CHAPTER III
LABOUR WELFARE MEASURES ADOPTED BY THE GOVERNMENT: AN ANALYSIS

- EVOLUTION OF LABOUR WELFARE MEASURES UNDERTAKEN BY THE GOVERNMENT
- LABOUR WELFARE FACILITIES UNDER WELFARE FUNDS
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Labour Welfare Measures adopted by the Government: An Analysis

The crux of the problem of labour welfare, whether under legislative compulsion or otherwise, is to determine the respective roles to be played by the State, the employers, trade unions and voluntary agencies. The role of the State varies from country to country, depending on the stage of economic and social development. The role of financial resources is too crucial in this connection. In under-developed and developing countries like India, where the standard of living of the people is low and resources of the State are limited, it is not possible for the state to undertake and discharge diverse responsibilities to the desired extent. Under such circumstances, the need arises for laying down statutorily for some sort of social minima, indicating the responsibility for carrying out the welfare services. The minima would vary as between industries, depending upon the various factors including their financial soundness. The standard will relatively be higher in a large scale industrial unit than in a small decentralized industrial unit.

Apart from the legislative responsibility, the State as an employer has the basic social responsibility of acting as a model employer and to provide all types of welfare amenities to its workers. The state might also directly sponsor welfare programmes in the areas where workers live. Some of the measures like general education upto certain stage and public health are more appropriate for the State action.

Evolution of labour Welfare Measures undertaken by the Government

Industrialization of India started prior to the First World War, but since the beginning the British Government was quite indifferent to the welfare needs of the laboring class. Welfare work in India was mainly a product of the stresses and strains during the First World War. Before this period, there were only isolated
instances of welfare work, mostly by outside agencies on humanitarian ground. The first Factories Act was passed in 1911 and subsequently revised in 1922. It provided certain measures for the health and safety of the workers were treated as an another cog of machinery. After the First World War, the impetus given to welfare work was caused by the necessity to maintain the goodwill of the large and rather freshly recruited wartime labour force and to gear them to increased production. Further, the industrial expansion and the concomitant processes of mass production led to the rise of the working class as a source of power.\(^1\)

The Factories Act, enacted in 1934 by the Central Government for the first time, provided for the maintenance of suitable and sufficient water supply for drinking and washing purposes, adequate shelter for rest in factories employing more than 150 persons, reservation of suitable rooms for the use of children of women employed, and the maintenance of adequate first-aid appliances. The then Provincial Governments were, however, contended with enforcing the Central Acts relating to labour conditions, besides enacting a few of their own, and did not actively concern themselves with any welfare measures directly. This policy of non-intervention was replaced by one of active intervention, though on a small in some provinces, during the regime of the popular ministries during 1937-39.\(^2\) The labour welfare work sponsored by employees also did not reach a great majority.\(^3\)

During the Second World War, the movement for provision of welfare facilities received a further impetus, especially in respect of feeding facilities including supply of essential food articles. During the Second World War, the Government of India, launched schemes of welfare in its ordinance and ammunition factories to keep morale and boost war production. The services of reputed labour leaders were also availed of for advising Government in regard to labour welfare programmes.

However, labour welfare activities started gaining ground after the Second World War, when the British Government revised and introduced many labour laws
that aimed at improving employment conditions, including welfare of the working class. It was only after independence that the problem of labour welfare was given due attention when the socialistic pattern of society was adopted for achieving various socio-economic goals of the country. After the end of Second World War, both the Central and the State Governments evinced more interest in undertaking welfare work for workers. While the Central Government confined itself to the framing of sections of workers like workers in oil fields and mines as well as the Central Government undertakings, the State Governments were quite active in the setting up of welfare centres. The Central Government also appointed welfare advisers and officers. The Government also persuaded employers to improve their welfare schemes, but there was no notable difference in their attitudes.

The Labour Investigation Committee was inclined to agree with the observation of Dr. B.R. Seth that “the vast majority of industrialists in India still regard welfare work as a barren liability rather than a wise investment.” He further observed that “on the whole it may be stated that employers who take a most indifferent and nonchalant attitude towards welfare work and say that no rest shelters are provided as the whole premises belong to the workers themselves, no latrines are provided because workers prefer to open places, no canteens and sports are necessary because they are not likely to make use of such facilities and so on constitute the majority.” The Rege Committee had, therefore, pointed out that “unless the precise responsibilities of employers in regard to welfare work are defined by law, such employers are not likely to fall in line with their move enlightened and far sighted conferers.”

The 1946 Programme for Labour in regard to working conditions, suggested over-hauling of legislative measures to promote labour welfare. The elements relating to labour welfare in this programme were:

(i) Provision of medical treatment inside the establishment,

(ii) Provision of crèches and canteens, and
(iii) Welfare of the coal and mica mining labour.

To give effect to these components of the programme, the Government considered it urgent in 1947 to amend the Factories Act, 1934 in an extensive manner. In regard to mining industry as well, separate welfare enactments for coal and mica mines were introduced. They were also followed by the separate legislation for plantation workers.

The **Directive Principles of State Policy** in Indian Constitution refer generally to the promotion of the welfare of people when they lay down that “the state shall strive to promote the welfare of the people by securing and protecting as effectively as it may a social order in which justice, social, economic and political, shall inform all the institutions of national life.” In its specific application to the working class, “securing just and humane conditions of work.” has been highlighted with a view to ensure them provision of a decent standard of life and full enjoyment of leisure and social and cultural opportunities.” (Article 43) These Principles also refer to taking of the steps to secure the participation of workers in the management of industries. Article 45 also deals with provision of free and compulsory education for children which impliedly includes those of goals of the country, the matter got a further impetus plan, a specific reference to labour welfare was made either direct or indirect.

**Labour Welfare Measures during the Plan Period**

The **First Plan** emphasized effective implementation of various statutory provisions. With respect to labour, the First Plan (1951-56) had shown very much apathetic attitude; it remarked that “the welfare needs of the urban workers were assumed to be adequately met by the prevailing State Government Schemes.” However, during this period, quite a good number of labour laws were passed that effected labour welfare either directly or indirectly, a few important are the Plantations Act, 1951, The Mines Act, 1952, The Employee Provident Fund Act, 1952.
The policy spelt out in the First Plan continued to be followed during the Second Plan recommended undertaking a comprehensive survey of welfare activities. It was expected that such survey would provide a comprehensive picture of changes taken place in respect of different aspects of labour welfare and thereby serve a useful purpose for future assessment and formulation of policies. In view of the close association between labour efficiency and welfare Government at one time thought of securing acceptance of a Code of Efficiency and Welfare which was drawn up by a Committee appointed by it. The Code had, in fact, sought to make a more positive approach to the question of productivity than the Codes of Discipline and of the inter-union Conduct. It reflected the recognition of the need to bring the question of welfare within the scope of discussion of efficiency. It proceeded systematically to define parties’ obligation to secure their acceptance by their respective representatives and make provision for implementation and follow-up. The Code, as drafted, went through various stages of discussion in the Indian Labour Conference and the National Productivity Council. The decision to enforce the code on voluntary basis could however, not be implemented. Some of the elements of the Code were later on included in the Industrial Truce Resolution of 1962.

During Second Five Year Plan (1956-61), the importance of good working conditions was realized in the welfare of workers. As such, a significant statement was made in the plan regarding the principles governing labour welfare. It suggested the Constitution of welfare fund either by Government or the employers for the workers. During the period the coverage of labour laws affecting welfare of workers was increased. Also, the coverage of the Employees’ State Insurance Scheme was extended. A comprehensive scheme for Dock workers known as Dock Workers’ (safety health and welfare) was given final shape in 1961. Besides these, the State Government also framed labour laws for regulating working conditions in different establishments, wherein labour welfare activities were given due consideration.
The **Third Five Year Plan (1961-66)** reiterated the proposition made in the earlier Plans that legislation enacted for the protection, safety and welfare of workers was adequate and better enforcement was all that was needed. This Plan made no specific reference to welfare but stressed that for improving work efficiency and welfare within the establishment should be ensured. As such, the State Governments were asked to strengthen the factory inspectorate for the efficient implementation of various enactments. A few important labour laws that were enacted during this period included Acts like the Maternity Benefit Act, 1961, Apprenticeship Act, 1961, Iron or Mines Labour Welfare Cess Act, 1961 and the Payment of Bonus Act, 1965.

The **Fourth Plan (1969-74)** without making any specific reference to the labour welfare stressed that welfare within the establishment is a pre-requisite for work efficiency. However, financial allocation for various labour welfare programmes in operation was made. In this plan, greater emphasis was placed on increasing the scope of E.S.I.S. It was emphasized that it should include all workers in factories, shop and other business institutions where power is not used. During the Fourth Plan the important legislation that had a lot to bear with labour welfare were passed by the Parliament. A few notable are Contract Labour (Regulation and Abolition) Act, 1970, the Payment of Gratuity Act, 1972, and the Employees Family Pension Scheme.

In the history of labour welfare measures, the recommendations of the Fifth Five Year Plan (1974-79) are considered as a landmark. The plan emphasized that the labour welfare work should not be used as a vehicle to curb industrial unrest. To encourage labour welfare activities, the establishment of tripartite bodies was considered essential for the effective implementation of labour laws. For promoting industrial safety, the plan provided for setting up of safety cells in various states. During this period, the Beedi Worker Welfare Fund Act, 1976 and the Iron Ore Mine, Manganese Ore Mine and the Chrome Ore Mines Labour Welfare Fund Act were enacted. In addition to it a heavy amount of Rs 57 crore was provided for
labour welfare, including craftsmen training and employment services with respect to labour welfare

The **Sixth Five Year Plan (1980-85)** remarked that “the thrust of the programme should be on implementing effectively the means contemplated in different legislative enactments and expanding the coverage of the employees’ state insurance scheme, the employees’ provident fund and the family pension schemes. Special programmes would also need to be undertaken by the State governments for the benefit of agriculture labour workers and other organized workers in rural and urban areas.” For the plan period, an outlay of Rs.161.9 crore was proposed for labour and labour welfare.

The **Seventh Five Year Plan (1985-90)** placed greater emphasis on the welfare of workers of the unorganized sector as unorganized sector constitutes more than 90 percent of the total labour force. The plan, in this regard remarked that, “the effective implementation of the existing legislation would greatly improve matters for the unorganized urban workers efforts should be made not only to train and upgrade the skills of workers but also to educate them and make them aware of the programmatic and legislative provisions available to them. Genuine and effective voluntary organizations should be involved in the process of organizing the poor and in actual implementation of the schemes.” In the plan, special emphasis has been put on the welfare of child and women labour.

The **Eighth Plan (1992-97)** remarked that, “workers in the organized sector, who constitute 90 per cent of the total working force, by and large, do not give access to those benefits normally enjoyed by workers of urban areas. Therefore, steps need to be undertaken on a large scale than before to improve the quality of working life of the unorganized workers, including women workers. The expenditure on labour and labour welfare work which was registered Rs 485.14 crore rose to Rs 1315.39 crore in Eighth Plan which is an indicator of Government’s seriousness towards labour welfare measures.
The funds which are allocated under different plans are utilized for running various labour welfare schemes at the central level such as-

(i) upgradation and modernization of the Government it is with a view to enhance the quality of workers education and training,

(ii) grants-in-aid to the State Governments for establishing it is for women;

(iii) financial assistance to the agencies for the identification of bonded and child labour through various programmes.

In subsequent plans efforts have been made by the Union Government as well as State Governments for the strict implementation of the Acts previously enacted so that the health, job security, skill and social security of the workers may be ensured. Time to time a review of labour welfare measures in various Indian industries is made by the Government. It is done under the two broad heads:

(1) welfare within the precincts of the establishment and

(ii) welfare outside the establishment.

Such review is prefaced by on account of various statutory requirements, their critical assessment as well as the analysis of respective role of various agencies who have been assigned the work of labour welfare. The statutory welfare requirements can be classified into two heads:

(i) those which have to be provided irrespective of the size of the enterprises or the number of persons employed therein; such as washing, storing and drying of clothing, drinking water, latrines and urinals, and

(ii) those which are to be provided subject to employment of a specified number of persons, such as canteens, rest shelters, crèches and ambulance rooms.

The scope of various legislations providing for such welfare amenities also varies from industry to industry and as between different types of amenities. A few examples are –
The Factories Act is applicable only to factories employing 10 or more workers with power, or 20 or more workers in factories without using power.

The mines Act is applicable to all types of mines,

The Plantation Labour Act is applicable to gardens with certain minimum area and number of workers, the State Government has been empowered to notify its application for a plantation which may be smaller both in size and employment.

**Labour Welfare Centres**

For undertaking welfare activities, both the States as well as Union Territories have been maintaining labour welfare centres. These welfare centres are either directly managed by the State Governments or through ‘State Labour Welfare Boards.’ These welfare centres of the country provide facilities pertaining to games, recreation, library, reading rooms, workers’ education and training programmes to the workers. The other activities which are also undertaken at these centres include adult education, entertainment and cultural activities, health and hygiene programmes, nursery schools, and Shishu Mandirs for children, training in carpentry, tailoring, embroidery, library services, craft training, music classes, cinema shows and vocational training to the tea garden workers.

**Labour Welfare: Legal Side**

The Government of India, with a view to enhancing welfare and well-being of workers, has laid down elaborate provisions for labour welfare under different labour laws. The important laws in this regard are:

The details of welfare facilities available to workers under these Acts are discussed here in a nutshell.

(1) **The Factories Act, 1948**

It provides for:

(i) Washing facilities.

(ii) Facilities for storing and drying clothing.

(iii) Facilities for occasional rest for workers who are obliged to work standing.

(iv) First-aid boxes or cupboards—one for every 150 workers and the ambulance facility, if there are more than 500 workers.

(v) Canteens, if there are more than 250 workers.

(vi) Shelters, rest-rooms and lunch-rooms, if over 150 workers are employed.

(vii) Creche, if 30 or more women are employed.

(viii) Welfare officer, if 500 or more workers are employed.

The scale of standards pertaining to various welfare activities are laid down by the State Government.

(2) **The Plantation Act, 1951**

It makes provisions for:

(i) A canteen, if employing 150 or more workers.

(ii) Creche, if employing 50 or more women workers.

(iii) Recreational facilities for workers and their children.

(iv) Educational arrangements on the estates for the children of workers, if there are 25 workers’ children between the age of 6 and 12.
(v) Housing facilities for every worker and his family residing on the plantation, in accordance with the prescribed standard laid down by the State Governments.

(vi) Medical aid to workers and their families; sickness and maternity allowance.

(vii) Making available to workers such number and type of umbrella, blankets, raincoats or other like amenities for their protection against rain or cold, as prescribed by the State Government.

(viii) Welfare officer, if 300 or more workers are employed.

The scale of standards for aforesaid facilities are laid down by the respective State governments where plantations are located.

(3) **The Mines Act, 1951**

It provides for the following:

(i) Shelters for taking food and rest if 50 or more workers are employed.

(ii) First-aid boxes and first-aid rooms if more than 150 workers are employed.

(iii) A canteen, if 250 or more workers are employed.

(iv) A crèche, if 50 or more women workers are employed.

(v) Pit-head baths equipped with showers, sanitary latrines.

(vi) Welfare officer if 500 or more workers are employed.

(4) **The Motor Transport Workers Act, 1961**

The motor transport undertakings are required to provide for their workers:

(i) First-aid facilities equipped with the prescribed contents, to be kept in every transport vehicle;

(ii) Medical facilities at the operating and halting centres;

(iii) Canteen; if employing 100 or more workers;
(iv) Clean, ventilated, well-lighted and comfortable rest-rooms at every place where motor transport workers are required to halt at night;
(v) Uniforms raincoats to drivers, conductors and line checking staff for protection against rain and cold.
(vi) Prescribed amount of working allowance to the staff mentioned above.

(5) **The Merchant Shipping Act, 1958**

The main provisions of the Act with respect to the welfare of workers include:

(i) Crew accommodation.

(ii) Supply of hygienic drinking water.

(iii) Supply of necessary items like bedding, towel etc.

(iv) Maintenance of first-aid facilities, availability of doctors and provision of medical stores.

(v) Regular medical check-up and necessary medical assistance to all persons, including the crew, on foreign-going ships.

(vi) Appointment of a Seamen’s Welfare Officer for any ship as government seems fit.

(vii) Provision of hotels, clubs, canteen, library, educational facilities etc.

Under the Act, government is empowered to frame rules and regulations for the free to be paid by the shipowners for providing welfare amenities to the seamen.

(6) **Dock Workers’ (Safety, health and welfare) scheme 1961**

A comprehensive dock-workers’ (safety, health and welfare) scheme 1961 has been formed under the Dock Workers’ (Regulation of Employment) Act, 1948. The various welfare measures proposed under the act includes provisions pertaining to:
(i) Urinals and latrines.
(ii) Washing and bathing facilities.
(iii) Rest shelters and call stands.
(iv) Drinking water and canteen facilities.
(v) First-aid facilities.

Besides these facilities, certain extra mural labour welfare facilities are also made available to workers, such as provision of:

(i) Education facilities including adult education.
(ii) Sports and recreation.
(iii) Medical facilities.
(iv) Fair price shops and co-operative societies.

These and other welfare facilities are largely financed by Dock Worker’s Fund. The welfare board manages various aspects of welfare activities.

(7) **The Contract Labour (Regulation and Abolition) Act, 1970**

This Act provides that the following amenities shall be made available by contractors for their employees:

(i) Canteen, if employing 100 or more workers.

(ii) Rest rooms or other suitable alternative accommodation where contract labour is required to halt at night in connection with work of the establishment.

(iii) Washing facilities.

(iv) First-aid box equipped with the prescribed contents.

(8) **Inter-State Migrant Workmen (Regulation and Employment) and (Conditions of Service) Act, 1979**

Employment contractor, employing inter-state migrant workmen, shall provide:
(i) Suitable conditions of work;

(ii) Suitable residential accommodation to workers during the period of their employment.

(iii) Medical facilities for workmen, free of change;

(iv) Such protective clothing as may be prescribed;

Besides, the various laws discussed earlier, a few special labour welfare legislations have been enacted for the benefit of workers engaged in those industries where the health hazards are quite rampant, they are:


(4) The Beedi Workers Welfare Fund Act, 1976 and


These funds are created by levying a cess on varying rate on the manufacture, production, export or consumption of items. The amount so collected is utilized for providing medical, educational housing, recreation and other facilities to the workers.

The total system of welfare under these welfare funds is administered by the Ministry of Labour wherein the director-general (Labour Welfare) with the assistance of six regional commissioners carries out the scheme. For this purpose, the entire country is divided into nine regions. Each is headed by a regional labour welfare officer (see box-1). Each labour welfare officer raises and manages the welfare fund at its own jurisdiction.

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<th>S.No.</th>
<th>Name of Region</th>
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<td>Welfare Commissioner, Allahabad</td>
<td>UttarPradesh, Himachal Pradesh, Punjab, J&amp;K.</td>
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2. Welfare Commissioner, Bangalore  Karnataka & Kerala
4. Welfare Commissioner, Bhubneshwar  Orissa
5. Welfare Commissioner, Calcutta  West Bengal, Assam, Tripura and Meghalaya.
6. Welfare Commissioner, Hyderabad  Tamil Nadu and Andhra Pradesh
7. Welfare Commissioner Jabalpur  Madhya Pradesh
8. Welfare Commissioner, Karma  Bihar.

Source: Annual Report Ministry of Labour, 1995-96

Tripartite Welfare Fund advisory Committee

With a view to catalyze labour welfare activities, a separate tripartite advisory committee has been constituted by the Government both at the Central and State level under each labour welfare fund scheme. At the central level, the scheme is looked after by the Union Ministry of Labour. Most of the welfare activities are organized directly by labour welfare organization for undertaking welfare work, adequate financial assistance is made available to them and the employers through subsidies.

Labour Welfare Facilities under Welfare Funds

Labour welfare facilities made available to workers under different welfare funds may be put in brief as under:

(a) Assistance for Medical Facilities

There exists an elaborate system under which a variety of medical facilities are provided to mine workers. The medical infrastructure created and managed in different states of the country covers hospitals and dispensaries. The welfare funds maintaining these facilities are Mica Mines Labour Welfare Fund Iron Ore Mines,

Besides the strong medical infrastructure there also exists a system of diversified medical assistance under which workers are benefited depending on their pathological status as per table 3.2 given below:-

### Diversified Medical Assistance Under Welfare Funds

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(b) Educational Facilities Under Welfare Funds

Under educational facilities financial assistance is provided to the students. The schemes for which financial assistance is provided are –

1. Scholarships for children of mines, beedi and cine workers studying in class V and above in recognized institutions.

2. School uniforms to the wards of the mica mines and beedi workers studying upto class IV

3. Assistance for purchase of school buses to the mine management.


5. Scheme for establishment of library-cum-reading room.

6. Grants-in-aid for recognized schools in the iron ore mining areas.

7. Mid-day meals schemes.

8. Schools forwards of mica mine workers.
In the changed socio-economic milieu, in the recent past, the need for effective educational programmes for working in general and that of women, SC/ST workers in particular, has increased manifold. It is heartening to note that the Government has well-responded to this need of workers, which is obvious from the fact that heavy amounts are being incurred on this head from the labour welfare fund. As a result of this beedi, mine and cine workers are being benefited in large numbers.
(c) **Assistance for Recreational facilities**

With a view to cater recreational requirement of workers the labour welfare organization provides a variety of recreational and cultural facilities to them through a Multipurpose Institute (MPI) and Welfare Centres. The labour welfare activities undertaken by the institutes includes:

(i) Education of children and adults

(ii) Sorts and games for adult and children

(iii) Motivation of workers

(iv) Mid-day meals to children

Various schemes of recreational facilities run under welfare funds are:

(i) Grants-in-aid for excursion-cum-study towns

(ii) Audio-visual Sets and mobile cinema nits.

(iii) Television Sets

(iv) Organization of games and sports

(v) Buses for transportation of workers.

(d) **Assistance for Housing Facility**

Under the various welfare programmes, top priority is accord to housing facilities. Towards this end, the financial assistance is given to workers under all the housing schemes. These schemes are:

(i) Economically Weaker Section (EWS) Housing Scheme applicable to beedi workers.
(ii) Build your own Housing Scheme (BYOHS) applicable to beedi, mine workers in iron ore, manganese ore etc.

(iii) Tenement Housing for Mine Workers Type-1 (plinth area 270 sq. ft) scheme applicable to mine workers in iron ore, manganese or, chrome ore, limestone Dolomite mines

(iv) Construction of work sheds/Godown scheme applicable to beedi workers

Besides this, an additional subsidy is also made available to workers under “Build your own house” scheme for beedi and mine workers. The workers who have adopted a planned family also enjoy a corresponding reduction in the loan liability.

An ILO/UNFPA assisted project on family welfare education for Beedi producing states namely M.P., U.P., Orissa and the West Bengal since February, 1992. The main features of the project are as under:-

(a) family welfare services to the Beedi workers and their families through the 58 dispensaries being run in these states under the Beedi Workers’ Fund. The target is to bring about improvement in couple protection rate by 25 percent of the level existing at the start of the project and to meet the national goal of 60 percent protection and met reproduction of one.

(b) field workers numbering 390 have been selected from amongst the Beedi workers trained and deployed under the project. Refreshing training has also been imparted to them. Further, 900 TBA (Trained Birth Attendants) have been identified and got trained. Dispensable delivery Kits are being procured from DWACRA (Development of Women and Children in Rural Areas) groups for supplying to the TBAS have also been trained under the project; health camps are also being organized at the dispensaries. Fifty four Mahila Mandals have been formed at all static and static-cum-mobile dispensaries. The workers hold monthly motivational
meetings. Along with stress on family planning, MCH care and immunization; HIV/AIDS prevention activities have also been included in the project.

**State Welfare Fund Scheme**

Certain State Governments have created welfare funds for the benefit of different categories of workers. The facilities which are being provided include drinking water, conservancy, educational facilities, recreational facilities, canteens & crèches and medical facilities. The labour welfare measures undertaken by important States are summarized below:-

**Uttar Pradesh**

Initiated in 1937, with a modest budget provision of Rs. 10,000, the workers’ welfare programme of the Government of U.P., through setting up to 4 Labour Welfare Centres at Kanpur, was confined to welfare measures outside the place of work and served as a model to the employers and others interested in the upliftment of labour in the Province. Since the establishment of the Congress Government for the second time in 1946, the activities of the labour welfare section of the Department of Labour have steadily from time to time. The U.P. Labour Welfare Fund Act, 1965 has brought into existence the creation of a Fund to be utilized by the Welfare Board to defray expenditures on measures like –

(a) Community and social education centres;

(b) Public baths and washing places;

(c) Medical relief homes,

(d) Education facilities,

(e) Games and sports,

(f) Excursions, tours & holiday homes.
The welfare activities comprising of the outdoor and indoor games, Kirtan, inter-mill and inter-centre tournaments, provision of medical assistance, maternity work including free distribution of milk to patients, educational facilities, literary and cultural activities, are conducted by more than seventy welfare centres. These Welfare Centres have been classified into three classes, viz; A, B and C, on the basis of their activities. An ‘A’ class centre is provided with an allopathic dispensary, women’s and children’s section sewing class, indoor and outdoor games, gymnasium, wrestling pit, reading room and library, recreational and cultural facilities. Generally a ‘B’ class centre has all the facilities provided in an ‘A’ class centre except that it has a homoeopathic, ayurvedic or unani dispensary instead of an allopathic one. A ‘C’ class welfare centre is more or less like a club, with provision for indoor and outdoor game, library and reading room, besides other means of entertainment. Most of these centres have now been equipped with an ayurvedic or unani dispensary. There are seasonal centres also functioning during sugarcane crushing seasons.

Besides Welfare Centres, a large number of social service camps, organized at different occasions like fairs and festivals, have tried to develop spirit of social responsibility and team work amongst working class in the State. A number of youth clubs have also been in operation to channelize the energies of the youths constructively. Educational tours are also organized in order to get workers acquainted with extensive development work taking place in different regions and industrial undertakings.

Uttar Pradesh has the largest sugarcane sown area in the country. This is why sugar industry occupies a very significant role in the industrialization of the State as well its economy. The Government enacted the U.P. Sugar and Power Alcohol Industries Labour Welfare and Development Act, 1950 providing for setting up of a Fund mainly from the sum which the Government has acquired or may acquire by realizing from the sugar factories the difference between sale price of molasses fixed
by the Government for purposes of supply of power to alcohol factories and open sale price of molasses sold for other purposes. The Fund consists of three separate Accounts, viz:

(a) Housing Account,

(b) General Welfare Account, and

(c) Development Account.

According to the Rules framed under the Act, 98 per cent of the Fund is to be credited to the Housing Account and 1 per cent each to the other two Accounts. While the General Welfare Account is to meet expenditure for improvement of health and sanitation, provision of water supplies, educational, recreational and transport facilities, the Development Account is meant for provision of technical education and training to the workers.

**Maharashtra**

In 1939, the then Bombay Government organized model welfare centres, in the first instance, at 27 places with a sanctioned expenditure of Rs 1,20,000, raised subsequently to Rs. 2.50 lakh during the year 1944-45. These centres were classified according to the range of their activities. Outdoor games were available in all of them. Indoor recreation and educational activities, ordinary and circulating libraries and dispensaries were added on according to the importance of the area where a centre was located. A full-fledged welfare centre provided a nursery school for children, a women’s section running literacy, sewing and embroidery classes, suitable games (outdoor and indoor) and a gymnasium for men, and separate arrangements for water taps and shower-baths for men and women; radio programmes and monthly cinema shows also formed a part of its activity.

In July 1953, the State Government transferred all welfare activities to the **Bombay Labour Welfare Board** set up under the **Bombay Labour Welfare Fund**
Act, 1953, applicable to factories covered under Sec 2 (m) of the Factories Act, 1948; tramways, motor or omni bus services and all the establishments carrying on business or trade with employment of 50 or more persons. The Fund, constituted of all fines realized from employees, all unpaid accumulations and any voluntary donations, is utilized by the Board to defray expenditure on the following measures intended to promote welfare of labourers and their dependents:

(a) Community and social education centres, including reading rooms and library;
(b) Community necessities;
(c) Holiday homes;
(d) Games and sports;
(e) Entertainments;
(f) Home industries and subsidiary occupations for women and unemployed persons;
(g) Activities of a social nature;
(h) Cost of administering the Act; and
(i) Such other objects as, in view of the State Government, would improve the standard of living of workers.

It has been provided that the Fund shall not be utilized in financing measures which an employer is required under the law to provide for. The Welfare Board, consisting of an equal number of representatives of employers and employees and independent persons nominated by the State Government, is empowered to appoint, with the previous approval of the Government, a Welfare Commissioner to act as its principal executive officer. In 1961, the Act was amended to extend it applicability throughout Maharashtra and as such out of 51 Labour Welfare Centres maintained
under the Bombay Labour Welfare Board, in 1961, 38 centres in the industrial areas of the Maharashtra State were transferred to the Maharashtra Labour Welfare Board and 13 centres were then transferred to the newly created State of Gujarat. In addition to these 38 centres, 5 labour welfare centres in the region of Vidarbha and 8 centres in the region of Marathwada were also being run by the Government at that time. All these centres were taken over by the Maharashtra Labour welfare Board, Bombay, with effect from 1st of January, 1962.

The Board maintains a large number of welfare centres located in different parts of the State. These centres have been, by and large, adequately provided with indoor and outdoor games. Inter-centre competitions are regularly organized. Every centre has a dramatic club and artists are drawn from workers living in the vicinity of the centre. Many centres have also nursery schools for children between 3 and 6 years of age, while at some of the centres the board has maintained well equipped crèches for the benefit of the handloom weavers. A number of hobby centres are also maintained to train workers in tailoring and embroidery. The Welfare Board also maintains a library-cum-information service which promotes library-movement among the workers and function as a counseling service for them.

**Maharashtra, Mathadi, Hawal and other Manual Workers Act, 1969:**

This Act was passed with a view to regulate the employment of unprotected workers such as Mathadi, Hawal, etc., engaged in certain scheduled employments and to provide for their welfare and safety necessary measures. It provides for the State for the purpose of administration of the Act through implementation of various schemes formulated in this behalf.

**Bengal**

Till 1940, the Government of Bengal gave meager grants to private organizations for the benefits of labour. It was in 1940 that the Government made a start with setting up 10 welfare centres, and in 1944-45., there were in all 41 centres.
The main activities of these centres included conducting of literacy classes, provision of indoor and outdoor games, gymnasiums and recreational facilities like radio gramophone and cine shows. The number of such welfare centers rose to 56 by the end of 1975. There have been 25 model labour centres, functioning in different regions of the State of West Bengal for the purpose of promotion of labour welfare.

**The West Bengal Labour Welfare Fund Act, 1974**

With a view to constituting a fund for promoting labour welfare activities in West Bengal and for related matters, the Government of West Bengal have enacted this Act that requires as such the State Government to constitute a Labour Welfare Fund which shall consist of –

- (a) all unpaid accumulations of wages to the Board at such intervals and in such manner as may be prescribed,
- (b) all fines realized from the employees,
- (c) all fines imposed on employers by the courts for contravention of statutory provisions,
- (d) any contribution paid under Sec. 9,
- (e) any penal interest paid under Sec. 10,
- (f) any voluntary donations,
- (g) any fund transferred under sub section 5 of Sec. 11,
- (h) any loan, grants-in-aid or subsidy paid by the Central or State Government or any local authority, and
- (i) any sum borrowed under Sec. 12

The Act also provides for the constitution of a Board to be called the West Bengal Labour Welfare Board consisting of not more than 20 members appointed by
the State Government from amongst employees and independent members. The Board shall have the powers to borrow and invest the fund and to appoint such number of officers and other employees as may be necessary for carrying out its functions under this Act and to constitute one or more committees for the purpose of advising the Board in the discharge of its functions and promoting labour welfare facilities.

The fund shall vest in the Board as Trustees and shall be applied for promoting labour welfare activities such as –

(a) Community and social education centres including reading rooms and libraries,

(b) Games and sports,

(c) Excursions, tours and holiday homes,

(d) Entertainment and other forms of recreations,

(e) Home industries and subsidiary occupations for women and unemployed persons,

(f) Corporate activities as would in the opinion of the State Government improve the standard of living and ameliorate the social conditions of labour.

The Act also empowers the State Government to appoint a Welfare Commissioner who shall be the principal executive officer of the Board, and Inspectors for carrying out the purposes of the Act.

Assam

In Assam, labour welfare programme was launched in 1950-51 with modest budget provision of Rs1 lakh under the general guidance and supervision of the Assam Labour Welfare Board, 2 labour welfare training centres were set up during
the First Plan period. Under the Second Plan, the welfare, the welfare programme was appropriately divided under three heads, viz; State level scheme, District level scheme and Village level scheme. While the first was concerned with the establishment of Training centre, the second included Technical Training Scheme and the third comprised the establishment of community centres for plantation labour and the centres for urban labour. Each community centre is intended to benefit at least 2000 plantation workers as against 6000 workers by the centres for urban labour.

Craft training in tailoring and carpentry have been introduced in these centres. The Rowriah Labour Welfare Training Centre and the Female Welfare Training Centre at Mezenga, set-up during the First Plan period, have been more extensively continuing their training schemes. Besides monthly stipend, certain financial assistance for medical expenses, purchase of books and other equipments have been provided to the trainees. While under the first scheme the trainees drawn from the tea plantations have been undergoing training in health, hygiene, sanitation and trade unionism, 60 female tea garden workers have been undergoing training under the second scheme in respect of aforesaid programmes as well as knitting and embroidery.

Apart from running welfare, training and other centres for working class, the State Government has been encouraging the activities of the non-official organizations like Kasturba Gandhi Memorial Trust, Hindustan Mazdoor Sevak Sangh, and the Assam Seva Samiti for social, moral and economic welfare of the labour force in the State. Though the schemes have been executed by these voluntary organisations, but through the grants-in-aid received from the State and under the general guidance of the Assam Labour Welfare Board, the Government has also contemplated to finance mobile audio-visual entertainment scheme for plantation workers and welfare publicity, construction of hostel for children of plantation labour and industrial workers, construction of staff quarters at welfare centres for urban
industrial labourers at Gauhati and Tezpur, construction of quarters for Craft Instructors in the Community centres for plantation labour and tour for plantation and industrial workers outside the State.

Besides above mentioned activities in the field of labour welfare, the State Government enacted the Assam Tea Plantations ‘Employees Welfare Fund Act in 1959. Being enforced on the 23rd of June, 1960, the Act has led to the establishment of a Fund to finance welfare activities for plantation workers. It is constituted of the large amounts of unpaid money by the employers to workers all fines realized from the employees, all grants from the State/Central Government or the Tea Board, any sum unclaimed or forfeited in the Provident Fund Account of the employees.

A Board of Trustees is constituted, consisting of a prescribed number of representatives of employers, employees, independent members and the officials nominated by the Government to administer the Act. The board may employ a Welfare Commissioner as the principal executive officer of the Fund. Among the activities of the Fund are – adult education, maintaining community and social education centres, organizing games and sports, excursions and tours, running holiday homes, providing training in subsidiary occupations persons, and also corporate activities of a social nature.

**Labour Welfare Activities undertaken by other State Governments**

The analysis and review of labour welfare activities undertaken by the other State Governments also shows that there has been more direct nature of their participation as compared to that of Central Government which has brought the matters more and more within the purview of legislation providing either for the setting up of the welfare funds or laying down statutory obligations to be discharged by the employers. In almost all the States and the Union Territories labour welfare centres are run by their Governments. These centres provide medical aid and advice, recreational facilities, educational facilities through schools, libraries, reading rooms, literacy classes, training classes for women in crafts, etc., cultural facilities like
variety entertainment, music programmes, dramatic performances, Kavi-sammelan and mushairas, etc. Other welfare activities which were being undertaken pertained to adult education, health and hygiene program, nursery schools, Shishu Mandir for children, talks on child welfare, training in carpentry, tailoring, embroidery, propaganda for upliftment of the standard of living and vocational training. In some States like Karnataka, the State Labour Department organizes propaganda with the help of a van-projector and a generator to guide the workers by means of audio-visual methods in regard to improved methods of increasing productivity, safety measures and training within industry.

In some States the Welfare Centres run the schemes through their hobby centres for providing supplementary income to working class families. The State Governments have also been granting aid to the centres organized and conducted by the workers or employers. In Karnataka and Punjab like some other States, welfare centres are administered by the Welfare Boards set-up under the Mysore Labour Welfare Fund Act, 1965 the Punjab labour Welfare Fund Act, 1965 and Tamil Nadu Labour welfare Fund Act, 1972.

**Group Insurance Scheme of Life Insurance Corporation for Unorganised Labour**

The Life Insurance Corporation of India has implemented a social security scheme for unorganized workers in 23 occupations, by creating a social security fund from its contribution and that of Government of India. The occupations which are covered under the scheme are:-

1. Beedi workers
2. Brick-Kiln workers
3. Carpenters
4. Cobbler
5. Fishermen
(6) Hamals
(7) Handicraft Artisans
(8) Handloom Weavers
(9) Handloom and Khadi Weavers
(10) Lady Tailors
(11) Leather and Tannery Workers
(12) Papped Workers
(13) Physically Handicapped Self-employed Persons
(14) Primary Milk Producers
(15) Rickshaw Pullers/ Auto Drivers
(16) Safai Karamcharis
(17) Salt Growers
(18) Tendu Leaf Collectors
(19) The Urban Poor
(20) Forest Workers
(21) Sericulture
(22) Today Tappers
(23) Powerloom Workers

**Conclusion**

After analyzing the labour welfare measures adopted by the Government, Prof. Kirkadly has observed, “the whole field of welfare is one in which much can be done to combat the sense of frustration of the industrial worker, to relieve him of personal and family worries, to improve his health, to afford him a means of self-expression, to offer him some sphere in which he can excel all others, and to help to a
wider conception of like. If within the field of welfare and particularly that part of which comprises sports and games a large measure of self-government can be left to the workers, even in the management of facilities provided by the employer, a sense of responsibility, initiative and co-operation can be fostered and often among those whose daily task afford them the least opportunity of developing characteristics so essential to industrial enterprise and wise citizenship.”7 Labour welfare has tremendous potentialities not for enhancing efficiency and productivity but also fostering good industrial relations in India. Hence, we might use scientific procedures for labour force must be directed in right channels in our fast developing technological machinery.

Ignorance, ill-health and dirt are the three giants, labour welfare has to fight in the home life, personal life, work life and community life of the workers. They have to be fought out steadily on all sides. In the years to come, the labourers shall be made mightier than the machine with which he works, more fruitful than the dust on which he treads and richer than the earth into which he digs. Decent wages, adequate perquisites, and safe clean work environment are basic to all other activities in the area of human welfare, and, therefore, the enterprises which reduce the wage bill on these counts are sure to lose the goodwill of employees.

**Labour Welfare Officer**

**Need and Place of Labour Welfare Officer**

The need of labour officers was realized in Indian industry as early as 1931, when the Royal Commission on Labour recommended their appointment in order to protect the workers from the evils of jobbery and indebtedness, to act generally as a spokesman of labour and to promote amicable relations between workers and management. The Commission observed, “We advocate for all factories the exclusion of the jobber from the engagement and dismissal of labour. This can best be achieved by the employment of labour officer, and in this is the course we
recommended wherever the scale of factory permits it. He should be subordinate to no one except the general manager of the factory, and should be carefully selected….. Integrity, personality, energy, the gift of understanding of individuals and linguistic facility are the main qualities required. No employees should be engaged except by the Labour Welfare Officer personally in consultation with department heads and none should be dismissed without his consent, except by the manager himself, after hearing what the labour officer has to say. It should be the business of the labour officer to ensure that no employee is discharged without adequate cause; if he is of the right type, the workers will rapidly learn to place confidence in him and to regard him as their friend. There are many other duties which such as an officer can fulfil, particularly in respect of welfare…..”

Royal Commission’s observation reveals that the post of the labour officer was instituted initially to:

(i) Eliminate the evils and malpractices of the jobber system in the recruitment of labour;

(ii) Develop and improve labour administration in mills; and

(iii) Serve as a liaison with the State Labour Commissioner.

The labour officer was expected to discharge the functions of a policeman, including the maintenance of law and order in an organization. The employers overlooked the recommendations of the Royal Commission and preferred to retain the services of jobbers. This situation continued till 1937, when popular ministeries were installed in some states. They forced employers to employ full-time functionaries-labour officers-in the factories. During the Second World War, these officers were generally entrusted with the handling of welfare and labour administration work. Generally, the functions of the labour officer were enlarged and were influenced by such factors as the social reform movement in country, public concern for improving labour administration in industrial enterprises and the
growth of modern management movement in industry. The functions of the labour officer came to include functions relating to welfare, personnel and industrial relations; and he began to be designated as Labour Welfare Officer.

The Factories Act, 1948 provides the legislature provision for the appointment of Labour Welfare Officer under section 49(1) and (2) as under:-

“In every factory, wherein 500 or more workers are ordinarily employed, the employer shall employ in the factory such number of welfare officers as may be prescribed. The State is authorized to prescribe the duties, qualifications and conditions of service of such officer.” This meant that in a factory wherein 500 or more workers are ordinarily employed, at least one welfare officer must be appointed; where the number of workers is in excess of 2,500, assistant and/or additional welfare officers are required to be appointed to assist the welfare officer.

Section 58 of the Mines Act, 192, states:

“For every mine wherein 500 or more persons are employed the owner, the agent or manager shall appoint a suitably qualified person as welfare officer.”

Qualifications of Labour Welfare Officer

A welfare officer to be appointed should have:

(i) A university degree;

(ii) Degree or diploma in social sciences or social work or social welfare from any recognized institution; and

(iii) Adequate knowledge of the languages spoken by a majority of the workers in the area where the factories, mines and plantations are situated.

The National Commission on Labour has stated: “Laws were made to ensure that the management appointed a person exclusively to look after the welfare of their workers and help them in discharging their statutory obligations in respect of welfare
measures. The welfare officers should not be called upon to handle labour disputes on behalf of the management.”

The Committee on Labour Welfare, after going through the views expressed by State Governments, public sector undertakings, private employer’s organizations and eminent persons in the field of industrial relations on the role and status of welfare officer, recommended that.

“The management should designate one of the existing officers of their personnel department as welfare officer to fulfil the purpose of the law. The management should ensure that only such officers of the personnel department are designated to look after the welfare activities as are properly qualified to hold this post and has an aptitude for welfare work.”

**Functions/Duties of Labour Welfare Officer**

The Committee on Labour Welfare has detailed out the following as the duties of welfare officers (based on the model rules framed under the Factories Act of 1948):

(a) **Supervision of:** (i) safety, health and welfare programmes, like housing, recreation, sanitation services as provided under the law or otherwise; (ii) working of joint committees; (iii) grant of leave with wages; and (iv) redressal of workers’ grievances.

(b) **Counselling workers on:** (i) personnel and family problems; (ii) adjusting to their work environment; and (iii) understanding their rights and privileges.

(c) **Advising management in matters of:** (i) formulating labour and welfare policies; (ii) apprenticeship training programmes; (iii) meeting statutory obligations of workers; (iv) developing fringe benefits programme and (v) workers’ education and the use of communication media.
(d) **Establishing liaison with workers so that they may**: (i) understanding the various limitations under which they work; (ii) appreciate the need for harmonious industrial relations in the plant; (iii) help different departmental heads to meet their obligation under the Act; (iv) maintain harmonious industrial relations in the plant; and (v) suggest measures for promoting the general well-being of workers.

(e) **Establishing liaison with management so that the later may**: (i) appreciate workers’ viewpoint on various matters in the plant; (ii) welfare officers may intervene on behalf workers in the matter under the consideration of the management; (iii) help different departmental heads to meet their obligation under the Act; (iv) maintain harmonious industrial relations in the plant; and (v) suggest measures for promoting the general well-being of workers.

(f) **Working with management and workers**: (i) to maintain harmonious industrial relations in the plant; (ii) to arrange for prompt redressal of grievances and speedy settlement of disputes; and (iii) to improve the productivity and productive efficiency of the enterprise.

(g) **Working with outside public so that**: (i) a proper enforcement of various Acts as applicable to the plant by establishing contact with factory inspectors, medical officers and other inspectors may be achieved; (ii) other agencies in the community may be assisted to help workers to make use of community services.

The National Commission on Labour concluded: “The care of workers in all matters affecting their well-being, both at place of work and outside, puts special responsibility on the welfare officer. He should be a maintenance engineer on the human side. In many cases, he also handles the grievances and complaints of workers relating to terms and conditions of service and domestic and other matters which lie in the domain of personnel management. There is, thus, virtually no demarcation between personnel management functions and welfare functions.” The Commission recommended that, in order to reduce the hierarchical hiatus in the
status of these two officers, there should be an interchange to encourage professional
functional mobility and to eliminate the functional monopoly as well as the
hierarchical status problem.”

In brief, the welfare officer concerns himself with the implementation of
labour laws and the maintenance of proper working conditions; with matters
connected with workers’ well-being; and with the promotion of harmonious and
peaceful labour-management relations. In other words, his is mainly a staff function
with the role of staff-advisor or specialist. He is expected to act as an advisor,
counselor, mediator and liaison-man between management and labour; i.e. act as a
“maintenance engineer on the human side.”
The labour welfare officer performs three types of functions given as under:

(A) **Functions relating to Labour Welfare**

Labour Welfare Advice and assistance in implementing legislative and non-
legislative provisions relating to:-

1. Health and Safety
2. Working Conditions
3. Sanitation and Cleanliness
4. Recreation
5. Welfare amenities
6. Workers’ education
7. Service like cooperatives, grain shops, housing cooperatives
8. Formation of Welfare Committees
9. Housing
10. Implementation of Welfare Acts

(B) **Labour Administration Functions**

Labour administration functions may cover:-

1. Organisational discipline
2. Safety and medical administration
3. Wage and Salary administration
4. Administration of legislation relating to industrial relations

(C) **Functions relating to Labour Relations**

Functions relating to labour relations may consist of:
1. Administration of Standing Orders
2. Settlement of grievances
3. Settlement of disputes through statutory procedures
4. Trade unions & union-management relations
5. Steps to increase productivity efficiency

**References**

5. Ibid
6. Sixth Five Year Plan, p. 402
7. Kirkadly, H. S: The Spirit of Industrial Relation, pp. 77-78
8. Report of Royal Commission on Labour in India, 1931, pp. 24-25