

CHAPTER - I

HISTORICAL BACK-GROUND

OF

LABOUR WELFARE.

## 1.1: LABOUR WELFARE :

Industrial Revolution brought in its wave a Commercial Revolution and also a Social Revolution. The industrial revolution resulted in the migration of people in millions. Free movement and mass migration supplied the labour force for factories, mines, engineering works, railways etc. Rural character of the country side transformed into the urban towns. All these resulted in a fundamental changes in the character of every nation. The 19th Century labour problems were entirely different from those of the preceding centuries and therefore needed a different approach and different treatment. The initial laissez-fair philosophy was abandoned and an era of State intervention and State Controlled to a series of labour legislation in order to protect labour. The co-operation of labour and capital still possess a major problem for which a satisfactory solution has not yet been found.

The Industrial Revolution affected all classes and indeed every society in the world, in one way or another, in this stages, its impact was not felt as immediately and strongly as it is felt today. Human society was not aware of the full implications of developmental processes. As a result, it has had to pay an enormous price for "The ascent of man" from the near primitive to the present economy.

Industrialization also emphasised the value of such virtues as co-operation, organisation and punctuality. Man came to depend very largely upon industry and the degree of his dependence was directly proportional to the extent of industrialisation in a country.

It has been generally agreed that modern industrial growth has been achieved by "blood, toil, sweat and tears" and this has been a rather high price which individuals and different societies have paid. It is true that industrialisation has hastened the pace of civilisation; but it has ushered in a new kind of barbarism in the world. The production has increased enormously, its benefits have widened the gulf between the rich and the poor and created multiple social, industrial and human problems. Millions of workers live a life of dull routine conflicts have developed between employers and the employees which have added to the sum-total of human suffering and the burden of life.

Labour Welfare in India has a long history. It originated in the early twenties as the initiative of some social minded employers, and in the following decades it underwent qualitative as well as quantitative expansion. The states, private enterprise, and voluntary bodies worked hand in hand to establish one of world's largest networks of labour welfare services.

Labour welfare in India, as a matter of fact, was never given a serious thoughts, since the very emergence of the Industrial Society in the 17th Century. At the time of Industrial Revolution, there was acute poverty, bad living and working conditions and total dissatisfaction among the working classes. That time, the atmosphere was very bad. It means that the atmosphere was spread with misery and poverty. Only in the latter half of the 19th Century, the workers were given their proper place in Industry as "MEN". During this years of exploitation, workers worked down to the dust without stop in the dirty and hazardous or dangerous environments. These lines explain how labour was treated in the early days and even at present they are not free from worries. So the problem of industrial labour and his welfare is very important in a country which is dreaming for industrialization on a fast and large scale. To solve such a problem, and enable the workers to work better than before the employers have to bear the economic burden of the necessary evils, such as proper working conditions, better environments and instruments. It is most properly stated now-a-days that the Labour Welfare is neither philanthropy nor charity on the part of employers, but it is an expenditure in time to save the further evils, like Accident, Absenteeism, Labour turnover and Labour Unrest etc.

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According to Robert Owen, "An employer of the past who realised that worker has not only pair of hands, but mind, heart and feelings. He organised welfare in his factories - better working conditions, housing, health and hygienic measures, education for both children and adults, shopping and domestic facilities, play-grounds, etc."<sup>1</sup>

"Not only he bettered the conditions of his workers, but aroused public conscience of that time, i.e. to develop social sympathies and moral character and initiative. Then the Trade Union also played a notable role in seeking for its members better employment conditions."<sup>2</sup>

In the Twentieth Century, now it has been rightly felt that man does not live by bread alone, but along with his physical, mental, moral and emotional needs are also to be satisfied. Then only he can adjust with the environment to which he belongs.

Today, Labour Welfare has become an integral part of Management techniques with a universal acceptance of its essentials.

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1. Robert Owen, "A New View of Society", (New York) E. Bliss & E. White, 1825.
  2. Bombay Labour Journal, Vol. IX, Dec. 1969, P.No. 64.

In the words of S.N. Mehrotra,

"Labour Welfare is nothing but the maintenance function of personal in the sense, that is directly specifically to the preservation of employee health and attitudes."<sup>3</sup>

Whereas Dr. T.N. Bhagoliwal said,

"Labour Welfare is one of the major aspect of national programmes towards bettering the lot of Labour and creating a Life and work environment of decent comfort for this class of population."<sup>4</sup>

#### 1.2: PHILOSOPHY OF LABOUR WELFARE :

'Welfare' is a broad concept referring to a state of living of an individual or a group, in a desirable relationship with the total environment - ecological, economic and social. Labour Welfare includes both the social and economic contents of welfare. Social Welfare is primarily concerned with the solution of various problems of the weaker sections of society like prevention of destitution, poverty, etc. It aims at social legislation, social reforms, social services, social works, social actions. etc.

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3. Mehrotra, S.N., - "Labour Problems in India."  
IIed. 1976, P.No. 195.

4. (Dr) Bhogoliwal, T.N., "Economics of Labour And Industrial Relations", 5th Ed. 1981, Section 5,  
P.No. 53.

The object of economic welfare is to promote economic development by increasing production and productivity and through equitable distribution. Labour Welfare is a part of Social Welfare, Conceptually and operationally. It covers a broad field and suggests many ideas, meanings and connotations, such as the state of well-being, health happiness, satisfaction and the conservation and development of human resources.

The term "LABOUR WELFARE" is composed of two concepts, namely;

- i) Concept of Labour, and
- ii) Concept of Welfare

1) LABOUR :-

The term 'Labour' is used in various senses, Broadly speaking, any work, whether manual or mental, which is undertaken for a monetary consideration is called "Labour" in Economics.

In the words of Marshall, "Any exertion of mind or body undergone partly or wholly with a view to some good other than the pleasure derived directly from the work is called Labour."<sup>5</sup>

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5. Marshall, - A "Principles of Economics". - 1961  
P.No. 54.

"Labour may be defined as workers who do not have any other 'adequate' source of livelihood except the sale of their labour power (i.e. capacity to work either physically or mentally) in return of which they get wages (including salaries)."<sup>6</sup>

Peculiarities of Labour :-

There are certain characteristics which distinguish it from the rest of the factors of production.

- i) Labour is inseparable from Labourer himself.
- ii) The worker sells his work only.
- iii) Labour is a perishable commodity, one day lost is lost forever.
- iv) Labour has a very weak bargaining power.
- v) Repaid adjustment of the supply of labour to its demand is not possible.
- vi) Labour is not so mobile as capital.
- vii) Labour is not only a factor of production but is also the ultimate end of production.
- viii) Labour being a human factor, not only economic but moral, social and other considerations having a bearing on humanbeings have also to be taken into account the discussion of problem connected with labour.



### Significance of Labour:

As a factor of production, labour is the most important and utilisation of other factors largely depends on the proper utilisation of time and energy on the part of workers.

The Indian industrial worker of today is an off-spring of part history and is a creative of social, political and economical policies obtaining in the country from time to time. The following mentioned are some of the main factors of which affect Labour efficiency.

1) Racial Qualification :

Labour efficiency largely depends on heredity and racial stock to which a worker belongs.

2) Climatic Factors :

A cool bracking climate is conductive to hard work, where as the tropical climate is emervating.

3) Industrial Environment :

Camped and illventileted factories situated in crowd and insanitary surroundings are not conductive to efficiency.

4) Industrial Organisation and Equipment :-

The level of organisation and nature of equipment supplied to work determine their efficiency.

Apart from above factors, absence of well-committed labour force with traditions and background related to industry, poor physique due to malnutrition, lack of various civic amenities, lack of adequate medical facilities, illiteracy, restricted facilities for apprenticeship and training, poor selection methods, defective plant design, ineffective direction and supervision, unscientific methods of management and poor measures of rehabilitation of machinery and equipment are factors that have contributed to performance of labour in our country. In such circumstances international comparison is not an objective and reliable test of labour efficiency.

To keep up the efficiency of the workers, we have to think about the labour welfare. Because the basic attitude of employers in India is to look upon labour as a mere commodity, a factor of production; to be brought and sold at their will. They completely lost sight of the fact that labour is not separated from labourer and that labour is living human being who feels and reacts as the employer. Employers are human being just as are the members of the management and are entitled to claim certain human rights. They should not be considered merely cogs in the machines, but be treated with the some respect and dignity that other human being can claim.

ii) WELFARE :

The term "WELFARE" is derived from the French Phrase "WEL-FAREN" which means to "FARE-WELL".

To understand the term Welfare, following are the some of the definitions have put forward :

- 1) The Chamber's Dictionary defines the term welfare as -  
"A State characterized by Happiness, Well-being or Prosperity".<sup>7</sup>

Thus, in its broader connotation, the term Welfare refers to a state of living of an individual or a group in a desirable relationship with total environment - ecological, economic and social.

- 2) M.V. Moorthy has been defined the term 'Welfare' as -  
"A state of living of an individual or a group in a desirable relation to the total environment, animate and inanimate."<sup>8</sup>

- 3) S.N. Mehrotra defined the term Welfare as -  
"The concept of Welfare is necessarily elastic, bearing a different interpretation from country to country and time to time depending on different social systems, degree of industrialisation and general level of social and economic development."<sup>9</sup>

7. Chambers's Twentieth Century Dictionary - 1964 Edition.

8. Moorthy M.V. - "Principles of Labour Welfare" - Ed. 1968  
P.No. 3.

9. Mehrotra S.N.- "Labour Problem in India" - Ed. 1976  
P.No. 193.

Different people have given different interpretation to the term "welfare". One definition is voluntary efforts on the part of employers to provide the best conditions of employment in their own factories. Another definition given to welfare work is that it is anything for the comfort and improvement, intellectual or social of the employers over and above the wages paid, which is not a necessity of the industry nor required by law.

### 1.3: CONCEPTS :

The concept of 'Labour Welfare' can be described from various angles. The following are the main characteristics of welfare.

#### 1) Welfare As a Total Concept :-

Welfare has been described as a total concept. It is a desirable state of existence involving the physical, mental, moral and emotional well-being. These four elements together constitute the structure of welfare, on which its totality is based. Sound physical health is an important basis of welfare. It is said that "Sound mind in a Sound body" is very significant in this regard and contains a profound truth. Mental health is also another constitute element welfare wherever physical health is not matched with mental health there is great lack of welfare. The workers or

individuals must have an intellectual capacity to intellectual development of the workers, must be there and it is very helpful.

Some suggest that the mind is more important than the body.

Milton said, "The mind is in its own place and can make a heaven of hell or hell of heaven". Moral health is assuredly necessary to add to the content of welfare. Emotional health of a person is also important factor which contributes to his welfare. The persons total welfare depends on his physical, mental (intellectual) moral and emotional health. These are four pillars or four fold foundation on which the structure of welfare is built. It is, in this sense, that welfare is described as a total concept.

## 2) Welfare is a Social Concept :-

The social concept of welfare implies the welfare of man, his family and his community. There is inter-connection among these three aspects, in the sense, that all the three work together, or individually supplement one another, in a three-dimensional approach, each mutually serving as ends and means.

Man is a social animal. He lives in the society. A man is member of his family. Welfare of the man

(adults)/childs depends upon the welfare of the family. Further family is not isolated but related unit to other families and to the neighbourhood. The community is the legitimate, natural and intimate setting in which family lives and has its being.

It is true that communities are composed of individuals and families, and if families and individuals are enjoying desirable conditions of living, it could be said that the community is farming well.

3) Welfare is a relative concept :-

The relative concept of welfare implies that welfare is relative in time and place. For it is related to time, space, changes in which have an impact on the system of welfare, too. It is growing and dynamic. The welfare potential changes, as a result of which its content keeps on varying and has to keep pace with the changing times. Also the characteristics of welfare vary, for it depends largely on the conscience of the community, the scientific advancement and the development of a nation in all fields. Thus its meaning and components differ from country to country and from place to place, time to time.

#### 4) Welfare is a Positive Concept :

In order to establish minimum level of welfare; it demands certain minimum acceptable conditions of existence, biologically and socially.

This positive nature calls for setting up of minimum desirable standards necessary in regard to certain components of welfare, such as, health, food, clothing, housing, medical assistance, insurance, education, recreation, job security and so on. Thus it has to specify the starting point for building levels of welfare.

The word 'Labour' means any productive activity. Thus, in a broader sense, the phrase "Labour Welfare" means the adoption of measures to promote the physical, social, psychological and general well-being of the working population. Welfare work in any industry aims or should aim at improving the working and living conditions of workers and their families.

#### 1.4 : DEFINITIONS OF LABOUR WELFARE :

Labour Welfare has been defined differently by different people. No definition has as yet received universal recognition. We reproduce below a few standard definitions which will give a clear idea of the term 'Labour Welfare'.

- 1) The Oxford Dictionary defines the term 'Labour Welfare' as -

"Effort to make life worth living for workmen".<sup>11</sup>

- 2) The Encyclopaedia of Social Sciences defines Labour Welfare as -

"The voluntary efforts of the employers to establish, within the existing industrial system, working and some times living and cultural conditions of the employees beyond what is required by law, the custom of the industry and the conditions of the market."<sup>12</sup>

- 3) Arthur James Todd defines the term Labour Welfare as -

"Anything done for the comfort and improvement, intellectual and social of the employees over and above the wages paid, which is not a necessity of the industry."<sup>13</sup>

- 4) M.V. Moorthy holds that -

"Labour Welfare has two sides - negative and positive. On the one side, it is associated with the counter acting of the harmful effects of large scale industrialisation on the personal family and social life of the worker while on the other positive side, it deals with the provision of the opportunities for the worker and his family for a socially and personally good life."<sup>14</sup>

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12. The Concise Oxford Dictionary.

12. Encyclopaedia of Social Sciences, Vol. XV, 1935, P.No. 395.

13. Arthur James Todd : "Industry and Society". Ed. 1933, P.No. 250.

14. M.V. Moorthy : "Principles of Labour Welfare - Ed.1968 - P.No.10.



- 5) The Labour Investigation Committee defined Labour Welfare work as -

"Anything done for the intellectual, physical, moral and economic betterment of the workers, whether by employers, by Government or by any other agencies, over and above what is laid down by law or what is normally expected as part of the contractual benefits for which the workers may have bargained."<sup>15</sup>

- 6) International Labour Organisation Conference, Labour Welfare is also understood to mean -

"Such services, facilities and amenities, which may be established in or in the vicinity of undertakings to enable persons employed therein to perform their work in healthy and congenial surrounding and to provide them with amenities conducive to good health and good morals."<sup>16</sup>

- 7) The Royal Commission on Labour -

"As one which is necessarily elastic, bearing a somewhat different interpretation in one country from another according to different social, customs, the degree of industrialisation and the educational development of the worker".<sup>17</sup>

15. Govt. of India, Ministry of Labour & Employment, Main Report of Labour Investigation Committee, Delhi, 1946, P.No. 336.
16. I.L.O. (Assian Regional) Conference Report II, ~~INDIA~~ ~~COMMISSION~~ 1947, P.No. 3.
17. The Royal Commission on Labour, Report P.No. 261.

8) According to Dr. J.H. Panadikar, Labour Welfare means -

"Work for improving the health, safety and general well-being and the industrial efficiency of the workers beyond the minimum standard laid down by labour Legislation."<sup>18</sup>

9) According to N.M. Joshi,

Labour Welfare work "Cover all the efforts which employers make for the benefit of their employees over and above the minimum standards of working conditions fixed by the factories Act and over and above the provisions of the Social Legislations providing against accident, old age, unemployment and sickness."<sup>19</sup>

From the above definitions it is apparent that none is complete or comprehensive. There is no precise definitive out line or demarcation in this subject. However, what is definite is that labour welfare promotes the well being of workers in a variety of ways. Any kind of voluntary service will come under the purview of labour welfare if it aims at helping the worker to work better and in more congenial surroundings and also to live better in a more meaningful manner, physically, socially, morally, economically and intellectually.

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18. (Dr) Panadikar J.H. - "Industrial Labour in India" - P.No. 243.

19. Joshi N.M. - "Trade Union Movement in India", Bombay, Ed. 1946, P.No..26.

An examination of the definitions of labour welfare as cited above reveals that the term has been defined from a broad as well as narrow point of view. Considered in its broader connotation, it includes all activities of employers. State Trade Unions and other agencies to help workers and their families to derive greater satisfaction from life and living by creating for them better conditions of work and by making better home and community life possible. Interpreted narrowly, labour welfare includes social services provided by an employer to his employees over and above what is required to be done legally or is the necessity of the industry.

#### 1.5: SCOPE OF LABOUR WELFARE :

The scope of labour welfare has been described by writers and institutions of different shades in different ways and from different angles. The scope of Labour Welfare work not only covers the work-life of the workers in the factory, but also extends beyond into this life with his family and the community. The scope has to be elastic and flexible enough to suit the existing conditions of the workers and to include all the essential pre-requisites of life and the minimum basic amenities.

The Malaviya Committee in the context of scope of Labour Welfare work said that -

"The scope of Labour Welfare, however, cannot be limited to facilities within or near the undertaking, nor can it be so comprehensive as to embrace the whole range of social welfare or social service".<sup>20</sup>

It follows, therefore, that all extra-mural and intra-mural welfare activities as well as statutory and non-statutory welfare measures undertaken by employers, Government, Trade Unions or voluntary organisation fall within the scope of Labour Welfare and it also includes social security measures which contribute to workers welfare such as Industrial Health, Insurance, Provident Fund, Gratuity, Maternity Benefits, Workmen's Compensations, Retirement Benefits etc. Moreover, welfare work has a fundamental distinction from social work. The welfare work relates to work done by an employer voluntarily for the moral and material betterment of his employees whereas social work done by the or any social organisation for the welfare of the workers.

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20. Malaviya Committee Report on Labour Welfare - 1969 -  
P.No. 23.

The Labour Investigation Committee in this regard broadened the scope of welfare work and includes -

"Anything done for intellectual, physical, moral and economic betterment of the workers whether by employers, by Government or by other agencies, over and above what is laid down by law or what is normally expected as part of the contractual benefits for which the workers may have bargained. Thus under this definition they have included housing, medical and educational facilities, nutrition (including provision of canteens), facilities for rest and recreation, co-operative societies, day nurseries and creches, provision of sanitary accommodation, holiday with pay, social insurance measure undertaken voluntarily by Employers alone or jointly with workers, including sickness and maternity benefit schemes, provident funds, gratuities and pensions etc."<sup>21</sup>

The scope of Labour welfare activities may become over a period of years narrower and narrower as more and more of them are covered by labour law and collective agreements.

According to Dr. A.M. Sarma -

"Labour Welfare includes both the social and economic contents of welfare"<sup>22</sup>.

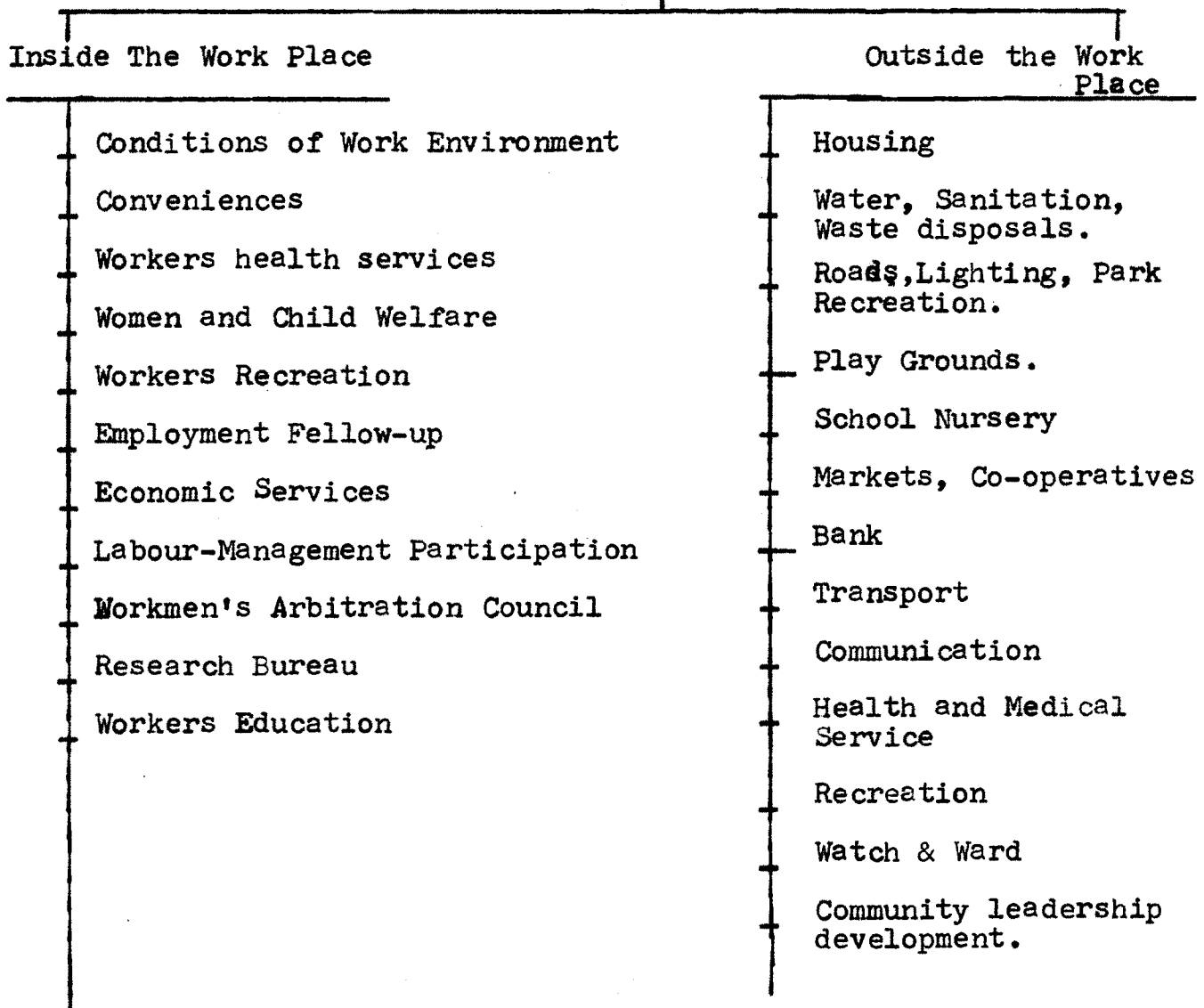
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21. Labour Investigation Committee, Main Report - 1946,  
P.No. 345.
22. (Dr.) Sarma A.M. - "Aspects of Labour Welfare & Social  
Security". - August 1981 - P.No. 3.

The welfare work to be effective should include work-life, family life and community life of the worker in a well-related, co-ordinated and purposeful pattern.

A Welfare Officer with appreciation of the objectives of Labour Welfare and a creative vision, can easily add to the items listed below, or make suitable modifications to suit the types and needs of work place and community situations.

1.6: LABOUR WELFARE ACTIVITIES :

LABOUR WELFARE ACTIVITIES



I) In-side the work place :

1) Condition of work environment:

In this item the following activities are included:

a) Neighbourhood safety and cleanliness, attention to approaches.

b) House Keeping :

Un-keep of premises, compound wall, lawns, gardens, etc. egress and ingress, passages and doors, white washing of walls and floor maintenance.

c) Workshop (room), Sanitation and cleanliness, temperature, humidity, ventilation, lighting, elimination of dust, smoke, fumes, gases, etc.

d) Control of effluents.

e) Convenience and comforts during work;

i.e. Operatives Posture, Sitting arrangements etc.

f) Distribution of work-hours and provision for rest times, meal times and breaks.

g) Workmen's safety measures, i.e. maintenance of machines and tools, fencing the machines, guards; workmen's equipments, i.e. mask, gloves, shoes, helmets, aprons, goggles, etc. first aid equipments.

h) Supply of necessary beverages and pills and tablets, i.e. salt tablets, milk, soda, etc.

i) Notice Boards, Posters, pictures, slogans, information or communication.

2) Conveniences :

Under this heading following items are included;

- a) Urinals and lavatories, wash basins, bathrooms, provision for spittons, waste disposal.
- b) Provision and care of drinking water, water coolers.
- c) Canteen services, shacks, full meals, and mobile canteen.
- d) Management of workers' cloak room, rest rooms, reading rooms, and library.

3) Workers Health Services:

Under this head following items are included :

- a) Factory Health Centre; Dispensary, Ambulance, emergency aid, medical examination for workers.
- b) Health Education and Health Research.
- c) Family Planning Services.

4) Women and Child Welfare :

Under this head following items are included:

- a) Antenatal and post natal care, maternity aid, creche and child care.
- b) Women's General Education, separate service for women workers, i.e. lunch rooms, urinals, rest rooms etc.
- c) Women's Recreation (indoor)
- d) Family Planning Services.



5) Workers' Recreation :

- a) Indoor games.
- b) Strenuous games to be avoided during intervals of work.

6) Employment Follow-up :

- a) Progress of the operative in his work.
- b) His adjustment problems with regard to machine and work load, supervisors and colleagues.
- c) Industrial Counselling.

7) Economic Services :

- a) Co-operatives, loans, Financial grants, thrifts and saving schemes, budget knowledge, unemployment insurance, health insurance, employment bureau, profit sharing and bonus schemes.
- b) Transport Services.
- c) Provident Fund, Gratuity and Pension.
- d) Rewards and Incentives, Workmens' Compensation for injury.
- e) Family assistance in case of need.

- 8) a) Labour Management Participation or consultation formation and working of various committees, i.e. works committee, safety committees, canteen committee etc. Consultation in welfare area in production area, in the area of administration, in the area of public relations.

b) Workmen's Arbitration Council.

c) Research Bureau.

9) Workers Education :

Reading room and library, circulating library, visual education, daily newspapers, news reviews, faculty news bulletin, co-operations with workers' education services.

II) Out-Side The Work Place :

1) Housing : Batchelor's quarters, family residences according to types and rooms.

2) Water, sanitation, waste disposal.

3) Roads, lighting, parks, recreation, play-grounds.

4) School, nursery, primary, secondary and High-school.

5) Markets, Co-operative consumers and credit.

6) Bank.

7) Transport.

8) Communication - Post, telegraph, telephone.

9) Health and Medical Services : Dispensary, emergency ward, lying in services, out-patient and in-patient care, family visiting family planning.

10) Recreation : Games, clubs, craft centres, cultural programmes, i.e. Music clubs, interest and hobby circles, festival celebrations study circles, reading room, library, Open-air theatre, swimming pool, Athletics, Gymnastic.

11) Watch And Ward Security.

12) Community Leadership Development :

Council of Elders, Committee of representatives,  
Administration of Community Services and Problems;  
Child, Youth and Women's Clubs etc.

1.7: HISTORICAL DEVELOPMENT OF LABOUR WELFARE :

BEFORE INDEPENDENCE :

The need for adding welfare activities to the contractual relationship between employer and the employees hardly received attention in any country in the early stages of industrialisation. The state had to intervene using its persuasive powers and/or by enforcing legislation, our country has been no exception to this process. Barring a few cases, employers were not generally inclined to accept the financial burden on account of welfare activities. Where they did provide the amenities it was more a matter of paternalistic approach to labour rather than a recognition of workers needs.

Workers' Welfare, as a movement, began in the early years of the Industrial Revolution, especially in the Western Countries.

Welfare work in India, as in that U.K. and the United States, was mainly a product of the stresses and strains during the first World War. Before this period, there were only isolated instances of welfare work mostly by outside agencies on humanitarian ground.

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

The Welfare Work sponsored by employers also did not reach a great majority. It was during the Second World War, the movement for provision of Welfare Facilities received a further impetus, especially in respect of feeding facilities including supply of essential food articles. During the Second World War, The Government of India launched schemes of Welfare in its ordnance and ammunition factories to keep moral and boost war production. The services of reputed labour leaders were also availed of for advising Government in regard to labour welfare programmes. After the end of the Second War, both the Central and the State Governments evinced more interest in undertaking Welfare Work for Workers.

The Second World War brought about far reaching consequences in all fields of activities. The need for sustained and increased production gave a filip to Indian Industry. The number of factories and factory employees increased enormously. The Government took the initiative and actively promoted, various welfare activities among the industrial employees. A number of legislations for the Welfare of the working classes were also enacted.

AFTER INDEPENDENCE :

After independence, the labour welfare movement acquired new dimensions. It was realised that labour welfare had a positive role to play in increasing productivity and reducing industrial tensions. The state began to realise its social responsibilities towards weak sections of the society. The emergence of different Central Trade Union Organisations -

INTUC	-	(1947)
HMS	-	(1948)
UTUS	-	(1949)
BMS	-	(1955)
CITU	-	(1970)

gave a further filip to the growth of labour welfare movement.

Mainly on the basis of the recommendations of the Rege Committee, the Government of India enacted the Factories Act, 1948 (Act No. 63 of 1948) aimed at "An Act to consolidate and amend the law regulating labour in Factories". The Factories Act 1948 came into effect from 1st April, 1949.

It is an important and a comprehensive piece of legislation. The Act applies to all establishments employing -

- i) 10 or more workers where power is used and
- ii) 20 or more workers where power is not used and
- iii) Where a manufacturing process is being carried on.

However, Section 85 of the Act empowers the State Government to extend all or any provisions of the Act to any premise. It contains many important provisions regarding health, safety, welfare, employment of young and children, hours of work for adults and children holiday, leave with wages, etc. The responsibility for administration of the Act rests with the State Governments who administer it through their own factory Inspectorates. The onus for compliance with the provisions of the Act wholly rests on the occupier of the factory, though certain obligations are also imposed on workers. The Directorate General of Factory Advice Service and Labour Institutes Co-ordinate the work of enforcement of the Factories Act throughout the country, frame Model Rules and suggest amendments to the Act and the Rules in consultation with the State Chief Inspectors of Factories.

The Indian constitution makes a specific mention of the duties which the State owes to labour. It may be pointed out that, with the factories Act of 1948, the Government of India

also passed the welfare Act known as the "Employees' State Insurance Act", which provides the benefits to workers in the event of sickness, maternity and employment injury in the form of payment of sick leave, hospitalisation, etc.

#### 1.8: THE FIVE YEAR PLANS AND LABOUR WELFARE :

##### The First Five Year Plan (1951-56) :

The First Five Year Plan paid considerable attention to the Welfare of the Working Classes. It laid emphasis on the development of welfare facilities for avoidance of industrial disputes and for creating mutual good-will and understanding. During this period -

- The Plantation Labour Act, 1951
- The Mines Act, 1952
- The Employees' Provident Fund Act, 1952 as enacted.

The State Governments passed various laws regarding housing for Industrial Labour e.g. -

- Bombay Housing Board Act, 1948
- Hyderabad Labour Housing Act, 1952
- Madhya Pradesh Board Act, 1950.

A Central Labour Institute with Regional Offices, was set-up to study the problems of safety, management, industrial psychology, etc.

The Second Five-Year Plan (1956-61) :

During the Second Five Year Plan the importance of better working conditions had been progressively recognised. Greater stress was laid on the creation of an industrial democracy. This plan saw further developments in the field of Labour Welfare. New enactments were made to cover seamen and motor transport workers. The coverage of the Employees' State Insurance Scheme was also extended bringing in its fold more workers. A comprehensive scheme known as Dock Workers (Safety, Health and Welfare) Scheme was drawn up in 1961.

In 1959, the State Government of Assam passed an Act called the Assam Tea Plantations Employees' Welfare Fund Act. In April 1956, a New Plantation Labour Housing Scheme was evolved which envisages a certain amount of loan for construction of houses for workers various states enacted legislation to regulate the working conditions in shops and establishments.

The Second Five Year Plan period also saw the enactment of a number of Acts by various State Governments in the field of Industrial Housing e.g. -

- The Uttar Pradesh Industrial Housing Act of 1955.
- The Punjab Industrial Housing Act of 1956.



### The Third Five-Year Plan (1961-66) :

The Third Five-Year Plan also stressed the need for more effective implementation of various statutory welfare provisions. It recommended improvement in working conditions and emphasized greater productivity and more efficiency on the part of workers. It called upon the State Governments to strengthen the Factory Inspectorates for effective implementation of various legislations. The Plan also recommended setting-up of Co-operative Credit Societies and Consumers' Stores for industrial workers and emphasized the role of Trade Unions and voluntary organizations in administering such Co-operatives. Some of the legislative measures during this period include -

- The Maternity Benefit Act, 1961.
- Apprentices Act, 1961.
- Iron or Mines Labour Welfare Cess Act, 1961 and
- The Payment of Bonus Act, 1965.

Some of the State Governments have also passed Labour Welfare Fund Acts.

### The Fourth Five-Year Plan (1969-74) :

The Fourth Five-Year Plan provided for the expansion of the Employees' State Insurance Scheme to cover Medical Facilities to the Families for insured persons and to cover shop and commercial establishments in selected centres.

During the Fourth Plan period -

- The Contract Labour (Regulation and Abolition) Act, 1970.
- The Payment of Gratuity Act, 1972.
- The Employees' Family Pension Scheme 1971,

were passed.

The Plan directed that programmes for welfare centres, holiday homes and recreational Centres should be included under the State Plan and stress be laid on strengthening Labour administration machinery for effective enforcement of Labour Laws.

For Labour Welfare Programmes, a provision of Rs.37.11 crores was made in the plan.

The Fifth Five-Year Plan : (1974-79) :

In the Fifth Five Year Plan, an amount of Rs. 42.37 crores was provided for Labour Welfare and craftsman training.

The Committee on Labour Welfare (1966-69), set up by the Government of India under the chairmanship Shri. R.K. Malviya reviewed at length the functioning of various statutory and non-statutory welfare schemes in industrial establishments, both in the public and private sector, including mines, plantations, railways, etc.

The national commission on Labour also covered several aspects of welfare services in different establishments and made useful suggestions for their improvement.

The above survey of labour welfare -

- I) A Movement through Voluntary Effort by some of the employers; and
- II) The Legislative Movement.

In the field of labour welfare, the Government is now playing a triple role that -

- A) of a Legislator;
- B) of a Administrator; and
- C) of a Promotor.

In spite of all these efforts, the welfare works in India is still considerably below the standard, set-up in other countries. However, it has come to stay as an accepted feature of employment conditions and is bound to make rapid progress in the years to come especially when the Indian Republic is wedded to the ideal of a welfare state with socialistic objectives.

### 1.9 : NECESSITY OF LABOUR WELFARE WORK IN INDIA :

As regards the necessity of Welfare Work in India, it can be easily realised if we look into the conditions of working classes in our country. They have to work for long hours under unhealthy surrounding and afterwards, have no means to remove the drudgery of their lives. Removed from village community, and thrown into strange and uncongenial environment. As a result, they fall a prey to alcoholism, gambling and other vices, which demoralise them and sometimes completely ruin them. The high rate of labour absenteeism in Indian Industries is indicative of the lack of commitment on the part of workers for they want to escape from their environment whenever possible. This absenteeism can be reduced by the provision of good housing of health and family care, of canteens where health, balanced diet is made in congenial surroundings.

Good educational and training facilities for workers are also very necessary in Indian Industries because of the high rate of illiteracy and lack of proper educational background among them. These facilities would also help in decreasing the number of industrial accidents and increasing the workers' efficiency. Sports entertainment and other recreational facilities help workers to develop their health and personality and enable them to feel that the State and their employers are interested in their welfare. These also would help in reducing the effect of the drudgery of their work.

Family Planning, Child Welfare Facilities and Maternity Care help workers in a variety of ways. They reduce infant mortality and improve the health of the spouse and keep family size to the required minimum.

In these and many other ways labour welfare has an important and a positive and dynamic part to play in the industrial economy. The provision of suitable labour welfare facilities designed to meet the needs of migrant workers can help them settle down more easily in their new working and living environment. A proper organisation and administration of welfare facilities can play a vital role in promoting better working conditions and living standards for industrial workers and also increase their productivity.

Thus the need for labour welfare in all sectors is clearly enunciated as "The Welfare Services have become necessary to Counter act the handicaps to which the workers are exposed, both in their work-life and folk life and to provide opportunities and facilities for a harmonious development of the workers personalities".

Thus, the labour welfare has become a necessity because of the very nature of the industrial system.

The Royal Commission on Labour observed there were varying conditions in different establishments and therefore, it recommended that the more indifferent employers might be brought at least upto the general level which was much below what was

provided by the enlightened and progressive employers. It favoured the consolidation and extension of the principle already recognised in the Factories Act, in the clause dealing with the General Health, Safety and Welfare of the operatives.

The Labour Investigation Committee while recognising that some aspect of welfare had been receiving attention in the individual centres establishments mainly from local associations of employers laid stress on the role both of the employer and of the Government in this regard and listed a number of facilities which, if provided, were likely to promote a feeling amongst the workers that they had a stake in the industry as much as any one else and reduce labour turnover and absenteeism and stabilise on economically efficient working force. Moreover, when the worker feels that the employer and the state are interested in his day-to-day life and would like to make his lot happier in every possible way his tendency to grouse and grumble will steadily disappear.

The social advantages of the welfare activities are also of very great importance :-

- I) The provision of canteens, where cheap, clean and balanced food is available to workers, must improve their physique.
- II) Medical, Maternity and Child Welfare Facilities must improve the health of the workers and their families and bring down the rates of material and infant mortality.

III) Educational facilities must increase the mental efficiency and economic productivity.

Thus the necessity of welfare work has been recognised by all, it is now considered as integral part of industrial management in all countries. It increases the productive efficiency of the workers and infuses in them a new spirit of self realisation and consciousness, labour welfare work intends to inculcate a real change of hearts and a change of outlook on the part of both the employers and employees.

The immediate of the country is to increase the production, this can be achieved only by keeping the workers contented, and welfare activities can go a long way in this direction.

#### 1.10: INDIA AS A WELFARE STATE :

After achieving independence our free country obtained her own independent constitution. The first indication of the effect that India is a welfare has been laid down on the very first page through preamble it is declared that India is a Republic Country and it respect the secularism. In addition to it there are certain\* directive principles of State Policy written down in the constitution which are acting as guidelines and directions to the State action in clear terms. If all these directive principles are translated into action, they will make India as a welfare State.

A list of the Directive Principles of State Policy is presented below :-

Article 38 :

A State shall secure and protect a social order which stands for the welfare of the people.

Article 39 :

The State shall direct its policy towards securing adequate means of livelihood to all citizens; proper distribution of the material resources of community for the common good; prevention of concentration of wealth to the common detriment, equal pay for equal work for both men and women, protection of health and strength of workers and avoiding circumstances which force citizens to enter avocations unsuited to their age or strength; and the protection of childhood and youth against exploitation or moral and material abandonment.

Article 40 :

The State shall organise village Panchayats as units of self-government.

Article 41 :

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



Article 42 :

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

Article 43 :

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

Article 44 :

The state shall ensure a uniform civil code applicable to the entire country.

Article 45 :

The State shall provide within ten years from the commencement of the constitution, free and compulsory education to all children upto the age of 14 years.

Article 46 :

The state shall promote with special care, the educational and economic interest of the weaker sections of the people, especially the scheduled castes and scheduled tribes.

Article 47 :

The State shall secure the improvement of public health and the prohibition of intoxicating drinks and drugs.

Article 48 :

The State shall organise agriculture and **animal** husbandry on scientific lines and prohibit the slaughter of cows, calves and other milch and draught cattle.

Article 49 :

The State shall protect all monuments of historical interest and national importance.

Article 50 :

The State shall bring about the separation of judiciary force from executive.

Article 51 :

The State shall endeavour to secure the promotion of international peace and security; the maintenance of just and honourable relations between nations and the settlement of international disputes by arbitration.

Thus the Directive principles direct the state to secure for its citizens more and better food, clothing, shelter, employment, living wages, universal education, social security, public assistance, leisure social and cultural opportunities and such other material comforts of life, the fundamental right guarantee such rights to its citizens that make life fruitful, richer and meaningful steps are being taken

realise the promises held out to the citizens in as brief a period as possible subject to the limitations imposed by the need to work in a democratic set-up. The Five Year Plans and various legislative measures adopted after independence point to the intensity of the belief of our community in these principles. All these steps taken by the constitution goes to show that India too is a Welfare State.

#### 1.11: THEORIES OF LABOUR WELFARE :

According to M.V. Moorthy, seven theories constituting the conceptual frame work of labour welfare : 23

##### 1) The Police Theory :

This is based on the contention that a minimum standard of welfare is necessary for labourers. The assumption is that, without compulsion, periodical supervision and fear of punishment, employers will not provide even the minimum welfare facilities for workers. Apparently, this theory assumes that man is selfish and self-centred and always tries to achieve his own ends, even at the cost of welfare of others. The Laws are enacted to compel managements to provide minimum wages, congenial working conditions, reasonable hours of work and social security.

The Police theory, therefore, leads to -

- 1) The passing of laws relating to the provision of minimum welfare for workers;
- 2) Periodical supervision to ascertain that these welfare measures are provided and implemented; and
- 3) Punishment of employers who evade or disobey these laws.

2) The Religious Theory :-

This theory has two aspects - a) atonement and b) investment aspects. This is based on the concept that man is essentially "A religious animal". Every day, many acts of man are related to religious feelings sometimes prompt an employer to take up welfare activities in the expectation of future benefit either in this life or in some future life. Thus according to this theory, any good work is considered "an investment" both the benefactor and the beneficiary are rewarded. Another aspect of the religious theory is the atonement aspect. Some people take up welfare work in a spirit of atonement for their sins. Thus the benevolent acts of welfare are treated either as an investment or an atonement.

3) Philanthropic Theory :-

This theory is based on man's love for mankind "In Greek, philo means loving and anthropes means man". ~~No~~ Philanthropic means "loving mankind". Man is believed to have an instinctive urge by which he strives to remove the suffering of others and promote their well-being.

This drive may be a rather powerful one and may impel him to perform noble sacrifices when some employers have compassion for their fellow-men, they may undertake labour welfare measures for the benefit of their workers. In fact, the labour welfare movement began in the early years of the Industrial Revolution with the support of such Philanthropists as Robert Owen. In India, Mahatma Gandhi was one of the eminent Philanthropists who strove for the welfare of labour.

This theory thus, depends largely on man's love for others and therefore, cannot be universal or continuous. Irregular and occasional Philanthropic acts of welfare may sometimes defeat the very purpose of welfare.

#### 4) Trusteeship Theory :-

This is also called the paternalistic theory of Labour Welfare, according to which "The industrialist or employer holds the total industrial estate, properties and profits accruing from them in trust."

In other words, he uses it for himself, for the benefit of his workers and also for society. Workers are like minors, they are ignorant because of lack of education and are not able to look after their own interests. Employers, therefore, have the moral responsibility to look after the interests of their wards, who are the workers. There is naturally no legal bindings; but since it is a moral obligation, it is supposed to be no less effective. The main emphasis here is on the

idea that employers should provide, out of the funds under their control, for the well-being of their workers. Mahatma Gandhi very strongly advocated this Trusteeship Theory.

Here too, labour welfare depends on the initiative of the top management. Since it has no legal sanction, its value is related to the moral conscience of the industrialists. Also, this theory treats, "Workers as perpetual minors and industrialists as eternal guardians".

5) The Placating Theory :-

This theory is based on the fact that labour groups are becoming demanding and militant, and are more conscious of their rights and privileges than ever before. Their demand for higher wages and better standards cannot be ignored.

According to this theory, timely and periodically acts of labour welfare can appease the workers. They are some kind of pacifiers by way of friendly gesture.

Psychologically, this theory is unsound, though it has often been acted upon to secure the workers co-operation.

## 6) Public Relations Theory :-

This theory provides the basis for an atmosphere of good-will between labour and management and also between management and the public. Labour Welfare programmes, under this theory, work as a sort of an advertisement and help as an industrialists to build-up good and healthy public relations.

This theory is based on the assumption that the labour welfare movement may be utilised to improve relations between management and labour. An advertisement or exhibition of labour welfare programme may help an industrialist to project to the public a good image of his company. His sales as well as industrial relations may improve as a result - a two-fold benefit to the company.

But this kind of programme may **also** lack in sincerity and continuity. When such a programme loses its advertisement value, it may be neglected by the employers even though it is still useful for the employees. Here welfare tends to become a publicity stunt.

## 7) The Functional Theory :-

This is also called the Efficiency Theory. Here welfare work is used as a means to secure, preserve and develop the efficiency and productivity of labour. It is obvious that, if an employer takes good care of his workers, they will tend to become more efficient and will thereby step up production. But all this will depend on

a healthy collaboration between union and management and their mutual concern for the growth and development of industry. And higher production is of benefit for both management and labour. The latter will get better wages and perhaps a share in the profits.

This is the functional aspect of welfare having efficiency as its object, which increase productivity. This theory is a reflection of contemporary support of labour welfare. It can work well if both the parties have an identical aim in mind, that is, higher production through better welfare. And this will encourage labour's participation in welfare programmes.

Generally, in India, the industrial system, clings largely to the ~~paternalistic~~ paternalistic approach. Some managements try to achieve results through police control. Either way, workers start expecting too much from employers, as a result of which employers provide welfare measures in a somewhat half-hearted manner. The trusteeship theory, too, can be applied suitably in Indian conditions, through, in the longer run, it is better to act on the basis of the functional theory of labour welfare, for it work more effictively by reason of an intelligent and willing participation of workers.



## 1.12 : PRINCIPLES OF LABOUR WELFARE :

PRINCIPLES are nothing but ethical values, rules and regulations, basic guides, that guide the conduct of labour welfare work and also which help in the formation of labour welfare activities and programmes as well as in the solution of labour problems.

Labour Welfare is dependent on certain basic principles, which must be kept in mind and properly followed to achieve a successful implementation of labour welfare programmes, are as follows :-

### 1) THE PRINCIPLE OF CO-ORDINATION OR INTEGRATION:

This principle is one of the most important principle in welfare work. Welfare is a total concept, therefore, we should not plan programmes piece-meal and stop at that. Indeed, a large part of the failure of welfare work is due to welfare being planned and treated on a piece-meal basis. Simultaneous and comprehensive programmes do cost money and need personnel. Therefore, employers may be tempted to introduce only a few items which are forced upon them by law. Since this type of work does not yield results, the employers lose faith in welfare work. Further, the workers for whom welfare work is mainly planned feel the unreality of isolated and unrelated programmes, and consequently, accept the programmes without confidence and enthusiasm. The Welfare Officer who has a clear concept of welfare should be able to co-ordinate purposeful and related activities.

2) THE PRINCIPLE OF ASSOCIATION OR DEMOCRATIC VALUES:

Another important principle of welfare administration is the principle of association, "work with individual" is the motto of this principle. Welfare work aimed at the workers or for the workers has little chance of success as long as it is not designed and implemented in consultation and collaboration with the workers. The workers should be made to feel that the programmes or activities are a part of their own creation that their practice is a voluntary, spontaneous and willed process emerging from themselves. This implies that workers, through their representatives should be taken into confidence, consulted at various stages regarding the programmes and their implementation.

3) THE PRINCIPLE OF RESPONSIBILITY :-

This principle of responsibility is another which makes for the success of welfare work. According to their principle, there should be delegation of authority in the welfare fields, either by election to committees, or by proper nomination. Such are safety committees, sports committees, canteen committees, etc. which work simultaneously in specific areas for limited periods. Here it should be mentioned that responsibility should carry with it authority and authority should, in turn, possess resources both personnel and financial.

Responsibility will success only in the measure that it is combined with authority and resources. Also one of the ways of kindly primary leadership is to create resources, give authority and make persons or committees or groups responsible. And primary leadership properly created results in an overall feeling of belonging in the members of the group.

4) THE PRINCIPLE OF ACCOUNTABILITY :

This can also be called the principle of evaluation. Here, one responsible person gives an assessment or evaluation of existing welfare services on a periodical basis to a higher authority. This is very necessary, for then one can judge and analyse the success of labour welfare programmes. Such scientifically made evaluation is lacking in labour welfare services in Indian Industries.

5) THE PRINCIPLE OF TIMELINESS:

One most important and basic principle is the principle of timeliness. This means that when a need is felt, or a time is opportune for starting programme or associating the workers or delegating authority or providing resources, these should be done with despatch. Most of the programmes fail for lack of timely action, leadership help. Help with help is required is an excellent social work maxim. While procrastination is the thief of time, postponement could be a robber of resources. Therefore, the welfare Officer should be alert to discover what is needed and when and take timely action in putting the programme.

## 6) THE PRINCIPLE OF SELF-HELP :

Last, but not least in importance, is the fact that Labour Welfare must aim at helping workers to help themselves in the long run. This help them to become more responsible and more efficient.

## .13: CLASSIFICATION OF LABOUR WELFARE :

Welfare work, taken in its more comprehensive term mentioned above and as on all embracing phrase, may also be divided into three categories viz;

- 1) Statutory,
- 2) Voluntary and
- 3) Mutual.

### 1) Statutory Welfare Work :-

Statutory Welfare Work constitute those provisions of welfare work which are provided in different factory Acts and it is obligatory on the part of the employers to observe these provisions. They may relate to certain essential working conditions like hours of work, lighting, hygiene and sanitation etc. The state interference, in providing statutory provisions for workers welfare, in increasing and getting predominant place day-by-day in the various parts of the country. Every country is increasing statutory control over labour welfare.

2) Voluntary Welfare Work :

Voluntary welfare work includes all those activities which employers undertake for their workers on a voluntary basis. Voluntary welfare work is also undertaken by some social organisations.

3) Mutual Welfare Work :-

Mutual Welfare is a corporate enterprise of the workers themselves, for instance, if workers decided to improve their lot on the basis of mutual help. It may be called a "Mutual Welfare Work".

THE STUDY TEAM appointed by Government of India, in 1959, to examine Labour Welfare activities, then existing, divided the entire range of these activities into three categories, viz;

1) Welfare Work Within the Precincts of an establishment:-

Medical aid crèches, canteens, supply of drinking water etc.

2) Welfare Work Outside the Establishment :-

Provision of indoor and outdoor recreation, housing adult education, visual instructions and;

3) Social Security Measures etc.:-

However, the Committee of Experts, on Welfare facilities for Industrial Workers concerned by International Labour Organisation (ILO) in 1963 had divided Welfare Services in two groups :-

- I) Within the precincts of the Establishment and
- II) Outside the Establishment.

But the content of the activities was the same as had been included in three groups mentioned above.

But, Dr. Broughton, G.M. has classified the Welfare Work as follows :-

- A) Intra - Mural Activities and
- B) Extra - Mural Activities.

The classification of welfare activities as adopted by the International Labour Organisation (ILO) has been given as follows :-

It should, however, be noted that -

- a) The Labour Welfare activities that are provided within the precincts of the industry (i.e. inside the industry) are also known as intramural activities; and
- b) The Welfare activities that are provided outside the establishment known as extra mural activities.

I) Intra-Mural Activities :-

According to the recommendations of the ILO, the Welfare activities within the precincts of the establishment includes the facilities such as -

- 1) Latrines and Urinals.
- 2) Washing and Bathing Facilities.
- 3) Creches,
- 4) Rests Shelters and Canteens,
- 5) Arrangement for Drinking Water,
- 6) Arrangement for Prevention of Fatigue.
- 7) Health Services including occupational safety.
- 8) Administrative Arrangement within a plant to look after welfare.
- 9) Uniforms and Protective Clothing and
- 10) Shifting allowance.

## II) Extra-Mural Activities :-

As per the recommendation made by the ILO, the Welfare activities outside the establishment i.e. extra-mural activities include facilities such as -

- 1) Maternity Benefits.
- 2) Social Insurance Measures including Gratuity, Pension, Provident Fund and Rehabilitation.
- 3) Benevolent Fund.
- 4) Medical Facilities including programmes for Physical Fitness and efficiency, Family Planning and Child Welfare.
- 5) Educational Facilities including adult education.
- 6) Housing Facilities.

- 7) Recreation Facilities including Sports, Cultural activities, Library and Reading Room.
- 8) Holiday Homes and Leave and Travel Facilities.
- 9) Workers Co-operatives including Consumer, Co-operative Stores, Fair Price Shops and Co-operative Thrift and Credit Societies.
- 10) Vocational Training for dependents of workers.
- 11) Other programmes for the Welfare of women, youth and children and;
- 12) Transport to and from the place of work.

The National Commission on Labour appointed in 1966, has enumerated the welfare work and states in following words -

"Statutory Welfare measures may also be classified into two parts". -

- i) Those which have to be provided, irrespective of the size of the establishment or the number of persons employed therein, such as washing, storing and drying the clothing, First-aid, drinking water, laterines and urinals and;
- ii) Those which are to be provided subject to the employment of a specific number of persons, such as canteen, rest shelter, creche and ambulance rooms.



According to the Encyclopaedia of Social Science, Industrial Welfare Work has taken numerous forms. Those dealing with immediate working conditions are special provision for adequate light, heat, ventilation, toilet facilities, accident and occupational disease prevention, lunch room, rest room, maximum hours, maximum wages. Those concerned with less immediate working conditions and group interests are gymnasiums, club room, play-grounds, gardens, dancing, music, house organs, mutual aid societies, vocation with pay, profit-sharing stock-ownership, disability and unemployment funds, pensions, saving banks, provision for conciliation and arbitration, shop committees and works councils. Still others are designed to improve community conditions and housing, provide model dwellings, retail stores, churches, schools, libraries, kindergartens; lectures on domestic science, day nurseries, dispensary and dental service; screen motion pictures, arrange athletic contests and organism picnics and summer camps.

1,14 : AGENCIES FOR LABOUR WELFARE WORK :

The provision of welfare work should be the prime-responsibility of employers. The state, the representative of the entire community also owes a duty to do things beneficial for the community as a whole. In a country like India,

were the working class forms a weaker section of the community, the state should have a special obligation towards this class, and should make effort to raise it from the level of moral, intellectual, social and economic degradation. The workers organisations or the Trade Unions also have a duty towards, welfare schemes, according to their financial capacity and should occupy priority in their programmes. Hence, the employer, the state, trade unions and other social organisations all combined, must make efforts through the provisions of welfare schemes to make the life of industrial workers in the country comfortable and happy.

1) Welfare Activities by Employers :-

While employers are making relevant adjustments in the work places for the welfare of their workers, their attempts to plan for welfare in the family and community settings are not yet upto the mark. For welfare work in the community, such as, housing 5000 or 6000 employees is a very costly process. For building houses for workers inevitably culminates in community development with all its attend-anti services and maintenance equipment and personnel. Clearly, such welfare work is beyond the resources and capacity of small employers. But larger and more progressive employers of labour have developed labour communities with necessary services.

The pattern of welfare that is provided by employers is a broad-based policy of providing recreational and educational facilities in large units, while the smaller units content themselves with conforming to those facilities prescribed by laws.

Most of the facilities for workers' Welfare provided by employers, such as Dispensaries, Canteens and Creches are in the implementation of statutory provisions. The standards of these amenities provided by some employers are often high and much above the legal requirements.

In the beginning of the 20th Century, a few employers, The TATA IRON & STEEL COMPANY (TISCO) of Jamshedpur has been doing commendable work in the field of welfare.

## 2) Welfare Work by Trade Unions :-

Broadly speaking, the Indian Trade Union Movement, in general, has so far neither the will nor the ability to undertake the welfare work. The biggest limitation in the case of Trade Unions is of course, lack of funds and one can not expect such bodies to achieve really big results. However, for building their own utility, trade unions must give greater attention to welfare work for their members. In certain fields, such as, Co-operation, the efforts of unions are likely to be valuable. The trade unions, too have taken very little interest in the welfare of the

workers at the work places and workers' living places. This is because, the unions in India are also pre-occupied with industrial disputes, political rivalries and leadership problem. However, the Textile Labour Association, Ahmedabad is an outstanding and creditable exception and the participation in Welfare activities and in outside the workplace, so far as the members of the association are concerned. The association runs numerous services through enthusiastic and energetic personnel, and it has adequate equipment for the purpose. In our country, The Ahmedabad Textile Association is one of the leading workers' organisation of the country and hence it is described to be a model in the field of labour welfare-work.

### 3) Welfare Activities of the State Government :-

The State Government's activities in the field of workers welfare have been of a more direct nature. The Bombay and Uttar Pradesh were pioneer in this field and still have a more broad based programme of welfare compared to other states. There are model welfare centres consist usually of medical aid, reading-room, and other recreational and cultural facilities and women's and children's welfare. In some states Vocational Training is given to men and women. For instance, MAHARASHTRA - In Maharashtra (rest while Bombay), the Directorate of Labour Welfare was entrusted with the work of the Government in this regard. Welfare centres run by

the Directorate were classified into different categories according to the activities conducted by these centres.

The activities at these centres includes :-

- 1) Entertainment by visual aids.
- 2) Activities for health improvement and physical education by means of outdoor games and sports, gymnasium activities and children's play-grounds.
- 3) Health education in the form of instructions in accident prevention, first-aid hygiene, etc. health advice and medical inspection, production and publication of health literature, organisation of scouting clubs and restaurants; and

4) Educational activities :

At present, the centres under the Maharashtra Labour Welfare Board, provide indoor and outdoor games, sports, gymnasium, reading room and library, training in handicrafts, education for children.

4) Welfare Work by Social Service Agencies :

The considerable number of social service agencies are playing an important role in the organisation of welfare work both by independent efforts and by assisting the employers and workers. The welfare work done by Bombay Social Service League, started by the servants of Indian Society and similar leagues in Madras and Bengal, the Seva Sadan Society, the Y.M.C.A, the Bombay Presidency Women's Council, deserve special mention in this connection.

The UNICEF, was set up in India with the aim of distributing milk to mothers and children and for the establishment of maternity houses and welfare centres. UNICEF's total allocation to India amounted to Rs. 6,99,88,455 upto June 1968. In the advanced countries, the provision of Welfare Facilities is often the responsibility of the community. But the under-developed countries like India, where the standard of living are very low and resources of the State Limited, it may not be always possible for the community to undertake these responsibilities to the desire extent.

The main contribution of these agencies is in improving the standards of living and working conditions in general, thereby raising the minimum standards prescribed by law.

Thus, welfare work may be considered a joint responsibilities of the state, employers, workers organisations and voluntary social services agencies operating in the country. All these agencies should work in harmony to raise the standard of living of the workers.

#### 1.15 : SOME RELEVANT SECTIONS OF THE FACTORIES ACT, 1948 :

The objective of the Act is -

"This act is intended to consolidate and amend the law relating labour in Factories". It come into force from April 1, 1949. It is applicable to the whole of India.

The law relating to the regulation of labour employed in factories was enshrined in the Factories Act, 1934. Experience of the working of the Act had revealed a number of defects and weaknesses. These consequently stood in the way of effective administration. Though the Act was amended in certain respects in piecemeal fashion whenever some particular aspect of labour. Safety or welfare assumed urgent importance, nevertheless the general frame-work had remained unaltered. The provisions of the safety, health and welfare of the workers were generally found to be inadequate and unsatisfactory. Even the protection that was provided did not extend to the large mass of works employed by work places not covered by the Act. The large and growing industrial activities in the country necessitated a radical overhauling of the factory laws. All these eventually led to the enactment of the Factories Act, 1948, which is in force at present. The Act has been last amended by the Factories (Amendment) Act, 1976 which come into force from 4th September, 1976.

Following are the some of the sections of Factories Act, 1948 regarding labour welfare.

1) Cleanliness :

Section 11 : Every Factory must be kept clean and free from effuvia (i.e. Exhalations affecting lungs or sense of smell) emanating from any drain privy or other nuisance. This is general cleanliness.

2) Disposal of Wastes and Effluents :-

Section 12 : Effective arrangements must be made in every factory for the treatment of wastes and effluents due to the manufacturing process carried on therein so as to render them innocuous, and for their disposal.

3) Ventilation And Temperature :-

Section 13 : Effective and suitable provision must be made for securing and maintaining in every work room.

- i) adequate ventilation by the circulator of fresh air and;
- ii) such temperature as will secure to workers therein reasonable conditions of comfort and prevent injury to health.

4) Dust and Fume :

Section 14 : Manufacturing process carried on in each factory may give off any dust in substantial quantities or give off any dust or fume or other impurity or such a nature and to such an extent as is likely to be injurious or offensive to the workers employee therein. That is why effective measures must be taken to prevent its inhalation and accumulation in any work room.

5) Artificial Humiditication :-

Section 15 : In respect of all Factories in which the humidity of the air is artificially increased, the State Government may make rules to grapple with the situation.



6) Overcrowding : -

Section 16 : No room in a Factory can be overcrowded to an extent injurious to the health of the workers employed in the room.

7) Lighting :

Section 17 : In every part of the factory where workers are working or passing there shall be provided and maintained sufficient and suitable lighting, natural or artificial or both.

8) Drinking Water :- Section 18 :

Section 18(i) : In every factory effective arrangements shall be made to provide and maintain at suitable points conveniently ~~situated~~ situated for all workers employed therein a sufficient supply of wholesome drinking water.

Section 18(3) : In every factory wherein more than two hundred and fifty workers are ordinarily employed, provision, shall be made for cooling drinking water during hot weather by effective means and for distribution thereof.

LATRINES AND URINALS :

Section 19 : The following things must be done in every factory in respect of latrines and urinals.

- a) Sufficient latrine and urinal accommodation of prescribed type shall be provided conveniently situated and accessible to workers at all times while they are at the factory.

- b) Separate enclosed accommodation shall be provided for male and female workers.
- c) The said accommodation is to be adequately lighted and ventilated. Between a latrine and urinal and any work room, there must not be any communication except through an intervening open space or ventilated passage.
- d) All such accommodation shall be maintained in a clean and sanitary condition at all times.
- e) Sweeper's shall be employed whose primary duty it would be to keep clean latrines, urinals and washing places.

SPITTOONS :

Section 20 : In every factory there shall be provided a sufficient number of spittoons in convenient places and they shall be maintained in a clean and hygienic condition.

WASHING FACILITIES :

Section 42 : In every factory -

- a) adequate and suitable facilities for washing shall be provided and maintained for the use of the workers therein;
- b) separate and adequate screened facilities shall be provided for the use of male and female workers.
- c) Such facilities shall be conveniently accessible and shall be kept clean.

FACILITIES FOR STORING AND DRYING CLOTHING :

Section 43 : The State Government may in respect of any factory or class or discription of factories, make rules requiring the provision therein of suitable places for keeping clothing not worn during working hours and of the drying of wet clothing.

FACILITIES FOR SITTING :

Section 44 : Tn every factory suitable arrangement for sitting shall be provided and maintained for all workers obliged to work in a standing position. In order that, they may take advantage of any opportunities for rest which may occur in the course of their work.

FIRST AID APPLIANCES :

Section 45 : These shall in every factory be provided and maintained so as to be readily accessible during all working hours first-aid boxes and cupboards equipmd with the prescribed contents and the number of such boxes or cupboards to be provided and maintained shall not be less than one for every one hundred and fifty workers ordinarily employed at any one time in the factory.

CANTEENS :

Section 46 : (1) The State Government may make rules requiring that in any specified factory wherein more than two hundred and fifty workers are ordinarily employed a canteen or canteens shall be provided and maintained by the

occupier for the use of the workers.

- 2) Without prejudice to the generality of the foregoing power such rules may provide for -
  - a) The date by which such canteen shall be provided.
  - b) The standards in respect of construction, accommodation, furniture and other equipment of the canteen.
  - c) The foodstuffs to be served therein and the charges which may be made thereof.
  - d) The constitution of a Managing Committee for the canteen and representation of the workers in the management of the canteen.
  - e) The items of expenditure in the running of the canteen which are not to be taken into account is fixing the cost of foodstuffs and which shall be borne by the employer.
  - f) The delegation to the Chief Inspector, subject to such conditions as may be prescribed of the power to make rules under the clause (c) above.

SHELTERS, REST ROOMS AND LUNCH ROOMS :

Section 47 : (1) In every factory wherein more than one hundred and fifty workers are ordinarily employed, adequate and suitable shelters or rest rooms and a suitable lunch room, with provision for drinking water where workers can eat meals brought by them, shall be provided and maintained for the use of the workers.

Provided that any canteen maintained in accordance with the provision of section 45 shall be regarded as part of the requirements of this sub-section.

Provided further that where a lunch room exists no worker shall eat any food in the work room.

2) The shelters or rest rooms or lunch rooms to be provided under sub-section (1) shall sufficiently lighted and ventilated and shall be maintained a cool and clean condition.

CRECHES :

Section 48 (1) : In every factory wherein more than thirty women workers are ordinarily employed these shall be provided and maintained a suitable room or rooms for the use of children under the age of six years of such women.

2) Such rooms shall provides adequate accommodation, be adequately lighted and ventilated, shall be maintained in a clean and sanitary condition and shall be under the charge of women trained in the care of children and infants.

WELFARE OFFICERS :

Section 49 (1) : In every factory wherein five hundred or more workers are ordinarily employed, the occupier shall employ in the factory and such number of welfare Officers as may be prescribed.

2) The State Government may prescribes the duties, qualifications and conditions of service of Officers employed under sub-section (1).

WEEKLY HOURS :

Section 51 : An adult worker can not be required or allowed to work in a factory for more than 48 hours in any week.

WEEKLY HOLIDAYS :

Section 52 : An adult worker can not be required or allowed to work in a factory on the first day of the week (hereinafter referred to as the said day), unless -

- a) he has or will have a holiday for a whole day on one of the three days immediately before or after the said days and
- b) The Manager of the Factory has before the said day or the substituted day under clause (a), whichever is earlier -
  - i) delivered a notice at the office of the Inspector of his intension to require the worker to work on the said day and of the day which is to be substituted and
  - ii) displayed a notice to that effect in the factory.

Provided that, on substitution shall be made which result in any worker working for more than ten days consecutively without a holiday for a whole day.

DAILY HOURS :

Section 54 : Subject to the provisions of Section 51, no adult worker shall be required or allowed to work in a factory for more than nine hours in any day;

Provided that, subject to the previous approval of the Chief Inspector the daily maximum specified in this section may be exceeded in order to facilitate the change of shift.

INTERVALS FOR REST :

Section 55 : The periods of work of adult workers in a factory each day shall be so fixed that no period shall exceed five hours and that no worker shall work for more than five hours before he has had an interval for rest of at least half an hour.

EXTRA WAGES FOR OVERTIME :

Section 59 : Where a worker work in a factory for more than 9 hours a day or more than 58 hours a week, he shall, in respect of overtime work, be entitled to wages at the rate of twice his ordinary rate of wages.