

Cable : "AITUCONG"

T. U. LAW BUREAU:
R. L. TRUST BUILDING,
55, GIRGAON ROAD,
BOMBAY 4 (INDIA)

अखिल भारतीय ट्रेड यूनियन काँग्रेस
ALL-INDIA TRADE UNION CONGRESS

Telephones : 48771
42414

4, ASHOK ROAD,
NEW DELHI

President : S. S. MIRAJKAR.
General Secretary : S. A. DANGE, M.P.

185
1958
No. 185-II/RTU/58
November 4, 1958

Dear Shri Mehta,

Appropos my talks with you at Bombay on October 30, when you were there to inquire into the General Strike of July 21; I had told you that the Ministry has finalised about the procedure of verification of membership in order to recognise the trade union only in October 1958.

In this connection, your attention is invited to our communications dated August 15, 1958 and September 12 and October 4, 1958 on the subject, to which a final reply was received vide Government of India, Ministry of Labour, letter No.LR.I.19(1)/58 dated 15.10.58.

In the absence of this reply, we could not direct our unions to challenge the membership of the existing unions where we feel the unions with lesser membership has been recognised.

Yours sincerely,

K. S. Sriwastava
(K. S. Sriwastava) (K.S.)

Shri R.L.Mehta, I.A.S.,
Joint Secretary to the Government of India,
Ministry of Labour & Employment,
New Delhi.

1st...December, 1958.

To

The General Secretary,
All India Trade Union Congress,
No.55, Girgaum Road,
BOMBAY-4.

Sir:

We have been constrained to approach you with the following facts in the firm hope that necessary remedial action will be taken by you without any loss of time.

We are workers from Messrs. Exen Industries situated at Parekh Nagar, Ghodbunder Road, Kandivli, Bombay 47.

There is a Read Fleg Union where a few workers of our factory have joined. A large majority of us do not desire to join this Union which is indulging in abuses and mud-stinging against any one who dare to speak against them. They have gone to the extent of employing physical violence to force us to join the Union.

Details of this physical Assault and intimidation are as under:-

(1) On 23-9-1958 at 5-10 p.m., four lady workers of our factory were just crossing over to Ghodbunder Road from the passage of the Parekh Nagar, a few followers of the Bombay Plastics Employees' Union headed by a Union official, Shri Govindan followed them shouting ~~x i~~ slogans and abused them for not joining the Union. Some of the followers came in front of them and stopped them from going further. At that time they were much frightened and they could not decide what to do.

Meanwhile two police constables came to the scene and instructed the followers to allow them to go, then only the followers left to follow.

(2) On 1-11-58 at 12-15 p.m., after taking his lunch Shri V. Venkatrao, a worker of our factory, was returning to the Factory and was crossing the Ghodbunder Road, all of a sudden Shri Govind Tanu, the worker of our factory, who is taking part in the activity of the Bombay Plastics Employees' Union, caught hold of him and gave him blows on his chest and threatened him for not supporting the Union and abused him. Thereafter all the supporters of the Union who were there at time surrounded him and began threatening him with dire consequences. Meanwhile his friends came to his help and he was allowed to go.

(3) On 16-11-58 Shri Dayal Dahyabhai a worker of our factory, coming to duty, got down from the train at Kandivli Station and was coming to the factory by Ghodbunder Road, was caught hold of by Shri Maruti Dagdu a worker of our factory who has joined the Union, opposite Deena Bank on Ghodbunder Road and gave him three blows on his face and threatened him to finish him. Meanwhile public gathered there and he was allowed to go.

(Contd)....2.

Can 20-11-58 -2-

(4) Shri Gajanand Vasudeo Mhatre, who after completing his duty in the factory at 5-0 p.m., was proceeding to go home on Ghodbunder Road was assaulted and abused by Shri Govind Tanu who is a member of the Union with other fourteen to fifteen supporters of the Union. Shri Govind Tanu who had a iron fist in his hand, beat him with the fist blows on the various parts of his body. At that time Shri Ukabhai Ramchhod a worker of our factory tried to intervene but Shri Govind Tanu and his companions beat him also. Meanwhile another worker and three ladies who were there at that time began shouting for help and so public came there and Shri Govind Tanu and his supporters ran away.

(5) Since last few days Shri Govindan the treasurer of the Bombay Plastics Union Employees' Union gather near the gate of our factory with outsiders at about 4-45 p.m., and as lady workers come out of the factory, they shout slogans very loudly and sometime they joke at them and speak in such a language they only could understand amongst themselves and begin laughing at them. This is their daily programme and as such the lady workers are afraid to come out of our factory at that time. On one occasion on 21-11-58 when they were coming out of the gate of the factory at about 5-0- p.m., Shri Govindan, the Union official, spoke these words " शेट रंडीओ राखी छ " (Sheth has kept Randis). They are using such words and tease them while they are coming out of the factory.

Regular police complaints have been lodged and legal action is being taken against the offenders.

But we feel that this behaviour of a Union owing allegiance to your party is against the code of conduct adopted at Nainital and also against the basic principals of Democracy which this country and also your party have accepted for this matter.

May we expect Stern and Speedy action against your supporters who are acting against your policy and bringing you bad name ?

Thanking you,

Yours sincerely,

शांतारामकेकीभी

C.C.to:

(1) All India Trade Union Congress, New Delhi.

(2) The Labour Minister, Govt. of India, Secretariate, New Delhi.

(3) The Labour Minister, Govt. of Bombay Sachivalaya, Bombay.

प
२०/११/५८

गंगा

Saraju S. Nair.

संयुक्त

ज.क. परक.



Saraju
संयुक्त

6 DEC 1958

No.E&I-35(38)/58
Government of India
Ministry of Labour & Employment
.....

From

Shri R. L. Mehta, I.A.S.,
Joint Secretary to the Government of India

To

The Secretary,
All-India Trade Union Congress,
4, Ashoka Road, New Delhi.

Dated New Delhi, the 5 DEC 1958

Subject:- Lawlessness in Orissa Mineral Development Company, Barbil.

Dear Sir,

With reference to your letter No.185/KM/58 dated the 15th October, 1958 on the above subject I am directed to say that it is revealed, on enquiry, that the Keonjhar Mines & Forest Workers' Union was responsible for the breach of the Code of Discipline as well as of the Code of Conduct in the following incidents which occurred in June 1958 in the Barbil area:-

(i) On the 4th June, 1958, a large number of workers belonging to Shri N.K. Bose's group (K.M.&F.W.U.) equipped with lathies went to Thakurani Mines Labour Camp to attack the workers of the other group and an untoward incident could be avoided only with the timely arrival of the police.

(ii) A large number of workers went to the quarter of Shri N.K. Das, Surveyor of M/S Orissa Mineral Development Company on the evening of the 5th June 1958 and threatened to assault him if he did not vacate the quarter immediately. The police registered a case in this respect. Whatever the duties and activities of Shri Das it would be appreciated that it was against the spirit and provisions of the Code of Conduct to attack Shri Das and to threaten him with dire consequences if he did not vacate the quarter immediately.

(iii) The attack on Shri Sukra Nag, Supervisor of the mines on the 22nd June 1958 was not primarily due to the fact that he asked for free drinks from the workers, but, because the Keonjhar Mines & Forest Workers' Union had a grudge against him as he had appeared before the Tribunal on behalf of the management. The workers also suddenly struck work on 22nd June 1958 at Belkundi Iron mine and demanded the immediate removal of Shri Sukra Nag.

^{would}
2. We ~~would~~ therefore, request you to investigate the matter again in the light of the Code of Discipline and of the Code of Conduct and to impress upon the Keonjhar Mines & Forest Workers' Union that the success of these two Codes is entirely dependent on the good-will and cooperation of the parties concerned, ~~the~~ ^{of the Codes}.

3. I shall feel thankful if this Ministry is apprised of the action taken in the matter.

Yours faithfully,

Sanjay
for Joint Secretary

Dr. S.B.L. Nigam,
Assistant Economic Adviser.

IMMEDIATE

D.O.No. E&I-34(20)/58



27 DEC 1958

MINISTRY OF
LABOUR AND EMPLOYMENT.

New Delhi, the 24th Dec., 1958

Dear Shri Sriwastava,

Kindly refer to our letter No. E&I-34(20)/58 dated the 25th October, 1958 and the subsequent reminder dated the 25th November, 1958 regarding the implementation of the conclusions of the first meeting of the Central Implementation & Evaluation Committee. I shall be grateful if you will kindly let us know at an early date the action taken by your organisation on each of the items [Nos. 2, 3(1), 4(ii) and 6] of the conclusions.

Yours sincerely,

S.B.L. Nigam
(S.B.L. Nigam)

Shri K.G. Sriwastava,
Secretary, All-India Trade Union Congress,
4 Ashok Road, New Delhi.

BOMBAY STATE TRADE UNION COMMITTEE

(A. I. T. U. C.)

President: K. N. Joglekar

General Secretary: S. Y. Kolhatkar

166, KHANDELVAL BHAVAN,

DADABHOY NAOROJI ROAD,

Ref. No. AI/29/58

BOMBAY 1. 31st Dec. 1958

Dear Com. Shrivastava,

Find enclosed herewith 2 copies of comments sent by the General Secretary of Bombay Plastics Employees' Union regarding the complaints made by some workers of Exen Industries Ltd. We are also enclosing the original copy of the letter of the workers sent by you, for your record.

Greetings,

Yours fraternally,



(S.Y. Kolhatkar)

Encl

THE BOMBAY PLASTICS EMPLOYEES' UNION

REGD. No. 2140

- President:
K. T. SULE
Gen. Secretary:
B. S. DHUME
Treasurer:
C. GOVINDAN

Ganesh Patel Building,
Ghodbunder Road,
ANDHERI.

Date 30th Dec., 1958.

To
The General Secretary,
Bombay State Trade Union Congress,
166, Khandelwal Bhuvan,
Dadabhai Naoroji Road,
Bombay.

Dear Comrade,

We are in receipt of your letter No. AF/23/58, dated the 9th instant, enclosing a letter from the General Secretary of the A.I.T.U.C. and seeking our comments on the same. Our General Secretary being out of town for some time, we could not reply your letter earlier. We very much regret the delay thus occasioned.

Before we proceed to give you our say regarding the various instances mentioned in the letter, it is necessary to give you a brief background of the situation in this Factory, M/s. Exen Industries, Kandivli, the circumstances leading to the existence of the two Unions and the Management's attitude to each of these Unions, so that you may yourself decide the real work and the veracity of the complaints made by "some" workers" of this Factory.

M/s. Exen Industries is a Factory manufacturing fountain pens and has been in existence since the past 5 years. The Factory had a complement of about 125 workers, out of whom about 85 workers were permanent, while about 40 workers were considered to be temporary, even though some of them had put up service for more than 3 years. Wages being very low and the working conditions hard, the workers organised themselves into a Union and joined the Bombay Plastics Employees' Union, at the beginning of this year.

According to the policies pursued by our Union, we tried to negotiate directly with the Management for redress of some of the pressing grievances. A few we were in a position to resolve, but finding that the Management was not willing to make any major concessions

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and in any case not willing to change the basic grades of the employees. The Union submitted its charter of demands on the Management on the 30th June 1958. With the submission of this Charter of Demands, the Management's attitude towards the union and its workers underwent a radical change.

Under the plea of shortage of raw materials the Management threw out all the 40 workers, who were considered to be temporary. Repeated break in service for these temporary workers was no new phenomena for these workers, but they always used to be taken back after a break of about 15 days or a month. This time, however, the Management refused to reemploy these workers, but in their place took altogether new workers, numbering about an equal number, out of whom girls constitutes a sizeable number. It is significant to note that this was the first time, when girls were being employed in this Factory. The Union has already made a Demand about unfair labour practice pursued by the Management and demanding reemployment on the basis of seniority of the workers, who were removed.

It is these new workers, who are being pitted by the Management against the old workers and their Union. These workers are employed on a temporary basis for a period varying from a month to 3 months at a time. The threat of unemployment is continuously kept hanging on their heads and it is this mechanism that the Management forces them into submission, to its will and forces them to act according to its behests. On or about the 22nd September 1958, the Management, through the help of some gondas got 2 of our workers, Sarvashvi Rajaram Ranchandra and Devji Vishram, assaulted. A complaint was lodged with the Kandivli Police Station on the 22nd September 1958 and also a letter of protest was sent by us, to the Management on the same date. A copy of this letter is being sent to you for your perusal.

The Management is also giving preferential treatment to these new workers, inasmuch as that they are given lighter jobs and higher wages compared to

.... (3)

-: 3 :-

what workers from the old lot are getting for doing similar work.

Just while the case had come up for hearing before Shri V. V. Joshi, the Deputy Commissioner of Labour, the Management put up a notice on the Notice Board threatening that they would close down the Factory from 27th October 1958. Together with the notice, the Management was continuously making a propaganda that if the workers gave up the Bombay Plastics Employees' Union, they would withdraw the notice and continue to work normally as before. They also pitted the new workers against the old workers, by making it appear to the new workers, that it is the "intransigent attitude" of the old workers that was forcing the Management to close down the Factory, with consequential loss of job to all concerned.

All these efforts of the Management did not succeed, as a result of the solid solidarity amongst the old workers, the consistent and patient propoganda carried out by our Union, the painstaking exhaustive explanations given to the workers and a systematic effort for building up fraternal relations with the new workers. The walls created between the new and the old workers started falling out and a good many of the new workers also joined our Union. Finding it the ground slipping under its feet, the Management rigged up the other Union, the Bombay Pen Aur Plastic Kamgar Sangh. This is the Union, which has been formed in this Factory alone and though from the name this appears to be a city-wide industrial Union, to the best of our information it has membership only from this Factory and that too from amongst these new employees. Even here, we have it on our definite information that the membership fees for these new workers are being paid by the Management.

Through this Union, the Management is attempting to put up an organised opposition to the case being conducted before the Deputy Commissioner of Labour, by our Union. While inside the Factory the Management have started a spate of warnings and charge sheets, militant workers of our Union are being harassed and charge sheeted for the simplest reasons and sometimes for no reasons

.... (4)

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at all. In November last, they discharged one of our members of the Managing Committee, Shri Govind Tanu, on a framed up charge of having assaulted a co-worker. In the letter addressed to the A.I.T.U.C. you will find the name of this worker in para 2. It is worth noting that when the case came up before the Government Labour Officer, Shri Sidhante, the framed-up nature of the charge was so obvious, that the Labour Officer tried his utmost to prevail upon the Management to take Shri Govind Tanu back. The Management, however, did not accept the suggestion of the Labour Officer and the case has now gone for conciliation.

Subsequently, they charge-sheeted the Secretary of our Union, Shri Rajaram Ramchandra, again of assaulting a co-worker. An inquiry was held and the Management had to give up the charge.

Against these all-sided attacks of the Management, in the Labour Office through the mechanism of the Bombay Pen Aur Plastic Kamgar Sangh, and in the Factory through these false charge sheets, harassments etc., the efforts at pitting the new workers against the old workers, the women workers against the men workers, our Union is called upon to defend the organization of the workers' interests. Persistent explanatory campaigns, gate meetings, bastee meetings, processions, etc. become the only means available to the Union for carrying out this work. And it is precisely this, which is not to the liking of the Management and that is the source of all complaints and cross complaints.

In the context of the facts as stated above, you can very well decide what credence to be put on the complaints made in the letter under reference. It is significant to note that majority of the complaints are complaints of assault. It is, however, strange that none of the alleged guilty persons is proceeded against in a Court of Law. Since all the instances mentioned in that letter are alleged to have taken place on a public place, such as roads, Railway platforms, etc., it ought to have been possible for the Union and the Management to secure independent witnesses in all these cases and prosecute

.... (5)

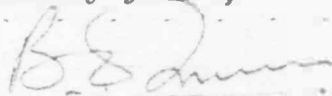
-: 5 :-

the guilty workers in a Court of Law. This, however, neither the Union nor the Management nor the so-called aggrieved workers are willing to do, and for obvious reasons. Needless to say, that these complaints are a creation of the fertile brain of the Bombay Pen Aur Plastic Kamgar Sangh and the Management. With the peculiar conditions of employment of these new workers, as already stated above, collecting a few signatures from these workers is not a difficult job. And that is how this whole complaint has been got up by the other Union and the Management.

Our Union is an industrial Union and already represents important Factories, engaging about 2000 workers. Some of the major units in this industry, like the Indian Plastics Private Ltd. (800 workers); Bright Brothers Private Ltd. (400) workers); Plastella (100 workers) and Exen Industries (125 workers) are ~~reputed-by-e~~ represented by our Union. We are also affiliated to the A. I. T. U. C. and the Office Bearers of our Union are responsible social workers. The General Secretary of our Union is a Councillor of the Bombay Municipal Corporation and occupies other important positions in a number of social and political organizations in the city.

/and We trust, the above information will help to expose the falsity ~~of~~ the hypocrisy of the letter under reference and will help you to deal with it in a befitting manner.

Fraternally yours,



General Secretary,
BOMBAY PLASTICS EMPLOYEES' UNION.

Encl: 2.

No.E &I-34(16)/58
Government of India
Ministry of Labour & Employment

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
~~All-India Trade Union Congress,~~
4, Ashok Road,
New Delhi.


Dated New Delhi, the 10 JAN 1959 January, 1959.

Subject:- Appointment of Screening Machinery -
recommendations of the Standing
Labour Committee (16th Session -
October 1957).

Dear sir,

I am directed to refer to this Ministry's circular letter of even number dated the 12th September 1958 and subsequent reminder dated the 12th December 1958 on the above subject and to request that action taken or proposed to be taken in the matter may kindly be communicated to this Ministry at an early date.

Yours faithfully,



(S. Narain)
for Joint Secretary.

Dear Shri Mehta,

Thank you for your D.O; letter No.E&I-11 (20)/58 dated December 27, 1958, clarifying that the complaint regarding alleged breach of the Code of Conduct by Shri Pashupati Pandey of the United Iron & Steel Workers' Union, Burnpur-Kulti, was made by the INTUC affiliate, the Asansol Iron & Steel Workers' Union, Burnpur-Kulti.

We had our own doubts about the source of the complaint since we found on investigation that members of our affiliate, the United Iron & Steel Workers' Union, had maintained remarkable restraint in face of extreme provocation from the other side. We therefore consider that the complaint by the INTUC affiliate has been made to you deliberately in order to discredit our affiliate as having not observed the Inter-Union Code of Conduct.

Yours sincerely,


(K.G.Sriwastava)

Shri R.L.Mehta, I.A.S.,
Joint Secretary to the Government of India,
Ministry of Labour & Employment,
New Delhi.

R.L.Mehta, IAS.,
Joint Secretary.



MINISTRY OF
LABOUR AND EMPLOYMENT.

New Delhi, the December 27 1958

D.O.No. E&I-11(20)/58.

Dear Shri Dange,

Kindly refer to your letter No. 185-II/ISB/58, dated December 23, 1958, regarding the breach of the Code of Conduct by certain members of the United Iron & Steel Workers' Union, Burnpur-Kulti. The complaint was made by the Asansol Iron & Steel Workers' Union, Burnpur-Kulti.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'R.L. Mehta'.

(R.L.Mehta)

Shri S.A.Dange, M.P.,
General Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Mr. Dange
1/11

R L MEHTA

CARE, LABOUR

NEW DELHI

NOMINATE P RAMAMURTI VICE PRESIDENT AITUC KERALA PLANTATION
INQUIRY

AITUCONG

Not to be telegraphed:

ALL-INDIA TRADE UNION CONGRESS
Camp Office: 50-A A.S. Street,
Bangalore 2

Copy to Com. P. Ramamurti

No. E&I-35(102)/58.
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT.

From

Shri R. L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Dated New Delhi, the

Subject:- Study of Plantations Strike in Kerala under the
Code of Discipline.

Dear Sir,

I am directed to say that in pursuance of the recommendations of the Standing Labour Committee it has been decided that Shri R.L. Mehta, Joint Secretary in this Ministry, assisted by the representatives of workers and employers as Assessors, would enquire into the Plantations Strike in Kerala with reference to the Code of Discipline. I am, therefore, desired to request you to send the name of your representative to act as an Assessor in this enquiry. The selected person should not be/ have been a member of the Action Committee, etc., responsible for conducting the strike as all such persons are likely to be called by the Committee as a witnesses.

2. I am to request further that your reply may kindly be sent to this Ministry as early as possible.

Yours faithfully,


(S.B.L. Nigam)
for Joint Secretary.

d.a.nil.

185
No. E&I-40(18)/58
Government of India
Ministry of Labour & Employment

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4 Ashok Road, New Delhi.

Dated New Delhi, the

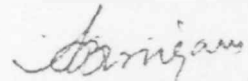
Subject:- Code of Conduct - alleged breach by the Road Transport
Corporation Employees' Union, Andhra Pradesh.

Dear Sir,

It has been reported to this Ministry that at a mass meeting held by the Road Transport Workers' Union (INTUC) on December 15, 1958 in front of the Road Transport Corporation Office, Hyderabad, certain workers of the Road Transport Corporation Employees' Union, affiliated to Andhra Pradesh Trade Union Congress, tried to disturb the meeting by shouting slogans against the Indian National Trade Union Congress - Union and attacked the workers who had assembled at the meeting. If these allegations are correct, the action of the workers' of the Andhra Pradesh Trade Union Congress - Union would be against the provisions contained in paras 3 and 7 of the Code of Conduct and I am to request that the union concerned may kindly be asked to desist from such activities and to honour the Code of Conduct to which, through you, they are a party.

This Ministry may kindly be informed of the action taken in the matter.

Yours faithfully,



(S.B.L. Nigam)
for Joint Secretary.

d.a. nil
sps 13.1.

R.L.Mehta, IAS.,
Joint Secretary.



IMMEDIATE

MINISTRY OF
LABOUR AND EMPLOYMENT.

17 JAN 1959
New Delhi, the January 16, 1959

D.O.No.E&I-34(20)/58.

Dear Shri Sriwastava,

Kindly refer to our letter No.E&I-34(20)/58, dated 25th October 1958 and the subsequent reminders, dated 28th November and 26th December 1958, regarding the implementation of the conclusions of the first meeting of the Central Implementation & Evaluation Committee held on September 20, 1958, at New Delhi. I shall be grateful if you will kindly let us know at an early date the action taken by your organisation on each of the items Nos.2, 3(i), 4(ii) and 6 of the conclusions.

Yours sincerely,


(R.L.Mehta)

Shri K.G.Sriwastava,
Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

19 JAN 1959

(1)

No. D&I.34(20)/58.
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT.

From

Shri R. L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi-1.

Dated New Delhi, the

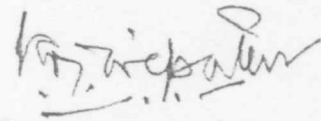
15 JAN 1959

Subject:- Supply of membership lists of Employers' Organisations
to worker's Organisations.

Dear Sir,

I am directed to refer to your letter No. 185(C)/59, dated the 9th January 1959 on the above subject and to invite your attention to this Ministry's letters of even number dated the 12th and 14th January 1959 along with which the membership lists of Central employer's Organisations were sent to the Central Workers' Organisations.

Yours faithfully,



for Joint Secretary.

DM:IK*
D. A. Anil.
15/1/59

Dr. S.B.L. Nigam,
Assistant Economic Adviser.

D.O.No. E&I-11(20)/58

Telegrams :—
"LABOUR"

MINISTRY OF
LABOUR AND EMPLOYMENT.

13 JAN 1959

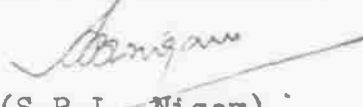
New Delhi, the 17th Jan., 1959.



Dear Shri Sriwastava,

Please refer to Shri R.L. Mehta's d.o. of even number dated the 19th November, 1958 and my d.o. reminder of the 5th December, 1958 regarding the assault on certain workers of Asansol Iron & Steel Workers' Union in the Kulti Works of the Indian Iron & Steel Co. Ltd. As this matter has been pending for about two months, I shall be thankful if you will kindly expedite your comments.

Yours sincerely,


(S.B.L. Nigam)

Shri K.G. Srivastava,
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

21 JAN 1959

No. E&I-11(39)/58.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT

(155)

New Delhi, the 20th January, 1959.

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Govt. of India.

To


The Secretary,
All India Trade Union Congress,
4 Ashok Road,
New Delhi.

Subject:- Jamshedpur affairs.

Dear Sir,

In continuation of this Ministry's letter of even number dated the 8th January, 1959 on the above subject I am directed to say that it is being impressed upon the management of TISCO not to insist on the vacation of residential quarters by their workers unless the appeals filed by them under the Company's grievance procedure and the criminal cases pending against them are disposed of.

Yours faithfully,


(S.B.L. Nigam)
for Joint Secretary.

No. E&I-35(86)/58
Government of India
Ministry of Labour & Employment

From

Shri R.L. Mehta, I.A.S.
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Dated New Delhi, the

Subject:- Unfair Labour practices by the management of Parkash
Engineering Co. & Rolling Mills, Agra.

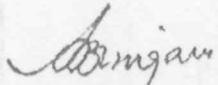
Dear Sir,

With reference to your letter No. 185(PE)/59 dated the 10th January, 1959 on the above subject I am directed to say that our inquiry reveals that the State Labour Machinery has taken as prompt an action as was possible in the circumstances to settle the above dispute. For instance when on July 17, 1958, the workers stopped work suddenly at about 9 A.M., the Regional Conciliation Officer, Agra intervened in the matter immediately and as a result of the settlement the mill started working the same day from 3-30 P.M. The Regional Conciliation Officer again intervened when the management served notices on 260 workmen terminating their services from August 5, 1958, as a result of which ~~upon~~ the workmen resumed duty and Management agreed to give continuity of service to them. Your remarks "that the State Labour Department Machinery pays scant attention" do not, therefore, seem to be borne out by facts.

As far as the E&I Division at the Centre is concerned, the matter was taken up with the State Government soon after the receipt of your letter dated the 6th September, 1958. The subject falls in the State sphere and the State Conciliation Machinery was already seized of the problem.

As mentioned in this Ministry's letter of even number dated the 5th January, 1959 the unilateral action and breach of the Code of Discipline by the management have already been taken up with them and your good offices were sought to bring home to the workers, who also took unilateral action in going on strike without notice, etc., the need for observing the Code of Discipline. You will agree that the policy of meeting one wrong by committing another is against the very spirit of the Code of Discipline. Two wrongs do not make a right. It is hoped, therefore, that you will take suitable action against the Union for their unilateral action and advise them against a repetition of such a step in future.

Yours faithfully,


for Joint Secretary

Dr. S.B.L. Nigam,
Assistant Economic Adviser.

IMMEDIATE

D.O.No. E&I-34(16)/58

Telegrams :—
"LABOUR"

29 JAN 1959



MINISTRY OF
LABOUR AND EMPLOYMENT.

New Delhi, the 28th Jan., 1959.

Dear Shri Sriwastava,

Kindly refer to this Ministry's circular letter of even number dated the 12th September, 1958 and subsequent reminders dated the 12th December, 1958 and the 10th January, 1959 regarding the setting ^{of} up/Screening Machinery. I shall be grateful if you will kindly let me know at an early date the action taken by your Organisation in this regard.

Yours sincerely,


(S.B.L. Nigam)

Shri K.G. Sriwastava,
Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

T.

The Secretary
All India Trade Union Cong
4, Ashok Road, New

Dear Comrade,

This is to inform you that, on 2.1.59
of 100 (hundred) persons armed with "Lathi", "Bhala",
other deadly weapons attacked Comrade Nargal Singh &
Gurha Chaw Singh, ~~the~~ our two T. U. Cadres, ^{under} though
of local J.N.T.U.C. leader, ~~Disendore~~ ^{Disendore} ~~and others,~~ ^{and others,}
fortunately they escaped any injury.

The fact is this that, the J.N.T.U.C. leaders of
Bermo-Nargali area, have a private militia of Const
Chaprasis & Lathials. These ~~Contractors~~ Chaprasis of Nargali &
some of whom are directly under ~~the~~ ^{the} N.C.W.C. men
and ~~the~~ the rest under Contractors, Singh & Chane
are professional goondas & criminals.

These goondas directly ^{with the} ~~under~~ the support of
J.N.T.U.C. leaders and in collaboration of police do
sorts of criminal & goonda activities in the area.
The result ~~is this~~ that, there was a terror
along this important Coal field where public sector
Collieries are situated.

In 1954, in Bermo, the position was such
it was difficult for the leaders & workers of Coal Workers
Union (J.N.T.U.C.) to move in the open. But the position
changed there after a serious clash on 31.12.54 with
these J.N.T.U.C. ~~these~~ goondas attacked one of our Mohalla meeting a
general workers in thousands retuffed that.
But in Nargali, it is still going on. On 2
January 59, two J.N.T.U.C. fellow Jannana Singh & Murli
were playing a "Lathies" on the main road in Nargali.
This was their tactics to terrorise the general public
of that area showing their skill in using "Lathies". A
was passing by that side ~~at that time~~ and he got hit

more cases. When
"Lathies" in a Bazar on main road. They bear in-
reperly. He came to our Comrade Mangal Singh and
went to police station with Comrade Mangal Singh to re,
the matter. When Comrade Mangal Singh came back
police station, he got report that I.N.T.U.C. fellows
assembling in a nearby place with all sorts of
weapons to attack him, he went again to police sta
and informed the police.

After informing police, he came back and
down in the hotel of Comrade Gurhachan Singh
T.U. worker. After two of hours of reporting the
to police, the mob of I.N.T.U.C. lathials came in
of the hotel of Comrade Gurhachan and asked Comrade
Mangal Singh + Gurhachan to come out of the shops
began to beat the roof of the hotel. After staying
for half an hour, they went back. They did not
to enter the shops and in this way our two T.U. ca
was saved. After their going back, police came
posted police constables near ~~to~~ Gurhachan's hotel
untill now did not take action against the misce
This mob was organised directly by the local
leader Bindishwari Kuly, En. M.L.N. and led by
lieutenants, Ramdars Singh + Santan Singh. Though
it is ^{the} incident of a Bazar day in the midst of
center of the Bazar at daytime for which pol
was informed earlier, but the police ~~also~~
neither took precaution before the incident (~~or~~
station is just at two furlong from the place of inci
nor any action after the incident.

~~There~~ Tensions are already prevailing the
and there is every possibility of ^a serious clash
anytime.

Hence, I request you to take up the matter un
the Code of Conduct and also ~~write~~ address a letter
to the Chief Minister, Bihar to take action to co
the miscreants or any other step which you see
and proper.

16.1.59

with greetings

yours
Shojique Khan
Secretary
Coal Workers Union
(Ha)

WEST BENGAL COMMITTEE All India Trade Union Congress

249, BOWBAZAR STREET, CALCUTTA-12

Dated, 14th February, 1959.

President :

Sri Hemanta Kumar Bose.
M. L. A.

Vice-Presidents :

Dr. Ranen Sen, M. L. A.
Janab Md. Elias, M. P.
Sri Sudhir Mukhoti
Janab Md. Ismail
Dr. Sushil Bose
Anadi Das

General Secretary :

Sri Indrajit Gupta

Secretaries :

Sri Manoranjan Roy
Sri Hrishu Banerji
Sri T. N. Siddhanta
Sri Saroj Ghosal
Sri Manindra Bose
Sri Sitaran Sett

Member :

Sri Nirode Chakravarty

To
~~The Chairman,~~
Implementation and Evaluation Division,
Ministry of Labour & Employment,
Government of India,
New Delhi.

Dear Sir,

Subject: Violation of the Inter-Union Code of
Conduct at the Besoran Cotton Mills,
Calcutta.

Every year on the 26th January Republic Day, the workers of the Cotton Mills at Mattiaburuz (Calcutta), the overwhelming majority of whom are organized in the Garden Reach Textile Workers' Union (affiliated to AITUC) use to take out processions and parade the area under the leadership of the Garden Reach Union in observance of the Day. The other union in the establishment, an insignificant minority of the workers as members and which is affiliated to the INTUC, also used to take out procession which, significantly, is participated in by the Labour Officer of the Mill and a number of volunteered with lathis. In previous years the latter union tried various provocative tactics to precipitate a clash and as a result to create a condition of terror among the workers of the Mill which might give the police an excuse to intervene and disrupt the majority union. It is extremely significant that only last year, on January 26th 1958, the INTUC-led processionist provocations went to far that the officer-in-charge of the local police station suffered serious injuries at their hands and had his head bled. But the AITUC union has all these years been successful in avoiding any necessary clash despite all provocations from the other side aided and abetted by the Company.

This year as usual on the 26th January, a procession of workers numbering about 5000 led by the Garden Reach Textile Workers' Union was taken out and paraded the streets of the area, in a perfectly peaceful, organised and disciplined manner, and avoided all along to come in contact with the other procession taken out by the INTUC union in front of which was found the Labour Officer of the Mill, Sri Bijay Bahadur Singh, brandishing a loaded revolver in hand and some noted mendags of the company. This year the INTUC union appeared to be determined to precipitate a clash and departing from the route they follow, at one time came in front of the procession led by the Garden Reach Textile Workers' Union. The officer-in-charge of the local police station who was present assured the latter that he will arrange the passage of the INTUC procession. Accordingly the INTUC union gave way to the INTUC union to pass by. But while passing, the processionists of the INTUC union attacked the other processionists with bamboo sticks carried almost each member of the former procession. The leaders present of the

Garden -----

Carden Reach Textile Workers' Union even then tried to pacify and avoid aggravation of situation. But the INTUC in league with the company agents led by the Labour Officer himself, was found to have preplanned the attack and a clash. Thus a clash ensued and in the melee the Labour Officer fired several times and injured a number of workers with bullet wounds.

Since the incident took place about 100 leading workers and leaders of the AITUC have already been arrested and arrest warrants have been issued against all the leaders. Despite specific complaints lodged by the workers against the Labour Officer and goondas who deliberately provoked the clash, none of them have yet been arrested. It only reveals the deep-laid conspiracy to create a situation of terror and ultimately crush the union which commands the confidence of the overwhelming majority of the workers of the

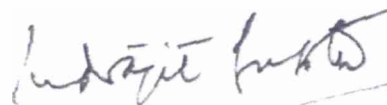
In this episode the INTUC union has not only taken a leading role but has in fact sneered it with the possible hope of retrieving its lost position among the workers. In desperation to achieve that end, the INTUC union has thrown to the winds the Inter-Union Code of Conduct evolved at the time of the 16th Indian Labour Conference held at Nainital in 1958, which has been agreed upon by the representatives of the four Central Trade Union organizations including the I.N.T.U.C.

From what has been stated above, the conclusion is inescapable that the INTUC union at the Kesaram Cotton Mills has deliberately violated item No. 7 of the Code of Conduct which states that "there shall be no violence, coercion, intimidation, or personal vilification, inter-union dealings". As it is found the said union perpetrated violence in a calculated manner in order to intimidate and terrorise the workers and scare them away from the A. union. In view of this organized coercion resorted to by the INTUC union, the latter did not care that the said Code of Conduct in the very first item enjoins that "every employer in an industry or unit shall have the freedom and right to join a union of his choice. Coercion shall be exercised in this matter".

From the whole episode the purpose of which is to crush the AITUC Union, the conduct of the INTUC Union are completely in league, both having the common objective. And it is difficult to distinguish the INTUC Union from what is called a Company Union which the AITUC along with other Central Trade Union Organizations mutually agreed that "all central trade union organizations shall combat the formation and continuance of Company Unions". The INTUC at the Kesaram Cotton Mills has by its conduct proved itself to be a company Union.

In the aforesaid circumstances, we like to draw your serious attention to this deliberate violation of the Inter-Union Code of Conduct by the I.N.T.U.C. led Union.

Yours faithfully,



GENERAL SECRETARY

Copy: Labour Minister, Burdighia

✓ AITUC, New Delhi

Dr. S.B.L. Nigam,
Assistant Economic Adviser.

16 FEB 1959

D.O. No. E&I-11(20)/58

Telegrams :—
"LABOUR"

MINISTRY OF
LABOUR AND EMPLOYMENT.

New Delhi, the 13th Feb., 1959.



Dear Shri Sriwastava,

Please refer to Shri R.L. Mehta's d.o. of even number dated the 19th November, 1958 and my d.o. reminders of ~~the~~ December 5, 1958 and January 19, 1959, regarding the assault on certain workers of Asansol Iron & Steel Workers' Union in the Kulti Works of the Indian Iron & Steel Co. Ltd. As this matter has been pending for over two months, I shall be thankful if you will kindly expedite your comments.

Yours sincerely,


(S.B.L. Nigam)

Shri K.G. Sriwastava,
Secretary,
All-India Trade Union Congress,
4, Ashok Road, New Delhi.



R.L.Mehta, IAS.,
Joint Secretary.

Telegrams :-
"LABOUR"
MINISTRY OF
LABOUR AND EMPLOYMENT.

No.PA/USE/17 /59.

New Delhi, the February 5, 1959.

5 FEB 1959

The Secretary,
All-India Trade Union Congress,
4, Ashok Road, New Delhi.

Dear Sir,

I learn from Dr.Ranendra Nath Sen that he would not be able to assist the inquiry into the Tramway Strike, which is scheduled to begin in Calcutta on February 16, 1959, as the Budget Session of the West Bengal Assembly also begins on that date. While I was in Calcutta the other day, I discussed this matter with Dr.Sen and he agreed that the best way out of the difficulty would be to have an alternative nomination on the Inquiry Committee.

I shall, therefore, feel grateful if you will kindly nominate some one else and communicate his name to me urgently.

Yours faithfully,


(R.L.Mehta)

P.S. I spoke to Shri N.K.Pande on the telephone yesterday and he promised to obtain urgently an alternative nomination from the officials of A.I.T.U.C., who happen to be away from Delhi at present.

E7 FEB 1959

APTUC,
Hyderabad,
5-2-'59.

Dear Com,

Received your letter dated
3-2-'59.

Anshra Pradar Road
Transport Employees Union
is not affiliated to us.

The reported incident of
15 Dec '58 is not correct. The
A.P. Road Transport Empl Union
is ~~the~~ recognised by the Corpo-
ration. Against this union the
INTUC ~~is trying~~ has set up a
rival union which is not
recognised by the Corporation.
They held a meeting on 15th
Dec '58 in which they abused
the union leaders most in-
decently which was resented
by the workers. They ~~is~~ detailed

report of this incident will be sent to you. But, meanwhile the Chief Minister addressed the INTUC Conference in which he openly asked the INTUC leaders to intensify their work in RTC and Singarain Collieries workers Unions against the existing, well-established, recognised independent and AITUC Unions respectively. Cutting of his speech will be sent for drawing the attention of the Ministry.



The Gl. Secretary,
All India Trade Union
Congress,
4, Ashoka Road,
X. New Delhi

14th February, 1959

Shri R..L. Mehta, IAS,
Joint Secretary to
Government of India,
Ministry of Labour & Employment,
New Delhi

Sub: Act of violence by the members of
INTUC union in Bermo-Kargali area

Dear Sir,

This is to bring to your notice that on January 2, 1959, a gang of about hundred persons armed with lathies, spears and other deadly weapons attacked Shri Mangal Singh and Shri Gurbachan Singh, our trade union activists, under the leadership of the local INTUC leaders Shri Bindesari Dubey and others. The details of the incident are as follows:

On January 2, 1959, two INTUC workers were mock fighting with lathies on the main road in Kargali Bazar, displaying their skill with the lathies with an obvious intention of terrorizing the workers. A worker who was passing by on the road got struck by one of the lathies and when he raised a protest he was beaten up by those two persons.

The worker reported the matter to Shri Mangal Singh, who lodged a complaint against the miscreants with the police. Later the same day when he was sitting in the hotel of Shri Gurbachan Singh, some hundred people armed with all sorts of lethal weapons, surrounded the hotel and threatened to kill him. Before any untoward incident could take place, police arrived on the spot and guarded the hotel.

This gang of hooligans was directly organized and the act of violence instigated by the local INTUC leader Shri Bindeshwari Dube with the assistance of his lieutenants, Ramdass Singh and Santan Singh in

PTO

gross violation of the Inter Union Code
of Conduct.

In view of the mounting tension in
the area and the imminent possibility of the
repetition of such acts, we hope you will
immediately take up the matter and do the
needful.

Yours faithfully,

K.G. Sriwastava

7/2/54
(K.G. Sriwastava)
SECRETARY

D.O. No.185(SM)/59
February 18, 1959.

Dear Dr. Nigam,

Please refer to your D.O. letter No.E &I-34(16)/58, dated 28th January, 1959, regarding the setting up of Screening Machinery. I have already written to Shri Mehta regarding the same in our D.O.letter No.185-1/59, dated February 17, 1959.

Yours sincerely,

18/2/59
Feb 18
(K.G.Sriwastava)
Secretary.

Dr.S.B.L.Nigam,
Asst. Economic Adviser,
Ministry of Labour & Employment,
New Delhi.

INDIAN MINE WORKERS' FEDERATION
DHANBAD

Phone: 2855

President: T.B.Vittal Rao, MP
Gen:Secretary: Kalyan Roy

Camp: 4 Ashoka Road,
New Delhi

February 25, 1959

Sri G.L.Nanda,

Minister for Labour & Employment,
New Delhi

Sub: Extention and exploitation of contract labour in
collieries.

Sir,

At the 7th Session of the Industrial Committee meeting on coal mining, you requested us to submit a note about the extension of contract labour and their exploitation. We are presenting the following facts. As a matter of fact, these are not new facts but we have written to the Labour Ministry about them on a number of occasions, but unfortunately no action has been taken so far.

Raniganj Coal belt: 1. The management of the Chapui Khas Colliery (Dalmia and Jain concern) has given coal raising to contractors. Detailed notes were sent to the Ministry giving the names of contractors but no action has been taken so far. A large number of old workers were retrenched.

2. The contract system in Tramming Department in the Dhemo Main Colliery, MacNeill & Barry Ltd. A number of mass petitions were sent to the management and the Ministry, demanding direct payment and abolition of the contract system. The Labour Inspector (Central), by his letter dt. 17th sept. 1958, that the "matter is receiving attention of the government". The Ministry informed us that it will be taken up in the Industrial Committee meeting. While the contract system in tramming has virtually disappeared from the coalfields, this colliery belonging to one of the biggest groups of management refused to discontinue it from this colliery.

Collieries under the National Coal Development in Hazaribagh district.

The entire wagon loading and sand stowing work of Giri group of collieries are under contract system, covering nearly 100 workers.

The entire oberburden work, which is continuing since the starting of Bermo and Kargali collieries, and will continue so long coal raising will continue, is under contract system, employing over 6000 workers.

Payment is under the total control of the contractors, under the so-called supervision of the management. There are daily disturbances about payment and numerous complaints are made to the NCDC authorities and lead to accumulation of tension and bitterness.

The contractors generally do not pay leave with pay, arrears pay, Railway fare, overtime, retrenchment relief, sick khoraki, maternity benefit and payment under the Workman's Compensation Act.

Workmen under the contractors are made to work for 12 hours.

It is a matter of great regret that the Federation and the Coal Workers Union have represented the case of these workers to the Ministry on a number of occasions but the system still continues. Payment is not made, grievances accumulate, and the NCDC authorities have ignored our complaints.

Seven thousand workers under the contractors sent a mass petition to the Ministry on 11/30.6.58 demanding the abolition of the contract system. The Labour Ministry replied to the Union from the office of the Regional Labour Commissioner, dt. 20th August, No. B-1/101(202)/58 stating:

"The question of abolition of contract system in Coal India is under consideration of the Industrial Committee on Coal."

We would like to know now as the Industrial Committee meeting is over, what action is contemplated by the Ministry?

The Manager of the Karharbaree Colliery (Giridih, NCDC) in a letter dt. 17.5.58 requested the authorities to abolish the contract system and the contractor too resigned, on the 16th June, 1958. But the Chief Mining Engineer kept the contractor.

The Singaneni Collieries : Over 350 wagon loaders are employed by contractors on a temporary basis and these contractors break service in every three months. Their wages fall short every week get less than Category I workers' wages. They do not enjoy the facilities of the Coal Mines Provident Fund, Statutory bonus, leave with pay and Railway fare.

I am not giving any more instances at present. I would appreciate if you kindly take steps to abolish contract system at least in the above mentioned cases.

Thanking you,

Yours sincerely,

KALYAN ROY
General Secretary

Copy to the Chief Labour Commissioner (Central),
Ministry of Labour, Gurdwara Road, New Delhi.

INDIAN MINE WORKERS' FEDERATION
JHANSABAD

Phone: 2855

President: T.B. Vittal Rao, MP,
Genl. Secretary: Kalyan Roy

Camp: 4 Ashoka Road,
New Delhi,

23rd February, 1959

Sri G.L. Nanda,
Minister for Labour & Employment,

Sub: Serious accident in the Saunda Colliery in Hazeribagh district of the National Coal Development Corporation on the 27th January, 1959. & Demand for a Court of Enquiry.

Dear Sir,

A serious accident took place in the Saunda Colliery on the 27th January, 1959 killing 4 and injuring 13 workers.

The accident was caused by gas explosion.

The Colliery has just started raising coal from the 24th October, 1958. For raising coal from the three seams, Kurses, Sirka and Argeda, there are four inclines and one quarry.

The accident took place in inclines of the Sirka Seam. There are two inclines in the Sirka Seam and the explosion took place in the Northern Incline which goes deeper. But information received shows that workers in the Southern Incline was also affected by the

Reports available show that the Department of Mines was treating this colliery as a non-gassy mine in spite of the fact that this was a gassy seam. The workers were not issued safety lamps and workers have informed that even safety officials like Mining Sirdar was without any flame safety lamp.

The place where the gas accumulated and explosion took place was fenced off for a considerable period of time and work was stopped. But it was opened on the 24th January (Saturday), and the explosion took place on the 27th (Tuesday). It is also reported that workers have complained about the place saying that it was hot and gassy. But the management and the Department of Mines took no note of it.

Sri Shanta Singh, Mining Sirdar, was in charge at that time. And it is said that out of three mining sirdars, it was he who made the workers raise coal from that area. There were nearly 55 workers in that shift and it will be seen that nearly all the workers of that shift were affected by the explosion. If the colliery would have been deeper and old and more workers would have been engaged, then the explosion would have been a major catastrophe and perhaps a smaller edition of Amliabad.

The explosion took place in the second shift.

There was no proper arrangement at all for ventilization or supply of fresh air. Only after the accident, two fans one in each of the mine of 500 Horse Power with the capacity of 3000 cft air had been installed.

There is no Inspector of Mines ~~at~~ in the entire Hazaribagh district, nor there is any office. Yet some of the biggest collieries of India employing nearly one lakh workers are located in this district and mine are scattered over the vast area.

The office of the Regional Inspector of Mines is located at Dhanbad, nearly 100 miles from the area. Repeated requests by the unions to establish a Centre here was no accepted by the Chief Inspector of Mines who for last six years repeating the same ~~same~~ excuses about the lack of quarter.

It will be further seen that although the accident took place on the 27th January, 1959, night; it was not disclosed even in the Safety Conference on the 29th at Dhanbad and press publish the news very late.

We would request you to appoint a Court of Enquiry as ordinary Departmental investigation would white-wash everything and blame would be perhaps put on workers and some safety officie of the lower category. Any further delay would only complicate the matter and prevent the discovery of truth.

Thanking you in anticipation of an early reply.

Yours sincerely,

(Kalyan Ray)
General Secretary

Copy to: Sri S.A. Dange, P,
General Secretary, All India Trade Union Congress,

Sri Bhupesh Gupta, MP,
Sri U.B. Vittal Rao, M.,
Mr. Man Subhag Singh, MP.

BIHAR KOYLA MAZDOOR SABHA

REGD. NO. 837.

Co. Indian Mine Workers
Federation,
(Near Mack & Co.)

PHONE 2855.

P. O. & Dist. DHANBAD.

Ref No. _____

1958
26-13-58
2-31

Dated 23rd February, 1959

7861
REVISED 17-A
MAY 1959

To
The General Secretart,
All India Trade Union Congress
No. 4, Ashok Road, New Delhi.

Dear Comrade,

We enclose herewith two reports about the breach of Code of Discipline in the revised programme with annexures.

One is in respect of the employers of New Marine Colliery and the other in respect of Virhind Coal Co.

The reports are sent in duplicate each. We are not sure whether the reports are made out properly and leave it to you if they are found proper for forwarding the case to the Government.

It should be noted that as in course of the preparation of the reports the managements concerned indulged in further provocations by victimisation and unfair labour practices, the workmen of both the collieries have gone on strike with effect from to-day. The strike have been started without notices (Coal being not a public utility service at present no notice is required to be given under the provisions of the Industrial Disputes Act).

You will please peruse the demands and the background of the industrial disputes as given in some detail in the annexures to the programme, and you will see that the strikes have been forced upon the workers by the actions of the managements concerned by their refusal to use the good offices of the Conciliation Officer (C), behaved in a consistent manner.

Though the strikes without notice is deemed to be breach of code of discipline by the union, in such circumstances, where the managements are bent upon provoking the strikes, the union cannot be held responsible under the code.

You are requested to consider over the matter and let us know your opinion and advice immediately.

With greetings,

Yours cordially,

Lalit Berman
General Secretary
23/2/59

Enc: - As mentioned above.

P.S. Please refer to our letter dated 2nd February, 1959 on C.R.O. in Coal Mines in connection with the case of the workers of Kusunda colliery, and let us know how the matter is being pursued by you.

Recd at
to AITUC
M

REPORT OF BREACH OF THE CODE OF DISCIPLINE

1. For the last three months.
2. Management of Puglur Sugar Factory, Puglar, Madras State.
3. Unilateral action of the management in increasing work load on the Sugar godown workers.
4. During mutual discussions between the management and our union, regarding fixation of wage rates for the godown workers, which led to the agreement dated July 17, 1958, the basic work loads were fixed at 800 bags for bagging and 750 bags for despatching.

The godown workers are not only giving the above basic workloads but have exceeded these basic workloads on occasions. Though the management have installed an additional pan and 2 centrifugal 'A', no new hands have been appointed and the same compliment of godown workers is coping with the increased work.

The management instead of appointing new hands to cope with the increased work, is threatning the workers with disciplinary action and stoppage of crushing if they do not accept the revised workloads.

5. No

6.

7. The whole matter was brought to the notice of the Labour Commissioner (Central) Madras, vide our letter dated March 22, 1959.

An impartial enquiry should be held and action should be taken against the management for the violation of the Code of Discipline.

9.

10.

Place Pugalur
State Madras
Date April 5, 1959.

R. Umanath Rao

resident, The Daccan
Sugar & Abkhari Company
Workers Union,
Puglar, Madras

PROFORMA REGARDING BREACH OF CODE OF DISCIPLINE IN INDUSTRY

IN
CENTURY RAYON, MURBAD ROAD, KATKAN.

- 1) The breach took place from 11-0 P.M. of 6-4-1959 upto 3-0 P.M. of 16-4-1959.
- 2) Chemical Kamgar Union affiliated to All India Trade Union Congress, having its office at Ambernath, Thane District, Bombay State. Its office-bearers and active members are responsible for this breach. It is a registered union. Two unions, including this union, are working at our factory and Company has already negotiated and signed settlement with both of these unions, though neither is recognized .
- 3) Specific Nature of the Breach - An unjustified, unprovoked, unreasonable and illegal strike was started without notice from 11-0 P.M. of 6-4-1959 and it continued upto 3-0 P.M. of 16-4-1959. The strike was accompanied by ^{intimidation} ~~intimidation~~, threats, serious acts of violence, physical prevention, stones throwing, beatings etc.
- 4) Details of the Back-ground to the Breach - For certain acts of mis-conduct committed ^{by} ~~on~~ certain workmen on 27-2-1959, the Management had given Charge-sheets to 15 workmen. A proper inquiry was held into the matter. Before the result of the inquiry was communicated to the workmen concerned, some office-bearers of Chemical Kamgar Union ~~met~~ met us . They told us that the persons, against whom Charge-sheets were issued, by the Management, had no doubt committed acts of misconduct. They, however, requested the Management to take lenient action against them. The Management considered this request of the union while taking action and wherever possible, leniency was shown. Out of the 15 persons, 9 were dismissed from service and the rest were suspended for a period of four days. The dismissal orders were given to the workmen on 6-4-1959 at about 3-30 P.M. In the night at 10-30 P.M., when our 'C' shift workmen started coming for work, these dismissed persons and some out-siders along with office-bearers of the above union, posted themselves at the gate of our factory and started preventing the workmen from going to work. They physically prevented the workmen, threatened them and even some cases of beatings and violence also took place . They were thus able to prevent most of the 'C' shift workmen from going on work. The workmen of 'B' shift, seeing that their relievers had not come on duty, offered to stay on work. Out of about 300 workmen, about 200 stayed back on work beyond their duty hours. The physical prevention of the workmen increased every day. There were several cases of beatings, violence, stone throwing etc. Infact the Police had to resort to lathi charge on ^{few} ~~few~~ occasions, when they were attacked by the strikers with stones etc. About 300 workmen remained on the

the Plant partially through-out the period of strike. Every day more workmen were telephoning us that they wanted to come on work, but they were being physically prevented from coming to work. Seeing that the workmen had no enthusiasm and response for strike, the Organisers called off the strike un-conditionally at 3-0 P.M. on 16-4-1959 .

5) Copy of this Proforma is being sent simultaneously to the All India Trade Union Congress.

6) i) From the facts, mentioned in Clause 4 above, it would be clear that there was no dispute with the Management and the strike was started without any notice and without any consultation with the workmen of the factory. It was unreasonable and unprovoked strike. After the starting of strike, the Management issued a Notice to the workmen explaining that they should not be mis-led by a few irresponsible elements and that they should resume their work. The factory was kept partially running with the workmen available, so that normal operations could be started whenever other people report for work.

ii) There was no demand from any union or workers pending with the Management on the day of this occurrence, nor was there any dispute pending in conciliation, arbitration or adjudication. One case of breach of Code of Discipline in Industry, on 27-2-1959 by the same union and its office-bearers, had, however, been referred by us to the Evaluation & Implementation Division of the Ministry of Labour, Government of India, New Delhi .

iii) No notice of strike was given. There cannot be any valid reasons, whatsoever for not doing so .

iv) The strike was not launched during the pendency of

- a) Mutual Negotiations
- b) Arbitration Proceedings
- c) Conciliation Proceedings
- d) Adjudication Proceedings

v) The strike was not declared illegal before it was launched as there was no intimation of it. However, the strike is considered illegal. It is in contravention of the agreement signed by the Company with the above mentioned union in conciliation proceedings on 2-12-1958, a copy of which is enclosed herewith .

vi) It was a lightening strike, started without any notice. It appears, it was started to bring pressure upon the Management to take back a few employees, who were dismissed for mis-conduct after proper inquiry and with the ulterior motives of causing harassment and financial losses to the

- 7) The breach, in question, concerns this strike and their action namely threats, acts of violence, physical prevention, beatings to loyal workmen etc.
- 8) This is a second occasion, on which this union has committed a serious violation of the Code of Discipline in Industry. All possible action against the union and its active members should be taken for the utter breach of Code. The process in our industry is of a continuous nature and if work is stopped all of a sudden, without any notice, lot of raw materials are spoiled besides loss of production. Sudden stoppage may also involve damage to plant and machinery. It is, therefore, suggested that legal protection should be granted to industries of this nature for strikes without notice. Such strikes should be declared illegal by amending Section 23 of the Industrial Disputes Act to this effect. In this particular instance, the Company was put to a financial loss of about six lacs of rupees .
- 9) For promoting co-operation between the employers and workmen, the Management has held negotiations with both of our unions working at our factory and has signed agreements with both the unions. These agreements are in force upto 31-12-1959. This union in fact does not believe in constitutional methods in resolving its disputes .
- 10) Place - KALYAN
State - BOMBAY
Date - 23-4-1959
Name & Address - Century Rayon, Murbad Road, Kalyan .
Proprietors - Century Spg. & Mfg., Co., Ltd.
Affiliated to - Employers Federation of India ,
Bombay House, Bruce Street,
Bombay-1 .
- Signature - For CENTURY RAYON,
(Props. The Century Spg. & Mfg., Co., Ltd.)
- B L Shah
(B L SHAH)
Factory Superintendent.

Demands of the workers of the New Marine Colliery.

1. Victimization of the workers in contravention of of the terms of settlement dated 10/11.1.59) should be stopped.

All victimised workers should be taken back in service with adequate compensation in respective cases. (List of such workers with necessary particulars are attached herewith).

2. Harassment, unfair labour practices, threats and intimidations, particularly in respect of the miners should be stopped forthwith.

(i) All workmen who have been made 'temporary' by effecting break in services wrongfully should be treated as permanent without break in services.

(ii) In emergency and urgent cases leave with or without pay should be granted immediately instead of rejecting the application on the ground that it was not made 15 days before the date of commencement of leave.

(iii) Leave slip should be issued even at the time of leave granted without pay; and where leave without pay over and above the period of leave with pay is granted, the period of leave without pay should also be mentioned in the leave slip.

(iv) No workman should be rendered idle for casual absence for a day or two in any week though the management may ask for explanation from the workmen concerned.

(v) Sick workers should be given Tickets for Outdoor or Indoor Patients as the case may be which will be preserved by the workers.

3. All workmen retrenched by notice dated 31.12.53 and who were entitled to get the final payments on 19.1.59 but whose payments have been wrongfully withheld by the management should be paid off without further delay.

4. There should be no victimisation, coercion and intimidation and interference in the Trade Union activities of the workmen by the management and Bihar Koyla Mazdoor Sabha (Regd. No. 837) should be recognised by the management as the representative Union of the workers of the New Marine Colliery.

General Secretary.

Bihar Koyla Mazdoor Sabha.

REGD. No. 837

(a. Indian Min-Workers' Federation

P. O. DHANBAD.

List of workmen victimised by the management of
New Marine Colliery since 12.1.59

1. Surlu Bhuiya - Miner	
2. Tulo Singh - "	
3. Mathuri Bhuiya - "	1 to 18 reported for work
4. Deoki Singh - "	after resumption of work from
5. Neman Bhuiya - "	12.1.59 but were not allowed.
6. Tokan Singh - "	A complaint was forwarded to
7. Bandhan Singh - "	the M.C. (C), Dhanbad -1 on
8. Chiru Mian - "	17.1.59
9. Purnu Singh - "	
10. Lutan Bhuiya - "	Please refer to Annexure B
11. Ugan Bhuiya - "	para 1.
12. Darbari Bhuiya - "	
13. Bhatu Bhuiya - "	Some of them have been charge-
14. Nagia Bhuiya - "	sheeted that they did not present
15. Gori Bhuiya - "	till 12.1.59 falsely.
16. Bishnu Bhuiya - "	
17. Thakuri Singh - "	
18. Bhatu Turi - "	
19. Srinath Pashi - "	19 to 30 retrenched by notice
20. Ramkishan Chamar - "	dated 31.12.58. In terms of
21. Mahajan Mian - "	settlement (no. 5) they should
22. Alifan Mian - "	have been paid the dues. The
23. Karim Mian - "	management withheld payment
24. Pokhan Singh - "	with malafide intention and
25. Deoki Bhuiya - "	unfair manner. The motive is
26. Churan Bhuiya - "	to get rid of the above 18 and
27. Nankoo Gope - "	to retain these.
28. Psulst Gope - "	
29. Mohar Mahato - "	
30. Sachedo Gope - "	
31. Baudhu Singh - "	Idled from 17.2.59
32. Pokhan Singh - "	Idled from 3.2.59 & later jailed.
33. Sonar Singh - "	Idled from 17.2.59 and later
34. Jagannath Singh - "	dismissed.
35. Bedo Singh - "	Idled from 3.2.59
36. Guda Singh - "	Imprisoned u/s. 117(3) Cr.P.c.
37. Ramesh Mahato - "	After release dismissed on
38. Jagdish Singh - "	ground of absence from 21.2.59
39. Daso Mahato - "	to 6.2.59 along with Sl. No. 32
	24 who were also imprisoned.
40. Phakuri Mahato - "	He was sick for 4 days. After
	he resumed work break has been
	effected in his service as is
	understood from suspension of
	C.M. fund deduction.

Brief background of the Industrial Disputes in New Marine
Colliery.

1. Since the settlement dated 10/1.1.1959 on the terms offered by the Conciliation Officer (C), Dhanbad - 1 and re-umption of work by the workmen on and from 12.1.1959, the Company started the policy of victimisation, violating the terms of settlement (copy enclosed). Five out of the six workers representatives who represented the case before the Conciliation Officer (C), Dhanbad have been rendered idle and a breakin service of Thakur Mahato, the sixth one has been effected wrongfully by the management.

About fifty workers have been victimised during the short period from 12.1.59 to 21.3.59

* 18 miners were not allowed to resume work from 12.1.59 - complaint was filed to the C.O. (C) on 17.1.59

* 16 workers retrenched were not paid dues on 19.1.59 - complaint was made to C.O. (C) on 20.1.59

* 10 leading workers have been rendered idle within the period from 11.2.59 to 11.3.59 - complaints in cases have been made to the C.O. (C), Dhanbad - I immediately.

(6 out of the above 10 were kept in custody u/s. 117(3) Cr.P.C. from 21.3.59 on the false complaint of the colliery Manager) and were released by order of the District Judge on appeal against the order U/s. 117 (2) on 6.3.59 have been charged with offence of absence without perm-ission and rendered idle.

* During the period from 22.1.59 to 25.2.59, the management engaged about 42 miners as temporary hands - some now and others whose services have been wrongfully broken, though the management refused to allow 18 miners as mentioned above uptill now.

<u>Date of temp. appointment.</u>	<u>Number</u>
22.1.59	11
27.1.59	6
28.1.59 & 29.1.59	7
2.2.59	7
10.2.59 to 25.2.59	11

* Two miners, after they returned from leave, were asked to give thumb impressions on a paper and after getting the thumb impressions, the management issued dismissal order on 11.3.59 and appointed them as temporary on 12.3.59. This is an instance of unfair labour practice most crudely done taking advantage of the workmen's illiteracy.

2. Unfair labour practices in the matter of leave and sickness arising out of arbitrariness, discrimination and falsification of records to prejudice the workmen's services.

3. The management deliberately avoid the Government's conciliation machinery either by refusing to attend or by dilatory tactics. As an instance a letter from the Conciliation Officer (C), Dhanbad -I to the management - letter No. D-2/1(3)/59 dated 12th March '59 is attached. Even if they attend they refuse to sit with the workers' representatives - office-bearers of registered trade union.

Brief background (contd.)

5. The union on behalf of the workmen have been trying its best to settle the disputes amicably through the good offices of the Conciliation Officer (C), Dhanbad but it is due to the unfair actions of the management the settlements could not be arrived at.

6. On 16.3.59 the Conciliation Officer (C), Dhanbad - 1 visited the colliery and after discussing the matter with the representatives of the management met the union representatives outside the colliery. The Union representatives agreed to wait till 28.3.59 when the cases would be taken up by the Conciliation Officer (C), Dhanbad - 1 at his office for settlement. This was agreed to by the Union with the understanding that there would be no further victimisation in the intervening period.

7. But on 18.3.59 Sri Budhan Mahato (one of the representatives of the miners) had been rendered idle arbitrarily when he reported for work. The miners were inclined to stop work instantaneously from 18.3.59 but the Union intervened and advised the workers to continue work.

8. On 19.3.59 the Conciliation Officer (C), Dhanbad - 1 was approached by the union to request the management to allow Sri ~~Buxa~~ Budhan Mahato and maintain status quo till 28.3.59.

9. While the permission allowing Budhan Mahato to work was not given fresh dismissal orders have been issued to some workers, on 19.3.59.

10. In the above circumstances, the workmen decided to go on a protest strike from 23rd March '59 having no other way open to them on the demands mentioned in Annexure - 1.

11. The workmen are agreeable to withdraw the strike if the demands are settled through the good offices of the Conciliation Officer or in case the management refuse to settle the matters through conciliation procedure, the disputes are ~~referred~~ referred for adjudication by a Tribunal.

12. The entire responsibility of the stoppage of work is on the management as the management by their acts of unfair labour practice, victimisation, refusal to settle matters through conciliation goaded the workers to go on strike.

Lalit Bhanu
General Secretary.

Koyla Muzdoor Sabha

MSD. NO. 837

Indian Mine Workers' Federation

P. O. DHANBAD.

B (1)

True Copy.

Government of India
Ministry of Labour & Employment
Office of the Regional Labour Commissioner(C)
Hirapur, Dhanbad.

No. D-2/1(3)/59

Dated 11th January, 1959

To

Sarveshri Jagdish Singh, Bandhu Singh,
Dasu Mahato, Pokhan Singh, Haldhan Mahato
and Thakuri Mahato, representatives of the
miner of New Marine Colliery.

Subject :- Strike by miners of No. 10 seam and No. 4 Pit
of New Marine Colliery.

Dear Sirs,

I have to inform you that the management of
New Marine Colliery have agreed to the terms of settlement
mentioned in a copy enclosed. In view of that I would request
you and all other miners concerned to call off the strike
and resume work on and from 12.1.59 (commencing from the
first shift).

I would further like to assure you that
any complaint in the matter of working in No. 10 seam will be
looked into by this department if it cannot be settled at
the colliery level.

Yours faithfully,

Sd/ S.M. Dikhale
CONCILIATION OFFICER(C)
DHANBAD - 1

Enc: as above (1)

Dhanbad
10.1.59

At the intervention of the Conciliation Officer (C), Dhanbad
No. 1, the Management agree to the following :-

1. The workmen shall report for work on and from 12th
January' 59 (starting with 1st shift)
2. The period from 25.12.58 in case of the miners of 10
seam and from 3.1.59 in the case of the miners of 4 pit
will be treated as leave without wages.
3. The chargesheets issued to the miners from 23.12.58
onwards till date will be treated as cancelled and
there will be no victimisation against these miners.
4. The management will provide work in top section to
the miners of 10 seam for the present. However, the
management reserves the right of asking the miners
to work in the bottom section or elsewhere as and
when necessary permission is obtained from the
authorities.
5. The payments to the retrenched workmen will be made on
the 19.1.59 in the presence of the Labour Inspector(C),
to be deputed for the purpose.
6. The payments on account of the less earnings of No. 10
seam miners (in make up wages) (in respect of which
bills are ready) will be made to the miners concerned
on 15.1.1959.

Sd/- S.V. Chouda
10.1.59

Agent, New Marine Colliery.

Sd/- Rangaraja
10.1.59

Manager, New Marine Colliery.

13(2)

True Copy.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT
OFFICE OF THE REGIONAL LABOUR COMMISSIONER(C)
HIRAPUR, DHANBAD.

No. D-2/1(2)/59

Dated the 12th March, 1959

To

The Manager,
New Marine Colliery,
P.O. Kusunda (Dhanbad).

Sub:- Partial strike by miners of new Marine
Colliery, P.O. Kusunda (Dhanbad) -
Grievances of workers.

Dear Sir,

Please refer to the discussions held in my office on 21.2.59 when your representative Shri B. Roy Welfare Officer had agreed to consider the cases of the workers who were to be taken back to work and intimate your decision within 3 days from that day (i.e. 21.2.59)

Since nothing has been heard as yet in this respect I would request you to let me have your final decision in the matter as early as possible.

Yours faithfully,

CC/- N.D. Bodade

CONCILIATION OFFICER(CENTRAL)
DHANBAD - 1

Copy forwarded to the General Secretary, Bihar Koyla Mazdoor Sabha, C/o. Indian Mine Workers' Federation, Dhanbad, for information.

SA/-

(N.D. Bodade)
CONCILIATION OFFICER(CENTRAL)
DHANBAD - 1

Note :- This letter was received by the management on 11.3.59 and the Conciliation Officer (C) Dhanbad - 1 visited the Colliery on 16.3.59. But the management has not yet cared to intimate their final decision so far.

Santh Banerjee
General Secretary
Bihar Koyla Mazdoor Sabha

INDIAN MINE WORKERS' FEDERATION
DHANBAD

Phone: 2855

President : T.B.Vittal Rao, MP
Gen:Secretary: Kalyan Roy

Camp: 4 Ashoka Road,
New Delhi

23rd Feb.'59

Shri R.L.Mehta, IAS?
Joint Secretary to
Government of India,
Ministry of Labour & Employment,

Sub: 1. East Jemehary Colliery ✓
2. New JemeharyKhas Colliery
3. Overburden workers in the National Coal Development
4. CRO & Kustore Colliery

Dear Sri Mehta,

As per discussion with you, I am sending the following cases. However, these cases are not new and a number of letters have been written to the Ministry on various occasions but I regret that nothing has been done so far.

1. East Jemehary Colliery: (a) The Regional Labour Commission (Central) Dhanbad, declared that the East Jemehary Colliery management locked out its colliery from the 30th May, 1958.

In the appeal before the Dhanbad Tribunal by the manager Sri Selim Merchant upheld the decision of the Regional Labour Commissioner that it was a lockout.

But up till now, no bonus for the period has been paid to workers.

(b) 40 workers have not yet been taken back by the manager inspite of the written assurance given by the Ministry that all would be taken back by batches.

(c) Even the arrears wages under the Labour Appellate Tribunal Award have not yet been paid. A number of letters were written to the Conciliation Officer (Central) Raniganj, and also to you. The C.O. assured that it will be paid sometime in the middle of last year. But not a rupee has yet been paid.

(d) All the workers who were involved in cases arising out of disturbances on the 30th May, 1958, have been fully acquitted by Court. You personally gave the assurance that if they are acquitted then they would be taken back. But the management has refused to them. Even efforts by others have failed to change the unreasonable stand of the management.

(e) The management has recently stated that there is no vacancy in the posts of loaders. However, only some time back, only to prevent these idle workers to rejoin their duties, the management has appointed 24 workers from wagon loading to S.P. loaders. The names of these new workers were supplied by the union to the Regional Labour Commissioner, Dhanbad, ~~XXXXXXXXXXXXXXXXXXXX~~ by its letter dt. 14th January, 1959.

However, up till now, no action has been taken.

(f) The Regional Labour Commissioner has himself informed the union that workers from wagon loading have been deputed to work as under ground loaders. And those who worked as underground loaders are kept out of employment,

Is this not a gross violation of code of discipline?

I would request you to take early steps to see that all workers are immediately reinstated, arrears wages and bonus paid without delay names of workers who are still unemployed are given in annexure "A".

(2) The New Jemehary Khas Colliery (Raniganj) : Both the Regional Labour Commissioner (Dhanbad) and Sri Selim Meerchant, Chairman, Industrial Tribunal, declared that the strike of workers in the month of September 1958, fully legal and they are entitled to bonus of that period. The award of the Tribunal was given in August, 1958, but it has not yet been paid.

Similarly, The Tribunal (ref. No.18 of 1958), ordered the reinstatement of Sri Narayan Chandra Ghosh, Overman; Srimati Uma Biswas, Creche Nurse; Sri N. Biswas, clerck should be reinstated with all back wages and Sri Suresh bhar be paid full retrenchment benefit. But the management has not at all implemented the Award.

This matter was brought to the attention of the Regional Labour Commissioner, Dhanbad, and the Ministry but no action has been taken in last months.

(3) The Kustore Colliery (Jharia) : (a) The Aikusa South Section of Kustore Colliery is under the ownership of Messrs. Ranegunge Coal Association Ltd., Managing Agents; B.N. Elias & Co. This section was worked by M/s G.P.Singh & Co. Contractors who by a notice dated 26th August, 1958, terminated the contract with the Company and served retrenchment to 200 workers

(b) The workmen contended that the termination of the contract of M G.P.Singh & Co. with the principle company need not lead to their retrenchment; and as the mine would be worked by the principle company the workmen concerned should be treated as direct employees of the company and should be maintained in service.

(c) The Company (Ranegunge Coal Association) at that time stated before the Conciliation Officer that they had no intention of working the mine after termination of contract by Sri Singh. The Union clearly pointed out at that time that this was false and the mine would continue to work.

(d) However, as advised by the Conciliation Officer, the union persuaded the workers to accept retrenchment compensation.

(e) But shortly after this, the company restarted the work with the labour. The union and workmen who were retrenched immediately demanded their jobs but was refused by the management who stated the CRO took mine on contract and is the present "employer". So nothing can be done by the company.

(f) When the matter was taken up with the Conciliation Officer, he stated that the matter has been taken up with the Government.

(g) The Bihar Koyla Mazdoor Sabha (Indian Mine Workers Federation), wrote a letter to the Secretary, Ministry of Labour and Employment, on 2.2.59, stating the entire case and regretting the delay with a copy to the Chief Labour Commissioner Central.

I would request you to see that all who were retrenched on the false ground that the mine would not be restarted are taken back.

Moreover, we fail to understand how the CRO could take a mine on contract? This goes against the entire basis on which the CRO a labour supplier organization, is allowed to work.

WEST BENGAL COMMITTEE
All India Trade Union Congress

249, BOWBAZAR STREET, CALCUTTA-12

Dt: 23 / 2 / 1959.

President :

Sri Hemanta Kumar Bose,
M. L. A.

Vice-Presidents :

Dr. Ranen Sen, M. L. A.
Janab Md. Elias, M. P.
Sri Sudhir Mukhoti
Janab Md. Ismail
Dr. Sushil Bose
Sri Anadi Das

General Secretary :

Sri Indrajit Gupta

Secretaries :

Sri Manoranjan Roy
Sri Hrishu Banerji
Sri T. N. Siddhanta
Sri Saroj Ghosal
Sri Manindra Bose
Sri Sitaram Sett

Treasurer :

Sri Nirode Chakravarty

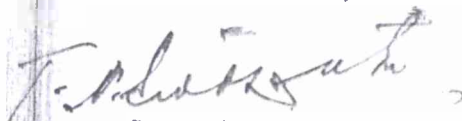
To

The Secretary,
AITUC,
New Delhi.

Dear Comrade,

In continuation of our letter dated 22nd Feby:'59 (sent through Com. Elias) in regard to this affair, I am sending herewith a copy of Govt. notification which was handed over to us today, which might be of use.

Yours fraternally,


Secretary.

The Joint Secretary,
Department of Labour,
Govt. of West Bengal,
Writers Buildings,
Calcutta-1

Dear Sir,

Re: Jurisdiction of West Bengal Govt. in
the matter of an Industrial Dispute between
Messrs. Bhowna Coke Company, 3-B, Garstin
Place, Calcutta-1 and its employees employed
at the Head-Office establishment at 3B, Garstin
Place, Calcutta-1

We are constrained to re-open the
matter under reference with regard to the views of the Labour
Department of the Govt. of West Bengal since communicated
to the Ministry of Labour and Employment Govt. of India, as a
consequence of which, the Union Labour Ministry has presumably
been silent over the matter, regardless of the ultimate
damages that may be done to the employees and to this union.
We would, therefore, request you to kindly take up the matter
with the Union Ministry of Labour and Employment requesting
the Ministry and to issue a notification for publication in
the Gazette of India to modify the Ministry's notification
published in the Gazette of India under S.R.O. 38 dated
5.1.57. ^(copy attached) Alternately the Govt. of India may be requested to
delegate its powers in the hands of the Govt of West Bengal
in so far as the Industrial Dispute of the Head-Office
establishment of Messrs Bhowna Coke Co. 3B, Garstin Place,
Calcutta-1, ~~and~~ concerned and this delegation should be made ^{to be}
operative with retrospective effect from 26.5.57 so that
the reference made by the Govt. of West Bengal to the 4th
Industrial Tribunal for adjudication of the dispute may be
effective.

In justification the above we would state the
following facts.

(1) The dispute was referred to the 4th Industrial Tribunal by the Govt. of West Bengal on 5th March, 1956 under No. 858-D1s
D/111-56/56

(2) The Tribunal's functions were restrained by the Company having obtained a stay order from the High Court under Article 226 of the constitution of India.

(3) By a notification under S.R.O. 68 dated 5.1.57 published in the Gazette of India, Part II Sect. 3 of the Govt. of India specified the coal industry as a controlled industry under the ^{Industrial Development & Regulation Act 1951} I.D. & R. Act, 1951. (copy enclosed).

(4) The matter remained subjudice for two years till on 20th March, 1958 and the High Court decided that the reference made by the Govt. of West Bengal was a valid one and the Tribunal was perfectly competent to proceed with the adjudication.

(5) On receipt of copy of above order of the High Court the Govt. of West Bengal cancelled the original order of reference (as referred to in item 1) but forthwith set up the same 4th Industrial Tribunal under a fresh order of reference N. 2098-IR dated 27.5.57 in respect of the self-same dispute. That the S.R.O. 68 (as referred to in item 3) would do the mischief in case the original order of reference was cancelled and a fresh one set up, could not however be taken into consideration by the Labour Deptt. of the Govt. of West Bengal and although this Union was ^{apprehensive} ~~perfectly aware~~ of ^{the} possibilities of such complications it had unfortunately no scope to point out this to the Labour Department. That the Govt. of West Bengal would exercise its wisdom in cancelling the original order of reference altogether and not think in the simple line of superseding one reference by another could not be pre-conceived by this union.

(6) The competency of the Tribunal to adjudicate the dispute under the fresh order of reference was therefore again raised by the management as a preliminary issue and Sri M.N.Gan the presiding officer of the Tribunal gave his Award and refused to assume jurisdiction in the matter.

(7) Against this Award of the Tribunal the union approached the Honourable High Court and obtained a stay order restraining the Govt. of West Bengal from publishing the Award.

(8) The Union Ministry of Labour and Employment by a notification published in the Gazette of India Part 11 Section 3 under S.R.O. 66 dated 5.1.57 had delegated ^{the} powers of the Govt. of India in the hands of the Bihar Govt. in so far as the Industrial Disputes of the workers in the Industrial Establishment of Bhowra Coke Plant, P.O. Bhowra, Dhanbad are concerned as per schedule attached thereto. (copy enclosed) The schedule being not perfectly clear this union had since entered into correspondences with the Union Ministry of Labour and Employment and presumably as a consequence of which the above S.R.O. was subsequently twice changed and the schedule amended under S.R.O. 1200 dated the 13th April, 1957 published in the Gazette of India part 11 Sec. 3, page 720.

(copy enclosed) and finally under notification No. dated April 13, 1957 issued by the Ministry of Labour and Employment Govt. of India (copy enclosed).

The above notifications were all issued and the S.R.O's published in the Gazette of India during the material time when this dispute was pending before the Honourable High Court of Calcutta and we quite agree that the Govt. of India is perfectly within its statutory rights to issue such notifications or publish S.R.Os without any fear of interference of the executive with the judiciary. But we fail to understand that this being so why the Govt. of India, is now reluctant to issue either a further notification in

supercession of S.R.O. 68 to clarify its intentions that the industry specified by the S.R.O. 68 in so far as this dispute is concerned is only the Bhowra Coke Plant, situated at Bhowra, Dhanbad (Bihar) and not the head-Office establishment of the Company situated at 3B, Garstin Place, Calcutta, which lies within the territorial jurisdiction of the state of West Bengal. Alternately we feel that the Govt. of West Bengal, should forthwith take up the matter with ^{the} Union Govt. for delegation of power in the hands of the West Bengal Govt. in so far as the Industrial Disputes of the head office establishment of Messrs Bhowra Coke Co. 3B, Garstin Place, Calcutta are concerned. The views expressed by Sri ^{K.S.} ~~H.K.~~ Hazela under Secretary to the Ministry of Labour and Employment Govt. of India, to the Secretary of this union when he visited New Delhi on October last have been such that the intentions of the Govt. of India in so far as S.R.O. 68 ~~is~~ concerned is not to include the Head Office establishment of Bhowra Coke Co. 3B, Garstin Place, Calcutta within the sphere of the Central Government and ^{the latter} further communicated to this union under letter No. Cal-56(114)58 dated 14.11.58 from the Regional Labour Commissioner(C) Calcutta. (copy enclosed)

This being so we do not find that there can be any justification whatsoever in awaiting the decision of the High Court and thereby put the whole matter into grave uncertainties and the apprehended danger of damages and loss that may be done to the employees in the shape of discharge and victimization. Furthermore, a contrary view of the High Court will affect hundreds of other establishments situated in Calcutta having their factories or coalfields within the territorial jurisdiction of other States which would undoubtedly result in mounting

~~Feel that~~ the Govt. of West Bengal should forthwith take up the matter with the Union Govt. and take necessary action without any further delay. ~~Failing which~~ this union will be reluctantly compelled to move the matter through a Central organisation and have the issues agitated in the legislature.

Thanking you in anticipation

Yours faithfully

For

Sd.

Hony. Secretary,
Biovrah Coke Plant (H.O.)
Employers Union,
27 'B' Harish Mukerjee Road,
Calcutta - 23-25.

Dated April, 13, 1957.

Page No. 760

S.R.O. 1200:-

In exercise of powers conferred by clause(1) of the articles 258 of the constitution of India and in supersession of the Government of India in the Ministry of Labour S.R.O. 66 dated the 5th January, 1957, President hereby entrusts to the Government of Bihar with consent of that Government the functions of the Central Government under the Industrial Disputes Act 1947 (14 of 1947) in so far as they relate to Industrial Disputes concerning the Industrial establishment specified in the schedule hereto annexed:-

THE SCHEDULE

1. Coke Plant of Shalimar Tar Product(1935) Ltd.
P.B. 135 P.O. Jharria, Dhanbad.
 2. Lodna Coke Plant, P.O. Jharria, Dhanbad.
 3. Bararee Coke and Bye Products Works, P.O. Kusunda, Dhanbad.
 4. Loyabad Coking and Bye Products Recovery Plant,
P.O. Bunsjora, Dhanbad.
 5. Bhowra Coke Co., Bhowra Coke Plant, P.O. Bhowra, Dhanbad.
 6. Coke Oven Plant of Sindri Fertilizers and Chemicals
(Private) Ltd. P.O. Sindri, Dhanbad.
 7. Coke Oven Plant of the Tata Iron and Steel Co.ltd.
Jamshedpur, Dist. Singhbhum.
-

Government of India,
Ministry of Labour & Employment
Office of the Regional Labour Commissioner(C)
12, Chowringhee Square, Calcutta.

No. Cal-56(110)/58

Dated 14 Nov. 1958
Kartika ... 1880

To
The Hony. Secretary,
Bhowrah Coke Co.(S.O.) Employees' Union,
27/B, Harish Mukherjee Road,
Calcutta-25

Dear Sir,

Subj Industrial dispute between the
Bhowrah Coke Co., Calcutta and its Head
Office Employees' Union, Calcutta.

Please refer to your letter No. JBC/7/68
dated the 1st September, 1958.

I am to inform you that the appropriate
Govt. in respect of industrial disputes between
the Bhowrah Coke Co., Calcutta and its Head Office
Employees, is the Government of West Bengal and not
the Central Government. In view of this, I am afraid
I am unable to take up ~~the~~ your case.

In view, however, of the facts stated by you
in your letter of 1st September, 1958, the matter will
be referred to the Government for necessary clarification
etc. after obtaining a copy of the Award of the Fourth
Industrial Tribunal, West Bengal, when published. I shall
therefore, be thankful if you can please let me ~~know~~
have a copy of the Award of the Fourth Industrial
Tribunal if already published, if not, this office
may be informed of the same as soon as it is out.

Yours faithfully,

Sd

for REGIONAL LABOUR COMMISSIONER(C)
Calcutta.

Published in the Gazette of India
Part 11 Sec. 3

S.R.o. No. 68 dated 5th January, 1957.

In pursuance of sub-clause(1) of clause(a)
of section 2 of the Industrial Disputes Act,
~~1947~~ 1947 (14 of 1947) the Central Government
hereby specifies, for the purpose of that
sub clause, the controlled industry engaged
in the manufacture or production of coal
including coke and other derivatives, which
has been declared as a controlled industry
under section 2 of the industries (Develop-
ment and Regulation) Act 1951 (65 of 1951)

(TO BE PUBLISHED IN THE GAZETTE
OF INDIA PART 11, Section 3)

A copy of the Notification No.LR.11-55-6(490/57, dated the 7th May, 1958, from the under secretary to the Govt. of India, Ministry of Labour and employment, New Delhi, to the Manager, Govt. of India Press, New Delhi, copy forwarded to all State Government (except Jammu & Kashmir) the Ministry of Steel, Mines and Fuel (Department of Mines and Fuel) etc. etc.

SRO..... In exercise of powers conferred by clause (1) of article 258 of the constitution of the Govt. of India in the Ministry of Labour No.SRO 1200 dated the 5th April 1957 the President hereby entrusts to the Govt. of Bihar, with the consent of that Govt. the functions of the Central Govt. under the I.D-Act, 1947 (14 of 1947), in so far as they relate to the Industrial Disputes concerning the Industrial establishments specified in the schedule hereto annexed.

THE SCHEDULE.

1. Lodna Coke Plant, P.O. Jharla, Dhanbad.
 2. Bararee Coke & Bye-Products Works, P.O. Kusunda, Dhanbad.
 3. Loyabed Coking and Bye-Products Recovery Plant, P.O. Sansfora, Bihar.
 4. Bhowra Coke Plant of Bhowra Coke Co., P.O. Bhowra, Dhanbad.
 5. Coke Oven Plant of Sindri Fertilizers and Chemicals (P) Ltd P.O. Sindri, Dhanbad.
 6. Coke Oven Plant of the Tata Iron and Steel Co. Ltd. Jamshedpur, Dist. Singbhum.
-

28 FEB 1959

185

No. E&I.8(1)/58
GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT

.....

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Dated New Delhi, the

27 FEB 1959

Subject:- Recognition of the Assam Coal Mines Workers' Union,
Ledo, by the Assam Railways & Trading Co. Ltd.,
Margherita.

Dear Sir,

"In continuation of Shri R.L. Mehta's d.o. of even number dated the 11th October, 1958 on the above subject, I am directed to say that on enquiry it is learnt that neither the Labour Department of the Government of Assam nor the State Registrar of Trade Unions ever advised the management that there was no need for recognition of Unions. Moreover, as the coal mines fall under the Central sphere, the State Government could hardly give any formal advice in the matter. The Government of Assam have already explained the position to the Assam Provincial Committee of All India Trade Union Congress.

" 2. The need for implementing the decisions of the 16th Session of the Indian Labour Conference regarding recognition of Unions has already been impressed upon the management. "

Yours faithfully,

A. Nigam

For Joint Secretary.

d.a.nil
a.s.b.24.2.59

T. U. LAW BUREAU;
R. L. TRUST BUILDING,
55, GIRGAON ROAD,
BOMBAY 4 (INDIA)

अखिल भारतीय ट्रेड यूनियन काँग्रेस
ALL-INDIA TRADE UNION CONGRESS

4, ASHOK ROAD,
NEW DELHI.

President : S. S. MIRAJKAR.
General Secretary : S. A. DANGE, M.P.

No.185(CC)/59
February 27, 1959

Dear Sir,

This is bring to your kind notice that more than 400 permanent workers of the Bharat Woolen Mills Ltd., Mill No.1 and Mill No.2 have been retrenched with effect from February 10, 1959, without any proper notice as stipulated in the Code of Discipline. The lame plea taken by the management for this unjustified and illegal retrenchment being the shortage of raw material, is untenable as is evident from the following figures of quota allotted to W.Bengal by the Union Ministry of Commerce and Industries and the stocks available with the W.Bengal Government.

Quota:- Oct. 57 - March 58 - 58,250 lbs.
Stocks:- - 83,000 lbs.

The falsity of the management plea that they are retrenching the workers because of the shortage of the raw materials is further proved by the fact that the retrenchment was first started in the Loom Section of Mill No.2, where as the difficulty of the shortage should have first affected the spinning section. Besides, the fact that the import position of raw material is not as bad now as the management presents it to workers will be evident from the report published in the Statesman (copy of cutting enclosed).

In fact, the real reason behind this retrenchment is the rationalization that is going on in the mills. This act of the management is not only a serious breach of the Code of Discipline but also a gross violation of an agreement arrived at between the recognized union of mill No.2 and the management of the Bharat Woolen Mills Ltd., on September 10, 1959, an extract of which is given here for your reference:

Clause VI of the Agreement: "It is within the Company's right to introduce any new technique or new machines for the betterment of the Company. No retrenchment will be made due to the above reason and the workers so affected will be given alternative native jobs earning equivalent wages."

The above agreement was in settlement of an industrial dispute between the management and the workers which was before the Third Industrial Tribunal, West Bengal.

The closure of some sections of the mills and the consequent retrenchment is this:

- (i) without valid reasons;
- (ii) in violation of the decisions regarding closures, arrived at the 16th Indian Labour Conference that due notice should be given prior to a closure.

Cable : "AITUCONG"

T. U. LAW BUREAU:
R. L. TRUST BUILDING,
55, GIRGAON ROAD,
BOMBAY 4 (INDIA)

अखिल भारतीय ट्रेड यूनियन काँग्रेस
ALL-INDIA TRADE UNION CONGRESS

Telephones : 48771
43414

4, ASHOK ROAD,
NEW DELHI

President : S. S. MIRAJKAR.
General Secretary : S. A. DANGE, M.P.

- 2 -

15th Indian Labour Conference as well as in violation of the agreement arrived at between the union and the employers.

As a result of this, there is a great discontentment and sense of insecurity among the workers and the work has been suspended in the mills. In order to promote production in the ~~mills~~ mills, avoid closure and retrenchment, to make the employer follow Code of Discipline and other decisions of the Indian Labour Conference ~~regard~~ regarding closure and rationalization and not to allow him to violate the specific agreement, your immediate intervention is required.

Yours faithfully,

K.G. Sriwastava
9/13/2)
(K.G. SRIWASTAVA)
SECRETARY.

23 FEB 1959



MILL MAZDOOR UNION.

(RED FLAG)

BAPURAO JAGTAP

President

S. G. PATKAR

Gen. Secretary

Dalvi Building,
Parel, Bombay 12.
Tel. 63674

195

~~Dear~~

Dear Com. K. G.,

Shri R. L. Mehta's letter concerning Com. Robert Gomez the points made therein are not correct. First the quarrel was picked not by Com. Robert, but by the INTUC man. second, though both were punished under standing orders, the punishment meted to the INTUC was not the same. Com. Robert was dismissed, while the other fellow

was just suspended for
four days.



Think it is not true
that Com. Roberts has not
filed a case in the Labour
Court. He has filed a case
in November last.
with Contingents.

Yours,

Dickens

P.S. "Sinh Log" was married
last month at Nagpur to
one Shi Kamlekar Solinis.
Solinis. The ~~four~~ marriage
ceremony was performed
in Shi Kalkar's house - the
Kalkar family alone playing
the hosts and guests.

18 FEB 1959

No. E&I-40(3)/58
Government of India
Ministry of Labour & Employment.

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary, All
Indian Trade Union Congress,
4, Ashok Road, New Delhi.

Dated New Delhi, the

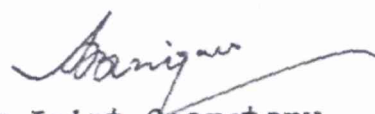
Subject: - Code of Conduct - Complaints from the Mill Mazdoor
Union, Bombay.

Dear Sir,

I am directed to refer to the Union Labour Minister's D.O. of even number dated the 22nd September, 1958 to Shri K.G. Sriwastava, and to say that our inquiry has failed to obtain confirmation of the allegations contained in the letter of the Mill Mazdoor Union dated the 2nd September, 1958.

2. As regards the dismissal of Mr. Robert Gomes, it is understood that as he picked up a quarrel with and assaulted a worker in the mill premises, the Manager of the Mills took action against both the workers who were involved in a quarrel in the mill premises during working hours. This action was taken by the management on its own initiative and not on any pressure by the Mill Mazdoor Sangh. It is also understood that Mr. Gomes has not yet taken up the question of his dismissal with a Labour Court under the B.I.R. Act.

Yours faithfully,


for Joint Secretary.

See G.P. do.
Com. Admin.

Vmo
18/2

Dr. S.B.L. Nigam, D.O. No. E+I-Dy-1026/59.
Assistant Economic
Adviser.



5 FEB 1959

MINISTRY OF
LABOUR AND EMPLOYMENT.

New Delhi, the 23rd Feb., 1959

185

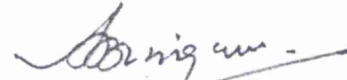
24 FEB 1959

My dear Sriwastava,

This is to thank you very
much for sending me two copies of
"Handbook of Tripartite Decisions".

With regards,

Yours sincerely,


(S.B.L. Nigam).

Shri K.G. Sriwastava,
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dr. S.B.L. Nigam,
Assistant Economic Adviser.



23 FEB 1959

D.O. No. E&I-40(8)/58

Telegrams :—
"LABOUR"

MINISTRY OF
LABOUR AND EMPLOYMENT.

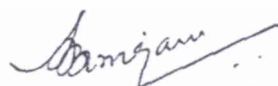
New Delhi, the 21st Feb., 1959.

23 FEB 1959

Dear Shri Sriwastava,

Kindly refer to this Ministry's letter of even number dated the 19th December, 1958 and the subsequent reminder^{dated} the 9th January 1959 and 29th January 1959, regarding the alleged acts of violence by members of Singani Collieries Workers' Union. I shall be grateful if you will kindly expedite your reply in the matter.

Yours sincerely,


(S.B.L. Nigam)

Shri K.G. Sriwastava,
Secretary, All-India Trade Union Congress,
4, Ashok Road, New Delhi.

Dr. S.B.L. Nigam,
Assistant Economic Adviser.

D.O. No. E&I-11(20)/58

Telegrams :—
"LABOUR"

MINISTRY OF
LABOUR AND EMPLOYMENT.

New Delhi, the 19th Feb., 1959.

20 FEB 1959



Dear Shri Sriwastava,

Kindly refer to your d.o. letter No. 185-(CC)/59 dated the 13th February, 1959. My d.o. reminder of even number dated the 17th January, 1959 was in respect of Shri R.L. Mehta's d.o. of even number dated the 19th November, 1958 regarding assault on ~~the~~ workers belonging to the Asansol Iron & Steel Workers' Union inside the Kulti Works on the 5th October, 1958. Your letter dated the 10th January, 1959 to Shri Mehta was, however, in respect of another complaint regarding the speech delivered by Shri Pashupati Pandey.

I shall be grateful if your reply to Shri Mehta's d.o. of 19th November, 1958, referred to above, is expedited.

Yours sincerely,


(S.B.L. Nigam)

Shri K.G. Sriwastava,
Secretary,
All-India Trade Union Congress,
4, Ashok Road, New Delhi.

No.185-I/(BP)/59
February 18, 1959

Shri R.L.Mehta, I.A.S.,
Joint Secretary,
Ministry of Labour & Employment,
New Delhi.

Sub: Alleged infringement of the Code of
Discipline by the Bombay Plastics
Employees Union.

Dear Sir,

Please refer to your letter No.E&I-40(13)/58 dated
December 13, 1958 on the above subject.

We have investigated into the allegations made against
our union by certain workers of M/s.Exen Industries, Parekh
Nagar, Ghodbunder Road, Kandivli, Bombay 47, and we are
constrained to point out that the letter from 11 workers
dated December 1, 1958 addressed to us and copy to you was
sent at the instigation of the employers. The alleged instances
of "physical assault" and "intimidation" said to have been
committed on the part of officials of our affiliate, as we
understand, are the same ones under which the management
has victimised union officials. That these instances were
framed up could be seen from the fact that the Government's
Labour Officer advised the management to reinstate the worker
concerned, in one case, but the latter refusing to do so,
the issue has been taken up for conciliation. In another case
against the secretary of the Union on a similar charge, an inquiry
held disproved the management's allegations and they were
forced to give up the charge.

We have with us, on the other hand, serious complaints
from our affiliate about the anti-labour practices of the
management of Messrs.Exen Industries. These questions, we are
informed, are being taken up with the Labour Department of the
Bombay Government. We therefore refrain from bringing them
before you.

As is evident from the above, the allegations are absolutely
groundless and have been levelled against our union with malicious
intent and instigated by the management of the company.

Yours faithfully,


(K.G.Sriwastava)
Secretary

10 APR 1959

185-15

No. &I-43(25)/58
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT
-.-.-.-.-

New Delhi, the 6th March, 1959.

From
Shri N.J. Mehta, I.A.S.,
Joint Secretary to the Govt. of India.

To
The Secretary,
All India Trade Union Congress,
1 Asok Road,
New Delhi.

Subject: Non-implementation of the decision
of the Implementation Committee on
the Coal Award by National Coal
Development Corporation.

Sir,

In continuation of this Ministry's letter of
even number dated the 6th December, 1958, I am
directed to say that the matter is being examined
by this Ministry in consultation with the Ministry
of Steel, Mines & Fuel.

Yours faithfully,

Sanjiv
for Joint Secretary.

file

nm
19/3

10 MAR 1959

GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT

No. ERI-5(24)/58 Dated New Delhi, the 3th March, 1959

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Govt. of India.

To

The Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Subject:- Non-implementation of Award and
Agreement by employers, in Tex-
tile Industry, Coimbatore.

--

Dear Sir,

In continuation of this Ministry's letter of even number dated the 1st December, 1958 on the above subject, I am directed to say that almost all the mills in Coimbatore, which had been refusing to give guaranteed days of employment, have since implemented the Arbitrator's Award in this respect.

2. The Industrial Tribunal to whom the dispute in respect of Shri Sarada Mills Ltd. was referred for adjudication, has held that the retrenchment was justified. With regard to retrenchment in Cambodia Mills, it is understood that the parties came to a settlement in the matter before the Industrial Tribunal, Madras.

3. Your other complaints are under investigation and a separate communication will follow soon.

Yours faithfully,



(S.B.L. Nigam)
For Joint Secretary.

225 copy of the award
VMO
14/3

No. E&I-43(40)/58
Government of India
Ministry of Labour & Employment
E

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

1. The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.
2. The Working President,
Samyukta Khardai Mazdoor Sangh,
C/o. Shri Ganga Chaur Baigapara,
Durg, Madhya Pradesh.

Dated New Delhi, the 13 MAR 1958

Subject:- Non-implementation of labour laws in Chhikhli Mines,
Bhilai Steel Project.

Sir,

In continuation of this Ministry's letter of even number dated the 30th December 1958, I am directed to say that the complaints regarding non-implementation of certain provisions of the Mines Act of 1952 in the above mines have been investigated again and the latest position is as follows:-

1) Employment of workers for more than nine hours in a day:

The period of work in the mine is spread over nine hours i.e. 7 A.M. to 4 P.M. with rest interval from 12 noon to 1 P.M. Nobody is permitted to work after 4 P.M. The investigating Officer personally enquired into the matter but none of the workers came forward with a complaint on this point.

2) Medical Facilities:

A small Hospital with indoor wards is provided at Jharandalli camp under the charge of a wholtime qualified Medical Officer. An ambulance room is also maintained near the working mine. The Medical Officer of the mine attends the ambulance Room in the afternoon between 1 P.M. to 4 P.M. Necessary medical aid is given to sick or injured persons and the Medical Officer is always available for service.

3. Drinking Water.

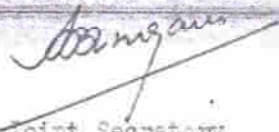
Four portable rectangular Galvanised Tanks of 400 gallons water capacity each, have been provided and placed apart from each other at a distance of nearly 500 ft. Water in these tanks is supplied from a well protected spring nearby. A well is also being sunk in the labour colony.

4) First Aid boxes.

Four supervisors who hold First-Aid certificates have been provided with First-aid outfits. Twenty-five persons who are already trained in First Aid to the standard of St. John Ambulance's certificate, will soon take up their examinations and the management will provide

First aid outfits to all the trained persons to carry while on duty. They are also putting up a few more First-aid stations in addition to an existing Ambulance Room and a First-aid station.

Yours faithfully,



for Joint Secretary

B. .mil.
h.s.5/3

4 MAR 1959

No. E&I-35(31)/58
Government of India
Ministry of Labour & Employment

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dated New Delhi, the

Subject:- East Jamehari Colliery - Re-employment of
workers, etc.

Dear Sir,

I am directed to refer to your letter dated the 6th February, 1959 on the above subject and to say that as a result of efforts made by Government, 69 workers have already been taken back by the management and only 15 workers have so far not been provided with work because of lack of suitable vacancies. Attempts are, however, being made to persuade the management to absorb the remaining 15 workers as and when suitable vacancies arise.

2. The question of payment of arrears of dues to the remaining workers was also taken up with the management and they have since agreed to pay the amount within a week. It is hoped that there is no further complaint on this account.

Yours faithfully,

Sanjiv
for Joint Secretary

d.a.nil.
h.s.28/2

has been in the hand
4/3

Shri K.M. Tripathi,
Research Officer.



5 MAR 1959

D.O. No. E&I-34(16)/58

Telegrams—
"LABOUR"

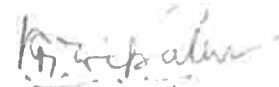
MINISTRY OF
LABOUR AND EMPLOYMENT.

New Delhi, the 5th March, 1959.

Dear Shri Sriwastava,

Kindly refer to your D.O. No. 185-1/59 dated the 17th February, 1959 to Shri R.L. Mehta, I.A.S., regarding the implementation of the conclusions of the first meeting of the Central Implementation & Evaluation Committee. It is noted that necessary steps have been taken by your Organisation to screen cases before taking them up to higher courts. I shall be grateful if you will kindly let us know the details of action taken in this regard.

Yours sincerely,


(K.M. Tripathi)

Shri K.G. Sriwastava,
Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

No. E&I-43(49)/58
Government of India
Ministry of Labour & Employment

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Dated New Delhi, the

Subject:- Alleged non-implementation of the Government Resolution dated the 20th July 1958 - O.S.D. Report - Cochin Port and Dock Workers.

....

Sir,

In continuation of the Ministry's letter of even number dated the 30th October 1958 on the above subject, I am desired to say that Government of India are keeping a close watch on the implementation of O.S.D's recommendation at all the ports. It will, however, be appreciated that these recommendations have to be examined by port authorities with reference to their applicability at a particular port and in some cases in consultation with the unions concerned some delay in their implementation is inevitable. The present position in regard to some of the points made by you is as follows:-

(i) Working hours

The Port Authorities are considering the question of re-fixing the hours of work under the M.W. Act for certain marine and intermittent categories of employees vide para 22 of the Government Resolution No. 23-PLA(87)/58 of July 20, 1958, and readjustment of the shift hours vide para 23 of the Resolution.

(ii) Overtime.

Paras 34 and 35 of the Resolution (July 20, 1958) regarding review of the system of payment of overtime to lower ranks of supervisory staff and the payment of overtime at double the ordinary rates etc., are under consideration by the Port Authorities.

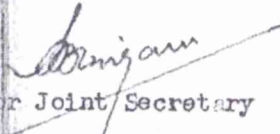
(iii) Holidays.

The O.S.D's recommendation regarding grant of 2 1/2 days of paid holidays and casual leave taken together to workers vide para 43 of the Resolution has already been implemented by the Port Authorities.

(iv) Payment for weekly off.

The question of adopting the Bombay practice of payment of wages for the weekly off day when the work is done and for the substituted rest day vide para 29 of the Resolution is under consideration.

Yours faithfully,


for Joint Secretary

d.a.nil.
h.e.

Lead copy to
Union
Vno.
2/3

No. 185(CC)/59
March 19, 1959

Shri R.L.Mehta, I.A.S.,
Joint Secretary to the Government
of India,
Ministry of Labour & Employment,
New Delhi.

Sub:- Cochin Port - alleged assault on
Workers - Code of Conduct.

Dear Sir,

Please refer to your letter No.E&I-40(17)/58,
dated 26th February, 1959.

We have made investigations into the allegations levelled against our affiliate, The Cochin Port Cargo Labour Union, and have to state the following in this regard:

1. The allegation that workers belonging to our affiliate, The Cochin Port Cargo Labour Union, attacked and assaulted workers belonging to the Cochin Thuramugha Thozhilaly Union in the Island Goods Shed area on December 22, 1958, is entirely baseless and has been made with a malafide intent.

2. As a matter of fact acts of violence and breaches of the Code of Conduct have been resorted to many a time by the INTUC and the CTTU Unions.

3. Various clashes between the workers belonging to different trade unions have been referred to the Tribunal by the State Government, the clash under reference being one of them.

4. The real source of trouble is the partiality shown by the Administrative Officer and the Conciliation Officer towards the INTUC and CTTU unions. More than 50% of the work which the existing workers were doing at Railway Goods Shed is now being taken away by the INTUC and CTTU unions with the active help and support of the Administrative Officer and the Conciliation Officer.

5. Our affiliate has filed a writ petition in The High Court and has secured a stay order against the Conciliation Officer.

The cases of fights and clashes are also pending in the courts.

Since the whole matter is Sub-Judice we feel that taking up the matter at the E&I level will serve no purpose.

Yours faithfully,

K.G. Sriwastava
(K.G. Sriwastava)
Secretary

18 MAR 1959

No.E&I-43(63)/58
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT

.....

From

Shri R. L. Mehta, I.A.S.,
Joint Secretary to the Govt. of India.

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Dated New Delhi, the .

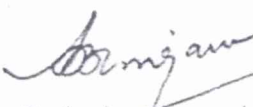
Subject:- Partial and delayed implementation of the Coal
Award- Concessional supply of foot-wear to Colliery
workers.

.....

Sir,

In continuation of this Ministry's letter of even number dated the 5th January 1959 on the above subject, I am directed to say that in view of greater risks of accidents underground, and the large quantities of footwears that have to be supplied, the Indian Mining Association, Calcutta has decided to distribute foot-wear first to the underground workers at the concessional rate of 50% of the cost. Arrangement are, however, being made by them for the supply of foot-wear to the surface workers after the requirements of underground workers have been met.

Yours faithfully,


for Joint Secretary.

See copy to M.M.F.

1873

"d.a.nil"

JB/

18 MAR 1959

No.E &I-35(100)3/58
Government of India
Ministry of Labour & Employment

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Dated New Delhi, the March, 1959.

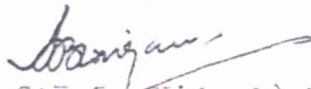
Subject:- Dismissal of Shri Akhileshwar Prasad.

...

Dear Sir,

In continuation of this Ministry's letter of even number dated the 2nd January, 1959 on the above subject I am directed to say that the matter was taken up by this Ministry with the employers and was examined in all its aspects. But since the dispute falls within the State sphere the Government of Bihar have been requested to explore further the possibility of an out-of-court settlement. It is understood from them that they will place the matter before their Implementation and Evaluation Committee shortly.

Yours faithfully,


(S.B.I. Nigam)
for Joint Secretary.

Dr. S.B.L. Nigam,
Assistant Economic Adviser.



10 MAR 1959

4 MAR 1959

D.O. No. E&I-35(31)/58

Telegrams —

“LABOUR”

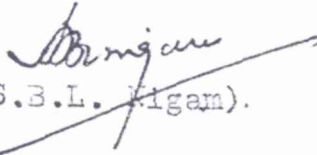
MINISTRY OF
LABOUR AND EMPLOYMENT.

New Delhi, the 13th March 1959.

Dear Shri Sriwastava,

Kindly refer to your d.o. letter No. 185/EJ/59 dated the 11th March, 1959^{to Shri R.L. Mehta} regarding re-employment of workers in the East Jenehary Colliery. This Ministry is seized with the matter and I shall revert to the subject as soon as possible.

Yours sincerely,


(S.B.L. Nigam).

Shri K.G. Sriwastava,
Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi..

185
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT

3 MAR 1959

No. E&I-11(20)/58 Dated New Delhi, the 12th March, 1959.

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Govt. of India.

To

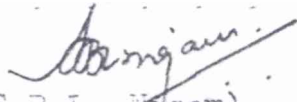
The Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Subject:- Assault on workers belonging to
the Asansol Iron & Steel Workers
Union inside the Kulti Works on
the 5th October, 1958.

Dear Sir,

I am desirous to acknowledge the receipt of
your letter No. 185(CC)/59 dated the 26th February,
1959 on the above subject and to say that the matter
is being looked into.

Yours faithfully,


(S.B.L. Nigam)
for Joint Secretary.

12 MAR 1959

No.E &I-40(3)/58
Government of India
Ministry of Labour & Employment

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

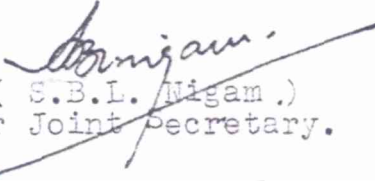
Dated New Delhi, 6th March, 1959.

Subject:- Code of Conduct - complaint
from the Mill Mazdoor Union,
Bombay.

Dear Sir,

With reference to your letter No.135(CC)/59 dated the 26th February, 1959 on the above subject, I am directed to say that Shri Robert Gomes was dismissed after a proper enquiry. The punishment accorded to Shri Robert Gomes and to the other worker was in proportion to their fault. It appears anomalous to us that Shri Robert Gomes having himself gone up in appeal, should now ask for an out-of-court settlement. Such requests generally come from defendants in appeals. As the matter is now subjudice and as Shri Robert Gomes himself has filed an appeal in the Labour Court, it seems to us that little purpose would be served by Government's intervention at this stage.

Yours faithfully,


(S.B.L. Nigam)
for Joint Secretary.

copy

D. O.No.185/EJ/59
March 11, 1959

Dear Shri Mahta,

The question of re-employment of workers at the East Jemehary colliery which has remained largely unsettled for nearly one year now, we have to state with utmost regret, has tended to create an impression among the workers concerned as well as the trade unions whether the E & I Division is at all serious in pursuing the matter. I am constrained to make this observation since your letter No.E&I-35(31)/58 dated March 3, 1959 has given a misleading picture of the actual position in respect of the re-employment of the workers concerned.

Shri Kalyan Roy, General Secretary, Indian Mine Workers' Federation, has in his letter of March 7 addressed to you has pointed out how the contention of the Ministry on the re-employment of these workers is contrary to actual facts. The number of workers kept out of work is not 15 but 49, including the 34 workers against whom criminal prosecution was launched but who have been acquitted by the court of all charges. As you will remember, it was assured by the Ministry earlier that these 34 workers would also be taken back to their jobs once the decision of the Court was announced.

Again, the Dhanbad Tribunal decision dated November 27, 1958 (Bonus Appeal No.5 of 1958) in connection with the East Jemehary dispute declared that the refusal of the management to allow workers to join their duties from May 30, 1958 would be a case of lock-out and not a strike. The question therefore arises: when the employer in this case has been clearly in the wrong, what prevents the Ministry of Labour in taking suitable action to rectify the injustice done to the workers?

. . . . page two

page two

The AITUC takes a grave view of this situation ~~when despite assurances from the E & I Division, these~~ very assurances are not implemented in actual practice. At any rate, this instance is not conducive to creating much faith in the effectiveness of the E & I Machinery.

Yours sincerely,

K.G. Sriwastava
(K.G.Sriwastava)

Shri R.L.Mehta, I.A.S.,
Joint Secretary,
Ministry of Labour & Employment,
New Delhi.

Copy to: Com.Kalyan Roy, Gen.Secy., IMWF,
C/o Colliery Mazdoor Sabha,
G.T.Road,
ASANSOL, W.Bengal

11 MAR 1959

INDIAN MINE WORKERS' FEDERATION

'Grams : AITUCONG

Dhanbad

'Phone : 2855

President : T. B. VITTAL RAO, M.P.
General Secretary : KALYAN ROY.

5th March, 1959.
Calcutta

My dear Sirsagutwa:

I am sending a copy of letter sent to Shri R. L. Mehta, regarding the east Jemehary colliery. The situation is indeed scandalous as the letter will show. The management is openly flouting the agreement with the R.L.C. (Central), Dhanbad, and has not at all implemented the award of the Dhanbad Tribunal in respect of bonus: the Tribunal has declared it to be a lockout. Shri Mehta is trying to bluff us now. The consequence will be bad. I would request you to make a very strong representation to the Ministry by letter and person. The Central Ministry is itself violating the code of discipline. Thanking you,

Yours sincerely,

Kalyan Roy
Kalyan Roy

Handwritten notes:
Kalyan Roy
Mr. Roy
Mr. Roy

47

44342
Mr. Roy

11 MAR 1959

INDIAN MINE WORKERS' FEDERATION.

DHANBAD

Camp: Colliery Mazdoor Sabha,
G.T.Road
Assasol.

7th March, 1959.

Shri R.L.Mehta I.A.S.
Joint Secretary.
Ministry of Labour & Employment,
New Delhi.

Sub : East Jemchary Colliery - Re-employment of workers etc.
Ref: No E&I- 35(31)/58 dt. 3 March, 1959.

Dear Sir :

Your letter has greatly surprised us.

(1). Where did you find that only 15 workers have been taken back ?

All together there are 49 workers who are still unemployed. And their names have been submitted to you in all our previous letters and also in the last letter written to you on 23rd February, 1959.

It seems that the Ministry was only taking into consideration 15 workers against whom there were no police cases. Taking into consideration other 34 workers against whom cases were pending, the total figure comes to 49.

And all the workers have been fully acquitted by the Assasol Court.

And we were told by you that all workers, acquitted by the Court, would be taken back after the decision of the Court.

So there is no reason why the workers are not being given their jobs.

(2). Secondly, as we have already represented to you that Shri Selim Merchant, Chairman, Dhanbad Tribunal, in his decision dated the 27th November, 1958, Bonus Appeal No.5 of 1958., (re: Bonus Appeal against the decision of the Regional Labour Commissioner (Central) Dhanbad, dated 3rd July 1959 under Coal Mines Bonus Scheme), also declared the refusal of the Management to allow workers to join their duties from the 30th May, 1958, a case of lockout and not a strike, thus upholding the decision of the Regional Labour Commissioner (Central), Dhanbad.

How do we fail to understand how and on what grounds the management can still refuse to give jobs, unless encouraged by some authorities which are more powerful than the TRIBUNAL. Are we to understand that the decision of the Tribunal has no meaning at all ? And the management can treat it contemptuously.

Is this the way to teach the coal miners the codes of discipline? While we expect the Ministry to take a firm action against this kind of management who refuse to take back workers after a lockout inspite of the clear assurance given by the Ministry that all will be taken back, we find that nearly a year is over, inspite of the clear decision of the Tribunal in favour of workers (acquittal by the Court), still workers are ~~xxxxxxx~~

unemployed, bonus and arrear wages unpaid.

(3). May I also draw your attention to your letter dt 7 Oct. 1958, No. 281-35(31)/58 where you stated :

"According to ~~xxx~~ an agreement which the Regional Labour Commissioner (Central) was able to arrive at with the Management on September 8, 1958, it was agreed that the management would take back 30 workers immediately, 7 workers in batches of 10 to 15 as and when vacancies arose, within a period of 15 to 20 days, and 21 workers who had been arrested by the police for violence etc. after their acquittal."

So far, as you stated in your letter dt. 3 March, 1959, 69 workers have been reinstated, what about 39 workers? And now there are no police cases at all. All have been acquitted.

(4). You have in your last letter (3 March) said: "Attempts are, however, being made to persuade the management to absorb the remaining workers as and when suitable vacancies arise." This is indeed surprising. How does the question of vacancy arise? What happened to their jobs which they were doing when the lockout was declared?

I have already drawn your attention along with the local union, Colliery Mazdoor Sabha, (ref: my letter dt. 23 Feb, 1959), that 24 wagon loaders have been transferred to C.P. Miners' job which these people were doing with the sole motive to deny these workers their own places.

(5). Till now, these workers, those who were employed (69) plus those who were remaining idle have not been paid arrear wages, bonus for the quarter which they are now entitled after the decision of the Tribunal.

We can also draw your attention to the fact that there has not been a single case of any disturbance since the day the first batch of workers resumed their duties. All these workers are remaining absolutely peaceful in spite of the fact that the management has broken every law in the Industrial Disputes Act.

I may frankly confess to you that ~~xxx~~ not only the local union, but also other unions in this belt are deeply agitated over the situation. We are doing our best to keep the situation calm and peaceful. The Colliery Mazdoor Sabha is going to discuss the East Jemehary situation on the 18th March and ~~xxx~~ take suitable steps to implement the agreement of the R.L.C. and the Tribunal.

There must be a limit to lawlessness of the management.

I would once again request you to intervene which I also told you in Delhi a few weeks back. Hoping you in anticipation of an early reply.

Yours faithfully,

(Kalyan Roy)
General Secretary.

Cc: to :

The Regional Labour Commissioner
(Central) Chandigarh.

General Secretary,
All India Trade Union Congress,
New Delhi.

Shri R.B. Mehta, IAS,
Joint Secretary,
Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: Acts of violence

Dear Sir,

Please refer to your letter No. B&I-40(8)/58,
dated the 19th December, 1958.

We have made further enquiries about the meeting
that was held at Ramavaram on the 5th October, 1958.
The results of our enquiries have confirmed that:

- i) The public meeting at Ramavaram on 5th
October, 1958, was not held under the
auspices of the Singareni Collieries
Workers' Union.
- ii) It was held under the auspices of the
local committee of the Communist Party
of India and our affiliate had nothing
to do with it.

Spot investigations made by the Sub-Inspector of
Police and the statements made by the complainants
substantiate our contentions.

We would very much appreciate if the Andhra
Pradesh Coal Mine Workers Federation which has lodged
a counter complaint against us, is asked to produce
documentary proofs to establish the fact that the
meeting of the 5th October, in question was held under
the auspices of the Singareni Collieries Workers Union.
We on our part can produce documentary evidence to
establish that the meeting was organized and was held
under the auspices of the Kothagudem Committee of the
Communist Party of India and that our affiliate had
nothing to do with it.

We still stand by our complaint which we made
in our letter No. 85 CC/58 dated the 13th October,

1958, and hold that the INIUC union has committed a serious breach of the Inter-Union Code of Conduct. We maintain that this counter complaint is lodged deliberately with a malicious intent and to complicate the whole issue.

We are constrained to state that unfortunately, your enquiry has been misled by the false charges made by the INIUC union against our affiliate and demand that proper action should be taken against the INIUC Federation for serious breach of the Inter Union Code of Conduct.

Thanking you,

Yours faithfully,

VMS
11.11.58

(K.P. SRIVASTAVA)
SECRETARY

9 MAR 1959

The Singareni Collieries Workers' Union.

H. D. KOTHAGUDIUM COLLIERIES: BRANCHES: VELLANDU & BELLAMPALLI.
(Affiliated to A.I. T. U. C.)

President:
Sri. T. B. VITTAL RAO, M. P.

General Secretary:
Sri. M. KOMARAIAH.

KOTHAGUDIUM COLLIERIES, P.O.,

ANDHRA PRADESH.

Date: 5th, March, 1959

Ref No. 35/41/213 /59.

The General Secretary,
All India Trade Union Congress,
New Delhi.

Dear Comrade,

Sub: Act of violence at Singareni Collieries.

Ref: Your letter No. 111 dated 22nd, December 1958, and subsequent reminders on 2nd, Feb. 59 (on the same subject) and 2nd, March 1959, I have the following to state.

Now I have got documentary proof to show that the said meeting on 4-10-1958 was conducted by the Communist Party as was stated by you and not on behalf of the S.C. Workers' Union.

I am herewith enclosing for your information, some of the true copies of the investigation report by the Sub-Inspector of Police and the complainants. If need be I am prepared to send you certified copies of the same.

With our making any other comments on the other matters mentioned in the statements, we can conveniently show that the meeting was conducted by the Communist Party and there was no mention of I. N. T. U. C. From the enclosed true copies you will find that there was no mention of Andhra Pradesh Mine Workers Federation either by the Sub-Inspector or the complainants.

Since the proceedings are still continuing in the court, I do not now attempt to develop any arguments here on the subject. As shown the very argument of the Labour Ministry is blown away by the fact that the meeting was not conducted by the Union there is no question of the vice-president preaching violence and the Labour Ministry should be requested to think twice before advising I. N. T. U. C. to advise its affiliated Unions to desist from violent activities.

My recent letter, on the attempts of I. N. T. U. C. elements to disturb our meeting at work shops, when we intended to explain the gravity where is another proof of the violent activities being attributed by the I. N. T. U. C. elements.

2. And as to the action taken there upon by us after the incident of 7-10-1958, I may say that our workers who were beaten by I. N. T. U. C. workers, have lodged complaints with the police and cases are being run against the I. N. T. U. C. elements.

Mr. Kotba Iyerappa, who beat our Union workers was tried in the court and was punished with a fine of Rs. 30/- and eight hours jail. I. N. T. U. C. Workers also have filed cases against our workers and those cases also are in the court.

The Singareni Collieries Workers' Union.

H. O. KOTHAGUDIUM COLLIERIES: BRANCHES: YELLANDU & BELLAMPALLI.
(Affiliated to A. I. T. U. C.)

President:

Sri. T. B. VITTAL RAO, M. P.,

General Secretary:

Sri. M. KOMARAI AH.

KOTHAGUDIUM COLLIERIES, P.O.,

ANDHRA PRADESH.

Dated _____ 195

Ref No ~~~~~

-2-

Since the above is the fact, I now close this letter for the present and I will write to you any ~~more~~ ~~more~~ moment you ask me for more details.

Yours fraternally,

P. Satyanarayana

(P. Satyanarayana)
Vice-President.

Enclosed: No. 3 Four copies.

CHARGE SHEET

(Under Section 173, Cr. P. Code)

266/2/58
D/ 23-12-58.

1. Police Station: Kothagudem 2 Town, Taluk: Palwancha, District: Chhanna
-ac th.
2. Verbal No. _____ P.I.R. No. 123/58. Date of P.I.R. 6-10-58.
3. Name of complainant or informant: Kotta Narasab, S/O Magiah,
A 730 25111s. Trammer, 3 Incline,
R/O A 311 Narayana Camp.

Names & Addresses of accused persons not sent up for trial whether arrested or not absconders. (Show absconders in red ink) (4)	Names and addresses of accused persons in custody with dates of arrest. (5)	Names and addresses of accused persons on bail with dates of arrest. (6)
	C. Jadu Bicham S/O Kotharayya 7. Pulipaka Har mah S/O Rajam R/O 3 Incline arrested on 11-10-58 and released on bail. 8. Polunoorreddy arrested on 10-10-58 and remained in judicial custody in Cr. No. 88/58 on 18-10-58.	1. Vajrapu Suryanarayana S/O Venkateswarlu, aged 35, fillers 3 incline, R/O 4 incline qrs. 2. Vajrapu Venkatreddy S/O Reddy, Punjabgudda. 3. Dasari Narasimha Murthy, S/O Sathayya, R/O 3 Incline on 4. Nedamalli Narasimha Murthy, S/O Bapaniah, 3 incline arrested on 12-10-58 and remanded to judicial custody in Cr No 88/58 5 Badugu Arjuna S/O somanna arrested on 10-10-58 and remanded to judicial custody on 11-10-58.

(7) Finger Prints when sent and whether identified or not

Details of property & weapons recovered. Names of witnesses with their addresses.

List attached herewith.

List attached herewith.

10) Nature of offence & Section of Law:- 147 I.P.C and 323 I.P.C

11) Facts found on investigation:-

The brief facts are that on 5-10-58 evening the complainant attended the public meeting of the Communist Party held at the Ramavarama dispensary. While K.S. Das is delivering speech the complainant got up from among the audience and passed some adverse remarks. Then all the accused persons mentioned overleaf in the charge sheet assaulted the complainant severely with hands and fists till he became unconscious for having criticized the speaker K.S. Das.

During the course of investigations the accused persons were arrested. Police investigation prove the charge against the accused persons. Hence it is prayed that the accused persons may be dealt with on the above charge and convicted as per law.

Sd/ Ramachandra Rao V.S.
Sub Inspector of Police,
Kothagudem 2 Town.

/True Copy/

Munsiff Magistrate
Court Stamp.

COPY OF THE DEPOSITION OF THE WITNESSES.

IN THE COURT OF THE MUNICIPAL MAGISTRATE AT RAMAVARAM.

Case No. 256/2/58.

The State Vs. V. Suryanarayana and others.
Witness No. 1 For prosecution.

Name Katta Meerassahib S/O Nariah, age 25 years, caste Chetti Balgi
O.c. Colliery Employee S/O 3 Incline Tq. Palwancha, Dist. MT.

States on oath on the 18th of February 1959.

I know the accused present in the court. I also know their names. On 5-10-58 the Communist party held a meeting near the Ramavaram dispensary. I also attended the meeting with others. One of the speakers named was addressed the meeting and abused the congress party and also abused the Chief Minister Andhra Pradesh. I then standup and stated that you should not abuse like this to the Congress Party. All of them said that he is congressite; beat him. I wanted to escape twice and thrice but they did not leave me and began beating. The next day I reported the matter to the police. I have put my thumb impression on the petition. I was sent to the Civil Hospital. I request the court to punish the accused.

Cross Examination:- I got this petition typed in the Congress Office. There was police, Bandobast party around the gathering. The police did not come to my help. No one came to my help. The accused beat me with hands and kicked me also. They gave blow on my whole body. The meeting continued for 2 to 3 hours. I was kept at the stage for about 3 hours. When I was making my scape after 3 hours when one of them gave me blow from behind and I fell down. The accused Arjun gave a blow from behind. I was not drunk that day and I do not drink. I was sitting at a distance of 10 yards from the stage. Seetharamulu and Appalaraju were sitting by my side. These people were sitting on the right side of the stage. The accused have beaten Seetha Ramulu and Appal Raju. I was unconscious and in that stage I was taken to the hospital Palwancha. The doctor examine me that night only.

Reda over and admitted correct.

Sd/ Shri Mohd. Abdul Ali, M.Sc., LL.B.,
M.N. 18-1-59.

Sd/ P.P.O

Sd/ B. Lakshminarayana, Fleader.

Sd/ S.I. Meerassahib, Sd/ R. Murthy. Sd/ P. S. S. Sd/ S. Narayana.

Sd/ Narasiah, Sd/ Butchiah. Sd/ not legible.

/True Copy/

Sd/
R.N. 25/2

Sd/
Supdt 25/2/

GOVERNMENT OF MADRAS.

S. As.

Copy Stamps

M.M. Court
Ramavaram Seal.

COPY OF THE DEPOSITION OF THE WITNESS.

IN THE COURT OF MAGISTRATE RAMAVARAM.

Case No. 266/2/58.

Police Kothagudlum 2 Town Vs. V. Suryanarayana and others.
Witness No. 4 for prosecution.

Name Simachalam. S/O Potha Rajyam age 28 years, caste reddy
Occ P.C. No. 520 R/O Ramavaram Tq. Paloncha Dist Khammam.

States on oath on the 18th, day of February 1959.

On 5-10-58 the communist party held a meeting near Ramavaram. I was deputed by the S.I.P 11 town for bandobast. Mr. Das addressed the meeting. One person from the gathering stood up and objected that two days ago he had addressed in a different way and today he was addressing in a different manner. Thereupon K.S. Das said that the congress people should not interfere. They may go out. The mob stood and began to beat some body. We two constable also rushed in to the mob, but we were pushed aside. The mob took one person dragging and he was found lying near the well, and that person who was lying there is the complainant who is present in the court. In the meantime S.I.P. arrived and sent the complainant to the hospital.

Cross Examination:- There was one petrol on the stage. But the mob was sitting in the dark. It was about 7 Pm.

Read over and admitted correct.

Sd/ Shri Mohd. Abdul Ali, M.Sc. LL.B.,
M.N. 18-2-59.

M.P. Translated on oath by N. Prashad,
Sd/ N.M.

Sd/ Shri B. Lakshminarayana, Pleader.

Sd/ P.I.C

Sd/ Dutchiah, Sd/ Parasiah, Sd/ V.S. Narayan Sd/ N. Murthy,
Sd/ Not legible Sd/ Not legible Sd/ Not legible.

/ True Copy/

Sd/
Supdt.

Read by. Sd/

Compared by: Sd/

Sd/
P.I.C.

23 MAR 1959

No.E&I-40(17)/58
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT

.....

From

Shri S. Narain,
Section Officer.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Dated New Delhi, the

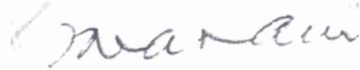
Subject:- Cochin Port- alleged assault on workers -
Code of Conduct.

.....

Sir,

I am directed to refer to this Ministry's letter
No.E&I-40(17)/58 dated the 26th February 1959 on the above
subject and to request that a reply to the same may kindly
be expedited.

Yours faithfully,



(S. Narain)
Section Officer.

"d.a.nil
SSB/

23 MAR 1959

No. E&I 43(25)/58
Government of India
Ministry of Labour & Employment

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All-India Trade Union Congress,
4, Ashok Road, New Delhi.

Dated New Delhi, the

Subject:- Closure of Shift in Dugbar Cotton Mills.

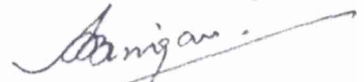
Dear Sir,

With further reference to this Ministry's letter of even no. dated the 6th December 1958 on the above subject, I am directed to say that the dispute regarding closure of 'C' Shift in the above Mills was taken up in Conciliation and several tripartite meetings were held with a view to bringing about an amicable settlement. Eventually as the Unions' representatives desired the dispute was referred to the State Tribunal for adjudication on the following two issues:-

- 1) Whether the management is justified in closing down the 'C' Shift weaving and other departments. Preparatory to Weaving with effect from 1st September, 1958.
- 2) If not, what redress and or compensation are the affected (264) workers entitled to?

The Adjudicator's award is awaited.

Yours faithfully,



for Joint Secretary

d.a.n11

.....

No.185-I/C/5
March 20, 1959

Shri R.L.Mehta, I.A.S.,
Joint Secretary,
Ministry of Labour & Employment,
New Delhi.

Sub: Second Meeting of the Central Implemen-
tation & Evaluation Committee - Agenda.

Dear Sir,

We propose that the following two items may
be included in the agenda for the Second Meeting of
the Central Implementation and Evaluation Committee:

Item I - Study under the Code of Discipline by a
Tripartite Body into the following cases
referred to the E&I Division by the
AITUC - (1) Unfair Labour Practices in
East Jemehary Colliery (2) Violation of the
Code of Discipline by the management of
Kesoram Cotton Mills, Calcutta (3) Denial
of Registration to Trade Unions affiliated
to the AITUC in Bihar, and (4) Violence against
AITUC affiliates in Sirpur-Kaghnagar and
Singareni Collieries.

Item II - Constitution of a tripartite Screening Machinery
to Scrutinise appeals to High Courts and
Supreme Court on industrial disputes.

A brief memorandum on the above is enclosed.

Yours faithfully,

(K.G.Srivastava)
Secretary

Encl:

Proposals for inclusion in the agenda
for second meeting of
Central Implementation & Evaluation Committee

Item I : STUDY UNDER THE CODE OF DISCIPLINE BY A TRIPARTITE
BODY INTO THE FOLLOWING CASES REFERRED TO THE
E&I DIVISION BY THE AITUC:

- (1) Unfair Labour Practices in East Jemehary colliery;
- (2) Violation of the Code of Discipline by the management of Kemoram Cotton Mills, Calcutta;
- (3) Denial of Registration to Trade Unions affiliated to AITUC in Bihar, and
- (4) Violence against AITUC affiliates in Sirpur-Kaghaznagar and Singareni Collieries.

MEMORANDUM

A brief recital of each of the above cases is given below.

1. UNFAIR LABOUR PRACTICES IN EAST JEMEHARY COLLIERY: The Colliery Mazdoor Sabha (AITUC), Asansol in a letter dated 11/13 June 1958 addressed to the Minister of Labour and Employment stated that a tense situation has arisen in the East Jemehary Colliery, Raniganj, following the refusal of the employer to retain 118 workers in employment unless they signed a humiliating bond. The AITUC also referred this case to the Union Labour Ministry on June 23, 1958, and requested for their intervention. Meanwhile, the E&I Division wrote to the AITUC on June 12, 1958 and August 21, 1958 that the Colliery Mazdoor Sabha (AITUC), Asansol, is allegedly indulging in violent activities at the East Jemehary Colliery, Raniganj. The allegation was denied and it was pointed out that there existed a tense situation in the colliery, which was due to the refusal of the management to give work to 118 miners from 30th May 1958 onwards until they signed the above-referred bond. After a good deal of correspondence and discussions, the AITUC had with the E&I Division, and according to an agreement which the Regional Labour Commissioner (Central) was able to arrive at with the management on September 19 8, 1958, "it was agreed that the management would take back 30 workers immediately, 67 workers in batches of 10 to 15 as and when vacancies arose, within a period of 15 to 20 days and 21 workers who had been arrested by the police for violence after their acquittal." (vide Ministry of Labour & Employment letter No.E&I-35(31)/58 dated October 7, 1958). Since then the case

of alleged violence launched against 34 workers has been set aside and the workers acquitted of all charges. However, the position today is that 49 workers are even now kept out of employment. What has been extremely disconcerting is the fact that the E&I Division informed the AITUC on March 3, 1959 that only 15 workers were kept out of job because no suitable vacancy existed, that is, clearly counting out the 34 workers who were assured of reinstatement once the cases against them were disposed off. There is evidence to show that the employer concerned was deliberately avoiding reinstatement of the workers to their old jobs on the plea of no vacancy. Again, the Dhanbad Tribunal in his decision of 27th November 1958 has upheld that the management had indulged in a lock-out by refusing to re-employ the workers after May 30, 1958. When such a clear case of unfair labour practices in violation of the Code of Discipline has remained unsettled for nearly an year now, there is bound to be serious unrest in the colliery area.

2. VIOLATION OF THE CODE OF DISCIPLINE BY THE MANAGEMENT OF KESGRAH COTTON MILLS, CALCUTTA: This case is before the E&I Division from October 1958, as far as violation of certain provisions of an agreement was concerned. Another glaring instance of unfair labour practice in preventing the functioning of elected Works Committees in the same establishment was also reported earlier on July 27, 1958. The position has not only not improved since then but the management of the mills have taken a more provocative attitude. They are utilising anti-social elements to create an atmosphere of terror, in order to crush the AITUC union. The W.Bengal Committee of the AITUC (vide letter dated February 14, 1959) has also brought before the attention of the E&I Division an instance of the violation of inter-union code of conduct on the part of the INTUC union in the above establishment. The mills are owned by the House of Birlas, one of the largest industrial combines in the country, and hence the trade unions would naturally interpret their actions as generally representative of all employers.

3. DENIAL OF REGISTRATION TO TRADE UNIONS AFFILIATED TO AITUC IN BIHAR:

This question has been raised repeatedly in several tripartite bodies by the AITUC and has also been raised with the E&I Division. The refusal to register AITUC unions in Bihar is notably in the case of United Mineral Workers Union, Gua (Singhbhum), and the Chaibasa Cement Mazdoor Union, Jhinkpani. The latter even got a writ of mandamus issued by the High Court to expedite registration. However, the Registrar without assigning any reasons has denied the registration.

The AITUC believes that the Bihar Government is, in these cases, guided by certain considerations other than strictly legal and procedural questions and is deliberately discriminating against the AITUC. This is, indeed, a grave charge but we are forced to record it as such since the action of the Bihar Government is otherwise inexplicable. The unions concerned are actively functioning and have majority backing, and denying even registration to them should be tantamount to violation of the Code of Discipline by the Bihar Government. The AITUC therefore demands a tripartite study into this allegation.

4. VIOLENCE AGAINST AITUC-AFFILIATED UNION IN SIRPUR KAGHAZNAGAR

AND IN SINGARENI COLLIERIES (ANDHRA PRADESH): On June 24, 1958, the AITUC reported to the Minister for Labour and Employment, Government of India that in the last week of May and early June 1958, there had been several instances of organised violence against office-bearers of the AITUC-affiliated Sirsilk Factory Workers Union, in Sirpur Kaghaznagar, Andhra Pradesh. The AITUC leaders responsible for these organised attacks were named in the letter. However, barring an acknowledgement from the Minister for Labour and Employment, the AITUC has as yet no knowledge of any action taken by the Labour Minister on this matter.

On October 13, 1958, the AITUC also referred to the Union Labour Minister, another instance of violence against its affiliate in Singareni Collieries. On this complaint, the E&I Division has made a counter-allegation that the AITUC affiliate has also instigated violent activities.

NOTE: The demand for tripartite study under the Code of Discipline on the above cases is made in the context of the conclusions of the 17th Session of the Standing Labour Committee (Item B, iv)).

Item II: CONSTITUTION OF A TRIPARTITE SCREENING MACHINERY TO SCRUTINISE APPEALS TO HIGH COURTS AND SUPREME COURT ON INDUSTRIAL DISPUTES.

Memorandum

In the first meeting of the Central Evaluation & Implementation Committee, it was decided that central organisations of workers and employers should be advised to set up a screening machinery on their own to restrain appeals to High Courts and Supreme Court on industrial disputes. [Item 3, (ii)]

Experience since then has shown that this recommendation has not achieved the desired results. Several disputes are now before the Supreme Court on appeal against industrial awards. As was revealed by Shri G.B.Pant, Home Minister, Government of India, in reply to a question in the Rajya Sabha on February 19, a total number of 172 cases are pending as on February 1, 1959. Of these, the Home Minister stated, 5 cases are pending since 1956, 75 since 1957 and 92 of 1958 are pending.

Thus, while speedy action should be taken by the Government of India to bring about settlements out of court, it is essential that a tripartite committee to scrutinise the appeals is set up immediately. The AITUC had demanded, vide letter No.174(5)/IC/58 dated November 21, 1958, the constitution of such a tripartite screening machinery, and the Central Evaluation and Implementation Committee had also suggested setting up a tripartite committee if the procedure suggested on Item 3, (ii) did not succeed.

T. U. LAW BUREAU:
R. L. TRUST BUILDING,
35, GIRGAON ROAD,
BOMBAY 4 (INDIA)

अखिल भारतीय ट्रेड यूनियन काँग्रेस
ALL-INDIA TRADE UNION CONGRESS

4, ASHOK ROAD,
NEW DELHI.

President : S. S. MIRAJKAR.
General Secretary : S. A. DANGE, M.P.

No. 185/KM/58

March 19, 1959.

Shri R. L. Mehta, IAS,
Joint Secretary to
the Government of India,
Ministry of Labour & Employment,
New Delhi

Sub: Alleged Lawlessness in Orissa Mineral
Development Company, Bailil

Dear Sir,

Please refer to your D.O.No. EI-35(38)/58 dated
13th March, 1959, and earlier letter No. EI-35(38)/58
dated the 5th December, 1959.

We have further investigated into the incidents
that took place in Thakurani Mines on 4th June, 1958, and
our enquiry has revealed the following facts confirming
our earlier stand as stated in our letter No. 185/KM/58
dated 15th October, 1958.

1. On June 4, 1958, a workers' procession with police
permission went round Thakurani. Therefore it is not correct
to say that the workers equipped with lathies went to
Thakurani Mines to attack the workers of other group.

2. Rather, on the same day the workers led by INTUC and
the Company's men threatened to assault the workers in the
procession in spite of the presence of the police. The
processionists protested to the police about the attitude
of the INTUC workers but the police officers present there
took no note of it.

2. The allegations against workers belonging to our
affiliate, that they went to the quarters of Shri N.K.Das
and threatened him are false and baseless. The workers
never threatened Shri N.K.Das to vacate the quarter.

3. It is a fact that Shri Sukra Nag asked drinks and
when workers refused to oblige him he became violent and
flashed a dagger. It is not correct that workers had a
grudge against him for appearing before the tribunal on
behalf of the management.

4. In view of the above findings, we ^{are} constrained to
state that your enquiry has failed to reach anywhere near
the truth. What we feel is, that a tripartite enquiry will
be much more useful in establishing the truth. Hence, we
demand that a tripartite enquiry should be held to enquire ^{into}
into the case.

Yours faithfully,


(K. C. SRIWASTAVA)
SECRETARY

March 19, 1959

Shri R.L.Mehta, IAS,
Joint Secretary to
Government of India,
Ministry of Labour & Employment,
New Delhi.

Dear Sir,

This is to bring to your kind notice the following two cases of Non-Implementation of the Award and the Violation of the Code of Discipline in the New Jamehary Khas Colliery (Raniganj) and the Kustore Colliery (Jharria) respectively.

1. There was a strike in the New Jamehary Khas Colliery (Raniganj) in September, 1956. The case was referred to the Regional Labour Commissioner (Dhanbad) and the Industrial Tribunal. Both the Regional Labour Commissioner and the Chairman, Industrial Tribunal, held that the strike was fully legal and the workers were entitled to bonus for that period. The award of the Tribunal was given in August, 1958.

Nearly, seven months have elapsed since the award of the Tribunal but the workers have not yet been paid bonus for the strike period.

The Tribunal had ordered reinstatement with all back-wages of Shri Narayan Chandra Ghosh, Overman, Srimati Uma Biswas, Creche Nurse and Shri N. Biswas clerk. Besides, the Tribunal had ordered full retrenchment benefit to be paid to Shri Suresh Bhar.

But, the management has not yet implemented the Award. This matter has already been brought to

the notice of the Regional Labour Commissioner, Dhanbad and the Ministry, but no action has been taken during all these months.

~~Services of 200 workers working under the~~
contractors, M/S G.P. Singh & Co., were terminated following the termination of the contract of M/S G.P. Singh & Co. with the Raniganj Coal Association Ltd., whose Managing Agents are M/S B.N. Elias & Co. These workers were engaged in the Alkusa South Section of the Colliery.

Since, the section is now being worked directly under the company itself, the workmen concerned should have been treated as direct employees of the Company and thus should have been maintained in service. The company at the time of termination of the Contract stated before the Conciliation Officer that they had no intention of working the mine. Thus taking the company at their words, the workers accepted retrenchment compensation only to realize later that they had been cheated by the company; that the company had gone back at its words and that it was running the mine through C.R.O.

The matter was referred to the Conciliation Officer, who informed the matter has been taken up with the Government. But it is regretted that nothing has been done so far to reinstate the retrenched workers.

Hence, we request you to give this your serious consideration and use your good offices in getting the retrenched workers reinstated.

Yours faithfully,

[Signature]
SECRETARY

GOVERNMENT OF INDIA
Ministry of Labour and Employment

11 4 MAR 1959

Dated New Delhi, the 12th March 1959.
D.O. No. L.I. 34(20)/58

Dear Shri Sriwastava,

Kindly refer to your letter No. 185-I/59 dated the 17th February, 1959 addressed to Shri R.L. Mehta, I.A.S., regarding conclusions of the Central Implementation & Evaluation Committee (First meeting - September 20, 1958). I have had the point raised in para 4 of your letter examined. The Attorney-General is free to appear in any case which is not against Govt. It is therefore not possible for us to impose any restrictions on his professional activities.

Yours sincerely,


(S.B.L. Nigam)

Shri K.G. Sriwastava,
Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

18 Mar 1959

PHONE : 45-4092

Garden Reach Textile Workers' Union

REGD. NO. 462
(Affiliated to All India Trade Union Congress)
Q 77, AKRA ROAD : CALCUTTA - 24

Ref. No. G/KC/59/82

Date 16th March '59.

Under Certificate of Postage

Shri Abdus Satter,
Minister for Labour,
Government of West Bengal,
Calcutta-1.

Re: Kenornam Cotton Mills Ltd., Calcutta-24.

Dear Sir,

We would like to bring to your attention that your honour assured us on 3.11.1958 that all necessary steps will be taken by the Government in the matters of disputes between the workmen and the management so that the management ~~will~~ abides by the terms of settlement and Awards.

Since then we had the occasion to you and submit to you in details of the non-implementation of agreements, Awards, Bonus disputes and other unfair practices by the management.

The following are the pending disputes before your honour.

1. Payment of balance bonus for the year 1955-56 & 56-57 as per agreement dt. 1.12.1956.
2. Payment of bonus for the year 1957-58 as per terms of agreement dt. 6.12.1956.
3. Implementation of the terms of the Tribunal Award. 1958.
4. Payment of wages for 11.11.1958, (Dewali)
5. Illegal dismissals and suspensions for indefinite period of the leading workmen of the Union.
6. Violation of the Code of Discipline, by increasing workload unilaterally by the management and reduction of hands etc.

As the disputes are pending before you since long and the management is paying no heed to the laws of the land the workmen are getting impatient over the matter.

We, therefore, request you to please let us know at the earliest the steps taken by the Government to bring the management into books and secure proper relief to the aggrieved workmen.

Thanking you

Yours faithfully,

- c.c.to;
1. R.L.Mehta I.A.S.
Ministry of Labour & Employment,
Govt. of India.
 2. General Secretary,
All India Trade Union Congress.

R.L. Mehta
President .
General Secretary. *[Signature]*

185-16

No. E&I-5(24)/58
Government of India
Ministry of Labour & Employment

From

Shri R.L. Mehta I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
1, Ashok Road,
New Delhi.

Dated New Delhi, the

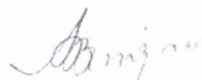
Subject:- Non-implementation of award and agreement by
employers in Textile Industry, Coimbatore.

Dear Sir,

In continuation of this Ministry's letter of
even number dated the 9th March, 1959 on the above subject
I am directed to say that though the Union had made a
representation before the Labour Court, the award of
the Labour Court, Coimbatore, did not provide for payment
of increased wage rates with retrospective effect to
fifteen workers in Balasubramania Mills.

As regards Kalposwarar Mills, the State Government
have already launched prosecution against the management
for the closure of the Mills in contravention of section
3A of the Industrial Disputes Act. The question of
taking over the Mills by the State Government is under their
consideration.

Yours faithfully,



(S.B.L. Nigam)
For Joint Secretary

d.s.nil
"Jarwal"
28.3.

1st April, 1959

Dear Shri Mehta,

Our affiliate, the United Iron & Steel Workers Union, Burnpur has informed us that on March 25, 1959, INTUC workers attacked the activists of our union at the gates of the Indian Standard Wagon Company and inside the works, thereby causing serious injuries to some of our workers. The details of the incident are as follows:

On March 25, 1959, it being a pay day, workers belonging to our affiliate were collecting union subscription at the gates. Workers belonging to INTUC union the Asansol Iron & Steel Workers Union came and attacked our workers who were peacefully collecting the subscription. One Jirja, member of INTUC union stabbed Ram Surath Dubey, an activist of our affiliate, on the neck with a long dagger. Some of the miscreants entered the Works and along with Bhola Mukharjee, Bhulla Singh, Santa Singh, Sadha Singh Sanji Dewari alias Arame Sar, Amarnath and others assaulted some of our prominent members with iron rods. As a result, Sahid Khan and Bedai received serious injuries on their heads and persons.

The injured persons have been admitted in the hospital and their condition is reported to be causing alarm among the workers. Tension is prevailing in the area and the industrial peace has been seriously endangered.

We are informed that the attack was planned and premeditated and it is reported that the management was not very averse to the idea of terrorising the workers belonging to our affiliate and consequently it had given a long rope to the workers belonging to INTUC union who dared to attack our workers inside the works also.

This attack by the I. U. C. workers constitutes a serious breach of the Inter-Union Code of Conduct. Hence, I request you to give this matter your immediate attention and to use your good offices in stopping these activities of the I. U. C. union.

Thanking you,

Yours sincerely,

(H. K. Bangamani)
M.P.

Shri R. G. Mehta, IAS,
Joint Secretary to
Government of India,
Ministry of Labour & Employment,
New Delhi

1st April, 1959

Shri R. L. Mehta, IAS,
Joint Secretary to
Government of India,
Ministry of Labour & Employment,
New Delhi

Sub: Violation of the Code of Discipline
New Marine Colliery and Kirkend
Coal Co., Dhanbad.

Dear Sir,

We forward herewith two cases of the
breach of the Code of Discipline, with required
proforma, as received from your affiliate the
Bihar Koyla Mazdoor Sabha, Dhanbad.

Yours acknowledge receipt.

Yours faithfully,

Encl: 2

(K. T. M. Tangamani), MP
Secretary

30 APR 1959

Confidential

(185)
E&I-11(39)/58
Government of India
Ministry of labour & Employment.

...

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dated New Delhi, the 30.4.59

Subject:- News item under the caption 'Tatagiri in
Steel City' published in Blitz dated the
March, 1959.

...

Dear Sir,

I am directed to refer to your letter
dated the 18th April, 1959 on the above subject and to
send herewith a copy of the cutting of 'Blitz' referred
to therein.

Yours faithfully,

R. L. Mehta
for Joint Secretary.

Enclosure : One.

FACTORY :
MURBAB ROAD, KALYAN.
TELE. { PHONE 123/4 KALYAN
64 KALYAN CAMP
GRAM: 'CENRAY' KALYAN

CENTURY RAYON

(Prop: The Century Spg. & Mfg. Co., Ltd.)
INDUSTRY HOUSE
159, Churchgate Reclamation
BOMBAY - 1.

HEAD OFFICE:
PHONE: 36851/2
37287, 37263
TELE. { GRAM: 'CENRAY' BOMBAY.
MANAGING AGENTS:
BIRLA BROTHERS PRIVATE LTD.

P.B. No: 22,
KALYAN (C.Rly.)

Dated 23rd April 1959 .

Ref. No: PG/7780

M/S. All India Trade Union Congress,
55, Girgaum Road,
Bombay-2 .

Dear Sirs,

Subject:- Breach of Code of Discipline in Industry.

We are enclosing herewith a copy of Proforma sent by us to necessary State and Central authorities regarding the breach of Code of Discipline in Industry committed by Chemical Kamgar Union, Ambernath from 11-0 P.M. of 6-4-1959 to 11-0 P.M. of 16-4-1959, for your information and necessary action .

Thanking you,

Yours faithfully,
For CENTURY RAYON,
(Props. The Century Spg. & Mfg., Co., Ltd.)

B. L. Shah

(B L SHAH)
Factory Superintendent .

Encl: as above .

185

COLLIERY MAZDUR SABHA
G. T. ROAD
ASANSOL.

CMS/DMG/10/59.

Dated 20th April 59.

To
The Labour Minister,
Government of India,
New Delhi.

Subj- Increasing goondalism and attack on Trade Unionists
in Dhomo-Main Colliery of M/S Macneil & Barry Ltd.

Dear Sir,

I like to draw your serious attention to the increasing goondalism and attack on Trade Unionists and workers with active Trade Union functionings in Dhomo-Main Colliery, P.O. Sitarampur, Dt. Burdwan of West Bengal. It is worth recalling that such activities, which are being constantly initiated by the Managements of this colliery, have been reported to the Ministry on several occasions and to our utter disappointment we find that no action was taken. For example I will request you to please refer to my letter to your offices dated 27/2/59 which evidently shows how an Engineer of this colliery had assaulted a Winding Engine Khalasa of this colliery while he was on duty. It is to be noted that no response from your office in this regard has not bettered the situation and we again find that that occurrence is being followed by so many, which have created terrific condition in this colliery.

On 29/3/59 Shri Bechan, an active Trade Unionist and Leader in this colliery was attacked by Company's goonda type of men while he was busy collecting Union subscription. Shri Sambilash Ojha, a very noted man of this Management and is well known goonda of this company. It is to be amazed that in spite of protests by the workers and Union Management kept silence and thus allowed such zulum in the colliery. Shri Arjun Munia, Trammer and our Local Leader at the same colliery also was similarly treated. On 30/3/59 also similar attempts and acts were made and tax on attempts to bring the situation under control Shri N.K. Lala, the Local Secretary was also threatened by this gang of goondas of the Company.

As Management did not make any attempt to stop these activities of its men, situation began to deteriorate and Shri Bechan was again threatened by men of this gang on 16/4/59 but was able to save himself. Management with its goondas dictator here and Shri Arjun was again subjected to the brutal act of being confined in the worst way by Company's Contractor, Shri Ramkhalawat. This contractor got hand of Shri Arjun bound behind and after some time he was tied to a pillar and shocking enough, he was not satisfied and tied him at almost all the limbs and assaulted him. This shameful act has been a matter of grave concern to the workmen and Union of the Colliery.

Thus the situation in this colliery has been too horrible and it is to be seen how Trade Union workers are subjected to such zulums. It is to be further noted that assault and confinement of Shri Arjun was after Verification Officer (C) had visited this colliery and had asked Shri Arjun as to which Union he belonged. He had told that he belonged to Colliery Mazdur Sabha and hence this assault and zulum. It is needless to say that this Management is moving in the worst way and has resorted to such nefarious activities even for exp his expression that he belonged to this Union.

As minimum functioning of Union has been practically impossible. I request you to please

Confid.

Yours faithfully

D. Dewar
E. N. Tewary,
General Secretary.

✓ Copy to :-
Shri S.A. Dange, M.P.
General Secretary,
All India Trade Union Congress.
New Delhi.

Smt. Renu Chakravarty, M.L.A.
President, Colliery Mazdoor Sabha
New Delhi.

Shri Kalyan Roy,
General Secretary,
Indian Mine Workers' Federation.
Dhanbad.

for necessary action please.

No. E&I-43(42)/58
Government of India
Ministry of Labour & Employment

From Shri R.L.Mehta, I.A.S.,
Joint Secretary to the Government of India,

To The Secretary,
All India Trade Union Congress,
4 Ashok Road,
New Delhi.

Dated New Delhi the 30th April '59

Sub: Violation of Tribunal Award by Keshoram Cotton Mills, Calcutta.

Dear Sir,

I am directed to refer to your letter No. 185/II/GRT/58 dated the 2nd April, 1959 on the above subject and to say that the position in respect of the points raised by you is as follows:-

(1) Bonus for the years 1955-56, 1956-57 and 1957-58:

- (a) Bonus for 1955-56: As there was difference of opinion between the parties on the interpretation of one of the clauses of agreement dated the 6th December, 1956 and as a mutual settlement could not be brought about, the State Government is considering the question of referring the matter to the Tribunal for interpretation.
- (b) Bonus for 1956-57: Bonus for this year was paid on the basis of an interim recommendation of the Second Major Cotton Textile Tribunal and there is no dispute now on this issue.
- (c) Bonus payable for the year 1957-58: As no mutual settlement could be arrived at on the question whether or not the bonus should be paid on the basis of the Omnibus Cotton Textile Tribunal's Award, the State Government is considering the question of referring the matter to a Tribunal for interpretation under Section 36(A) of the Industrial Disputes Act.

(2) Payment of casual ~~leave~~ leave with pay:

The matter was pursued with the management who have since given casual leave to workmen with pay for the year 1957 on the same basis as was done in 1956. There is no further dispute now on this account.

(3) Non-implementation of the Award of the Cotton Textile Tribunal in respect of statutory leave, festival holidays, ect.

The matter is under negotiation with the parties and a joint conference will be held on receipt of the unions's views on the management's comments.

(4) Indefinite suspension of workers belonging to AITUC Union:

The disputes relating to the suspension of 29 workmen and discharge of 22 workmen have already been referred to a Tribunal for adjudication. Other issues, namely increase in work load, suspension of workers for an indefinite ~~period~~ period, etc., which are not covered by the Award have been taken up by the State Conciliation Officer for necessary action.

(5) Incident of the 26th January 1959:

As serious breaches of law and order took place on the 26th January, 1959, the case is under Police investigation and the matter is sub judice.

(6) Violation of the Code of Discipline by the Management:

According to the procedure proposed by the State Implementation Evaluation Committee, the parties have been advised to take up minor cases of breach of the Code first at the plant level and, failing settlement, the matter should be taken up with the Central Organisations of Employers and Employees concerned; if no settlement is possible even thereafter the matter has to be referred to the State Evaluation Committee for necessary action.

I am to request that the Union concerned may kindly be advised to follow the procedure laid down by the State Implementation and Evaluation Committee for dealing with breaches of the Code of Discipline, etc., and if necessary the State Deputy Labour Commissioner (Enforcement) who has been made responsible for the implementation of labour enactments, awards, agreements, etc., may be ~~contacted for~~ contacted for holding prompt enquiries into the breaches of the Code.

Yours faithfully,

Sd/-
(S.B.L.Nigam)
for Joint Secretary



MINISTRY OF
LABOUR AND EMPLOYMENT.

New Delhi the 27th April, 1959.

28 APR 1959

Dear Shri Srivastava,

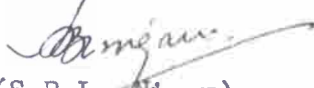
Please refer to your d.o. letter No. 185/EJ/59 dated the 11th March, 1959, regarding East Jamehari Colliery.

2. As a result of our continuous efforts, the management of the colliery, which was not prepared to take back any of the workers who took part in violence, etc., in May 1958, has since provided jobs to 69 out of the 118 affected workers. Of the remaining workers, 9 (as admitted by the Indian Mine Workers' Federation also in their letter dated the 23rd September, 1958) left the colliery after taking final payments in September, 1958. Subsequently, 3 more workers left and one absconded due to a police warrant. Thus, including the 21 workers against whom police cases were pending, the total number of workers still to be provided for comes to 35 and not 49 as mentioned in your letter, under reference.

3. It will be recalled that the Government of India did not agree to refer the case to adjudication as the workers had indulged in acts of violence and it is due to the persistent efforts of this Division and of the Conciliation Machinery that the management has been persuaded to take back the majority of workers. The management is still willing to take more as and when vacancies arise. The employment position in this colliery has, however, become difficult as deposits of coal are exhausting and de-pillering is under way. Shri Sunil Sen, Secretary of the Colliery Mazdoor Sabha, has admitted this fact before the Regional Labour Commissioner who investigated into this matter recently.

4. Regarding the decision of the Dhanbad Tribunal it may be pointed out that in an application filed by the management of the East Jamehary Colliery dated the 13rd June, 1958 under the Coal Mines Bonus Scheme, 1948, the Regional Labour Commissioner (Central), Dhanbad held that the workmen of the colliery had not gone on strike from the 30th May, 1958 and that the stoppage of work was more in the nature of a lock-out. The Industrial Tribunal, Dhanbad, before whom an appeal was filed, upheld the Regional Labour Commissioner's decision regarding the strike but it did not agree with his observation that the stoppage of work was more in the nature of a lockout.

Yours sincerely,


(S.B.L. Nigam)

Shri K.G. Srivastava,
General Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

23 APR 1959

105

No. F.I-10(7)/59.
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT.

.....

From Shri R. L. Mehta, I.A.S.,
Joint Secretary to the Government of India.
To The Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dated New Delhi, the

22 APR 1959

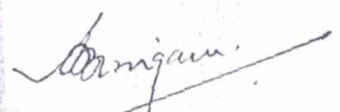
Subject:- Acts of violence by the members of INTUC Union
in Bermo-Kargali area.

.....

Dear Sir,

I am directed to refer to your letter No. nil dated the 14th February, 1959 on the above subject and to say that on investigation it has been found that the trouble on 2nd January 1959 arose as a result of a quarrel between two students near the shop of Shri Gurbachan Singh. Some of the members of the Union affiliated to your Organisation, sitting in the shop of Shri Gurbachan Singh, sympathised with one of the boys while other who were members of the INTUC-Union, showed their sympathy for the other. This led to a scuffle between the two parties which was immediately stopped by the arrival of the police and no major incident took place. Shri Bindesari Dubey, Vice President of the Colliery Mazdoor Sangh (INTUC) was not present at the spot, as mentioned by you, at the time of the scuffle; he reached the place after the police had arrived and the situation had been brought under control. In the circumstances, the incident cannot strictly be regarded as a breach of the Code of Conduct.

Yours faithfully,



for Joint Secretary.

K.S.
D.A.NIL.
21/4/59

18 APR 1958

No. F&I-11(14)/B
Government of India
Ministry of Labour & Employment

From Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

18 APR 1958

Dated New Delhi, the

Subject:- Jamshedpur Affairs.

Dear Sir,

I am directed to refer to your letter No. 261-II/JMU/58, dated the 10th November, 1958 on the above subject and to say that the various points raised in your letter under reference have been examined and the position is as follows.

2. Only such persons as were required in specific criminal cases were arrested and orders regarding bail were passed by the Magistrates concerned in exercise of their Judicial discretion without any interference, prejudice or bias.

3. Regarding the case of Shri Kalindi, it is understood that he suddenly got an attack of paralysis and became unconscious on 25th October 1958. He was immediately removed to the Government hospital at Sakchi where he suddenly died on 29th October 1958, of infection of the brain and cerebral abscess. Servashri Barin and Jagir Singh, were immediately removed to Government hospital, where they fell sick in the Jamshedpur sub-jail, and given all proper treatment. The condition of both of them is reported to be satisfactory.

4. Only the persons required in various criminal cases were arrested and they are being treated in the normal way.

5. We had received a representation from 163 retrenched temporary employees of TISCO, and on enquiry it is understood that most of them have been re-employed.

6. The revised Standard Force has been evolved by the management after a proper study and in consultation with the recognised Union.

7. From enquiries made, it is understood that the workers have not been denied normal and usual facilities inside the factory in TISCO.

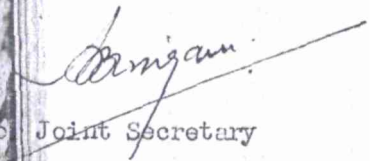
8. It is understood that the Zonal Committees have disposed of all appeals; only a few of them are now pending before the Central Works Committee. It is not a fact that the people who have been taken back are only those who preferred appeal through the Tata Workers' Union.

9. The State Government have recently modified the procedure for recognition of Unions to bring it in conformity with the Criteria for recognition evolved at Haimital in May, 1958, and it is now open to the Jamshedpur Mazdoor Union to approach the Labour Commissioner for determination of its representative character in accordance with the modified procedure.

10. A properly constituted Works Committee is already functioning in TISCO.

In case you have any other complaints in the matter I am to request you to bring them to the notice of the Government of Bihar which have already set up an Implementation machinery to deal with cases falling in the State *sphere.*

Yours faithfully,



for Joint Secretary

h.s. mil.
h.s. 15/4

TA AGIRI IN STEEL CITY.

Jamshedpur: In Tata's raj, even the worst offenders get away.

An attempt to force former employees to starvation is punished with a mere reprimand.

The Chief Town Engineer of the Tata Iron and Steel Company, Mr. A.K. Aga, issued a circular No. TE/C/184 on June 20, 1958, to all town contractors warning them not to employ any employee dismissed from the services of the TISCO because of his or her participation in the strike.

This circular created a good deal of indignation and protest. Recently, Mr. R.L. Mehta, Joint Secretary to the Government of India, informed the Secretary of the Jamshedpur Mazdoor Union that the circular referred to by them was issued without the knowledge or approval of the company and the person responsible for it has already been 'reprimanded'.

The contractors, however, continue to refuse to employ any of the dismissed employees.

xxx

xxx

x xx

xx x

18 APR 1959

No. EMI 7(1)/58
Government of India
Ministry of Labour and Employment

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India

To

The Secretary,
All India Trade Union Congress,
4, Asoka Road, New Delhi.

Dated, New Delhi, the

15 APR 1959

SUBJECT:- Non-implementation of settlement by management of King
George Hospital, Vishakhapatnam.

Dear Sir,

In continuation of the undersigned's d.o. letter of even number dated the 8th December 1958 on the above subject I am directed to say that the State Government have since approved the proposal to appoint additional staff in the State Medical Department in 1959-60 and it is hoped that the terms of the settlement will now be implemented.

Yours faithfully,


for Joint Secretary

d.a.nil.
b.k.m. 8/4

R.L. Mehta, I.A.S.
Joint Secretary.



D.O. No. E&I-10(9)/59

MINISTRY OF
LABOUR AND EMPLOYMENT.

15 APR 1959
14 APR 1959
Delhi, the 14th April 1959

Dear Shri Tangamani,

185

Kindly refer to your d.o. letter No. 185(CC)/59 dated the 1st April, 1959 regarding the alleged attack on the members of United Iron & Steel Workers' Union, Burnpur. I am getting the complaint investigated and shall write to you soon.

Yours sincerely,

R.L. Mehta
(R.L. Mehta)

Shri K.T. K. Tangamani, M.P.,
C/O All India Trade Union
Congress,
4, Ashok Road,
New Delhi.

No. 185(CD)/59

April 14, 1959

Shri R.L.Mehta, I.A.S.,
Joint Secretary to the
Government of India,
Ministry of Labour & Employment,
New Delhi.

Dear Sir,

We are herewith forwarding a case of
the breach of the Code of Discipline, in
a required proforma, as received from
our affiliate, The Dacca Sugar & Abkhari
Company Workers Union, Pugalur.

Please acknowledge receipt.

Yours faithfully,

T.B.V.
(T. B. Vittal Rao)
For General Secretary

Encl:1

17 APR 1959

No.E&I.5(1)/59
GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT

...

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dated New Delhi, the

174 APR 1959

Subject :- Second meeting of the Central Implementation and
Evaluation Committee - Agenda.

...

Dear Sir,

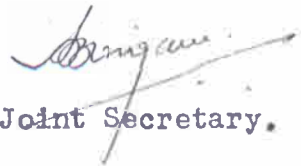
I am directed to refer to your letter No. 185-I/C/59, dated the 20th March, 1959 on the above subject and to say that it would be desirable if the cases falling in the State sphere are discussed by the State Implementation and Evaluation Committees, particularly in the States in which such Committees are functioning. The case regarding Kesoram Cotton Mills, Calcutta is already under the consideration of the West Bengal Implementation Committee; your complaint regarding denial of registration to unions affiliated to All India Trade Union Congress in Bihar, also concerns the State Government and as you are aware, in one of the two cases cited by you - Chaibasa Cement Works Union, Jhinkpani - the State Registrar of Trade Unions has already conveyed to you his decision. To discuss these cases in the Central Implementation and Evaluation Committee would mean by-passing the State Machinery set up for the purpose which would be extremely embarrassing, for all concerned. These complaints are therefore better left to the State Implementation Committee to deal with.

2. The disputes relating to East Jamehari Collieries and Singareni Collieries as well as the suggestion for the constitution of a tripartite committee to scrutinize appeals - presumably you mean pending cases - to High Courts/Supreme Court on industrial disputes can certainly be discussed at the next meeting of the Central Implementation and Evaluation Committee.

3. As regards the complaint relating to Sirsilk Factory Workers' Union, a further communication will follow.

4. The agenda of the meeting will be finalised on receipt of the views of all the members of the Committee.

Yours faithfully,



for Joint Secretary.

d.a.nil
a.s.b.11.4.59

185

15 APR 1959

No. E&I-12(69)/59/574(17).
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT.

From

Shri R. L. Mehta, I.A.S.
Joint Secretary to the Government of India.

To

The Office Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

114 APR 1959

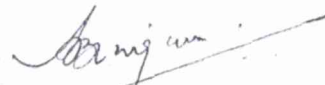
Dated New Delhi, the

Subject:- Code of Discipline - Retrenchment of workers
in Bharat Woolen Mills Ltd.

Dear Sir,

With reference to your letter No. 185(CG)/59 dated the 2nd April, 1959 on the above subject I am directed to say that the matter is under investigation of the State Government. It may be mentioned in this connection that the Government of West Bengal have already set up an Implementation Cell and a Tripartite Implementation Committee and in order to expedite the matter it might help if you contacted Shri S. N. Roy, Assistant Labour Commissioner, West Bengal who is the State Implementation Officer.

Yours faithfully,



for Joint Secretary.

k.s.
d.e.nil.
14.4.59

- 8 APR 1959

COLLIERY
G.

MAZDUR
T.
SABHA

ROAD

ASANSOL.

CBS/DND/8/59.

Dated 4th April 59.

To
The Manager,
Dhomo-Main Colliery,
P.O. Siterampur,
Dist. Burdwan.

Subj:- Violation of Code of Discipline.

Dear Sir,

You are aware of the fact that a tripartite Code of Discipline is now regulating the Labour Management relation in the Coal Industry. The representatives of the Central Trade Unions Organisation, the Owners' Organisation and the Government have signed on this Agreement.

A section of this Agreement reads as follows:-

"III. Management agree

"(11) not to support or encourage any unfair labour practice such as (a) interference with the right of employees to enroll or continue as Union members, (b) discrimination, restraint or coercion against any employee because of recognised activity of Trade Unions and (c) victimisation of any employee and abuse of authority in any form; etc."

It is quite clear from this section that the Management are responsible for proper implementation of this agreement.

But, unfortunately it has been observed that the Management is not proving faithful to this agreement. For example, on the 29th March 59, at 4-30 p.m. at no. 5 Lower dhowra, Dhomo-Main Colliery, Sarbaaree Arjun Nunia, Praumer, Bechan Harijan, Loader & some others leading Trade Unionists of Colliery Mazdur Sabha, were coerced and threatened while they were busy in collecting Trade Union membership fees from the loaders and other workers, by Shri Ramjanam Gaba of the Management.

Again, on the 30th March 59, the very next day, at about 8-30 p.m. Shri Bechan Harijan, Misson, Leaders and others were attacked by Shri Ramjanam Gaba, Contractor, Ramjanam Gaba, Sanga sharan and others. These men were armed with lathis and deadly weapons and this attack was with a motive to restrain Shri Bechan and others from Trade Union activities. It is therefore clear that the above quoted agreement is being violated by you, who constitute a vital part of the Employers' Organisation, which have signed the above quoted agreement.

As this violation has been a cause of much dissatisfaction among the colliery workers, who want to enjoy their Trade Union right and observe Code of Discipline, I request you to please be faithful to the said Agreement and see that this Code may not be further violated.

An early reply will oblige.

P. T. O.

Contd.

Yours faithfully.


B. N. Tewary
General secretary.

Copy forwarded to:-

✓ Shri S. S. Dange,
General Secretary, All India Trade Union Congress
New Delhi.

Sri. Anu Chakravarty, B.P.,
President, Colliery Mazdur Sabha,

General Secretary,
Indian Mine workers' Federation,
Dhanbad.

Union Minister, Labour & Employment,
New Delhi.

Chief Mining Engineer,
Macneil & Co. Ltd. Disergarh, Purdwan

Chairman, Indian Mining Association, Calcutta.

For information and necessary action.


General secretary.

Shri B. K. Srivastava, P.O. No. E&I-34(16)/59
Research Officer, MINISTRY OF
LABOUR AND EMPLOYMENT.



New Delhi, the 3rd April, 1959

Dear Shri Srivastava,

Kindly refer to my d.o. letter of
even number dated the 10th March 1959
regarding the implementation of the con-
clusions of the first part of the
Central Implementation & Evaluation
Committee. I shall be grateful if you
will kindly let us know the details of
action taken by your organisation to
screen cases before the are taken to
the employees.

Yours sincerely,

(B. K. Srivastava)

B. K. Srivastava,
Secretary, All India Trade Union Congress,
1, Anand Bhawan, New Delhi.

Copy of letter No.E&I-II(39)/58 dated April 16, 1959 from Shri R.L. Mahta, Joint Secretary, Ministry of Labour and Employment to Shrimati Roma Chakravarty, M.P., 215, North Avenue, New Delhi.

Kindly refer to my d.o. of even number dated 6/7th February, 1959 regarding absorption of workers rendered surplus at Kulti. The position is briefly as follows:-

As far as the Delhi Agreement on Rationalisation is concerned, the closure of No. 4 Blast Furnace and C&D Coke Oven Batteries was effected after an agreement between the management and the recognised union; another agreement between the management and the union was entered into after the sudden closure of No. 5 Blast Furnace. The management has confirmed that all the workers mentioned in Annexure A to your letter under reference had declined alternative employment offered to them and that they were retrenched with full retrenchment benefit in terms of the agreement between them and the recognised union which has admitted that retrenchments were made correctly. As regards Shri Kunjan, the matter is being dealt with by the State Assistant Labour Commissioner, who will be glad to give further information in this regard.

The Rivetting Shop looks after the Smelting and Structural Works of the entire Kulti works, including Blast Furnaces and Coke Ovens. Before the closure of No. 4 and 5 Blast Furnaces and Coke Oven Batteries, 299 workers were employed in the Rivetting Shop. As a result of the closure of the Blast Furnaces etc., only 45 workers were rendered surplus of which all, except 20, were absorbed. Those 20 surplus workers were retrenched for reasons stated in Annexures A and B. With regard to the case of Shri Chand Mohd., he expressed his unwillingness to go to Government Steel Plants at the time of interview to a team of Government officials from different Steel Plants. He was subsequently offered an alternative job in Kulti in terms of the agreement, but he refused to accept any job other than of the type held by him earlier. As this was not possible, he had to be retrenched like other workers falling in the same category.

The fitters of Kulti who were directed to report at Burnpur on 16th January 1959 were adjusted as fitters according to the nature of jobs performed by them at Kulti and that they were not put on trial. The Management maintains that in transferring surplus workers to Burnpur from the Boiler Department, Kulti, the provisions of para 8 of the agreement dated 31st December 1958 were adhered to.

If there are still any points which you desire to be investigated further, I would suggest in view of the fact that the matter falls in the State sphere, that your union may approach Shri H.M. Ghosh, Assistant Labour Commissioner, West Bengal, who is the State implementation officer.

With regards

No. 172/NM/59
May 23, 1959

The Secretary to Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: New Marine colliery, Kusunda (Dhanbad)
- Refusal of management to allow 127
workers to resume work.

Dear Sir,

Our affiliate, the Bihar Koyla Mazdoor Sabha, Dhanbad, has already placed the facts of the above dispute before you, vide its letters dated 9th May, 16th May and 18th May, 1959. However, we are giving below the most important points.

There was a strike in the New Marine colliery, Kusunda, Dhanbad from 23rd March 1959, which was led by the Bihar Koyla Mazdoor Sabha. On April 25, 1959, the management signed an agreement with the INTUC-affiliated Colliery Mazdoor Sangh (copy enclosed) by which they offered to discuss the outstanding disputes with the INTUC union. The management also stated that they would not victimise any worker for participation in the strike and that all workers should resume duty within seven days. Clearly, the management was attempting to avoid a direct settlement on the outstanding disputes by unfair methods, with the help of the INTUC union.

This is in flagrant violation of the Code of Discipline.

When the workers reported for duty on May 7, the strike having been called off by the Bihar Koyla Mazdoor Sabha on May 6, 127 of them were not taken back to their jobs. The management's contention is that these workers did not present themselves on May 7, which is untrue. Again, the victimisation of these 127 workers by an agreement with the rival INTUC union is another instance of the violation of the Code of Discipline on the part of the management as well as the INTUC union.

page two

Thus the main issues in the dispute remain unsettled and the management has created further provocation by refusing to reinstate 127 workers to their jobs.

We would therefore request that your Ministry may intervene in the matter immediately and refer the dispute to adjudication, since all other efforts at settlement have failed. The management should also be compelled to reinstate the 127 workers kept out of jobs, forthwith.

Thanking you,

Yours faithfully,

1/22
pr...
(K.G.Sriwastava)
Secretary

185

Camp New Delhi
May 7, 1959

From
K.N.Joglekar,
Vice President,
National Railway Mazdoor Union,
No.1 Krishna Building,
Gokhale Society Lane,
Parel, BOMBAY 12

To
Shri Shahnawaz Khan,
Deputy Minister of Railways,
Government of India,
New Delhi.

Dear Shri Shahnawaz Khan,

During the last three days, myself and Shri Yajee have been discussing with you the question of implementation of the restoration of continuity of service of the ex-Barsi Light Railway employees. As pointed out in my previous correspondence in this behalf, the principle has kindly been accepted by the Railway Ministry but its implementation remains unaccomplished.

The following are the specific three points:

- (1) The adjustment of the seniority of every employee in his respective category on the basis of his service position as on 31.12.1953 and with consequential future effect.
- (2) Cancellation of the wage-cut and demotions and restoration of the concerned employees to their respective scale, grade and pay position as it stood on 31.12.1953 and on that basis integrate their services in their respective categories on 1.1.1954 and with consequential future effect.
- (3) Restoration of the annual increment due for the year 1954 to all employees.

In respect of item number 1, as per your advice, ^{this morning} I had consultation with Shri V.P.Sawhney, Joint Director, Establishment, and he has pointed out that the Board has already issued orders to treat the ex-Barsi Light Railway employees as integrated staff and accordingly give them benefit of continuity of service and adjust their seniority accordingly. He further stated that the orders ought to be implemented forthwith by the General Manager, Central Railway, and on my request, he has agreed to issue instructions likewise.

Regarding item No.2, i.e., of restoration of wages and scales, and item no.3, restoration of annual increment for 1954 lost on account of their being treated as new entrants then, are matters being looked after by Shri Chakravartty, Member, Staff, Railway Board.

You were kind enough to inform me and Shri Yajee that your Ministry has agreed to rectify all these three points and remove the grievances of the workers. May I therefore request you to kindly issue necessary specific instructions to the Railway Board Member, Staff to give early rectification to the same in matters pertaining to item 2 and 3 above.

Thanking you,

Yours sincerely,

(K.N.Joglekar)

185

May 4, 1959

Shri R.L.Mehta, I.A.S.,
Joint Secretary,
Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: Jurisdiction of West Bengal
Government in the matter of an
Industrial Dispute between Messrs
Bhowra Coke Company, 3-B Garsting
Place, Calcutta-1 and its employees
in the Head Office Establishment
of the Company.

Dear Sir,

Please refer to our letter dated March 10,
1959 on the above subject and let us know
about the action taken in the matter at an
early date.

Yours faithfully,

Office Secretary

1959

Garden Reach Textile Workers Union
0.77
Akhil Bharatiya Ghatana

185



ML/KC/59/186.

4.5.1959

Shri R.L. Mehta I.A.S.
Joint Secretary to the Govt. of India
Ministry of Labour & Employment,
New Delhi.

Sub: Violation of Award & Code of Discipline by Kesorem Cotton Mills.

Dear Sir,

We are to refer to your letter No. E & L-43(42)/58 dt. 30.4.1959 addressed to the General Secretary, All India Trade Union Congress, copy to us.

We have been surprised to note the contents of item 1(b) and 2 of your above letter.

1. Regarding item 1(b) i.e. dispute of payment of balance bonus for the year 1956/57, please note that the bonus was paid as per recommendation of the 1st Industrial tribunal and all the mills of West Bengal paid bonus accordingly. The management of the above mills was thus obligated to pay bonus as per terms of agreement (tripartite) and further please note that the management also gave notice to that effect that 'bonus will be paid on the same basis as paid last year'. The payment of bonus for the year 1956/57 was to be on the basis of agreement and as such the bonus for the year 1956/57 should be also in the same basis. We enclose herewith the copies of our correspondence to the Joint Secy, West Bengal, Notice of the Company and the representation of the Works Committee members of the mills. It would be evident that the Union raised the above dispute in time and as per assurance of the Labour Minister, the workmen accepted Bonus under protest.

2. Payment of Casual leave for 1957. The matter was raised before the Implementation division, State Government. The Shri S.N. Roy, Deputy Labour Commissioner, W.Bengal requested the management to pay the above Casual leave as per terms of Award but the management refused to do so. May it please be noted that the management paid much less amount than the provision of the award and many mills paid at the rate which the tribunal awarded i.e. 6 days with wages. As such we fail to understand how you can come to the conclusion that there is no dispute regarding the above.

3. Code of Discipline. It is reported that though we endeavoured to raise the issues of violation to the State Evaluation Committee and to the Labour Directorate, but it is observed that the State Machinery is proving powerless against the big management. The management continues to violate the provisions of the Code with impunity. Moreover it appears that the State Labour Directorate

is not keen to uphold the Code of Discipline and take proper and prompt action against concerns who deliberately violate the above Code of Discipline.

We have endeavoured to bring to your attention that the record of the above Company is a very bad record and the Company has since long 10 years violated all the provisions, favourable to the workmen, and have deprived the workmen from their legitimate dues with ulterior motives.

We, therefore, urge upon you to take the matter in your own hand and institute an enquiry upon the total affairs of the above Company at the earliest and uphold the Code of Discipline and relief to the workmen.

Thanking you,

Yours faithfully,

C.C. to:

1. General Secretary,
All India Trade Union
Congress,
2. West Bengal Committee,
All India Trade Union
Congress,

Arun Sen

(Arun Sen)

General Secretary.



(Copy)

To
The Manager,
Kesoram Cotton Mills Ltd.,
42, Garden Reach Road,
Calcutta-24.

Sir,

We the workers, elected on behalf of the workers in the Works Committee beg to submit the following for favour of your kind consideration and favourable action.

That the bonus which is going to be paid for the year 1956-57 and it has been notified that the payment will be done on 26.9.57 is not being given according to the terms of settlement of Bonus which was arrived on 6.12.1956 between the workmen's representatives and the management. The calculation is being done as we come to know has got no bearing with the terms of settlement.

Further we beg to submit that the balance Bonus for the year 1956 has not been paid, though you yourself is perhaps convinced that the payment of bonus in the year 1956 has not been done according to the terms of settlement dt. 6.12.1956.

We, therefore, protest against the mode of calculation of Bonus which has been done by the management and hope that the management would take measures to pay us the balance bonus as per terms of settlement for the year 1955-56 and also for the year 1956-57

Yours faithfully,

D/- 25.9.1957

Signed by 10 workmen Works Committee member
of the Mills.

Also signed by the Works Committee members of
Hosiery Department.

CARDIFF REACH TEXTILE WORKERS UNION.

C/KC/57/333

date, 26th Sept 1957.

To

The Joint Secretary,
Department of Labour, West Bengal,
Writers' Buildings,
Calcutta-1.

Re: Non-implementation of agreement dt. 6.12.56 in respect
of Bonus, by K.C. Mills Ltd.

Dear Sir,

With reference to the above please refer to our discussion held with your goodself in the presence of Hon'ble Labour Minister, West Bengal, wherein we made it clear regarding the violation of agreement dt. 6.12.1956 in respect of Bonus arrived between M/S Kesoram Cotton Mills Ltd., and their workmen in the Office of Shri S.K. Bhattacharjee, Asst. Labour Commissioner,

As your goodself is aware that the management did not pay Bonus as per terms of settlement and have calculated 'bonus' at their own whims and thereby deprived legitimate dues of the workmen in respect to the above.

The dispute was raised before Shri S.K. Bhattacharjee who called several joint conferences with the representatives of the management and during the absence of Shri Bhattacharjee, Shri D. Chatterjee, Deputy Labour Commissioner. But unfortunately the management did not agree to accept the recommendations of the Labour Directorate.

That as for the payment of Bonus for the year 1956-57, the Hon'ble 1st Industrial Tribunal recommended the mills to pay bonus on the same basis as that of last year and the Management of the above mills in accordance with it gave Notice (Annex. A) to the effect. The question of giving bonus as per settlement dt. 6.12.1956 was raised before Shri M.C. Banerjee, Chairman, Industrial tribunal, who was kind enough to hear both the views of the management and the labour. His request was not even accepted by the management of the mills.

The dispute regarding the non-implementation of agreement ~~was~~ has given rise to lots of agitation amongst the workmen and the poor ~~was~~ and honest workmen are being seriously agitated over this vital issue.

We, are , however, glad to note that the matter has received your attention and our suggestion to prosecute the management is under your consideration. And accordingly we advised our members to take the bonus offered by the management and hope that you would take prompt action to settle the disputes of the balance bonus of years 1956 and 1957.

We are enclosing herewith a copy of the petition signed by the workmen's representatives of the Works Committee.

We, therefore, suggest the following in order to settle the dispute regarding implementation of the agreement dt. 6.1256 at the earliest.

1. Prosecute the management under sec. 29 of I.D.Act.

OR

2. Refer the matter ~~is~~ of interpretation of the agreement to adjudication.

Hope that you would take prompt action upon the matter and oblige.

Thanking you,

Yours faithfully,

Sd/- Arun Sen
General Secretary.

c.c. to

Shri S.K.Bhattacharjee,
Asst. Labour Commissioner.

30 MAY 1959

CONFIDENTIAL.

No. BEI-40(17)/58
Government of India
Ministry of Labour & Employment

From

Shri S.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dated New Delhi, the 19th May, 1959.

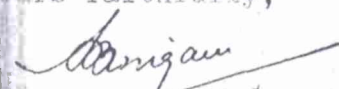
Subject:- Cochin Port - Alleged assault on
workers - Code of Conduct.

Dear Sir,

I am directed to refer to your letter No.185(CC)/59 dated the 19th March, 1959 and to say that on further investigation of the matter it is found that it were the members of the Cochin Port Cargo Labour Union your affiliate, who first obstructed the work of the members of the Cochin Thuramugha Thozhilaly Union, which in turn led to intervention by some workers belonging to Cochin Port Cargo Labour Union and consequent melee and assault. The police report received from the Government of Kerala also supports this finding. Your contention in paragraph of the letter under reference is, therefore, not correct and it is hoped that you will kindly take necessary steps to ensure that such breaches of the Code of Conduct do not recur.

2. Your complaint regarding the partiality shown by the Administrative Officer, Cochin Port and by the Conciliation Officer (Central) to Indian National Trade Union Congress and Cochin Thuramugha Thozhilaly Union, has not been substantiated on enquiry.

Yours faithfully,


(S. B. L. Nigam)
for Joint Secretary.

L 1 JUN 1959

No. E&I-12(69)/59/87/(17).
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT.

....

From

Shri R. L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Dated New Delhi, the

30 MAY 1959

Subject:- Code of Discipline - Retrenchment of workers in
Pharati Woolen Mills.

....

Dear Sir,

With further reference to this Ministry's letter of even number dated the 14th April 1959 on the subject mentioned above, I am directed to say that it is understood that as a result of efforts made by the State Government and by the parties themselves, a mutual settlement regarding retrenchment of workers was arrived at between the management and the Union. Both the parties have also agreed to settle all outstanding issues mutually. Nonetheless, the State Government has brought to the notice of the management the breach of the Code of Discipline on their part and has requested them to avoid violations of the Code in future.

Yours faithfully,

Amigant

for Joint Secretary.

Copy to the Union

1/1/59

k. s.
d.s. nil.
30.5.59

27 MAY 1959

(185)
No. BEI-5(1)/59
Government of India
Ministry of Labour & Employment

From

Shri R.L. Mhta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi

Dated New Delhi, the

Subject:- Second meeting of the Central Implementation &
Evaluation Committee agenda.

Dear Sir,

I am directed to refer to your letter No. 185-1/
C/59 dated the 16th May, 1959 on the above subject and to
say that the contents of your letter have been brought
to the notice of the Government of Bihar with the request
to place the matter before their State Evaluation & Implementa-
tion Committee.

Yours faithfully,

Banjara
for Joint Secretary

3. nil.
h.s.25/5

1 MAY 1959

185

GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT

No.E&I-10(8)/59/4(1/G) Dated New Delhi, the 15th May, 1959.

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Govt. of India.

18 MAY 1959

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Subject:- Breach of Code of Conduct - Assault by
members of Dhanbad District Firebricks
and Pottery Workers' Union on certain members
members of Reliance Firebricks Pottery Union.

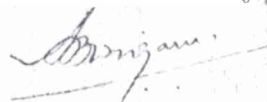
Dear Sir,

It has been reported to this Ministry that on the 25th February, 1959 at Reliance Firebricks and Potteries Works, Chanch (Bihar) some members of Dhanbad District Firebricks and Pottery Workers' Union, attacked a few workers belonging to Reliance Firebricks Pottery Union, with bows and arrows as a result of which 5 workers were injured. The clash, it is reported, occurred at 4-30 P.M. over the question of collection of Union subscription.

2. If the above facts are correct and if the Dhanbad District Firebricks and Pottery Workers' Union is affiliated to your Organisation, I am to request that this flagrant breach of the Code of Conduct may kindly be brought to the notice of the Union concerned and it may be requested to desist from such activities in future. It is hoped that you will also kindly take necessary action to ensure that such violations of the Code are not repeated in future by the members of the Dhanbad District Firebricks and Pottery workers' Union.

3. This Ministry may kindly be informed of the action taken in the matter.

Yours faithfully,



(S.B.L. Nigam)
for Joint Secretary.

See it to the union
S.B.L.
18

Mr. 185-I/C/59

May 16, 1959

Shri R.L.Mehta, I.A.S.,
Joint Secretary,
Ministry of Labour & Employment,
New Delhi.

Sub: Second meeting of Central E&I Committee
- Agenda.

Dear Sir,

Please refer to your letter No. E&I.5(1)/59 dated
April 14, 1959 on the above subject.

While we agree that cases falling in the State
sphere may first be discussed by the State E&I Committees,
we wish that the question of denial of registration
to trade unions in Bihar should be considered by
the Central E&I Committee. This is considered advisable
in view of the fact that the situation in respect of
registration of trade unions has further deteriorated
in the State of Bihar and the State Government persists
in its discriminatory policy against the AITUC in this
respect. We may also point out that this action of the
Bihar Government is in violation of the decision of the
Minital Conference that delay in the registration of
trade unions should be avoided. Thus the State Government's
inability to adhere to tripartite agreements should be
considered by the Central E&I Committee.

Yours faithfully,

V. K. S. (16)
(K.G. Srivastava)
Secretary

15 MAY 1959

No. E&I-12(85)/59/4(66)
Government of India
Ministry of Labour & Employment.

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The General Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

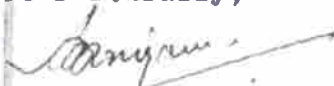
Dated New Delhi, the 14th May 1959

Subject:-Code of Discipline - Violation by Deccan Sugar
and Abkhari Co., Ltd.

Dear Sir,

I am directed to refer to your letter No.185(CD)/59 dated the 14th April 1959 on the above subject and to say that the Union's previous complaint regarding increase in workload, etc., by the management is already under investigation by the Government of Madras. A copy of its' present complaint enclosed with your letter under reference is also being forwarded to that Government for necessary action. As the subject falls in the State sphere and the Government of Madras have set up implementation machinery the Union may kindly be advised to approach the State Government for expediting action.

Yours faithfully,



for Joint Secretary.

15 MAY 1959

No. LRII 1494/59/D
Government of India
Ministry of Labour & Employment.

From

Shri A.P. Veera Raghavan
Under Secretary to the Government of India.

To

The Office Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dated New Delhi, the

Subject:- Jurisdiction in the matter of an industrial
dispute in respect of Bharat Coke Co., Calcutta.

Sir,

I am to refer to your letter dated the 4th May, 1959 to Shri R.L. Mehta, I.A.S. on the above subject and to say that the matter is still under consideration.

Yours faithfully,

N. Krishnamchari

(N. Krishnamchari)
for Under Secretary.

Shri K.M. Tripathi, No.E&I-34(16)/58
Research Officer.



MINISTRY OF LABOUR

New Delhi, the _____ May, 1959

2 MAY 1959

Dear Shri Sriwastava,

Kindly refer to my d.o. letter of even number dated the 5th March 1959 and the subsequent reminder dated the 8th April, 1959 regarding the implementation of the conclusions of the first meeting of the Central Implementation & Evaluation Committee. I should be grateful if you will kindly let us know the details of action taken by your organisation to screen cases of industrial disputes before they are taken to higher courts.

Yours sincerely,


(K.M. Tripathi)

Shri K.G. Sriwastava,
Secretary All-India Trade Union Congress,
4, Ashok Road, New Delhi.

Shri K.M. Tripathi, No.E&I-34(16)/58
Research Officer.



MINISTRY OF
LABOUR AND EMPLOYMENT.

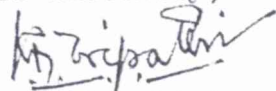
New Delhi, the _____ May, 1959

6 MAY 1959

Dear Shri Sriwastava,

Kindly refer to my d.o. letter of even number dated the 5th March 1959 and the subsequent reminder dated the 8th April, 1959 regarding the implementation of the conclusions of the first meeting of the Central Implementation & Evaluation Committee. I should be grateful if you will kindly let us know the details of action taken by your organisation to screen cases of industrial disputes before they are taken to higher courts.

Yours sincerely,


(K.M. Tripathi)

Shri K.G. Sriwastava,
Secretary All India Trade Union Congress,
4, Ashok Road, New Delhi.

- 7 MAY 1950

MEMBER OF
THE LOK SABHA



215, North Avenue,
New Delhi.
5.5.59.

Dear Shri Srivastava,

Herewith a copy of the reply we have received from Shri R.L. Mohta on Kulti rationalisation and dismissals. It is a parrot-like repetition of the management's version. I do not know what advantage we shall be getting by carrying on this long winding correspondence inspite of the fact that we have pointed out very clearly that the terms of rationalisation agreement had not been fulfilled. Also regarding retrenchment, we have asked them to show us their refusals to accept jobs of similar category but they have not done so and on the plea that the recognised union has accepted the retrenchment, this is passed on to us by the Government as being in conformity with the rationalisation procedure. I think all these matters should be taken up at the coming Indian Labour Conference.

Yours sincerely,

Renu Chakravartty
(Renu Chakravartty)

Shri K.G. Srivastava,
Secretary,
A.I.T.U.C.,
4, Ashoka Road,
New Delhi.

No. 145/(EC)/59
June 17, 1959

The Secretary to the Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: State Evaluation & Implementation Machinery

Dear Sir,

Ref: Your No. E&I.1(2)/58 dated 13th June 1959.

We are surprised to learn from the statement showing the composition of the State Evaluation & Implementation Machinery, received along with your above-quoted letter, that the Evaluation and Implementation Committee has not been set up in the State of Bombay as yet.

In U.P. too, what is stated to be an E&I Committee cannot by any standard be described as such since it hardly conforms to the tripartite decisions on this subject.

It is equally surprising that in Union Territories of Himachal Pradesh and Manipur, and in Jammu and Kashmir, no E&I Committee has been set up on the pretext that there are no labour problems in these territories.

In Madhya Pradesh, we find that the State Labour Advisory Board itself has to function as E&I Committee. If the State Labour Advisory Committees were sufficient to deal with the problems of implementation of decisions, awards and acts, the decision about E&I Committees need not have been taken at all.

Thus, from the above, it is clear that these State Governments are guilty of violating the agreed decision to set up the State E&I Committees in their States.

Further, we would also like to point out that in some States, the composition of the Committee is rather peculiar, as far as representation for workers is concerned. It is found in some States that besides representation to State units of the four central TU organisations, nominees of certain individual unions have been taken in. Some of these unions/federations are also affiliated to one of the four central TU organisations: that means, giving greater weightage to one of the central TU organisations indirectly. Such cases are there in Orissa (Indian National Mine Workers Federation), in Punjab (Motor Transport Workers Federation) and in Tripura.

We extremely regret to note these cases of discrimination against the AITUC and violation of tripartite decisions on the part of the State Governments.

We would like to know the steps taken by you to remove this discrimination and set the tripartite decision implemented by the defaulting States.

Yours faithfully,

(K.G. Srivastava)
Secretary

Copy to Bombay Govt.,
U.P.
W. Bengal
Punjab,
etc.

15 JUN 1958

NO.E&I.1(2)A/58.
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT

.....

From

Shri R.L.Mehta, I.A.S.,
Joint Secretary to the Government of India

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

13 JUN 1958

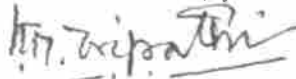
~~Dated New Delhi the 12th June 1958.
Subject: State Evaluation & Implementation
Machinery.~~

.....

Dear Sir,

As desired by your office on telephone today, I am directed to send herewith another copy of this Ministry's circular letter of even number dated the 11th June 1958.

Yours faithfully,



(M. N. Tripathi)
for Joint Secretary.

17 JUN 1959

No.E&I-5(1)/59
Government of India
Ministry of Labour & Employment
....

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4 Ashok Road, New Delhi.

Dated New Delhi, the 16/4/59

Subject:- Second meeting of the Central Implementation
and Evaluation Committee - Agenda.

Dear Sir,

In continuation of this Ministry's letter of even number dated the 2nd June 1959 on the above subject I am directed to say that as the complaint regarding Sirsilk Factory workers' Union falls under the Code of Conduct it will not be appropriate for the Central Implementation and Evaluation Committee to consider it.

Yours faithfully,


for Joint Secretary

d.a.nil
sps 16.6.

13 JUN 1959

No.E&I-10(8)/59/4(1/c).
Government of India
Ministry of Labour & Employment.

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Dated New Delhi, the

Subject:- Breach of Code of conduct - assault by members of
Dhanbad District Firebricks and Pottery Workers'
Union on certain members of Reliance Firebricks
Pottery Union.

Dear Sir,

I am directed to refer to this Ministry's letter of
even Number dated the 18th May, 1959 on the above subject
and to request that your reply thereto may kindly be expedited.

Yours faithfully,


for Joint Secretary.

'D.A.NIL'
J.S.11/6/59.

13th June, 1959

Shri R. L. Mehta, IAS,
Joint Secretary,
Government of India,
Ministry of Labour & Employment,
New Delhi

Sub: Code of Conduct - Violation of

Dear Sir,

I acknowledge receipt of your letter No. E&I-10 (11)/59 dated 2.6.59 enclosing English translation of a pamphlet alleged to be issued by the United Iron & Steel Workers' Union for necessary action in the light of Code of Conduct.

Your kind attention is invited to your letter No. E&I-5(1)/59 dated 2.6.59 on the subject of agenda for the second meeting of the Central Implementation and Evaluation Committee in which you state that as the dispute involves infringement of the Code of Conduct, it will not be appropriate for the Central Implementation & Evaluation Committee to consider it and that the subject should be discussed at a meeting of the representatives of Central organization of workers.

May I therefore take it that E&I meeting will not take up issues arising out of violation of Code of Conduct. If so, I don't think any action is necessary on your letter under reference referred to in para 1 above and that this subject can also be discussed in the meeting of the representatives of Central Organizations whenever held.

Yours faithfully,

(H. G. Sriwastava)
Secretary

Copy to: the United Iron & Steel Workers Union
alongwith a copy of English translation of
the leaflet received from the Ministry for
comments. Please send original leaflet also.

3 JUN 1959

No.E&I-5(1)/59
Government of India
Ministry of Labour & Employment

From

Shri R.I. Mehta, I.A.S.
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Dated New Delhi, the

Subject:- Second meeting of the Central Implementation and
Evaluation Committee - Agenda.

Sir,

In continuation of this Ministry's letter of even number dated the 14th April, 1959 on the above subject, I am directed to say that the dispute relating to Singareni Colliery involves an infringement of the Code of Conduct. It will not, therefore, be appreciated by the Central Implementation and Evaluation Committee to consider it at its next meeting. This subject will, however, be discussed at a meeting of the representatives of the Central Organisations of workers which will be convened along with the next Indian Labour Conference. A separate communication in this regard will follow.

Yours faithfully,


for Joint Secretary

3 JUN 1959

GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT

No. E&I-10(11)/59 Dated New Delhi, the 2nd June, 1959.

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Govt. of India.

To


The Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Subject:- Code of Conduct Pamphlet issued
by the United Iron & Steel Workers'
Union.

Dear Sir,

I am directed to enclose a copy of English translation of a pamphlet issued (in Bengali) by the United Iron & Steel Workers' Union, Burnpur, Kulti for your consideration and necessary action in the light of the Code of Conduct.

Yours faithfully,


(S.B.L. Nigam)
Joint Secretary.

To Attain recognition of the United Union

To revise grades, and

To resist the several onslaughts of the Company

Enlist yourselves as members of the United Union. Take back the membership book by paying; Re. 2/- for one year or Re.1/- for 6 months as subscription. (The Action Committee Office will remain open from 8 A.M. to 12 noon and from 5 P.M. to 8 P.M. from 15.4.59).

Friends

The United Union has been able to foil the consipiracy of the Company regarding retrenchment, lay off, goondaism of I.M.T.U.C. Union by dint of your united strength and have been continuing this struggle for your just demands like revision of grades, increase in dearness allowance, change of Bonus scheme. Your heart-felt desire namely recognition is also being dealt with firmly by the Union. You will be glad to know that according to Nainital decision, the Central Government representatives have examined the Union's records with utmost thoroughness on the 12th March, 1959 and we have successfully proved that our number of members is 4000 more than the other union. But friends, we will have to continue the struggle so long as this right is not earned. The same checking will be made in the forthcoming year and we hope that our membership will be more than that of this year. In order to implement this drive with success, the following resolutions have been passed in the Executive Committee:-

- 1) You are to take back your membership book according to the above rule by paying Re.2/- or Re.1/- as subscription and then put your signatures in the form for membership;
- 2) Those brothers who have not yet been enlisted as members or who have ceased to become members on account of their subscription being in arrears, should again pay an admission fee of Annas -/8/- and an annual subscription of Re. 2/- so that they can revive their membership;
- 3) It has also been resolved that those who are ready to sacrifice of their own accord for the cause of labour of Burnpur and Kultii and Kultii and also for the United Trade Union should pay Re.5/- every month to the Union fund for one year in order that the several cases pending in the Highest Courts to Lowest Courts and Tribunal etc. of the country may be conducted correctly. Uptil now 200 brothers have responded to this call. We hope that hundreds of other brothers would also respond to the call in order to ensure that their pride and prestige remain unassailed.

Ultimately, our appeal to you is that you should implement the above decisions immediately so that your United Trade Union may be stronger, your claim for recognition more firm and your just demands assuredly acceptable.

Yours faithfully,
Sd/- Thir Hussain, M.A.
General Secretary,
United Union, Burnpur, Kultii.

No.185(CD)/59
June 8, 1959

Secretary to the
Government of India,
Ministry of Labour & Employment,
New Delhi.

Sub: Violation of Code of Discipline
by M/s Harveys at Madurai, Tutu-
corin and Vickramsinghpuram.

Dear Sir,

This is to bring to your notice that your tex-
tile mills run by the Harveys at Madurai, Tuticorin
and Vickramsinghpuram have been arbitrarily locked
out from May 18, 1959, thus rendering about 22,000
workers jobless. The details of the case are as
follows:

1. The management of the above four mills desired
to enforce increased work load unilaterally with effect
from May 18, 1959. The workers refused to implement this
increased work-load since they had never agreed to it,
nor were consulted about it. The contention of all
the unions in the four textile mills is, that the revi-
sed work-loads cannot apply as the conditions in the
Madurai Mills are not the same as in Coimbatore Mills,
where such work-load had been agreed to by the workers
there.

2. The Government of Madras has refused to refer the
issue on the plea that "Having regard to the history
of adjudication of disputes in these mills, the Govern-
ment considers that an issue of this nature relating to
work-load in the mills will not be an appropriate one
for adjudication and any further reference to adjudi-
cation on this issue will not bring out a final solution
of the problem. In the circumstances the Government
consider it inexpedient to make a reference under Sec.10
of the I.D-Act 1947 and accordingly decline to make such
a reference"

3. Consequent upon the refusal of the workers to agree
to the arbitrarily increased work-loads, the management
which in arbitrarily increasing the work-loads had

committed a violation of the Code of Discipline, has violated the law by resorting to an illegal lock-out.

The attitude taken by the Madras Government is neither justifiable according to law nor according to the principles laid down by the Indian Labour Conference. The Madras Government are not only shirking their responsibility but are abetting with the management by giving it a free hand to coerce the workers.

The All-India Trade Union Congress registers its strong protest against the action of the management and the attitude taken by the Madras Government. It requests you to take up the matter with the Madras Government and persuade it to refer the case to the adjudication or to compel the management to lift this illegal lock-out.

AITUC hopes that the E&I division will intervene and will help in bringing about a speedy settlement.

Thanking you.

Yours faithfully

V. G. S. Srivastava
(V. G. S. Srivastava)
Secretary

No. E&I-35(29)/58
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT.

.....

From

Shri R. L. Mhata, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dated New Delhi, the

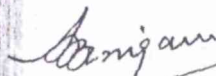
Subject:- Infringement of the Code of Discipline - Selected
Jharia Colliery (Bihar):

.....

Dear Sir,

With reference to your letter No. 185/BK/58 dated the 15th October, 1958 on the above subject, I am directed to say that a thorough enquiry has been made on your reference to the police report on the above case and it has been found that the Private Secretary to the Union Minister for Labour and Employment did not write to any organisation to expel Shri S.N. Tiwari from the Colliery Mazdoor Sangh.

Yours faithfully,



for Joint Secretary.

k.s.

d.a.nil.
2/6/69

13 JUN 1959

No. E&I-35(102)/59
Government of India
Ministry of Labour & Employment

29/105

From Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Govt. of India.

To The Secretary,
Devioclam Estate Workers Union,
Mannar (Kerala).

Dated New Delhi, the

2 JUN 1959

Subject: Enquiry into Kerala Plantation Strike.

Dear Sir,

I am directed to refer to this Ministry's letter of even number dated the 7th April, 1959 and the subsequent reminder dated the 18th April, 1959 on the above subject and to say that we have not yet received your statement about the strike nor have the names of witnesses whom you would like to produce before the Committee so far been furnished. As preliminary arrangements for conducting the enquiry have to be finalised soon I am to request you again please to send your reply immediately.

Yours faithfully,

sdt

er Joint Secretary

✓ Copy forwarded to the Secretary, All India Trade Union Congress, 4, Ashok Road, New Delhi for information.

✓
P. B. S. Manon & R. R.
10/6
7/11

Sanjiv
for Joint Secretary

3 JUN 1959

No.E&I-12(176)/59
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT

.....

From

Shri R.L. Mehta, IAS.,
Joint Secretary to the Govt. of India.

To

Shri S. A. Dange,
General Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

2 JUN 1959

New Delhi, the 1st June 1959.

Subject: Payment of Provident Fund dues to the
workers of Madhav Mills.

Sir,

I am directed to acknowledge receipt of your telegram dated the 27th May 1959 on the above subject addressed to the Union Minister for Labour and Employment and to say that the matter is ^{being} ~~is~~ examined and ^a further communication will follow shortly.

Yours faithfully,

B. B. L. Nigam
(B.B.L. Nigam)
for Joint Secretary.

sent 4/7 to
Chairman:
10/6
8/6

173 JUN 1959

No. B&I-1(2)A/5
Government of India
Ministry of Labour and Employment.

10

From Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To The Secretary,
All India Trade Union Congress,
4, Ashoka Road, New Delhi.

29 JUN 1959

Dated New Delhi, the

Subject:- State Evaluation and Implementation Machinery.

Dear Sir,

I am directed to refer to your letter No. 185(EC)/59, dated the 17th June 1959, on the above subject and to say that this Ministry has already taken up the question of setting up of Implementation Committees in Bombay and Manipur and you will be informed as soon as they are set up in these States. The Implementation Committee set up in U.P. was kept small by the State Government to enable it to function in a more business-like manner. However, as mentioned in the statement enclosed with this Ministry's circular of even number dated the 11th June, 1959, the question of reconstituting the State Implementation Committee in Uttar Pradesh is already under the consideration of the State Government and the matter is likely to be finalised soon. Governments of Jammu and Kashmir and Himachal Pradesh have already designated officers to deal with the cases of non-implementation, breaches of the Code of Discipline, etc. As they do not have many labour problems it would not be desirable to insist upon their setting up Implementation Committees. However, if any cases of non-implementation in these States have come to your notice, details thereof may kindly be furnished to this Ministry, so that the question of setting up Implementation Committees in these States may be reviewed. In Madhya Pradesh also the State Government propose to set up a Sub-Committee of the State Labour Advisory Board to deal with the cases of non-implementation breaches of the Code, etc.

2. The points made by you about the composition of Implementation Committees in Orissa, Punjab and Tripura are under examination in consultation with the State Governments concerned and a further communication will follow in the matter.

Yours faithfully,

(S.B.L. Nigam)
for Joint Secretary.

27 JUN 1959

12

No.E&I-11(4)
Government of India
Ministry of Labour & Employment.

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Dated New Delhi, the 26 JUN 1959

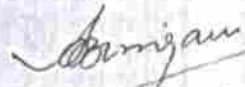
Subject:-Amendment of the Code of Discipline - Suggestion
of Bengal Chambers of Commerce & Industry.

Dear Sir,

I am directed to refer to your letter dated the 26th May, 1959 on the above subject addressed to the Union Minister for Labour and Employment and to say that as long as the Code of Discipline is not amended by the Standing Labour Committee or the Indian Labour Conference, as a result of agreement between employers and workers, the code, as it stands at present, will continue to operate.

2. The West Bengal Evaluation and Implementation Committee is to consider certain suggestions made by the Chamber informally at its next meeting and there seems to be no objection in its doing so.

Yours faithfully,



for Joint Secretary.

*Send copy to the Bengal
some suggest we are
making against the
code of discipline also.
Let us know the result
in this regard.*

*kan
2/1/59*

26 JUN 1959

94

No.E&I.10(11)/59
Government of India
Ministry of Labour & Employment
.....

From

Shri R.L. Mehta, I.A.
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.

Dated, New Delhi the,

Subject:- Violation of Code of Conduct.
.....

25 JUN 1959

Dear Sir,

With reference to your letter dated the 13th Jun 1959 on the above subject, I am directed to say that while the Central Implementation and Evaluation Committee is not the proper forum for discussing cases under the Code of Conduct, it does not mean that the Evaluation and Implementation Division in the Ministry will not entertain complaints regarding breaches of this Code and put them up to the Minister for Labour and Employment for orders.

In this connection your kind attention is invited to para 2 of the Inter-Union Code of Conduct as evolved on May 21, 1958. In the absence of a separate Machinery, for the time being the Evaluation and Implementation Division is the Secretariat for the proper implementation of this Code.

Working as

Your faithfully,

Ranjana
for Joint Secretary

G.a.nil.
RNS/24/6/59

26 JUN 1959

Confidential.

NO. E&I-11(39)458/II
Government of India
Ministry of Labour & Employment

From

Shri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To

The Secretary,
All-India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dated New Delhi, the 25th June, 1959.

Subject:- News item under the caption 'Tatagiri
in Steel city' published in 'Blitz'
dated the 28th March 1959.

Dear Sir,

I am directed to refer to your letter dated the 18th April, 1959 on the above subject and to enquire whether a reply as to how the news came to be published in the 'Blitz' has since been received from the Jamshepur Mazdoor Union. A copy of the press cutting referred to above was sent to you under cover of this Ministry's letter of even number dated the 30th April, 1959.

Yours faithfully,

G. S. Madan

G.S. Madan)
Joint Secretary.

June 26, 1959

Shri R.L.Mehta, I.A.S.,
Joint Secretary to the Government of India,
Ministry of Labour & Employment

Sub: Lock-out at M/s.Harveys' Textile Mills
at Madurai, Tuticorin and Vikramasingapuram.

Dear Sir,

We acknowledge receipt of your letter No.241.
12(125)/59/S/4/(161) dated June 22, 1959 on the above
subject.

Finding no avenue of settlement of the lock-out
which prolonged for weeks and with the Madras State
Government virtually taking an attitude of unconcern,
Shri K.T.K.Tangarani, M.P. and Shri A.Balasubramaniam,
President, Madurai Textile Workers' Union, have gone
on hunger-strike since June 19. We hope you will
therefore realise the urgency of the situation
and take speedy action in the matter.

Yours faithfully,

(K.G.Sriwastava)
Secretary

9

No.E&I-12(185)459/S/4(181)
Government of India
Ministry of Labour & Employment.

--

From

Shri R.L. Mehta, I.A.,
Joint Secretary to the Government of India.

To

The Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dated New Delhi, the 30th June, 1959

Subject:- Lock-out at M/S Harveys Textile Mills
at Madurai, Tuticorin and Vikramasinghapuran.

--

Dear Sir,

With reference to your letter dated the 26th June 1959 (received here on 29th June, 1959) on the above subject I am directed to say that as intimated in this Ministry's letter of even number dated 22nd June 1959, the matter is examined in consultation with the State Government. The State Government have since been reminded and we shall revert to the subject as soon as their comments have been received.

Yours faithfully,


(B.L. Nigam)
for Joint Secretary.

14 JUL 1959

185-1-9

(185)

No. E&I 10(8)/59/4
Government of India
Ministry of Labour and Employment

From Shri R.L. Mehta, I.A.S.
Joint Secretary to the Government of India

To The Secretary,
All India Trade Union Congress,
4, Ashok Road,
New Delhi.

Dated, New Delhi, the 13 JUL 1959

SUBJECT:- Breach of Code of conduct - assault by members of Dhanbad District Firebricks and Pottery Workers' Union on certain members of Reliance Firebrick Pottery Union.

Dear Sir,

I am directed to refer to this Ministry's letter of even number dated the 8th May, 1959 and the subsequent reminder dated the 2th June, 1959 on the above subject and to request that your reply in the matter may kindly be expedited.

Yours faithfully,

[Signature]
Joint Secretary

d.a.nil.
b.k.m.11/7

Remind the union, 4
may 1959
4600
14/5
Keep pending till 1st
14: 2.6.59. Meeting.
15/5

20 JUL 1959

Immediate

No. EAI-6(1)/59
Government of India
Ministry of Labour & Employment

From Sri R.L. Mehta, I.A.S.,
Joint Secretary to the Government of India.

To All Central Workers' Organisations.

Dated New Delhi, the

Subject: Evaluation of the working of the Employees' Provident Funds Act in exempted establishments.

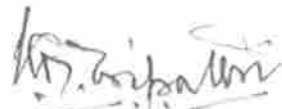
Dear Sir

The Central Implementation and Evaluation Committee at its first meeting held on September 20, 1958, had decided that working of the Employees Provident Funds Act in exempt establishments should be evaluated. Accordingly, the EAI Division set up in this Ministry proposes to undertake a sample survey of some exempted establishments. A list of these establishments selected for the survey is enclosed. It is proposed to collect data on various aspects including the coverage of employees, deduction of provident fund contributions, investment of provident fund accumulations, grant of advances from fund, settlement of claims etc. It is requested therefore that the Unions affiliated to your organisation and functioning in these establishments may kindly be advised to extend their cooperation in furnishing such information, as may be required, to the Investigators deputed for the survey. It will be helpful if a list of unions with their addresses functioning in these establishments in the aforesaid five States furnished to this Ministry as early as possible, so that there is no difficulty in contacting them. The survey is to commence by the end of July 1959.

(Bombay,
Bihar,
Madras,
U.P. and
W.Bengal)

2. Acknowledgement is requested.

Yours faithfully,



for Joint Secretary

.refd.to
.16/7

24 DEC 1959



General Engineering Employees' Union

(Affiliated to AITUC)

President: K. T. Sule
Gen. Secretary: Yithal Chaudhari
Tel { Res. : 23219
 Office: 61608

Office:
25, Dalvi Building, 2nd Floor,
Parel, BOMBAY 12.

Ref. No. GEEU/T.FL/Misc/701/59

Dated December 22, 1959.

The General Secretary,
All India Trade Union Congress,
4 Ashok Road,
NEW DELHI.

Re: Breach of Code of Discipline.

Dear Comrade,

Enclosed please find copies of two reports wherein we have detailed the breach of Code of Discipline as per required information vide mentioned in the proforma supplied by the AITUC.

We had written to the Joint Secretary to the Government of India, Evaluation and Implementation Division who directed us to approach the Under Secretary Social and Welfare Dept. Govt. of Bombay. However, we have represented to him also.

I request you to take further initiative and pursue the cases.

With Greetings,

Yours comradely,

Yithal Chaudhari
General Secretary.

Encl: 2

25 DEC 1959

PHONE : 45-4092

Garden Reach Textile Workers' Union

REGD. NO. 463

(Affiliated to All India Trade Union Congress)

Q 77, AKRA ROAD : CALCUTTA - 24

Ref. No. G/KG/59/493

Date 24.12.59

Sri G.L. Nanda,
Union Minister for Labour & Employment,
New Delhi.

Re: Illegal closure of Night shift working in Printing dept.
in Kesoram Cotton Mills Ltd., (Jila Bros.) Ltd.

Sir,

We are to bring to your immediate attention upon the following illegal action of the above Company.

That since 21.12.1959, all on a sudden the Company has stopped the Night shift working of the above department, without any Notice or permission from the State Government., and has thus made a good number of workmen idle.

We protested against such illegal action of the Company and the copy of the letter No. KG/59/489 dt. 23.12.59 addressed to the Company is enclosed, herewith, for your ready reference.

It may please be noted that the above Company pays scanty respect to the Code of Discipline and law of the land. Not only the Company has earned a name for Violation of awards, settlements and the CODE but also earned name for violating the principles of natural justice.

We urge upon you to intervene into the matter and take proper steps so as to restore the working of the Shift, reemploy the existing hand with full compensation for the period of idleness.

Thanking you,

Yours faithfully,

Enclosed: one (as above)

c.c. to
General Secretary,
All India Trade Union Congress,
New Delhi,

(ARU SEN)
General Secretary.

(Copy)

GARDEN REACH TEXTILE WORKERS' UNION,

Ref. No. KC/59/489

Date, 23.12.1959

UNDER CERTIFICATE OF POSTAL

To
The Factory Manager,
Kesoram Cotton Mills Ltd.,
42, Garden Reach Road,
Calcutta-24.

Re: Shift closure in Printing Department - C shift.

Dear Sir,

It has been brought to our attention that you have closed down the C shift working of the Printing department since 21.12.1959 without any prior permission and /or Notice and thereby rendering many workmen idle. It is needless to mention that the above action of the Company is illegal.

We, therefore, would request you to restore the working of the above shift at the earliest.

Thanking you,

Yours faithfully,

copy to:

1. Quader Nawaz,
Deputy Labour Commissioner. General Secretary.
2. Abdus Satter, Labour Minister.
3. Sri G.L.Nanda, Union Minister
for Labour & Employment
Secretary, All India Trade Union Congress.

NOTICE.

Agreement signed by the management with the Chemical Kamgar Union, Ambernath, on 2nd December 1958, in conciliation proceedings with the Conciliation Officer of the Government of Bombay, is reproduced below for information of all our workmen.

3.12.58

B.L.Shah,
Factory Superintendent.

THE ORIGIN OF SETTLEMENT
(Names of the parties.)

EMPLOYING EMPLOYER: Shri. B.L.Shah, Factory Supdt., Century Rayon, Murbad Road, Kalyan.
REPRESENTING EMPLOYEES: Shri. Salawatrao, General Secretary, Chemical Kamgar Union, Ambernath, Bombay.

Short recital of the case

On the 25th December 1957, the General Secretary, Chemical Kamgar Union, Ambernath, made demands on the Factory Superintendent, Century Rayon, Murbad Road, Kalyan, regarding classification, grades and scales, dearness allowance, allowances, uniforms, transport facilities, leave, supply of milk, provident fund, gratuity, supply of protective cloth and reinstatement of discharged workers. As the dispute could not be settled amicably between the parties the union by its letters dated 27th December 1957 requested this office to intervene in the matter. During the course of preliminary discussion the representative of the management produced a copy of the settlement reached between the management of the Century Rayon and the Rayon Workers' Union, Ambernath. In view of this agreement the Rayon Workers' Union, the Chemical Kamgar Union, Ambernath, and Engineering Electrical and Chemical Workers' Union, Kalyan, of which the workmen were reported to be members were requested to produce membership records. Out of the three unions, the Chemical Kamgar Union, Ambernath, only produced the membership records. After some preliminary discussions in the matter the demands regarding wage-scales, classification of grades, dearness allowance, uniforms, transport facilities, privilege leave, casual leave, holidays with pay, compensation for working on holidays, supply of milk, provident fund, gratuity and supply of protective cloth were admitted in Conciliation on 3rd September 1958. The demand regarding reinstatement of Shri. Ramlal and Shri. K. Narayan Nayyar was withdrawn by the union on 9.9.1958. The remaining demands were taken in Conciliation subsequently. Conciliation Proceedings were held from time to time from 3rd September 1958 to 2.12.1958, on the last of which dates, the parties reached a settlement on the following terms as required under Section 12(3) of the Industrial Disputes Act 1947.

TERMS OF SETTLEMENT

It is hereby agreed between the parties that:

The management agrees to pay an 'ad hoc' increment of Rs.4/- per month with effect from 1st October 1958 to all the workmen including casual, temporary, badlis and daily who were on muster-rolls of the company on 1.11.1958.

In view of the 'ad hoc' increment of Rs.4/- per month the union withdraws all its demands made on the management on the 25th December 1957 and agrees not to disturb the agreement dated 25.1.1958 reached between the management of the Century Rayon, Kalyan and the Rayon Workers' Union, Ambernath.

The workers shall observe perfect peace in the factory and outside and conduct their affairs in a constitutional way.

This agreement shall remain in force upto the end of December 1959.

The union agrees not to raise any demand involving any additional financial burden to the company except matters such as bonus and reinstatement.

The workmen shall continue to get their usual increments as per the agreement dated 25th January 1958 referred to above.

(Sd) B.L.Shah
Factory Supdt., Century Rayon, Kalyan.

(Sd) Salawatrao,
General Secretary,
Chemical Kamgar Union, Ambernath,
Bombay.

(Sd) L.E. Durve
CONCILIATION OFFICER.

Bombay,
Date: 2nd December 1958.

NOTICE.

KTSORAM COTTON MILLS LTD.

Date, 7th September 1957.

It is hereby notified that as a result of the labour trouble that has been going on since last year the profits of the Company for the year 1956-57 have been seriously affected and the financial position does not justify the payment of Bonus. However ~~in order~~ in order to maintain peace in the industry and harmony of relations with the workers and in compliance with the request of the learned First Industrial Tribunal, bonus is hereby declared for the year 1956-57 at the rate of 9.67 percent and on the same basis as paid last year.

The exact date of payment of bonus will be ~~announced~~ announced next week.

KTSORAM COTTON MILLS LTD.

Sd/- C. Chandak.

Manager.

TRUE COPY

Memorandum of Settlement of Industrial Dispute between the Management of New Marine Colliery and their Workmen represented by the Colliery Mazdoor Sangh, New Marine Branch.

Name of the Parties present:

1. Representing management : i) Shri P.V.Chowra,
Agent, New Marine Colliery.
2. Representing workers ii) Shri Radha Kishan Singh
(Shri R.K.Singh), Vice President,
Colliery Mazdoor Sangh), Dhanbad
and Branch Secretary, Colliery
Mazdur Sangh, New Marine Colliery
Branch.

Short recapital of the case

There has been a partial and spontaneous strike from 23rd March, 1959. Although demands for the strike were not placed before the management in writing prior to 23rd March, 1959 but in the course of subsequent discussions some outstanding grievances were placed before the management. As the management wanted the workmen to resume work unconditionally and without any settlement in writing the partial strike continued resulting in loss to both the management and the workmen.

After discussion for several days, the parties have agreed to settle the disputes on the following terms and conditions.

TERMS OF SETTLEMENT

1. That all the outstanding grievances of the workmen in respect of New Marine Colliery will be discussed and settled mutually between the parties. In case of difference it will be referred to the Regional Labour Commissioner (Central) Dhanbad for his suggestions and settlement.
2. That all the workmen who have participated in the partial strike will resume their duties from the morning shift of 27th April, 1959.
3. That anybody not reporting for duties within 10 days from 27th April, 1959 will lose lien on his appointment and the management will be free to take new hands in their places.
4. That there will be no victimization for taking part in the strike.
5. That the management will take special care for providing tubs and working faces for miners.
6. All legal dues of the workmen whose services have been terminated or will be terminated will be paid by the management within two weeks from date of termination.

Sd/- P.V.Chowra,
Agent, 25.4.59
New Marine Colliery,
P.O. Kusunda (Dhanbad)

Sd/- R.A.Singh,
Secretary, 25.4.59
Colliery Mazdur Sangh,
Branch: New Marine Colliery and
Vice-President, Colliery
Mazdur Sangh, Dhanbad.

WITNESSES: Sd/- S. Dasgupta,
Sd/- Parmhansh Singh

- 4
1. Wednesday, the 28th October 1959.
 2. Messrs. Sankey Electrical & Stamping Company, Agra Road, Bhandup, Bombay 40.
- Affiliated to Engineering Association of India and Indian Engineering Association.
 3. Intimidation, coercion and unfair labour practices.
 4. The Company's Managing Director, Shri Moitra and the Labour Personnel Officer Shri Mhatre held a meeting of workers of the company at 3 p.m. on 28th October 1959 in the premises of the factory and propagated and preached to form an IITUC union and elect Shri Raja Kulkarni as its General Secretary.

The Company further insisted strongly that failing the acceptance of such union, the workers must at least make the said leader their legal adviser.

Workers having rejected this, were warned that the company would not be responsible for recognition and ~~their~~ fair deal with the workers and their ad-hoc committee which had existed hitherto.

5. It is brought to the notice of the company as well as the Dy. Labour Commissioner of Labour.
The result is that the said Raja Kulkarni who is no representative of workmen by any stretch of imagination is entertained and interviewed by the management. The company has thus provocatively ignored our protest.
6. No strike or lockout yet to report.
7. The union sent a rejoinder to the Company about these developments which the company has not even acknowledged. The Dy. Commissioner of Labour has also not so far heeded to our complaint.
8. The company be advised to stop bringing pressure upon workers, intimidating them into formation of this or that union and allow workers to become members of any union which they choose.
9. The union has written to the company to recognise the union's representative character and accept our proposal to discuss issues round the table and arrive at a negotiated settlement of disputed issues.
10. The situation, if allowed to drag on in this manner, will be worsened and hence steps should be taken to arrest such development.

Bombay
Bombay State

20th November 1959

(Signature)
(Vithal Chaudhari)
General Secretary
General Engineering Employees
Union,
25 Dalvi Building,
Parel, Bombay 12

Affiliated to
All-India Trade Union Congress.

- 5
1. Monday, the 30th November, 1959
 2. M/s. Zenith Tin Works Private Ltd., Opp: Race Course, Mahalaxmi, Bombay-11.

Affiliated to Engineering Association of India and
Indian Engineering Association

3. Victimization of Shri I.D. Khan, leader of the factory workers since the beginning of the Union ~~am~~ for last twelve years. Vice-President of the works Committee, Trustee of the Company's Provident Fund, Vice-President of the General Engineering Employees' Union, member of the working Committee of the Metal and Engineering Workers Federation. He has been victimized from ~~since~~ service from 30th November, 1959 along with nine others without any previous warning notice or information of any kind. The Union has not been informed even though the relations with the Union were always cordial. The plea of the Company is that the particular department in which these workers are working is running in loss and they want to get the work done by a contractor. It is not victimization. Sakur Illahikhan one of the victimized worker is the President of the Factory Committee.
4. The matter is brought to the notice of the Company as well as the Deputy Commissioner of Labour, Bombay.
5. The result is that the workers in the Company are very much agitated and enraged at this action of the Company.
6. No strike or Lock out yet to report.
7. The Company has replied to our letters stating that it is case of discharge arising purely out of business needs and should not be construed as victimization. They do not wish to charge their decision and reinstate the workers.
8. The Union has written to the Company requesting them to reinstate Shri I.D. Khan along with nine others.
9. The situation, if allowed to drag on in this manner, will be worsened and hence steps should be taken to settle the matter at once.

Bombay
Bombay State

4th December, 1959.

M. Chaudhari
(Mithal Chaudhari)
General Secretary
General Engineering Employees'
Union,
25, Dalvi Building,
Marel, Bombay 12.

Affiliated to
All India Trade Union Congress.