CHAPTER - II

MINING LABOUR - FUNDAMENTAL ISSUES

Labour welfare implies services, facilities and amenities undertaken in and around the undertakings to enable the employees to work in healthy, congenial and suitable conditions. The philosophy of labour welfare resting on bridging the gap between the 'haves' and 'have-nots' is accepted by the government as well as by the public for effective translation into action. While the government has been initiating various legislative measures, some of the employers have been adopting an enlightened view towards this end. Welfare programs, statutory and non-statutory within and outside of the factory, are undertaken by various agencies, namely government, employer and union. Thus, opportunities are provided to the worker and his family to have a socially, physically, morally, economically and culturally contended life. A worker who is physically strong, mentally alert, psychologically happy and materially contended is always an asset to the community, apart from the industry he belongs to. In view of this, labour welfare is no more interpreted as a charity or as unwise investment or as a barren liability. On the other hand, the initiative taken by the International Labour Conference in 1919, many of the governments throughout the world have realised the need to satisfy the urges of this human factor, namely the labour and started contemplating on the introduction of the
various benefits such as pensions, provident fund, gratuity, housing, medical assistance, transport, education, canteen and other safety benefits.

Employers in India are statutorily required to comply with the provisions of various welfare amenities under different labour legislation's. With the progress in exploitation of minerals, safety of person employed in mines becomes a matter of great concern. In 1985, legislative measures for safety of workman.

"In a popular sense, the term 'mineral' is applied to any substance that is extracted from the earth by mining and such as includes not only metals, ores, coal and petroleum, but also building stones, paving slabs, roofing slates and road metal extracted by quarrying, which we commonly call rocks or stones".

Meaning and scope of labour welfare:

Labour welfare is an important program aiming at improving the lot of labours and creating congenial life and work environment of comfort for this section of population. The concept of 'labours welfare' is flexible and elastic and differs widely with time, region, industry, country, social values and custom, degree of industrialisation the general socio-economic development of the people and the political ideologies prevailing at particular moments. The royal commission on labour observed that, it is a term which must necessarily be elastic, bearing some
what different interpretation in one country from another, according to the different social customs, the degree of industrialisation and the educational development of the worker. Broadly speaking, it refers to the measures and activities undertaken by the state, employers and associations of the workers for the improvement of worker’s standards of life and for the promotion of their economic and social well-being. The term consequently has been defined in several ways.

The concept of welfare can be approached from various angles. Welfare has been described as a holistic concept. A person’s welfare depends on his physical, mental, moral and emotional health. These four aspects constitute one whole integrated factor. One aspect is inseparably bound up with and has its root in the other. Physical, mental, moral and emotional health are the four pillars or better still, four-fold foundation on which the structure of welfare is built. It may be viewed as a social concept as well as a relative concept. The social concept of welfare implies the welfare of man, his family and his community. The relative concept of welfare implies that welfare is relative in time and place. All these four aspects are interrelated and work together in a three-dimensional approach.

The labour investigation committee, appointed by government of India in 1946, defined welfare activities so as to include “any thing done for the
intellectual, physical, moral and economic betterment for the workers, whether by employers, by government or by other agencies, over and above, what is laid down by law or what is normally expected as a part of the contractual benefits for which the workers may have bargained. The International Labour Organisation (ILO) has observed that workers welfare must mean such services, facilities and amenities which may be established in or in the vicinity of the undertaking to enable the persons employed in them to perform their work in healthy, congenial surroundings are provided with amenities conductive to good health and high morale. The committee on Labour Welfare appointed by the Government of India included within the scope of the term "welfare", such services, facilities and amenities as adequate canteens, rest and recreation facilities, sanitary and medical facilities, arrangements for travel to and from work and for the accommodation of workers employed at a distance from their houses and such other services, amenities and facilities including social security measures, as contribute to improve the conditions under which workers are employed. James Todd defined labour welfare as "any thing done for the comfort and improvement, intellectual and social, of the employees over and above the wages paid, which is not a necessity of the industry."

According to Encyclopaedia of social sciences, labour welfare means "the voluntary efforts of the employer to establish, with in the existing industrial system, working and sometimes living and cultural conditions of his employees beyond what
is required by law, the customs of the industry and the conditions of the market”.

Labour welfare has two sides negative and positive. One the negative side, it is associated with counteracting of the harmful effects of large scale industrialisation on the personal, family and social life of the worker, while on the positive side, it deals with provision of opportunities for the worker and his family for a socially and personally good life.

In a broader perspective, Ghouse felt that labour welfare is an essential part of social welfare, which according to him, means the adjustment of the labour’s working life and family to the community and social life around. He supported this argument on the ground that the health, happiness and efficiency of each individual connotes the general well being of all.

Joshi conceived labour welfare as “all the efforts which employers make for the benefit of their employees. Over and above the minimum standards of working conditions fixed by the Factories Act and over and above the provisions of social legislation providing against accident, old age, unemployment and the sickness”. Punker felt that any kind of voluntary service will come under the purview of labour welfare if it aims at helping the worker to work better and in more congenial
surroundings and also to live better in a more meaningful manner, physically,
morally, economically and intellectually.\textsuperscript{11}

According to Kirkaldy "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, to help him to a wider conception of life".\textsuperscript{12}

It can be understood from the above definition that the term 'labour welfare' lends itself to various interpretations. Thus 'labour welfare' includes all these programmes sponsored within and outside the factory precincts by different agencies such as employer, union, state or any other agency or organisation. Such programmes include housing, medical and educational facilities, nutrition including canteen facilities, facilities for rest and recreation, co-operative societies nurseries and creches, provisions of sanitary, accommodation, social insurance measures undertaken voluntarily by employers alone or jointly by workers, including sickness and maternity benefit schemes, provident fund, gratuities, pensions, etc. They help in establishing proper working, living, social and cultural conditions so that the employees can get rid of themselves from the sense of frustration, personal and
family worries and the effects of ill-health. However, the meaning, the scope and the motives of labour welfare have been viewed in several ways depending upon the social customs, political ideologies, extent of industrialisation and the level of the educational development in each society.\textsuperscript{13} Supporting this argument, Ghosh says that 'welfare is necessarily dynamic, bearing a different interpretation from country to country and from time to time and even in the same country according to the value system, social institutions, degree of industrialisation on general level of social and economic development. Even within one country, its context may be different from region to region, he says. Labour welfare may be considered as a charity in capitalistic country while it may be treated as a matter of right in a socialistic country. In an industrially advanced economy, where the standards of living are comparatively higher, the quantum, the type and the cost of the service or amenity will be a better and more than what can be expected of in a developing economy. Further, literacy level among the working class also influences the extent of the labour welfare programmes in a society. The more the workers are educated, the more they realise the value of welfare activities. Where the educational standards of the working class are below normal, the motivational aspects of industrial work gets disorted, of late, there is a growing awareness on the part of the state as well as people on the need of profinding equal opportunities and equal pay to men and women. Women break their age-old customs of confining themselves to the house and shunning participation in nation building activities and economic programmes.
The more the governments are interested in this aspect, the more the number of the welfare amenities in the form of creches, nurseries, maternity and sickness benefits, etc., are provided. Thus the meaning and scope of labour welfare differ from country to country, depending upon the political, economic and social conditions prevailing there in. For example, our cultural values of employment are not similar to those in the western countries. Hence, motivational levels in employment are lower in India. The norms of social approval or disapproval, set up by cultural pattern, determine the attitude of the worker to the employment. Such norms appear in the form of community checks. The effectiveness of the welfare benefits depends upon the character of the trade union movement, the educational standards of labour force in the community and community checks.14

The welfare programmes strive to provide facilities and amenities of life enabling the workers to enjoy a richer and fuller life, to improve the efficiency of the workers and keep them contented so as to reduce the chances of industrial conflicts to the minimum and raise their mobility even to scarce areas to promote a sense of responsibility and dignity among the workers so that they may help themselves to become worthy citizens. In fact, an important offshoot in the evaluation of philosophy of industrial relations was the institution of employees welfare programmes. This was motivated out of realisation that productivity depended to a great extent upon the workers' attitude and loyalty. It was evident that the employees
productivity depended quite upon their environment and lives in the fourteen hours from work as in the ten hours in work, many of the programmes reached beyond the factory into the homes of the employees. Thus the chief aim of the labour welfare is to serve to achieve humanitarian, economic and civic objectives.

In the words of Sri V.V. Giri “true welfare work in industry is a question of advancing the workers physical, emotional and moral well-being in order to make his life worth living and not a matter of throwing crumbs of charity to him. Real welfare is not amenities, but the right atmosphere where the worker can breath an air of growing and development and think constructively, so as to understand the play and interplay of his subconscious instincts and conscious emotions”.

Following the industrial revolution, the social and economic conditions of workers have reached their lowest ebb. Treatment of workers as slaves by the recruiting agents of the mills, over growing of workers, growth of slums, horrible conditions of work and exploitation of the poor working class by the rich have presented a ghastly picture of the inhuman conditions of life of labours and in fact, awakened the public conscience in favour of establishing what is called “welfare state” which is based on the principles, viz., the right of every one to a job and guaranteed social minimum of health. Wealth and leisure. The idea of
establishment of welfare state, “avoiding the excess of unmitigated totalitarianism on the one hand and unbridled individualism on the other,” vitalised the labour concept of labour welfare. The objective is to ensure a minimum standard of living to every worker with our suppressing his personal abilities and to assist him in times of old age, sickness, unemployment and other contingencies. Thus, in course of time, the programmes of labour welfare are sought to be implemented by way of fulfillment of obligations legal as well as moral - rather than as disposition of charity. With the coming into being of International Labour Organisation, in 1919, after the completion of the first world war, the importance of the labour as powerful as decisive factor in the task of economic and social reconstruction of the world devastated by war was recognised. Labour was no more considered as a commodity. The concept of labour welfare is also influenced and strengthened by the Philadelphia declaration of International labour Organisation in May, 1944. Accordingly, various countries have realised the significance of the spirit of these schemes and started implementation of welfare measures for the benefit of the working classes. In the words of Mehta, the guiding principle and the ultimate aim of the various welfare programmes from the very inception has been the improvement of the standard of living of the concerned workers and the main thrust of such programmes was to help the concerned workers to improve their quality to life through public health, sanitation, prevention of diseases, access to medical facilities, provision and improvement of water supply and washing facilities, across
to and utilisation of housing and educational facilities nutrition, recreation, transport and such other facilities.\textsuperscript{19}

The economic development of a country depends, to a great extent, on the contented labour force. If that labour force is not satisfied it leads to strained industrial relations, high rate of labour turnover, absenteeism and decrease in the labour productivity and thus hampering the economic growth of a country. A contented worker, on the other hand, is the back bone of prosperous industrial society. Despite the phenomenal rise in wages in the past twenty years India has not been able to produce a stabilised labour force. This shows the ineffectiveness of money wages and calls for a well-defined and clear-cut policy regarding fringe benefits.\textsuperscript{20}

The economic development of a nation depends to a large, extent, on the quantity and quality of human resources. Emphasising this point, yoder status "the major contribution to our growth has been that of labour, and a major share has been attributable to the improved quality of workers."\textsuperscript{21} In the era of rapid industrialisation, the industrial affectiveness depends upon the physical as well as mental efforts and abilities of those who perform the productive operations. Without energies, skills and knowledge of the human resources are of little value.\textsuperscript{22}
The cherished goal of all economics is the achievement of higher rates of production and consequent improvement in the living standards of the people. Industrial revolution transformed the traditional agrarian societies into modern industrial ones. It is not far from truth to state that the present economically advanced countries have become so, only because of the industrialisation. Undoubtedly, labour plays a unique role in bringing about such a transformation. The increasing importance of the working class in the economic and social structure of modern communities need not be over-emphasised.

The industrial workers in India today constitute functionally a very significant vulnerable element of the country’s population. They also contribute substantially to the nation’s economy. This group faces certain unique problems in their work-life like long hours of work in unhealthy surrounding, drudgery of factory work, rural attachment, uncongenial factory environment, etc.,

They fall an easy prey to various evils such as indebtedness, alcoholism, gambling and other vices which naturally demoralise them and afterwards completely ruin their family life. The high rate of labour absenteeism in Indian industries is indicative of the lack of commitment on the part of the workers. Absenteeism can be reduced to a great extent by provision of good housing, health,
and family care, canteens, educational and training facilities. Welfare amenities enables the worker to live a richer and more satisfactory life and contributes to the productivity of the labour, efficiently of the enterprise and helps in maintaining industrial peace.  

The need for labour welfare, in the developing country like ours cannot be over-emphasised in view of the fact that it seeks to achieve rapid economic and social development. As far back in 1931, the royal commission on labour felt the need for labour welfare. The necessity of labour welfare measures was stressed in the resolution made by Indian National Congress on fundamental right and economic programme in its Karachi session in 1931. The resolution strongly demanded that the organisation of economic life in the country must confirm to the principles of justice and it should secure a decent standard of living. It also stressed that the state should protect the interest of industrial workers and should secure for them by suitable legislation, a living wage, healthy condition of work, limited hours of labour, suitable machinery for the settlement of the disputes between employers and the work men, proper care should be taken of old aged people especially against their economic problems, sickness and unemployment, later on, this need was emphasised by the constitution of India in the chapter of the directive principles of state policy, particularly in the following articles;
Article 38

"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 the national life".

Article 39

"The state shall, in particular, direct its policy towards securing (a) that the citizen, men and women equally have the right to an adequate means of livelihood; (b) that the ownership and control of the material resources of the community are so distributed as to subserve the common good, (c) that the operation of the economic system does not result in the construction of wealth and means of production to the common detriment (d) that there is equal pay to equal work for both men and women (e) that the health and strength of workers, men and women and the younger age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength, (f) the childhood and youth are protected against exploitation and against moral and material abandonment".
Article 41

"The state shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in case of unemployment, old age, Sickness and disablement and in other cases of undeserved want".

Article 42

"The state shall make provision for securing just and human conditions of work for maternity relief".

Article 43

"The state shall endeavour to secure, by the suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and in particular, the state shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas".

The above articles clearly show that the need for social and industrial welfare in our country in all sections enumerated in the constitutions of India.
The planning commission of India felt the necessity of labour welfare, when it observed that "in order to get the best out of a worker in the matter of production, working conditions require to be improved to a large extent". The worker should have at least the means and facilities to keep himself in a state of health and efficiency. This is primarily a question of adequate nutrition and suitable housing conditions. The working condition should be such as to safeguard his health and protect him against occupational hazards. The work spot should provide reasonable amenities for his essential needs. The worker should be helped to acquire the necessary technical training and a certain level of general education.

The royal commission had observed that the great majority of factory workers were, at heart, villagers and they had rural traditions and they retained contacts with the villages and hoped to return to them.

In the years, since the Royal commission report, the situation had undergone a change. The Rege committee observed in 1946 that the working class has become stabilised and organised. During this period, there was a greater concentration of working class population in industrial areas and this led to the rise of an industrial proletariat in most cities. Workers were prepared to stick to the town to a greater extent than before. The national commission in labour, 1969, found that
the trend towards the stabilisation of industrial labour had further strengthened. According to the commission, a worker was far more urban in taste and outlook than his predecessor.\textsuperscript{27} The commission also reported that a self - generating working class with its roots in the industrial environment in which a worker was born and bred was growing in strength.\textsuperscript{28}

In view of the importance of the work force, particularly in the Indian context, it imperatively calls for a programme of creating better working and living conditions in the industrial sectors. The necessity and importance of such a programme in India is of greater significance as the Indian industrial workers are to be weaned away from their rural links.

For building up a strong, stable and efficient labour force, it is however, essential to bring about a marked improvement in the conditions of workers life and working place. In order to make them integrate with the industrial system, detaching them from the rural links, they must be relieved of several worries arising out of urban and industrial way of life. The Bombay textile labour committee has pointed out that, in all pursuits, a high standard of efficiency can be expected only from persons who are physically fit and free from mental worries, that is, only such persons who are properly ................ housed, properly fed and properly
The committee on labour welfare, 1969, also expressed the need for a labour welfare programme to nullify the problems arising out of the transference of rural population to the industrial section. According to this committee, "the transference of rural population to the urban centres, as a result of industrialisation, brought with it certain social problems. Having been uprooted from their rural moorings, the new class of industrial workers required welfare services to be provided to them in their new surroundings, so as to enable them to adopt themselves to changing situation."  

Mahatma Gandhi, through his general programme for the upliftment of the toiling masses of the country, made considerable impact upon the concept of labour welfare in India. He made it clear in his words: "I do not want anything more for workers and peasants can only enough to eat, and houses and cloth themselves and live in ordinary comfort as a self-respecting human beings."  

Moorthy has asserted that the industrial workers are subject to various handicaps both in their work life and in their community life, and the removal of these handicaps is a part of the function of labour welfare. The labour welfare is also necessary to develop and maintain good industrial relations and improve morale.  

Flippo has rightly mentioned that the primary emphasis should be on employee’s
favourable attitude towards his work and work environment.  

The idea of establishing a welfare state, as observed by Vaid, is to "avoid the excesses of unmitigated totalitarianism on the one hand and unbridled individualism on the other".

Labour welfare contributes to the economic development by moulding workers into a productive efficient, and committed labour force. The history of the labour welfare shows for the economy passing through the initial phase of industrialisation, that the lack of committed labour force is a serious obstacle to economic development. Labour welfare measures were subsequently adopted as a policy to promote economic development. These measures will enhance employment, reduce absenteeism, increase productivity, efficiency and skill and lead to a permanent, committed and stable work force, particularly in industries involving high risk. The labour welfare measures donot only consist of monetary incentives but also include measures for human development, which according to Galbraith, is an external economy whose benefits accrue to all firms.

Welfare benefits have the wages of workers in real terms, improve the worker's satisfaction and act as a lubricant to the industrial relations machinery itself. From the point of view the employer, the overall incidence of the cost of these
benefits in the long run, is likely to be less burdensome. Further a high degree of morale, a deep sense of belonging and above all a favourable disposition towards management on the part of employees emanating from the implementation of the welfare programmes will put the industrial relations on a sound base and bring about an improvement in productivity, increase in output, reduction in cost, fall in prices and consequent rise in demand for the product. Memoria hold the opinion that labour welfare has tremendous potentialities for fostering good industrial relations in India. According to him, ignorance, ill-health and dust are the three giants, labour welfare has to fight in the home life, personal life, work life and community life of the workers. Supporting this view, Arun Monappa also felt that labour welfare is an important fact of industrial relations, the extra dimension, giving satisfaction to the worker in a way which even a good wage cannot. Labour welfare acts as a device to reduce absenteeism and check turnover. In the absence of any personal touch with all the employees in the organisation, welfare programmes may be so conceived as to reflect the progressive attitude of management and there by contribute to developing a strong bond of relationship between both the parties.

Indian workers are, by and large, illiterate and still live in conditions of stalk poverty. Though wage benefits help them a great deal, because of the peculiar life styles and background, majority of the workers are expected to gain more benefit from welfare measures than by mere wage increase. For instance, a good house in
the proximity of the place of work with modern amenities relieves the worker from the housing problem, keeps him physically and morally fit, and improves his general standard of living. Provision of recreation facility may discourage the worker from falling a victim to social evils. Welfare amenities reduce the personal attention of the workers to his family needs and enhance his loyalty and attachment to the factory. These facilities "enable the worker and his family to lead a good working life, family life and social life. Labour welfare also operates to neutralise the harmful effects of large scale industrialisation and urbanisation processes". The extra cost involves in providing welfare amenities may not add to the pressure on inflation in the same proportion as any increase in cash wages would have. They develop a sense of comradeship, softness, in the workers attitude to management and paves the way for the establishment of industrial peace and productivity.

A worker who is physically strong, mentally alert, psychologically happy and materially contented is always an asset to the country. With his efficient skill, willing co-operation and active participation, the ideal objective of bringing into harmony the interest of management and the workers at the work place would become easy and, they facilitate the creation of favourable environment conducive to the prevalence of good industrial relations and improvement in the quality of life of the industrial workers.
Nevertheless the programme of the labour welfare is not free from criticism and doubts. It is observed “the vast majority of industrialists in India still regard welfare work as a barren liability rather than a wise investment.” After all, “welfare is fundamentally an attitude of mind on the part of management, influencing the method by which the management activities are undertaken.” Thus, management attitudes influence the quality of welfare programmes in any organisation. It is argued that Labour Welfare stifles the growth of the unions, weakens their collective bargaining capacity and makes the unions subservient to an arrogant management. Further, it involves additional expenditure, increasing the labour costs, the effect of which falls ultimately on the consumer. Higher national wage structure, if not followed by higher productivity, leads to inflation in commodity-prices and the consequence sets the vicious circle of price-wage-tax hike, one following the other. But, these arguments fail to convince one who studies the latest trend in the attitude of enlightened employers and workers. Great entrepreneurs like Tatas, regard labour welfare not only a humanitarian measure but also a part of investment. Welfare programmes, well-organised, financed and administrated by qualified leadership, aimed at meeting specific needs of the workers, go a long way in promoting sound industrial relations and building up a strong national economy.
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