CHAPTER IV

MANAGEMENT
AND
INDUSTRIAL RELATIONS
Industrial relations depend on the conduct of the two partners of industry towards each other. The State has to intervene by appropriate legislative measures because they cannot accommodate their claims and interests. In this chapter an attempt has been made to see how far industrial disharmony may be traced to causes originating mainly from the side of the management. A brief reference to labour legislation concerned has also been made at the appropriate place. Questions like wages, bonus etc. have been excluded, as the provisions regarding them do not afford much scope to the management to contravene the law. The chapter has been divided for convenience, into three sections. Section one deals with industrial disharmony due to policy of the management as reflected by their behaviour and actions. Section two deals with the machinery at the employers' end for promoting industrial relations. Section three deals with the effectiveness (or, otherwise) of the machinery.

MANAGEMENT POLICY AND INDUSTRIAL DISHARMONY:

The attitude of the employers conditions their actions towards the workers. They often claim an unfettered right 'to hire and fire' the operatives. "According to one industrialist most

Indian managements are not yet convinced of the importance of
managements' responsibility for developing good industrial relations.¹

Let us now see how for this is correct in the various actions of
the management, ranging from recruitment to dismissal of workers.

**RECRUITMENT:**

The expansion and progress of an industry will be impossible unless
the management takes due care in recruiting the
labour force required for carrying on the enterprise. An industry
may have the following requisites, viz., the finest office, modern
machinery and plant, ample capital, but these are of no significance
unless the labourers are trained to be intelligent and loyal to the
organisation. Various reasons are responsible for the constant
shift in personnel, viz., voluntary quits, lay-offs, sickness, death,
transfer, and promotions etc. These shifts can be reduced through
a sound process of recruitment.

Recruitment is the first step in the employment of labour,
and the methods and organisation by means of which labour is brought
into industry have a lot to do with the ultimate success or failure
of an undertaking. Recruitment requires scrupulous care in analysing
the job requirements and finding out the most appropriate
person for the job. With the development of modern industry there
are various types of jobs which require altogether different qualities
and skill for their efficient performance. The human factor
also differs from individual to individual, in intelligence,

¹ C.B. Kumar, Development of Industrial Relations in India, p. 163.
physical build, tastes, temperament and attainments. Thus according to J.A. Richardson, "The object of recruitment and selection is to find the right man for the right job and to avoid putting square pegs in round holes."¹

If labourers are recruited thoughtlessly and in a haphazard way, it may result in the complete liquidation of an enterprise. It may give positions of employment to those persons who will not utilise their abilities. The result of all this will be bad for the industry, and workers will be discouraged, dissatisfied and frustrated on their jobs, and this will give them a fillip for frequent job shifts and transfers. Therefore, proper recruitment is the foundation on which the edifice of harmonious industrial relations rests. Recruitment is described as a positive managerial function, in that candidates for employment are found and made available.²

India is a country of villages and the majority of workers have great attachment to the village. In recent times a tendency has been witnessed in labourers that they are ready to sever their connections with the village and permanently settle in the industrial centres for their livelihood, yet villages are still an important source of labour supply. In Uttar Pradesh various types of intermediaries were appointed by the management to recruit labour, the

¹ J.A. Richardson, Introduction to the Study of Industrial Relations, p. 42.
² Dale Yoder, Personnel Management and Industrial Relations, p. 167.
chief among them are mistries and contractors. The services of mistries were required by the management for recruitment due to two reasons. Firstly, direct recruitment of labour was not possible because most of the labourers were recruited from remote villages, and secondly managements in a majority of these cases were not familiar either with the recruiting areas or with the persons to be employed. Thus management was helpless in securing the services of suitable hands for various jobs. Because of the presence of intermediaries, bribery and favouritism were also present in the system of recruitment through jobbers.

The services of contractors were utilised to meet any sudden and temporary demand for labour. This method is also full of evils. The workers are exploited by the contractors in several ways. They do not receive adequate wages for their work, and are subjected to long hours of work and denied the facilities and amenities enjoyed by the permanent employees.

The recruitment of labour through intermediary has been always fraught with serious evils.¹

¹ The Royal Commission on Labour (1932) has very remarkably summarised the abuses of this system. "The temptations of the jobber's position are manifold, and it would be surprising if these men failed to take advantage of their opportunities. There are few factories where a workers security is not to some extent, in the hands of a jobber in a number of factories; the latter has in practice the power to engage and to dismiss a worker. We are satisfied that it is fairly a general practice for the jobber to profit financially by the exercise of this power. The evil varies in intensity from industry to industry and from centre to centre. It is usual for a fee to be exacted as the price of engagement or of re-employment after a period of absence. In many cases a smaller regular payment has also to be made out of each month's
The abuses and defects of recruitment through intermediaries were soon realised. Workers were put to great hardships as they were required to pay a great price, for their employment, to the intermediaries and were unable to get suitable jobs. The establishment of Employment Exchanges in Uttar Pradesh in 1945 was helpful in increasing the mobility of labour. Employment exchanges were established in Uttar Pradesh in 1945 originally to render assistance to demobilised armymen in getting suitable employment. They undertook to provide assistance to all types of job seekers in 1947. Employers in Uttar Pradesh have realised the utility of Employment Exchanges, and have been gradually availing their services. In Kanpur, however, there is no uniform system of recruitment. It varies from industry to industry and according to the types of the operatives to be engaged. Labour is classified as permanent, temporary, substitute and seasonal.

Permanent: An employee who is employed to perform the work of a permanent nature is called a permanent hand. He is appointed on probation, the term and type of which differs from factory to factory. His services can be terminated on the ground of unsatisfactory work.

Temporary: A temporary worker is one who is appointed to perform the work for a definite period. As soon as the work is completed his services can be terminated automatically.

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wages. In other cases, the workers have to supply to the jobber with drink and other periodical offerings in kind. The jobber himself has at times to subsidise the head jobber and it is said that even the members of the supervising staff sometimes receive a share of the bribe." - R. Singh & I.C. Singhal, Labour Problems (1966), p. 15.
Substitute: He is one who is appointed to work in place of permanent and temporary workers, who are on leave or absent.

Seasonal: Such workers are employed generally by a sugar factory during the crushing season. They generally receive a retaining allowance. A retainer is considered to be in service in the off-season, and he may be summoned to join duty at any time.

Managements generally recruit permanent and temporary workers from the temporary and casual workers, and casual workers are to be recruited from the operatives available under the 'Badli control system'.

1. The term 'Badli' means a casual worker who works in place of an other worker who is absent. Every mill estimates each month the probable number of absentees in each department. On the basis of past experience and of the leave applications already received from the workers, the management is able to make a rough estimate of probable absentees during the month. Taking into account this estimate of absenteeism during the month and making allowance for unexpected terminations of the day-to-day absenteeism of the permanent hands as well as of the badlis themselves, the management decides the number of Badlis to be taken up each month. Special Badli cards are given to the selected workers under the Badli Scheme, who are assigned to different departments in different shifts according to their requirements. Such workers are asked to present themselves in the department convinced at the time of the beginning of their shifts where temporary day-to-day vacancies are filled up from among them. No new badlis are employed as long as old badlis are available. The cards of the badlis who are not given work are initialled daily by the heads of the departments or their assistants. If the badlis do not attend the mills regularly, inquiries are made and they are warned if satisfactory reply is not given. If, inspite of warning, a badli worker is irregular in attendance, his card is cancelled. When a vacancy in any permanent post arises in the department, it is filled up from among badlis working in the occupation concerned taking into account their seniority, regularity in attendance, efficiency and general record.
Needless to say, this system is apparently a boon in running the mills and providing employment to workers off and on. But it has its own inherent evils. Firstly, workers do not get regular employment and they go from one industry to another in search of jobs. Secondly, the procedure of initialising their cards at the factory gate daily prevents them from securing jobs elsewhere. In a nutshell this system does not promote happy relations between management and labour.

**DECASEUALISATION SCHEME OF RECRUITMENT:**

The other method of recruitment of industrial workers is through the Employment Exchanges. In Kanpur, a pool and Decasualisation Scheme is in existence for the recruitment of casual workers.1

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1. The badli control system has undergone a tremendous change through the formation of labour decasualisation scheme. This scheme is worked by a tripartite agreement between the State Government, employers and unions. The scheme is enforced in 13 large-scale industries of Kanpur. For the successful implementation of the scheme, Kanpur has been divided into three regions, each of which has a sub-office of the Employment Exchange. A good start was made by the scheme in spite of the fact that there were certain initial handi caps and limitations which hampered its progress on full scale. However, as a result of the decision of the labour Tripartite Conference, held at Nainital, it was decided to wind up the scheme from 1st July, 1954. But the Government decided to continue it on a day-to-day basis till a final decision was taken in the light of the recommendations of the Shiva Rao Committee on Employment Exchanges. In U.P., the employment exchanges have come to stay and they are rendering useful service, specially in Kanpur and in industrial sphere. A register is kept in every sub-office, and in it the names of job-seekers and their qualifications, experience etc. are recorded and if they belong to the retrenched class, the names of the mills from which they were retrenched and their respective periods of service are also recorded. Workers who have worked in a particular mill regularly for two months or more are listed in 'Pool' workers, while those who have worked for less than two months are entered in 'Decasualise workers'. Wherever the service of a particular type of worker is required, the entries are looked

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Employers generally fill a permanent post by promotions and adjustment. If they fail to do this, they inform the Employment Exchange of their requirements. Then the Exchange immediately recommends three or four names to the employer for final selection. The management is absolutely free to appoint any number or none of them. Generally governmental efforts are directed towards the recruitment of all types of operatives through services of Employment Exchanges, but in practice most of the technical, skilled and semi-skilled operatives are employed without availing the services of Employment Exchanges.

Employment Exchanges play an important role in promoting scientific methods of recruitment. They help to remove the evils of the present systems of recruitment. By furnishing the necessary information to the employers and the workers, they act as planned intermediary between both the parties. They help to adjust the demand for and supply of labour. Recruitment through this agency has made a valuable contribution towards the utilisation of labour.

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into the register and the names of 3 or 4 qualified workers are recommended to the mill. Under this system, preference is given by the employment exchange to pool workers of the same mill and then the names of decasualised workers of the same mill are sent. If pool and decasualised workers of a particular mill fail to meet the demand, efforts are made to send the names of 'pool' and decasualised workers of the same group of mills and then of the employees belonging to the same area provided they consent to the submission of their names. If suitable operatives are not available with a sub-office of the employment exchange, then other offices are informed of the needs and an requested to recommend the qualified and efficient workers to the mills soon. Z.A. Zachariah, Industrial Relations and Personnel Problems, p. 69.
The employer in Kanpur has also taken advantage of National Employment Service. In order to carry on his industries an employer gets the services of suitable workers for different types of work. The recommendation of the Exchange, however, is not binding on them. His freedom in the matter of selection is unfettered.

The service rendered by this Scheme in U.P. during 1960-71 is reflected in the following table:

Table No. 4.1

WORK DONE BY EMPLOYMENT EXCHANGE IN U.P. (in '000s)

<table>
<thead>
<tr>
<th>Year</th>
<th>Candidate registered</th>
<th>Candidates placed</th>
<th>Vacancies registered</th>
<th>Candidates on the live-register at the end of the period</th>
</tr>
</thead>
<tbody>
<tr>
<td>1960</td>
<td>588.1</td>
<td>64.7</td>
<td>94.5</td>
<td>229.2</td>
</tr>
<tr>
<td>1961</td>
<td>741.9</td>
<td>84.5</td>
<td>114.9</td>
<td>283.3</td>
</tr>
<tr>
<td>1962</td>
<td>830.3</td>
<td>85.1</td>
<td>117.5</td>
<td>389.3</td>
</tr>
<tr>
<td>1963</td>
<td>952.7</td>
<td>112.6</td>
<td>148.5</td>
<td>421.1</td>
</tr>
<tr>
<td>1964</td>
<td>794.1</td>
<td>91.9</td>
<td>124.6</td>
<td>376.9</td>
</tr>
<tr>
<td>1965</td>
<td>733.4</td>
<td>78.2</td>
<td>111.3</td>
<td>374.1</td>
</tr>
<tr>
<td>1966</td>
<td>645.5</td>
<td>71.9</td>
<td>104.6</td>
<td>331.3</td>
</tr>
<tr>
<td>1967</td>
<td>573.3</td>
<td>56.6</td>
<td>85.6</td>
<td>296.3</td>
</tr>
<tr>
<td>1968</td>
<td>650.4</td>
<td>63.1</td>
<td>94.3</td>
<td>297.7</td>
</tr>
<tr>
<td>1969</td>
<td>682.9</td>
<td>62.9</td>
<td>96.4</td>
<td>328.7</td>
</tr>
<tr>
<td>1970</td>
<td>772.9</td>
<td>71.9</td>
<td>104.2</td>
<td>432.5</td>
</tr>
<tr>
<td>1971</td>
<td>843.7</td>
<td>79.7</td>
<td>109.4</td>
<td>534.3</td>
</tr>
</tbody>
</table>

Source: Directorate of Training and Employment in U.P.
The number of candidates registered at the Employment Exchanges in U.P. showed a rising trend. This amply proves the availability of workers in U.P. No doubt, vacancies registered and the candidates placed also showed a rising trend, but the former increased at a faster rate than the placements made. This has been due to the enactment of Employment Exchanges (compulsory) Notification of vacancies Act, 1959. According to the Act, it is necessary on the part of employers both in the public and private sectors employing 25 or more workers to notify their demand regarding the employment of workers to the Employment Exchanges of their area in the prescribed manner.

**TRANSFERS AND PROMOTIONS**

For establishing smooth relations transfers and promotions are said to be a sine qua non of industrial efficiency. Shifting of employees from one department to another is a condition precedent to the balanced growth of an enterprise. When the transfer is more or less lateral, that is when the worker is moved to a position requiring a degree of ability and the responsibility similar to that exacted by his former position and involving no substantial change in his emoluments, it is termed as transfer.\(^1\) While promotion implies vertical advancement to a position which requires greater degree of skill and experience or imposes heavier responsibilities and is likely to pay higher wages or salary.\(^2\) It also serves as the best type of incentive to workers. The system governing transfers

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2. Ibid, p. 69.
and promotions, too, is far from satisfactory in the industries of Kanpur. Generally employers assign definite type of work to various recruits, and if their work is considered not up to the mark, their services are terminated before confirmation. Generally the weapon of transfer is utilised by the employer to harass and demoralise the workers on the pretext of the best interest of an industry.

The same remarks hold good about promotions of operatives in the industries of Kanpur. Favouritism and bribery appear to get precedence over experience and merit. The procedure of selecting operatives for promotions is that the head of the department is asked to furnish the names of suitable hands, but he generally shifts his job to the mistries, and they in their turn send the names arbitrarily. The undesirable practices in the matter of promotions breed frustration and disharmony between management and labour.

WORKING CONDITIONS:

Efficiency of the industrial operatives is intimately linked with their working conditions. "Environment creates a man and if the environment improves, the man's ability to work also improves."¹ It will be impossible for a worker to discharge his arduous job under unhealthy conditions. Good working conditions and congenial atmosphere not only increase workers' efficiency but are also instrumental in promoting good industrial relations. Absence or insufficiency of healthy working conditions creates the

job of an operative tiring and monotonous. With the availability of good working conditions, the gulf between labour and capital can be removed, and it will also reduce the migratory character of labour. Most of the workers of Kanpur hail from villages, and are accustomed to working in open surroundings. They find the conditions of work in the factories entirely different. Due to this, they often return periodically to their homes. Thus absenteeism and labour turnover are the results of unhealthy working conditions.

FACTORIES ACT, 1948, ON THE WORKING CONDITIONS:

Various provisions have been incorporated in the Factories Act for the safety of industrial operatives, and the employers are required to observe them in their concerns. The following are the main provisions:

Cleanliness:

Cleanliness is one of the constituents of good working conditions. Clean surroundings lessen industrial fatigue and reduce the workload of an operative. Accumulation of dirt or refuse should be avoided daily, by sweeping or any other method, from the floor and benches of work rooms and from stair-cases and passages. The floor of every workroom shall be cleaned at least once in every week, by washing with disinfectants or by some other agent. If the floor becomes wet during the process of manufacture, provisions should be made for proper drainage. All inside walls, ceilings and sides and tops of passages and staircases should be repaired or revarnished, at least once in every five years, and should be cleaned once in
every 14 months. If they are not painted, they must be white-washed once in every 14 months. By and large, the provisions regarding cleanliness have not been complied with in Kanpur. The rules regarding cleanliness are undoubtedly observed by some mills of Kanpur, but in a majority of mills they are ignored. One may test the cleanliness of Kanpur mills by visiting them without notice. In several cotton textile mills of Kanpur huge piles of dust and fibres will be found in the corners of the rooms and accumulation of dirt and fibres will also be seen in every door, window, ventilator and even on equipments.

The conditions of work in tanneries are deplorable in most of the cases. Apart from lack of sanitation and of suitable drainage arrangements for the disposal of effluents, even flushings and hoops are thrown on the premises indiscriminately. The effluent is generally allowed to run through uncovered kutcha drains into uncovered kutcha tanks, thereby emitting the worst possible stinking smell.

The workers' standards of cleanliness are also responsible for the worsening of the situation. A majority of the workers do not observe discipline in this matter, and they recklessly spit not at the places provided for spitting in but elsewhere at their convenience.
The length of a working day during which an operative is asked to work in any industry has a great effect on his efficiency and health. Working hours may be said to be the duration during which the persons in employment are at the disposal of the employers and are not free to dispose of their own time and movements. If the duration of the work in the industries is unduly long, it will adversely affect the worker's health. There is a universal recognition of the benefits of shorter working hours. The trend of the present century in this direction can be judged by examining the following table:

Table No. 4.2

TREND OF THE HOURS OF WORK IN FACTORIES.

<table>
<thead>
<tr>
<th>Years</th>
<th>Male Adults</th>
<th>Female Adults</th>
</tr>
</thead>
<tbody>
<tr>
<td>1890-1910</td>
<td>No limit</td>
<td>11</td>
</tr>
<tr>
<td>1910-1922</td>
<td>12</td>
<td>11</td>
</tr>
<tr>
<td>1922-1934</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>1934-1939</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>1939-1948</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>1948-present day</td>
<td>8</td>
<td>8</td>
</tr>
</tbody>
</table>

On examining the table, its trend can be assessed, and in a nutshell we may say that the hours of work are declining since 1911 both in the cases of male and female workers. The provisions

of the Factories Act, 1948, are as follows in this respect. Hours of work in the case of every adult worker are 48 hours a week. It comes to 8 hours a day. This also includes half an hour recess for rest-cum-lunch per day.

**Ventilation and Air-conditioning:**

Healthy atmosphere of work-rooms also has profound influence on workers' mind. Lack of this results in the worsening of the relations between capital and labour. The Factory Act provides for adequate ventilation in order to give fresh air to the workers and also for the maintenance of congenial temperature in the working places. Other provisions relate to safety, comfort, available space, and above all health. Like other conditions of work, atmosphere of work-rooms in Kanpur is also deplorable. The temperatures of work-rooms in the majority of cases has been far from optimum. Recently some improvement has been made in this direction but still much remains to be done by the industrial establishments of Kanpur. No air conditioning plant has been installed in the industries, but fans have been provided by the employers for the benefit of workers during summer season.

**Shift System:**

The introduction of unavoidable shift working has also worsened the employer-employee relations to a considerable extent. The shift system implies that the operatives are divided into groups which work, one after other, for a certain number of hours per day in accordance with a scheme of rotation. The machinery and equip-
ment are thus worked to full capacity by the introduction of this system. The economy resulting from this system is tremendous, and so employers are tempted to operate it in their factories. However, no uniform system is found in Kanpur mills in the system of shift working. It varies from mill to mill and from industry to industry. Cawnpore Woollen Mills work only in two shifts due to seasonal consumption of its products and also to save it from the danger of recession. The number of shifts depends on the availability of raw material and transport services, and more particularly on the demand of its products. Cotton Textile Mills cater to the needs of all people, and so the number of shifts here vary from unit to unit. Some carry on their work in three shifts, some in two shifts, and the rest have different patterns of work in different departments. Some departments work for three shifts while others work for two shifts only.

One of the glaring defects in the shift system of working is that the workers get the same wages irrespective of the fact whether they work in morning, day or night shifts. Workers, generally prefer to have their turn in first shift. Therefore in order to satisfy the majority of workers the employers regulate it by changing the shift of every worker.

The multiple shift system proves injurious to the health and efficiency of the operatives. It is adopted in those industries in which the cost of production is mainly interest on capital and not wages. So multiple shift system is suitable in those
industries, where costly equipments are used and in order to cut down the production cost, they may be worked for long hours. No doubt machines in this system, will the sooner become unproductive and the industry will have to replace old machines by new ones. In this age of inventions it would not be a severe loss to the management because new inventions necessitate scrapping of old machines rapidly. Because of certain inherent drawbacks, the multiple shift system has not got the support of the workers and even the Royal Commission on Labour failed to recommend it for adoption in India.

Night Shift:

Night shifts are considered essential in those industries where work is of a continuous nature. At the present moment opinions differ on the desirability as well as the necessity of working night shifts. Millowners recommend its adoption while labour organisations oppose it. The arguments put forward by capital and labour are as follows: According to the Ahmedabad Millowners Associations "night shift has the distinct advantage of lowering over-head cost, which is essential more particularly in these days of keen competition, and of enabling the industry to cope with temporary increase in demand without additional outlay of fixed capital." Similarly a millowner of a textile mill in Ahmedabad is of opinion that "there is bound to be a greater tendency to work in the night shift instead of producing by a single shift because what is happening actually is that day after day with the inventions going on, machines are getting costlier and costlier and in order to meet depreciation and interest

charges on these machines, production has got to be taken out of them in a limited time and it will certainly entail working night shift."\(^1\)

Employers mainly think in their own interest but the working of night shifts certainly affects the life, health and efficiency of workers adversely. Shri Ambalal Sarabhai, an industrialist of Ahmedabad is of opinion "that absenteeism among the night shift workers was 5% as against 3% among his day shift workers and his mill hospital reported a larger number of cases from the night shift operatives than from the day shift workers."\(^2\) So "night work impairs the health of workers, causes higher absenteeism and curtails higher opportunities for social life."\(^3\)

Undoubtedly night shifts lead to increased employment opportunities but they have a bad effect on the efficiency of the workers. The quality of the products is bound to deteriorate due to various factors such as absenteeism, lack of supervision and of incentive.

**STANDING ORDERS:**

An industrial worker has the right to know the terms and conditions under which he is employed and the rule of discipline which he is required to follow. Broadly speaking in Indian Industry the rules of service are not definitely set out and where they exist they have been very elastic to suit the convenience of the employers.

\(^1\) Dr. Raghuraj Singh and I.C. Singhal, Labour Problems, p. 117.
\(^2\) Ibid.
\(^3\) Ibid.
The Standing Orders refer to rules and regulations governing the conditions of employment of workers. The Industrial Employment (Standing Orders) Act was passed in 1946, under which the Central (Standing Orders) Rules have also been framed, by way of providing a model. Within six months from the enforcement of this Act, an employer (or a group of employers in an industry) is required to submit a draft of standing orders to the certifying officer who is to forward a copy to the trade union, if any, together with a notice. The text of the standing orders contains provisions pertaining to:

(a) classification of workmen, e.g., permanent, temporary, apprentices, probationary or substitute;
(b) mode of intimating to workmen hours of work, holidays, pay day and wage-rates;
(c) mode of shift-work;
(d) attendance;
(e) mode of applying for leave;
(f) requirements pertaining to the entrance into the premises of the factory and the liability to be searched;
(g) matters relating to closing and opening of departments, temporary stoppages and rights and liabilities of the employers and employees;
(h) procedure for terminating the employment and notice thereof to be given by the party concerned;
(i) procedures for suspension or dismissal for misconduct;
(j) means of redress for workmen against unfair treatment or wrongful exactions by the employers or his agent;
(k) age for superannuation or retrenchment and rate of pension;
(l) conditions for promotion of workmen;
(m) issue of service certificates;
(n) censure and warning notices;
(o) issue of wage slips and introduction of welfare schemes, e.g., provident fund and gratuity.
A certified copy of the standing orders is to be exhibited in English and Hindi in prominent place in the factory premises so that workers may read it. The central idea of the Act is to make it obligatory for the employers to define the conditions of employment and let them be known to the workmen concerned. Accordingly, the Employers' Association of Northern India has framed Standing Orders and the cotton textile factories of Kanpur have followed the same.

DEFECTS IN THE ACT:

(1) The study of the main provisions of the Act indicates that the Act is limited in scope, for it applies to units employing 100 or more persons.

(2) Though the Act required employers to frame Standing Orders and to submit them to the Certifying Officers, it did not empower the Certifying Officers to adjudicate upon the fairness or reasonableness of the Standing Orders.

Table No. 4.3
COMPLAINTS AND OFFENCES UNDER THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946 IN U.P.

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of complaints</th>
<th>Total no. of cases</th>
<th>Total no. of complaints</th>
<th>Total no. of cases</th>
<th>Cases of pending complaints</th>
<th>Convictions</th>
<th>Total amount of fines imposed during the year in Rs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1963</td>
<td>1047</td>
<td>55</td>
<td>53</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1964</td>
<td>1149</td>
<td>41</td>
<td>41</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>1965</td>
<td>1262</td>
<td>2100</td>
<td>1976</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1966</td>
<td>1156</td>
<td>2115</td>
<td>2044</td>
<td></td>
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<td></td>
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<tr>
<td>1967</td>
<td>1241</td>
<td>1871</td>
<td>1747</td>
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<td>1968</td>
<td>1440</td>
<td>73</td>
<td>46</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1969</td>
<td>1550</td>
<td>74</td>
<td>45</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1970</td>
<td>1529</td>
<td>67</td>
<td>19</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1971</td>
<td>1503</td>
<td>70</td>
<td>55</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Annual Review of Activities, Department of Labour, U.P.
The data given in the above table prove unmistakably the following things:

1. The number of inspections made annually has been increasing steadily.
2. The disposal of cases of complaints leaves nothing to be desired, on the whole. In the last four years, however, particularly in 1970, the disposal is not satisfactory.
3. As regards offences of violations under the Act, the position is exemplary. The number of convictions obtained is zero in all the years except in 1964, 1966 and 1970 with a solitary case in each year.
4. In 1971, all the eight cases pending remained undisposed of.
5. On the whole, the coverage under this Act gives a satisfactory picture of industrial relations.

It may not be out of place to mention here that industrial units employing a far lesser number than 100 workers should be brought within the purview of the Industrial Employment (Standing Orders) Act, 1946, because the worst offenders usually are the employers of smaller units. The Amendment of the Act made in 1961 needs to be implemented instead of being retained as a merely enabling measure.

**LEAVE AND HOLIDAYS**

Provision of adequate leave and holidays is indispensable for improving the employer-worker relations. They not only increase workers' efficiency but are also instrumental in easing the tension between them. They create an interest for the work
amongst the operatives and produce in them a feeling of affection and duty towards the mill. Operatives also realise that not only do they get wages in return for the work rendered by them but are also eligible for certain offer rights and privileges. Such a feeling is bound to promote better employer-employee relations. If the workers do not get leave and holidays with pay they feel dissatisfied and they may resort to agitation to achieve these things. Such facilities are all the more necessary for Indian workers because they can ill-afford to avail themselves of leave without pay. Various committees and authorities on Labour Economics have emphasised the need of adequate leave and holidays to increase the tempo of workers for efficient work. The Royal Commission on Labour observed, "The holidays which many may be able to take are also a great source of strength of mind, and the combination of urban and rural life brings a width of outlook which is apt to be lacking in a purely urban population."

The Bihar Labour Enquiry Committee aptly remarked, "Tropical climate, poor diet and physique of the workers and insanitary and unattractive conditions in which they live, combine to make holidays with pay even more necessary in India than in the West. As the vast majority of workers are drawn from the villages with which they maintain the closest connection, and would, therefore, probably spend the holidays there, it will not only be a benefit to their health but also a feeling of happiness from an annual sojourn, however, brief." The Cawnpore Labour Enquiry Committee also upheld the benefit of holidays with

pay to the workers. Dr. R.K. Mukherjee appreciated the value of leave and holidays with pay to the workers and suggested rationalisation in this direction.

No uniformity is observed by the mills of Kanpur in the matter of leave. The provisions of the Factories Act, 1948, in this respect are that every adult worker who has worked for a period of 240 days or more in a factory during a calendar year is to be allowed during the subsequent calendar year leave with wages excluding dearness allowance for a period calculated at the rate of one day for every 20 days of work performed by him during the previous 12 months. In the case of children, leave is to be at the rate of one day for every 15 days of work. The leave admissible is exclusive of all holidays, whether occurring during or at the end of the period of leave.

Various industries of Kanpur have formulated the necessary standing orders under the Industrial Employment (Standing Orders) Act, 1946. To avail leave, an employee is required to observe rules strictly. The Standing Orders of the Employers' Association of Northern India, Kanpur lay down the following procedure:

A written application has to be given to the officers appointed by the management for urgent leave of less than three days at least 24 hours earlier and for non-urgent leave of three days or more at least 7 days before its commencement. In case leave is claimed on medical grounds or on the demise of anyone in the family, applicants are required to submit their applications immediately.
In a nutshell, leave cannot be claimed as a matter of right by the workers. The officer concerned may grant leave applied for or he may refuse it, i.e., granting of leave is entirely at the discretion of the officer concerned who will decide the matter keeping in view the urgency and exigencies of the circumstances. Orders are to be passed on each application within three days, either granting or refusing leave asked for. In urgent leave cases, orders have to passed immediately. The fate of the applications for leave must be communicated to the workers concerned. An extension of leave may be granted, if other formalities are observed. If a worker overstays the period of leave granted to him, he has to give satisfactory explanation of his inability to resume his work, otherwise his lien on the post may be cancelled.

HOLIDAYS:

Workers have not been provided adequate holidays to recoup from the fatigue and monotony of the work in the mills. Though the urgency of this cannot be over-emphasised yet the position in Kanpur mills is far from satisfactory. As in matters of leave, holidays also differ from unit to unit and from industry to industry. They are statutary holidays, festival holidays and national holidays. Whereas the statutary holidays have been provided for in the basic enactments, festival and other holidays have been determined either by awards or through collective bargaining. The Factories Act, 1948, provides that the first day of the week shall be a day of rest for all workers. Thus Sunday has been declared a day of rest in all these industries. However, relaxation can
be made in this provision subject to the condition that adjustment shall be so made that no worker is required to work for more than 10 consecutive days without having a whole day of rest and a prior intimation of the adjustment is sent to the factory inspector concerned. The Uttar Pradesh Industrial Establishments (National Holidays) Act, 1961, provides that every worker (including an apprentice) employed in any industrial undertaking is entitled to and is to be granted holiday with wages on a National Holiday, i.e., 26th January, 15th August and 2nd October, every year, notwithstanding anything contained in any other law, (for the time being in force) contract, document, usage and practice. Where an employee for unavoidable exigencies is asked to work on a National Holiday, he is to be paid by the employer twice the wages for a day, or at the option of the employee wages for that day and also a substituted holiday with wages falling within the next calendar month, not being a weekly holiday.

The textile mills of Kanpur have succeeded in adopting a standard list of holidays in a year.

Table No. 4.4

LIST OF HOLIDAYS IN COTTON TEXTILE MILLS OF KANPUR

<table>
<thead>
<tr>
<th>Festival</th>
<th>No. of day</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Republic Day</td>
<td>1</td>
</tr>
<tr>
<td>2. Holi</td>
<td>2½</td>
</tr>
<tr>
<td>3. Idul-fiter</td>
<td>1</td>
</tr>
<tr>
<td>4. Moharram</td>
<td>1</td>
</tr>
<tr>
<td>5. Dashera</td>
<td>1½</td>
</tr>
<tr>
<td>6. Diwali</td>
<td>2½</td>
</tr>
</tbody>
</table>

Contd...
There are only four holidays with pay in the case of Cotton Textile Mills in Kanpur, viz., Republic Day, Deepawali, Independence Day and Mahatma Gandhi's Birthday.

Other industries have not standardised their attitude towards holidays. Some of the mills grant sectional holidays to their employees.

The attitude of employers towards daily rated workers is most stiff and they get holidays without wages. This practice is undesirable and proves a stumbling block in the creation of healthy relations.

**RETRENCHMENT:**

Retrenchment by the employers has been responsible for the worsening of the relations between the workers and the employers. It is said to be a major cause of industrial unrest in the industries of U.P. and Kanpur. The weapon is generally resorted to by the employer in periods of crises owing to depression, breakdown of machinery or financial stringency.
In Kanpur, as in the rest of U.P., cases of retrenchment of workers are governed by U.P. Industrial Disputes Act which provides conditions and procedure for retrenchment. 1

Rule 42 of the Act provides the procedure of giving the notice of retrenchment to the Secretary, Labour Department, to the Labour Commissioner and to the Conciliation Officer concerned, by registered post on the same day on which notice is given to the workmen or on which wages are paid in lieu of notice. 2

Thus Labour Legislation tried to curb and regulate retrenchment of workers by the employers. The employers of Kanpur industries always try to exploit the workers and disobey the provisions of the law in this respect. Workers have been retrenched

---

1. Retrenchment means the termination by the employer of service of a workman for any reason whatsoever otherwise than as a punishment inflicted by way of disciplinary action but does not include (i) voluntary retirement of the workman; or (ii) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf. — See 2(s), U.P. Industrial Disputes Act.

2. Where retrenchment is governed by an agreement specifying the date of termination of service, notice of retrenchment to the officers of the U.P. Government mentioned above shall be sent on the date of the agreement, if the period from the date of the agreement to the date of the retrenchment is of less than one month, otherwise not less than one month before the date of the retrenchment.

The employer is further required to notify in a conspicuous place in the establishment at least a week before the date of retrenchment a list of the workmen from which retrenchment is contemplated, arranged according to the seniority of their service in a particular category. The employer is further required to obtain the address of the workman in writing from him and signed by him or with the thumb impression of the workman for sending intimation to the workman for re-employment.
not due to unavoidable circumstances but they have been removed with a view to teaching them a lesson for their union activities.

Table No. 4.5

NUMBER OF WORKERS RETRENCHED IN U.P. AND KANPUR.

<table>
<thead>
<tr>
<th>Year</th>
<th>U.P.</th>
<th>Kanpur</th>
</tr>
</thead>
<tbody>
<tr>
<td>1959</td>
<td>1012</td>
<td>117</td>
</tr>
<tr>
<td>1960</td>
<td>2618</td>
<td>225</td>
</tr>
<tr>
<td>1961</td>
<td>3581</td>
<td>83</td>
</tr>
<tr>
<td>1962</td>
<td>5089</td>
<td>77</td>
</tr>
<tr>
<td>1963</td>
<td>4214</td>
<td>188</td>
</tr>
<tr>
<td>1964</td>
<td>1970</td>
<td>129</td>
</tr>
<tr>
<td>1965</td>
<td>3606</td>
<td>107</td>
</tr>
<tr>
<td>1966</td>
<td>3202</td>
<td>206</td>
</tr>
<tr>
<td>1967</td>
<td>1899</td>
<td>207</td>
</tr>
<tr>
<td>1968</td>
<td>2034</td>
<td>244</td>
</tr>
<tr>
<td>1969</td>
<td>2465</td>
<td>352</td>
</tr>
<tr>
<td>1970</td>
<td>1350</td>
<td>145</td>
</tr>
<tr>
<td>1971</td>
<td>1143</td>
<td>102</td>
</tr>
</tbody>
</table>

Source: Annual Review of Activities, Department of Labour, U.P.

From the above table, it can be said that such a high incidence of retrenchment points to the gravity of the problem both in U.P. and Kanpur industries. It is more pronounced in cotton mills of Kanpur. It is also a major item in the dissention between the workers and the management.

RETRENCHMENT COMPENSATION:

The "present arrangement by which the retrenchment compensation is required to be borne by the employer at a time when he is really in difficulties, whatever the reasons, works somewhat harshly on him but even more harshly on workers who are on
many occasions deprived of the benefits provided under the Act. On the other hand, if its incidence is distributed over the whole industry, it might under certain conditions imply subsidising of inefficient management. 1

CLOSURES:

Workers are the greatest sufferers due to closure of factories by the employers. 2 Industrial relations are also affected due to closures adversely.

1. Section 69 of the U.P. Industrial Disputes Act, 1947 provides the benefits of retrenchment compensation. No worker who has been in continuous service for not less than one year can be retrenched by an employer until one month's notice (or wages in lieu thereof) has been given to him in writing, indicating the reasons for retrenchment. Retrenchment compensation is payable at the rate of 15 days' average pay for every completed year of service or any part thereof in excess of 6 months. - National Commission on Labour, 1969, p. 176.

2. A closure may be defined as "a permanent or temporary suspension of entire work by the employer to meet some continued or unforeseen contingency and is adopted only as a last resort after all possible alternatives including lay-offs and retrenchments have been exploited." - J.L. Rastogi, Industrial Relations in U.P., p. 81.

A word about the difference between a lockout and closure may be added here. Lockout is resorted to for preventing a conflict while a closure is a device to save the industrial unit from loss or economic crisis.
The table given below will reveal the extent of the problem of closures in U.P. and Kanpur industries.

Table No. 4.6
CLOSURES OF FACTORIES IN U.P. AND KANPUR.

<table>
<thead>
<tr>
<th>Year</th>
<th>No. of Closures</th>
<th>Workers Involved</th>
<th>Workers Involved</th>
<th>Workers Involved</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>U.P.</td>
<td>Kanpur</td>
<td>U.P.</td>
<td>Kanpur</td>
</tr>
<tr>
<td>1955</td>
<td>58</td>
<td>4</td>
<td>3469</td>
<td>147</td>
</tr>
<tr>
<td>1956</td>
<td>60</td>
<td>3</td>
<td>13728</td>
<td>387</td>
</tr>
<tr>
<td>1957</td>
<td>55</td>
<td>3</td>
<td>3419</td>
<td>176</td>
</tr>
<tr>
<td>1958</td>
<td>25</td>
<td>7</td>
<td>2464</td>
<td>612</td>
</tr>
<tr>
<td>1959</td>
<td>67</td>
<td>4</td>
<td>9338</td>
<td>79</td>
</tr>
<tr>
<td>1960</td>
<td>51</td>
<td>16</td>
<td>4621</td>
<td>508</td>
</tr>
<tr>
<td>1961</td>
<td>73</td>
<td>8</td>
<td>11195</td>
<td>5414</td>
</tr>
<tr>
<td>1962</td>
<td>38</td>
<td>5</td>
<td>6720</td>
<td>2086</td>
</tr>
<tr>
<td>1963</td>
<td>67</td>
<td>14</td>
<td>3916</td>
<td>2996</td>
</tr>
<tr>
<td>1964</td>
<td>43</td>
<td>6</td>
<td>3364</td>
<td>203</td>
</tr>
<tr>
<td>1965</td>
<td>31</td>
<td>3</td>
<td>7447</td>
<td>2443</td>
</tr>
<tr>
<td>1966</td>
<td>23</td>
<td>6</td>
<td>2980</td>
<td>138</td>
</tr>
<tr>
<td>1967</td>
<td>70</td>
<td>7</td>
<td>13490</td>
<td>659</td>
</tr>
<tr>
<td>1968</td>
<td>36</td>
<td>12</td>
<td>2281</td>
<td>864</td>
</tr>
<tr>
<td>1969</td>
<td>35</td>
<td>13</td>
<td>4658</td>
<td>1227</td>
</tr>
<tr>
<td>1970</td>
<td>47</td>
<td>3</td>
<td>5129</td>
<td>67</td>
</tr>
<tr>
<td>1971</td>
<td>54</td>
<td>6</td>
<td>4533</td>
<td>481</td>
</tr>
</tbody>
</table>

Source: Annual Review of Activities, Department of Labour, U.P.

The figures, however, are not enough for an assessment of the loss to workers due to closures because the duration of closures is not given. The figures in col. 1 and 2 give only the occasion of closures, so to say, but a closure may last for a week or for a month or for any longer or shorter period, and yet it is just one closure. In the absence of adequate data, no
reliable estimate can be made of the loss to operatives, nor can one say anything with certainty about the trend of closures i.e., whether they are on the increase or they are decreasing in U.P. and Kanpur. Here, as elsewhere, on many occasions, the researcher on industrial problems has to bewail the absence of proper statistics hampering his task.

ACCIDENTS:

An other item worsening relations between the employers and employees is the happening of the accidents in the industrial units.

All industrial accidents may be attributed to human failings. The worker is not a machine and he is apt to make mistakes. A mistake may be made by the architect who designed a factory, the contractor who built it, a machine designer, an employer — in fact by anyone who has anything to do with the design, construction, installation supervision and the use of the factory. The most common causes are to be found not in the most dangerous machines (such as circular saws and power presses) or the most dangerous substances (such as explosives) but in quite ordinary jobs of the

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1. An accident is an event arising out of a work-situation which follows out of something at fault in the equipment or in arrangement or in an individual's performance. It may result in an injury or be without an injury. The injury may be fatal or non-fatal. A non-fatal accident may lead to disablement. Again, such disablement may be permanent or temporary. Many accidents — especially those which result in death or permanent disablement — may have catastrophic effect on family. Moreover, all accidents result in waste of time and money. The operative loses his wages, the unit loses production. C.H. Northcott, Personnel Management, p. 371.
workers who may come to harm by their own acts of commission or omission e.g., stumbling or being struck by falling objects etc.

The available statistics on accidents in U.P. relate to injuries, fatal and non-fatal. The table given below will point out the gravity of the problem in U.P. industries:

Table No. 4.7

INCIDENCE OF ACCIDENTS IN UTTAR PRADESH
(Under the Factories Act, 1948)

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Accidents</th>
<th>Total number of accidents</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Fatal</td>
<td>Non-fatal</td>
</tr>
<tr>
<td>1955</td>
<td>27</td>
<td>7267</td>
</tr>
<tr>
<td>1956</td>
<td>34</td>
<td>9268</td>
</tr>
<tr>
<td>1957</td>
<td>34</td>
<td>10590</td>
</tr>
<tr>
<td>1958</td>
<td>41</td>
<td>10606</td>
</tr>
<tr>
<td>1959</td>
<td>40</td>
<td>11370</td>
</tr>
<tr>
<td>1960</td>
<td>67</td>
<td>10762</td>
</tr>
<tr>
<td>Average</td>
<td>40.5</td>
<td></td>
</tr>
<tr>
<td>1961</td>
<td>74</td>
<td>10734</td>
</tr>
<tr>
<td>1962</td>
<td>68</td>
<td>10926</td>
</tr>
<tr>
<td>1963</td>
<td>51</td>
<td>11901</td>
</tr>
<tr>
<td>1964</td>
<td>67</td>
<td>11678</td>
</tr>
<tr>
<td>1965</td>
<td>71</td>
<td>11566</td>
</tr>
<tr>
<td>1966</td>
<td>72</td>
<td>11655</td>
</tr>
<tr>
<td>Average</td>
<td>67.1</td>
<td></td>
</tr>
<tr>
<td>1967</td>
<td>70</td>
<td>11816</td>
</tr>
<tr>
<td>1968</td>
<td>64</td>
<td>11877</td>
</tr>
<tr>
<td>1969</td>
<td>77</td>
<td>12709</td>
</tr>
<tr>
<td>1970</td>
<td>88</td>
<td>11481</td>
</tr>
<tr>
<td>1971</td>
<td>130</td>
<td>13955</td>
</tr>
<tr>
<td>Average</td>
<td>85.8</td>
<td></td>
</tr>
</tbody>
</table>

Source: Annual Review of Activities, Department of Labour, U.P.
It is clear from the above table that:

(1) The average of fatal accidents per year in respective periods is 40.5, 67.1 and 85.8, which means an increase of 65.7 per cent from the first period to the second period, and an increase of 111.8 per cent from the first period to the third period. The increase is very very high indeed, more than double the number from the first period to the third period.

(2) The average of total accidents in the respective periods also shows an upward trend, i.e., from 10018 to 11494, and then to 12253. This works out at an increase of 14.7 per cent and an overall increase of 22.2 per cent. The increase may be partly attributed to the increase in the number of industrial units and workers, but still it cannot be ignored in a study of the relevant trends.

(3) A more important aspect to be considered is the percentage of fatal to total accidents. Again basing our calculations on the averages referred to above, we notice a rise from .4% to .58% and then to .7%. This reveals a sad picture of safety arrangements and cannot be explained away as a phenomenon consequent on the growth of industries.

**Labour Welfare**

Labour Welfare plays a vital role in the establishment of cordial relations between labour and capital. Basically labour welfare constitutes the provision of such services, facilities and amenities as would help in creating healthy and congenial environ-
ment and conditions for work as well as for living. It is the employer's responsibility to provide facilities within the precincts of an establishment as they form part of working conditions.\(^1\) This has been the policy of the Government from the beginning. The legislation in the country has prescribed certain basic norms and improvement upon them has been left to the management. The story of industrial relations in U.P. and Kanpur would have been completely different, had the employers discharged their responsibilities in this direction.

Labour welfare activities in Kanpur are provided by the employers, State Government and by the organisations of workers, though labour organisations are not taking much interest due to lack of finances. In this chapter we are simply concerned with the role of management in the establishment of cordial relations between workers and management. The labour welfare activities provided by the employers may be classified into two groups, viz., statutory and voluntary. The employers in Kanpur are providing only those welfare activities in their mills which are compulsory by law but voluntary welfare activities provided by them are simply inadequate. In compulsory welfare activities they are following the letter not the spirit of law. In such a situation the workers are bound to be frustrated and disheartened. They do not always provide the statutory welfare activities,\(^2\) not to speak of providing voluntary labour welfare services.

2. Employers Association of Northern India has stopped the compilation and publication of employer's welfare activities.
REST SHELTERS AND CANTEENS:

The provision of rest shelters and canteens is the first step in any scheme of labour welfare. Most of the cotton mills provided rest shelters. Larger units in other industries had set up rest shelters for their workers but in smaller units they are an exception to the rule. The condition and maintenance of rest shelters are far from satisfactory. Their structure consisted of unplastered walls and roof of corrugated sheets. They were constructed at places convenient to the employers. These rest shelters are unable to accommodate all the workers. Cleaning and sweeping of rest shelters are not common. The net result of all this is that the workers prefer the shade of trees for their rest. Canteens also play a dominant part in any scheme of labour welfare. Canteens have been established in Kanpur industries by U.P. Factory Rules, 1950. A factory, where more than 250 workers are engaged, has to run a canteen for the workers. It must be said to the credit of some employers that their canteens are good. Some of them work day and night. However, in most of the canteens only tea and light refreshments are sold. In many cases canteens are not kept clean and there are no arrangements for seating. Workers have to take their refreshments standing and in open places. Such canteens have failed to serve their purpose.

DRINKING WATER:

Most of the factories in Kanpur have made some provision for drinking water but their arrangements are neither satisfactory nor uniform. In a majority of cases earthen pots are used for
storing water and they are not cleaned. The employers very often do not engage men for serving water at the place of work.

**CRECHES:**

Employers are bound to provide creches in their units employing 50 or more women workers. Creches are not provided satisfactorily by cotton mills of Kanpur employing a considerable number of women. The standards prescribed are flagrantly violated.

**ENTERTAINMENT AND MEDICAL FACILITIES:**

There is a tremendous importance of provision of entertainment in the establishment of satisfactory relations. Employers in Kanpur have not realised its utility inside the factory. Though some of the progressive employers such as the E.I.C. and the J.K. Group have provided outside entertainment but they too have not done anything inside the factory. Out-door and indoor games have been provided in the worker's settlements provided by the employers. Sometimes we see matches being played in Lal Imli settlement playing grounds, and winners are awarded prizes. These facilities, wherever they are provided, will be of immense benefit to the workers for recouping their lost energies in their day's work.

Entertainment facilities, provided by the employers, cover only a fringe of the workers. Recently the interest of the workers has declined owing to the welfare work being done by the Government. Such a trend is not good. Proper care for the health of the workers is another device in the establishment of cordial relations. Employers in Kanpur have not paid much attention to this aspect. No
doubt, all the mills have their own medical personnel and dispensaries. But their working is far from satisfactory. The trend in recent years has been that their services are not utilised by the workers, due to the availability of E.S.I. Dispensaries at a nearby place. Employer's dispensaries treat minor types of injuries and specialised work is not provided by them.

**ASSESSMENT OF LABOUR WELFARE ACTIVITIES**

"The general impression, which the committee on labour welfare has formed, is that the statutory welfare amenities have not been properly and adequately provided, except in units managed by progressive employers or in the modern units where the technology of production requires maintenance of adequate welfare standard. In several cases, particularly in medium and small-sized units, the standards are distinctively poor. Arrangement for drinking water and first aid boxes and upkeep and maintenance of conservancy of services are not satisfactory in these units.\(^1\) If we examine the above impression in the case of employers of Kanpur, the impression is corroborated. In a nutshell we can say in many units in Kanpur though the letter of the law may have been observed, yet the spirit behind it is completely lacking.

In the course of my study I visited some of the mills managed by enlightened employers. These mills presented a pattern of welfare activities as near the ideal as possible at present in Kanpur. For instance in Indian Explosives, the standards are as

\(^1\) National Commission on Labour, p. 116.
good as could be expected. There was a greater evidence of compliance with the spirit of the law here.

**INDUSTRIAL HOUSING IN KANPUR BY EMPLOYERS**

An important item in labour welfare is industrial housing and it deserves separate treatment because it is a basic human need. Undoubtedly it has much to do with the management-labour relations. The dark side of industrialisation is highlighted by the existence of slumps in industrial areas. In Kanpur the problem is as acute as in other industrial centres of our country as, Ahmedabad, Bombay and Calcutta. The contributions of employers of Kanpur in providing this facility to their employees has been very inadequate. The B.I.C. and J.K. groups and Swadeshi Cotton Mills and some other concerns have provided housing accommodation to their perennial workers. The percentage of workers housed by the Industrial employers in Kanpur was 4.5 per cent in 1953 and this percentage remained more or less stationary till 1959. In 1960 it came to 4.2 and in 1961 to 4 per cent. On an enquiry at E.A.N.I. in December 1972 it was revealed that no figures relating to housing by employers have been maintained after 1961. It is, however, apprehended that the percentage of workers housed by the employers has gone down to 2. This is no surprise, as the number of houses built by the State Government under the Subsidised Industrial Housing Scheme of the Central Government has been rapidly increasing. At the end of 1971 it was 18015. It is a matter of shame to the industrial employers of Kanpur in general that they have done very little in this sphere.

in spite of the incentive offered under the Subsidised Industrial Housing Scheme of the Central Government which came into operation in September 1952. The pattern of financial assistance under the S.I.H.S. to industrial employers was 50% loan and 25% subsidy on approved cost of construction and prescribed rents. The employers in Kanpur as elsewhere are perhaps of the view that it is not incumbent on them to avail themselves of the benefits of the scheme. This mercenary outlook of the employers is not likely to improve the growth of healthy industrial relations.

However, a researcher cannot look askance even at the meagre contribution of the employers in industrial housing. Notable labour settlements provided by the employers are as follows:

The B.I.C. have in all about 1700 quarters in their settlements at Mac Robertgunj, Allenganj and Kakomiganj. The Elgin Mills have two settlements consisting of 104 and 156 houses respectively at settlements known as Maxwellganj and Elgin Mills settlements. The J.K. Group of Mills have also constructed a large and decent colony for housing a majority of their workers at Kamalnagar.

MACHINERY AT THE EMPLOYER'S AND FOR PROMOTING INDUSTRIAL RELATIONS:

The quality of industrial relations in an undertaking depends to a very great extent on the policy and behaviour of employers towards its operatives. Workers are not cogs in the machines but they are human beings. So, far achieving industrial harmony we have to create conditions where disputes become rare. Now we propose to examine the various measures at the employer's
end for promoting industrial relations.

**JOINT CONSULTATION:**

Undoubtedly conciliation and adjudication may reduce the number of disputes, but the basic causes of strike between labour and management are not removed thereby. This can be achieved only by intimate cooperation between labour and management starting from the lowest level so that day-to-day problems are solved and a harmonious relationship established between both sides. Despite the establishment of formal machinery, joint consultation has been largely ineffective at the plant level.

**WORKS COMMITTEES:**

Section 3 of the Industrial Disputes Act, 1947, empowers the appropriate government to require the setting up of Works Committees in industrial units employing 100 persons or more, "to promote measures for securing and preserving amity and good relations between the employers and the workmen and to that end, to comment upon matters of their common interest or concern and to endeavour to compose any material difference of opinion in respect of such matters." These committees consist of the representatives of both the employers and the employees in a unit. Their main purpose is to discuss day-to-day affairs in a cordial atmosphere of mutual goodwill and friendship in the premises of the factories, not as two contesting parties before a conciliator but as two friends meeting and discussing things with a view to settling and composing their differences amicably.

1. C.B. Kumar, Development of Industrial Relations in India, p. 189.
and quickly. These committees deal with day-to-day questions of mutual concern to both the employers and the employees. It is comparatively easy to reconcile the two parties in the initial stage when neither of them has staked its honour in the dispute, because afterwards the parties try to adhere to their respective stand-points and the dispute is prolonged.

In Uttar Pradesh, the Government took a lead in this sphere by passing an order in 1948 ordering factories to constitute Works Committees. The responsibility for the constitution of Works Committee was placed on the employers. In 1949 their number was 161, but they were finally dissolved by the State Government from 1st November 1950, due to rivalry between different unions, which made it difficult for the management to have a representative of workers and hence the working of the committees had been difficult.

In July 1958 the U.P. Government issued orders for the setting up of works councils along with permanent Conciliation Board at the State level in all State-owned factories employing 100 or more workers. The constitution and functions of these Works Councils are similar to those of works committees and they are also to act as labour welfare advisory body. If they fail to bring amicable settlement in case of any dispute, the matter is referred to the permanent Conciliation Board. In 1971, there were 69 Works Councils in State undertakings in U.P. In the private sector, however, no such Works Committees exist, for they were abolished in 1950, as already mentioned earlier.

JOINT MANAGEMENT COUNCILS

Joint management councils owe their existence to the following observations made in the Government Industrial policy Resolution of 1956, "In a socialist democracy, labour is a partner in the common task of development and should participate in it with enthusiasm...... There should be joint consultation, and the workers and technicians should, whenever possible, be associated progressively in management. Enterprises in the public sector have to set an example in this respect."\(^1\)

The Joint Management Councils were tried in order to provide a means for self-expression and thereby dissipate the feeling of futility, isolation and frustration. These councils were reviewed at a seminar on Labour Management Cooperation in March, 1960. The recommendations of the seminar throw light on the utility of such councils. "The seminar was convinced that Joint Councils will thrive only in an atmosphere of mutual confidence and goodwill. It took note of the gradual improvement in the attitude of the employers and trade unions towards each other but felt that there was a need for continuous educative work both on the side of labour and management."\(^2\)

The essential features of the scheme for Joint Management Councils are as follows:--

(i) the council is entitled to be consulted on certain specified matters;

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1. Second Five Year Plan, p. 49.
(ii) in some others, the management is expected to share information with the council; and

(iii) in a set of functions, administrative responsibility has to be given to it.

Thus Joint Management Councils exercise supervisory, advisory and administrative functions in regard to a number of specified matters. For example, they would be consulted on such matters as the administration of standing orders, introduction of new methods of production, closure, reduction in or cessation of operations. They would have the right to receive information, discuss and give suggestions on a number of matters such as the general economic situation of the concern, methods of manufacture and work etc. The administrative responsibility extends to such matters as the supervision of safety measures, operation of vocational training and preparation of schedules of working hours and holidays. Subjects within the field of collective bargaining are excluded from the scope of the work of the councils.¹

There does not appear to be much support for the institution of Joint Management Councils in U.P. and specially in the industries of Kanpur. No doubt Joint Management Councils were functioning at the end of 1969. Even where the Councils exist, they are reported to be ineffective and their functioning unsatisfactory in many respects.

¹. C.B. Kumar, Development of Industrial Relations in India, p. 195.
The slow development of Joint Management Councils can be attributed to a number of causes.

(1) The notable cause has been the lack of proper evaluation of the concept, purposes and benefits of labour participation by the workers and the management.

(2) Joint Management Councils are considered detrimental to the interests of the trade unions and employers. Employers think that these councils would undermine their influence whereas trade unions take these councils as their rivals.

(3) Multiplicity of unions hinders the smooth working of the Joint Management Councils. Because of the rivalry in unions, worker's interests are not protected.

**CODE OF DISCIPLINE IN INDUSTRY**

The Indian Labour Conference (15th session) held in 1957 recommended the adoption of a code of discipline for the employers and workers. This code in industry is an important device in the promotion of cordial relations between management and workers. "It lays down specific obligations on managements and unions with the object of promoting constructive cooperation between their representatives at all levels, avoiding work stoppages and litigation, securing settlement of disputes and grievances by mutual negotiations, conciliation and voluntary arbitrations facilitating the growth of trade unions and eliminating all forms of coercin intimidation and violence in industrial relations."¹

¹. The Indian Labour Year Book, 1969, p. 123.
According to the Code, representatives of the management and unions should agree to encourage constructive cooperation between their representatives at all levels and between workers themselves. There should be no strikes or lockouts without notice and neither party should have recourse to coercion, intimidation, victimisation or go-slow and also litigation and sit-down and stay-in strikes. The code envisages the establishment of a grievance procedure upon a mutually agreed basis to ensure speedy settlement of grievances. No arbitrary action may be taken to by-pass this procedure. The employers agree not to increase work-loads without prior settlement, not to support or encourage any unfair practice. They also agree to take appropriate disciplinary action against any of the supervisory staff, responsible for precipitate action by workers leading to indiscipline. The unions agree, on their part, not to engage in any form of physical duress or demonstration which is not peaceful, to eschew unfair labour practices, and to take prompt action to implement agreements or awards. They agree to disavow any action on the part of any union official which is contrary to the spirit of the code. The management of each undertaking and the union concerned are to display in conspicuous places in the undertaking and in the union offices a copy of the code in the local languages.

The evidence before the National Commission on Labour suggests "the code of Discipline, has had a limited success as also a limited use."¹ According to the National Commission on Labour, 1. National Commission on Labour, p. 346.
"The Code began acquiring rust and the parties were none too eager to take it off, they developed an attitude of indifference."¹ The factors which were responsible for this state of affairs are the following:

(i) lack of genuine desire on both sides for a self-imposed restraint;

(ii) the fall in the wages of workers due to deteriorating economic situation;

(iii) lapses on the part of some employers to discharge their obligations;

(iv) lack of unanimity among rival labour representatives;

(v) lack of harmony between the code and the industrial law; and

(vi) last but not least the general confusion prevailing in the political atmosphere.

GRIEVANCE PROCEDURE:

The code of discipline discussed above lays down, inter alia, the establishment, upon a mutually agreed basis, of a "grievance procedure which will ensure speedy and full investigation (of a grievance) leading to settlement." Existing labour legislation has not provided for a sharply defined procedure for redressal of grievances in industrial units. Clause 15 of the Model Standing Orders in Schedule I of the Industrial Employment (Standing Orders) Central Rules, 1946, specifies that "All complaints arising out of employment including those relating to unfair treatment or wrongful exaction on the part of the employer or his agent, shall be submitted to the manager or the other person specified in this behalf

¹ National Commission on Labour, p. 346.
with the right of appeal to the employer." It applied only to establishments employing not less than one hundred workers. In pursuance of this direction some industrial units formed detailed grievance procedure by mutual agreements between the employers and workers. In Kanpur the E.A.N.I. had their own grievance procedure. So also is the grievance procedure prevailing in Modi Weaving Mills. Normally the labour welfare officer of the establishment reviewed and disposed of the routine grievances of workers in units employing 500 or more employees. The Ministry of Labour and Employment realised the inadequacy of the grievance procedure obtaining in the first decade since the passage of the Industrial Employment (Standing Orders) Act, 1946, and placed the subject before the Indian Labour Conference held in July, 1957, which in its turn referred the matter to a sub-committee which approved of a model grievance procedure, at the end of 1958. This was a step in the right direction for the promotion of healthy industrial relations. Grievances, if rightly tackled at the original level, result in industrial peace and improvement in the quality and quantity of output. If not tackled in time or in appropriate manner, they result in major disputes. The annexure to this chapter gives in detail the model grievance procedure.

**DISCIPLINARY PROCEDURE**

At present the statutory procedure laid down for investigations of cases leading to disciplinary actions including suspension and those beyond suspension, (i.e., for discharge and dismissal cases) is as follows:-
(i) The worker concerned is given an opportunity to explain the charges against him;

(ii) The order given to him elaborately states the charges against him;

(iii) The worker is given an opportunity to explain his conduct in an enquiry to be conducted by the employer;

(iv) The enquiry officer is an appointee of the employer; he can be either an experienced subordinate in the undertaking or an outsider;

(v) The punishment order is finally approved by the employer/manager who before making his decision takes into consideration the gravity of the misconduct and the workers' previous record;

(vi) If the charges are proved to be correct, the workmen need not be paid wages during the suspension period.

The punishments up to suspensions have not been seriously complained against by the workers or their unions, and so the procedures regarding them has not been outlined in this study. In most units there are detailed and accepted procedures for this purpose.

The existing industrial legislation prevents the employers from dismissing or discharging a worker during pendency of conciliation or adjudication proceedings in an industrial dispute except with the permission of the authority holding such proceedings. In matters unconnected with the dispute the employer is free to dismiss or discharge a worker on payment of one month's wages and seek the approval of the authority concerned. The present legal position is
that individual disputes over dismissal, discharge or retrenchment are covered by the term 'industrial dispute' and so labour courts and tribunals have jurisdiction over the individual disputes of dismissal or discharge or retrenchment. In most cases employers, for the sake of discipline, have insisted on compensations, and workers on reinstatement. According to a Supreme Court ruling the tribunal does not have jurisdiction to replace the judgment of the management by its own judgment. To off-set this ruling, a bill amending the Industrial Disputes Act was on the arvil in 1969, in order to remove this limitations on the jurisdiction of labour courts and tribunals.

**EFFECTIVENESS OF THE MACHINERY:**

The arrangements existing at the employers' end, as detailed above, for promoting good industrial relations can be successful only with the cooperation of twin partners of industry. "Psychologists tell us that effective human relations is the integration of people into a work situation that motivates them to work together judiciously, cooperatively, and with economic, psychological, and social satisfactions."¹ Davis defines participation "as mental and emotional involvement of a person in a group situation which encourages him to contribute to groups goals and share responsibility in them" (Human Relations at Work).² Gone are the days of immediate and unquestioning acceptance of management's orders. Speedy solution of difficulties and differences at the plant level

2. Ibid. p. 573.
depends more on the attitude of the parties than on the various procedures prescribed for resolution. Even on as late a date as December 30, 1972, four local labour leaders in Kanpur "sharply reacted to the new policy adopted by the Labour Department towards the Labour Unions and expressed surprise over the fact that instead of searching for their own failings, the Labour Department had now started holding out threats to the Labour Unions."¹ They further accused the Labour Department of openly and knowingly siding with the cause of the employers. The employers of Kanpur are equally strong in their condemnation of the attitude of labour.

In such an adverse background in Kanpur, one has to be thankful for whatever little good has been achieved towards industrial harmony through the various institutions and codes. Works Committees are no longer functioning in Kanpur private undertakings owing to having been abolished much earlier in U.P., consequent on inter-rivalry between various unions. Even during their existence, their record of achievement was very poor indeed. In State undertakings they are still functioning. As regards joint management councils, their performance, though not as bad as that of Works Committees, has not been conspicuous. Thus "neither Works Committees nor Joint Management Councils have proved a conspicuous success in India, and that while many of the former have become moribund, the latter have not made adequate progress."² The National Commission on Labour observe about Works Committees and J.M.Cs. "in any case,

¹. Pioneer, 31st December, 1972, p. 5.
². K.N. Subramanian, Labour Management Relations, p. 574.
multiplicity of bipartite consultative arrangements at the plant level serves no purpose. The labour unions are not enthusiastic about the J.M.Cs. Progressive employers having their own machinery of consultation with their workers, regard the J.M.Cs. as superfluous. Many employers object to the title of the scheme, viz., 'Workers' participation in management'. The necessary psychological, social and economic background is lacking in our country for the progress of such consultative machinery.

The code of discipline solemnly bound employers, workers and governments to prefer voluntary arbitration to compulsory adjudication, but even the Central Government, as employer in the public sector, has not opted for voluntary arbitrations. The President of I.N.T.U.C. said in 1960, "If the Government as employer will not agree to abide by the code of discipline and submit to voluntary arbitrations all unresolved disputes, it can have no face to approach the private sector and compel it to honour the code." The emphasis in the code basically is on the performance of obligations by either party in connection with any industrial matter with a view to avoiding litigations and resorting to voluntary arbitrations. Undeniably in the early years the code worked pretty well but with the passage of time, the parties became indifferent to it. Unfortunately in our country this is the fate of all voluntary arrangements. Kanpur has not kept pace with the rest of the country in the matter of compliance with the code. While the adoption of the Code of Discipline in

industry by the Central Organisations of employers and employees in 1958, "led to a decline in strikes and lockouts in other parts of the country, these continued to be the serious threats to industrial peace in this state" (U.P.). Inevitably Kanpur had the largest share of these.

The grievance machinery is working at present in Kanpur less satisfactorily than it is capable of working. It has potentiality for much better performance if it is made less time-consuming and more simple. The step-ladder pattern of grievance machinery must be tailored to the needs and circumstances of the establishment concerned. The steps in the ladder should correspond to the size of the industrial units. Coming to the record of the management in Disciplinary procedures, we find that it is fairly satisfactory. Dismissals as punishment have been steadily declining, and where dismissals were made, they were upheld by the Courts. Both the parties desire the procedures to be amended to suit their own interests. The employers desire the provision of unfettered right of dismissals with compensations. The workers, on the other hand, plead for reinstatement and a lighter punishment in lieu of discharge. The problem is to find a via media between the two opposed views.

Thus we have seen in detail the various factors at the employers' end that have an impact on industrial relations. For convenience the chapter has been divided into three sections. The

1. J.L. Rastogi, Industrial Relations in U.P., p. 46.
first section is devoted to the policy and attitude of the management
having a direct bearing on the industrial relations. The second
section deals with the machinery for promoting healthy industrial
relations, in the successful working of which the management's
responsibility is by far the greater. The last section deals with
the effectiveness, i.e., the achievements of this machinery. The
first section covers such things as recruitment of workers, their
transfers and promotions, provisions regarding their health, safety
and working conditions, hours of work as governed by the Factories
Act, 1948, and lastly their day-to-day working at the plant level
as regulated by the Industrial Employment (Standing Orders) Act,
1946. Most of the evils in recruitment have now been remedied by
the introduction of the National Employment Service, through the
Employment Exchanges. The Badli control system for casual workers,
working in place of absent workers, is fraught with the evil of
uncertainty of employment and the compulsion of calling at the gate
daily. This mars industrial relations. Transfers and promotions
are generally fair, if not motivated by vindictiveness and malafides,
and not vitiated by graft and favouritism, as sometimes they are.
Provisions of the Factories Act, 1948, are generally complied with
as far as possible. However, the incidence of accidents in U.P. is
rather high, and the more disturbing feature is the high incidence
of fatal accidents. Multiple shifts are unavoidable at the present,
but they are not liked by labourers, especially the night shifts;
and the Royal Commission on Labour too did not favour them. Absent-
eeism is larger in night shifts, and they are injurious to the
worker's health. The position regarding holidays is satisfactory, except for daily rated workers who get holiday without pay. Labour welfare activities are not very satisfactory, except in industries managed by enlightened employers. Industrial housing provided by employers is the worst feature of labour welfare activities. They have done very little in this respect. The Industrial Employment (Standing Orders) Act, 1946, is the most comprehensive piece of industrial legislation seeking to regulate the day-to-day working in an industrial unit and embracing all matters ranging from routine matters to such grave issues as dismissals of workers. The coverage under this Act gives a satisfactory picture of industrial relations in units covered by the Act, but in Kanpur retrenchment is not always motivated by good faith and its incidence is high here, especially in the cotton industry. Retrenchment is governed by the U.P. Industrial Disputes Act, 1947, but the Standing Orders Act, 1946, has also something to do with it as regards age at the time of retrenchment.

Coming next to the second section, viz., measures at the employer's level for promoting industrial relations, we have mentioned (i) Joint Consultation through Works Committees, (ii) Joint Management Councils; (iii) Code of Discipline in Industry; (iv) Grievance Procedure and (v) Disciplinary procedure. (i) Joint Consultation through Works Committees brings together the employers and the workers in a unit to discuss day-to-day affairs in a cordial spirit. The responsibility for the constitution of these committees
was of the employers. In 1948, the U.P. Government passed an order for the constitution of such committees. (ii) Joint Management Councils were constituted in U.P. in 1956 to provide a platform for the progressive association of workers and technicians in management, and they had supervisory, advisory and administrative functions in specified matters. (iii) Code of discipline in industry was adopted in 1957 for constructive cooperation between representative of managements and of trade unions at all levels, and between workers themselves, in order to avoid coercion, intimidation, victimisation and hasty strikes and lockouts and other harmful activities leading to bad relations between workers and employers. (iv) Grievance procedure is a part of the Code of discipline, but it has a separate identity. It prescribes a detailed procedure for the ventilation of the complaints of the workers at the plant level and their disposal by the authorities prescribed. (v) Disciplinary procedure lays down the steps to be followed by the management for investigation of cases leading to disciplinary actions including suspension and those beyond suspension, i.e., discharge and dismissal.

Next we come to the effectiveness of this machinery. Works Committees were abolished in U.P. in 1950 in the private sector as their functions were marred by inter-union rivalries. Joint management councils were liked neither by the management nor by the workers. The code of discipline went the way of J.M.C. Neither party was enthusiastic about them and so they acquired rust. Grievance procedure is endowed with the capacity of doing
good, but its machinery suffers from wheels within wheels and it is time consuming. The achievement of disciplinary procedure, however, is good, and the courts have upheld the decisions of the management. This is the only silver lining in an otherwise gloomy and dark outlook, although the employers desire to have the right to choose between compensation and re-instatement when malafides are non-existent. Workers insist on re-instatement.

The basic truth emerging from the above survey is that unless the worker is integrated with the industry by the actions of the management and the conditions of his work, there can be no lasting solution of industrial unrest. The whole problem is as much psychological as economic and social.
MODEL GRIEVANCE PROCEDURE

It lays down not only a grievance procedure but a grievance machinery. The grievance machinery is constituted by elected department representatives of the workers and the persons designated by the management for each department which shall be approached at the first stage. The machinery consists of the departmental heads for handling grievances at the second stage. Two or three of the departmental representatives of workers and two or three departmental heads nominated by the management shall constitute the Grievance Committee which shall handle the grievance at the third stage.

The Model Grievance Procedure has successive timebound steps, each leading to the next in case of lack of satisfaction. "Under the procedure, an aggrieved employee would first present his grievance to designated officer who would give reply within 48 hours. In case the worker is dis-satisfied with the decision or fails to get an answer within the stipulated time, he would, personally or accompanied by his departmental representative, present his grievance to the head of the department. If the departmental head fails to give a decision within three days or if his decision is unsatisfactory, the aggrieved worker can seek relief through the 'Grievance Committee' consisting of nominees of management and workers. This committee would communicate its
recommendations to the manager within seven days of the grievance reaching it. If the recommendations is not made within the stipulated time, reasons therefor would be recorded, and in case unanimous recommendations are not possible, the relevant papers would be placed before the manager for decision. The manager is expected to communicate his decision to the worker within three days. The worker would have a right to appeal to the higher authorities for revision of the manager's decision. All such appeals have to be decided within a week of the worker's petition. The worker, if he so desires, could take a union official with him for discussion with the appellate authority. In case of failure to settle the grievance even at this stage, the union and the management may refer it to voluntary arbitration within a week of the receipt of the management's final decision.  

In case of complaints against the designated officer at the lowest level, the worker may approach the next authority by skipping the first step. In case of any grievance arising out of dismissal or discharge, the worker may appeal to the dismissing authority or any higher authority designated by the management within a week from the date of dismissal or discharge. Any grievance arising out of an order given by the management, the said order shall be complied with before the worker invokes the grievance procedure and during its pendency. Further, any intervention by the formal conciliation machinery is banned once a worker has taken refuge under a grievance procedure. If and

when the final decision of the top management is unacceptable to the worker, the grievance will assume the form of a dispute.

The prevailing grievance procedure suffers from the following defects:

(i) Such a rigid and formal procedure is unsuitable for small units, employing less than 100 workers;

(ii) The total number of steps involved is too many;

(iii) Lack of a provision for presentation of a worker's case by a co-worker at the earlier stages and later by an officer of the union, if one such exists.

It may be noted here that only those complaints which affect one or more individual workers in respect of their wage payments, over-time, leave, transfer, seniority, work assignment, promotion, working conditions, terms of service agreement (interpretations), dismissals and discharges are included in the term 'Grievances'. Where the points at issue are of a general applicability or of considerable magnitude, they fall outside the scope of the grievance procedure, and constitute industrial disputes.