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No. 1(10)/67-NCL(C)
Government of India
National Commission on Labour
D-27, South Extension Part II

C-3



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New Delhi-3, dated the 6th January, 1968.

To

The Chairman and All Members of the
National Commission on Labour.

Subject: First meeting of the Committee appointed by the
Commission to examine the tentative Scheme for
presentation of the Commission's Report held at
New Delhi on the 3rd January, 1968 - Record
of Decisions. .

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Sir,

I am directed to forward herewith a copy of the record
of decisions of the First meeting of the Committee held at
New Delhi on 3rd January, 1968, as approved by the Chairman.

Yours faithfully,

P. D. Gaiha
for (P.D. Gaiha)
Director

NATIONAL COMMISSION ON LABOUR

Record of discussions of the first meeting of the Committee appointed by the Commission to examine the tentative scheme for presentation of the Commission's Report.

Place: New Delhi Time: January 3, 1968
10:30 A.M.

The following were present:-

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| 1. | Dr. P.B. Gajendragadkar | ... | Chairman |
| 2. | Dr. Baljit Singh | ... | Member |
| 3. | Mr. Manohar Kotwal | ... | Member |
| 4. | Mr. G. Ramanujam | ... | Member |
| 5. | Mr. Naval H. Tata | ... | Member |
| 6. | Mr. B.N. Datar | ... | Member-Secretary |

In explaining the scope of the Committee's work, the Chairman stated -

1) that the Committee should function as a clearing house for the technical work done by the Secretariat of the Commission;

ii) that papers in pursuance of (i) above should be sent to the Committee well in advance; the papers as amended/modified after discussion in the Committee should be put up to the Commission;

iii) that the copies of the papers sent to the Members of the Committee should be sent to all Members of the Commission and their views be sought even before the Committee considers these papers. This will enable the Committee to take into account the views of other Commission Members before the draft is settled by it for circulation in the Commission;

iv) that the Committee should meet frequently either in Delhi or in Bombay; the meetings of the Committee could be for one day but if the Agenda is heavy, it could spill over to the following day;

- v) that the usual practice followed for the Commission's meetings, of sending papers at least 2-3 weeks in advance, should be followed, even more vigorously for the meetings of the Committee also;
- vi) that as far as possible, the notes/papers to be sent to the Committee will be self-contained;
- vii) that the Secretariat should send the papers as and when they are completed.

2. The following time-table was approved:

- i) Such of the portions in Part I (Chapters 1 to 5 of the Revised Draft - November 1967), as are independent should be completed by the end of May, 1968. These should be cleared by the Committee by the end of June, 1968 and circulated to other Members of the Commission for their comments;
- ii) The portions in Part I which are dependent on the analysis of information collected in the Commission through memoranda, replies to Questionnaire or Study Group Reports could be written up as and when such analysis is completed. In any case, the drafting of Part I should be completed by the Secretariat by the end of July and these portions should be cleared by the Committee by the end of August for circulation to other Members of the Commission;
- iii) Part II (Chapters 6 to 12 of the Revised Draft - November 1967) will depend on the information flowing into the Secretariat from different Study Groups. On the assumption that some of the Study Groups will be presenting their reports by the end of February, and this assumption is certainly valid, work will simultaneously start on one industry in each of these Chapters (6 to 12). This will be a type-study and once the manner of presentation is settled in the Commission through the Committee, information with regard

to other industries in the same Chapter could be organised by the Secretariat in a similar manner. It should be possible for the Secretariat to present the 7 industry-Chapter type-studies by the end of July and the Committee will attempt to clear these papers by the end of August;

- iv) Part III & IV (Chapters 13 to 20 and Chapters 21 to 26 of the Revised Draft - November 1967). Work will be started simultaneously on these Chapters. The Members of the Committee will be receiving material on these drafts from August onwards and this process will be completed by the end of October. Drafts, as finally settled in the Committee, should be cleared by the Commission by the end of November;
- v) Part V (last Chapter of the Revised Draft - November 1967). Material for this part will be prepared simultaneously with Parts I to IV.

3. The following modifications in the Revised Draft - November 1967 were approved:-

- i) Chapter 1: The arrangement should be in chronological order e.g., the Questionnaire should precede the Commission's tours;
- ii) Chapter 4:
 - (a) The heading should be 'Labour in a Changing Social Order'. Where this Chapter is to be included, will be decided later.
 - (b) The first sub-title should be the 'Impact of development on labour and labour-management relations'.
- iii) Chapter 6: should be divided into two Chapters - one dealing with problems of agricultural labour, labour engaged in animal husbandry, forestry and fisheries and the other dealing solely with plantations;

- iv) Chapter 9: Apart from unorganised industries, the Chapter should also deal with unprotected labour;
- v) Chapter 10: Ports and Docks and Air-Transport should be added as separate sub-heads under 'Transport and Communications'.
- vi) Chapter 12: Unorganised sectors of Chapters 10 and 11 should be added as separate sub-heads. In addition, unprotected labour falling under 'Services' and of the type under Chapter 9 as revised should also be brought in.
- vii) Part III: The main heading for Part III should be 'Labour Policies and Programmes'. Such a heading will permit discussion of Policies and Programmes for labour both Plan and non-Plan.
- viii) Chapter 15: Wherever the word "factories" occurs, it should be replaced by factories/mines/plantations.
- ix) Chapters 17 & 18: will be divided into three Chapters. The first Chapter after this division will deal with Wage Policy - Problems and Issues; the second with Wages and Earnings and, the third with Procedures for Wage Settlement and Administration.
- x) The last item in the Chapter on 'Wage Policy - Problems and Issues' as revised should be "Minimum Wage, National Minimum". In the revised Chapter on Wages and Earnings, Wage Structure should be an item before discussion on Wage Levels and differentials. Reference to wage structure elsewhere will be deleted. The Chapter on Wage Settlement and Administration should contain the following items:
 - "Procedures for wage fixation - collective bargaining, conciliation, Industrial Tribunals, Wage Boards, etc. - the functioning of these agencies - an assessment of their functioning - problems of implementation, etc."
- xi) Chapter 21: Sub-headings under the "Development of employers organisations" should be elaborated with necessary changes in the same manner as is done under "Development of the trade union movement and workers' organisations".

- xii) Chapter 27: There should be a separate paper on the Commission's approach to the problems posed by its terms of reference. The exact place where this is to be fitted in will be decided later.
- xiii) The portion on "Tasks involved and their Administrative Implications", should be deleted. The portion on "Summary of Conclusions and Recommendations" in Chapter 27 will form a separate Chapter.
- xiv) There should be a strong emphasis in the Chapter on "Industrial Relations" on 'human approach' to labour-management problems.

- 4. i) The Note dated December 16, 1967 elaborating the sub-headings of the Chapters in Part I and the time schedule for work, was agreed to with such modifications in the time schedule as are explained in para 2 above.
- ii) A point about mechanical tabulation was mentioned by Dr. Baljit Singh. But since it flows more readily as a comment on item No.4 in the Agenda for the Commission's meeting, it has been shown in the Record of Decisions of the Commission.
- iii) Mr. Kothari had made certain suggestions on the Tentative Scheme of the Report. While his suggestion on specific major labour enactments, their statement of objects and reasons etc. will be covered in Chapter on 'Labour Legislation' and also in different Chapters under Part III, the details of the basic aspects of developments in agriculture, particularly, questions relating to land-tenure and their modifications etc., as suggested by him need not be gone into.

The Scheme of presentation of the Commission's Report revised in the light of para 3 above is attached.

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An Outline Scheme for the Report of
the National Commission on Labour.

Part I. Background and Perspective.

Chapter 1. Introduction.

Terms of reference of the Commission - Method and Procedures of working - Study Groups - Questionnaire - Commission's Tours - Evidence - Broad Arrangement and Approach of the Report.

Chapter 2. Framework of Indian Society.

Constitutional and Administrative set up - Geographical and Political Divisions - Distribution and Utilisation of Natural Resources - External Economic Relations - Structural Features of the Indian Economy - Direction and Dimensions of Social Change - Socio-economic and political outlook.

Chapter 3. Pattern and Perspective of Growth.

Ethos of India's economic development - Five Plans and Growth Pattern - Productive Potentials in Agriculture and Industry - Infra-structure of Social Overheads and External Economies in the System: transport, power, irrigation, financial and developmental institutions, technological advance and management systems - Social Policy and Control - Perspective for Future Growth - Rate of Growth and outlook as regards sectoral growth and development: basic and consumer industries agricultural output, social services.

Chapter 4. Labour in a Changing Social Order.

Impact of Development on Labour and Labour-Management Relations - the problems of transition - social responsibility of business and the role of workers' organisations in the context of the need for orderly transition - Manpower Planning and Development of the Labour Force - Short-term and

Long-term Aspects - the Political Profile of a worker - Basic Social and Economic Ingredients of Labour Policy in a Developing Economy - Rationale of effective implementation of Labour Policy.

Chapter 5. Nature and Pattern of Employment.

Overall trends in Employment and growth of employment opportunities - Manpower and its allocation - trends of growth of labour force and its age and sex composition - levels of skill and education - Drift to the City - Employment in (a) large-scale industry, (b) small-scale industry, (c) transport and communications, (d) mining, (e) plantations and (f) agriculture and allied activities - Characteristic features of employment in different sectors - Regular and Seasonal employment - Employment Gap - Regional Imbalances and incidence of under-employment - Mobility of Labour.

Part II. Conditions of Labour*

Chapter 6. Agriculture and Allied Activities.

Agricultural Labour and their special problems - Labour engaged in Animal Husbandry, Forestry and Fisheries.

Chapter 7. Plantations.

Chapter 8. Mining and Oil Exploration.

Coal Mining - Other mining activities - Oil Exploration, etc.

Chapter 9. Manufacturing Industries.

Labour Conditions in capital, intermediate and consumer goods industries - public and private sector undertakings - Industry-wise analysis.**

* This part would be devoted to a review of labour conditions since Independence (of. para 1 of the terms of reference). The analysis would be set out in terms of certain homogenous groups/sectors and would in each case cover all the specific aspects remitted to the Commission vide para 3 of their terms of reference.

** In presenting the industry-wise analysis the sequential arrangement would be devised in such a manner as to enable their categorisation into new and traditional industries.

Chapter 10. Unorganised Industries.

Small-scale Industries - Analysis relating to selected small scale industries, e.g. handlooms bidi manufacturing, etc. - unprotected labour.

Chapter 11. Transport and Communications.

Railways - Road Transport - Post and Telegraphs and Telecommunications - Ports and Docks - Air Transport.

Chapter 12. Commerce, Trade and Services.

Banking and Insurance - Shops and Establishments - Public Utilities.

Chapter 13. Unorganised Services.

Building and Construction - Contract Labour - Unorganised sectors of headings in Chapters 11 and 12, and unprotected labour.

Part III. Labour Policies and Programmes

Chapter 14. Recruitment Methods and Procedures.

An assessment of prevailing procedures and practices - Contract Labour - Local and Outside Labour - Scope for Improvements.

Chapter 15. Training Facilities and Workers' Education.

Development and organisation of training facilities - Scope and Extent of existing training facilities - Apprenticeship System - In-training - Workers' Education - Problems and prospects.

Chapter 16. Working Conditions.

Legal and other provisions for regulating conditions of work - their coverage and scope - Working Hours, Health, Sanitation and Safety Measures with special reference to occupational hazards in new and expanding economic activities/industries - Problems arising from industrial concentration, factory design and environmental factors - Industrial Health Service - Industrial Safety and Safety Consciousness - Role of Factory/

Mines/Plantations Inspectorate and other Organisations - Assessment of past experience and need for new and/or additional provisions.

Chapter 17. Labour Welfare and Housing.*

A survey of developments and experience since Independence - Statutory and non-statutory provisions for Labour Welfare and amenities for workers - Industrial Housing, problems and prospects.

Chapter 18. Wage Policy - Problems and Issues.

Problems of Wage Policy and Wage Determination - Wages in terms of an Incomes Policy Approach - Inter-relationships between wages, profits and prices - Interaction as between Wage and Employment Levels - Share of wages in net output - Cost of Living, Dearness Allowances and Standard of Living - Bonus and Profits - Equal pay for Equal work - Minimum Wage - National Minimum Wage.

Chapter 19. Wages and Earnings.

Wage Structure - Wage Levels and Differentials - Wages and Earnings in Industry, small-scale production, mines, transport including ports and docks, plantations, agricultural labour, forestry and rural industries - Bonus, Dearness Allowance and non-cash benefits.

Chapter 20. Procedures for Wage Settlement and Administration.

Procedures for Wage Fixation - collective bargaining, conciliation, industrial tribunals, wage boards etc. - the functioning of these agencies - an assessment of their functioning - Problems of Implementation etc.

Chapter 21. Productivity and Incentives.

Productivity trends in the Indian Economy - Productivity in Agriculture and Selected Industries - Productivity and efficiency standards in tertiary activities - Productivity and employment and wages, the problems of measurement and norms of productivity - Operational Devices - Interplay of incentives and Productivity - Incentive Schemes and their rationale - Modus Operandi for different types of activities and occupations - Problems of rationalisation and automat

*This may have to be split into two chapters depending upon the information and material which may be received from the Welfare Committee.

Chapter 22. Social Security:

Arrangements for Social Security in India - Retirement, Gratuity and Provident Fund - Employees' State Insurance Scheme - Towards a more Comprehensive Scheme of Social Security - Problems of costs and administration - Administration and phased extension of Social Security Arrangements.

Part IV Industrial Relations and Labour Administration.

Chapter 23

Trade Unions and Employers' Organisations.

- (a) Development of the trade union movement and workers' organisations - Effects of Legislation on Growth - Institutional and Functional - Trade union finances, membership and organisation - Relationship between apex organisations and unions - Characteristic features of workers' organisations - Future Development - Pattern, Role in Welfare and Enforcement of Legislation - State and Trade Unions/ Problems of Outsiders in Unions - Registration, Recognition and Inter-union Rivalries, etc.
- (b) Development of Employers' Organisations - Relationship between apex organisations and affiliates/units - characteristic features of employers' organisations - Future Development - Pattern, role in welfare and enforcement of legislation - State and Employers' Organisations.
- (c) Their role in maintenance of harmonious Labour - Management Relations, collective bargaining, etc.

Chapter 24. Industrial Relations.

Industrial Relations Procedures - internal/ external - Legal/Voluntary - Joint Consultation - Collective Bargaining - Voluntary Arbitration - Legal Procedures - Conciliation - Adjudication - The Right to Strike - Assessment of Experience - Reorientation and Approach for the Future.

Chapter 25. Labour Legislation and Laws.

A critical analysis of labour legislation and laws - their scope, coverage and extent - An Assessment of the Practical Experience - Limitations and Deficiencies - Implementation and Enforcement - Case for Codification.

Chapter 26. Administrative set-up and Labour Administration.

Administrative Machinery at the Centre and in the States - Administration of Labour Policy and Laws.

Chapter 27. Labour Research, Statistics and Intelligence.

Review of existing sources of Statistics and Information - Need for consolidation and codification - Lines of future research - Evaluation and Suggestions for Improvement.

Chapter 28. International Labour Standards.

India and I.L.O.

Part V. Conclusions and Recommendations.

Chapter 29. Commission's Approach to the problems posted to it.

(The place of this chapter in the Report will be settled later.)

Chapter 30. Summary of Conclusions and Recommendations.
