APPENDIX 1.1
Interview Schedule for NSEZ and non-SEZ Workers

PERSONAL DETAILS

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1. **Age**
   - (i) Upto 20
   - (ii) B/w 20-25
   - (iii) B/w 25-30
   - (iv) B/w 30-35
   - (v) B/w 35-40
   - (vi) Above 40

2. **Gender**
   - (i) Male
   - (ii) Female

3. **Caste**
   - (i) SC
   - (ii) ST
   - (iii) OBC
   - (iv) Gen

4. **Community**
   - (i) Hindu
   - (ii) Muslim
   - (iii) Christian
   - (iv) Parsi

5. **Marital Status**
   - (i) Married
   - (ii) Unmarried
   - (iii) Divorced

6. **No. of children**
   - (i) Sons
   - (ii) Daughters

7. **No. of dependent family members**
   - (i) Father
   - (ii) Mother
   - (iii) Wife
   - (iv) Brother
   - (v) Sister
   - (vi) Children No.
   - Total -

8. **Are you the only earning member of your family**
   - (i) Yes
   - (ii) No

9. **If no, No. of earning members**
   - (i) Wife
   - (ii) Father
   - (iii) Mother
   - (iv) Brother
   - (v) Sister
   - (vi) Children Total

10. **Do your children go to school**
    - (i) Yes
    - (ii) No

11. **How much is the expenditure on their fees**
    - Rs.

12. **Have you migrated from another city**
    - (i) Yes
    - (ii) No

13. **If yes when did you migrate**
    - (i) 1 year ago
    - (ii) B/w 1-5 yrs ago
    - (iii) B/w 6-10 yrs ago
    - (iv) More than 10 yrs ago

14. **From where did you migrate**
    - (i) Village
    - (ii) Town
    - (iii) City
    - Name of the place

15. **Reason behind migration**
    - (i) search for job
    - (ii) Better paid job
    - (iii) Loss of job there
    - (iv) Better job security
    - (v) To improve skills

16. **What was your source of livelihood there**
    - (i) Agriculture (land)
    - (ii) Trade
    - (iii) Agricultural labour
    - (iv) Other labour
    - (v) Artisan
17. Did you take help of agent for migration   (i) Yes                (ii) No

18. Distance between home and unit where you are employed
   (i) Upto 1 km     (ii) B/w 1-2 kms    (iii) B/w 3-5 kms   (iv) More than 5 kms

19. How long do you take to reach the unit   (i) Upto 30 min    (ii) B/w 30-60 min    (iii) More than 1 hr

20. Mode of transport   (i) On foot    (ii) Cycle      (iii) Rickshaw   (iv) Bus   (v) Provided by employer


22. How much is your house rent              Rs.

DETAILS OF EMPLOYMENT

23. Employer

24. What does the unit manufacture –

25. Is the product manufactured entirely in the unit or some components are manufactured outside
   (i) Entirely internally manufactured        (ii) Parts are manufactured outside (No.)

26. Your designation

27. For how long have you been in this employment
   (i) Less than 2 years       (ii) B/w 3-5 yrs   (iii) B/w 5-7 yrs   (iv) B/w 8-10 yrs   (v) More than 10 yrs

CONDITIONS OF EMPLOYMENT

Tenure

28. Do you have an appointment letter   (i) Yes                (ii) No

29. What is the nature of your employment
   (i) Regular            (ii) Temporary       (iii) Contract    (iv) Apprentice

30. Do you have the card to enter the NSEZ   (i) Yes                (ii) No

31. Are you convinced about the continuation of your employment   (i) Yes                (ii) No

32. Reasons for the same
33. Are there different categories of workers in your unit      (i) Yes       (ii) No       (iii) Don’t know
34. If yes which categories are there
   (i) Regular             (ii) Temporary            (iii) Contractual              (iv) Apprentice             (v) All
35. Is there an assessment of your performance       (i) Yes                        (ii) No
36. If yes, who assesses
37 Criteria for assessment
   (i) Work out put       (ii) Behaviour         (iii) Union activity         (iv) Any other (specify)
38. Are there incentives contingent upon assessment     (i) Yes       (ii) No
39. If yes mention them

Working Hours and Conditions
40. Daily hours of work         (i) Less than 8 hrs       (ii) 8 hrs         (iii) B/w 9-10 hrs      (iv) B/w 11-13 hrs
41. How many days do you work in a week
   (i) 7 days              (ii) 6 days               (iii) 5 days
42. Do you work overtime        (i) Yes          (ii) No
43. If yes frequency of overtime
   (i) Once a month     (ii) Once a fortnight   (iii) Once a week    (iv) Thrice a week     (v) Almost everyday
44. Do you get extra payment for working overtime     (i) Yes       (ii) No
45. How much are you paid per hour for overtime -    Rs.
46. Duration of lunch break             (i) Half an hour         (ii) 1 hr              (iii) 1 hr 30 min
47. No. of tea breaks:  (i) 1   (ii) 2  (iii) 3    (vi) Not scheduled but each person allowed to have tea break twice a day
48. Duration of each tea break:
   (i) Less than 10 min   (ii) B/w 11-15 min   (iii) B/w 16-20 min   (iv) Above 20 min
49. Are there any rules governing water and toilet breaks during working hours       (i) Yes       (ii) No
50. Do you find the job
   (i) Extremely tiresome (ii) Tiresome            (iii) Reasonable         (iv) Not tiresome
51. Are you entitled to leave     (i) Yes       (ii) No
52. If yes nature of leave
   (i) Sick leave       (ii) Earned leave       (iii) Casual leave       (iv) Only on certain occasions       (v) Gazetted holidays       (vi) Maternity leave       (vii) All the above

53. Is there a canteen in your unit
   (i) Yes       (ii) No

54. If yes, does it provide subsidized food
   (i) Yes       (ii) No

Wages

55. Salary per month
   (i) Up to 3000       (ii) B/w 3000-5000       (iii) B/w 5001-7000
   (iv) B/w 7001-10,000       (v) More than 10,000

56. Do you find it
   (i) Adequate for living       (ii) Average       (iii) Inadequate       (iv) Highly inadequate

57. Are you satisfied with your wages
   (i) Extremely satisfied       (ii) Very satisfied       (iii) Satisfied       (iv) Not satisfied
   (v) Extremely unsatisfied

58. Are the wages
   (i) Fixed       (ii) Variable

59. If variable, do they vary with price rise
   (i) Yes       (ii) No       (iii) Don’t know

60. If variable then the grounds of variation
   (i) Absence from work       (ii) Performance       (iii) No. of pieces manufactured

61. Is the salary revised
   (i) Yes       (ii) No

62. If yes
   (i) Twice a year       (ii) Once a year       (iii) Once in two years       (iv) Not fixed

63. Do you get bonus
   (i) Yes       (ii) No

64. If yes, how frequently
   (i) Once a year       (ii) Twice a year       (iii) Once in two years

65. How much is the bonus
   (i) 1 month salary       (ii) Two month salary       (iii) 15 days salary       (iv) More than 2 months

Labour Inspections

66. Has there been an inspection of your unit to check conditions of labour
   (i) Yes       (ii) No       (iii) Don’t Know
67. How frequent are inspections
   (i) Very Frequent       (ii) Frequent       (iii) Not so frequent       (iv) Rare

68. Who conducted this inspection
   (i) SEZ Authorities       (ii) International Co/Agency     (iii) Labour dept.       (iv) Don’t Know

69. Did you get an opportunity to voice your concerns to the inspecting agency
   (i) Yes              (ii) No

70. If no for what reasons
   (i) Not allowed by the management to meet the inspectors
   (ii) Allowed to meet but warned against saying anything against the management
   (iii) Severe threat from management
   (iv) Any other (specify)

71. Was any action taken by the inspecting agency against any violation reported by you
   (i) Yes              (ii) No              (iii) Don’t Know

**Social Security**

72. Has there been any accident in your unit in the past three years
   (i) Yes         (ii) No         (iii) Don’t know

73. If yes, did anyone get injured in the accident
   (i) Yes     (ii) No     (iii) Don’t know

74. If yes, did he receive any compensation
   (i) Yes     (ii) No     (iii) Don’t know

75. Are you subscribing to provident fund (PF)
   (i) Yes   (ii) No   (iii) Don’t know

76. Do you get PF slip from your employer
   (i) Yes   (ii) No   (iii) Don’t know

77. Are you contributing to pension
   (i) Yes   (ii) No   (iii) Don’t know

78. Do you have ESI card
   (i) Yes   (ii) No   (iii) Don’t know

79. Have you got any benefit through ESI card
   (i) Yes   (ii) No

80. If yes, what benefit
   (i) Medicine from ESI Hospital
   (ii) Admission and treatment in ESI hospital
   (iii) ESI Maternity benefit
   (iv) Treatment for employment Injury
(v) All the above

81. Has any of your co-worker left work after working for 5 years      (i) Yes       (i) No     (iii) Don’t know
82. If yes, did he get gratuity       (i) Yes       (ii) No     (iii) Don’t know

**Social Dialogue**

83. Is there a union in your unit                   (i) Yes             (ii) No             (iii) Don’t know
84. If no, do you wish to join a central TU      (i) Yes           (ii) No            (iii) Don’t Know

Reasons for the same –

85. If there is a union in unit then how many      (i) 1       (ii) 2     (iii) 3    (iv) 4    (v) 5     (vi) More than 5
86. Are they affiliated to the central trade unions       (i) Yes     (ii) No        (iii) Don’t know
87. What %age of workers are members of the unions either central TUs or unit TUs

(i)Upto 10%      (ii)B/w 11-20%     (iii)B/w 21-30%     (iv)B/w 31-40%     (v)B/w 41-50%     (vi)B/w 51-60%     (vii)Above 60%

88. Was it easy to form a union in the unit     (i) Yes         (ii) No     (iii) Don’t know
89. If no, mention the obstacles

(1)Time for interaction among workers      (2) Pressure from management
(3)Language problem                        (4) Ignorance about right to unionise      (5) Any other

90. If the response is (2) then the methods adopted by the management to discourage unionization

91. Is the union free         (i) Yes           (ii) No                  (iii) Don’t know
92. What matters has the union taken up in the past three years
93. What was the result
94. Has any worker been dismissed from employment or forced to resign in the past three years

(i) Yes                 (ii) No                            (iii) Don’t know
95. If yes, for what reasons

(i)For absentism      (ii)For non-performance   (iii)For misbehavior     (iv)For union activity
(v)any other reason
96. Did the dismissed worker challenge the dismissal  
   (i) Yes       (ii) No       (iii) Don’t know

97. If yes, where did he challenge
   (i) Assistant Commissioner (Labour) in SEZ       (ii) Labour Commissioner
   (iii) Management of Co.             (iv) Any Other (specify)

98. What was the result of the challenge

99. If there is a union will you be willing to join it  
   (i) Yes                   (ii) No

**Dispute Resolution Mechanism**

100. Has there been any dispute between you and the manager/employer in the past three years
   (i) Yes         (ii) No

101. Has there been a dispute between any other worker and the employer
   (i)Yes           (ii) No        (iii) Don’t Know

102. What are the most prevalent pretexts on which disputes arise
   (i)
   (ii)                                                                       (iii)

103. Have you ever been debarred from entering the Zone   
   (i) Yes   (ii) No

104. If yes for what reason

105. What happens in case of a dispute
   (i) The worker is not allowed to enter the NSEZ
   (ii) Disciplinary action is taken against him
   (iii) Salary or leave is deducted
   (iv) Dismissal
   (v) Strike
   (vi) Demonstration outside the gate of NSEZ
   (vii) Any other

106. Who mostly initiates dispute resolution
   (i) Worker  (ii) Management  (iii) Asst Comm. (Lab) NSEZ  (iv) Any other person  (v) Don’t Know

107. What method is adopted for dispute resolution
(i) Efforts to bring conciliation facilitated by people within the unit
(ii) Efforts to bring conciliation facilitated by NSEZ administration (which officer)
(iii) Efforts to bring conciliation facilitated by central trade union representative
(iv) Efforts to bring conciliation facilitated by trade union of the unit
(v) Any other

108. What kind of results have been secured through this process
   (i) Reinstatement with salary for the period of dispute
   (ii) Reinstatement without salary for the period of dispute
   (iii) No reinstatement, only payment of dues

109. How long does it take to secure the payment of dues
   (i) Less than 1 mnth       (ii) B/w 2-6 mnths     (iii) B/w 7-12 mnths  (iv) B/w 1-2 yrs  (v) Uncertain

110. What happens if negotiation or conciliation fails

111. Has the dispute ever gone to the labour court for adjudication
   (i) Yes       (ii) No
APPENDIX 1.2

Questionaire for IT/ITES SEZ Workers

PERSONAL DETAILS

1. Age
   (i) Upto 20  (ii) B/w 20-25  (iii) B/w 25-30  (iv) B/w 30-35  (v) B/w 35-40  (vi) Above 40

2. Gender
   (i) Male  (ii) Female

3. Caste
   (i) SC  (ii) ST  (iii) OBC  (iv) Gen

4. Community
   (i) Hindu  (ii) Muslim  (iii) Christian  (iv) Parsi

5. Marital Status
   (i) Married  (ii) Unmarried  (iii) Separated  (iv) Widowed

6. Educational Qualifications
   (i) Intermediate (12th)  (ii) Graduate  (iii) Post graduate  (iv) Professional

7. How long do you take to reach the unit/workplace
   (i) Upto 30 min  (ii) B/w 31-60 min  (iii) B/w 1hr-1hr 30 min
   (iv) B/w 1hr 31 min – 2 hrs  (v) More than 2 hrs

8. Transport used for commuting to and fro workplace
   (i) Personal  (ii) Provided by employer  (iii) Public transport

9. Do you feel safe while travelling to and fro work
   (i) Yes  (ii) No

10. Money spent on transport per month
    (i) Nil  (ii) Upto Rs 500  (iii) B/w 501-1000
    (iv) B/w 1001-1500  (v) B/w 1501-2000  (vi) Above 2000

DETAILS OF EMPLOYMENT

11. Name of the Employer/company

12. Does the unit/Company
   (i) manufacture IT component (hardware)  (ii) Provide IT enabled service (like customer service)

13. Your designation

14. For how long have you been in this employment
   (i) Upto 1 year  (ii) B/w 1-2 yrs  (iii) B/w 3-4 yrs  (iv) B/w 5-6 yrs  (v) More than 5 yrs

15. Who facilitated your employment in the unit
   (i) Self  (ii) Through friend/relative  (iii) Placement agency  (iv) Any other
16. Any particular skill acquired for job  
   (i) Yes  
   (ii) No

17. If yes, how did you acquire that skill  
   (i) On the job experience  
   (ii) Special training (self)  
   (iii) Special training (employer)

**CONDITIONS OF EMPLOYMENT**

**Tenure**

18. Do you have an appointment letter  
   (i) Yes  
   (ii) No

19. What is the nature of your employment  
   (i) Regular  
   (ii) Project based  
   (iii) Apprentice  
   (iv) Contractual

20. Do you have the card to enter the SEZ  
   (i) Yes  
   (ii) No

21. Are you convinced about the continuation of your employment  
   (i) Yes  
   (ii) No

22. Reasons for the same

23. Are there different categories of workers in your unit  
   (i) Yes  
   (ii) No  
   (iii) Don’t know

24. If yes which categories are there  
   (i) Regular  
   (ii) Project based  
   (iii) Apprentice  
   (iv) Contractual  
   (v) All

25. Is there an assessment of your performance  
   (i) Yes  
   (ii) No

26. If yes, who assesses

27. Criteria for assessment  
   (i) Work out put (meeting target)  
   (ii) General conduct  
   (iii) Adherence to rules  
   (iv) Timeliness  
   (v) Absentism  
   (vi) Any other (specify)

28. Is the assessment of your performance displayed or feedback given  
   (i) Yes  
   (ii) No

29. If yes, how often  
   (i) Weekly  
   (ii) Fortnightly  
   (iii) Monthly  
   (iv) Every 6 mnths  
   (v) Yearly

30. Are there incentives or disincentives contingent upon assessment  
   (i) Yes  
   (ii) No

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### Working Hours and Conditions

31. Daily hours of work
   (i) Less than 8 hrs  
   (ii) 8 hrs  
   (iii) B/w 9-10 hrs  
   (iv) B/w 11-13 hrs

32. How many days do you work in a week
   (i) 7 days  
   (ii) 6 days  
   (iii) 5 days

33. Do you work beyond the working hours
   (i) Yes  
   (ii) No

34. If yes, how frequent is it
   (i) Rarely  
   (ii) Sometimes  
   (iii) Frequently  
   (iv) Almost everyday

35. Do you get extra payment for working beyond the stipulated working time
   (i) Yes  
   (ii) No

36. Is there any incentive for working beyond the working hours
   (i) Extra payment  
   (ii) Enhanced chances of promotion  
   (iii) Increase in perks  
   (iv) Continuity of employment secured

37. If you are paid extra for working beyond working hours then the payment per hour is - Rs.

38. Duration of lunch break
   (i) Half an hour  
   (ii) 1 hr  
   (iii) 1 hr 30 min

39. No. of tea breaks:  
   (i) 1  
   (ii) 2  
   (iii) 3  
   (iv) Not scheduled but each person allowed to have tea break twice a day

40. Duration of each tea break:
   (i) Less than 10 min  
   (ii) B/w 11-15 min  
   (iii) B/w 16-20 min  
   (iv) Above 20 min

41. Are there any rules governing water and toilet breaks during working hours
   (i) Yes  
   (ii) No

42. If yes, please mention
   (i) Monitoring of time taken  
   (ii) CCTV Cameras to monitor movement of employees  
   (iii) Interaction during breaks prohibited  
   (iv) Limited no. of breaks allowed  
   Any other (specify)

43. If yes, are records maintained for these breaks
   (i) Yes  
   (ii) No

44. Do you find the job
   (i) Extremely tiresome  
   (ii) Tiresome  
   (iii) Reasonable  
   (iv) Not tiresome

45. Do you feel pressured at your workplace while working
   (i) Yes  
   (ii) No

46. If yes, what aspects of work contribute to pressure
   (i) Meeting targets  
   (ii) Fear of making mistakes  
   (iii) Work Monitoring/Pressure from supervisor  
   (iv) Working evenings/night shift  
   (v) Travelling time to and from work
(vi) Physical discomfort at workstation (vii) Short breaks
(viii) Comprehensive/Continuous monitoring of ones actions (ix) Any other (specify)

47. Do you carry work back home (i) Yes (ii) No

48. If yes, how often (i) Almost daily (ii) Frequently (iii) Sometimes (iv) Rarely

49. Effect of your work on your family life
(i) Supportive (ii) Neutral (iii) Interfering (iv) Negative (v) Any Other (specify)

50. Effect of your work on your social life
(i) Supportive (ii) Neutral (iii) Interfering (iv) Negative (v) Any Other (specify)

51. Are you entitled to leave (i) Yes (ii) No

52. If yes, nature of leave
(i) Sick leave (ii) Earned leave (iii) Casual leave (iv) Only on certain occasions (v) Gazetted holidays
(vi) Maternity leave (vii) all the above

53. Is there a canteen in your unit (i) Yes (ii) No

54. If yes, does it provide subsidized food (i) Yes (ii) No

55. Do you have any work related health concern/problem (i) Yes (ii) No

56. If yes, what is the nature of concern
(i) Back ache (ii) Nausea (iii) Indigestion/diarrhea (iv) Strain in eyes
(v) Pain in arm/ shoulder/ fingers (vi) Any other (specify)

**Salary**

57. Salary per month (i) 5000-6000 (ii) B/w 6001-8000 (iii) B/w 8001-10,000 (iv) B/w 10,001-12,000 (v) Above 12,000

58. Is it fixed or variable (i) Fixed (ii) Variable

59. If it is variable then mention the components of your salary (i) (ii) (iii)

60. Do you find it
(i) Adequate for living (ii) Average (iii) Inadequate (iv) Highly inadequate

61. Are you satisfied with your salary
(i) Extremely satisfied (ii) Very satisfied (iii) Satisfied (iv) Not satisfied
(v) Extremely unsatisfied
62. Is the salary revised
(i) Yes  (ii) No

63. If yes
(i) Twice a year  (ii) Once a year  (iii) Once in two years  (iv) Not fixed

**Inspections**

64. Has there been an inspection of your unit to check your working conditions
(i) Yes  (ii) No  (iii) Don’t Know

65. How frequent are inspections
(i) Very Frequent  (ii) Frequent  (iii) Not so frequent  (iv) Rare

66. Who conducted this inspection
(i) SEZ Authorities  (ii) International Co/Agency  (iii) Inspector of establishments  (iv) Don’t Know

67. Did you get an opportunity to voice your concerns to the inspecting agency
(i) Yes  (ii) No

68. If no for what reasons
(i) Not allowed by the management to meet the inspectors
(ii) Allowed to meet but warned against saying anything against the management
(iii) Severe threat from management
(iv) Any other (specify)

69. Was any action taken by the inspecting agency against any violation reported by you
(i) Yes  (ii) No  (iii) Don’t Know

**Social Security**

70. Are you subscribing to provident fund (PF)
(i) Yes  (ii) No  (iii) Don’t know

71. Do you get PF slip from your employer
(i) Yes  (ii) No  (iii) Don’t know

72. Are you contributing to pension
(i) Yes  (ii) No  (iii) Don’t know

73. Has any of your co-worker left work after working for 5 years
(i) Yes  (ii) No  (iii) Don’t know

74. If yes, did he get gratuity
(i) Yes  (ii) No  (iii) Don’t know

**Social Dialogue and Grievance Redressal**

75. Is there an employees union in your unit
(i) Yes  (ii) No  (iii) Don’t know

76. If no, reasons for the same –
(i) HR Dept. solves problems
(ii) Satisfactory conditions of work
(iii) Professionals don’t need to unionise
(iv) Unionising will invite displeasure of the management
(v) Competition among colleagues
(vi) Any other (specify) (to be in good books of management)
(vii) Grievance redress committee exists

77. If no, do you wish to join any other IT employees union
   (i) Yes  (ii) No  (iii) Don’t Know

If a union is formed in your unit will you be willing to join it
   (i) Yes  (ii) No

79. If there is a union in unit then how many
   (i) 1  (ii) 2  (iii) 3  (iv) 4  (v) 5  (vi) More than 5

80. What %age of workers are members of the unions either central union or unit union
   (i) Upto 10%  (ii) B/w 11-20%  (iii) B/w 21-30%  (iv) B/w 31-40%  (v) B/w 41-50%
   (vi) B/w 51-60%  (vii) Above 60%

81. Was it easy to form a union in the unit
   (i) Yes  (ii) No  (iii) Don’t know

82. Is the union free from the hold of the management
   (i) Yes  (ii) No  (iii) Don’t know

83. What matters has the union taken up in the past three years

84. What was the result

85. Have you ever turned to the management to get any problem solved
   (i) Yes  (ii) No

86. If no, how did you deal with your problem
   (i) Decided to bear with it  (ii) Ignored the problem  (ii) Sought help of colleagues  (iii) Sought help of friends outside the unit  (iv) Decided to quit the job

87. Have your co-employees turned to the management to get any problem solved
   (i) None  (ii) Few  (iii) Many

88. Did the management listen and understand the problem
   (i) Yes  (ii) No

89. If yes, did the management take action to solve the problem
   (i) Yes  (ii) No

90. Has any worker been dismissed from employment or forced to resign in the past three years
   (i) Yes, many  (ii) Yes, few  (ii) None  (iii) Don’t know

91. If yes, for what reasons
   (i) For absentism  (ii) For not meeting targets  (iii) For not following rules
   (iv) Misbehavior  (v) For union activity  (vi) Any other (specify)
92. Was an enquiry held before the employee was dismissed  (i) Yes    (ii) No
93. Was the employee given a chance to present his case in the enquiry  (i) Yes    (ii) No
94. Did the dismissed employee challenge the dismissal  (i) Yes    (ii) No (iii) Don’t know
95. If yes, where did he challenge
   (i) Assistant Commissioner in SEZ   (ii) Court
   (iii) Management of Co.   (iv) Any Other (specify)
96. What was the result of the challenge

**Dispute Resolution Mechanism**

97. Has there been any dispute between you and the manager/employer in the past three years
   (i) Yes    (ii) No
98. Has there been a dispute between any other employee and the employer
   (i) Yes    (ii) No    (iii) Don’t Know
99. Have there been collective disputes between the employees and the management
   (i) Yes    (ii) No    (iii) Don’t know
100. What are the most prevalent issues on which a disputes arise
   (i)    (iii)
   (ii)    (iv)
101. Have you ever been debarred from entering the Zone  (i) Yes    (ii) No
102. If yes for what reason

103. What happens in case of a dispute
   (i) The employee is not allowed to enter the SEZ
   (ii) Disciplinary action is taken against him
   (iii) Salary or leave is deducted
   (iv) Dismissal
   (v) Strike
   (vi) Demonstration outside the gate of SEZ
(vii) Any other

104. Who mostly initiates dispute resolution

(i) Employee
(ii) Management
(iii) Asst Commissioner, SEZ
(iv) Any other person
(v) Don’t Know

105. What method is adopted for dispute resolution

(i) Efforts to bring conciliation facilitated by people within the unit
(ii) Efforts to bring conciliation facilitated by NSEZ administration (which officer)
(iii) Efforts to bring conciliation facilitated by central IT employees union representative
(iv) Efforts to bring conciliation facilitated by employees union of the unit
(v) Any other (specify)

106. What kind of results have been secured through this process

(i) Reinstatement with salary for the period of dispute
(ii) Reinstatement without salary for the period of dispute
(iii) No reinstatement, only payment of dues

107. How long does it take to secure the payment of dues

(i) Less than 1 mnth
(ii) B/w 2-6 mnths
(iii) B/w 7-12 mnths
(iv) B/w 1-2 yrs
(v) Uncertain

108. What happens if negotiation or conciliation fails

109. Has the dispute ever gone to the court for adjudication

(i) Yes
(ii) No

THANK YOU VERY MUCH FOR YOUR VALUABLE TIME AND INPUTS
APPENDIX 1.3

Questionnaire for Managers

Personal Information

Name
1. Age
2. Male             Female
3. Educational Qualifications
4. Designation

Operation of the Unit in SEZ

5. Name of the unit –
6. What does it manufacture
7. Where is the product exported
   (i) Asia   (ii) Africa   (iii) America   (iv) Australia   (v) Europe
8. Has there been monitoring of performance of your unit
   (i) Yes   (ii) No
9. Who monitors the performance
   (i) SEZ Officials   (ii) Ministry of Commerce
   (iii) Auditors (For shareholders)   (iv) Any other
10. What are the criteria of monitoring
    (i) Production
    (ii) Profits
    (iii) Exports
    (iv) Employment generation
    (v) Productivity of labour
    (vi) All the above

Competitiveness of Exports

11. On what basis do you choose your export market
    (i) Quality sensitive market   (ii) Cost sensitive market   (iii) Both   (iv) Any other
12. In the past three years have the exports from your unit
    (i) Increased   (ii) Increased substantially   (iii) Declined
    (iv) Declined substantially   (v) Remained stable
13. Are you competitive in your exports
    (i) Yes   (ii) No
14. If yes, on what counts do you have an edge over your competitors
    (i) Quality of product   (ii) Cost of the product   (iii) Quantity of production
    (iv) Frequency of production   (v) Any other (specify)
15. If no, on what counts do your competitors have an edge over you
    (i) Quality of product   (ii) Cost of the product   (iii) Quantity of production
    (iv) Frequency of production   (v) Any other
16. From the point of view of cost of production what do you value in SEZ (put them in the scale of 1-7 where 1 is the most significant contributor to maintaining low cost of production)

1. Better Infrastructure
2. Incentives
3. Better management
4. Single window mechanisms
5. labour flexibility
6. Discipline and security maintained by the customs in SEZ
7. Facilitative role of the Development Commissioner
8. Any other

Production

17. Is the entire product manufactured in this unit only
   (i) Entirely internally manufactured         (ii) Parts are manufactured outside (No.)

18. If some component is manufactured outside – reasons for the same
   (i) Already existing unit of the Co. outside   (ii) Cheaply manufactured outside   (iii) Any other

19. Criteria for deciding the agency to which manufacture of components is outsourced
   (i) Quality of component                      (ii) Cost of production
   (iii) Reliable time schedules                 (iv) Any other

20. Do you have many suppliers for a single component
   (i) Yes                                    (ii) No

21. Reason for multiple outsourcing agencies
   (i) Competitive costs                       (ii) Quality ensured
   (iii) Timely supplies secured

22. How do you compare cost of labour of your product in competitive export market
   (i) Extremely high                          (ii) Very high
   (iii) Reasonable                           (iv) Low
   (v) Extremely low                          (vi) Low

Employment Generation

23. What is the strength of the management personnel in this unit
   (i) Upto 10                                  (ii) B/w 11-20
   (iii) B/w 21-30                               (iv) B/w 31-40
   (v) B/w 41-50                                (vi) Above 50

24. What is the strength of the workers in this unit
   (i) Upto 20                                  (ii) B/w 20 – 200
   (iii) B/w 201-400                            (iv) B/w 401-600
   (v) B/w 601-800                              (vi) B/w 801-1000
   (vii) Above 1000                            (vii) Above 1000

25. Number of
   (i) Male workers                            (ii) Female workers

26. Number of workers in the following categories: (mention number or percentage)
   (i) Regular                                 (ii) Contractual
   (iii) Seasonal                              (iv) Temporary
   (v) Casual                                  (vi) Piece rate
   (vii) Apprentice                            (viii) Any other

27. Average age of workers in your unit
28. How many years on an average workers stay in your unit
   (i) Less than 1 year  (ii) B/w 1-2 yrs  (iii) B/w 2-3 yrs  (iv) B/w 3-5 yrs
   (v) B/w 5-10 yrs  (vi) More than 10 yrs

29. Do they work in shifts  
   (i) Yes  (ii) No

30. If yes, how many shifts are there  
   (i) 1  (ii) 2  (iii) 3

31. Is there a night shift for women workers as well  
   (i) Yes  (ii) No

32. Are there seasonal or other fluctuations in the requirement of labour  
   (i) Yes  (ii) No

33. If yes, how is it met
   (i) overtime by existing employees  (ii) recruiting more workers on contract  (iii) Increasing the number of shifts  (iv) Any other

34. Are the contract workers trained to work in the assembly line  
   (i) Yes  (ii) No

35. In comparison to regular workers the efficiency of contract workers in the assembly line is
   (i) More  (ii) Less  (iii) similar

36. Are labour conditions a factor in profitability  
   (i) Yes  (ii) No

37. How many days in a week do the workers ordinarily work  
   7 days  6 days  5 days

38. Hours of work for the workers per day  
   (i) 8 hrs  (ii) 9-10 hrs  (iii) 11-13 hrs

39. How do you strike a balance between the hours of work and productivity of labour
   (i) Reasonable time and spacing of breaks
     Lunch Break: No. _____ Duration _____ minutes  Tea Break: No._____ Duration _____ minutes
   (ii) Provision for Transportation for workers
   (iii) Provision for Breakfast
   (iv) Creche facility
   (v) Facility for relaxing
   (vi) Fixing and enforcing targets
   (vii) Any other

40. Do you assess the performance of the workers  
   (i) Yes  (ii) No

41. Criteria of assessment
   (i) Timeliness
   (ii) Attendance Allowance
   (iii) Enforce meeting of targets
   (iv) Indulging in union activity
   (v) Any other (specify)
42. Are there any incentives and disincentives relating to performance (please specify)

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<th>Disincentives</th>
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43. Are you satisfied with the conduct of your workers
   (i) Extremely satisfied  (ii) Very Satisfied  (iii) OK  (iv) Not Satisfied  (v) Extremely not satisfied

44. The reasons for the answer above
   (i) Higher productivity  (ii) Skill  (iii) Commitment/dedication  (iv) Regularity/timeliness  (v) Absentism  (vi) Lower productivity  (vii) Union activity  (viii) Misconduct (specify)

45. How do you respond to absentism/lower productivity
   (i) Warning  (ii) Deduction in salary  (iii) Leave curtailment  (iv) Dismissal  (v) Dismissal after warning  (vi) Suspension  (vii) Withdrawal of gate pass  (viii) Any other

46. Is it easy to take any of the abovemented actions
   (i) Extremely easy  (ii) Not so easy  (iii) OK  (iv) Difficult  (v) Extremely difficult

47. Have there been any cases of workers’ misconduct
   (i) Yes  (ii) No

48. What happens if there is misconduct

49. Does the worker negotiate on his own
   (i) Yes  (ii) No

50. Is there a union that negotiates with the management
   (i) Yes  (ii) No

51. How do you compare wages paid in SEZ units with units outside
   (i) Very high  (ii) Reasonably high  (iii) Similar  (iv) Lower  (v) Very low

52. What is the criteria of wage determination in your unit
   (i) Productivity based  (ii) Skill based  (iii) Prescribed minimum wage  (iii) Any other

53. Is the remuneration of workers fixed or variable
   (i) Totally Fixed  (ii) Partially fixed and partially variable (specify)  (iii) Completely Variable

54. If completely or partially variable then on what grounds it is varied
   (i)  (ii)  (iii)

55. What are the components of wages in your unit? Please mention

56. Are workers satisfied with their wages
   (i) Extremely satisfied  (ii) Very satisfied  (iii) Satisfied  (iv) Unsatisfied  (v) Extremely unsatisfied
57. Is there a scope to make improvement in the wage structure  
   (i) Yes  (ii) No

58. Reasons for the scope of improvement

59. The wage differential between regular and contractual employees is
   (i) 50%  (ii) 30%  (iii) 20%  (iv) 10%  (iv) Nil

60. Does the unit provide ESI cover to all its employees  
   (i) Yes  (ii) No

61. Do all the employees have PF accounts  
   (i) Yes  (ii) No

62-70. Do the following affect your competitiveness in export market

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<th>S. No.</th>
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71-79. Would you like any change in the application of these laws in SEZ

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<td>9</td>
<td>Wrk hrs restrictns</td>
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</table>

80. What improvement, if any, would you suggest in the implementation of these laws

81. How do you deal with the grievances of labour

82. Is there a union in your unit  
   (i) Yes  (ii) No
83. If yes, how many
   (i) 2           (ii) 3           (iii) 4           (iv) 5           (v) more than 5

84. What matters has/ve the union taken up in the past three years

85. Does your unit follow union free unit policy in order to be competitive in exports
   (i) Yes     (ii) No

86. What measures are taken to achieve this policy objective

87. How do you visualize the role of unions
   (i) Supportive     (ii) Neutral     (iii) Interferring     (iv) Negative     (v) Any Other (specify)

88. Are there any rules regarding leave for workers
   (i) Yes     (ii) No

89. What are they

90. Is it easy to downsize labour in NSEZ
   (i) Yes     (ii) No

91. Reasons for the same
   (i) Support of customs officials
   (ii) Requirement of gate pass for entry
   (iii) Legal requirements (specify)
   (iv) Ease with which excess workforce can be reduced in NSEZ
   (v) Any other (specify)

92. How many job terminations have happened in the past three years (specify categories of workers)
   (i) 1-5       (ii) 6-10       (iii) 10-20       (iv) 20-30       (v) 30-40       (vi) 40-50       (vii) Above 50

93. Reasons for the same
   (i) Economic downturn
   (ii) Misconduct of workers
   (iii) Dwindling performance of workers
   (iv) Absentism
   (v) Union activity
   (vi) Any other (specify)

94. Is there any procedure for termination of job (please specify)

95. Did any worker challenge the termination
   (i) Yes     (ii) No

96. Reasons for the same
   (i) S/he was at fault (specify)
   (ii) Contract worker
   (iii) Fear of being blacklisted
   (iv) Non-availability of support system (union, court, labour dept.)
97. Has any worker ever been reinstated after termination  
   (i) Yes  (ii) No  (iii) Don’t know

98. What terminal benefits are given to the worker (specify)

99. Does the provision of terminal benefits affect the economic viability of the unit.  
   (i)Yes  (ii) No

100. How frequent are the disputes between workers and management
   (i)Very frequent  (ii)Frequent  (iii)Not frequent  (iv) Rare  (v) Never

101. Reasons for the same
   (i) Good HR management
   (ii) Workers satisfied
   (iii) No unionization
   (iv) Abundant supply of labour

102. Has there been an inspection of your unit to check conditions of labour
   (i) Yes  (ii) No  (iii) Don’t Know

103. How frequent are inspections
   (i) Very Frequent  (ii) Frequent  (iii) Not so frequent  (iv) Rare

104. Who conducts inspection
   (i) SEZ Authorities  (ii) International Co/Agency  (iii) Labour dept.  (iv) Don’t Know

105. Do they interact with the workers  
   (i) Yes  (ii) No

106. Has there been any accident in your unit in the past three years  
   (i) Yes  (ii) No  (iii) Don’t know

107. If yes, did anyone get injured in the accident  
   (i) Yes  (ii) No  (iii) Don’t know

108. If yes, did he receive any compensation  
   (i) Yes  (ii) No  (iii) Don’t know

109. Did payment of compensation affect the performance of the unit in that year  
   (i) Yes  (ii) No

110. What happens in case of a dispute
    (i) The worker is not allowed to enter the NSEZ
    (ii) Disciplinary action is taken against him
    (iii) Salary or leave is deducted
    (iv) Dismissal
    (v) Strike
    (vi) Demonstration outside the unit
    (vii) Any other

111. Who mostly initiates dispute resolution
112. What method is adopted for dispute resolution
(i) Efforts to bring conciliation facilitated by people within the unit
(ii) Efforts to bring conciliation facilitated by NSEZ administration (which officer)
(iii) Efforts to bring conciliation facilitated by central trade union representative
(iv) Efforts to bring conciliation facilitated by trade union of the unit
(v) Any other

113. What happens if negotiation or conciliation fails

114. Has the dispute ever gone to the labour court for adjudication
(i) Yes  (ii) No

115. If so, when does the matter go to the labour court

116. Does your unit have a grievance committee
(i) Yes  (ii) No

117. How many members does the grievance committee have ________________________

118. What is the number of following in the grievance committee
   (i) Managers  (ii) Supervisors  (iii) Workers  (iv) Any other (specify)

119. Is there a canteen in your unit
(i) Yes  (ii) No

120. If yes, does it provide subsidized food
(i) Yes  (ii) No

121. Does your unit give bonus to the workers
(i) Yes  (ii) No

122. How much is the bonus _____________________
APPENDIX – 2.1

LABOUR RIGHTS OF DIFFERENT CATEGORIES OF NON-IT WORKERS WORKING IN SEZ UNITS VIS-À-VIS THE SEZ ENTREPRENEURS¹

<table>
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<th>S.No.</th>
<th>Nature of Right</th>
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<th>Temporary Worker</th>
<th>Contract Worker</th>
<th>Apprentice</th>
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<td>7</td>
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</tbody>
</table>

¹ For the purposes of this table all the other pre-requisites to be satisfied for the entitlement to these rights have been presumed to exist.

² Since contract workers are employees of the contractor and not the principal employer the obligation to pay bonus is that of the contractor. However if bonus is progressively viewed as the wage for the 13th month and the contractor fails to pay the bonus the obligation will get shifted to the principal employer.
## APPENDIX – 2.2

### LABOUR RIGHTS OF DIFFERENT CATEGORIES OF IT WORKERS WORKING IN SEZ UNITS VIS-À-VIS THE SEZ ENTREPRENEURS

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³ For the purposes of this table all the other pre-requisites to be satisfied for the entitlement to these rights have been presumed to exist.

⁴ L stands for limited right. In this case termination on the completion of project does not amount to retrenchment but termination before the completion of the project (not envisaged in the contract) would amount to retrenchment.

⁵ L stands for limited right. In this case termination on the date envisaged in the contract does not amount to retrenchment but termination before that under conditions not provided for in the contract would amount to retrenchment.

⁶ Currently in Haryana IT/ITES units are being governed by the ‘Punjab Shops and Establishments Act’ however, as argued in chapter 2 IT/ITES units fall within the definition of ‘factory’ under the Factories Act, 1948 and in that case the IT/ITES workers would be entitled to a right to a canteen in their units.
### APPENDIX – 2.3

**COMPARATIVE TABLE SHOWING INTERNATIONAL AND DOMESTIC NORMS REGARDING LABOUR RIGHTS APPLICABLE IN SEZs**

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Nature of Right</th>
<th>International Norm</th>
<th>Ratification of ILO Conventions by India (Date of Ratification)</th>
<th>Domestic Norm</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Rights in case of retrenchment</td>
<td>Termination of Employment Convention, 1982 (No. 158)</td>
<td>-</td>
<td>The Industrial Disputes Act, 1947, Uttar Pradesh Industrial Disputes Act, 1947</td>
</tr>
<tr>
<td>2</td>
<td>Rights in case of Termination as Punishment</td>
<td>Termination of Employment Convention, 1982 (No. 158)</td>
<td>-</td>
<td>The Industrial Employment (Standing Orders) Act, 1946; The Payment of Wages Act, 1936; The Industrial Disputes Act, 1947, Uttar Pradesh Industrial Disputes Act, 1947</td>
</tr>
<tr>
<td>3</td>
<td>Rights against Termination on account of Union Activity</td>
<td>Termination of Employment Convention, 1982 (No. 158)</td>
<td>-</td>
<td>The Constitution of India, 1950, Article 19 (1)(c); The Industrial Disputes Act, 1947; Uttar Pradesh Industrial Disputes Act, 1947; Judicial precedents on unfair labour practices</td>
</tr>
<tr>
<td>5</td>
<td>Right to Bonus</td>
<td></td>
<td>-</td>
<td>The Payment of Bonus Act, 1965</td>
</tr>
</tbody>
</table>
## APPENDIX – 2.3

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</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Right to Decent working hours</td>
<td>ICESCR, Article 7(d) Hours of Work (Industry) Convention (001), 1919</td>
<td>14th July, 1921</td>
<td>The Factories Act, 1948; The Industrial Employment (Standing Orders) Act, 1946; The Punjab Shops and Commercial Establishment s Act, 1958</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Forty-Hour Week Convention (047), 1935</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Weekly Rest (Industry) Convention, 1921, (014)</td>
<td>11th May, 1923</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Holidays with pay Convention (No. 132), 1970</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Right to Extra Payment for Overtime</td>
<td>Holidays with Pay Convention (No. 132), 1970</td>
<td></td>
<td>The Factories Act, 1948; The Punjab Shops and Commercial Establishment s Act, 1958</td>
</tr>
<tr>
<td>8</td>
<td>Right to Leave</td>
<td>Holidays with Pay Convention (No. 132), 1970</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Access to Canteen</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Right to Health Insurance</td>
<td>ICESCR, Article 9 The Social Security (Minimum Standards) Convention, 1952 (102)</td>
<td>-</td>
<td>The Employees’ State Insurance Act, 1948</td>
</tr>
<tr>
<td>11</td>
<td>Right to Provident Fund</td>
<td>The Social Security (Minimum Standards) Convention, 1952 (102)</td>
<td>-</td>
<td>The Employees’ Provident Funds and Miscellaneous Provisions Act, 1952</td>
</tr>
<tr>
<td>12</td>
<td>Right to Gratuity</td>
<td>The Social Security (Minimum Standards) Convention, 1952 (102)</td>
<td>-</td>
<td>The Payment of Gratuity Act, 1972</td>
</tr>
<tr>
<td>13</td>
<td>Right to Accident Compensation</td>
<td>The Employment Injury Benefits Convention, 1964 (No. 121)</td>
<td>-</td>
<td>The Employees Compensation Act, 1923</td>
</tr>
<tr>
<td>14</td>
<td>Right to Freedom of Association</td>
<td>Freedom of Association and Protection of the Right to Organise</td>
<td></td>
<td>The Constitution of India, 1950, Article 19 (1)(c); The Trade Unions</td>
</tr>
</tbody>
</table>
## APPENDIX – 2.3

**COMPARATIVE TABLE SHOWING INTERNATIONAL AND DOMESTIC NORMS REGARDING LABOUR RIGHTS APPLICABLE IN SEZs**

<table>
<thead>
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<th>International Norm</th>
<th>Ratification of ILO Conventions by India (Date of Ratification)</th>
<th>Domestic Norm</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Right to Social Dialogue</td>
<td>Convention, 1948 (No. 87)</td>
<td>-</td>
<td>The Special Economic Zones Act, 2005; The Employees’ State Insurance Act, 1948; The Employees’ Provident Funds and Miscellaneous Provisions Act, 1952</td>
</tr>
<tr>
<td>16</td>
<td>Right to Effective Implementation of Rights</td>
<td>Labour Inspection Convention, 1947 (No. 81)</td>
<td>7th April, 1949</td>
<td></td>
</tr>
</tbody>
</table>
### APPENDIX – 4.1

**SEZs Labour Law Regimes established through State legislations, Policies and Notifications**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Implementation Authority</td>
<td>DC</td>
<td>DC</td>
<td>DC</td>
<td>DC</td>
<td>DC</td>
<td>DC</td>
<td>DC</td>
<td>DC</td>
<td>DC</td>
<td>DC</td>
</tr>
<tr>
<td>Labour Inspection</td>
<td>Accredited Agencies</td>
<td>Inspection in consultation with DC</td>
<td>-</td>
<td>No inspection without prior approval of DC</td>
<td>Accredited Agencies, Inspections in consultation with DC and his prior approval</td>
<td>Accredited Agencies</td>
<td>Accredited Agencies</td>
<td>Accredited Agencies</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Returns under labour laws</td>
<td>Consolidate Annual report</td>
<td>-</td>
<td>Self Certification</td>
<td>Single Reporting Format</td>
<td>Single Reporting Format</td>
<td>Consolidate Annual report, self certification</td>
<td>Consolidate Annual report</td>
<td>-</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Single window clearance under labour laws</td>
<td>Provided</td>
<td>-</td>
<td>Provided</td>
<td>Provided</td>
<td>Provided</td>
<td>Provided</td>
<td>Provided</td>
<td>Provided</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

Gujarat SEZ Act and SEZ policies of Madhya Pradesh, Maharashtra and Jharkhand envisage changes in different labour related legislations. However, as they stand repugnant to the central legislation unless consented to by the President therefore they have not been mentioned in the table.

Kerala SEZ Policy specifically and affirmatively provides for non-exemption of SEZs from labour laws. It also explicitly recognizes applicability of Contract Labour (Regulation and Abolition) Act, 1970 in SEZs. Unlike other states it does not establish a special mechanism for implementation of labour laws in SEZs.
### Appendix 4.2

**Powers of Labour Commissioner of Haryana under various labour legislations**

<table>
<thead>
<tr>
<th>Sr.No</th>
<th>Name of the Act</th>
<th>Labour Commissioner</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Contract Labour (Abolition and Regulation) Act.</td>
<td>Registering &amp; Licensing Officer</td>
</tr>
<tr>
<td>2.</td>
<td>Trade Unions Act.</td>
<td>Registrar</td>
</tr>
<tr>
<td>3.</td>
<td>Industrial Disputes Act.</td>
<td>Conciliation Officer</td>
</tr>
<tr>
<td>4.</td>
<td>Payment of Wages Act.</td>
<td>Inspector</td>
</tr>
<tr>
<td>6.</td>
<td>Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act.</td>
<td>Registering &amp; Licensing Authority</td>
</tr>
<tr>
<td>7.</td>
<td>Maternity Benefit Act.</td>
<td>Inspector</td>
</tr>
<tr>
<td>11.</td>
<td>Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act.</td>
<td>Inspector</td>
</tr>
<tr>
<td>13.</td>
<td>Equal Remuneration Act.</td>
<td>Appellate Authority</td>
</tr>
<tr>
<td>14.</td>
<td>Sales Promotion Employees Act.</td>
<td>Inspector</td>
</tr>
<tr>
<td>16.</td>
<td>Employees Compensation Act</td>
<td>_</td>
</tr>
<tr>
<td>17.</td>
<td>Industrial Employment (Standing Orders) Act.</td>
<td>Inspector</td>
</tr>
<tr>
<td>21.</td>
<td>The Factories Act</td>
<td>Chief Inspector of Factories</td>
</tr>
</tbody>
</table>

Powers of Labour Commissioner in Uttar Pradesh

Uttar Pradesh Labour Commissioner Organisation headed by the Labour Commissioner who is the head of the department of labour is entrusted with the responsibility of ensuring harmonious industrial relations in establishments and safe work environment in factories; implementation of guaranteed benefits and rights to workmen employed in establishments and factories stipulated under the various labour laws.2

The Labour Commissioner of Uttar Pradesh is entrusted with the enforcement of the following labour laws

1. The Beedi and Cigar Workers (Conditions of Employment) Act, 1966
2. The Bonded Labour System (Abolition) Act, 1976
3. The Building and Other Construction Workers’ (Regulation of
4. The Building and Other Construction Workers' Welfare Cess Act, 1996
5. The Child Labour (Prohibition and Regulation) Act, 1986
6. The Contract Labour (Regulation and abolition) Act, 1970
7. The Equal Remuneration Act, 1976
8. The Factories Act, 1948
9. The Industrial Disputes Act, 1947
10. The Industrial Employment (Standing Orders) Act, 1946
11. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979
12. The Indian Boilers Act, 1923
13. The Labour Laws (Exemption from Furnishing Returns and Maintaining
15. The Minimum Wages, Act 1948
17. The Payment of Bonus Act, 1965
18. The Payment of Gratuity Act, 1972
19. The Payment of Wages Act, 1936
20. The Plantation Labour Act, 1951
21. The Sales Promotion Employees (Condition of Service) Act, 1976
22. The Trade Union Act, 1926
23. The Weekly Holidays Act, 1942

2http://labour.up.nic.in/labourcommissioner/pdf/citizen.pdf
24. The Working Journalists and other Newspapers Employees (Conditions of Service) and Miscellaneous Provisions Act, 1958
25. The Working Journalists (Fixation of Rates of Wages) Act, 1958
26. The Workmen's Compensations Act, 1923
27. The U.P. Dookan Aur Vanijya Adhishthan Adhiniyam, 1962
29. The U.P. Industrial Dispute Act, 1947
30. The U.P. Industrial Establishments (National Holidays) Act, 1961
31. The U.P. Industrial Peace (Timely Payment of Wages) Act, 1978
33. The U.P. Labour Welfare Fund Act, 1965
34. The U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act, 1950
Appendix – 8.1
CHART SHOWING ADMINISTRATIVE STRUCTURE OF NOIDA SEZ
FOCUSING ON LABOUR ADMINISTRATION

1 Assistant Development Commissioner.
2 Export oriented Units.
3 Upper Division Clerk.
4 Lower Division Clerk.
### Appendix 9.1

#### Conditions of Blue Collar NSEZ and Non-SEZ Workers at a Glance

<table>
<thead>
<tr>
<th>S.No</th>
<th>Right</th>
<th>NSEZ</th>
<th>Non-SEZ</th>
<th>Non-SEZ workers Better Off</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Precarious work</td>
<td>Higher 58.1%</td>
<td>Lower 57.1%</td>
<td>B (marginally)</td>
</tr>
<tr>
<td>2</td>
<td>No letter of appointment</td>
<td>Lower 71.3%</td>
<td>Higher 83.7%</td>
<td>W</td>
</tr>
<tr>
<td>3</td>
<td>Average wage</td>
<td>Rs. 5163</td>
<td>Rs. 6136</td>
<td>B¹</td>
</tr>
<tr>
<td>4</td>
<td>Top wage band</td>
<td>Lower</td>
<td>Higher</td>
<td>B</td>
</tr>
<tr>
<td>5</td>
<td>Bottom wage band</td>
<td>Higher</td>
<td>Lower</td>
<td>B</td>
</tr>
<tr>
<td>6</td>
<td>%age with Fixed wage</td>
<td>Lower 52.2%</td>
<td>Higher 63.3%</td>
<td>W²</td>
</tr>
<tr>
<td>7</td>
<td>Receipt of DA</td>
<td>Higher 22.8%</td>
<td>Lower 12.2%</td>
<td>W</td>
</tr>
<tr>
<td>8</td>
<td>Hrs of work (9-13 hrs)</td>
<td>Higher 22.1%</td>
<td>Lower 20.4%</td>
<td>B</td>
</tr>
<tr>
<td>9</td>
<td>Prevalence of OT</td>
<td>Higher 72.8%</td>
<td>Lower 59.2%</td>
<td>B³</td>
</tr>
<tr>
<td>10</td>
<td>Frequency of OT</td>
<td>Higher 55.8%</td>
<td>Lower 46.9%</td>
<td>B</td>
</tr>
<tr>
<td>11</td>
<td>Extra Payment for OT</td>
<td>97.9% (out of those who mentioned prevalence of overtime)</td>
<td>96.5% (out of those who mentioned prevalence of overtime)</td>
<td>W</td>
</tr>
<tr>
<td>12</td>
<td>Receipt of Double OT</td>
<td>11.4% (out of those who mentioned extra payment for overtime)</td>
<td>11.5% (out of those who mentioned extra payment for overtime)</td>
<td>Comparable</td>
</tr>
<tr>
<td>13</td>
<td>Same rate of OT</td>
<td>87.6%</td>
<td>84.6%</td>
<td>B</td>
</tr>
<tr>
<td>14</td>
<td>Entitlement to leave</td>
<td>Higher 40%</td>
<td>Lower 36.7%</td>
<td>W</td>
</tr>
<tr>
<td>15</td>
<td>Receipt of Bonus</td>
<td>Lower 72.5%</td>
<td>Higher 85.7%</td>
<td>B</td>
</tr>
<tr>
<td>16</td>
<td>Receipt of min bonus</td>
<td>65.4%</td>
<td>55.5%</td>
<td>W</td>
</tr>
<tr>
<td>17</td>
<td>Receipt above min bonus</td>
<td>12.3%</td>
<td>3.7%</td>
<td>W</td>
</tr>
<tr>
<td>18</td>
<td>Less than min bonus</td>
<td>16%</td>
<td>37%</td>
<td>W</td>
</tr>
<tr>
<td>19</td>
<td>PF</td>
<td>Higher 64%</td>
<td>Lower 57%</td>
<td>W</td>
</tr>
<tr>
<td>20</td>
<td>PF Slip</td>
<td>Higher 52.8%</td>
<td>Lower 50%</td>
<td>W</td>
</tr>
<tr>
<td>21</td>
<td>ESI card</td>
<td>Higher 61.1%</td>
<td>Lower 53.1%</td>
<td>W</td>
</tr>
<tr>
<td>22</td>
<td>Receipt of Gratuity</td>
<td>Higher 75.4%</td>
<td>Lower 61.1%</td>
<td>W</td>
</tr>
<tr>
<td>23</td>
<td>Employment Injury Compensation</td>
<td>Lower 38%</td>
<td>Higher 42.8%</td>
<td>B</td>
</tr>
<tr>
<td>24</td>
<td>Unit specific Union</td>
<td>Absent</td>
<td>Present</td>
<td>B</td>
</tr>
</tbody>
</table>

¹*B* refers to better off non-SEZ workers.

²*W* refers to worse off non-SEZ workers.

³ Higher prevalence of overtime indicates lesser employment generation.
### Appendix 9.1

**Conditions of Blue Collar NSEZ and Non-SEZ Workers at a Glance**

<table>
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<tr>
<th>S.No</th>
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<th>Non-SEZ workers Better Off</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>Ease in Unionising</td>
<td>Lower 4.1%</td>
<td>Higher 23%</td>
<td>B</td>
</tr>
<tr>
<td>26</td>
<td>Discouragement of unionisation</td>
<td>Higher 16.9%</td>
<td>Lower 6.1%</td>
<td>B</td>
</tr>
<tr>
<td>27</td>
<td>Pressure from management against unionisation</td>
<td>Higher 31.6%</td>
<td>Lower 16.3%</td>
<td>B</td>
</tr>
<tr>
<td>28</td>
<td>Fear of losing job because of unionisation</td>
<td>Higher 7.4%</td>
<td>Lower 2%</td>
<td>B</td>
</tr>
<tr>
<td>29</td>
<td>Dismissals</td>
<td>Lower 33.8%</td>
<td>Higher 49%</td>
<td>W</td>
</tr>
<tr>
<td>30</td>
<td>Outright dismissal on account of dispute</td>
<td>Higher 61.8%</td>
<td>Lower 47.3%</td>
<td>B</td>
</tr>
<tr>
<td>31</td>
<td>Strike</td>
<td>Lower 5.4%</td>
<td>Higher 10.5%</td>
<td>B</td>
</tr>
<tr>
<td>32</td>
<td>Deduction in salary</td>
<td>Lower 1.8%</td>
<td>Higher 15.7%</td>
<td>W</td>
</tr>
<tr>
<td>33</td>
<td>Reinstatement with salary</td>
<td>Lower 4.4%</td>
<td>Higher 8.2%</td>
<td>B</td>
</tr>
<tr>
<td>34</td>
<td>Reinstatement without salary</td>
<td>Higher 25%</td>
<td>Lower 10.2%</td>
<td>W</td>
</tr>
<tr>
<td>35</td>
<td>Payment of dues in less than a month</td>
<td>Lower 30.9%</td>
<td>Higher 38.8%</td>
<td>B</td>
</tr>
<tr>
<td>36</td>
<td>Labour Inspections</td>
<td>Lower 43.4%</td>
<td>Higher 49%</td>
<td>B</td>
</tr>
<tr>
<td>37</td>
<td>Frequency of Inspections</td>
<td>Lower 22.8%</td>
<td>Higher 28.5%</td>
<td>B</td>
</tr>
<tr>
<td>38</td>
<td>Voicing of Concerns to Inspectors</td>
<td>Lower 5.9%</td>
<td>Higher 10.2%</td>
<td>B</td>
</tr>
</tbody>
</table>