

CHAPTER-X

AN ALTERNATIVE APPROACH

The upright decisions of various courts and the efforts of the factory sector unions, compelled the management to search for an alternative approach to do away the impediment that presently occurs due to the recruitment of the farm sector workers. The workers' unions are watching over the strategies and approaches of the management since the just decisions of the courts and opposing the system modifying itself in the form of trusts and societies. Representatives, both from the management and the workers have advocated their alternative approaches before the Dadasaheb Rupwate Committee. In fact it is necessary to have a systematic approach to solve the present problems arising out of introduction of trusts and societies. The State Co-operative Sugar Factories Federation (Sakhar Sangh) is a dominant organisation of the management group. So, it systematically propagated the idea of establishing trusts and societies among its member factories. Therefore, the strategy has been widely accepted by the sugar co-operatives in Maharashtra because factories are the members of the Federation.

10.1 TRUSTS/SOCIETIES - MANAGEMENT'S APPROACH :

The idea of setting up of trusts/societies and other institutions is an outcome of the court decisions so far held as the farm sector workers (cane cutters and the bullock cart transport carters) are the employees of the sugar factories as per the Bombay Industrial Relations Act, 1946. The factory managements faltered for a while and tried to findout an alternative.

It was in 1980-81, that the Sangamner Bhag Sakhar Karkhana Ltd., Sangamner (Dist. Ahmednagar) began to alter the modus operandi by making an amendment in its bye-laws. As per the ex-ante amendment model bye-laws of co-operative sugar factories, "sugarcane harvesting and transporting is the function and responsibility of the Board of Directors (BOD) of sugar factories, the Board may entrust any body, the responsibility to transport the cane to a place as determined by the Board. All expenses on account of the harvest and transport has to be borne by the sugar factory." Further it says that the BOD is empowered to carry or transport the sugarcane coming through the neighbouring fields of other share members of the sugar factory.

- The above bye-laws have been amended (1980-81) as; (a) sugarcane harvesting and transport activities will be the responsibility and the duty of the cane growers. (b) The harvesting and transport cost including other miscellaneous costs will be paid to the cane grower as per the rates determined by BOD. Expenses in excess of the rates will have to be borne by the cane growers. (c) In case of impediments, if any, in the process of harvesting and transport of sugarcane faced by the cane growers, the sugar factory will guide to solve the same so as to get fresh sugarcane for good recovery. These amendments have been made to escape from the statutory responsibilities. That is the BIR 1946's decision in respect of sugar industry is not favourable to the management.

These efforts motivated the other factory management to establish the trusts and societies. The constitution of the trusts and other details have been appended to Chapter-V.

It is stated in the constitution of Nasik Sarva Seva Sevabhavi Trust that the cane growers may not harvest and transport the sugarcane but they are compelled to help to the trust in harvesting and transporting activities. The BOD will be the trustees of the trust and the Chairman of the factory will be the Chairman of the Trust. The trustees and the Chairman have no fastening to the decision taken by the General Body. They can follow on their own strategies and policies.

This method of trusts and societies, is an attempt to discourage the implementation of the court decisions laid so far. Every possible effort has been made by the industry to show that the farm sector workers are not the employees of the industry. This is an approach preferred and justified by the federation of sugar factories.

10.2 FACTORY SECTOR : TRADE UNION'S APPROACH

A scheme which was approved by the workers at Paithan Conference in November, 1990 has been presented to the Rupwate Committee by the representatives of the factory sector trade unions in a committee meeting. Rupwate Committee was asked to recommend how to solve all problems of the farm sector workers permanently.

Trade unions have stressed on the following issues :

10.2.1 Enactment of a Separate Law :

The trade union leaders of the factory sector workers have urged the Government of Maharashtra and simultaneously to the Rupwate Committee to recommend an enactment of a separate law exclusively applicable to the cane cutters and bullock cart workers involved in sugar industry.

10.2.2 Payment of Wages and Wage Awards :

The present piece work system may be continued, however, every worker should get the wage atleast equal to the minimum wages to agricultural labourers in Zone-A. The wages may either be linked to the price indices or a wage rate may be fixed by the tripartite wage awards and agreements for every three years. The awards be appointed regularly. Payment of bonus, gifts, gratuity and other incentives be made available to farm sector workers.

The trade unions have justified their call, saying that sugar factories have to spend lump sum amount of money on the recruitment of the workers and paying commissions to the contractors every year. Almost every contractor has been served with cash advances from sugar factories on account of the advances to be paid to the workers, so as to commit for the work and migration. A majority of the workers do not know that they have been served by paying advances from the sugar factories through contractors. The trade unions have suggested that, instead of making payment of advance to the labour broker and keeping the money repayment suspensive (if the labour broker is unable to supply the labour force) it would be beneficial both to the industry and the workers to keep this amount on account of the P.F. and retention allowances etc. This will compel the workers to join the work in time and a case of labour supply will be secured and confirmed by the sugar factories. New recruitments be made by the sugar factories any time during the year. A preintimation notice be given to the concerned workers, who have worked earlier; and they may be asked to report to the sugar factories on or before a given period.

A booklet illustrating cane varieties, its features, land tillage for cane plantation, methods of plantation, crop protection, crop culture, inter-cropping, crop rotation, water and fertilizer use, crop harvesting etc. be given to each cane grower share members of sugar factory. This will help in getting quality sugarcane for the factory and will also be helpful to harvest and transport it conveniently and quickly to the sugar factories. This will improve the sugar recovery, which is beneficial to all. So, such human resource development will improve the quality of work and efficiency, which is a remedy to eliminate the present impediments in the factory's operations. A Cane Development Office be established to look into the matters related to training and education of the farmers and workers.

10.3.2 Organisation of the work :

There should be a separate department affiliated to agricultural department to look into the recruitment of farm sector workers and supply of work force etc. Otherwise a separate labour co-operative (not on the lines of present trusts and societies) society may be established to carry on the same business. The workers who wishes to take part either in cane cutting or in transporting through bullock carts may enrol and make an agreement any time during the year. All workers should be communicated before a season begins, and their response to this indicating their willingness may have to be communicated by all workers to the factory. This will help to plan, the harvesting and transport schedule. A worker should directly make an agreement with the Department or the Society. No contractors or labour brokers should be entertained by such agencies.

A separate law may be enacted, if necessary, considering all other aspects to improve the efficiency in the present working system, illustrating model constitution of the society.

10.3.3 Sugarcane Plantation and Survey :

A sugar factory, through its Agricultural Department, should be very careful in accounting the total land area under sugarcane and average yield of sugarcane on the basis of which plantation crop, first ratoon, second ratoon crop area may be categorised. Different dates of sugarcane plantation may be given villagewise, which have convenient motorable roads, because plantation crop has to be given priority while harvesting the sugarcane; and during the initial period of factory season (October-November), not all roads are convenient to transport sugarcane. The plantation crops which are not on motorable roads during the pre-season, may be given suitable and proper delivery dates for planning the sugarcane.

A survey may be conducted to estimate the total land area under plantation and ratoon crops during the off season. The cane cutter and carter workers may be employed to make the survey. The survey schedule should be prepared by Agricultural Department and strictly be followed by it. On the basis of the information collected, harvesting and transport schedule may be prepared. A computer can be used to compute the data and determine the harvesting and transport schedules.

10.3.4 Planning for the transport on the basis of distance :

The bullock carts may be used to harvest and transport the sugarcane around 5 to 8 km. of the sugar factory. Tractors may be used for the distance of 8-10 to 10-15 km. and trucks for a distance of more than 15 km. However, this will depend on the availability of the vehicle. Each and every person involved in this activity should be aware of the fact that they must be able to unload the sugarcane at gavan centre within four hours after the cane harvest, because after that sucrose content in the sugarcane deteriorates. To maintain this time schedule, a night harvesting schedule may be followed. This system has been practised by Kisan Ahir Co-operative Sugar Factory. The profits, if any, because of good recovery may be distributed equally among the workers of factory sector (25.00%) and farm sector (25.00%) and also cane growers (25.00%) and to carry out area development (25.00%) in the operational area, particularly on road development. This will be an incentive to the workers involved in this operation.

10.3.5 Social Security Measures and Other Facilities :

A provision of social security measures and some other facilities to the workers improves the efficiency of the workers. Social security measures like leave, medical aid, veterinary aid and help services, rationing, schools for the kids etc. may be provided to the farm sector workers. A few sugar factories have made available such social security measures to the farm sector workers to some extent.

Similarly factories should be compelled to extend provision of provident fund scheme to farm sector workers. The fund may be used for the development of industry in the State. Bonus, gratuity and gifts should also be paid to the workers in addition to the incentives earned because of a good recovery.

The dwelling units may be built by the sugar factories at different camping centres with the financial support from National Housing Bank, Life Insurance Corporation, Housing Development and Finance Corporation, Maharashtra Co-operative Housing Finance and Urban Banks etc. such dwelling units may be rented to the deserving people during the off season.

Improved tyre carts may be supplied by the sugar factories on a reasonable rental basis. There should be a uniformity in the rent rates. Such carts may be rented during the off-season to workers if they need.

Retention allowances may be paid to the workers so as to retain the same job. Besides, workers will not change the sugar factories frequently if they are thus retained.

All other facilities should automatically be introduced, if the efficiency and productivity of the workers improves. This system will wholly keep the contractors away. An average work will get remunerative wages for which he actually migrated to the destination.

Simultaneously, one must not neglect the present impediments faced by the industry for a decade. The industry's capacity to pay the wages, its viability and the whole economics of the industry must be taken into account. Of course, it is significantly expected that the factory units are being managed in an economical and efficient manner.