

SEMINAR
ON
WORKS
COMMITTEES

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Organised by

THE CENTRAL BOARD
FOR
WORKERS' EDUCATION

(Constituted by the Government of India in
the Ministry of Labour and Employment.)

Inauguration by :

Shri R. L. MEHTA, I. A. S.
Chairman,
Central Board for Workers' Education.

Presided over by :

Shri P. B. ADVANI,
Chairman,
Local Committee, Workers' Education. Bombay

BOMBAY
22nd January 1961.

PROGRAMME

Date : 22nd January 1961.

Venue : Tata Mills Canteen Hall, Parel.

09-30 a. m.—10-00 a. m.	Registration of Delegates.
10-00 a. m.—10-10 a. m.	Welcome Speech by Chairman Shri P. B. Advani (Chairman, Local Committee, Workers' Education, Bombay).
10-10 a. m.—10-30 a. m.	Inaugural address by Shri R. L. Mehta , I.A.S., Joint Secretary, Government of India, Ministry of Labour and Employment, and Chairman of the Central Board for Workers' Education.
10-30 a. m.—10-40 a. m.	Introduction to the Seminar by Dr. S. D. Punekar , Member, Local Committee, Workers' Education, Bombay.
10-40 a. m.—10-55 a. m.	Observations on 'Functioning of Works Committees' by Dr. S. Vaswani , Director, N. C. Corporation, Bombay.
10-55 a. m.—11-05 a. m.	Speech by Shri B. N. Datar , Labour Adviser to the Govt. of India, Ministry of Labour & Employment.
11-05 a. m.—11-15 a. m.	Break for Coffee.
11-15 a. m.—12-00 noon	Discussion on the Paper on "Objectives of Works Committees".
12-00 noon—01-15 p. m.	Discussion on the Paper on "Difficulties of Works Committees".
01-15 p. m.—02-30 p. m.	Lunch break.
02-30 p. m.—03-45 p. m.	Discussion on the Paper on "Training of Members of Works Committees".
03-45 p. m.—04-00 p. m.	Break for Tea.
04-00 p. m.—04-35 p. m.	Submission of reports and summing up by Dr. S. D. Punekar .
04-35 p. m.—04-45 p. m.	Concluding remarks by Shri P. B. Advani , Chairman.
04-45 p. m.	Vote of thanks by Shri P. S. Easwaran , Secretary, Central Board for Workers' Education.

SEMINAR ON WORKS COMMITTEES

WORKING PAPER No. 1

OBJECTIVES OF WORKS COMMITTEES

Legal Provisions :

The Bombay Industrial Relations Act, 1946 and the Industrial Disputes Act, 1947, provide for the establishment of works committees at the plant level. According to Section 3(2) of the latter Act, works committees are "to promote measures for securing and preserving amity and good relations between the employer and workmen and to that end to comment upon matters of their common interest or concern and endeavour to compose any material difference of opinion in respect of such matters". The committees are consultative in character.

The above provision lays before the committees three broad objectives :

- (i) establishment and promotion of cordial relations between the management and workers and building up understanding and trust between them;
- (ii) discussion of matters of convergent interests; and
- (iii) settlement of disputes or grievances within the undertaking itself without reference to any outside agency.

In other words, a works committee should be; (i) an agency for better industrial relations; (ii) a forum for discussion between the two parties for matters of common interest; and (iii) a grievance redressal machinery.

In addition to these three objectives, a works committee can (a) lead to substantial increase in productivity in the interest of management, workers and the nation, (b) secure better welfare facilities, etc. for workers, and (c) serve as a training institution in industrial democracy, by satisfying workers' urge for self-expression.

The above six objectives of a works committee can be briefly discussed under certain broad heads.

1. Industrial Relations :

As the first Five Year Plan says, "Works Committees for the settlement of differences on the spot between the workers and the management is the key of system of industrial relations..... These committees will be the best vehicle for improving labour relations and promoting employer employee collaboration in the interests of high production and greater well being of the workers through the progress of Industry." (Pp. 576-77). The very acceptance of a works committee may mean a desire to co-operate with the other party, and such a desire may arise out of the consciousness that both labour and management are members of the same productive community

rather than adversaries, or at best partners with their own separate economic interests. Works committees may thus bring in a good psychological climate and happy atmosphere and spirit of industrial relations in the undertaking. In the absence of such an atmosphere, no joint consultative machinery is likely to succeed.

2. Collective Bargaining :

By bringing both the parties together on the basis of equality and by having the discussion on subjects of common interest, a works committee can serve as a platform for mutual discussion. It can then negotiate outstanding differences between management and labour, in the absence of established union-management relations. A works committee is perhaps the best way of ensuring regular two-way communications at the plant level, handling suggestion schemes and developing other forms of labour-management co-operation. As the Second Plan says, "Co-operation between labour and management becomes more effective if there is a two-way traffic between the bipartite consultative machinery at the top and the machinery performing similar functions at the unit level. Works committees could function in the units in this capacity. These committees should, in addition to giving effect to agreements reaching at higher levels, pose practical problems in working out such agreements, so that these can be settled through the consultative machinery." (576). In the field of collective bargaining, care must be taken to demarcate the functions of works committees from those of trade unions; in the absence of a clear understanding regarding the respective fields of action, the trade unions have become hostile to works committees. A sub-committee set up by the Indian Labour Conference has given two lists of items: (i) those which a works committee should normally deal with; and (ii) those which it should not normally deal with. These lists (given in appendix) are only illustrative, because it is not practicable to draw up an exhaustive list of the functions of a works committee. Co-operation of a trade union is desirable in the establishment and functioning of a works committee and a provision to that effect is made in our law.

3. Grievance Machinery :

The First Plan states, "A works committee is ordinarily the culminating step in the grievances machinery designed to function within a unit" (P. 577). In the absence of some specific step-by-step grievance procedure, a works committee can hear grievances brought up by worker representatives. A survey of the functioning of the works committees in Bombay City gives an exhaustive list of grievances discussed at the works committee meetings; these related to uniforms; facilities for work and other problems connected with production and work; food; water; canteen; sanitary, medical, recreational and other personal amenities, wages; scales; promotions; allowances; increments; bonus; overtime and incentives; appointments; badli and tempo-

rary workers; transfers; holidays; privilege; casual; sick and other leave; provident fund; advances; loans; gratuity; credit co-operative society; functioning of works committees; absenteeism; ill-treatment; suspension; dismissal and retrenchment; etc. Though some of these items should be outside the purview of a works committee, the list is an indication of the nature of grievances at present discussed by our works committees.

4. Higher productivity :

A works committee, as a form of workers' participation in management, can promote increased productivity for the general benefit of the enterprise, the employees and the community. Efforts to promote higher productivity in an undertaking can make little headway without the active and willing co-operation of workers. A works committee, which secures full recognition of the importance of human element in industry, makes workers feel that they count as individuals and gives them a greater interest in the general operation of their undertaking, can elicit labour-management co-operation. Besides, in a works committee, both the parties can discuss problems concerning improvements in methods of production, industrial safety and hygiene, maximum utilisation of working time and machinery, reduction of absenteeism and economising raw materials. A works committee can also fulfil the functions of a production committee.

5. Welfare work and working conditions :

Though a works committee is advisory in character certain executive functions in the welfare field, such as management of canteens, creche, sports clubs, welfare centres, etc. may be entrusted to it. Even otherwise, its recommendations, having the sanction of both the parties, would carry some weight in implementing the welfare proposals.

6. Industrial democracy :

The labour policy in the Third Plan is based on the principles of industrial democracy, and as such aims to have the progress through the development of co-operative activities, evolved by the parties themselves. For this purpose, the Outline of the Third Plan hopes. "Works committees will be strengthened and made an active agency for the democratic administration of labour matters within an agreed sphere". (P. 89). Democracy, whether political or industrial, throws some responsibility on participants, who should be worthy of democracy. A works committee, functioning on the basis of equity and equality, can provide a good training ground for workers in industrial democracy, as well as in labour matters. By and large, both employers and workers lack experience in the techniques of joint consultation. Workers' representatives further lack in knowledge and understanding of production problems. Both these difficulties may be met by appropriate training courses. A works committee can be helpful to remove these defects.

To sum up, the Seminar may consider the following points :

1. How far are the objectives laid down in Section 3 (2) of the Industrial Disputes Act, 1947, being fulfilled by our works committees?
2. What other objectives can be placed before our works committees?
3. What should be the role of our works committees in—
 - (a) Industrial relations ;
 - (b) Collective bargaining ;
 - (c) Grievance machinery ;
 - (d) Higher productivity ;
 - (e) Welfare work ; and
 - (f) Industrial democracy.
4. What should be the relations between trade unions and works committees? What are the present relations? How can they be improved ?
5. What should be the normal functions of works committees in factories ? (Discuss the lists of items given in appendix)
6. How can the various objectives of works committees be fulfilled more effectively?

APPENDIX

- I. Illustrative list of items which works Committees will normally deal with.
 1. Conditions of work such as ventilation, lighting, temperature and sanitation including latrines and urinals.
 2. Amenities such as drinking water, canteens, dining rooms, creches, rest rooms, medical and health services.
 3. Safety and accident prevention, occupational diseases and protective equipment.
 4. Adjustment of festival and national holidays.
 5. Administration of welfare and fine funds.
 6. Educational and recreational activities such as libraries, reading rooms, cinema shows, sports, games, picnic parties, community welfare and celebrations.
 7. Promotion of thrift and savings.
 8. Implementation and review of decisions arrived at meetings of Works Committees.
- II. List of items which the works committees will not normally deal with.
 1. Wages and allowances.
 2. Bonus and profit sharing schemes.
 3. Rationalisation and matters connected with the fixation of workload.
 4. Matters connected with the fixation of standard labour force.
 5. Programmes of planning and development.
 6. Matters connected with retrenchment and lay-off.
 7. Victimisation for trade union activities.
 8. Provident Fund, gratuity schemes and other retiring benefits.
 9. Quantum of leave and national and festival holidays.
 10. Incentive schemes.
 11. Housing and transport services.

SEMINAR ON WORKS COMMITTEES

WORKING PAPER No. 2

DIFFICULTIES OF WORKS COMMITTEES

Difficulties experienced may be discussed broadly under two heads :

(a) difficulties in the establishment of the works committees; and (b) those experienced in the smooth working of these committees.

In India, Section 3 (1) of the Industrial Disputes Act, 1947, lays down that an Industrial establishment, employing one hundred or more workers has to constitute in the prescribed manner a works committee consisting of representatives of employers and workmen engaged in that establishment. In spite of this statutory provision, the actual experience shows that in some concerns works committees could not be constituted and in many others the constituted works committees could not function properly and became defunct. A survey of functioning of 46 works committees in Bombay City conducted by the N. C. Corporation (Pvt.) Ltd., Bombay, found that only 11 committees (in concerns employing 59 per cent. of the total number of workers surveyed) had significantly high activity, whereas 13 committees had medium activity; 13 significantly low activity and 9 had nil activity. Of the 46 undertakings, 19 were selected for personal interviews and it was found that in 12 undertakings covering 55 per cent. of the workers, no difficulties could be experienced in the smooth working of works committees; two committees did not conduct any business, whereas in the remaining five undertakings, covering 38 per cent. of the workers following difficulties were experienced :

- (i) existence of two rival unions interested in the workers, both of which wished to be recognised by the management;
- (ii) outside union influence over the workers' representatives in the works committee;
- (iii) lack of interest and of knowledge among workers;
- (iv) lack of fruitful discussion; and
- (v) insistence of workers' representatives upon the presence of the union representatives.

Inadequate Implementation of Legislative Provisions :

At the outset, it might be desirable to discuss how far the legislative provisions relating to works committees have been helpful to the growth of works committees and also to find out the obstacles in the adequate implementation of these provisions. The law is often defeated by the passive or negative attitude of those directly concerned with its implementation. The

Industrial Disputes Act has prescribed collaboration of the two classes in the form of works committee, but if the management and workers have different views regarding the forms of this collaboration or regarding the principles underlying them, the committees are not bound to be successful. It may be necessary also to examine how far the procedure laid down under the Act and the Rules thereunder in respect of the constitution of the committee and the election of the workers' representatives, "in consultation with their trade union, if any," come in the way either of the constitution or successful functioning of the works committee. Further, the efficacy of legislation in bringing about labour-management co-operation by force may be considered. It is just possible that many employers, who had no desire to set up works committees, simply submitted to an experiment, which they could not avoid. Legal coercion on such employers cannot obtain any positive results.

Labour-Management Co-operation :

Works committee can be successful only in an atmosphere and spirit of happy and constructive labour-management relations. If the two parties have no basic desire to co-operate and if they look to each other with mistrust and suspicion, no joint machinery, however carefully designed, can work successfully. Hence much depends upon the attitudes of management and workers. As C. G. Renold says in his "Joint Consultation over Thirty Years": "Unless Management is imbued with respect for its people as human beings and with a genuine desire to carry them with it, institutions and procedures will prove sterile. Facilities for consultation should be approached not as concessions but as opportunities—opportunities to get at what their people are thinking and to put over the problems and point of view of management. If the spirit is right, the rest is a matter of organization and procedure." Similar attitude of responsive and responsible co-operation is essential from the workers' side also.

Attitude of Trade Unions :

The hostility or even indifference of trade unions may often come in the way of successful functioning of works committees. Trade Unions have often opposed such committees for a variety of reasons—assumption that they are not independent of the employer, fear that they might be used as substitutes for unions and divided allegiance of workers between unions and committees. It is, therefore, necessary to remove any possible misunderstanding on the part of the unions and committees about their respective functions and to seek active and willing co-operation of the unions for the establishment and successful functioning of works committees. A trade union should not feel that it is being bypassed by the employer with the assistance of the works committee.

Attitude of Workers :

Active Co-operation of the workers is an essential pre-requisite for the success of a works committee. Worker often show indifference to the establishment of the committee ; there is little participation and a general lack of interest. This defect may be due to a variety of reasons ; lack of proper understanding about the importance and scope of a works committee ; lack of faith in its achievement ; denial of opportunity of participation particularly to non-union personnel ; and a desire to get the issues solved through a trade union only. It may be desirable to secure the support of workers by maximising the opportunities of participation and by giving the works committees some important jobs to do.

Experience in the Techniques of Joint Consultation :

Perhaps the greatest difficulty in the successful working of a works committee is the lack of experience both by employers and workers in the techniques of joint consultation. This is particularly evident in the case of workers' representatives, who suffer both from inexperience in negotiation and lack of knowledge about production problems. This difficulty may be discussed in detail in our third session, which will deal with: "Training of Members of Works Committees."

Participation of Foremen and Supervisors :

The works committee consists normally of representatives of top management and of rank and file workers. When decisions are taken between the representatives of the top of the bottom, the intermediate staff, i. e. foremen and supervisors are bypassed and hence are likely to feel annoyed, particularly when they find works committee members going over their heads to higher management; often these supervisors learn of management decisions not directly from above, but from men working under them. Hostility of the supervisory staff may result in indiscipline, laxity in supervision and general loss of morale; it may also come in the way of a works committee functioning properly. Co-operation of the supervisory staff is desirable for the progress of undertaking and also for good labour-management relations. Hence, it must be seen that a works committee does not endanger, directly or indirectly, the power and authority of the supervisory staff. If possible, consideration may be given to the representation in the works committees to supervisors. In any case, it is desirable the first approach by the workers to management on any question concerning a particular department should be to the superintendent of the department.

Scope of the Functions of Works Committees :

In the first session, we had already referred to the necessity of demarcating the functions of a trade union from those of a works committee.

Since important matters relating to wages, bonus, hours of work, retrenchment, leave and incentive schemes are normally in the field of trade union, the works committee is often left with unimportant assignments. Hence, it is necessary to give some important jobs the committee, preferably in consultation with the trade union. The management can also impart a sense of responsibility and importance to a works committee by taking it into confidence in providing information and giving it some real problems to handle.

Establishment of a Grievance Procedure :

Though the works committee can serve as "the culminating step in the grievance machinery designed to function within a unit" it is undesirable to make it a mere channel for the ventilation of petty grievance. Such grievances should always go in the initial stage to the grievance machinery—to supervisors, departmental heads, labour officer or the personnel department. If the works committee becomes for all practical purposes a grievance machinery, it not only wastes its time but also encroaches upon the legitimate fields of other authorities.

To summarise, the Seminar may discuss the following points :

- (i) What are the major difficulties (a) in the establishment of works committees, and (b) in their successful functioning ?
- (ii) What is role of labour legislation in the development of works committees ?
- (iii) How the attitudes of management and workers determine the success of works committees ?
- (iv) What role should the trade unions play in the functioning of the works committees ?
- (v) What is the position of the supervisory staff works committees ?
- (vi) What important functions could be assigned to works committees to make them do some real contribution ?
- (vii) How far should a works committee serve as a grievance machinery ?
- (viii) What other difficulties are being experienced in the functioning of works committees ?

SEMINAR ON WORKS COMMITTEES

WORKING PAPER No. 3

TRAINING OF MEMBERS OF WORKS COMMITTEES

Need for a Training Programme for Works Committee Members

One of the difficulties in the successful functioning of Works Committees in India is that their members are sometimes not fully conversant with the matters that come up before them and also with the techniques of joint consultation. As an I. L. O. report has aptly observed : " Both employers and workers may lack experience in the techniques of joint consultation. Furthermore, Workers' representatives may be so lacking in knowledge and understanding of production problems as to make joint consultation largely futile. Both the difficulties may be met in part at least by appropriate training " (Higher Productivity in Manufacturing Industries—page 10).

Referring to the need for training for participants in all forms of joint consultation machinery Shri Gulzarilal Nanda, Union Minister of Labour and Employment has made the following observations during the course of his Inaugural Address at the Second Seminar on Labour-Management co-operation held in March 1960 :—

" Another aspect to which I should make a reference is the need for education to persons who have to manage these councils. When I refer to education, what will probably come to the minds of this gathering is the education of workers. That is important of course, but equally important and much less emphasised is education of management at all levels. As regards the former, we have a countrywide scheme of workers' education, i. e., for the rank and file of the workers. I have asked the Central Board of Workers' Education to give particular attention to introducing short-term programmes of education to which persons who are members from workers' side of either the joint management council or works committees, could be admitted. Attempts will be made to provide detailed instruction which will help workers understand the significance of the task they have to undertake as members of such joint bodies. For the latter, there are a number of institutions which are anxious to undertake training of various levels of management. Any scheme which is directed specifically to bring this aspect of work in these training programmes will receive sympathetic consideration at the hands of Government. Indeed, Government is hoping to sponsor a scheme of training middle management covering the whole field of human relations in industry ".

Training Programme : Whether should be joint or separate ?

The need for training of members of Works Committees thus established, the next question is whether a joint training programme should be organised or a separate programme conducted for Workers' representatives and Managements' representatives ?

Advantages of a Joint Training Programme :

A joint programme has several advantages. Firstly, it will inculcate the right attitudes in the participants and produce in them a feeling of partnership which is so essential for joint consultation. Secondly, it will impart a realistic touch to the instruction in that the participants would be enabled to play real situations in life. For example, the Role Play on Works Committees will assume reality when it is enacted by persons who are actually holding those positions in real life. Furthermore, it will boost the morale of the workers and will enable them to shed their complexes. The atmosphere of equality and friendship generated by the fraternisation in the classroom will naturally be carried to the consultation table at the factory level. Lastly, it will enable the participants to exchange their views frankly and with an open mind. The result of all these advantages will be that the cobwebs of misunderstandings and doubts will automatically get cleared and the stage will be set for holding discussions on matters of mutual interest in an atmosphere of goodwill and respect for each other.

Disadvantages of a Joint Training Programme :

In view of the vast disparities in the educational levels of the two groups, the workers' representatives may be rather shy and withdrawing in the matter of participating actively in the training programme. They may not feel confident to express their views freely and frankly lest they displease their employers. Another difficulty will be that of devising a method of education which will suit the training requirements of both the groups of representatives who have different educational levels and attainments. In this context a method which may be most suitable for one particular group may not be equally effective with respect to the other group. A joint programme may also easily expose and bring to the fore disparities between the two groups—an aspect which will not be conducive to the emergence of congenial atmosphere so necessary for any classroom.

A separate Training Programme : Its advantages :

A separate programme which will cater to the peculiar needs in respect of training of each group, will naturally have to be based on its general educational level and intellectual calibre. The Training Programme can thus be made to suit the peculiar requirements of each group. The absence of

representatives of the other group is likely to make for an atmosphere of free get-togetherness in which learning and discussion will be pleasurable tasks. It is also likely to introduce an element of smoothness in the implementation of the training programme.

Disadvantages

A separate programme will deprive the members of each group of the opportunity of studying the working of the mind of the opposite group. Such a study would have enabled them to make an effective contribution to the deliberations of Works Committees when their turn came. They will also lose the advantages flowing from the joint programme listed above.

Content of the Training Programme

To a large extent, the content of a programme is determined by the aims to be achieved. If the aim is to acquaint the workers merely with the problems which come up for discussion before the Works Committees then training in those problems may appear necessary. Then there is the other problem of initiating them into the techniques of joint consultation so that they can learn to be skilful negotiators. The attainment of the latter goal would be largely determined by the techniques to be utilized. For example, the technique of Role Play for the conduct of meetings may be utilised for developing necessary skills in the matter of effectively conducting meetings. Some of the problems which come up for discussion will be found in the Appendix to Working Paper No. 1 In the light of the objectives to be achieved it may be necessary to include the following subjects in the syllabus :—

- 1) Labour and the Five Year Plans and Workers' Education.
- 2) Economics of the industry to which the trainees belong.
- 3) Joint consultation—history—scope—position in other countries—place in modern industry etc.
- 4) Works Committees—history—constitution—administration—position in foreign countries.
- 5) Role of Works Committees in ensuring proper working conditions, welfare services and recreational and cultural facilities.
- 6) Trade Union movement, history—scope.
- 7) Functions of Works Committees vis-a-vis trade Unions.
- 8) Productivity with particular reference to the Industry concerned.
- 9) Discipline in Industry.
- 10) Discussion leading and conduct of meeting.

Methods and Techniques

There may be several factors determining the suitability of the methods to be used. For example the aptitudes, peculiarities and educational background of the groups for whose training they are meant, may influence the decision with regard to the suitability of the methods of training to be used. Again certain methods may be more suitable for conveying a particular subject while others may be preferable in respect of some other subject. For example, the Seminar method may be excellent for the discussions of subjects like the organisation and administration of trade unions and collective bargaining but for conveying economic theories or teaching of history of trade union movement, lecture and discussion method may be more convenient. There is then the two-way-communication method in the form of questions and answers which can be adopted in respect of several subjects. Finally there is the question of availability of resources both human and material which also determine in a given situation the selection of methods. For facility of discussion, some of the methods which may be used with advantage in imparting education may be :—

- 1) The Active Method (Questions and Answers) or the Two-Way-Communication Method.
- 2) Lectures in the form of talks.
- 3) Lectures followed by group discussions.
- 4) Discussion leading.
- 5) Controlled Group Discussion.
- 6) Seminar.
- 7) Debates.
- 8) Role Plays.
- 9) Audio Visual aids such as films, film strips, Wall Newspapers, tours, observational visits etc.

Selection of Instructors

How should the instructors be selected ? What qualifications should be required of them for such a programme ? Should instructors be drawn primarily from universities or trade unions or representatives of managements ? Experience has shown that the college method of lecturing may not be suitable for imparting training to workers because of their educational background. It appears that it will be convenient if instructors are drawn from all these sources and each is asked to be responsible for certain subjects. Lectures may therefore be allotted as follows :—

<u>S. No.</u>	<u>Lecturers</u>	<u>Subjects</u>
1.	Trade Unionists.	1. Economics of the industry to which the trainees belong. 2. Role of Works Committees in ensuring proper working conditions, welfare services and recreational and cultural facilities. 3. Functions of Works Committees vis-a-vis trade unions. 4. Discipline in Industry.
2.	Managements.	1. Productivity with particular reference to the Industry concerned.
3.	Govt. Officials.	1. Discussion leading and conducting of meetings.
4.	Educationists.	1. Works Committees—history—constitution—administration position in foreign countries. 2. Trade union movement—history—scope broad functions. 3. Joint consultation—history—scope, position in other countries—place in modern industry etc.
5.	Teacher-Administrators.	1. Labour and the Five Year Plans. 2. Workers' Education.

Duration of the Training Programme

To a large extent the duration is determined by the contents to be conveyed and by the nature of the programme which may be a full time or a part time one. If the programme is to be a full-time one, it is doubtful whether the beneficiaries of the programme will be relieved for the course with leave and wages. In that case the managements will have to be requested to grant that facility to their employees. If however, it is decided to have the programme after working hours, it can be a part time one and then in that case there will be no such difficulty. This will however raise another problem whether after working hours the trainees would be in a mood to receive education.

All things considered, the balance of advantages appears to lie in having a part-time course for about 1½ hours after working hours for five days in a week for a month which may be the duration of the course.

Eligibility of candidates

1) **Qualifications:**—Trainees must have a pass in the IX Standard at least.

- 2) Age:—Within the age group of 25 and 40.
- 3) Trade experience:—Two years in concerns employing not less than 100 workers.

The trainees may be drawn from :—

- a) Worker-Teachers trained at the Workers' Education Centre, Bombay.
- b) Workers trained at the Primary Centres set up in different factories and conducted under the auspices of the Workers' Education Centre, Bombay.
- c) Existing Members of Works Committees.

It may also be necessary sometimes to invite applications for admission to the course by advertisement in local newspapers and circular letters to trade unions and employers' associations.

Sponsoring Bodies

The candidates may be sponsored by unit level trade unions, federations of trade unions and the INTUC; AITUC, HMS or UTUC, provided that applications may be entertained direct from persons who have been members of Works Committees for at least six months.

The primary qualities of a representative serving on the Works Committee should be that he should have a sense of responsibility, sound judgement, familiarity with the working and production conditions in the concern, ability to communicate effectively the decisions taken across the consultation table and to inspire confidence among his constituents and linguistic fluency in the language spoken by the predominant group. The most important consideration is that the representative should be able to inspire confidence in the rank and file of workers in respect of the decisions taken by the Committees. In the city of Bombay, the standard of education among the Working class appears to be fairly high and there will therefore be little difficulty in getting workers possessing the requisite qualifications.

Industries to be covered

In the Bombay City the cotton textile industry occupies a prominent position employing the largest number of workers. It is understood that there are only five Joint Committees under the B. I. R. Act in Bombay. A beginning may be made with this industry. The following industries may be covered subsequently :—

- 1) Silk, 3) Engineering, 3) Chemicals, 4) Transport, 5) Banking and Insurance, 6) Petroleum, 7) Pharmaceutical, 8) Vegetable Oil, 9) Printing.

The list is illustrative and not exhaustive.

Agencies

Trade Unions and co-operatives in the west have been pioneers in the field of training their members. Even today, considerable educational work amongst workers is being done by such organisations either directly or through agencies sponsored by them for the purpose. For example, the ICF TU conducts special training programmes for trade unionists. In India, the position is however different. The trade unions in this country have not yet taken sufficient interest in the training of their members mainly because of the lack of adequate resources, both human and financial. A number of agencies sponsored by the State or Local Governments have to some extent been trying to cater for the educational needs of workers. For example in the Bombay City, the University Extension Classes, the Naigaum Institute for social workers, the Social Education Committee for literacy work provide training in some branches of labour education. But for a long time, there was no agency for imparting specialised training to workers in Trade Unions and allied matters. There is the Tata Institute of Social Sciences which provides advance courses in labour and management. The only single agency which imparts specialised training in Workers' Education is the Central Board for Workers' Education, tripartite in character and recently set up by the Union Government. It gives training to workers on all labour problems with special emphasis on trade unionism and its philosophy. A training programme for members of Works Committees, conducted by the employers will be viewed with distrust so far as the workers representatives are concerned. The Trade Unions because of the paucity of resources may find it difficult to conduct training programme for the Workers' representative, on: Works Committees. In the circumstances, the training programme may be profitably undertaken by the Central Board for Workers' Education which has the necessary resources at its command.

Date of commencement of the training programme

The date for the commencement of the programme may be 1st March 1961.

Summing Up

To sum up, the Seminar may consider the following questions :—

- 1) Need for Special Training Programme for Works Committee Members.
- 2) Desirability or otherwise of a joint training programme for members, on Works Committees.
- 3) The adequacy of the draft syllabus for the training requirements of the members of the Works Committees in the light of the objectives to be attained.

- 4) Keeping in view the aims of the training programme and taking into consideration (i) the peculiarities of the beneficiaries; (ii) the contents to be conveyed and (iii) the resources available, suitably of methods for the training programme and of techniques for effectively utilising each of the selected methods so as to achieve maximum possible results in the given time.
- 5) In the light of the aptitudes and educational level of the beneficiaries of the training programme, the criteria for selecting instructors for the training programme.
- 6) The duration of the programme.
- 7) Qualifications for eligibility for the course.
- 8) The date for the commencement of the programme.
- 9) The industries to be covered and the order of preference.
- 10) The agency for conducting the training programme.
- 11) The mode of selection of candidates for the course.

DIFFICULTIES OF WORKS COMMITTEES

WORKING PAPER No 2.

1. During the year 1959, a survey was conducted of the functioning of Works Committees in Bombay. During the course of this Survey, personal interviews were also held in a number of undertakings.
2. Over the question of difficulties experienced in the functioning of the Works Committees, the following opinions had been expressed by the Management and the Workers' representatives (Refer "A Survey of the Functioning of the Works Committees in Bombay City conducted by the Statistics Division of the N.C. Corporation Pvt. Ltd" published by the Ministry of Labour and Employment, Government of India):—
 - (i) Lack of interest among workers (in a small undertaking). Management wanted workers to take active part. Workers also wanted to use the Committee, but stated that they were not trained for it.
 - (ii) Lack of fruitful discussions (in an office).
 - (iii) Workers' representatives insisted upon the presence of the union representatives.
 - (iv) Outside union influence over the workers' representatives in the Works Committee.
 - (v) Existence of two rival unions interested in the workers. Both of them wished to be recognised by the management. It was learnt that the representatives of the workers often insisted upon the recognition of their respective union by the management before agreeing to discuss any problem.
 - (vi) Management preferred to deal with all the problems through the union.
 - (vii) Difference of opinion among workers and management whether elections should be departmentwise or general. Management preferred departmentwise elections, while workers preferred general.
3. In spite of the above-mentioned difficulties, the managements of most of the functioning Works Committees had expressed satisfaction with the working of the Working Committees.

4. Currently, another survey is being conducted to study the causes of non-functioning of the Works Committees in undertakings where the Works have not been constituted or reconstituted.
5. During the course of this survey, it has been observed that the following difficulties have been coming in the way of the formation of the Works Committees. As the survey is still under progress, the difficulties mentioned below should be taken only as indications of the existing situation. Hence quantitative estimates are not given in this paper.
6. The Managements of some undertakings have stated that they have been unable to constitute or reconstitute the Works Committee as there has been no response from workers. It appears that in some undertakings, the management asked the respective unions to furnish information regarding their membership in accordance with rule 42 of the Industrial Disputes (Bombay) Rules 1957. The Unions did not give any information, and the managements, after consulting with the State Labour Commissioner's office, put up notices inviting nominations from the workers directly, treating the Unions as if they did not exist. In these cases, there was no response from the workers.
7. In one such undertaking, there were two unions. One union submitted information as regards their membership. The membership was less than half of the total workers in the undertaking. The other Union did not give any information. Therefore, the management proceeded with the elections treating the latter Union as non-existent. At the time of election, in accordance with rule 43, workers were to be divided into two groups, one group being the members of the union and the other being the non-members of the union which had submitted information. It is learnt that the Union wanted to nominate all the 8 representatives of the workers. Management allowed them to nominate four representatives only, to which the Union subsequently agreed. However, the Union, after nominating 4 representatives, suggested the names of the remaining four representatives also, who were also members of the Union. Management objected and took up the matter with the State Labour Commissioner's office, who upheld the management's objection. Management insisted that a

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separate voters' list according to rule No. 44, be prepared, in order to enable them to hold elections from the constituency of the workers who were non-members of the union. For this purpose, management asked for a list of the union members. The Union did not give the detailed list, as according to rule 42, they had to give only number of their members and not the names. For this reason, it had not been possible to reconstitute the Works Committee.

8. In another undertaking, when the Works Committee had been functioning, workers insisted on placing demands relating to wages, promotion, etc. at the Works Committee. The management did not wish to discuss these demands at the Works Committee meetings.
9. Workers wanted all the Works Committee decisions to be binding, to which also the management did not agree. It was learnt that the management was agreeable to making certain decisions, such as, those regarding discipline and similar matters, binding on both the parties, but not on all matters.
10. Management felt that workers took advantage of both the Works Committee and the Union for settling same issues. Management further felt that the Union interfered with their working more than what they should. It appears that the management had settled an incentive scheme with the workers and the latter had agreed to cooperate. Subsequently, the Union did not approve of the scheme, with the result that when the scheme was about to be introduced, workers refused to cooperate.
11. Workers wanted milk to be distributed to all the workers in the foundry section. Management felt that what they needed was salt pills to replenish the salt lost in perspiration.
12. Management provided the workers in foundry with certain type of boots. The workers felt that these boots were not convenient. Workers wanted different type of boots. Lack of good food, stoppage of production bonus, lack of proper medical aid, lack of vehicles and/or drivers to carry people to hospitals in the event of accidents, lack of sufficient water for drinking and washing purposes (in this connection, the workers had men-

tioned that they had wanted a motor to be fixed, but the management showed their inability to do so immediately, as it required special sanction of the Municipal authorities), stoppage of advances from monthly wages, no special grades for different types of workers, as distinct from skilled, semi-skilled workers, were other difficulties experienced by the workers.

13. Workers had also experienced the difficulty of language, since the deliberations of the Works Committee were conducted in Hindi but minutes were maintained in English. They felt that sometimes there were differences between the problems discussed and the statements made.
14. Workers felt that the management did not listen to them and lost faith in the working of the Works Committee. So, they resigned en-block and tried to take up all the matters through the Union.
15. This undertaking employed nearly 1000 workers, and, very soon, workers found that they were not able to get many problems solved because of lack of direct contact with the management. Management also found it difficult to communicate with the workers except through the notice board. Therefore, after the Works Committee had not been functioning for two years, they formed a departmental Committee. In the formation of this Committee, no formal consultation with the Union is necessary. Nor is there a formal representative of the management. The Heads of the departments attended these meetings as necessary, and subsequently place the matters before the management for their final decision. Meetings are called by the workers. The workers have accepted the fact that the decisions of this Committee will be recommendatory and not binding, although in the case of the Works Committee, the same workers felt that the decisions should be binding.
16. Both the management and the workers have been satisfied with the smooth functioning of this departmental Committee. The Committee has been functioning for 4 years.
17. In another undertaking, where according to the management, there had been no response from the workers, it was learnt from the workers' repre-

representative that proper representation had not been given to workers of the junior grades. This undertaking was a sales office, employing about 150 persons.

18. The workers expressed the opinion that since there were no separate electorates for workers of different grades, usually senior officers got elected as representatives of the workers. The workers further felt that the senior officers generally sided with the management. This made the workers' lose their faith in the functioning of the Workers' Committee and resulted in their non-cooperation in the constitution of the Committee.
19. In another undertaking, where the workers had not given nominations for elections, the management expressed the opinion that they were satisfied with the existing state. They preferred to deal with the workers through the Union. The management representative said that since the Union was strong, even the decisions taken at the Works Committee meetings had to be ratified by the Union before they would be implemented. Therefore, they felt that the Works Committee would involve duplication of work. The management was not clear as to the differences in the functioning of the Workers Committee and the Union.
20. The workers of this undertaking expressed the opinion that during the functioning of the Works Committee, the management did not listen to the workers' difficulties. According to the workers, the Works Committee had been of no tangible benefit to the workers. On the contrary, the workers felt that by expressing their difficulties in the Works Committee, it created strained relationship between them and the management. Workers also felt that the management did not implement the decisions taken at the Works Committee meetings. They further expressed that they had been experiencing difficulty with language. They did not know English, and the notice pertaining to Works Committee during its tenure were exhibited in English. As a result of these experiences, the workers lost faith in Works Committees and preferred to deal with the management through their Union.
21. In another undertaking, the Works Committee had

stopped functioning as a result of a strike. After the strike was over, the management asked the Union to furnish information regarding membership in accordance with rule 42. The Union informed them that it was not interested in the functioning of the Works Committee. This undertaking has a sister concern in the same compound and the workers wanted a representative from that concern to be elected on the Works Committee. Management did not agree, and the workers refused to form Works Committee.

22. The representative of the workers confirmed the above reason for the non-formation of the Works Committee and also added that, of late, they had been experiencing delay in getting decisions at the Works Committee. In this respect, the most disturbing problem to the workers seemed to be delay in the formation of the Credit Society.
23. Workers of this undertaking agreed that they preferred to settle many matters through the Works Committee instead of dealing with all matters through the Union, as the atmosphere in the Works Committee meetings was more congenial and amicable.
24. Another undertaking had a factory and a Head Office. Management wanted to have two Works Committees, one for the factory and one for the Head Office. At the request of the management, the Labour Commissioner's office had issued two separate orders for each of the two Works Committees. Management, according to rule 42, asked the Union for information but the Union did not respond.
25. In this undertaking, it was further learnt that the workers had wanted the decisions of the Works Committee to be binding rather than of a recommendatory nature. Management did not agree to this.
26. Almost all the workers of this undertaking were members of the Union, and it was learnt that the activities of the Union were controlled by very few people who dominated all the Committees, e.g. Sports Committee, Canteen Committee, etc. As such, the management felt that there was no need of a Works Committee, because at this Committee also they would have to discuss the same matters

with those very people with whom they had already discussed them at some other Committee.

27. In another undertaking, there were two unions both claiming majority of workers as their members. Under rule 42, management asked for information. Both the Unions stated the number of members but did not give the department-wise distribution. Management invited nominations treating the Unions as non-existent. Workers did not respond. In this undertaking, it was learnt that decisions were usually taken in the presence of Conciliation Officers.
28. In another undertaking, the Union did not furnish the information asked for by the management, in accordance with rule 42. Subsequently, the Union nominated members to the Works Committee. It is learnt that when the management asked the workers to give their suggestions for increasing the production, the workers' representatives asked for better tools and fans in hot places of work. Management provided these facilities, but did not get the expected production. It was learnt that at the time of packing also, defective items were being discovered, indicating that workers concerned throughout the line of production had not detected the faulty items. The items manufactured were such that at each stage, the defects of the previous stage should have been detected. It was learnt that the management did not deal with the Union directly. The workers approached the management either through their supervisors or through the Labour Officer. The management usually met the Unions in the presence of the Board of Conciliation or the Conciliation Officer.

CONCLUDING REMARKS :

29. From the interviews conducted so far in the undertakings where the Works Committees have not been functioning, it appears that, in most of the cases, there exists a pull between the workers and the employers. The workers have tried to get certain benefits pertaining to their working conditions, welfare amenities, remuneration, etc. When these benefits have not been obtained, or when there has been delay in getting decisions from the management, the workers have lost faith in the Works Committees.

30. While talking to the representatives of the management and the workers during these interviews, we have gathered the impression that the basic difficulty in making the Works Committee function is that the goal has been lost sight of. We feel that relations between the Workers and the employers would improve considerably if it is realised that the common goal of the workers and the employers should be nothing short of "OPTIMUM SERVICE TO SOCIETY AND HUMANITY THROUGH PRODUCTIVITY". This goal should always be kept in sight and given the first value by the workers and the employers. All else should be secondary to this goal.
31. Once this goal is accepted, the priorities should be fixed in keeping with it. In this connection, we feel that, keeping this goal in view, the relations between the workers and the employers can be improved considerably if the duties and responsibilities are divided in the following three categories:—
- (i) The workers should be principally responsible for the quality and quantity of work, including the technicalities involved in the work.
 - (ii) The employers should be principally responsible for proper administration of the undertaking, including the financial administration.
 - (iii) Right type of representatives should be selected from both sides to effect a happy blending of the above two functions. These representatives should work for the common good, leading to the goal of service and production of goods and commodities.
32. In the last category, the Works Committees can become very helpful instruments for bringing about smooth relations between the workers and the employers. Once the goal and the above principles are accepted, further details for solving the difficulties of the Works Committees can also be worked out.

(S. P. Vaswani)

149,2.1 - 2 FEB 1961

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TATA OIL MILLS EMPLOYEES' UNION, BOMBAY

680-41, 3RD FLOOR,
MAKANI CHAMBERS, SIGNAL HILL AVENUE,
SEWRI, BOMBAY 15.

(REGD. No. 975)

Date 30-1-1961.

353
WC

The N.C. Corporation Pvt. Ltd.,
Stadium House, 3rd Floor,
81-83, Veer Nariman Road,
Bombay 1.

works committee file
Ref. No.

Dear Sirs,

Re: WORKS COMMITTEE

In terms of request from the Maharashtra Rajya Trade Union Committee (of A.I.T.U.C), we give below the following information on the subject of Works Committee in the Tata Oil Mills Co., Ltd., Bombay.

- I. At present there is no Works Committee in the Establishment. The Management however propose to constitute a Works Committee in near future.
- II. In October 1948 a Works Committee was constituted by the Company in total disregard of the Rules under which a Works Committee should be constituted. This was brought to the notice of the Government who requested the Company to constitute the Works Committee afresh.
- III. Election to a fresh Works Committee were held in November 1950 without consulting Union as regards voting, forming constituencies etc. There was a tie in one constituency which remained unbroken as the Government was not prepared to intervene and make the Company see reason and stop hostility to the representative union of the workmen. /most
- IV. There was a move again to form a fresh Works Committee in 1953. The Union was asked to furnish membership etc., at its early convenience. Since only employees run the Union without outsiders, our Union had requested the Company verbally to give little more time than that stipulated in the Rules. The Company did not refuse our request but strangely enough informed us by a letter that as our Union failed to furnish information, the Company would proceed with the election of the Works Committee and the members of our Union would be treated as non-members. The Company was adamant and as such, we asked the Company to

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WC

exhibit voters' lists for members and non-members Con-
stituencies. The Company did not thereupon proceed with
the formation of Works Committee.

From the above it will be observed that in
view of the hostile attitude of the Company towards the
most representative Union of its employees, no Works
Committee is so far constituted as laid down in the rules.

Yours faithfully,

Indrani

GENERAL SECRETARY.

- ✓ c.c. (1) A.I.P.S.C., New Delhi
(2) M.R.T.U., Bombay.

Indrani

110 FEB 1961

353

Gram: 'LABCATIC'
Bombay-Dadar

R. A. O.
Residence : 89837
Office : 65278
From Committee



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wc

GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT
CENTRAL BOARD FOR WORKERS' EDUCATION

Office of the Regional Administrative Officer,
Central Board for Workers' Education,
Workers' Education Centre, Vidyadhar Hall,
Cadell Road, (Near Post Office),
Dadar, Bombay-28.

From

Shri P.S. Deshmukh, M.A.,
Regional Administrative Officer,
Bombay.

No. W. E. (R) 8 C 2 / 61

Date 3rd February 1961.

To

The Secretary,
Office of the A.I.T.U.C.,
4, Ashok Road, New Delhi.

Subject : Seminar on Works Committees-
Supply of literature -

Sir,

As desired by Shri Vithal Chaudhari, I am ~~to~~ forwarding herewith for your information two pamphlets covering the three Working Papers discussed on the occasion of the Seminar on Works Committees held on the 22-1-1961 in the premises of the Tata Mills, Parel, Bombay-12.

Yours faithfully,

*Please note
not rain
Encl : 2.*

P.S. Deshmukh

(P.S. DESHMUKH.)
Regional Administrative Officer,
Bombay.

RGL/SSJ/3.2.

A. L. T. U. C.
Received 19.6/4.361
Replied.....

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w/c

No. 6/9/61-E&I.
Government of India
Ministry of Labour & Employment

From

The Joint Secretary to the Government of India,
E and I Division.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

2 MAR 1961

Dated New Delhi, the

Subject:- Formation of Works Committee in the establishment
of Manoharpur Light Railway.

Dear Sir,

I am directed to acknowledge the receipt of your
letter number nil dated the 22nd February, 1961 on the above
subject and to say that the matter is being looked into.

Yours faithfully,

R. Madan

for Joint Secretary.

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wv

COAL WORKERS' UNION, REGD. NO.16
No. 4 Area, P.O. Bermo, Dist. Hazaribagh.

Ref. No. ONE 8 16 163 dated the 4th May, 1961.

To

The Regional Labour Commissioner (U),
Dhanbad.

Dear Sir,

Sub-Violation of rule 49(1) of the Industrial
Disputes (Central) Rules, 1957 by the
management of Jarangdih Colliery (N.C.D.C.).

This is to draw your attention that the
scrutiny of the nomination papers of the works Committee
election at Jarangdih Colliery took place on 23-4-61 as
required under the ~~Act~~ but in violation of rule 49(1) of the
Industrial Disputes (Central) Rules, 1957. The returning officer
refused to declare the candidates (validly nominated) as duly
elected as it would have resulted in the victory of the candi-
dates nominated by the A.I.T.U.C. Union.

~~It is~~ This is clear discrimination against A.I.T.U.C.
In this connection it is to be noted that in the previous
election also, your office and the Ministry of Labour & Employ-
ment bungled in the matter and got the duly elected ~~works~~
Works Committee dissolved. It is to be further noted that due
to the bungling of the Labour Ministry and your office at the
instance of the I.N.T.U.C. no works Committee is functioning
at Jarangdih Colliery for the last five years, during which
period more than five times the works committee has been elected,
but dissolved at the instance of the I.N.T.U.C.

This political and discriminatory interference
on the part of the Ministry of Labour & Employment and your
office has demoralised the N.C.D.C. officers and they have no
alternative but to surrender to the whims of the I.N.T.U.C.

The Coal Workers' Union strongly protest,
against this discriminatory policies of the Labour Ministry
and the illegal action of the Returning Officer of Jarangdih
Colliery and requests you to launch a prosecution against the
N.C.D.C. management for violating the rules.

Requesting an early action.

Yours faithfully,

Copy to:-
Chief Mining Engineer (B+U)
N.C.D.C. Ltd. Hargali

Secretary,
Coal Workers' Union,
Berma.

Copy to:

1. Secretary to Govt. of India
Ministry of Labour & Employment,
New Delhi.
- ✓ 2. Secretary, All India Trade Union Congress,
4 Ashok Road New Delhi.

For taking up the issue with the Labour Ministry himself
as his Ministry directly conniving with the I.N.T.U.C. in getting
the duly elected works committee in the N.C.D.C. either disso-
lved or to see that it is not ~~formed~~.

A. I. T. U. C.
Received 12/5/1956
Replied.....

Ber mo
6. 5. 61

Dear Com. Shrinasthara,

2/3/56

I am attaching herewith a copy of our letter written to the R.L.C.C. which had in respect of works Committee election at Jangdih Colliery (N.C.A.C.)

As the Colliery Mazdoor Sangh (J.N.T.A.C.) is very weak in this Colliery and it is not in a position to win even a single seat in the works Committee. It always try avoid the election of the committee. Due to this whenever any election is proposed it try to delay it. If it does not remain possible for them to delay any more they get it dissolved by various means. In its ~~repeated~~ repeated game it gets support from the N.C.A.C. officers and the officers of the Labour Ministry. Due to from 1956 more than five times attempts were made to constitute the election, but everytime either it was postponed at the last moment, i.e. just before election or get it dissolved after election.

The same story has recently been repeated. A meeting was called by the management on 26.3.61 for discuss its formation & election. In that meeting every detail was discussed

and unanimously agreed by the representatives
of management, J.N.T.U.C. Union and
our union. In that meeting ~~the~~ election
was ~~decided~~ fixed on 10.4.61 which was
postponed by the management to 30th April 61
in consultation & with agreement of both
the unions - ours & J.N.T.U.C. In the
same way ~~on~~ 22.4.61 was fixed for
filing the nominations & 23.4.61 for scrutiny.
~~one or two days before the~~ one or two days before the
date of filing nominations J.N.T.U.C. came
with a proposal to postpone the election
as a few of his members are on leave. ~~Management~~
Management it did not agree and the programme
remained as before.

On 22.4.61 J.N.T.U.C. Union did not file ~~any~~
the filed for all the five seats. ~~one~~ one
seat one independent employee had filed
his nominations besides ours. He after
the scrutiny withdrew. Thus only five
of our men remained candidates for the
five seats. In the circumstances, the
management should have declared our
men as duly elected but they did not
do.

Even after our repeated insistence, they
are refusing to declare our men as elected.
This is clear discrimination against our
union.

So please look into the matter and

Look up the matter either at the appropriate level.

Shaji Kumar Menon

Coal Workers' Union, No. 4 Area, Bellary (Karnataka)

No. 353/SR/61
May 11, 1961

353
✓

Shri P. S. Menon,
Secretary to the Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: Functioning of Works Committee in
Jarangdih Colliery of National Coal
Development Corporation.

Dear Sir,

It has been reported to us by our affiliate Coal Workers Union that the Works Committee election in the above colliery has been arbitrarily postponed. Apropos consultation with the unions, the management of the Colliery fixed dates for filing nominations, scrutiny etc., and on April 23, 1961, when it was found that only five candidates set up by our affiliates were contestants for the five seats of the Works Committee, the returning Officer instead of declaring these persons duly elected as per Rule 49(1) of the Industrial Disputes Act, 1947, postponed the election.

During the last five years, more than five times in this manner, the authorities have postponed the election of the Works Committee or dissolved it.

We are really at a loss to understand as to why this way the functioning of the works committee is being torpedoed and the representatives of the workers are deliberately being debarred from exercising their rights.

We therefore request you to kindly take proper and immediate steps in this regard.

Yours faithfully,

(K.G. Sriwastava)
Secretary

C.C. Coal Workers Union

A. I. T. U. C.
Received 1383/17-5-61
Replied.....

No. Dy.1484/61-LRI.
Government of India
Ministry of Labour & Employment.

Dated, New Delhi 16 May, 1961.

From Shri S.S. Sahasranaman,
Section Officer.

To The Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi-1.

Subject:- Functioning of Works Committee in Jarangdih
Colliery of National Coal Development Corporation.

Sir,

I am directed to acknowledge receipt of your
letter No. 353/SM/61 dated the 11th May, 1961.

Yours faithfully,

S. S. Sahasranaman
(S.S.Sahasranaman)
Section Officer.

File
vma
18/5/61

C O P Y

BIRD & CO. (PRIVATE) LIMITED
P.L. HEILGERS & CO. (PRIVATE) LIMITED

353
wc

Ref. No.: JM/LLD-468/L

OFFICE : CHARTERED BANK BUILDINGS
CALCUTTA - 1.

7th June 1961.

Shri H.M. Ghose,
Assistant Labour Commissioner,
Government of West Bengal.
Calcutta.

✓

Dear Sir,

Works Committee Election
in Lansdowne Jute Mills.

Please refer to your Memo. No. 256/WC/240/61/WC, dated 1.6.61, addressed to Messers. Lansdowne Jute Mills Co. Ltd., forwarding a copy of the Union's letter dated 27.5.61, for comments.

In this connection, we would like to point out that Election of Works Committees in Jute Mills are not governed by the Industrial Dispute (Central) Rules as mentioned by the Union. In accordance with the procedure followed in the Jute Industry, Notices (copy attached for ready reference) were put up at the Mill gates and a copy was sent to your Office.

You are no doubt aware that the Works Committee Election in the Union North Jute Mills (one of our group mills) was held very recently and the same procedure was followed.

We may mention here that no names have been submitted by any Union and as such the question of having different Electorate Rolls do not arise and the election will be held as in past on the basis of the voters list prepared for each of the existing 8 sectional Constituencies.

Yours faithfully,

Sd/- Illegible.

Chief Labour Officer.

GOVERNMENT OF WEST BENGAL

Office of THE LABOUR COMMISSIONER, West Bengal.

No. 304/ WC/240/61 /LC

From Shri H.M.Ghose,
Asst. Labour Commissioner,
Governemet of West Bengal.

To The Secretary,
Bengal Chatkal Mazdoor Union,
Dakhindari Branch,
9, Sadhana Ousadhalay Rd.,
Calcutta 48.

Dated 14.6.61.

Subject : WORKS COMMITTEE IN LAUSDOWNE JUTE MILL

Sir,

With reference to your letter dated 27.5.61, a copy of the letter No. JM-LLD 468/L, dated 7.6.61 received from the above mills is sent herewith for your information.

Yours faithfully,

Sd/-

(H.M.Ghose)
Assistant Labour Commissioner,
West Bengal.

Encls:

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wc
✓

BENGAL CHATKAL MAZDOOR UNION

(REGD. No. 289)

DAKHINDARI BRANCH

9, SADHNA AUSADHALAYA ROAD, CAL-48

Secretary :

Ainul Hoque

President :

Tarun Sengupta

Dated 5th July, 1961

To
Sri H.M. Ghose,
Asst. Labour Commissioner, West Bengal.

Re: Works Committee Election in Lansdowne Jute Mills.

Dear Sir,

In reply to your letter No. 304/WC/240/61 LC of 14-6-61 enclosing a copy of the letter No. JM-LLD-468/L of 7-6-61 of the abovenamed company in connection with the Works Committee election in the abovenamed mills. I like to state the follow:-

I would refer to Sec. 39 of the West Bengal Industrial Rules wherein it is stated that the employers shall ask the Union to submit particulars. As such the employers of the Lansdowne Jute Mills has, therefore, contravened the above section by not informing the Union about the Works Committee Election.

Even if the irregular procedure was adopted, as stated in the said letter, in Union North Jute Mills that cannot be taken as a precedent and the Labour Directorate should have, prior to that election, in terms of the above noted section of the I.D. Rules, intervened to stop that irregular procedure.

So, we would request you to observe the procedure laid down in West Bengal Industrial Rules.

Yours faithfully,

Ainul Hoque

(Ainul Hoque)
Secretary.

Copy to : A.I.T.U.C.

Calcutta Tramway Workers' Union

Regd. No. 275

249, BOWBAZAR STREET, CALCUTTA-12

353 WC

President : Md. Ismail.

Genl. Secy : Dhiren Mazumder.

A. I. T. U. C.
I. R. No. <i>2038</i> Dated <i>25.6.61</i> ...
File No. Replied on

Dated 27th June, 1961

Ref. No 116/61

To

Com: K. G. SRIVASTAVA,
 Secretary,
 All India Trade Union Congress,
 4, Ashok Road,
 New Delhi.

[Handwritten signature]

Dear Comrade,

It has recently been brought to our notice by the Management of the Calcutta Tramways Company Limited, that the Committee appointed by the 17th Tripartite enumerated certain points regarding scope and function of the Works Committee - beyond which the Works Committee should not normally go.

As we could get no information in this connection from the office of the State Committee, please send us as soon as practicable the conclusions of the said Committee. It was stated in your report to the AITUC Conference that our representatives did not agree to the decisions but it would be better if you would kindly let us know the stand of the A I T U C regarding this.

An early reply will be much appreciated.

Yours comradely

*1. Ask them extracts of
 16c. decision & discuss the words written
 2. say we don't agree with it*

Uthappa

S. S. Ghosh
 27.6.61
 SECRETARY

353
W.C.

No. 353/SW/61
June 29, 1961

The Secretary,
Calcutta Tramway Workers Union,
249 Bowbazar Street,
Calcutta.12



Dear Comrade,

Thank you for your letter of June 27.

Enclosed please find the official version of the conclusions reported to have been arrived at the tripartite meeting. In any case you can compare these with the enumeration made by the management of the Calcutta Tramways Co., Ltd.

as
We do not accept these conclusions/final and our representative Com. Ram Sen, who is in Calcutta, has already submitted his note of dissent in this regard. The details of our stand can be had of from Com. Sen, if you so desire.

With greetings,

Yours fraternally,

K.G.
(K.G. Sriwastava)
SECRETARY

BENGAL CHATKAL MAZDOOR UNION

(Regd. No. 289)

249, BEPIN BEHARI GANGULY STREET, CALCUTTA-12

A. I. T. U. C.
I.R. No. 2181 : .. 7.7.61 ...
File No. :

July 6, 1961

Comrade K.G. Srivastawa,
Secretary,
All India Trade Union Congress,
4, Ashoke Road,
New Delhi.

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we

Re: Works Committee election

Dear Comrade,

Enclosed please find some of the correspondences between the Labour Directorate and this Union on the subject of Works Committee Election in Lansdowne Jute Mills, which will speak for themselves.

Hope, you will kindly take note of the same and do the needful.

Yours Comradely,

Bhowani Roy
(Bhowani Roy Choudhury)
General Secretary.

1. Are there separate rules for electing works committee in jute mills? If so, what are the provisions?
2. What has been the practice so far? Have we objected for the jute mills?
3. Under the central rules, who is to be consulted regarding conditions etc. in the jute mills? means the employer.
4. We don't have any copy of the Bengal rules. you have raised objection with reference to W.B. rules while the reply is with ref. to central rules. This discrepancy should have been pointed out.

N.S.
7/7/61

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No. 252/SM/61
July 7, 1961

Com. Bhowani Roy Choudhury,
General Secretary,
Bengal Chatkal Mazdoor Union,
249 Bepin Behari Ganguly Street,
Calcutta.12



Re: Works Committee election.

Dear Comrade,

Thank you for your letter dated July 6, 1961 and the enclosures thereto.

Please let us know if there are any separate rules for the Works Committee election in the Jute Industry? If so, please send a copy thereof.

We do not know what was the practice so far followed in this connection, hence, it will be helpful, if you let us know what was the previous position and whether we had earlier objected to the procedure. Is it for the first time, we are objecting to the election procedure?

Under the Central Rules, unions have to be consulted regarding constituencies etc., although the employer has a lot of discretionary rights.

We do not have here the copy of West Bengal Rules. Your dispute directly relates to the West Bengal Rules. The employers' reply mentions Industrial Disputes (Central) Rules. This discrepancy should be pointed out and it is to be found out whether the employer is bound by the West Bengal Rules.

With greetings,

Yours fraternally,


(K.G. Sriwastava)
SECRETARY

A. T. U. C.
I.P. 348 21/9
File No.

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WC

No.52/18/61-LRI
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT

From

Shri A.L. Handa,
Under Secretary to the Government of India.

To

The Secretary,
All-India Trade Union Congress,
4, Ashok Road, New Delhi.



19 SEP 1961

Dated New Delhi, the

Subject:- Works Committee in Jaraogdih Colliery of the N.C.D.C.

Sir,

I am directed to refer to your letter No.353/SM/61, dated the 11th May, 1961 on the above subject and to say that the Conciliation Officer (Central) Hazari Bagh, after investigating the matter, has advised the management of the colliery to declare the five nominees of the Coal Workers' Union as elected to the Works Committee under rule 49(1) of the Industrial Disputes (C) Rules, 1957.

Yours faithfully,

(A.L. Handa)
Under Secretary

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sps 15.9.61

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No.353/A/61
September 23, 1961

Com.Shafique Khan,
Coal Workers Union,
No.4 Area,
BERMO, Dt.Hazaribagh, Bihar



Dear Comrade,

We are reproducing below copy of letter No.52/18/61-LRI dated 19th September 1961 received from The Ministry of Labour & Employment re. Works Committee in Jarangdih Colliery. Please let us know the present position in this regard.

With greetings,

Yours fraternally,

Copy to: CWU,
Giridih

(Satish Loomba)
Secretary

.....
COPY

I am directed to refer to your letter No.353/SM/61 dated the 11th May 1961 on the above subject and to say that the Conciliation Officer (Central), Hazaribagh, after investigating the matter, has advised the management of the colliery to declare the five nominees of the Coal Workers' Union as elected to the Works Committee under rule 49(1) of the Industrial Disputes (C) Rules, 1957.

Yours faithfully,
A.L.HANDA
Under Secretary

WORKS COMMITTEE: WEAPON OF THE WORKING CLASS
By LIVIO MASCARELLO

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L. M. Mascarello

The Works Committees, and their parallel in the public sector, the Joint Technical Committees, were an important gain of the working class movement in our country after the 2nd World War.

The French trade union movement since the 19th century has demanded "workers' control" over the place of work and participation by the workers in running the factories. Distinguished by the particular content of trade unionism in its beginning, these imprecise and fairly confused demands led in July 1890 to an initial gain--the establishment of miners' delegates.

But it was in 1936, with the Popular Front, that the real movement took shape, leading to a law establishing shop stewards in the undertakings, that is, to legal representation of the employees vis-a-vis the employer in a given factory and vis-a-vis the Labour Inspectors.

During the occupation, under the "Labour Charter" of Petain, this institution was suppressed. "Social Committees" were established in the factories, but the members of these committees were appointed, not elected. The "Social Committees" had no power to deal, in particular, with economic matters. They were used to press the policy of class collaboration with the employers and to foster a certain amount of paternalist-type social work.

After the war, the law of April 16, 1946 re-introduced the institution of shop stewards.

During the war, however, the underground C.G.T. had included in the programme of the National Council of the Resistance the demand for the establishment of Works Committees, that is, bodies with certain economic powers in a given undertaking, and supplementing the role of the shop stewards. This demand went hand in hand with that for the nationalisation of banking of the monopolies and the sources of mining and

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power.

At that time there was no opposition to this demand of the C.G.T. The main task, in fact, was to unite and pool all efforts in the fight against the Nazi occupation and for the liberation of the country.

But at the end of the war, when the question came before parliament, resistance was organized to the adoption of the draft bill under pressure from the trusts, the monopolies, the employers and, already, de Gaulle. The aim of the intrigues which went on was not so much to oppose the establishment of Works Committees, but to rob them as much as possible of any democratic, social and progressive content. The employers and their agents tried to introduce modifications, restrictions and confusions, including items which reduced the meaning, the content, the significance and the effectiveness of the Works Committees.

During the discussions, the Minister of Labour at that time, our much-lamented Brother Ambroise Croizat, was nonetheless able, without succeeding in having the whole C.G.T. text adopted, to prevent the complete sabotage of the bill. His name remains associated with that social gain, not only because of the battle he waged in parliament, but through the views, interpretations and clarifications which made it possible, in implementing the law, to scotch many moves by the employers. (The Works Committees were set up by the Order of February 22, 1945.)

It was another working class Minister, Brother Maurice Thorez, then Vice-Premier, who was responsible for securing the adoption of the "Civil Servants' Conditions of Employment", which provided, among other things, for the establishment of "Joint Technical Committees" in the public sector, to some extent corresponding to the Works Committees in the private sector.

But since the Communist Ministers were removed

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from the government, the governments and employers have increased their obstacles and attacks on the Works Committee legislation, the Civil Servants' Conditions of Employment, and the functioning of the Joint Technical Committees.

The working class in our country is having to face these attacks all the time, in order to defend the gains then made, and also to obtain essential improvements.

COMPOSITION OF THE WORKS COMMITTEES.

The Works Committees are composed, roughly speaking, in the following way.

They have to be established in undertakings employing 50 or more workers.

Shop stewards are elected for two years by the workers from lists submitted by the representative trade union organisations. There are legal two electoral colleges: firstly, the manual and office workers' college, and secondly, the college of technicians, draughtsmen, foremen and supervisory grades. In undertakings with more than 500 workers, one engineer must also be elected.

The Works Committee meets once a month and more often if circumstances require it.

In undertaking containing a number of distinct establishments a Central Works Committee is appointed, consisting of two delegates from each establishment, elected by the Works Committee in each establishment.

The employer is an ex-officio member of the Works Committee, and takes part in the voting on the same footing as the elected delegates, but he does not have a casting vote.

In practice it often happens--particularly when the C.G.T. representatives are not in a majority--that the employer swings the vote behind a policy not in the workers' interests.

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ROLE AND AIMS OF THE WORKS COMMITTEES
IN ECONOMIC MATTERS.

The Committees have only consultative powers, and the employer is not bound to take the views, proposals or suggestions of delegates into account.

Article 3 of the Order of February 22, 1945 outlines as follows the main functions of the Works Committee in the economic field:

- it shall be consulted on questions affecting the organisation, running and general functioning of the undertaking;
- it shall be informed of the profits made by the undertaking, and can make suggestion as to their distribution.

It should be added that in limited companies the Works Committee can bring in an accountant to examine the firm's balance sheet. In this case the management are compelled to show him all accounts and documents which can enable him to carry out his task.

The prerogative of the Works Committee is very important, as an examination of the balance-sheet makes it possible to detect concealed profits, the amount of depreciation, the level of investments (their source and use), the development of wages by comparison with turnover, productivity per hour per workers, etc., all of these being of assistance to the trade union in drawing up and justifying the workers' demands.

At the same time our representatives in the Works Committees use as well as they can ~~use~~ all the opportunities provided to them of resisting the employers' attempts to use the Works Committees to adopt decisions aimed at increasing productivity, especially by speed-up, to introduce new, allegedly more "rational" methods of working, and any measures aimed at increasing the profits of the employers, while the workers are treated to instability of employment, dismissal, short-time working, downgrading and transfers, speed up, and a reduction in real wages.

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In the case of public employees, the disparity between the aims pursued by the C.G.T. and the means granted to it is even greater. The activities of the elected representatives are being constantly disrupted by the state-employer and its administration in the Joint Committees dealing with staff organisation, in the Joint Technical Committees which have to be consulted by ministers, administrators and heads of offices with regard to all measures relating to the functioning of the department or service, and in the Public Service Higher Council, at the highest level.

SOCIAL ACTIVITIES.

The Works Committees either directly administer, (The sums administered in this way are often very large. They come solely from employers' contributions, equivalent to between 1.25 and 2 per cent of the total wage bill. Many undertakings pay in less than 1 per cent. Others, however, like the aeronautical industry, pay in 5 per cent.) or take part in administering, or supervise the administration of, a considerable network of social activities set up for the benefit of the workers and their families--children's holiday camps, creches, canteens, and works co-operatives, leisure activities, sport and cultural activities, mutual benefit schemes, etc.

In this field, and in spite of efforts by the employers to make activities paternalist ones, our representatives on the Works Committees have secured remarkable results, some of which are models of their kind.

The extensive powers granted to the Works Committees by law in the field of social activities has been a blow to the employers with regard to one of their means of exercising pressure--paternalism. The C.G.T. representatives fight for social activities to be secular in character, and to be educational as well as entertaining.

EMPLOYERS' OBSTACLES TO THE FUNCTIONING
OF WORKS COMMITTEES.

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The "golden rule" for capitalists is the search for maximum profits, by any available means--increasing productivity, speed-up, longer working hours, low wage, refusal to give credit for skilled work, payment on a shift basis, neglect of health and safety measures, etc.

For this reason the capitalists wage constant action against the C.G.T., which is the workers' class trade union organisation, the only one which really opposes the exploitation of the working class by the owners of the means of production. C.G.T. militants are more subject than others to the arbitrary whim of the employer and to repression.

In the Works Committees where the C.G.T. is in the majority, the employer raises obstacles to carrying out legal provisions: he does not consult the Works Committee, opposes the free choice of an accountant, hampers the organisation of social activities, arbitrarily dismisses C.G.T. representatives, challenges the use by them of the 20 hours a month given to them by law to carry out their tasks, prevents the pinning up of the minutes of meetings on trade union notice boards, and so on.

At the same time the employers try to use the Works Committees to establish a climate of "mutual understanding" and class collaboration.. Now, with de Gaulle's government of personal power, he is trying to carrying into effect "Workers' participation" agreements, which ~~once~~ once and for all hand the workers over to the personal whim of the employers.

It should also be pointed out that in spite of the law not all undertakings employing over 50 workers have Works Committees. In fact, of about 20,000 undertakings covered by the legislation, only about 9,500