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NCL Ref. no. WP-10.80

**REPLIES TO THE QUESTIONNAIRE
ISSUED BY THE
NATIONAL COMMISSION ON LABOUR**

By
ALL INDIA BANK EMPLOYEES FEDERATION
CENTRAL OFFICE
26/104, BIRHANA ROAD, KANPUR-1

A. I. B. E. F.
ALL INDIA BANK EMPLOYEES' FEDERATION
 CENTRAL OFFICE

26/104, BIRHANA ROAD,
 KANPUR - 1

Ref.No.NCL/67

30th October 1967.

The Chairman,
 National Commission on Labour,
 Government of India,
 D-27, South Extension II,
 New Delhi-16

Respected Sir,

National Commission on Labour

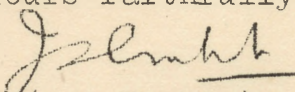
We have received the Questionnaire dated the 10th April 1967 for which we are thankful to the Commission.

We are herewith submitting the replies to the said Questionnaire on behalf of the All India Bank Employees Federation (AIBEF).

We fully endorse the replies given by the INTUC and our replies be read **along** with the memorandum submitted by the INTUC. Questions relating to the Banking Industry have been replied and other questions which do not concern the Banking Industry have been marked 'Not applicable'. We crave the kind permission of the Hon'ble Commission to make any further submission during the hearing or before the completion of the work of the Commission in respect of the matters referred.

Thanking you,

Yours faithfully,


 (J.S.Shukla)
 Office Secretary.

I N T R O D U C T I O N

The All India Bank Employees Federation (AIBEF) is an independent all-India body of bank employees. It was born in 1958. The policies and functioning of the All India Bank Employees Association which were controlled by those having political background and interested movement, compelled the nationalist democratic-minded bank employees to form the AIBEF.

The aims and objects of the AIBEF are:-

- (a) To organise the whole body of Bank employees all over India and further unity on democratic and peaceful lines and to inculcate a spirit of co-operation and fellowship amongst all the persons employed in the banking institutions in the country, to ameliorate their economic and social conditions consistent with their sense of loyalty and obligations to the nation.
- (b) To establish a co-ordination of all the affiliated units and other trade union organisations.
- (c) To secure:
 - (i) Improvement in the conditions of work and of status of bank employees with regard to pay scales allowances, leave, hours of work, provident fund, stability of service etc.
 - (ii) Proper and adequate housing facilities for the members.
- (d) To obtain for members various measures of social security, including adequate provision in respect of accident, maternity, sickness, old age and unemployment benefits etc.
- (e) To further amicable relations amongst the members and between members and the respective managements of various banking institutions on the basis of justice and equity.
- (f) To safeguard against and to secure redress of injustice perpetuated on the bank employees in the matter of discharge, dismissal, retrenchment, suspension, stoppage of increment, transfer or victimisation of any kind.
- (g) To establish co-operative stores, credit societies, clubs libraries, reading rooms and cultural societies etc. for the benefit of members.
- (h) To establish an order of society which is free from all hinderances in the way of an all round development

of its individual members, which fosters growth of human personality in all its aspects and goes to the utmost limit in progressively eliminating social, political or economic exploitation and inequality, and the antisocial-concentration of power in any form.

The AIBEF represents more than 40,000 bank employees coming from different banks throughout the country. It functions through the Central Office at Kanpur on the policies decided by the General Council and at the directions of the National Executive. The General Council meets in every two years in which delegates from different units participate. The National Executive generally meets once in four months. The list of office-bearers and members of the National Executive is given below:

President: Shri C.L.Dudhia
Chairman: Shri N.K. Bhatt, M.P.
Vice-Presidents: Sarvashri A.K. Sharma, N.P. Desai and Daroga Singh
General Secretary: Shri V.N. Sekhri
Joint Secretaries: Sarvashri O.P. Nigam, R.S. Thonsekar, G.K. Awasthi and K.N. Shenoy
Organising Secretary-Treasurer: Shri M.R. Sood
Asstt. Secretaries: Sarvashri D.P. Roy and T.C. Gupta
Executive Members: Shri J.L. Datta Shri P.R. Raina
" K.L. Verma " K.A. Pandya
" R.G. Kapoor " T.S. Elamwadi
" A.P. Khandekar " A.L. Hebbar
" B.K. Mehra " P.S. Joshi
" R.R. Chaudhury " Thomas Mathai
" A.K. Goel " Rajendra Prasad
" D.C. Jha " R.V. Krishnamurty
" P. Rai " Chandrika Prasad
" M.B. Ghotankar " M.S. Jain
" A.K. Sen
Office Secretary: Shri J.S. Shukla

The AIBEF is affiliated to FIET (International Federation of Commercial, Clerical and Technical Employees) which is one of the International Secretariates of the ICFTU (International Confederation of Free Trade Unions).

The AIBEF has played a vital role in ameliorating the working conditions of bank employees. It was a party to the National Industrial Tribunal (known as Desai Tribunal) which contributed to many benefits. At the suggestion of the AIBEF and with the efforts of the Chief Labour Commissioner (Central) negotiations for revision of wages and other service conditions were held in 1965 and 1966, for the first time in the banking industry.

The service conditions of 'workmen' are at present governed by the provisions of Bipartite Settlement dated the 19th October 1966 signed between the Indian Banks Association & Bombay Exchange Banks Association and the All India Bank Employees Federation and All India Bank Employees Association. It is applicable to all bank employees except those in the Reserve Bank and State Bank of India. The main provisions of the Settlement are as follows:-

1. Scales of Pay: Different pay scales for different areas and classes of banks have been fixed. The combined running scale is as follows:-
Clerical - Rs.112-5-142-6-166-7-201-12-309-15-354-20-414-23-460 (Span 25 years)
Subordinate - Rs.68-2-130-3-145 (Span 25 years)
2. Efficiency Bar: At the end of normal 18th year stage in each scale.
3. Special Allowances: For duties requiring extra physical, technical work and responsibility have been fixed.
4. Dearness Allowance: It is linked with all-India Consumer Price Index Numbers (Base:1949=100). Calculated quarterly 75% and 100% neutralisation is given to clerical and subordinate cadres respectively.
5. House Rent Allowance: It varies between Rs.9 and Rs.25 according to place and pay of a workman.
6. Other Allowances include washing allowance, hill allowance, fuel allowance, cycle allowance, split duty allowance, pass book allowance, water scarcity allowance, officiating allowance, halting allowance, project area compensatory allowance etc.
7. Leave Fare Concession: Under this scheme, banks grant railway fare upto a specified kilometrage for the workman and his family.

	<u>Clerical</u>	<u>Subordinate</u>
A class bank	800 kms.	1000 kms.
B class bank	500 "	500 "
Class of fare	I	III

8. Provident Fund: Contribution at 8.1/3% of pay in A and B classes of banks and 6.1/4% in C class banks.
9. Gratuity: It is admissible to the maximum of 15 months' pay.
10. House of Work: Clerical staff is required to work for 6½ hours on week days and 4 hours on Saturdays. Subordinate staff is required to work more by half an hour than clerical staff.

11. <u>Medical Aid & Expenses</u> :	Per Calender Year		
	<u>Area I</u>	<u>Area II</u>	<u>Area III</u>
A class banks	Rs.135	Rs.90	Rs.75
B class banks	Rs.113	Rs.75	Rs.60
C class banks	Rs. 80	Rs.54	Rs.40

12. Age of Retirement: 60 years.

For settlement of bonus disputes in different banks, AIBEF held negotiations and in most of the cases an agreement was arrived at which benefitted the workers to the tune of lakhs of rupees. However, in certain banks, due to adamant attitude of the management, cases were referred for adjudication.

In regard to settlement of disputes, AIBEF is wedded to peaceful methods and aims at progress of the industry. AIBEF advocates strongly to the method of collective bargaining. It is possible when employers too feel their responsibility and take care of human values. In cases where negotiations do not materialise, disputes may be referred to voluntary arbitration without any loss of time. The proceedings should be concluded as early as possible.

With a view to facilitate the Commission, an outline of the industry has been given. As regards other general observations, we refer to the memorandum submitted by the INTUC.

NATIONAL COMMISSION ON LABOUR

Section One

QUESTIONNAIRE

1. Name and address of the respondent:
(Person/undertaking/organisation/state)
ALL INDIA BANK EMPLOYEES FEDERATION (AIBEF)
Central Office,
26/104, Birhana Road, Kanpur-1
2. The name of the Central Organisation of employers/workers to which you are affiliated:
It is a Federation and the affiliates are registered trade unions. It is not affiliated but believes in peaceful democratic Gandhian ideology. Though not affiliated but it is recognized by the INTUC as its Federation in the Banking Industry. Almost all the unions affiliated to INTUC in the Banking Industry are affiliated to the AIBEF.
3. If union, please give the number of members. When was the union formed ?
The AIBEF is a Federation having a membership of about 40,000. It was formed in 1958. Prior to 1956, there was one association, which was controlled by the Communist leadership. Workers and unions came out from the association and formed a Co-ordination Committee, which decided to form the AIBEF.
4. If an undertaking/establishment, please give:
 - (a) Commodity produced/nature of activity:
 - (b) Number of employees as on 1-1-67:
 - (i) Workers
 - (ii) Others
 - (c) When was the undertaking established?
Not applicable.

I. RECRUITMENT AND INDUCTION

Recruitment

1. (a) How is labour recruited at present in industrial establishments? Is recruitment effected through (i) jobbers, (ii) contractors, (iii) advertisements, (iv) introduction by existing employees, (v) employment exchanges or (vi) any other method ?
 - (b) How far are the present recruitment arrangements satisfactory for different types of employees and different levels of skill ?

(a) The recruitment in various banks is effected generally through (i) advertisements (ii) introduction by existing employees and (iii) employment exchanges.

Largely persons unemployed apply to the banks with the possibility of employment and if need be and the worker found suitable, recruitment is made by the banks.

(b) For the workmen cadre, the present recruitment methods are satisfactory but in the case of Cash Department staff, who are also workmen, in certain banks, recruitment is made only through the guarantors (who do not fall in the category of either jobbers or contractors). The recruitment in the non-workmen cadre i.e. officers which is made from outside is not satisfactory as it does not leave ample opportunity to the existing workmen staff for promotion to the officer's cadre (non-workmen).

2. In what categories of employment is labour in short supply? What steps should be taken to minimise the effects of such shortages?

3. Does lack of mobility affect supplies in different categories of labour? If so, what remedial measures would you suggest?

4. To what extent is industrial labour migratory in character? What problems does such labour pose in recruitment and retention?

Not applicable.

5. How do the existing statutory provisions in regard to employment of women affect recruitment of women labour? Consistent with international conventions on conditions of work for women, what modifications would be necessary in the existing provisions for promoting employment of women?

There are no statutory provisions in regard to employment of women in the Banking Industry.

6. What are the advantages and disadvantages of recruitment of casual labour? If employment of casual labour is a disadvantage, what steps should be taken to decasualise such labour?

The casual labour in the Banking Industry is recruited to finish the normal routine work which is caused by absentees. The disadvantage of casual labour is exploitation of the workmen appointed for a short period. The banks should keep leave reservists on the basis of number of staff employed in different branches on permanent basis.

7. In view of the present unemployment situation, what place should be given to the absorption of 'physically handicapped' in recruitment policy? Should there be a statutory provision for reserving a portion of the vacancies to physically handicapped persons?

Physically handicapped persons should also be considered for recruitment in the Banking Industry and suitable statutory provisions laying certain percentage of the total employment may be made.

8. In establishments within your knowledge, is there any discrimination in the matter of recruitment on grounds of caste, community, region, language, etc.? Under what circumstances is such discrimination justified?

There are many instances in the Banking Industry where discrimination exists in recruitment on the grounds of caste, community, region, language, etc. It is not at all justified and hampers the cause of national integration and unity and also violates the relative provisions of our Constitution.

9. Are the existing programmes for 'on-the-job' training of workers adequate? What are the directions in which improvement should be sought?

The existing programmes for on-the-job training of workers in the Banking Industry are inadequate. Except few banks training is not imparted to the workmen and new entrants are put to work directly. There should be residential colleges run by the banks and the period of training should be planned so that entire working of the banks is made known to them.

10. What steps should be taken to encourage an employee to avail of the facilities outside the place of work for improving his skill? Is there any system of granting study leave to the employees in your establishment? If yes, please give details.

In few banks, officer-staff is sent abroad and also to the Reserve Bank College for higher studies and improving skills. The workmen staff is deprived of such facility and no study leave is granted for higher studies by the banks.

11.(a) What should be the outline of a rational promotion policy? What place would you assign in this policy to seniority, merit and trade test?

(b) Should recruitment to positions at higher levels be made from among the existing employees only? If so, upto what level?

(a) There is no rational promotion policy in the banking industry. Different banks have their own promotion policies which have created a great deal of resentment amongst the workmen staff as the service conditions in the banking industry is almost the same but the promotion policy being different and illogical has created unrest. There has been no legal adjudication regarding promotion policy in the industry and the AIBEF is of the opinion that a uniform promotion policy be enacted or included in terms of reference in future bipartite/tripartite negotiations, references for adjudication. The uniform promotion policy as suggested above should give due place to seniority, merit and trade test.

(b) The recruitment to higher levels be made from among the existing employees. However, a small percentage may be fixed for direct recruitment also.

II. CONDITIONS OF WORK

Working Conditions

12.(a) Conditions of work in factories, mines and plantations, etc., are presently regulated by the Factories Act, 1948, the Plantations Labour Act, 1951 and the Mines Act, 1952 etc. The main provisions of such acts, inter alia, relate to (i) safety and welfare, (ii) hours of work, rest interval, weekly off, etc., (iii) employment of young persons and women, (iv) annual leave with wages, (v) occupational diseases and (vi) overtime payment. What changes are necessary in these provisions? How should the implementation of these acts be improved? (See also Q.19)

(b) What other steps are needed to ensure proper working conditions?

For proper implementation of the provisions, there should be a statute and the implementation machinery should consist of representatives of employees and employers. In the banking industry, there is a provision under clause (3) of the Bipartite Settlement signed on the 19th October 1966 between the bankers and the employee organisations that a suitable machinery would be constituted but such Committee is not formed.

Bank employees should be provided with rent-free accommodation and present scheme of housing loan be liberalised.

In running Fair Price Shops by Co-operatives, subsidy and other facilities be given both by the Government and the banks.

13. In the matter of national and festival holidays, what is the extent of difference in the total number of holidays from region to region? Is this difference justified? If not, is it possible to bring about uniformity in the total number of holidays in different regions?

The number of holidays in the country should be the same but festival holidays will vary according to the customs of region to region. However, like Government employees, restricted festival holidays may also be allowed to a reasonable extent, taking into account the productivity and smooth running of the industry.

14. What changes are necessary in the existing arrangements for regulating conditions of work in employments other than in factories, mines and plantations?

The working conditions in the banking industry are governed by the Bipartite Settlement dated 19-10-1966 and, in general, they are satisfactory.

15. What, in your knowledge, is the extent of prevalence of employment of child labour? In what industries/activities is employment of child labour relatively high? Are you satisfied with the existing statutory provisions about employment of child labour and their implementation?

16. How have the existing arrangements regarding regulation of conditions of work of contract labour and labour employed by contractors worked? In what directions are improvements necessary? (See also Q.209)

Not applicable.

17. What are the statutory benefits/provisions, in the implementation of which trade unions and employers' organisations can jointly play a useful role? How should such arrangements be made effective at the plant level? Should there be any standing arrangements for this purpose?

No additional reply is necessary.

Safety and Health

18. Is the existing rate of accidents high in establishments within your knowledge? What have been the main causes of such accidents?

The number of accidents in banks is practically negligible.

19. What steps should be taken to establish training programmes with special emphasis on safety for the benefit of new entrants to industrial establishments? Are any refresher courses necessary for those who are already in employment? How should such courses be organised?

20. Safety standards in some industries have been evolved by bipartite agreements. How have these agreements worked in practice? How can this bipartite approach be extended to other industries? How should the agreed arrangements be made effective at the plant level?

21. In view of the anticipated growth of new industries like machine building, chemicals, fertilisers, petro-chemicals, etc., requiring stricter safety standards, what steps should be taken to arouse safety consciousness among workers and employers?

22. Against the background of expanding industry and advancing technology involving a faster tempo of production how should provisions concerning industrial safety (Appendix I) in the Factories Act, 1948, the Mines Act, 1952 etc., be amended?

23.(a) What are the difficulties experienced in procuring safety equipment for installation in industrial establishments?

(b) Is the supply of safety equipment to workers for their personal use adequate? Is there any reluctance on the part of workers to use such equipment? If so, what measures would you suggest to overcome this reluctance?

24. What should be the elements of an 'Industrial Health Service' for introduction in India? How should the introduction of such a service be phased?

25. As a corollary to replies to the above, do the provisions for workmen's compensation require to be amended? If so, in what manner?

Not applicable.

III. TRADE UNIONS AND EMPLOYERS' ORGANISATIONS

Federations of Employers' and Workers' Organisations

26. What are the factors which have influenced the development and organisational pattern of trade unions/employers' organisations since Independence?

Besides political and economic aspects of life, the consciousness of bank employees has also pushed the organisational pattern of the trade unions. Employers in the industry have a well-organised force of two Associations, viz. Indian Banks' Association and Bombay Exchange Banks' Association.

27. What has been the effect of legislative provisions on the growth of trade unions/employers' organisations? (See also Q.58)

No additional reply is necessary.

28. Do you think that the modus operandi of trade unions/employers' organisations have changed during the last decade? If so, what are characteristics of this change?

Politically motivated section of bank employees has of late, resorted to new techniques like Bundhs and Gheraos in the trade union movement in getting things done - whether connected with the service conditions of bank employees or not. Another method of 'go-slow' has also been practised in this regard. Except few banks, the attitude of bankers has remained unchanged in resolving local and individual disputes by negotiation but there is a tendency to resort to writs and appeals and keep disputes pending unduly long.

29. Do you think that the attitudes of trade unions and employers' organisations towards (a) each other and (b) Government have undergone any change during the last decade? If so, state the direction of this change.

The AIBEF has been able to cultivate and create the atmosphere of goodwill and mutual respect between the bankers and the employees' organisation by signing the Bipartite Settlement dated 19-10-1966 regarding wages and other service conditions of bank employees.

30. The traditional role of trade unions/employers' organisations has been to secure protection to advance the interests of their members. In view of the national objectives of establishing a socialist society and achieving planned economic development: (a) What should be the changes in the nature and scope of activities of the trade unions/employers' organisations? (b) What are the changes needed in their organisational pattern and attitudes? (c) What are the fields of activity in which they have an independent role to play? (d) In what others should they function in cooperation (i) between themselves and (ii) jointly with Government?(See also Q.75)

In addition to the reply given by the INTUC, we feel that with a view to creating a reasonable approach and better understanding between the bankers and the employees, workers should be educated and the bankers should feel that the industry belongs to the society and workers are part and parcel of it. In dealing with problems, practical and rational approach is necessary.

31. How have trade unions/employers' organisations helped in the evolution of a better society? How do they represent their views and discuss their affairs with Government and other public authorities and agencies? Does this system of communication need improvement? If so, in what direction? (See also Q.124 and 227)

To its members, the AIBEF has been inculcating the sense of responsibility and discipline and adopting constitutional methods. It has been possible for the bank employees to avail of better living conditions and fringe benefits with the help of cross-table negotiations which still require improvement taking into account modern living standards in home and abroad. On the part of the Government there is considerable delay in resolving disputes and exchange of communication. Cases of failure of conciliation require considerable time for the Government to refer them for adjudication.

32. How can trade unions/employers' organisations contribute towards maintaining a high level of employment? Or is this solely the concern of Government?

No additional reply is necessary.

33. Bipartite consultations being one of the effective means of reducing the areas of conflict between employers and their employees, what steps should trade unions/employers' organisations take for promoting such consultations?

Bipartite consultations in resolving major disputes in the industry are not new. But in meeting local and individual grievances also, bipartite meetings should be held and in the event of failure, discussions may be held by the Committee of representatives of employees and employers organisations for an amicable settlement (See also reply to Q. 12).

34. What are the existing arrangements for communication between the central organisations of employers and workers and their constituents. How should these arrangements be improved?

The AIBEF and its bankwise all-India Federations and State Federations keep regular and close contact with the developments obtaining in various banks and places. The individual units also keep regular touch with the Central Office through letters, circulars etc. and are made aware of the activities through the AIBEF official organ 'Bank Karamchari'. Organisational tours are arranged by the Central Office and the State Federations in their respective areas but still the number of such tours is inadequate. The main difficulty arises of finance coupled with necessary leave of the officer of the union from the bank.

Banks should have a liberal view in allowing a certain number of union officials for organisational tours on duty leave and the facility of telephone and telex be made available for union's work.

35. Are there occasions when central organisations of employers and workers refuse to affiliate employing units/ unions at the plant level? If so, on what grounds?

Affiliation to the AIBEF may be refused if:-

- (i) the union is not registered under the Trade Unions Act;
- (ii) the union being a rival to a union already affiliated;
- (iii) the union, except honorary members, has the membership of those not employed in banks;
- (iv) it is felt that the union will not really subscribe to the objectives, means and methods of the AIBEF.

36. To what extent are the obligations undertaken by the organisations of employers and workers at the national level implemented by their constituents? Are there any effective sanctions for non-compliance with these obligations? How far have they been used in recent years? How could these sanctions be made more effective?

The obligations undertaken by the AIBEF are implemented by its affiliates.

37. Do difficulties arise in reconciling the actions of the unions/employers at the plant level with national policies evolved jointly by trade unions/employers' organisations? Could you cite instances of such difficulties? How are such difficulties resolved?

Not applicable.

38. What should be the responsibility of all-India organisations of employers and workers towards (i) promoting the interest of their constituents in all matters affecting industrial relations, (ii) implementation of laws, voluntary agreements, etc., (iii) training of management personnel, (iv) providing guidance to constituent units, (v) settling of industrial disputes in constituent units and (vi) improving the efficiency of industry? (See also Q.166) How should they be equipped for discharging these responsibilities?

No additional reply is necessary.

Trade Unions - Constitution and Finance

39. How are trade unions constituted at the plant level? What are the different forms of constitution? Are there any common objectives mentioned under the rules of different trade unions? What are these common objectives?

In certain States, bank-wise unions are formed to facilitate negotiation and resolving local disputes and also a common unit of all bank employees at a centre function. The co-ordination of bank-wise unions is necessary when the dispute of common nature is involved and trade union solidarity is required. The objectives as detailed in the 'model constitution' are generally adopted by the unions applying for registration and necessary amendments are incorporated, if need be.

40. How are the officers who man the trade unions appointed? How many of them are paid?

The General Council which meets after every two years elects the office-bearers and the members of the National Executive. In local and State units also, the officers of union are appointed by election in the Annual General Meeting. The number of paid officers is very few.

41. How does a trade union get new members? Are all membership applications accepted? If not, by what criteria are applicants accepted or rejected? In what ways do unions compete for membership?

In addition to the reply given by the INTUC, we submit that politically motivated persons seeking membership are generally rejected. For competing the membership, personal approaches, publicity and propoganda, meetings are used at local as well as regional level.

42. What steps do trade unions take to encourage members to interest themselves in the conduct of unions' affairs? How effective are such steps?

Unions with the help of periodical meetings of active trade union workers and General Body encourage the members for active participation in the union's activities. At regional and all-India level, educative materials like circulars, pamphlets, posters are circulated and workers educational programmes are held. Due to financial handicap it has not been possible to activise this programme.

43. How are the activities of a trade union conducted? How is the policy decided? Who is responsible for implementing the policy once it is decided? To what extent does the rank and file influence the formulation of the policy?

No additional reply is necessary.

44. What in your opinion is the extent of prevalence of the system of 'closed shop' or 'union shop'? State its merits and demerits in Indian conditions.

The system of 'closed shop' or 'union shop' does not exist in the banking industry. For merits and demerits of this system, please see INTUC's reply.

45. Do trade unions have enough income to fulfil their role in promoting members' interests? If not, what steps should unions take for augmenting their resources? Is any statutory provision needed for enlarging trade union finances?

Except unions in the Reserve Bank, the general rate of subscription is Re.1/- and Re.0.75 per month for class III and class IV staff in the banking industry. The dearness has also hit the functioning of unions and the income derived by subscription is not sufficient to the unions to justify the members' interests. The rate of subscription, like other developed countries, should be increased voluntarily by the members. However, the statutory rate of 25 paise should be increased to atleast 50 paise per month.

46. What reasons, if any, are there against increasing members' subscription so as to provide an adequate income for trade unions

Besides education to the workers of the functioning and responsibilities of a union, low pay is one of the reasons against increase in the rate of subscription.

47. Is the introduction of 'check off' system advisable in Indian conditions? If it is, should the privilege of the system be given to recognised unions only or to all registered unions?

In some of the States, the system of 'check off' is in practice so far as banking industry is concerned. The main advantage of the system is that union gets in lump sum the subscription from the employers direct. This privilege is being given to all the unions and it should continue.

48. In what ways do trade unions help members/dependents of members in their personal difficulties like unemployment, sickness and personal injuries? How are dependents helped in case of member's death?

Due to lack of finance, trade unions in the banking industry, are not able to help members/dependents of members in the event of their personal difficulties. However, by issue of circulars appealing for charity from the members, the sum collected is given to the members/dependents.

Trade Union - Leadership and Multiplicity

49. What has been the impact of political parties on the pattern of trade union development in India?

No additional reply is necessary than what is stated by the INTUC.

50. Reference is often made to the influence of outsiders in trade unions. Please define the term 'outsider' and state what the influence of outsiders has been on trade unions.

By term 'outsider' we mean a person not actually employed in the banking industry. The number of outside leadership in the banking industry is small. As the present day trade unionism has become more technical and complex, the help and guidance of outsiders expert on a particular subject like statistics, economics, law is being taken. Still comparing the employers, trade unions do not have specialised personnel to deal with the problems. Services of whole-time leaders for organising and managing is being felt.

51. How should internal leadership in a union be built up and strengthened?

The existing outsiders specialised should encourage and train the internal leadership.

52. Does the existing legislation encourage multiplicity of trade unions? If so, what are the remedial measures?

No additional reply is necessary.

53. How far has the Inter-union Code of Conduct (Appendix II) adopted by the four central labour organisations in 1958 been effective in regulating inter-union relations and avoiding inter-union rivalries? How could the Code be made more effective?

No additional reply is necessary.

Trade Union Recognition

54. What are the advantages and disadvantages of a union registration? Are there any aspects in which the powers of the Registrar of Trade Unions could be altered or enlarged with advantage?

55. Has there been a change in the attitude of employers towards trade unions, particularly in the matter of recognition of unions? If yes, what have been the contributory factors?

56. Has the Code of Discipline in Industry (Appendix III) contributed towards securing recognition for trade unions?

57. Do the existing provisions under the Code of Discipline in regard to recognition of unions provide a satisfactory arrangement in this regard? Specifically, are the provisions regarding (i) the procedure for verification, (ii) the procedure for grant and withdrawal of recognition, (iii) the period of recognition and (iv) the rights of the recognised unions (Appendix IV) satisfactory? If not, what improvements would you suggest in them? (See also Q.111)

58. Would you suggest giving effect to the provisions of the Indian Trade Unions Amendment Act, 1947 in the matter of recognition of unions? Or, should provisions similar to the Bombay Industrial Relations Act, 1946 or similar Acts elsewhere in India for recognition of unions (Appendix V) be written into the Indian Trade Unions Act, 1926? Are there any other suggestions in this regard? (See also Q.27)

59. What are the advantages of industrywise unions? What will be the difficulties in their recognition? How should the subjects to be dealt with by unions at the plant level and by the industry union be demarcated? (See also Q.86)

60. What are the advantages and disadvantages of naming a union as the sole bargaining agent in an industrial unit?
61. For determining the representative character of a trade union for purposes of grant of recognition, should the method of election by secret ballot be adopted? If so, explain the details of the method and the administrative arrangements necessary for the purpose (See also Q.86)
62. If a union is elected as the sole bargaining agent in an establishment, what should be the rights and responsibilities of other unions in the establishment?
63. Considering that categorywise unions, particularly of technicians, are assuming greater importance how should their rights and obligations be defined in relation to (a) the employer and (b) unions of other categories of employees?
64. What facilities should an employer extend at the work-place for the activities of unions?
65. What has been the attitude of the Government as employer towards trade unions?

While supporting the views of the INTUC, AIBEF is of the opinion that in the present set-up of the country, it will not be proper to accept a single union in one industry. The present arrangement of two all-India unions as in cases of Railways, Defence, Banking, Cement etc. should continue undisturbed until conditions improve warranting a change in the interest of the socialist pattern of society.

IV. INDUSTRIAL RELATIONS

Introductory

66. What should be the criteria for determining the effectiveness or otherwise of Government's industrial relations policy? In terms of these criteria, give your assessment of the working of the policy since Independence, with special reference to the legislative and other arrangements for prevention and settlement of industrial disputes.

In addition to what has been stated by the INTUC, it is submitted that in recent years there has been better industrial relations with the bankers. The glaring example is the bipartite settlement which was signed by the employers and employees organisations. However, still certain banks have adamant and litigious attitude in minor disputes of localised nature.

67. Are the patterns of industrial conflict changing since Independence? In particular, how have the social, economic and political factors affected the intensity of industrial conflict?

Economic and political factors have been responsible for industrial conflict. Often politically-motivated elements exploited the labour in instigating for industrial agitation and unrest.

68. Is it possible to pick out some significant factors in units within your knowledge which in recent years have helped in improving industrial relations at the plant level? Will these factors continue to be of significance in future?

69. What have been the causes of industrial unrest since Independence? Have there been any special circumstances which have contributed to industrial unrest? How could their effect be minimised in future?

70. What has been the impact of inter-union rivalry on industrial relations?

No additional reply is necessary.

71. What improvements are necessary in the present arrangements for prevention of industrial disputes? What would be the role of mediation service in the prevention of disputes?

The present arrangement of prevention of industrial disputes is lengthy and time consuming. The machinery moves at the tortoise speed that too when it becomes too late. In matters where immediate relief is needed, it often taken so much of time that the worker feels that anything can be achieved by agitation tactics and nothing can be secured by peaceful constitutional methods. The members of mediation service may include (besides the representatives of employer and employees organisations having implementation machinery) persons of high repute and social workers.

72. What is the role of fact-finding enquiries in improving industrial relations?

No such 'Fact-Finding Committee' is in existence in the banking industry.

73. How is the state of industrial relations in a unit affected by the existence of trade unions? What difference, if any, exists in the climate of industrial relations where the relevant trade union organisation is (a) strong, (b) weak and (c) non-existent?

Nearly every bank employee is a member of trade union and industrial relations have been good during past few years.

74. What has been the contribution of factors like (a) recognition of union, (see also Q.54 to 65), (b) arrangements for dealing with individual and collective grievances, and (c) strengthening bipartite consultative arrangements, in promoting industrial harmony?

Reference is invited to reply to Q.54 to 65.

75 In maintaining and promoting harmonious employer-employee relationship, what should be the respective obligations of (i) Central organisations of employers and workers, (ii) local management, (iii) local union and (iv) the Government - Central or State? (See also Q.30)

In addition to what has been stated by the INTUC, we suggest that local management and local union should try to resolve local disputes by negotiation instead of calling for Government's intervention (Regional Labour Commissioner) and the commitments made by the Central organisations be faithfully carried out.

76. What role have labour/personnel officers played in preventing disputes and maintaining harmonious employer-employee relationship? How far have they been effective? Suggest measures to improve their effectiveness.

Not applicable.

77. What should be the arrangements for proper communication between workers and management at the plant level?

No additional reply is necessary.

78. To whom do managements delegate their authority in dealing with employees? To what extent do managements include specialists for dealing with personnel matters?

Head Office of the bank delegates limited authority to the Managers or Agents of branches to deal with local matters, but the Managers or Agents do not have any independent discretion to use. They have to seek Head Office instructions in triffling matters too. Except in few big banks, the practice of engaging specialists for dealing personnel matters do not exist.

79. To what extent are the standing orders subject to agreement between employees and managements? In how many cases are they drawn up by management alone?

80. To what extent do the Employment Standing Orders Act, 1946 and the Model Standing Orders formulated under that Act serve the purpose for which the Act was framed?

81. What are the disciplinary rules imposed by managements? Do the procedures prescribed under the Model Standing Orders in dealing with disciplinary cases require modification, and if so, on what lines?

82. Has the Model Grievance Procedure (Appendix VI) evolved under the Code of Discipline served its purpose? If not, is there need for statutory provision for the formulation of an effective grievance procedure? What should be the main elements of such a provision? How would it affect existing bipartite arrangements?

Not applicable.

83. What is the attitude of trade unions and employers' organisations to the introduction, either by voluntary agreement or statutorily, of a system of grievance arbitration? Would such a system help in improving labour-management relations?

Voluntary arbitration will be helpful in improving employer-employee relations. Some banks are not agreeable to accept voluntary arbitration but they prefer Government's intervention or want to harass by litigation and time consuming processes.

84. What are the existing facilities for training management and trade union personnel in industrial relations. To what extent are they used?

Such specialised facilities are not available for training trade union officers in industrial relations. However, industrial relations is one of the subjects in workers educational programmes conducted by various State/Regional and local unions and the AIBEF.

Collective Bargaining

85. What is the extent of prevalence of the system of collective bargaining in this country? How far has it succeeded? What has been the effect of legislation on the growth of collective bargaining. (See also Q.193)

Recent bipartite settlement signed on the 19th October 1966 before the Chief Labour Commissioner (Central) by the employees and employers organisations is the glaring example of prevalence of the system of collective

bargaining in the banking industry. It was for the first time, the bankers were persuaded by the Chief Labour Commissioner to settle the dispute of wages and other service conditions by mutual negotiations. Earlier the disputes were referred for adjudication. Still there is great scope for collective bargaining at national and local levels. In this connection, we submit that a Committee at national level consisting representatives of employees and employers organisations be constituted and periodical meetings are held to discuss and settle disputes across the table.

86. If collective bargaining has to be encouraged at the industry level, how should the representative character of the bargaining agent for workers be determined? (See also Q.59 and 61)

Please refer to the reply furnished to Q.54 to 65.

87. Do you agree with the statement that (a) collective bargaining has its uses when unions have sufficiently built up their strength and even for strengthening unions and (b) adjudication system provides an arrangement by which satisfaction can be given to parties without open industrial conflict as also for protecting the weaker party?

88. What should be the role of (a) collective bargaining and (b) adjudication as methods for safeguarding industrial peace in the years to come?

No additional reply is necessary.

89. In disputes arising over a charter of demands, is it feasible to separate areas of difference between the employer and the union into those where collective bargaining could exclusively operate and others which could be left to adjudication?

In our opinion, all disputes whether of collective nature or individual nature (may be in a particular bank or the industry as a whole) can be settled by collective bargaining. It needs mutual respect and trust and understanding to the human relationship.

90. What should be the limits of collective bargaining under conditions imposed by planned development? (See also Q.193)

In the event of failure of collective bargaining, the dispute should be referred for adjudication without any loss of time and the proceedings may be finalised as early as possible.

Joint Consultation

91. Do trade unions, through collective bargaining and joint consultation, provide an effective form of democracy within the enterprise?

AIBEF believes in democratic and peaceful approach in resolving disputes and it has been successful to a certain extent. Against all odds, it has contributed to maintain an effective form of democracy in the industry.

92. The Industrial Disputes Act, 1947, provides for the setting up of works committees "to promote measures for securing and preserving amity and good relations between the employer and the workmen". Have they been functioning satisfactorily wherever they have been set up. If not, what factors have militated against their setting up and proper functioning?

93. To meet the criticism that works committees have been languishing for want of definition of their specific functions, an illustrative list of functions (Appendix VII) of works committees was evolved by the Indian Labour Conference. Assuming that there can be a clash of functions between the trade union and works committee, can this list be the basis for demarcation/definition of works committees functions?

94. Suggest measures for improving the utility of the works committees with particular reference to their composition and functions.

95. Have joint management councils and emergency production committees been successful in achieving the objective of better industrial relations and increasing production/productivity? Have they created a climate of mutual trust between employers and employees? (See Appendix VIII for functions of Joint Management Councils)

96. What effects do profit-sharing and copartnership schemes have on relations between management and employees?

Not applicable.

97.(a) Is it feasible to introduce a scheme of workers' participation in management by making the workers shareholders?

(b) If it is considered feasible, what steps should be taken to facilitate the introduction of such a scheme?

(c) Does such shareholding give adequate voice to workers in running of the establishment?

(d) Are there any other methods by which workers can participate in management?

Workers representatives may also be included in the Board of Directors of the banks. The number of such representatives may vary according to the size of the Board of a particular bank but at least two workers representatives may remain in the Board to safeguard the interest of the labour. Like other directors, workers representatives should have voting rights and opportunity to hear them should be given.

Conciliation

98. To what extent has the conciliation machinery given satisfaction to the parties to a dispute?

The Branch Managers/Agents do not have any discretionary power to settle the dispute and they generally ask for adjournment to the dispute to obtain instructions from their Regional/Head Office. Since Conciliation Officers do not have any judiciary power, banks generally take an adamant attitude.

99. Statistics of settlement of industrial disputes show that conciliation machinery has played a pivotal role in maintaining industrial peace. At the same time, many major disputes may not be amenable to settlement through conciliation machinery. Do you agree with this assessment of the functioning and utility of the machinery?

100. What changes in the organisation and staffing of the machinery and powers of conciliation officers would you advocate? Please indicate the specific changes/improvements which will make for a more expeditious and effective disposal of conciliation work?

In addition to what has been stated by the INTUC, the trade union officer should be granted duty leave and T.A. bill, if any, for attending the conciliation proceedings.

101. Should conciliators be named arbitrators in disputes handled by their colleagues?

If both the parties agree, the Conciliation Officer may be allowed to act as arbitrator to a particular dispute.

Adjudication

102. What are the criteria for assessing the suitability or otherwise of the present system of adjudication? Do you think the system has played an important role in maintaining industrial peace? Should the system be retained?

In addition to INTUC's reply, we submit that trade union representatives attending the adjudication should be treated as on duty and T.A. bill paid. In the banking industry, local disputes and those of individual nature which fail at the conciliation level due to adamant attitude of local management are referred for adjudication. But the process of reference takes a very long time and further the proceedings run often to more than a year. Due to certain reasons best known to the Government, disputes which fail at the conciliation level are not referred for adjudication.

103. In case adjudication machinery is to be retained, what powers should it have in industrial disputes relating to discharge and dismissals?

No additional reply is necessary.

104. Are the existing arrangements for reference of disputes to adjudication satisfactory? If not, how can the arrangements be improved?

The existing arrangements and the process involved in reference of disputes is not satisfactory. Consequent upon failure of a certain dispute at conciliation, a registered trade union should be allowed to refer the dispute directly for adjudication.

105. Should the authority for appointment of industrial tribunals be vested in the Labour Departments? If not, where should it lie?

No additional reply is necessary.

106. There is a section of opinion that the existing procedures and practices involving different stages like conciliation, adjudication, etc., in settlement of disputes take an unduly long time, What measures would you advocate for expeditious settlement of disputes?

Time limit in settlement of disputes, as suggested by the INTUC in conciliation and adjudication processes should be fixed.

107. Do you think the revival of the Labour Appellate Tribunal would help in the expeditious settlement of disputes?

108. How should the cost of adjudication to the parties be reduced?

109. What measures should be taken to ensure full and speedy implementation of tribunal awards and agreements.

No additional reply is necessary.

Code of Discipline

110. Has the Code of Discipline served its purpose?

111. Which provisions, if any, of the Code of Discipline should be given a legal shape? (See also Q.57)

Please refer to reply given against Q.54 to 65.

Voluntary Arbitration

112. What is the role of voluntary arbitration in the achievement of good industrial relations? In what way can the Central Organisations of employers and workers promote voluntary arbitration? Should a provision for voluntary arbitration be incorporated in all collective agreements?

Voluntary arbitration can go ahead in achieving good industrial relations. The recent appointment of arbitrator in the Reserve Bank in the dispute of wages and other service conditions by means of an agreement between the employers and the employees organisations is an example of voluntary arbitration. The proceedings of arbitration should also be limited to a maximum period and no further time is consumed in decided a particular dispute. We are of the opinion that in collective agreements, there should be a clause of voluntary arbitration also.

113. Please indicate the areas of industrial disputes where voluntary arbitration could be preferred to adjudication.

All disputes which are at present referred for adjudication should be referred to voluntary arbitration.

114. Are you in favour of setting up standing arbitration boards? If so, indicate (a) their composition, (b) procedure for setting up of such boards and (c) subjects to be referred to them.

Not applicable.

115. What professional group provides the best arbitrators? Civil servants? Lawyers? Academics? Businessmen? Trade Unionists? Technicians? Others?

In order of preference lawyers, academics and trade unionists would be best arbitrators.

116. What should be the arrangements for meeting the expenses of arbitration?

The cost of arbitration should be borne by the banks including T.A. and duty leave to the trade union representatives.

Strikes and Lockouts

117. Do you consider that the existing restrictions on workers' right to strike and the employers' right to declare a lockout need to be modified in any way? If so, please indicate these modifications together with reasons in support of these modifications.

No additional reply is necessary.

118. Do union rules provide for a procedure to be gone through before giving a call for strike? If so, to what extent is this procedure observed in practice?

Union bye-law provides for secret ballot decision for strike. Generally strike decision is taken in the General Body meeting by raise of hands.

119. If a strike is called/lockout is declared, is proper notice always given to the other party? In what cases, if any, no such notice is given?

Proper notice of 15 days is always given by the unions to the banks.

120. In how many cases within your knowledge have workers been able to secure wages for the strike period when the strike is declared legal. Are there cases where strike pay is given when the strike is illegal?

121. In what ways do trade unions seek to prevent victimisation of their members? To what extent do they succeed.

No additional reply is necessary.

122. Are there instances of workers going on strike without sanction of the union?

The instances of workers going on strike without the decision of the union are rare in the banking industry.

123. In what way in practice do trade unions and managements keep in touch with each other during a strike in order to facilitate a settlement? What is the role of Government machinery in such cases? Should Government intervene in cases where a strike is (i) legal, (ii) illegal?

No additional reply is necessary.

General

124. What has been the role of tripartite committees like the Indian Labour Conference, Standing Labour Committee, Industrial Committees, etc., in evolving through mutual discussions and agreements acceptable arrangements in the various fields of labour relations? (See also Q.31)

125. Are you in favour of Central Government being made responsible for industrial relations in public sector undertakings under the control of the Central Government?

126. How should public utilities be defined in the context of a planned economy? Should there be any special provisions for avoiding work stoppages in public utilities?

127. What steps should be taken to minimise industrial conflicts in (a) the public sector, (b) the cooperative sector?

128. For the purpose of labour-management relations, is there a case for treating the public/cooperative sector differently from the public sector?

129. Has collective bargaining been possible in the small-scale sector?

Not applicable.

V. W A G E S

Introductory

130. How does the current availability of unskilled labour affect the level of wages?

The surplus supply of unskilled labour affects level of wages where labour is unorganised. This factor does not affect so far as banking industry is concerned.

131. What has been the relationship between wages in agriculture and other unorganised sectors and wages in industry.

132. Should wages in agriculture and unorganised industries be allowed to influence wages in industry.

No additional reply is necessary.

133. To what extent is the existing level of wages a result of the traditional mode of wage settlement, collective bargaining, awards, etc.?

The present level of wages and other service conditions in the banking industry is the result of awards of Industrial Tribunals and Bipartite Settlement.

Minimum Wage

134. As set forth in the report of the Committee on Fair Wages, "The Minimum wage must provide not merely for the bare sustenance of life, but for the preservation of the health and efficiency of the worker. For this purpose, the minimum wage must also provide for some measure of education, medical requirements and amenities." Should this concept of minimum wage be modified in any way.

135. The 15th Session of the Indian Labour Conference accepted certain norms (Appendix IX) in regard to the size of the worker's family and minimum requirements of the family relating to food, clothing, housing and other items of expenditure. Attempts made by some wage fixing authorities to quantify this minimum wage have brought out the difficulties in implementing the formula. In what respects do the standards require reconsideration?

The norms as set forth by the 15th Indian Labour Conference should be accepted in toto in fixing wages for the bank employees. The Supreme Court of India in Reserve Bank of India Employees Association and another Versus Reserve Bank of India and another (1965 - II LLJ) accepted the recommendations of 15th Indian Labour Conference as a first step to achieving living wage. As the economy of the country cannot bear the switch over to living wage, efforts should be made in that direction by gradual steps and for this purpose, banking industry is suitable one.

136. If it is not feasible to provide the minimum wage referred to above to the working class, is it possible to

suggest a phased programme for implementing the need-based minimum as recommended by the Indian Labour Conference?

137. The Committee on Fair Wages made its recommendations about minimum wage against the background of conditions in the industrial sector. Do these ideas require modification if they are to be relevant to non-industrial workers who predominate in the economy?

138. If the idea of fixing a National Minimum Wage is to be accepted taking into account the replies to questions 134 to 137 above, how is it to be worked out in practice?

139. As between different regions in the count it is not only that prices of consumption goods vary, but the content of the minimum needs themselves can be different. How are these variations to be provided for in arriving at the National Minimum?

Not applicable.

140. Would you favour any change in the definition of 'minimum', 'fair' and 'living' wage given by the Committee on Fair Wages? What in your opinion could have been the concept of 'living wage' referred to in the Constitution? (Appendix X)

No additional reply is necessary that what is stated by the INTUC.

Dearness Allowance

141. Considering the need for protecting real wages, how should one provide for revision of wages/wage rates for changes in price level? Should this be by revision of the wage itself or by a provision of a separate component to absorb price changes.

The real wages should not be allowed to reduce and for this purpose a separate component in the shape of dearness allowance be paid to workmen to nullify the erosion that may be caused due to rapid rise in prices. As the rising trend of prices of day-to-day necessities of life is going at a fast rate, it will not be practicable to revise wage structure so often.

142. In view of the prevalence of several methods to provide or the payment of a separate allowance to meet changes in cost of living, is it feasible to apply any one system on a uniform basis? Which system would be most appropriate?

There should be a uniform method to compensate the rise in prices in the form of dearness allowance to be calculated monthly with full neutralisation.

143. If a system in which dearness allowance adjusted to changes in cost of living is favoured:-

- (a) Which index number viz., (i) All India, (ii) regional, or (iii) local should be preferred?
- (b) What should be the frequency at which revision should be made - monthly/quarterly/half-yearly, etc.
- (c) What should be the extent of change in the index which should warrant such revision in dearness allowance - each point/slab of 5 points/slab of 10 points, etc.? Give reasons.

The linking system of dearness allowance with the rise in prices should be on all-India index figures. The determination of dearness allowance should be made every month and point to point.

144. In determining the quantum of dearness allowance, what should be the principles governing the rate of neutralisation of price rise?

No additional reply is necessary.

145. Considering that payment of a cost of living allowance is meant to ensure that real wage of employees is not eroded by price increases, should the capacity to pay of an industry/unit be a relevant consideration in fixing the rate of dearness allowance?

In addition to what has been stated by the INTUC, the question of capacity to pay does not arise in the banking industry, except few 'C' class banks, so far as payment of dearness allowance is concerned.

146. In areas/activities where part of the wage is in kind, what adjustments should be made in fixing the quantum of dearness allowance?

The rate of dearness allowance may be suitably adjusted on the basis of supply of necessaries of life. It is not applicable in the banking industry as no part of wages is paid in kind.

Fringe Benefits

147. How should fringe benefits be defined? What should be their scope and content? To what extent do such benefits affect production costs?

148. How far can the fringe benefits be a substitute for higher money earnings?

Not applicable.

Wage Differentials

149. Do the existing wage differentials in the plants within your knowledge appropriately reflect the considerations mentioned in the report of the Committee on Fair Wages, viz., degree of skill, strain of work, length of work, training requirement, responsibility undertaken, mental and physical strain, disagreeableness of the task, hazards of work and fatigue?

Amongst workmen staff, there are two scales of pay - for subordinate staff and the other for non-subordinate staff. Special allowance for extra skill, responsibility, technical and physical strain, etc. is given but it is not sufficient. However, the consideration of length of service is given in fixing pay scale. The wage differential should not be more than ten times from lowest wage to the highest and it should be done by increasing the level of lowest paid staff.

150. What has been the effect of the existing system of dearness allowance on wage differentials? What steps would you suggest to rationalise present arrangements?

The dearness allowance of workmen staff is linked to the all-India Working Class Consumer Price Index Numbers (Base: 1949=100). The supervisory and officers staff are also compensated by periodical revision of dearness allowance, where necessary, and increase in other items of emoluments. We suggested that a substantial part of the dearness allowance be merged with the basic pay with a view to narrow the wage differential and it should not be more than what is stated against Q.149.

Methods of Wage Fixation

151. As between different methods of wage fixation obtaining at present, namely, statutory wage fixation, wage fixation

through collective bargaining, fixation through wage boards, and wage fixation resulting from adjudication, etc., which method or methods would be more suitable for adoption in future? If one or the other arrangement is needed for different sectors, indicate sector-wise the arrangement needed.

AIBEF is of the opinion that the present arrangement of wage fixation i.e. through collective bargaining should continue. Efforts, however, should be made that minimum time is taken in discussions and negotiations.

152. In collective bargaining for wage fixation, should the principal emphasis be laid on national agreements? If so, what adjustments should be made to meet local needs.

In the banking industry, the wage fixation is done on national level and due consideration to local needs is given by providing allowances. Classification of areas is done on the basis of population and different scales of pay are provided for different class of areas. In fixing other allowances like house rent, similar considerations are made. As the level of price is generally the same in all parts of the country, wages should be fixed at a uniform level for all the places.

153. Tripartite wage boards came in vogue because it was felt that an arrangement by which parties themselves can have a hand in shaping the wage structure in an industry could be more enduring than the one where an award is handed down by a third party. Has this expectation been fulfilled?

Not applicable.

154.(a) In what respects should the operation of wage boards be modified to improve their working?

(b) Should wage board recommendations have legal sanction?

No additional reply is necessary than what has been stated by the INTUC.

Wage Policy

155.(a) How could the criteria of fairness to labour, development of industry, capital formation, return to entrepreneur, etc., be taken into account in wage fixation?

(b) It is said that in the balance between fair wages to workers, fair profits to entrepreneurs and fair returns to treasury, the consumers are often left behind. How far is this criticism valid? How best can the situation be remedied?

(a) In the banking industry, profits are earned by rendering advice and service to the constituents. Labour's contribution in earning profits is most important, and therefore, wages should in no way be affected by the other considerations.

(b) No additional reply is necessary.

156. In the context of planned development, the question of taking an integrated view of policy in regard to wages, incomes and prices is often emphasised. What should be the objective and scope of such a policy? Indicate the guidelines for such a policy in the light of the perspective for the growth of the economy. Changes in the existing institutional arrangements for implementation of such a policy may also be indicated.

No additional reply is necessary.

157. Do you suggest a policy of 'wage freeze'? If so, how can it be implemented under the existing system? What are the implications of this policy for other incomes?

Since the II World War, there has been erosion of real wages due to sharp rising trend of prices. The policy of wage freeze will be further a blow to the working class. Despite assurances, Government has not been able to check the rising prices and unless prices are frozen the working class will not get relief. In the banking industry, dearness allowance is linked to the prices and if prices are checked, automatically the dearness allowance will be frozen.

158. Is there a need for sectoral balance in wage structure between the public and private sectors? If there is, how should it be achieved?

Not applicable.

Mode of Wage Payment

159. What are the existing practices in regard to payment of wages in kind? Would you suggest its extension to units where it is not obtaining at present?

In the banking industry, no part of wages is paid in kind. In Reserve Bank at some centres, Bank has provided quarters to its employees but the rent charged is more than what is paid by the Bank as House Rent Allowance. In other banks, there is no such facility.

Banks should encourage opening of Fair Price Shops by providing accommodation, staff and subsidy and loans. It will help in the Government's efforts to hold price line and minimise hardships to the employees. About a decade back, Reserve Bank was providing cereals and other necessaries to its staff but it stopped the practice and paid an allowance to compensate the rise in prices.

160. To what extent is the method of paying unskilled workers on time scale of pay common? Would you favour its extension?

161. Do you favour the suggestion that the total wage packet should consist of three components, namely, the basic wage, the other depending on price changes and the third which takes into account productivity changes? If so, how should this suggestion be made operative?

No additional reply is necessary.

General

162. How far can the administration of the Minimum Wages Act, 1948 be considered to be satisfactory? Outline in detail the difficulties experienced in its implementation. Offer suggestions against each difficulty on how best it could be overcome. (See also Q.210)

Not applicable

163. Is the scheme for payment of annual bonus embodied in the Payment of Bonus Act, 1965, satisfactory? If not, what are your suggestions? How does the latest decision of the Supreme Court affect the Scheme of the Act?

In addition to the reply of the INTUC, we are of the opinion that the Payment of Bonus Act has been able to assure the worker of the minimum bonus which certain banks were not paying by fabricating the annual accounts. In such cases, considerable time was lost in getting the justice from the Tribunals and the banks used to linger on the proceedings and save the interest on bonus which was actually payable to the workmen

164. What should be the place of bonus payable in the future system of remuneration?

The present arrangement of payment of bonus should continue. In Reserve Bank, which is not paying bonus to its employees, payment of bonus should be introduced.

VI. INCENTIVE SCHEMES AND PRODUCTIVITY

165. What steps should be taken to introduce a system of payment by results in industries/activities where this system would be appropriate?

166. Please state your views on the following guiding principles for introduction of incentive schemes.

(a) Employers and workers should formulate a simple incentive system at the unit level and implement it on some agreed basis through collective bargaining. In every case, introduction of incentive schemes should be preceded by an agreement with trade unions.

(b) In evolving wage incentive schemes, it should be ensured that these do not lead to rate-cutting. The worker's normal wages should be protected where it is not possible for him for circumstances beyond his control to earn an incentive.

(c) Individual or group incentives can be framed to cover both direct and indirect groups of workers.

(d) An incentive scheme cannot be evolved without a work study undertaken with the cooperation of workers. Nevertheless, it should always be open to employers and workers to evolve a scheme by agreement or any other acceptable basis.

(e) Efforts should be made to reduce time-rated categories to the minimum. This will ensure that all employees have an equal chance to increase their earnings with increase in productivity.

(f) Wage incentives should generally provide extra earnings only after a mutually agreed level of efficiency has been achieved.

(g) To ensure quality of production, incentive payments should be generally allowed only if the output has been approved on inspection by the management.

(h) Incentive earnings should not fluctuate very much. This requires a certain degree of planning so that material delays, machine-breakdowns etc., are controlled.

(i) The scheme should itself safeguard adequately the interests of the worker if he is forced to remain idle due to circumstances entirely beyond his control such as non-supply of raw materials, machine breakdowns, etc.

(j) Apart from financial incentives, non-financial incentives like better security of employment, job satisfaction, job status, etc., have also a place in increasing productivity.

167. What should be the respective roles of labour, management and Government in raising productivity?

168. How should the gains of productivity be measured? Can they be allocated to different factors of production? How should the gains be shared?

169. Have increases in productivity matched with wage increases in the years since Independence? Please give supporting statistics.

170. Has any undertaking within your knowledge experimented, in recent years, with productivity techniques? How did the employees react to these experiments? Did this result in increasing workload? If so, how was this situation met?

171. What place would you assign to suggestion schemes and institution of awards for outstanding work to improve productivity?

172. What are the factors contributing to labour turnover and absenteeism? How do they affect improvement in productivity? (See also Q.183)

173. What is the place of the motivation of worker for improving his standard of living in the successful working of incentive schemes?

174. What is the effect of (a) 'gl-slow', (b) 'work to rule' and (c) "unions' ban on overtime" on creating a climate for improving productivity?

175. What is the role of rationalisation in improved productivity? The 15th Session of Indian Labour Conference had made some recommendations (Appendix XI) for regulating the process of rationalisation. Have these recommendations helped rationalisation? Do these recommendations still provide a useful framework for the purpose? If not, what changes would you suggest?

176.(a) What should be the place of 'automation' in the perspective of development?

(b) How would automation affect labour-management relations?

(c) Should there be a special machinery to study the problem?

The above questions do not directly relate to the banking industry. 'Productivity' in the banking industry means better results of working funds and profits. Banks do not sell any commodity but render

service to the constituents. More efficient service to the satisfaction of customers will naturally increase the working results and profits. Here also employees play a vital role in increasing productivity. The best way to give incentive to productivity (which has been prevalent in this industry) is payment of bonus. Besides, we are of the opinion that it will be in the interest of the industry to move ahead in paying fair wages to the employees, which will be helpful in increasing productivity. This is in addition to what has been stated by the INTUC.

177. How far has the National Productivity Council been effective in generating enthusiasm among employers and workers in increasing productivity?

No additional reply is necessary.

VII. SOCIAL SECURITY

178.(a) What effect do the social security schemes have on stability of employment and on industrial relations.

(b) Have some of the benefits, based as they are on a qualifying period for entitlement, led to larger labour turnover? If so, what should be the remedial measures?

(a) Like other terms of employment, social security schemes in the banking industry are governed at present by the Bipartite Settlement dated 19-10-1966 read with Award of the National Industrial Tribunal (Ref.No.1 of 1960) presided over by Shri Justice K.T.Desai. These provisions of social security schemes bring stability of employment and the worker feels secured. Social security schemes have contributed to maintain a sense of goodwill between employers and the employees.

(b) Some banks keep the new entrants temporary for years together by giving gaps in the service in order to break the continuity and claim over certain social security schemes. There is a provision for confirmation of temporary hands after completing 6 months' service but without assigning any reason, break of a day or two is given to temporary hands. This practice needs restrictions. Unless an employee is appointed purely on leave arrangements, continuity of service should not ordinarily break. This practice has been responsible for increase in the number of disputes and also curb the incentive to work by temporary hands.

179. The Convention on Minimum Standards of Social Security adopted by the International Labour Organisation refers to the following branches of social security, namely, medical care, sickness benefit, unemployment benefit, old age benefit, employment injury benefit, family benefit, maternity benefit, invalidity benefit and survivor's benefit.

(a) To what extent is each one of the above benefits available at present?

(b) What is the cost of existing social security schemes in relation to the total cost of production? How has it varied over the last 15 years?

(c) Are the scope and coverage of each one of the benefits mentioned above adequate?

(d) What should be the priority for enlarging the scope and coverage of the various existing benefits?

(e) How should the programme for introduction of the benefits not currently available be phased?

(a) Some of the benefits like medical allowance, retirement benefits are available to the bank employees in terms of Bipartite Agreement.

(b) The total cost of such benefits would be negligible.

(c) All bank employees are given these benefits but the scope of various schemes need improvement.

(d) and (e) No additional reply is necessary.

180. The benefits referred to in question No.179 are generally available only to persons who are in wage-paid employment; there will still be large numbers of persons like traders, artisans and small shopkeepers who are self-employed and who will remain uncovered by the scheme. What advance steps should be taken to bring these groups within organised social security schemes?

No additional reply is necessary.

181. The E.S.I.S.Review Committee has made a number of recommendations in its Report both for improving the administration of the ESIS and for introducing an integrated social security scheme. As regards the latter, it has recommended that planning should now proceed to revolve a comprehensive social security scheme covering in a single enactment various risks of cessation of income or wage loss to which a wage earner is exposed. Towards this end it has specifically suggested:-

(i) The Government should in consultation with the Indian Labour Conference set up an expert machinery to evolve a 'blue print' for a comprehensive scheme of social security which should also form a strong financial and administrative base for inclusion of benefits which are at present not available.

(ii) Action should be initiated forthwith to bring about an administrative merger of the ESI Scheme and the EPF Scheme. Steps should be taken to examine the problem in all its details and to accomplish this with the least delay.

What are your suggestions on the above recommendations?

182. Should the provisions for exemption from the ESI scheme be tightened? How should this be achieved?

183. In so far as the ESI scheme is concerned, there is a view that absenteeism among workers in the factories covered by the scheme has tended to increase consequent upon the introduction of the scheme. No concrete evidence has been forthcoming so far either in support of the above contention or against it. What is the experience in the industrial unit/units within your knowledge? What remedies would you suggest to minimise such absenteeism? (See also Q.172)

184. Should the administration of the medical benefits under the ESI Scheme remain the responsibility of State Governments? Or should the Corporation itself take it over? If State Governments are to continue administering medical benefits, what should be done to ensure that a uniform standard of medical benefits is available to insured persons in all States?

Not applicable.

185. What should be the respective shares of contribution from employers, workers and Government in any scheme of social security?

In the existing schemes and upon introduction of other social security schemes in the banking industry, the cost should be shared between workers, employers and the Government at 1:2:2.

186. Should the Employees' Provident Fund Scheme be continued as at present or should steps be taken to convert it into either a pension scheme or a provident fund-cum-pension scheme?

The present arrangement of Provident Fund as applicable in the banking industry should continue. In addition to this, pension scheme should be introduced.

187. If it is to continue in the present form, would you suggest any change in the pattern of investments of the funds and in the rate of interest accruing to beneficiaries?

The funds of the Provident Fund are invested by the Trustees. Workers due representation should be in the Board of Trustees. The rate of interest allowed on the Provident Fund balance is as low that it does not stand at par with the Bank Rate. It should, in no case be less than the maximum rate of interest allowed on term deposits.

188. Are any changes called for in the Scheme to make the administration more satisfactory.

189. Should a part of the provident fund be set apart for giving insurance cover to the members of the EPF scheme?

Not applicable.

190. What should be the place of gratuity payments in an overall social security programme?

Gratuity should be calculated at the rate of one month wages for one year service. This rate of gratuity should be computed on total pay instead of basic pay.

191. Would you suggest any changes in the existing provisions relating to lay-off and retrenchment provided to employees against the hazards of job insecurity resulting from temporary employment and other fluctuations?

Not applicable.

192. Should the administration of some of the social security benefits be handed over to trade unions? What pre-conditions should trade unions satisfy for being eligible to take over such administration?

No additional reply is necessary.

VIII. LABOUR LEGISLATION

193. To what extent should labour-management relations in a planned economy be governed by legislation/collective bargaining? (See also Q.85 and 90)

As far as possible labour-management relations should be governed by collective bargaining. However, there may be legislation that may insist collective bargaining. In the event of failure of negotiations, there should be legislations to settle disputes.

194. What have been the factors that have affected the proper and effective implementation of the various labour laws? (Appendix XII). Have these laws achieved the purpose/objectives for which they were enacted? If not, what factors have hindered the achievement of these objectives? (See also Q.12)

195.(a)How have the existing legislation and other provisions for protecting the interest of labour worked in practice?

(b) To what extent have the above provisions helped to implement the Directive Principles of State Policy on labour matters as embodied in the Constitution?

(c) What changes or further improvements in the existing arrangements would you suggest for full realisation of the Directive Principles (Appendix XIII) keeping in view the present state of our economy and the country's development in the foreseeable future?

There are legislations to safeguard the interest of workmen but their implementation is not satisfactory. The Government machinery moves very slowly and at times when immediate relief is required, workers have to wait long and sometimes patience is lost. Some of the provisions of Industrial Disputes Act need suitable amendment in view of changed circumstances since Independence. We are of the opinion that Directive Principles in the State Policy are still to be achieved. Besides heading towards living wage, employment potentions need improvement.

196. Are the present constitutional arrangements under which labour is a concurrent subject satisfactory, particularly from the point of view of the administration of labour laws? Are any modifications by way of centralisation/decentralisation of certain activities and functions necessary?

197. What has been the influence, direct or indirect, of international labour conventions on the progress of labour legislation in India? To what extent has the Constitution helped or hindered such progress?

No additional reply is necessary.

198. On the basis of the principles evolved out of case law over a number of years, what are your suggestions for reviewing and amending labour legislation in this country?

No additional reply is necessary.

199. Has there been too much legislation in the field of labour? If so, what are the aspects in regard to which there is over-legislation?

There are no many legislations so far as banking industry is concerned. Even the existing legislations are not fully implemented.

200. Is there need for consolidation and codification of existing labour laws? Please suggest the lines on which codification should be undertaken.

Every State is having different Shops and Commercial Establishments Act and it will be in order if best from each is taken and one enactment for whole of the country is made.

201. Since 1958 the general emphasis in labour policy has been on voluntary approach in preference to legislation. This has resulted in fashioning tripartite instruments like the code of discipline, industrial truce resolution, etc. Has this policy been successful? Should it be continued?

202. Please comment on the suitability of (i) labour legislation so far enacted and (ii) voluntary arrangements so far built up.

No additional reply is necessary.

203. What is the extent of enforcement of labour legislation in public sector? Are exemptions from the applicability of certain provisions of labour laws more common in the public sector? What is the rationale for claiming such exemptions?

204. Are there instances of political or other rights which are normally available to an individual being denied to employees in the public sector and their dependants? How are such denials justified?

Not applicable.

IX. RURAL AND UNORGANISED LABOUR

205. Rural labour faces two inter-related problems which demand urgent solution: one is social, centering round its low social status in the rural hierarchy and the handicaps resulting therefrom, and the other is economic, resulting from chronic lack of sufficient employment opportunities. What is your assessment of the effectiveness of the remedial steps taken by Government?

206. It is suggested that in countries with vast rural under-employment, special emphasis should be placed on a broad-based programme for the promotion of productive employment in rural areas by a combination of technical and institutional measures, relying to the extent possible on the efforts of the people concerned and based on adequate study of the nature, prevalence and regional distribution of rural under-employment. How should such a broad-based programme be framed for implementation?

207. With a view to creating incentives and social conditions favourable to full and fruitful utilisation of local manpower in rural areas, the International Labour Organisation suggested the following action programmes:-

- (a) Local capital-construction projects, more particularly, projects making for a quick increase in agricultural production, namely, small and medium irrigation and drainage works, storage facilities and feeder roads;
- (b) Land development and settlement;
- (c) Labour intensive methods of cultivation and animal husbandry;
- (d) Development of other productive activities, such as forestry and fishing;
- (e) Promotion of social services, such as education, housing and health services;
- (f) Development of viable small scale industries, such as local processing of agricultural products and manufacture of simple consumers' and producers' goods needed by rural people;
- (g) Special efforts to develop rural manufacturing activities that are ancillary and complementary to large-scale urban industry, etc.

Which of these suggestions are feasible in the Indian context?

208.(a) There is a considerable body of workers, largely unorganised and employed in small industries in rural/urban areas, not covered by the protective provisions of the present labour legislation. How should such protection as is desirable be reached to them?

(b) Specifically, considering the nature of their unemployment, the size and location of the units/industries in which they are engaged, please suggest practical methods by which their position can be improved in regard to their unemployment, wages and working conditions.

209. What steps should be taken towards progressive reduction of contract labour? How should contract labour be brought effectively within the scope of state action? (See also Q.16)

210. To what extent are the difficulties in the implementation of Minimum Wages Act, 1948, in rural areas real? How could they be overcome? (See also Q.162)

211. Do you favour a separate agency for the effective implementation of the Minimum Wages Act, 1948, for agricultural labour? Or should it be merged with local village or the block development staff?

Not applicable.

X. LABOUR RESEARCH AND INFORMATION

212. Most of labour statistics are a bye-product of labour legislation. They suffer, therefore, inter alia, from the limitations arising out of lack of uniformity in the concepts coverage and frequency of collection. The time-lag in their publication, non-response from primary units, inaccuracy of returns, changes in industrial classification are further difficulties in making labour statistics more useful. What steps should be taken to remedy the situation? Is the implementation of the Collection of Statistics Act, 1953 the answer?

213. There is a feeling that the practice of entrusting the administration of labour laws to different officials, the statutory requirements of maintenance of different registers and sending of different filled-in returns under these Acts, result in a good deal of unproductive work and unnecessary duplication. If this feeling has a basis, what steps should be taken to improve the situation?

No additional reply is necessary.

214. Does the all-India Consumer Price Index Number currently compiled reflect adequately price changes affecting urban working class? Should consumer price index numbers be compiled for every region of the country for the purposes of wage fixation? What principles should be followed in compiling the 'all-India' and regional indices?

The compilation of all-India Consumer Price Index Number (Base: 1949 = 100) is defective and obsolete. The items of basket need change as the living standard during last 20 years has improved. Certain items have become quite out-of-date and new items need introduction. The compilation of prices is also defective. The compilation should be on regional basis and all-India figure may be arrived by averaging the regional figures.

215. Data presently collected and compiled in respect of work-stoppages (strikes and lockouts) mostly consist of: (a) number of work-stoppages, (b) number of workers involved (c) number of man-days lost, (d) total wages lost in rupees, and (e) total production lost in rupees. Are they adequate for measuring industrial unrest in the country? If not, what other aspects of industrial unrest require quantification?

There is difficulty in measuring loss in work stoppages which is caused by agitation tactics of a section of interested elements. Such agitation tactics are 'work-to-rule', 'go-slow', 'pen-down strike' etc. in which case there is presence of employees but the 'production' is affected.

216. At present statistical data are collected only in respect of work-stoppages arising out of industrial disputes. Is it necessary to collect similar information on work-stoppages due to reasons other than industrial disputes?

As already stated against Q.No.215, a section of bank employees having alliance with politically motivated and agitation oriented elements often resort to work-stoppages in the garb of industrial dispute, but actually it arises from political directions. 'Bundhs' 'gheraos' are concrete example to such tendencies to hamper production.

217. The current emphasis in the collection of labour statistics is on data which will help in understanding the economic aspects of workers' life. Social and sociological aspects have been comparatively neglected. What are your

suggestions for filling up the gap? For better comprehension of labour problems which particular aspect of these statistics would you emphasise?

218. Statistical data (employment, unemployment, consumption expenditure, etc.) are being collected in respect of rural population annually by the National Sample Survey. Would it be feasible to make these data available separately for rural labour for each State/region? What other statistics would be required for framing an operational programme?

No additional reply is necessary.

219. Are the present arrangements for research and studies in the field of labour adequate to meet the requirements of policy-making in labour and economic matters?

Practically there are no arrangements for research and study in the field of labour so far as banking industry is concerned. The research work which may be taken up by the Government should be conducted by associating labour and industry as well.

220. What are your suggestions for improving the quality of labour research?

221. What is the present state of labour research undertaken by employers'/workers' organisations?

222. How should the trade unions be encouraged to strengthen their research activities?

In this industry, the employers did not undertake research on labour problems. The employees' organisation have hardly the personnel and money required for research. The Government should encourage workers' organisations for research work by giving financial grants and imparting training.

223. How should labour research be promoted to strengthen their research organisations?

224. Are the present arrangements for associating the research personnel outside Government for a deeper analysis of data available with Central and State Governments adequate? What steps should be taken to strengthen this association? Should co-ordination of research work done by different agencies be achieved?

225. What is the extent to which the existing information on labour matters is being put to use? Who are the main

users? Give a critical assessment of the utility of the existing information.

226. Are the existing arrangements for publicising the research activities of the various agencies adequate? What has been the role of the press in such publicity? What improvements, if any, would you suggest?

No additional reply is necessary.

227. How do trade unions/employers' organisations inform the public of their activities? To what extent do they succeed? (See also Q.31)

Trade unions generally inform the public of their activities by issuing circulars, leaf-lets and subscribing to newspapers. Newspapers have bias in publishing news of unions affiliated to different national centres.

228. It is often said that while industrial conflict gets more than its due share of publicity, industrial harmony does not. Do you agree with this view? What are the reasons for this?

229. What role has the press played in educating the public on labour matters and with what results? Would you suggest any improvement? If so, how should this be brought about?

230. What role has the press played in shaping decisions on industrial disputes? Has it helped or hindered the promotion of just and good industrial relations?

No additional reply is necessary.