

QUESTIONNAIRE AND ANSWERS

Q.1.

Q.1. How was the pool of "Registered Workers" created on the 'A' day when the Scheme came into force?

Ans. On the date of coming into force of the Scheme, the existing workers who were working with their respective employers, were registered and thereafter the same workers were grouped as "Toli" (i.e. pool of registered workers) and ~~the Toli~~ the Toli was allotted by the Board to their previous employers on their registration with the Board. Because of this arrangement there was no obstruction in the work and the employers concerned could continue to instruct the Toli Mukadam as before and workers also could continue to get the work from their previous employers through Mukadam, without effecting their wages.

Q.2 What are the different categories of Registered Workers with the Board? What are the eligibility conditions for "registration" of workers?

Ans. The registered workers are broadly grouped in three categories Viz. (i) Piece Rated Workers (ii) Daily rated workers and (iii) Monthly rated workers. The Clause 15 of the Rly Goods Clearing and Forwarding Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1976 lays down eligibility conditions and the same are followed by this Board. In short the workers who are already working in the Rly. yards/Goods Sheds/Private Rly. Sidings and who are Indian Nationals, above 17 years but below 60 years of age, medically fit and have no physical infirmity due to accident etc. are registered with the Board as "Workers".

Q.3 What is the system of regulating employments? How are Registered Workers sent to jobs? How is attendance recorded?

Ans. Those registered workers who resign are allowed to suggest their sons or close relatives for registration

in their vacancies. In case of death of registered workers priority is generally given to their sons of close relatives while filling up the vacancies. The registered workers are required to report for duty at their places of work ~~it is~~ ^{i.e.} Rly. yards/Goods Sheds/ Private Rly. Sidings every day at the appointed time. If their employers have work, the employers or their representatives instructs the Toli Mukadam the particulars of work to be done, The Toli Mukadam thereupon gets the work-done from the workers of his Toli. The workers ~~of his Toli~~ daily attendance is recorded in the Form No. 2, prescribed by the Board (Copy enclosed)., by the Toli Mukadam, and the same is sent to the Board on the following day or so after filling in the various particulars. On receipt of these "Forms No. 2" Muster is prepared by the Table Clerk on the basis of the information given ~~by~~ ⁱⁿ the Forms No. 2. The payments is generally made on 9th or 10th of the following month.

~~Q.4 What is the system of collecting wages and other levies from the Registered employers?~~

Q.4 What is the system of collecting wages and other levies from the Registered employers?

Ans. The employers concerned have to fill in the information daily in Form No. 1 in triplicate and furnish one copy each of it to the Toli Mukadam and to the Board. The Table Clerk concerned tallies the information furnished by the Toli Mukadam in Form No. 2 and that one furnished in Form No. 1 by the employers and works out the amount of wages and levy payable by the employers to the Board. The Employers who have retained one copy of Form No. 1 with them, also work-out every fortnight the amount of wages and levy payable to the Board and remit the same/ by Cheque or in/cash to the Board within 5 days on completion of the fortnight. If the employers fail to remit the amount within such time limit, the Secretary takes recourse to the procedure laid down under Clause 41(6) of the Scheme and recovers the amount in question. If this has no effect on the employers concerned, the

Inspector of the Board invokes the powers vested in him under clause 43 of the Scheme and launches ~~prosecution~~ prosecution ⁱⁿ the Labour Courts for infringement of the provisions of Clause 29(5) of the Scheme. The Secretary who is generally appointed by the Board as an Officer under Section 13 of the Mathadi Act to determine any sum due from employer etc. takes necessary steps to recover the amount due from the employer as an "arrears of land revenue", by following the procedure laid down under Section 13 of the Act. In this way the Wages and Levy are collected.

Q.5 Since the employment is restricted to Registered workers only, what steps have been taken to prevent monopoly on jobs by the Registered workers and exploitation of those not registered with the Board?

Ans. The ~~the~~ Scheme of the Board prohibits employment of a worker who is not registered with the Board. The Board has to protect interests of registered workers only and as such the Board is unconcerned with the problems of unregistered workers and hence no steps are required to be taken in that regard.

~~XX~~

Q. 6 Is the "Registered" pool of workers fixed? What is the system of inducting fresh workers into the Registered Pool?

Ans. No please, The number of workers in the Todies vary from 2 to 60 depending upon the nature of work, number of employers with whom they were working etc. The procedure or the system followed by the Board in inducting fresh workers. - In case of death of registered workers, the Toli generally recommends registration of a Son of the deceased worker. The registered worker while resigning suggests the name of his eligible Son for registration in his vacancy. The Toli Mukadam also supports such registration.

If a new employer is required to be registered the workers who were working with him prior ~~to his~~

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to his registration ~~and~~ are either given separate Toli Number or merged with ^{existing} ~~the~~ Toli after obtaining consent of the Toli workers etc.

Q.7 Does the Board provide Minimum Guaranteed wage or Minimum Guaranteed employment per month and "Disappointment" wage to Registered workers? What is the rate of "Disappointment Wage"?

- Ans. i) In case of Monthly rated workers Minimum guaranteed wage has been fixed by the Board as Rs. 300/- in April 1979. There after the employers are required to grant increase on this wage declared by the Board every year from 1st of January, depending upon the rise in the Consumer-Price-Index Number during the earlier year.
- ii) In case of piece-rated workers no guaranteed wage has been fixed by the Board.
- iii) Minimum guaranteed employment is also not fixed by the Board as it is not practicable.
- iv) Rs. 14/- per day is required to be paid along with Levy thereon by the employer as Disappointment wage."

Q. 8. How do the wage rates of the "Registered" workers compare with those of non-registered workers in similar occupations and the wage rates in general in the area for similar skill levels?

Ans. Wage rates of registered workers are on higher side as compared to those given to unregistered workers in similar occupations or ~~those~~ than to those prevailing in the area for similar skill levels.

Q. 9 How does the Board ensure that its Registered workers conform to the standards of discipline and productivity of the "Registered" employers? What is the frequency of complaints from employers? How are these complaints handled?

Ans. It can be said that the registered Mathadi Workers are disciplined workers. Their productivity in the sense of efficiency is higher than unregistered workers. There are a very few complaints against these workers from

~~required to be~~ incurred by the employers by way of demarrages ~~above~~ due to negligence of duties of their workers are very rare. The Board has evolved a code of Discipline for registered workers and the workers are required to follow the same, Action is also taken against the workers for breaches of provisions of the Code of Discipline. The Complaints, if any, are first enquired into by Inspectors. If the Inspector finds that the worker is ~~guilty~~ guilty, the case is referred to the Personnel Officer for enquiry and taking disciplinary action. The P. O. after hearing the parties and making necessary enquiries, fixes responsibility and imposes punishment in exercise of the powers vested in him under Clause 34 of the Scheme.

If in his opinion, the offence is very serious and warrants higher punishment, the P.O. submits the case to the Chairman along with his recommendation. The Chairman, thereupon, awards heavy punishment to the worker in exercise of the powers vested in him under Clause 34 of the Scheme.

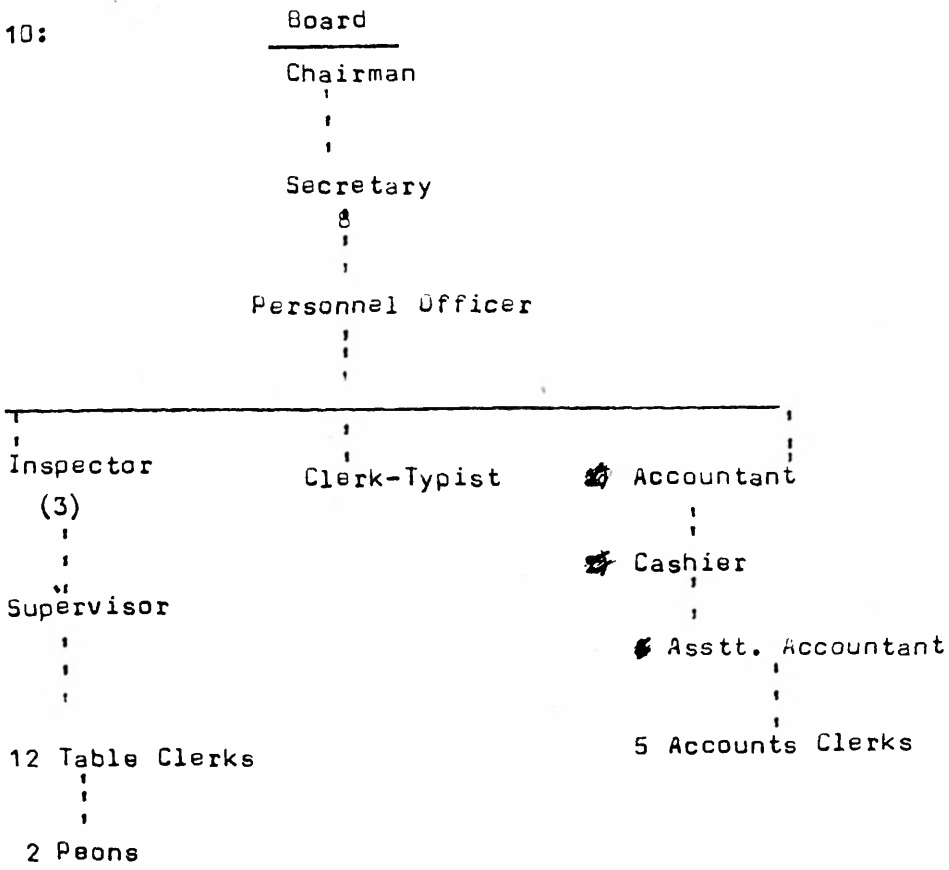
It may be stated that during the last 8 years of existence of this Board, only 2 cases of such type, have taken place where the Chairman had to exercise his powers for awarding heavy punishment. This itself will prove that the registered workers of this Board are disciplined workers.

Q. 10 What is the administrative set up to handle the work of the Board? Please illustrate.

Ans.

Administrative set up of the Board is as given in the Chart.:

Ans.10:



Functions of the Board are laid down under Clause 6 of the Scheme. The Board accordingly takes policy decisions on various matters kept on the Agenda and also sees that the decisions ^{taken} thereat are implemented by the Chairman and Secretary through the members of Staff appointed by the Board. The duties of the Chairman, Secretary, P.O. and Inspectors are laid down under the Scheme and the Act and they have to act accordingly.

Q. 11 What are the benefits (other than wages) that the Board provides to the Registered Workers? How are these benefits administered?

Ans. The Board collects 32% Levy on the gross wages payable to the workers by their respective employers,

After setting aside 3% Levy for Office Administration, the remaining 29% Levy is fully utilised for giving various benefits mentioned below. The percentages of Levy year marked for giving the benefits are shown against the benefits.

<u>Benefits</u>	<u>Percentage</u>
1. Ex-gratia	9.50%
2. Contributory Provident Fund	8.33%
*:3. Leave with wages	3.00%
4. Gratuity	3.00%
*:5. House Rent Allowance	2.00%
6. Workmen's Compensation	1.00%
* 7. Paid Holidays	1.00%
* 8. Leave Travel Concession	0.67%
9. Free Medical Aid	0.50%

	29.00%
	=====

* The gross wages earned during the year by individual worker is taken as basis for working out amount payable towards these benefits ~~is~~.

If a worker, during the year, has earned Rs. 10,000/- gross wages he will get following benefits in cash at the end of the year.

Gross Wages.
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Rs. 10,000/-

1. Ex-gratia ---	at 9.50%	Rs. 950.00
2. Leave with wages	at 3.00%	Rs. 300.00
3. H. R. A.	at 2.00%	Rs. 200.00
4. Paid Holidays	at 1.00%	Rs. 100.00
5. Leave Travel Concession	0.67%	Rs. 67.00

The Provident Fund contribution at 8.33% ^{is} worked on monthly gross wages ₂ is credited to workers' Provident Fund Account by the Board along with the ~~the~~ workers' equal contribution. The workers' Contribution at 8.33% is deducted from his gross wages every month.

The amount in the workers' Provident Fund Account is invested with Nationalised Banks on long term basis. The interest accrued thereon is utilised for ^{granting} interest at the rate declared by the Provident Fund

Commissioner every year. A Pass book showing Workers' Contribution/Boards Contribution made during the year and interest earned thereon is prepared and handed over to every worker

The amount of gratuity at 3% is credited to the Gratuity Fund and the same is invested in long term deposits in Nationalised Banks. On resignation or death of a worker the gratuity payable is calculated and paid to the worker or his nominee as ~~the~~^{case} may be. The worker is eligible to get gratuity if he has worked for 200 days in ~~yr~~ a year and if he has completed 5 years service.

As regards Workmen's Compensation it may be stated that though the Board has set aside only 1% the Board pays full Compensation payable to the worker as per the provisions of the Workmen's Compensation Act.

The amount set aside at 0.50 is given to Mathadi Shushrusa Griha run by a Trust, ^{from where} ~~and~~ free medical aid is given to sick workers.

Q. 12 What role have the trade unions co-operative societies played in ushering in the Boards and keep them going? Would it have been possible to constitute these Boards without co-operation of the trade Unions?

Ans. The Trade Unions have played pivotal role not only in ushering in the Boards, but keeping them going. It would not have been possible to constitute the Board without co-operation of the Trade Unions.

Q. 13. ~~Q~~ What is the quality of co-operation from employers and unions? Have there been cases of prosecution or other case actions taken against defaulters? If so, what were the nature of these offences?

Ans. The employers and unions have given very good co-operation to the Board. All decisions taken by the Board, were unanimous. This would not have been possible without their co-operation. The decisions

of the Board have also been implemented by both the workers and employers in letter and spirit.

There have been prosecution cases but those were very few. All these cases were for non-registration by employers i.e. for breaches of clause 14 of the Scheme.

Q. 14 What are the principal problems/difficulties faced by the Board in day-to-day smooth running? Please illustrate.

Ans. The Scheme of this Board empowers other Boards to function in Rly. yards/Goods Sheds where this Board has jurisdiction.

The concurrent jurisdiction given to other Boards have resulted in conflicts between workers of this Board and those of other Boards etc. and created problems. However, by mutual negotiations between the officials of the Boards concerned, they have been settled to the satisfaction of the parties concerned.

There are no difficulties in day-to-day smooth running of the Board.

Q. 15 Can you state the principal good and not so good points about the scheme under which your Board is constituted?

Ans. Following are good points of the Scheme:-

- 1) It has given security of service to the registered workers. The services of ~~xx~~ workers can not be terminated by their employers as before. The right to take disciplinary action (including that of dismissal) against the registered workers, is vested with the officials of the Board. The Board has also to follow provisions of Law and then only take such severe action.
- 2) The Scheme empowers the Board to grant various benefits to registered workers. The only condition is that it should make adequate provision for meeting

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the expenditure on that count from the Levy ~~with~~ which can be raised upto 50% without approval of Govt. If ^{the Board} desires to raise it above 50% ~~Govt.~~ Government's prior approval is necessary. This appears to be very good point particularly because the Board has not to wait for enactment any Law, for bestowing ^{various} ~~the~~ benefits on their workers.

3) The Registered Employers are absolved of all legal responsibilities and obligations arising out various labour laws towards their workers, if they pay wages and levy regularly in the Board. The Board takes full responsibility of paying Workmen's Compensation, gratuity, Ex-gratia, Provident Fund etc. from the Levy paid by the employer and hence he is got rid of such liabilities, responsibilities etc. This is ^a major benefit given by the Scheme to the registered employers.

4) Since allotment of workers to the employers is to be done by the Board, the Employers can ask for temporary additional hands from the Board for coping up ~~of such~~ additional work. This is also a good provision of the Scheme from the point of employers.

Statement Showing the total number of persons "Registered" with the Board by months and by Categories for 1963.84 and 1984.85.

<u>Month</u>		<u>No. of Workers</u>			<u>No. of Employers.</u>
		<u>Piece Rated</u>	<u>Daily Rated</u>	<u>Monthly Rated</u>	
April	1963	19	-	-	04
May	"	51	-	-	03
June	"	52	-	-	05
July	"	31	-	-	09
August	"	62	-	-	06
September	"	26	-	-	11
October	"	146	-	-	02
November	"	119	-	-	04
December	"	69	-	-	15
January	1984	20	-	-	03
February	"	18	-	-	05
March	"	100	-	-	06
TOTAL :		713	Nil	Nil	73
=====					
April	1984	67	-	-	03
May	"	42	-	-	20
June	"	112	-	-	11
July	"	28	-	-	10
August	"	52	-	-	07
September	"	13	-	-	02
October	"	14	-	-	02
November	"	19	-	-	04
December	"	153	-	-	03
January	1985	194	-	-	15
February	"	56	-	-	09
March	"	49	-	-	09.
TOTAL		799	Nil	Nil	95
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Statement Showing the average employment in days per month for different categories of Registered Workers during 1983.84 and 1984.85.

Month		1983.84.
April	1983	1527
May	"	1549
June	"	1553
July	"	1572
August	"	1577
September	"	1927
October	"	2001
November	"	1988
December	"	2120
January	1984	2233
February	"	2252
March	"	2243

April	1984	2166
May	"	2032
June	"	2060
July	"	2172
August	"	2237
September	"	2282
October	"	2224
November	"	2297
December	"	2286
January	1985	2603
February	"	2650
March	"	2605

Statement Showing the number of "Registered" workers and employed month-wise and Category-wise during 1983.84 and 1984.85.

Month		No. of Registered workers	No. of Workers Employed.
April	1983	3711	1696
May	"	3752	1721
June	"	3799	1725
July	"	3817	1746
August	"	3872	1752
September	"	3881	2141
October	"	4019	2223
November	"	4126	2208
December	"	4183	2355
January	1984	4189	2481
February	"	4194	2502
March	"	4277	2492
April	1984	4324	2406
May	"	4347	2257
June	"	4447	2288
July	"	4462	2413
August	"	4499	2485
September	"	4502	2235
October	"	4509	2471
November	"	4522	2552
December	"	4662	2540
January	1985	4836	2892
February	"	4878	2944
March	"	4914	2894

Statement NO. 4

(141) 998

Statement Showing the average monthly earnings of the
 "Registered" workers during 1983.84 and 1984.85.

<u>Month</u>		<u>Average monthly earning.</u>
April 1983	1983	767.70
May	"	749.60
June	"	793.00
July	"	736.00
August	"	673.70
September	"	630.50
October	"	543.90
November	"	523.90
December	"	710.30
January	1984	761.90
February	"	798.10
March	"	783.10
April	"	806.80
May	"	756.90
June	"	749.90
July	"	746.90 75
August	"	725.15
September	"	657.90
October	"	746.40
November	"	728.40
December	"	825.90
January	1985	885.35
February	"	1016.70
March	"	841.60.

Statement No. 5 Statement showing the "Registered" employers with the Board by months and size during 1983.84 and 1984.85.

1983.84

<u>Month</u>	<u>No. of Employers</u>
April 1983	04
May "	03
June "	05
July "	09
August "	06
September"	11
October "	02
November "	04
December "	15
January 1984	03
February "	05
March "	06
Total	<u>73.</u> =====

1984.85

April 1984	03
May "	20
June "	11
July "	10
August "	07
September"	02
October "	02
November "	04
December "	03
January 1985	15
February "	09
March "	09
Total :-	<u>95.</u> =====

Statement 6

16

923

Statement No. 6. :

Statement showing the rates of levy charged by the Board on different employers or categories of employments during 1983.84 and 1984.85.

Employers are charged at uniform rates no different rates of levy are fixed and therefor the rate of levy for the year 1983.84 ~~is~~ is 28% and for the year 1984.85 32%.

The rate of levy for year 1983.84 28%

The rate of levy for year 1984.85 32%

Statement No. 6

Statement Showing the number of administrative Staff and the registered workers, and the Cost of administrative staff as a percentage of the total expenditure of the Board during 1983.84 and 1984.85.

	1983.84	1984.85.
No. of administrative Staff:-	28	28
No. of workers Registered up to:- 31st March 1984/1985	4,986	5787
Cost of administrative Staff :-	Rs. 3,47,882.37	4,23,242.82
Total expenditure during the year:	4,99,283.31	6,42,917.96
The cost of administrative Staff as a percentage of the total expenditure of the Board during 1983.84/1984.85	69.68%	65.83

Note:- For Office administration Board has set aside 3% Levy out of 32% collected from the employers. The total expenditure has never exceeded this allocation and Board has taken care to see that the expenditure is kept ~~xxxxxxx~~ within the grants allotted. During the year 1983.84 and 1984.85 the Board has saved Rs. 98,808.73 and Rs. 10,165.90 from the sanctioned grants because of the economy measures adopted and strict-vigilance kept on expenditure by the Board.

1983.84

EXPENDITURE

TRANSFERRED TO SPECIFIC FUND

	To Contributory Provident fund	19,74,729.36	
	" Workmen's compensation	1,91,759.64	
	" Paid Holidays	2,37,062.34	
	" Levy Reserve	90,605.44	
	" Diwali Bowani(Ex-gratia)	22,89,200.87	
	" Gratuity	6,20,581.64	
	" Medical Benefits	1,34,840.13	
	" Leave with wages	7,11,187.04	
	" House Rent allowance	1,11,703.11	
48,61,676.54	" Leave Travel concession	37,420.62	63,99,090.19

ADMINISTRATIVE EXPENDITURE

	To Contributory P.F. to staff	21,706.03	
	" Books & Publication	105.00	
	" Conveyance	3,785.75	
	" Depreciation on furniture and dead-stock	6,935.34	
	" General Insurance	6,347.00	
	" Interest on Govt. Loan	2,031.25	
	" Leave salary	2,855.45	
	" Legal & Professional fees	1,440.00	
	" Miscellaneous Expenses	10,660.02	
	" Printing & Stationery	65,073.72	
	" Pension contribution	5,522.30	
	" R e n t	20,590.57	
	" Repairs & Maintenance	8,731.51	
	" Salary & Allowances	4,23,242.82	
	" Telephone charges	3,575.10	
	" Sweeping charges	591.20	
	" Water charges	1,172.35	
	" Ex-gratia to staff	38,055.05	
	" Postage	1,155.00	
	" Late Shri A.P.Patil 3rd Anniversary Expond.	8,000.00	
	" Interest on staff P.F.	9,592.50	
4,99,283.31	" Audit fees	1,750.00	6,42,917.96
6,20,605.50	" Interest credited to workers P.F.		9,45,717.75
	" Workers P.F. Int.		
17,330.86	⊙ Transferred to administrative reserve		32,896.82

ESTABLISHMENT LABOUR BOARD FOR GREATER BOMBAY,
FOR THE YEAR ENDED 31ST MARCH, 1985.

1983.84

I N C O M E

1985.85

LEVY ON WAGES

	By Contributory Provident fund	19,74,729.36	
	" Workmen's compensation	1,91,759.64	
	" Paid Holidays	2,37,062.34	
	" Levy Reserve	90,605.44	
	" Diwali Bowani(Ex-gratia)	22,89,200.87	
	" Gratuity	6,20,581.64	
	" Medical Benefits	1,34,840.13	
	" Leave with wages	7,11,187.04	
	" House Rent allowance	1,11,703.11	
	" Leave travel concession	37,420.62	
54,59,768.58	" Administrative Reserve	7,44,083.86	71,43,174.05<
48,384.40	" Interest on Savings Bank		25,808.08
9,42,972.44	" Interest accrued on W.P.F. Investment		12,28,140.46
-10,950.24	" Int. on Fixed Deposits		1,279.00
41,550.00	" Int. on recurring deposit		77,325.00
55,823.49	" Int. accrued on General Investment.		2,01,248.90

THE RAILWAY GOODS CLEARING & FORWARDING
INCOME & EXPENDITURE ACCOUNT

1933.84	EXPENDITURE	1934.85
	98,808.73 Surplus in administration	1,01,165.90
	4,64,744.21 Excess of income over expenditure carried to Balance sheet...	5,55,186.87
65,62,419.15	Total Rs...	86,76,975.49

Checked and found correct subject to our report of
even date

Mombay,

Date: 20.Nov.1935.

for M/s. S.D. GUNJAL & CO.,
Chartered Accountant,
sd/-
(S.D. Gungjal)
Proprietor,

(18)

ESTABLISHMENT LABOUR BOARD FOR GREATER BOMBAY,
FOR THE YEAR ENDED 31 ST MARCH, 1985.

934

1983.84

I N C O M E

1984.85

65,62,449.13

Total Rs... 86,76,975.49 ✓

THE RAILWAY GOODS CLEARING & FORWARDING
ESTABLISHMENT LABOUR BOARD FOR GREATER BOMBAY,

Sd/-
Accountant,

Sd/-
Secretary,

Sd/-
Chairman,

Statement NO. 9

930

~~Statement~~ Showing the total wages paid to the workers and the wages paid as the minimum Guarantee Wages paid during 1983.84 and 1984.85.

Total Wages paid during:- the year 1983.84.	1,73,88,878.67
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Total wages paid during the year 1984.85.	:- 2,40,13,234.26
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Minimum Guarantee Wages paid during the year 1983.84 & 1984.85.	Nil.
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Statement No. 10:

Statement showing the rates of levy charged from various categories of Registered employers for the various categories of employments during 1983.84 and 1984.85.

Employers are charged at uniform rates no different rates of levy are fixed and therefor the rate of levy for the year 1983.84 is 28% and for the year 1984.85 32%.

The rate of levy for year 1983.84..... 28%

The rate of levy for year 1984.85 32%

(फॉर्म नं. १)

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एकाने घाबयाचा कामाचा तपशील

टोळी नं.	एकूण कामगार	हजर कामगार	
		रजि. काम.	अन र. का.
			989

रजि. नं.

तारीख

खटारा/वेबटल (१०० कि.प्र.)	एकूण झालेले काम	कामाची रकम		लेव्ही		टोळीकडून रोख रकम जमा				एकूण रकम	
		रु.	पैसे	रु.	पैसे	कामाची		लेव्हीची		रु.	पैसे
पैसे											

0 173351

DUPLICATE

मालकाची अथवा मुनीमाची सही

तारीख—

अनु. नं.	इजर कामगारांची नावे	संख्या	कामगारांचा रजि. नं.	अनु. नं.	इजर कामगारांची नावे	संख्या	कामगारांचा रजि. नं.	गैरइजर कामगारांची नावे	रजि. नं.	दुसऱ्या टोळीतील असलेले कामगार	रजि. नं.	टोचक
										दुसरीकडील रावलेल्या ताणुरत्या कामगारांची नावे	रजि. नं.	टोचक नं.
									र. पेसे			
								वाटणीचा तपशील				
								कामाची रक्कम				
								मागील शिहलक				