

Record of decisions of the Twelfth Meeting
of the National Commission on Labour held
on November 2 and 3, 1968, at New Delhi.

The Twelfth Meeting of the National Commission on Labour was held in the Commission's Office at D-25-B, South Extension, Part II, New Delhi, on November 2 and 3, 1968, as follows:-

November 2, 1968. 11.00 AM to 1.00 PM
and
3.00 PM to 6.00 PM

November 3, 1968. 9.30 AM to 1.30 PM

The following were present:-

1. Dr. P.B. Gajendragadkar,
Chairman.
2. Dr. Baljit Singh,
Member.
3. Dr. Bharat Ram,
Member.
4. Shri Ramananda Das,
Member.
5. Shri B.C. Ganguli,
Member.
6. Shri D.C. Kothari,
Member.
7. Shri R.K. Malviya,
Member.
8. Shri G. Ramanujam,
Member.
9. Shri Raja Ram Shastri,
Member.
10. Shri Naval H. Tata,
Member.
11. Shri S.R. Vasavada,
Member.
12. Shri B.N. Datar,
Member Secretary.

Item left over from the Eleventh Meeting.

As was decided at the Eleventh Meeting on September 11, 1968, at Bombay, the agenda for that meeting was first considered and the following decisions were taken:-

Item No. 1. Progress Report of the work done in
the Commission since its Tenth
Meeting held at Bombay on July 31,
and August 1, 1968.

The progress was noted.

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The action taken by the Secretariat to wind up the Study-Group on Cement Industry was approved.

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Items for the Twelfth Meeting.

Item No. 1. Confirmation of record of decisions of the Tenth Meeting held on July 31 and August 1, 1968, at Bombay.

The record was confirmed.

Item No. 2. Progress report of the work done in the Commission since its last meeting.

The progress was noted.

Item No. 3. Discussion of Draft Report - Part I.

I. Mr. Vasavada referred to (i) the Ordinance issued by the Madhya Pradesh Government regarding recognition of unions by secret ballot, and (2) the press reports that the Central Government intended to introduce in Parliament a Bill banning strikes by Central Government Employees, without providing any machinery for resolving disputes. He added that the press reports also showed that outsiders would be prohibited from taking part in the trade unions of Government employees. He further observed that these matters were of considerable importance for the Commission and that the Commission should write to the Government of India in respect of both of them and seek clarification.

After some discussion it was decided that the copies of the Ordinance and the Bill in question should be obtained by the Commission's Secretariat for study before the Commission could think of the action as suggested by Shri Vasavada.

II. It was agreed that there should be a general discussion on Part I before it could be discussed para by para. The Chairman stated that Dr. B.N. Ganguli had informed him that he had read two Chapters (IV and VI): Directive Principles and Perspective. Dr. Ganguli was in general agreement with the draft, though he had some suggestions to make, which he would pass on to the Secretariat.

Mr. Tata felt that the draft showed at places a bias against employers. He added that he would mention the places where in his opinion, it requires modification when detailed discussion, para by para, begins.

Mr. Kothari thought that the impression one gets after reading the draft was that the picture of economic development in India since Independence was rosy whereas the position was different. He would make suggestions at appropriate places to make the draft less complacent and more realistic.

Mr. Ramanujam raised the question of the structure of the final Report. He wanted to know specifically whether there should be subject-wise and industry-wise discussion in the report. It was felt that if the Commission were to deal with each industry or each State separately, it would be going beyond its terms of reference.

The following decisions were reached after general discussions:

1. The structure and scheme of the Report as contemplated in Chapter I (Draft) is approved.
2. Notes prepared by the Office on different industries and different States on the basis of information supplied by States, Study Group Reports, other research work, oral evidence, statistical data collected etc., should be included in separate volumes as suggested in the last para of Chapter I. These notes should be objective; the conclusions reached in them will not necessarily be the Commission's conclusions. These notes need not come before the Commission for discussion. They will be circulated to the members and if any suggestions are made by them they will be carefully considered before finalising the notes. These notes as finalised will however not be included in the body of the Report. Their status will be the same as research documents prepared by the Secretariat to help the Commission to reach conclusions.
3. In Part II, as suggested by Mr. Ramanujam, apart from the subject-wise discussion of the Commission's terms of reference, there should be separate treatment given to problems of labour in Public Sector, Co-operative Sector, Unorganised Sector etc.

III. Changes agreed to in the detailed discussion on different Chapters are in Annexure I.

IV. The Chapters will now be revised in the light of detailed comments made on them and will be put up for approval by Chairman.

The Chapter on Perspective will, however, be brought before the Commission after making such changes as may be deemed necessary in the light of (i) in discussions with the Planning Commission and (ii) final recommendations which the Commission would make.

Item No. 4. Any other matter with the permission of the Chairman.

(A) Programme of meetings during November, 1968 to January, 1969.

1. The programme of the sittings of the Commission upto the first half of January 1969 was finalised, as follows:

November, 1968: The Chairman stated that although it was decided earlier to meet in Bombay from 23rd to 25th Nov., 1968 for recording evidence of eminent persons, on reconsideration it was felt that no useful purpose would be served by meeting any of the said persons, excepting Mr. L.K. Jha, the Governor of the Reserve Bank. It was, therefore, decided not to hold any meetings in Bombay in November, 1968. It was also decided to request Shri Jha to meet the Commission on some mutually convenient date either at Bombay or at Delhi.

December, 1968. It had been earlier decided to meet at Delhi on 5th, 6th, 7th and 8th December 1968. Since it was felt that there should be no meeting on December 8, the hours, for the Commission's meetings were modified as follows:

| | <u>Forenoon Session</u> | <u>Afternoon Session</u> |
|------------|-------------------------|--------------------------|
| 5.12.1968 | 9.30 A.M. to 12.30 P.M. | 3.30 P.M. to 6.00 P.M. |
| 6.12.1968: | 9.30 A.M. to 12.30 P.M. | 3.00 P.M. to 6.00 P.M. |
| 7.12.1968: | 9.30 A.M. to 12.30 P.M. | 3.00 P.M. to 6.00 P.M. |

The programme fixed for December 23 to December 28 was postponed to January 4 to January 8, 1969. The meeting January, 4 will be from 3.00 P.M. to 5.00 P.M. On all other days the

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Commission will meet from 9.30 A.M. to 12.30 P.M. and 3.00 P.M. to 5.00 P.M. The meetings will be held at New Delhi.

January 1969:

- 4.1.1969: 3.00 P.M. to 5.00 P.M.
- 5.1.1969:) 9.30 A.M. to 12.30 P.M. 3.00 P.M. to 5.00 P.M.
- 6.1.1969:)
- 7.1.1969:)
- 8.1.1969:)

The Chairman informed the Members that the Commission may have to hold meetings for 2 days towards the end of January 1969 either in Bombay or in Delhi. The timings will be as follows:

- Saturday: 3.00 P.M. to 6.00 P.M.
- Sunday: 9.30 A.M. to 12.30 P.M. 3.00 P.M. to 5.00 P.M.

The programme of meetings approved for November 1968 to January, 1969 is appended as Annexure II.

(B) Other matters.

- I. The letter written by the Chairman to Shri S.N. Dwivedi, M.P. regarding some allegations against the Committee set up by the Commission to study the working and service conditions of sweepers and scavengers in all its aspects, was read out (copy appended as Annexure III). No further action on it was considered necessary.
- II. The Chairman read out the letter written by him to Mr. Dange intimating that the Commission would be glad to meet the AITUC delegation and adding that they should send their memorandum by November, 15, 1968 (copy appended as Annexure IV).
- III. The visit to Andamans should be cancelled.
- IV. The meeting recorded its appreciation of the work done by the Secretariat in (i) organising the tours and visits to State Headquarters and other places and (ii) preparing the Points for Discussion with the individuals/institutions/Departments that met the Commission.

Changes agreed to in the Draft Report - Part I.C H A P T E R - I I N T R O D U C T I O N

1. The chapter should be divided into appropriate number of Sections and wherever possible Section heading should be given. The first two paras should be given the heading "Appointment and Terms of Reference" and para 3 onward should be given similar suitable headings.
2. Para 1. The first sentence should read as follows:-

"We were appointed by the Government of India Resolution No. 36/14/66-I&E dated December 24, 1966 (Appendix I) issued by the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment). Our terms of reference are:"
3. Para 2. (a) Item (iii) should read as follows:-

"the sad demise of Shri N.K.Jalan and the appointment of Shri D.C.Kothari in his place".

(b) The last sentence should be suitably altered avoiding the words "life" and "Commission".
4. Para 4. (i) First line - insert the word "itself" between "meeting" and "immediately".

(ii) Third line - substitute "comprehensive" for "vast".
 (iii) 5th line - substitute "have" for "see".
 (iv) In the sentence commencing with "Taking into account the areas to be covered", the words "preoccupations of most of us _____ in other subjects," should be deleted.
5. Para 5. The para should read as follows:-

"In view of the Government's decision around 1960 to treat the employees of the Posts and Telegraphs Board as departmental employees we had to seek a clarification from the Government whether the said employees were covered by the Industrial Disputes Act. As the Government's reply was in affirmative, we sought the co-operation of the Department of Communications, the P&T Board and Federation of Posts and Telegraphs employees in our work.
6. Para 8. (1) An Appendix listing the material referred to in the second sentence should be prepared.

(ii) Line 9 - After "(1946)" add "Rege Committee".
7. Para 9. (i) The frequent use of the phrase "from time to time" should be avoided.

(ii) Second line from the bottom of the para - The sentence "These were fully availed of" should be "These too were availed of".
8. Para 11 Last sentence will be broken into two sentences and should read as:-

"The response from the Central and State Governments to this request was satisfactory. The Central employers' and workers' organisations thought it more appropriate to cover these topics in the exhaustive memorandum they proposed to send.

9. Para 14 The first sentence should read as follows:-

"The questions as finally drawn up (Appendix 4) were widely circulated; some copies were also distributed in foreign countries among persons conversant with the Indian labour scene".

10. Para 15 An analysis of the response from the public to the questionnaire issued by the Commission will be given in this para.

11. Para 16 The asteric mark in the para will be deleted.

12. Para 18 (i) second line, for the word "extensive", some other word should be used.

(ii) The sentence beginning with "Members of Parliament" should begin as "The names of Members of Parliament".

13. Para 21 (i) The first sentence should read as follows:-

"As a measure of tapping expertise outside the Commission, we set up Committees/study/working groups to investigate various aspects covered by our terms of reference".

(ii) The sentence "The composition of different study groups is at Appendix 8". should form the third sentence of this para.

(iii) Second sentence of sub-para-substitute the word "conclusions" for "recommendations".

(iv) Delete the words "and recommendations" from the last sentence of the sub-para.

14. Para 22 The first sentence should read as follows:-

"As another variation of seeking expert guidance in our work, we selected specialists who could prepare a documentation for us on specific subjects".

15. Para 23 First line - The word "known" should be substituted by "Recognised".

16. Para 25 Delete the words "the sense" in the second line.

17. There were some additional drafting changes suggested which should be noted for consideration.

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C H A P T E R - II FRAMEWORK OF INDIAN SOCIETY

1. Para 1 First line - For 'The Commission's' read 'Our'.
2. Para 2 First line - For 'seems' read 'is'
3. Para 3 The figures regarding increases in population should be brought up-to-date. The latest estimate by the Registrar General or the Central Statistical Organisation would be appropriate.
4. Para 4 The last sentence should be deleted.
5. Para 5 (i) First sentence - The word 'museum' should be substituted by a better word.
 (ii) Last line 'space' should be replaced by a better word.
6. Para 7 First line - For 'events' read 'struggle'.
7. Para 9 (i) The sentence 'One could.....growing numbers' should be suitably revised particularly by avoiding the use of the word 'kill'.
 (ii) Line 17 from above - For 'it' read 'organised industry'.
 (iii) The sentence 'The process of.....as a whole' should be replaced by the following sentence:

"The process of industrialisation remained inhibited due to apathy of the Government, inadequate development of technical skill, agricultural stagnation and a lower rate of savings and investment in the economy as a whole".
8. Para 10 (i) First sentence should start as 'The Indian National Congress, the dominant political organisation in the country.....time'.
 (ii) The sentence 'For a long.....congress' should be suitably amended to bring out that even before the Karachi Resolution Congress had an economic programme.
 (iii) The sentence 'Whether this.....to doubt' should be deleted.
9. Para 11 The sentence 'These resulted.....perhaps in 1966 and 1967' should be recast as:

"As a result of these factors employers became apprehensive about the rising bill of wages that gave rise to a high degree of industrial unrest in the years 1946-1947 the like of which has not been noticed in the twenty years since except perhaps in 1966-67".

(The figures regarding industrial unrest i.e. number of man - days lost etc. in respect of the years mentioned in this para should be rechecked to make sure that the statement is factually correct).
10. Para 13 (i) Page-7 - third line from the top - The word 'eternal' should be suitably changed.
 (ii) The last sentence of para 13 should be substituted by a positive statement.
 (iii) It should be brought out in this paragraph that pronouncements of high expectations of getting too many things too quickly after Independence and their non-fulfilment resulted in frustration amongst the working class.

11. Para 14 Should be deleted.
12. Para 16 (i) First sentence 'Right to Freedom' should be elaborated to explain that it includes, 'Right to form Associations or Unions'.
(ii)*Mark on the word 'Pragmatic' should be deleted.
(iii) The first sentence in the foot note 'This.....goal' should be deleted and the rest of it should come immediately after the word 'pragmatic'.
(iv) The sentence 'A detailed.....Chapter IV' should come as a foot note to para 16.
13. Para 17 A sentence should be added in this paragraph stating that labour is a concurrent subject.
14. Para 21 This para should be recast. The use of words 'monolithic' and 'monolith' should be avoided.
15. Para 23 It may be considered whether this para should be retained.
16. Para 24 Third line from above - The words 'elite and interested cynicis' should be suitably changed.
14th line from above - After 'now a' add 'fairly'.
17. Para 25 (i) The foot note should be deleted.
(ii) One or two sentences which will be scientifically correct may be incorporated in this para for comparing India's rates of growth with the rate of growth of other developing countries.
(iii) A sub-paragraph may be added regarding population growth and economic development. It may be mentioned in this para that the subject has been dealt in detail in the subsequent chapter.
(iv) It should be clarified that data on national income as presented are at constant prices.
18. Para 27 After '1964-65' add 'but this does not imply that the percapita earnings of workers have gone down'.
19. Para 28 The following sentence should be added after '22 percent'
'Inspite of this the yield per acre and per person as compared to the intermtnal standards has remained low'.
20. Para 29 (i) Third line - For 'greater use' read 'rapid increase in the use of fertilizers'.
(ii) Sixth line - For '13 million' read '130 million'.
(iii) At the end of the paragraph the following sentence should be added:
"Recent advances in agricultural technology, however, have been more rapid and it appears that a 'green revolution' with new technology is fairly established".
21. Para 31 The statistics regarding the number of villages electrified should be rechecked.
22. Para 38 It should be elaborated and expanded.

23. Para 40 (i) The sentence 'The joint family system.....cannot say' should be recast as; 'The joint family system is fast changing and perhaps disintegrating'.
- (ii) Last line - The word 'westernisation' should be replaced by a suitable word.
24. Para 41 (i) The portion "This is not to suggest.....closer lock" should be deleted.
- (ii) Page 18 third line from above. It should be made clear as to what the growing consciousness refers to.
- (iii) Page 18 Sixth line from above - After 'to' add 'strengthen the economy and'.
- (iv) The last sentence should be recast to express a positive hope.
25. Para 42 First line - add 'here' after 'discuss'.
26. There were some additional drafting changes suggested which should be noted for consideration.

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C H A P T E R - III E C O N O M I C T R E N D S S I N C E I N D E P E N D E N C E

1. The following points should also be discussed in this Chapter:-
- (a) Difficulties experienced in implementation of the Fourth Plan particularly on account of shortage of resources: It may also be explained as to why it became necessary to postpone the Fourth Plan and instead the process of annual plans was initiated.
- (b) Difficulties faced in stepping up exports inspite of the devaluation of the rupee.
- (c) The phenomenon of rising cost and how it has created imbalances in the economy: The discussion will have to be with reference to the agricultural and industrial sectors.
2. Para 3 The second sentence should be fully explained with reference to the data given in Table I.
3. Para 4 A note should be added to Table: 2 indicating that as mentioned in the Draft Outline of the Fourth Five Year Plan, the food requirements for 1970-71 were estimated at 120 million tonnes.
4. Para 5 4th Line For 'numbers' read 'population'.
5. Para 7 Lack of credit facilities may also be added as one of the factors.
6. Para 9 It should be considered whether this paragraph could not more appropriately be brought immediately after paragraph 5.
7. Para 16 4th Line from above For the portion 'these.....reasons' read 'the reasons already mentioned in the foregoing paragraphs'.
8. Para 19 A mention should be made that part of the economic difficulties were on account of increased defence expenditure necessitated by aggressions on our borders.

9. Para 20 The last sentence should end at '1961-66' and the portion 'much beyond.....output' should be deleted.
10. Para 24 5th line from below for 'are' read 'could be'.
The last sentence 'In such....community' should be deleted.
11. There were some additional drafting changes suggested which should be noted for consideration.

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C H A P T E R - IV DIRECTIVE PRINCIPLES - Achievements and Failures

1. The heading for the chapter should read as follows:-

THE DIRECTIVE PRINCIPLES
- Aspirations and Achievements.
2. Para 4 (i) Line-5. the last word "known" should be substituted by a more appropriate word.
(ii) third line from bottom of the para, read "ensure" for "entitle".
3. Para 5 Line 6 - delete the words "in the Supreme Court".
4. Para 8 Add the sentence in the last "We are not called upon to enter the merits of the controversy".
5. Para 9 Fourth line - substitute the word "prohibits" for "suggests".
6. Para 10 Line 12 from the bottom of page 5, add the words "and plantation" after "agriculture".
7. Para 15 The last sentence should be toned down.
8. Para 16 This para should be deleted.
9. Para 19 In this para "articles 43 and 47" should be dealt with fully.
10. Para 20 (i) Second line - substitute the words "refer to" for "rely on".
(ii) This para should also discuss the financial developments during the period 1951 to 1966 e.g.,
(a) Social control of banking,
(b) Unit trust,
(c) State Financial Corporation.
11. Para 21 (i) Line 5-Substitute the words "which India has adopted" for "of the Indian vintage".
(ii) Line 6 - Replace the words "element of" by "need for".
(iii) Page 10 - The portion "Howeever inadequate these availed of by others", and the portion "Personal taxation... a steady increase" to be re-drafted. A summing up of what has happened should be given.
(iv) Add one sentence in the end "However, this policy has been partly successful because its implementation leaves much to be desired".

12. Para 22(i) Give the conclusions of the "Monopolies Commission" as relevant to article 39(b) and (c). The exact number of products chosen for study should be given. As per as possible put the specific conclusions of the Monopolies Commission within quotes. There should be no paraphrasing.
 - (ii) page 11 - Second line. The word "Commission" should read as "Monopolies Commission".
13. Para 24 (i) Delete the word "pithly"
 - (ii) Delete also the last two sentences.
14. Para 26 (i) Line 6 -- Add "under-employment" after "Unemployment".
 - (ii) The portion commencing from "This class perfected the art -----" upto the end of para should be redrafted both verbally and substantially. There should be no suggestion about "class" in the sense of 'class conflict'.
 - (iii) The foot note on page 12 should be incorporated in the body of the para.
15. Para 27 Line 7 - Add "predominantly" after " comprising".
16. Para 28 (i) Reference to article 40 should be made at the beginning of the para by saying, "We now turn to article 40".
 - (ii) This para should be re-drafted, bringing out the ills flowing from Panchayat System and also referring to concentration of land holdings. The exploitation of labour by Panchayat should also be brought out.
 - (iii) Conclusions of proposed conference on agriculture labour should be included in this paragraph.
17. Para 29 Line 2 - The word "disintegration" should be substituted by a more appropriate word showing that we do not disapprove of disintegration of the system.
18. There were some additional drafting charges suggested which should be noted for consideration.

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C H A P T E R - V EMPLOYMENT - WAGE RELATIONSHIP - A REVIEW

1. Para 5 Amend the para ("Market Value Basis" was rejected by the Pay Commission.)
2. Para 6 Add the word "fair" before "deal for labour" in the last line of the para.
3. Para 11 Delete last two sentences.
4. Para 12 Examine the argument again but delete the sentence " A seemingly neat.....its main virtue."
5. Para 20(A) 6th line from the end: change the word "novelty" and quote the exact language from Second Plan.
6. Para 25 Bring in the point regarding rise in the cost of production per unit at the end of para.

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7. Para 27 3rd line from below: delete the words "now in fashion" and make consequential changes. (It may be said "annual Plan has become a necessity".)
8. Para 28 Charge the last 4 - 5 lines.
Add some material about unemployment in Textile Industry and also engineering at appropriate place. If a reference about other industries is necessary it should also be made.
9. There were some additional drafting changes suggested which should be noted for consideration.

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C H A P T E R - VI A P E R S P E C T I V E F O R L A B O U R

1. Para 1 (i) The following points should be added in the first para:-
 - (a) The concept of legitimacy of means as given in the Constitution of India should be brought out.
 - (b) Merits of social consumption should be spelt out.
(Refer to Shri Raja Ram Shastri's note appended).(ii) (Mr. Ramanujam was requested to give a few paragraphs about the role of trade union movement in the evolution of economic policy).
(iii) (Mr. Kotwal has been already requested to give in writing his ideas about the 'perspective').
2. Para 3 1st line - The first sentence 'it is.....conflict' should be recast as follows:-

"It is also possible to view the objectives from another angle".
3. Para 4 (i) 7th line. The word 'vastly' should be deleted.
(ii) In this para the productivity and mobility aspects should be added.
4. Para 5 Last but one line. After 'will' add 'have to'.
5. Para 6 This paragraph should be merged with paragraph 5.
6. Para 7 A footnote should be added to the table explaining the terms 'primary, secondary and tertiary sectors'.
7. Para 8 (i) 2nd line - For 'global' read 'overall'.
(ii) It should be mentioned in this paragraph that the traditional attitude has been changing and a larger number of educated persons have been taking to manual work during the last ten years. There is, however, need for accelerating this trend. The dignity of labour should be emphasised.
(iii) Second line on page 5 for 'speculate' read 'anticipate'.
8. Para 9 (i) It may be mentioned in this paragraph that an answer to fragmentation of holdings is the cooperative farming. However, recent experience has shown that the cooperative farming has not been very successful. A start should, therefore, be made by encouraging service cooperatives which may lead to development of the cooperative sector in other fields in due course.

- (ii) A mention should also be made about the labour cooperatives.
- (iii) Vinobaji's suggestion regarding treating agriculture as an industry may also be discussed. (This could be done after the conference on agricultural labour makes its recommendations)

- 9. Para 10 This paragraph should be re-written bringing out the ideas more clearly.
- 10. Para 11 The idea of land distribution with a view to increasing employment may be discussed in this paragraph. (This should, however, be considered after the Agricultural Seminar).
- 11. Para 17 This paragraph should be revised. It should be brought out that the tripartite machinery is necessary and should function effectively. Reference for representation of consumer/academics/professionals should be deleted.
- 12. Para 19 This paragraph should be revised. It may be mentioned here that healthy conventions have been established for communication between the Centre and the States but it has been noted with regret that of late there has been aberration or departure from the said conventions. It is hoped that these conventions will be observed in the coming years.
- 13. Para 20 The portion 'We note.....deliberately fostered' should be deleted.
- 14. Para 21 and 22 It should be brought out in these paragraphs that if more professional management is introduced at the top level, it is likely to result in better labour-management relations and higher production.
- 15. Para 25 This paragraph should be deleted.
- 16. Section III of this Chapter was not discussed and it was decided that this should be re-written after discussions with the Planning Commission.
- 17. There were some additional drafting changes suggested which should be noted for consideration.

NATIONAL COMMISSION ON LABOUR.

Programme of meetings with Central Ministries and Members of Parliament in
December, 1968 at New Delhi.

The meetings will be held in the Commission's office at
D-25-B, South Extension - Part II, New Delhi.

DECEMBER, 1968.

Thursday, 5th.

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| (a) | <u>Forenoon Session.</u> | <u>9.30 A.M. to 12.30 P.M.</u> |
| | All India Trade Union Congress. | 9.30 A.M. to 12.30 P.M. |
| (b) | <u>Afternoon Session.</u> | <u>3.30 P.M. to 6.00 P.M.</u> |
| | (i) Economic Secretaries. | 3.30 P.M. to 5.00 P.M. |
| | (ii) Ministry of Home Affairs. | 5.00 P.M. to 6.00 P.M. |

Friday, 6th.

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| (a) | <u>Forenoon Session.</u> | <u>9.30 A.M. to 12.30 P.M.</u> |
| | Ministry of Labour, Employ- ment & Rehabilitation, (Department of Labour & Employment). | 9.30 A.M. to 12.30 P.M. |
| (b) | <u>Afternoon Session.</u> | <u>3.00 P.M. to 6.00 P.M.</u> |
| | (i) Ministry of Labour, Employment & Rehabi- litation, (Department of Labour & Employment). | 3.00 P.M. to 4.30 P.M. |
| | (ii) D.M.K. | 4.30 P.M. to 5.30 P.M. |
| | (iii) Shri Arjun Arcera, M.P. | 5.30 P.M. to 6.00 P.M. |

Saturday, 7th.

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|-----|---------------------------|--------------------------------|
| (a) | <u>Forenoon Session.</u> | <u>9.30 A.M. to 12.30 P.M.</u> |
| | (i) S.S.P. | 9.30 A.M. to 10.30 A.M. |
| | (ii) C.P.I. | 10.30 A.M. to 11.30 A.M. |
| | (iii) C.P.I. (M). | 11.30 A.M. to 12.30 P.M. |
| (b) | <u>Afternoon Session.</u> | <u>3.00 P.M. to 6.00 P.M.</u> |
| | (i) Congress. | 3.00 P.M. to 4.00 P.M. |
| | (ii) Swatantra. | 4.00 P.M. to 5.00 P.M. |
| | (iii) Independent. | 5.00 P.M. to 6.00 P.M. |

Programme of meetings in January, 1969,
AT NEW DELHI.

JANUARY, 1969.

Saturday, 4th Commission's meetings/meetings with Planning
Sunday, 5th Commission and some eminent persons.

Monday, 6th There will be two sessions each day except
Tuesday, 7th that on January 4, there will be only afternoon
Wednesday, 8th session from 3.00 P.M. to 5.00 P.M.

(a) Forenoon Session. 9.30 A.M. to 12.30 P.M.

(b) Afternoon Session. 3.00 P.M. to 5.00 P.M.

Details of meetings will be intimated later.

At Bombay or New Delhi.
(exact place to be decided later)

At the end of January, 1969, Commission will meet for two days
either in Bombay or in Delhi. The timings will be as follows:-

Saturday 3.00 P.M. to 6.00 P.M.

Sunday 9.30 A.M. to 12.30 P.M.

3.00 P.M. to 5.00 P.M.

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(C O P Y)

P.B. Gajendragadkar
CHAIRMAN

Government of India
National Commission on Labour

New Delhi, the Sept.. 19, 1968.

You will recall that I had a telephone talk with you about your letter of July 28, 1968, regarding certain allegations brought to your notice by your colleagues in Cuttack against the Chairman and Members of our Committee "to study the working and service conditions of Sweepers and Scavengers in all its aspects." I have since made some inquiries in the matter and had discussions with the Chairman, Dr. Pandya and members of the Committee. Dr. Pandya has denied the allegations against him personally and his Committee. The Committee has toured all the States and, I have been told that the allegation under reference is the only one made against it.

I realise that the publication of the report on the incident in local papers may have created a distorted image of the services rendered by Shri Pandit. The Commission regrets the inconvenience caused to Shri Pandit on this account. Dr. Pandya and his colleagues have assured me, however, that the Committee had absolutely no hand in this publicity.

I am asking my Secretariat to send a copy of this letter to Shri Pandit.

Yours sincerely,

Sd/-

(P.B. Gajendragadkar)

Shri S.N. Dwivedy,
Member of Parliament,
21, Canning Lane,
New Delhi.

Copy to:-

1. Dr. Bhanuprasad Pandya,
Chairman,
Committee to study working and service conditions
of Sweepers and Scavengers,
61/A, Shrimali Society, Navrangpura,
Ahmedabad - 9.
2. Shri Biswanath Pandit,
President,
Cuttack Mehanter Sangh,
Chaudhury Bazar,
Cuttack - 1.

SA/-

ANNEXURE IV

D.O.No.1(24)/68-NCL(C)

P.B. GAJENDRAGADKAR
CHAIRMAN

GOVERNMENT OF INDIA
NATIONAL COMMISSION ON LABOUR

New Delhi, the November 2, 1968.

My dear Dange,

Mr. Datar mentioned to me about the talk he had with Mr. Loomba, Secretary of the A.I.T.U.C. about a meeting between the Commission and the A.I.T.U.C. He was planning to fix the meeting on November 4, 1968 but since no Memorandum was received from your Organisation the meeting had to be postponed and Mr. Loomba was informed about it. The Commission will be meeting in Delhi again from December 5 to 8. We will appreciate a discussion with you and others of the A.I.T.U.C. on December 5, 1968 from 10.00 A.M. to 1.00 P.M. The Secretariat will let you know the place of the meeting later.

I hope it will be possible for your Organisation to send your Memorandum to us by November 15, 1968.

Yours sincerely,

Sd/-

(P.B. GAJENDRAGADKAR)

Shri S.A. Dange,
General Secretary,
A.I.T.U.C.,
24, Canning Lane,
New Delhi.

SA/-

Item No.2: Progress report of the work done in the Commission since its Twelfth meeting held at New Delhi on Nov. 2-3, 1968.

(1) The progress on action taken on the decisions of the twelfth meeting of the Commission held at New Delhi on Nov. 2-3, 1968 is given in Annexure 'A'.

(2) Observation visits

Member-Secretary and Director of Research visited some places, details of which are given below:-

| <u>S.No.</u> | <u>Place of visit</u> | <u>Visited by</u> | <u>Date of visit</u> |
|--------------|--|-----------------------|----------------------|
| 1. | Distt. Alwar | Member-Secretary | Nov. 4, 1968. |
| 2. | Areas of Agri-culture in Madras State. | Director of Research. | Nov.11-14, 1968. |
| 3. | Famine affected areas in Rajasthan. | Director of Research. | Nov.26-30, 1968. |

(3) Meeting with Central Ministries and Members of Parliament

The Commission's programme of meetings from December 5 to 7, 1968 is as follows:

December 5, 1968

(Forenoon)

I.C.F.T.U.

Indian Social Institute.

(Afternoon)

Economic Secretaries

Ministry of Home Affairs.

December 6, 1968

(Forenoon)

Department of Labour & Employment and its Attached Offices/Organisations.

(Afternoon)

Department of Labour & Employment

Members of Parliament - D.M.K. & Shri Arjun Arora.

December 7, 1968.

Members of Parliament belonging to various political parties.

(4) Meeting with Committees/Study Groups/Working Groups.

Since the twelfth meeting of the Commission the following Committees/Study Groups/Working Groups have sent their reports:

- (i) Study Group on Heavy Engineering.
- (ii) Central Working Group on Labour Administration.
- (iii) Study Group on Labour Legislation (final report and draft labour code).

So far 35 Committees/Study Groups/Working Groups have sent their reports of which 24 reports have been printed and circulated to all concerned. Reports from the Working Groups on Labour Administration - Eastern and Western regions, are awaited.

Since the Study Group on Fertilizers sent an interim report, the Convenor of the Group has been requested to intimate whether it is desired to make any change in the recommendations contained in the interim report.

An index to the Study Group Reports (printed copies) - selected topics, was circulated to the Members on November 11, 1968.

(5) Progress of work done on the Technical side.

(a) Coding of the replies has been completed and the material is being processed at the computer centre at the Planning Commission. The final tables will be available by 5th December. It is proposed to decode and cyclostyle the tables by the end of this month.

(b) The first part of the report consisting of six chapters was discussed by the Commission in its meetings held on the 2nd and 3rd November, 1968. These are being revised in the light of the suggestions made by the Members of the Commission at these meetings.

A revised outline of the report of the Commission has been circulated.

(c) Work on about 40 topic notes is in progress and will be completed by 15th December. Out of these following topic notes are at various stages of completion:

- * 1. Joint Consultation at the level of the undertaking - Works Committees.

* Topics note marked has already been circulated to members.

2. Joint Consultation at the level of the undertaking - Joint Management Councils.
- * 3. Outsiders in Trade Unions.
- * 4. Disciplinary procedures - dismissals and discharges.
- * 5. Check-off.
- * 6. Union Security Measures - union shop/closed shop.
- * 7. Role of the Indian Labour Conference, Standing Labour Committee and Industrial Conditions in Industrial Relations.
- * 8. Trade Union Finances.
9. Trade Union Legislation.
10. Recognition.
11. Code of Discipline.
12. Working of Industrial Tribunals.
13. Collective bargaining versus Adjudication.
14. Conciliation.
- * 15. Concept, Trends and Sharing gains in productivity.
- * 16. Social security arrangements in India - A Review.
- * 17. Incentive Schemes in Industries.
- * 18. Inter-Action between Wage and Employment Levels.
19. Bonus payments in India with special reference to Payment of Bonus Act 1965.
20. Wage levels and differentials in important sectors.
21. Automation and Rationalisation.
22. Principles and Objectives of a National Wage Policy.

As many as 32 notes on International experience covering the subjects mentioned above have also been prepared.

* Topics notes marked have already been circulated to members.

The following industry notes are ready:-

- (1) Jute
- (2) Iron Ore
- (3) Mica
- (4) Banking
- (5) Cement
- (6) Paper and Pulp.
- (7) Coffee

In addition to the industry notes the following notes have been completed:-

- (1) Conditions of work.
- (2) Forestry and fisheries.
- (3) Recruitment methods and procedure.

Following notes/chapters are under preparation:

- (1) Industry note on Heavy Engineering.
- (2) Training and Workers' Education.
- (3) Housing.
- (4) Statistics and Research.
- (5) Tribal Labour.

The papers on small-scale industries sent by District Education Officers have been circulated.

(d) So far manual tabulation is concerned, 700 replies have been received so far. Out of these the following have been manually tabulated in different Units of the Commission:- Unit 1 - 625 replies; Unit 2 - 555 replies; Unit 3 - 310 replies; Unit 4 - 325 replies; Unit 6 - 612 replies; Unit 7 - 320 replies.

(e) Part II of the volume on the statistics relating to manufacturing industries is expected to come out of the Press within a week. Part I will be out by end of the month. Part III has gone to the Press.

(f) The following Chapters are expected to be finalised by end of this month:-

Unit I - Training and Worker's Education, Chapter.

Unit 2 - Working Conditions and Housing.

Unit 6 - Agricultural Labour and other categories
of rural labour.

Unprotected and Unorganised Labour.

Unit 7 - Research and Statistics,
International Obligations.

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ANNEXURE 'A'

Progress of action taken on the decisions of the
twelfth meeting of the National Commission on
Labour held on November 2-3, 1968, at New Delhi.

| <u>Decision</u> | <u>Action taken</u> |
|---|--|
| <u>Item No. 3: Discussion of Draft Report - Part I</u> | |
| I. xx xx | xx xx |
| After some discussion it was decided that the copies of the Ordinance and the Bill in question should be obtained by the Commission's Secretariat for study before the Commission could think of the action as suggested by Shri Vasavada. | The State Government of Madhya Pradesh has been requested to supply copies of the Ordinance. Copies of the Bill banning strikes by Central Government employees will be available after the Bill is introduced in the Parliament by the Ministry of Home Affairs. As soon as copies of the Ordinance and the Bill are received, these will be circulated to the Members. |
| IV. The Chapters will now be revised in the light of detailed comments made on them and will be put up for approval by Chairman. | Necessary action is being taken. |
| Item No.4 : Any other matters with the <u>permission of the Chairman.</u> | |
| (A) <u>Programme of meetings during November, 1968 to January, 1969.</u> | |
| 1. xx xx | xx xx |
| <u>November, 1968:</u> | |
| The Chairman stated that although it was decided earlier to meet in Bombay from 23rd to 25th November, 1968 for recording evidence of eminent persons, on reconsideration it was felt that no useful purpose would be served by meeting any of the said persons, excepting Mr. L.K. Jha, The Governor of the Reserve Bank. It was, therefore, decided not to hold any meetings in Bombay in November, 1968. It was also decided to request Shri Jha to meet the Commission on some mutually convenient date either at Bombay or at Delhi. | The Governor of the Reserve Bank is being addressed. |
| (B) <u>Other matters.</u> | |
| I. xx xx | xx xx |

II. The Chairman read out the letter written by him to Mr. Lange intimating that the Commission would be glad to meet the AITUC delegation and adding that they should send their memorandum by November 15, 1968. xx

The AITUC has informed the Commission's Secretariat that their organisation does not propose to appear before the Commission but it will send its Memorandum which is still awaited.

III. Visit to Andamans should be cancelled. xx

Noted.

....

necessary action is being taken.

IV. The Chapter will now be revised in the light of detailed comments made on them and will be put up for approval by Chairman.

Item No. 4 : Any other matters with the permission of the Chairman.

(a) Programme of meetings during November, 1968 to January, 1969.

xx

xx

xx

xx

November, 1968:

The Chairman stated that although it was decided earlier to meet in Bombay from 22nd to 25th November, 1968 for recording evidence of eminent persons, on reconsideration it was felt that no useful purpose would be served by meeting any of the said persons, excepting Mr. J.K. The Governor of the Reserve Bank. It was therefore, decided not to hold any meetings in Bombay in November, 1968. It was also decided to request that the Commission should meet the Commission on some mutually convenient date either at Bombay or at

Delhi.

Item No.(3) Programme of meetings in January and February, 1969

At the last meeting of the Commission held on November 2-3, 1968, the following programme of meetings in January, 1969, was approved :

January, 1969

Saturday, 4th)
Sunday, 5th) Commission's meetings/meetings
Monday, 6th) with Planning Commission and some
Tuesday, 7th) eminent persons.
Wednesday 8th) There will be two sessions each
day except that on January 4,
there will be only afternoon
session from 3.00 P.M. to 5.00 P.M.

(a) Forenoon 9.30 A.M. to
Session 12.30 P.M.

(b) Afternoon 3.00 P.M. to
Session 5.00 P.M.

Details of meetings will be intimated later.

At Bombay or New Delhi
(exact place to be decided later).

At the end of January, 1969, Commission will meet for two days either in Bombay or in Delhi. The timings will be as follows:

Saturday: 3.00 P.M. to 6.00 P.M.

Sunday: 9.30 A.M. to 12.30 P.M.
3.00 P.M. to 5.00 P.M.

4. The following detailed programme of meetings during January and February, 1969 is for consideration:

(i) Meeting with the Vice-President of India.

Since the Commission had to cancel its meeting in the last week of December, 1968, Secretary to the Vice-President agreed that the Commission could meet the Vice-President in January, 1969 instead of December 23, 1968, fixed earlier. It is to be decided whether the meeting may be arranged between January 4 to 8, 1969.

(ii) Meeting with representatives of industries organised on a cooperative basis.

A paper on labour in sugar cooperatives in Maharashtra prepared by Shri G.J. Ogale has

been circulated to the Members. It is proposed to hold a meeting of some representatives of industrial cooperatives with the Commission to discuss the labour problems of cooperative industry between January 4-8, 1969, at New Delhi. The Commissioner (Industrial Cooperatives), Department of Industrial Development, has suggested some representatives of industrial cooperatives, to be invited for the meeting. It is suggested that the meeting may be convened on January 8 and 9, 1969 at New Delhi. The meeting may be inaugurated by the Chairman on January 8, 1969.

(iii) Meeting with the Planning Commission.

The Commission's meeting with the Planning Commission has been fixed on January 7, 1969 at 10.30 A.M. at New Delhi. This has to be confirmed.

(iv) Employment of local persons in the State of Maharashtra.

A joint Memorandum on employment of local persons in the State of Maharashtra by all political parties in the State Legislature of Maharashtra has been received and circulated to the Members. It is proposed to discuss this matter at a meeting of the Commission with the Chief Minister of Maharashtra and other signatories of the Memo at Bombay. A suitable date at the end of January, 1969 has to be fixed.

Chairman is also writing to the Governors/^{*}Chief Ministers of other States to elicit the views of State* Governments/political parties in the State Legislatures.

*Where State Legislatures are not currently functioning.

(v) Visit to Jamshedpur and Gauhati by the Chairman.

The Chairman is likely to visit Jamshedpur in February, 1969.

As desired by the Labour Minister, Assam, the Chairman has agreed to visit Gauhati when he goes to Jamshedpur. The State Government will arrange a round/table meeting with representatives of workers, employers and State Government, with the Chairman.

Member-Secretary will accompany him. The exact date will be fixed later.

(vi) Meeting with Members of the Working Groups on Labour Administration.

Of the 5 Working Groups on Labour Administration set up by the Commission, i.e. 4 for the State sphere and one for Central sphere, the Working Group for Central sphere and the Working Groups for Northern and Southern Regions have submitted their reports. Working Groups for Eastern and Western regions are expected to send their

reports shortly. It is proposed to organise a meeting of all Members of the Working Groups. Secretary, Department of Labour and Employment is to be requested to chair the meeting.

Suitable date and place for the meeting has to be fixed.

- (vii) Conference of Chairmen of Committees/Study Groups, set up by the Commission.

It is proposed to convene a Conference of Chairmen of all Committees/Study Groups set up by the Commission in February 1969.

A suitable date has to be fixed.

- (viii) Meeting with main employers' and workers' organisations to consider draft Labour Code.

The Study Group on Labour Legislation has submitted its final report and draft Labour Code on December 1, 1968. It is proposed to invite the main employers' and workers' organisations to meet the Commission to discuss the draft Labour Code.

A suitable date for the meeting has to be fixed.

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