

भारत सरकार  
श्रम मंत्रालय  
श्रम शक्ति भवन  
राफ़ी मार्ग  
नई दिल्ली-११०००१  
No.U-12016/5/97-LC



GOVERNMENT OF INDIA  
MINISTRY OF LABOUR  
SHRAM SHAKTI BHAVAN  
RAFI MARG  
NEW DELHI-110001

23.3.1998

To

Labour Secretaries to State Governments/ Union Territories and Secretaries to Central Ministries/ Departments (as per list attached)

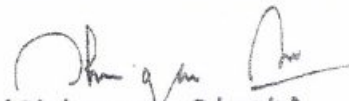
Subject: 34th Session of the Indian Labour Conference held at New Delhi on 18-19 December, 1997 - Summary Record of the Discussions reg.

Sir,

In continuation of this Ministry's letter of even number dated 3.2.1996 on the above subject, I am directed to enclose a copy of the Summary Record of the discussion held in the 34th Session of the Indian Labour Conference held on 18-19 December, 1997 in New Delhi.

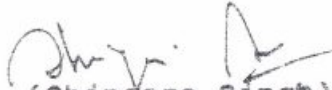
Please acknowledge receipt.

Yours faithfully,

  
(Shingara Singh)  
Under Secretary

Copy to:-

1. The Delegates and Advisers from Workers' and Employers' Organisation, Central Ministries/Depts. and State Govts./U.T. Administrations who attended the Conference (As per list attached).
2. Addl. Secy./JS(RKS)/JS(PB)/DGLW/LEA/JS(DGE&T)/CLC(C)/FA
3. PS to LM/PPS to Secretary
4. Dir.(PMS)/Dir.(PPM)/Dir.(RKR)/JD(GB)/DS(PV)/DS(DGET)/US(JPS)/DD(MS)/ WC(HQ)/Dir.(Emp.)/Dir.(Trg.)
5. DGFASLI, Bombay/DGMS, Dhanbad/C.P.F.C., New Delhi/DGESIC, New Delhi/Labour Bureau, Chandigarh/Shimla/V.V.Giri N.L.I., Noida.
6. Shri Rajesh Malhotra, Information Officer, Press Information Bureau, Room No.127, A Wing, Shastri Bhavan, New Delhi-1.

  
(Shingara Singh)  
Under Secretary



LIST-I

1. Labour Secretary,  
Govt. of Andaman & Nicobar,  
Port Blair-744101  
Fax No.03192-20656
2. Labour Secretary,  
Govt. of Andhra Pradesh,  
Hyderabad-500022  
Fax No.040-233700
3. Labour Secretary,  
Govt. of Arunachal Pradesh,  
Itanagar-791111  
Fax No.03781-22508
4. Labour Secretary,  
Govt. of Assam, Assam Sectt.,  
Dispur-781006  
Fax No.0361-560900
5. Labour Secretary,  
Govt. of Bihar, Vikas Bhawan,  
Patna-800015  
Fax No.0612-223983
6. Labour Secretary,  
Chandigarh Administration,  
Chandigarh-160001  
Fax No.
7. Labour Secretary,  
Dadra & Nagar Haveli,  
Silvassa - 396230  
Fax No.02636-34775
8. Labour Secretary,  
Daman & Diu, Raj Bhawan,  
Dona Paula, D/8 Collectorate,  
Daman - 396220  
Fax No.02636-34775
9. Labour Commissioner,  
15, Rajpur Road,  
N.C.T. of Delhi  
Delhi-110006  
Fax No.
10. Labour Secretary,  
Goa Secretariat,  
Panaji-403004, Goa  
Fax No.0832-225244
11. Labour Secretary,  
Deptt. of Labour, Rilang Bldg.  
Govt. of Meghalaya,  
Shillong - 793001  
Fax No.0364-225978
12. Labour Secretary,  
Civil Sectt.  
Aizawal-796001, Mizoram  
Fax No.0389-22745
13. Secretary (Labour),  
Block No. 5, New Sachivalaya,  
Gandhinagar-382010, Gujarat  
Fax No.02712-20234
14. Labour Secretary,  
Haryana Civil Sectt.,  
Chandigarh-160001, Haryana  
Fax No. 0172-540851
15. Labour Secretary,  
Himachal Pradesh Sectt.,  
Shimla-171002  
Fax No.0173-221813
16. Financial Commr. (Labour)  
Govt. of Jammu & Kashmir,  
Srinagar-190001  
Fax No.0191-546087
17. Labour Secretary,  
M.S. Building,  
Bangalore-560001, Karnataka  
Fax No.080-2254894
18. Labour Secretary,  
Govt. of Kerela,  
Thiruvananthapuram-695001  
Fax No.04711-67115
19. Labour Secretary,  
Govt. of Lakshwadweep,  
Kavarathi (Via RPO) Calicut-673001,  
Fax No.048966-2140
20. Labour Secretary,  
Govt. of Madhya Pradesh,  
Room No. 63, Vallabh Bhawan,  
Bhopal - 462004  
Fax No.0755-551876
21. Labour Secretary,  
Mantralaya,  
Govt. of Maharashtra,  
Bombay - 400032  
Fax No.022-2024446
22. Labour Secretary,  
Manipur Sectt., South Block,  
Imphal-795001, Manipur  
Fax No.0385-222629
23. Labour Secretary,  
Govt. of Rajasthan,  
Deptt. of Labour,  
Jaipur-302 001  
Fax No.0141-380928
24. Labour Secretary,  
Secretariat,  
Gangtok-737001, Sikkim  
Fax No.03592-22851



25. Labour Secretary,  
Govt. of Nagaland,  
Civil Secretariat,  
Kohima - 797001  
Fax No.03866-22927
26. Labour Secretary,  
Govt. of Orissa,  
Orissa Sectt.,  
Bhubaneshwar - 751001  
Fax No.0674-413281
27. Labour Secretary,  
Govt. of Pondicherry,  
Chief Sectt. Building,  
Pondicherry - 605001  
Fax No.0413-37575
28. Labour Secretary,  
Civil Sectt., 8th Floor,  
Govt. of Punjab,  
Chandigarh - 160001  
Fax No.172-540936
29. Labour Secretary,  
Govt. of Tamil Nadu  
Fort. St. George,  
Madras - 600 009  
Fax No.044-567128
30. Labour Secretary,  
Civil Sectt.,  
Govt. of Tripura,  
Agartala - 799 001  
Fax No.0381-224013
31. Labour Secretary,  
Govt. of Uttar Pradesh,  
Sachivalaya, Janpath,  
Lucknow - 226 001  
Fax No.0522-274608
32. Labour Secretary,  
Govt. of West Bengal,  
Writers' Building,  
Calcutta - 700 001  
Fax No.033-2252262
33. The General Secretary,  
Bhartiya Mazdoor Sangh,  
Ram Naresh Bhawan, Tilak Gali,  
Paharganj, New Delhi-110055  
Fax No.7520654
34. The General Secretary  
Indian National Trade Union  
Congress, 'SHRAMIK KENDRA',  
4, Bhai Veer Singh Marg,  
New Delhi-110001  
Fax No.3747767
35. The General Secretary,  
Centre of Indian Trade Unions,  
15, Talkatora Road,  
New Delhi-110001  
Fax No.3355856
36. The General Secretary  
Hind Mazdoor Sabha,  
120, Babar Road,  
New Delhi-110001  
Fax No.3736037
37. The General Secretary,  
All India Trade Union Congress,  
24, Canning Lane,  
New Delhi-110001  
Fax No.3386427
38. The General Secretary  
United Trade Union Centre (LS)  
77/2/1, Lenin Sarani,  
Calcutta-700013  
Fax No.033-2440251
39. The General Secretary,  
United Trade Union Congress,  
249, Bipin Behari Ganguly  
Street, 1st Floor,  
Calcutta-700012
40. The General Secretary,  
National Front of Indian  
Trade Unions, Institute Bldg.,  
10, Govt. Place East,  
Calcutta-700069
41. The Secretary General,  
Council of Indian Employers  
Federation House,  
Tansen Marg, New Delhi-110001  
Fax No.3320714, 3721504
42. The Secretary General,  
Confdn. of Indian Industries,  
23, Institutional Area,  
Lodi Road, New Delhi-110003.  
Fax No.4633168, 4626149
43. The Secretary General,  
All India Manufacturers' Orgn.,  
Jeevan Sahakar, 4th floor,  
Sir Phirozeshah Mehta Road,  
Fort, Bombay-400001  
Fax : 022 - 2660838
44. The Secretary,  
Ministry of Finance  
Deptt. of Expenditure,  
North Block, New Delhi



45. The Secretary,  
Ministry of Industry  
Udyog Bhavan, New Delhi.
46. The Secretary,  
Ministry of Textiles  
Udyog Bhavan, New Delhi.
47. The Secretary,  
Ministry of Commerce  
Udyog Bhavan, New Delhi.
48. The Secretary,  
Ministry of Welfare  
Shastri Bhavan, New Delhi.
49. The Secretary,  
Deptt. of Women &  
Child Development  
Shastri Bhavan, New Delhi
50. The Secretary,  
Ministry of Rural  
Areas & Employment  
Krishi Bhavan, New Delhi.
51. The Secretary,  
Ministry of Human  
Resource Development,  
Deptt. of Education  
Shastri Bhavan, New Delhi.
52. The Secretary,  
Ministry of Environment  
& Forests,  
Pariyavaran Bhavan, New Delhi.
53. The Secretary,  
Ministry of Home Affairs,  
Inter State Council,  
Vigyan Bhavan Annexe,  
2nd Floor, New Delhi
54. The Secretary,  
Deptt. of Public Enterprises  
Block-14, C.G.O. Complex,  
Lodi Road, New Delhi.
55. The Secretary,  
Deptt. of Agriculture &  
Cooperation,  
Krishi Bhavan, New Delhi.
56. The Secretary,  
Ministry of Urban  
Affairs & Employment,  
Nirman Bhavan,
57. Deputy Chairman,  
Planning Commission,  
Yojna Bhawan,  
New Delhi.



## LIST-II

1. Shri R.Venugopal,  
Working President,  
Bhartiya Mazdoor Sangha,  
Tilak Gali, Paharganj,  
New Delhi - 110055.
2. Shri K.J.Thakkar,  
Vice President,  
Bhartiya Mazdoor Sangh,  
Tilak Gali, Paharganj,  
New Delhi - 110055.
3. Shri Suresh Kumar,  
President, B.T.T.U.  
767, Sector-6, R.K.Puram,  
New Delhi - 110022.
4. Shri Tara Singh Viyogi,  
Vice President, INTUC,  
20, Vikas Nagar,  
Gwalior - 474004 (M.P.)
5. Shri R.C.Khuntia,  
Vice President, INTUC,  
5, RF 1, Unit 3,  
Mahatma Gandhi Road,  
Bhubaneshwar - 751001.
6. Shri Heera Lal Sharma,  
Organising Secretary, INTUC  
RZ-29, Roshan Garden,  
Nazafgarh,  
New Delhi-110043.
7. Sh.M.K.Pandhe,  
General Secretary,  
Centre of Indian Trade Unions,  
15, Talkatora Road,  
New Delhi - 110001.
8. Sh.P.K.Ganguly,  
Secretary, CITU,  
15, Talkatora Road,  
New Delhi - 110001.
9. Sh.Tapan Sen,  
Secretary, CITU,  
15, Talkatora Road,  
New Delhi - 110001.
10. Sh.J.S.Mazumdar,  
Working Committee Member, CITU  
H.I.G.Sector-7, Block-1,  
Flat No.14, Bhutnath Road,  
Bahadurpur Housing Colony,  
Patna - 800020.
11. Shri Umraomal Purohit,  
General Secretary, HMS,  
1st, Podder Estate,  
Malad (East),  
Mumbai - 400097
12. Shri Veereshwar Tiagi,  
Secretary, HMS,  
1, Kant Kunj, Saket,  
Meerut - 250002 (UP)
13. Shri A.D.Nagpal,  
Secretary, HMS,  
1181, Sector 43-B,  
Chandigarh - 160022
14. Shri R.A.Mital,  
Secretary, HMS,  
120, Babar Road,  
New Delhi - 110001.
15. Sh.K.L.Mahendra,  
General Secretary, AITUC,  
103, Jambagh,  
Hyderabad - 500001.
16. Sh.H.Mahadevan,  
Dy.General Secretary,  
No.664, 11th Cross.,  
J.P.Nagar, 3rd Phase,  
Bangalore - 560078.
17. Sh.Satyanarayan Thakur,  
Secretary,  
Chandrasekhar Bhavan,  
Mithanpura,  
Muzaffepur, Bihar.
18. Sh.Ram Ratnakar,  
Vice-President, AITUC,  
224, Choupati Karanja,  
At & P.O. Ahmednagar,  
Maharashtra - 414001.
19. Sh.Pritish Chanda,  
President, UTUC(LS),  
77/2/1, Lenin Sarai,  
Calcutta - 700013
20. Shri Achintya Sinha,  
Secretary, UTUC(LS),  
77/2/1, Lenin Sarai,  
Calcutta - 700013



21. Sh.N.K.Sharma,  
Q.No.196, Phase-I,UTUC(LS)  
Type III, Kendranchal,  
(CPWD Quarters),  
Kanhayee-pur, Sulem Sarai,  
P.S. Dhumanganj, Allahabad
22. Shri K. Pankajakshan,  
Vice President,  
UTUC (All India),  
Pattom,  
Trivandrum - 695004.
23. Shri Sushil Bhattacharya,  
President,  
UTUC (All India),  
Ballimaran,  
New Delhi - 110006.
24. Sh.Naren Sen,  
President, NFITU,  
10, Government Place East,  
Calcutta, 700069.
25. Sri O.P.Verma,  
President,  
Delhi State Unit of NFITU,  
B.A. 4E DDA Flat, Munirka,  
New Delhi - 110067.
26. Sri O.P.Verma,  
President,  
Delhi State Unit of NFITU,  
B.A. 4E DDA Flat, Munirka,  
New Delhi - 110067.
27. Shri S.N.Agarwal,  
President - AIOE &  
Chairman & Mg Director,  
Bhoruka Steel Ltd.,  
48 Lavelle Road,  
Bangalore 560 001.
28. Shri Vineet Virmani,  
Vice-President - AIOE &  
Managing Director,  
S P Virmani & Son (P) Ltd.,  
15, Golf Links,  
New Delhi 110003.
29. Shri Arvind R Doshi,  
President & Managing Director,  
Premier Automobiles Limited,  
Premier House,  
Lal Bahadur Shastri Marg,  
Kirla, Mumbai - 400070.
30. Shri S K Nanda,  
Secretary General,EFI  
Army & Navy Building,  
148, Mahatma Gandhi Marg,  
Mumbai - 400023.
31. Shri V Y Tamhane,  
Secretary General,  
Millowners' Association,  
Elphinstone Building,  
10, Veer Nariman Road,  
Mumbai - 400021.
32. Shri T K Bhaumik,  
Vice President - Personnel  
BOC India Limited,  
Oxygen House,  
P-43, Taratala Road,  
Calcutta - 700088.
33. Shri G D Maheshwari,  
Secretary,EFI,  
Northern Regional Committee  
Phelps Building,  
9-A, Connaught Place,  
New Delhi - 110001.
34. Shri N Kannan,  
Secretary,EFSI,  
Kurumuttu Centre,  
1st Floor, 498 Anna Salai,  
Chennai 600035.
35. Shri M A Hakeem,  
Secretary General,SCOPE,  
SCOPE Complex, 7 Lodi Road  
New Delhi - 110003.
36. Shri Prabir Chakravarti,  
Shri Annapurna Cotton  
Mills & Indus. Ltd.,  
Amar Bhavan, IInd Floor,  
P-10, New Howrah Bridge  
Approach Road,Calcutta-1
37. Mr.O.M.Solanki,  
Vice President, Swadesh  
Polytex Ltd, 6th floor,  
Hotel Samrat, Chanakyapuri  
New Delhi - 110021.
38. Shri B C Prabhakar,  
Working President,  
Karnataka Employers Asson.  
135, Dr. A R Krishna  
Shastri Road, Basavanagudi,  
Bangalore - 560004.

39. Shri I P Anand,  
Chairman,  
Corporate Shivthane Centre,  
16, Nizamuddin East,  
New Delhi - 110013
40. Dr. Uddesh Kohli,  
Chairman - SCOPE &  
Chairman & Managing Director,  
Power Finance Corporation,  
Chandralok,  
36, Janpath, New Delhi-1.
41. Mr. T Tiwari,  
Executive Director (P&A),  
Steel Authority of India Ltd.,  
Ispat Bhavan, Lodi Road,  
Lodi Road, New Delhi-3
42. Shri Prabhakar Rao,  
Manager (Legal),  
Food Corporation of India,  
16-20 Barakhamba Lane,  
New Delhi - 110001.
43. Shri K K Sinha,  
Executive Director (Persl.)  
N.T.P.C., SCOPE Complex,  
7, Lodi Road,  
New Delhi - 110003.
44. Sh. Ram Mohan Bidawtkar,  
21, Jaihind Estate, I, Bhuleshwar,  
Dr. A.M. Road,  
Mumbai - 400002.
45. Mr. C.M. Krishna,  
President (Personnel),  
Crompton Greaves Limited,  
Mumbai.
46. Mr. S. Sen,  
Deputy Director General, CII,  
23, Institutional Area,  
Lodi Road,  
23, New Delhi - 110003.
47. Sri R.S. Goel, I.A.S.  
Commissioner of Labour,  
Govt. of Andhra Pradesh,  
Hyderabad - 500001.
48. Shri Michael Dias,  
Secretary,  
Employers' Association,  
13/16 W E A Karol Bagh,  
13/New Delhi - 110005.
49. Shri M K Garg,  
Adviser, AIOE,  
Federation House,  
Tansen Marg,,  
New Delhi - 110001.
50. Shri B P Pant,  
Deputy Secretary, AIOE,  
Federation House,  
Tansen Marg,,  
New Delhi - 110001.
51. Shri M A Hakeem,  
Secretary General, SCOPE,  
SCOPE Complex, 7 Lodi Road  
New Delhi - 110003.
52. Mr. Gurdip Singh,  
Director (Personnel),  
Indian Airlines Limited,  
Airlines House,  
113, Gurudwara Rakabganj  
Road, New Delhi-110001.
53. Mr. Deepak Roy,  
Deputy Director, CII  
23, Institutional Area,  
Lodi Road,  
New Delhi - 110003.
54. Mr. R. Grover,  
Hero Honda,  
23, Institutional Area,  
Lodi Road,  
New Delhi - 110003.
55. Shri V Murli,  
Labour Commissioner & Director  
of Employment & Training,  
Andaman & Nicobar Administration,  
Port Blair - 744101.
56. Sri K.L. Narayana,  
Addl. Secretary (Labour)  
Govt. of Andhra Pradesh,  
A.P. Secretariat,  
Hyderabad - 500001



57. Sri S. Prasada Rao,  
Welfare Commissioner,  
A.P. Labour Welfare Board,  
Hyderabad - 500001.
58. Shri Morge Ete,  
Labour Commissioner,  
Govt. of Arunachal Pradesh  
Naharlagun - 791110
59. Sh. H.C. Sirohi, IAS.  
Labour Commissioner,  
Bihar Government,  
Vikas Bhawan,  
Patna - 800015.
60. Shri Harcharan Singh Balli,  
Minister of Labour and Industry,  
Govt. of N.C.T. of Delhi.  
6, Raj Niwas Marg,  
Delhi - 110054
61. Shri Chaman Lal,  
Labour Commissioner-cum-  
Secretary (Labour),  
Govt. of N.C.T. of Delhi.  
15, Rajpur Road,  
Delhi - 110006.
62. Sh. R. S. Mandolker,  
Commissioner, Labour,  
Government of Goa,  
Junta House, 1st Floor.  
Panaji - Goa.
63. Shri Girishchandra Parmar,  
Minister, Labour,  
5th Floor, New Sachivalaya,  
Gandhinagar - 382010.
64. Shri B. B. Patel,  
Gandhi Labour Institute,  
Mamnagar Vastrapur,  
Ahmedabad.
65. Shri Suresh D. Sharma,  
Secretary, Labour & Employment,  
Block No.5, 6th floor,  
New Sachivalaya,  
Gandhinagar - 382010.
66. Smt. Rekhaben Maniyar,  
Sector No.23, 42/7,  
Chh Type,  
Gandhinagar-382010
67. Shri P. V. Trivedi,  
Rural Labour Commissioner,  
Block No.8, Old Sachivalaya,  
Gandhinagar - 382010
68. Shri Girishbhai Bhatt,  
160, Tapovan Society,  
Section - 2, Anil Road,  
Nr. Amber Cinema,  
Saraspur, Ahmedabad.
69. Shri Bharatbhai R. Shah,  
Jahanpana Pele, Near Kalu-  
pur Police Station,  
Relief Road, Ahmedabad.
70. Ms. Manali Shah,  
SEWA, Adviser,  
Govt. of Gujarat. Block No.5,  
New Sachivalaya,  
Gandhinagar-382010
71. Sh. Ramesh Chander Kaushik,  
Labour Minister,  
Govt. of Haryana,  
Haryana Civil Sectt.  
Chandigarh - 160001
72. Smt. Kamla Chaudhry, IAS,  
Commissioner & Secretary(L)  
to the Govt. of Haryana,  
Haryana Civil Sectt.  
Chandigarh - 160001
73. Sh. S.K. Monga, IAS,  
Labour Commissioner,  
Haryana Civil Sectt.  
Chandigarh - 160001.
74. Sh. Chet Ram,  
Joint Labour Commissioner,  
Haryana Civil Sectt.  
Chandigarh - 160001.
75. Shri Yogesh Khanna,  
Secretary (Labour),  
Govt. of Himachal Pradesh,  
Shimla.
76. Shri Rajmani Tripathi,  
Labour Commissioner,  
Govt. of Himachal Pradesh,  
Shimla.
77. Sh. Md. Amin Khan, IAS,  
Labour Commissioner,  
Labour Sarai, Rehari,  
Jammu.
78. Sh. H. L. Thaploo,  
Dy. Labour Commissioner,  
Labour Sarai, Rehari,  
Jammu.



79. Shri A. M. Dar,  
Labour Welfare Officer,  
Labour Sarai, Rehari,  
Jammu.
80. Sri C.K.Neelakantaraj,  
Principal Secretary,  
Government of Karnataka,  
Labour Deptt., M.S. Building  
Bangalore - 560001.
81. Shri C. M. Sitimani,  
Jt. Labour Commissioner,  
Government of Karnataka,  
Labour Deptt., M.S. Building  
Bangalore - 560001.
82. Shri K.K.Vijayakumar,  
Secretary to Govt. of Kerala,  
Labour & Rehabilitation Deptt.  
Thiruvananthapuram - 695001
83. Shri P.H.Kurien,  
Labour Commissioner,  
4th Floor, Housing Board  
Building,  
Thiruvananthapuram-695001.
84. Sh. P.K.Das,  
Labour Commissioner,  
Moti Bangla, Indore
85. Sh. R. P. Mishra,  
Asstt. Commissioner,  
Labour Welfare Board,  
Govt. of Madhya Pradesh,  
Bhopal
86. Shri Ashok Lal,  
Commissioner of Labour,  
Government of Maharashtra,  
Commerce Centre, Tardeo,  
Mumbai - 400034.
87. Shri M.A.Sattar, I.A.S.  
Secretary (Labour),  
Government of Manipur,  
Manipur Sectt., South Block,  
Imphal - 795001.
88. Shri H. W. T. Syiem,  
Principal Secretary (Labour),  
Government of Meghalaya.  
Rilang Bldg., Shillong.
89. Sri Parag Gupta, I.A.S.,  
Labour Commissioner,  
Government of Orissa,  
Orissa Sectt.,  
Bhubaneshwar - 751001.
90. Shri Durga Sankor Patnaik,  
Labour and Employment Minister,  
Govt. of Orissa, Orissa Sectt.  
Bhubaneshwar - 751001.
91. Sri Ajit Kumar Tripathy,  
I.A.S., Secretary,  
Labour & Employment Deptt.  
Government of Orissa,  
Bhubaneshwar - 751001.
92. Sri Bijann Bhusan Patnaik,  
Deputy Labour Commissioner  
Cuttack.
93. Sri K.N.Hota,  
Deputy Labour Commissioner  
Rourkela.
94. Shri G.K.Bhatnagar,  
Principal Secretary,  
Government of Punjab,  
Civil Sectt., 8th Floor,  
Chandigarh - 160001.
95. Sh. Karanbir Singh Sidhu,  
Labour Commissioner,  
Civil Sectt., 8th Floor,  
Govt. of Punjab,  
Chandigarh-160001
96. Shri Charanjit Bhatia,  
Labour Inspector,  
Government of Punjab,  
Civil Sectt., Chandigarh.
97. Sh. Gurdev Singh,  
Labour Secretary,  
Govt. of Rajasthan,  
Department of Labour,  
Jaipur - 302001.
98. Sh. M.K. Khanna,  
Labour Commissioner,  
Govt. of Rajasthan,  
Deptt. of Labour,  
Jaipur - 302001
99. Sh. A.K. Mathur,  
Addl. Labour Commissioner,  
Govt. of Rajasthan,  
Deptt. of Labour,  
Jaipur - 302001.
100. Shri Lalvoliana,  
Secretary, Labour Department,  
Government of Tripura,  
Civil Secretariat,  
Agartala - 799001.

101. Mrs. R. D. Rechung,  
Secretary (Labour),  
Government of Sikkim,  
Gangtok.
102. Thiru Debendranath Sarangi  
I.A.S., Secretary,  
Labour & Employment Deptt.  
Fort. St. George,  
Chennai - 600009.
103. Shri Satyajit Thakur,  
Special Secretary (Labour),  
Government of Uttar Pradesh,  
Lucknow.
104. Shri V. Subramaniam, I.A.S.,  
Secretary, Labour Deptt.,  
Govt. of West Bengal,  
Writers' Building,  
Calcutta - 700001.
105. Shri A. K. Singh,  
Joint Secretary,  
Deptt. of Expenditure.  
North Block, New Delhi
106. Shri M. C. Singhi,  
Addl. Economic Adviser,  
Ministry of Industry.  
Udyog Bhawan, New Delhi
107. Smt. Rukmani Haldea,  
Joint Secretary.  
Ministry of Industry,  
Udyog Bhawan, New Delhi
108. Shri G. K. Asthana,  
Dy. Director,  
Office of the Development  
Commissioner (Handicrafts)  
Ministry of Industry,  
Udyog Bhawan, New Delhi
109. Dr. Kalyan Raipuria,  
Adviser.  
Ministry of Commerce,  
Udyog Bhawan, New Delhi
110. Sh. P. L. Sanjeeva Reddy,  
Secretary.  
Ministry of Rural Areas & Emp.  
Krishi Bhawan, New Delhi
111. Shri Champak Chatterji,  
Joint Secretary.  
Ministry of Rural Resource Dev.,  
Shastri Bhawan, New Delhi

112. Shri Sonam Y. Lepcha,  
Deputy Secretary (Labour),  
Government of Sikkim,  
Gangtok.
113. Thiru P. Selvan, I.A.S.,  
Commissioner of Labour,  
Labour Department,  
Fort. St. George,  
Chennai - 600009
114. Sh. Jagannath Singh,  
Special Secretary,  
Labour Deptt. U.P. Govt.,  
Eighth Floor, Babu Bhawan,  
Lucknow.
115. Shri Subesh Kumar Das, IAS,  
Labour Commissioner,  
New Secretariat Building,  
1, K.S. Roy Road,  
Calcutta - 700001.
116. Dr. Ashok Sahu,  
Director,  
Deptt. of Expenditure.  
North Block, New Delhi
117. Shri S. K. Lohani,  
Under Secretary,  
Deptt. of Industrial Devel  
Udyog Bhawan, New Delhi.
118. Shri R. K. Mathur,  
Development Commissioner  
for Handicrafts.  
Udyog Bhawan, New Delhi
119. Smt. Asha Das,  
Secretary.  
D/o of Women & Child Dev.  
Shastri Bhawan, New Delhi
120. Shri B. S. Parsseera,  
Joint Secretary.  
Ministry of Welfare  
Shastri Bhawan, New Delhi
121. Mrs. Sushma Singh,  
Joint Secretary.  
Ministry of Rural Areas & Emp.  
Krishi Bhawan, New Delhi
122. Shri H. C. Jayal,  
Director.  
Ministry of Environment & Forest,  
Pariyavaran Bhawan, New Delhi.



- 123 Shri S. Talwar,  
Joint Secretary (Finance).  
Deptt. of Public Enterprises,  
Block No.14, CGO Complex,  
Lodi Road, New Delhi
- 124 Shri Prabhu Dayal,  
Adviser, D/o Agriculture & Coop.  
D/o Agriculture & Cooperation,  
Krishi Bhawan,  
New Delhi
- 125 Shri Shyam Kishore,  
Chief Engineer (CSQ),  
CPWD, Nirman Bhawan,  
New Delhi
- 126 Shri Shailendra Sharma,  
Adviser (LEM)  
Planning Commission,  
Yojna Bhawan, New Delhi
- 127 Smt. Padmaja Mehta,  
Deputy Adviser (LEM)  
Planning Commission,  
Yojna Bhawan, New Delhi
- 128 Ms. Binoo Sen, IAS,  
Member Secretary  
4, Deendayal Upadhyay Marg,  
New Delhi.
- 129 Ms. Padma Seth,  
Adviser.  
4, Deendayal Upadhyay Marg,  
New Delhi.
- 130 Dr. P. S. K. Menon,  
Consultant.  
4, Deendayal Upadhyay Marg,  
New Delhi.
- 131 Ms. Sugatha Kumari,  
Chairperson,  
Kerala Women's Commission.  
4, Deendayal Upadhyay Marg,  
New Delhi.
- 132 Ms. Geetha R,  
Centre for Labour Education  
& Development.  
4, Deendayal Upadhyay Marg,  
New Delhi.
- 133 Ms. Sudha Midha,  
Dy. Secretary, NCW.  
4, Deendayal Upadhyaya Marg,  
New Delhi
- 134 Dr. S. Banerjee,  
Joint Director.  
Deptt. of Public Enterprises,  
Block No.14, CGO Complex,  
Lodi Road, New Delhi
- 135 Sh.V.K.Taneja,  
Dy. Adviser (LW), Army HQ.  
Ministry of Defence,  
Sena Bhawan, New Delhi
- 136 Sh.R.K.Rustagi,  
DGM (IR).  
National Thermal Power Corpn.,  
Udyog Bhawan, New Delhi
- 137 Sh. S.K.Chatterjee,  
Sr. Manager (Personnel).  
National Thermal Power Corpn.,  
Udyog Bhawan, New Delhi
- 138 Mr. Werner K. Blenk,  
Director (ILO).  
Theatre Court, 3rd Floor,  
IHC Building, Lodi Road,  
New Delhi
- 139 Mr.A.S.Oberai.  
Director, ILO(SAAT).  
Theatre Court, 3rd Floor,  
IHC Building, Lodi Road,  
New Delhi
- 140 Mr. Ali Taqi,  
ADG, ILO, Geneva.  
Theatre Court, 3rd Floor,  
IHC Building, Lodi Road,  
New Delhi
- 141 Mrs. Ila R. Bhatt,  
Secretary,  
National Centre for Labour
- 142 Sh. Rajesh Malhotra,  
Information officer.  
Room No.127, A wing,  
Shastri Bhawan, New Delhi
- 143 Mrs. Syedia Hameed.  
National Commission for Women  
4, Deendayal Upadhyay Marg,  
New Delhi.
- 144 Shri S.K.Wadhawan,  
Social Security Consultant  
B-8/6034, Vasant Kunj,  
New Delhi.





**SUMMARY RECORD OF THE DISCUSSION HELD IN THE 34TH SESSION OF THE INDIAN LABOUR CONFERENCE - 18-19 DECEMBER, 1997, VIGYAN BHAVAN, NEW DELHI**

For the 34th Session of Indian Labour Conference, there were two items of agenda. Item No.1 pertained to "Action taken on the conclusions of Indian Labour Conference". Item No.2 pertained to "Unorganised labour including women workers in rural and urban areas: Proposals for providing labour protection, social security and fair conditions of work and minimum wages".

2. A list of the participants is placed at Annexure I.

3. Secretary (Labour), Dr. L. Mishra welcomed the participants. In his Welcome address, he mentioned that the past 33 sessions of ILC represent 33 milestones in the field of labour in India. A large number of recommendations of the ILC have been implemented, while several recommendations of ILC were yet to be fully implemented and a few recommendations had not been implemented to the satisfaction of all. But over the years, ILC represented a conference of collective wisdom and has undoubtedly set new norms, standards and parameters in the field of labour management cooperation. He also referred to the earlier recommendations of the ILC made in 31st and again in 32nd Session about the ethos & spirit of tripartism not being effectively implemented in several States and Union Territories. Secretary stated that several letters at the highest level had been addressed to the Chief Ministers of the States and some of the States had already replied positively. However, certain other States are yet to implement the decision.

4. The Union Labour Minister in his address stated that the 34th Session of Standing Labour Committee had decided that ILC should concentrate only on one item, namely Unorganised Labour. As per the wishes of the SLC, the Ministry of Labour decided to have only one item and a detailed paper on the item has accordingly been circulated. The Labour Minister further stated that the Ministry of Labour attaches the highest importance to the Indian Labour Conference and accordingly, despite the fact that the Lok Sabha had been dissolved, the Ministry decided to go ahead with the 34th Session of the ILC. He referred to the new economic policy of the Govt. of India which is having its impact on the labour, on the trade unionism and the labour market relations. There are indications of shrinkage of jobs in the organised sector and increase in casualisation and contractualisation. In this perspective, there was need for greater emphasis on skill upgradation and better focus on HRD. In the Ministry of Labour, efforts are being made to activate tripartite bodies, lay more emphasis on enforcement and activate the mechanisms for grievance ventilation & redressal particularly in the functioning of autonomous organisations of Provident Fund and ESIC. He also stated that in the international fora, Ministry of Labour had made important contributions against attempts of certain developed countries to introduce non-tariff barriers.



5. Intervening in the debate, Dr. Pandhe of CITU regretted that no Central Minister was present in the Conference despite invitations having been issued to them. He also desired that when PM comes to deliver his Valedictory address, the Members be given opportunities to express their views. Shri I.P. Anand from Employers' Organisations also endorsed the view and desired that the delegates must be given an opportunity to have a dialogue with the PM for a few minutes.

6. The Union Labour Minister promised to convey the feelings of the delegates to the Prime Minister as also to the Ministers of the Govt. of India who, though invited, could not be present in the Conference.

7. As per the Programme, Vice Chairmen of the Conference were elected. Shri R. Venugopal, Shri Vineet Virmani and Shri Dinesh Parmar, Minister of Labour, Gujarat were unanimously elected Vice Chairpersons from Workers, Employers and Govt. Group respectively.

8. After the elections were over, the delegates present were requested to briefly make general observations.

9. Shri R. Venugopalan (BMS) appreciated the decision of the Government to have only one point agenda on Unorganised workers for discussion in the ILC as the unorganised sector employed over 90% of the total workforce in the country.

10. Shri Arvind R. Doshi (CIE) complimented the Labour Minister for organising the Conference. He, however, mentioned that though there had been economic reforms in the country, there were no reforms in the labour policy. In the changed environment, the country needed more vibrant labour laws. He, therefore, thought that a National Labour Law Commission should be set up which could study the existing labour legislation and suggest changes commensurate with the change in the economic environment. Further, he also mentioned that the small scale sector played a crucial role on employment generation but they were facing lot of problems in terms of number of returns to be filed by them and number of registers and records to be maintained by them. These needed to be rationalised.

11. The Labour Minister of Haryana explained various social security measures taken by the State Govt. in recent years. He also emphasized the need for undertaking surveys to ascertain the magnitude of the problem in different areas of unorganised sector and to undertake awareness and education programmes for workers in the unorganised sector. He complained that the ESIC had not yet paid the State's share amounting to Rs.9 crores to the State despite repeated reminders.

12. Shri Tara Singh Viyogi (INTUC) referred to the absence of Ministers of the Govt. of India from the ILC, which he termed as unfortunate. He also observed that several States were not represented by their Ministers. He expressed his appreciation of the agenda paper on Unorganised Labour, circulated by the Ministry of Labour. However, he noted that since social security



and other labour legislations were not applicable to the unorganised sector, it was necessary to bring the unorganised sector within the purview of such legislation. Similarly, the legislation on Construction Workers, which was enacted almost two years back, should be enforced without any further delay. The bonus ceiling needed to be abolished because of increase in wages & allowances due to inflation. The ceiling under the Payment of Gratuity Act should also be raised to Rs.3.5 lakhs. He also recommended the setting up of a Tripartite Commission to go into various aspects concerning labour policy. The life of a no. of bilateral agreements in several public sector enterprises had expired and these needed to be entered into afresh without any further delay. Finally, he felt that major decisions on economic policy should be taken only after tripartite consultations.

13. Shri I.P. Anand (CIE) stated that there was urgent need to review functioning of 50 years of tripartism in the country. He also referred to corruption in ESIC and EPF, and felt that such corruption did not inspire confidence. He recommended setting up of National Commission of Labour so that the labour policy and labour legislation could be examined in the light of Structural Adjustment Programme. He thought that it would be a good idea to set up a Working Group to formulate a specific proposal on the unorganised workers.

14. The Labour Minister from Delhi, Shri Balli thought that there was need to strengthen the existing legislation instead of going in for enacting new labour legislation. In respect of Delhi, the tripartite mechanism was functioning satisfactorily and the tripartite advisory bodies were meeting regularly. He also suggested that while amending the existing labour legislation, the State Govts. should invariably be consulted. He drew the attention of the Conference to the problem of migrant workers coming to Delhi.

15. Dr.M.K. Pandhe (CITU) suggested that there was need to organise a special session to review the functioning of tripartism in India. He also noted that not a single item of the Common Minimum Programme relating to labour had been implemented during the last 18 months of the functioning of the UF Government. Regarding the amendment in the SICA, 1985 he stated that the new proposals were against the interest of the workers. Further, such legislation might make more industries sick. He also desired that the Convention on Home Workers adopted by the ILO in June 86, should be implemented in India. He also advised that the Labour Ministry should take a lead in formulating a policy on the recent Supreme Court judgements on labour. He expressed his unhappiness over low rates of interest being paid by the Govt. of India on PF and ESIC funds. He also criticized the decision of the Government to close down certain copper mines of the Hindustan Copper at Musavani which had resulted in unemployment of thousands of workers. He referred to the vacancies of Judges in the Labour Tribunals persisting for a long time and the attendant difficulties being caused to workers on account of pendency of large no. of cases for years. He strongly pleaded that these vacancies should be filled up immediately. He also felt that reforms in labour laws were long



overdue. He felt that the Deptt. of Public Enterprises should issue proper guidelines on wage negotiations in public sector enterprises.

16. Shri K.L. Mahendra (AITUC) wanted urgent ratification of the Convention on Home Workers adopted by the ILO last year. He also wanted that the Contract Labour Act should be amended by the Govt. of India, based on the recent judgement of the Supreme Court given in the case of Air India. He agreed with the views of Dr. Pandhe on the proposed amendment of SICA and low rate of interest being given on the funds of ESIC and Provident Fund. He also wanted that a unanimous resolution should be adopted in the Conference asking the States to constitute state level tripartite Standing Labour Committees and to hold meetings at a regular intervals.

17. Shri C.M. Krishna (CII) argued that labour laws should not be amended on a piecemeal basis, instead a particular Act should be examined in its entirety and thereafter, the amendment proposals be initiated. He also felt that because of globalisation, there was urgent need to carry out reforms in the field of labour laws. With regard to fixation of minimum wages, he suggested that while fixing and revising the minimum wage, the capacity of the industry to pay the revised wages should also be duly taken into account.

18. Shri K. Pankajakshan (UTUC) regretted that no mechanism had been set up to enforce National Minimum Wage in the country. He also emphasized the need for undertaking reforms in legislations like Employers' Provident Fund Act, Payment of Wages Act, Minimum Wages Act. He argued in favour of the need for better enforcement of labour legislation and felt that the Construction Workers' Act should be enforced without any further delay.

19. Ms. Padma Seth (National Commission for Women) observed that they had circulated an Approach Paper on Policy for Women which contained their major recommendations. These recommendations should be taken note of by the ILC. Further, she observed that the recommendations made in the Shram Shakti Report were yet to be implemented. She desired that social security measures should be extended to women workers and if necessary, amendments in EPF and ESIC Act should be undertaken without any further delay. She drew the attention of the Members to the recent judgement of the Supreme Court on sexual harassment of the women and desired that the Ministry of Labour should take further action on this judgement. She also recommended that a Working Group should be set up in the Ministry of Labour to monitor the implementation of policy regarding women workers.

20. Shri R.Venugopalan (BMS) drew the attention of the Members to the exploitation of migrant workers and desired that urgent steps needed to be taken to suitably amend the Interstate Migrant Workers' Act so as to help the cause of the migrant workers. He also desired that concrete steps should be taken to promote education and training in the unorganised sector so as to



promote self-employment entrepreneurship. He emphasized the need for undertaking land reforms in right earnest and distributing the surplus land to the landless.

21. Shri U. Purohit (HMS) regretted the absence of Ministers in the Conference. He emphasized the need for proper enforcement of labour legislation. He also desired that Government should take decisions immediately on recommendations relating to women employees made by the Fifth Pay Commission.

22. Shri Prithish Chanda (UTUC) thanked the Union Labour Minister for his speech which contained several important observations. He felt that the Indian economy was being handed over to the multi-nationals and this process be discouraged. He also regretted the closure of copper mines under the Hindustan Copper at Musavani in Bihar & strongly urged that the Indian Labour Conference should recommend that the mines should not be closed rendering large number of workers jobless. Vacancies of the Tribunals should be filled up immediately so that they could start functioning. The State Govts. should be asked to set up Tripartite Committees & ensure their proper functioning.

23. Sh. Naren Sen (NFITU) desired that the Labour Minister in the Ministry of Labour must be of a Cabinet rank. He referred to the large scale unemployment in the country and thought that effective steps should be taken to control population. Ministry of Health must evolve scheme for population control in consultation with international bodies. A large number of factories had been closed in recent years and the workers had not been paid their PF dues and other dues. Stringent legislation should be brought to meet this situation. The Provident Fund Act also should be amended to enable quick decision and finalisation of cases urgently. He also suggested that all related factors should be taken into account, before closing factories for environmental reasons. In any case, the interest of the workers needed to be duly taken into account. He also recommended Group Insurance Scheme for workers working in rural areas.

24. Shri Subramaniam (Secretary, West Bengal) argued that the concept of unorganised workers and unorganised sector needed to be properly defined. He also referred to the recent judgement of the Supreme Court given in the case of Air India and suggested that the Govt. of India should take a decision on the concept of 'appropriate' Government. He also desired that the work of private employment agencies required to be regulated.

25. Shri Ram Mohan Bidawtkha (AIMO) emphasized that the Government should also focus attention on job creation in the small and tiny sector. He thought that the decision regarding abolition of infancy period for provident fund subscribers would adversely affect interest of the small scale and medium enterprises. Shri Ram Mohan argued for separate legislation for small and medium sector.



Discussion on the Agenda item no.1 concerning action taken on the conclusions of the Indian Labour Conference.

26. The Indian Labour Conference considered the Note circulated on the action taken by the Ministry on the conclusions of the previous Sessions of the ILC. Each conclusion and the action taken Note were discussed in detail in the ILC. The observations/decisions made by the ILC during the course of discussions have been summarised in the Statement attached as Annexure-II.

Discussion on Agenda item no.2 on 19th December, 1997

27. Secretary (Labour) briefly introduced agenda item no.2 on Unorganised Workers. He explained that there were about 300 million persons working in the unorganised sector which was characterised by a multitude of problems. Interstate migration was taking place on account of difficult living conditions in the Home States and neither the originating State nor the receiving State was interested in protecting their interests. Interstate Migrant Workmen (Regulation of Employment & Conditions of Service) Act was found to be not very effective in terms of its implementation. They were denied the workmen compensation in the case of accident/death. There was lack of unionisation in the sector and attempts to organise them had not been generally successful because of ruthless suppression by vested interests. He also explained at length the problems of Bonded Labour, Contract Labour, Women & Child Labour, inadequacies in the enforcement of the Minimum Wages Act and constraints in the implementation of National Wage Policy.

28. In the above context, he thought that action on the following points could be helpful:

(i) The State cannot organise the unorganised labour. The State can at best play the role of a catalytic agent, a promoter and facilitator and can create conditions conducive to organisation. The State can take the help of social animators, many of whom were good, reliable, grassroot level based and oriented and fully committed to the task of organisation.

(ii) There was need to upgrade the skills of workers working in the unorganised sector in a big way but this cannot be left to the Government alone. Others including industry, trade & commerce need to cooperate.

(iii) Welfare funds could be set up to meet the welfare needs of the workers in the unorganised sector. For this, it would be necessary to undertake surveys of industries, establishments and occupations where such workers are engaged in order to identify their needs and also to assess the magnitude of the problem so that a decision on the quantum of amount to be raised for the Welfare Fund could be taken.



(iv) The needs and interests of women workers were distinctly different from those of men and there was need for having separate organisations for them to protect and safeguard their interests.

(v) There was need for proper institutionalisation of legal aid in favour of unorganised labour who were generally poor, disadvantaged and defenceless.

29. Shri Vijay Kumar, Secretary (Labour), Kerala explained that girls in the age-group of 15-25 years from Kerala were being taken to Gujarat on the pretext of being given employment. However, in Gujarat, they were being exploited in various ways. In view of this, it was necessary to send a team to Gujarat to investigate the matter. He also explained that Kerala was the only State which had enacted legislation for agricultural workers. However, the welfare fund established under the Act was not adequate and he solicited funds from the Central Government to be contributed to Welfare Fund, so that effective schemes could be made for agricultural workers in the State.

30. Dr. Pandhe (CITU) thought that it was necessary to discuss steps required to be taken to improve the working conditions of the unorganised workers. The Central Government must provide a legal framework so that problems of the workers working in the unorganised sector could be properly redressed. He also thought that trade unions should pay much more attention than hitherto and ensure better implementation of the laws meant for the unorganised sector. There was need to provide housing to the village poor. Coverage under the Employees Provident Fund & Employees State Insurance Corporation needed to be extended to the unorganised sector, as also the coverage of several other legislations like the Factories Act, Mines Act etc. so that the benefit of these legislations could be extended to the workers working in the unorganised sector. He also suggested that cess should be levied on industries in the organised sector and revenue so raised should be used for the welfare of the workers working in the unorganised sector.

31. Ms. Ela B. Bhatt (NCL) explained that there was need to remove the dividing line between the formal and informal sector and the legislation meant for formal sector should be amended so as to ensure that it covers the informal sector also. According to Ms. Bhatt, one workable approach for the unorganised sector was formation of cooperatives because the cooperatives ensure elimination of contractors who exploit workers in the unorganised sector. The cooperatives also increase the bargaining strength of the workers. Trade unions should also extend their activities to the unorganised sector. However, there was need for the Government to provide adequate financial resources for extending welfare activities to the unorganised sector. She also thought that the Shram Shakti Report 1988 needed to be implemented in right earnest. Ms. Bhatt thought that if the three important Acts viz., Interstate Migrant Workers' Act, Minimum Wages Act and the Contract Labour Act were enforced strictly, a large number of problems of the unorganised sector could be taken care of. There was need to



broaden the purview of the social security schemes and extend them to the unorganised sector. Likewise a viable Group Insurance Scheme should be evolved for the unorganised workers. She thought that 6 million children were under-nourished and a cess should be levied on organised sector and the money raised through this cess, should be used for providing nourishment to the children. She also thought that the possession of I. Cards gives status to the workers and also helps them to organise. It was, therefore, necessary that I. Cards were issued to the workers, particularly those working in the unorganised sector. She also supported the view for taking the Home Workers' Bill to the Parliament.

32. Shri Ram Mohan Bidawtka (AIMO) argued that there was need to protect the interest of small and tiny entrepreneurs; otherwise the employment in the country could be adversely affected. He thought that bipartism was the future of the country and Government must promote bipartism. He also felt that there should be a separate legislation for unorganised sector because inspectors and existing labour laws adversely affect the small entrepreneurs. Finally, formalities of maintaining registers and submission of returns etc. for the small and tiny entrepreneurs should be simplified and reduced.

33. Shri U. Purohit (HMS) stated that there was definite need to bring out legislation for the workers in the unorganised sector because legislation would provide minimum guarantees and securities. Workers in the Export Promotion Zones were being exploited by the employers and Government must pay attention to the working conditions in the Export Promotion Zone. Finally, he also mentioned that functioning of all NGOs was not transparent and some of the NGOs had spoken against the Central Trade Unions in the international fora.

34. Shri K.L. Mahendra (AITUC) stated that welfare schemes for the workers in the unorganised sector should be taken up by the Government on high priority. States, instead of explaining resources constraint for implementing the welfare schemes for the unorganised sector, should raise resources by themselves for implementing such welfare schemes. In particular, he referred to the free electricity being provided by some States which benefited the big landlords though it put lot of pressure on the exchequer. Therefore money should also be found for welfare schemes for the most exploited class, viz., the workers in the unorganised sector. He also suggested that I. Cards should be issued to workers. Welfare schemes, social security schemes and pension schemes should be implemented for workers in the unorganised sector. As regards the migrant workers, he thought that even the registered agents exploit the workers going for jobs to foreign countries & should be brought to book and the Emigration Act of 1983 should be enforced properly. House sites should be given free to the rural workers and they should also be given loans for construction of houses on these plots. Legislation for home workers, self-employed workers was very essential and it must be enacted immediately. With reference to the proposed Agricultural Workers' Legislation, Shri Mahendra suggested that if the welfare fund was proposed to be



established, it should be raised by contributions from the Central Government and State Governments as also by levying a cess on the employers.

35. The representative from the National Commission on Women felt that in order to tackle the vulnerability of the migrant workers, a Monitoring Committee should be set up under the Interstate Migrant Workers Act. In order to make the enforcement of legislation more effective, the workers should be involved with the enforcement machinery. To prevent child labour, there was need for compulsory setting up of child care centres.

36. Shri Arvind R. Doshi (CIE) argued that policy makers should emphasize provision of universal primary education, better propagation of family planning schemes, better enforcement of labour legislation and also encourage promotion of agro-based industries, which will help in better employment generation. He was against the existing social security schemes to be extended to the unorganised sector because he felt that no useful purpose would be served by their extension, as the schemes were not being implemented properly even for the organised sector. However, there was need to implement more schemes for rural employment generation. He argued against levying any cess for raising resources for setting up the Welfare Fund for the unorganised sector. He stated that if such a cess was levied, it would further reduce the competitiveness of the Indian industry and increase the sickness of the industry. In any case, he felt that employers had already set up centres and hospitals and were implementing other welfare schemes for the workers. He stated that the setting up of cooperatives was the best form of organisation.

37. Shri R. Venugopalan (BMS) felt that the welfare schemes for unorganised workers needed to be decentralised so that they become effective and reach the workers for whom they are meant. The workers should be given I. Cards and perhaps, Panchayat Raj institutions could be requested to issue such cards. Resources for the Welfare Fund could be raised by contributions from the employers, Government and workers themselves. He also felt that it would be a good idea to set up a few Study Groups to go into the question of bringing improvements in the conditions of unorganised sector and even the 35th Session of the Indian Labour Conference should devote itself to a discussion on the subject.

38. Shri D.S. Patnaik (Labour Minister of Orissa) referred to the exploitation of migrant workers and felt that it was the bounden duty of the receiving State(s) to enforce the laws and protect the rights of the migrant workers. He also thought that to solve the problem of child labour, it was necessary to open more formal and non-formal schools and to take more projects on child labour. Likewise, since the States faced constraint of resources, the Centre should consider giving more funds for conducting surveys to protect child labour and help the States to rehabilitate them. One of the important reasons for weak enforcement of labour laws was the shortage of staff which needed to be augmented. The Labour Minister also suggested that the recent judgement of the Supreme Court in the case of Air India



should be examined by the Central Government so that the difficulties being faced on account of the definition of 'appropriate government' could be resolved.

39. Shri C.M. Krishna (CII) stated that any cess levied on the industries in the organised sector for raising resources for the Welfare Fund for unorganised sector would adversely affect the interest of the industry and might ultimately lead to closure of industries. He also felt that the requirements of tiny and small scale sector needed to be considered on a separate footing by the Government: they needed to be provided encouragement in various ways so as to increase productivity and efficiency of the sector. He thought that the concept of 'unorganised workers' was not very clear and some effort needed to be made to define the term 'unorganised workers'. There was also need for trade unions to extend their activities to cover the unorganised workers.

40. Shri Tara Singh Viyogi (INTUC) argued in favour of carrying out reforms in labour legislation and the wage limit of workers prescribed in different laws should be removed.

41. Shri R.S. Mardolkar, Labour Commissioner (Goa) suggested that the Minimum Wages Act should be amended so that certain other officers could also be nominated as Inspectors under the Act. In this way, the labour enforcement machinery could be strengthened. There was also need to evolve schemes for organising the unorganised and to set up study teams to study the working and living conditions of interstate migrant workers. He also advocated that the Government servants should be prohibited from employing children as domestic helpers.

42. Shri Naren Sen (NFITU) emphasized the need for immediate land reforms and giving land to the landless. He also felt that big entrepreneurs and capitalists were harming the interest of small scale and tiny sector as they took their supply from them but did not make payments. He felt that the problem of unorganised workers could be ultimately tackled by universalising education.

43. Shri Gurdev Singh (Labour Secretary, Rajasthan) emphasized the need for enacting legislation for those categories of workers in the unorganised sector which had not been covered by legislation so far like the brick kiln workers etc. He also desired that the existing legislation covering unorganised sector like the Minimum Wages Act should be reviewed. There was need to have regular surveys to assess the magnitude of the problem of different categories & subcategories of workers in the unorganised sector. The labour enforcement machinery should be strengthened and extended to the unorganised sector. The primary education should be made universal. To tackle the problem of the unorganised workers, the Panchayat Raj institutions should be actively involved.

44. Shri S.N. Aggarwal (CIE) emphasized the need for raising productivity in general in the country. He also argued for privatisation of the ITIs. He thought that the financial



resources could be increased by bringing agricultural land under the tax net. Government should also pay attention to land reforms.

45. Shri H.C. Sirohi, Labour Commissioner, (Bihar) argued for giving Ration Cards to all categories of unorganised workers, particularly rickshaw pullers. He also explained that in Bihar, there was involuntary migration as workers were being forced to go out of the State.

46. Shri Ram Ratnakar (AITUC) desired that the beedi workers in the country should be given Identity Cards. Further, he explained that wages and DA rates of beedi workers in different States were different. It was essential to bring uniformity in payment to the beedi workers so that there was no shifting of factories from one State to another State on this account. He also stated that there was no proper enforcement of labour laws for beedi workers. They were also not being paid any bonus or gratuity and were exploited in different ways. Shri Ratnakar also stated that mini cigarettes were posing a danger to beedis. The Government should review and enhance the excise duty on mini cigarettes. Similarly, unbranded beedis should also not be exempted from the payment of excise duty. There was urgent need to look into the problems of education and housing for the beedi workers.

47. Dr. L. Mishra, Secretary (Labour) stated that approximately 34 lakh workers had already been issued Identity Cards and the Government was implementing a number of welfare schemes for the beedi workers covering health, education, housing etc. However, resources available in the Welfare Fund were not adequate and Government was considering a proposal to raise the cess from the existing rate of 50 paise per 1000 beedis to one rupee per 1000 beedis so as to raise the revenue and this increase in revenue would help the Government to implement more welfare schemes for beedi workers and extend their coverage.

48. Shri Subramaniam (Secretary, West Bengal) stated that the concept of 'unorganised sector' and 'unorganised worker' should be clearly enunciated so as to remove any confusion in the matter. Likewise, there was lot of confusion between the 'Home workers' and 'Self-employed workers'. He emphasized the need for organising the unorganised workers. He, however, felt that NGOs were not always sincere and conscious of the job and they often criticized the Government unfairly.

#### Concluding Session

49. Hon'ble Prime Minister, Shri I.K. Gujral was welcomed by the Union Labour Minister to the Conference. In his Welcome Address, Labour Minister stated that the Indian Labour Conference was grateful to the Prime Minister for finding time to address the Conference. However, the social partners were very unhappy over the fact that none of the Central Ministers attended the Conference despite invitations extended to them. The Labour Minister also conveyed the demand of the social partners that they should be included in the National



Delegations for international negotiations where issues related to labour standards are involved. The Labour Minister observed that despite the best efforts made by the Ministry of Labour for preparing a Draft Bill for Agricultural Workers, it could not be introduced in the Parliament due to the political developments leading to the dissolution of the House. He also mentioned that the deliberations that took place during 18-19 December, 1997 have led to adopting some important conclusions for the benefit of unorganised labour force in the country and the specific conclusions of the Conference would be mentioned by Secretary (Labour).

50. Dr. L. Mishra, Secretary (Labour) read out the conclusions adopted by the Conference and a copy of the same attached as Annexure-IV.

51. The Prime Minister in his address to the Conference commended the efforts of the Indian Labour Conference to discuss the various issues relating to unorganised labour in the 50th Year of India's Independence. He also welcomed the conclusions adopted by the Conference and stated that the Government would consider those conclusions for formulating proposals and programmes to mitigate the sufferings of the unorganised labour. He also observed that many of the commitments made by the United Front through the Common Minimum Programme could not be implemented during the last one and half years. However, efforts would be made to pursue those commitments again. He further stated that the Ministry of Labour would regain its role and importance in formulation of employment, economic and social policies. The text of the speech of the Prime Minister is attached as Annexure-V.

52. Shri D.K. Trehan, Labour and Employment Adviser thanked the Hon'ble Prime Minister for making it convenient to address the Conference despite his busy schedule. He also thanked the Union Labour Minister for his whole hearted involvement in the proceedings and in successfully conducting the Conference. He also thanked the Labour Secretary for his valuable contribution for preparing the comprehensive background paper on the subject of Unorganised Labour in India and also in guiding the deliberations in the Conference.

## ANNEXURE-I

**THIRTY FOURTH SESSION OF INDIAN LABOUR CONFERENCE  
(NEW DELHI - DECEMBER 18 - 19, 1997)**

**LIST OF PARTICIPANTS**

<b>CHAIRMAN</b>	:	Shri M. P. Veerendrakum Minister of State(Labour)
<b>Vice Chairman (Workers' Group)</b>	:	Shri R. Venugopal, Working President, BMS.
<b>Vice Chairman (Employers' Group)</b>	:	Shri Vineet Virmani, Vice-President, AIOE.
<b>Vice Chairman (State Government)</b>	:	Shri Girishchandra Parmar, Labour Minister, Gujarat.

**WORKERS' GROUP****DELEGATE****ADVISER****BHAETIYA MAZDOOR SANGH**

- |   |   |
|---|---|
| 1. Shri R.Venugopal,<br>Working President | 1. Shri K.J.Thakkar,<br>Vice President      |
|   | 2. Shri Suresh Kumar,<br>Presidet, B.T.T.U. |

**INDIAN NATIONAL TRADE UNION CONGRESS**

- |  |   |
|--|---|
| 1. Shri Tara Singh Viyogi,<br>Vice President, INTUC, | 1. Shri R.C.Khuntia,<br>Vice President, INTUC,          |
|  | 2. Shri Heera Lal Sharma,<br>Organising Secretary,INTUC |

**CENTRE OF INDIA TRADE UNIONS**

- |  |   |
|--|---|
| 1. Sh.M.K.Pandhe,<br>General Secretary | 1. Sh.P.K.Ganguly,<br>Secretary, CITU           |
|  | 2. Sh.Tapan Sen,<br>Secretary, CITU             |
|  | 3. Sh.J.S.Mazumdar,<br>Working Committee Member |

**HIND MAZDOOR SABHA**

- |   |   |
|---|---|
| 1. Shri Umraomal Purohit,<br>General Secretary, HMS | 1. Shri Veereshwar Tiagi,<br>Secretary, HMS |
|   | 2. Shri A.D.Maggal,<br>Secretary, HMS,      |



# DELEGATE

# ADVISER

3. Shri R.A.Mital,  
Secretary, HMS

## ALL INDIA TRADE UNION CONGRESS

1. Sh.K.L.Mahendra,  
General Secretary, AITUC

1. Sh.H.Mahadevan,  
Dy.General Secretary
2. Sh.Satyanarayan Thakur,  
Secretary
3. Sh.Ram Ratnakar,  
Vice-President, AITUC

## UNITED TRADE UNION CENTRE (LS)

1. Sh.Pritish Chanda,  
President

1. Shri Achintya Sinha,  
Secretary
2. Sh.N.K.Sharma,  
Secretary

## UNITED TRADE UNION CONGRESS

1. Shri K. Pankajakshan,  
Vice President

1. Shri Sushil Bhattacharya,  
President

## NATIONAL FRONT OF INDIAN TRADE UNIONS

1. Sh.Naren Sen,  
President

1. Sri O.P.Verma,  
President

## EMPLOYERS' GROUP

## COUNCIL OF INDIAN EMPLOYERS

1. Shri S.N.Agarwal,  
President - AIOE
2. Shri Vineet Virmani,  
Vice-President - AIOE
3. Shri Arvind R Doshi,  
Delegate
4. Shri I P Anand,  
Delegate
5. Dr. Uddesh Kohli,  
Chairman - SCOPE
6. Mr. T Tiwari,  
Delegate

1. Shri Prabir Chakravarti  
Adviser
2. Mr.O.M.Solanki,  
Adviser
3. Shri B C Prabhakar,  
Adviser
4. Shri Michael Dias,  
Adviser
5. Shri M K Garg,  
Adviser, AIOE
6. Shri B P Pant,  
Adviser

#### DELEGATE

#### ADVISER

7. Shri S K Nanda,  
Secretary General, EPI
8. Shri V Y Tamhane,  
Adviser
9. Shri T K Bhaumik,  
Adviser
10. Shri G D Maheshwari,  
Adviser
11. Shri N Kannan,  
Secretary, EFSI
12. Shri M A Hakeem,  
Secretary General, SCOPE
13. Mr. Gurdip Singh,  
Adviser
14. Shri K K Sinha,  
Adviser
15. Shri Prabhakar Rao,  
Adviser

#### ALL INDIA MANUFACTURERS' ORGANISATION

1. Sh. Ram Mohan Bidawtkar,  
Vice President, AIMO

#### CONFEDERATION OF INDIAN INDUSTRY

- |  |   |
|--|---|
| <ol style="list-style-type: none"><li>1. Mr. C. M. Krishna,<br/>Delegate</li></ol> | <ol style="list-style-type: none"><li>1. Mr. S. Sen,<br/>Adviser</li><li>2. Mr. Deepak Roy,<br/>Adviser</li><li>3. Mr. R. Grover,<br/>Adviser</li></ol> |
|--|---|

#### SPECIAL INVITES

- |   |  |
|---|--|
| <ol style="list-style-type: none"><li>1. Mr. Ali Taqi,<br/>ADG, ILO, Geneva.</li><li>2. Mr. Werner K. Blenk,<br/>Director (ILO).</li><li>3. Mr. A. S. Oberai,<br/>Director, ILO (SAAT).</li></ol> | <ol style="list-style-type: none"><li>4. Shri S. K. Wadhawan,<br/>Social Security Consultant</li></ol> |
|---|--|

#### OBSERVER

1. Mrs. Ela B. Bhatt,  
Secretary,  
National Centre for Labour



## STATE GOVERNMENTS

### ANDAMAN & NICOBAR

1. Shri V Murli,  
Labour Commissioner and Director  
of Employment & Training

### ANDHRA PRADESH

1. Sri R.S.Goeal, I.A.S.  
Commissioner of Labour,
2. Sri K.L.Narayana,  
Addl.Secretary
3. Sri S.Prasada Rao,  
Welfare Commissioner

### ARUNACHAL PRADESH

1. Shri Morge Ete,  
Labour Commissioner

### BIHAR

1. Sh. H.C.Sirohi, IAS  
Labour Commissioner

### DELHI

1. Shri Harcharan Singh Balli,  
Minister of Labour and Industry
2. Shri Chaman Lal,  
Labour Commissioner-cum-  
Secretary (Labour)

### GOA

1. Sh. R. S. Mardolker,  
Commissioner, Labour

### GUJARAT

1. Shri Girishchandra Parmar,  
Minister, Labour
2. Shri Suresh D. Sharma,  
Secretary, Labour & Employment
3. Shri P. V. Trivedi,  
Rural Labour Commissioner,
4. Shri B. B. Patel,  
Adviser

5. Smt. Rekhaben Maniyar,  
Adviser

6. Shri Girishbhai Bhatt  
Adviser

7. Shri Bharatbhai R. Shah,  
Adviser

8. Ms.Manali Shah,  
Adviser

### HARYANA

1. Sh. Ramesh Chander Kaushik,  
Labour Minister

2. Smt. Kamla Chaudhry, IAS,  
Commissioner & Secretary

3. Sh.S.K.Monga, IAS,  
Labour Commissioner

4. Sh. Chet Ram,  
Joint Labour Commissioner

### HIMACHAL PRADESH

1. Shri Yogesh Khanna,  
Secretary (Labour)

2. Shri Rajmani Tripathi,  
Labour Commissioner

### JAMMU & KASHMIR

1. Sh. Md. Amin Khan, IAS,  
Labour Commissioner

2. Sh. H. L. Thaploo,  
Dy. Labour Commissioner

3. Shri A. M. Dar,  
Labour Welfare Officer

### KARNATAKA

1. Sri C.K.Neelakantaraj,  
Principal Secretary

2. Shri C. M. Sitimani,  
Jt. Labour Commissioner

#### KERALA

1. Shri K.K.Vijayakumar,  
Secretary
2. Shri P.H.Kurien,  
Labour Commissioner

#### MADHYA PRADESH

1. Sh. P.K.Das,  
Labour Commissioner
2. Sh. R. P. Mishra,  
Asstt. Commissioner
3. Shri L. K. Pandey,  
Registrar of Trade Unions.

#### MAHARASHTRA

1. Shri Ashok Lal,  
Commissioner of Labour

#### MANIPUR

1. Shri M.A.Sattar, I.A.S.  
Secretary (Labour)

#### MEGHALAYA

1. Shri H. W. T. Syiem,  
Principal Secretary (Labour)

#### ORISSA

1. Shri Durga Sankor Patnaik,  
Labour and Employment Minister
2. Sri Ajit Kumar Tripathy,  
Secretary
3. Sri Parag Gupta, I.A.S.,  
Labour Commissioner
4. Sri Bijann Bhusan Patnaik,  
Deputy Labour Commissioner

#### PUNJAB

1. Shri G.K.Bhatnagar,  
Principal Secretary
2. Sh.Karanbir Singh Sidhu,  
Labour Commissioner
3. Shri Charanjit Bhatia,  
Inspector

#### RAJASTHAN

1. Sh.Gurdev Singh,  
Labour Secretary
2. Sh.M.K.Khanna,  
Labour Commissioner
3. Sh.A.K.Mathur,  
Addl.Labour Commissioner

#### SIKKIM

1. Mrs. R. D. Rechung,  
Secretary (Labour)
2. Shri Sonam Y. Lepcha,  
Deputy Secretary (Labour)

#### TAMILNADU

1. Thiru Debendranath Sarangi  
I.A.S., Secretary
2. Thiru P.Selvan, I.A.S.,  
Commissioner of Labour

#### TRIPURA

1. Shri Lalvoliana,  
Secretary, Labour Dept.

#### UTTAR PRADESH

1. Shri Satyajit Thakur,  
Special Secretary (Labour)
2. Sh.Jagannath Singh,  
Special Secretary
3. Shri K. K. Purwar,  
Dy. Labour Commissioner,
4. Shri K. K. Purwar,  
Dy. Labour Commissioner,

#### WEST BENGAL

1. Shri V.Subramaniam, I.A.S.,  
Secretary, Labour Deptt.
2. Shri Subesh Kumar Das, IAS,  
Labour Commissioner



## CENTRAL MINISTRIES

### MINISTRY OF FINANCE

1. Shri A. K. Singh,  
Jt.Secy., D/o Expenditure
2. Dr. Ashok Sahu,  
Director, D/o Expenditure

### MINISTRY OF INDUSTRY

1. Shri M. C. Singhi,  
Addl. Economic Adviser
2. Shri S. K. Lohani,  
Under Secy., D/o I.D.

### MINISTRY OF TEXTILES

1. Smt. Rukmani Haldea,  
Joint Secretary.
2. Shri R. K. Mathur,  
Dev.Commr. for Handicrafts
3. Shri G. K. Asthana,  
Dy. Dir., O/o D.C.(Handicrafts)

### MINISTRY OF COMMERCE

1. Dr. Kalyan Raipuria,  
Adviser.

### MINISTRY OF WELFARE

1. Shri B. S. Parsseera,  
Joint Secretary.

### DEPTT. OF WOMEN & CHILD DEVELOPMENT

1. Smt. Asha Das,  
Secretary.

### MINISTRY OF RURAL AREAS & EMPLOYMENT

1. Sh. P. L. Sanjeeva Reddy,  
Secretary.
2. Mrs. Sushma Singh,  
Joint Secretary.

### NATIONAL THERMAL POWER CORPN

1. Sh.R.K.Rustagi,  
DGM (IR).
2. Sh. S.K.Chatterjee,  
Sr. Manager (Personnel)

### MINISTRY OF HUMAN RESOURCE DEV

1. Shri Champak Chatterji,  
Joint Secretary.

### MINISTRY OF ENVIRONMENT & FORESTS

1. Shri H. C. Jayal,  
Director.

### DEPTT. OF PUBLIC ENTERPRISES

1. Shri S. Talwar,  
Joint Secretary (Finance).
2. Dr. S. Banerjee,  
Joint Director.

### DEPTT. OF AGRICULTURE & COOP

1. Shri Prabhu Dayal,  
Adviser, D/o Agriculture & Coop.

### MINISTRY OF URBAN AFFAIRS & EMP

1. Shri Shyam Kishore,  
Chief Engineer (CSQ), CPWD

### MINISTRY OF DEFENCE

1. Sh.V.K.Taneja,  
Dy.Adviser (LW), Army HQ.

### PLANNING COMMISSION

1. Shri Shailendra Sharma,  
Adviser (LEM)
2. Smt. Padmaja Mehta,  
Deputy Adviser (LEM)

### NATIONAL COMMISSION FOR WOMEN

1. Ms.B. Sen, Member Secy.
2. Ms. Padma Seth, Adviser
3. Dr.P.S.K.Menon, Consultant
4. Mrs. S.Hameed, N.C.W.
5. Ms. Sugatha Kumari,  
Chairperson, K.W.C.
6. Ms. Geetha R,  
Centre for Lab. Edu. & Dev
7. Ms.Sudha Midha, Dy. Secy.

## MINISTRY OF LABOUR

1. Dr. Lakshmidhar Mishra,  
Secretary.
2. Smt. Padma Balasubramaniam,  
Joint Secretary.
3. Shri Ram Kumar Saini,  
Joint Secretary.
4. Shri S.K. Das,  
Director General (Labour Welfare)
5. Shri Dinesh Kumar Trehan,  
Labour & Employment Adviser
6. Shri Subhash Sharma,  
Chief Labour Commissioner (C)
7. Shri Subbarayan Krishnan,  
D.G., Employment & Training
8. Shri R.S. Kaushik,  
C.P.F.C.
9. Shri D. C. Gupta,  
DG ESIC
10. Shri Ram Kishan Rang,  
Director.
11. Shri P. M. Sirajuddin,  
Director.
12. Smt. Vinita Kumar,  
Director.
13. Shri P. P. Mitra,  
Director.
14. Shri Amitya Bhattacharya,  
Director.
15. Shri K. Krishnamoorthy,  
Deputy Secretary.
16. Shri Ajay Bhushan Pandey,  
Deputy Secretary.
17. Ms. Preet Verma,  
Deputy Secretary.
18. Shri V. Parmeswaran,  
Joint Director.
19. Shri G. Bhujabal,  
Joint Director.
20. Shri Jai Prakash Shukla,  
Under Secretary.
21. Shri Hari Singh,  
Under Secretary.
22. Shri Hari Chand Gupta,  
Under Secretary
23. Shri Shingara Singh,  
Under Secretary.
24. Shri Charan Dass Bharedwaj  
Under Secretary.
25. Shri S. Venugopalan,  
Under Secretary.
26. Shri Dwarka Prasad Popli,  
Deputy Director (OL).
27. Shri Mritunjay Singh,  
Deputy Director.
28. Shri Mitter Sain,  
Deputy Director.
29. Shri Teja Singh,  
Deputy Director.
30. Shri P. K. Roy,  
Senior Analyst.
31. Shri S.K. Mukhopadhyay,  
Joint CLC(C).
32. Shri N. Chattopadhyay,  
CA(LW).
33. Shri Ghasi Ram Majhee,  
Dy. CLC(C).
34. Shri Tara Chand Girotra,  
Dy. CLC(C).
35. Shri Nand Kumar Prasad,  
Dy. CLC(C).
36. Shri H.C. Moolchandani,  
RLC(C).



37. Shri T.P. Ojha,  
RLC(C).
38. Dr. Ram Shankar Tiwari,  
RLC(C).
39. Shri Gurwak Singh Sethi,  
Director of Training.
40. Shri S.I.Siddiqui,  
Director (Apprenticeship)
41. Ms. Adrash Sarvaria,  
Director
42. Shri Prasanta Kumar Ray,  
Director (LMI).
43. Shri David Mally,  
Addl. Director (Emp.Ex.)
44. Shri V. Ananthannarayanan,  
Addl. Director (Trg.)
45. Shri Vijay Kumar Sharma,  
Officer on Special Duty.
46. Shri Davinder Kumar Sharma,  
Additional Director.
47. Shri Raj Pal,  
Deputy Secretary.
48. Shri Raj Kumar Chugh,  
Joint Director of Training.
49. Shri Qimti Lal Juneja,  
Joint Director of Training.
50. Shri Vijay Parkash Joshi,  
Joint Director of Training.
51. Shri Desh Raj,  
Joint Director of Training.
52. Shri Yash Pal Sharma,  
Joint Director of Training.
53. Shri Brij Kishore Koli,  
Joint Director of Training.
54. Shri Ashok Kumar,  
Joint Director of Training.
55. Shri Kalyan Sahai Meena,  
Jt. Director (Emp. Ex.)
56. Shri T.N. Upadhyay,  
Jt. Director (Emp. Ex.)
57. Smt. Krishna Sharma,  
Under Secretary.
58. Shri D.K. Nijhawan,  
Dy. Director (Trg.)
59. Shri A.K. Ganguly  
Dy. Director (Trg.)
60. Shri D.P. Sabharwal,  
Dy. Director (Trg.)
61. Shri Mahesh Chand Sharma,  
Dy. Director (Trg.)
62. Shri C.P. Sharma,  
Dy. Director (Trg.)
63. Shri Ashwani Aggarwal,  
Dy. Director (Trg.)
64. Ms. Vidyeeswari Vaddadi,  
Dy. Director (Trg.)
65. Shri O.P. Maurya,  
Dy. Director (Emp.Ex.)
66. Shri Satish Kumar Seth,  
Dy. Director (Emp.Ex.)
67. Shri Yogesh Raizada,  
Dy. Director (Emp.Ex.)
69. Shri Ravinder Kumar Mathur  
Dy. Director (Emp.Ex.)
70. Shri Satish Kumar,  
Dy. Director (Emp.Ex.)
71. Shri Badri Lal Meena,  
Dy. Director (Emp.Ex.)
72. Shri Inderjeet Singh,  
Dy. Director (Emp.Ex.)
73. Dr. Rumail Singh,  
Sr. Scientific Officer-I
74. Shri Bipin Kumar Papneja,  
Sr. Scientific Officer-I
75. Shri Ashok Kumar Prasad,  
Senior Programmer.

76. Sh. Rajesh Malhotra,  
Information officer.
77. Sh.S.M.Meena,  
Section Officer.
78. Shri S.K.Saxena,  
DG, FASLI.
79. Shri C.K.Sharma,  
Financial Commissioner, ESIC.
80. Shri S. Chandrasekharan,  
Insurance Commissioner, ESIC.
81. Smt. Naina Bakshi,  
Assistant Director.
82. Shri S.S.Gupta,  
Section Officer.
83. Ms.Urmila Goswami,  
S.O. DG(LW).
84. Mrs.Veena Anand,  
A.O. DG(LW).
85. Sh.N.K.Rastogi,  
Dy.Director, DGFASLI.
86. Ms.Simmi Chaudhary,  
A.D. (ILAS).
87. Mr.Ajay Shrivastava,  
A.D. (IRPG).
88. Ms Sudha Keshari,  
A.D. (IRIMP-II)
89. Sh. V.P.Yajurvedi,  
W.C.(HQ).
90. Shri T.A.Srinivasan,  
Under Secretary.
91. Sh.C.S.K.Singh,  
Sr.Fellow, NLI.
92. Sh.Navin Chandra,  
Sr.Fellow, NLI.





## ANNEXURE-II

The following were the observations/decision of the Indian Labour Conference on the Action Taken Report :

### CONCLUSIONS OF THE I.L.C.

### OBSERVATIONS/DECISIONS OF THE I.L.C. ON THE ACTION TAKEN REPORT

#### 31ST SESSION OF I.L.C.

1. The Labour Ministry should set up an Advisory Body to review, from time to time, the status and promotion of employment of women.

After discussions on the details given in the Action Taken Report, it was agreed that Committee would be named as Central Advisory Committee on Women. The reconstituted Committee will review the status and promotion of employment of women.

#### 32ND SESSION OF I.L.C

2. The Labour Ministry should present a status paper on the existing social security schemes under implementation in the country, particularly reflecting the experience of various states and bring the matter for consideration in the SLC; the scope for extension of the existing social security laws and systems applicable to the organised sector as well to the unorganised sector should also be gone into.

It was explained that the study entrusted by the Ministry of Labour to ASSI would be available by March, 1998. It was agreed that the Report would be placed before the next Session of ILC.

3. The proposal for the enactment of law for giving protection to agricultural workers should be presented for tripartite consultation in the SLC.

The position as given in the Agenda was noted by the ILC.

#### 33RD SESSION OF I.L.C.

1. The Conference noted that different wage ceilings exist for various benefits under different labour laws. Ministry of Labour should prepare a draft statement on

The Conference noted the information given in the Action Taken Report. The representative of Workers' Organisations desired that ceilings given in different



wage ceilings and place it before the next Session of the Standing Labour Committee.

labour legislation about coverage of workers, should be removed from the legislation by amending the respective enactments. The representatives of Employers' Organisations, however, did not agree with the view and they desired that the entire Act should be reviewed and further that the legislation should be simple and understandable. They were against any piecemeal amendment of the labour laws.

2. The Conference noted that a large section of the employees of the Public Sector Undertakings and Central Government have resorted to strike/served strike notice on the issue of wage ceilings fixed for payment of Productivity Linked Bonus and urged the Government to remove these wage ceilings as well as under the provisions of the Act. However, the employers' group urged a total review of the Bonus Act.

The Conference noted the information given in the Action Taken Report.

3. The Conference noted its concern over the delay in implementation of the Turn Around Plan for revival of sick mills of NTC even after its approval by the Cabinet. Therefore, Labour Ministry should convene a meeting of Union Ministries of Labour, Finance and Textiles and Trade Unions and the concerned State Governments to expedite a decision in the matter. In the meantime, Ministry of Textiles should take steps to pay wages in time and bonus before Diwali, 1996.

The position given in the Action Taken Report was noted.

4. The response received from various State Governments on the conclusions of the ILC to revive the practice of

It was unanimously desired that a Resolution may be adopted asking the States to set up Tripartite Standing Labour Committee, which

holding tripartite consultations at the State level was noted. It was felt that though some of the Govts. have set up such Bodies at the State level, some of these Bodies are neither truly tripartite in nature nor do they hold their meetings on a regular basis. Therefore, Minister for Labour should again write to the State Governments to revive the practice of holding tripartite consultations at the State level by constituting truly and appropriately representative Tripartite Bodies and by holding its meetings atleast twice a year.

5. As decided at the 31st Session of the ILC immediate steps should be taken by the Ministry of Labour to constitute a Bipartite Committee with a view to frame a comprehensive industrial relations law who will submit their report in 3 months time. The Bipartite Committee should consider proposal to amend the Trade Unions Act, 1926 and the question of recognition of trade unions through secret ballots on a priority basis and submit its recommendations within a month. As far as Workers Participation in Management is concerned, the Workers Group wanted the Ministry of Labour to come to an immediate decision. However, the Employers representatives reiterated their stand that workers participation is not feasible through legislation. Employers' views will be considered by the Labour Ministry before finalising the Bill.

should meet periodically to discuss the issues concerning labour. Accordingly, a Resolution was adopted and a copy is placed at Annexure-III.

The position explained in the Action Taken Report was noted by the Conference. Further, on the question of labour participation in management, it was explained that a meeting had been chaired by Secretary (Labour) and pursuant to the decision of the meeting, a detailed letter was written to employers and workers. Their response was awaited and on receipt of comments from them, further Action would be initiated.



6. For workers, the ceiling fixed for payment of gratuity under the Payment of Gratuity Act, 1972 is Rs.1 lakh whereas it has been raised to Rs.2.5 lakh in the case of Central Govt. employees. The disparity should be removed by raising the ceiling of gratuity to Rs.2.5 lakh for workers.

7. Ministry of Labour should take steps to ensure the presence of Finance Minister, Industries Minister, Textiles Minister, Commerce and other concerned Ministers in the meetings of the ILC. The Conference felt that some Ministries of the Government of India are not giving the ILC Session due importance and are not deputing officers at the appropriate level to attend the conference. The Ministry of Labour should convey the feelings of the conference and request various Central Ministries to depute their senior officers not below the rank of Joint Secretary to attend ILC Session.

8. Labour Ministry should discuss with the Deptt. of Public Enterprises and other concerned Ministries the issue of variance in application of the revised DA formula in public sector enterprises and review the issue of non-payment of revised DA to sick PSUs employees and the status of wage revision in CPSUs taking help of SCOPE and Workers representatives.

9. The Government of India should include representatives of Central Trade Union Organisations and Employers' Organisations in the Indian Delegation to

The position as contained in the Action Taken Report was noted. The Workers' representatives, however, argued that the gratuity limit should be raised to Rs.3.5 lakh.

The Members of the Workers' Group and Employers' Group expressed their unhappiness over absence of Central Ministers despite invitation extended by the Labour Minister. The Labour Minister agreed to convey their feelings to the Prime Minister.

It was agreed that a meeting will be called by the Ministry of Labour, where representatives of trade unions as well as Deptt. of Public Enterprises would be invited, to sort out the issues.

The position as explained in the agenda was noted.

attend the Ministerial level meeting of the WTO in Singapore in December, 1996.

10. Representatives of the Central Trade Union Organisations should also be associated/involved in monitoring of the implementation of National Child Labour Projects.

11. A National Floor Level Minimum Wage for unorganised establishments should be fixed taking into account the poverty line basis as well as the decisions of the Supreme Court.

12. Vocational Training Programme of DGE&T should be re-oriented towards improving the quality of vocational training and upgradation of skills. Employment Exchanges should be modernised and re-organised to function as an effective placement centre.

13. Trade Union representatives may also be involved when Central Industrial Relations Machinery visit the Export Processing Zones.

14. The conclusions reached in the ILC should be construed as matters of continuing importance until they are disposed of by appropriate follow up action; and such of the conclusions of the 32nd session of the ILC which have not been so far implemented should be review committee meetings.

It was agreed that Project Societies would again be requested to associate representatives of trade unions with the implementation of child labour projects.

The position was noted and the matter closed.

The position as explained in the Action Taken Report was noted. However, on the question of setting up of Skill Development Fund, the Employers' representatives desired that pilot projects may be undertaken for which both DGE&T and Employers' Organisations may plan a Joint Action Programme.

The position as given in the Action Taken Report was noted.

The position as given in the agenda was noted.



ANNEXURE-III

RESOLUTION

Recalling the conclusions arrived at the 31st, 32nd and 33rd Sessions of the Indian Labour Conference regarding observance of tripartism at the Central/State levels.

2. Considering the fact that the State/Union Territory Administrations have been requested from time to time to set up tripartite bodies at the State level and to ensure that they meet at close and regular intervals.

3. Noting painfully that not much significant progress has been achieved in this regard and recognising tripartism as the cardinal principle in dealing with all matters relating to labour.

4. The Indian Labour Conference, in its 34th Session held on 18th December, 1997 unanimously resolved that the State Governments/Union territory Administrations may once again be requested to set up activise tripartite State level Standing Labour Committees by giving due and adequate representation to all representative organisations of workers and employers.

5. It further resolved that meetings of the Standing Labour Committee and all other tripartite bodies may be held at regular intervals and that the conclusions of these bodies should be followed up for implementation.

6. The ILC also resolved that the State Bills concerning labour matters should be brought before the State Legislative Assemblies only after the proposals have been discussed in the State level Standing Labour Committee.



## ANNEXURE-IV

## CONCLUSIONS AND RECOMMENDATIONS OF THE THIRTY FOURTH INDIAN LABOUR CONFERENCE HELD ON 18-19 DECEMBER, 1997

## Conclusions and recommendations involving policy issues:

- i) The ILC regretfully observes the decline in observance of the ethos and culture of tripartism both at the Central or State levels and adopted a Resolution to this effect. The ILC further noted with concern the absence of participation of Ministers from concerned Ministries/Depts in the ILC. It was decided that the next meeting of the Standing Labour Committee at the central level would devote itself to a full length discussion on this subject.
- ii) The ILC observes that there are a number of Issues like basic education, employment, industrial sickness, discharge of statutory dues of workers by industrial enterprises etc. which vitally affect the interests of the working class and their family members and yet the Ministry of Labour does not have any major say in the decision making process involving these vital areas which rests with other Ministries/Departments. The ILC recommends that there should be a much closer involvement of the Ministry of Labour in the decision making process obtaining in various Central Ministries/Departments on matters relating to the genuine interests and concerns of the working class.
- iii) The ILC observes the decline in the status of the Ministry of Labour over the years in terms of adequacy of budgetary support for proper implementation of Central and Centrally sponsored Scheme as also assistance to the States/UTs for implementation of various plans and programmes, strengthening of the machinery of conciliation and labour law enforcement etc. by way of modernisation as also expansion according to norms and proper orientation and training of the functionaries and made a recommendation to this effect.
- iv) The ILC recommends that such decline should be arrested and the Ministry of Labour should be restored to its proper status in terms of the areas as stated above. The various constraints inhibiting smooth functioning of the Ministry should be identified and correctives found to improve the effectiveness in its functioning.
- v) The ILC observes that even though ten points listed in the Common Minimum Programme of the UF Government which are of interest and relevance to the Ministry of Labour were announced as early as June, 1996 and these were subjected to close monitoring and co-ordination, the pace and progress of implementation of these points have not been altogether satisfactory. It calls upon the Ministry of Labour to make sincere efforts in collaboration with other concerned Ministries/Depts. to carry these points to their logical conclusion without further delay and within a prescribed time frame.



vi) ILC observes that ministerial and official delegations from some of the Ministries are deputed abroad to participate in negotiations which have a vital bearing on labour. All such delegation should be tripartite with full involvement of the Ministry of Labour and representatives of social partners with a view to doing justice to the genuine interests and concerns of labour.

vii) The ILC observes that over the last fifty years or so a large number of labour laws have been enacted at the Central and State level. Several provisions of these laws have become either obsolete or redundant in the light of the fast and sweeping changes taking place. The ILC, therefore, recommends creation of an appropriate mechanism for review, simplification, and rationalisation of labour laws with a view to removing all irritants and stumbling blocks as also antiquated provisions which have lost their relevance. The mandate for the mechanism should be time bound and result oriented in its operation and should aim at suitable codification of labour laws.

viii) The ILC observes that there is more than one factor which contributes to industrial sickness. It recommends that all efforts should be made to detect in time the incidence of industrial sickness and take preventive measures to arrest such sickness. It, further observes that large number of proceedings involving sick industrial undertakings in the public and private sector are kept pending before the BIFR for years and most of these cases end up in liquidation and very few by way of revival. BIFR is a creature of SICA. The ILC observes that there are several provisions in SICA which adversely affect the interests of industry and labour. There is no provision in SICA according primacy and centrality to workers' statutory dues. The ILC recommends that these should be identified and correctives provided. It recommends that the provisions of the SICA Amendment Bill or the new bill which will replace SICA altogether should be finalised only after an in-depth tripartite discussion through the ILC.

ix) The ILC notes the strong feelings of some of the State Governments in regard to the difficulties which have arisen on account of interpretation of the latest judgement of the Supreme Court dated 6-12-96 in Air India Statutory Corporation of India Vs United Labour Union on the definition of the Appropriate Government. According to this interpretation the Central Government will be the Appropriate Government in respect of all Central Public Sector Undertakings under Section 2(1)(a) of the ID Act. It was felt that this interpretation has serious implications in terms of adequacy of the labour law enforcement machinery, law and order overtones etc. The ILC, therefore, observes that either a review petition should be filed before the Supreme Court or the powers of the Central Government as the Appropriate Government could be delegated to the State Government.



- x) The ILC observes the serious consequences which have followed as a result of closure of large number of industrial, commercial and mining establishments under the orders of the Supreme Court on the ground that they were pollutant and their activities were prejudicial to protection and conservation of environment. This has created a serious dislocation for sizeable number of retrenched and displaced industrial workers many of whom happened to be inter state migrant workers. The ILC recommends that the implications of such orders should be closely studied and steps taken on provide legal and administrative relief and succour to the retrenched and displaced industrial workers. The ILC recommends that such measures need to be taken by involving workers and their representatives in environment policy planning at the stage of setting up of the enterprise as would prevent recurrence of such closure on grounds of environment incongruence.
- xi) The ILC recommends that the scope and ambit of the Central Advisory Committee under Equal Remuneration Act, 1976 should be enlarged to advise the Government on measures for providing and expanding employment opportunities for women as also for reviewing steps taken for effective implementation of the Act. The Committee should be reconstituted and should hold its meeting within three months.
- xii) The ILC recommends that the recommendations of the Fifth Pay Commission pertaining to welfare of women employees should be implemented.
- xiii) The ILC observes that even though the Ex-Prime Minister of India had addressed demi-officially Chief Ministers of all State Governments/UTs as early as November, 1996 with a clear direction that minimum wage in respect of scheduled employments should be fixed at Rs.35/- and above and no State Government/employer of the scheduled employments should pay minimum wages below Rs.35/- this has not been implemented and uptodate feedback on the status of fixation, review and revision of minimum wages was not forthcoming from all States/UTs. The ILC also notes with concern that minimum rates of wages in many States/UTs even now was below Rs.35/-. It, therefore, exhorts all State Governments to review and revise minimum rates of wages in respect of all scheduled employments and send accurate, authentic and uptodate feed back on the prevailing rates of wages notified by them in respect of scheduled employments.
- xiv) The ILC records its appreciation for the good work done by the officers of the CIRM for conducting inspections of EPZ Units at Kandla, Vizag, Calcutta, Chennai and Bombay and in reporting the prevailing conditions obtaining in those EPZ Units. This matter should be pursued further with the concerned State Governments.
- xv) The ILC expresses its concern over the non-cooperation from the Government of Uttar Pradesh in regard to inspection of EPZ Unit at NOIDA.



xvi) The ILC observes that the decision taken in the meeting of the SLC held on 19-9-97 in terms of the resolution adopted for taking our sizeable amount of family pension fund and employees pension fund money which is lying locked up in the Public Account of Government fetching thereby a very low rate of interest and investing the same according to the approved pattern of investment for fetching a higher rate of return has not yet been implemented. The ILC recommends that this matter which vitally affects the interests of the working class should be taken up once again with the Ministry of Finance at the level of the Minister, Labour and vigorously followed up thereafter.

xvii) The ILC recommends that District Child Labour Project Societies under the auspices of National Child Labour Projects should fully involve the representatives of trade unions wherever in existence in planning and implementation of these projects as also in their monitoring and evaluation.

xviii) The ILC recommends that the Ministry of Labour should hold discussion with the Department of Public Enterprises and other concerned Ministries on the issue of variance in application of the revised DA formula in public sector enterprises, review the issue of non-payment of revised DA to sick public sector employees and the status of wage revision in CPSUs in consultation with SCOPE and workers' representatives.

xix) The ILC noted the following operational constraints in the area of implementation of various plans and programmes by independent, autonomous and statutory bodies under the administrative control of the Ministry of Labour and made the following recommendations:

\* A number of Central Government Industrial Tribunal-cum-Labour Courts were going without Presiding Officers and supporting staff. The personnel conforming to the qualifications prescribed for appointment of Presiding Officers should be selected through advertisement and the vacancies filled up at the earliest. The help of the concerned High Courts should be taken in this regard.

\* There was need for a qualitative improvement in administration of all social security schemes. In regard to PF, the ILC recommends that the enforcement machinery for recovery of statutory dues of PF should be strengthened, programmes for orientation and sensitisation of the enforcement staff should be organised to make them subscriber member friendly, stringent and rigorous review of administration of EPF and MP Act at various levels should be undertaken to ensure that PF is deducted from the wages of the employees in time, its remittance to the PF Account of the subscriber members and all claim cases are settled within a maximum period of 30 days and that the annual statement of account of the subscriber member be issued within a period of 6 months from the close of the accounting year.

\* There should be a qualitative change in management of ESI hospitals and dispensaries by filling of all vacancies by posting of Specialists, Medical Officers, Para Medical Staff,



arranging their orientation and training to make them IP friendly, timely completion of buildings and timely commissioning of all hospitals and dispensaries, attention to proper maintenance of the hospital and dispensary buildings. Responsibility may be fixed in all cases of delay and acts of omission and commission.

\* There are a number of forms and registers under various labour laws which require simplification and rationalisation with a view to making them simple and intelligible. The ILC recommends that this exercise should be taken up in a time bound manner.

xx) The ILC observes that any closure of industrial, mining and other establishment causes severe dislocation to workers, unemployment, social tension and problem of law and order. It also adversely affects the interests of the State and social partners. The ILC recommends that all proposals for according permission by the appropriate government to closure of industrial, mining and other establishments should be handled in a discrete and circumspect manner with a humanitarian concern for protecting and safeguarding the interest of workers.

xxi) The ILC expresses its concern over exclusion of the Ministry of Labour from the GOM for revival of NTC mills and requests the Ministry to organise a tripartite meeting on implementation of the tripartite agreement on NTC mills which was arrived at in the Special Tripartite Committee meeting 3 years ago.

xxii) The ILC observes that a number of private employment agencies are operating without any check and control. This is detrimental to the interests of working class. The ILC recommends that a suitable mechanism should be evolved to regulate the functioning of such private employment agencies with a view to preventing exploitation of workers in the hands of these agencies.

xxiii) The ILC recommends revival of centrally sponsored scheme for computerisation of employment exchanges which was in vogue till recently which has been discontinued.

xxiv) The ILC recommends that vocational training should be more demand driven. It also recommends that given the constraint on resources of Government and the mushrooming of private ITIs, there is need for more consultation with industry right from the stage of opening an ITI.

xxv) The ILC also emphasized the need for greater & continuous consultation with employers & trade unions for qualitative implementation of craftsmen training and apprenticeship training with a view to improving standardisation in examination and certification, improving credibility of the training system and promoting better employability of the trainees.



xxvi) The ILC feels that the existing definition of unorganised sector, unorganised work and unorganised labour views work or employment in terms of normal employment relationship obtaining in developed & industrialised countries. Such a view is lopsided and creates an artificial barrier between organised & unorganised sectors & excludes large number of self employed workers or home workers from the purview of workers. The ILC recommends that such an approach needs to be removed. The incidence of large number of unorganised workers within the organised sector also needs to be kept in view.

xxvii) The ILC feels that organisation of the unorganised has various phases in its development and growth and a sequential approach or step by step approach is necessary. A modest beginning can be made with indigenous self help groups, thrift & credit groups, DWCRA groups, groups of neoliterates etc. which can pave the way towards formation of larger collectivities or organisations such as Trade Unions, NGOs, Cooperatives and associations.

xxviii) The ILC feels that we need a sea change in the attitude & approach of the functionaries at the lower echelons of bureaucracy to make them more positive, constructive, empathetic & sensitive towards organisation of the unorganised. The ILC recommends appropriate orientation & training for these functionaries.

xxix) The ILC feels that laws provide an important form of social protection. There are numerous such laws relevant for workers in the unorganised sector like beedi workers which are already in the statute book without much of implementation or enforcement on the ground. The ILC recommends that (a) the provisions of all such workers (b) trade unions should be involved in the process of enforcement of laws and in particular Minimum Wages Act, Inter-State Migrant Workmen Act & Contract Labour (Prohibition & Regulation) Act.

xxx) The ILC recommends that along with changes in the definition of workers & unorganised sector there should be a scheme of issue of identity cards in favour of all workers be they in organised & unorganised sector to be issued in a phased manner by Government. This would improve the visibility of such workers and would also improve accountability in terms of labour law enforcement.

xxxi) The ILC feels that while involvement of NGOs in addition to Trade Unions in organisation of the unorganised is important there is need for greater accountability as also need for more of openness and transparency in financial transactions of these bodies.

xxxii) The ILC observes with concern the large scale shrinkage of jobs in the organised sector and recommended that existing laws and institutional mechanism should instil and provide full protection to the workers in terms of conditions of their service and employment. Schemes of retraining, career counselling,



redployment and rehabilitation should be launched in a big way with involvement of Government, Employers, Trade Unions, NGOs etc.

xxxiii) The ILC observes with concern the emergence of the spectre of neo-protectionism and non-tariff barrier associated with issues of genuine human concern like bonded labour, child labour and contract labour and recommends that we need to totally delink issues of genuine humanitarian and societal concern like bonded labour and child labour from trade concerns.

xxxiv) The ILC recommends that State Governments/UTs could emulate the example set by Kerala and few other State Governments which have set up welfare funds meant for numerous categories and sub categories of unorganised labour. These welfare funds would go a long way in meeting some of the barest minimum welfare needs like allotment of house sites, construction of houses, provision of drinking water, provision of medical aid and scholarship for the children of workers. The scope and ambit of such welfare funds should be progressively enlarged.

xxxv) The ILC expresses its concern for the increasing plight and predicament of migrant workers covering inter district, inter state and inter country migration. It recommends that provisions of existing laws need to be stringently and rigorously enforced and that workmen's compensation in the event of accidents causing injury resulting in death or disablement at the destination point should be disbursed as expeditiously as possible.

xxxvi) The ILC takes cognisance of the special problems of the small scale and tiny sector of industries who are suppliers and vendors to the large scale sector and urged Government to extend a special protection to this sector in the light of the recommendations of Abid Hussain Committee on SSIs.





## ANNEXURE-V

**SPEECH OF PM ON THE OCCASION OF THE VALEDICTORY FUNCTION OF THE 34TH SESSION OF THE INDIAN LABOUR CONFERENCE ON 19.12.1997.**

I feel immensely happy to associate myself with the 34th Session of the Indian Labour Conference. A few months ago, I had the occasion to participate in the Golden Jubilee Celebrations of the Indian National Trade Union Congress in May, 1997 at New Delhi, and subsequently in the 36th Annual Conference of the All-India Trade Union Congress in October, 1997 at Amritsar. While attending both these functions, I had felt truly elevated by recalling memories associated with the great names such as Punjab Kesri Lala Lajpat Rai, N.M. Joshi, V.V. Giri, Netaji Subhash Chandra Bose, Ganesh Chandra Vidyarthi, S.B. Deshpande, Gulzarilal Nanda and numerous other outstanding patriots, freedom fighters as also dedicated trade union leaders and activists.

2. The history of the trade union movement in India is inextricably linked with the history of the national freedom struggle. In fact, the trade union movement may be seen as an extension as also an offshoot of the freedom movement which had sought to achieve emancipation of the working class from the exploitation of the colonial power. The movement stood for certain values and principles such as democracy, secularism, respect for the freedom and dignity of the individual, and a healthy and integrated development of society.

3. These values continue to remain relevant even as the divisive forces raise their ugly heads every now and then. They remain valid even as the trade union movement has come under severe stress and strain in the wake of sweeping political and economic changes.

4. In the wake of liberalisation, privatisation and globalisation, labour faces the onslaught of retrenchment and displacement from work at many places. Migration, both national and international, is on the increase. Distress migration brings in its trail, dislocation, privation and suffering. As shrinkage of jobs overtakes the organised sector, more and more people enter the unorganised and informal sector. Lack of security of jobs, lack of stability of employment and assured wages, and absence of any worthwhile form of social security stare them in the face.

5. Against this depressing scenario, it is indeed a happy augury that the 34th Indian Labour Conference is being exclusively devoted to an indepth discussion of the problems of the unorganised labour. It is my privilege to associate myself with this discussion. What is unorganised labour? How do we identify and enumerate it? What are its problems and challenges? Do we have any short range and long range answers to these problems? These and many other questions continue to haunt us in our search for solutions.



6. The rate of growth of the labour force in India is around 2.5%, which is higher than the rate of growth of population (2.1%). More people are entering the job market today than what the market is capable of absorbing. Low skills, lack of stability in employment, low wages, high incidence of migration, lack of job security are some of the well-known characteristics of unorganised labour.

7. The total work force in India is of the magnitude of 315 million. Of this, 8% are in the organised sector, and 92% are in the unorganised sector. An overwhelming percentage of the unorganised labour are in the rural areas in the shape of small and marginal cultivators, landless agricultural labourers, share-croppers, rural artisans, handicraft workers, fishermen etc. A preponderant majority of the workers in the unorganised sector in the rural areas are also members of the Scheduled Castes and the Scheduled Tribes. While the members of the Scheduled Castes have been victims of both age-old social discrimination and economic exploitation, members of the Scheduled Tribes are major victims of the process of development itself.

8. Within the unorganised sector, the special problems of women and child workers are critical and often mind-boggling. Women account for about 90 million out of the 350 million work force. In terms of average number of days available for employment, wages, labour participation rate, and training opportunities, women are placed unfavourably against men. There are several operations such as transplanting and threshing in agriculture, carrying cement and mortar in building and construction etc. which are done either exclusively by women or jointly by men and women. In these operations, the skill and ingenuity of women are in no way less than that of men, and yet they are discriminated in terms of wages even for similar nature of work. This underscores the importance of having separate organisations for women workers to protect and safeguard their interests as has been done by SEWA of Smt. Ela Bhatt in Gujarat.

9. Child workers and their protection and rehabilitation have been subjects of national anxiety and concern since Independence. Despite Constitutional and legal provisions and the commitment of the national Government to prohibit employment of children in all industries and processes, India often faces international criticism on issues relating to child labour. It is true that children in the 6-14 years age group are at work in large numbers. A multi-pronged and multi-faceted drive will have to be launched to put an end to this practice. On the other hand, massive programmes for eradication of parental poverty, illiteracy, unemployment and underemployment will have to be launched and implemented in a well-coordinated effort.

10. The need for organisation of workers in the unorganised sector and the Government's commitment have been clearly recognised in the Constitution and have also been reinforced through recommendations of successive Commissions, such as the National Commission of Labour, the National Commission on Rural Labour etc. The Government's commitment to ameliorate the plight



of workers in the unorganised sector was also clearly reflected in our Common Minimum Programme. All these notwithstanding, the status and plight of millions of workers in the unorganised sector basically remain unchanged. It must be recognised here that Government cannot organise the poor, deprived and the disadvantaged. The basic impulse and motivation for organisation must come from within these groups. Government can at best act as a catalytic agent and facilitator.

11. Organisation of the unorganised can also take place around some economic activity. But for any such activity to be viable and successful, there must be meaningful changes in the industrial policy, purchase and sale policy, credit policy and marketing policy of Government. We must provide the right type of infrastructure, easy access to raw materials and credit, and better marketing channels.

12. Ultimately, the organisation of the unorganised workers must be a natural and spontaneous process. In other words, it must be self-propelled and self-generated. This does not always happen as our traditional, status-quoist and stratified society resists the process. Hence the importance of social animation and social mobilisation which should precede actual organisation. Social mobilisation refers to a process of arousing and awakening the conscience of the members to the benefits of organisation. The social animators should be able to infuse hope, faith and conviction to the effect that organisation is feasible and achievable, and can be the only answer to put an end to the culture of silence and dependence which engulfs the unorganised.

13. I am grateful to all of you and to the Labour Minister for giving me an opportunity to share with you some of my thoughts and ideas on the problems of unorganised labour which I consider to be crucial for the development and advancement of the nation, and for the growth and welfare of all individuals.

Jai Hind.

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