees concerned should work out a mutually acceptable formula for providing such benefits to the workers.
2. The State Labour Welfare Boards, when set up, should also earmark a portion of their funds for giving assistance to small scale employers as grants of distress relief funds of their workers. This will be in addition to the contribution that the employers would themselves make. This will apply to establishments employing 50 or less workers.

COMMITTEE ON LABOUR WELFARERECOMMENDATIONS RELATING TO PLANTATIONS INDUSTRY
AMENDMENTS OF THE PLANTATIONS LABOUR ACT, 1951

In view of the gradual increase in the wage level, which has been taking place as a result of rise in prices, through agreements or as a result of wage board awards, it is felt that the Plantations workers should be brought at par with their counter-parts under the Industrial Disputes Act, in respect of the coverage of pay-range. As at present, the maximum wage limit of workers, to which Plantations Labour Act applies, is Rs. 300/- per month. The Plantations Labour Act may be suitably amended so as to include such workers in plantations as are in receipt of wages by upto Rs. 500/- per month.

As at present, no provision exists in the present Act, which may require an employer to notify the change of ownership and in acreage of the new plantations. It has caused difficulties in the proper enforcement of the Act.

The Committee, therefore, recommends that:-

- (1) According to Section 2K(ii) of the Plantations Labour Act, persons drawing upto Rs. 300/- are to be treated as workers. The coverage of the Plantations Labour Act should be brought at par with the definition of a workman under the Industrial Disputes Act.

(ii) Under the Plantations Labour Act, no provision exists for compulsory notification in respect of change of ownership or managements. This causes difficulties in the proper enforcement of the provisions of the Act. The Plantations Labour Act should, therefore, be suitably amended so as to provide notification of changes with regard to ownership and acreage.

II - SETTING UP OF PLANTATIONS ADVISORY COMMITTEES

Sub-section 16-C of the Plantations Labour Act provides for the setting up of the tri-partite Advisory Board for Plantations Labour Housing Scheme. Almost all the State Governments, where plantations are located, in pursuance of the Plantations Labour Rules, have set up Advisory boards for Plantations Labour Housing. The only exception is in the case of Bihar, where no Advisory Board has been set up because of the special situation of the Plantations, very limited number of Estates and majority of the workers residing in their villages near the Plantations.

2. Some of the State Governments like Assam, West Bengal, Kerala, have also set up Medical Advisory Boards in their States. The State Governments of Assam, Madras and Kerala have, however, set up tripartite Labour Advisory Committee to look after various provisions of the Act. In the State of U.P., there is a sub-Committee on Plantations Labour, whereas, in Madras, the Plantations Labour Advisory Committee looks after the medical care of the workers. In Mysore, the proposal to set up a Plantations Labour Committee has been under the consideration of the State Government. It is, thus, evident that there is no uniform pattern in all the plantation States in this regard. It is, however, desirable that Advisory Committees to look after the implementation of all the important provisions of

the Act are brought into being.

The Committee, therefore, recommends, as under:

"The State Governments may consider the setting up of such Advisory Committees as may be necessary to ensure proper enforcement of the various welfare provisions of the Plantations Labour Act."

III - Housing Facility in Plantations Industry:

On the basis of the replies received in response to the Committee's Questionnaire and the evidence collected by the Committee during its tour to the various States, where plantations are located, it is observed that the provision of Housing to plantation workers has fallen short of the requirements. The problem has become all the more acute during the last few years, because of the slow progress in the construction of housing units. Some of the important reasons ascribed to this retarded progress are (i) continued high cost of construction; (ii) dearth of building material, such as cement, G.I. Sheets and timber and (iii) upward revisions in the standards and specification of the accommodation, as has been done in the case of Assam.

The Employers' Organisations like the United Planters Association of South India have pointed out that on account of the delay in the finalisation of the Subsidy and Loan Scheme, that was recommended by the Working Group set up by the Ministry of Labour, Government of India, in 1964-65, the Employers could not avail of the advantages of the assistance. The Scheme of 25% subsidy and 50% loan came into force from 1st of April, 1966.

According to the present position, only resident workers are entitled to accommodation as per Section 15

of the Plantations Labour Act. This precludes all the non-resident workers perpetually from the possibility of getting a house in the plantations, even though such workers may now be prepared to live within the plantations. The workers' organisations at Madras pointed out that workers can be expected to reside in plantations only if the houses are offered.

It has also been represented to the Committee that houses provided are, not of the requisite type and they are prone to accidents involving death or injury to the occupants.

In view of the position explained in the preceding paragraphs, the Committee recommends as under:-

- i) Provision of stipulated number of houses in a given year should be strictly enforced. In case, where the employers find themselves unable to fulfill this obligations on account of reasons at sometimes beyond their control, and, for which they obtain the exemptions from the State Government, they should make efforts to cover the backlog of the preceding year, according to a phased programme.
- ii) The State Governments should help the planters by securing a certain amount of building material and make it available to them at reasonable rates

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- iii) The Plantations Labour Act should be amended suitably so as to provide houses for such non-resident plantations workers, as wish to reside on the Estate, and do not reside within 5 Kms. from the periphery of the Estate.
- iv) The standard of houses already laid down in the Rules for Housing under the Plantations Labour Act for workers should not be subject to frequent revisions. Even where such revision is necessitated, the houses that have already been built as per earlier specifications should be deemed to conform to specifications.
- v) In view of the reported response from the planters, adequate funds should be made available under the Plantations Labour Housing Scheme, so that the employers accelerate the implementation of the housing provisions.

IV - EXTENSION OF GRATUITY SCHEME IN THE NORTHERN AND NORTH EASTERN STATES, WHERE PLANTATIONS ARE LOCATED

The Gratuity Scheme is one of the social security measures which envisages the provisions of some relief on the event of retirement from service. It is one of the non-statutory benefits which have been extended to the workers engaged in the plantations in the Southern States of Kerala, Madras and Mysore covering about 2 lakhs plantation workers. The benefit has been provided as a result of the collective agreement between employers' and the workers' organisations.

2. In the former State of Madras, which included Malabar region of Kerala, the Scheme had been in operation from 24th March, 1952, whereas in Kerala, excluding Malabar, it was brought in-to operation from 9th February, 1962. As the workers engaged in the plantations of Malabar region of Kerala were already in receipt of this benefit, there was a demand on the part of workers of other plantations. Consequently the Plantations Labour Committee considered the issue in a series of meetings and a draft gratuity scheme was prepared. It was considered in a Conference of the parties convened by the Labour Commissioner on the 9th February, 1962 and a settlement was arrived at. Mysore is the last State where this Scheme came into force on the 1st of July, 1964. The workers inclusive of white collared staff were already enjoying this benefit from 1st July, 1957.

The salient features of the Scheme are that in all these States, the gratuity is worked out on the basis of 15 days' wages, based on the last drawn wage immediately preceding the date on which the gratuity becomes payable for every completed year of service. But, the maximum limit payable to workers varies from State to State. In Kerala, the maximum limit has been fixed at 12 months' pay whereas in Madras and Mysore, the maximum limit is 15 months' wages. In respect of white collared workers, the maximum of 15 months' basic pay plus D.A. is applicable. So far as Kerala is concerned, there is disparity in the maximum limit of gratuity fixed for workers and the staff. The staff is entitled to a maximum gratuity of 15 months' basic pay plus D.A. whereas the workers are entitled for a maximum of 12 months' wages as gratuity.

The conditions under which the gratuity is payable differ from State to State and they are broadly as under:

In Madras and Mysore States it is payable on retirement by superannuation or completion of 60 years of age whereas in Mysore it is 58 years.

In case of voluntary resignations, gratuity is payable after completion of 5 years service in Madras, 10 years' service in Kerala, and 7 years' service in Mysore. In all the States Gratuity is payable on the death of a workman while in service or when he is physically or mentally incapacitated provided he has completed at least one year's continuous service.

In the Northern and North Eastern States where plantations are located, gratuity scheme is applicable only to

staff. According to a survey made in 1961-62 this covered only 18.7% estates in Assam and Tripura and 10.5% Estates in West Bengal.

The gratuity Scheme which is applicable to Southern States is not prevalent in the Northern and North Eastern States. In view of the above the Committee recommends that:-

1. The benefit of the Gratuity Scheme operative in Southern Plantation States may also be made available to the Plantation States in Northern and North Eastern Region. The Plantation Labour Committee or any other appropriate body in the absence of such Committee, should examine this issue and introduce the gratuity scheme.
2. The State Government of Kerala should make efforts to see that the maximum limit of gratuity payable to workers should be enhanced from 12 to 15 months' wages as is the practice in the States of Mysore and Madras.
3. In case of voluntary retirement of workers in the plantations of Kerala and Mysore, the qualifying conditions of 10 years and 7 years continuous service for eligibility of gratuity benefit should be brought down to 5 years by the respective State Governments as is the practice in the State of Madras. It is desirable to have a uniform pattern of gratuity in the Southern Plantation States.

V. A LIST OF MEDICINES, DRUGS AND EQUIP-
MENTS FOR THE PLANTATIONS HOSPITALS
TO BE MAINTAINED AS PRESCRIBED -

In the Plantations of the State of Madras, the workers are reported to have experienced a good deal of difficulty in getting the standard medicines in some of the hospitals. The representatives of the Estates staff Union of South India, Coonoor, suggested that a Committee might be set up to look after the standards of the medical facilities that were available in various hospitals. It was very often complained that there was great disparity in the standard of the medical facility that was available in the various Plantations. The Government of Madras, after a good deal of deliberations, decided to set up a Medical Sub-Committee in 1962. This Sub-Committee prescribed a list of medicines, drugs and equipments which were to be maintained in the Plantations Hospitals. These recommendations were accepted by the Government of Madras on the 18th May, 1966.

2. During its tour to Assam, too the Committee observed that some estates were not maintaining hospital facilities properly and adequately.

The workers' representatives have also pointed out that there are many such plantations Estates, where the conditions of the hospital and the facilities available are not upto the mark. The need for providing standard medicines and hospitals equipment/evident.
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On the basis of the action taken in Madras, it may be suggested that a list of Medicines, Drugs and Equipments should be prescribed by the State Governments with a view to making it incumbent on all the hospitals in the Plantations to provide those medicines. This would help in reducing considerably the disparity in the standards of the medical facilities available to workers.

3. The Committee, therefore, recommends as under:-

Such State Governments where plantations are located and which have not yet prescribed list of medicines, drugs and equipments to be maintained in the hospitals under the Plantations Labour Act, should do so urgently. In order that Hospitals are properly equipped the State Governments may also consider the desirability of undertaking a review at least once in two years.

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VI. WELFARE AMENITIES TO WORKERS EMPLOYED
IN SUCH PLANTATIONS AS ARE NOT COVERED
BY THE PLANTATIONS LABOUR ACT :

The magnitude of the problem of providing welfare amenities to workers employed in plantations not covered by the Plantations Labour Act is tremendous. In respect of tea plantations, out of 9,835 Estates in the country, nearly, 80% are those measuring upto five hectares or less. This phenomenon is more pronounced among tea plantations in Southern States, whereabout, 91% of the 7,315 Estates fall in this category of small units. Regarding the Coffee and Rubber Plantations, in terms of number of workers only 60,000 workers in the entire industry of coffee and rubber plantations are covered by the Plantations Labour Act, against an estimated total of 3 lakhs of such workers. That these workers should continue to be denied even part of the such welfare amenities as are available to their counter-parts as a statutory obligation on employers, employed in covered undertakings, cannot be justified on any ground except difficulties of administration and perhaps capacity of small plantations to pay for the welfare amenities as a whole. It is, therefore, essential that some machinery should be set up, to provide at least some of the major welfare amenities, otherwise, provided under the Statute, for plantations of a particular size and employing a certain number of workers.

In its recommendations sent to the National Commission on Labour regarding the plantations, the

Committee has since decided as follows:-

- i) 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 may set up a special Committee, to review the extension of the said Act periodically.

It also took decision for providing additional welfare amenities, other than those listed in the Plantations labour Act, to covered estates by respective Commodity Boards. This recommendation along with the list of additional welfare amenities has also been sent to the National Commission on Labour already.

It is true that the Committee has taken a decision that the Plantations Labour Act should be extended progressively to un-covered workers/establishments. The magnitude of such establishments, given in the preceding paragraphs, clearly indicates that it would not be an easy proposition to extend the Act to majority of such establishments, within a foreseeable future. It also leads to the necessity of evolving a suitable agency which could extend some of the important welfare amenities to such un-covered workers.

This matter was discussed in detail by the Members of the Committee. The consensus of opinion was in favour of entrusting the responsibility to a statutory Welfare

Board at State level which are proposed to be set up in all States. This would avoid multiplicity of agency for the same purpose and where particular industry like plantations requires special attention on account of its characteristic feature, the said Board can have a separate wing for the provisions of welfare amenities to uncovered workers in such industries.

In the light of the above the Committee recommends as follows:-

- I. The Plantations Labour Act, 1951, applies to a limited number of plantations. As at present, a vast majority of plantations, especially in coffee and rubber, are not covered by the Plantations Labour Act, both because of lesser area and lesser number of workers than the limits prescribed in the Plantations Labour Act. In case of tea plantations also, in Southern States in particular, about 91% of 7315 tea Estates fall in the category which are not covered by the P.L. Act. Although the Committee had already recommended that the Plantations Labour Act should be progressively extended to cover uncovered plantations, the Committee takes cognisance of the fact that keeping in view the legislative formalities and the administrative difficulties, it may not be possible to cover an appreciable number of uncovered establishments by the provisions of Plantations Labour Act in the foreseeable future. The need for providing such welfare amenities as were considered absolutely essential for plantations workers and were thus included in the Plantations Labour Act, cannot be denied to large majority of plantations workers

on any grounds. At the same time, it is felt that it may not be possible for the small plantations to bear the burden of all or majority of these amenities on their own. It is, therefore, necessary that the welfare needs of the workers in uncovered establishments are taken care of by the proposed statutory State Labour Welfare Boards.

2. It is necessary to spell out the sources of finances for the proposed State Welfare Boards which may undertake some welfare measures in respect of uncovered establishments. These are as follows:-

- i) Grants given by the Commodity Boards for some of the welfare amenities for workers and their children, namely, education and medical facilities, may be diverted towards the Fund instead of the State Government;
- ii) Income accruing on account of various local taxes imposed by Panchayats on plantations areas be diverted to this Board;
- iii) As in the case of Assam Tea Employees' Welfare Fund, unclaimed wages and fines should also form part of the finances of this Board;
- iv) The State Governments should ear-mark some Fund out of their Plan allocations for this Board.
- v) Some levy be charged by way of contributions from employers and workers in uncovered estates. The rate of contributions may, however, differ between employers and workers.
- vi) If all the above sources combined together still fall short of the financial requirements of the activities undertaken by the proposed Welfare Board, the possibility of enhancing the levy of cess under respective Commodity Enactments by a paise or two, for which there is already a provision in the said Acts, may be examined by the Central Government.

The constitution of the proposed State Welfare Board does not take away the statutory obligations of such plantations, to which the Plantations Labour Act applies.

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COMMITTEE ON LABOUR WELFARE
GOVERNMENT OF INDIA
NEW DELHI

RECOMMENDATIONS ON AGRICULTURAL LABOUR

1. Identification of Agricultural Labourers:

One of the terms of the reference of the Committee on Labour Welfare is to suggest measures for introducing welfare schemes for rural labour in general with particular reference to agricultural labour. The population of a village, by and large, is still a well knit identifiable entity. It is, therefore, generally difficult to have a correct definition of what would or should constitute rural labour and agricultural labour. So far as the agricultural labour is concerned, the Government of India had appointed two Agricultural Labour Enquiry Committees - one in 1951 and the other in 1956-57. The first agricultural Labour Enquiry Committee had also defined an Agricultural Labour Family, and not an agricultural labour. It was first stated that an agricultural labour family would be one in which every Head of the Family or 50% of the earning Members of the family covered agricultural labour as their main occupation. To elaborate the matter further, agricultural occupation was defined as one in which the Family was engaged for 50% or more of the total number of its work in agriculture during the preceding year.

The Second Agricultural Labour Enquiry Committee adopted a different definition. It was on income-basis.

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According to this Labour Enquiry Committee, house-hold was considered as agricultural house-hold, if the major earning of the house-hold were by the members, pursuing occupation of agricultural labour. The criteria adopted was thus the major source of income and not the quantum of hired employment. The official spokesman of the Government of India who appeared on behalf of the Ministry of Food and Agriculture, Community Development and Cooperation also preferred the second criterion as a more correct approach for defining the Agricultural Labour.

According to the Census operations undertaken by the Government of India from time to time, the term agricultural worker has also been used. This term includes agricultural labour as well as cultivators. For, even small farm owners, with un-economic holdings, may also be doing work on wage-basis for others. It may be realistic to include all the Agricultural Workers within the scope of enquiry and for provisions of welfare amenities for the purpose of the Committee. In any case, these workers do form part of rural labour, in some shape or the other, in the sense that in the spare-time, they may also be engaged in undertaking the agricultural operations.

The Committee, therefore, recommends that agricultural labour be defined as under:-

"Agricultural labour may be defined as one whose principal means of livelihood is wage-income arising out of the farm labour and the other allied activities."

2. Basic welfare amenities for Agricultural and Rural Labour

With the advent of planning, and the development of Community Blocks, some benefit has accrued to the Rural and Agricultural Labour. But the benefit has been mostly of economic nature. With the growth of rural economy, the factors, which are responsible for the increase in production have mainly been developed, in the rural areas. But, simultaneously, the welfare aspects of the workers have not been given the same importance, with the result that a good deal of disparity has been created between the Rural Labour and their counterparts in the industry in urban areas. This apart, otherwise too the need has been felt to provide some of the basic welfare amenities to the rural and agricultural labour primarily with a view to improving the working and living conditions of such labour.

In response to the Committee's questionnaire and the oral evidence collected during the course of Committee's tour, various suggestions have been received as to what should be included in the welfare amenities for agricultural labour. The consensus of the majority is in respect of the following amenities:-

- i) Supply of drinking water facilities;
- ii) Provision of house-sites for landless labour;
- iii) Provision of rest-shelters;
- iv) Medical and health facilities including family planning;

- v) Supply of protective clothing and other provisions to ensure safety;
- vi) Provisions of free educational facilities to the children of the Landless labour;
- vii) Recreational facilities;
- viii) Facilities for training in farming methods and allied trades;
- ix) Fair Price Shops and Cooperative Stores for items other than wheat and rice etc. if those items are given to labour by employer as part of wages;
- x) Old Age Pension.

In the light of the analysis and the information gathered on the tours to the various States, the Committee recommends the provision of the following amenities as basic minimum:-

- i) Supply of drinking water facility;
- ii) Medical and health facility, including family planning;
- iii) Supply of protective equipment to ensure safety;
- iv) Provision of house-sites free of cost and cheap houses on easy instalments or houses on nominal rent;
- v) Free educational facilities for the children of landless labour;
- vi) Rest shelters at work places.

3. Fixing of statutory responsibility on the employers:

The Agricultural Labourers unlike their counterparts engaged in Factories and Plantations, have not been ensured any welfare amenities statutorily except in the matter of fixation of minimum wages under the Minimum Wages Act. The development of the factors directly related to the agricultural production have been given due consideration, but, concurrently, the welfare aspect of the workers could not receive adequate attention. This, perhaps, has been mainly on account of the paucity of the economic resources. But if the gap between the rural and urban worker is allowed to widen it would create a good deal of psychological discontentment among the rural and the agricultural workers. With a view to minimising the disparity, it has been suggested by various parties that farm-owners should be statutorily called upon to provide some basic minimum amenities to their workers.

While fixing the statutory responsibility of the farm labour the economic viability of the farm owner has to be taken into consideration. Experience in agricultural employment indicates that farms employing 3-5 labourers on an average for quarter part of the year can be said to be financially sound for the purpose.

The prosperous farm of 100 to 150 acres also employs about ten workers. If the limit is fixed at ten agriculture labour the coverage would be insignificant. A farm employing 3-5 labour is, therefore, economically viable to provide the basic minimum facilities like first-aid, rest-shelters, supply of protective equipment including safety appliances and drinking water to its employees.

The Committee, therefore, recommends that:-

"i) A farm employing 5 or more agricultural labour be made statutorily responsible to provide basic minimum welfare amenities like drinking water, first-aid, rest-shelters, grain banks, and protective equipments including safety appliances to the agricultural labour."

ii) A suitable All-India Enabling Legislation should be brought into being for the purpose urgently."

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4. Enabling Legislation to ensure safety to the agricultural labour:

With the increasing use of various types of fertilisers, pesticides, chemicals, rodenticides and use of improved implements including tractors, etc., the safety of agricultural labour against accidents has assumed importance. So far, there is no regulation, statutory or otherwise, to ensure proper conditions of work, safety and health of the workers in this unorganised sector.

In response to the circular letters issued by the Committee, various parties including State Governments, Agricultural Universities, Krishi Pandits, eminent persons connected with agriculture and organisations like Bharat Krishak Samaj, have stressed the need for providing suitable measures for health and safety of labour, engaged in these operations. The Agricultural Labour Seminar held in August, 1965, also recommended that safety regulations be extended to concerned agricultural workers. The Ministries of Labour, Employment and Rehabilitation as well as of Agriculture, in their evidence before the Committee, have supported the idea. The existing practices do not reveal that any compensation is given to workers involved in such accidents as a regular practice.

In the absence of any accurate statistical data available to the Committee, regarding the number of farmers using the above chemical, it cannot be precisely stated as

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to what will be the coverage of the agricultural labour, under such an Enabling Legislation, which may be brought into being by the Central Government. Informal indications available from different authorities, however, reveal that in quite a sizeable number of farms, these chemicals are being used on large-scale or even by individual employers. It will, therefore, be appropriate that the Central Government may now consider the desirability of bringing into being an All India Enabling Legislation on this subject.

The Committee, therefore, recommends that:-

"A Central Enabling Enactment, may be brought into being to specify adequate safety and health measures for such agricultural and rural labour as are engaged in handling poisonous chemicals, pesticides and rodenticides, during the course of their employment on agricultural farms. As, however, agriculture is a State subject, State Governments may be empowered to frame appropriate rules under the said Act for detailed implementation of the said provisions to all farms using such material irrespective of the number of labour employed by these farms."

5. Need for an integrated approach in respect of the welfare of the rural labour including agriculture labour:

The critical evaluation of the plan programme reveals that the Community Development and other voluntary and social organisations engaged in the sphere of welfare work in the rural areas, have been able to implement some schemes which have benefitted the rural population, including agricultural and other workers in the rural areas. The replies received from the various parties indicate that there is almost a concensus that the measures undertaken are far from adequate on account of the magnitude of the problem involved in extending the welfare facilities because of the vastness of the area and the number of persons to be covered.

The other factor which is responsible for the slow progress is the lack of proper implementation of the programmes. With the process of democratic decentralisation, the responsibility of implementation of welfare measures has gradually shifted to Panchayats. Being generally ill-equipped the Panchayats have not been able to implement the programme. Lack of financial resources, trained personnel and other factors like local factions, are some of the causes that can be attributed to slow progress of development programme. Lack of co-ordination amongst various agencies has been held equally responsible for the poor implementation of the programmes.

The other important feature that is worth-mentioning, on the basis of the analysis of the replies, is that there is a general feeling that the benefits of the schemes already implemented have mainly accrued to comparatively well-off farmers in the rural areas.

These points were discussed by the Chief Ministers in a Conference at Madras in June, 1968, wherein it had been emphasised that attempts should be made to evolve an integrated approach towards Rural Development Programme, which would include most of the welfare amenities for rural population including rural and agricultural labour.

In the light of these developments, the Committee recommends that:-

- i) There is a need for toning up of the administration of the existing machinery, with a view to enabling it to cope up with the increasing responsibility in extending the welfare amenities to the rural and agricultural labour.
- ii) Better co-ordination should be attempted at rural level with a view to achieving maximum results. This would be essential if the policy of evolving an integrated Rural Development Programme is to be given a practical shape.
- iii) The Administrative Unit at district and village level should be strengthened in terms of financial resources and trained personnel to enable them to play an active role in improving the welfare of rural population including agricultural and rural labour.

6. Rural Housing:

Rural Housing constitute an important welfare programme for the village community as a whole, including agricultural and rural labour. The Scheme of Rural Housing has been given a place in the planning, and since the Third Plan, it has become a Centrally Aided Scheme. However, the progress of construction of houses under this scheme has not gathered momentum because of various factors viz. diversion of funds allotted for the programme, lack of effective organisational machinery at State and village level for proper administration, and diffusion of efforts and activity under the programme due to absence of compact areas. The programme as such, has not been assigned the priority that it deserves. The backlog of rural houses to be constructed stood at 718 lakhs at the beginning of the Fourth Plan.

The problem of finance, if it is to be done at Governmental level only, is also one of the important factors responsible for the poor progress. These points have also been highlighted by the Study Team set up on 'Rural Housing'. In view of the enormity of the problem involved and the necessity of speeding up the programme, concerted efforts have to be made. This has also been emphasised by the Working Group on Housing set up by the Ministry of Works, Housing and Supply for the purpose of laying down guidelines for implementation of the programme during the Fourth Plan.

The analysis of the replies received by the Committee reveals that there is a definite need for providing agricultural and rural labour with housing facility. In fact, it has also been stressed that specially the landless agricultural labour are not in a position to utilise the loan schemes for housing in the absence of any regular source of income.

In the light of the above discussions, the Committee recommends that:-

- i) A separate agency, exclusively for organising and administration of Rural Housing Programme, be set up at State level, with a view to implementing the Schemes on an expanded scale, and also to effectively spend the plan allocations under the Scheme, which would help in eschewing the possibility of diversion of funds. This is essential to achieve proper implementation of the programme under the responsibility of a single agency.
- ii) Urgent steps should be taken to get the work completed on the schemes which have already been taken up in the earlier plans by assigning in high priority.
- iii) Outlay under Rural Housing Programme should be enhanced with accent on 'Housing' for landless labour within the limits of the available resources in the Plan.
- iv) Housing-sites in all important areas where concentration of labour exists or is likely to increase, may be developed as an advance programme for Rural House Building.
- v) Attempts should be made to help in the organisation of housing co-operative societies wherever feasible for agricultural and rural labour.
- vi) Areas where the shortage of accommodation has become acute should be first identified and Government may think of constructing labour housing colonies there. The houses constructed could be rented out on nominal rent.

7. Draft Recommendation on Rural Education for the Agricultural Labour.

Adult Education in rural areas is of equal importance in view of its favourable impact on the outlook of agricultural and rural labour. Some steps have been taken under the Community Development Programme, but the programme of adult education, as such, has not made much head-way on account of the difficulties of agricultural labour to attend such classes (i) after a day long manual labour in the field, (ii) lack of interest in the type of schooling given and the want of proper bias in the scheme of adult education to suit this class of labour. It is felt that such schemes would serve better purpose and also enable good attendance if the curriculum of education could be changed to provide an agricultural bias. The agricultural labour also would be interested to know and acquire knowledge in his own line of occupation beyond the 3 R's which are generally imparted under the existing schemes of adult education. The Committee, therefore, recommends that:-

"Rural Education Programme should be suitably modified to give an occupational bias, with a view to enabling the workers to get equipped so that the objectives of better productivity and efficiency in the handling of the agricultural and allied operations could be achieved."

8. Educational facilities for the children of rural and agricultural labour:

In the last 18 years, a good deal of emphasis has been laid on the development of the schooling facilities with the result that primary schools and even the middle schools have come within the access of rural population which includes the agricultural labour though the agricultural labour does not seem to have shown enthusiasm in availing of these benefits in respect of girls' education.

It has been observed that in the rural areas the entire family of agricultural labour specially that of landless class are engaged in agricultural and allied operations, during the sowing and harvesting seasons. This is necessitated on account of extreme poverty and lack of economic sustenance. The schooling facilities which have been made available in the rural areas are mostly during the day time and the agricultural labour generally find it inconvenient to send their children to the schools. There is thus a need to consider the possibility of changes in the timings of the schools to suit the needs of the children of the agricultural labour. The timings of the schools may be suitably changed in accordance with the needs of the seasons and areas. The Committee, therefore, recommends:-

"The timings and vacations of the primary and middle schools in the rural areas may be adjusted to suit the requirement of the seasons and areas with a view to facilitating the children of agricultural labour to take advantage of the schooling facilities.

9. Award of scholarship to the children of Agricultural and rural labour.

During the various Plans, a good number of scholarships have been granted to the children of Scheduled Castes and Scheduled Tribes. It is observed that children of the agricultural labour specially the landless class have not been given adequate attention that they deserve. Co-incidentally the Scheduled Castes and Scheduled Tribes form a sizeable part of agricultural labour in many States. In the absence of any such facility, the children of the agricultural labour, specially, the landless class have not been able to continue their studies. It is, therefore, considered appropriate that sufficient scholarships be earmarked for the children of such agricultural labour as are not covered by any other scholarship schemes. The Committee, therefore, recommends as under:-

"As the agricultural labour, specially, the landless class, are economically handicapped on account of lack of regular sources of income, provision should be made by the State Governments to give scholarships to the children of landless agricultural labour, whose main source of livelihood is wage income for higher agricultural education and for agriculture biased vocations."

10. Adequacy of Medical and Health Facilities in the Rural Areas.

Medical facilities are, at present, available to the rural population as a whole, through the net-work of primary health centres set up under the Community Development Programmes throughout India. In terms of number, by the end of Third Plan, 4,800 centres had been established. This could hardly meet the requirements of about 5.7 lakhs villages. As a result, facilities are not there even to cater to the requirements of serious cases. This shortage has been further accentuated on account of the non-availability of the trained Medical and para Medical Personnel for the primary health centres in the rural areas.

Allopathic Doctors in India are mostly concentrated in and around the urban areas. This necessitates the strengthening of the medical facilities in terms of personnel and services by introducing Unani, Ayurvedic, Siddha and Homoeopathic systems of medicines. This would also be economical for agricultural and rural labour and would also go a long way in meeting the requirement of the rural population as a whole.

It will be relevant to indicate that Nature Cure and Yoga system has been an important system of treatment which has a message of cheer to the people in every walk of life. Yoga has a special significance for the workers because of its cheap, preventive and curative values. Another important feature is that Yoga would not involve either much

of an organisation or finances which generally come in the way as a bottleneck in the implementation of any programmes, preventive or curative health Yogic exercises also help develop a sense of mental and physical discipline in those who practise them. In the villages, Panchayat Ghars or Welfare Centres or the school-buildings, whichever is available can be utilised for imparting lessons in the yogic exercises. There is undoubtedly, therefore, a need to integrate yoga with that of Allopathic, Siddha, Ayurvedic, Homoeopathic and Unani systems of treatment.

The Committee, therefore, recommends that:-

- i) Measures may be taken to augment the existing medical facilities in the rural areas also by providing medical services through Unani, Ayurvedic Siddha and Homoeopathic systems of medicines in primary centres.
- ii) To attract qualified medical personnel in the rural areas, suitable incentives be provided so that the shortages of medical personnel in this regard could be made up.
- iii) Health education in rural areas should be given high priority by Panchayats and other Social Groups.
- iv) In view of the preventive and curative value of Nature Cure and Yogic system of treatment, they should be integrated with the medical and health programme of the primary health centres in the rural areas. This would also help, to some extent, in developing a sense of self-discipline amongst the rural and agricultural labour. The Ministry of Health, Family Planning and Urban Development in the Centre may include them as a part of their health programme.

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11. Setting up of Labour Pool for the Agricultural Labour.

The Agricultural Labour in India can be divided into four categories: (i) those working on large holdings, employing 30 or more labourers; (ii) holdings employing less than 30 labourers, (iii) those workers who own some un-economic land-holdings, and (iv) landless labourers.

The workers falling under the last two categories are widely dispersed, and, for a good number of months in a year are also confronted with the problem of unemployment during off-season.

During the last 15 years, some development in respect of Cottage, Khadi and Village, Handloom and Handicraft Industries has taken place. But these measures have touched only a fringe of the problem. The Government of India also through their Community Development and Rural Man-power Programme have made efforts to create more employment opportunities, and provided some welfare facilities like education and medical, which are, of course, extremely inadequate. With a view to overcoming these shortcomings it has been suggested to the Committee that to start with a pool may be set up in some concentrated area at Taluka or Tehsil level for agricultural labour, who are mainly dependent only on the wage income. In case, the pool is considered unwieldy at this level, then it can be set up either at Block level or at Sub-Block level, whatever is considered administratively feasible.

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This pool of agricultural labour is envisaged on the pattern of de-casualisation scheme prevalent amongst dock workers. This pool envisages the registration of all the agricultural labour and the employers may meet their requirements from the pool on payment. The pool, to some extent, will have to assume the functions of the rural employment exchanges. This labour could also be utilised for public works construction of roads, tanks, and other Rural Manpower Programmes. In case, the workers are not able to get any employment, they will get unemployment relief from the pool.

This Scheme could be started on pilot-basis in some of the areas, which have been selected by the Rural Man-power Programmes because the criteria adopted for the selection of areas have been studied from the angle of high incidence of unemployment during slack period and inadequate employment potentials. The pool will enable the landless workers to avail of the advantages of the group insurance scheme by allowing the authorities to deduct a very small portion of the wages for the payment of the premium.

The resources for the pool at the initial stage could be raised by ear-marking the funds for the various economic programmes by the Rural Project Authorities as the Rural Man-power Programmes are employment-oriented. It would be in the fitness of things if the money that is proposed

to be spent on the creation of the economic assets and social assets are routed through the Labour Pool.

This scheme of labour pool can easily be dovetailed with that of the Rural Man-power Programme. As regards the Rural Man-power Programme, it would be relevant to indicate that by the end of December, 1963, about 820 blocks were covered from 32 pilot projects started in 1961. The selection of these areas has been done on the basis of the Survey conducted regarding the incidence of un-employment and higher density of population, accompanied with relatively low agricultural productivity and, inadequate employment potentials. The programme envisages the creation of productive assets like minor-irrigation, soil-conservation, road-development, development of forest, construction of tanks and culverts. It has been integrated with the District Plans of the State Governments. The main objectives are the creation of the assets and providing employment opportunities. The production assets do have pre-dominance on account of direct contribution to the productivity of the agriculture, but the social assets which contribute to the welfare of the working-class also have an important place in the scheme of things. The point for consideration is whether the construction of building for schools or medical dispensaries and the house-building activities should be included in the framework of the Rural Man-power Programme. This would be a significant step

because at least the capital nature of the expenditure, which is involved in the provision of the welfare facilities like schools or medical dispensaries and housing would be taken care of.

In the light of the above, the Committee recommends:-

- i) The Labour Pools should be set up on pilot basis in some of the areas, where there is a concentration of agricultural labour, whose main livelihood is wage-income, and the incidence of un-employment is considerably high. These areas in the initial stage may be selected where the Rural Man-power Programmes after due consideration, have been initiated in the past. If these experiments prove a success, such pools may be set up at Tehsil, Taluka or block levels in all the States.
- ii) The scope of the Rural Man-power Programme should be widened, with a view to including the construction of buildings for schools, medical dispensaries, and houses in the rural areas. This would enable the creation of the welfare assets of the Community and would also go a long way in meeting the accepted needs of the labour in the rural areas.

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12. Setting up of Welfare Centres for the benefit of Rural and Agricultural Labour.

During the first three Five Year Plans, a good deal of attempt has been made for the amelioration of the working and living conditions of the workers engaged in the organised industries, namely, factories, mines and plantations. Besides the statutory provisions contained in the Plantations Labour Act, Factories Act and Mines Act, some expenditure has been incurred out of the Plan Funds for the setting up of welfare centres in the industrial areas which are located in the urban sectors. Suggestions have, however, been received that emphasis should now also be laid on the provisions of the welfare centres in the rural areas as well. The All-India Seminar on 'Agricultural Labour' held in August, 1965, discussed the problems facing the agricultural labour, in all their aspects, and, highlighted the major problems, one of which was the provision of welfare amenities for rural and agricultural labour. One agency for provision of some of the welfare amenities can be rural Welfare Centres.

The main objectives of welfare centres would be to organise recreational, educative and economic activities, for the agricultural labour. This scheme would cover all agricultural labourers, including the landless labourers, settled under colonisation or settlement schemes which

had been started for the resettlement of the agricultural workers. Location of such centres in places selected under the said Colonisation Schemes would facilitate adequate utilisation of various facilities and programmes, that may be provided in such centres.

These welfare centres in the initial stages may be entrusted with the task of setting up of a small store to cater for the requirements of the agricultural implements for the landless families settled in the colonies/settlements. The other work, which can be looked after by the organisers of these welfare centres, is the arranging of the periodical visits by health supervisors to advise agricultural labour and their families, on matters relating to preventive health, medical care and family planning. These items of work can be undertaken in addition to the entertainment programmes through the provision of a radio and exhibition of films, which have a recreational as well as educative value for rural and agricultural labour and their families. The welfare centres have an important bearing in the context of programmes which need to be dovetailed with settlement schemes of the landless labour. The Welfare Centres in Settlement areas as envisaged above, if developed, would help in evolution of model villages where wide range of activities would not only enrich the life of village community as a whole but would also contribute to the welfare

of Rural and Agricultural Labour.

In the light of the above discussions, the Committee recommends that:-

1) Labour Welfare Centres may be set up on pilot basis in the initial stages in all the States, wherever settlement schemes have been taken up or are proposed to be taken up for settlement of landless labour.

.ii) The entire expenditure on such welfare centres for an initial period of five years be borne out of the Plan Funds, and subsequently, only an element of subsidy and grant be continued.

iii) The settlements which have either been established or are being planned may be developed into model villages, where all amenities like proper houses-suiting the local requirements, educational institutions including child-care centres and kinder-gartens or nursery schools, health and family planning, with arrangements for training of crafts, including training in the methods of agriculture, are provided.

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13. Family Planning Measures for Rural and Agricultural Labour.

There is an urgent need to bring about a change in the behaviour and attitude of rural and agricultural labour in the matter of family planning. This change depends on various factors such as, social, economic and biological. Greater understanding is also needed about values, system of people, their anxieties, fears, hopes and aspirations. Success in the field of establishing a small family norm will mainly depend on the people themselves feeling the need that it is desirable to have a small family.

The Committee, therefore, recommends as under:-

- i) Concerted efforts may be made to identify local leaders, who could work as Sahayaks or Sahayogis (helpers) to give reorientation in family planning. They can be main channels of communication and vital link between the house-holds and service giving agencies. This should be supported by mass communication like folk songs, films and radio.
- ii) Concerted efforts are required also to give re-orientation to formal leaders like members of Panchayats and Officials at local level in the field of education, agriculture and community development.
- iii) Social climate should be created to increase the age of marriage of girls and the need for legislative measures should be considered in this regard.

14. Extension of Workmen's Compensation Act to the Agricultural Workers:

The Workmen's Compensation Act, 1923, is very broad-based. It enables the State Governments to bring any class of worker within its purview. The benefits of this Act have, however, not been extended by any of the State Governments to the Agricultural Labour. The developmental planning, in its wake, has brought some transformation in the Agricultural practices, with the result that the prosperous farmers have taken to mechanised farming. The chances of the occupational hazards are gradually increasing in the rural areas. It has been suggested that the Workmen's Compensation Act should be extended so as to cover the rural and agricultural labour, where labour is engaged in the mechanised operations.

The Committee, therefore, recommends that:-

"Agriculture Industry and rural vocations should also be specified in the schedule of workers/ industries which are covered by the Workmen's Compensation Act, 1923, so that the benefit of the Workmen Compensation Act are available to agriculture and rural labour, engaged in mechanised operations."

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15. Enforcement Machinery:

With the possibility of introducing the welfare legislation in the field of agriculture, the need for suitable machinery to enforce such legislation has become imperative. Various suggestions have been received in this regard. Some of the suggestions are that a separate enforcement machinery, in respect of rural areas should be set up. Though desirable, the State Governments may not be in a position to provide finances for setting up a separate inspectorate for the purpose. The method of vesting necessary powers in the Revenue Machinery for the purpose has not been favoured. In the circumstances, there is no alternative except to create a separate rural inspectorate wing in the existing inspectorates for enforcement of labour laws in industrial sphere. In the Plantations States, the Plantations Inspectors could perhaps look after this work.

The Committee, therefore, recommends that:-

"The Enforcement Machinery in the States should be suitably strengthened to extend its field of activity in the rural areas to enforce such measures as may be introduced for the welfare of the rural and agricultural labour. As no machinery for enforcing these measures at present exists, State Governments may take suitable steps, in conformity with local conditions, to create a separate machinery for the purpose."

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COMMITTEE ON LABOUR WELFARE
GOVERNMENT OF INDIA
NEW DELHI

RECOMMENDATIONS ON THE CONVERSION OF LABOUR WELFARE
FUND ORGANISATIONS (SET UP FOR MINING INDUSTRY) INTO
A CORPORATE BODY BY LAW.

At present the Coal Mines Labour Welfare Fund is being administered departmentally with Coal Mines Welfare Commissioner as an officer under the administrative control of the Department of Labour and Employment, Government of India. It suffers from all usual handicaps which are connected with the functioning of the Ministries of the Government. The Commissioner has limited financial powers and he has also no powers to create any post carrying a pay scale exceeding Rs. 500/- per month. Decisions of major schemes of the Fund are taken by the Government of India. This process entails considerable delays and also involves lot of checks on the functioning of the Fund. These checks are considered to be un-called for, more so when Government does not contribute to the cess which goes to finance the Fund, in any manner. The cess is levied on the despatch of coal. Prima-facie, the employers as well as workers also do not pay for it although as consumers, every member of the Society who uses Coal, may be paying for the burden of this cess in one shape or the other. But there is no direct and immediate involvement of either the Government or of employers or workers in contributions to the Fund. There is, therefore, no need for the Government to exercise that extensive control on the functioning of the Coal Mines Welfare Organisation as the Government should normally exercise on one of its departments in which it has vital stakes.

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Employers and workers do not have any direct involvement or commitment in the making up of the Fund. An organisation like that of the Board of Trustees of the Provident Fund may, therefore, not be suitable in this case if the administrative set up of the Fund has to be changed. In the Provident Fund, both the employers and the workers contribute and its management by Board of Trustees is justified.

Assuming that the existing set up does not function effectively and can function more effectively and speedily, a Company type of set up suitably answers the requirements of this case. Sections 16 and 17 of the Employees State Insurance Act, 1948, indicate that Central Government has a very limited control over the affairs of the Corporation. The Central Government only appoints five principal officers of the Corporation and that too in consultation with the Corporation. These are:-

- i) Director General of Employees State Insurance.
- ii) One Insurance Commissioner.
- iii) The Medical Commissioner.
- iv) The Chief Accounts Officer and
- v) An Actuary.

The Director General is the Chief Executive Officer of the Corporation; the principal officers are also whole time officers of the Corporation. The Central Government can remove a principal officer only on the recommendation of a resolution of the Corporation passed at a Special Meeting called for the purpose and supported by votes of not less than 2/3rd of the total strength of the Corporation.

Once the over-all budget of the Corporation is approved by the Ministry, it is free to sanction any schemes within that budget without any restriction whatsoever.

subject to provisions of the Act. The Corporation is, therefore, an active, effective, Corporate Body by itself which has not to look forward for day to day sanctions of its projects from any outside agency. It is felt that the Corporation will, perhaps, suitably answer the needs and aspirations of mining workers in the matter of provision and administration of welfare amenities.

It is accepted that the mere change of the present set up of the Fund or funds into that of a Corporation would not immediately enable the Fund to streamline and overhaul various administrative procedures to cut down delays and act with speed in the immediate future but it is felt that by and large considerable improvement would be felt in course of time. There are in-built provisions in a Corporation to carry on with its activities un-hindered and also to improve upon its own functions. These provisions would enable the funds to overcome the handicaps that are being felt at present.

The new set up of the Director General of Mines Welfare, already recommended by the Committee to the National Commission on Labour would be automatically absorbed within the Corporation. While recommending the set up of the Director General Mines Welfare, the Committee has already stated that 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.

The Committee, therefore, recommends that in order to ensure that the welfare amenities which are financed out of the cess levied on Coal, Mica and Iron Ore and through such impositions or levies which may be decided in future for other minerals including minor minerals are provided, implemented and executed with speed without administrative over-lapping

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an Autonomous Corporation may be brought into being, with the amalgamation of the three existing Funds to start with.

The Committee further recommends that this Corporation should embrace the proposed set up of the Director General Mines Welfare already decided in one of its recommendations by the Committee. The recommendation for setting up of a Corporation instead of a Directorate General of Mines Welfare, is a step still further in the direction of achieving consolidation, improvement and streamlining of the Welfare amenities which are at present being provided and financed by different funds.

'PDM'