

NATIONAL COMMISSION ON LABOUR

Tour notes of Member Secretary's observation
visits to Assam 19.7.67 to 24.7.67.

I

Shillong

19.7.67.

Record of discussion with:-

1. Mr. S. Acharya, Regional Director,
Workers' Education, Tezpur.
2. Mr. B.L. Prasad, Regional Director,
Workers' Education, Tinsukhia.

The officers met me in the afternoon. The Board appears to have set up two centres in this State where according to State Government one would have been enough. This means that the available staff and resources have to be spread thin. There are innumerable difficulties in running the centres - the main being transport. Since classes have to be conducted in tea gardens and since these could be at a distance of anywhere between 2 to 18 miles from the main road, where the buses ply, it is impossible to organise inspections. Apart from this there are the usual difficulties of cajoling the employers who in tea gardens can be conservative. Candidates are not available in sufficient numbers. The novelty has vanished from the scheme and every time we cannot use the same arguments for securing release of workers for 'worker teacher' class and the unit level classes. The problem is different for different managements, I.T.A., I.T.P.A. and unorganised gardens. (They show cooperation upto worker-teacher course but for training unit level workers they have resistance, without special instructions from the agent they do not move.)

All centres should not be treated on the same basis. Concentration should be not on members but on quality. Films based on workers problems are needed. There should not be much emphasis on a three month class. There are other ways of getting the necessary access to workers viz. One day schools. The allowance for workers is inadequate. Fair rent rules are coming in the way running the centre at Tezpur. No buildings is available on fair rent formula. Defence Establishments are many and rents have gone up because new buildings not coming are are

II

20.7.67

Meeting with H.E. Shri Vishnu Sahay, Governor.

The Governor mentioned that this is something (National Commission on Labour) which we should have set up long ago. The conditions at present are somewhat disturbed but it should be possible to reach some well founded conclusions by making due allowance for temporary passions. The labour policy which takes into account the interests of the community is essentially sound. Strikes and lockouts should be minimised.

Western countries which permitted the settlement of disputes through collective bargaining and direct action have now realised the importance of continuous production. Also planning is gradually entering into their system. The arrangement by which wage disputes are settled through wage board, which permit sufficient discussion between parties in the presence of independent group, will ultimately endure. It combines the essential elements of different systems of wage settlement. There may be some deficiencies in the existing boards, these will have to be removed. Delays, for instance, and other complaints require to be investigated with a view to corrective action. The Commission should examine carefully to what extent the existing legislation inhibits the growth of the economy. A complete examination of legislative action should be made. Steps should be recommended about how legislation can be effectively implemented.

III

Discussions with Labour Secretary:-

A question which was referred to in our meeting with Labour Minister came up for discussion. The feeling was that the present provisions of lay off and retrenchment compensation worked harshly on the very workers for whom they were to be a protection. The employer was required to pay it when he was in the weakest position to make such payments. In place of this an arrangement by which a small levy could be imposed on all employers while the going was good may work to the advantage of all. The employers will draw upon a larger base and the Government will have less complaints about non-implementation. This should be merged in the social security contributions and may be treated as a part of the insurance contribution from employers in the same manner as the employer treats workmen's contribution - He insures/used-to-insure his factory against accidents and the insurance company settled workers' claims thereafter.

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2. One more important aspect covered during the discussions was 'How the minimum wage problem should be tackled' 'How the availabilities in the country should also be brought into the calculation of needs?' 'In such cases what will happen to the nutritional content!' It was explained that this exercise was already completed in pursuance of a specific recommendation in the Third Plan. It had the approval of the Labour Panel set up by the Planning Commission. The N.C.L. will give a further thought to the arrangements reached in the Labour Panel.

3. The difficulties in implementing various pieces of legislation are common with other States - mostly inadequacy of the inspectorate. One special problem in Assam is the insufficiency of communications. The point made by the Education Officers of the C.B.W.E. came out with equal force in these discussions. For an adequate implementation of plantation labour law, one was required to go into the interior with almost no transport facilities. The choice is between being stranded on the road or accepting the courtesy of an employer who may be passing by - In either case implementation suffers.

4. Agricultural Labour is no problem in the State.
5. Labour has now become stable contrary to the arguments used in earlier analysis.

IV

21.7.67

Discussion with Mr. Dutt, Personnel Adviser
of Indian Tea Association, Assam Branch

He recollected my first visit to Assam about 16 years ago and was mentioning the changes that have taken place in the labour scene since. According to his account labour has become extremely conscious; it will question any management's decision which affects labour even remotely. This testifies to the good work done by the unions. He was not very enthusiastic about their consciousness to improve the living conditions of workers within the increased emoluments which workers were receiving now. He did not think that all this money was needed to catch up with prices alone. There was however consciousness among them to educate their children. This has not gone far enough. One still finds workers seeking the help of their children to struggle through their lives. They dress better somewhat but that is all one can say about the improvement in living standards.

Personnel officers now find it difficult to handle their assignments though many employers would like to pursue enlightened policy. The foreign Companies are leading in this regard. Recent changeover of management will create difficulties in the future because of Indian managements not taking the same interest in the development of industry as such as compared to short term gains. All this is a familiar ground but it makes a special appeal in this area for obvious reasons. Over the last fifteen years the personnel managers, also have started equipping themselves better but he would not yet say whether they are running with time.

V

Duliajan

The scene as I noticed it between Dibrugarh and Tinsukhia has not changed except that one notices any number of stray cattle roaming on the road all ill looked after, if they are attended to at all. They wear on their faces the same sad look as one sees on the faces of many workers in the area in spite of the so called improvement. One does not know whether even staunch supporters of cow-protection would be happy to see such cattle live. They are no yielders of milk nor is the male among the specie a good draught animal. They are a hindrance/traffic /to and menace to crops. I donot hear cases of their taste for tea or paddy but they have enough destruction potential in their hooves. It is unfortunate that in our country every economic proposition on cattle has strong political overtones through medium of religion.

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2. Tinsukhia Railway Station has expanded perhaps and is showing considerable activity because of the needs of defence and the operation of companies like the O.I.L. and A.O.C. Road to Duliajan beyond Tinsukhia is miserable. One hardly sees any major habitation by the road side except some stray clubs of tea planters which spurt into activity on two days in a week and stray bungalows of garden executives. All this is an ideal situation to breed discontent and the surprise is that leaders of public opinion have still managed to keep the workers away from mischief. This speaks highly of the persuasive powers of leaders or the tolerance of the population. The guest house of the OIL is well appointed. The colonies have the outward appearance of being well maintained. I was given to understand that housing is mixed in the sense that residences of different types of workers have been put together in different localities. This was only an illusion. We see the same class consciousness here as is witnessed elsewhere in the country.

3. They have a club here - Duliajan club of which General Manager is a member as well as the semi-skilled workers of the Unit; subscription is Re.1/- a months. The Jalni Club is in theory open to workers but charges Rs.12 for membership and is thus outside their reach. General Manager takes keen interest in both the clubs and workers are thereby somewhat contented. It is said that he preaches to his junior officers & supervisory staff that at work every one has to maintain discipline which means the question of subordinate/superior or even a hierarchy does and should come in. Outside working hours they have all to live like one extended family. He seems to practice this principle; at least that is the impression one got from the way he talked to his staff and officers.

4. General Manager mentioned that there was considerable delegation of powers to him from OIL and from him to others in the establishment. He gets to know in the course of his work persons who approach superiors for instructions in exercising their authority and if this approach is a result of excessive caution the officers are pulled up. A genuine mistake is tolerated but avoidance of responsibility not. All this sounds interesting but in actual practice how much is implemented need not be known.

5. The housing was neat but many of the workers had large families. Persons who may not have crossed forty had already five to six children. I asked General Manager whether oil encourages larger families and how he proposed to cope with the problem. His answer was not indicative of a strong drive for family planning.

6. Everything looked so neat and sounded so interesting that I desired to meet the union representative when I was, asked about how my programme should be organised. In the evening I met some executives, all of whom echoed what the G.M. had said. Upto the point of executives and some staff which was near to them, this went off alright.

VI

Visited the Hospital: Arrangements are better than in most places - certainly better than state run hospitals. 30 beds plus outdoor treatment. This, according to the management, is enough to meet their needs. As regards specialities, the ones commonly needed are covered but for others they have arrangements with Digboi which has a bigger hospital. Emphasis, in terms of beds, was on providing more facilities than needed for species known as executives.

VII

22.7.67.

Work in this area starts at 6 A.M. My round started at 7 A.M. We went round the installations. Actual pumping operations could not be seen, because it was raining hard and one had to visit the interior for this purpose. The basic facts were explained to me. The area which has so far been prospected and proved to have oil is very extensive. Drilling successes are much better than in many parts of the world, in fact better than other areas in India - Ankleswar which itself is a good find. The higher percentage of successful drilling is due to the area having been already prospected and proved as oil bearing by the A.O.C. whose main installations are at Digboi. A.O.C. itself is a branch of the larger company, Burmah Oil Company, who have extensive experience in this line and in this area also. Science of exploration has also advanced. Since Oil India Limited is half AOC half India Government, most of the machinery is British and as I discovered later the staff required for operation had been in the employ of the A.O.C. OIL is merely pumping crude and transporting it by pipeline to Digboi on the one side and Nonmati and Barauni refineries on the other. Proved reserves are about 45 to 50 million tonnes. On present reckoning and fair capacity working of all the three refineries, the reserves should last about 15 to 16 years but taking into account the current rate of utilisation and the prospective rate which is likely to be built up in the near future this activity may go on for 30 years (usually they recoup the investment in 5 years of full operation). Very few operations were seen in the installation since most of the processes are machine operated with automatic control. Pumping of crude over such a long distance - nearly 700 miles - does create the problem of wax sediments in the pipe particularly in winter when wax solidifies and chokes the pipes. This has been got over by the work of a team of engineers - all Indian - working with OIL. The machinery designed for the purpose has been patented with the names of Indian engineers associated with the patent. The gas which goes waste has been used for generating electricity - a thermal power station. The control room is electronically controlled and tells the management what is happening where in the vast area of this operation including the pipe line. Removal of wax is associated with the refining of crude and cannot be tackled at Duliajan.

VIII

Digboi
22.7.67.

The place has changed considerably since I saw it last in 1951. There has been one expansion but all this does not appear to have been with the same zest as in the days gone by. Uncertainties in the situation is the main reason. The General Manager Mr. Watt took me round their drilling areas and the refinery which had closed - Saturday being a half working day. We could still see wax packaging. The Digboi wax is reported to be in great demand in the United States, as quality wax.

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Discussions with:-

- (i) Mr. Watt, General Manager
- (ii) Mr. Baird Administrative Officer
(Personnel)

Digboi had a long and peaceful innings since 1939 of uninterrupted production-Reasons:i) They have been paying a higher wage than is prevailing in the area, ii) They are not averse to talking to union provided it is considered representative. To my question as to how they decide between rival claims of unions the answer was: "It is possible to know the following which a union has through a well selected supervisory staff who can make casual inquiries and also by watching the enthusiasm among workers in the union meetings!" The methods are not all that crude as they sound. Their effectiveness is demonstrated by an excellent record of peaceful working, iii)The arrangements they have for settling the grievances as and when they arise. Most of the grievances, except in areas where collective bargaining is needed; are settled at various levels within the plant itself with or without the help of the union. Cases have occurred when in appeal to the General Manager in a case of dismissal the punishment is made less harsh by the General Manager with stiff warning to the worker and suitable advice to persons who at lower level had decided on dismissal. This has not affected discipline in the Unit. General Manager agreed that if this power is judiciously used it will remove a lot of discontent among the workers. Bogey of indiscipline is barred because bold decisions are hard to come by; iv) Training is mostly on the job. The type of boys they need are selected carefully preferring local people and even relatives of persons with long service in the Company and intensive training thereafter -No I.T.I. No Employment Exchange; v) Redundancy is tackled through the process of natural wastage. It gives them sufficient scope for rationalisation. Hard cases are at times settled on pay-off basis by providing suitable incentive to retire. Such cases are however rare. Burmah Shell Pattern is not used wholesale; no occasion for it; vi) Recently the new problem has been availability of supplies of essential commodities. Here State Government helps in keeping the grainries adequately stocked. Considerable advance planning has been found to be necessary in this work; vii) Welfare facilities are operated in consultation with workers; their felt needs are catered to - to the extent possible. Administration of this facility is through joint committees; viii) Periodic adjustment of D A, on the basis of local index - No elaborate family budget inquiries are undertaken. But for a reasonably varied basket the cost is worked out in relation to prevailing prices which are collected by a joint employer-union group almost from day to day. In commodities like rice, wheat the price at which the employer buys or the commodity is sold to the worker whichever is higher is used for working the cost of the basket. On rough calculations the change in the index compares favourably with the all-India figure. We should seek more details through D.L.B.

While all this is heartening the conclusion one comes to is "nothing succeeds like success". One cannot reproduce this pattern even in the adjoining areas and even where the traditions of Assam Oil Company are strong viz. Oil India Ltd. I have suggested to Mr. Baird that all these points and many more should come into their memorandum for a detailed discussion

on some of the interesting features which have developed in Digboi over the last twenty years.

X

Duliajan

Back to Duliajan I checked up with Mr. Mukerji what he thought of the various points made by the A.O.C. management and whether some of these features could be introduced with further improvements/adjustments needed to suit Duliajan conditions. He was understandably dumb; did not want to give the impression that they were lagging behind. At the same time being non-committal in such matters was the essence of wisdom.

The Management (OIL) did not give me data about the total number of employees and the number housed either in the Company housing or otherwise. These figures appear to be inconvenient perhaps.

Watched a football match in the afternoon and a variety entertainment in the evening. This entertainment was staged in an improvised stage in the Supervisors' club and not in the theatre-auditorium of the Duliajan club. This speaks a lot about the difference in treatment of executives and other operatives in spite of whatever the management has to say.

XI

Namrup
23.7.67.

Visit to Namrup, the place where the F.C.I. is building up a fertilizer factory for the manufacture of urea and Ammonium Sulphate using natural gas and Sulphur. The factory has not yet been completed; they hope production will start in December this year but the quarters - called civil works - are already in position. The standard set by the factories in this area about segregation of Staff and executives is a common feature in this new venture also. The Engineer who took us round is a South Indian and the Personnel Officer both were dull specimens: they had no facts about the factory they were to serve. On the collaboration arrangements they were most up to date. One point which was mentioned to me in the factory which appeared interesting was the designing of the factory and some of the machines and control arrangements which were all indigenous. The Sindri designing section has started operating after all. May be this has a future for us.

Assam State Electricity Board has one of its main establishments near Namrup-Thermal station which is using gas made available by the OIL. Within a radius of about 20 miles there will be as many as five well equipped hospitals. I asked ASEB why all managements could not get together for pooling the resources and building up something better and economising on the scarce resource - the medical personnel. He was responsive. There was at one stage a move on these lines which was scuttled because the FCI wanted the question of the ownership of the hospital to be settled. What a question to raise!! By and large the morning was

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not well spent except for the satisfaction that we got to see more of Assam's beautiful country side, more of miserable cattle leading to miserable villages. An interesting feature of the area however was complete absence of beggary.

XII

Meeting with IIPM, Assam Branch:- A lively discussion on problems which the NCL has to tackle-after a brief introduction of the subject by me. They explained how they are proceeding to deal with our questionnaire. How the work has been parcelled out and so on --- The special problems of Assam according to this Group were (i)heavy maternity (ii)large plantation population-nuclear or otherwise (iii)Reluctance of the local population to consider work in plantations as something dignified (iv)shortage of skills (v)consciousness of their rights without regard to responsibilities (vi)Resistance to ration-alisation (vii)Conservatism of workers, from the tribal stock, to improve their conditions of living - most of the wage increases have been eaten away by larger family responsibilities.

A question asked to me was 'If, in making our recommendations, we come across the need for commenting on ILO Conventions as unrealistic how will we react, The reference was in particular to denial of maternity benefit beyond three children. This is very much of a live problem in plantations. My suggestion was that they should pose the problem with all the emphasis so that it will be possible for us to analyse it in all its details. It may be that we will come across such cases elsewhere. They should also come out with specific suggestions regarding remedies.

XIII

Discussion with Trade Union Representatives of Oil India Ltd.

The milder sort met me. As I expected things are not all that satisfactory as made out by Kanuga and his executives. The points brought out by them were (i)Inadequacy of housing (ii)Inequity of Company's restrictions on selling houses built by workers in the colony to co-workers. (I checked on this with Mr. Baird of the AOC. His view was that the complaint was justified but the remedy was to rationalise the Bustee allowance now paid to workers staying outside the township- This will bring in buyers to persons wanting to sell). (iii)Large number of workers were still on the temporary list. (Even the staff in the guest house was complaining about the temporary character of their appointment in spite of long years of service.) (iv)Facilities to bustee dwellers were unattractive (v)discrimination in hospitals to staff vis-a-vis executives. (vi)There is a general feeling in management that executives require to be catered to and not so much the actual workers.

XIV

Tinsukhia

Met Education Officers and discussed with them problems of agricultural labour and collection of information about them. Some interesting points have been brought out in their notes on family planning and general change in attitude towards life, also about the availability of work in villages and so on. I gave them instructions about the points they should emphasise.

Addressed a Worker-Teacher Class before proceeding to Dibrugarh - Poor attendance in the class - Inadequate response of Employers.

XV

Dibrugarh

Discussions with a representative of AITUC Union from Tinsukhia.

He had come specially to meet me. We had an interesting discussion on the problems in Assam as are likely to develop in future. His view was that because of the development of low wage/earner industries like plantations in the early stages and the new high wage industries like Oil-Fertilizers -petrochemicals (possibly) the demonstration effect of the latter will affect in some way the life of the former. As it is, this has started showing in some areas; its incidence is likely to be more extensive in future. There are of course some safety values like the stock from which plantation labour being different, their educational standards being different - more earners in a family -small kitchen farms etc. but their effect may or may not compensate the urge for demanding a higher wage but the developments will be of interest to watch. One has only to take care that because of the possible dangers employers in the low wage pockets do not pursue a policy of insulting their workers from such influences.

XVI

24.7.67

Discussions with the Employers' Group:

It was a small group initially but many more joined later. There was a strike call on plantations which was subsequently put off. This news was not relayed to workers in good time with the result that some planters sent frantic messages to ABITA. By the time the arrangements were made to communicate with the workers I had already finished my observations and a discussion followed. An English planter - Vice Chairman of ABI¹A- described the scene on plantations then and now. He has been here working as a manager/Superintendent for over two decades. In terms of wages/working conditions there has been improvement but life has been difficult for workers mainly because of large families - their own as well of their dependents.

/and

2. There is resistance to rationalisation even if an identical job was offered to redundant labour on a nearby garden. Area under plantation cannot be increased for providing employment to all those who want it. I checked up with them my impressions of 16 years back because planters were faced with this problem even then. Why were steps not taken? Recruitment is still going on - Dibrugarh has a special Employment Exchange for this work. (We should get a report from it on this subject.)

3. In terms of family planning the planters testified to its having some effect in the last two years. They should be the better judges of this because of their having to pay maternity benefit.

4. Though workers do not realise this, one of the significant improvements in the last few years has been the Provident Fund which has insurance and gratuity elements woven into it. (We must get details from Assam Government.) According to employers' representative the reserves built up by this fund over the last 15 years are more than those of the Industry since its inception - and this is by no means an improvident industry.

5. About attitudinal changes the planters testified that there is a growing sense of responsibility in every respect except in their desire to be clean, maintain better surroundings and so on.

6. In spite of their best efforts, it has not been possible to provide better housing. The Scheme which was agreed to has not been operating particularly in the last three years (This incidentally coincides with the date when the prices have been shooting up).

7. The current dissatisfaction among the workers is about the levy on them in kind on paddy grown by them in their backyards. They are allowed to keep a small part and the rest has to go to the State. According to them this is an unsatisfactory arrangement, because the fruit of their own toil is denied to them and at the same time rations are denied by employers to the distant dependents.

8. Boys and girls in plantation workers' families are getting educated somewhat; the workers-now-coming in the gardens are more educated on the whole but are not yet averse to do that work if the payment is adequate. By rural standards the payment received is not bad.

9. There have been attempts made in the past to mechanise some processes on plantations but it will for a long time continue to remain a labour-intensive operation.

10. About other industries coming to Assam and their influence on plantation workers, the discussion could not proceed because the employers still feel that so far there is sufficient insultation against the groups mixing together. For new industries it is mostly the educated or technically trained worker who is in demand.
