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NATIONAL COMMISSION ON LABOUR

CAMP: BANGALORE ( 23.10.1967)

MYSORE

10.00 A.M.

Record of discussion with the Mysore Branch of the I.N.T.U.C. represented by:-

1. Mr. M.B. Thimmiah (vide our Ref.No.NCL-MY-VI.44)
2. Mr. N. Yeshava
3. Mr. D. Venkatesh
4. Mr. K. Sriramulu
5. Mr. V. Hari Rao

Of the total union membership of 1.3 lakhs in the State, the I.N.T.U.C. claims to have about 53,000 members distributed in various industries.

2. The I.N.T.U.C. would prefer a common labour code and a common pattern of labour judiciary; 'labour' should remain in the concurrent list. Members of the labour judiciary should have a fixed tenure with no extension. The appointments to this judiciary should not appear as if they are a gift from Government. The choice should be from amongst the sitting judges.

3. Government should have nothing to do with the appointment of persons to the labour tribunals. The Labour Appellate Tribunal should not be revived.

4. Jurisdiction of High Courts and Supreme Court over labour matters should be done away with. This may require a constitutional amendment. Many disputes arise out of the delay in their final settlement. That is the reason why appeals should be banned. If, for purposes of finality, appeals are necessary the total time required should be minimised.

It should be permissible for trade unions also to use the funds of the company for fighting cases against the employers.

5. Unions, generally, do not have the facility of getting lawyers who work free of charge. A lawyer accepts a free brief, if at all, on political considerations.

6. If the procedure for disciplinary action is spelt out in the Standing Orders, victimisation is likely to be easier. That is why I.N.T.U.C. does not favour such spelling out.

NATIONAL RESERVE CENTRE OF LABOUR  
INFORMATION DOCUMENTATION

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7. In domestic enquiries, the procedure very often becomes a tool to justify the decision already taken.

8. Minimum number of paid holidays and the procedure for leave with pay should be specifically provided for in the Standing Orders. This minimum should be irrespective of region.

9. The tendency among employers to remove workers before they fulfil the qualifying period of 240 days for eligibility to enjoy certain benefits should be checked. The distinction between various categories of workers for eligibility to certain benefits should be removed.

10. There should be a provision for appeal to the labour court against domestic enquiries, especially in cases where dismissal has been awarded as a penalty.

11. Compensation is no substitute for wrongful dismissal. Reinstatement should be the rule. This alone will enable trade unions to function satisfactorily. As a result of reinstatement, discipline is not likely to be affected.

12. There should be appeal on facts to the courts. (A short note showing cases of dismissal; how many of them went to court and in how many workers succeeded during the last two or three years will be supplied to the Commission. There will be no deliberate choice of years).

13. Collective bargaining in its strict connotation will be difficult to operate for a long time to come. It should, however, be given a trial where unions are strong. The organisation would prefer such arrangements in the private sector and not in the public sector.

14. Outsiders will be necessary for a long time to come. As long as the insiders feel that they want the help of outsiders, such help should not be denied to them.

15. Outsiders are those who have no moorings in the labour movement or who have left the movement for a long time or who have no experience of trade union work. A person who is predominantly in politics should be considered as an outsider.

16. Workers themselves can have political orientation. Expression of political opinion by any citizen cannot be barred and, therefore, politics cannot be taken out of labour organisations whether it is manned by insiders or outsiders. Persons engaged in partisan politics do not necessarily harm the trade union movement.

17. The I.N.T.U.C. would prefer the B.I.R. procedure for recognition. The unions have their own elections every year. Since this experience is not unhappy, they do not shun elections as such. At the same time, it is necessary to avoid secret ballot elections where emotions are allowed to prevail. This is because even after the elections, passions continue to be frayed and the working of the union and also of the industry gets affected.

18. In case secret ballot is favoured by the Commission, the electorate should be as suggested by the Central Organisation (I.N.T.U.C.).

19. Implementation is not adequate in public undertakings particularly. This is because people in managerial capacity are new to the industry. Implementation in the State Sector of the public undertakings is weaker than in the Central public sector units. Very often, even after a dispute ends in failure in conciliation, no adjudication is granted. (Information will be sought from State Government on this point). Where a reference is made, it is after a long delay. There is no joint application for adjudication in the public sector.

20. The organisation would prefer to have a direct reference to the court.

(A statement on the State Undertakings' refusal to adjudication as also refusals to go to Tribunals in the private sector will be supplied by the organisation together with a list of delayed references).

21. Even where an award is made in State Undertakings, the State does not implement the same. If it is implemented, it is half-hearted and there are delays in implementation. (The organisation will supply a list of cases to substantiate this point).

22. There is considerable casual employment in the State even in public sector undertakings. Mysore State Electricity Board is an instance on the point.

23. In plantations it is not true that labour is in short supply. Even so outside labour is engaged. In some cases, local labour may find wages in plantations unattractive. Contract labour has, however, been abolished.

24. In Mysore State, Labour Department is an inferior partner in the Government set-up. Labour is considered to be an unwanted portfolio.

In matters where public sector undertakings are involved, it is the views of the Departments dealing with Finance, Industries and Commerce etc. which prevail, whether for securing a reference to adjudication or for implementation of a tribunal award.

25. There have been frequent changes (transfers) of officers working in the Labour Department including the Labour Commissioner.

26. The Organisation would prefer compulsory adjudication without Government having powers to enforce the awards.

27. There are no difficulties as a result of the same Minister holding the Home and Labour portfolios.

NATIONAL COMMISSION ON LABOUR  
CAMP: BANGALORE (23.10.1967)

MYSORE

11.10 A.M.

Record of discussion held with the Mysore Branch of the A.I.T.U.C. represented by:-

1. Mr. M.C. Narasimhan (Vide our Ref. No.NCL-MY-VI.46)
2. Mr. V.S. Venkataraman
3. Mr. M.S. Rama Rao
4. Mr. S. Suryanarayana Rao (Vide our Ref.No.NCL-MY-VI.75)
5. Mr. B.N. Kuttappa

A.I.T.U.C. wants a common labour code, a common judiciary and 'labour' in the Central list.

2. There were two views on the appointment of members to the industrial tribunal; one was that the High Court should make appointments and the other that the High Court should give a panel from which the Government could choose.

3. There should be no retired judges for manning the labour judiciary. If, for some reasons, they are brought in, they should have a fixed tenure.

4. Labour Appellate Tribunal should not be revived.

5. Time limits should be prescribed for various stages of the settlement of disputes through the industrial relations machinery.

6. The Organisation would prefer collective bargaining because this is the only way to make the unions strong. Right to strike should not be denied. There were two views as to whether collective bargaining should be with the employers' right to lock-out.

7. The organisation would not object to collective bargaining with a clause for voluntary arbitration agreed to in advance.

8. The representative union should be named on industry-cum-region basis. The union should be elected by secret ballot. All workers should have the right to vote. There should be no "check off" but facilities for collection of union subscription should be provided by the employer to all unions. If such facilities are denied, "check off" may be introduced. 'Union shop' is opposed.

9. There have been cases of discrimination in employment, particularly discrimination against Muslims and married women. Spinsters who later get married are not continued in employment. (The organisation will supply a statement on this point).

10. The organisation will support All-India competition for recruitment to technical jobs. There were two views on recruitment to other jobs. One section wanted exclusive reservation of these jobs for local people. The other view was in favour of only giving a preference to them.

11. There have been cases in the State where local population has been given preference in order to reduce the influence of some unions. In some units, Malayalee labour has been instrumental in unionising the unit. Local recruitment was resorted to not for the sake of being considerate towards local labour but for reducing the influence of the Malayalees in the union.

12. There is a tendency on the part of the Heads of Public Undertakings to bring their own men for employment in the unit. This should be discouraged.

13. The influence which the outsiders wield in a unit is very often exaggerated. Outsiders are necessary in the present Indian context for organising unions. The influence of insiders could as well be increased by leaving it to the process of education, giving respect to the views expressed by insiders etc.

14. At present, employers are not reconciled to workers leading their own unions. Workers should also build up their confidence. The process of weeding out outsiders cannot be hastened by artificially limiting their number.

15. The ranks of outsiders are also dwindling; the organisation feels that this problem will solve of itself.

It is possible to have a trade union front but currently the trade union pattern obtaining in a unit is more or less dictated by management and Government.

16. Minimum wage should be ensured by statute; on top of that, there could be collective bargaining for skill differentials, incentives, etc. The minimum should be the need-based minimum of the 15th Indian Labour Conference.

17. The National minimum wage as at present has been considered an ideal. Adjudicators do not even consider it. There should be no relationship between the need-based minimum and the per capita income. In sectors where it is possible to ensure need-based-minimum, this should be attempted. Industrial workers as a whole should be considered as a special category even if the fixing of the need-based minimum would mean a jump in their present level of wages.

18. Wages beyond the need-based minimum should be related to productivity.

19. Certain types of unions are favoured in public sector undertakings; they are given facilities. Officers do not like assertive workers.

20. Within the public sector, industrial relations are better in the State sector than in the Central sector.

21. Implementation of legal provisions is weak in these cases i.e. in cases of preventing child labour from working. Factory inspectorate is also lax. (The organisation will supply a statement about child labour being employed in plantations, hotels, beedi and silk industries.)

22. The Labour Department of the State is assuring unions that some steps will be taken for contract labour either in construction or elsewhere. But there being no directive from the Central Government in this behalf the State Government is waiting for taking measures. The State Government should be in a position to take action even without Central guidance in these matters.

23. Women labour is engaged outside the hours it should be normally engaged. Child labour is over-worked. In this respect also the factory inspection is very lax. Exemptions are granted where these are not justified.

24. Minimum wage is fixed but it is only in name. There is no implementation.

25. There should be an inspector not on the basis of the factories to be inspected but on the basis of total number of workers to be protected. There are two inspectors at present for four lakhs of workers in the State. Inspection should be on the basis of about 25,000 workers per inspector.

26. Unions should be authorised to inspect factories and take appropriate action direct in case of non-observance of factory legislation.

27. There should be a special labour court for correcting non-implementation. It should be given powers to execute its decrees and award deterrent punishment to defaulters. Non-implementation should be made cognisable offence. In this case the organisation would accept a mutuality of penalties.

28. There will be resistance from the employees themselves if child labour is prevented. This is because wage level is inadequate.

29. To highlight non-implementation, the organisation will make a special plea that the laws should be implemented at least in the city of Bangalore.

NATIONAL COMMISSION ON LABOUR  
CAMP: BANGALORE (23.10.1967)

MYSORE

12.05 P.M.

Record of discussions with the Mysore Branch of the H.M.S. represented by:-

Mr. K. Kannan (Vide our Ref. No.NCL-MY-VI.40)

The H.M.S. has a membership of 20,000 in Mysore State mainly in engineering. 30% of this membership is in the public sector.

2. The experience in Mysore State has been that in recent years unions have grown in number but not in strength. It is, therefore, important that small unions should be eliminated. There should be industrywise unions and not unitwise. 10% of the strength of the industry or 250, whichever is higher, should be a criterion for registering a union.
3. There should be one recognised union elected through secret ballot by all employees. There would be no difficulties in the secret ballot elections because after the election, which may raise temporary emotions, workers settle down to their work. In due course, even temporary emotions may not hamper the leadership contest.
4. There should be both a 'union shop' and 'check off'. 'Check off' may be brought in immediately but 'union shop' may be a somewhat distant goal.
5. Relations with management have been cordial; this does not mean that there are no complaints.
6. Industrial relations are better in the Central public sector undertakings than in the State sector. The management in the former is more responsive to labour.
7. There is no difficulty in the implementation of awards or other provisions of labour laws which have come to the knowledge of the H.M.S. organisation in the State. There is an arrangement for bilateral negotiations with management wherever H.M.S. operates.
8. There should be a common labour code and a common judiciary. Labour should be transferred to the Central list. If there are difficulties in introducing the proposed code, H.M.S. stands for collective bargaining plus an advance agreement on voluntary arbitration in case collective bargaining fails. This will make labour courts unnecessary.
9. If courts have to exist, there should be a provision for appeal and in this context Labour Appellate Tribunal may be revived.

10. There should be proper enforcement of labour legislation and agreements settlements and awards. In the case of breach of award, there should be penal provisions against employer as also against unions. Standing orders should include provisions which lay down the procedure for disciplinary action.

11. Trade Union movement has grown because of outsiders. If they take interest in union and work for it, they should not be considered outsiders.

Union leaders should have nothing to do with partisan politics.

12. Merely reducing the percentage of outsiders from 25 to 10 in Union executives will not help. In practice, the number of outsiders in Union executive is in the neighbourhood of 10%.

13. Smaller trade unions should be eliminated by giving recognition to majority unions. The present structure of the unions should be reorganised. At the top there should be a National Confederation of Trade Unions. Unions should be organised industrywise in a local area. The industrywise unions can form a federation with State branches. The federations can come together as a confederation at the national level.

14. There should be only one union for one industry. Once a union is recognised, other unions may disappear. This will be possible if the recognised union is given rights of 'check off' and 'union shop'. This might be a little difficult in the initial stages but it should be possible to work towards that object. (The representative agreed to give a note on the subject within two months).

15. Labour courts should be given authority to prosecute employers/unions in case of non-implementation.

16. There is not much child labour in the industries with which the H.M.S. is connected. Only in exceptional cases the workers are required to work longer hours.

NATIONAL COMMISSION ON LABOUR  
CAMP: BANGALORE (23.10.1967)

MYSORE

3.00 P.M.

Record of discussions with the Central Public Sector  
Undertakings represented by:-

1. Mr. Uma Shankar, (Vide our Ref.No.NCL-MY-III.27)  
Managing Director,  
Indian Telephone Industries Ltd.
2. Mr. S.M. Patil, (Vide our Ref.No.NCL-MY-III.24)  
Chairman and Managing Director,  
Hindustan Machine Tools, Ltd.
3. Mr. B.N. Jayasimha, (Vide our Ref.No.NCL-MY-III.53)  
Chief Administrative Officer,  
Hindustan Aeronautics Ltd.
4. Mr. M.H. Parthasarathy, JAS, (Vide our Ref.No.NCL-MY-III  
Managing Director, 44).  
Kolar Gold Mines Undertakings.
5. Mr. B.S. Hanuman, (Vide our Ref.No.NCL-MY-III.43)  
Administrative Manager,  
Bharat Electronics Ltd.
6. Dr. N.S. Sidhu, (Vide our Ref.No.NCL-MR-III.29)  
Assistant Director,  
Central Sericultural Research  
& Training Institute.
7. Mr. K.P. Rabindranathan,  
Chief Administrative Officer,  
Hindustan Aeronautics Ltd.
8. Mr. B.V. Krishniah,  
Kolar Gold Mines Undertaking.
9. Mr. S.A. Changule,  
Hindustan Aeronautics Ltd.
10. Mr. D. Thambiah,  
Personnel Manager,  
Hindustan Aeronautics Ltd.
11. Mr. T.R. Mantan,  
Industrial Manager,  
Indian Telephone Industries Ltd.
12. Mr. Mahavir Swaroop,  
Personnel Manager,  
Indian Telephone Industries Ltd.
13. Mr. K.B.S. Reddy,  
Personnel Manager,  
Bharat Electronics Ltd.

14. Mr. B. Nand,  
Kolar Gold Mines Undertaking.

15. Mr. P.F. Mukundan, (Vide our Ref.No.NCL-MY-III.17)  
Assistant Personnel Manager,  
Bharat Earth Movers Ltd.

Public Sector should be a model employer and the attempt in Bangalore is in this direction. Relations between employers and employees are deteriorating mainly because of the present economic situation. Workers want to share affluence but there is no desire on their part to share the hardship through which the industry has to pass. Workers do not like lay-off, retrenchment nor do they like cut in wages and bonus payments.

2. All labour laws are applicable to public sector undertakings.

3. Unions are recognised on a voluntary basis. The code of discipline is observed. If there is a dispute between two unions for securing a representative status, a reference is made to the State Labour Commissioner for advice as to which union has to be recognised. This reference is irrespective of the affiliation of union which seeks recognition. Existence of only one representative union will help mutual negotiations. Secret ballot for electing a representative union was not favoured. (K.G.F., however, preferred to have secret ballot for choosing a representative union).

4. The only complaint about the State Implementation Committee was that it took long time in deciding on the bargaining agent. If this is expedited, industrial relations will improve.

5. There should be no 'check-off' and 'union-shop'.

6. There should be a common labour code; 'labour' should be in the Central List. (The C.S.R.T. would prefer the existing arrangement).

7. Procedure for disciplinary action should be spelt out in the Standing Orders.

8. There should be a common pattern for the labour judiciary the incumbents for which should have a fixed tenure. They should be appointed by the High Court. One view was that there should be Tripartite Boards for settling labour disputes, as in Belgium. This did not receive much support. There should be no Labour Appellate Tribunal; the present arrangement for appeals should continue.

9. The Hindustan Aeronautics Ltd. and Hindustan Machine Tools favoured the existing adjudication system. The Indian Telephone Industries wanted collective bargaining plus advance agreement on voluntary arbitration when a settlement was not possible through collective bargaining. The latter idea received more support.

10. There should be no outsiders. One who is not employed in a factory is an outsider. A person who has worked in a factory but becomes a trade union worker and who is doing full-time work will still be an insider if he continues to be on the factory muster roll. If he resigns or is removed he becomes an outsider.

11. Office bearers should be from inside the factory. In view of the protection which the office bearers enjoy, cases will be rare where office bearers have to sever connection with the factory for attending to heavier load of work in a union. If, however, an office bearer of the union is dismissed for right cause there can be no harm if he also ceases to be a union office bearer.

12. Union leaders should be given adequate education before they accept their responsibilities.

13. The present programme of workers' education has not made an adequate impact. It should, however, be given time for becoming effective.

14. In order to make the administration of public undertakings more efficient, more humane and more responsive managerial cadre should also have industrial training.

There is a practice in the undertakings to consult unions in affairs which affect their membership.

15. Unions should be unitwise and not industrywise.

16. Hindustan Machine Tools and Hindustan Aeronautics Ltd. preferred the right to be given to the parties to approach the Tribunals direct. Other undertakings wanted the existing arrangements to continue i.e. reference to tribunals only through Government.

17. There was a general complaint that the union leaders did not participate in the welfare and cultural activities organised by Management in the interest of workers.

18. There was a general complaint about excess of labour legislations from all units.

19. Housing in these undertakings is no problem. 40 to 50 per cent of the workers are provided houses by the factories themselves; for others liberal transport arrangements are provided by the factories. House rent is subsidised to the extent of about 70 per cent.

#### Hindustan Aeronautics Ltd.

20. One Unit of the Hindustan Aeronautics Ltd. complained of the refusal by State Government to give protection to management personnel. (Reply to Question No.97 will be sent later.)

#### Bharat Electronics Limited.

21. 25 per cent of workers should be necessarily members of a union even for getting it registered.

#### Indian Telephone Industries.

22. The Indian Telephone Industries did not want to give preferential treatment for local persons in recruitment. In practice, it is only local people who secure appointments for junior posts. (Others felt that such preference should

be given. It is not true, however, that recruitment to any post was governed by the consideration that the General Manager came from a particular State).

23. There is no need for changing the law in regard to the hours of work for women.

24. Women were better in certain repetitive processes. The Indian Telephone Industries has encouraged the setting up of a Cooperative unit for manufacturing ancillaries required in the establishment. The wives and daughters of I.T.I. employees are given preference to join Cooperatives for producing these ancillaries.

25. There is a similar arrangement for handicapped workers. This arrangement is not for reducing the cost to the establishment. At the same time it helps in improving employer-employees' relations.

26. Overtime is one of the general complaints on the managerial side. H.M.T. has banned overtime. (The reasons for overtime are partly humane and partly because there is shortage of technical personnel). The relationship between the I.T.I. and their employees is good.

27. The Management sees to it that the officers and workers mix together in the activities such as sports, fine arts, gymnasium and functions requiring the use of an auditorium etc.

#### Hindustan Machine Tools Ltd.

28. Workers do not want to take responsibility for running transport service, cooperative stores, canteens, other welfare and cultural activities. They prefer to stand aside and criticise what management does.

29. Union affiliations have nothing to do with this attitude. They do not want to accept any responsibility which required handling of finance on their part, even though such finances are provided by the employer. (In Kolar Gold Fields the experience is different).

30. There is a tendency to take disputes to the highest level for settlement. Workers always look to Ministers for getting their grievances redressed. This makes the officer at the lower level completely ineffective.

31. Public sector undertakings work under a handicap because the general tone in the Press is one of criticism. There is also criticism on the side of unions which is somewhat of an inflammatory character. However, in the investigations undertaken on some of our undertakings a fair amount of satisfaction is expressed by Parliamentary Committees.

NATIONAL COMMISSION ON LABOUR  
CAMP: BANGALORE (24.10.1967)

MYSORE

10.00 A.M.

Record of discussions with the Mysore Chamber of  
Commerce represented by:-

1. Mr. Y.N. Gangadhara Setty, (Vide our Ref.No.NCL-MY-  
President. V.49)
2. Mr. N.V. Gurjar,  
Kirloskar Electric Co., Ltd.
3. Mr. M. Krishna Murthy,  
Vice President.
4. Mr. G.N. Krishna Murthy,  
General Secretary.
5. Mr. B.R. Puttananjappa,  
Mysore State Employers' Association.
6. Mr. C.V. Narayan Rao,  
Personnel Officer,  
Binny Mills.
7. Mr. A.V. Sirur,  
The Mysore Spinning Manufacturing Co. Ltd.  
and Minerva Mills Ltd.
8. Mr. M. Kulkarni,  
Personnel Manager,  
The Mysore Spinning Manufacturing Co. Ltd.  
and Minerva Mills Ltd.
9. Mr. Ravi L. Kirloskar,  
Kirloskar Electric Co. Ltd.
10. Mr. Jayant N. Gurjar,  
Kirloskar - ASEA Ltd.
11. Mr. A.T. Akolkar  
Kirloskar Electric Co. Ltd.
12. Mr. V.N. Gopinath,  
Motor Industries Co. Ltd.

MYSORE CHAMBER OF COMMERCE

1. The Chamber does not subscribe to denying of minimum wage to workers. For the un-organised sector there can be some variation.

2. The Chamber will favour the 15th Indian Labour Conference formula for the need-based minimum subject to the reconsideration of the number of consumption units which constitute a family.

3. Minimum wage under the statute is below the need-based minimum and this is fixed on the recommendation of minimum wages committee on which workers are represented. Economically we are not yet in a position to fix the need-based minimum.

(A note on the subject will be sent by the Chamber. The note will also state the position with regard to agricultural wages. In the note the Chamber will also examine the question of industrial wages and agricultural wages in relation to earnings of employers in the respective sectors).

4. Productivity considerations should not apply in the fixing of minimum wage but, thereafter, wages should be linked to productivity.

5. Piece rate system has an in-built arrangement for a linkage of wage with productivity. This should be the general pattern.

6. Engineering industry in Mysore pays wages on an hourly/daily basis. There is, in addition, an incentive wage. In fixing incentives the usual difficulty is that at the time when studies are to be undertaken for fixing norms workers deliberately go slow. To avoid over-work by an employee there is also a maximum fixed beyond which incentives will not be permissible.

7. Incentives are, at times, opposed because workers are afraid of potential unemployment. This happens, particularly, in older units. In new units incentives find greater favour.

8. A communication system in terms of informing the rank and file of workers about incentives and other management instructions exists in all units. But in terms of human relations between higher levels of management and workers it is not there. If incentive schemes are drawn up unilaterally it takes a long time to convince the workers. If, however, the principles are settled in a bipartite meeting, the possibility of acceptance is greater.

9. Labour is over-protected. That is why some of the difficulties in fixing incentives and the basis for these incentives arise. Payment of dearness allowance to workers is another difficulty in motivating them to higher production. (The Chamber will supply a note on this subject).

10. If a dismissal is unfair, the employer should be asked to reinstate the worker. (Another view on this point was also expressed). The Courts should not be empowered to reopen cases of dismissal. They should have power only to see whether the prescribed procedure has been properly followed.

11. In certain cases where reinstatement has been effected as a result of Court order, there has been no indiscipline. The experience in Mysore is that reinstatement does not create any special problems. (Mysore Chamber will supply a statement on laws which have affected industrial progress).

12. There should be a common code and a common judiciary appointments to which should be made by the High Court. These should be tenure appointments with no extension.
13. Judges should be familiar with industrial law.
14. The present arrangement of appeals (without the Labour Appellate Tribunal) should be continued.
15. Wage Board decisions should be binding in the same manner as those of National Tribunals. The State Government should not have an authority to revise Wage Board decisions. Workers should not be allowed for a fixed period to agitate on the question of wages which have been decided by Wage Boards.
16. There should be no outsiders in a union. Insiders should, however, be given all facilities to run a union effectively.
17. Political influence should not operate either on the workers' organisations or employers' organisations in regard to industrial relations.

(A statement on Ram Kishore Mills will be supplied by the Chamber.)

18. Standing orders should lay down a procedure for disciplinary action.
19. Strike without notice should be banned.
20. Hospitals, water supply and electricity establishments should be excluded from the purview of the Industrial Disputes Act.
21. Over-time in the Factories Act is permissible only under certain exigencies. These exigencies should also include catching up with production losses. (A note will be supplied by the Chamber on this subject).

(The Chamber will also send to the Commission a note on a formula for fixation of bonus).

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NATIONAL COMMISSION ON LABOUR

CAMP: BANGALORE (24-10-1967)

MYSORE

11.25 A.M.

Record of discussions with the M.S.E.B. Employees' Union and other unions represented by:-

1. Mr. S. Venkataram. (Vide our Ref. No. NCL-MY-X.13)
2. Mr. A.V. Raju.
3. Mr. K.L. Nandaram.

The Binny Mills Staff Association (Central Office) consists of 120 members. The other union which belongs to the staff of the factory has 500 members.

2. Unions are weak because in majority of cases they are small. They function in an ad hoc manner. Big industrial unions should be preferred.
3. If there is a union in an establishment, another union should not be registered. The existing union should be allowed to get stronger by arrangements like 'union-shop' and 'check-off'. The union finances will improve if the arrangements for 'union-shop' and 'check-off' are agreed to.
4. There should be a secret ballot for choosing a representative union. The arrangements under the B.I.R. are unsatisfactory. Elections should be gone through, and difficulties created in the election process cannot be avoided. Moreover, such elections will take place, if necessary, only once in two or three years.
5. Unions do not take part in the cultural activities initiated by the management because there is no sharing of idealism nor is there a sharing of common goals with or by the management.
6. Unions should not be affiliated with political parties, though individual members can have political views.
7. Civil servants and teachers should be allowed to form unions. The Industrial Disputes Act should be applied to them.
8. The staff and workers in an establishment should belong to the same union. There should be no craft unions. If the union is big, there can be committees to comprehend the problems of different crafts.
9. Not all outsiders are undesirable. Outsiders need not be shut off. It should be possible, in due course, for the insiders to build up their own strength.

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2. Unions are weak because in majority of cases they are small. They function in an ad hoc manner. Big industrial unions should be preferred.
3. If there is a union in an establishment, another union should not be registered. The existing union should be allowed to get stronger by arrangements like 'union-shop' and 'check-off'. The union finances will improve if the arrangements for 'union-shop' and 'check-off' are agreed to.
4. There should be a secret ballot for choosing a representative union. The arrangements under the B.I.R. are unsatisfactory. Elections should be gone through, and difficulties created in the election process cannot be avoided. Moreover, such elections will take place, if necessary, only once in two or three years.
5. Unions do not take part in the cultural activities initiated by the management because there is no sharing of idealism nor is there a sharing of common goals with or by the management.
6. Unions should not be affiliated with political parties, though individual members can have political views.
7. Civil servants and teachers should be allowed to form unions. The Industrial Disputes Act should be applied to them.
8. The staff and workers in an establishment should belong to the same union. There should be no craft unions. If the union is big, there can be committees to comprehend the problems of different crafts.
9. Not all outsiders are undesirable. Outsiders need not be shut off. It should be possible, in due course, for the insiders to build up their own strength.

MYSORE

11.50 A.M.

Record of discussions with the Bharatiya Mazdoor Sangh represented by:-

1. Mr. S. Krishnaiah, (Vide our Ref.No. NCL-MY-VI.76) President.
2. Mr. Allampalli Venkataram, Vice-President.

There are 6,000 members belonging to the Sangh in Mysore State. They are mostly in Silk, Engineering and Hotels. In the Silk Industry the Sangh concerns itself with employees in the handloom and power-loom factories.

2. There is a large employment of children in all these industries.
3. In many units labour is required to work for long hours on low wages.
4. The Sangh was established in 1960, though the Central Organisation, B.M.S., was set up in 1956. The Sangh does not have any political affiliations. It has a national approach to all problems connected with labour.
5. Partisan politics should be excluded from trade union work.
6. A person who is not actively associated with the party and who, at heart, is interested in the workers employed in an establishment should be considered as an insider for that establishment.
7. The Sangh prefers secret ballot to the present system of recognising the union. If the present method is properly implemented and bogus membership is scrutinised there should be no difficulty in continuing even the present system.
8. The Sangh believes in voluntary arbitration. Such arbitration should be through a Board consisting of persons who are dealing with labour laws; who are interested in labour problems, and who are doing full-time labour work and whose integrity and character is not in question.
9. There could be arrangement for settlement of minor disputes at a lower level, again, on the basis of voluntary arbitration.
10. Trade union should not be a tool in the hands of politicians. Trade union leaders should not offer themselves for election to political posts.

11. Advocates should not be barred from being union executives. But if Section 36 of the Industrial Disputes Act is amended advocates need not be union executives.

12. 'Labour' should be removed from the Concurrent List and brought on to the Central List.

13. There should be no reference to adjudication of disputes in the public sector.

14. Agreements signed in the presence of Conciliation Officer cannot be challenged before a Court of Law even if these agreements are not in the interest of workers. This position should be remedied.

NATIONAL COMMISSION ON LABOUR  
CAMP: BANGALORE (24.10.1967)

MYSORE

3.00 P.M.

Record of discussions with Secretaries to Government, Heads of Employing Departments and Public Sector Undertakings represented by:-

1. Mr. T.R. Jayaraman, (Vide our Ref.No.NCL-MY-IV.11)  
Secretary to Government,  
Education Department.
2. Mr. N.S. Ramachandra,  
Secretary to Government,  
Municipal Administration.
3. Mr. D.J. Balraj, (Vide our Ref.No.NCL-MY-IV.25)  
Secretary to Government,  
Industries & Commerce Department  
and Chairman, Mysore Sugar  
Company Ltd.
4. Mr. M. Subramanyam,  
Director,  
Industries and Commerce.
5. Mr. M.A. Sriram,  
Director of Printing & Stationery.
6. Mr. A.R. Adinarayanaiah,  
General Manager,  
Mysore State Road Transport Corporation.
7. Mr. K. Balasubramanyam,  
Administrator,  
City Municipal Corporation,  
Bangalore.
8. Mr. M.D. Shivananjappa, (Vide our Ref.No.NCL-MY-IV.5)  
Managing Director,  
Bhadravati Iron & Steel Works.
9. Mr. M. Sachindranath Murthy,  
Managing Director,  
New Government Electric Factory.
10. Chairman, (Vide our Ref.No.NCL-MY-IV.13)  
Mysore State Electricity Board.
11. Mr. A.B. Datar,  
Secretary, M.S.E.B.

PRINTING PRESS

1. The employees in the printing presses get the privileges of Government servants as well as those

under the Factories Act. There have been no strikes in the last thirty years, though there have been some minor work stoppages because of misunderstandings between the manager and workers.

2. The press has a union of its employees. All facilities are given to the union for representing grievances of workers to management. The provisions of the Industrial Disputes Act should not be made applicable to the printing press employees.

3. The employees have got the benefit of the awards of the Pay Commission in respect of wages and service conditions; on other grievances where they did not have satisfaction, labour courts were approached.

MYSORE SUGAR CO., LTD.

4. There is no casual labour employed in the sugar factory. The occasion for laying-off workers have been rare. There have been very few accidents; workers have shown no resistance to use safety equipment.

5. Workers take full advantages of hospital facilities.

6. There have been no major disputes in the factory because it had a strong organisation of workers with a substantial membership. About three years back a rival union has been set up; Some troubles did take place thereafter.

7. The stronger union is affiliated to the I.N.T.U.C., the other is an independent union. Practically all labour is unionised in one or the other of the two unions.

8. A claim was made for displacing the recognised union by the rival union. The Mysore High Court has rejected the claim.

9. Union recognition should be on the basis of secret ballot.

10. There is no formal delegation of power to lower levels of management but sufficient latitude is given to officers to settle labour matters.

11. The approach to labour in all undertakings of the State Government is based on human considerations. In a number of concerns, bonus and provident fund benefits were given to workers long before the Central Government introduced such facilities for their workers. Workers have been responding adequately to these facilities.

12. Workers have the facilities of taking their grievances to the General Managers' Office and even to his residence. (This was mentioned by the Managing Director of Bhadravathi Iron and Steel Works also.)

13. Usually, public sector undertakings of the State Government err on the safer side in regard to their relations with labour.

14. Works Committees need to be vitalised. At present, workers bring in matters which should form the subject matters of collective bargaining. This is not desirable. In many cases the works committees are considered redundant by the unions themselves.

15. Bonus arrangements have been developed on a wrong concept. It should be on the basis of profit sharing and should not be treated as deferred wage. All sections of the Bonus Act are rational except the one relating to minimum and maximum bonus. These clauses in the Act should be deleted.

(The Bhadravathi Iron & Steel Works will give a note on a workable bonus formula).

16. There should be a uniform labour code and a common judiciary.

#### BHADRAVATHI IRON & STEEL WORKS

17. The undertaking has an arrangement for check off. At present there are two unions and check-off facilities are made available to both. This arrangement also prevails in Mysore Sugar Co., Ltd. There has been, however, a dispute in the latter concern about the check-off arrangements because some members of one union have changed over to the other union.

18. There should be a uniform labour code with a common judiciary. Mysore Tribunals have been independent in their approach but the common complaint among the employers is that they are biased in favour of labour.

19. All public undertakings will prefer sitting judges for settling labour disputes. There can be a provision for appeal.

20. Appeals in respect of dismissal as a result of disciplinary action should be permitted on facts also. (In this respect the Managing Director of Bhadravathi Iron and Steel Works has gone beyond what other employers have said so far).

21. The undertaking does not agree to secret ballot.

The Director of Industries and Education Secretary expressed a view in favour of secret ballot. The argument that secret ballot will rouse passions will remain but such passions will be only temporary. A union selected on the basis of secret ballot should hold its sway for two years. If the workers have made a wrong choice, they must live with it. The argument against the present procedure was that verification of membership becomes difficult since a number of workers are members of more than one union.

22. Disciplinary procedure should be spelt out in standing orders.

23. There is indifference amongst employees to use masks, goggles and safety devices.

24. While making recruitment, persons recommended by the Employment Exchange as well as those who apply direct are considered. All vacancies are notified to the employment exchanges.

25. Delegation of powers in the matter of recruitment does not lead to mal-practice.

For all posts upto junior engineers, preference may be given for local men but others need not necessarily be excluded.

26. Absentecism is highest (about 30%) in the months of December, January, June and July. This is because 50% of the workers own some land and they want to work there also.

27. The level of productivity is satisfactory. There is no built-in hostility towards management or towards its attempts to increase productivity. There is, however, lethargy among workers.

28. The management personnel are sent for training in industrial matters; workers are also sponsored for training under the Workers Education Scheme. This has had considerable impact on the attitudes of both workers and management. (The management will give a note on this point.)

#### M.S.E.B.

29. The predominance of casual labour in the M.S.E.B. was due to the fact that while a large number of workers are required for construction, only a small number is required for maintenance. It is, therefore, not possible to decasualise even 50 per cent of casual labour. Casual labour is being gradually absorbed in the regular labour force when vacancies arise. (A statement for the last five years showing how many workers were absorbed in this manner and also distribution of casual labour according to length of service will be furnished).

30. Some of the benefits which are available to the regular workers could be given to casual labour also but the matter is being decided by a tribunal. (Copy of the award will be furnished when available).

31. M.S.E.B. gives free electricity to its employees; at times this is misused. A ceiling should be fixed to check such misuse.

32. The right to strike and lock out should be postponed in the present state of our economy.

Right to strike may be taken away from all public utility services. In return the management in public utilities should agree to voluntary arbitration if there is an unresolved dispute.

33. There should be a separate code for electricity undertaking.

34. Retirement age for field staff such as lineman and helpers should be brought down to 45 as it involves physical labour which cannot be performed after that age; such work is also more hazardous in case of older persons. The question of giving liberal pension to such workers can be considered. (A statement will be given on the number of accidents and the age of persons involved in such accidents during the last five years. It was feared that this may not reflect the correct position since an old regular worker has a tendency to give his work to a younger casual worker).

NATIONAL COMMISSION ON LABOUR  
CAMP : BANGALORE (25.10.1967)

MYSORE

3.00 P.M.

Record of discussions with

1. Mr. M.V. Rama Rao, (Vide our Ref.No.NCL-MY-I-5)  
Hon'ble Minister for Home and Labour.
2. Mr. R. Anandha Krishna, IAS,  
Secretary to Government,  
Food, Civil Supplies & Labour Department.
3. Mr. V. Hanumanthappa, (Vide our Ref.No.NCL-MY-I.5A)  
Labour Commissioner.
4. Mr. R. Sampath Kumaran,  
Director of Employment and Training.

'Labour' is a concurrent subject. Most of the legislation which is administered in the Mysore State at present is Central legislation. Mysore State had no occasion to amend it. The State would have, therefore, no objection to having a common labour code.

2. It should be possible to have, in the districts where complaints on labour matters are usual, an additional officer of the status of District Judge notified as industrial tribunal. He should try in his original jurisdiction all labour cases in the District. His appointment would then naturally be controlled by the High Court. Such an arrangement will help in the labour judiciary having a broader perspective in its pronouncements on labour.
3. Labour judges in the State are, at present, appointed by the High Court or in consultation with it. Even if there is a retired Judge to be appointed, High Court makes the appointment.
4. Labour Appellate Tribunal should not be revived. The judgment on facts should stand. Appeal should be only on points of law.
5. Standing orders should spell out the procedure to be adopted in disciplinary cases.
6. Collective bargaining should be given full scope but in case disputes still remain, compulsory arbitration should be provided. The country cannot afford collective bargaining with all its consequences.
7. There should be industry-wise unions and also industry-wise employers' organisation. Disputes between them should be settled industry-wise.

8. For giving union a representative status the arrangements under the B.I.R. should be adequate. To bring in election, will result in extraneous factors having their say in the choice of representative union. (There was a separate view expressed in the Department's memorandum. Labour Secretary and Labour Commissioner revised their view in the light of Labour Minister's statement).
9. There should be check-off for strengthening the finances of unions.
10. The present position about outsiders is that they are needed because there are inadequate facilities for training insiders to take their place. If such facilities are provided, outsiders, in the long run, may be redundant. At the same time, even if there are only insiders holding office they can also be as difficult as outsiders.
11. Partisan politics should not influence union work. A labour front will ultimately be possible if politics is not allowed to intervene in the traditional activities of trade unions constituting the labour front.
12. The 15th Indian Labour Conference has, perhaps, gone too far in defining the need-based minimum. The norms should be revised.
13. Over the last few years the country has done well by industrial labour. There should be no extra solicitude for it now.
14. A statutory fixation of minimum wage would mean responsibility on the State for implementation. This would also mean creation and setting up of extra staff. All this creates problems for every state. A way out requires to be found out.
15. The effect of dearness allowance so far has been to raise the level of prices. Without adequate supply, mere increase in purchasing power will result in price rise. This has had a bad effect on the economy. There should be some check in this respect.
16. It is true that price rise comes first and wages have to be raised later and unless the prices are frozen wages cannot be frozen. But the process has to start some time.
17. The fixation of wages should be attempted on the basis of job evaluation. In new factories this is being done. Work-load is ascertained and on that basis payment for a job is fixed. This system requires to be extended.
18. The combination of the Home and Labour portfolios in one minister as in this State has not created any difficulties for labour so far. In fact it helps labour.
19. Disputes in Central public sector undertakings not decided between the undertaking and its workers, either directly or through the conciliation machinery take a long time for final settlement. In some cases it is true that labour takes extreme positions and conciliation

fails. This happens in spite of labour being warned that over-statement of claims will not help in the settlement of disputes. When the matter is referred to the Central Government there is long delay in the consultation between the Centre and the State and usually there is a refusal on the part of the Central Government to agree to refer the matter to a tribunal. The Mysore Government will, therefore, not respect this convention of consulting Central Government any longer if a dispute in the Central Public Sector undertaking requires to be referred to adjudication. (A statement about the number of disputes referred by the State Government to adjudication and those not so referred will be supplied to the Commission according to the category of employers. It will show a break-up of the disputes referred and not referred according to the nature of disputes and nature of employers.)

20. Children do work in the establishments about which complaint has been made by labour's representatives. It is, however, difficult to establish that they work in a factory. Mysore Government feels that child labour is not as big a problem as made out.

21. There have been certain anomalies in the employment of casual labour in the Mysore State Electricity Board. These are a legacy of the past, and they require to be examined. It should be possible to decasualise labour after making a reasonable assessment of future requirements of such labour.

22. Works Committees fail because unions consider them as rivals. The management's attitude is also not helpful. At times, labour is certainly at fault. There is some agitation or the other every day. This is because labour does not regard its place of employment as an enterprise where it is necessary for it to cooperate. There is no sense of partnership even in the units belonging to the public sector. If things are looked at in their proper perspective there should be little cause for grievance at least in such undertakings. However, the handling of labour disputes by civil servants, who do not have industrial experience, requires to be avoided. A separate cadre of trained managers for the public sector requires to be set up.

23. There should be linking of wages with productivity but this should be effective only after a minimum is assured. (Labour Commissioner will give a note on the subject to the Commission).

24. Either side should be permitted to approach the court direct in case of unsettled disputes. It is likely that there will be a large number of cases in the initial stage but ultimately parties will not take frivolous cases to the Court. Non-implementation should be treated as a penal offence. It should be cognizable on a complaint made by either party.

(A statement about the tenure of Industrial Tribunals has been supplied by Mysore Government).

25. The complaint that access to the Ministerial level by either side has undermined the effectiveness of officers is largely exaggerated. It is important that the authority and jurisdiction of officers at different levels should be respected. This is the policy of the Mysore Government.

NATIONAL COMMISSION ON LABOUR

Camp: Bangalore - 25.10. 1967

I

Visits to Plants: Hindustan Aeronautics Ltd. (at 8.45 A.M.)

Some Members of the Commission party were taken round the various sections of HAL factory where the process of the manufacture of HJT-16 and the Gnat fighter was explained. In the course of discussions with the General Manager, the following points emerged:

(1) There is no difficulty in getting labour - skilled or unskilled - at lower levels. The HAL recruits trained persons from IIT's. It has its own training programmes as well. Promotion to higher jobs is based on seniority and merit. Regular competitive examinations are also held. At the time when the unit was set up it was felt that labour cost in Bangalore was favourable as the labour was not expensive. Since then conditions have changed. There is, however, scope for increase in productivity but limitations of raw-materials and demand create difficulties. Group incentives are provided in the unit and they have been working well. They are based on annual output on a set formula.

(2) Production has been falling recently as the atmosphere in which labour works is against higher productivity. Facilities provided to workers are increasing but their contribution to total production is on the decline. Even so, labour in the HAL is better than that in neighbouring industries.

(3) Workers are provided with many facilities. Important among them are housing, transport and canteen. A modest lunch is provided for 19 paise and a full lunch for 41 paise. The canteen costs the factory nearly Rs. 14 lakhs per year. On a rough basis, all the above welfare facilities cost per worker works out to Rs. 60 per month. The management is feeling a difficulty in providing cheap transport as the taxation per seat is as high as Rs. 20 per month.

(4) In addition, dearness allowance is given. The pattern of dearness allowance is not the same as elsewhere as they have changed their basis wages.

(5) There is no incentive to produce indigenous goods as the import duty of finished products is very low and that on raw materials as high as 60 percent. This takes away the advantage of cheap labour.

(6) The workers have organised a cooperative society and a house building society. Management provides them some facilities as free transport for carrying foodgrains.

(7) All over the factory one can notice safety posters and exhortations to work better. A few of them read as follows:-

" Use only those tools you are authorised to do"

" A clean shop is a safe shop".

" You are a soldier. What are you doing to meet the challenge".

(8) There is little possibility of sub contract in the Hindustan Aeronautics Ltd. work as the standards of inspection have to be very exacting.

II

Indian Telephone Industries - (9.50 A.M.)

Number of workers: 13,000

(1) Workers are honoured for valuable suggestions. At the entrance of the factory, photographs of the members of the staff whose suggestions have been accepted under the Company's Suggestion Scheme are exhibited (Two photographs every month).

(2) There is no bar for appointing women employees but their number is on the decline because some of the work which women were doing is now being done by Cooperatives of women workers organised by the Indian Telephone Industries.

(3) There is a scheme for incentive bonus. The percentage of wastage is very low.

(4) After recruitment, workers are given training for six months with a stipend. An SSLC when appointed is paid Rs. 130 as basic wage and Rs. 58 as D.A.

(5) Research facilities also exist. Suitable persons are sent abroad for higher studies.

(6) The factory provides a large number of amenities to the workers and their families, like hospital, children's park, general park, cooperative shop, stadium and a school building. The important one among them is detailed in para 10 below.

(7) Import content for the product is very low - about 7 to 8 percent; but the imports for the factory as such are to the extent of Rs. 7 crores. Copper, zinc, transistors, high quality steel and colouring powder have to be imported. Efforts are being made to substitute the indigenous for the imported, e.g., aluminium is being used for copper.

(8) The equipment manufactured in the factory is being supplied to developed countries like the U.K., Belgium, New Zealand, etc. This is because the I.T.I. costs are the lowest in the world. In many cases, our exported products are re-exported as in the case of U.K. with their stamp. U.K. imports our machines for being exported to Australia.

(9) The factory is now manufacturing a new design of the telephone. The new design will be lighter and brighter.

(10) Ancillary Unit. The work in the ancillary unit is organised on cooperative basis. There are two such units, one having 93 members and the other 210 members - all women workers. These workers are the dependents of the factory workers. Membership of the cooperatives is in great demand. Selection is from the comparatively poorer families.

(11) The workers in the ancillary unit are paid on piece rates. They are able to earn Rs. 2.50 to Rs. 3.00 per day. In addition, Group incentives are provided.

(12) The provisions of the Factories Act apply to them.

(13) The members are provided with ESI facilities. Provident Fund Scheme would be introduced shortly.

(14) All the workers are permanent; there is no employment of casual labour. Workers don't have to work overtime. They are given 12 days of casual leave and 15 days of privileged leave in a year.

(15) There are no canteen facilities at present.

### III

#### Hindustan Machine Tools - Watches Section ( 11.40 A.M.)

Production is at the rate of 800 to 1000 watches every day. 84 percent of the parts are indigenous.

(2) All the technical staff is Indian.

(3) A worker who has passed S.L.C. gets Rs. 75 as monthly wage. After 9 months of training and work an increment of Rs. 10 is given. After 3 years there is another increment of Rs. 15.

(4) There is a scheme of group and individual production bonus. Attendance bonus is also paid.

(5) The unit employs all female hands. The experience with women worker is very good though in India they are not yet a part of industrial society. Parents of the working girls want them to be back at home before sun set. Presently the working hours are upto 6.00 P.M. but because of pressure from guardians, they are now being advanced to 4.30 P.M.

(6) In matter of recruitment preference is given to the daughters of workers in the HMT factory.

(7) Most of the work is done through bare eyes. There is no system of insurance of the eye-sight of the workers. However, eyes are tested every six months. Insuring eyesight can be a desirable reform.

(8) They are trying to export watches at a subsidised rate of Rs. 30 in international markets.

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( 26. 10. 1967 )

### IV

#### Visit to Kolar Gold Field - (3.00 A.M.)

A party of the Commission paid a visit to the Undertaking and the workers' colony established by management. Workers live in one roomed tenements with a small kitchen attached. They have common bath-rooms and latrines. Houses are provided by the company

at a nominal rent of 50 paise per month.

2. There is a system of informal rationing. Workers get wheat, jowar, rice and sugar in their rations. The workers' unions are running the cooperative society wherein rice is sold. Samples of rice supplied were shown to the party. Rice appeared to be of very poor quality. The management explained that the variety of rice supplied was locally known as parboiled rice. This variety is in demand in some areas of the State but Tamil labour which is employed in the mines does not like the variety. The market price of rice is about 50% higher.

3. Family Planning measures are not very popular. Three workers interviewed had 4, 14 and 10 children respectively. The Company was very conscious of this problem but could do precious little because of workers apathy.

4. The company is providing facilities for running a school, a welfare club and a hospital with 240 beds - another 50 beds to be added. The welfare measures cost the company about Rs. 30 lakhs a year. In spite of large families, workers interviewed stated invariably that their sons and daughters were sent to school.

5. The underground workers get a clothing allowance of Rs. 10 per year. The inadequacy of the allowance was complained of. The Company is conscious of the inadequacy but it has not been able to persuade Government about revising the allowance.

6. The age of superannuation for underground workers is 55 years while for surface workers 60 years.

7. An underground fitter who had been working in the Mines for the last 10 years was interviewed. He is being paid Rs. 2.00 per day and a D.A. of Rs. 72/- per month. The lowest paid worker gets Rs. 1.25 per day as basic and Rs. 3/- per day as D.A. One of the common complaint was about high prices. These affected larger families particularly. Rations were inadequate for them.

Talk with Mr. K.S. Murti, Superintendent - Kolar Gold Field.

1. We have gone beyond 10,000 feet in depth. We were the deepest in the world until about three years ago but now some mines in Africa have gone down to 13,000 feet. We can go even deeper but then there will be problems of ventilation, temperature and water flooding, etc. Normal rainfall in this area is 25" but last year it was 40" just in two months. It upset the plans for further digging.

2. The rock temperature at this depth is as high as 150%. With the help of cooling plants the temperature is brought down but even then the workers have to work at a temperature of 130-135 degree. According to Mr. Murti, it is amazing how human body gets acclimatised to such high temperature, as also to temperature variations. There is however nothing that can be done to give relief to them in terms of lower working temperatures. It becomes so expensive that the whole operations become extremely uneconomic. However, workers work in shifts, they do not work for more than 3 hours at one place and then they shift to a cooler

place. Workers continue to go from one mine to another but they do the same type of job. Non interchangeability of jobs is a big problem for the management. There should be only one class of miner who may be employed for doing all sorts of jobs.

3. All workers are on time rate; there is an incentive bonus scheme. There is no bonus scheme for workers who are on timbering job.

4. About 20,000 to 25,000 tonnes of stone is cut every month. This produces only 4000-5000 ounces of gold. The working is not economical from any angle.

5. The existing mines would last for 15 years if we do not go further down. The experimentation department is continuously looking for more mining areas. On current geological showing there are some gold bearing seams which could be discovered and developed.

Comment by Member-Secretary

The general complaint from workers was about the availability of foodgrains in adequate quantity. This has its recent origin when food conditions were not so difficult as have been for some time now. Labour relations, according to some workers who were interviewed, were more cordial than they are today.

Some of the workers' houses inspected by me showed marginal improvement as compared to workers' houses elsewhere. This improvement was more in the nature of the up-keep of the houses occupied by workers.

The cooperative shop attracted the attention of all of us. It had in it items which are in general use by persons in somewhat higher income group. We inspected the cash memos of the shop. Items like tooth paste, face powder, stationery, toilet soap have been mentioned in a fair number of these memos.

The real problem in Kolar appear to be large family size. There is no effective family planning programme in this area.

( Camp: Mysore - 26. 10. 1967 )

V

7.00 P.M.

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

(i) M.S.R.T.C. Employees' Union represented by:-

Shri Vedant Hemmege,  
President.  
(Also President P.W.D. Employees Association).

(ii) Shri Krishna Rajendra Mills represented by:-

1. Shri S. Chikkanarasaiyah,  
Assistant Secretary.
2. Shri D.A. Subbitt.
3. Shri D.S. Sanjeevaiah.

(iii) S.K. Mills Workers' Union, Mysore, represented by:-

Shri G.B. Laxminana Rajurs,  
Vice President.

(iv) Mysore Lac & Paints Workers' Unions, Mysore,  
represented by:-

Shri Hanumaiah,  
President.

(v) Mysore Beedi Mazdoor Association, represented by:-

Shri Aziz Sait,  
Vice-President.

} Vide our Reference

Shri S.N.R. Khaleel,  
Secretary.

} No. NCL MY VI. 79

(vi) Shri Srikanta Sharma representing:-  
Government Text Book Press Employees Association,  
Mandya National Paper Mills Staff Association;  
Ideal Jawa Employees' Union.

(vii) Shri M. Shivanna - representing S.K. Mills  
Union; Mysore Hospital Employees Union, Ideal  
Jawa Employees Association; Mysore District  
General Employees Association; Mandya National  
Paper Mills Employees Union; Government Sandalwood  
Oil Factory Employees Association.

#### Bidi workers.

In the Bidi industry there has been no change in the working conditions since Independence. Bargaining capacity has, however, increased in small pockets in the cities. In rural areas the conditions are the same.

2. Most of the work is done on contract basis and the employer-employee relationship has not been established.

3. Though an Act has been passed for the workers employed in the Bidi industry it has not so far been implemented.

4. The L-2 licence system needs modification as it empowers not only the sale but also the manufacture of tobacco to the licence holder. This gives rise to the contract system.

5. The organisation of industry on a co-operative basis would be successful only if the Government treats it as monopoly business.

6. Minimum wages have been revised for the workers working in the bidi industry. (details to be obtained from Labour Commissioner, Mysore).

7. The P.W.D. workers are working in the department for 20 to 25 years in a temporary capacity. An unskilled worker gets Rs. 1.50 and a skilled worker gets Rs. 1.75 as daily wages. They do not get benefits of provident fund or gratuity etc. The whole of the department comes under works charged category. The unions have not been successful despite a good membership as the workers are afraid of dismissal.

However, they have been able to get a few agreements with the management and have been able to secure a weekly holiday.

8. The department (MSRTC) does not supply uniforms to the drivers and as such they are fined by the policemen for not observing the traffic rules.

9. The drivers have to work for 10 to 11 hours in a day. The spread over of work is between 6.00 A.M. to 6.00 P.M. with an hour's wbreak. They are not paid over-time wages.

10. A driver gets Rs. 185/- per month. So far as wages are concerned, the drivers are in a better condition.

11. The recognition of the representative union should be by election. Only those workers who are members of a union should be given the right to vote.

12. 'Check off' system would be better.

#### VI

#### Record of informal discussions with:-

(i) Mr. M.S.V. Raghavan,  
Vice-President,  
Chamber of Commerce & Industry,  
Mysore.

Vice President, District  
Small Scale Industries' Association.

(ii) Mr. A.S. Ganesh Murthy - also representing  
District Small Scale Industries' Association  
vide our Reference No. NCL-MY-V.50.

(iii) Mr. C.B. Mahaveera,  
Raja Oil & Rice Mills - vide our Ref.No.  
N.C.L. MY.VII.18;  
Chamber of Commerce and Industry, Mysore  
Small Scale Industries Association.

(iv) Mr. A.S. Ganesh Murthy,  
Hon. Secretary, District Small  
Scale Industries Association,  
vide our Ref. No. NCL MY-V.50.

1. The Bonus Act should be amended. Both maximum and minimum clauses should be eliminated. In other respects the Act is all right. Bonus should be linked with profit.

2. There should be only one representative union.

3. Excluding the President, the other office bearers of the union should be the employees of the factory. The General Secretary of the union should be an insider so that he may get the pulse of the workers.

4. The recognition of the representative union should be by election. All the workers should be allowed to vote. The workers

do not become union members either to please the employer or to please their colleagues.

5. 'Check off' system is better.
6. (Lysore Chamber of Commerce and Industry promised to give a note on the system of 'close shop').
7. Wage should be linked with productivity.

away 8. Small scale industry is facing a big crisis as the bigger units take their trained workers. The small scale units have become a sort of training ground for the bigger units. Wages in bigger units are not better than in the small scale units but workers have a fascination for bigness and there they feel more secure. Some arrangement should be made for checking this exodus. The coverage of the Factories Act should be restricted. Only units employing 40 workers without power and 20 workers with power should be covered. The small scale units are started by technical persons and they are not in a position to maintain all the records as are required under the Factories Act.

(Camp: Mercara - 27.10.1967)

VII

2.30 P.M.

Record of informal discussions which some Members of the Commission had with Workers' Unions represented by:-

- |   |   |  |
|---|---|--|
| 1. Shri B.N. Kuttappa,<br>Secretary,<br>Coorg Distt. Estate Workers' Union,<br><u>Mercara.</u> (A.I.T.U.C.).                | } | Vide our<br>Reference No.<br>NCL - MY-VI-78. |
| 2. Shri B.N. Venkataramana,<br>Assistant Secretary,<br>Coorg Distt. Estate Workers' Union,<br><u>Mercara.</u> (A.I.T.U.C.). |   |  |
| 3. Shri P. Koraga,<br>Coorg Distt. Estate Workers' Union,<br><u>Mercara.</u> (A.I.T.U.C.)                                   |   |  |
| 4. Dr. I.R. Agranna,<br>Coorg District General<br>Workers' Union.   | } | Vide our<br>Ref. No.<br>NCL .MY-VI-77.       |
| 5. Shri P. Balakrishna,<br>Coorg District General<br>Workers' Union.  |   |  |
| 6. Shri Krishnagiri Gujdu Rao,<br>Estate Workers' Union of South India,<br>Coorg Branch.                                    |   |  |
| 7. Shri N.B. Poovaiah,<br>Vice President,<br>The Mysore Plantation Labour Union<br>Congress (I.N.T.U.C.).                   |   |  |

8. Shri T. Moidu Kunli,  
The Mysore Plantation Labour  
Union Congress (I.N.T.U.C.).

2. The P.W.D. workers are treated as casual even after putting in 20 to 30 years of continuous service. They are treated as fresh recruits every year.

3. Workers are treated as on contract even in Government mills. In the carpentry section of the Government Saw Mills, workers are treated on contract. There are twenty five persons in this section. Here also the work is of permanent and continuous nature. Though wages are given to individual workers, on record they are shown in the name of one person only. Workers are paid Rs. 4.50 per day but there is no muster roll and as such, they are not entitled to other benefits like bonus, D.A., leave with wages etc. An industrial dispute has been raised and conciliation proceedings are going on for two months. (The Deputy Labour Commissioner explained that the management in their explanation have stated that the workers in the carpentry division are paid on piece-rate basis, and as such there is no dispute.)

4. The private motor transport management are exploiting the labour by treating them casual. Workers continue to work all the time but every six months they are served a notice and their services are terminated. The conditions of these workers would improve if the Government takes over the transport management. The Co-operative Society of transport also does the same, because it is a society of ex-servicemen and the workers' membership therein is only nominal.

5. The workers on octroi posts are made to work continuously for 24 hours without any shift or break. The worker has to be in the office for all the time. The Coorg District General Workers' Union has raised a dispute with the management but the management have refuted the charge. (Union promised to give a statement on this).

6. The conciliation proceedings are unduly delayed.

7. On failure of conciliation after 14 days, there should be a right of direct reference to the court.

8. A.I.T.U.C. representatives do not want any conciliation. They want collective bargaining i.e. the workers should have the right to go on strike or adopt any other methods.

9. There has been a dismal failure as far as the implementation of labour laws is concerned.

(The Unions will furnish a list of cases where the Government refused to look into the complaints of non-implementation).

10. Under Section 33(c) of the Industrial Disputes Act, revenue authorities are authorised to collect the dues from the management. Revenue authorities are already over-burdened with their work, and they do not pay the necessary attention to labour matters.

11. In the Mysore Shops and Commercial Establishments Act there is a special provision regarding dismissals. Accordingly the High Court has held that the workers need not be reinstated. This needs correction.

12. Child labour is not a problem in Plantations but they work in busy season. This practice should be stopped whether workers like

it or not.

13. Social security benefits should be provided for sweepers and scavengers.

### VIII

#### Visit to Coffee Plantations - Chaettolli Estate (Area 115 acres)

##### Interview with proprietor Mr. C.P. Appayya.

1. The output per worker is going down. The employer cannot do anything except to charge-sheet the workers which is also very difficult. The workers are indifferent and the overseers are helpless.
2. Relationship between workers and the employers is good.
3. There is no union in the Estate. Once a union was enrolled but the workers felt embarrassed and left it.
4. The workers had been staying on the farms from childhood to death. But after the introduction of the Provident Fund and Gratuity Scheme they want to run away after every seven years. They are in fact tempted by the gratuity money. They spend the money in a few months and want to come back again but feel shy. Seven-eight such workers have been employed in this estate. Re-employment poses a problem as the employer has to give a certificate that the worker has not been employed elsewhere and this has to be certified by village Patel.
5. Mr. Appayya gave an instance of a worker who has been with him for the last 30 years. The worker came as a boy of 7-8 years. He got him married and he has been working with him very satisfactorily. Last year he asked for a loan for buying land. He gave him the money and he purchased four acres of land. Now this year he wants to go away with the provident fund and gratuity money.
6. He buys cloth at whole-sale prices and forces his workers to buy it. Payment is through instalments. Mr. Appayya said that he does so otherwise the workers would be half naked.
7. The planters have their own dispensary and workers are sent there.
8. Workers are not enthusiastic about the education of their children. Mr Appayya has been threatening them but without use. In his estate out of 30 school going children only 4-5 are going to school. This is because these children are employed for nursing the children of others. Out of this they get Rs. 2/- per week and two meals a day.
9. He gives to the workers rice at controlled price i.e. 90 paise per kilo. This he is doing to save the workers from the clutches of the money lenders. In spite of this 25 per cent of his workers do not take rice from him and go to the market where they get loans from the money lender.

Comments by Member-Secretary:-

Housing provided by the employer appear to be neat. The general attitude of the employer with whom the above points were discussed appear to be patternistic. Discussions with workers revealed that they were not members of any union, nor did they desire to be unionised. The houses which were shown to us were near the employer's bungalow. This was neater than the one we saw at Kolar. The employer mentioned that most of his workers have such housing. When I asked one of the workers to take me to his house the worker was willing to take me there. The employer intervened and wanted us to see some other house. When I explained to him the implications of this diversion he did not have any objection to see the house I wanted to see. Though somewhat lower in the standard of cleanliness this house also was better than Kolar but worst than the one which was shown to us.

The workers who were interviewed had small families. None of them reported to have more than three children. This explained a somewhat better standard of living than Kolar Miners. On being questioned whether they noticed any improvement in recent years they said that there were difficulties in securing food supplies. Cloth had become more expensive. At the same time they admitted that they had better medical facilities, better facilities for educating their children. Occasionally they could even think of entertaining themselves by going to a picture. On the whole the workers appear to me more contented.

IX

5.50 P.M.

Consolidated Coffee Limited

Total area: 10,000 acres

Under cultivation - 8,000 acres

Workers - 3,600 (permanent)

Interview with Mr. G.A. Appanna, General Manager and the Doctor in the Estates Hospital.

1. In the busy season (November-January) casual labour is employed.
2. Payment is made on weekly basis.
3. As compared to Coffee, cultivation of tea is more profitable but the land here is suitable only for coffee.
4. There are four unions in the Estate. The AITUC union has been recognised by the management.
5. Children are not employed in the Estate. However, they work during harvesting season with their parents as they are on piece rates. The parents themselves encourage this practice because they contribute towards family income.
6. In the harvesting season workers are paid at Rs. 2.20 per 80 litres.

7. Over the last 10-15 years there has been some improvement in the living conditions of workers. They are better fed and better clothed. They have got medical facilities, gratuity and provident fund under the Act. Their wages have doubled in the last 10 years. Their children are better clothed. In the last 10 years there is an improvement in the weight of the workers and the protein content of their food has also increased. Occasionally they go to see a picture and at that time one cannot distinguish between a labour and any other person. Their attitude towards clothing and medicine has undergone a remarkable change. Even for minor diseases they go to the Estate Hospital. Their children go to the school.

8. A small reading room and a library has been provided for the workers. This has been organised by the Works Committee to which the company contributes at the rate of Rs. 1.50 per worker. The Works Committee organises games and sports and has provided a Radio set for the workers.

9. The workers are sent for Workers' Education Scheme.

10. The workers do not have taste for things like cycles or radios; they go in for watches or torches. They are very fond of going to restaurants and cinemas.

11. Average annual income of a Coffee plantation worker is about Rs. 1,400 with rent free quarters provided by the management.

12. Absenteeism is very high and is a constant problem. The workers take their money on Saturday and usually do not return on Monday. To encourage them to work regularly the management sells them paddy at the rate of 60 paise per kilo per day per worker.

13. Most of the workers have got small pieces of land wherein they grow vegetables.

14. There has been no general strike in the Estate. However, there have been difficulties in certain spots. Dismissals are very rare, only 3-4 in a year.

15. In the domestic enquiry the full procedure is followed. The enquiry is made by the Manager on complaints by the supervisory staff.

Comments by Member-Secretary:-

The discussion was mainly with the main representative of the management and with the Doctor who had over 26 years experience of that area. Even the conditions of living in the Estate represented by these proprietors were the same as those in 8 above and if these could be considered as an improvement over those 15 years back, one could as well imagine how the workers used to live then. But some of the evidence which the Doctor gave for indicating improvement appear to be plausible. Part of the improvement certainly is due to the steps taken by Government for controlling malaria and other diseases endemic to that area. Though the way in which the Doctor narrated his experience with workers over the last 25 years left something to be desired and could create an impression of lack of sympathy with the working class, one cannot deny that some of the impressions which he

gave seemed to have in them an element of his firmness.

Observation on bidi workers: (Comments by Member-Secretary )

On the way to Mangalore, we stopped at a place called Pali Mangalore to see the work of Bidi rolling. The practice appear to be of getting work done in some cases through agents or sub-agents. Though the rates fixed for rolling 1000 bidis were somewhat higher than that fixed in bidi establishments in Nagpur which were visited by us, in actual practice workers were getting a lower rate: they had to pay more or less a commission to the agents through whom they get work. Most of the work that we saw was being done in small shops. The shopkeeper himself would do his own quota of work by preparing bidis and look after the shop. Other persons who help him in this work were members of his family. Whatever he earns through bidis added to his income from the shop. Since he could do his work at leisure and since no employer-employee relationship was involved between him and the persons from whom he got work nor between him and the members of his family, there was no further scope for any detailed examination.

( CAMP: MANGALORE - 28.10.1967 )

X

Record of informal discussions which some members of the Commission had with:-

S.K. Tile Workers' Union (AITUC), represented by:

1. Mr. P. Ramachandra Rao - Vice President. Vide our Ref.No.NCL MY -VI. 83.

2. Mr. B. Koragappa Rai - Secretary.

Dakshina Kamada Gorubeeja Shramika Sangha, represented by:

1. Mr. B. Prabhakar Ghate - President

2. Mr. B.K. Suvarna - Secretary.

Cashew Industry Staff Association, represented by:

1. Mr. G.N. Kuloor - President.

2. Mr. U.G.K. Kini - General Secretary.

Cashewnut Workers' Union (AITUC), represented by:

1. Mr. B.V. Kakkilaya - President  
2. Mr. H. Umanath Nayak. } Vide our Ref. No. NCL ME-VI. 80

Dakshina Kamada Hamechina Keelasagarara Sangha(AITUC), represented by:

1. Mr. H. Umanath Nayak - President Vide our Ref.No.NCL.MY-VI,85

2. Mr. B. Sheena - Secretary.

S.K. Coffee, Cardamom and allied Workers' Union(AITUC), represented by:

Mr. Shivananda Kamath - Secretary Vide our Ref.No.NCL.MY.VI.82.

Cashewnut and Allied Workers' Union(AITUC), represented by:

Mr. A.K. Narayana - General Secretary Vide our Ref.No.NCL.VI,84

S.K. Cashew and Coffee Workers' Union(AITUC), represented by:

Mr. P.S. Tellicherikar - Secretary.

Bhartiya Mazdoor Sangh, Mangalore, represented by:

- |   |                                     |
|---|-------------------------------------|
| 1. Mr. M. Mahabala Bhat - President     | } Vide our Ref.No.<br>NCL MY-VI-81. |
| 2. Mr. B.K. Suvarna - General Secretary |                                     |

S.K. General Labour Union, Mangalore, represented by:

Mr. D. Mohan Rau,                      Vide our Ref.No. NCL.MY-VI.86

11.40 A.M.

1. There should be a common labour code. The laws should be simple and uniform.
2. The salary limit of Rs. 500/- is too low, in view of the rise in prices. All those employees who are not part of the management should be covered, that is, only executives should be excluded. Foreman and supervisory staff should also be treated as workers.
3. The procedure under the Industrial Disputes Act is very cumbersome. Reference to adjudication and conciliation takes months and years in cases of dismissals. Emphasis should be on settlement of disputes across the table in the presence of a Conciliation Officer.
4. The powers of the Conciliation Officer should be widened. He should be empowered to call both the parties for discussion across the table and call for all relevant documents.
5. There should be a limit of one month for conciliation proceedings. There should be right of direct access to the court after failure of conciliation. At present political considerations are a factor in referring disputes to adjudication.
6. The Labour Appellate Tribunal should be revived. (The INTUC and E.M.S. did not favour this). Collective bargaining may be good for organised sectors of the economy. But in our country, workers are mostly in unorganised industries.
7. Recognition of the representative union should be through secret ballot election. (I.N.T.U.C. not in favour). A.I.T.U.C. wanted the voting rights to be restricted only to union-members but the H.M.S. wanted this to be extended to all workers.
8. 'Check off' system was not favoured.
9. In fixing minimum wages the increase in cost of living is not taken into account. The revision in fixing minimum wage is very much delayed. For workers in cashew industry, the minimum wage was revised after 7 years.
10. The attitude of management in recent years has hardened. In the tile Industry, there have been settlements

in the past but now in the name of recession managements have become adamant.

11. There has been a perceptible improvement in the workers attitude towards work. They have become more conscious and responsible. There is a change in their food habits; they appear to be better clothed and fed now.

12. Relations between workers and management have been quite good in the last decade but the economic situation and some decisions of the Supreme Court have affected them badly.

13. There is no child labour in Cashewnut industry.

14. Implementation of awards takes long time. The Government do not look into complaints of non-implementation. If after a persistent effort a complaint does get registered with Government, it takes a long time to get redress. (They promised to furnish a list of such cases.)

#### XI

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

(i) Western India Tile Manufacturers' Association, represented by:-

1. Mr. K. Visvanath Kamath, President.
2. Mr. G.D. Rego, Vice-President. } Vide our Ref.No.
3. Mr. M. Sadanand Pai, Secretary. } NCL-MY-V.51.
4. Mr. F.M. Lobo, Treasurer.
5. Mr. F.X.D. Pinto, Committee Member.

(ii) Cashew Manufacturers' Association, represented by:-

1. Mr. S. Damodar Nayak, Secretary. } Vide our Ref.
2. Mr. Rem Fernandes. } No. NCL-MY-V.52.
3. Mr. N.S. Ramaswamy. }

Western India Tile Manufacturers' Association covers 60 factories employing 8,000 workers. The Association is affiliated to A.I.M.O. Cashew Manufacturers' Association covers six factories, employing 7,000 workers - not affiliated to any central body.

1. There should be an All India labour code with provision for differences in regional patterns.

2. Definition of 'worker' under the Factories Act should be amended. The definition should be linked to duty and not to any salary limit. Those who are engaged in managerial and supervisory duties should be excluded. For the tile industry the salary limit should be Rs. 200 as the wage standards in this industry are very low.

3. The relations between the workers and management have been very good in the tile industry. However, increase in the cost of living index has upset this peace. D.A. is something which is external to the Industry. Workers should also be made to share a part of the burden of increase in prices.

4. D.A. has proved to be a disincentive to produce more. The workers who were producing 30 pounds earlier are now producing only 20 to 22 pounds as they get almost the same basic wages with less work.

5. There should be uniformity in the wage structure and work-load in a region.

6. Wage should be linked with productivity. (The Mangalore Cashew Manufacturing Association promised to furnish a considered note on this).

In the Cashew Industry wages form 20% of the cost of production. Ten years back they formed a substantially smaller proportion of cost of production (To give a statement on this).

7. Unions should be recognised on industry basis.

8. Outsiders should be eliminated. Even the educated workers want outsiders to exert influence. To look after the trade union work an office bearer of the union - President or General Secretary - may be permitted to work whole time for the union and be paid by the management. (The management promised to give a considered note on this).

9. Unions should not be affiliated to political parties.

10. Multiplicity of unions should be avoided. There should be only one recognised union and disputes should not be allowed to be raised by other unions.

11. (The Management promised to give a note on collective bargaining and the present system of adjudication).

## XII

Record of informal discussions which some members of the Commission had with the officers of the Labour Department, Mysore State:-

1. Mr. Ahmed Ramlan,  
Provident Fund Inspector,  
Mangalore, Dn South.
2. Mr. Narayana,  
Provident Fund Inspector,  
Mangalore, Dn North.
3. Mr. B.B. Hedge,  
Workers Education Centre,  
Mangalore.

4. Md. Basheeruddin,  
Labour Inspector,  
III Road Circle,  
Mangalore.
5. Mr. K. Hameed,  
Labour Inspector,  
Mangalore,  
II Circle.
6. Mr. K.T. Ramachar,  
Workers Education Centre.
7. Mr. B.A. Shariff,  
Labour Inspector,  
I Circle.
8. Mr. M. Narayanaswamy,  
District Employment Officer,  
Mangalore (SF).
9. Mr. K. Prahalada Rao,  
Inspector of Factories.
10. Mr. M.A. Siddiqui,  
Assistant Labour Commissioner,  
Mangalore.

8.00 P.M.

1. There is no provision in the Minimum Wages Act to check the accuracy of the weights. There is no remedy under the Act for short payment and malicious sorting as may result in the case of cashew and bidi industries.
2. There are very few complaints under the Minimum Wages Act. The workers come with their grievances only when the inspecting staff goes out for inspection. The inspectors go to workers along with employers and also inspect wage registers and job cards.
3. Workers are generally ignorant about the minimum bonus clause under the Bonus Act.
4. Enforcement is not satisfactory due to lack of inspecting staff and lack of cooperation from higher officers. The officers are placed in a very difficult position when cases launched by them are withdrawn by the Government. This undermines their authority and discourages them to take action.
5. There are large number of cases where provident fund money has been collected by the management from the workers but has not been deposited. Before they are produced before the Magistrate they deposit all the money and the Magistrate takes a lenient view. The employers who are short of capital are prepared to pay the fine. The revenue authority also does not take care of dues recovery cases of workers. (The officers promised to give a statement of provident fund defaults upto 31st October, 1967).

XIII

Visit to Fernandes Bros. Cashew Factory.

4.00 P.M.

They employ all female hands.

Shelling Department - number of workers - 450.

1. Wages are paid at the rate of 9 paise per pound for the wholes - no wages are paid for broken kernels. The percentage of broken nuts is 8 for local and 14 for the African nut. In addition they are paid 50 paise as dearness allowance.

2. On an average a worker is able to shell 16-18 pounds in a day. Efficient workers go upto 28 pounds and slow workers are able to shell only 11-12 pounds.

Peeling Department - number of workers - 450.

1. The peeling is done by the workers here with hand. This reduces the value of the nuts as it makes scratches on them. The Kerala workers do it with hands and they are very quick. This puts the Mangalore industry at a disadvantage.

2. Wages are paid at the rate of 9 paise per pound for the wholes and half this rate for the broken. The percentage of broken nuts is 10.

Grading Department - number of workers - 100.

1. Here the work is done on time rates. Workers are paid Rs. 1.36 per day in addition to the dearness allowance of 50 paise a day.

2. There is a creche for the children of the women workers. About 50 children are left there in the care of three nurses. The management supplies milk and clothings to the children free of cost. The mothers are allowed to take care of their children during the day.

Comments by Member-Secretary:

The visit to Cashew factory revealed some interesting points.

1. The weightment on the basis of which workers were paid was done at the fag end of the day when women were anxious to get back to their families. Hardly any woman questioned the weight recorded by the proprietor's agents on the basis of which their wages were calculated. On every card that we inspected the weight was shown in terms of integer of parts. No fractions were noticed on any of the cards. The inference would be that the fractions were left out. While there were no evidence to show that the weight recorded was the nearest integer: it could be by dropping the fraction irrespective of the size of the fraction.

2. One could assume that the weights and balances which were used were inspected by the concerned Government authorities. But whether the recording of weight at a time when women workers are anxious to go home was proper cannot be vouchsafed. There is no guarantee against it in the Payment of Wages Act.

3. The rate for cashewnut is fixed on the basis of full kernel. Broken nuts, though so, are not paid for. Whether in fixing the rate the breakages and the amount they fetch to the employer is taken into account or not is not known. But on the analogy of bidi making, where also a similar system prevails it may be presumed that this breakages/rejections are not taken into account in fixing the rate.

4. Interview with some women workers showed that for the last few years the conditions of work have changed for the better. Education of their children which were not common earlier has now become quite common. Most of the women working had their husbands/sons working. Their income was supplementing the income of other earners in the family. In one occupation (Sorting) was paid on time rates. Most of the ladies working in this job were better educated than those who did other jobs in the factory.

5. The Tile factory which was visited was not at work. Various processes in the factory were explained to us. Some sections of the factory where breaking of tiles was done could be uncomfortable for workers but according to the proprietor the rate for working in these sections for the same type of work was high. According to him and the Inspectors with us, there were no complaints of the nature of bad working conditions in this factory. Both these factories, the cashew and the tile were reported to be good factories - above average. The average conditions could, therefore, be more difficult for workers.

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National Commission on Labour

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In pursuance of the penultimate paragraph of the record of decisions of the 6th meeting of the Commission, Mr. Dange has expressed a desire to visit the following places:-

- (i) Nagda,
- (ii) Dandeli,
- (iii) All Steel Plants,
- (iv) Ranchi,
- (v) Heavy Electricals, Bhopal; and
- (vi) Private Sector mines in the Raniganj Area.

Members of the Commission who want to visit some other places may intimate their choice to the Secretariat. It is possible that some Members may like to visit the places suggested by Mr. Dange. This also may be intimated. As decided in the 6th meeting, the Secretariat will consolidate the wishes expressed by Members and draw up a programme of visit to such places in consultation with the State Governments.

It is suggested that since winter is a good time to visit plants, such of the visits as have to be undertaken should be planned between November 1967 and end of March, 1968. According to the programme of visits to State capitals settled so far, December 1967 and January 1968 are comparatively free months.

Of the places mentioned by Mr. Dange, Bhopal could be covered when the Commission visits the Madhya Pradesh capital for recording oral evidence.

for *B.N. Datar*  
( B.N. Datar )  
14.10.67.