

UTKAL STATE COMMITTEE OF
ALL INDIA TRADE UNION CONGRESS,
KALIGALI, CUTTACK-2

NCL Ref No. OR-VI-207

K-575 ✓

~~Dt. 31.7.68.~~

To

The Chairman and Members of
National Commission of Labour,
Camp - Bhubaneswar.

Dear Sirs,

We are submitting herewith our answers to the
questionnaire. We generally endorse the views of
AITUC expressed or going to be expressed on the
problems posed in the questionnaire. We would request
you to consider our views and oblige.

Yours faithfully,


President.

RECRUITMENT AND INDUCTION

4. The recruitment is effected through Jobbers in some factories, particularly in the Rice Mills and seasons factories. It is also done through contractors in most of the Iron Ore, Manganise and other non-coal mines. It is also prevalent in most of the factories where a sections of permanent work is entrusted to contractors.

Employment Exchanges are used to some extent for the purposes of avoiding the legal provisions. But mostly employers are recruiting their workmen directly as per their choice. There is no regulated system of recruitment.

(b) The present arrangements of recruitment are unsatisfactory and arbitrary.

5. The employers are daily becoming ~~more~~ resistant to employ women labour with a view to avoid the limited legal provisions. This must not be allowed to develop - Right ~~to work~~ of women workers must be protected and in certain industries the proportion of women workers must be statutorily fixed. All international conventions regarding employment of women workers be strictly adhered to. Laws must be enacted on these rules.
6. Recruitment of casual labour in permanent jobs are harmful for workers, industry and the country's economy. It must be legally sanctioned that no casual Labour is employed in permanent jobs.

As regards casual work, there should be permanent Boards to coordinate employment opportunities in a particular area. Better service condition should be created for them.

7. Yes. There should be a reservation for physically handicapped persons for suitable jobs.
8. In some cases it is there. Under no circumstances it can ~~be~~ be justified.
11. a) The rational promotional policy should be based upon seniority and merit only.
- b) Taking into considerations the above criteria for promotion the recruitment to higher levels should mostly be confined to the existing employees. If they do not conform to the standards new recruitments can be made.

II Conditions of work

12. (a) In the factories Act and Mines Act the following items can be amended :-
- i) All Factories with 10 persons either with power or without power be regarded as a factory .Secondly whether they are registered or unregistered the Factories Act should apply to them.
 - ii) On no account exemptions should be given to any occupier from any provisions;
 - iii) The standard and condition of all members regarding Health should be improved.
 - iv) The canteen, rest rooms , cruches should have better conditions.
 - v) The weekly working hourrs should be 40.
 - vi) Weekly holiday to be declared as a paid holiday for weekly and daily rated workers.
 - vii) Spread over should be in no case be more than 8 hours.

viii. The annual leave with wages must be calculated at one day for every 11 days of work.

ix) The penalty for contraventions should be one years imprisonment and no fines.

b) Besides the above better sanitary and living conditions loss of arduousness and secured employment facilities are necessary.

13. There are 30 days Festival holidays in some Industrial units and the minimus is 6 to 7.

The total number of Festival holidays should be 30.

14. The existing condition in Iron and Manganese Mines in the State are abominable. The workers are engaged through contractors without any security of service. The wage Board recommendations are not implemented. The wages are very low. They have to work in sun and rain. The conditions of shelters in the work spot are very bad. The workers are not provided with living quarters. No drinking water is available. They have to get water mostly from the nearby streams or rivers. They live in leaf thatched huttings in the midst of mosquitoes and insections. There is no provision for sanitary conditions in the colony. Medical aid is very searce and can be stated to be non-existent. There is no educational facilities for children of the miners. The condition of creeches are bad. Maternity benefit is not regularly paid and is only paid after the ~~ni~~ union raises the complaint.

All these must be changed immediately in Mines. In factories the contractor labour and the Gang labour must be replaced by permanent and secured jobs.

16. The system of contract labour should be abolished. There There cannot be any suggestion to improve the same.

Safety and Health

18. It is high. The reasons are the lack of sufficient safety measures. The main being the utter carelessness and negligence of the employer.

19 to
25.

The present supply of safety equipment is not sufficient and needs to be improved. Necessary amendments are to be made to the existing legislations.

III. Trade Unions

29. During the last decade the attitude of the employers and Govt. towards the trade Unions have changed considerably. The crude anti-working class attitude visible in the past has changed into an anti-working class attitude with illusive words. The attitude has become worse rather in practice.

The Government and the employers carry on their attacks on the rights earned by the working class in the past.

30. In view of the rational objectives of establishing a socialist society and achieving planned development, the trade unions must be the organ of struggles of the working class for higher portion of the national gains, against monopoly concentration, for higher wages and better facilities for the working class.

31. The present system of communication through Indian Labour Conferences, Standing Labour Committees and Labour Advisory Boards etc. are not enough. The bodies have only advisory capacities and its decisions are not implemented., though the employers and the Government are parties to the same. The ~~gaxrxixxe~~ glaring example is the case of the implementation of the decision about computation of minimum wages in the 15th I.L.C. Even though there was a tripartite decision to implement the unanimous recommendations of the

of the wage Boards, the same is flouted by both the Government and the employers. Hence all these bodies have failed to act in a way it was thought of in the beginning.

The Trade Unions should have an effective voice in the making of the labour policies of the Government. Their opinions should be respected. The decisions of the triparties should be implemented and if necessary lands are to be made for the same.

32. The Trade Unions and the employers should play a part in maintaining a high level of employment. The plans and its execution should be such as to give sufficient employment to the vast millions of ~~employers~~ unemployed in our country.

33. Bipartite meetings are the best way for collective bargaining between the employers and employees. The precondition for such meetings and their effective outcome is that the Unions should be recognised as collective bargaining agents and treated as equal parties by the employers. The attempts at disrupting the Trade Union movement and floating of company unions must stop.

34. Between the A.I.T.U.C. centre and its constituents the existing arrangements for communications are as follows :

The A.I.T.U.C. Congress meets at interval of 3 years where all affiliated unions send their delegates.

The General Council is composed of representatives of the states who in turn keep contact with the constituents -

The AITUC maintains its contact with its constituents through circulars letters and its fortnightly journal -

The State TUCs also maintain day to day contact with the constituent unions through meetings, conference, letters and circulars. The present arrangements seem to be satisfactory.

35. The refusal probably only comes only when there are rival and multiple unions in any plant. There has not been any other occasions for the same.

36. The trade unions usually implement their obligations where as the employers refused to do so mostly,

There is no e-ffective sanction against non-implemen-
~~tation~~ at present.

The very meagre sanction of condonation has never been used against employers since its introduction in our State.

These sanctions could be effective if legal and penal action is provided for non-implementation by the employers.

37. When the employer act contrarcy to the obligations and commitments of their organisations in the Tripartete, it becomes difficult for the unions to maintain and implement their commitments in fact of provocations of employers.

Such difficulties have been resolved by either the interventions of the labour Deptt. or by forcing the employer to revise their attitude or else by sometimes acquicising to the provocative action of the employers.

38. To be stated by AITUC.

Trade Unions - constitutions and finance.

39. In our State the Unions are registered on the basis of a model constitutions prepared by the Registrar of Trade Unions Therefore in practically all the cases the objectives are the same.

40. The officers of the Trade Unions are elected. A few of them who work wholetime for the unions are paid. A few are paid sometimes lump sum -

41. The unions campaign for membership.

All applications for membership are accepted unless there are specific instances of anti-working class charges against applicant.

The unions through their own activities and work compete with each other in attracting members to the their unions.

42
and
43
Our Trade Unions encourage their members to take active part in the activities of the union. All important decisions such as strike or any agreement with the management are taken in the general body meetings - The Executive committee meets frequently and decided day to day issues and sanctions all the expenses - Mostly expenses beyond Rs.20.00 are only done after being sanctioned by the executive committee On the issues affecting workers in a particular Department, or section, decisions are taken only after consulting the workers in the department or the departmental committee of the union. Hence there is always a lively link between the leadership and the workers and the workers are thus encouraged to take an active part in the working of the union.

44. There should be no 'closed shop' or 'unions ship' The workers should be free to join the union or their choice.

45. The funds of the union with Rs.3.00 as annual subscription are inadequate for functioning the union. At present either the membership dues in some unions are more or they augment their resources by special donations from members at different time.

The present membership dues may be increased by amending the law.

46. The reason against increasing the membership subscription is that with the present meagre wages it would be difficult to pay usually unions do not collect every month. They

They collect it in a quarter or six months and therefore the difficulties arise.

47. The 'check off' system should not be introduced. The payment must remain voluntary.

48. In such cases unions help them from union funds or arrange to collect funds for them from the members. Sometimes they collect from outside to help the members in distress.

49. Dependants are not being helped after the death of the member. Only in some cases token help is given. But this is not a general case.

Trade Union - Leadership and Multiplicity

49. The impact of the political parties in India is the growth and millitances of the trade union movement in general. The impact and the influence of reactionary and communal parties has been bad. It has created basic divisions in the T.U. movements and has acted basically against the interests of workers. The impact of the left parties has been tremendous. It has given the Trade Union life, vigour millitancy and tenacity to countenance the inslaughts of the employers. Only on the basis of this impact, it has sustained and developed.

50. The workers honorary members are called as outsiders.

There socalled outsiders have been the real moving sprits in the functioning or the trade unions. In to-day's conditions when employees are victimised for trade union activities the absence of outsiders in the trade unions would mean the complete elemination of the trade unions. Moreover at present the consciousness of the ordinary worker is not sufficient to carry on this activities of the trade unions in facee of the manuers and anti-working class attitude of the trade unions. Therefore presence of outsiders are

are necessary for the time being in the trade unions. Of course the best and ideal thing would be that the worker/employee themselves run the Trade unions . But that would take some more time and would depend on the attitude taken by the employers in treating their employees.

A dismissed, discharged and retrenched workman should not be considered an outsider.

51. As stated in Ans. to Q.No.50.

52. Multiplicity of unions **can** not be faught by mere legislation. Such an attempt would be only gagging the working class. Multiplicity can really be avoided by conciousness of the working class.

If by legislation it is prohibited it will come out as disrupting tendencies in the single union itself. The result will be the same.

53. It has not succeeded. It needs joint discussion at All India levels.

Trade Unions Recognition

54. The advantages of the registration of a trade union is that it functions as a regulated and systematised organisation.

The powers of Registrar should not be enlarged.

55. There has been practically no change in the attitude of the employers in recognising the unions - They still do not treat the unions as real bargaining units. They do not treat equally.

56. The code of Discipline in industry has contributed to some extent in recognition of trade unions .

However unless the union is strong to force the hands of the management there code of discipline does not bring recognition.

The present system of according recognition should be replaced by a system of secret ballot.

The organisation of the ballot should be left in the hands of a quasi-judicial body. All workmen whether they are members of any union or not should be eligible for exercising a vote for this purpose. All workmen having a service of 160 days should be eligible for being a voter.

The union which gets a majority of votes should be recognised for 3 years.

The power to recall the unions should be vested in the voters and only 2/3rd of the voters can recall a union.

This process must be a compulsory one based on legal sanction. Penal actions for non-implementation should be provided.

Besides the rights of Recognised unions stated in the code of Discipline, the union should be consulted on major changes in the productive processes and allotment of jobs to different categories of workmen. The recognised union should have the access to the financial aspect of the management and should be able to take definite part and effective part in discussing and determining the conditions of service and working.

64. At the work place the employer should allow the union to represent the workmen against any fresh and greater imposition of new workload and vindictive action of the employer.

64. At the workplace the employer should allow the Union to represent the workmen against any and greater imposition of new work load and vindictive action of the employer.

The Union representatives should be allowed to study the work processes during their working time for the purpose of concretely coming to some conclusion on industrial disputes.

Industrial Relations

66. Will be dealt by the central organisation.

67. After independence social Economic and political factors affect the intensity of industrial conflict.

68. Proper and patient collective bargaining have helped in improving industrial relations. Such examples can be sent in Indian Aluminium, Aluminium Industries and Utkal Machinery where long term agreements have been possible.

69 to 76 The main causes of Industrial unrest has been the nonfulfilment of legitimate demands of the workers.

An analysis of the position in Orissa will give us valuable conclusions.

We became independent 21 years back but our economy under the rulers have been suffering from chronic ailments. The economy has been facing crisis monopoly trends have strengthened during the last 20 years. The production has not been going up 40% of the production capacity of our industries are being utilised. The rise and growth of our industries has not been sufficient so as to catch up with our requirements. At present there are full and partial closures of industries as stocks are piling up. This is first of all due to our links with the traditional capitalist and imperialist countries like America, England, West Germany etc. Because of our dependence on these foreign imperialist countries, the economy has to rely on their manoeuvres and have been always forced to give them concessions at our costs.

Most important of these are devaluation of our rupee. The Second reason for this crisis of industry is the shrinkage of of this market or in other words the loss of the purchasing power of the people. The very hunger for profits by individual capitalists without caring for the wellbeing of the people as a whole or the progress of the country is mainly responsible for these ailments of our industries. As a result of all these the economy is passing through a severe recession. A peculiar feature of the recession is that even though there is stock piling, closing down of industries, lay off and retrenchment, the prices of commodities are going up generally.

Because of these tendencies of economy the life of a workman is put into imbalance and uncertainties. His hardship daily increases even though he goes on toiling harder every day.

Therefore unless the economy is seen from these trends and crisis and put on a stable basis by eradicating the evils the difficulties of a workman will not end. Hence the main reason for industrial unrest is the instability of the economy.

GENERAL TREND OF INDUSTRIAL UNREST

Besides this basic reason we have to analyse the other causes of industrial unrest.

A scrutiny of the industrial disputes in our State will give us valuable lessons.

In the years 1962, 1963 and 1964 there has been respectively 468, 945 and 1693 disputes. A break up of these disputes give the following picture:-

The causes for industrial disputes

	1962	1963	1964
Wages	127	433	1032
Bonus	174	34	42
Individual & Personal			
Leave	118 128	19	63
Retrenchment	68	100	302
Misc.	<u>67</u> 498	<u>154</u> 945	<u>159</u> 1993

(Source - Labour Commissioner's report)

This shows that the most important cause of industrial dispute, is the dispute for wages. The number on this account in 1962 was 127 out of a total of 468 or 27%. It increased to 1032 out of a total of 1993 in 1964 or 61%. Therefore it can safely be said that the dispute on wage is on a steep rise. The other main reasons industrial dispute are bonus, discharge, dismissals, retrenchment and leave. The Misc. disputes are going down. It has gone down from 14% in 1962 to about 10% in 1964.

Another indication of industrial unrest is the number of the strikes. Important conclusions can be drawn from the following table -

	No. of strikes	Man days lost.
1964	1264 19	66741
1965	43	71815
1966	43	185923

(Source - The Labour Commissioner's report)

Not only the number of strikes are going up but the participation in the strikes are going up. The intensity of the strike is growing along with the number. The average mandays lost in a strike is as follows:-

1964	3513
1966	4324

All these facts give the conclusion that industrial disputes and industrial unrest is growing from year to year and are getting expressed more and more for wages and other demands.

Let us have a look at these problems in our State

Wages:-

The condition of wages in our state is alarmingly low.

Seven of our industries are included in the All India Wage Boards and in some of these industries the wages are generally of the all india level. But sugar Textile, Iron Ore and Newspaper industries are not yet implementing the recommendations of the wage Boards.

Besides these the wages in other industries in our State less than our neighbouring States- If we take facts about average wages for workmen below 400,00 Rupees per month we shall see that the daily wages are as follows:-

	1963	1964	1965
Orissa	3.81	3.81	5.33
Bihar	5.63	5.28	5.94
West Bengal	5.05	5.45	5.99
Maharashtra	6.12	6.52	7.29

(Source - Labour Bureau)

If an average of wages of workmen getting wage of Rs.200.00 or less than it, the average wage will go down still. In 1963 in Orissa the average wage will be Rs.3.57 paise.

There has not been sufficient rise in wages in Orissa. If one takes the statistics maintained by the Labour Commissioner, one would come to the conclusion that by the end of 1966 the real wages have gone up by 9% from that prevailing in 1963.

Let us go to the facts:-

Total wages of workers getting less than Rs.100.00

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Total wages of workers getting less than
Rs.200.00.

Year	No. of workers	Total wages paid
1963	18502	Rs.2062,9764.27
1964	150411	18,62,6017.37
1965	42329	70,15,1319.60
1966	44955	73,10,0997.71

(Labour Commissioner)

Average monthly wages of workers getting less
than Rs.200.00

Annual average. Daily average Rise from 1963

1963	1115.09	3.57	00%
1964	1238.57	3.97	11.5%
1965	1657.52	5.31	50%
1966	1622.09	5.21	47%

The rise in wages from 1963 is 47%. But if we
look at the rise of prices then the picture of real wage
rise will be seen.

Consumer Price Index of Cuttack.

Year	C.P.I.	Rise over 1963
1963	148	00%
1964	171	15.5%
1965	187	27.0%
1966	205	38.0%

(Source Labour Bureau)

Therefore there is a rise of 57 points or
38% in consumer price index numbers from 1963 to 1966.
Therefore actual rise in real wages is $47-38=9\%$.

It should be understood that majority of workers are below Rs.200/- per month in our State. In the factories it is 90% of the total. About 60% of the total are below Rs.100.00 per month in our factories.

In the mines the situation is still graver 95% of our mine workers are below Rs.100.00 per month.

The conditions of real wages in 1963 are either equal to or less than the wages of 1939. Sri Gulzarilal Nanda, former Congress Labour Minister declared in Parliament on 11th April, 1960 that the condition of living of workers went down by 25% between 1939 and 1947. In 1951 it was brought to the level of 1939. By 1955 the real wages went up by 13% from that of 1939. But again after 1956 the prices went up in such a way that it wiped away all the gains of the workers.

The consumer price index maintained is a fraud. It has been minimised to conceal the real face of the economy. The actual price are much higher than that indicated in consumer price index number. But even in spite of it and on the basis of the declaration of Sri Nanda one can ~~not~~ ^{only} claim that the real wages of Indian workers are less than 1939 level. Hence in Orissa we can emphatically say that the real wages are below 1939 level.

Dearness Allowance :-

The workers are paid also lowest dearness allowance. Out of the 40 main factories in the State only 7 factories have their dearness allowance linked to consumer price index numbers. These are the industries where the wage Boards are implemented are the Indian Aluminium Co. Aluminium Industries, Kalinga Iron Works and Ferro Manganese Plant of Joda. In 11 other factories the dearness allowance is not linked to the C.P.I. In the other 22 factories D.A. does not

not exist as a separate element. The question of D.A. in rice mills and smaller factories does not arise.

In the life Insurance Corporation and Banks the D.A. is linked to C.P.I. But it has not been done in the State Govt. offices and establishments. Only after an agitation the D.A. is increased to a small degree.

Whenever the D.A. has been linked with C.P.I. it only neutralises the rise in price for the lowest paid employee. Others do not get it and therefore with the rise of prices the real wages of higher paid employees get goaded gradually.

In Orissa the highest neutralisation amount per point is 75 paise. It only neutralises the rise of prices for a worker drawing a wage of Rs.100.00 per month. All other employees drawing at present a wage above Rs.100.00 p.m. loose in real wages with the rise in prices.

Therefore it is necessary that the neutralisation for all categories of employees drawing up to Rs.500.00 are to be provided .

No minimum wage :-

The 15th Indian Labour Conference worked out the principles on which the Minimum wages are to be fixed. The decisions have not been worked out in any industry in the State.

The wage Boards were established to bring the wages in an industry to a standard. In the initial stages when the anomalies were very numerous, the wage Boards did a work. But now the situation in the country has changed. The employers are no longer prepared to implement the unanimous recommendations of the Wage Boards. Even in the Wage Boards they are unreasonably recording dissent so as to make it

make it difficult for any implementation. Therefore Wage Boards are no longer media through which the question of wages are to be settled. Out of the 19 wage Boards 7 Wage Boards have finalised their work. In Orissa we are only concerned with 7 wage Boards such as Textile, Cement, Iron and Steel. Iron ore, Transport, Engineering and Non-Journalist - All these are not yet implemented.

The Minimum Wages Act is a statutory provision. For the last 7 years there has been no revision of wages. Further the wages fixed as per this act is so small that it sometimes becomes disproportionate to the needs of a worker.

Therefore there is bound to be disappointments on the question of wages. The industrial unrest is all the more greater. The employers' and the Govt. policy are responsible for these unrest.

In Orissa Textile Mills the management did not implement the agreement of 1960 regarding dearness allowance. Subsequently when the workers agitated over the question they managed to come to an agreement on an insignificant amount with another union whom they recognised. Though the dispute was avoided or rather elluded for the time being the situation remains tense and industrial unrest continues.

In the Orissa Industries, Sri Durga Glass Works and printing presses in Cuttack and unrest continues on the question of wages.

There had been a strike of 15000 mine workers in Barbil for non implementation of the wage Board in Barbil for non-implementation of the wage Board recommendations in Iron Ore Mines.

Wrong basic attitudes of managements.

The reasons for unrest also can be traced to the attitudes of the employees. There are some employers in public as well as private sectors who refuse to respect

the legal and constitutional rights and status of the workers. They take unjustified action against worker for even forming a trade union, cases of victimisation of workmen for trade union activities are sufficiently large to prove this point. Secondly the delay in settling a dispute also results in industrial unrest. This attitude of a management contributes a lot for multiplication of the dispute. Thirdly employers do not implement the provisions of the law. If you look at the administration of factory Act only this would be proved to a very extent. The factory inspectorate is very conservative in launching cases against employees. It is only done in case which are so glaring that it can not be concealed any longer.

In 1961 the number of cases started under the Factories Act are 142 and there has been 16 warnings.

In 1962 the number of cases were 74 and in 33 cases there has been warning.

1964 it increased to 238 cases.

This gives a glimpse of the situation. There are violations of all other labour laws. It appears as if the laws are practised by employees in their violations.

Refusal to Recognise Unions

The Management refuse to recognise the Trade Unions even if they have the solid backing of the workers. The only way to do it is through the system of ballot. But neither the employer nor the Govt. is prepared to move in this direction.

In many cases the managements and the ruling parties utilise their influence to sponsor unions and get it recognised against the wishes and desire of the majority of workmen. This attitude of the managements and the Congress, swatantra and Jana Congress parties have

have been responsible for a lot of industrial unrest.

Government Policies responsible.

The other reasons for industrial unrest are the Government policies. The employer oriented Govts. for the last 2 years have been some times refusing to refer industrial disputes to adjudication whenever demanded by the workers. But when a reference is disadvantageous for the worker the Government is very prompt in referring the same to adjudication. It only embitters the relations and breeds more industrial unrest.

The Govts. in power in our state have taken partial and partian attitudes to the industrial problems. Police and magistracy have been truly utilised in the past where the Labour Department and its conciliation machinery should have been used.

The Government is supposed to be impartial in their dealings with workmen. But experiences are otherwise. The Govts. have either favoured their own partymen or people nearer to them who progress to tolerate the Govt. of 5 years due to their narrow party ends.

All these are causes of industrial unrest.

Delay in Adjudication:

The present system of adjudication is giving rise to despair amongst the working class and hence more of industrial unrest. The adjudication does not rest at the Tribunal level. The managements usually take the appeals to High Courts and Supreme Courts. This delays the settlement of a problem. It creates untold difficulties for the workers to fight out these cases in higher courts. This litigant attitude is responsible to a very great extent for the breeding of industrial unrest.

Not only that the disposal of cases in Tribunals are too much delayed due to shortage of hands. The Swatantra led Govt. has of course appointed special tribunals for Kalinga Tubes and Orient Weaving Mills, but if they are not product of political considerations one would expect that the same pattern should be utilised for early disposal of other cases. This delay in finalising adjudications is very much responsible for industrial unrest.

Lack of collective Bargaining :-

Collective bargaining is the main medium of settling the industrial disputes. It is now mostly replaced by tripartite functioning. Most of the managements do not help; rather hamper the spirit of collective bargaining. The Govt. does not equally help. The Trade unions are left at a disadvantageous position where they cannot effectively do collective bargaining.

Non-Provision of essential facilities.

We find many cases where the industrial unrest is due to absence of the provision of essential facilities such as (a) Drinking water, (b) quarters (c) medicines and medical facilities and (d) gratuity and retiring benefits.

A. These are basic and elementary provisions and industrial unrest for these shows the utter collusion of the employer.

Automations :-

The other cause of industrial unrest is Automation and rapid mechanisation leading to wide spread unemployment in the country.

Employment of local people:

Employment of local people ;

Another cause for industrial unrest in our State is the demand for employment of local people in the industries of the state, Due to historic reasons the people of the state are still backward and are not able to stand in competition with other developed nationalities of our country. It is natural that the people should expect the employment of local people in preference to people of other states when they can reach the eligibility limit.

However this question has to be viewed from a correct angle. In our state we have about 2 lakh people appointed in our factories, mines and offices. But 10 lakhs of our people are employed in West Bengal and Assam, Therefore a blind demand that all other non-Oriyas should be replaced in our state by local people might lead to complications. It must be viewed from a correct perspective. The local people should be given some preference in employment.

Rivalry in Trade Union.

It will be seen from all the discussions that the main cause of industrial unrest in our country is the state of our economy the attitude of the employers and the Govt. policies. It is not the rivalry in the Trade unions as is told by some people. The rivalry in the trade unions was the creation of the employers and the congress leaders followed by others. But its contribution to the industrial unrest is insignificant. It may be 5 %.

It is seen that certain elements in their attempt to divide the trade unions used goonda methods of terrorising the workers. Instead of fighting this wrong ~~attitude~~ attitude the employers and the Govts. pamper these elements. The Govt.

and some employees held and consolidate these elements with
xx a view to beat down healthy trade union movements. The
Code of Discipline and all other laws and conventions are
thrown into the winds in these cases by the employers and
Govt. There are cases in our State where these elements have
been rewarded for their Goonda like actions by recognitions,
acceptance of their demands and harassment and victimisation
of honest trade union elements. Therefore if any dislocation
on this score is due when it is the deliberate action of the
employers and the Govts. in our State which contribute to
the same.

However these are small things. The division in
the trade union movement in most cases does not stand as
bar to trade union unity in action and therefore is not a
major cause for industrial unrest.

Therefore the main causes of industrial unrest
lie with our decaying economy, with the political and prac-
---tice x xx our employers and Govts.

Way out.

The path of solution of the industrial unrest
can be the following :

1. Replacement of the present economy in our
country by a non capitalist economy based on the wellbeing
of our people and rise of the national economy and full
utilisation of the production capacities.
- 2) Elimination of monopoly and concentration in
our economy.
- 3) The stabilisation and lowering down of prices
- 4) The independence and sovereignty of our State
in relation to imperialists has to be protected.
- 5) The purchasing power of the people has to be increased
by equitable distribution of the national wealth.
- 6) Minimum wages have to be paid to all workmen.
- 7) The D.A. should be linked to the cost of living
index.

8) The bonus laws have to be amended. The minimum bonus should be $8\frac{1}{2}\%$ the upper limit of 20% has to be abolished. New formula for bonus has to be evolved.

9) All attempts at retrenchment has to be stopped.

10) Similarly all lay offs have to stop

11) Malefide dismissals and discharges must be stopped

12) Wages for suspension periods should be introduced as provisions of Industrial Disputes Act

In cases of dismissed workers they should be treated as on suspension till the Tribunal of Arbitration finished this case.

13) Tribunal awards must be implemented and appeal to High Court and Supreme Court should stop

14) Implementation of recommendations of Wage Boards should be scrupulously adhered to.

15) The process of adjudication should be expedited and finalised within a period of 3 months.

16) The attempt at automation should stop.

17) Full scope for collective bargaining should be given.

18) The union with majority support must be recognised. This should be ascertained through a ballot among the workers as a whole in an establishment.

19) The provisions of labour law must be strictly enforced and violations should be punished

20) Management attempts to sponsor trade unions should be completely discouraged. The parties in power should be decreased for interference in the trade union activities.

21) Immediate provision of drinking water, medical treatment, quarters, education facilities, gratuities and other basic amenities should be made

22) The job security of a worker should be guaranteed. If these can be done, the industrial unrest can be eradicated in a small span of time.

At the plant level the communication between management and workers should be made through department committees of the unions or through joint relations committee of the union and management.

Managements usually delegate their powers to Departmental Head to deal with the employers - personnel officers and special lists come towards the end of the dispute to regularise and management lacuna

79. In most & cases standing orders are prepared by managements. These are certified by certifying officers after hearing the management and the representatives of workers. These take place at early stages of the industry when unions have not come up and hence managements have their early way in getting it certified.

80. It does not serve the purpose.

81. The standing orders in disciplinary cases are entirely pro-employer and therefore needs drastic amendments.

82. No, the grievance procedure has not served its declared & purpose.

Collection Bargaining.

85. It will be dealt with by the central organization.

86. It has been dealt with earlier.

87. Adjudication is not the alternative to collective bargaining. It cannot have the same result. Collection bargaining is a voluntary effort where as adjudication is a enforced affair.

Adjudication at present without any limit of time becomes a big fetter. The workers are forced to accept it in face of superiority of strength of the Govt. and the employer.

88 to 90. Collection bargaining can really become effective only when the employer seriously and give justice to the workers. At present collection bargaining is becoming somewhat successful only where the workers organization is strong. The employer do not so motto want to

to settle up any matter and maintain industrial peace. Collective bargaining is the best media of settlement of industrial disputes. But proper atmosphere has to be created for this. It mostly depends on the attitude of the employers.

Separate areas for collective bargaining and Adjudication can not be allowed. Collective bargaining must embrace all spheres of disputes.

& Joint Consultation

1. Yes.
92. The works committees have not been functioning in most places. It is redundant in places where the unions are treated and functioned or recognised.
- 93)
94) It will be dealt by Central organisation.
- 95)
96) No.
- 97-a) No. - (o) to (1) does not arise.
- Conciliation.
98. The conciliation machinery has given satisfaction to a very small degree.
99. The conciliation machinery is useful but it it is not playing the pivotal role in the settlement of industrial disputes
- 100 At present the conciliation officers have very little powers and no employer cares for an authority without any power. Conciliation succeed where the unions

are powerful. Therefore independently the machinery can achieve a small degree.

The can be useful only when they consistently take up a proper attitude and not concede to the pressure of the employers. More over if they have effective power to do so.

101. In suitable cases it may be possible.

Adjudication.

102 We have dealt about it previously. The
to system can be retained but it should be only used where
109. collective bargaining fail. The adjudication must have a time limit. Appeal to High Courts and Supreme Court must be banned.

The existing arrangements for adjudications is not satisfactory. The Labour Department's power for reference of disputes must be fettered. All most all cases are to be referred only frivolous cases may be ~~perx~~ prevented. But at present genuine cases are not referred. The Government is using political discrimination in the matter of reference. This must stop.

The cases of discharges and dismissals must be allowed to be taken to the Industrial Tribunal or Labour Court directly without interference by the Labour Department of this Government.

As regards implementation, legal provision for imprisonment of the employers be provided for non-implementation. This must be given effect to after ~~xxx~~ one months of the award.

Code of Discipline

110-

No.

111-

It will be dealt with by the Central Organisation.

As regards questions 112 to 129 we stand by the replies of our Central Organisation.

V. Wages

We have dealt with the problems previously.

We stand by the replies of our central organisation, on matters covering this section.

On the other matters we support also the replies ~~of~~ by our Central organisation.