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REPLIES TO THE QUESTIONNAIRE

Issued by

THE NATIONAL COMMISSION ON LABOUR



Replies by

THE INDIAN NATIONAL IRON & STEEL WORKERS' FEDERATION
15, K. Road Jamshedpur

INDIAN NATIONAL IRON & STEEL WORKERS' FEDERATION
(I.N.T.U.C.)
15 K Road, Jamshedpur-1.

Dated 18.9.68.

The Chairman,
National Commission on Labour,
D-27, South Extension-II,
New Delhi-16.

Dear Sir,

REPLY TO THE QUESTIONNAIRE.

On behalf of the Indian National Iron & Steel Workers' Federation, which is affiliated to the Indian National Trade Union Congress (INTUC), we have great pleasure in submitting herewith its written replies (70 copies) to the Questionnaire issued by the Commission. These replies are preceded by certain general observations so as to provide the necessary background.

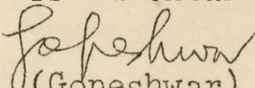
2. The Federation endorses fully the Memorandum and Reply to the Questionnaire of the Commission submitted by the Indian National Trade Union Congress (INTUC).

3. The Office-bearers of the Federation would be appearing before the Commission to elaborate and explain the views of our organisation on any date or dates the Commission may be pleased to call them.

4. The affiliate Unions of the Federation and the INTUC, which are connected with the Iron & Steel Industry, may place before the Commission any special pleading to spotlight factors peculiar to their places or plants and they may also be appearing before the Commission as and when so desired.

Thanking you,

Yours faithfully,


(Gopeshwar)
General Secretary

Enclos:

P R E A M B L E

The Indian National Iron & Steel Workers' Federation welcomes the appointment of the National Commission on Labour and is grateful for the opportunity given to place its views before the Commission.

2. The Indian National Iron & Steel Workers' Federation is affiliated to the Indian National Trade Union Congress (INTUC). It is the only Federation of the Trade Union Organisations in the country representing Iron & Steel workers engaged in the private and public sectors.

3. The following trade Unions are affiliated to the Indian National Iron & Steel Workers' Federation :

1. Tata Workers' Union, Jamshedpur (Bihar)
2. The Steel Workers' Union, Bokaro (Bihar)
3. The Steel Workers' Union, Bhilai (M.P.)
4. The Hindustan Steel Workers' Association, Rourkela (Orissa)
5. The Hindustan Steel Workers' Union, Durgapur (West Bengal)
6. Mysore Iron & Steel Works Employees' Association, Bhadravati (Mysore)
7. The Asansol Iron & Steel Workers' Union, Burnpur-Kulti

4. The per capita consumption of steel is generally regarded as an important index of a country's economic development. The following table would present a comparative consumption of steel in selected countries:

(In Kg/Capita)

	<u>1957</u>	<u>1965</u>
India	9.2	16
Japan	139	298
U.S.A.	568	656
France	302	331
U.K.	370	424
U.S.S.R.	243	355

It will thus appear that India has to make tremendous effort for development of steel industry to be anywhere near the developed countries. Even with this large production the annual per capita availability of steel in India even at the end of 1975 would barely approach the lowest level of consumption in other countries.

5. Steel Industry has developed very fast in India during the last decade. In the beginning of the First Five Year Plan (1951-56), production of steel ingots was only 1.4 million tonnes. It went upto only 1.7 million tonnes at the end of First Plan (March 1956). At the end of the Second Plan (March 1961), production of steel ingots increased to 3.5 million tonnes. By the end of the Third Plan period (March 1966) capacity for production of about 7 million tonnes of steel ingots was created in the country. The draft outline for the Fourth Five Year Plan makes provision for production of steel ingots to the extent of 14.8 million tonnes.

6. In spite of such an increase in steel production the country has to import huge quantity of steel. The following figures of import would show :

<u>Period</u>	<u>Quantity</u> (in '000 tonnes)	<u>Value</u> (in million rupees)
1964-65	989	879
1965-66	777	810
1966-67	430	696

7. The draft outline on Fourth Five Year Plan for iron and steel envisages setting up of target capacities of (i) 14 : 8 million tonnes in terms of steel ingots (ii) 3.0 million tonnes of pig iron ; and (iii) 0.5 million tonnes of alloy and tool steel - to be achieved by 1970-71.

The mild steel capacity is proposed to be achieved by expansion of the existing five integrated steel works, and by increased capacity from electric furnace units as detailed below :

Projects	From (Third Plan capacity)	To (Fourth Plan capacity)
Public Sector		
II. Expansion of -		
Bhilai	2.5	3.2
Durgapur	1.6	3.4
Rourkela	1.8	2.5
Bokaro		1.7

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Private Sector

TISCO	2.0	2.2
IISCO	1.0	1.3
	<hr/>	<hr/>
	8.9	14.3
	<hr/>	<hr/>
Electric Furnaces in the Private Sector	0.2	0.5
	<hr/>	<hr/>
	9.1	14.8

8. Production of Steel is largely concentrated in the six plants TISCO (Jamshedpur) (2 million tonnes), IISCO (Burnpur - One million tonnes), the three plants under Hindustan Steel Ltd., (HSL), namely - Rourkela, Bhilai and Durgapur 1.8, 2.5 and 1.6 million tonnes respectively and Mysore Iron & Steel Works Ltd., Bhadravati expanded upto 0.3 million tonnes. Of these, the first two are in the private sector and the last four in the public sector. The seventh Steel Plant (Bokaro Steel Plant Project) in the public sector which will have an initial capacity of 1.7 million tonnes is under construction and some of its units are likely to be commissioned by 1970 - 71. According to the policy of the Government, future steel plants will be set up in the public sector although the existing plants in the private sector may be allowed to expand to their optimum capacity.

Practically all the existing steel capacity has been installed in the Bengal - Bihar - Orissa - Madhya Pradesh area which possesses at present the two principal raw materials for the steel industry - the largest reserves of iron ore and the only reserves for coking coal. This area has sufficient reserves to support the expansion of the existing plants and initiation of several large new steel works while smaller ore based plants can be located in other parts of the country. The following table will show the present available raw materials.

TABLE

<u>Raw Material.</u>	<u>Estimated reserves in million tons.</u>	<u>Duration of production.</u>
Iron Ore	20,000	100 years.
Manganese Ore	60	50 years.
Coking Coal (washed)	1,600	35 years.
Lime Stone	100	15 years.

- "Steel in fourth Plant", Perspective Planning Division, National Planning Commission.

9. The total capital employed in the industry is about 1200 crores of which Rs.900 crores is in the public sector and Rs.300 crores in the private sector.

10. The total number of all categories of workmen in the industry is about two lakhs. The break-up is as follows :

TISCO, Jamshedpur	37, 938
IISCO, Burnpur	23, 274
Mysore Iron & Steel Works, Bhadravati	9, 681
HSL, Bhilai	51, 739
HSL, Durgapur	27, 570
HSL, Rourkela	31, 525
Bokaro	10, 000 (about)

Inspite of the fact that Steel industry is capital intensive its employment potential is none the less insignificant. The daily inflow of raw materials in steel plants generates very large employment in coal mines, iron ore and limestone mines and transportation works etc. The subsidiary industries grow from meeting requirements of the operational, maintenance and servicing processes in the industry. Generally each worker of a steel plant creates subsidiary jobs for eight workmen in related industries.

Another feature of employment in steel industry is the national composition of the personnel in the industry. People from all parts of the country are engaged in the steel making process and this has fortunately helped, encouraged and formulated a nationally integrated community. It will be an ideal example for other industries to follow.

11. If the working results of the industry for a number of years are examined the general picture is one of a steady progress, prosperity and expansion. It has absorbed all the wage burdens and even after paying the wages burdens and other statutory burdens the benefit position of the industry continues to be higher than before. The industry has more than doubled its capital, more than doubled its block and has built up huge reserves and depreciation funds. Even with these reserves which the industry has so far built up after paying huge dividends and bonus shares (in the private sector) it is in a

position to meet all the requirements of the present and future. The position of the steel industry compares very favourably with that of other countries. In no other country steel industry has earned or expects such huge returns on its paid up capital with 5% or 6% dividend subject to taxes.

12. The present production cost of Indian steel per tonne compares very favourably with that of steel produced in industrially advanced countries.

13. The industry had a system of price control regulations consisting of two main elements, the retention prices (Prices paid to producers) and selling prices (prices paid by consumers). The difference between these two prices was credited to the Equalisation Fund intended to be used for subsidising imported steel so that it could be sold at the same price as domestic steel and for Expansion projects etc.

14. Labour cost as a percentage of sales has shown a drop steadily.

15. If one hundred years of economic progress and industrial development are to be telescoped into one decade, the physical condition of the worker must be immediately raised at all costs at least to a minimum level so that he can really be "the principal" instrument of planned development. To attempt to peg his real wages and other conditions of service at the existing starvation level is bound to perpetuate the strife and struggle of the pre-plan period and this will only create serious difficulties for the successful operation of an economic plan.

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1. Indian National Iron & Steel Workers' Federation
2. Indian National Trade Union Congress (INTUC)
3. 103000 The Federation was formed in 1959. The list of affiliated Unions is given below :
 - (i) Tata Workers' Union, Jamshedpur
 - (ii) Steel Workers' Union, Bhilai
 - (iii) Hindustan Steel Workers' Union, Durgapur
 - (iv) Hindustan Steel Workers' Association, Rourkela
 - (v) Bokaro Steel Workers' Union, Bokaro
 - (vi) Mysore Iron & Steel Works Employees' Association Bhadravati
 - (vii) Asansol Iron & Steel Workers' Union, Burnpur-Kulti
4. Not applicable to us.

I. RECRUITMENT AND INDUCTION

Note :

- (a) Recruitment is through :
 - (i) advertisement
 - (ii) Employment Exchange
 - (iii) Industry's own machinery for the purpose

In some plants there is some preference for dependents of old employees, who retired on superannuation or on medical grounds or died of an accident or incapacitated for life.

In the private sector and now in the public sector also the employment is mostly at the primary level, that is, at the lowest. Thereafter the semi-skilled, skilled, highly skilled jobs are filled up firstly by due promotion from the bottom level onwards in a chain and by absorption of apprentices at some skilled level. At the higher level regular employees are given preference if they fulfill the requirements or job specifications. The present system of recruitment is more or less satisfactory. In the initial stage there was difficulty for recruitment of skilled workers.

(b) Recruitment is generally done by a machinery set up for the purpose. Complaints of corruption and favouritism at the time of recruitment are still persisting. A safe method would be that recruitment should be made by a Section/Appointment Committee nominated by the management, instead of leaving it to one man. Recruitment from outside should invariably be for the lowest category ; vacancies in the higher categories being filled up as far as possible by promoting the insiders. Recruitment for higher categories from outside should be resorted to only when suitable insiders are not available.

(c) In the Steel Industry there are some jobs peculiar to the process of steel production. The steel manufacturers have their own training programmes for these categories. Generally at a higher level of skilled labour there may be some short supply. It is not possible to recruit directly from outside. It is more helpful to train up people within industry.

(d) There should be no recruitment from outside against vacancies until the temporary workers who are on Muster-Roll or workcharged basis are absorbed;

ii) Children and dependents of the employees in steel plants should be given prior consideration.

(e) The problem of deployment and retrenchment of the workers engaged in construction of new plants has been one of the major problems facing steel plants on completion of construction/erection work.

(f) The steel plants have set procedures for regulating promotions of their employees. In TISCO, workers are promoted to higher posts on the basis of seniority and capability to do the job. In case of jobs where trade test is prescribed the senior-most employee who passes the trade test is promoted. In case of supervisors promotion is effected on the basis of seniority-cum-merit. Trade test specifications for over 400 individual trades have been laid down by a Trade Test Committee which comprises of equal representatives of the management and the recognised Tata Workers' Union.

(g) In IISCO promotion charts have been laid down after a formal agreement with the recognised union for the sections and departments. These charts (Line of Promotion) indicate the steps through which a worker may gain promotion in his own line on fulfilment of stipulated conditions relating to qualifications and experience. Promotion is made according to the criterion of "seniority-cum-merit". The senior most man in the line is given preference for promotion provided he is found suitable. In several cases suitability is determined through trade test or proficiency test. The trade-tests are conducted by a Board of Examiners and often in presence of the Union's shop representatives.

(h) In Durgapur, Rourkela and Bhilai Steel Plants of HSL procedures for promotion have been settled through agreements with the recognised Unions. In Bhilai Steel Plant, promotions of workers are based on "merit rating" and "Trade Tests", in Rourkela promotions are made on the basis of "seniority-cum-suitability" in lower grade posts and "seniority-cum-merit" in the higher grade posts of Chargemen, Office Superintendents and Accountant, subject to the candidate's qualifying in trade tests and other tests as prescribed.

The minimum qualifying period of service in lower grades for promotion to higher grades has also been fixed. In Bhilai Steel Plant proposals for promotion are informally discussed with the representatives of the recognised Union and their comments, if any, are taken into consideration for the Departmental Promotion Committee in recommending promotions.

(i) The promotion policy and Procedure in TISCO and HSL Steel Plants has been publicised among the workers through circulars. In IISCO these procedures are well established by usage.

(j) In spite of well defined promotion procedures in the Steel Plants, a good number of grievances arise on this issue. In HSL plants, a very large number of persons of the same age group had to be recruited for various posts in the three steel plants within a short period in the initial stage. The number of higher posts to which they can be promoted are limited. This has caused disappointment to some extent. Moreover, there is an internal understanding in the Steel Plants that no employee should be engaged by another steel plant without a release certificate from the existing employer. This creates hardship and restricts the opportunities.

(k) A worker has to spend a number of years to acquire the skill, experience and efficiency required in a steel plant. It is necessary to evolve a standard policy i.e. a well defined line of promotion for a worker from the lowest level to the highest post. The job specifications and necessary qualifications should be outlined : seniority, experience and past records should be given priority. A workman of experience and seniority should not have to face a general competition with people from inside or outside as candidates. In other words, a worker engaged on a job should have the confidence that he can qualify himself for the jobs higher to his present assignment under certain conditions. A claim of priority, preference and opportunity on the basis of seniority-cum-suitability is a very essential factor. If any one comes from outside at a higher rated job for which the man situated immediately lower to that rate could have been capable of being promoted, it becomes a very unhappy situation and it injures the incentive in the present cadre for efficiency and better working.

RECRUITMENT

1. Please see (a) & (b) above (Note)
2. Please see (c) of the above (Note)
3. Not the lack of mobility but the obvious restrictions due to recruitment through local employment exchanges. The present legislations that all the employment will be regulated through the employment exchange require study. At present the employment exchanges are under the state authority. The attitude of the State authority is to lay more emphasis on persons of the region and restrictions on persons from outside. It is suggested that except for a few categories of workers at the lowest levels, there should be no restriction.
4. The migratory character of industrial labour depends upon the better living conditions, wages and other opportunities for advancement.
5. In Steel Industry employment of women is for (a) manual (b) secretarial (c) educational or medical jobs. There is now a tendency of not engaging women labour on manual jobs due to special statutory provisions for female labour.
6. The purpose of recruitment of casual labour is obviously to meet casual work. Such casual labour is always at a disadvantage as regards its wages and other conditions of employment. In an organised industry like steel, there should be no casual labour.
7. A number of persons get physically handicapped in steel industry during the course of their employment. It is necessary that steps should be taken for physically handicapped persons being absorbed in such jobs where there is no possibility of any further incidence.

It is necessary that statutory provisions for such physically handicapped persons, particularly those injured in works, are made.
8. As stated earlier, recruitment is at the moment a state subject. While the purpose of giving priority to persons belonging to the region may be justified and necessary to an extent, in practice it has come to such a pass that recruitment policy has become a distinct cause of national disintegration. Steel industry is situated in a region ranging from Durgapur to Bhilai. It would be discriminatory if opportunities for people of, say, Kerala or Punjab are denied the right of recruitment, if qualified otherwise.

The State Governments have dealt this matter politically and there is discrimination in the matter of recruitment.

INDUCTION

9. The present programmes for on-the-job training are not adequate. Such programmes, wherever they exist, are limited to meet the general needs. It is necessary that a uniform standard is evolved with adequate incentives for improvement in quality and cadre in all places for all cadres.

10. It is necessary to grant adequate facilities to an employee for improving his skill outside his place of work. Industry should set up some machinery for improving of their skill employees. Besides this, adequate number of incentives like financial aid, scholarships, relaxation in working conditions and promotional incentives should be provided. There is no system of grant of study leave.

11. (a) As mentioned in the note promotion must be by seniority. It is one of the major heartburning issues among the workmen. Although the usual criterion of seniority is a question of fact, merit falls in the realm of opinion and is capable of being abused and misunderstood. There are several instances when an employee is considered suddenly as not satisfying the needs of merit just when he is expecting a promotion.

(b) Recruitment should be at the lowest level and vacancies in higher positions should be filled up by promoting suitable insiders on the line.

12. (a) The labour legislations require many changes in their provisions in view of the major industrial progress after 1948. Details regarding safety and welfare are inadequate. The hours of work, rest interval and weekly off etc. require further improvement. In steel industry in some of the hazardous jobs the hours of work and rest intervals are different from the present provisions in law. Due to continuous process the weekly off is being staggered in many cases and set on for another week. The annual leave with wages is the lowest compared to such leave given to other categories. There should be uniform and more leave with wages. Regarding occupational diseases no research has been undertaken in steel industry although this is very necessary. The overtime payment is not uniform and the method of calculations is defective.

These acts should cover everyone uniformly who is employed in the undertaking.

Rest interval and weekly off

The purpose of a weekly off is to provide adequate rest to the worker after six days work so that he can recoup his energy to take the load of work for the ensuing week.

But by the provisions in the Factories Act, the employer has the privilege of moving the weekly off forward or backward by 72 hours, depending upon his requirements. There are cases where an employee gets off on the 4th day and rest again on the 14th day and sometimes two consecutive days are given as off.

This adversely affects the health and interests of the worker. He is not in a position to plan suitably for the weekly off date. As such, it is suggested that the Factories Act should be so amended as to make it compulsory for the employer to give weekly off to the worker on every 7th day, i.e. 6 days work followed by one day's rest.

- (i) India is a hot country. The steel industry taxes the physique of the workers greatly. As such annual leave with wages should go up sufficiently so that the worker can get rest in order to recoup his health.
- (ii) The hours of work also should be brought down without adverse effect on earnings.
- (iii) Sometimes the employer finds it cheaper to give overtime rather than engage the required strength of workers. This is injurious to workers' health. Overtime payment should be made two and a half times of wages including dearness allowance.

Occupational Disease

There are certain sections in the steel industry where people suffer from disease as an after-effect of the job, e.g. Calcining Plant, Brick Plant, New Grinding Mill, Coke Ovens, Benzol Plant and Sulphuric Acid Plant, Gas Producers and Sewage Disposal Plant etc.

Arrangements should be made to medically check up the employees of the above departments to determine the effect of the prevailing conditions of work on their health.

(b) Proper working conditions are an indispensable prerequisite, if productivity of labour has to go up. The broad general features indicating proper working conditions should include :

1. Temperature in the work room
2. Humidity in the work room
3. Extent of lighting
4. Working hours
5. Shift duty

6. Rest pauses and intervals
7. Noise and dust factor etc.
8. Speed of the machines
9. Maintenance of machinery
10. Standardised raw material
11. Standardised finished products
12. Safety appliances

13. Generally three national holidays are observed :

1. Independence Day .. 15 August
2. Republic Day .. 26 January
3. Mahatma Gandhi Birth Day .. 2nd October

Besides this local/regional holidays are given. There is no uniformity. Even the holidays differ from state to state according to state authorities. In most cases the number of holidays depend on bargaining strength of the employees concerned. In TISCO, the employees get one more holiday and two festival holidays in a year. In Hindustan Steel at Durgapur, industrial labour gets 5 days and non-industrial employees 19 days. In Bhilai, all employees get only 5 days. In Rourkela, industrial employees get 6 holidays and non-industrial labour get 11 days.

The foregoing indicates the disparity in the matter of holidays between private and public sector plants and also a glaring disparity between factory and non-factory labour.

We strongly feel that holidays should be uniform for factory and non-factory employees and should be uniformly applicable to private and public sectors. However, there should be scope for local adjustment.

14. Employment other than in factories, mines and plantations, generally means employment in shops and commercial establishments. At present conditions of work in these establishments are regulated by the Shops and Establishments Act of various State Governments. Here too there is no uniformity in the several provisions amongst the several State legislations. A Central legislation on this subject might be helpful in introducing an element of uniformity. Such uniformity will be workable if only it is achieved by taking the best in every State legislation and making it an all India legislation.

15. There is no child labour employment in steel industry.

16. At present there is no statute for regulating of conditions of work of Contract labour. We consider that there should be no difference in wages and service conditions in any shape or form between the contract labour, contractors' labour and the factory labour. We are strongly opposed to engagement of contract labour or contractors' labour in any shape or form in Steel industry.

17. All statutory benefits accruing to labour to be provided by the employer should be jointly administered by the employers and employees' representatives. For this purpose, necessary statutory provisions should be made.

Safety and Health

18. Yes. The main causes are the inadequate safety measures and steps for safety consciousness, improper working conditions etc. Due to high rise in the industrial index the majority of employees have come from non-industrial environment and they overnight start work in a highly sophisticated and complex steel works. This adds to the complications.

The main causes for this high rate of accidents are - (a) defect in design (b) unsafe practices and (c) improper maintenance.

We feel that the management should be more vigilant in all the above aspects. They should eliminate hazards while selecting the proper design where equipments are concerned ; unsafe practices must be avoided by properly educating the supervisors and the workers and adequate importance must be given for the proper maintenance of all equipments. Safety appliances should be provided and the workers be educated in their use. Above all, the top management must give adequate importance to safety and this must permeate all levels of management.

The enforcing machinery should be more vigilant, and more emphasis to Joint Safety Committees at the plant level and Joint Safety Appliances Committees for selection of suitable equipment and other matters should be given.

19. It is very necessary to have some primary courses on safety etc. for the new entrants. It is also necessary to organise refresher courses from time to time for those who are in employment. Matters of health and safety are important and vital at every moment, irrespective of the length of service and, workmen should always be conscious of these matters. A slight relaxation or idle feeling is fatal.

Such courses should be statutorily provided and be organised jointly by the management and labour.

20. Some Bipartite agreements have been concluded over the items that have not been covered by the provisions of law. In themselves they are practical, necessary and helpful but it will be a partial solution only as such agreements depend on mutual appreciation and understanding and they depend necessarily on the strength of the bargaining elements. It is necessary that such bipartite agreements are studied by the authorities and important and helpful provisions are legally enforced. In other words, matters should not be left for bipartite conclusions. Bipartite conclusions should be encouraged but should not be anticipated in absence of legal provisions.

21. There should be Industrial/Regional Safety Councils for the major industries where accidents and hazards are high. Industry-wise safety councils could evolve safety standards as models for being adopted by the individual units in the industry subject to such improvements as may be necessary to suit the peculiarities of the unit based on bipartite agreements.

22. An amendment making overtime work exceptional will also help to reduce accidents. The inspection services should be strengthened and deterrent punishments should be given wherever employers are found to be negligent or indifferent in discharging faithfully the obligations cast on them by the legislation.

23. There should be no difficulty in procuring safety equipments. But the supply is everywhere inadequate. Generally, there is no reluctance on part of the workmen for using such equipment. In some cases it is so due to lack of understanding proper appreciation and physical inconveniences.

We suggest that this should become a condition of service. Further, the Supervisors and Managers should be directed to take particular care that safety measures and equipments are properly utilised. Necessary publicity and propaganda over this matter from time to time will be helpful.

24 & 25. Establishment of Industrial Health Service is over due. With rapid industrial growth it was necessary to introduce such a measure years back. The project should cater preventive, educative and curative services for health and safety of the Industrial Working class.

The basic principles behind the Industrial Health Services must be of a preventive nature. They should aim at providing hygienic working conditions, restrooms, lavatory and bath rooms, lockers and clean canteen services etc. They should also be required to ensure that adequate lighting, ventilation and proper atmospheric temperature are ensured. They should also identify the occupational diseases and prescribed the necessary preventive steps.

Provisions of Workmen's Compensation Act require complete over-hauling. For example, the coverage of workmen should be extended to total emoluments upto Rs.1600/- per month as a large number of workmen in steel industry are excluded from benefits of the Act.

We suggest that the present differentiation between factory and non-factory workers for purposes of compensation etc. should be eliminated. It is necessary that disposal of compensation cases should be simply procedured and be expeditious and inexpensive. We further suggest that the quantum of compensation should be suitably raised.

26. Broadly the main factors have been :

- (a) Growing consciousness for organisational movement for class interests
- (b) Political

The pattern has been to safeguard the interests of the Working Class in general and workmen engaged in a particular industry in particular. There is a growing tendency for uniting and struggling jointly and collectively to safeguard their interests and further their benefits. In addition to this, the political parties have initiated organising labour (in the name of labour for labour but undercurrently for political objectives in most of the cases). Political elements have been primarily influencing the trade unions.

INTUC has emerged as an independent working class organisation. Another significance is that Industrial Federations affiliated to INTUC are contributing to an integrated trade union movement.

27. Generally the effect of legislative provisions on the growth of trade unions has been basic in the sense that the different aspects of trade disputes have been covered by labour legislations.

The emergence of several tripartite and bipartite conventions have also been a factor. As regards the trade unions themselves the legislations pertaining to the industrial disputes vis a vis the effective role of Trade Unions have been varying from region to region. Labour, being a concurrent subject, has been dealt with uniformly cum differently and this has its own impact on the functioning of the trade unions.

The Iron & Steel Industry is a state subject. The units are situated in the states of Mysore, Madhya Pradesh, Bihar, Orissa and West Bengal. The Madhya Pradesh Industrial Relations Act 1960 is different from such legislations in other states. This has its working effects on the trade unions and their status for representing the workmen.

The existing provision in the Trade Union Act that any seven persons can form a Union has encouraged multiple number of Unions. It would be necessary to provide for a certain percentage of membership in an establishment for the applicant Union to get registered as a Union.

28. The modus operandi of trade unions has not changed although guided by provisions of the Industrial Disputes Act and Code of Discipline and also the tripartite conclusions from time to time through the aegis of Indian Labour Conference etc.

A section of trade unions in the industry has developed a tendency to function outside law and other established conventions so as to get recognition and effectiveness. These Unions function with a purpose of political objectives at the cost of industry, labour and legal provisions. Employers are also responsible for encouraging mushroom growth of irresponsible trade unions in order to keep the house of labour divided.

29. Relationship between trade unions and employers has been varying depending upon the character and past record of the Union and the attitude of the employer concerned.

In Steel Industry one Union in each plant has been accorded recognition by the respective management on the strength of the Union commanding a majority membership. Recently, however, there has been a deviation in HSL, Rourkela due to state intervention.

30. Trade Unions should primarily and basically protect and promote the interests of their members particularly regarding their wages, bonus, working and living conditions and standard of living etc. This would lead to the role of a worker as a

responsible citizen. The Unions should, in addition, organise several other activities, particularly on cooperative lines, to meet the social, economic and cultural necessities of life. Ultimately this would mean that the Union should prepare their members for equitable partnership in the functional activities of the industries and the community at large.

These aspects have their related application. The employers and the Government should take to such measures that a sense of mutual trust, confidence and understanding develops between industry and labour. The employer must share with labour all information about the industry so as to bring about an appreciation of the industry.

Any agreed settlement with the recognised Union should have all sanctity and enforceability and the State should always encourage and never interfere with such moves. An agreement with recognised union should be binding on all the members.

The role of the State Government should be more or less of a watchdog. It should be studying, assessing and watching with interest the industrial relationship but should not rush up with intervention except at the last resort.

31. The recognised Trade Unions in the steel industry have greatly contributed towards industrial peace and progress and also evolution of a better society by improving the wages and service conditions of the workmen and also by inculcating in their minds a sense of discipline and efficiency as also respect for constitutional methods. Most of the workers in steel industry, particularly in the public sector steel plants, had no industrial background nor a sense of collective thinking or collective purpose. These recognised Unions have played a great role in acclimatising them to new environments and leading them away from chaos, anarchy and irresponsible methods to a great extent.

Trade Unions generally represent their views to the Government by representations and deputations. There are several national tripartite bodies. We represent our cases through our national organisation-INTUC.

The Industrial Committee on Iron & Steel Industry by the Government of India should meet occasionally to discuss problems peculiar to the industry. The Industrial Committee on Iron & Steel has met only once since its inception.

Tripartite Committees have been useful forums of ideas and experience. But the broad conclusions take a long time to implement.

Regular Tripartite or bipartite sittings with objective implementation of the conclusions and other mutual channel for communication of ideas, views and requirements are a must in the present state of affairs.

The conclusions of such bipartite/tripartite bodies should have a force of law. The communication channels should be alive, regular and effectively mobile, and not allowed to stagnate with the delays and passage of time infusing indifference, disinterest and disappointment.

32. Our Unions have been effectively contributing towards maintaining the present level of employment in the industry and desire reciprocity from the employers. A high level of employment, or any level is contributory to the state of the industry and its economic effect on all concerned. In the initial stage of setting up a plant a large number of workers are employed and after completion they lose their jobs.

The level of employment can be maintained and raised only if the existing plants are expanded adequately.

33. Bipartite consultations have been the main feature of industrial relationship in steel industry. They have solved practically most of the basic problems and have contributed largely towards peace and progress.

However, with the increase in number of trade unions in each plant with political activities and interests the situation is getting unhelpful.

In Steel Industry with all its inter-related chain process only bipartite negotiations, backed by mutual trust and respect would keep off conflict and help progress and efficiency.

The employers should not encourage any other method or way even for short term gains. With the concentration of a large number of labour with various activities and work contents only one Union in a plant should be recognised for all purposes of negotiations and settlement and no encouragement should be given to any other Union.

The Federation is in constant touch with the constituent Unions. The Federation, on the other hand is in touch with INTUC, the Central Organisation.

35. Our Federation would affiliate only those Unions who are already formally affiliated with INTUC. In other words, the INTUC decides as to which Unions should constitute membership of its affiliate Industrial Federation.
36. The obligations undertaken by the INTUC at the national level are accepted and implemented by its constituents like our Federation and the affiliate Unions.
37. Difficulties do arise as national decisions are taken on the basis of mean of the issue. Steel Industry has a past record of many years of negotiated settlement. It has had its difficulties, for example, in case of Bonus as the workmen were getting higher bonus before and now they are getting less. However, such difficulties are resolved by mutual discussions.
38. The responsibility of national organisation should be :
- (a) To coordinate efforts for settling general issues
 - (b) To take up unsettled cases to higher levels of discussion
 - (c) To promote the interests of their constituents in all matters
 - (d) To help the constituent with legal assistance, expert advice etc.
 - (e) To intervene and assist in implementation of awards and settlements by making representations to the authorities concerned.
 - (f) To create an atmosphere of proper appreciation of the issues involved
 - (g) To represent the constituents in various national, regional and industrial bodies
39. The trade unions have been organised and registered plantwise in steel industry. Where there are a number of units in the same industry an Industrial Union is formed. The constitution of the Union provides for working of such units. The pattern of the constitution of the Unions is generally the same. The primary membership is the General Body. The objectives in the model constitution for trade union as prescribed by the Registrar of Trade Unions are generally adopted by the Unions with suitable amendments as required from time to time.

The objectives of the INTUC have been adopted by the Federation and the constituent Unions.

40. The Officers (Office-bearers) of the Unions are elected by the representatives of the General Body. Except for a few all the Officers are workers themselves. Some of the wholetimers are paid by the Union; their number is very limited and is subject to the financial condition of the Union concerned.

41. Every Union has a membership Admission Form which is supplied free. A worker desirous of enrolling himself as a member of the Union fills up the form by accepting aims and rules of the Unions and giving all necessary details about his address, service conditions and rates etc. and paying some nominal admission fee and his regular subscription.

A worker is not allowed to join our Union if he happens to be a member also of a rival Union, if any, in the establishment. Generally there is no other bar excepting that his membership application may be rejected if it is so desirable in the interests of the Union.

A membership drive is initiated at regular intervals through publicity, meetings, circulars and individual approaches.

42. The members take interest in the activities of the Unions. The relationship is never limited to collection of Union subscription: it is related to the appreciation of the Union's working. There are several sub-committees elected by the Executive Committees of the Union which work and take charge of Union's activities and programmes. The meetings of the Office-bearers and Executive Committees are regular where the officers of the Union are answerable to the representatives for all matters including effective running of the Union. Standing problems are discussed, settlements are scrutinised and approved and decisions are taken for future moves. The Unions hold active workers' meetings and mass meetings to discuss problems. The regular election of Office-bearers of the Union is a big pointer towards assessment of the progress of the Union under such leadership.

43. The policy of a Union is normally decided by the Executive Committee and approved by the General Body. The Office-bearers execute those decisions. Such policies conform basically with the approach of the National Organisation - INTUC and the Industrial Federation.

The day-to-day activities of the Union are generally handled by the wholetimers, particularly the General Secretary of the Union in consultation with sectional representatives, Office-bearers and Sub-Committees.

44. There is no 'closed shop' or Union shop system prevalent. A worker in India has a right and freedom to join any Union or form an association of his choice or refuse to be a member of any Union. This is a right fundamentally guaranteed under our Constitution.

The 'closed shop' or 'Union shop' system has merits as it helps a collective approach and also adds to the finance of the Union but it entails compulsion. However, it is still not advisable as such measures could be desirable only after certain industrial and political maturity and stability have been reached.

The Unions must first strive for Union membership consciousness among the workers in totality, that is, every worker should be a member of a Union, necessarily one which is responsible and representative.

45, 46 & 47.

The Unions do not have sufficient income to fulfill effectively their role in promoting workers' interests. The rates of subscription have to be kept low. The expences are mounting partly due to several litigations before the courts and tribunals. The multiplicity of Unions creates an unhelpful atmosphere as some Unions with only political or other non-worker objectives keep their subscription rates at the minimum so as to attract workers and detract them from joining the Unions which may have a broadbased programme for workers' interests.

The Trade Unions Act must be amended suitably so that minimum rates of subscriptions be increased to at least Rupee One per member per month.

It is necessary that membership subscription of a representative/recognised Union should be deducted from out of the wages of the workman (if he so desires) and deposited with the Union.

48. In Steel Industry there is a programme for Trade Unions to help members or their dependents in their personal difficulties. The Tata Workers' Union, Jamshedpur runs a "Sickness Benefit Fund" scheme for its members.

However, there is no systematic arrangement due to poor finance of the Unions. The Unions' activities are centred mostly round various negotiations, litigations and struggles and they have hardly any time to think about constructive activities.

Our Unions have all along taken up and settled cases of hardship due to unemployment, sickness and personal injuries. They represent such workmen before the authorities without charging anything and meet all the expences. Suitable relief, in context of financial situation of the Union has been given in many cases.

49. Most of the Unions in the steel industry have their roots in political parties and their number is growing along with the increase in number of political parties. Almost every political party of any consequence is having its own trade Union wing and if a political party splits, it is also reflected by a split in the trade union. It will be eminently desirable to lift trade unions from the hold of political elements and party politics.

50 & 51. By outsiders we mean two types of persons - one who had not been a workman and another who has worked in the past in an industry and has subsequently become a whole timer after leaving or losing employment.

Outsiders have played a dominant role in the trade union movement in the country. Due to lack of trade union consciousness and spiteful attitude of the employers the outsiders have helped the working class by initiative, guidance and leadership. The country has just started its industrial career and the workmen, having a background of agricultural and rural attitudes had to be acclimatized to industrial climate, collective thinking and collective action and in this process the role of outsiders as defined above has been marked.

However, among such outsiders there are many who base their activities for personal or political ends and this is an undesirable feature.

The policy of our Unions in Steel Industry is to prepare and develop the internal leadership by encouraging participation of the workers at all levels of activities of the Unions. The number of such outsiders in most Unions is limited to a minimum.

52. The existing legislations, that is the Trade Union Act and the Industrial Dispute Act do not discourage the multiplicity of Unions. There should be uniform legislation for encouraging one good Union in one industry with proper safeguards against mushroom growth of Unions.

53. The Inter-Union Code of Conduct has not been effective in regulating inter-union relations or avoiding inter-union rivalries to the extent it was expected. In fact, the Code assumes that there would be multiplicity of trade unions and rival national centres for all times.

54. The Registration of Trade Unions under the Indian Trade Union Acts permits collective action by workers which would otherwise be treated as conspiracy. It provides continuity and a legal right to hold property and administer it in the interests of the workers.

The Registrar of Trade Unions at present has no powers to scrutinise the Annual Returns submitted by the Unions. He seems to be only a filing authority.

Disputes regarding election of the office-bearers of Trade Unions have become frequent. The Trade Unions Act should be amended to provide that all such disputes shall be either submitted for arbitration to the Central Body to which the Union is affiliated or to the decision of a Labour Court having jurisdiction in that area.

55. Employers generally are not very enthusiastic about recognising trade unions. In fact, one of the major complaints against the Code of Discipline is that employers are evading their obligations to recognise a representative union and/or implementing in good spirit under the Code of Discipline. There are cases where the employers and their organisations recognise all the unions that have been registered even though this is against the Code or they recognise none. The public sector is a glaring case. Even after recognising one, they are not extending to it the usual rights; and recognition is only nominal.

56 & 57. Recognition is provided for under the Code of Discipline. But in the Central law regarding industrial disputes, there is no provision in it for recognition of any trade union. Thus over the terms of an agreement with a recognised union, an unrecognised union can raise an industrial dispute and even force the Government to refer it to adjudication or bring about a strike. The conflicting provision of the Code and the law is one of the factors which makes recognition pointless. Lack of recognition in spirit is another factor.

Unions in the private sector in steel industries have been accorded recognition much earlier and by and large that has worked well. The Union in public sector steel plants have been recognised through the process of Code of Discipline except in Bhilai where the provisions of Madhya Pradesh Industrial Relations Act have been enforced.

There is a concerted move to paralyse the provisions under the Code of Discipline by some Unions as well as employers.

The present procedure for verification of membership claims for purposes of recognition is evolved out of agreement between the parties. There is a move to substitute membership by secret ballot to ascertain which of the contesting unions has a majority following. The INTUCH is convinced that verified membership is the only basis for ascertaining the true strength of the trade union. Voting by secret ballot may not give

the real strength of a trade union. Any contesting union may whip up an agitation on the eve of the elections and sway the electorate for a moment. The subscription paid by a member month after month is the best and solid vote; and a continuous payment of subscription over a year is the sustained vote to that organisation. Further if the representative union is to be decided by ballot, it will lead to endless trouble. There may be an allegation that membership verification has not properly been done by the defeated Unions. But that cannot make the membership basis defective. For that matter even election by secret ballot may be questioned by the defeated union as not having been fair. These allegations by the defeated party will always be there and that therefore should not be the reason to give up the membership basis. As to who would be the electorate will also create complications.

58. We would like to provisions similar to the Bombay Industrial Relations Act, 1946, to be extended for the whole country in stages, whether by industries or by local areas.

59. Industry-wise unions have advantages. They will help to standardise conditions of work, wages, D.A. and other amenities. Such standardisation will help to reduce industrial disputes at the plant level. It will also help the industry by eliminating chances of unfair competition for any unfair gains in labour cost between one unit to another. Industrial unions will normally be larger unions with greater financial strength and will be able to provide many advantages to the workmen, which small plant-wise unions with meagre funds will never be able to do. But in the matter of recognition of an industry-wise union, there may be difficulties in certain units where the industrial union may not have an absolute majority.

Even so it should be laid down that an industrial union which has a majority in the industry in the region alone should be entitled to negotiate regarding terms of employment for all the units. The other peculiarity would be the case of multiple employers.

60. The advantages of having one union as the sole bargaining agent in an industrial unit mainly consist of :

1. Prevention of disputes by keeping the channel of communication open and effective
2. Speedy settlement of disputes by negotiations
3. Maintaining cordial relations and peace in the unit

61. We do not favour election by secret ballot for the grant of recognition for reasons already stated (see our answer to question No.57).

62. We are against election of a bargaining agent. The bargaining agent should be chosen on the membership basis. A bargaining agent so chosen, i.e., on the basis of membership should have the right to deal with all matters affecting the employees in the plant in general. The other unions in the establishment should have not right whatsoever.

63. Category-wise unions are to be discouraged. Even so it would be necessary to organise technicians properly. Their position would be unique and difficult as they occupy a middle position with the employer on the one hand and the labour on the other. We suggest that Technicians should be organised not as a separate entity but as an extended/additional wing of the labour union. The rights and obligations of technicians towards union of other categories of employees should be to support them in all their just demands and peaceful and constitutional action to secure those demands.

In Jamshedpur there is already a separate wing in our Tata Workers' Union for Technicians/Supervisors and it has been functioning very effectively for the last many years.

64. The facilities an employer should extend at the workplace for recognised Unions have been listed and agreed to in the Indian Labour Conference. Such facilities should be extended wholeheartedly. This list is reproduced below for ready reference :

- i) to raise issues and enter into collective agreements with employers on general questions concerning the terms of employment and conditions of service of workers in an establishment or, in the case of a Representative Union, in an industry in a local area ;
- ii) to collect membership fees, subscriptions payable by members to the union within the premises of the undertaking ;
- iii) to put up or cause to put up a notice on the premises of the undertaking in which its members are employed and affix or cause to be affixed thereon notice relating to meetings, statement of accounts of its income and expenditure and other announcements which are not abusive, indecent, or inflammatory, or subversive of discipline or otherwise contrary to the Code;

- (iv) for the purpose of prevention or settlement of an industrial dispute ;
 - (a) to hold discussions with the employees who are members of the unions at a suitable place within the premises of office, factory or establishment as mutually agreed upon;
 - (b) to meet and discuss with an employer or any person appointed by him for the purpose the grievances of its members employed in the undertaking;
 - (c) to inspect, by prior arrangement, in an undertaking, any place where any member of the union is employed.
- (v) to nominate its representatives on the Grievances Committee constituted under the Grievance Procedures in an establishment ;
- (vi) to nominate its representatives on Joint Management Council; and
- (vii) to nominate its representatives on non-statutory bipartite committees, e.g., Production Committee, Welfare Committees Canteen Committees, House Allotment Committees etc. set up by managements.

65. The attitude of Government as employer towards trade Unions has been generally reactionary. Government in fact is yet to become an ideal employer. Government too does not like trade unions and fails to understand the attitude and conduct of a responsible trade union movement. Although they do not like trade unions generally, they invariably yield to pressure tactics or show of force. Such attitude of the Government has affected adversely the sober and responsible section of trade union movement in the country.

IV INDUSTRIAL RELATIONS

66. The criteria for determining the effectiveness or otherwise of the Government Industrial Relations Policy should be standing cooperation between labour and management for improving discipline, efficiency and productivity. The attitude of the State Government (the steel industry being a state subject) varies. While in Bihar the state machinery has stressed on collective bargaining and bi-lateral conclusions over the issue, in Bhilai the representative union has been given full scope and authority for settling all issues with the management regarding labour, there is constant

and unfailing intervention on all matters at Burnpur, Durgapur (West Bengal) and Rourkela (Orissa) by the state Governments against the working of the recognised unions there. The State Government machinery rather helped the several unrecognised unions in those plants by erratic interferences etc.

67. Since Independence, a number of political parties have sponsored their own trade unions with the result that the economic grievances of the workmen are sought to be exploited by the political parties and the industrial conflict is often pushed to the political plane, clouding the issue and making the working class suffer in consequence. Thus political conflict very often wears the cloak of industrial conflict.

68. The following factors were responsible for improving industrial relations at the plant level :

1. mutual trust between union and management;
2. mutual respect for each other's rights;
3. realisation of its obligations to the other party ;
4. management sharing information with the union ;
5. desire to avoid litigation ;
6. good personal relations between the union executive and the plant executive ; and
7. long-term agreements in regard to major issues ;

These factors will continue to be of significance in the future also.

69. The main cause for industrial unrest are the following :

1. Raising of great expectations in the minds of labour and equally great shortfall in their realisation ;
2. Steep rise in prices and consequent fall in real wages ;
3. Denial of full neutralisation of the rise in the cost of living ;
4. Complications in respect of Profit Sharing Bonus ;

5. Delay in settlement of industrial disputes through constitutional methods ;
6. Unhelpful attitude of employers ;
7. Defective Planning

Independence brought great expectations in the minds of the workmen but the fall in real wages due to unprecedented run in prices gave birth to frustration among them. Complications in respect of Profit Sharing Bonus and delay in settlement of industrial disputes through constitutional methods have enhanced the discontent. Besides, unhelpful attitude of the employers and absence of proper human relations have only made the situation further deplorable.

70. The impact of inter-union rivalry on industrial relations has been unfortunate. Inter-union rivalry is mostly the result of injecting party politics into the trade-union movement. Also some employers are interested in dividing labour and playing one against the other for their own ends. Because of the existence of more than one union at the plant level and bitter rivalry among them, collective bargaining becomes difficult and more disputes, which could be settled across the table, have to go before an adjudicator and thus embark on a torturous and painful process of almost endless litigation. Mention also may be made of the impact of inter-company rivalry as in some cases Unions have been set up or encouraged not only by the political parties but also by some unscrupulous employers.

71. Industrial disputes can be avoided by laying more stress on collective bargaining and least inter-reference by the Government. The foremost consideration should be - speedy solution of the disputes. As long as there will be lack of understanding and co-operation between workmen and employers there is no hope for prevention of industrial disputes. So long as bitterness, hatred, fear and suspicion will be reigning over the minds of employers, prevention of industrial disputes can not be expected. Yet the disputes may be minimised if due consideration is given to the following matters :

1. An honest effort from both the employer and labour to understand each other's view point
2. Effective channel of communication between union and management
3. Prompt action of Government machineries before the dispute takes a serious turn
4. Efficient and effective Mediation Machineries.

72. The role of 'Fact-finding Committees' has not been helpful. In fact, the fact-finding committee instead of merely finding the facts, often

makes hasty and incomplete recommendations thus providing both the parties some materials to fight even more bitterly. The future holds greater promise for mediation services than that for fact-finding committees. Such Committees should not be encouraged so long as the disputes are in the stage of collective bargaining.

73. The existence of trade unions is largely responsible for the orderly formulation of demands, the precise presentation of the same, expert negotiation and if that fails, to process it through conciliation, adjudication and arbitration, or by strikes. In the absence of trade unions, the grievances of the workers would find no proper channel to be given expression to; and this would result in frequent explosive outbursts.

Where there is a strong and well-conducted trade union, it is generally capable of taking a responsible stand and play a constructive role. Where the trade union is weak, it acts erratic and easily takes to extremist methods. Where there is no union in existence, either the workers are completely driven like slaves, or their grievances, as stated already, find expression in periodic explosive outbursts. A strong trade union is an asset both for labour and industry.

74. (a) Recognition of union is accorded either by Statute as in the case of Bombay Industrial Relations Act and other similar State Acts, or under the Code of Discipline in Industry or by agreement. In the case of recognition, by Statute or by agreement, there has been comparatively greater industrial peace and workers have progressed through peaceful methods. Recognition under the Code of Discipline has no legal sanction and the unrecognised unions always attempt to upset agreements with the recognised unions by involving the lay itself.

(b) A grievance procedure only ensures the procedural part but does not guarantee justice. This is so because more often than not the superior officer is inclined to agree with the subordinate, making the right of appeal to him meaningless. Moreover it is time consuming.

(c) Collective bargaining is indeed the only solution.

Where the employers have recognised strong and responsible unions and dealt with them honestly, have arrangements for joint consultation for making major changes and have laid stress on collective bargaining, in such industries industrial harmony has been maintained resulting in progress for the industry and labour.

75. Wherever the local union and the local management fail to resolve some major issues e.g. wage-structure, Bonus, D.A. etc. they should be referred to their respective Industrial Central Organisations for a speedy settlement. The Central Government or the State Governments may come in the picture when both the parties seek their help.

76. The role of Labour/Personnel officers played in preventing disputes and maintaining harmonious employer-employees relations depend upon several factors, including :-

1. The progressive nature or otherwise of the employer himself
2. The mental make-up of the Labour/Personnel officer himself
3. How far he is able to act fearlessly and advise the employer correctly even at the cost of losing his job
4. His success in enlisting the confidence and respect of labour

In practice we find that Labour/Personnel Officers are appointed only to carry out the desire of the management and yet be within the confines of the law. Some of them are hated more by labour than the employer himself. They have been rarely successful in preventing disputes. They cannot maintain harmonious employer-employee relationship since generally they lack the confidence of labour and sometimes of even management. The role of labour officers, therefore, is extremely difficult, delicate and dissatisfying. Sometimes even charges of corruption while recruiting personnel are also heard.

If the Labour/Personnel Officers are to be effective, they must succeed in securing the confidence of both the management and workers. They must have the courage to advise the management when it goes wrong. They must have the capacity to convince labour as to what is right. They must not appear to take sides. They should not attend conciliation and Court proceedings, as representing management and opposing workers. Labour and Personnel Officers are generally recruited from lawyers. Instead they should be recruited from people with a bent of social service and they should understand the pattern of human behaviour and labour psychology. Apart from the necessary training and/or qualification for running the personnel department, they should be easy to access to workmen, and they should learn to move with workers as one among them.

77. The arrangements should be devised by mutual discussion and understanding.

78. Generally a Labour/Personnel Officer or a Manager is delegated limited authority in dealing with employees. He takes orders from above. The practice of enlisting the services of specialists for dealing with personnel matters is rather rare. If at all such specialists only assist the Labour Officer.

79. Draft Standing Orders are generally drawn by management and sent to the Certifying Officer,

with a copy to the registered Union/Unions. The Certifying Officers are mostly guided by whether the provision are in conformity with the Model Standing Orders. The Unions have a right of appeal against the terms of the Standing Orders. In the Steel Industry the Standing Orders have been certified, in TISCO and IISCO by an agreement and in H.S.L. before a Central Government official.

80. The object of the Industrial Employment Standing Orders Act of 1946 and the Model Standing Orders thereunder is to require the employer to make known the conditions of employment to the workmen. It has only achieved that limited purpose.

81. The procedure prescribed under Model Standing Orders in disciplinary matters generally requires the serving of a charge-sheet and decision thereof after holding an enquiry or without that even in some cases. But the range of punishment for the same act of misconduct varies from four days' suspension to dismissal, which is a capital punishment. Whatever modification may be made in the Standing Orders to deal with disciplinary proceedings, the fact remains that the employer is the prosecutor; and in the enquiry under the Standing Orders he also becomes the judge. The combination of the functions of a prosecutor and a judge can never satisfy the requirements of natural justice. Therefore in any disciplinary proceeding against the workmen, with both the management and the workmen as parties to the dispute, they must submit their respective cases before an arbitrator already chosen, and provision for this must be made in the Standing Orders. Moreover provision should be made for holding a Joint Enquiry with workers' representatives.

82. As stated earlier The Model Grievance Procedure is a time consuming process and is unhelpful and ineffective. Unless the attitude of officers changes, and the higher officer is prepared to differ from his subordinate where necessary, the grievance procedure and the right of appeal has no meaning to the worker. It is not the machinery that is so important but it is the mental make-up of the persons who work under the Scheme that is very important. In Steel Plants some procedures have been devised and their usefulness has varied from plant to plant. It would be advisable to evolve procedures through mutual consultations.

83. There is no system of grievance arbitration in steel industry. However a few cases have been referred to arbitration in some plants but the process and time consumed have not been encouraging. However an impartial person, mutually acceptable would help speedy disposal of labour disputes and thereby improve management labour relations.

84. There is not much of facilities worth mentioning for training management and trade-union

personnel in Industrial Relations. Personnel Officers and Industrial Relations Officers appointed by the management have generally a law degree, and in addition have some diploma in social science in some cases. A good numbers of senior posts are held by those who have no such requisite qualifications. This is wholly inadequate to meet the requirements of the situation. There is not much systematic training in Industrial Relations for trade union officials. However, our Federation has been running one Steel Workers' Trade Union College at Jamshedpur for importing basic training to senior trade union officials. It has completed eight residential courses and several inplant courses.

V COLLECTIVE BARGAINING

85, 86, 87 and 88 :

Collective bargaining has succeeded where there is one organised and recognised Union. The main obstacles however are (a) unwillingness to discuss without reservation, (b) multiplicity of trade unions.

Practically all the major developments in Steel Industry regarding labour have been subject to collective bargaining agreements with the recognised Unions and the industry.

In view of the peculiarity of the steel industry collective bargaining is the only method for peace and progress. Collective bargaining need not be necessarily an alternative to legislation. Legislation should provide for collective bargaining. Adjudication must be the last course to adopt.

If collective bargaining is to succeed, there should be a single bargaining agent for labour which should believe in a negotiated settlement and failing which in arbitration and for whom strike shall be the last weapon. Such a bargaining agent should be the representative union. The representative character of the Union should be determined on the basis of the largest paying membership and not by secret ballot. The emotions of the workers may be swayed by playing upon their feelings over some monetary issue to secure the vote. The problem of who should form the electorate will also become complicated. Should it be the members of all trade unions? Or should it be all workers employed in the plant irrespective of their membership of any Union or not? If it is by all workers i.e., including non-members, the position will become illogical, as those workers who never cared for any union will be given the right to choose which of the unions should represent them. The defeated union will always complain of unfair elections and keep the pot boiling. If secret ballot is to determine the representative union, no worker will pay union dues and trade union movement will be further weakened.

The best way to clear out of all these difficulties therefore is to decide the majority union on

the basis of regular paying membership. Paid membership is the best and sustained vote: and, therefore, we strongly feel that the bargaining agent should be recognised on the basis of paying membership only. Already an elaborate procedure has been agreed upon for verifying the membership of trade unions. If there are still difficulties about verification of membership, the remedy lies in making the system as fool-proof as possible.

89 and 90 :

It will not be feasible to divide industrial disputes as coming exclusively within the domain of collective bargaining and adjudication. Collective bargaining is a method for preserving industrial peace based on mutual understanding over the issue and a settlement arrived therefrom should satisfy both. The main aim should be to settle issues through mutual discussions and collective bargaining failing which by arbitration/adjudication instead of allowing the matter to be settled by trial of strength resulting in dislocation of production particularly in essential industries and services like steel which the country can ill-afford for many more years to come.

91. Yes! But it depends on the way the Unions and the management work. A genuine joint consultation between management and the Union will minimise the tendency on the part of management or the Union to take unilateral action. This will help democratic ways for the purpose of mutual understanding, respect and accommodation.

92. The function of Works Committee in Steel Industry has its own peculiarities.

Works Committees were set up in Durgapur and Rourkela as per provisions of law. In Bhilai, the Representative Union nominated representations to all JointCommitteess as per provisions of Madhya Pradesh Industrial Relations Act. In Jamshedpur, in TISCO several Works Committees and Zonal Committees have been set up under agreement between the management and the Union.

In view of the fact that collective bargaining has been the pivotal point for all matters of industrial disputes in steel plant Works Committees, as detailed in the Industrial Disputes Act, have a limited application.

In view of the above the functioning of Works Committee as a separate entity, out of provisions of the Industrial Disputes Act may have its success at a varying degree. The main reasons are :

1. If the workers' members suffer from lack of guidance they will not be able to play an important role in the Works Committee.

Since, in every sphere, the Union is the guiding factor and driving force of the working class, the Works Committee will be of no help if the worker members are elected instead of being nominated by the non-members. There is a provision for non-union members as well. A Union is the collective expression of the consciousness and experience of and guidance to the workers. Sometimes managements utilise the Works Committee to side track the Union. In Jamshedpur and Bhilai all the joint committees have been set up with members nominated by recognised Union and they are functioning well. In Durgapur and Rourkela the committees were formed with members elected by the workers and they do not function effectively. At Burnpur, Works Committee had been working some years back; but they posed rival to the Union as there was no appreciation of the exact jurisdiction of Works Committee and consequently the Works Committee lost its existence.

2. The employers find satisfaction in Works Committee because they think that they have implemented a section of I.D. Act and beyond that feeling, they do not display any seriousness about the functioning of the Works Committee. Even they do not implement the unanimous recommendations made by the Works Committee. Members who represent the management in Works Committee are empowered adequately to take decisions.

93. The list of functions for the Works Committee were agreed to in the Indian Labour Conference and that should be acceptable.

In order to avoid a possible clash between trade union and the Works Committee, it will be desirable that wherever there is a recognised union, that union must be invited to nominate Worker members on the Committee, so that there would be no fear of the Works Committee posing a potential rival to the recognised Union.

94. We suggest the following measures for improving the utility of Works Committee :

1. Workmen-representatives should be nominated by the recognised Union
2. Top management personnel who could take decisions on the spot should represent the management on the Committee
3. There should be specific dates fixed in advance for the meetings of the Committee, whether there is any agenda or not, such as

the 15th of every month, or the first or second Friday of every month, or the like

4. The list of subjects that could be dealt with by the Works Committee should be reduced to writing
5. All decisions and suggestions of the Works Committee should be promptly implemented.

95. Emergency Production Committees had never functioned effectively. As for Joint Management Councils, they were set up only in TISCO where there is a three tier system of Joint Consultation; the lowest one at the plant level is the Joint Departmental Council. For the entire works there is a Joint Works Council and at the apex there is the Joint Consultative Council of Management. There is also one Joint Council for Town, Medical and Health Services. These Committees consist of an equal number of representatives from the Management and the Tata Workers' Union.

All these Councils have considerably contributed towards maintenance of a high standard of industrial relations and increasing productivity.

The following Joint Committees are functioning in TISCO with equal representations of management and the recognised Union :

1. Permanent Joint Rates Committee
2. High Level Rates Committee
3. Job Evaluation Committee
4. Trade Test Specification Committee
5. Minimum Qualifications Committee
6. House Allotment Committee
7. Medical Fitness Committee
8. Zonal Works Committee
9. Central Works Committee
10. Special Central Works Committee.

In the Indian Iron & Steel Co. Ltd. some bipartite Committees are functioning but stress is more on direct discussion between representative of the management and the recognised Union on all matters.

In the public sector plants under Hindustan Steel Ltd. the following Joint Committees are functioning with representatives of the recognised Unions in the respective plants.

<u>Bhilai</u>	<u>Durgapur</u>	<u>Rourkela</u>
1. Joint Committee (Statutory Body)	1. Works Committee (Statutory Body)	1. Works Committee (Statutory Body)
2. Central Joint Production Committee	2. General Safety Committee	2. Central Emergency Production Committee
3. Departmental Joint Production Committee	3. Departmental Safety Committee	3. Departmental Production Committee
4. General Safety Committee	4. Canteen Managing Committee	4. General Safety Committee
5. General Safety Appliances Committee	5. Accommodation Allotment Committee	5. Departmental Safety Committee
6. Departmental Safety & Safety Appliances Committee	6. School Advisory Committee	6. Central Uniforms and Safety Appliances Committee
7. Advisory Committee for Allotment of Accommodation	7. Hospital Advisory Committee	7. Canteen Managing Committee
8. Advisory Committee for Environmental Hygiene in Township		
9. Hospital Advisory Committee		
10. Advisory Committee on Education		

Unless the employers are willing to accept the workers as partners in the Industry, the future of the Joint Management Councils cannot be very bright.

96. The so-called profit sharing schemes are not accepted by workmen as really profit-sharing. Indeed the question of profit cannot arise as long as the workers are not getting even the need-based minimum wage. The workers therefore understand that whatever be the name given to payments made to them, such as profit sharing etc. they really partake the character of deferred wages.

No co-partnership Scheme exists anywhere in the Steel Industry. Indeed the attitude of management is still to treat the workers as wage-serfs and this applies to all sectors including the public sector.

97.(a) Even if the workers are given some shares in the Company they will not be able to have any effective voice or participation in the management of the concern.

Workers are already partners by virtue of contributing their labour. If capital employs labour, labour too employs capital. In the ultimate analysis, it is the community which employs both labour and capital, and therefore, both capital and labour should function as co-servants of the community, rather as co-trustees, in whose joint hands the welfare of the community is entrusted. It is by virtue of this fact that labour and capital should jointly manage industries as co-partners. Joint Management Councils will succeed only if they are preceded by an acceptance of the above principles.

(b) Does not arise in view of our answer to question 97(a)

(c) No.

(d) See answer to question 97 (a).

98, 99 & 100 :

Conciliation machinery as functioning at present is not satisfactory. It is time-consuming and ineffective. Most of the major issues are not settled by conciliation machinery, and even in smaller issues, the inordinate delay suffered at the hands of the machinery makes the parties weary and agree to anything.

Conciliation machinery has had no dominant role due to the existing pattern of industrial relationship in the industry, that is settlement of disputes through collective bargaining and mutual discussion with the recognised Union.

Steel Industry is a public utility service. As such the Conciliation machinery is expected to take cognisance of all disputes, real or imaginary, as raised by a registered Union.

With this practice a climate of confusion and uncertainty is created by conciliation.

However, we are not against the conciliation machinery. Our observations are only against the conciliation machinery as at present constituted and as at present functioning. With improvements this machinery can be made more useful. We would suggest the following to improve the efficacy and utility of this machinery :

1. Conciliation Officers should be of a higher status and calibre

2. Conciliation Officers should complete their job within the legal time-limit of fourteen days for settlement of all disputes.
3. The present provision in the I.D. Act saying that issuing a strike notice results in automatic commencement of conciliation should be deleted, for this acts as invitation for giving strike notice.

101. Conciliation Officers should not be named as arbitrators in formal arbitration proceedings. They can, however, act as informal arbitrators, if the parties agree.

102. There has been no adjudication proceedings over any major or basic issue/dispute in steel industry. As stated earlier all disputes, particularly major ones, have so far been settled and disposed of through mutual discussion and collective agreements with the recognised Unions. In other cases adjudication has been time-consuming and costly and has created an impression that it is outliving its utility. We, however, feel the system has to be retained with certain improvements. We suggest the following improvements :

1. The possibility of making the Tribunal Tripartite should also be explored
2. There should be no provision for writs or appeals against the decision of Industrial Tribunals
3. In essence industrial adjudication and industrial arbitration should be the same
4. A definite time-limit should be set within which disputes once referred to a Tribunal should be finally disposed of
5. Legal practitioners should be barred from appearing before Tribunals
6. There should be a summary procedure for recovering the money due under awards. This work can be entrusted to the same Tribunal or Labour Courts
7. Tribunals should be empowered to award cost to the workmen

103. In all cases relating to dismissals and discharge of workmen, the adjudicating machinery should have unfettered powers to modify or cancel a punishment imposed by the employers. It should have right to collect evidence and decide on the basis of such evidence on its own record. It should have the power to go into the propriety of the action taken by the employers as well as the legality and the quantum of punishment.

104. The existing arrangements for reference of disputes to adjudication are unsatisfactory.
105. The authority for the appointment of Industrial Tribunals should be in consultation with the High Court and National Tribunal in consultation with the Supreme Court.
106. The period for settling the disputes through constitutional methods should be reduced to the minimum of fourteen days for conciliation and three months for adjudication invariably.
107. We are against any appellate forum to decide appeals against awards of Industrial adjudication machinery.
108. The present provision empowering the adjudication machinery to decide the costs to be given to the Union is not adequately utilised. The adjudication machinery should be encouraged to award costs to the Unions adequately irrespective of the results of the adjudication as the other party is already spending from the revenue of the industry irrespective of the results of adjudication.
109. Industrial Tribunal and/or Labour courts should also be given powers to execute the awards as well as agreement between parties and settlement through conciliation proceedings.

110 & 111 :

The Code of Discipline in industry has not succeeded to the extent it should. The provisions of the Code of Discipline should be made to harmonise with the statutory provisions and any registered Union going in default should lose its registration and/or recognition if any.

112, 113, 114 & 115 :

Voluntary arbitration is the best method of resolving fairly, finally and promptly all such industrial disputes that could not be settled either by negotiation or by conciliation. It has a great future. All unresolved disputes that may be referred to adjudication should be sent to arbitration instead.

116. The expenses of arbitration of all the parties should be borne by the Industry itself.
117. The right to strike by the workers and the right to lock-out by the employer should not be denied to them subject to reasonable restrictions. Strikes and lock-outs should be accepted as the last resort. They should not be resorted to before exhausting other methods. At the same time the other method should not be

time-consuming : for then the temptation to bypass them and resort to strike and lock-outs straightaway will be irresistible.

118. Most of the Unions' rules provide for a strike ballot to assess the sense of the membership before a strike call is given.

119. It is the general practice to give a strike notice to the management and the Government. There are, however, lightning strikes as an act of immediate reaction to certain provocative acts by management but they are few. There may be strikes by some irresponsible Unions.

120. There are seldom cases where a strike is declared legal or illegal, but even in such cases the workmen have not been given wages.

121. Trade Unions are very keen to prevent victimisation of their members by the employers. Victimisation need not always be by dismissal or discharge. There may be several subtle ways of victimising the workmen, including denial of promotion, supersession by juniors and transfers, stoppage of annual increments, overtime earning etc. It is not always easy to prove victimisation though trade unions have succeeded here and there in establishing acts of victimisation through circumstantial evidence. Victimisation can only be inferred from a given set of facts. In the case of dismissal and discharge the victim is always loaded with several charges against him. In the case of denial of promotion, employers take shelter under merit.

122. There are few instances of workers going on strike without the sanction of the union and where they do so it is often of a lightning character and for a short duration.

123. Even during strikes responsible trade unions and progressive management keep the channel of communication open between them with a view to continue to explore the possibilities of a settlement. It is the duty of the Government to intervene in all cases of strikes, whether legal or illegal, with a view to bring them to a speedy and satisfactory end.

124. The Indian Labour Conference, Standing Labour Committee and Industrial Committees have been useful forums for exchange of ideas and experiences. They have also reached certain broad conclusions and agreements in the course of years. But the record of implementation of those conclusions and agreement is not very happy. We desire that conclusions of Tripartite Bodies must have the force of law or at least adopted as conventions and respected by all the three parties.

125. We are in favour of Central Government being made the appropriate Government in respect of industrial disputes in public sector undertakings under

the control of the Central Government. With several public sector undertakings having branches in more than one State, if the State Government were to be made responsible for industrial relations in those public sector undertakings failing within their state, then it would not conduce to standardisation of conditions of employment and for evolving uniform norms for adoption in public sector undertakings. We may suggest a further step that industries like steel where the future setting up of steel plants would be definitely under the public sector, the industrial relations of both public and private sector steel plants should better be under the central sphere only.

In the field of labour-management relation, there is no case for discriminatory treatment between the public/cooperative sector and the private sectors.

126. Classifying an Industry as coming under public utility under the Industrial Dispute Acts is only for the limited purpose of requiring fourteen days' notice to be given before going on strike or effecting a lock-out. Such notices are necessary for all Industries, and, therefore, the requirement of prior notice for strikes and lock-out may be made common and no special distinction need be made only for public utility services. As a matter of fact scores of industrial units have been declared under Iron & Steel just for the sake of avoiding sporadic strike or lock-out.

Any legal provision banning work stoppages in public utility services would remain a dead letter in the absence of an effective alternative remedial machinery. The emphasis should therefore be that in public utility services the machinery for resolving industrial disputes should work with greater speed and satisfaction.

127 & 128 :

The law relating to settlement of industrial disputes applicable to the private sector should be equally applicable to the public sector and the co-operative sector. Both the co-operative and public sectors should be treated alike with the private sector in respect of all obligations of an employer to his employees.

129. There is no small scale sector in steel industry.

V WAGES

130. The plentiful availability of unskilled labour has naturally a depressing effect on the level of wages. The wages paid have often no relation to even the subsistence level of wages.

131. Wages in organised Industries have always been relatively higher than wages in agriculture and other unorganised sector of industry.

132. The wages prevailing in agriculture and unorganised Industries should not be allowed to influence wages in organised industries. On the other hand, the wage level in organised Industries has been influencing the wage levels in agriculture and unorganised industries. Organised industries, with better paying capacity, should always be made to lead.

133. The existing levels of wages in Steel Industries are largely the result of Collective bargaining and recently on recommendations of the Central Wage Board for Iron & Steel Industry.

MINIMUM WAGE

134. The minimum wage should be the need-based wage as qualified by the 15th session of the Indian Labour Conference. The concept of minimum wage as recommended by the Fair Wages Committee should be equated to the need-based minimum of the fair wage accepted in the 15th Tripartite Indian Labour Conference.

135 & 136 :

The standards and specifications laid down by the 15th Session of Indian Labour Conference in regard to the size of the workers' family, their minimum requirements relating to food, clothing, housing and other items of expenditure do not require any modification for purposes of minimum wage fixation. Any attempt to tamper with the agreed norms for the fixing of the need-based minimum wage will be a retrograde step. The norms must remain unchanged.

137. The minimum wage contemplated by the Fair Wages Committee must be equated with the need-based wage accepted by the 15th Tripartite Indian Labour Conference. The need-based wage in respect of non-industrial workers like clerical and supervisory personnel etc. should be higher.

138. A national minimum wage will be desirable so that no employer is allowed to pay at rates lesser than the national minimum wage. While fixing such a national minimum wage, care should be taken to see that employers who could afford to pay a higher wage should not insist on paying only that minimum wage.

139. Most of the articles of consumption are generally sold at the same prices in the different regions in the country. Only vegetables, milk and house rent might vary from region to region. The variations are not very wide in so far as the working class requirements are concerned. Therefore the national minimum need not stress on these minor variations. This will also help to standardise wage costs in industries.

140. We feel the definition given by the Committee on Fair Wages is itself not exhaustive, nor

can it be rigid. Indeed as pointed out by the Supreme Court (1961 - I.L.L.J. - Page 227).

"It would be difficult and also inexpedient to attempt the task of giving an adequate precision to these concepts (minimum wage, Fair Wage and Living Wage). What is a subsistence wage in one country may appear to be much below the subsistence level in another; the same is true about a fair wage and living wage; What is a fair wage in one country may be treated as living wage in another, whereas what may be regarded as living wage in one country may be more than a fair wage in another. Several attempts have nevertheless been made to describe generally the contents of these respective concepts from time to time. The concepts are elastic and they are bound to vary from time to time and from country to country. Sometimes the minimum wage, fair wage and living wage are equated to the poverty level, subsistence level, the comfort or decency level."

We are of the view that the minimum wage should be the need-based wage. Fair wage will naturally be above the minimum wage, but below the living wage. Living wage is beyond the fair wage.

Again as stated by the Supreme Court in the above citation :

"It is obvious that the concept of a living wage is not a static concept. It is expanding and the number of its constituents and their respective contents are bound to expand and widen with the development and growth of national economy. That is why it would be impossible to attempt the task of determining the extent of the requirements of the said concept in the conditions of to-day in terms of actual rupees."

The Constitution of India refers to 'living wage' in Article 43 : viz.

"The State shall endeavour to secure by suitable legislation, or economic organisation, or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage ensuring a decent standard of living, and full enjoyment of leisure and social and cultural opportunities etc.

We believe that the living wage referred to in Article 43 of the Constitution refers to the living wage which is beyond the fair wage representing the comfort or decency level. This Article is under Chapter of 'Directive Principles of State Policy' which is basically fundamental.

DEARNESS ALLOWANCE

141. In any case, real wage should not suffer; for, in that event, the wage levels will start moving downward. In order to protect the real wage from any erosion, it is necessary that there should be a separate component in the wage structure in the shape of Dearness Allowance which will neutralise fully the rise in the cost of living and/or will make good the depreciation suffered by the real wages. It will not be possible to revise the wage itself every now and then. Therefore the practice of a separate component of D.A. which is linked to the consumer price index so as to neutralise fully the rise in the cost of living is necessary. D.A. should not be static; it should vary in accordance with the behaviour of the Cost of Living.

142. We consider that there should be one system uniformly practised as part of the National Wage Policy in the matter of neutralisation of the rise in the cost of living and maintaining the real wage impact. It should aim at full neutralisation of the rise in the cost of living of the workers.

143. In Steel Industry the All India Consumer Price Index should be the guiding factor. The frequency of revision should be quarterly for a rise or fall of 2 points.

144. In determining the quantum of D.A., neutralisation of the rise in prices should be 100% , as already stated. It is sometimes assumed that granting full neutralisation is a big concession to labour. This is not so. If, assuming on 1939 basis, a worker to-day is given 100% neutralisation by way of D.A. of the rise in the cost of living, it only means he is enabled to lead the same standard of life as he was having in 1939.

We suggest the merger of 75% of the D.A. with basic pay and linking the remaining 25% with the index number.

145. For retaining intact the real wages of the employees the capacity of the industry to pay cannot be a relevant consideration because there is no additional sacrifice demanded from the employer nor an additional gain sought for the worker. He is only required to pay the same real wages as he was paying in the base year.

146. There is no payment of wages in kind to the workmen in steel industry.

147. Any statutory benefit which the employer is required to give should not be treated as fringe benefits. The fringe benefits are intended to have the effect of improving the health, peace of mind, and consequential efficiency of the employees. Although the employer may have to spend on account of fringe benefits, the advantage that he will get by way of better discipline and increased efficiency will more than balance any increase in the cost of production.

148. Fringe benefits cannot be substituted for higher money earnings. In our country most industries are paying less than the need-based minimum of the fair wage. Fringe benefits should always be in addition to higher money earnings and should not act as a substitute.

149. The wage differentials obtaining in steel industry could be justified mostly on historical grounds only : they have not been scientifically planned. The different factors mentioned in the Fair Wage Committee's report to evaluate wage differentials have not been taken into account. The Steel Wage Board has appointed a Committee of Experts on Wage Differences but could not finalise. It recommended further steps. However, in the Industry no one should be paid more than ten times the lowest paid. The narrowing down of the differentials has to be achieved both by pushing up the floor and by bringing down the ceiling of the wages structure.

150. Wage differentials are meant to be reflected only on basic pay. Dearness Allowance is a big component of the total wages and is the same for the different categories of workmen. A substantial part of D.A. should be merged with the basic pay, and the basic pay so merged will build up a wage structure providing adequately for the differentials for the various occupations.

151 & 152.

Encouragement should be given to achieve wage fixation through collective bargaining wherever the Unions are well-established and enjoy recognition by management. Fixation of wages should be industrywise. We suggest Standing Committees for each major Industry to properly fix occupational differentials as well as to consider wage claims arising out of equitable sharing of the gains of rationalisation etc.

153. X

154 (a) & (b).

The Wage Board should complete its proceedings in about six months and the recommendations should be made, whether unanimous or by majority, in the seventh month. If this could be achieved, much of the complaints against the delay by Wage Board can be overcome.

(b) The Wage Board Recommendations should be a legal sanction and they should not be called in question by any Court, either by Writ Petitions before High Courts or by appeals to Supreme Court.

155(a) A fair wage to labour is an item of cost.

Therefore the needs for the development of Industry, for capital formation and return to entrepreneur etc. cannot get priority over fair wages to labour, just as these considerations will not come in

before payment of the full price for raw materials, stores, equipments, power etc.

(b) Fair Wage to labour is yet to be paid; labour is not being paid even its need-based minimum of the fair wage. Consumers' interests are not protected when the shareholders get fantastic rates of dividends for many years and in many cases more than the amount of their investment. The treasury collects its taxes based on the published figures. So far as consumers are concerned, labour has agreed that any gains of rationalisation should be equitably distributed among labour, employer and the consumers. But although labour has accepted rationalisation and carried out the same in a number of cases, there has been no reduction in prices to the consumer or a better quality product for the same price. Therefore we suggest that in every rationalisation agreement, management must be required to spell out how the consumers' share of the gains of rationalisation is to be made available to them; and if it is to be by price reduction, to state the reduced prices.

156. After 17 years of existence under a planned economy we find that unemployment is growing, under-employment is unchecked, installed capacity of industrial units is not fully utilised, prices are soaring and tax evasion is on the increase. Even food continues to be a serious problem.

There is a serious need of protecting the real wages. There is need for holding the prices. Monopolistic tendencies and restrictive practices in Industries should be done away with. There should be increasing association of workers as partners in the management of Industries in all sectors.

157. We are strongly against any policy, even remotely suggesting wage freeze. Wage freeze is both unfair and impracticable. It is unfair because wage levels in our country are much below the need-based wage and, therefore, to freeze wages at that level would be unfair to labour. It will be impracticable because Government has proved itself incapable of freezing prices and even if labour is taken as a commodity why its price alone should be frozen while the prices of other commodities are still at large?

158. There should be no difference in the wage structure between Public and Private Sector. In fact, both should be the same.

MODE OF WAGE PAYMENT

159. There was a tripartite agreement that employers should run Fair Price Shops and supply at concessional prices rice, wheat, sugar, edible oil, kerosene and standard type of clothing. The amount represented by such supply may be deducted from wages. But such Fair Price Shops have not so far been opened. There are some

Consumer Co-operative Stores where the workers are able to buy their requirement but here again, there is no holding of price line and the object of paying part of the wages in kind is to give him a certain quantity of essential items at a particular price. But that is not obtaining in the Consumer Co-operative Stores.

160. All workers in Steel industry are given time-scale of pay.

161. The occupational wage should constitute the basic wage, which should be the larger component of the total wage; and the other smaller part the D.A., linked to consumer price index so as to provide full neutralisation of the rise in the cost of living. We are also agreeable to a third component i.e. the Incentive wage, over and above this, to provide incentive for increased productivity. The occupational wage should be the fall-back wage and for any increase in production over the norm to be mutually settled in each case, additional wage should be paid for at a suitable rate so as to provide adequate incentive. In the Steel Industry it is in operation.

GENERAL

162. The wage fixed under the Minimum Wages act of 1948 have actually proved to be maximum wages in several establishments covered by the Act. The employer feels that he is not bound to pay a higher wage than the notified minimum even if he can.

163. The provision for payment of minimum bonus under the Payment of Bonus Act of 1965 is the only satisfactory provision in the Act, so far as the workmen are concerned. The formula of prior charges embodied in the Act is heavily weighted against the workers. Under the formula provided in the Act the worker will get comparatively a lesser bonus than what he was getting. It was because of this that Government came forward to assure the workmen, that they will not permit the provisions of the Act to operate to the detriment of the workmen, who were already getting a higher bonus under the old arrangements, wheter by agreement, award or settlement. But the Supreme Court has struck down the relevant Sections by 3 to 2, as discriminatory and ultra vires. Nevertheless, it is necessary to give effect to the assurance of the Government to protect the workers' basis of past right to bonus, if that basis gave him a higher bonus by some other method. The employers do not want a different formula to be applicable to the single problem of

bonus. In Steel Industry workmen are being paid Bonus for the last twentyfive years and the amount has been always gradually increasing. The application of Bonus Act has very seriously affected the workmen of the industry. We suggest that in steel industry the old practice be allowed to continue.

164. Bonus cannot be substituted by any other payment, nor abolished by being merged with the total remuneration. It should continue to be paid as a separate payment as usual. It has now generally been recognised that this payment helps the workers to meet their annual obligations occurring at certain times.

VI INCENTIVE SCHEMES AND PRODUCTIVITY

165. This is an important feature in the steel industry. Production is the result of several inputs of which labour is one. The quality and quantity of the other inputs are to be kept in order and equitably processed. Where payment by result is introduced, workers must have a say in the quality of raw material, the maintenance of machinery, the speeds of the machines, other working conditions which go to affect production and standardisation of finished products. There should be a thorough understanding of the Incentive Scheme, its working and effect between the Management and the trade union. There should be proper appreciation of the other elements and requirements of production like raw materials, machines, process, work forces, method of inspection etc.

The standards once decided by agreement should not be changed without the consent of the Union. However if defects are discovered during the working of the scheme later, they must be rectified when pointed out by the Union.

166(a) Employers and workers should jointly formulate a simple and easily understandable incentive scheme at the unit level. Such incentive schemes could be the result of collective bargaining. No incentive scheme can succeed, if it is introduced unilaterally. It must have the willing consent and understanding co-operation of labour.

(b) Any Incentive Scheme must not lead to rate-cutting consequent on the increased productivity of the worker. As stated earlier Incentive Scheme or Incentive Earnings would start at a norm above the wages (Basic and D.A.). In other words, it should be an additional/incentive payment for additional/incentive production/efforts.

As such the average normal wages should not be linked with Incentive earnings and should be protected always.

(c) Incentive Schemes should cover both direct and indirect groups of workers. Steel industry is a chain process and each stage of productive activity is linked with another. Therefore no group or section should be excluded. However the Incentive Scheme would vary from section to section.

(d) The practical method of evolving an Incentive Scheme is for the workers and the management to jointly discuss and settle, a scheme based on actual experience and assessment. The role of incentive work on incentive wage is a separate element.

(e) In Steel industry all workmen are time rated and Incentive Scheme should be related thereof but not by reduction.

(f) Incentive wages should become payable for production beyond a certain norm mutually agreed upon. This is in fact prevalent in the steel industry.

(g) There is no point in producing more without quality. But quality is not depending purely upon the workers' efforts. If the raw materials are defective or of poor quality, if the working conditions do not come upto the mark, if the maintenance of the machinery is unsatisfactory, it will be unfair to reduce the incentive wages of the workers on the ground that the quality of the product is poor. The incentive Bonus Schemes should provide suitable machinery and standard of inspection. These should be mutually agreed upon. We also feel that if the product, once found defective, at a later stage is put to use by the management, adequate credit should be given to workers.

(h) Incentive wages should not fluctuate very much. At the same time, if the additional earnings on account of incentives are to register only minor variations, then the element of incentive inherent in such schemes would not be adequate. A golden mean will have to be established depending upon the facts in each case.

(i) The Scheme should safeguard adequately the interests of the worker, if he is forced to remain idle due to circumstances entirely beyond his control.

(j) Non-financial incentives like better security of employment, job satisfaction, job status, etc., also contribute to increased productivity, better industrial relations and peace in the industry. But in all steel plants incentive schemes have been a regular feature. Such schemes are generally introduced on a trial basis after preliminary discussion with the recognised Union and are settled and finalised later, taking into account the experience and assessment of working of the schemes.

167.(a) The role of labour in raising the productivity consists in working with discipline and efficiency and eliminating waste. Labour should identify itself with the interests of the plant.

(b) The role of management in improving productivity consists in ensuring :

1. Proper working conditions, such as lighting, ventilation, and control of temperature, humidity, etc.
2. Proper maintenance of the machinery,
3. Correct speeds of the machines,
4. Necessary safety appliances
5. Proper planning and standardisation of the lines of production with adequate supply of raw materials and equipments etc. at each stage
6. Better equipment utilisation
7. Reduction in overheads
8. Functioning as leader of the team of workmen, rather than as an employer or a boss
9. Sharing knowledge and information about production and inviting suggestions for improvement
10. Sharing all financial information with workmen
11. Predictable attitude of the management in regard to disciplinary matters
12. Fair deal to labour

(c) Governments' role in raising productivity lies in :

1. Encouraging collective bargaining
2. Providing impartial experts to decide disputes
3. Providing effective mediation services

168. The community too must have its share of the gains of productivity by means of better quality products and at a cheaper price. The gains of productivity should be shared equitably among labour, industry and the community. So long as labour is below the living wage the major share of the gains of productivity must go to labour. If labour will not be helped to reach the living wage level as early as possible, there will be no incentive for him to work harder. One of the main objects of the Productivity Schemes should be to raise the standard of living of labour. Therefore the bulk of the gains must go to labour.

169. The increase in productivity is more than the increase in wages since independence and this could be verified from production records and incentive earnings in steel plants.

170. In all steel plants incentive schemes have been a regular feature. Such schemes are generally introduced on a trial basis after preliminary discussion with the recognised Unions and are settled and finalised later taking into account the experiences and assessment of working of the schemes.

In the so-called productivity techniques wherever enforced the workload of the workers has increased, whenever labour wanted a share in the gains, it was often the basic wage only that was raised. Generally the D.A. component of the wage being bigger, the employer gets a lion's share of the gains of productivity techniques, resulting from labour savings. The real position should be the other way round. The lion's share should go to the workmen.

171. Suggestion Scheme and institution of awards for outstanding work to improve productivity must be given more importance than now. Such schemes exist in some steel plants and some of the suggestions by workmen have been very valuable and useful. The management should infuse an atmosphere for creative thinking by encouraging workmen to do so.

172. Labour turn-over and absenteeism are on the decrease. The remedy against high labour turn-over and high percentage of absenteeism is to ensure to the workmen a fair wage, satisfactory working and living conditions, security of job, better promotional avenues, better fringe benefits and social amenities.

173. The norms set in any scheme of incentive bonus should be achievable and monetary gains adequately attractive. With these two conditions fulfilled, the workmen will be fairly motivated to accept the schemes for improving the standard of living by better productivity and higher earnings thereby.

174. We do not support go slow, work to rule or ban on overtime for improving productivity. They are symptoms of unhealthy labour management relationship. There is no Union's ban on overtime in steel industry.

175. The basic condition of rationalisation without retrenchment has been responsible for removing the major fear in the mind of labour. Rationalisation should not be introduced unilaterally. Any gains from rationalised arrangements should be equitably shared with labour.

176. Our country is facing a serious problem of unemployment and under-employment. Hence any step for automation would result in more unemployment and also would heavily tax our already depleted reserves of foreign exchange. Hence automation would be a painful luxury and we are strongly opposed to such labour saving devices.

177. The National Productivity Council has not been effective in generating enthusiasm among workers in increasing productivity. It is always talking only of theories. It seems to be one more decorative organisation supported by the Government for periodical wordy seminars and lectures.

VII SOCIAL SECURITY

178. (a) Social security measures like Provident Fund, Retiring Gratuity, Retrenchment compensation, Maternity Benefit, Lay-off compensation etc. have considerable stabilising effect on employment and industrial relations. Provision against old age or death of the earning member or against other risks, like accidents, loss of employment, etc. do help to create in industrial workers a sense of security. In the absence of such social security measures, workers accept jobs merely as a stop gap arrangement and leave when they get a better opportunity with the result that labour turnover will be high with all its attendant disadvantages to the industry.

However social security measures are not generally liked by a section of employers who often attempt to minimise their liability in respect of such schemes. This disturbs the industrial relationship and peace.

(b) We do not think that the benefits based on fulfilment of qualifying period for entitlement are generally responsible for larger turnover. Normally to earn gratuity there is a qualifying period of 15 years. This in our opinion is too long a period and should be brought down to a reasonable period.

The quantum of gratuity for each year of completed service is not enough and should be increased in order to avoid labour turnover and increase workers' attachment to the industry. Gratuity payments should include full basic wage and Dearness Allowance.

179. (a) Benefits, referred to in the convention on Minimum Standards of Social Security of the I.L.O., are available only in respect of medical care

sickness, employment injury benefit and maternity benefit to an extent. The injury benefit, is also covered by the Workmen's Compensation Act, and the maternity benefit is available under the Central Maternity Benefit Act of 1967. The provisions of the Industrial Disputes Act such as lay off and retrenchment compensation for temporary or permanent unemployment, the Provident Fund Scheme available under the Provident Fund Act and Retiring Gratuity provide for a kind of old age benefit. It should, however, be noted that the present provisions of the Payment of Wages Act and I.D. Act etc. do not cover all the employees in the steel industry. Such acts need amendment to cover workmen drawing a basic wage of at least Rs.500/- per month and not total wages as in the acts at present.

(b) The cost of the existing social security schemes is negligible to the total cost of production. According to our estimates it will not be even 1%. It may further be stated that labour cost as percentage of total cost of production has been gradually decreasing in steel industry.

(c) The benefits mentioned above are at present available only to a limited number of workers. Such benefits are below the international standards. They are inadequate. As stated earlier a large number of workmen are excluded due to present definition of 'workmen' and 'wages' in several statutes.

(d) The following should be the priority for enlarging the scope and coverage of various existing benefits :

1. The standard of medical care and treatment should be improved
2. The benefits should be made easily available and extended to all family members
3. The supply of drugs should be adequate
4. The workers should not have to wait too long at Diagnostic Centres for different tests and medical examination
5. No waiting for bed in hospitals
6. Adequate ambulance services
7. Preventive and restorative treatments should precede and follow curative treatment
8. There should be proper supervision over the administration of benefits to see that the benefits are easily available whenever and wherever the persons are required to go for them.

180. Self-employed groups should be brought within the organised Social Security Scheme. But it appears that before trying to bring this class of people within the scope of Social Security Scheme, the existing groups should first be well-provided. The question of extension may be considered after that is done. When the question is taken for consideration, they may be given option to come under the Scheme by payment of contributions and accepting other conditions. The other alternative may be to start some Scheme like National Health Insurance Scheme.

181.(i) We agree in principle with the suggestion for a comprehensive Social Security Scheme

(ii) There should be a study of the proposal of unification of E.S.I. and P.F. Schemes.

182, 183, 184 & 185 :

At present all the steel plants including the private sector are exempted from the ESI Scheme. These exemptions are granted on the assumption that the employees and their family members are getting various benefits the standards of which are favourably comparable to the ESI Scheme.

186. The Provident Fund Scheme as prevalent should be continued. In addition, deduction from Incentive earnings should also be made for P.F. deposits with equal contribution from the employer. In addition, a pension scheme should also be ensured for the workmen.

187. The employees' contribute to the P.F. with the hope that when they retire they would receive a lump sum with interest which would enable them to fulfill their needs and responsibilities. Unfortunately, due to wrong planning, there is inflation, prices are soaring and the purchasing power of the rupee has gone down considerably. While investments on land, building, business etc. fetch far greater returns, the employees' Provident Fund deposits invested in approved securities do not give adequate return. At present the funds of Employees Provident Fund Scheme are required to be invested in securities approved by the Trust Act which results in earning less interest especially when the rates of interest even of the scheduled Banks have considerably gone up. Therefore a scheme may be evolved to ensure security of investment and at the same time earning higher return on investment.

188. There should be greater delegation of authority and decentralisation of power to make the administrative machinery produce quick results.

189. It is not only desirable but also necessary to give insurance cover to a member of Employees' Provident Fund Scheme, from out of his provident fund contributions without any additional liability on him

in respect of life insurance premium. This will give him double protection in case of early death without adding to his liabilities. The only disadvantage of this proposal is that in case he loses his job and contribution to the provident fund is discontinued, there is a danger of the policy getting lapsed. In that case he will lose the benefit of life insurance as well as provident fund contributions. It would therefore, be desirable that the insurance cover is arranged to cover up the due premium at least to the stage where the policy could be treated as paid up policy.

190. Gratuity Scheme in steel industry are in operation. They have been secured by way of collective bargaining.

The rate of gratuity is generally half a month's basic pay for every completed year of service with graded scales according to length of service. It will be seen that gratuity in its present form plays a very minor part in the set up of social security for protection against invalidity, old age, death of the bread-earner etc. Among other social security measures, gratuity should also be one. The rate of gratuity should be one month wages (basic wage and D.A.) for every completed year of service and the eligibility period should be reasonably reduced from the present prevalent practice of 15 years.

191. Several lay-off schemes are existing in steel plants. Retrenchment of employees is not necessitated by over-night development. Retrenchment, if necessary, could be sighted far in advance and be discussed with the Union. If no agreement could be reached the matter be referred to a tripartite machinery to be set up by the Government.

Law should effectively provide for the re-employment of retrenched personnel in preference to new entrants. Such retrenched hands should be re-employed on the old scale of pay and their past services should be considered for purposes of gratuity and employers' contribution to the Provident Fund.

192. The administration of Social Security benefits can be handed over to the trade unions having a long standing good record of following peaceful and constitutional means for effectively settling all grievances. Such a Union must agree to Government inspection of its records and it should be willing to extend the benefits alike to all members and non-members without discrimination.

VIII LABOUR LEGISLATION

193. The ideal course would be collective bargaining. But whenever it is not possible, legislation should provide for other measures such as mediation, conciliation, arbitration and adjudication. The main aim of both collective bargaining and the statutory machinery operating in the sphere of Industrial Relations should be to settle disputes to avoid dislocation

in production and loss of man-days either by strike or by lock-out.

Freedom must be given to the parties to settle their own affairs through collective bargaining, but the alternative to the failure of collective bargaining should be the intervention of the Government to get the dispute settled by Conciliation, arbitration or adjudication.

194 & 195 :

(a) The factors that have affected the proper and effective implementation of the various labour laws are mainly :

1. Inadequate and ineffective machine
2. Indifference, delayed and/or half hearted, on the part of the Implementation machinery
3. Ineffective penal provisions

The Industrial Disputes Act 1947 should be completely overhauled. The Conciliation machinery is both ineffective and time-consuming. The adjudication machinery has become cumbersome subject to writs in High Courts and appeals in Supreme Courts and has therefore proved to be a starting point of almost endless litigation. The recovery of money due under Awards and Settlements under the Act is a tedious process. The penal provisions for violating of the Act are seldom invoked.

Under the Factories Act, the inspection services are ineffective and perhaps corrupt too in some cases. Safety and welfare provisions of the several Acts also are not observed owing to the inefficiency of the inspection services. Workers have to wait for years to get remedy from adjudication machinery, compensation or wages courts. The Employment Exchanges have become a source of gainful corruption and discrimination. There is a Standing discrimination between private sector and public sector. Added to this is the complication arising out of the laws being governed by State or Central authorities. In short, the workers have lost their appreciation of the present labour legislative measures mostly due to their faulty application.

195 (b) & (c) :

The State's responsibility to "secure to all workers, agricultural, industrial or otherwise, work, a living wage and conditions of work ensuring a decent standard of life and full enjoyment of leisure etc.," is a far cry under current conditions.

The right to work, to education and public assistance in cases of unemployment, old age, sickness and disablement, is still to be secured.

196. The principal labour legislations should be uniform and must be enacted by the Centre. Steel Industry should be a central subject. In respect

of Public Sector undertakings owned by the Central Government as well as Industrial establishments which operate in more than one State, the appropriate Government for administering all labour laws must be the Central Government. This is very necessary to avoid conflicting decisions of adjudicating authorities in respect of service conditions under the same employer in two different centres.

197. International Labour conventions have to some extent influenced the pattern of labour legislations in India.

198. Labour law is still in an evolutionary stage. Unlike the Civil litigation, case Law in Industrial adjudication should not be allowed to have that deciding right. Some of the decisions of the Industrial Tribunals and pronouncements of higher courts have pointed out certain loopholes in the existing legislation. While rectifying these defects, our attempt should be to consolidate the existing laws and streamline them into a uniform labour code.

199. There has not been too much of legislation but only too little implementation.

Legislative compulsion is required only when other measures for a progressive and cooperative employment condition do not succeed. If the employers are good and progressive and labour too is responsible, disciplined and efficient, there may be no need for any legislation at all, and even if there were legislations there may be no occasion to resort to the provisions of those laws.

200. Consolidation or codification of the existing laws, and in the process to amend certain provisions of the existing laws so as to simplify is desirable. Even the definition of such common terms as "Workmen" and "Wages" are not the same in different Act. It would be necessary to have standard definition of commonly occurring terms in the labour field. A uniform labour code applicable throughout the country would also be helpful in standardising the conditions of work, wages and welfare of labour. We suggest grouping up labour legislations broadly as under :

1. Welfare legislations ;
2. Industrial Relations ;
3. Wages and Working conditions; and
4. Social Security

201. The Code of Discipline in Industry has not been successful. In fact it has become one more cause for quarrelling with each other. Some of the provisions of the Code are in conflict with the provisions of the law. Following the adoption of the Industrial Truce Resolution there was a steep fall in the number of man-days lost but it was because of the great patriotic upsurge among the people including the working

class. However Joint discussion and settlement of disputes through collective bargaining have been a standing feature in steel industry for the last many years.

202. The main dissatisfaction against existing legislation is due to their poor and ineffective implementation. Some of the existing legislation do require touching up and some even complete overhaul.

Voluntary arrangements so far built up have not been done so on firm foundations except in a few instances. The future lies in strengthening the voluntary arrangement. But this cannot be achieved so long as there are multiple unions in each establishment. The choice of a bargaining agent through the ballot box suffers from serious limitations. Even the comparatively better method of choosing the bargaining agent on the basis of paid and consistent membership may not solve the problem completely. So long as labour is divided, the unrecognised party even as a minority can always create trouble and will make voluntary arrangements less attractive to the employers. The solution lies in unifying the ranks of labour and welding them into a single strong, healthy, well conducted and genuine trade union.

203. The enforcement of labour legislations in the Public Sector Plants is not satisfactory. There should be no exemption granted to any Public Sector Undertakings from the operation of any of the provisions of labour laws. The public sector must be an ideal employer. Public Sector Undertakings should not be allowed to claim any exemption or privileges from the operation of labour laws, which are not available to the Private Sector. There is no justification for that. At present industrial disputes in Public Sector Undertakings are not referred to adjudication without the consent of the employing ministry. This is a strange practice. In the Private Sector Government does not care for the concurrence of the employers for referring a dispute for adjudication. Why then this preferential treatment to the Public Sector? We, therefore, feel that the public sector should be put on all fours, on an equal footing with the Private Sector, in respect of the applicability and enforcement of all labour legislations in the country.

204. There are instances of political rights which are normally available to an individual citizen being denied to employees in the Public Sector and their dependents. These denials are extremely unjustified. An employee in a Public Sector Undertaking should not be under any disability as compared to his compeer in the Private Sector.

IX RURAL AND UNORGANISED LABOUR

205, 206, 207 & 208 :

We have nothing to add to what the INTUC has stated.

209. This should be done by a single stroke of legislation. Progressive reduction of contract labour would never be a reality as the interested quarters would always try to delay it or let it reappear in another name and form.

CONTRACT LABOUR

210 & 211 :

We support the INTUC's comments.

212 & 213 :

The primary purpose of labour statistics has been to gauge the degree of implementation of labour laws, agreements - whether bipartite or tripartite, settlements, awards, and their impact on the life and working conditions of workmen, on the working of the industry, and the role of the Government in regard thereto. They also supply the needs of policy making in labour and economic matters of the country. But they lack unanimity and standardised concepts. The first steps that needs to be taken to mend the defects of labour statistics is the formulation of a code of labour laws, having application all over the country. Then various concepts, values and standards alluded therein require clear and precise definition. Thereafter a conference of experts, representing all three parties and including the officers responsible for the collection of data, could evolve appropriate techniques and simplified forms for the collection and collation of necessary data.

The Statistics Act of 1953 was intended to facilitate the collection of "statistics of certain kind relating to industries, trade and commerce". The preamble of the Act limited it to "certain kind only". The Statistical authorities should be adequately empowered to deal with non-responding units and persons.

214. At present all the Steel Plants are governed by All India Consumer Price Index No. (1949 = 100). The question requires rather detailed discussions.

215. Mere information regarding the number of work stoppages, number of workers involved therein, number of man-days lost, amount of wages and production lost etc. cannot adequately measure the industrial unrest in the country. Information regarding factors leading to stoppages of strikes and lock-outs together with their impact on workers, industry and the country at large is also necessary.

216. There are several work-stoppages for reasons other than industrial disputes. Collection of data, spotlighting thenature and motivation of such stoppages can help to identify genuine industrial disputes as distinct from stoppages caused by political or social motivations.

217. Labour statistics do not take into account the social and sociological factors that also exert their pressure on the workers and their unions. Informations regarding community, age, sex, marital status, age of entrance into the industry, religion or faith, education, unionised or not and if so the nature of the union, the status in the union, his attitude and aptitude, etc. should also be collected and collated so as to understand the social setting in sociological climate affecting the workers.
218. Statistical data in respect of rural population regarding earnings, hours of work, various occupations is also necessary for framing the operational programme to ameliorate the condition of rural labour.
219. At present useful research and studies in the field of labour are in the hands of governmental agencies or in the hands of governmental officers. To make the present arrangement satisfactory, it is necessary that labour and industry are also associated with the research and studies work in the field of labour.
- 220, 221 & 222 :
- The research undertaken by the employers' organisation is not objective and seemingly has been to present a picture that defeats the claim of workmen.
- Workers' Organisations have hardly the personnel and money required for research. They would need assistance from the Government both in regard to the training of their research personnel in required techniques as also grants to maintain them, as in the case of universities or other research bodies.
223. It is necessary to use the talent available in the Universities; they can be given specific problems and projects for research. Association of labour and industry, in some form or the other, would be necessary to make it meaningful.
224. Co-ordination and rationalisation of research work conducted by different agencies would be desirable.
225. Information on labour matters is being used by all concerned. Since the available labour statistics suffer from draw-backs, every party is able to make out its own case with their help. The result is that we sometimes get a contradictory picture from the same set of labour statistics. Sometimes the information is far from real.
226. Publicity of information is most inadequate and is not available to our Unions. So far as the press is concerned it given publicity to labour questions in a very limited way. We suggest wide publicity including arrangement for supplying such informations to Unions readily and promptly.

227. Trade Unions use circular, news-letters, journals and periodicals for the purpose of communicating their activities to their membership and the public. They also hold discussions, meetings seminars and conference for such purposes.

228. Industrial conflict gets greater publicity than industrial harmony, because the former holds in store greater excitement and, therefore, encourages the sale of newspapers. We suggest that concerted arrangements should be made for objective and purposeful publicity so that helpful and useful industrial activities are stressed and emphasised.

229 & 230 :

The main occupation of the press is to give only the news. It has not been able to mould thinking of the reader which is the basic purpose of all education. Publication of Industrial conflicts and dissensions generate a psychology which makes cool and constructive thinking difficult. Most of the press in our country does not take an objective view of things and always functions with a partisan attitude. A section of press always acts as a hinderance to the promotion of just and good industrial relations instead of being useful.

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