

B 36



101

No.16(11)/67-NCL(T.IY)
Government of India
National Commission on Labour
D-27, South Extension Part II
New Delhi-3.

....

Dated the 21st November, 1967.

To

The Chairman and Members of the
National Commission on Labour.

Sub:- Records of Discussions in Gujarat.

Sir,

I am directed to forward herewith the records of discussions in Ahmedabad from 9th to 11th November, 1967 as approved by the Chairman. Record of informal discussions in Surat and Baroda from 6th to 8th November, 1967 together with the record of observation visits to factories at these places is also enclosed.

Yours faithfully,

(G.P. Kapur)
Joint Director.

Encls: As above.

NATIONAL COMMISSION ON LABOUR
(CAMP: AHMEDABAD 9-11-1967)

G_U_J_A_R_A_T

10.30 to 12.15 A.M.

Record of discussions held with the Ahmedabad Millowners' Association, represented by :-

1. Mr. Balkrishna Narivallabhdas,
President.
2. Mr. Jayantilal Bhikhabhai,
Vice President.
3. Mr. Surottam P. Ratheesing.
4. Mr. Basik Lal C. Nagri.
5. Mr. Kanti Lal Manaiyalal.
6. Mr. K.G. Acharya, Secretary.
7. Mr. R.G. Acharya.
8. Mr. S.P. Dave,
Assistant Secretary.
9. Mr. D.R. Droni.
10. Mr. J.N. Shah.
11. Mr. B.T. Nagrawala.

The Chairman thanked the Ahmedabad Millowners' Association for permitting the use of the Hall and other facilities for the meetings of the Commission.

The basis of better industrial relations in Ahmedabad has been mutual trust and confidence. Employers and workers had occasional clashes, but these did not leave a rancor in the minds of either.

2. Talking of workers in general, they have not yet acquired a feeling of responsibility. This could be said even about some employers.

3. In spite of occasional bitterness at the time when disputes are being settled, it is possible to establish closer relations in industry.

4. The 'Panch Pratha' which has been operating in Ahmedabad with such success should be introduced elsewhere. In making this suggestion the Association is not unaware of the difficulties in establishing it.

5. Disputes should be settled by collective bargaining but with advance agreement between parties that there would be voluntary arbitration if the efforts of collective bargaining fail. Under no circumstances should there be a trial of strength.

6. In a place like Ahmedabad where nearly half the population is dependent on textile industry, trial of strength can create difficult situation for the whole community. The situation was different in 1942 when there was a prolonged stoppage of work. The community was prepared to suffer as much as workers. The stoppage was voluntary and spontaneous; it was not an industrial dispute leading to stoppage of work.

7. There should be one sole bargaining agent for an industry in a local area. Many difficulties have been avoided in Ahmedabad because of one strong trade union with which the employers have to deal.

8. The basis for selecting a bargaining agent should be the same as under the B.I.R. Act.

9. In disputes between management and labour, political ideology should not creep in. It is only when this becomes possible that trial may be given to collective bargaining with all its consequences of strikes/lockouts.

10. The system of "check off" was introduced in Ahmedabad as a result of voluntary agreement among the parties. It was also discontinued as a result of such agreement. Union officials felt that they should have more contacts with the rank and file than would be possible under "check off".

11. There should be no "Union shop". The workers should be free to join a union or not to join it.

12. There should be a common labour code. Labour should be in the Central List. A common pattern of Labour judiciary with High Court making appointments should be evolved. There should be no retired persons on labour judiciary; even if they are appointed, they should not look forward to extensions.

13. Standing Orders should contain provisions for disciplinary procedure.

14. The bonus formula now evolved under the Act so far as Ahmedabad is concerned, has taken away the grace in bonus claims made and bonus payments distributed in Ahmedabad even prior to minimum Bonus which is now clamped by the Act.

15. There should be no compulsion of minimum bonus. Even with regard to the L.A.T. formula, profits should be used for keeping the unit alive though expansions of the unit could come out of the unit's approaching the market direct.

(The Association will consider the implications of L.A.T. formula minus rehabilitation and send a note on the subject).

16. Need-based minimum requires a careful definition. The formula as evolved by the 15th Indian Labour Conference, should be considered afresh.
17. According to the Fair Wages Committee, fair wage has to be something higher than minimum wage. But this minimum is not the need-based minimum of the I.L.C.
18. Need-based minimum should be associated with norms of work. But the minimum, as statutorily defined, must be paid irrespective of productivity considerations. The minimum which is statutorily defined, should not be linked with the capacity of a unit to pay either.
19. Progress from a statutory minimum to the minimum of the need-based concept should be only through improved productivity.
20. Complete neutralisation in the cost of living should not be there except in the case of the statutory minimum. Except in cases where the minimum is not statutorily fixed complete neutralisation may not be feasible when there is no capacity to pay; also price-rise affects every one in the community and not workers alone. It would be better if the dearness allowance is done away with and a clause for a more frequent revision of wage is maintained in the agreement.
21. There should not be wide disparity between the minimum wage and the wage fixed for a family on the basis of per capita income.
22. The L.A.T. should be revived. (The Association will consider the position about appeals and supply a note to the Commission).
23. Right to approach the court direct should be given to the employers and the unions alike on failure of conciliation proceedings. The present arrangement under the B.I.R. under which workers alone can approach the court direct is inequitable.
24. Outsiders will be necessary for some time to come. However, they should not bring with them their political ideology. Ahmedabad experience has been that though the prominent workers of the union have a definite political ideology, in their relations with employers, it is only the interests of the workers which govern the action of the association.
25. It is difficult to draw a line between the economic and political aspects of a particular demand. It is also true that some demands can have a purely political motive. In the latter cases which have political overtones, if the rank and file in the union requires such demands to be made, it should be possible to deal with them to the extent it is possible.

(The association will send a note on the problem of development of trade union front with special reference to outsiders).

26. Employer should have the absolute right to 'hire and fire'. Dismissed employees should not be re-instated. (The Association will, however, reconsider the workers' right to reinstatement in a note to be supplied to the Commission).

27. The practice in Ahmedabad has been that industrial matters are settled in close consultation with the union. The employer feels that he and his workers are partners in a joint venture.

28. While the members of the Association employ local labour in most cases, they do not like to be bound by a regulation that local labour has to be given preference in all employments including the lowest.

29. The Research Association set up by the Textile industry in Ahmedabad goes both into the fundamental and practical aspects of research required in industry. It has been doing good work.

NATIONAL COMMISSION ON LABOUR

(CAMP: ALLIANCE 9-11-1967)

G_U_J_A_R_A_T.

12.15 A.M. to 1.00 P.M.

Record of discussions held with the Gujarat Federation of Mills & Industries, Baroda, represented by :-

1. Mr. P.V. Kale.
2. Mr. K.L. Desai.
3. Mr. T.V. Srinivasiah.
4. Mr. M.B. Trivedi.
5. Mr. S.R. Cirvante.

There should be a common labour code. It should be ensured that the interpretation of the code should also be uniform in different areas.

2. Judges who will be in charge of labour judiciary, should have qualifications different from those prescribed for Civil Judges. Apart from labour jurisprudence, they should have some knowledge of the effect of their pronouncements on the economy.

3. Appointments to labour tribunals should be made either by the High Court or by the Law Ministry. Political influence should be avoided in such appointments.

4. Experience of collective bargaining in some concerns belonging to the Federation has been happy. There are long term agreements entered into with unions.

5. To reach the collective bargaining stage, however, workers should be in receipt of what is considered a fair wage. It is only then that the collective bargaining with trial of strength could be permitted.

6. It is not possible to eliminate political influence in unions; legislation cannot achieve this.

7. What is obtaining in the community in terms of discipline will also influence members of trade unions.

8. The general experience in the area has been that workers have responded well to a call from a good employer.

9. There has been abuse of over-time in many cases. This was the result of bad supervision and improper planning on the part of management. It is certainly possible to control it.

10. The choice of union should be by 'Secret ballot'. It is possible that at the time of election tall claims/promises will be made. At the same time, once a union is elected and it sits at the negotiating table with the employer, there will certainly be a tendency to be reasonable.

11. As regards the formula of L.A.T. minus Rehabilitation, there is already a provision in the Income-Tax Act which makes provision for replacement. This should be normally sufficient.

12. Beyond this no allowances should be permissible. There have been cases where rehabilitation allowances have been claimed but they have not been utilised.

(On the Bonus Formula, a note will be supplied by the Chamber).

13. The fair wage should be above the minimum and the minimum itself should not be far out of the line with the per capita national income.

14. Beyond the minimum wage, free scope should be allowed for the collective bargaining. There should be no compensation for wages lost during illegal strike.

15. Standing orders should provide for a longer suspension than is at present allowed under it. This will facilitate giving such punishment where four days' suspension will be inadequate and dismissal will be unjust.

16. Wage differentials for the same type of work in industry and outside it should be reasonable. There are cases where a canteen boy gets the industrial wage whereas a person doing exactly the same type of work outside the factory gets a much lower wage.

17. There should be no time scale in regard to industrial work. It should be possible for a worker to move from one grade to the next higher grade.

NATIONAL COMMISSION OF LABOUR
(CAMP : AHMEDABAD 9-11-1967)

G U J A R A T.

3.45 P.M.

Record of discussions held with :-

1. Mr. J.P. Shah,
Personnel Advisor,
Gujarat State Fertilizer Co. Ltd.
2. Mr. D.P. Mehta,
Personnel Manager,
Gujarat State Fertilizers Co. Ltd.
3. Mr. N.S. Tyabji,
Gujarat Refinery,
Baroda.
4. Mr. V.P. Bhatnagar,
Personnel Officer,
Gujarat Refinery.
5. Mr. R.L. Sharma,
Labour Officer,
Kandla Port Trust.
6. Dr. R.P. Bhargava,
Secretary,
Kandla Port Trust.
7. Mr. V. Subramaniam,
Accounts Manager,
Gujarat Electricity Board,
Baroda.
8. Mr. J.V. Vyas,
Secretary,
Gujarat Electricity Board,
Baroda.
9. Dr. Vasudev Tripathi,
Mayor,
Ahmedabad Municipal Corporation.
10. Mr. A.S. Thakore,
Deputy Municipal Commissioner,
Ahmedabad Municipal Corporation.
11. Mr. K.P. Shah,
Chairman,
Gujarat State Transport Corporation.
12. Mr. A.N. Buch,
Member,
Gujarat State Transport Corporation.
13. Mr. M.J. Bhansalli,
Chief Labour Officer,
Gujarat State Transport Corporation.

Gujarat State Fertilisers.

The Gujarat State Fertilisers Co. started its construction operations in 1962; it has gone in production only in June, 1967.

2. There are two registered Unions in the undertaking, one belonging to the INTUC and the other to I.M.S. So far, neither has approached the employer for recognition. Workers bring their own complaints and they are settled as and when they are brought. There has been no major trouble so far.

3. Membership registers of the unions should settle the issue of recognition. The registers should be examined by the State authorities and the employer should be advised about recognition. (At a later stage, there was a suggestion in the replies given on behalf of the undertaking that 'secret ballot' would also be accepted).

Gujarat Refinery.

4. The Refinery has one union. It is not yet recognised. The approach of the Refinery was that for recognition not only should there be adequate membership but the methods used by the union should not be agitational. In the Refinery there have been cases of union leaders agitating on certain demands and bringing undue pressure on management when the demands were under discussion. The union realised to its cost that this did not yield results. As a consequence the union lost its following. The agitation was about retrenchment of some temporary staff. Though the approach of the I.O.C. union on that occasion was agitational, the top leadership was not in the picture.

5. Public sector undertakings should be governed by the industrial law of the land; no exemptions should be claimed by undertakings of this type.

6. Membership register adequately scrutinised by an independent authority was a better method for union recognition.

7. Gujarat Refinery would prefer to have a common Code and that appointments to labour judiciary made by the High Court. (This view was shared by Gujarat Fertilisers). Gujarat Fertilisers added that professional lawyers and experts working in industries who appear either on behalf of the employer or workers, should also be eligible for appointment to the tribunals.

8. In the Gujarat Fertilizers, workers have been given a special status which is different from their status in similar factories. They are treated on the same basis as officers in respect of their service conditions excepting pay-scales and other allowances. The management of the township built for workers is by the elected representatives of workers.

9. On the whole, this type of human approach has worked so far in the Gujarat Fertilisers.

Mandla Port Trust.

Recognition should be on the basis of the membership verification. Secret ballot was also mentioned as another way of recognising unions. There have been three unions in Mandla Port. While Port authorities would prefer to be governed by the Industrial legislation, the Minimum Wages Act, 1948 should not be continued to apply to workers in the Port Trusts.

Works Committees were functioning for some time in the Port but the unions were responsible for wrecking them. (The other points made by the Port Trust Authorities were more or less the same as those made by Bombay Port Trust).

(The Port authorities will send a note on payment by results).

4.30 P.M.

Mayor & Deputy Commissioner, Municipal Corporation, Ahmedabad.

The reference to spreadover in the corporation memorandum was in respect of the workers in municipal dairy where 60% of workers have been provided with housing. The suggestion for increasing the spreadover should be considered along with provision of housing facilities for workers affected by the spreadover.

2. The Corporation has the practice of settling most of its labour problems across the table. There have been no special difficulties encountered in this regard.
3. As a result of rapid expansion of industry, there have been difficulties for the Corporation in the matter of housing, provision of educational and health services.
4. The practice of carrying head-loads of night-soil, has been abolished in Ahmedabad. The workers are now provided with wheel-barrows. By 1969, October, most of this work will be water-borne. At present, 90% of the sewage system is water-borne.
5. Some cases between the Corporation and its workers went to tribunals. In some cases, reinstatement was awarded, but this did not create any difficulties in terms of discipline.
6. In all cases where the Corporation had to approach a tribunal for disciplinary action during the pendency of proceedings as required under the I.D. Act, the Corporation had succeeded in persuading the tribunal to grant permission.
7. In disputes regarding local bodies, retrospective effect should not be granted to an award. This creates difficulties in adjusting finances. There is, therefore, a case for expeditious disposal of cases.

8. Multiplicity of unions should be avoided. There is a tendency among workers to become members of more unions than one. This also requires to be controlled.
9. Recognition should be granted on the basis of election by secret ballot.
10. In certain minor cases, Conciliation Officers should be given the final say unless parties agree in advance to voluntary arbitration.

Gujarat State Transport Corp.
Gujarat State Electricity Board.

The Organisations want a single union. Gujarat State Transport Corporation pointed out that it had had no labour trouble during the last few years. Industrial relations had been peaceful and differences were settled by negotiations.

2. Gujarat State Electricity Board had no objection in associating officials of a recognised union with the inspecting of safety measures. However, since this required technical expertise it was doubtful if inspection by union representatives would serve any use-ful purpose.

3. It would be better if outsiders are eliminated. If the workers managed their own union affairs, they will understand management problems and their own much better.

4. A good deal of work of the Gujarat State Electricity Board is done by contract labour. They do not have any machinery to check as to whether the contractors were paying 'fair wages' as defined in the 'Fair Wage' clause of the contract to the workers. All such complaints are generally made to the officials of the State Labour Department.

(The Gujarat State Electricity Board will give a statement of workers employed by it on contract basis and otherwise).

5. Accidents that occurred in Gujarat State Electricity Board were mainly due to negligence and had nothing to do with the age of the employees. It was not necessary to reduce the age limit of retirement to 45 years for Gujarat State Electricity Board workers.

6. There is no objection to the public sector undertakings being the model employers. The Electricity Undertakings have got to be treated differently as they affect not only the Undertakings itself but the entire community.

7. The representatives of the Gujarat State Electricity Board felt that the senior officials when appointed to posts in public undertakings can normally adopt themselves to the changed circumstances; no special course of training was necessary for them. (The State Electricity Undertaking as well as the Gujarat State Transport Corporation agreed to supply a note giving their views in regard to the requirements of training for senior officers, in-charge of public-sector undertakings).

-(5):-

8. The discontent among employees in public sector undertakings was essentially because of their unduly high expectations from these undertakings; at times, dissatisfaction among workers was also because of lack of humanitarian approach from the management.

9. In public sector undertakings, certain procedure has to be followed in the matter of taking decisions. Very often, this results in delays and consequent annoyance to workers.

10. In the Gujarat State Electricity Board lines of communication between the management and the workers are adequate for the top man in the establishment for understanding grievances of workers.

NATIONAL COMMISSION ON LABOUR
(Camp : Ahmedabad 10.11.1967)

G U J A R A T

10.00 to 12.00

Record of discussions with the Textile Labour Association, Ahmedabad, and the Gujarat INTUC, represented by:-

1. Mr. N.H. Sheikh,
President,
Gujarat INTUC & Secretary,
Textile Labour Association.
2. Mr. A.N. Buch,
General Secretary,
Gujarat INTUC & also T.L.A.
3. Mr. N.M. Barot,
T.L.A.
4. Mr. Manharbhai Shukla, T.L.A.,
Head of Social Welfare Department.
5. Mr. R.M. Shukla, T.L.A.,
Head of Legal Department.
6. Mr. Mohanlal B. Joshi,
Treasurer, T.L.A.
7. Mr. Dinoobhai Trivedi,
Research Officer, T.L.A.
8. Mr. Vijayshanker Trivedi,
Gujarat INTUC.
9. Mr. Rasiklal C. Mehta,
General Secretary, Saurashtra
Majur Mahajan Sangh, Rajkot.
10. Mr. Chandulal G. Shah,
President, Gujarat State
Transport Workers' Federation.
11. Mr. Manubhai A. Vyas,
T.L.A.

and 10 others.

The Chairman proposed to discuss the T.L.A. memorandum as well as the Central INTUC Memorandum. It was suggested that the views expressed on the former will be final, whereas on the INTUC Memorandum the final views will be placed by the Central INTUC.

2. The work of the T.L.A. is based on the principles laid down by Mahatma Gandhi. It seeks to settle differences between employers and workers through education, persuasion, identification and transformation. Education, in this context is many-sided. T.L.A. seeks to educate workers as well as employers in its own way. A grievance which is not based on truth, is not entertained by the Association.

3. In rejecting a grievance, the union persuades workers to see the untenability or the unjustified nature of their claim. In educating the employers, it persuades them to see the justness of the demand.

4. Identification comes in as one of the basic principles because unless the association identifies itself with the worker on the one hand and the problems of the management on the other, lasting solutions cannot be found.

5. The final stage, after identification and understanding the real problem, comes transformation where a change in attitude on the side of workers and management is achieved in order that amicable solution to all problems becomes easy.

6. The basic principle is thus one of change of heart and this is achieved by around mutual education of trade union organisers, workers and employers. The comparative peace in industry in Ahmedabad is due to this approach.

7. In cases where a grievance is not found justified, the union argues with workers and convinces them. By and large, workers are not obstinate. If trade union organisers know their job well in handling workers, they are always able to carry conviction.

8. In cases where the claims of the employees is just and reasonable but is not settled by persuasive methods, in view of rigid attitude of employers, the same is referred to voluntary arbitration if the employer accepts arbitration or is taken to Labour Court or the Industrial Court as the case may be under the B.I.R. Act. In following this procedure no bitterness enters and even at the stage when the matter is before arbitration or Court, attempts to bring about compromise are continued.

9. Meetings of the Executive Committee of the T.L.A. as well as the meetings of the representatives are very well attended. In the former, average attendance is as high as 90%. Budget discussions in the Executive Committee last for two days and there is effective participation by members over the formulation of the budget; they also exercise a fair check on how the amounts are spent after the budget is settled.

10. T.L.A. does undertake activities which reach the homes of workers. There is training of workers in their spare hours. (Details are given in the Annual Report, a copy of which will be supplied by the T.L.A.).
11. The Legal Department of the Association is manned by lawyers. They are trained in union work and work as full-time paid employees on the same terms and conditions as other officials of the T.L.A.
12. The basic approach to workers' problems in the Legal Department is not to be too legalistic. Even in cases which go to court, the attempt on behalf of the lawyers of the T.L.A. is to see that a proper assessment of the merits of the case by the judge is possible.
13. In the work of the Association, outside influence and outside considerations do not come in. This should be the general approach also for all other unions. It is also incorrect to presume that such influence/considerations can be brought in only by the so called 'outsiders'. Insiders also can do it.
14. The executives of the T.L.A. as also the INTUC are barred from holding any office in political parties. If a similar ban is placed on other unions also, it will serve the purpose of reducing the alleged adverse influence of outsiders.
15. Though nationalisation can be an economic issue, it can also have political overtones. It is difficult to decide whether an issue is purely political/economic/social, etc. Labour problems are susceptible of being mixed up with politics.
16. Some political parties wanted textile workers of Ahmedabad to go on strike when Government took the decision to set up the bilingual State of Bombay in 1956. The public opinion was in favour of these political parties but the large majority of workers were not concerned with this demand. Despite the public opinion, being against the Association and in favour of the strike call, workers did not go on strike.
17. In conducting union activities, it should be permissible for workers to take interest in politics in the form of supporting a candidate for membership of Parliament or of State Legislature. It is through such elected representatives that it will be possible for labour to influence Government policies and protect workers' interest through proper legislation. This is in line with what Gandhiji had advised the Association in 1920.

18. The elected Executive Committee and Representative Board of the Association decide on the political party to which it should lend support and it is again these bodies which recommend the constituency from which their candidates should offer themselves for election. This decision is taken on the eve of every election.
19. There should be no bar to a person having political convictions provided he confines himself to the trade union work while discharging his functions in the trade union. The Association will not object to a member standing for election.
20. It is open to workers to support any political party they like. The answer as to whether the union could function on political or economic lines can only be in terms of permitting workers to have a political consciousness and at the same time fight for their economic demands. The union activities have many facets. One of them can be political but then there are many others too.
21. Of the total membership of the T.L.A. of 1,10,000, approximately 30,000 are members of the Indian National Congress though many others may be having sympathies for Congress or other political parties as well.
22. Unless there is an agreement on the basic approach to the matters the trade union stands for, it is difficult to have a common trade union platform. Under the prevailing circumstances it seems to be difficult.
23. The Association does not share the view that the trade union movement is weak as a result of multiplicity of unions. In fact, it is doubtful if the movement has weakened at all as alleged. The indications are that the movement has emerged stronger in all these years. The alleged weakness of trade unions is talked about more by interested parties.
24. The movement can be strengthened further if the weaknesses in the existing legislation regarding implementation are removed. Lack of implementation of agreements on the part of both employers and workers results generally in creating an atmosphere where the whole movement gets a bad name. Unions also do not, at times, attach the same sanctity to an agreement as the agreement would demand.
25. The complaint that the INTUC does not deliver goods is not well-founded. The experiment in Ahmedabad does not at all support the complaint.
26. Current labour unrest may also be due because some unions nurture a grievance and espouse an agitation for ends which are not necessarily trade union ends.
27. In examining the whole question of a trade union's effectiveness, mere membership will not be enough. The qualitative aspects of the trade union work should also be considered. The present law which allows every union to interfere in disrupting settlements/agreements with representative unions, creates difficulty.

28. The verification under the B.I.R. Act is based on an enquiry by the Registrar of Unions. The enquiry consists of seeking a list of members of the rival unions. The list of one union is given to the other and whenever membership of a worker is challenged, there is personal verification by the Government Officer by interviewing the worker concerned. Through this process, complaints of one union against the list of other are verified and majority union is determined. Even when the order is so made, there is a provision for appeal to the Industrial Court under the B.I.R. Act. The Association feels that this provision should be made applicable to whole of India.

29. The time taken in such inquiries under the B.I.R. Act, depends on the volume of work involved in every inquiry. Delays could be avoided by laying down time limits for completion of various stages of the inquiry.

30. The Association also suggests the inclusion in the Central Act of the provision of "approved union" as under the B.I.R. Act, particularly the clauses regarding strike ballot and offer of arbitration in case of break-down of negotiations.

31. The I.N.T.U.C. is not afraid of the secret ballot. But it apprehends endless trouble resulting from the ballot system. It will not conduce to industrial peace.

32. There is no objection to introduction of automation if reasonable safeguards are provided in introducing automated processes. As in the case of rationalisation, automation also should be without tears.

33. I.N.T.U.C. does not place the statutory minimum wage and the need-based minimum wage on the same footing. The statutory minimum will be somewhat lower than the need-based. To a certain extent, capacity to pay would be a relevant consideration in determining the need-based wage; this will be irrelevant in the payment of the statutory minimum. The I.N.T.U.C. favours the need-based minimum to be achieved as early as possible.

34. (The INTUC will supply a note on its achievements for securing increasing association of workers in the administration of an industry and their full participation in its control).

35. (The barring of unions which follow undemocratic and anti-national practices and the constitutional aspects of such a bar will be discussed in a note which the INTUC will supply).

36. The INTUC would like industrial arbitration to be preserved but to avoid perpetual litigation, some safeguards will have to be provided of the type that the arbitration award should be final whether it is by an arbitrator selected by parties or by a machinery provided by Government of the Industrial Court.

37. (The INTUC will supply a statement where the unions have disaffiliated when they have not honoured the obligations cast on it by the Central Organisation).

38. The INTUC is not opposed to the 'check off'. If, however, unions can accept the responsibility for collecting the dues, there is no point in bringing in the employer for doing this work. In this manner, it is possible to establish a better contact with the union members. There have been many cases in the T.L.A. where workers had come to union office and paid their arrears as well as their contributions. The procedure suggested by the INTUC is somewhat intermediate between the complete responsibility for collection to be given to employer and the complete responsibility to be given to workers to pay membership fees in the union office.

39. (INTUC will furnish a statement on the number of paid officials in its different affiliates).

40. The activities of the affiliates of the INTUC are generally in conformity with the policies of the Federation. There may be some minor cases where there will be departure and that is why the word 'generally' has been used in the memorandum.

41. (A factual statement about the number of outsiders and insiders who are in the executive of different INTUC Unions, will be supplied).

42. There have been a few cases where non-recognised unions have joined hands in order to defeat the recognised union. (A statement on this point will be supplied).

43. Relations in public undertakings will improve if proper Industrial management training is given to the persons who are incharge of such undertakings.

44. (T.L.A. will supply a note about the work in productivity done by Association in Ahmedabad).

45. About closure of cotton textile mills, Mr. Buch will prepare a separate memorandum on behalf of the Cotton Textile unions in the affiliation of the INTUC and will seek a separate interview with the Commission.

46. (The INTUC will send a separate note about its ideas on making the National Productivity Council more effective).

....

NATIONAL COMMISSION ON LABOUR.

(CAMP: AHMEDABAD 10-11-1967)

GUJARAT

12.00 Noon to 1.00 P.M.

Record of discussion with AITUC, Gujarat, represented by:-

1. Mr. P.D. Gandhi,
Mahagujarat Trade Union Congress,
Ahmedabad.
2. Mr. Bhalchandra Trivedi,
AITUC, Baroda.
3. Mr. Naldeo Shenmare,
AITUC, Surat.

1. The rate of membership fee for a representative union should be high, at least as high as suggested in the AITUC memorandum. In recent years expenses which a union has to incur have gone up. To meet this expenditure membership fees have to be increased.

2. In Ukai the construction labour employed departmentally in which the AITUC has a majority membership is not getting any facilities. Demands of workers sent to the Conciliation Office were not taken up for discussion. When there was a threat of strike the project authorities got the area declared as a protected area and prevented entry of outsiders to the area.

(Details of the case will be supplied by Gujarat Government).

3. Penal action under the law is inadequate with the result that the employer flouts the law and even boasts about it. A way out of the situation would be to use Governments powers of preventive detention against the defaulting employer.

4. Incentive have a tendency of leading workers to over-work, in order to earn the incentives. At times it also leads to rate cutting. The cases on the point were Digvijay Cement Factory and the ACC Packing Department.

5. There have been cases in Gujarat where as a result of irresponsible attitude on the part of the employers very large number of strikes have taken place in the same unit over the period of last 20 years.

6. Personnel Officers should enjoy the same protection as that given to the Welfare Officers under the Factories Act. They could be appointed by the employer but they should not be discharged or dismissed without Government permission.

7. Habitual violation of safety measures should be treated as a penal offence.

8. In a factory in Kutch a large number of women employees were discharged because they took part in organising a union. The causes were two-folds: (i) because the employer wanted to discriminate against women in the matter of employment and (ii) because of their attempts to organise. There was another case of a factory where women employees were treated equally badly.

(AITUC will supply details about the women in the same factories, treated in this manner).

9. Non-INTUC unions in Gujarat experience difficulties in getting recognition under the Code of Discipline. Unions are asked even before they are registered under the Trade Unions Act whether they would abide by the Code of Discipline though this is not a statutory requirement. The corresponding compulsion is not there on an entrepreneur when he applies for a licence to set up his unit.

10. The Standing Orders should have a new look. Some aspects of the Code of Discipline which give workers the right to be recognised should be made statutory.

11. Certain good features of the existing Standing Orders are not properly implemented. This point also should be investigated.

12. There should be a direct reference by parties to adjudication.

NATIONAL COMMISSION ON LABOUR

(CAMP: AHMEDABAD - 10.11.1967)

GUJARAT

3.00 P.M. to 4.00 P.M.

Record of discussions with the H.M.S., Gujarat, represented by:-

- (1) Mr. Sanat Mehta,
HMS, Baroda.
- (2) Mr. Natwar Shah,
President,
Ahmedabad.
- (3) Mr. Surendra Shah,
Ahmedabad.

The HMS is in favour of 'secret ballot'. There will be certain draw backs in the system but these should be judged in the context of the fact that each system has its own draw backs. Elections are there in every labour organisation. They have now become a part of the trade union system. These have not created bitterness within a union. There is no reason why 'secret ballot' should create such bitterness.

2. H.M.S. has got a representative status under the B.I.R. in some units in the silk industry in the State. But on this test alone we do not favour the continuation of the B.I.R. arrangements.

3. There are some basic impediments in the proper implementation of the Act. Unions which have the support of the party in power do have an advantage. The case of one union which had its application pending for two years for getting representative status was cited. A small defect in the application was noticed only at a time when another INTUC union came on the scene. There was in the meanwhile an amendment of the Act which also went in favour of the INTUC. The net result was that the H.M.S. union could not get recognition though the defect which was pointed out was minor and could have been got corrected earlier.

4. Arrangements under the B.I.R. for examining the cases under it for representation may be fair but their implementation results in favouring a particular union. Even if an independent machinery is set up by Government for checking membership, this will not result in a desirable arrangement.

5. Under the B.I.R. Act in a large unit minority unions have another disadvantage. There was a case where a member of minority union taking his complaint to the court has lost it because of the majority union putting its weight in favour of workers who are its

members. An amendment in the Maharashtra and Madhya Pradesh Act has to some extent removed this difficulty but in Gujarat this amendment has not been carried out.

6. There is industrial peace in Ahmedabad ^{is} ~~not~~ because of the clause in the B.I.R. Act for determining the representative character of a union and avoiding multiplicity of unions. There are other clauses which prevent even legitimate strikes and this has led to apparent industrial peace.

7. The setting up of an independent agency for determining the representative character merely on the basis of the trade union records is also not acceptable to H.M.S.

8. The argument about the extravagant promises made by the unions at the time of election is not sound. This will be only a passing phase. Ultimately it is the responsible unions which will gain ground.

9. 'Check-Off' and 'close shop' will not necessarily help the unions to build up their strength.

10. The existence of a minority union does not weaken the representative union in its bargaining capacity. At the same time it can be a healthy check on the representative union.

11. The country has not yet reached the stage of running unions without outsiders, though recently some white collar employee unions have kept outsiders out. Unions in banks, insurance companies and of Government employees are the cases on the point. Time should decide the place of outsiders in trade unions. No special legislative measures are needed for banning outsiders. In industries where employees are sufficiently educated, outsiders are resisted by the rank and file themselves.

12. Industrial relations are not as happy as they should be. For various reasons labour has become restive. There is a drain on organised labour by the presence of a large section of unorganised labour. The expectations of labour have increased and corresponding satisfactions have not been there. Conditions of life have become difficult because of rise in cost of living and all these add to the difficulties of labour and create situations which result in industrial unrest. Multiplicity of unions cannot be considered as the cause for disturbance of industrial peace.

13. The workers who are not members of a representative union shall get the benefits of awards, agreements which are entered into by the representative union. This is because in some cases for remaining outside the representative union workers have to suffer.

14. Restive feeling among workers is also due to **subversive** activities on the part of certain sections of the trade union movement.

15. There is a wave of discontent in employees in public sector undertakings. This is because the personnel side is not handled with adequate care. Public sector managements feel that they are above labour laws. Labour Department machinery also has an inferiority complex in handling matters in the public sector. A considerable amount of training is required for the public sector officials to manage human relations properly. The personnel side at present is looked after by retired Army personnel in many establishments. They do not understand the human relations of the industrial type.

16. There have been cases where demands are agreed to but they are never implemented. (Mr. Sanat Mehta will supply a statement on the subject.)

17. The source of recruitment for management of the public sector requires to be changed. The present arrangement by which either civilians or Army personnels have been placed in-charge of projects required a change. (In one case where a worker lost his vision and the complaint stated that eye was lost, a public sector manager remarked 'the worker has lost vision and not the eye.')

18. It is not a fact that unions approach top managements and even Ministers and make persons below ineffective in respect of settling labour problems.

....

NATIONAL COMMISSION ON LABOUR

(CAMP : AHMEDABAD 10-11-1967)

GUJARAT

4.00 P.M. to 4.30 P.M.

Record of discussion with Local Self Government Employees' Union, Gujarat, represented by:-

1. Mr. Someshwar I. Pandya,
President.
2. Mr. Rajinder Shah,
General Secretary.
3. Mr. Patel Rameshchandra Manilal.

(1) In Saurashtra the conditions of work of sweepers and scavengers have not changed. The practice of carrying night soil by head load still continues.

(2) The unions should be allowed to take their cases to the court direct. (A statement on the breaches under the I.D. Act will be supplied). There should be a provision in the Act to punish non-implementation and this should not require an approach on the part of the union only through Government. When an industrial dispute exists Government should have no power to resist a demand for reference to a Tribunal.

3. (A statement on temporary employees in Ahmedabad Corporation will be supplied by the Organisation.)

NATIONAL COMMISSION ON LABOUR

(CAMP: AHMEDABAD - 10.11.1967)

GUJARAT

4.35 P.M.

Record of discussions with:-

Prof. J.L. Dholakia.

Though the concept of 'need-based minimum' as evolved in the 15th Indian Labour Conference is workable, it will be more appropriate if one thought in terms of payment of 'adequate wage' to labour. 'Adequate wage' should include some provisions for health, education and savings for the future. Dearness allowance, overtime payments and bonus could also be taken as a part of wage for purposes of adequate wage.

2. The capacity of the industry to pay is an important consideration but ultimately it is the paying capacity of the economy as a whole which has to be taken into account. Economic growth has to be given priority over all other considerations.

3. Collective bargaining, though good in principle, was not practicable at this stage in our country.

4. The current method of wage fixation is through various agencies like conciliations, adjudications, Wage Boards, etc. There should be a National Wage Commission which will take into account the wages fixed from time to time, coordinate wage decisions and review the same and recommend steps which will impart rationality to the wage structure.

5. While outsiders have rendered valuable guidance to trade unions, in some cases personal considerations of trade union leaders have prevailed in the settlement of industrial disputes. These considerations include even taking undue advantage of union funds and formation of company unions, for a consideration.

6. According to Prof. Dholakia's calculations 'adequate wage' of his concept for a centre like Ahmedabad at current prices would amount to about Rs.300 a month.

7. For determining the representative character of a union secret ballot should be resorted to.

8. There should be no right given to minority unions. It is necessary to avoid 'free riders' in a unit/industry. It should, therefore, be obligatory for non-union members to pay something to the representative union for the services which the representative union renders.

....

NATIONAL COMMISSION ON LABOUR

(CAMP : AHMEDABAD 10-11-1967)

G_U_J_A_R_A_T.

4.30 P.M.

Record of discussion with All India Guards
Council, Mehsana, represented by :-

Mr. Shashikant M. Kabbar,
Branch Secretary,
All India Guards Council,
Mehsana.

Representatives of the Guards Council were asked to take up their case with the Railway authorities direct because the points made were in the nature of a complaint. The Commission will take note of their representation only to the extent where it has raised points of principle.

NATIONAL COMMISSION ON LABOUR

(CAMP: AHMEDABAD - 11.11.1967)

GUJARAT

10.00 A.M.

Record of discussions held with:-

- (1) Mr. S.R.Shah,
Minister for Labour,
Gujarat Government,
Ahmedabad.
- (2) Mr. S.M.Dudani,
Secretary to the Gujarat Government,
Labour Department, Ahmedabad.
- (3) Mr. R.B.Shukla,
Commissioner of Labour,
Gujarat Government,
Ahmedabad.
- (4) Mr. R.P.Paul,
Chief Inspector of Factories.
- (5) Mr. D.L.Sharma,
Director of Employment,
Government of Gujarat.
- (6) Mr. B.B.Brahmbhatta,
Deputy Secretary,
Labour Department,
Government of Gujarat.
- (7) Mr. A.N.Ram,
Assistant Commissioner of Labour,
Government of Gujarat.
- (8) Mr. P.V.Swaminathan,
Deputy Secretary,
Industries Department,
Government of Gujarat.
- (9) Mr. B.C.Shah,
Deputy Secretary,
Government of Gujarat.
- (10) Mr. K.A.Sheth,
Assistant Commissioner of Labour,
Government of Gujarat,
Ahmedabad.
- (11) Mr. A.V.Vyas,
Deputy Commissioner of Labour,
Government of Gujarat,
Ahmedabad.

- (12) Mr. C.J.Raval,
Assistant Commissioner of Labour,
Government of Gujarat,
Ahmedabad.
- (13) Mr. N.M.Desai;
Assistant Labour Commissioner,
Government of Gujarat,
Ahmedabad.
- (14) Mr. C.R.Desai,
Chief Inspector of Factories.
- (15) Mr. A.P.Acharya,
Assistant Director of Employment,
Government of Gujarat,
Ahmedabad.
- (16) Mr. A.G.Kulkarni,
Divisional Employment Officer,
Government of Gujarat,
Ahmedabad.
- (17) Mr. L.A.Dodia,
Assistant Labour Commissioner,
Government of Gujarat,
Ahmedabad.

A common Labour Code will be useful. It should be simple to understand and administer.

2. There should be a common pattern of labour judiciary. The procedure followed in appointing persons to the labour judiciary in Gujarat is the same as in Maharashtra. The Chief Justice supplies a name and Government accepts it.

3. The Labour Appellate Tribunal should not be revived. The provisions of Articles 226 and 136 of the Constitution should be adequate in setting right a perverse award.

4. Collective bargaining in the form of trial of strength should be avoided. It would add to the existing difficulties and may create a chaos in the industrial relations situation. The hope that this phase will be temporary may not be well founded. The experience of the I.D. Act and the B.I.R. Act in the State has proved the superiority of the latter. (A statement about the working of the two Acts in terms of industrial peace will be supplied by Gujarat Government).

5. There should be no strike even after the parties fail to agree to voluntary arbitration. Adjudication must be enforced in such cases. The broad policy should be one of making strikes redundant.

6. Outsiders should not be barred from continuing the good work they have done so far in the trade union movement. They should be full-time workers and should be devoted to the cause of workers. The work they do should be their life's mission. Outsiders when they are in trade union movement should not assume office in a political party.

7. There can be no ban on a trade union organiser or any trade union member taking part in political activities.

8. There can be no common labour front with the present attitude of different trade union federations towards their method of work. Such a labour front, if achieved without a measure of identity in this regard is not desirable nor is it practicable. Unity will come in the trade union field in due course but after a long struggle.

9. Every political party should be free to organise its own labour front.

10. In the working of the trade unions, political parties who organise unions should not bring any factors except the good of the working class.

11. (The State Government will supply a statement about temporary labour in Ahmedabad Municipal Corporation as also in other local bodies.)

12. Construction labour is paid according to the fair wage clause if it is employed by the Department. There is, however, the larger section of labour which is engaged in construction through contractors and which is to be paid according to the fair wage clause. Though there may be allegations about violation of this clause, complaints on that account have not reached Government. (The State Government will undertake an appropriate enquiry as to whether workers actually receive their wages according to this clause).

13. The fair wage in the fair wage clause is not the fair wage as recommended by the Fair Wage Committee. It is usually the prevailing rate of wages at the time when the clause is drawn up. In actual practice, according to the availability of labour, a contractor may even pay workers a higher wage.

14. Government of Gujarat prefer to have one union but there should be no election by secret ballot. The allegation that the method of recognition under the B.I.R. Act leads to favouritism for a particular federation is untrue. There is no such favouritism in the administration of the B.I.R. Act. (The State Government will supply a statement about unions which have been given recognition under the B.I.R. Act according to the federation (s) to which they may belong.

15. (A statement will be supplied about the replacing of INTUC-union by a non-INTUC union as well as of the non-INTUC union by an INTUC union under the B.I.R.Act.)

16. Even in cases where an award is not implemented strikes should not be allowed. Considering the present position of labour organisations, the B.I.R. Act provisions should be made common in the country.

17. Even if an award/agreement is not implemented, there should be no strike. Workers should be in a position to file a criminal complaint against non-implementation.

18. For a national minimum wage, there should be a phased programme. Its immediate implementation is not feasible. For the need-based minimum in case of many industries, the programme may have to be phased. The need-based minimum should be in real terms. Its money quantum may change according to price level.

19. Time is not ripe even for the immediate fixation of a regional minimum. (A note on the feasibility of regional minimum will be supplied).

20. Factory inspection is inadequate. It would be useful if officials of recognise unions are permitted to inspect safety measures.

21. No committee of the type referred to in reply to Question 14 has been appointed by Gujarat State. (The Government will, however, set up such a Committee and send a copy of its report to the Commission).

22. The Gujarat Government does not advocate 'check-off' because payment of union dues by the workers themselves keeps the union and workers more in touch with each other.

23. Recession as well as inflation have been the causes of recent industrial unrest. Wage freeze will not be possible.

24. Works Committees have not been successful.

(A statement will be furnished by the State Government about the manner of settlement of disputes in conciliation according to the nature of dispute. In particular, it will comment on the success of conciliation in major disputes.)

25. (The State Government will enquire into the dismissal of women workers in Adipur Factory. They have not received any information in the office on this point. The Labour Commissioner will check up with the complainant about this before enquiring further.)

26. (A statement will be supplied about the Ukai project case.)

27. A longer suspension period as a punishment will not be desirable. This will mean that longer suspensions will be the rule and at the same time discharges or dismissals will not be minimised. Where in certain industrial establishments after both the parties approach the appropriate Government for change in Standing Orders, there will be no difficulty in introducing the change.

28. In referring cases to adjudication the State Government uses the same criteria as have been recommended by the Indian Labour Conference. There is no complaint received by Government about the members of minority unions suffering because of their cases not being taken up or even opposed by the representative union in the interest of its own members.

29. It does not take much time for senior officers to adapt themselves to the job requirements in managing public sector undertakings; but some reorientation may still be useful.

.....

NATIONAL COMMISSION ON LABOUR

Camp: Surat - 6-11-1967

G U J A R A T

Record of informal discussions which some Members of the Commission had with:

I

Shri D.D. Dhruva, Inspector of Factories, Surat

8-15 A.M.

Shri Dhruva explained the various difficulties the Labour Department faces in the implementation of the Labour laws in his district, e.g.:-

- i) As the Factories Act does not apply to contract labour, employers are not under obligation to implement the laws in respect of such labour and consequently it becomes difficult to check the evasion of law as such;
- ii) During inspection of the records of employers, sometimes, certain remarks are made by the inspectors to show contravention of certain provisions in the Act. According to a recent ruling by the Supreme Court the employer is not bound to show these records to the court and every alleged breach has to be established afresh. This creates difficulties in prosecution.
- iii) A number of new industries are coming up in and around Surat, specially the chemical industries where special safety provisions are necessary. But to introduce new safety provisions in the Act, it takes a very long time and till that time the labour continues to undergo new types of hazards;
- iv) Inadequacy of conveyance to the Labour Department Office proves to be an impediment in the implementation of the laws.

II

The Representatives of the Forest Labour Cooperative Society and Zila Panchayat of Surat, at Vyara. The following were present:-

10-00 A.M.

(See Appendix 'A')

The objectives of the National Commission on Labour were explained to the representatives. During the discussions that followed, the following points emerged:

- (1) The District Forest Labour Cooperative Society, Surat, has about 10,000 worker-members.
- (2) The Society's total wood production amounts to about Rs. 2 crores annually; most of the labour working in the forest belongs to Scheduled Tribes (Adivasis). About 90% of forest labour is in the membership of the society in the Surat area (This proved to be a tall claim).
- (3) The Society was formed in the year 1948. Prior to this, the exploitation of the forests used to be done by the contractors.

- (4) Since 1948, the Cooperative Society has gradually replaced the contractors and now the entire work is done by the Society in the Surat area. In Bulsar and Dangs, contractors still operate.
- (5) There are many types of workmen.
- (6) The society is allotted portions of the forest by the Forest Department. After felling and debarking of trees the logs are transported to the market where they are auctioned.
- (7) The net realisation from the auction minus the approved expenditure (not the actual expenditure) is divided between Society and Government. 80% goes to Government, the remaining 20% to the Society. Out of this realisation, the Society pays bonus to its workers in kind amounting to about 30% and the remaining amount is used for contribution in developmental work like school buildings, approach roads, wells, etc.
- (8) The Society arranges other social activities for the Adivasis.
- (9) The main complaint seemed to be that the Society has also to pay income-tax on the income, beyond Rs. 15,000/-. The Society cannot so divide the work that each component nets less than Rs. 15,000 because that becomes uneconomic.
- (10) Wages are paid to the workers according to a set formula approved by a committee at the District level comprising the District Magistrate, Forest Officers, representatives of the Society, contractors and others interested in the problem.
- (11) Society claimed that the condition of workers has improved considerably since it has taken over from the contractors. (Cases where some adivasis had taken advantage of technical and other educational facilities provided by the Society were cited. Some of the members have become members of Jilla Panchayat and even local legislature; others have educated themselves upto matriculation standard and beyond).
- (12). This of course is not the total picture; there is a large majority which though now literate has no desire to improve its educational standard further.
- (13) Every worker gets a minimum wage of Rs. 2.25 as against as low as annas 5 (37 paise) which was given by the contractors in 1948. Part of it is due to price increase and the other part is the real gain.
- (14) When the work is performed on piece-rate basis the earnings of the workers are as high as Rs. 5/- per day.
- (15) The Society also claimed improvements in the workers' living conditions, e.g. the workers now use brass and copper utensils instead of earthen pots they used earlier; they had tile roofs in their houses instead of thatched roofs; they are provided with breakfast packets, e.g. gram, etc. at the worksites; in case of need, First Aid is also provided on the spot. (The last two claims also, appeared to be tall).

- (16) The President of the Society also referred to the withdrawal of the privilege granted earlier by the Railways (under the pretext of Emergency) under which the Adivasis could travel at 25% fare to see the country. Since this privilege has now been withdrawn by the Railways, Society renders monetary help and encourages the workers to go and see other parts of the country. This is unsatisfactory.
- (17) The Society, however, complained that the contractors opposed working of the Cooperative Society and the Forest Department sides with them.
- (18) Superstitions about mantric cure are going down.
- (19) The Society has invested money in Cooperative Ginning Factory at Vyara.
- (20) Claims of improvement brought about by the Society in ^{workers'} economic conditions was supported by three of its workers present who were individually interviewed. (A detailed note on the improvements in the working and living conditions of workers, brought about by the Society will be submitted to the Commission subsequently).

.....

Shri Arvind Desai, Secretary, District Halpati Sewa Sangh, Kamgar Ghar, Bardoli-2, Surat.

Mr. Desai explained about the pitiable conditions of agricultural workers in the Broach, Surat and Bulsar Districts where 40-50% of the population comprises Adivasis. He made the following points:-

- (1) Government did something to improve the conditions in the Districts where the population of Adivasis was 60% or more. Since these Districts have 40-50% Adivasis, they were not covered. (This is a common complaint from other States also).
- (2) Agricultural labour (Halpatis) are now being organised. He claimed 25,000 members.
- (3) Social reform in marriage. This has led to less expenditure. (Such expense usually binds the worker in slavery to the landlord, therefore this is a special gain).
- (4) Workers are now allotted separate lands where they can have their huts. This is another reform which has led to loosening of the landlord's hold.
- (5) Government has dropped the adjective 'criminal' in describing some tribes but the police attitude towards them is the same as before.
- (6) Education of workers suffers because of poverty in the family.
- (7) 1/8th of the families are landless among the agricultural families.

....

III

2-00 P.M.

An observation visit was made to Ukai Project - a multipurpose 3 mile long and 225 ft. high dam being constructed on River Tapi at a distance of about 100 kms. from Surat. The Project, estimated to cost Rs. 96 crores, employs about 12,000 workers of which 8,000 are employed by various contractors. It is a gigantic task scheduled to be completed by 1971. There are two categories of employers, viz. the P.W.D. and the contractors. Several workers were interviewed during the visit with a view to find out whether they have noticed any change coming in their living and working conditions during the past few years. Some felt their conditions were now better but many others said that they had not felt any change in their condition. Most of the labour employed on the project belonged to places outside Surat.

2. To facilitate the workers reaching the work site from their native place, the contractors pay one side fare from their native place to the project.
3. Workers' jhuggies provided by contractors and the P.W.D. authorities showed a good deal of difference. The P.W.D. quarters were much better than those provided by contractors. ~~Since~~ for obvious reasons contractors cannot have more permanent structures because of the nature of construction work.
4. Children below the age of 16 were also found working. The contractors' explanation was that these children were not full-time workers but lent a helping hand to supplement the income of their parents. They were engaged specifically on the request of employees.
5. The contractors and the P.W.D. officers claimed that there was definitely some improvement in the economic conditions of workers as some of them can now afford tea, cinema shows, and few even transistors, wrist watches, etc.
6. Workers took advances of wages at their native place for purchasing land. This was a saving because workers paid out of their daily earnings to liquidate these.
7. The contractors and the P.W.D. officers also emphasised that the immigrant labour was more conscious of their rights than the local workers.
8. Local labour was generally shy to take advantage of work available on the project.
9. Generally the recruitment was on the basis of family. This helped the contractor to stabilise his labour force. Single men were more prone to absenteeism and desertion before their contract was out.

IV

5.00 P.M.

During an observation visit to the forest labour at Ukai (Jamki Forest Groups), about 70 miles from Surat, it was observed that girls and boys between 13 and 14 years of age were in employment. The reason for it was the same as in the case of construction workers.

Some of them were new and did not even know the rates of wages, which were due. According to the representatives of the Society this was not one of their representative groups. Many of the workers were new and had not had time to become members of the Society. Workers interviewed did not find any improvement in their living conditions. This is because they did not know the conditions of work under a contractor.

2. Only two workers out of about 60 present, said that they had received a glass each as a bonus during the last year.

3. Only about 10 of the workers present were members of the Cooperative society. The rest were still non-member workers. The usual practice is that as more workers are engaged, the Society deducts 10 N.F. per day towards their membership subscription and over a period of two months the worker becomes a member. This does not appear to have happened here. They appeared to be quite ignorant about the procedure for membership and payment of bonus to them.

4. Most of the workers belonged to agricultural families and were supplementing their income by working in the forest under the Society.

5. There was one significant impression which could be carried seeing these forest workers. As compared to forest labour under contractors seen elsewhere these working in cooperatives as in this forest had brighter faces and a confident look about them. Even though this cannot be quantified in money terms, it is a distinct gain.

V

Members had the benefit of a discussion with Shri Jugat Ram Dave, a social worker of a very long standing. He has been working among the forest labour and also among agricultural workers. His experience over the last 20 years in this area among the agricultural and forest workers in Gujarat has been that there was a significant change in the attitude of the workers. In terms of living conditions, the change is somewhat slow because of rise in prices. There is a greater tendency among the forest labour and agricultural workers to send their children to make them skilled workers. They have realised that the skilled work pays better. But where there are good social workers the improvement is much more than noticeable in terms of living standards. The attitude towards untouchability is also improving, in the sense that there is less of untouchability now than in earlier days. For a complete removal of untouchability, the process of education requires to be intensified such as the economic conditions of Harijans.

2. It is important that social workers in this area of work for working among agricultural workers and tribals should come from other classes themselves. They are likely to be appreciated better than the social workers who are having urban ways of life. His endeavour has been to create such workers from amongst these groups and he has succeeded in a large measure.

VI

Shri B.G. Khabde, Municipal Commissioner, Surat

10-CO A.M. (7-11-1967)

Shri Khabde stated that the population of Surat city had increased considerably. This was mainly due to the inclusion of more areas in the city. At present the population is estimated at about 4 lakhs. This means that the Corporation has to provide for more schools, drinking water, medical services, roads, transport, etc.

2. The Corporation has two types of workers in its employ, viz., Public Works staff and the scavenging staff. Both the categories of workers are paid according to the State Government rates of pay and dearness allowance. The D.A. of the workers is also revised from time to time in accordance with the State Government rates. Holidays and overtime allowance are also given according to the State Government rules.

3. As a result of introduction of flush latrines, the working conditions of scavenging staff have improved. Some scavengers have been rendered surplus, but they are deployed on public latrines and road construction works also.

4. There is a dispute between the scavengers and the Corporation regarding the number of working hours. The matter is expected to be settled at seven hours a day.

5. Road construction workers are supplied with gum boots and goggles although they seldom use them.

6. Rain coats are also provided to workers during the rainy season. To avoid misuse certain measures unpalatable to workers had to be taken.

7. About 30% of the present employees of the Corporation are casual workers. Workers are agitating to be made permanent after three years of service.

8. The Corporation is also the authority to execute the Shops and Establishments Act in Surat. There is a complaint that the provisions of the working hours stipulated in the Act are not strictly adhered to. This was stated to be mainly due to the pressure of the non-official members of the Corporation for relaxation of these provisions of the Act. Such pressures and lack of implementation resulting therefrom is not an unreasonable complaint.

9. The Corporation has a scheme of providing houses for low-income group employees under which the Corporation will construct the houses and give them out on rent to its employees. There is no such scheme for high income group employees of the Corporation. (The Municipal Commissioner promised to furnish a detailed note on the difficulties that the Corporation was facing in regard to maintenance of essential services because of rapid growth of population in its area and also regarding the improvements in the living conditions of its staff.)

....

II. Shri Harihar Bhai Thakur, Secretary, Textile Labour Union, Surat.

10-35 A.M.

10. The INTUJ Memorandum was endorsed.

11. The housing problem in Surat was quite acute. Employers should raise money for provision of houses to their employees just as they raised money to establish their factories. Government should give subsidies for construction of houses for industrial labour.

12. The Government Housing Scheme takes a long time to provide houses to workers. Employees should be entrusted with the implementation of this scheme.

13. Under the Workmen's Compensation Act, workers are entitled to certain compensation in case of injuries. However, in case of accidents there should be provision regarding immediate medical relief. Although ESIC dispensaries were there, certain medicines are required to be purchased by the workers. Since workers do not have sufficient money to meet this cost, and as they/employers are not bound statutorily to supply free medicines, workers continue to suffer. There should be some provision under which the employer should be obliged to arrange for the medicines in emergent cases.

14. Provident Fund should be paid in instalment as a pension after the retirement of worker.

III. Shri Vasant Bhai Dalal, Secretary, Surat Silk Workers Union, Surat

11-00 A.M.

15. To evade the labour laws, big industrial units in Surat are being divided into smaller units. The Bombay Industrial Relations Act has been made applicable to all silk manufacturing units, employing 10 or more workers. To evade this Act, the employers have further fragmented their establishments into smaller units employing less than 10 workers.

16. There are laws but not an efficient agency to implement them. There should be some independent machinery for implementing the Labour laws.

17. The Bombay Industrial Relations Act has weakened the collective bargaining capacity of workers, since it takes away the right of workers to go on strike. Moreover, the employers do make changes in the working conditions and on being challenged they fight the case from one court to another and get the decision delayed for years. This results in the sufferings to the workers. The Bombay Industrial Relations Act should be amended so as to provide for the right to strike.

18. Outsiders should not be the leaders of the trade unions. As more and more education is coming to workers, they are becoming capable of running the unions themselves.

19. There are no amenities for housing, recreation clubs, etc. from the employers side in Surat. Some scheme should be initiated wherein employers should contribute money and the Government should also give subsidy for the construction of houses for workers.

20. All workers should compulsorily be members of one or the other Trade union and the responsibility to collect membership fee should be that of the employers; but this should not become a prerequisite of employment.

IV. Shri Namdeo Shanmare, President, Maha Gujarat Trade Union Congress, Surat.

11-30 A.M.

21. The Government staff for implementing the labour laws being inadequate in Surat, there was no proper implementation of the laws.

22. Workers are often victimised. When the cases of victimisation are taken to the Court, several months elapse till a decision is arrived at. And all through this period the worker continues to suffer. There should, therefore, be some provision in the Act whereby this practice of employers can be checked. It was suggested that dismissals/ discharges should be effected only after permission has been obtained from a court of law.

23. Under the Workmen's Compensation Act, the workers do not get any compensation for the first three days and get half of the wages after that period. This amount is very meagre. The Act should, therefore, be amended to provide for more relief.

24. It was suggested that there should be a statutory obligation on every worker to become member of a trade union for which a nominal fee should be levied. (Shri Shanmare promised to give a Memorandum to the Commission. He also handed over a copy of his application containing some points).

V. Southern Gujarat Chamber of Commerce and Industry: represented by:-

(See Appendix 'B')

12-10 p.m.

25. There are two main industries in Surat, namely, Silk/Rayon and Zari. Since the Bombay Industrial Relations Act has been made applicable to all silk manufacturing establishments employing ten or more workers, establishments have fragmented into smaller units. Law is trying to cover more and more units and the units are trying to escape from the application of the law by fragmentation.

26. The applicability of the Bombay Industrial Relations Act to Surat has adversely affected the industries. The limit on the number of workers for the applicability of the Act has been reduced from 20 to 10 resulting in fragmentation. If workers insist on further reducing the limit, there will be further fragmentation. Therefore, the wisdom lies in working within the existing framework rather than insisting upon changing the framework.

27. The unions with political tags are not doing useful service to its members. Strong trade unions pick up weak employers for dispute and get the awards through courts and then press other units to fall in line.

.....

28. The trade union in the banking industry was stated to be most irresponsible although the bank workers were the best paid. This was stated to be because of outside influence. Their slogan seems to be "O.T.(overtime) for Roti and pay for saving".

29. Bank workers also resist transfers even within the same district. Powers should be given to managements to take disciplinary action on refusals of transfers.

30. It was urged that more emphasis should be laid on proper education of workers in regard to healthy trade union practices. As far as possible, outsiders should not be union leaders because insiders would be in a better position to appreciate difficulties of management due to their close association with unit/undertaking.

31. There is a definite improvement in the conditions of workers. They have more money to spend. As a result, they now indulge in wasteful expenditure also, such as going to cinemas, drinking, etc.

32. One general complaint was that the rate of absenteeism was too high in Surat. Sometimes the rate of absenteeism was as high as 80% which, according to the employers, was because the workers had more money and also because they had no desire to raise their standard of living by working hard. The restriction of 50 hours of O.T.A. in a quarter for a worker has necessitated employment of extra staff which is an avoidable expenditure on the industry.

33. There is undue increase in the cost of living index number for Ahmedabad as compared with that of Bombay. It was attributed to the fact that Bombay is a totally rationed area whereas Ahmedabad was not. It was, therefore, suggested that the market quotations should be obtained from rationed shops in Ahmedabad also and the rates should not be gathered from black-market shops.

A visit was made to five units of different industries and size to see the actual conditions of work on the spot.

Afternoon

1. I.C.Gandhi, Zari Manufacturers.

This unit manufactures zari thread used in embroidery work. It employs less than 10 workers. The proprietor showed round the different processes involved in preparing the zari thread from silk, silver and gold.

One of the processes viz. gold plating of the thread necessitates the use of Potassium cyanide, the deadliest of all poisons. It was observed that no extra precaution was being taken to handle the potassium cyanide except that children were not allowed in that room. It was reported that handling of Potassium Cyanide was a routine with them and fortunately there was never any accident.

2. Art Silk Manufacturing Unit

It is a small unit run entirely with the help of the members of a family. There are thousands of such household industrial units in Surat.

The looms are run with electric power and there, ^{are} about 8 looms in this unit, all located in one room of the house.

The work goes on as long as yarn is available which is spun in mills and supplied to such small units.

3. Baroda Rayon Corporation

It is a large industrial unit employing about 1600 workers engaged in the manufacture of rayon yarn. Huge plants were installed for different processes in the manufacture of final product viz., Rayon yarn. Capital investment is about Rs. 9 crores. There are about 5-6 processes which have to be undergone before the final product is ready. From beginning to end, the different processes take 12 days - before the final product is ready for marketing.

The Factory ran on most modern lines. Safety precautions were taken at appropriate places. However, the workers were not reported to be contented. Absenteeism was as high as 80% at times. The factory has houses for about 400 workers - others come from nearby places.

4. Batliboi and Co.

It is a machine tool manufacturing unit employing about 500 workers. This unit has been under labour trouble recently and workers remained on strike for 103 days - demanding more D.A. The strike, it is alleged, was instigated by outsider political leaders of the trade union of workers. The strike was a failure and the workers had to unconditionally withdraw the strike.

Batliboi appeared to be well managed. It had provided necessary basic amenities for its workers.

5. Navin Fluorine Industries.

It is a chemicals manufacturing industry. It is still running on a trial basis and has not gone into full production. Its final products are cryolite, sulphuric acid and fluorides used in the manufacture of Aluminium. It is the first plant of its kind in Asia, being established with Swiss collaboration. Capital investment is about Rs. 7 crores.

The factory has a big plant.

Surat is essentially a town of small industries. The handlooms and power looms are mainly engaged in the production of silk, art silk and rayon cloth. This was the case 25 years back and continues to be so even today. As one goes along, one hears the music of looms throughout the day. In this respect there seems to have been no change in Surat.

Recently particularly in the last ten years, areas outside Surat, both north and south, are becoming seats of industrial activity in which large scale units are taking keen interest. As one goes east, banana plantations appear to have been replaced by some of the traditional crops in this area.

The zari industry in Surat has continued its progress. Because of controls, particularly on gold, the progress does not appear to be as fast as the industry expected. The zari unit that we saw was reported to be engaging till recently more than the minimum required under the Factories Act. It has now been split into three or four parts according to different processes in the zari industry.

Each one has now a different owner. This was to avoid the rigours of the Factories Act. Zari still continues to be a household industry. The use of machinery in pulling silver thread has now become quite common. The machinery which we saw appeared to be new; the other raw material which goes in the manufacture of zari, i.e., silk thread has continued to remain the same as before. The processing of silk thread is also as of old; the machinery for this purpose was very old, but serviceable. Operators too seemed to have worked with the owner/s over a long period.

The third unit for electrolytic process, i.e. for giving gold coating to the thread was at a separate place. In view of the controls on gold the owner appeared to exercise personal supervision by locating this unit in his own house. Some caution was not exercised in the use of potassium cyanide which is required for providing the coating. The deadly poison was kept in a metal box and was being handled by a person without any proper precaution. This is a point on which the owner seemed to be very fortunate, in not having met with accident in his unit. This does not mean that potassium cyanide should be handled in such a loose manner.

The art-silk unit which we visited next showed the same working conditions as in the past. This is an industry which has been showing ups and downs all these years. It is run mostly by family members of many household which maintain some looms in the house. Beams required for weaving are provided to them by a contractor or a wholesale merchant. The responsibility of the family is to see that finished cloth is handed over to the wholesaler. There is no labour-management relationship in this process. Where labour-management relationship existed because of the scale of work, the owner splits the processes, as stated in the meeting.

Power looms have been on the increase in Surat. In recent years the main difficulty of the industry is indifferent rayon/silk yarn supplies and such supplies as are received are also inadequate.

The Baroda Rayon Corporation was the modern factory next visited. The plant has, as in many industrial establishments, surplus labour. The factory could have run with a complement of about 800 workers but it was engaging double the number. There are some expansion programmes but these by themselves will not help in bringing a rationalised complement of labour. The plant was overstaffed because of the process itself, in the sense that it required continuous running and the stoppage of the factory could lead to large wastage of raw material, part of which is imported.

The other difficulty explained was that unlike in the cotton textile mill one can not engage inexperienced workers because work in the factory required handling of machines and raw materials including chemicals, and this cannot be done without some amount of experience. Constantly changing the labour force makes the operation of the plant very difficult. A statement showing the absenteeism in the month of May, 1967 was supplied to Members. The reason for absenteeism was stated to be an agreement with the union as a result of which the workers got retrospective effect for their wage increases.

(I have suggested to Labour Officer, Surat, to examine the records of employers of some representative establishments in Surat to see the extent of absenteeism and also to correlate absenteeism with various factors, i.e. increase in wages, marriage seasons, agricultural work, etc.)

The next unit visited was Batlibhoy and Co. As in the case of other machine tools units, this unit also is experiencing difficulties for lack of demand. Some of the new types which the industry developed had to be discontinued for the same reason. All this according to management seems to be a national waste particularly when such kind of production has been developed with foreign collaboration.

The General Manager mentioned that he has not been laying off the workers because he is afraid of workers not being available when the conditions of demand were favourable to him. The factory had a long strike recently; it was possible for the management to break the strike. The Manager's general complaint was that his workers got training in the unit and frequently changed their employment with the result that the turnover is creating problems of supply of trained hands. (The point to be checked up with Government authorities is whether the workers from this factory go for similar work elsewhere, i.e., whether there is development of similar industries in the area).

The Navin Fluorine Industries is yet in the process of being built up. Some of the precautions they are taking for the safety of workers are presently adequate. This is one of the industries where such precautions are badly needed. The wisdom of the management lies in seeing how they get their safety problems investigated in good time and take appropriate action. This is particularly because the factory has a large programme of expansion. The unit is fortunately in the hands of an employer who is known to be progressive.

Two points which were made at a dinner given to us by Batliboi Co. were about the indiscriminate expansion of the H.M.T. A view was that the present slump in the machine tools was because of indiscriminate expansion of the units in the public sector. The other point was the large scale inventories held by H.M.T. Some quoted a report that the H.M.T. wanted to unburden themselves of these inventories in order to overcome its financial difficulties.

The question of workers' desire not to earn more was again brought up. One of the methods which the manager, Mr. Sharma had tried in his previous employment with fair success was to engage women who were instructed to come neatly dressed. This was to provide an incentive to male workers to do likewise and in the process increase their demands on money for meeting which there would be a desire on their part to do more work.

BARODA- 8.11.1967

VII

Mr. Balchandra Trivedi (AITUC)

11-35 A.M.

Mr. Trivedi was asked to state special problems of labour at Baroda as the general problems were proposed to be discussed by the Commission at Ahmedabad.

The main complaint from workers at Baroda was that labour laws were not being implemented properly. Secondly, the courts took a long time in deciding the cases. A special machinery for implementation of labour laws may be established.

2. During the suspension period a worker does not get any allowance. The employer deliberately delays enquiries and makes the worker suffer. This practice should be stopped by making suitable provision in the rules.

3. A case was quoted where a worker who had been discharged and who was living a few miles away from Baroda was required to come personally to collect his bonus dues. His request to send amount by money order at his own expense was not heeded by the employer. Conciliation Officer also did not take any action in the matter.

4. Employers lay off workers on the plea of shortage of work, but run the factories overtime with existing workers. The overtime allowance is paid at nominal rates by contracting workers out. This practice should be stopped.

5. A case was quoted wherein an agreement was reached in the court by a cinema owner with his employees. According to the agreement the workers' wages were to be raised by Rs. 5/- per month for a period of one year and workers were not to raise the question of increase in wages for the coming five years. This agreement binds labour though the conditions warrant reopening of the question of wages.

The new unions formed subsequently also find it difficult to reopen the question against the agreement. Labour Department also expresses its inability to help workers to reopen the question. There should be some provision to reopen such questions.

6. A general complaint against labour department was its unhelpful attitude towards workers. An example was quoted wherein a worker had been dismissed and who wanted his case to be referred to the court of law but the conciliation officer did not allow him on technical grounds. (This appears to be far fetched).

.....

Federation of Gujarat Mills and Industries, Baroda, represented by:-

12-00

1. Mr. P.V. Kale, Sarabhai Chemicals, Baroda.
2. Mr. M.E. Trivedi, Sarabhai Chemicals.
3. Mr. P.M. Mathew, Jyoti Ltd., Baroda.
4. Mr. D.D. Palit, Alembic Chemical Works Co., Baroda.
5. Mr. S.R. Ciwante.
6. Mr. T.V. Srinivasiah, Alembic Chemical Works, Baroda.
7. Mr. H.M. Shah, Secretary, Federation of Gujarat Mills and Industries, Baroda.

(7) Baroda has a large number of small scale and large scale industries like textile mills, chemicals works, Refinery, etc. More industries are coming up gradually. Due to adoption of new methods of production, new units are in a position to pay more wages to their workers while the old units of the same industry are not in that position. This results in the pinching of the staff of the old units by the new ones as much as some heartburning among employees in older units. It was suggested that new units should be asked to train their own people and not pinch workers of older establishments.

(8) There is hardly any manpower planning done by the industries due to uncertainty in economic and political factors. This results in shortage of workers and consequently a demand for higher wages.

(9) Private industries are paying higher wages to their workers than those in public sector. For example, a clerk in the Central Govt. gets about Rs. 200/- p.m. while a clerk in a bank gets about Rs. 350-400 p.m. There is, therefore, no justification in asking the private employers to raise wages of their workers when Government itself pays lower wages to its workers.

(10) There should be a rationalisation of Labour laws.

(11) Wage bill of industries is rising by 10% every year while there was no corresponding increase in production. This situation should be considered by the Commission while making recommendations.

(12) Awards of the courts should not be given all-India applicability as the conditions from region to region vary considerably.

Government should not pass any major legislation till the report of the Commission was made available.

(13) There was a tendency among conciliation officers to give a failure report. In some of these cases, the matter is ultimately referred to labour tribunals where the case is decided after a long time. Conciliation Officers should, therefore, make every effort to settle the cases at their level.

(14) It was suggested that the Courts while giving awards should take into consideration the capacity of the unit to pay. In such cases the Court can take assistance of the economists in judging the capacity of an establishment to pay.

(15) The representative unions should be elected by secret ballot; the union so elected should continue to function for, say 3 years before fresh ballot is taken.

Afternoon (8.11.67)

The plant visits in Baroda were to (1) Sarabhai Chemicals, (2) Alembic Glass Plant, (3) Gujarat Refinery ; and (4) Gujarat State Fertilizer Corporation.

As an illustration of what should have happened in the country, but what has not happened, one may cite the instances of the first two units. Sarabhai Chemicals started work somewhere around 1946 and in 20 years has developed many lines of production, both in chemicals and pharmaceuticals. With a complement of about 150 workers manufacturing a single product in 1946 it has now grown into a multi-product unit employing over 6,000 workers. The capital invested has also increased, a considerable part of it being cut of its own resources. As a company which manufactures drugs and pharmaceuticals, it has to maintain a high level of quality control. It has also to live to three catch words: purity, precision and presentation; the ultimate product, apart from its purity and precision, has also to be presentable if it has to survive in a competitive market.

2. Discussion with some workers in the unit revealed that many of them had education from middle level onwards. Most of them belonged to families whose parents were themselves workers, though in industrial units which had different lines of manufacture not comparable with those in Sarabhai Chemicals. As compared with the environment in which their parents had to work, this experience was new to them. No smoke, no dust, no desire to malingering, no special supervision either for getting extra work, have been the characteristics of work in this factory. Most workers are on time rate of wages. They have, however, an incentive bonus. Profit bonus has been running at 20% over the last 5 years. In fact there is a demand, since they have been getting the maximum permissible under the Bonus Act, that if profits maintain such a high level, the entitlements of workers under the Bonus Scheme should be funded for the benefit of workers. There has been over the period of the last 20 years a good deal of improvisation and import substitution.

3. Alembic Chemicals/ Glass Works has more or less the same story to tell. Some glass products which we could not have thought of producing are now being produced with as great a precision as the products warrant. The Alembic Chemicals have a modern canteen which is taken advantage of by a large number of workers, roughly about 700 subsidised meals are offered by the canteen every day. Apart from this, demands for snacks have been on the increase, all the time. Both Sarabhai Chemicals and Alembics have a fair record of peaceful work. Their complaint was that if strike wages are adjusted against leave with pay as was recently done in a public sector concern in that area at the instance of the Central Minister in charge, this will create a bad precedent.

....

4. The Baroda Refinery of the Indian Oil Corporation was the next place visited. The initial disadvantage from which the units suffered was in the planning of the unit itself. This unit has three separate plants which have a capacity for processing ~~one~~ million tons of crude each per year. If in place of three small units, it had been possible to negotiate for one with a 3 million ton capacity, the overhead expenditure could have been brought down. This would have meant a reduction in capital cost as well as cost of maintenance since at present the staff has to look after the maintenance of three separate units. Along with this the usual tendency of over-staffing which is noticed in many public sector units also prevailed in this unit. As a result, it will take some time to put this unit on the same footing in terms of profits as units in the private sector. The manning patterns of such undertakings which have heavy investment requirements should be carefully considered, particularly because carrying extra workers on the roll and with the concept of welfare which is accepted for public undertakings, the total cost of production becomes comparatively high. This has been a common complaint of all public undertakings; pressures for appointing redundant labour. The refinery will take some time to reach its capacity production. As a result, the profits have not been enough to pay anything more than 4% bonus to workers. At the same time, under pre-ssure the Corporation has to pay a larger bonus. According to the management such pressures are undesirable.

5. Gujarat State Fertiliser Corporation is an Engineer-oriented establishment. As compared to other fertiliser units, this unit employs more engineers. The proportion of other workers to the total staff is much less. The unit employs about 1,000 workers, 85% of which have been provided with residential quarters, medical facilities, etc.

The unit has got its own training centre. The workers after training get about Rs. 250/-per month. They automatically go to higher scales of pay after a certain period even if there were no vacancies for promotion.

The loading and unloading work of the unit is entrusted to contractors who employ about 200 workers. The unit, however, ensures that certain basic amenities are provided to the workers employed by the contractors.

6. There was one interesting feature in the factory. It was reported that it has only two categories of workers, officers and technicians. By calling everyone a technician the company expects that better relations would prevail between management and its workers. As compared to other fertiliser factories, this one has a much smaller operating staff. Even so the staff is about $1\frac{1}{2}$ times that of similar factories in other countries. (In Sindri this proportion is about 1 is to 8). The management of the township is entirely in the hands of the residents of the township - technicians and officers. One disturbing feature was the wall round the whole estate. This meant that outsiders who wanted to meet workers/ technicians had to seek the permission of the company before entering the houses of workers/ technicians. A similar restriction in Chittaranjan came in for a good deal of adverse comment by trade union workers in this country.

- 1 -

List of Persons present before the
Commission at Vyara in connection with Forest
Labour and Agriculture Labour on 6--11-67.

Name of the Persons present	Designation	Name of the Forest Co-op. Society.
1. Shri Zinakhai Danji	Vice-President	Surat Jilla Jungle Mandali's Sahkai Sangh
2. Shri Pralokhbhai G. Joshi	"	Vyara Taluka Majoor Mahajan, Vyara
"	"	Balpur Jungle Mandali, Vyara.
3. Shri Arvind Desai	Secretary	Halpati Kamgar Seva Sangh, Bardoli.
4. Shri Bhimsingbhai Shivabhai	M. L. A.	Zankhari Village Jungle Co-Op. Society Mandali Ltd. Vyara
5. Shri Chhotubhai N. Rathod	"	
6. Shri Kanthadbhai Kalidas	Secretary	Zankhari Village Jungle Co-op. Society Mandali Ltd., Vyara.
7. Shri Devjibhai Ayatya-bhai	"	Savati Village Jungle Co-op. Society Mandali-Ukai
8. Shri Chhaganbhai C.	President	Dhurvel Village Jungle Co-op. Society Mandali
9. Shri Jagdishai Manjibhai	For Secretary	"
10. Shri Narayan Desai	Secretary	Surat Jills Jungle Kandar Sahkari Mandali-o-no Sahkari Sangh, Madhi
11. Shri Kamubhai M.	Cashier	"
12. Shri Jivabhai Surjibhai	President	Mogran Village Jungle Co-op. Sahkari Mandali Ltd.,
13. Shri Bhikhubhai	Editor	Panchvani- Gilla Panchayat, Surat
14. Shri Narayanbhai Chaudhari	Secretary	Valod Mahal Village Jungle Co-op. Sahkari Society
15. Shri Somabhai Chudhari	President	Dhamandevi Village Jungle Co-op. Sahkari Mandali
16. Shri Rotanji Velji	Secretary	Udwada Village Jingle Co-op. Society.
17. Shri Bhikubhai B. Modi	M. L. A.	Bardoli
18. Shri Raichand Upadhyaya	Secretary	Sathvav Vibhag Jungle Co-op. Sahkari Mandali Ltd.

(Contd., on page 2....).....

<u>Name of the Persons who remained present</u>	<u>Designation</u>	<u>Name of the Forest Co. op. Society.</u>
19. Shri V.K. Chaudhari	President	Valod Vibhag Jungle Kamdar Sahkari Society
20. Shri Mohanbhai Thakabhi	Vice-President	Songadh Taluka Jungle Kamdar Sahkari Mandali
21. Shri Savava		
22. Shri Bunadha		
23. Shri Chhitabhai Kachrabhai		
24. Shri Somabhai R. Chaudhari	President	Dhamandevi Village Jungle Sahkai Mandali Ltd.,
25. Shri Taranbhai S. Chaudhari	Secretary	Valod Mahal Vibhag Jungle Co-op. Sahakari Mandali Ltd.,
26. Shri Devjibhai Telabhai	Vice-President	
27. Shri Chhotubhai Keshavbhai	Secretary	Amibica Village Jungle Co-op. Society Ltd.,
28. Vasanjibhai Jagabhai	Secretary	Limbi Village Jungle Co-op. Society Ltd.,
29. Motibhai Satiabhai Vasva	President	Tarapore Village Jungle Kamdar
30. Shri Ramanbhai Ranchhodbhai	Cashier	Pethapur Village Jungle Co-op. Sahakari Mandali Ltd.,
31. Shri Maganbhai Joglabhai	Secretary	Songadh Taluka/ Jungle Co-op. Sahkari Mandali Ltd.,
32. Shri Supadishbai Lakhmabhai	"	Shri Magran Vibhag Jungle Kamdar Sahkai Mandali
33. Shri Punjibhai Sonjibhai	"	Bilvan Village Jungle Co-op. Sangh Umarpada
34. Shri Vanjibhai Naviabhai	"	Bundha Village Jungle Co-op. Sahkari Mandali Ltd., Mandavi
35. Shri Budhabhai Bahadurbhai	"	Antarapur Village Kamda Sahkari Mandali Ltd., Vyara.
36. Shri Bharatsinh Babubhai	"	Shree Nesu Village Jungle Kamdar Sahkari Mandali Ltd., Uchhal
37. Shri Naginbhai Simabhai	"	Shri Bardipada Village Jungle Kamdar Sahakari Mandali

Name of the Persons who remained present	Designation	Name of the Forest Co. op. Society.
38. Shri Kesavbhai Lakhabhai	Secretary	Shree Balpur Village Jungle Kamdar Sahkari Mandali Ltd.,
39. Shri Vasanji	Inspector	Shree Surat Jilla Jungle Sangh, Madhipati
40. Shri Gurjibhai Madhubhai	Secretary	Shree Jamal Village Kamdar Co-op. Society
41. Shree Lavjibhai Patel	Inspector	Shree Surat Jilla Jungle Sangh, Uchhal
42. Shree Lalubhai K.	Inspection-Clerk	" " Songadh
43. Shri Ramjibhai Rajiabhai	Secretary	Tarapore Village Jungle Kamdar Mandali
44. Shree Asrabhai Kanjibhai	President	Vaghpani, Vyara
45. Amarsing	Secretary	Vaghpani Village Kamdar Mandali Ltd., Vyara.

SA/-

APPENDIX B

List of persons who represented Southern Gujarat Chamber of
Commerce and Industry at Surat on 7-11-1967.

1. Shri Surajram Hiralal Bhachakaniwala,
President.
2. Shri Fravinchandra K. Chowksi,
Vice-President.
3. Shri N.K. Dravid,
Chief Executive Engineer,
The Baroda Rayon Corporation.
4. Shri Ram Adarsh Sharma,
Works Manager,
M/s. Batliboi & Co.
Manufacturing Division.
5. Shri Manilal B. Chevli.
6. Shri Kamalkant Shah,
Manager,
Surat Vankar Sahakari Sangh Ltd.
7. Shri Narottamdas N. Chohan,
Advocate.
8. Shri Chandrakant G. Parekh,
Chief Executive,
Navin Flooring Industries.
9. Shri B.N. Ankleswaria,
Agent,
Central Bank of India Ltd.
10. Shri Dinkarraji B. Patel,
Secretary,
The Southern Gujarat Chamber
of Commerce & Industry.
11. Shri Morarbhaji K. Jariwala.
12. Shri D.B. Patel,
Secretary.