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ASSAM CHAH MAZDOOR SANGHA'S

Replies to the Questionnaire

by the

NATIONAL COMMISSION ON LABOUR

REPLIES TO THE QUESTIONNAIRE ISSUED BY THE
NATIONAL COMMISSION ON LABOUR
SECTION ONE

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1. Name and address of the respondent: Shri P. Goswami
General Secretary,
Assam Chah Mazdoor Sangha
P.O. Dibrugarh, (Assam)
2. The name of the Central Organisation of employers/workers to which you are affiliated. Indian National Trade Union Congress.
3. If union, please give the number of members. When was the union formed? The membership on 31st December 1967 was 1,31,000

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If an undertaking establishment, please give:

- (a) Commodity produced nature of activity. Tea Plantation.
(b) Number of employees as on 1.1.67
1. Head Office 10
2. Branches 290
- (c) When was the undertaking established? 1958.

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I. RECRUITMENT AND INDUCTION.

Recruitment.

1. (a) How is labour recruited at present in industrial establishment? Is recruitment effected through (i) jobbers, (ii) contractors, (iii) advertisement, (iv) introduction by existing employees, (v) employment exchanges or (vi) any other method?
- A. Formerly recruitment of labour for Plantation Industry in Assam was used to be done through the agency of new liquidated Tea Districts Labour Association from certain districts of Central and South India such as Ganjam, Behrampur, Ranchi etc. The Tea Districts Emigrant Labour Act now repealed, allowed the right of repatriation to the labour recruited into tea estates in Assam after completion of a three years term of service contract. With the growth of population in tea gardens and increase of unemployment in tea areas there was demand for abolition of graft labour system - which was done in 1959. The T.D.L.A. was removed from other places in India and only one Unit was left at Rowriah to do local recruitment. But after the establishment of Special Employment Exchange at Dibrugarh this unit of T.D.L.A. was wound up. Now, there is no recognised agency for recruitment except this special Employment Exchange at Dibrugarh but the employers seldom utilise this service. Recruitment now a days, is

generally done at 'door steps' through introduction by employed workers or by other acquaintances.

In short there is no understandable or open method of Recruitment.

(b) How far are the present recruitment arrangements satisfactory for different types of employees and different levels of skill ?

- A. The present arrangements are wholly unsatisfactory and there has been bitter criticism of lack of employment policy in the tea in the Press, Communal preferences and colonial policy still appear to hold good in Tea Plantation Industry.
- Q. 2. In what categories of employment is labour in short supply ? What steps should be taken to minimise the effects of such shortages ?
- A. Many tea estates have no qualified medical personnel which appear to be in short supply. Attractive terms of employment should be the answer.
- Q. 3. Does lack of mobility affect supplies in different categories of labour? If so, what remedial measures would you suggest ?
- A. We do not think that lack of mobility is affecting supply of labour of any category.
- Q. 4. To what extent is industrial labour migratory in character? What problem does such labour pose in recruitment and retention ?
- A. There is no tendency for migration from plantation to other industries which are in any way very few in Assam.
- Q. 5. How do the existing statutory provisions in regard to employment of women affect recruitment of women labour ? Consistent with international conventions on conditions of work for women, what modifications would be necessary in the existing provisions for promoting employment of women ?
- A. The Maternity Benefit Act and the Factory Act are the only statutory provisions protecting women labour. There exists different wages for male and female labour both under the minimum Wages Act and under the Plantation Wage Board Award. This should be eliminated.
- Q. 6. What are the advantages and disadvantages of recruitment of casual labour? If employment of casual labour is a disadvantage, what steps should be taken to decasualise such labour ?
- A. All the advantages of recruiting casual labours are for employers while all the disadvantages are for labour. There is a growing tendency for casualisation of labour with a simultaneous decrease in the number of labour on permanent Pay Roll. One Man Commission Report is a pointer to this situation.

Casual labour is deprived of job security and advantages accruing out of continuous employment Scheme of decasualisation as adopted in the case of Dock labours should be adopted.

- Q 7. In view of the present unemployment situation, what place should be given to the absorption of 'Physically handicapped' in recruitment policy? Should there be a statutory provision for reserving a portion of the vacancies to physically handicapped persons?
- A. It is not a big problem any way of providing for physically handicapped labours. It would be good if certain reservation are made for the physically handicapped.
- Q 8. In establishment within your knowledge, is there any discrimination in the matter of recruitment on grounds of caste, community, region, language, etc.? Under what circumstances is such discrimination justified?
- A. There is visible in the plantation industry & based on caste, community, religion and colour. Under no circumstances, except to the extent that the Society should get the benefit of employment where the industry is located, such discrimination is justified.
- Q 9. Are the existing programmes for 'on-the-job' training of workers adequate? What are the directions in which improvement should be sought?
- A. There is no recognised T.W.I (Training Within Industry) Scheme in Plantation Industry, although the present set of skilled and semi-skilled workers have only experience. There are quite a good number of workshops within the industry specialised for repairing tea machinery, rolling stock, which can easily undertake to train up the requirement of skilled workers from amongst the unemployed. So also the hospitals can train up nurses and health assistants.
- Q 10. What steps should be taken to encourage an employee to avail of the facilities outside the place of work for improving his skill? Is there any system of granting study leave to the employees in your establishment? If yes, please give details.
- A. There is no system of study leave. Even the garden doctors are not allowed to go in for condensed M.B.B.S. courses or Refreshers courses. The commission should recommend provision for such training for medical and technical employees.
- Q 11. (a) What should be the outline of a rational promotion policy? What place would you assign in this policy to seniority, merit and trade test?
- A. (a) Seniority should be the first consideration for promotion unless it is smudged by any adverse record in the service roll. Merit and efficiency, being largely a matter of opinion is likely to be abused. Trade test may be a test for first recruitment and not promotion. There should be a service record for every worker where personal particulars together with annual performance record is put down.

Q (b) Should recruitment to positions at higher levels be made from among the existing employees only? If so, upto what level ?

A. Yes. Recruitment to higher positions should be made from amongst the existing employees at all levels.

II. CONDITIONS OF WORK

Working Conditions

Q 12 (a) Conditions of work in factories, mines and plantations, etc., are presently regulated by the Factories Act, the Plantations Labour Act, 1951 and the Mines Act., 1952 etc. The main provisions of such acts inter alia relate to (i) safety and welfare, (ii) hours of work, rest, interval, weekly off, etc. (iii) employment of young persons and women (iv) annual leave with wages (v) occupational diseases and (vi) overtime payment. What changes are necessary in these provisions ? How should the implementation of these acts be improved ? (See also Q.19)

(b) What other steps are needed to ensure proper working conditions ?

A. We feel that there are divergent definitions about such terms as workers, employees, hours of work, spreadover, overtime payment etc. These should be made uniform. There should almost be prohibitive restrictions on employment over normal working hours and overlapping shifts in view of the pervasive unemployment situation in the Country. The maximum hours of work should be limited to 40 hours a week to provide for more employment. Employment of young persons below the age of 16 years should be totally prohibited. Earned leave should be 1 day for every 15 days work. The provision of 240 days works as a qualifying condition should be removed.

As for implementation of various Labour Laws the punishment should be more deterrent. The Govt Officers and inspecting Officers should be vested with adequate powers to launch prosecution without having to wait for sanction for such action from the Govt.

Q. 13. In the matter of national and festival holidays, what is the extent of difference in the total number of holidays from region to region? Is this difference justified? If not, is it possible to bring about uniformity in the total number of holidays in different regions ?

A. In the Plantations Industry in South India, 10 festival holidays and in W.B., 8 festival holidays are granted against 6 in Assam. These should be standardised at 10 including Republic Day, Independence Day, Gandhiji's Birth Day for all areas.

Q. 14. What changes are necessary in the existing arrangements for regulating conditions of work in employments other than in factories, mines and plantations?

A. It does not apply to us.

Q. 15. What, in your knowledge, is the extent of prevalence of child labour? In what industries/activities is employment of child labour relatively high? Are you satisfied with the existing statutory provisions about employment of child labour and their implementation ?

A. No the lowest limit of age for employment should be fixed at 16 years.

Q.16 How have the existing arrangements regarding regulation of conditions of work of contract labour and labour employed by contractors worked? In what directions are improvements necessary? (See also Q. 209)

A. There is no regulation of condition of work of contract labour. Employment through contractors has posed a serious problem for the Plantation workers and therefore the system should be abolished so far as the regular work in Plantation is concerned.

Q.17. What are the statutory benefits/provisions, in the implementation of which trade unions and employers' organisations can jointly play a useful role? How should such arrangements be made effective at the plant level? Should be any standing arrangements for this purpose?

A. Housing under the Plantation Labour Act, Regulation of shifts and working hours and Canteen under the Factories Act. are some of the benefits where the Employers organisations and trade unions can play a useful role at the plant level through formation of joint committee.

..... Safety and Health.

Q. 18. Is the existing rate of accidents high in establishments within your knowledge? What have been the main causes of such accidents?

A. Accidents in electrical installations and in operating the C.T.C. rollers in Tea Factories are on the increase. Such accidents are due mainly to allowing untutored persons to handle these machines and installations. This should be prohibited.

Q. 19. What steps should be taken to establish training programmes with special emphasis on safety for the benefit of new entrants to industrial establishments? Are any refresher courses necessary for those who are already in employment? How should such courses be organised?

A. For the Plantation industry this is not a big problem but it will be welcome if dangerous operations are covered by visualised safety posters.

Q. 20. Safety standards in some industries have been evolved by bipartite agreements. How have these agreement worked in practice? How can this bipartite approach be extended to other industries? How should the agreed arrangements be made effective at the plant level?

A. This does not apply to Plantation Industry.

Q. 21. In view of the anticipated growth of new industries like machine building, chemicals, fertilisers, petrochemicals, etc., requiring stricter safety standards, what steps should be taken to arouse safety consciousness among workers and employers ?

A. It does not apply to Plantation Industry.

Q. 22. Against the background of expanding and advancing technology involving a faster tempo of production, how should provisions concerning industrial safety (Appendix I) in the Factories Act. 1948, the Mines Act. 1952 etc. be amended ?

A. The technological change has yet to come in the Plantation Industry.

Q. 23 (a) What are the difficulties experienced in procuring safety equipment for installation in industrial establishments ?

A. (a) This is for employers to answer.

(b) Is the supply of safety equipment to workers for their personal use adequate ? Is there any reluctance on the part of workers to use such equipment? If so, what measures would you suggest to overcome this reluctance ?

A. It does not apply to Plantation Industry.

Q. 24. What should be the elements of an 'Industrial Health Service' for introduction in India ? How should the introduction of such a service be phased ?

A. Hygienic working conditions - Washrooms, Lockers, Water closets, Canteen Services are the requirements of an Industrial Health Services and they may be provided through the Factories Act and other Acts under Health and Safety provision.

Q. 25. As a corollary to replies to the above, do the provisions for workmen's compensation require to be amended ? If so, in what manner ?

A. The Workmen Compensation Act should be so amended as to make it obligatory on the employers to keep in employment workmen who are injured by accidents in course of employment. The rate of compensation and half monthly payments should be enhanced.

III TRADE UNIONS AND EMPLOYERS ORGANISATIONS

Federations of Employers' and Workers' Organisations

Q. 26. What are the factors which have influenced the development and organisational pattern of trade unions/employers' organisations since Independence ?

A. While employers in Tea Plantation had their organisation for over a century being the most of the interests owned by the British, the workers organisation was conspicuous by its absence in the Tea Plantation Industry.

The first organisation started sometime in 1946 only and it was after the formation of I.N.T.U.C. in June 1947 that a real headway was made.

Q. 27 What has been the effect of legislative provisions on the growth of trade unions/employers' organisations ? (See also Q.58).

A. The Trades Union Act, 1926 permits registration of a Trade Union with 7 (Seven) members only which has led to the growth of small and ineffective Unions. This has led to multiplicity of unions. This act needs to be substantially amended.

Q. 28. Do you think that the modus operandi of trade unions/employers' organisations have changed during the last decade ? If so, what are the characteristics of this change ?

A. The modus operandi for trade unions during the last decade appears to be aimed at achieving political foothold while that of the employers' organisations to kill trade union movement by perpetual litigation from Court to Court and to frustrate demands by legal complicacies.

Q. 29. Do you think that the attitudes of trade unions and employers' organisation towards (a) each other and (b) Government have undergone any change during the last decade ? If so, state the direction of this change.

A. It is largely a question of history of inter-relation between employer organisations and trade unions. Rege Report speaks about complete absence of trade unions on the one hand and a highly organised class of employers, from the Plantation level to the International level. Since the emergence of trade unions after independence, the employers organisation has been showing no hostility to trade union movement, barring a few exceptions of individual employers. But of late there has been a marked tendency amongst the employers in dragging disputes from court to court, take up extremely legalistic attitude towards workers grievances due largely to the Industrial Disputes Act, and in a limited way to back up trade union rivalry as means of keeping labour divided.

The Government has encouraged trade unions to grow but at times political considerations are influencing policies. The Government is in a way responsible for allowing splinter unions to grow, and thereby preventing growth of large unions.

In short, litigious attitude has grown during the decade.

Q. 30. The traditional role of trade unions employers' organisations has been to secure protection to advance the interests of their members. In view of the national objectives of establishing a socialist society and achieving planned economic development (a) what should be the changes in the nature and scope of activities of the trade unions/employers' organisations ? (b) What are the changes needed in their organisational pattern and attitudes ? (c) What are the fields of activity in which they have an independent role to play ?

(d) In what others should they function in cooperation
(i) between themselves and (ii) jointly with Government ?
(See also Q.75)

A. No doubt advancement of interests of members is the main role of a trade union, but they also must act as instruments of social and economic reform and of leading the membership towards attainment of social objectives, and of protecting national interests as it happened at the time of external aggression in 1962 and 1965.

Employer and worker interests cannot be different from national interest. As such apart from traditional trade Union activities the employers and workers organisations can profitably undertake constructive programmes of establishing co-operatives, co-sharing of productivity gains, adult education programmes fulfilment of development plans etc.

Educational, welfare cultural programmes may be undertaken by trade unions themselves while productivity and similar programmes can be undertaken jointly at all levels, and the Government should always play the role of interested patron.

Q. 31. How have trade unions/employers' organisations helped in the evolution of a better society? How do they represent their views and discuss their affairs with Government and other public authorities and agencies? Does this system of communication need improvement? If so, in what direction? (See also Q. 124 & 227).

A. Trade union objective for betterment of social and economic status of its members as such it is an instrument of revolution for a better society and of ending economic exploitation. They represent and discuss their views through their representatives in various forms, Govt. or otherwise, Tripartite conferences and committees are examples of such representations and discussions.

At the moment there is inadequate recognition from the side of the Govt to the decisions arrived at in the tripartite conference. These decision should be given more weight and honour and need further encouragement. The commission should recommend in consonance with I.L.O. the adoption of the tripartite forum for solution of all industrial problems.

Q. 32. How can trade unions/employers' organisations contribute towards maintaining a high level of employment? Or is this solely the concern of Government?

A. Maintenance of a high level of employment is ~~must~~ certainly a prime concern for all Governments and any attempt on the part of the employers to reduce employment or employment potential should be checked and controlled in the interest of the nation.

... (9) ...

Q. 33. Bipartite consultations being one of the effective means of reducing the areas of conflict between employers and their employees, what steps should trade unions/employers' organisations take for promoting such consultations ?

A. Bipartite consultation is by far the best means of establishing co-ordial understanding between the employers and the workers and should be encouraged and given due weight. In order to create internal compulsions, large trade unions should be encouraged and splinter union discouraged. Representative Unions enjoying recognitions should be admitted as sole bargaining agent of workers which will lead to bipartite consultations.

Q. 34. What are the existing arrangements for communication between the central organisations of employers and workers and their constituents ? How should these arrangements be improved ?

A. This is for I.N.T.U.C. to answer.

Q. 35. Are there occasions when central organisations of employers and workers refuse to affiliate employing units/unions at the plant level ? if so, on what grounds?

A. This is for I.N.T.U.C. to answer.

Q. 36 To what extent are the obligations undertaken by the organisations of employers and workers at the national level implemented by their constituents? Are there any effective sanctions for non-compliance with these obligations ? How far have they been used in recent years? How could these sanctions be made more effective ?

A. So far as trade unions are concerned they as affiliates have to work as instruments of implementations of national decisions made by the Central Organisations. But the employers appear to have no sanctions against their units disregarding or violating decisions taken at national level. Instances of violations of Code of Discipline in Industry, rationalisation without tears, settlement of disputes through voluntary arbitration on the part of the employers are many.

Q. 37. Do difficulties arise in reconciling the actions of the unions/employers at the plant level with national policies evolved jointly by trade unions/employers' organisations ? Could you cite instances of such difficulties ? How are such difficulties resolved ?

A. See answer to Q.36.

Q 38. What should be the responsibility of all-India organisations of employers and workers towards (i) promoting the interest of their constituents in all matters affecting industrial relations (ii) implementation of laws, voluntary agreements, etc. (iii) training of management personnel (iv) providing guidance to constituent units (v) settling of industrial disputes in constituent units and (vi) improving the efficiency of industry? (see also Q 166) How should they be equipped for discharging these responsibilities?

A. See I.N.T.U.C's reply .

Q. 39. How are trade unions constituted at the plant level? What are the different forms of constitution? Are there any common objectives mentioned under the rules of different trade unions? What are these common objectives?

A. The objectives of the A.C.M.S. are set out below in broad terms :-

(a) To organise the whole body of employees as defined in 3(a) in the tea industry and other industries or undertakings ancillary to it within the State of Assam.

(b) To promote and protect the interest and welfare of its members and improvement of the conditions of their employment by legitimate and constitutional means.

(c) To invite and promote harmony fellowship, co-operation and social contact amongst its members.

(d) To represent to its employers concerned the members grievances in a constitutional manner.

(e) To endeavour to abolish distinctions and discriminations, privileges and favouritism in respect of members' services and treatment based on colour, race or community.

(f) To endeavour to settle amicably disputes between employers and employees by negotiation, conciliation or by representation on any arbitration, or other Boards, courts, or conferences constituted by the Government under the Trade Disputes or similar other Acts or otherwise for the purpose, failing that by any other lawful means including strikes or Satyagraha in the last resort.

(g) To establish mutual understanding between the members and employers, members and other employees, and between members and members so that the standard of efficiency of the industry may be maintained.

(h) To secure improvement of the status and position of the members in service with regard to pay, allowance, bonus, commission, leave, hours of work, Provident Fund, pension, medical help, housing facilities, security of service etc., and to endeavour to provide benefits against retirement, resignation, dismissal, sickness and death to provide suitable protection against discharge, dismissal etc.

(i) To make provisions for educational and social welfare of the members and their dependants.

(j) To collect and disseminate such information as may be interest and use to its members to form or to organise branch unions in various planting areas as part and parcel of this Sangha.

....(ii)....

(k) To federate with or affiliate itself to any other union association or society in India having kindred aims and objects or to amalgamate itself with any Plantation Union having organisation set up as envisaged in 3(a) .

(l) To make efforts to get suitable Legislative enactments to improve the status of its members.

(m) To guide and co-ordinate the activities of the Branch Unions, to raise workers' standard of efficiency and discipline, and to hold seminars and other instructional courses in furtherance of the members' knowledge and understanding of the industry and problems thereof .

The units are constituted at the plant level where the primary members elect their local office bearers and representatives to branch union who in their turn elect the Central Executive of the Union . The Constitution lays down the procedure for annual elections.

- Q. 40. How are the officers who man the trade unions appointed ?
How many of them are paid ?
- A. All the office bearers are elected persons both at the Central and at the Branch levels. Officers are manned by staff who are full time employees on laid down terms and conditions of service. All are paid either salary or honorarium.
- Q. 41. How does a trade union get new members? Are all membership applications accepted ? If not, by what criteria applicants accepted or rejected ? In what ways do unions compete for membership ?
- A. Every worker desiring membership has to apply in the prescribed form and to sign a pledge of allegiance. Membership is purely voluntary, but applications may be refused on ideological grounds .
- Q. 42. What steps do trade unions take to encourage members to interest themselves in the conduct of unions' affairs ?
How effective are such steps ?
- A. We do encourage members to take interests in trade union work by allowing them to actively participate in the discussions of day - to - day problems as well as broader problems of the working class. Those who take active interest get elective position in the union.
- Q. 43. How are the activities of a trade union conducted ?
How is the policy decided ? Who is responsible for implementing the policy once it is decided ? To what extent does the rank and file influence the formulation of the policy ?
- A. While the national policies are decided at the national level by the I.N.T.U.C., the union also through its general council decides questions at State level in consultation with the State Branch of the I.N.T.U.C. Once a decision is taken or a policy is adopted it devolves upon the Central Executive to get it implemented. The rank and file of workers forms the overwhelming majority in the General Council and also in the Central Executive and the Branch.

...(12)...

Q. 44. What in your opinion is the extent of prevalence of the system of 'closed shop' or 'union shop'? State its merits and demerits in Indian conditions.

A. Neither the Union shop nor the closed shop is in vogue. Both the systems are considered undemocratic.

Q.45. Do trade unions have enough income to fulfil their role in promoting members' interests? If not, what steps should unions take for augmenting their resources? Is any statutory provision needed for enlarging trade union finances?

Q.46. What reason, if any, are there against increasing members' subscription so as to provide an adequate income for trade unions?

Q.47. Is the introduction of 'check off' system advisable in Indian conditions? If it is, should the privilege of the system be given to recognised unions only or to all registered unions?

A.
45 to 47.

This union is suffering chronically from paucity of funds and many of its activities have been retarded due to funds. A statutory provision prescribing a minimum subscription of Rs.00.50 or Re. 1/- a month may have salutary effect in preventing irresponsible and weak trade unions from mushroom growth of weak unions. Payment of wages Act may be revised to allow realisation of union subscription through pay rolls on voluntary consent of individual workers or if the union enjoy the sole bargaining agent status through its consent on behalf of all workers.

Q. 48. In what ways do trade unions help members/dependents of members in their personal difficulties like unemployment sickness, and personal injuries? How are dependents helped in case of member's death?

A. Individual cases of member's hardship due to death of kins, unemployment etc are looked into and assistance given according to the capacity of the union to pay.

Trade Union - Leadership and Multiplicity

Q. 49. What has been the impact of political parties on the pattern of trade union development in India?

A. See I.N.T.U.C's reply.

Q. 50. Reference is often made to the influence of outsiders in trade unions. Please define the term 'outsider' and state what the influence of outsiders has been on trade unions.

Q 51. How should internal leadership in a union be built up and strengthened?

A.
50 & 51 See I.N.T.U.C's reply
This union has a very limited n.c. of outsiders and only membership can influence decision.

Q. 52. Does the existing legislation encourage multiplicity of trade unions ? If so, what are the remedial measures ?

A. A legislation of the type of Bombay Industrial Relations Act or of the pattern of National Labour Relations Act of U.S.A. will go a long way in consolidating the trade union movement and also in preventing multiplicity of unions.

Q. 53 How far has the Inter-union Code of Conduct (Appendix II) adopted by the four central labour organisations in 1958 been effective in regulating inter-union relations and avoiding inter-union rivalries ? How could the Code be made more effective ?

A. This is for I.N.T.U.C. to reply.

Q. 54 to 58 See I.N.T.U.C.'s reply.

Q. 59. What are the advantages of industrywise unions? What will be the difficulties in their recognition? How should the subjects to be dealt with by unions at the plant level and by the industry union be demarcated? (see also Q.86)

A. We are in favour of Industrywise unions as it will lead to standardisation of working conditions and encourage collective bargaining. Representative unions should be recognised as sole bargaining agents.

Q. 60. What are the advantages and disadvantages of naming a union as the sole bargaining agent in an industrial unit ?

A. We do not favour recognition of unions as sole bargaining agent in an Industrial unit but all that should be done is to recognise a central Union commanding a majority of workers in an Industry, in a region at least. Such a recognition will prevent fissiparous tendencies and lead to the growth of responsible, large comestant unions.

Q. 61 For determining the representative character of a trade unions for purposes of grant of recognition, should the method of election by secret ballot be adopted? If so, explain the details of the method and the administrative arrangements necessary for the purpose (See also Q.86)

A. Recognition should be on the basis of verified membership.

Q. 62 If a union is elected as the sole bargaining agent in an establishment, what should be the rights and responsibilities of other unions in the establishment ?

A. After recognition of a union as a sole bargaining agents, other unions should have no locus standi to sponsor any dispute.

Q.63. Considering that categorywise unions, particularly of technicians, are assuming greater importance how should their rights and obligations be defined in relation to (a) the employer and (b) unions of other categories of employees?

A. We do not favour Craft unions in any form.

- Q. 64. What facilities should an employer extend at the work-place for the activities of unions ?
- A. The rights of recognised unions have already been outlined by the Indian Labour Conference.
- Q. 65. What has been the attitude of the Government as employer towards trade unions ?
- A. This is for I.N.T.U.C. to reply.

IV INDUSTRIAL RELATIONS

Introductory.

- Q. 66. What should be the criteria for determining the effectiveness or otherwise of Government's industrial relations policy ? In terms of these criteria and other arrangements for prevention and settlement of industrial disputes.
- A. The effectiveness of the policy should be judged from the ability to prevent industrial conflicts, in providing for speedy justice to the workers suffering from employer's activities or inaction, and in instilling in the industrial field a national responsibility. Industrial Courts have become lawyer's paradise rather than the Courts of social justice. There has been killing delays in disposal of cases by Courts. Employers have generally taken up legalistic approach to labour grievances and have taken undue fancy in perpetuating litigation from Court to Court. There has been noticeable opposition to voluntary arbitration as a means of settling industrial disputes.
- Q. 67 to 69 ... See I.N.T.U.C. reply.

- Q. 70. What has been the impact of inter-union rivalry on industrial relations ?
- A. In that political parties are trying to establish cells in plantation units for utilisation at the time of elections rival trade unions have been organised and registered under the present Trade Union Act which permits registration with 7 members only. This has created industrial conflicts and has given a handle to employers to set one union against another .

Q.
71 to 73 See I.N.T.U.C's reply.

- Q. 74. What has been the contribution of factors like (a) recognition of union, (see also Q. 54 to 65) (b) arrangements for dealing with individual and collective grievances, and (c) strengthening bipartite consultative arrangements, in promoting industrial harmony ?
- A. Recognition has led to better understanding and industry-wise agreements while the Industrial Dispute Act has encouraged small splinter union to meddle in industrial relations and individual cases. bedding entertained. in

Q. 75 ... See I.N.T.U.C's reply.

Q. 76. What role have labour /personnel officers played in preventing disputes and maintaining harmonious employer-employee relationship ? How far have they been effective? Suggest measures to improve their effectiveness.

A. Welfare/ labour officers have now been called personnel officers who are maintained only as legal advisers for disciplinary actions . They are often seen to prevent settlement and exhibit extremely litigant attitude.

Q. 77 What should be the arrangements for proper communication between workers and management at the plant level ?

A. There should be joint consultative forum at the plant level without personnel officers which will go a long way in creating an atmosphere of understanding.

Q. 78 To whom do managements delegate their authority in dealing with employees ? To what extent do management include specialists for dealing with personnel matters ?

A. Generally the management delegate authority to personnel officer who are specialists in Labour Laws and confront ignorant and illiterate workers and sometime obtain signature on vital issues under persuasion or threats.

Q. 79 To what extent are the standing orders subject to agreement between employees and managements? In how many cases are they drawn up by management alone ?

A. Standing Orders in Plantation Industry, now in force are based on master and servant relationship. They need drastic modification but this cannot be done until the Model Standing Orders are revised to suit present day industrial relations based on equal right of employers and workers.

Q.80. To what extent do the Employment Standing Orders Act, 1946 and the Model Standing Orders formulated under that Act serve the purpose for which the Act was framed ?

A. The employment Standing Orders Act of 1946 and the model Standing Orders under the same Act served the limited purpose of understanding about the rules of conduct in the Post war period and they are now completely out of tune in the present day conditions.

Q. 81. What are the disciplinary rules imposed by managements? Do the procedures prescribed under the Model Standing Orders in dealing with disciplinary cases require modification, and if so, on what lines ?

A. A rule of the fist is there in the tea plantation industry. Personnel Officer, who are usually qualified lawyers confront ignorant and illiterate workers, Dismissal is the only punishment prescribed under the Standing Orders which is sometimes converted to simple discharge as a show of leniency. The whole law needs drastic change to confer to the workers adequate job security against whimsical and vindictive actions of employers. The appendix in the One-man Commission on Reduction of Employment in Plantations would give an indication of the extent of disciplinary action

Q. 82. Has the Model Grievance Procedure (Appendix VI) evolved under the Code of Discipline served its purpose? If not, is there need for statutory provision for the formulation of an effective grievance procedure? What should be the main elements of such a provision? How would it affect existing bipartite arrangements?

A. No, the model grievance procedure presupposes intelligent participation by the workers in the discussion which is impossible for ignorant and illiterate plantation workers. The distance between a plantation executive and his worker is indeed very wide - in intelligence, social status, and in every other way, union representatives participation on behalf of workers may improve the position.

Q. 83. What is the attitude of trade unions and employers' organisations to the introduction, either by voluntary agreement or statutorily, of a system of grievance arbitration? Would such a system help in improving labour-management relations?

A. A Grievance Arbitration machinery chosen before hand may be worthwhile of experimentation and may lead to better relations. It will certainly create compulsions for settling grievances bilaterally.

Q. 84. What are the existing facilities for training management and trade union personnel in industrial relations? To what extent are they used?

A. We are not aware of any training facilities in industrial relations. Even where managements employ Tata Institute graduates or such trained persons as Personnel Officers, they have to be completely brain-washed to become loyal to companies of their employment. The Management personnel need training in industrial relations as much as Union Officials do.

Collective Bargaining

Q. 85. What is the extent of prevalence of the system of collective bargaining in this country? How far has it succeeded? What has been the effect of legislation on the growth of collective bargaining? (See also Q. 193)

A. Collective bargaining has not taken roots in this country and there is much to be desired. Effect of the various legislations has been against collective bargaining, as strikes are restricted, and forum has been provided to get demands " adjudicated " .

Q. 86. If collective bargaining has to be encouraged at the industry level, how should the representative character of the bargaining agent for workers be determined? (See also Q.59 and 61)

A. Representative character of the bargaining agent may be determined through membership scrutiny: and once a sole bargaining agent is recognised, other unions should be out at least for a definite period after which its representative character may be subjected to further scrutiny.

- Q. 87. Do you agree with the statement that (a) collective bargaining has its uses when unions have sufficiently built up their strength and even for strengthening unions and (b) adjudication system provides an arrangement by which satisfaction can be given to parties without open industrial conflict as also for protecting the weaker party ?
- A. We do endorse the view that for strengthening unions, collective bargaining agents should be recognised. The adjudication system has retarded growth of big unions, and has encouraged litigatory attitude both for employers and workers.
- Q. 88. What should be the role of (a) collective bargaining and (b) adjudication as methods for safeguarding industrial peace in the years to come ?
- A. For a proper growth of industrial unions, and responsible trade unions movement, collective bargaining should be encouraged and adjudication may be relegated to individual cases only, and in cases involving essential services.
- Q. 89. In disputes arising over a charter of demands, is it feasible to separate areas of difference between the employer and the union into those where collective bargaining could exclusively operate and others which could be left to adjudication ?
- A. It appears that separation of demands that can best be left for collective bargaining from those that can best be remanded to adjudication is fraught with complications, and may not prove feasible.
- Q. 90. What should be the limits of collective bargaining under conditions imposed by planned development ? (see also Q 193)
- A. Awareness of national need for planned development is the restraining line of collective bargaining, and where such stakes are there, collective bargaining by way of strike may be prohibited.
- Joint Consultation
- Q. 91. Do trade union, through collective bargaining and joint consultation, provide an effective form of democracy within the enterprise ?
- A. Yes, collective bargaining and joint consultation are essentials of democratic trade union movement, but they can thrive only in an atmosphere of trust, and respect for each others rights and obligations and awareness of needs at the time of national reconstruction.
- Q. 92. The Industrial Disputes Act, 1947, provides for the setting up of works committees "to promote measures for securing and preserving amity and good relations between the employer and the workmen". Have they been functioning satisfactorily wherever they have been set up ? If not, what factors have militated against their setting up and proper functioning ?
- A. Works Committees have proved a failure and they have been used to replace trade unions by some employers. The usurpation of functions of a trade union by works Committees is the cause of failure.

Q. 93. To meet the criticism that works committees have been languishing for want of definition of their specific functions, an illustrative list of functions (Appendix VII) of works committees was evolved by the Indian labour Conference. Assuming that there can be a clash of functions between the trade union and works committee, can this list be the basis for demarcation / definition of works committees' functions ?

A. It is not so much the list of subjects as prescribed by the Indian Labour Conference as it is the attitude of parties that have led to the failure of the works committees. We do not think works committees should be given any further lease of life until the conditions in 94 are agreed to.

Q. 94. Suggest measures for improving the utility of the works committees with particular reference to their composition and functions.

A. We suggest that list of subjects to be dealt with Works Committees should be prepared by the unions only and they should only elect representatives. The management should be put under obligation to implement decisions.

Q. 95. Have joint management councils and emergency production committees been successful in achieving the objective of better industrial relations and increasing production / productivity ? Have they created a climate of mutual trust between employers and employees ? (See Appendix VIII for functions of joint Management Councils)

A. Joint Management Councils and Production Committees have not functioned effectively due to opposition of employers mainly as they still believe in prerogatives of management. In the plantation industry, the production targets are fixed in advance.

Q. 96. What effects do profit - sharing and copartnership schemes have on relations between management and employees ?

A. There is no profit sharing schemes far less co-partnership schemes to our knowledge.

Q. 97. (a) Is it feasible to introduce a scheme of workers' participation in management by making the workers shareholders ?

(b) If it is considered feasible, what steps should be taken to facilitate the introduction of such a scheme?

(c) Does such shareholding give adequate voice to workers in running of the establishment ?

(d) Are there any other methods by which workers can participate in management ?

A.

(a) (c) We do not consider it to be a feasible proposition to introduce workers participation in Management in view of the prerogatives of capital that are religiously guarded. Shareholders participating in Management in the modern industrial set-ups is a far cry. Once the trusteeship theory is accepted, participation will be feasible and practicable. (19)

Conciliation.

Q. 98. To what extent has the conciliation machinery given satisfaction to the parties to a dispute ?

A. Conciliation machinery has to be utilised, and is often of help in bringing parties together, but in industrial disputes of major nature, it is helpless. Most employers do not attach any importance to the conciliation machinery and use it only as a step for reference to adjudication.

Q.99. Statistics of settlement of industrial disputes show that conciliation machinery has played a pivotal role in maintaining industrial peace. At the same time, many major disputes may not be amenable to settlement through conciliation machinery. Do you agree with this assessment of the functioning and utility of the machinery ?

A. It is not correct to say that conciliation machinery has played a pivotal role in maintenance of industrial peace. It comes into play only when strike notices are given or when there is conflict. Major disputes are not amenable to conciliation.

Q.100. What changes in the organisation and staffing of the machinery and powers of conciliation officers would you advocate ? Please indicate the specific changes, / improvement which will make for a more expeditious and effective disposal of conciliation work ?

A. Conciliation Officers should be persons with special knowledge of labour matters, and with definite bias for workers rights. They should be given powers of enforcing attendance of parties, or to call for records. There should be a condition laid down in law that adjournments can be granted only on consent of both parties to a dispute.

Q. 101 Should conciliators be named arbitrators in disputes ~~handled~~ handled by their colleagues ?

A. We do not support the idea that conciliators should be named arbitrators. If parties agree, he may act as arbitrator.

Q. 102 What are the criteria for assessing the suitability or otherwise of the present system of adjudication? Do you think the system has played an important role in maintaining industrial peace? Should the system be retained ?

A. The present system of adjudication has created endless litigation and is retarding collective bargaining. Nonetheless it has led to establish certain legal rights for labour we do not think that peace pendente lite is real peace. It has created great frustration amongst the workers in their hope of expeditious justice.

If recourse to appeals in higher Courts can be restricted, and time limits for awards can be prescribed, it may yield justice to labour, Tribunals have proved to be playground for lawyers, and its judges are often drawn from criminal courts who have no background of industrial matters and of social justice. Delay is another aspect for consideration.

- Q. 103 In case adjudication machinery is to be retained, what powers should it have in industrial disputes relating to discharge and dismissals ?
- A. The adjudication machinery should have power to review evidence led in domestic inquiry and to modify punishment awarded, in view of at least combination of powers of a prosecutor, judge and executor in the manager if not on other grounds.
- Q. 104 Are the existing arrangements for reference of disputes to adjudication satisfactory ? If not, how can the arrangements be improved ?
- A. The discretionary powers vested on Government to refer or not to refer a particular dispute for adjudication tantamounts to vesting of judicial powers on the secretariat. Reference should be made obligatory.
- Q. 105. Should the authority for appointment of industrial tribunals be vested in the Labour Departments ? If not, where should it lie ?
- A. The Labour Department, unfettered by any other department, should have authority for appointment of tribunals.
- Q. 106 There is a section of opinion that the existing procedures and practices involving different stages like conciliation, adjudication, etc., in settlement of disputes take an unduly long time. What measures would you advocate for expeditious settlement of disputes ?
- A. Our reply to question 102 above states the answer, 14 days for conciliation and 3 months for adjudication should be enough as time limits, relaxable in cases of highly complicated nature.
- Q. 107 Do you think the rival of the Labour Appellate Tribunal would help in the expeditious settlement of disputes ?
- A. Adjudication being more or less of the nature of arbitration should not be questionable in any High Court. For better justice, adjudication may be by a Board of Adjudicators or a Tripartite panel.
- Q. 108 How should the cost of adjudication to the parties be reduced ?
- A. If employers and workers are allowed to represent their cases only through their Associations or unions representatives, legal technicalities and cost will be reduced.
- Q. 109 What measures should be taken to ensure full and speedy implementation of tribunal awards and agreements ?
- A. Imprisonment and not fine will lead to speedy implementation of settlements or awards.

- Q.110. Has the Code of Discipline served its purpose ?
- A. No, The Code of Discipline has largely proved to be moral sermons - more honoured in the breach.
- Q. 111 Which provision, if any, of the Code of Discipline should be given a legal shape ? (See also Q.57).
- A. Unilateral action, opposition to voluntary arbitration, refusal to punish management officials for provocative actions or misconduct, failure to implement decisions and /-implemen settlements are the sections of the Code that are violated with impunity. Code of Discipline may be given a statutory sanctity by incorporating the dicta in Standing Orders.
- Q.112. What is the role of voluntary arbitration in the achievement of good industrial relations ? In what way can the Central organisations of employers and workers promote voluntary arbitration? Should a provision for voluntary arbitration be incorporated in all collective agreements ?
- A. Voluntary arbitration has been accepted as the best method of settlement of industrial disputes in all industrially advanced countries and it should be accepted in India also. Collective agreements should provide a clause for voluntary arbitration over disputes. The Central organisations of both employers and workers may mutually draw up panels of arbitrations on national/regional basis.
- Q. 113. Please indicate the areas of industrial disputes where voluntary arbitration could be preferred to adjudication.
- A. All disputes are amenable to voluntary arbitration.
- Q.114. Are you in favour of setting up standing arbitration boards ? If so, indicate (a) their composition, (b) procedure for setting up of such boards and (c) subjects to be referred to them.
- A. We favour the idea of setting up panels of arbitrators both at Central and State levels with persons of integrity and social outlook. Tripartite Arbitration Boards with independent Chairman will be still more preferable procedure should be limited to mere reference by parties, and of summary nature.
- Q. 115 What professional group provides the best arbitrators? Civil servants ? Lawyers ? Academics ? Businessmen ? Trade unionists? Technicians ? Others?
- A. While arbitrators may be selected from men with social background/assistance from technicians, professional experts may be obtained.
- Q. 116. What should be the arrangement for meeting the expenses of arbitration ?
- A. The Government should provide subsidy and parties should bear nominal costs equally.

Strike and Lockouts

- Q 117 Do you consider that the existing restrictions on workers' right to strike and the employers' right to declare a lockout need to be modified in any way? If so, please indicate these modifications together with reasons in support of these modifications.
- A. Right not to work unless certain conditions are fulfilled is equally fundamental as right to work, and it should not be curtailed, but national interest should be supreme and above all and that should be the desideratum for restriction on strikes (or lockouts).
- Q. 118 Do union rules provide for a procedure to be gone through before giving a call for strike? If so, to what extent is this procedure observed in practice?
- A. Our constitution provides for an elaborate procedure for declaring a strike when all other avenues of settlement are exhausted. It is through secret ballot by membership.
- Q. 119. If a strike is called / lockout is declared, is prior notice always given to the other party? In what cases, if any, no such notice is given?
- A. We do not support wild cat strikes, and it is an invariable condition to give prior notice but management has neither constitutional nor any other obligation to give notice of lockout.
- Q. 120 In how many cases within your knowledge have workers been able to secure wages for the strike period when the strike is declared legal? Are there cases where strike pay is given when the strike is illegal?
- A. There are instances where strikes have been declared illegal being resorted to during pendency of some disputes involving the same managements, but have been found justified, and wages awarded.
- Q. 121. In what ways do trade unions seek to prevent victimisation of their members? To what extent do they succeed?
- A. Victimisation is always a covert action difficult to prove. It may assume many forms, and discrimination, discharge, demotion, dismissal etc., success in getting relief for victimised workers is very limited indeed.
- Q. 122. Are there instances of workers going on strike without sanction of the union?
- A. There are a few instances of workers going on strike without sanction of union, but they are of the nature of revolt against oppression.
- Q. 123. In what way in practice do trade unions and managements keep in touch with each other during a strike in order to facilitate a settlement? What is the role of Govt. machinery in such cases? Should Govt. intervene in cases where a strike is (i) legal, (b) illegal?
- A. Strike situation always spurs union officials to seek settlement terms, and some approach is usual on the part of employers settlement is sometimes achieved through conciliation machinery. Such mediation by conciliation officers is welcome always.

General

Q. 124. What has been the role of tripartite committees like the Indian Labour Conference, Standing Labour Committee, Industrial Committees, etc., in evolving through mutual discussions and agreements acceptable arrangements in the various fields of labour relations? (See also Q.31)

A. The role of tripartite bodies such as Indian Labour Conference and Standing Industrial Committees has been laudable, but of late they appear to become more and more academic.

Q. 125,)
126,)
127,) It is for I.N.T.U.C. to reply.
128,)
129.)

Wages.

Q. 130. How does the current availability of unskilled labour affect the level of wages?

A. Plentiful market of unskilled labour has a depressing effect on wages, particularly in small and unorganised sections of the industry.

Q. 131) We are not competent to answer.
132)

Q. 133. To what extent is the existing level of wages a result of the traditional mode of wage settlement, collective bargaining awards, etc?

A. The existing level of wages was fixed by the Wage Board for Tea Plantation Industry.

Q. 134. As set forth in the report of the Committee on Fair Wages. "The minimum wage must provide not merely for the bare subsistence of life, but for the preservation of the health and efficiency of the worker. For this purpose, the minimum wage must also provide for some measure of education, medical requirement and amenities". Should this concept of minimum wage be modified in any way?

A. We fully endorse the need-based minimum wage concept to which the Indian Labour Conference gave a quantitative meaning..

Q. 135. The 15th Session of the Indian Labour Conference accepted certain norms (Appendix IX) in regard to the size of the worker's family and minimum requirements of the family relating to food, clothing, housing and other items of expenditure. Attempts made by some wage fixing authorities to quantify this minimum wage have brought out the difficulties in implementing the formula. In what respects do the standards require reconsideration?

Q 136. If it is not feasible to provide the minimum wage referred to above to the working class, is it possible to suggest a phased programme for implementing the need-based minimum as recommended by the Indian Labour Conference ?

A.
135 & 136

We do not support the view that the need-based minimum wage should be allowed to be implemented in phases. It is a must for any industry. The difficulty in assessing what should be the standard meal of a working class family is not difficult to be resolved.

Q.137. The Committee on Fair Wages made its recommendations about minimum wage against the background of conditions in the industrial sector. Do these ideas require modification if they are to be relevant to non-industrial workers who predominate in the economy ?

A. No, the need for minimum wage is the same for industrial as well as non-industrial workers.

Q. 138. If the idea of fixing a National Minimum Wage is to be accepted taking into account the replies to questions 134 to 137 above, how is it to be worked out in practice ?

A. The National Minimum Wage should be an invariable concept and must not be compromised except to the extent of regional variation.

Q.139. As between different regions in the country it is not only that prices of consumption goods vary, but the content of the minimum needs themselves can be different. How are these variations to be provided for in arriving at the National Minimum ?

A. It is the workers who should profit by local variations in dietary contents or other components of Minimum wage and not the employers. The National Minimum wage should be invariable.

Q.140. Would you favour any change in the definition of 'minimum' 'fair' and 'living' wage given by the Committee on Fair wages ? What in your opinion could have been the concept of living wage referred to in the constitution? (Appendix x)

A. The concepts of minimum, fair to living wages are not static but dynamic, variable as the Standard of living improves, and any attempt to make them rigid, and quantified concept at any given time and level of economy should be avoided.

Dearness Allowance

Q.141 Considering the need for protecting real wage, how should one provide for revision of wages/ wage rates for changes in price level ? Should this be by revision of the wage itself or by a provision of a separate component to absorb price changes ?

A. The term dearness allowance took its birth after the World War II, and it was originally a dear food allowance. We support the idea of buffering the real wages from erosion by high prices by a system of dearness allowance linked to cost of living indices.

Q. 142 In view of the prevalence of several methods to provide or the payment of a separate allowance to meet changes in cost of living, is it feasible to apply any one system on a uniform basis? Which system would be most appropriate?

A. D.A. linked to cost of living indices, fully neutralising the rise is the most satisfactory device.

Q. 143 If a system in which dearness allowance adjusted to changes in cost of living is favoured :-

(a) Which index number viz (i) All India, (ii) regional, or (iii) local should be preferred? (b) what should be the frequency at which revision should be made - monthly / quarterly, half-yearly, etc?

(c) What should be the extent of change in the index which should warrant such revision in dearness allowance - each point/ slab of 5 points / slab of 10 points etc? Give reasons.

A. The Regional cost of living indices, Revision should be monthly and point to point.

Q.144 In determining the quantum of dearness allowance, what should be the principles governing the rate of neutralisation of price rise?

A. 100% neutralisation is favoured.

Q. 145. Considering that payment of a cost of living allowance is meant to ensure that real wage of employees is not eroded by price increases, should the capacity to pay of an industry / unit be relevant consideration in fixing the rate of dearness allowance?

A. Capacity of Industry to pay should never be any basis of payment of dearness allowance.

Q.146. In areas/activities where part of the wage is in kind, what adjustments should be made in fixing the quantum of dearness allowance?

A. The wages in kind may be evaluated to see how much protection it gives against price rise, and to that extent allowance may be given to offset cash dearness allowance.

◆ ◆ ◆ ◆ Fringe Benefit

Q. 147. How should fringe benefits be defined? What should be their scope and content? To what extent do such benefits affect production costs?

A. Ludroig Teller's definition of Fringe benefits can be reasonably taken as a valid definition. Amenities that are granted to the workers in consideration of a particular situation of employment are the fringe benefits - e. g. Safety hats in mines, aprons in plantation etc. They should not be computable under the family budgeting. They have effect on the cost of production, but in order to get any allowance for them the amenity must be universal and of a standard pattern.

Q. 148 How far can the fringe benefits be a substitute for higher money earnings ?

A. We have answered this in Q,147. In plantation industry the employers sought to depress wages overstretching the fringe benefits - land for grazing of cattle, access to water-points, land for cultivation etc were cited as fringe benefits, though they were never universally given nor uniformly. Fringe benefits cannot be substitute for higher money wages as they cannot enter the consumer budget on the basis of which wages are to be fixed. Fringe benefits are highest for Executive Cadres in the tea plantation industry.

Wage Differentials

Q.149. Do the existing wage differentials in the plants within your knowledge appropriately reflect the considerations mentioned in the report of the Committee on Fair Wages, viz., degree of skill, strain of work, length of work, training requirement, responsibility undertaken, mental and physical strain, disagreeableness of the task, hazards of work and fatigue ?

A. The Wage - differentials in the plantation industry is a historical growth only and do not at all reflect the honoured principles laid down by the Fair Wages Committee. The disparity of remuneration is perhaps widest in the tea plantation industry - as against Rs.2/- per day for labour, an executives monthly wage is at least a couple of thousands per month. The whole differential system should be rationalised.

Q. 150. What has been the effect of the existing systems of dearness allowance on wage differentials ? What steps would you suggest to rationalise present arrangements ?

A. In the plantation industry the clerical staff gets a fixed dearness allowance as well as a percentage of basic pay as variable dearness allowance under the Wage Board award, while the manual workers get only variable dearness allowance @ 1% lower rate. We feel there should be only one principle of payment of dearness allowance.

Methods of Wage Fixation.

Q. 151 As between different methods of wage fixation obtaining at present, namely, statutory wage fixation through collective bargaining, fixation through wage boards, and wage fixation resulting from adjudication, etc., which method or methods would be more suitable for adoption in future ? If one or the other arrangement is needed for different sectors, indicate sector-wise the arrangement needed .

A. We feel that the Minimum Wage fixation should continue as a statutory system. Above that level, the wage fixation through tripartite Wage Boards is a good method, but its awards, even if by majority verdict, should be made enforceable in law.

Q.152 In collective bargaining for wage fixation, should the principle emphasis be laid on national agreements? If so, what adjustments should be made to meet local needs ?

A. Even where wage fixation by collective bargaining on a national level is possible, local variations should be allowed. The Industry - cum - region basis is a sound principle in our opinion. Climatic necessities, dietary variation, regional price level etc should be grounds for regional variation.

Q. 153 Tripartite wage boards came in vogue because it was felt that an arrangement by which parties themselves can have a hand in shaping the wage structure in an industry could be more enduring than the one where an award is handed down by a third party. Has the expectation been fulfilled ?

A. Yes, Tripartite Wage Board is a sound idea, and is to be followed but it is a most undemocratic idea that ever decision by majority is not to be considered binding. This should be rectified.

Q. 154. (a) In what respects should the operation of wage boards be modified to improve their working?
(b) Should wage board recommendations have legal sanction ?

A. Yes, Wage Board recommendations should have legal sanction, and majority decision should be made enforceable in law. The choice of the Chairman should be very carefully made from amongst persons of unquestionable integrity and progressive social outlook.

Q. 155

Wage Policy

Q.155. (a) How could the criteria of fairness to labour, development of industry, capital formation, return to entrepreneur, etc., be taken into account in wage fixation ?

(b) It is said that in the balance between fair wages to workers, fair profits to entrepreneurs and fair returns to treasury, the consumers are often left behind. How far is this criticism valid ? How best can the situation be remedied ?

A. (A & B)

Labour still remains in the lowest stratum in the economic and social hierarchy, and therefore should be given priority consideration. Return to entrepreneur should be assessed on the total of investment, except for infant industries who should have special developmental needs. Capital formation should be sought at the base rather than at the apex.

Consumers interests should never be neglected.

Q. 156. In the context of planned development, the question of taking an integrated view of policy in regard to wages, incomes and prices is often emphasised. What should be the objective and scope of such a policy? Indicate the guidelines for such a policy in the light of the perspective for the growth of the economy. Changes in the existing institutional arrangements for implementation of such a policy may also be indicated.

A. An integrated view is certainly necessary in a developing economy no doubt, but during the past decade of planned development, the rich have become richer and the poor poorer. There has been concentration of economic power on the one hand and large scale unemployment on the other.

The guide line for integrating the interest of labour, Capital, treasury etc should be that industry should exist only for the social good and not returns for a few. All monopolistic and exploitative tendencies should be drastically curbed, and oriented to social good.

Q.157. Do you suggest a policy of 'wage freeze'? Is so, how can it be implemented under the existing system? What are the implications of this policy for other incomes?

A. There cannot be any wage freeze for a limited section of the people and without a price freeze. It is considered extremely unfeasible.

Q. 158. Is there a need for sectoral balance in wage structure between the public and private sectors? If there is how should it be achieved?

A. It is for I.N.T.U.C. to reply.

Q. 159. Mode of Wage payment.
What are the existing practices in regard to payment of wages in kind? Would you suggest its extension to units where it is not obtaining at present?

A. In the tea plantation industry, cereal rations which forms part of wages are issued in kind. This should continue in view of the present scarcity situation.

Q. 160. To what extent is the method of paying unskilled workers on time scale of pay common? Would you favour its extension?

A. The unskilled workers are paid only on daily rates. There is no time scale, for unskilled workers. As the family obligations increase with age, time scales should be extended to unskilled field as well, as skilled staff and clerical cadres.

Q. 161 Do you favour the suggestion that the total wage packet should consist of three components, namely, the basic wage, the other depending on price changes and the third which takes into account productivity changes? If so, how should this suggestion be made operative?

A. We favour three dimensional wage structure - basic, buffer for fluctuations of prices and an incentive part based on productivity. Basic pay, dearness allowance, and production bonus are suggested.

General

- Q. 162 How far can the administration of the Minimum Wage Act, 1948 be considered to be satisfactory? Outline in detail the difficulties experienced in its implementation. Offer suggestions against each difficulty on how best it could be overcome. (See also Q. 210).
- A. Fixation of Minimum Wages on need - based budget has proved difficult. It can be solved by quantifying a standard working class budget on the I.L.O. pattern. The implementation machinery should be improved and procedure of determination of claims should be simplified.
- Q. 163 Is the scheme for payment of annual bonus embodied in the Payment of Bonus Act, 1965 satisfactory? If not, what are your suggestions? How does the latest decision of the Supreme Court affect the Scheme of the Act?
- A. The Payment of Bonus Act 1965 has given undue weightage to return on capital, and has the effect of allowing appropriation of large profits by companies. The Supreme Court amendments has further restrained collective bargaining for higher than 20% bonus even where profits may be very high, and has robbed the workers of their right to get higher bonus under agreements or awards achieved through long struggle. The Statement in the Act that balance sheets have to be accepted as correct has given companies a protection to delusive accounting. Still it must be admitted that payment of Bonus Act has conferred on a vast number of workers weak in their bargaining strength a right to bonus although reducing it to a mere extra payment of wages. The different rates of return for sterling and Rupee companies is highly inequitable.
- Q. 164 What should be the place of bonus payments in the future system of remuneration?
- A. As an enactment, the Payment of Bonus Act should continue to confer a right to extra payment over wages but the restrictive clauses should be removed as the claims of capital have more than adequately safeguarded so that through collective bargaining more than 20% bonus could be extracted for distribution to workers rather than being left for appropriation by the investors and intermediaries.

VI Incentive Schemes and productivity.

- Q. 165 What steps should be taken to introduce a system of payment by results in industries/activities where this system would be appropriate?
- A. All productive exertions are not amenable to the application of the Payment by Results. Some operations are unresponsive to human efforts. Dangers of speed-up is also there. Providing that other imports in the productive processes can be predetermined and evaluated, and machinery is in its most efficient commission payment results may increase workers efficiency but excessive speed up should be checked.

Q.166 Please state your views on the following guiding principles for introduction of incentive schemes,

(a) Employers and workers should formulate a simple incentive system at the unit level and implement it on some agreed basis through collective bargaining. In every case, introduction of incentive schemes should be preceded by an agreement with trade unions.

(b) In evolving wage incentive schemes, it should be ensured that these do not lead to rate-cutting. The worker's normal wages should be protected where it is not possible for him for circumstances beyond his control to earn an incentive.

(c) Individual or group incentives can be framed to cover both direct and indirect groups of workers.

(d) An incentive scheme cannot be evolved without a work study undertaken with the cooperation of workers. Nevertheless it should always be open to employers and workers to evolve a scheme by agreement or any other acceptable basis.

(e) Efforts should be made to reduce time-rated categories to the minimum. This will ensure that all employees have an equal chance to increase their earnings with increase in productivity.

(f) Wage incentives should generally provide extra earnings only after a mutually agreed level of efficiency has been achieved.

(g) To ensure quality of production, incentive payments should be generally allowed only if the output has been approved on inspection by the management.

(h) Incentive earnings should not fluctuate very much. This requires a certain degree of planning so that materials delays, machine-breakdowns etc. are controlled.

(i) The scheme should itself safeguard adequately the interest of the worker if he is forced to remain idle due to circumstances entirely beyond his control such as non-supply of raw materials, machine breakdowns etc.

(j) Apart from financial incentives, non-financial incentives like better security of employment, job satisfaction, job status etc. have also a place in increasing productivity.

A. Incentive schemes should be carefully planned, and introduced only on consent of workers and that too only through experiments initially. Minimum fall-back wages should be guaranteed. The gains should be equally shared by employers and workers. Apart from wages, other satisfactions such as more leave, promotion, etc may be provided. Proper safeguards should be provided against play-off due to causes beyond control.

We endorse I.N.T.U.C's views which are but in consonance with us.

Q.167. What should be the respective roles of labour, management and Government in raising productivity?

A. We endorse I.N.T.U.C's submissions.

...(31)...

Q. 168. How should the gains of productivity be measured? Can they be allocated to different factors of production? How should the gains be shared?

A. Labour should receive the highest share of increase in productivity, and claims of other factors of production should be on the basis of inputs towards that end. The community will gain automatically when the turn-out becomes more cheap and plentiful.

Q. 169. Have increases in productivity matched with wage increases in the years since Independence? Please give supporting statistics.

A. In the tea plantation industry the gains in productivity has been appropriated by the industry alone except where piece rates are in operation in respect of plucking.

<u>Year</u>	<u>Area in Acres</u>	<u>Labour Employed (daily average)</u>	<u>Labour per hectore</u>	<u>Yield per acre in lb.</u>
1950	384678	515,422	3.2	846
1955	387277	517,202	3.2	494
1956	387336	529,523	3.2	955
1957	390863	535,503	3.3	910
1958	393522	522,738	3.2	959
1959	393194	501,267	3.1	959
1960	400163	453,761	2.8	868
1961	401218	439,120	2.7	1002
1962	403477	439,085	2.6	950
1963	404942	455,007	2.8	926
1964	412300	435,693	2.5	1098

.....

(32)

Q. 170. Has any undertaking within your knowledge experimented, in recent years, with productivity techniques? How did the employees react to these experiments? Did this result in increasing workload? If so, how was this situation met?

A. No plantation has, to our knowledge experimented in any productivity schemes.

Q. 171. What place would you assign to suggestion schemes and institution of awards for outstanding work to improve productivity?

A. To our knowledge only one plantation has awarded "Best Worker" trophy, the basis of selection however, remaining untractable. "Suggestion schemes" have to our knowledge yet to come.

Q. 172. What are the factors contributing to labour turnover and absenteeism? How do they affect improvement in productivity. (See also Q.183).

A. There has been a marked decrease in absenteeism and increase in labour turn over. This is due more than anything else to bonus schemes and increasing cost of living, but increased turn over has worked against workers themselves as may be seen from the submissions - by an employers organisation before the One Man Commission :-
One factor which affect employment, according to this as also other Association, is the gradual decline in absenteeism. The Indian Tea Association quotes the following figures of absenteeism :

	Assam Branch	Dooars Branch
1959	20.24%	11.96%
1960	19.11%	9.78%
1961	14.06%	9.11%
1962	9.28%	9.24%
1963	7.63%	8.16%
1964	7.45%	8.00%

As for the increase in the non-working population in the gardens, the Indian Tea Association reproduces the vital statistics for the Assam Branch of the Association

Year	Birth Rate	Death Rate
	(All rates per Mille)	
1959	43.0	14.0
1960	43.4	12.9
1961	44.3	12.8
1962	41.8	13.1
1963	39.8	13.2
1964	38.6	13.6

Earned leave facilities with wages to refresh monotony of same type of routine duties, diversion, better health and sanitary living conditions etc are causes contributing to turnover.

Q.173 What is the place of the motivation of worker for improving his standard of living in the successful working of incentive schemes ?

A. Incentives or not, there is fundamental motivation in every worker to improve his living standard. Incentive schemes will certainly boost up such motivation.

Q.174 What is the effect of (a) 'go-slow', (b) 'work to rule' and (c) 'unions' ban on overtime" on creating a climate for improving productivity ?

A. Go-slow has no place in our movement even as a method of protest. Work to rule has been the method found to be favoured by employing interests as has been betrayed in numerous cases of discharges and dismissals for breaches of the rigid rules. This has never generated any incentive for productivity.

Union ban on overtime has not so far been practised but appears to be necessary for maintaining the present level of employment and more so when in many other advanced countries have shorter working weeks. Moreover, overtime has always been covertly practised. Overtime for exigencies should always be allowed. Overtime earnings even though inviting can be done only at the cost of health of the workers and should not be treated as incentive to productivity.

Q.175 What is the role of rationalisation in improved productivity? The 15th Session of Indian Labour Conference had made some recommendation (Appendix XI) for regulating the process of rationalisation. Have these recommendations helped rationalisation ? Do these recommendations still provide a useful frame work for the purpose ? If not, what changes would you suggest ?

A. Rationalisation has different meaning to different employers but it has always meant reduction in employment. Rationalisation as a means of stream lining the productive machine and factors is a continuous process and it must not be taken to mean only rationalisation of labour cost but it should be taken as a total concept only. Production methods cannot remain the same for any length of time in the age of technology. The 15th I.L.C. recommendations have been largely flouted by employing interests as they have little concern about the effects of rationalisation on the society and the economy. It is at the moment the most foreboding problem for labour in the plantation industry. We feel that industry's raison d'etre is the society and therefore rationalisation should be subject of to rigid social Central rather than banning it altogether on the lines of the recommendations of the 15th I.L.C.

In reaserch in culture and manufacture of tea, and of tea technology, labour should always be associated.

- Q.176 (a) What should be the place of 'automation' in the perspective of development?
- A. In the present state of our economy and employment, automation will be a serious scourge, whatever its benefits.
- (b) How would automation affect labour-management relations?
- A. Automation can be welcomed only in a country deficient in labour, and certainly not in a country like ours.
- (c) Should there be a special machinery to study the problem?
- A. If employers out of their sheer love of prerogatives introduce automation, there should be a special machinery to check and control it.
- Q. 177. How far has the National Productivity Council been effective in generating enthusiasm among employers and workers in increasing productivity ?
- A. We endorse I.N.T.U.C.'s submissions on this question.

VII Social security

- Q. 178. (a) What effect do the social security schemes have on stability of employment and on industrial relations?
- A. Social security schemes such as gratuity/pension, Provident Fund, Accident compensation, lay-off compensation do impart a very intimate sense of belonging to the industry as well as legitimate protection against employment risks. They are the basis of stability against migration of experienced workers, and have great influence on industrial relations.
- (b) Have some of the benefits, based as they are on a qualifying period for entitlement, led to larger labour turnover ? If so, what should be the remedial measures ?
- A. As the worker acquires social responsibilities and as age advances, his entitlements to social security benefits increases. Graduated scales of social security benefits therefore cannot have adverse effect on labour turnover, but a flat scheme may have.
- Q.179. The convention on Minimum Standards of Social Security adopted by the International Labour Organisation refers to the following branches of social security, namely, medical care, sickness benefit, unemployment benefit, old age benefit, employment injury benefit, family benefit, maternity benefit, invalidity benefit and survivor's benefit.
- (a) To what extent is each one of the above benefits available at present ?
- A. Workmens compensation for accident injuries, and contact diseases, maternity benefit, Medical care to some extent, sickness allowance, provident fund are available to plantation workers. A very nominal pension scheme has just been introduced out of accretions of undisbursed P.F. contributions . ~~delete~~

(b) What is the cost of existing social security schemes in relation to the total cost of production? How has it varied the last 15 years ?

A. Yes, but very much nominally compared to increases of such benefits to the Executive & adres & increases in profit appropriation by many ways.

(c) Are the scope and coverage of each one of the benefit mentioned above adequate ?

A. No, old age a gratuity benefits are almost unavailable. There is no unemployment benefits at all. Being uprooted people, the tea labour most often have nothing to fall-back upon after discharges and dismissals which are rampant in the industry. There is no survivor's benefits as well.

(d) What should be the priority for enlarging the scope and coverage of the various existing benefits?

A. Old age benefit and disability pensions followed by unemployment benefits are badly needed.

(e) How should the programme for introduction of the benefits not currently available be phased ?

A. The programme of introduction need not be phased as its actual impact will be spread over a period, and not all atonce.

Q.180. The benefits referred to in question No.179 are generally available only to persons who are in wage paid employment there will still be large numbers of persons like traders, artisans and small shopkeepers who are self-employed and who will remain uncovered by the scheme. What advance steps should be taken to bring these groups within organised social security schemes ?

A. We endorse I.N.T.U.C's views on this question.

Q.)
181,182,)
183,184,) The tea plantation industry is excluded from E.S.I.
185.)

Q.)
186,187,) The tea plantation Industry in Assam is not covered
188,189) by the E.P.F. Scheme.

Q. 190. What should be the place of gratuity payments in an overall social security programme ?

... (faint text) ...
1- ...

A. Gratuity is a sine qua non of employment for profits, and should have priority as a social security measure more so when the Executive and the junior staff have been conceded the benefit in fairly good terms.

- Q. 191 Would you suggest any changes in the existing provisions relating to lay-off and retrenchment provided to employees against the hazards of job insecurity resulting from temporary employment and other fluctuations ?
- A. Lay-off compensation should be made available to workers beyond 45 days, and without the qualifying period of continuous employment for 240 days in a year. Retrenchment compensation may be enhanced to make it more restrictive in view of the employment situation in the country and may be made subject to prior scrutiny by some standing machinery such as Tribunal or a Tripartite Board.
- Q. 192 Should the administration of some of the social security benefits be handed over to trade unions? What pre-conditions satisfy the being eligible to take over such administration ?
- A. Where responsible and fairly stable trade union commanding majority of workers and recognised are operating, administration of some schemes may be entrusted but some are not at all amenable to such relegation.

VIII Labour Legislation

- Q.193 To what extent should labour-management relations in a planned economy be governed by legislation/collective bargaining ? (See also Q.85 and 90).
- A. Legislation is for providing protection to weaker trade unions and unorganised workers, and is for minimum benefits only, and it cannot be any alternative for collective bargaining . However, resort to collective bargaining may be subjected to some restraint on some subjects involving essential services for progress of planned development.
- Q. 194 What have been the factors that have affected the proper and effective implementation of the various labour laws ? (Appendix XII). Have these laws achieved the purpose/objectives for which they were enacted ? If not, what factors have hindered the achievement of these objectives? (See also Q.12)
- Q.195 (a) How have the existing legislation and other provisions for protecting the interest of labour worked in practice?
- (b) To what extent have the above provisions helped to implement the Directive Principles of State Policy on labour matters as embodied in the constitution ?
- (c) What changes or further improvements in the existing arrangements would you suggest for fuller realisation of the Directive Principles (Appendix XIII) keeping in view the present state of our economy and the country's development in the foreseeable future ?
- A.
194 & 195 Bureaucratic hold-ups, lack of powers of the Inspectorate, pettifogging by lawyers and personnel Officers to defeat purposes of legislative provisions, legal rather than social approach on matters by adjudicators, litigatory approach by employers and dragging of cases from court to court etc are some of the factors leading to defeat of labour legislation.

Still the labour laws have conferred some rights on labour, but adjudication as a machinery for speedy justice to labour has failed.

The Directive Principles have yet to be concretized in many a way.

Q. 196. Are the present constitutional arrangements under which labour is a concurrent subject satisfactory, particularly from the point of view of the administration of labour laws? Are any modifications by way of centralisation/ decentralisation of certain activities and functions necessary?

A. To ensure cohesion of labour enactments, a Central control is necessary, subject to this labour may remain on the concurrent list.

Q. 197. What has been the influence, direct or indirect, of international labour conventions on the progress of labour legislation in India? To what extent has the Constitution helped or hindered such progress?

A. As many as 30 conventions of I.L.O. have been ratified by India. There appears to be no conflict between Indian Constitution and I.L.O. Code.

Q.198. On the basis of the principles evolved out of case law over a number of years, what are your suggestions for reviewing and amending labour legislation in this country?

A. No other branch of legal jurisprudence has evolved so fast as labour legislation. Through a series of case laws, the Supreme Court has established even within the narrow scope of interference by a third party in labour management relations, a right to elementary justice for labour and has provided safeguard for him against vindictive action, but of late there has again be a tendency to revert to master and servant concept and right of discharge under terms of contract. As such it is strongly felt that the law of disciplinary action as evolved by the Supreme Court should be codified, and the model Standing Orders should be drastically amended in order that workers have adequate job security and he is freed from double jeopardy in cases where criminal offences are involved or attracted. The concept of social justice needs codification as far as possible.

Q.199 Has there been too much legislation in the field of labour? If so, what are the aspects in regard to which there is over- legislation?

A. Cohesion is needed in labour laws. The definition of wage differs from law to law, so the hours of work regulations and the like. we do not think any over- legislation is there.

Q.200 Is there need for consolidation and codification of existing labour laws? Please suggest the lines on which codification should be undertaken.

A. Subject to our answer to Q- 199, we feel there is scope for consolidation of labour laws - if not for a single labour code.

Q. 201 Since 1958 the general emphasis in labour policy has been on voluntary approach in preference to legislation. This has resulted in fashioning tripartite instruments like the code of discipline, industrial truce resolution etc. Has this policy been successful? Should it be continued?

A. Indian tradition has been of master and servant, as such rights of labour has to be protected through legislation. The Tripartite Instruments have only worked like moral codes or religious precepts without however fear of sacrilege or sanctions against breaches. As unionism grows, the tripartite instruments will grow. We plead for legislation pari-passu Tripartite Instruments.

Q. 202 Please comment on the suitability of (i) labour legislation so far enacted and (ii) voluntary arrangements so far built up.

A. To our knowledge, except bilateral instruments, no other voluntary procedure has evolved since independence. The labour legislation has failed to satisfy the working class mainly due to delay and cost involved, and the defects of implementation.

Q.
203 & 204 :- Not for us to answer.

Rural and unorganised labour

(We refrain from answering, and I.N.T.U.C's submissions are supported .)

Labour Research and information.

Q. 212. Most of labour statistics are a bye-product of labour legislation. They suffer, therefore, inter alia from the limitations arising out of lack of uniformity in the concepts, coverage and frequency of collection. The time-lag in their publication, non-response from primary units, inaccuracy of returns, changes in industrial classification are further difficulties in making labour statistics more useful. What steps should be taken to remedy the situation? Is the implementation of the Collection of Statistics Act, 1953 the answer?

A. The labour statistics are so belatedly published that they are of no use for workers to base their claims. There appears to be no uniformity in their compilation eg in cost of living indices. Weightage, base years also differ, so do the quantifications.

I.L.O. experts should be consulted for framing questionnaires, tutoring the personnel and for weightage, base year determination etc. So that an all India uniform standard can be enforced.

Q. 213 There is a feeling that the practice of entrusting the administration of labour laws to different officials, the statutory requirements of maintenance of different registers and sending of different filled-in returns under these Acts, result in a good deal of unproductive work and unnecessary duplication. If this feeling has a basis, what steps should be taken to improve the situation ?

A. It is usually an employer side complaint that submission of returns etc has entailed a good amount of unproductive labour. We however feel that they are necessary. Simplification or consolidation however may be attempted.

Q. 214 Does the all-India Consumer Price Index Number currently compiled reflect adequately price changes affecting urban working class ? Should consumer price index numbers be compiled for every region of the country for the purposes of wage fixation ? What principles should be followed in compiling the "All - India" and regional indices ?

A. The C.P.I should be on an All-India basis, but it also should properly reflect the regional variations on which wage fixation should depend.

Q. 215 Does presently collected and compiled in respect of work-stoppages (strikes and lockouts) mostly consist of : (a) number of work-stoppages, (b) number of workers involved, (c) number of man-days lost, (d) total wages lost in rupees, and (e) total production lost in rupees. Are they adequate for measuring industrial unrest in the country ? If not, what other aspects of industrial unrest require quantification?

A. The man-day loss, production loss, workers involved - are but aspects of the same - information. The information should be indicative of cause, the type of relationship, the political or other promptings etc should also be collected.

Q. 216. At present statistical data are collected only in respect of work-stoppages arising out of industrial disputes. Is it necessary to collect similar information on work-stoppages due to reasons other than industrial disputes?

A. We support the idea that data in regard to work-stoppages due to causes other than furtherance of workers basic trade union demands should be collected so that an effective check can be maintained on the trend of development of industrial relations.

Q. 217. The current emphasis in the collection of labour statistics is on data which will help in understanding the economic aspects of workers' life. Social and sociological aspects have been comparatively neglected. What are your suggestions for filling up the gap ? For better comprehension of labour problems which particular aspect of these statistics would you emphasise ?

A. When the constitution and the Directive Principles, and our objective of a socialist state are there, we strongly feel that statistics relating to economic and social disparities, patterns of appropriation of gains of industrial activity by different social groups etc also should be collected.

Q. 218 Not for us to answer.

Q. 219. Are the present arrangements for research and studies in the field of labour adequate to meet the requirements of policy-making in labour and economic matters ?

Q. 220. What are your suggestions for improving the quality of labour research ?

A.
219 & 220. So far, no research or study facilities are available to workers or union officers or even for students. There is need for these facilities as well as for leave facilities from employer's side.

Q. 221. What is the present state of labour research undertaken by employers' organisations ?

A. Although we have plans for labour research as part of union activity, but for want of finances we have not been able to do so. We have personnel capable of undertaking such studies.

Q. 222. How should the trade unions be encouraged to strengthen their research activities ?

Q. 223. How should labour research be promoted in universities and research organisations ?

A.
222 & 223 Government should, in a welfare state award financial assistance to unions for Labour Research. Universities and other endowments may also grant such facilities, from time to time which will greatly benefit both employers, workers and Government.

Q. 224. Are the present arrangements for associating the research personnel outside Government for a deeper analysis of data available with Central and State Governments adequate ? What steps should be taken to strengthen this association ? Should co-ordination of research work done by different agencies be achieved ?

A. We are not aware of existence of any such research schemes.

Q. 225. What is the extent to which the existing information on labour matters is being put to use ? Who are the main users ? Give a critical assessment of the utility of the existing information.

A. Information on labour matters are very useful for workers to foot their demands, for public information for Government for formulating policies, Wage Boards, Tribunals etc, but at present very little information except labour statistics are available.

Q. 226. Are the existing arrangements for publicising the research activities of the various agencies adequate ? What has been the role of the press in such publicity ? What improvements, if any, would you suggest ?

A. The existing labour research activities is from the side of employers only. The Press is owned by big business, and therefore it is very apt to be biased. Research should be detached, and independent.

....(41)....

Q. 227 How do trade unions/employers' organisations inform the public of their activities ? To what extent do they succeed ? (See also Q.31).

A. Handouts, mouthpiece, periodical releases are usual publicity methods used by us, and they appear to be useful. We had a cultural troupe, and produced a full length film which was successful even in the box office, but the financiers reaped the benefits.

Q. 228 It is often said that while industrial conflict gets more than its due share of publicity, industrial harmony does not. Do you agree with this view ? What are the reasons for this ?

A. We do agree that industrial conflict gets better publicity than industrial harmony. Concord always is silent and serene.

Q. 229 What role has the press played in educating the public matters and with what results. Would you suggest any improvement ? If so, how should this be brought about ?

Q. 230 What role has the press played in shaping decisions on industrial disputes ? Has it helped or hindered the promotion of just and good industrial relations ?

A
229 & 230 We noticed a good support to labour movement from the Press just after independence, but as time has progressed an apathy, if not antipathy, from the Press has become noticeable. Labour press is conspicuous by its absence. The trade union movement will have to own itself or get supports of a section by the Press to mend the imbalance, and to establish secular social justice as the new "religion" in the industrial age.

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H. D. H.