CHAPTER X

RECOMMENDATION AND CONCLUSION
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The present study covers a wide range of discussions specially in regard to the prevailing conditions of labour in Assam with particular reference to the implementation of the E.S.I. Scheme. The research findings have also revealed the complications and the optimism which could guide the forerunning considerations of employers and employees against all conviction of emotional upsurge. In this chapter, an attempt has been made to suggest various measures which may serve as guidelines for policy makers, planners, the government, employers, trade unions and other voluntary organisations which are engaged in promoting as well as implementing labour welfare in our country.

RECOMMENDATIONS (GENERAL) :

1. It is suggested that in order to make the social security system effective and goal oriented the different schemes prevailing under social security should be integrated. Action on these lines had also been suggested by the National Commission on Labour which recommended administrative merger of E.S.I. Corporation and the Employees Provident Fund Organisations in the first instance. This integration would have resulted in savings in
the overhead cost and consequently certain additional benefits might have been possible for the target population.

2. Taking into consideration the actual conditions prevailing in the rural sector of the country adequate and effective measures should be initiated to formulate and implement appropriate programmes of social security tailored to the needs of rural population. In doing so, care must be taken to realise the unique characteristics of workers in the rural sector and the diverse infrastructure and institutions which exist in the sector.

3. In keeping with the principle of equity and solidarity involved in social security, all employees in all establishments should be covered irrespective of their levels of wages and salaries. It may be followed with an appropriate ceiling for computation of contributions and benefits.

4. In view of the menacing problem of unemployment in our country, employment guarantee should constitute an integral part of social security.

5. With a view to achieving uniformity in the standards of services, it is essential that appropriate norms and
standards should be laid down for the different types of contingencies particularly medical care, in the country as a whole.

6. Steps should be taken to link up long-term social security benefits with the cost of living index (consumer price index numbers) and increase in wage levels.

7. In order to reduce the welfare expenditure under the head of public service, government should increasingly be concerned to protect the interest of working community through various social security arrangements in co-operation with the employers.

8. Realising the conditions of workers in many employments in the unorganised sector, the government should carefully proceed in stepping into new legislation for the welfare of organised sector.

9. The machineries for enforcing statutory labour welfare should be adequate and commensurate with the structural necessities of the same.

10. In order to further extend the coverage of the E.S.I. Scheme to smaller establishments, it is necessary to amend
the present limit of minimum number of employees in factories, with or without power to 5 workers instead of 10. Gradually this limit may also be done away with, making the E.S.I. Act compulsory for all establishments. Efforts should be initiated to extend it to new areas of the unorganised sector viz., construction and Biri workers etc. and for this purpose necessary amendments be made in Sec.2 of the E.S.I. Act.

11. The present ceiling of wages for coverage under E.S.I. Act should be increased to ₹3,000/- in place of existing ₹1,600/-. This should further be reviewed at regular intervals in view of inflationary conditions prevailing in the economy.

12. The Regional Board should be entrusted with higher responsibilities and more powers so that it can suitably fulfill the local problems with due representation of opinions from various groups.

13. In view of the growing necessity for extending the scheme upon larger sections of people, it is desirable that the centre and the state should increase their respective contributions towards the E.S.I. Fund.
14. In order to stop further deterioration in the conditions of workers of the unorganised sector in Assam, it is urged that there should be immediate efforts to curb influx of population from the neighbouring countries specially from Bangladesh and Nepal.

15. The employment of women in private sector in Assam barring tea industry is very low and, therefore, the Government should take effective measures to correct this lopsidedness. However, the Government may refrain from taking any drastic actions till submission of reports by the two commissions constituted by the Central Government for examining problems of women in the country.

16. The Government should immediately provide the old age benefit viz., gratuity, to the tea workers of the State. Necessary legislation to this effect may be passed without further delay.

17. The medical facilities provided to the tea workers in Assam are not adequate to the needs and are not of expected standards. This is particularly true in case of smaller Tea Estates under private management. Therefore, the Government in future should consider to extend the benefits of E.S.I. Scheme among the tea garden workers in Assam.
18. As regards to social security for the unorganised workers in Assam, the Government of Assam should without further delay identify the groups of workers in order to make them avail of the benefits provided by the Life Insurance Corporation of India.

19. In order to facilitate the work of survey and inspection of factories and establishments, the number of inspection offices under the corporation in Assam should at least be increased to 6 in place of existing 3.

20. The advertising literature intended for the knowledge of the employees should be published in Regional/Local language so that people of all levels of education can comprehend their meaning easily.

21. In order to bring down the suspected cases of lax certification in the two centres of Dhubri and Charduar, stringent administrative measures should be taken. Along with it, the provisions of Industrial Employment (Standing Orders) Act 1946 should be implemented vigorously so that the employees are not forced upon to resort to such ill practices owing to the temporary unemployment created by the conduct of employers.
22. Setting up of more dispensaries/hospitals according to approved scale particularly in places where standardised medical facilities provided by the Government under free medical aid are not satisfactory.

23. Industrial sickness which results in temporary or permanent closure of industries covered under the E.S.I. Scheme disrupts the operationality of the scheme and generates loss of income to its fund. Therefore, efforts should be made as far as practicable to keep industries free from industrial sickness.

24. The public sector under the scheme should be made more conscious in extending co-operation for the success of the scheme and it should refrain from making default in matters of payment of contribution in future.

25. The E.S.I. Corporation should maintain proper liaison with the revenue authorities with a view to speedily recovering the arrears, in contribution from the defaulting establishments.

26. The E.S.I. Corporation, N.F. Region, in co-operation with the different State Governments should try to bring fresh areas under implementation of the scheme. This is specially
needed because of the fact that the percentage of employees in unimplemented areas in Assam is very high in comparison to such percentage at the all India level.

27. The present set of medical rules in Assam should be re-cast in order to make it more exhaustive and purposeful.

28. The administrative cost of the E.S.I. Corporation, Assam, be reduced at least to the standard of such cost being incurred at the national level.

SPECIFIC BENEFIT:

Medical:

i. The scale of bed should be revised from 4 to 6 per employee per thousand in view of increasing coverage under the scheme.

ii. In order to avoid overcrowding, the present system of attachment of insured persons in dispensaries should be rearranged. A second choice in respect of dispensaries may be allowed to the insured persons in choosing the dispensary of their choice.

iii. The present system of part time staff should be replaced by full time doctors and specialists as far as practicable.
(iv) There should be adequate stock of essential drugs in dispensaries and hospitals in order to reduce dissatisfaction in realising of reimbursement of medical bills.

(v) The system of recording in the medical envelope in case of issue of drugs should be carefully testified both by the Ipo and by the doctors so as to prevent misappropriation of the same by the latter.

(vi) The present authority of the dispensary doctors to pay upto ₹.100/- in case of reimbursement of medical expenses may be increased to at least ₹.200/-. 

(vii) The Regional Director, E.S.I. Corporation should have sufficient say in matters of transfer and posting of doctors and specialists.

(viii) The State Government contribution towards medical expenses should be increased from present 1/8th to 1/4th share.

(ix) Increasing the control of (administrative) E.S.I. Corporation over the dispensaries and hospitals run by the State Government.
CASH BENEFIT:

A. Sickness Benefit:

(i) In order to control the severe menace of lax certification, norms should be prescribed for I.M.O.s and I.M.Ps regarding the issue of medical certificates. More medical referees may be appointed to testify the legitimacy of each claim.

(ii) The sickness cash benefit rates should be revised at regular intervals in view of sharp inflationary trend. A formula should be evolved to link it up with the enhancement of daringness allowances in future.

(iii) The no claim benefit in case of sickness should be implemented immediately.

(iv) Teller system in payment of sickness benefit may be introduced upto Rs.100/-.

B. Maternity Benefit:

In order to harmonise the objective of the scheme with the
national perspective of family welfare, it is necessary that the maternity benefit under the scheme may not be granted to an insured women after second surviving issue. A statutory amendment may be made to give effect to it in the E.S.I. Act.

C. Disablement Benefit :

1. The rates of disablement benefit viz., T.D.B. and P.D.B. may be revised at periodic intervals.

2. The procedure of disablement benefit may be simplified and a time frame may be prescribed for compulsory settlement of P.P.D/P.T.D within 90 to 120 days.

D. Dependents Benefit :

1. Simplification of present procedure and settlement of claims within three months.

2. Provision for additional facilities like free education to the dependents of the deceased.

E. Funeral Benefit :

The present benefit of ₹1,000/- in case of funeral may be enhanced to ₹1,500/- in view of increasing trend in prices.
Conclusion:

The urge for industrialisation developed during the growth of factory civilisation led to the problem of large scale exodus from villages to the Cities. The feeling of insecurity among workers was further accentuated owing to their detachment from rural environment and particularly because of the emergence of new conditions of work life.

The benefits arising out of Industrial Revolution have, however, not percolated to the lower stratum of our society in proportion to their contribution. The modern system of production has left the worker to fend for himself during the spells of misfortune when he may be precluded from making a normal living. The majority of the industrial workers also cannot save adequately to meet the future contingencies of life. Thus, arose the need for a system to neutralise and overcome the vicissitudes which are natural concomitant of Industrial Revolution.

Ever since the beginning of the factory civilisation, the term "Labour Welfare", has undergone radical changes both in its meaning and content. However, it is to be admitted that an element of consistency in its definition is not possible even within the same country at two different times.
Welfare, after all, is a dynamic concept depending upon the perception of the society and the standard of living of its people. However, there are two predominant schools prevailing in this direction and they are viewed both from narrower and broader point of view. It is under the spectrum of the latter philosophy that social security may be considered as a part of labour welfare. Thus, social security, is a complementary term in the concept of 'Labour Welfare'.

Social security in the modern era is essentially conceived of as a related concept to the high ideals of human dignity and social justice. Almost all independent countries have enacted social security measures as per their means and capacity. However, the structure of social security laws and the extent of participation in it by the Governments vary from country to country, depending upon the nature of economy and the resourcefulness of its Government. Although social security is an essential sine qua non of any socialist economy yet, it is admittedly true that it expends large part of the State resources at the disposal of the Government. Therefore, it is an unrealistic step on the part of the Government to allow such a programme to thrive solely on Governmental Aid. Thus, arises a need in the formulation of its policy as well as in implementation which requires deviation from the present practice of legalistic imposition to one of cost benefit consideration.
In India, the Employees' State Insurance Act was passed in 1948 with an object of safeguarding a large chunk of toiling masses against contingencies in work life. The scheme was introduced in Assam almost after a decade of its enactment. In Assam, the tea workers constitute the largest segment of work force in the State. The Government of Assam have enacted special legislation for the welfare of the tea community. However, both the Governmental and voluntary measures have not succeeded in removing two of the major problems of this community viz., high rate of infant mortality and the drinking habit which very often interfere upon their health. The tea workers in Assam at present are also not entitled to the benefit of gratuity which is of core significance so far as the requirements under social security is concerned.

In the field of participation of the work force, Assam witnesses a position lower than the national average. Barring the tea workers, the participation of women in the private sector organised employments is also not satisfactory. Of course, it is true that there has been a general shrinkage in the volume of employment in the private sector of the State in the recent years. One interesting revelation of the employment scenario in Assam is that there have been gradual increase in the percentage of participation of work force in agricultural activities than in the secondary sector. Among the other groups of
workers, the shop and establishments workers do not get even the minimum support required for medical benefit.

The study also reveals that the implementation of the E.S.I. Scheme in Assam suffers from a number of constraints. Out of them, lack of insurable employment and the lukewarm attitude of the State Government may be attributed to be the chief reasons of its poor growth. Other problems in implementation viz., high rate of incidence of certain benefits in some centres may be curbed by improving the administrative efficiency of the machineries entrusted with the scheme. It is hoped that in future the scheme shall be vigorously implemented in the State in areas dominated by tea population. It shall be a commendable success, if the scheme could mitigate the suffering of the tea community of the State who are till to-day deprived of the minimum health services required for ordinary living.

It was in the context of the above that a viability study of the E.S.I. Scheme was felt to be highly useful in order to identify the weaknesses inherent in the scheme. The scheme, if successfully implemented, could be an useful tool in the arena of promoting social security for the down trodden of our country. The study has been aimed at finding out a self sustaining base for the scheme which will be solely based on the
voluntary co-operation of employees and the employers. The approach perhaps, aptly draws conformity with the present policies of the Government with regard to economic liberalisation and reduced dependence on statutory control.