

RECORD NOTE OF DISCUSSIONS
AT THE MEETING OF SUB-GROUP
HELD ON FRIDAY 3RD JANUARY
1986 AT 11.00AM IN BAI OFFICE

The following were present:-

Prof K.N. Vaid

Sardar Amarjit Singh Chowdhry

Shri B.M. Sethi

Members of the Sub-Group.

Shri K.A.Khan

Miss Geetha

Shri R.G. Gandhi

Shri R.M. Chokshi

Shri Narendra Patel

Shri K.R. Gaitonde

Shri R.U. Pai, Secretary, Bombay Port Trust

and

Shri N.A. SAMANT, Executive Secretary, Builders Association of
India

Shri P.J. Ovid, Commissioner of Labour, Maharashtra, who attended the meeting ~~before~~ informed the meeting that only a little while ago he was shown a copy of the minutes of the meeting of the Tripartite Working Group held at Delhi on 27th September, 1985, by Shri Samant from which he found his name as a member of this Sub-Group. He stated that he had not received any communication in this behalf from the Union Labour Ministry and had not, therefore, programmed to attend the meeting.

Shri Ovid further stated that Shri Shambhu Dayal, Labour Secretary, Gujarat Government, who was the Convenor of the Sub-Group, had talked to him and Shri Samant in the morning over telephone from Gandhinagar and had conveyed his inability to attend having missed the morning flight. In the circumstances, Shri Dayal had suggested that the Sub-Group should continue its deliberations under the Chairmanship of Prof.K.N. Vaid. This was agreed to by the members and on their request Prof.Vaid took the Chair and conducted the proceedings.

Shri Ovid gave in brief the account of operation of the Maharashtra Mathadi, Hamal and other Manual Workers (Regulation of Employment and Welfare) Act, 1969. He stated ^{that} the Act had helped create momentary Employer, Employee relation where in a given locality there was concentration of employment such as cloth market, Grocery market, Iron & Steel Market etc. The pre-requisite for operation of the Act was well defined areas of employment in trade or manufacturing activity, Shri Ovid stressed.

that On enquires from members, Shri Ovid clarified there were different Boards for different activities where the employers and the workers were required to register. The Boards acted as agent and paid wages to the workers. As far as his opinion was concerned, Shri Ovid felt the concept was good but not practical as far as construction sector was concerned.

At this stage Shri Ovid left the meeting with the permission of the Chair as he had other engagements to fulfill.

Shri Khan took objection to the presence of those who were not members of the Sub-Group.

Chairman explained that these gentlemen were present only as observers with a view only to contribute their experience to the deliberations and not to browbeat anyone as alleged by Shri Khan. He stated that in meetings like this it had been the practice to allow observers to be present and they could speak only if so desired by the Chair. This had happened in the past meetings of the main group as well as in the meetings of the other Sub-Group.

Shri Gandhi, Shri Chokshi, Shri Patel and Shri Gaitonde, felt that they should withdraw from the meeting in view of the remarks made by Shri Khan. They however requested streamlining of procedure in this behalf for future meetings held under the aegis of Union Labour Ministry.

Shri Khan also took objection for holding meeting of the Sub-Group in the office of the Association. It was pointed out to him by the Chair that the venue of the meeting was shifted for the sake of convenience only and with the permission of the Commissioner of Labour in whose office the same was earlier scheduled to be held. Shri Sethi suggested holding of the sub-Groups meeting in Shri Khans' office, if so invited.

Miss Geetha suggested that in order to have better knowledge of the operation of the Act, the members of the Sub-Group should visit some of the Boards in Bombay. Chairman assured her that such visits could be arranged but it required prior intimation to the Board.

Shri Pai explained the schemes for engagement of workers in the Port Trust and Dock. He stated that the decasualisation of labour introduced for these workers way back in 1948, after trial and errors, has succeeded to some extent. At the request of the Chair, Shri Pai agreed to send him copies of the schemes and other relevant papers

After explaining various schemes in brief Shri Pai left the meeting with the permission of the Chair.

At this stage the Chairmen of some of the Labour Boards in Bombay joined the meeting. They were:-

Shri S.S. Salvi, Chairman,	Cotton Market Labour Board and Metal & Paper Market Labour Board (for Greater Bombay)
Shri B.K. Patil, Chairman,	Grocery Market & Shops Board for Greater Bombay.
Shri S.D. Mokashi, Chairman,	Iron & Steel Labour Board and Khokha & Timber Markets Labour Board (for Greater Bombay)
Shri K.P. Medbalmi, Chairman,	Goods Transport Labour Board & Clearing & Forwarding. Establishments & Railway Labour Board for Greater Bombay.

They explained the working of the Board as follows:-

- i) Boards collected wages + 33% of wages as levy from the employers
- ii) Payment of wages was made by the Boards.
- iii) From levy collection, after meeting the administrative charges amounting to about 2%, the Boards extended to the registered workers benefits like P F, Gratuity Bonus, Traveling Allowance, HRA, free medical treatment, leave, weekly off etc.
- iv) Investments were made in Nationalised Banks as per directive of the State Government.
- v) The Board is constituted of equal number of representatives from employers and workers with the Chairman nominated by the State Govt. (Asst. Labour Commissioner). Its term was for three years.

Prof Vaid asked that although initially construction sector was thought of by the State Government for inclusion in the schedule of the Act for the purpose of coverage, why it was dropped subsequently. The Chairmen stated that they were not aware of the reasons, if any.

At this stage Shri Dayal once again spoke on telephone from Gandhinagar and suggested to continue deliberations of the meeting at Delhi on Monday the 6th January. This was agreed to by the members.

Accordingly it was decided to hold the meeting of the Sub-Group at Jaisalmer House, New Delhi, on Monday, the 6th January, 1986 at 3.00Pm.

SRK/-