A CRITICAL REVIEW OF LABOUR WELFARE POLICIES OF THE GOVERNMENT OF UTTAR PRADESH

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IN
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(Gohar Anjum)
There are many factors which influence the successful working of an enterprise. Apart from funds, managerial ability and technological excellence, human relations in the enterprises are also vital for the successful operation.

Recently, it has been found that, despite large investment of resources and most sophisticated techniques of production, industrial units have not shown the amount of success expected of them. Thus the industrial progress depends on satisfied labour force and in this connection the importance of labour welfare measures were accepted as early as 1931, when the Royal Commission in its report on Indian Labour, assigned weightage to welfare measures. The schemes of labour welfare may be regarded as a "wise investment" which should and usually does bring a profitable return in the form of greater efficiency.1

Twenty years later, the planning Commission, also realised the importance of labour welfare when it observed that, in order to get the best out of a worker in the matter of production, working conditions require to be improved to a large extent. The worker would at least have the means and

facilities to keep himself in a state of health and efficiency. This is primarily a question of adequate nutrition and suitable housing conditions. The working conditions should be such as to safeguard his health and protect him against the occupational hazards. The work place should provide reasonable sanitation for his essential needs. The worker should also be equipped with necessary technical training and a certain level of general education.

Labour welfare may be termed as a total concept, as a social concept, and as a relative concept. The total concept is a desirable state of existence involving the physical, mental, moral and emotional well-being. These four elements together constitute the structure of welfare on which its totality is based. The social concept of welfare implies the welfare of man, his family and his community. All these three aspects are inter-related and work together in a three-dimensional approach. The relative concept of welfare implies that welfare is a relative in time and place. It is a dynamic and flexible concept and hence its meaning and content differ from time to time, region to region, industry to industry, depending upon the value system, level of education, social customs, degree of industrialisation and general standard of socio-economic development of the people.

Therefore, the labour welfare implies the setting up of
minimum desirable standard and the provision of facilities like health, food, clothing, housing, medical assistance, education, insurance, job security, and recreation. The purpose of providing welfare amenities is to bring about the development of the total personality of the worker, his social, psychological, economic, moral, cultural and intellectual development to make him a good worker, a good citizen and a good member of the family.

These facilities may be provided voluntarily by the progressive and enlightened entrepreneurs of their own accord or their realisation or social responsibility towards labour or the statutory laws may compel them to make provision for those factories or these may be taken up by the government or the trade unions if they have the necessary funds with them.

In the present study, an attempt has been made to study the strengths and weaknesses of the existing provisions for the welfare of Employees in Uttar Pradesh.

The dissertation has been divided into five chapters. The Chapter-I, "Labour Welfare A Conceptual Frame work" is the survey of labour struggle for a century to get a positive response to the essential needs underlying his welfare. The chapter concludes by highlighting the essentials of labour welfare for wholesome development of his personality, together with that of his family and the community. The Chapter-II, "Labour Welfare
in India", has assigned importance to the role of trade unions, voluntary organisations and the government in India. The Chapter-III, "Labour Welfare Schemes of Uttar Pradesh", has made an attempt to examine the statutes passed by the State legislature for the promoting labour welfare in the State. A detailed account of the main statutory laws in the State has been given in this chapter. The Chapter-IV "Impact of Labour Welfare Schemes in Uttar Pradesh (A case study of U.P. Employees State Insurance Schemes in Kanpur)" highlights the main problems of the U.P. ESI Corporation. This Chapter also makes significant suggestions to make the Corporation effective in its role as a multi-benefit agency for the workers. The Chapter-V, "Conclusions And Suggestions", recapitulates the main findings of the study and the suggestions to remedy the weaknesses and impart strength to the labour welfare movement in the country in general and in U.P. in particular.
Labour welfare is indispensable to higher productivity and efficiency. The management and the labour both stand to benefit from labour welfare. It would promote labour welfare to take care of the labourers and their families by providing good nutrition, housing, clothing and by improving his personal status together with social status of their families.

It has its origin in labour struggle for their rights during World War I (1914-18). The concept of labour welfare can be glanced from different angles. Labour welfare is concerned with socio-political, economic environment for all round development of labour including material and spiritual well being. It basically refers to social economic and intellectual betterment of workers. For our part we prefer to include under welfare "any thing done for the intellectual, physical, moral and economic betterment of the workers, whether by employer, by government or by other agencies, over and above what is laid down by law or what is normally expected as part of the contractual benefits for which the workers may have bargained". The labour welfare includes housing, medical and educational facilities, nutrition (including provision of canteen) facilities for rest and recreation. Co-operative societies, day
nurseries and Creches, provision of sanitary accommodation, holidays with pay, social insurance measures undertaken voluntarily by employees, alone or jointly with workers including sickness and maternity benefit, schemes, provident funds, gratuities and pensions.

Committee on Labour Welfare observed that it would promote welfare of the workers if employers provide facilities and amenities as adequate canteen, rest and recreation facilities, sanitary and medical facilities, arrangements for travel to and from work and for the accommodation of workers employed at a distance from their homes and such other services amenities and facilities including social security measures as contribute to an improvement in the condition under which workers are employed.

Labour welfare is not limited to a certain point, but any facility in any form for himself, his family and his community can come in the category of labour welfare. Some welfare policies owe their origin to the intervention of government which may be called as essential facilities to the working class.

Importance of labour welfare: Labour welfare is totally based on humanitarian, social, political and economic factors. Since the inception of factory system, workers suffered from
malpractices and exploitation by employers. It told heavily upon employee's ability, his efficiency, and dedication. Enlightened management is fully aware that it cannot attain the objectives of higher profit and larger sales without active and willing co-operation of workers. "It stresses the need for measures to improve working conditions. It would give a sense of belonging to the workers and inspire him to put in his best efforts for attaining the goal. The welfare work is highly relevant to India".

Labour welfare is the most crucial issue in production which does not perform efficiently without proper maintenance. In the same way labour will be dedicated to the organisation if he is totally content with monetary return that is his primary objective, social recognition to boost his dignity, status and a system for redressal of his grievances in the factory. Dr. Moorthy holds the view that - "labour welfare has two sides negative and positive, On the one hand it is associated with the counteracting of the harmful effects of large scale industrialisation on the personal, family and social life of the worker; while on the other positive side, it deals with the provision of opportunities for the worker and his family for a socially and personally good life".

If welfare was not thought of, the impact on industry would have been a Waterloo to consumer, society, industry and
the worst sufferer would have been the nation. Labour is an irreplaceable factor of production. It has no substitute, labour takes a long time to develop and become efficient, unlike machines and capital.

Origin of labour welfare can be traced to World War-I, 1914-18. As discussed in the foregoing paragraphs. The labour force was exploited, malpractice and constant economic depression sparked off the great labour welfare movement. International Labour Organisation was formed. It gave helping hand, security of the life of labour, but grievances still existed. In 1931, The Royal Commission on labour observed "Although workers may have been influenced by persons with nationalist, communist or commercial end to serve, we believe that there has rarely been a strike of any importance which has not been due entirely or largely to economic reasons". The Committee of experts of Welfare Facilities for Industrial Workers convened by I.L.O. (1963), included the following under the term "Labour Welfare".
### TABLE 1

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<tr>
<th>Welfare and amenities within the precincts of the establishment</th>
<th>Welfare outside the establishment</th>
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<tr>
<td>2. Washing and Bathing facilities.</td>
<td>2. Social Insurance measures (including gratuity, pension, provident fund and rehabilitation).</td>
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<td>4. Rest, Shelters and Canteens.</td>
<td>4. Medical facilities (including programmes for physical fitness and efficiency, family planning and child welfare).</td>
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<td>5. Arrangement for drinking water.</td>
<td>5. Education facilities.</td>
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<td>6. Health services, including occupational safety.</td>
<td>6. Housing facilities.</td>
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<tr>
<td>7. Arrangement for prevention of fatigue.</td>
<td>7. Recreation facilities (including sports, cultural activities, library, reading rooms).</td>
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<td>8. Administrative arrangements within a plant to look after welfare.</td>
<td>8. Holiday homes and leave travel facilities.</td>
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<td>9. Uniform and protective clothing.</td>
<td>9. Workers Co-operatives including consumers co-operatives stores, fair price shops and co-operative credit and thrift societies.</td>
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<td>11. Other programmes for the welfare of women, youth and children.</td>
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<td>12. Transport to and from the place of work.</td>
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In 1931, Royal Commission on Labour recommended the appointment of labour officers who had to look after the labour welfare. "We advocate for all factories the exclusion of the jobber from the engagement and dismissal of labour. This can best be achieved by the employment of a labour officer and this is the course we recommend whenever the scale of factory permit it. He should be subordinate to no one except the general manager of the factory and should be carefully selected. Integrity, personality, energy, the gift of understanding individuals and linguistic facility are the main qualities required. No employee should be engaged except by the labour welfare officer personally, in consultation with department heads and none should be dismissed without his consent, except by manager himself, after hearing what the labour officer has to say. It would be the business of labour officer to ensure that no employee is discharged without adequate cause if he is of right type, the worker will rapidly learn to place confidence in him and to regard him as their friend. There are many other duties which such an officer can fulfill particularly in respect of welfare."

Royal Commission thought of bringing certain provisions for the labour welfare. Certain circumstances around the world have brought about drastic meta-morphosis change in industry. It has profound impact on all the industrial activity. It has effected workforce directly or indirectly. Industrialisation
led to development of new social strains and stresses. Workers were themselves engaged in their own occupations. There began migration of workers to industrial centres in search of employment. Thus wax of social combination began to melt. Selfish industrialist made profit as a sale goal. Two extreme economic classes to form the capitalist and the work-force. Relations of employers and employees were limited to work and pay. Employer paid little attention to regulate working hours, to provide extra facility of health, housing allowance etc. Women were the best attraction and best deal for firm owner, since they were hard working and cheap work force. Urbanisation came into being, strategy of selecting labour was yet to emerge.

**Effect on environment** The landscape turned into black stone everywhere in the absence of sophisticated tools, to deal with fumes, smoke, noise, wastes which effected environment. Sanitation was badly kept, epidemic often took heavy toll of life. Disease tuberculosis and cholera were a common sight, workers found it very difficult to work under these terrific living conditions. Workers life was open to health hazards. He had to live in life surrounded by pollutants in congested slum areas. For this the employer has primary responsibility to take care of his employee at least to provide balanced hygienic food. The employer should contribute to insurance schemes for maintenance of dependents in case of death or
permanent disability of a worker. The working conditions should be clean for the health and efficiency of workers.

**Effect on family:** Family is a place of togetherness and happiness. It is the primary unit of society. Family member co-operate, show love and affection, help each other, care for each other, educate moral ideas, promote religious values and share fruits of economic activities. Each member helps one another in times of hardships. Family nourishes the infants, makes them young, educate them to take part either in traditional occupation or to get engaged in some organisation. The adults get matured and the family keeps increasing.

Industry has disunited and disintegrated society, life became too hard, family started to break into scattered groups. Industry was the only factor for disruption of family life. Industry brought separation of family from place work. Well knit family system became weaker because of head of family living away from wife and children. In the opinion of social scientists.

"The Characteristics of an INDUSTRIAL urban family are dis-advantageously different in many way from those of the traditional joint family. The function of the family as the main economic unit of society has dis-appeared for the simple reason that the productive function of a family in an
industrial society is almost nil. It has now become consuming unit and hence it is not able to 'motivate economic activity'.

Thus industry has spoiled the peace of mind of family. As discussed earlier labour welfare offers solutions to problems arising from industrial strains and stresses. There took place rapid growth of working population in industrial centres.

The utility services could not keep pace with the expanding size of industrial towns. A number of villages have become big parted cities as a result of industrialisation, Bombay, Calcutta and Kanpur illustrate the point. Lack of facilities for the workers to live with his family in industrial areas is responsible for high rate of absenteeism, labour turn over and grievances. The most sad aspect of labourers life is lack of old age security. In the old age workers are helpless and miserable. He is totally dependent upon other in economic aspects. It breeds discontentment. They have no bright future. He suffers from humiliation. When he has to work longer hours without special holidays, it is boring and monotonous nature of work which make labour leave the job in desperation. He applies divided mind and is careless about the work. Unhealthy atmosphere, over heated factory rooms, stale air inside, noise and air pollution make the matter worse. Drinking water facility was usually neglected by the employer. Large scale industries were apathetic to labour welfare. The management resorted to
to expulsion of workers, striking or agitating for social amenities. It was easy for them to recruit other workers.

As discussed earlier, there is no mental and physical satisfaction to the employees from work. There are many avenues for betterment of labour class. Periodical wages, certain amount of allowances and other incentives can go a long way to the improvement of social and economic life of workers. Employers have a negative ideology that welfare is a burden, the vast majority of employers in India still regard welfare work as a barren liability rather than a wise investment. They think welfare is a drain of financial resources. Employees are ignorant of the benefits of services like toilets and sport facilities. Employees ideology about welfare is that it is counterproduction of trade unions; welfare is a doll in the hands of employers out wordly showing to the world for good reputation. If welfare is taken in proper perspective, both parties will benefit a great deal. The employer will benefit from higher efficiency and productivity. Workers will enjoy social securities and incentives. Management and workers will co-operate with each other. They will build cordial relationship for mutual benefit. Management should provide housing and medical facilities, nutrition, entertainment, education and transport. Consumer Co-operative society should be formed for supplies of goods to workers at fair prices. Family planning has been adopted by industries to promote labour welfare.
Allowances, free gifts and free education of children are some of the incentives to workers for adopting family planning schemes on voluntary basis.

**Labour Welfare by social agencies:** Many social societies like Seva Sadan, Young Men Christian Association (YMCA), Servent of Indian society, the Depressed Classes Mission Society, many social societies, Charitable institutions are playing useful part for the betterment of miserable labour and peasant who are in the hands of exploiters. The objective of such charitable and servicing institutions are to raise the standard of living of the working class. In 1918 the Social Service League of Bombay came into existence to protect the workmen. Voluntary social society provides facilities like mass education, adult education, recreation, special care to health, entertainment. Kanpur, Ajmair, Calcutta and Madras have co-operative credit service for the welfare of workers. Municipalities also offer wide range of services to the labour including health service Canteens which prevent the epidemics like polio and cough. Facility of night schools, adult education, Creches for workers' Children are the common facilities.

**Welfare by Trade Unions:** Trade Unions are the crucial and vital body for the labour life. "Trade Unions have opened Schools for workers' children, night schools and the centres for adult education." The Trade Unions have also organised a
workers Co-operative Bank for concessional loans and credit to workers.

It also helps workers' wives to get training in tailoring and spinning. They run children's kindergarten schools, creches for babies of working women. It constitutes a breakthrough in education facilities. Sri R.K. Malvia in 1966 was the Chairman of the Committee of Labour Welfare and the control of Deputy Minister of Labour.

**Avenues of Labour Welfare**

Welfare can be divided into (1) Statutory, (2) Voluntary, (3) Mutual and (4) Moral.

Statutory welfare measures are obligatory on the part of management to fulfil. It comprises the provision of amenities for the fulfilment of basic needs of workers. The state interferes if management fails to discharge the statutory obligations towards workers. Article 41 of the Constitution of India specifies that "The state shall, within the limit of its economic capacity and development make provision to education and to public assistance in case of unemployment, old age, sickness and disablements and in other cases of undeserved want. Further Article 42 emphasises that, "The state shall make provision for securing just and
humane conditions of work and for maternity relief. Besides
Article 43 signifies that, "The state shall endeavour to
secure, by suitable legislation or economic organisation or
in any other way to all workers, agricultural, industrial or
otherwise, a living wage, conditions of work ensuring a decent
standard of life and full enjoyment of leisure and social
and cultural opportunities and in particular the state shall
endeavour to promote cottage industries on an individual or
Co-operative basis in rural area".

Voluntary measures are mostly taken by philanthropic
bodies. These voluntary institutions receive contribution
for promoting welfare of workers. Seva Sadans are the fulstan-
ding examples of voluntary institutions. They collect funds
for dealing with problems confronting labours.

Trade Unions, enterprising management and organisation
under taken measures to promote welfare of workers. Trade
Unions represent interest of workers to management. They
demand both intra - and extra mural facilities. "Intra mural
facilities require the management to provide such facilities
as bathroom, toilet, library, canteen, medical first aid,
safety measures against fire, sun provision of Chreches,
minimisation of air and noise pollution, indoor facilities
etc". Extra mural facilities are those services which are
provided outside the premises of the factory such as transport,
children's education, club, old age pension, Co-operative stores, library, amusement, and entertainment through film. Special benefit schemes should make provision for certain holidays, special grants, special family tours, casual Leaves, religious ceremony grants, limitation of female and juvenile labourers.

Analysts have evolved following principles for the implementation of welfare schemes without contributions among the managements and the Trade Unions.

(a) The Police Theory of Labour Welfare: Since the employer is on driver seat he can command whatever he wants from his employee. Employee is just like a puppet in his hands, they can be forced for over time job without remuneration, leave with salary cut etc. To check malpractice, laws have been passed. They provide security against such malpractices.

(b) Religious Theory: Religion can be as a potent force behind individual preferably welfare activities. The employers are known for lenient approach to humanitarian problems faced by the workers. They willingly help the workers economically. They leave to his work force, festival gifts to them. Religious ceremonies are organised in the premises for fostering the spirit of brotherhood unity and
integrity. These are some of the most plus points of religions. This also improves good ties among both parties and puts a halt to monotonous work.

(c) **Philanthropic Theory**: This consideration is on humanitarian ground. In Greek, Philos means love and anthopes mean man. So philanthropic means "loving mankind". This has been the foremost motive of eminent persons. They share their happiness with other human beings.

(d) **Trustee-ship**: Employer should function as a trustee of the business unit which involve both owners and workers. The growth of assets and profits is the fruit of common endeavour of the capital and labour. Therefore, it is in fitness of the things to spend a part of profit for the benefit of the workers, viz; are good wages, better working conditions and social services etc.

(e) **Placating Theory**: By promises, special way like gesture, polite and cool conversation can minimise the fury of workers for extra remuneration in the form of extra wages, and extra humanitarian facility.

(f) **Public Relation Theory**: This theory reveals good relationship between the employer and worker which automatically bring goodwill to the firm from the point of view of the public. For this the employer will try his best to pay special
attention to his workers for their firm to gain from good industrial relations.

(g) Functional Theory: Employer can improve the workers by responding favourably to the workers management ties through promises, through certain contribution in the fulfilment of the objectives. If certain target of production is targeted within the time limit, it can congratulate the work force by implementing welfare schemes, like special holidays, increase in wages, providing housing and hospital facilities.

The discussion in the foregoing paragraphs lead to the conclusion that labour indeed is the driving force behind higher production, labour keenness in the work makes the difference.

In computer age labour welfare is not confined to management alone. It is a duty of both the Trade Unions and the management to work together for the welfare of workers. Welfare can even be adopted by the work force voluntarily. For example extra nourishment, greenary, gardens around the premises are of advantage to all the member of the organisation. Trade Unions can also participate in the labour welfare schemes. They are unable to comprehend significance of welfare schemes due to ignorance, illiteracy
and unsound financial position. Trade Unions in less
developed countries cannot be compared with those in Western
Countries. The Trade Unions of the west are strong enough
to get the goal formulate policies for labour welfare. They
can get-rid-off clutches by means of unity for their just
cause.

**International Labour Organisation and Labour Relation**

Labour relation is one of the widest subject to be
studied by a management scholar. In today's world labour is
the most important factors of production. He is the one who
determines the efficient way of a market product. There is
a change in business work. Service has replaced the manufac-
turing trend. In service oriented era, skillness and physical
proficiency, utilization of human resource are very vital.

Labour relation is very essential not only for
reaching sales target also for firms, reputation, its efficient
management, economy etc. In olden times unskilled labour was
easily employed in firms, skill and qualification was not
necessary. The technological improvement has made it necessary
for the workers to receive training before employment. They
have to fulfil certain qualifications. They must complete
professional courses on some machines, tools, etc. The urban-
rural orientation is a psychological problem undermining the
welfare of the workers. The workers in rural areas would feel
more satisfied and contented with jobs in their native villages. Urban labours are living in small dwellings. The wages they get are not sufficient for a reasonable living due to high price of all commodities in the big cities.

Technological change has eliminated labour considerably. A machine tends to replace the workers. It has given employer an upper hand. He takes undue advantage. Non-fulfilment of genuine demand creates anger among workers. This can be avoided by means of better labour relation.

Stable industrial relation can be created when employer fulfills his workers need. In return, employees should put the best foot forward in doing their duty. If there is stable and understanding govt, it will help implement new schemes for the mutual benefit to both the workers and employers. Stable relationship will bring about better understanding, better responsibility, better administration, better sales turnover and definitely economy in resources also. Govt. would create job opportunities and maintain law and order.

According to the International Labour Organisation (ILO), "Industrial Relations deal with either the relationship between
the state and employers and workers, organisation or the
relation between the occupational organisation themselves.
The I.L.O. uses the expressions to denote such matter as
freedom of association and the protection of the right to
organise, the application of the principles of the right
to organise and the right of collective bargaining, collective
agreements, conciliation and arbitration and machinery
for co-operation between the authorities and the occupational
organisation at various level of economy.¹⁵

International labour organisation (ILO)

The origin of I.L.O. was due to World War I & II. After the
closure of war, a treaty was signed at Versailles. One of the
term of treaty of Versailles was betterment of the work force to improve working conditions and ability of the labour. It laid down some fundamental principles for this purpose:

"(a) Labour should be treated like a human and not as an asset or good.

(b) The law for employer and employee should be recognised by the court of law.

(c) Liberty to express grievances and form association.

(d) Wages should be fairly paid according to the service rendered by the labour and they should be paid enough to maintain
a reasonable standard of living.

(e) 24 hours rest should be given in a week, daily 8 hours work should be performed. Extra wages should be given for extra hours of work.

(f) Child labour should be abolished.

(g) Men and women should be treated equal in all aspects.

(h) Labour should be included in society, have equal status with those of government and have a democratic spirit of decision making.

I.L.O. has three main affiliated bodies:

(1) International labour conference.
(2) Governing body.
(3) International labour office.¹⁶

I.L.O. passed uniform regulation, to take workers out of serious pitfalls. They are now protected from shrewd employers who used to treat labour just like a commodity.

The first International Conference was held in 1980 sponsored by the German Govt. Another conference was held in 1982 at Brussels. In 1900, International Association was formed.
During 1800-1900 five main regulations were recommended:
(a) minimum age for a legible labour should be 14 in a factory
(b) working hour condition (c) Prohibition of night work
for young men and women (d) Insuring labour life and
protecting them from any business hazard. (e) weekly rest
day (f) To give economic justice to labour who is running
a hardship life (g) to make labour mentally and physically
sound through extra incentive welfare measures. 17

India is one of the pioneer member of I.L.O. Govt.
of India is doing its best by ratifying I.L.O. resolution.
I.L.O. has emphasised formation of trade unions and associa­
tions - labour is given special technical training in foreign
countries through I.L.O. Democratic powers are given to
labour I.L.O. and its allied organisation have played useful
role in improving relation regarding grievances etc. I.L.O.
is helping labour to get proper care, social justice and
dignity.
REFERENCES


CHAPTER - II

LABOUR WELFARE IN INDIA

In the preceding chapter it has been brought to light that Labour Welfare measures have been of vital importance, and it should be considered as an important aspect of industrial management. The basic philosophy behind the concept of labour welfare is to provide non-wage benefits to workers in a bid to promote their welfare. It will absorb him in the managerial psychosis ultimately. The welfare measures, however vary, from country to country, depending on the economic welfare systems. Hence, this chapter attempts to analyse labour welfare in India.

Lately, it is growingly realised that progress and prosperity of both the workers and employers depends on the effectiveness of labour welfare. However, labour welfare has a wide connotation without determinate horizon. It encompasses within its orbit all the services essential for the worker and his dependents well being. The statutory provision regards labour welfare as a matter of necessity and indispensible part of industrial relations. For a sound social upbringing recognition by the society, standardisation of status, economically sound, morally rich, cultural and intellectual development. Welfare is brought in and acts like
a soothing balm. Welfare facilities are sometimes extended by voluntary associations in co-operation with enlightened entrepreneurs, trade Unions and the state. The labour welfare has been languishingly for funds needed to provide facilities like Creches, Canteen, Drama Club, Education, Adult continuing education, Health Centres, library to read, are the unique facilities given by the employer welfare.

The importance of labour welfare has been also emphasized by the Royal Commission on Labour in 1931. "Labour is insecure and was in the clutches of exploiters, and teasers. It is clearly given a place of pro-minence in the constitution of India as well".

This need was emphasized in free India by the Constitution which laid down the following Articles in this regard:

Article 41: "The state shall within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in case of unemployment, old-age, sickness and disablement and in other cases of undeserved want".

Article 42: "The state shall make provision for securing just and human condition of work and for maternity relief".
Article 43: "The state shall endeavour to secure, by suitable legislation or economic organisation or in any other way to all workers agricultural, industrial or otherwise, work, a wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure, social and cultural opportunities and in particular, the state shall endeavour to promote cottage industries on an individual or Co-operative basis in rural Areas".

Thus Welfare is made a strong force compelling employers to treat the employee properly & decently. The state provides financial assistance for welfare schemes. To a large extent, labour feel secure assured and free to work.

Welfare essentially deals with problems undermining the welfare of workers as follows:

It is plain to observe that congestions are harmful to the health of the labour. It makes him feel uneasy and affects productivity. Poor industrial relations are generally the result of inadequate provision for labour welfare. It has cost the country loss of production of goods and services worth crores.

The table below gives an account of the time lost in manufacturing due to work stoppages as a consequence of poor
industrial relations.

**TABLE - 1**

Time lost in manufacturing due to work stoppages (from 1984 to 1987)

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of workers involved ('000)</th>
<th>Number of disputes</th>
<th>Mondays lost</th>
<th>Wages lost (Rs Crore)</th>
<th>Value of property lost (Rs Crore)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1984</td>
<td>1949</td>
<td>2049</td>
<td>56025</td>
<td>67.20 (1316)</td>
<td>528.06 (1172)</td>
</tr>
<tr>
<td>1985</td>
<td>1079</td>
<td>1755</td>
<td>29239</td>
<td>36.40 (1042)</td>
<td>374.52 (925)</td>
</tr>
<tr>
<td>1986</td>
<td>1645</td>
<td>1992</td>
<td>32748</td>
<td>45.31 (1118)</td>
<td>823.59 (966)</td>
</tr>
<tr>
<td>1987</td>
<td>1250</td>
<td>1199</td>
<td>20617</td>
<td>21.41 (593)</td>
<td>249.60 (534)</td>
</tr>
<tr>
<td>1988</td>
<td>1050</td>
<td>1502</td>
<td>30471</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

### TABLE - 2

The Percentage distribution of disputes by cause from 1984 to 1987 is summarised below:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Wages &amp; allowance</td>
<td>22.7</td>
<td>22.5</td>
<td>25.7</td>
<td>26.1</td>
</tr>
<tr>
<td>Bonus</td>
<td>8.1</td>
<td>7.3</td>
<td>9.7</td>
<td>4.2</td>
</tr>
<tr>
<td>Personnel &amp; Retirement</td>
<td>19.6</td>
<td>23.1</td>
<td>23.3</td>
<td>16.4</td>
</tr>
<tr>
<td>Leave and hours or work</td>
<td>1.9</td>
<td>1.8</td>
<td>1.3</td>
<td>0.2</td>
</tr>
<tr>
<td>Indiscipline &amp; violence</td>
<td>14.0</td>
<td>16.1</td>
<td>15.1</td>
<td>15.7</td>
</tr>
<tr>
<td>Others</td>
<td>28.7</td>
<td>29.2</td>
<td>24.9</td>
<td>36.7</td>
</tr>
</tbody>
</table>

Primary factor of labour welfare is the environment around factory premises. There should be moderate temperature inside, neither extreme cold nor extreme heat. The work place should not be suffocated but airy, free from odour smell, dust and fumes. These are basic standard requirement for a proper place of work.

There are many social reasons brought out by the Labour Investigation Committee in its report 1946, the provision of canteens, improves the physique entertainments reduce the incidence of vices, medical aid and maternity benefits bring down the rates of general maternal and infantile mortality; and educational facilities increase their mental efficiency and economic productivity.

These measures aim at making factory premises a better place of work. Discrimination between man and woman runs counter to the workers welfare. It is not justifiable to pay less wages to women for the same work. The women were also deprived of utility services including transportation, hospital facilities, entertainment facilities and educational facilities. Over load of work in factory premises made labour sick, weak and exhausted. To overcome these health hazards it is necessary to initiate effective measures like rest rooms, recreation facilities for physical fitness and efficiency. Extra allowances and bonus should be given in
addition to the regular wages. It will have good impact on material welfare of worker to pay special wages on special occasions, like, Diwali, Holy, Eid and Christmas. Poor dwellings should be replaced by new built houses as a part of labour welfare. Prior to welfare, no social insurance measures were taken. Labour was always exposed to risk. He used to worry about his family in case of his accident death to the workers. To mitigate hardships to dependents of the decased, Social Insurance Act passed in 1972. The Encyclopaedia of social sciences emphasise the essentials of labour welfare. "The voluntary efforts of the employers to establish, within the existing industrial system, working and sometimes living and cultural conditions of the employee beyond what is required by law. The custom of the country and the condition of the market."

**Origin of Labour Welfare in India**

The origin of Labour Welfare goes back to 1837 in India following the abolition of Slavery in 1833 when Indian labour was exported to England. The Apprentice Act was passed to protect labour class for the first time in 1850.

The acts main motive was to help poor and orphaned children to learn the business, trade and skill. The welfare provisions of the acts were significant for the defence forces
specially the moral force, which gave security to navy work force in terms of food, health, housing and insurance, to enable the seaman get some security from the government. Total Accident Act of 1855, provided for compensation to the families of the workmen who lost their lives as a result of any fault of employer or tool. It is to be noted that the main purpose of the Act was to create a sense of security among workers engaged in hazardous jobs. Workers Breach of Contract Act 1859 and Employers and Workmens' Dispute Act 1860 were break through in legislative measures pertaining to welfare. This act was more specific for the improvement of the working conditions. The Act of 1981 marks the beginning of a new era in the legislative efforts for the betterment of working conditions of Indian Labour specially in Bombay Textile Mill who were subjected to ill treatment and sub-human living conditions.

A Nine member Commission was appointed by the Governor of Bombay in 1875 to study the working conditions of labour. Children of tender age (6 year - 8 years) had to work in factories from dawn to dusk with a short rest at mid-day. Labour was going through a miserable condition. The environment of factory was not suitable to health. The factory premises were suffocated, badly designed, machinery was maintained better than the workers. There were no fixed working days. It was the usual practice to work for 320 days in a year. Their condition was not better than that of slaves. They kept on
working till they were totally exhausted and physically weak. In return the wages they get were very meagre, viz, 3 to 4 annas per day. The women were also bounded slave labour force who were allowed 2 - 3 hours of absence from work in 24 hours. The workmen were also bounded slaves labour force who were allowed 1 to 3 hours of absence from work in 24 hours.

Since inception of Industries in India, workers have been exploited as evident from low wages (3 to 4 annas a day) for tireless hard work. It was definitely a low wage as compared to value of labour they put in. Industrialisation in pre-independence period owes its inception to Cotton Mills of Bombay 1850 and 1870. During two decades, at least 20 Mills were established in quick succession. It posed in serious threat to the monopoly of British Cotton Textile Mill. The British industrialist began to take interest in the establishment of Textile Mills in Bombay to take advantage of cheap labour. Low productivity was counterproductive of the low labour cost. Therefore, it was of vital importance to take measures to improve the working conditions. In 1881 the Government passed the Act on the basis of the labour recommendation of the Labour Commission appointed in 1875.

Indian Factories Act of 1948 was applicable to all factories. It prohibits employment of children below the age of (Seven). Children with age between seven and twelve were not
allowed to work more than 9 hours a day. They were also
given four holidays every month. Adults were exempted from it.
Care was to be taken to operate machines. Dangerous machines
were only operated by skilled workers. Any accident had to be
reported to the factory inspector. Indian Factories Act was applicable to all factories which use mechanical power, employing not less than 100 person.

**Indian Factories Act, 1881, was amended in 1891 in the light of the main recommendations of International Labour Organisation (ILO) Conference held in 1890 in Berlin.**
The main provisions of the Act are as follows:

1. All factories employing 50 persons or more could be extended to factories employing 20 persons.
2. At least half an hour mid-day break was compulsory.
3. One day holiday in a week was advised for regular workers.
4. Lower and higher age limit of children employed in factory be 9 and 14 years respectively and the maximum hour they can work is 7.
5. Women should not work more than 11 hours with half an hour break.
6. Local Government should implement some welfare policies such as improving drainage and sanitation system, better
environment, clean places, etc.

7. Punishment and penalties expected on those violating Indian Factories Act.

In 1906 the Government of India appointed a Committee of Enquiry and subsequently, a Labour Commission was constituted for better working conditions in Indian Factories. The Act specified 12 hours of work a day for male workers and that of 6 hours for children.

The Factories Act 1881 remained in force for three decades. It led to implementation of secured schemes for labour welfare including measures to indemnify for loss for accidents, compensation to survivors in the accidental death, better housing and factory facilities.

The origin of welfare work in India may be treated to World War-I 1914-1918, prior to this labour was too ignorant and illiterate to know about welfare. To them it is a basic need, no one was interested to uplift labour and ensure reasonable conditions. The war created business environment promoters of industry, trade and commerce. Government implemented new schemes for labour welfare. Second World War made welfare the most necessary tool in the hands of the labour. Labour welfare movement got strengthened with this triple relationship, viz, relation between employer and employee, employee and government
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and employer and worker.

It may be, however, pointed out that welfare measures reflect the socio-political economic conditions which differ from country to country. The welfare policies are flexible enough to suit the existing conditions of workers in India. It includes all essential requisites for providing basic amenities. International Labour Organisation (ILO) makes labour welfare a dynamic concept. The term lends itself to various interpretation, it has not always the same significance in different countries. Sometimes the concept is wide, more or less synonymous with conditions of work as a whole. It may include not only the minimum standard of hygiene and safety laid down in general labour legislation, but also such aspects of working life as social insurance schemes, measures for the protection of women and young workers, limitation of hours of work, paid vacations etc. In other cases, the definition is limited and welfare, in addition to general physical working conditions, is mainly concerned with day to day problems of the workers and the social relationship at the place of work. In some countries, the use of welfare facilities provided is confined to the workers employed in the undertakings concerned, while in others, the workers families are allowed to share many of the benefits which are made available.

Indian Government has been made much concerned with labour
welfare. In 1922 All India Welfare Conference was held in Bombay to discuss labour problems bearing labour welfare. The Government appointed a Committee to suggest measures for administration of labour welfare schemes. Central Government at that moment was least concerned about any decision making, but regular meetings gave encouragement to welfare. In 1942, Labour Organisation in India declared R.S. Nembkar as the Chief of Central government, labour welfare organisation. He was an able labour adviser to the government before and under him certain labour welfare assistants were appointed. In 1944 a Coal Mine Labour Welfare Fund was established for coal mine workers who had to bear a large amount of risks. For them medical, recreation, housing facilities for lunch and tea were provided by the Central Government.

For miners different Acts were passed, such as Mines Labour Welfare Act of 1946, Iron or Mines Labour Welfare Act of 1961. Similarly, Acts were passed for the plantation workers who also had a tough job of plucking tea leaves, drying and packing them, Assam Tea Plantation Employees Welfare Fund Act 1959, for Sugar Mill workers, U.P. Sugar and Power Alcohol industries labour welfare and development fund etc. A fund of Rs. 6.74 crores was allocated for labour welfare programme in the First Plan Rs. 29 crore in Second Plan Rs. 71.08 crore was in the Third Plan specially for craftsmen and skilled workers. The fourth plan however allocated Rs. 39.90 crores
were allocated Rs. 39.90 crore for the purpose with 10 crores to finance central plan, Rs. 27.02 crores to finance state plans. Rs. 2.88 crores for schemes in Union Territories. A provision of Rs. 57 crores was in the fifth plan for employees.  

Thus Central Government provided financial assistance for the Labour Welfare in the beginning statutory labour welfare fund was a major break through in labour protection. In 1948-49 labour welfare funds were constituted in about 80 central government undertakings. In 1950-51 the number increased to 221. Funds are financed by the Government Miscellaneous income received from drama, cycle stand, canteens, contractors are added to the provisions. These grants finance Welfare activities to meet current expenditure but not the capital expenditure. At the end of March 1970 funds were in operation in 269 organisations. The workers contribution amounted to Rs. 3,68,348 and that of the government to Rs. 3,38,052 during 1969-70. Many meetings were held to discuss inadequency of the welfare trust fund. Government of India issued a letter to State Government and requested employers to organize welfare trust funds in their establishment. It was even proposed in the legislation to have a separate organisation of employer for labour welfare fund. But employers kept on delaying the welfare trust fund and authorities paid little attention to it. We hope effective and prompt measures would be taken, in states like Uttar Pradesh, Bombay, which are highly labour oriented states, are housing
certain extra funds for workers specially working in Coal
mines, mica mines, tea plantation and sugar mill.

Labour Welfare Activities of the U.P. Government

In 1937 a new department of labour was opened in
Uttar Pradesh for the first time. It has four labour welfare
centres in Kanpur. The number of welfare centres has since
increased manifold. There is also a lady welfare superintendent
to carry out welfare work pertaining to women and children.
There are 74 welfare centres at different places, viz
(Kanpur - 20), (Meerut region - 12), (Gobindpuri - 1), (Shamli - 1),
(Harbanswala - 1), (Mawana - 1), (Bareilly-region - 7), (Moradabad - 1),
(Raja Ka Shahspur - 1), (Seasonal - 1), (Rampur - 1), (Kasimpur - 1),
(Philibit - 1), (Allahabad-region - 10), (Allahabad - 3), (Varansi - 3),
(Bhadani - 1), (Merzapur - 1), (Churk - 1), (Renukut - 1), (Sorakhpur - 4),
(Padrauna - 1), (Ramokla - 1), (Balrampur - 1), (Khalilabad - 1),
(Agra-region - 12), (Agra - 3), (Feerozabad - 1), (Mathura - 1),
(Lucknow region - 5), (Lucknow - 5).

Permanent welfare centres are divided into three main
categories, A B C. "A" - Category type performs a number of
welfare activities such as Allopathic Dispensary, reading room,
library, securing classes, indoor and outdoor games, music dance
drama, children drama club, women club, Gymnasium etc.
"B" Category also give almost all the facilities which the 'A' category give except allopathic dispensaries. It maintains Unani Ayurvedic and Homeopathic dispenseries.

"C" Categories limits facilities to certain extent, reading rooms, indoor and outdoor games, entertainment media, etc. and runs Ayurvedic or Unani dispensary only free films also displayed besides compulsory evening education. In 47 centres adult education is also given in the evening. There is the provision of milk for sick people, unhealthy children and pregnant women facilities for regular medical check-up are also available at these centres. Training facilities are extended to impart skill in handloom working including spinning and weaving. Debate, Art camp, Kavi Sammelans are some of the most important, welfare activities undertaken for mental development.

All regular labour welfare Centres have qualified labour officers. Two Government aided centres are run by Motilal Memorial Society. Some holiday homes are maintained by the Society for workers to enjoy picnics with their families. There has been substantial increase in funds from Rs. 10,000 in 1937 to Rs. 25 lakh in 1989. Grants and aids are also given to private institutions for Voluntary assistance to Workers. According to Uttar Pradesh Factories Welfare Officer rules 1949, factory employing 500 or more workers in a day will
have to employ at least one welfare officer, factories employing 2,500 or more workers will have to employ an additional welfare officer. A committee also looks after the labour welfare. Annual functions are organised for congenial social environment.

In August 1956, the Uttar Pradesh Welfare Fund Act was also passed. The act provides that all unpaid wages, bonus and gratuity will be used for the welfare of the labour. These funds are controlled by the board consisting of Chairman.

**Labour Welfare work by different Agencies**

Firstly, the Government in the state and centre are undertaking activities of labour welfare. The state provides educational facilities to person of all age group. It has established health Centres. Training Centres are maintained to impart skill particularly in handlooms and toy-making. The vocational courses are introduced in primary Schools for the children to learn toy-making, designing machines etc. welfare programmes are extended to include indoor and outdoor games for physical development of Children. Annual Meet matches are organised to make labour agile and alert. Labour Welfare centres have a Committee to organise the welfare services and facilities. It is specially seem that centres are located at
points easily accessible to workers. The employers also contribute to welfare services by way of creches, rest rooms, shelter, bath oil, employee state insurance scheme, education, health, extra bonus, games recreation facilities etc.

Labour Investigation Committee 1946 assigned great weightage to hygienic condition in factories. Since most of labourers are drawn from rural, they are required to be educated in the use of public utilities and how about daily public used Commodities and how to be clean. Factories' Act 1948 emphasises to have clean and tidy places of work. In 1959 Central Government framed Coal Mine and Pit Head Bath Rules. It is highly essential that there is cleanliness, temperature, humidity, proper ventilation and dust free environment. Workers should have convenience and comfort during work, besides proper distribution of work hours and provision of rest times, meal times etc. Workmens safety should be given top priority in the factories. Factories are handicapped by funds for welfare schemes. It is difficult for the management to allocate adequate funds to maintain cleanliness in large work shops, specially when they have excessive labour force. It is also seen that social habits of workers ignorance and illiteracy create problems in keeping the place of work clean and by hygienic.

Besides welfare is extended to canteen facilities with the object to provide nourished food at subsidised rates
for sound health of workers. Canteen should serve as a place of mental and physical relaxation. "Canteen movement must be accepted by the state as a definite change and the running of canteens must be accepted by the employers as a national investment." Factory Act 1948 provides that the workers should avail reasonable place in factories, where labour exceeds 150. These places must be clean, well lighted and airy. International Labour Organisation appreciated by observing that in any undertakings in India, rest-rooms are located adjacent to or near the workers Canteen which had pleasantly furnished with easy chairs and with arrangements for music or radio broad Casting. Canteen are run by contractors, Canteen to workers is the second dinning Hall or drawing rooms, where, after a hectic schedule, he can take rest, refresh himself. An ideal canteen should be spacious, clean airy, brightly lit, friendly atmosphere should prevail article of good quality should be sold at reasonable prices. The sound organisations unlike the big industrial concerns do not make serious efforts to improve Canteen standards. The apathy to labour welfare is responsible for the neglect of labour welfare in small organisations.

**Medical facilities**: Health Care Centres are of vital importance to the productivity. Sickness take the toll of large number of working hours. It results in loss of valuable production. To avoid the heavy loss in production
proper medical facilities should be provided. International Labour Organisation (ILO) draws attention of the member natives to the neglect of medical facilities, particularly in less developed countries. Factories Act (Amendment) 1948, specified that factories having 500 or more workers will have to keep ambulance, and first-aid kit. Employees State Insurance Act 1948, covers to (1) Maternity benefit (2) Disablement benefit (3) Dependent benefit (4) Sickness benefit (5) Medical benefits. Central Government has also set up the Central Labour Institute at Bombay, besides three regional institutes of labour at Calcutta, Kanpur and Madras.

Table below show the magnitude and importance of issues involved in the selected cases of bargaining.
<table>
<thead>
<tr>
<th>Subject</th>
<th>No. of Agreements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wages</td>
<td>46</td>
</tr>
<tr>
<td>D.A.</td>
<td>59</td>
</tr>
<tr>
<td>Retirements benefit</td>
<td>53</td>
</tr>
<tr>
<td>Bonus</td>
<td>50</td>
</tr>
<tr>
<td>Annual leave</td>
<td>40</td>
</tr>
<tr>
<td>Paid Holidays</td>
<td>36</td>
</tr>
<tr>
<td>Casual leave</td>
<td>26</td>
</tr>
<tr>
<td>Job classification</td>
<td>26</td>
</tr>
<tr>
<td>Over time</td>
<td>25</td>
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<tr>
<td>Incentives</td>
<td>23</td>
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<tr>
<td>Shift allowance</td>
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<tr>
<td>Acting allowance</td>
<td>22</td>
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<tr>
<td>Tiffin Allowance</td>
<td>20</td>
</tr>
<tr>
<td>Canteen</td>
<td>19</td>
</tr>
<tr>
<td>Medical benefit</td>
<td>19</td>
</tr>
</tbody>
</table>

Source: Employers Federation of India, Monography No. 15 collective Agreement 1971.
Apart from legislations on health facilities, there are important health institutes and hospitals owned and managed by voluntary organisations for the welfare of workers.

**Educational Facility**

India has to make serious efforts to eliminate illiteracy policies from among the vast majority. It constitutes a serious constraint on accelerated pace of industrialisation. Modern Industrial Organisation is based on the development of informed, disciplined and educated labour force. The programmes of the Government should be directed to attain the objectives of free and compulsory education. Some significant programme have been implemented such as Coal mines, Labour Welfare Funds to promote education among workers. Voluntary Organisation are participating in the programme to educate people.

**Recreational Facilities**

Recreational facilities have found expression in the resolutions adopted both in the International Labour Organisation (ILO) conferences 1947 and 1948. It should be an integral part of labour welfare programme. It provides a refreshing division from the strains and stresses of the days monotonous work. The workers develop social and informal work relations. It generates a sense of good community life.
Factories Act of 1948, came into force on 18 April, 1949. The main aim of bringing this Act was for the betterment of the labour. This Act ensures a better condition of work and prevent the employer from taking undue advantage of the weak bargaining position of workers. It also provides for the healthy conditions inside the factory. The Factories Act regulates leave wages, number of working hours, extra hours work, etc, and counteract all the difficulties of workers. It protects labour against exploitation by employers.

The Factories Act 1948, (section 11 to 20), deals with the sanitation condition. For this the factory premises should be clean. Furniture should be well polished. Effective arrangement should be made for the disposal of wastes. Rooms should be properly ventilated and lit. There should be moderate temperature and humidity inside the factory to avoid fatigue to workers. Scientific appliances should be installed to get-rid-of exhaust air and fumes. There should be arrangement for the supply of pure drinking water. The place of production should have enough space for the work to be done. It should not be congested and over crowded. Every part of the factory where workers are passing or working should have suitable lightning facility.
Section - 18 : Drinking water should be clean and hygienic. Cold water should be provided during hot weather.

Section - 19 : Latrines and urinal facilities should be provided, workers should have enough bathroom and toilets separately for male and female worker, toilet should be punctually washed and cleaned for reuse. Water should be supplied round the clock.

Section - 20 : Spitton: A sufficient number of spittoons should be provided for the workers so that the factory is desirably clean. Anyone spitting outside the spittoons are to be fined. Thus with this, hygienically the factory has passed the neat, clean test.

Section (21 to 40) : These sections deal with safety measures which are summarised as follows:

1. Fencing of Machinery : The Machine should be fenced in to avoid loss of life of workers and permanent disability in the course of explosions, electric shocks, etc. The effective fencing makes labour feel secure.

2. Employment of younger persons on dangerous machine : No young person shall be allowed to work on any machine unless the worker is skilled, having knowledge of its use and he must have received training. Prohibition of employment of
women and children near cotton openers - This is strictly prohibited for women and children for pressing cotton in which cotton opener is at work. These were some of the statutory provisions for the safety of the workers.

Welfare of the worker (section 42 to 50) ; It has been made obligatory on the employer to make sure that the labour gets enough Welfare in the factory. Some of them are discussed.

1. **Washing facility** ; A separate washing facility for male and female workers are given. These facilities shall be kept clean and conveniently accessible.

2. **Facility for storing and drying clothing** ; State government has provided to keep clothes for drying up.

3. **Facility for sitting** ; Every factory gives the facility of sitting arrangements for all the workers.

4. **First-aid appliance** ; Each factory provides first-aid boxes, cupboards. First-aid treatment is recognised by the State Government and it shall be readily available during the working hours of the factory. Each factory should also have an ambulance which will be available during working hours.
5. **Canteen Section - 46**: Canteen facilities should be available to workers at reasonable prices. Clean and good food.

6. **Shelters, rest-rooms and lunch rooms**: Factory which have more than 150 workers must provide suitable shelter, or rest-room with the provision of drinking water. In the case of 250 workers cool drinking water should be available during summer. State Government may look after its construction, accommodation, furniture and other equipment of shelter, rest-room, lunch room, etc.

7. **Creches**: Every factory should provide the facility of creches to look after the babies of women workers. The babies will be cared until they pass the age of 6 years.

According to the notification in the official Gazette of India 1946, Pt. V, the Act was the achieve the following objectives:

"Experience of working of the Trades Disputes Act of 1929 has revealed that its main defect is that while restraints have been imposed on the rights to strike and lock outs in public utility services, no provision has been made to render the proceeding institutable under the Act for the settlement of an industrial dispute, either by reference to
a board of conciliation or to a court of Inquiry, conclusive and binding on either parties to the dispute. The defect was overcome, by empowering (under Rule - 81 A, of the Defence of Indian rules) the Central government to refer industrial dispute to adjudicators and the enforce the award. Thus the legislation has passed many welfare Acts for the labour.

**Application of the Act in U.P.**

Many acts regarding the labour welfare were implemented all over the country. The pioneering Act, Factories Act, 1948, lent the helping hand to workers. In Uttar Pradesh many labour oriented factories were situated in cities like Kanpur, Ghaziabad and Moradabad, Special Acts were passed by the State Legislature. A Tripartite Labour Conference was also constituted in 1942 to advise government on labour problems. In recent years a large number of Acts have been passed for the upliftment of industrial workers. Some of the important Acts for Uttar Pradesh are as follows:

- The Uttar Pradesh Sugar and power Alcohol Industries Labour Welfare and Development Fund Act, 1950
- The Labour Welfare Fund Act in Uttar Pradesh 1956
- The Uttar Pradesh Industrial Dispute Act 1947
- The Housing Act in Uttar Pradesh 1955
In 1937 the Provincial Government had created a new department, Labour Welfare Centre. After the introduction of the provincial autonomy in 1937, authorities took keen interest in the problem of labour welfare. Major issue, before the Provincial Government were such as 'labour grievances in basic needs, working hours, discrimination on the basis of Caste, Creed, Status, etc.

The Government of Uttar Pradesh appointed Committee for inquiring into conditions of labour. In November, 1939, the Congress achievement of the State was the Maternity Benefits Establishments Act in Uttar Pradesh²¹.

"The government of India have further proposed to amend the Act which relate to (a) revision of the definition of the term 'worker' with a view to convening contract labour in factories and certain other categories of worker (b) strengthening the safety measures so as to plug loopholes and to provide for better safety conditions for the worker (c) appointment of Safety Officers in factories employing one thousand or more workers or where the manufacturing process expose the workers to a serious risk of badly injury, poisoning or disease (d) notification of dangerous occurrences as prescribed by rules and (a) provision of power for conducting occupational health surveys enquiry into fatal accident etc."²²
The Employee Provident Fund and miscellaneous provisions of the Factories Act 1952 provides for the institution of provident funds and family pension for employees in factories and establishment. The Act, as amended by a recent ordinance, also provides for insurance benefits to a worker in the event of his demise while in service. It is, thus a piece of social security legislation designed to insure workmen against old age and infirmity. It also provides some relief to the dependents in case of early death of the worker.

In this Act the employer is bound to pay annuities to his old labour, who has retired, the annuities will be paid on monetary basis. The funds comprise family pension fund, family pension scheme fund, Insurance fund, Insurance scheme, Employees provident fund Scheme.

The state government has implemented Provident Fund Act in U.P. The rules of the Act are such that Provident Fund in respect of rates of contribution are not less favourable than those laid down in the Act. The employee should also enjoy other funds other than provident fund. The Provident Funds, the family pension and Insurance Funds are established under the scheme of board of trustee. The scheme is administered by the State Board and the Central Board.
Insurance company is playing a vital role in labour welfare annuities in Uttar Pradesh, especially, where the organisation insured the life of the labour. Family pension-cum-Life-Insurance-Fund is the most important fund to the employee. Family pension is payable from the beginning of the month in which the member dies to the widow or widower up to the date, or to the eldest son until he attains the age of at least 18 years or to the eldest surviving un-married daughter until she attains the age of 21 years.

In Uttar Pradesh most of the factories have given variety of annuities to the deceased on occasions of some mishap in the factory. With this the most basic need of the labour is economic sense is fulfilled to a certain extent. Labour thus can feel secure after expiry of his active life in the factory. The employee provident funds and miscellaneous provision of the Act apply to all factories; employing 20 or more workers which is a factory. The Act can be made applicable to all other establishment if the Central Government gives notification to that effect in the Official Gazette.
REFERENCES


18. International Labour Organisation (Paper sheet)


In the foregoing Chapter, it has been pointed out that labour welfare is gaining ground everywhere, although the specific form of labour welfare scheme varies considerably from industry to industry. In highly industrialised countries of the world, the labour welfare measures have been considered as an effective technique to achieve individual and organisational objectives.

International Labour Organisation's efforts, since its inception, have been directed towards protection of labour, against exploitation. The resolutions adopted at International Labour Conference found their expressions in Indian Factories Act, 1857, and the Act amended subsequently. As a consequence, it encompasses all the essentials of socio-political-economic welfare of labour to provide facilities for the workers physical and mental development, together with that of their dependents. However, International Labour Organisation (ILO) gave a note of caution to implement the scheme of labour welfare according to existing state of economy and in response to urges of the working class, in close cooperation with employers and the society.

In India, there is growing awareness among workers,
employers, and the society to ameliorate the working- and the-
living conditions of the workers. It is evident from the
active participation of trade Unions, the Voluntary
organisations and the employer's Capital expenditure on the
welfare activities. However, these still remains wide
disparity in the labour welfare facilities available to
workers of small industries and to those large-and-the
medium sized industrial organisations.

In our country, all the states are not operating
at uniform level of economic development; some are highly
advanced and comparable to advanced countries in terms of
Gross Domestic Product (GDP). The workers of those states
(Maharashtra & Tamil Nadu), are the maximum beneficiaries of
welfare Schemes, in contrast with workers of agricultural
States, specially that of Uttar Pradesh.

In the present Chapter, it is proposed to examine the
legal provisions relating to labour welfare. The history
of Labour Movement amply reveals that Statutory Measures Act
as a driving force to raise the level of performance of labour
welfare measures, and more so in Uttar Pradesh which is the
home of labour class.

Labour welfare activity in India was largely
influenced by humanitarian principles and legislation. During
the early period of industrial development, efforts towards workers' welfare was made largely by social workers, philanthropists, and other religious leaders mostly on humanitarian grounds. Before the introduction of welfare and other legislations in India, the conditions of labour were miserable. The setting up of the Royal Commissions on Labour in 1929 resulted in a recommendation to lend greater weight to the Conventions of the International Labour Organisation and the establishment by Ministry of labour in 1942 of the Indian Labour Conference almost exactly on the tripartite pattern of the International Labour Organisation (ILO). This meets annually to examine all the measures of proposed labour legislation. Besides, the Tripartite Committee on the International Labour Organisation (ILO) Conventions meets every six months to make a detailed examination of a selected list of Conventions and Recommendations. Out of the 104 Conventions, India has ratified so far only 21, which is not very impressive because some of the International Labour Organisation (ILO) Conventions are not relevant to conditions prevailing in India.¹

Labour legislation has been undertaken under the following heads:

1. Legislation Relating to Trade Unions.
2. Legislation Relating to Wages and Non-wage Benefits.

After Independence, the labour welfare movement acquired new dimensions. It was realized that labour welfare had positive role to play in increasing productivity and reducing industrial tensions. The State Government began to realize its social responsibilities towards weaker sections of the society as reflected in different labour welfare legislations.

Uttar Pradesh is the second largest state of India. It has the highest number of people among all the other states. Industrialisation within Uttar Pradesh took place by and large since Independence. The working class is therefore, growing in size with accelerated pace of industrialisation in other state. The State Government has incorporated various labour welfare schemes in different Five-Year Plans.

The First Five-Year Plan (1951-56) paid considerable attention to the welfare of the working classes. It laid emphasis on the development of welfare facilities for avoidance of Industrial disputes and for creating mutual good-will and understanding. During the Second Five-Year Plan (1956-61) the importance of better working conditions had been progressively recognized. Greater stress was laid on the creation of an Industrial
democracy. The Second Five-Year Plan saw further developments in the field of labour welfare. The Third Five-Year-Plan (1961-66) also stressed the need for more effective implementation of various statutory welfare provisions. It recommended improvement in working conditions and emphasized greater productivity and more efficiency on the part of workers. The Fourth Five-Year-Plan (1969-74) provided for the expansion of the Employees State Insurance Scheme to cover medical facilities to the families of insecure persons, and to cover shops and commercial establishments in selected centres. In the Fifth and Sixth Five-Year-Plans there had been provided more facilities for labour welfare programmes. The Government had declared the Seventh Five-Year-Plan (1984-89) as the Labour Welfare Plan incorporated schemes for the provision of extension facilities to promote the labour welfare. It provided for liberal funds for the purpose.

**Salient Features of Labour Welfare Act of U.P.**

The cardinal features of the Labour Welfare Act 1948, of Uttar Pradesh are that it ensures to fulfil the real needs of workers. Special classes of workers require special type of welfare services. A worker in plantation located in an isolated place, requires proper housing as the fundamental need. Since his nature of work differs considerably from that in a
factory, he has to be provided with umbrellas, rain coats and other sorts of protective clothings. Again in mining areas services like housing, transport and education are deemed to be a necessity. Likewise creches and day nurseries near the work site are essential in Industries where women are employed in large number. Hence, this Act tried to assess these needs of the workers and to determine priorities for implementation.

Welfare activities under this Act has been under taken in the right spirit. It was not considered as substitutes for low wages and monetary incentives. This Act also sees to it that the employers do not use welfare schemes vindictively with a view to undermine the influence of trade unions what would otherwise have been unfortunate consequences in the long run.

In spite of the fact that real concern for the welfare of human beings cannot find expression in the requirements of some thing as impersonal as a national law. This Act imposes compulsions on the employers to see that provision of labour welfare is regarded as a social obligations.

This Act includes those items of welfare which are over and above what was provided by statutory provisions are required by the custom of the industry or what the employees expect as a result of a contract of service from the employer.
This Act looks to developing the whole personality of the worker; his social, psychological, economic, moral cultural and intellectual development, to make him a good worker, a good citizen and a good member of family. The Labour Welfare in Uttar Pradesh is comprised of very broad terms covering from social security to such activities as medical aid, creches, canteens, recreation, housing, adult education, arrangement for transport of labour to and from work place to residence.

This Act also stresses on the provision of not only the intra-mural but also extra-mural statutory as well as non-statutory activities, undertaken by any of the three agencies - the employers, trade unions and the Government for the physical and mental development of a worker, both as a compensation for wear and tear that he undergoes as a part of production process and also to enable him to sustain and improve upon the basic capacity of contribution to the process of production.

Another salient feature is that it tries to improve the efficiency of the worker, to increase its availability where it is scarce and to keep him contented so as to minimise the inducement to resort to strikes. This Act tries to develop a sense of responsibility and dignity among the workers and thus to make them worthy citizens of the
nation.

Under the Labour Welfare Policies the Government created a new department of Labour under a Commissioner of Labour, and organised different labour welfare centres. The Government of Uttar Pradesh has framed Factories Welfare Officers Rule, which embodies the provisions of the Factories Act of 1948 in relation to welfare measures.

Under this Act there has been also established Labour Welfare Advisory Committees (one for the whole state and 19 in districts) to advise the government in organising labour welfare work.

As a whole, this Act 1948 provides facilities and amenities such as adequate Canteens rest and recreation facilities, sanitary and medical facilities, arrangements for travel to and from and for the accommodation of workers employed at a distance from their homes, and such other services, amenities and facilities (including social security measures) as contribute to efficiency of workers.

Further the Act is directed specifically to the preservation of employees' health and aptitude. It contributed largely to the maintenance of employees' morale. In different spheres and areas, this Act is very much fruitful and convenient.
It, indeed softens the transition and enables the workers to adjust themselves to industrial environment. This Act is conceived as an important part and parcel of the programme of general welfare. By this Act, labour welfare is designed as an end in itself to serve as an instrument of socio-economic policy. Under this Act some of the new trends are visible in the field of labour welfare work which were to be taken up by the employers. The Programme for family planning has been assigned high priority by many employees. For this, they employ extension educators and field workers to motivate workers for family planning and conventional contraceptives are supplied free of cost.

Great importance has also been given to the supply of nutritive meals to the employees at subsidized rates so that the deficiency of necessary nutrients in diet of the workers may be made up partially and thus their efficiency may increase. Only money wages cannot be sufficient for the much needed commodities due to high prices. Under this Act, 1948 emphasis has been laid on such measures as the supply of goods and services at subsidised rates or opening of co-operative stores and fair price grain shops, free and subsidised housing facilities, medical and transportational services, free education for the children of the workers. This Act also specifies some outstanding responsibilities of the labour welfare officer. Now, his responsibilities have been escalated more than ever
before towards the labour welfare work.

In fact, an outstanding and comprehensive feature of the Labour Welfare Act of Uttar Pradesh is that it postulates a real change of hearts, a change of outlook on the part of both the employers and the workers, as part of an integral whole. The need of the state is to increase production and fulfil the target of the Five Year-Plans which can be achieved only by keeping the workers contented. Hence, the welfare activities provided under this Act can go a long way in that direction.

Public Sector & Private Sector

After the end of the Second World War, both the central and the State Government envinced more interest in undertaking welfare work for the workers. While the Central Government confined itself to the framing of Legislation and provision of facilities for certain sections of workers like workers in oil fields and mines as well as the central Government undertakings, the State Government were quite active in setting up welfare centres. In the meantime, the Central Government appointed welfare advisers and officers. The Government also provided employers to improve this welfare schemes. In fact, Government has been striving to formulate all the schemes for both the Public and the Private Sectors. There has been a substantial growth in the large and small scale industries with the
Concomitant increase in the number of workers. In Uttar Pradesh, there are 74 welfare centres and seasonal centre at Raya-Ka-Shahaspur (Moradabad) for sugar industry workers. The regular centres are divided into three categories (A, B & C) according to their activities. There are 29 of class 'A' type, 44 of class 'B' type and 9 of class 'C' type. The 'A' type centres organise Allopathic dispensaries, reading room, libraries, sewing classes, indoor and outdoor games, gymnasium, wrestling, music and radio, a variety of programmes, dramas, women and children sections with facilities for maternity and the like welfare and entertainment facilities such as harmonium, Tabla and dholak. The 'B' type centres provide similar facilities except that the dispensary provides Homeopathic, Ayurvedic or Unani treatment. The 'C' type centres have provisions only for a library and reading room, indoor & outdoor games, radio, etc. and an Ayurvedic or Unani dispensary. All of these facilities have been provided in both the private & public sectors. The Public sector organisations always abide by the Government Act and its provisions pertaining to labour welfare specially. However, sometimes, Private Sector fails to abide by the rules. Again, there are some Private sector industries (the Units belonging to the Tatas and Birlas) which are famous and colossal. These Private Sector industries provide the workers with more facilities than are included in the Welfare Act of Uttar Pradesh. The workers have comforts and facilities there. In fact, the private sector industries frame their own welfare
policies for providing facility to the workers. They also abide by the Government Act. But there are, also other private sector organisations which do not provide even the minimum facilities to the workers. According to the Act of 1948, Workers are neglected and feel degenerated there. Although Government has set up many Welfare Centres to look after the workers' welfare facilities. The Welfare Officer either overlooks their problems or cannot go into their fundamental problems. If we look at a public sector industry, such as Sugar industries in Uttar Pradesh, we shall see Government has taken up measures for providing amenities for the workers. The Uttar Pradesh Sugar, Power and Alcohol industries. Labour Welfare and Development Fund has also been established. It has three heads; housing, general welfare and development. The fund is utilised for the purpose of financing measures for promoting the welfare of labour employed in sugar, power and alcohol industries in the State. The general welfare activities are directed towards the improvement of health and sanitation, prevention of disease, provision and improvement of medical facilities and maternity promotion of industrial hygiene, provision of water supplies and facilities for washing, improvement of educational facilities, including libraries and publicity, improvement of standard of living and social conditions, recreational facilities and provision for transport.
Thus the Government is providing a number of facilities in the public sector. The funds spent on welfare work may seem to be large, but if we analyse, it is a meagre amount. The importance and utility of welfare centres is undoubtedly very great because in country where the workers are still unable to look after their own interest, it is the duty of the Government to provide some welfare activities and also undertake legislations to force the employers to undertake activities for the welfare of employees.

Again, if we look at in any private sector industries such as the TATAS and BIRLAs, we will find that workers are getting more facilities than the government provided in the statutes. Since the workers are getting better facilities and wages, and they are also interested to work. Each employer personally look into the problem of individual workers. The workers possess much valuable experience and skill and hold key position to progress and prosperity of industries, hence the importance of labour welfare schemes.

It is admitted on all hands that per Capita expenditure on labour welfare is not adequate to ameliorat living conditions of the workers in the towns. As observed earlier, the per Capita expenditure comes to a few paise, on average. It calls for invigorated legislation, effective execution and a process of information to evolve suitable labour welfare plans.
It goes without saying that the state should provide forums to associate effectively both formal and informal (Private and Public bodies, including the Ministry of Human Resource and Development) for discussion on labour welfare measures. The government should take up the responsibility to fulfil the Capital expenditure requirements and substantially contributes to working Capital. It would go a long way in the development of a disciplined labour force and to raise their living standard above the poverty line.

**Statutory Measures in Uttar Pradesh**

Labour welfare is essentially concerned with the maintenance function of personnel in the sense that it is directed specifically to the preservation of employee's health and aptitude. In other words, it boosts employee's morale. The Labour Welfare Act 1948 of Uttar Pradesh has been designed to fulfil these objectives. In different spheres and areas, this Act is very much fruitful and more effective than the other Acts. It, indeed, conduces to the transition and enables the workers to adjust themselves to industrial environment as follows:

Firstly, this Act of 1948 provides Life Insurance benefits to employee engaged in shops, Commercial establishments, residential hotels, and restaurants. Thus it secures to the survivors the benefits after a workers death. It is, indeed, a
significant achievement of the Act.

Secondly, according to this Act, a trade Union leader gets the chance of becoming a judge of Labour Court if he holds the degree of the Bachelor of Law (LL.B.). A judge from among them certainly serves a guarantee to worker to avail of the benefits as provided for in the Act.

Thirdly, the unemployed workers are entitled to unemployment allowance under this Act. Actually, "The success of welfare schemes depends as much on the manner in which they are administered and introduced to the workers as on the nature and quality of the facilities offered."¹⁴

Fourthly, the Mahatma Gandhi Institute of Labour Studies has been established for the purpose of research, training and development in the field of labour and employment. It is expected to produce many trained Officers and workers for the industry to function effectively and successfully.

Fifthly, this Act provides for necessary facilities to agricultural workers such as the educational, recreational, and cultural services. The Rural Workers Welfare Centres which have been established in the far flung Village are expected to grow as nodal points for co-ordinating various activities pertaining to agriculture labourers at micro level and to
Channelise the benefits under various Schemes for the benefit of rural workers.

Sixthly, this Act accredits with provisions on protection to manual workers in cloth-market and shops.

Seventhly, this Act provides the Group Insurance Scheme for the workers in places of entertainment who belong to the unprotected category and are low paid.

Eighthly, the old-age Pension Scheme for agricultural labourers opens a new dimension in the industrial sphere. The retired labourers get an assurance to meet their bare needs under this Act.

Ninthly, Trade Unions get grants-in-aid from the State to render social services. Trade Unions get statutory grants-in-aid from the State.

Tenthly, children of migrant labour are also beneficiaries of this Act which provides for creches, primary education, nutritious food, recreation, games and sports. Such facilities provided by the Act of 1948 Uttar Pradesh indeed splendid and generous.

Eleventhly, statutory provisions in regard to the strengthening of the Industrial Relatives Machinery and the posts which have been created are praise-worthy for industrial peace.
Lastly, the Uttar Pradesh Act 1948 of Labour Welfare also contains more labour courts to settle industrial disputes. It is a significant achievement of the statute.

To sum up the Labour Welfare Act of Uttar Pradesh promises to add to the gainful employment of the workers. Opportunities to the proletariat. This legislation is far more flexible than the earlier Acts. The cardinal principle of Labour Welfare Act is to ensure that it serves the genuine interests of workers. Proper assessment of needs of the workers have been the basis of the statutory provisions. It also enjoins upon the State to fulfil its statutory obligations to prepare programmes for labour welfare in the State.

**LABOUR WELFARE OFFICER**

Labour Welfare is the major objective of national plans. It seeks to ameliorate the standard of living of labour and creating of life and work environment of decent comfort for the working class. Duties and responsibilities for the enforcement of statutory provisions of Labour Welfare Act have been entrusted to Labour Welfare Officers. Personal traits of Count most in the efficient performance of duties. Needless to say, that a man of integrity, honesty, devotion to duties and dedication to the cause of labour welfare can alone promote the interests of the working class. The personal traits, together
with academic background, make an ideal choice of a person fit for the job. The duties and functions of Labour Welfare Officer have their traces in the long drawn out struggle of labour class both within the country as well as outside. The I.L.O. has exerted moral pressure on the member nations to have statutory framework for the labour welfare.

The factories Act, enacted in 1934 by the Central Government for the first time, provided for the labour welfare measures, viz., maintenance of suitable and sufficient water supply for drinking and washing purposes, adequate shelter for rest in factories employing more than 150 persons, reservation of suitable rooms for children and women employed, and the maintenance of adequate first-aid appliances. The then Provincial Governments were, content with enforcing the Central Acts relating to labour conditions, besides enacting a few of their own, but they did not actively participate in any welfare measures directly. It was during the IIInd World War that the movement for provision of welfare facilities received a further impetus, especially in respect of facilities including supply of essential food articles. After IIInd World War, both the Central and the State Governments enevinced more interest in undertaking welfare activities for workers. The industrial undertakings were in the firm grip of "Jobbers" (in the textile industry) or "mukadams" (in the engineering industry) or "sirdars" (in plantation). They recruited and
disciplined workers, took care of output requirements and often kept at bay the trade unions in plants. They carried out large scale victimization of labour. The Royal Commission on Labour recommended the abolition of the jobber system and the appointment of a Labour Welfare Officer. The Commission said, "We advocate for all factories the exclusion of the jobber from the engagement and dismissal of labour. This can best be achieved by the employment of a Labour Welfare Officer and this is the course we recommend wherever the scale of factory permits. While the Central Government confined itself to the framing of legislation and provision of facilities for certain sections of workers like workers in oil fields and mines as well as the Central Government undertakings, the State Governments, were quite active in the setting up of welfare centres and also in appointing Labour Welfare Officers.

**Significance of Labour Welfare Officer**

Labour Welfare Officer is a significant person in the dispensation of welfare benefits to the working class. The proletariats now-a-days exercise their rights in the industry through the respective liaison Officer or Labour Welfare Officer. He supervises activities and schemes of labour welfare at the unit level. The Labour Welfare Officer, in co-operation with Trade Unions, mitigate sufferings of workers in industries.

According to Webbs, a trade union is, a continuous
association of wage earners for the purpose of maintaining or improving the conditions of their working life.\textsuperscript{15}

Connison defines trade union as "a monopolistic combination of wage earners who as individual producers are complementary to one another, but who stand to the employers in a relation of dependence for the sale of their labour and even for its production and that the general purpose of the association is in view of that dependence to strengthen their power to bargain with the employers.\textsuperscript{16}"

In India, on the pattern of the British Trade Union Act of 1876, the Trade Unions Act, 1926 define a trade union as any combination, whether temporary or permanent, formed primarily for the purpose of regulating the relations between workmen and employers or for imposing restrictive conditions on the conduct of any trade or business and includes any federation of two or more trade unions.\textsuperscript{17}

Thus the primary function of a trade union is to promote and protect the interest of its members. It has to strive for better terms and conditions of employment and generally to advance their economic and social interests so as to achieve for them a higher standard of living.

In India the labour welfare activities are affected by
the slow progress of trade unionism. There are a number of unions which are not affiliated to any federation at all. The different unions have different political ideologies, each trying to win over the workers from the other by all means. Hence, all the unions remain weak and the employer cannot often does, play them against the another.

Therefore, the State should intervene in employee-employer relation and set up welfare centres which consist of certain number of welfare officers.

Firstly, so long as the rights of private property remain in society, some people will continue to own the means of production and distribution of goods due to the entrepreneurship on their part, and a large number of persons will continue to seek work and remain at the mercy of their employers. In such a case, the Labour Welfare Officer takes steps to impose statutory obligations on the employer as long as the workers are unable to enforce favourable contractual obligations on them.

Secondly, industrial workers in India are poorly paid, neither they have a strong bargaining power nor a sense of organisation. Without the State protection of (by the Labour Welfare Officer), they may be subjected to exploitation and victimization.
Thirdly, the mutual trust and co-operation among union leaders degenerate into suspicion and hostility towards each other. In an attempt to demonstrate its strength to the rivals, a particular union may take recourse to illegal strikes or work - stoppage or follow violent tactics to sabotage the strike call of its rival union. Consequently, the industry suffers a set-back in production. In such a situation, the Labour Welfare Officer intervenes on behalf of workers which ultimately helps to reduce industrial friction and to increase labour productivity.

The state imposes responsibility on the Labour Welfare Officer to regulate labour management relations in the best interests of industrial peace and progress. It provides a stable and equitable framework for labour - management relations and is, therefore, of great significance.

Qualification and procedure of appointment of the Labour Welfare Officer:

Labour Welfare Officer holds the key responsibility for looking after the effectiveness of Labour Welfare amenities and to maintain industrial peace by the Government. In the opinion of the Labour Investigation Committee he should be subordinate to none except to the General Manager of Factory and should be carefully selected. No employee should be engaged except by the Labour Welfare Officer personally, in
consultation with departmental heads and none should be dismissed without his consent, except by the manager himself, after hearing what the labour officer has to say. It should be the business of the Labour Welfare Officer to ensure that no employee is discharged without adequate cause. If he is of the right type, the workers will rapidly learn to place confidence in him and to regard him as their friend. Actually the post of Labour Welfare Officer was instituted initially to attain the following main objectives:

(a) to develop and improve labour administration in mills;

(b) to eliminate the evils and malpractices of the jobber system, and

(c) to serve as a liason with the State Labour Commissioner.

The State Governments are required to frame the necessary rules laying down qualifications, procedures of appointment, duties of the Labour Welfare Officer under the respective Acts. The main qualifications of Labour Welfare Officer are as follows:

1. The candidate for the post of Labour Welfare Officer should have a degree of a University recognised by the State Government.
2. Degree or Diploma in Social Sciences recognized by the State Government in this behalf.

3. The Mines Rules lay down the following:

"Preferably practical experience of handling labour problems in any industrial undertaking for at least three years".

4. Adequate knowledge of the language spoken by the majority of the workers in the area, where the factories mines and plantations are situated.

5. The Officer should be honest, intellectual energetic and prompt person.

6. He should be physically fit and mentally alert.

7. He should have adequate knowledge in the relationship between the workers and the employer.

8. Conversational ability is also necessary.

9. Also it is necessary to have knowledge in the Regulation Acts imposed by the Government.

The Cotton textile mills in Bombay and the jute industry in Calcutta pioneered the appointment of labour welfare officers as early as 1930s. The Factories Act of 1948 provides for the statutory appointment of a welfare officer in a factory Section 49 (1) and (2) of the Factories Act, lays down that:
1. In every factory where five hundred or more workers are ordinarily employed, the employer shall employ in the factory such number of welfare officers as may be prescribed.

2. The State Government may prescribe the conditions of service of Officer employed under sub-section (1).

The lead given by the Factories Act of 1948 was subsequently followed by the statutes enacted for plantation and mining industries. Section 18 (1) and (2) of the Plantations Labour Act, 1951, specifies that:

1. In every plantation where 300 or more workers are ordinarily employed the employer shall employ such number of Welfare Officers as may be prescribed;

2. The State Government may prescribe the duties, qualifications and conditions of service.

The following schedule shows the number of Assistant and Additional Welfare Officers required to be appointed to assist the Welfare Officer, where the number of workers is in excess of 2,500.
### Table

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<tr>
<th>Workers exceeds</th>
<th>Not exceed</th>
<th>No. of Asstt. or Additional Welfare Officer</th>
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<tr>
<td>2,500</td>
<td>3,500</td>
<td>One Asst Welfare Officer</td>
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<td>3,500</td>
<td>4,500</td>
<td>One Additional Welfare Officer</td>
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<td>4,500</td>
<td>6,500</td>
<td>One Additional and one Asstt. Welfare Officer</td>
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<td>6,500</td>
<td>8,500</td>
<td>Two Additional Welfare Officer</td>
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<td>8,500</td>
<td>10,500</td>
<td>Two Additional &amp; one Asstt. Welfare Officer</td>
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<td>10,500</td>
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<td>Three Additional Welfare Officer</td>
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**Source:** 21st Annual Report 1979-80 Central Board for workers education.
**Function and duties of the Labour Welfare Officer:**

The functions of a Labour Welfare Officer could broadly be classified under three of manpower management.

(a) **Labour Welfare:** It includes only the Welfare activities or functions.

(b) Labour administration (personal functions).

(c) **Labour relations:** It includes conciliation function. It also includes advice and assistance in implementing legislative and non-legislative provisions relating to health, safety and welfare, hours of work, leave, formation of welfare committees, etc. The labour relations may consist of settlement of grievances, administration of standing orders, steps to increase productive efficiency, peaceful settlement of disputes, promotion of harmonious labour management relations, etc. It is mainly a staff function with the role of a staff adviser or specialist. He is expected to act as an adviser, counsellor, mediator and liaison man between management and labour.

His labour administration responsibilities may cover organisational discipline, safety and medical administration, liaison, wage and salary administration education of workers etc.
The Labour Investigation Committee has recommended to extend duties and functions of the Labour Welfare Officer to include the following:

1. He should establish contacts and hold consultations with a view to maintaining harmonious relations between the factory management and workers.

2. To bring to the notice of the factory management the grievances of workers, individual as well as collectively with a view to securing their expeditious redressal.

3. To understand the point of view of labour in order to help the factory management to shape and formulate labour policies and to interpret these policies to the workers in the language they can understand.

4. To watch industrial relations with a view to using his influence to prevent a dispute arising between the factory management and workers and in the event of a dispute having arisen to help to bring about a settlement by persuasive efforts.

5. To advise workers against going on illegal strikes and the management against declaring illegal lockouts and to help in preventing anti-social activities.
6. To maintain an impartial attitude during legal strikes or Lockouts and help to bring about a peaceful settlement.

7. To advise and assist the factory management in the fulfilment of obligations, statutory or otherwise concerning the application of provisions of Factories Act, 1948 and the rules made there under and to establish liaison with the Factory Inspector and the Medical Service concerning medical examinations of employees, health records, supervision of hazardous jobs, sick visiting and convalescence, accident prevention and supervision of safety committee, systematic plant inspection safely education, investigation of accidents, maternity benefits and workmens compensation.

8. He has to promote relations between factory management and workers which will ensure productive efficiency as well as amelioration in the working conditions and to help workers to adjust and adapt themselves to their working environments.

9. To encourage the formation of works and Joint Production Committees, Co-operative Societies, Safety and Welfare Committees and to supervise their work.

10. To advise and assist factory management in the provision
of amenities such as canteens, shelters for rest, creches, adequate latrine facilities, drinking water, sickness and benevolent payments, pension and superannuation funds and gratuity payment.

11. To help the factory management in regulating the grant of leave with wages and explain to the workers the provisions relating to leave with wages and other leave privileges and to guide the workers in matters of submission of application for grant of leave for regulating authorised absence.

12. He has to advise and assist factory management in providing welfare facilities such as housing, facilities, foodstuff, social and recreational facilities, sanitation, education of children and advise on individual personal problems.

13. To advise the factory management on questions relating to training of new starters, apprentice workers on transfer and promotion, instructor, and supervisor, supervision and control of notice Board and information bulletins for further education of workers and to encourage their attendance at technical institutes.

14. To suggest measures to raise the standard of living of
workers and in general promote their well-being.

15. To bring to the notice of workers their rights and liabilities under the Standing Order of the factory and other rules which grant rights to and define the duties of workers or which are directed to the discipline, safety and protection of workers and the factory.

16. A Officer should not be allowed to represent employers in disputes. Personnel and welfare functions should be clearly defined and assigned to different officers. He should not be allowed to handle personnel matters as a representative of the management unless the establishment is too small.

17. The cardinal principle of labour welfare programmes is to ensure that it serves the real needs of workers concerned. Special classes of workers require special type of welfare services. Hence, proper assessment of needs of the workers and determination of priorities thereof must be done.

18. Welfare activities should be undertaken in the right spirit. They should not be considered as substitutes for low wages and monetary incentives.
19. It should be kept in mind that no scheme of welfare would succeed without the support of workers, every effort should be made enlist their co-operation and active participation which, in turn, would foster among them a sense of responsibility, initiative and co-operation.

20. The cost of welfare schemes must be well estimated and its financing be established on a sound basis.

21. Conselling workers in personal and family problems and in adjusting to work environment.

In brief, Labour Welfare Officer has onerous task to fulfil in the interest of both the workers and the management. However, it is desirable to delegate to him wider executive powers in the organisation with complete liberty to interpret laws for implementation without reference to the Court of Law. He can be effective in his role if the procedure of appointment is amended. To be a true representative of the State, The State Selection Commission should make selection on behalf of the Ministry of Labour and Welfare for appointments in industrial units, with a charge of his salaries to the organisation concerned. In the organisation, his participation in the Board should be a matter of statutory provision to represent the workers' interests at the highest level of management. These measures would remove the lacuna in the administration of welfare schemes at the level of industrial units.
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In the preceding chapter it has examined the legislative measures in Uttar-Pradesh. The main objective of the various legislative measures is to extend facilities in cash and kind both to take care of labour welfare and provide social security to his family. To fulfil the objectives, the Employees State Insurance Corporation, U.P., was set up in 1948, as an autonomous body. The Corporation envisages the schemes for the benefits of medical care, cash allowances during sickness, maternity and employment injury, pension for dependent of the deceased and all the other labour welfare activities, such as schooling of the children of the insured workers.

In Uttar-Pradesh, the scheme is applicable to all industrial units employing 10-19 workers and using power. However, it does not apply to the unorganised sector such as agriculture and trade establishments. Later on, the unorganised sector may also come under the purview of the Corporation. At present, the construction industry stands out as an exception by its inclusion under the Employees State Insurance Scheme.

The Corporation has on its board representatives of
the Central Government, the State Government, the workers and the employers. However, the nominees of the Central and the State governments constitute the majority of the members of the board. It is of advantage to associate the Ministry of Labour and the nominees of the Parliament as well for a broader national approach to the problem of the labour welfare in the State.

In Kanpur, the scheme provided benefits to 6 lakh insured workers' families in 1988. A view of the centres to look after labour welfare can be had on the basis of the figures furnished in the following table:

<table>
<thead>
<tr>
<th>Year</th>
<th>Centres</th>
<th>No. of Employees (Lakhs)</th>
<th>No. of Beneficiaries (Lakh)</th>
</tr>
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<tbody>
<tr>
<td>31.12.1984</td>
<td>5680</td>
<td>3</td>
<td>15</td>
</tr>
<tr>
<td>31.12.1985</td>
<td>6204</td>
<td>3.8</td>
<td>16.9</td>
</tr>
<tr>
<td>31.12.1986</td>
<td>7000</td>
<td>4.5</td>
<td>24.7</td>
</tr>
<tr>
<td>31.12.1987</td>
<td>8800</td>
<td>5.4</td>
<td>26.4</td>
</tr>
<tr>
<td>31.12.1988</td>
<td>10000</td>
<td>6</td>
<td>30</td>
</tr>
</tbody>
</table>

The table reveals substantial progress in the working of the Corporation in the State since 1984. The number of beneficiaries has risen two-fold during 1984 and 1988. It is worth noting that the Corporation undertakes the activities having direct bearing on labour welfare. It has allocated liberal funds to finance the activities even beyond its statutory purview. The statute specifies rehabilitation of disabled workers as one of its main functions. On the contrary, it is the only institution in Uttar Pradesh that provides for health, arbitrates on industrial disputes referred to for settlement. Its extensive schemes include the schools in the residential areas of workers in Kanpur. The Labour Committee, 1944, observed that the workers suffer from deprivation of hospitals, schools, sanitation, good living conditions particularly in industrial towns like Kanpur, Bombay, Calcutta and Madras. The deplorable conditions persisted till well after independence. It would not be far from the truth to state that there has not been absolutely any provision of public utilities in Kanpur till early 1960's. The industrial units in the private sector make capital expenditure on building and plants, raw materials and the marketing network and little on labour welfare. It may however, be cited as departure to the normal feature of the slum areas of Kanpur to find a silver lining in the post-independence period with the public enterprises undertaking the labour welfare activities on a vast scale. The Hindustan Aeronautics Limited, Kanpur (HAL), illustrates the point which
has made capital expenditure of Rs. 130 crore on the development of residential complex for workers, comprising the modern shopping centre, the canteens, schools, water supply system, the sanitation system, the parks, the cultural clubs and the community halls, hospital and dispensaries, etc. The maintenance cost of stood at Rs. 4 crore in 1981.

In the private enterprises, the Employees' State Insurance Corporation has established schools for the education of the children of the workers on an extensive scale. In Kanpur, it runs 10,000 centres equipped with educational facilities. The number of children enrolled in those centres was 10 per cent of the total child population of the working class in 1988 (or 6 lakhs) in the age group 4-10 years. However, the funds in relation to number of children does not compare with the total requirements; the total expenditure of the Corporation on education was estimated at Rs. 60 thousand (or Rs. 0.10 per capita). It comes down to Rs. 0.03 when the total child population of the workers is taken into consideration. It lends support to the contention for the enhancement of financial assistance to schools maintained by the corporation in various parts of Kanpur for the labour welfare. Of course, it was the view of the Labour Committee, 1947, which found expression in the Statute bringing into existence the Corporation itself.
Another important labour welfare activity of the Corporation is the provision of medical benefits. The Corporation has a Medical Benefit Council, consisting of the Director General, the Deputy Director General, as Chairman and the Co-Chairman respectively, besides seven members representing the employees and the employers. One woman representative is included in the council to participate in the decisions concerning the interests of the ladies. The Council is an advisory body; it advises the State Government on the medical schemes for the workers. It also looks into the complaints of the workers about the appropriateness of the existing medical facilities.

The Corporation is assisted by Standing Committees at regional levels and the medical councils in the implementation of the medical benefit schemes in different regions and industrial areas. Kanpur is divided into three regions and 21 area units under the supervision of medical councils and the Standing Committees. The regional councils cover 30,000 units in the organised sector of Kanpur. The councils make inspection visits for finding facts and gather first-hand information about the working of the dispensaries and the hospitals. It is disenchanted to observe that there are not many dispensaries and the medical health care units in Kanpur (10,000 units for 30 lakh population of the working class family members and dependents). It maintains two hospitals,
100 health care centres and 1000 dispensaries in Kanpur. The budgetary provision by the Corporation is too meagre to meet the financial requirements of the medical benefit schemes; an amount of Rs. 2 lakh was earmarked for the units in Kanpur (or Rs. 20,000 per unit). The State Government makes substantial contribution to the financial expenditure of those centres, raising the total resources for the medical benefits, to Rs. 8 lakh.

Though the financial resources constitute one of the major constraints on the working of the medical benefit scheme, it aims at provision of extensive facilities of medical treatment, free food supplies during the period of the treatment, leave with wage during sickness, supply of artificial limbs to disabled persons, medical consultation and diagnosis. The Corporation extends these facilities to the families of the insured workers, and, in Kanpur, almost all the workers in the organised industrial units are fully covered. As stated earlier, the scheme has not been operating fully due to non-availability of funds. However, the Corporation has lately made a departure of running its own hospitals or establishing the medical care centres; it has made contacts with the medical practitioners to have a specified number of workers under them against payment for their services. To provide satisfaction to the workers and to cope with the shortcomings in the medical services, the worker is given the choice to change his consultant according to the
nature of the treatment necessary. Besides, the State Government extends the facilities of its district hospitals, health care units and the dispensaries for the effective operation of the scheme. As referred to in the foregoing paragraphs, the medical benefits under the Employees' Insurance Scheme have been criticised for inadequacy and shortcomings. To cite, "It can hardly be disputed that the benefits provided under the scheme at present...are by no means adequate to meet the needs of the working class." The arrangements for the medical services under the scheme have been commented by the Employees State Insurance Scheme Review Committee. In its opinion, "the arrangements are neither adequate nor satisfactory." It found the doctor-patient relations dismally poor; drugs are not properly available; the panel doctors do not maintain the minimum number of clients; dispensaries are understaffed; ambulance services are not generally available at all the centres; the hospital staff does not generally attend to the patients properly. It makes significant reference to the conspicuous absence of the preventive services. The Corporation, in our opinion, besides the budgetary provision and the contribution by the employees and the employers under the scheme, should be allowed to raise capital from external sources as an autonomous body. In the absence of such a financial freedom, it is difficult for the Corporation to operate its medical benefit scheme fully.
The High-powered Committee went to the extent of making a suggestion that existing standards of the medical benefits under the Scheme should be brought to acceptable standard.

Besides the benefits in kind, the Corporation makes arrangement of cash benefits to workers in the event of certified sickness. The cash benefit is available in terms of period-phase; for the short-lived sickness, the cash benefit is available for the maximum period of 15 days and in the case of the extended and prolonged disease such as Tuberculosis, it is available for 124-309 days of sickness. It is computed on the basis of medical treatment statistics of days taken by a patient to recover normally. However, much has to be done in this regard. The benefit paid in cash by the corporation does not exceed 54 per cent of the average wage drawn by an employee during the last three years. The actual cash benefit to a sick labourer is in effect around 30 per cent of the existing wage. He has to resort to dissavings if there are any savings available. A liberal provision in this regard is called for to enable the worker to undergo the medical treatment properly. The financial problems with the workers dissuade them from undergoing proper treatment.

The waiting period of cash benefits (the period intervening periodical phases) has put the workers to hardships
in view of the high frequency of sickness with advancing age. The question has been examined both by the High-Powered Committee and the Sub-Committee. The committees did not find the workers' demand for abolition of the waiting period tenable on the ground to conserve the resources of the Corporation. The purpose and the financial resources of the Corporation, as pointed out earlier, do not match with each other. The problem would continue to evade solution so long as a hard look is not take at the whole gamut of the composition of the financial resources, including the funds from financial agencies. It promises to make the financial resources of the Corporation flexible to suit the requirements of different social and labour welfare activities.

Additionally, the cash benefits are available to the disabled workers. It also includes the occupational diseases provided the workers has been employed for the last six month. In case of temporary disablement, no payment is made if it lasts for 3 days, and the payment is co-terminus with the disability caused by injury. The amount is fixed on the basis of the medical opinion regarding the degree of the disability (whether it is temporary or permanent). The permanent disability is subject to periodical review by the medical board.

The rate of payment in case of disability was not
adequate for the needs of a facility of six members on average. Therefore, the High-powered Employees State Insurance Scheme Review Committee and its sub-committee both recommended increased rates. The Uttar-Pradesh State Employees Insurance Corporation recently took the decision to raise the rate of benefit to disabled workers by 124 per cent over and above the normal rate of cash benefits in the event of sickness. It would go a long way in removing the distress and financial strains on the families of the disabled workers.

In conclusion, the Uttar Pradesh Employees State Insurance Corporation has been playing crucial role in the provision of the labour welfare. It has, however, been obstructed by the statutory provisions in regard to objectives, constitution, and financial resources. As an autonomous body, it should not be dominated by the Government officials due to insipient red-tapism, indifferent attitude to the labour welfare or lukeworm support to the labour welfare measures. To recount its main activities, particularly in Kanpur, it is engaged in multi-benefit programmes. The constitution of the board suggests that its decisions are usually in conformity with the policies determined by the Labour Ministry and the Director General of the Health Services. The various committees reviewed the working of the labour welfare schemes operated by the Uttar-Pradesh State Employees Insurance Corporation and pointed out serious shortcomings both in the provision of and arrangement
for the benefits. For instance, the medical benefits scheme is inadequate and/or satisfactory, in the opinion of the High-powered Review Committee. The Sub-Committee specifically highlighted the absence of the preventive or community health services. The experts in the field of the labour welfare have suggested even the institution of stipends and scholarships for students of the medical college if they are willing to serve the scheme. The suggestion merits due attention to overcome the poor doctor-patient relationship and the inadvertant delay in attending to the patient in the hospital. It is worth noting that the cash benefits to the sick and the disabled workers are not adequate for the welfare of the workers' families even though the Corporation has raised the rate of payment by 124 per cent over the normal rate (referred to in the foregoing paragraphs). The sub-committee, however, does not agree with the abolition of the waiting period for the payment of cash benefits during the period of sickness. The basis of the Sub-Committee's opinion is its concern with the limited financial resources of the Corporation. In our opinion, the Corporation can encompass a wide range of labour welfare schemes if it enjoys financial autonomy in addition to the administrative flexibility. The shortcomings are more serious in respect of its activities related to the education and improvement in living conditions.

A comparison between the public enterprise, the
Hindustan Aeronautics Limited (HAL) and the other private enterprises bring to light the existing anomalies in the labour welfare benefits. The (HAL) has developed the entire township for its workers with massive capital expenditure. The workers avail of all the modern civic facilities and the services for the development of their children, including the well-equipped and managed schools, the shopping centres, the transportation system, and the parks. The large private enterprises have almost neglected the aspect of labour welfare as revealed by the comparative investments in physical resources and the development of human resources; the cost of labour welfare scheme does not constitute more than 2 per cent of their total capital expenditure. It calls for a change in the attitude and values of the employer. The Uttar Pradesh Employees Insurance Corporation assumes pivotal role in creating awareness among the employers about the utility of the welfare schemes in raising the pecuniary return to the investors as a result of higher labour productivity.

The Corporation has a role to play in the arbitration on industrial disputes for settlement. The role may become more meaningful if its advisory position is fortified by the statutory provisions for judicial exercise.

The suggestions made in the preceding paragraphs would go a long way in toning up the operations of the labour welfare schemes in industrial units of the State.
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CHAPTER V

SUGGESTIONS & CONCLUSIONS

Nature and scope of labour welfare is without determinate horizone; it has emerged out of long drawn out labour struggle against exploitation by employers for a century and through interacting socio-politico-economic forces. The International Labour Organisation (ILO) paved the way to concretise the concept of labour welfare as the social and public utility services extended to workers for material and spiritual well-being. The academicians took a wider view of the labour welfare as measures to provide ever increasing quantity of social goods and services for physical, mental, moral and emotional well-being. The Committee on Labour, 1969, in its report outlines the activities of labour welfare contributing to amelioration of working and living conditions of the workers.

Labour Welfare takes on the attributes of humanitarian compulsions, social urges, political expediency and economic necessity. The human problems emanate from the effects of industrialisation on family system. The characteristics of an individual urban family are disadvantageously different from those of the traditional joint family system. The function of the
family as the main social unit in the economic system has disappeared for the simple reason that the productive function of a family in an industrial society is almost negligible. The workers are forced to live away from their families to work in factories located in densely populated cities. He lives in slums and chawls which are proverbially infested with sub-human irritants.

Labour welfare is an economic issue on two counts. There has rarely been a strike of any importance which has not been due entirely or largely to economic reasons. Additionally, the trade unions take up the issue of welfare to brow beat the management in the eyes of the state to gain political edge. Labour welfare constitutes the focal point to rally support of the workers to the trade union activities. A democratic government has to respond to the social, political and economic urges by legislating measures.

Legislative measures follow the beacon of International Labour Organisation (ILO). The awareness of Labour welfare is reflected by International Labour Organisation's (ILO's) recommendations and covenants since its inception. In its Labour War Conference at Versailles after the World/II, it emphatically prohibited child labour of tender age, demanded 24 hours of rest in a week and fair wages. The International Labour Organisation (ILO) did not set out the labour welfare measures for all the
nations to adopt invariably. The measures have to be mooted, designed and developed in tune with the prevailing economic conditions in a country.

The Statutory Provisions in India are quite comprehensive. It assigns over-riding significance to education and employment in addition to measures to improve the working and living conditions. It lays emphasis on the development of cottage industries on cooperative basis to supplement the income of workers in rural areas. The statutory provisions recognise importance of the social and cultural opportunities to be available to workers in all the economic sectors.

The statutory provisions have their origin in the labour struggle dating back to 1877 when the Apprentice Act was passed in 1850 to help and orphaned children learn business and skill. The defence forces, particularly the Navy, were on the other end of the scale with welfare benefits in the form of nutritious food, good houses and insurances benefits. For those engaged in hazardous occupations, such as mining, the Accident Act, 1853, provided compensation for the lost of life or permanent disability. The Workmen's Dispute Act, 1860. Sought to protect the interests of workers by making it obligatory on employers to take care of the labour welfare. The Act, 1981 dealt with living conditions of workers in the Bombay Textile Mills and took
cognisance of the ill-treatment of workers by the employers. The Indian Factories Act (Amended), 1890, specified the working hours and the age limits of child labour. It also entrusted responsibility to the provincial government to provide public utility service to workers, such as drainage sanitation system, etc. The ambit of the Act has been widened from time to time in response to ever changing socio-political-economic milieu.

In the post independence period, the state has been legislating for the labour welfare of workers in coal mines, Iron or mines, plantations sugar, Power and Alcohol industries. In fact the legislation would fall short of the challenges confronting the society without the national development plans making allocation of funds to finance the labour welfare schemes. The development at Five Year Plans successively raised the capital expenditure on labour welfare programmes from Rs. 29 crore in the First Five Year Plan to Rs. 7 in the current plan. Besides, Labour Welfare Fund has been raised to meet the current expenditures on the welfare schemes. The fund is operated at the unit level. The number of undertakings operating the labour welfare fund increased from 221 in 1950-51 to 269 organisations in 1969-70. The scheme is voluntary and the organisations keep delaying the establishment of the labour welfare fund. It is a matter of deep concern that the authorities paid little attention to the expediency of the fund. The Central Government has issued letter to the State
Governments to expedite the creation of the labour welfare trust funds.

In Uttar-Pradesh the State Government has initiated administrative measures for the effectiveness of the labour welfare statutory provisions. In the first instance, the State has organised regular and seasonal labour welfare centres in major industrial towns. These centres provide utility services, such as education to the children of workers, vocational training to women, medical facilities, maternity care and the programmes meant for physical and mental development of the workers and their families. There are 74 labour welfare centres in the State, located at places easily accessible to workers.

The Uttar-Pradesh State Government can rightly take pride in respect of the liberal statutes to promote labour welfare in the State.

The note worthy statutes consist of the following:

3. The Uttar-Pradesh Industrial Dispute Act, 1947.

Besides, the State Government has implemented the Employees Provident Fund Act 1957 in Uttar Pradesh. The Provident Fund, the family pension and insurance funds are established under the scheme of the Board of Trustee. The role of Life Insurance Corporation is significant in the provision of welfare annuities. It provides security to the dependents of workers in the state. A worker can hope to receive a substantial sum of money for a comfortable life after retirement from work in the factory.

To recapitulate, the legislative measures deal with trade unions, wage and wage-benefits, maintenance of industrial relations and the labour welfare. The development plans translated the statutory provisions into programmes for labour welfare. The First Five Year Plan launched schemes to extend welfare facilities conducive to harmonious industrial relations. The second Five-Year-Plan laid stress on the programmes of industrial democracy as a part Labour Welfare. The Third Five Year Plan provides impetus to amelioration of working conditions for higher productivity. The Fourth Five Year Plan extended the employees State Insurance Scheme to cover medical facilities to the families of the insured workers. The Fifth and Sixth year plans included additional schemes for the provision of facilities to workers under the Labour Welfare.
Programmes. The Seventh Five Year Plan initiated progressive and liberal schemes to have a definite impact on the status of labour. Besides, the induction of labour in management is considered as a giant leap forward towards the realisation of total labour welfare. They will have opportunities to participate in the management of the organisation and accelerate the pace of progress of labour welfare plans.

In the State, the public sector enterprises take lead in the provision of welfare benefits to workers. Besides the wage benefits, the workers avail of all the necessary facilities for decent working conditions from canteens, rest places, to community halls for cultural programmes. Quite a few private industrial organisations furnish a parallel to the public enterprises. The units belonging to the Tatas and the Birlas outstand as an exception to the otherwise apathy of the management of private organisations to labour welfare programmes. They do not provide even the minimum basic facilities of toilets and urinals, drinking water and canteens education and medical facilities to the workers. The workers feel dissatisfied and disgruntled. The Welfare Officers either overlook their problems or have developed complicity towards the plight of the workers in the private organisations. The Labour Welfare and Development Fund established by the State in its units look after the housing requirements, general welfare and development of the labour. The fund is inadequate
enough to cater to the needs of labour fully. It is desirable to augment the funds by means of grants-in-aid, donations and contributions. On analysis of the working of the fund, it found that the per capita expenditure is not more than a few paisa. It calls for legislative measures to invigorate the working of the labour welfare and development fund, effective implementation of the schemes in the private organisations and a process of information to prepare suitable plans. Institutions should be established by the State to provide forums for associating the public in the discussion of labour welfare problems with officials, management of industries and the representatives of workers. The State government should finance capital expenditure on projects to promote labour welfare and contribute to the current expenditure.

However, the State took lead in legislating the appointment of Labour Welfare Officer in industrial units of a given size. His duties are extended to include, among others, the promotion of labour welfare and protection of labour against exploitation. He is entrusted with the responsibility to represent workers to the management. He helps the management formulate suitable labour welfare policies and interpret them to the workers. He is responsible for the implementation of statutory provisions on labour welfare.

Though Labour Welfare Officer has to perform onerous
duties to protect and preserve the interests of the labour, his powers are not commensurate with the duties and responsi-
blilities. It is desirable to delegate to him wider executive powers and complete discretion to interpret the statute without reference to the court of law. The in-built deficiency has its traces of origin in the procedure of his selection and appointment. The Labour Welfare Officer can be truly effective in his role if the appointment is made by the Ministry of Human Resources and the Ministry of Labour on the basis of selection by the State Selection Commission. His salaries should be a charge to the organisation. He should be raised to the top level in the hierarchy with accountability to the State. In the organisation, his participation in the meetings of the Board should be a matter of statutory amendment to represent the workers' interest. The measures would go a long way in ame-
liorating the individual status of the workers and the social status of the families. In other words, labour welfare is vital for the successful operation of an enterprise. The Planning Commission has highlighted the importance of Labour Welfare when it observed that in order to get the best out of a worker in the matter of production, working conditions require to be improved to a large extent. The worker should at least have the means and facilities to keep himself in a state of health and efficiency. This is primary a question of nutrition and suitable housing conditions. The working conditions should be such as to safeguard his health and protect him against occupational
hazards. The work place should provide reasonable amenities for his essential needs. The worker should also be equipped with necessary technical training and a certain level of general education.

The welfare schemes have visible impact on both the employers and the employees. To provide tangible benefits, the Uttar-Pradesh Employers Insurance Corporation has undertaken commandable work. Its objectives have been specified by the statutes to finance programmes of multi benefits. To recount its activities, particularly in Kanpur, it is responsible for running medical service centres. It has, however, been obstructed by the statutory provisions in regard to objectives, constitution of the board and financial resources. The constitution of the board suggests that its decisions are usually in conformity with the policies determined by the Labour Ministry, and the Director General of the Health Services. The various Committees reviewed the working of the Labour Welfare Programmes run under the auspices of the Uttar Pradesh Employees State Insurance Corporation and pointed out serious shortcomings in the provision of and the arrangement for welfare benefits. For instance, the medical benefits scheme is not adequate and satisfactory. In the opinion of the High-Powered Review Committee, there must be provision for community health services.
The experts in the field of labour welfare have suggested even the institution of stipends and scholarships for students of the medical college if they are willing to serve the scheme. The suggestions merit the attention of the State to overcome such problems as poor doctor-patient relationship and the inadvertent delay in attending to the patient in the hospital. It is worth noting that the cash benefits to the sick and the disabled workers are inadequate for the welfare of worker's families even though the Corporation has raised the rate of payment substantially. There is a demand to abolish the restriction regarding waiting-period to avail of the cash benefits under the scheme. The sub-committee has not agreed to this worker's demand due to financial constraints. However, the Corporation can encompass a wide range of labour welfare schemes if it enjoys financial autonomy in addition to the administrative flexibility. The shortcomings are more various in the operation of schemes related to improvement in living conditions of workers, specially in Kanpur.

A comparison between the public sector enterprise, the Hindustan Aeronautics Limited (HAL) and other private enterprises bring to light the existing anomalies in the provision of labour welfare benefits. The HAL has developed the entire township for its workers with massive capital expenditure. The workers avail of all the modern civil facilities and
services for the welfare of their families and the dependents, including the well-equipped and managed schools for children, playgrounds, the shopping centres, the transportation system and the parks. The large private enterprises have almost neglected the aspect of labour welfare as revealed by comparative investments in physical facilities for the development and welfare of workers. The cost of labour welfare in the State does not constitute more than 2 percent of the total capital expenditure on land and buildings, plant and machines. It just calls for a change in the attitude and values of the employers. The Uttar-Pradesh State Employees Insurance Corporation plays the key role in creating awareness among the employers about the Utility of the labour welfare schemes. The role of the Corporation as 'arbiter' would be effective if there are statutory provisions for the exercise of judicial powers.

These suggestions would go a long way in streamlining the operations of the labour welfare schemes in the industrial units of the State.
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