

SOCIAL SECURITY
★
**EFFECT OF ENVIRONMENT ON
THE WORKING AND LIVING
CONDITIONS OF WORKERS**

(New Delhi : 30 November—3 December 1977)

FIFTH ASIAN TRADE UNION SEMINAR

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PREFACE

All papers, documents and conclusions of the Fifth Asian Trade Union Seminar held in New Delhi from 30 November to 3 December 1977 are published in this Volume. The Seminar was inaugurated by the Minister for Labour, Govt. of India, Ravindra Varma.

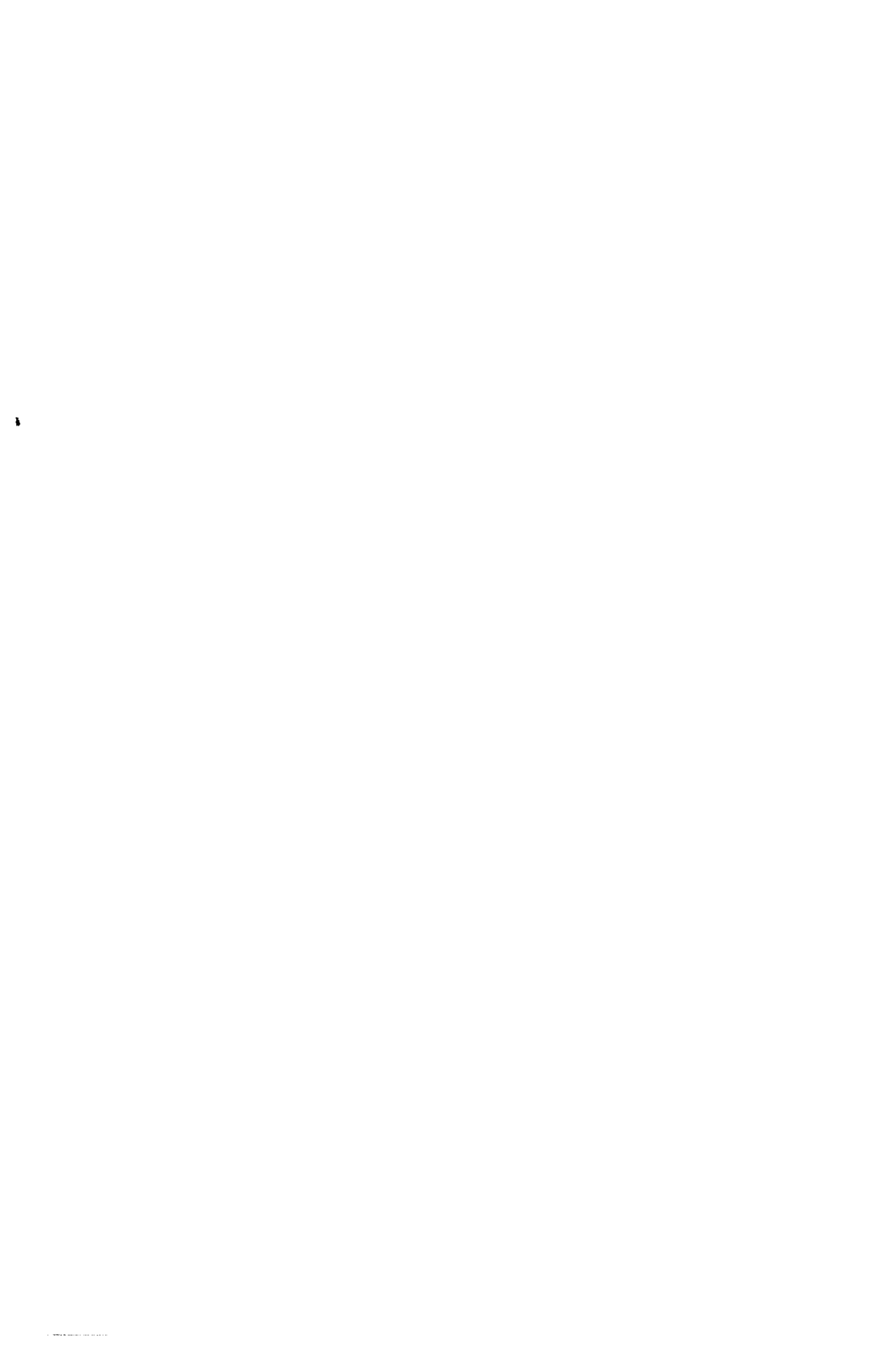
The Seminar had two interrelated themes before it, viz, *Social Security* and *Effect of Environment on Working and Living Conditions of Workers*. Besides WFTU representatives and General Secretary of the TUI of Oil and Chemical Workers, 16 representatives of national Trade Union Centres from 9 different countries of Asia participated in the Seminar. They belonged to all the three International Trade Union Organisations—WFTU, ICFTU and WCL, as well as autonomous organisations like the *Sohyo* of Japan. From India too, besides AITUC (WFTU), the sponsor organisation, representatives of INTUC (ICFTU) and autonomous organisation All India Bank Employees' Association, participated.

Despite diversities in affiliations and socio-economic systems prevailing in different Asian countries the discussion and exchange of opinions at the Seminar were free and frank and the Seminar at the end came to unanimous conclusions in respect of both the themes. Discussions revealed the wide disparities that exist in different Asian countries both in respect of environmental protection and social security measures for workers; at one end of the spectrum is the USSR and at the other end is, say, Hongkong with hardly any social security benefit.

The comprehensive conclusions arrived at the Seminar on both the themes will, we hope, help the trade unions in the countries in this region to formulate their demands, to forge coordinated activities and to improve the working and living conditions of the workers.

New Delhi
1 March 1978

AITUC Secretariat



WELCOME ADDRESS

By K. G. SRIWASTAVA, *General Secretary, AITUC*

Com. Chairman, Hon'ble Minister of Labour and Parliamentary Affairs, Brother Delegates, Guests and Friends,

On behalf of the All-India Trade Union Congress, I wish to extend our heartiest welcome to you all present here for the 5th Asian Trade Union Seminar.

I wish particularly to express our sincere thanks to the Minister of Labour & Parliamentary Affairs, Government of India, Shri Ravindra Varma who has been kind enough to find time to be with us this morning and inaugurate the Seminar in spite of his heavy engagements due to the Parliamentary Session currently going on.

I also wish to welcome the delegation of the WFTU which accepted our invitation to attend the Seminar. We also thank the ILO Representative in New Delhi for accepting the invitation and being with us in the absence of the ILO Director, New Delhi, who had to be away abroad during these days.

Participants in this seminar do not cover Asia in its strict geographical sense. But they do come from several Asian countries with a particular characteristic which I wish to underline is that they come from countries with different economic and social systems—socialist, developed capitalist and developing countries. And they have assembled here to discuss together two of the main common problems facing all workers in all countries.

We are confident that the exchange of experience on these problems under different social, economic conditions

in different countries of Asia will be of great advantage and use to all of us. It will help us to improve our activities on these questions in the common interest of all workers.

We particularly underline and sincerely welcome the fact that on the invitation of the AITUC, we have here trade union organisations, irrespective of differences in international affiliation or of no affiliation. We have here organisations affiliated to WFTU, ICFTU and WCL as well as those which are independent. Our spirit is that we trade unionists, irrespective of differences in affiliation or ideology, should be able to sit together, discuss common problems and arrive at a common programme of action in the common interest of all workers. We are glad that this spirit is appreciated and has found a response, concretely reflected in this Seminar.

In 1968, we had the first Asian Trade Union Seminar held in New Delhi, where we discussed for a week common issues before the workers in Asia and arrived at unanimous conclusions. In the subsequent seminars, we have been taking specific subjects to make our discussions deeper and more concrete. This year, in the 5th Seminar, we have proposed two specific issues: (a) Social Security, and (b) Effects of Environment on Living and Working Conditions of Workers.

Social security is one of the most important subjects with which workers are concerned in all countries. The controversy in capitalist countries that whether the employers or state is responsible for it has been more or less settled that both are to share it in agreed proportions. However, I would like to draw your attention to a big distinctive fact that in the socialist countries workers enjoy constantly improving social security provisions with either only nominal contributions or without actually any contributions at all on their part. And they are also responsible for managing the whole social security system. But in all capitalist countries to whatever extent social security is available, workers have to contribute. Then

there are differences in the extent and quality of social security measures in the socialist and non-socialist countries.

Working class and the people expect the State to provide social security from birth to death as in the socialist countries. That requires social transformation. But even in the present state of society in each country struggle is on for a full and an improved social security system. Exchange of views in such meetings and seminars does help us to know where the respective countries stand in this respect and try for improvements.

With rapid expansion of industries particularly engineering and chemical, the problem of environments and their effect on working and living conditions has been accentuated. Even otherwise the working conditions, occupational hazards and diseases, safety measures against accidents, pollution of air and water are serious matters not only for the workers but for the whole people.

Capitalist system where particularly private sector entrepreneurs want to earn more and more profits at the minimum cost and in shortest time, these problems are more acute. The different states within this system have either taken no legal measures or only some half-hearted measures for protection of environments and this also mainly due to the struggle of workers and other sections of people, but still much more remains to be done. And one of the foremost needs is education and instructive information on the subject. In countries like Japan, the situation is more serious, while in comparatively less developed countries the problem has come to the fore but not yet being tackled in any serious manner.

Precautionary measures are possible both in respect of air and water pollution as well as in relation to working and living conditions of workers. Very little has been done in this respect in our country except on paper. We will have here presentation of papers on the subject dealing with the problem both in the capitalist and the socialist countries. I hope our discussions and results thereof

will help not only the trade unions of countries present here but also those of others in our region.

Some of the countries whose trade unions had accepted the invitations to participate in the seminar but could not come for reasons beyond their control are:

1. South Pacific Regional Committee for International Trade Union Unity
2. Pakistan
3. Thailand

From India we are glad we have representatives of sister TU centres and some independent trade federations and we heartily welcome them too.

For a long time, efforts have been on for a United Asian Trade Union Conference in which trade unions of all affiliations or without any affiliation and irrespective of political or ideological differences could take part and exchange views on common issues before workers in Asia. We very much regret that ideological and organisational barriers have so far stood in the way of realizing such a gathering or platform. In certain countries lately—particularly in Europe, with the progress of detente and development of bilateral and multilateral relations between trade union organisations, irrespective of differences in affiliation, this has been made possible notably under the aegis of the ILO—Workers' Group to hold a meeting of all European trade union centres without any distinction whatsoever. We regret that this has not so far been possible in Asia even in this form.

We are, however, confident that if we continue to work and increase our efforts as evidenced by the present seminar, we can and should succeed in bringing about a common gathering of all trade union organisations in Asia without discrimination to serve the common cause of all workers, so dear to us all.

Dear friends, we have tried to make arrangements to make your stay comfortable and pleasant and create

good conditions for work. We hope that you will enjoy your stay in the capital of our country. We would request you to excuse us for any inconvenience you may have suffered due to any deficiency in our arrangements. We assure you that we will do our best to make your stay as happy as possible.



INAUGURAL ADDRESS

of

Ravindra Varma, Labour Minister, Government of India

Mr. Chairman and participants,

I am very grateful to you for the honour you have done me by asking me to inaugurate this Seminar. It is indeed a gesture of friendship and I appreciate it deeply. I find that many friends from other countries of Asia, and from the Soviet Union and the representatives of WFTU and the Trade Union International of Oil, Chemical and allied workers, are attending the Seminar. May I say to all of them that they are most welcome to this land of trade union freedom.

The Constitution of India guarantees freedom of association and our trade union laws give full protection to this freedom. We do not look upon this freedom as a legal formality; we cherish it as a fundamental right, a basic necessity for the expression of the democratic will of our people. We have, therefore provided full opportunities for the growth of a strong and healthy Trade Union Movement, and have built up an extensive net-work of tripartite consultative bodies to provide forums for discussion on all important matters relating to labour. In fact, the labour policy followed in the country has, by and large, been the handiwork of these tripartite bodies.

Our country had acquired a reputation for the effective manner in which, we have made use of the tripartite consultative machinery to deal with problems in the field of industrial relations. It is a great pity that this machinery was allowed to rust for some time. It is even more regrettable that in the recent past we witnessed the imposition of a moratorium on the exercise of the fundamental rights of the workers and trade unions

in our country. But those dark days are over. The rule of law has been reestablished. Fundamental freedoms have been restored to our people. Trade Union rights have been restored to our working class; and the desire for participation in decision-making has become the hallmark of the silent revolution that our country passed through in its struggle to throw off the trammels of dictatorship.

You are all seasoned trade unionists with long experience of leading the working class in its struggle against exploitation and for a better life. In the course of the next few days, you will discuss two of the major issues that the working class faces today—the effect of environment on the working and living conditions of workers, and social security.

The problems presented by the working environment are certainly not new. The discovery of the health hazards caused by exposure to the atmosphere in factories and mines and new workplace gave rise to the concern for industrial hygiene even in the nineteenth century. In recent decades, however, the problems have become more acute, and have acquired urgent importance, partly because of the introduction of a number of chemicals and other substances which, after being put into wide use, have been found to be toxic or harmful for human beings, and partly because of the increasing mechanisation of operations. There is an increase in the sources and levels of noise and vibration as well as of pollution.

Workers are today exposed to an ever-growing variety of physical, chemical and biological agents. Many of these may have deleterious effects on health. Some 15,000 chemical compounds are widely used in industry, agriculture and commerce only a small fraction of these have been thoroughly investigated with a view to identifying their effects on human health. The assault of noise and mechanical vibration on the human body has been causing growing concern, and the complexity of today's machinery and equipment has accentuated the situation.

Compared to the position that obtains in the industrially advanced countries of the world, the problems of industrial pollution have not yet assumed serious proportions in India. This may be because industrialisation itself is a relatively recent

phenomenon in India, and has not yet reached the rural expanses of our country. But this would not justify complacency or slackness on our part. The problem of industrial pollution is bound to increase with technological development and the extensive use of sophisticated machinery and industrial chemicals. For instance, in the Punjab, according to a survey conducted by the Punjab Board for Prevention and control of Water Pollution, the sub-soil water of various villages has become unfit for human consumption because of pollution by effluents from industrial concerns, and Punjab Board appears to have served notice on 2,000 industrial concerns asking them to secure its approval for the outlets they use for the discharge of sewage and effluents into streams, wells or water courses.

The Government of India itself is fully aware of the long term dangers of industrial pollution and the need for timely action. Several labour laws like the Factories Act, the Mines Act, the Atomic Energy Act, the Water (Prevention and control of Pollution) Act, the Bengal Smoke Nuisance Act, etc. provide for measures of safety against the occupational hazards of working environments. Presently, we are seized of the question of enacting a law for the control of air-pollution in the country to provide for suitable technical agencies empowered to lay down statutory standards for emission levels for toxic gases, fumes and dust. When this enactment comes into force, and is fully implemented, it may go a long way in controlling the concentration of pollutants in the environment and containing it within permissible limits.

As you are aware, the ILO recently adopted a Convention and a Recommendation to curb the hazards from air-pollution, noise and vibration. According to the Convention, as far as possible, the working environment should be kept free from any hazards that arise from air pollution, noise or vibration. Employers are made responsible for compliance with the prescribed national measures, and workers are required to comply with these safety measures.

There can be no doubt that man is the most important factor in the productive process. He also seems to be the most vulnerable link in the process. It is, therefore, essential that all possible protection should be given to workers against the

growing environmental hazards that industrialised or industrialising societies are facing.

Social Security is the other important item on your agenda. The fear of want and insecurity has always haunted mankind. Man has sought security from the fury and vagaries of nature, the hazards of life and the uncertainties that come with changes in social and economic conditions. Industrialisation has accentuated the needs for social security—on the one hand by creating a class of wage earners who cannot fend for themselves in the event of sickness, disablement or unemployment and, on the other hand, by breaking up the joint family system which was the only effective means of protection from the uncertainties of future for the vast majority of the population.

As you are aware, there was recently an ILO—Norway National Seminar on Social Security in this country. The representatives of workers, the employers and the Government had the benefit of reviewing problems with international experts on social security. While we are yet to receive a formal communication from the ILO on the recommendations of the Seminar, the Government is doing its best to initiate necessary action.

The problems of social security in Asian countries and the solutions that they call for are not the same as in case of industrially advanced countries. While in the developed countries agricultural labour force has been decreasing not only as a proportion of the total labour force, but also in absolute terms, in developing countries it continues to increase in absolute terms, and, according to projections made by the FAO, this state of affairs is likely to continue until the beginning of the second decade of the 21st century. The magnitude of the unorganised agricultural labour force and its low incomes and dispersal in remote and often inaccessible areas add to the administrative and financial problems in the way of the successful implementation of social security programmes. This Seminar may perhaps address itself to some of these problems.

Incomes are more unequally distributed in most of the developing countries including Asian countries compared to the distribution of incomes in most industrialised market economies. At the same time social security programmes have a wider and

more effective coverage in the advanced countries. Thus people at lower levels in Asian countries are at a far greater disadvantage than those in the advanced countries. This situation is further aggravated by the economic inequality and disparity between the rich and the poor countries of the world. According to an ILO estimate, 47 per cent of the world population received less than 7 per cent of the world's income in 1972.

The problems of social security in Asian countries have to be viewed in the context of Asian poverty. According to an authentic estimate, out of the total Asian population of 1196 million in 1972, as many as 853 million were 'seriously poor' and 499 million were 'destitutes'. In other words, 71 per cent of the Asian people were "seriously poor" and 42 per cent were "destitutes". The position has in no way improved since then. Problems of poverty and unemployment are inseparable. The unemployed and under-employed Asians, according to statistics quoted by the ILO, numbered as high as 186 millions in 1975. I want to ask this Seminar: Will you say that the claims of these "seriously poor", the "destitutes" and the "unemployed" to social security benefits are in any way less deserving than those of the comparatively better-off, organised dwellers of the urban sectors? If not, what are the social security benefits that we propose for them?

Our studies have revealed that during the past 10 years or so, the rate of increase in social security expenditure in India has been ahead of the rate of increase in industrial production as also the rate of increase in the national income. But, because of administrative reasons as well as the scarcity of resources, most of this amount has been spent in the organised sector and only a pitifully tiny amount has been spent in the unorganised sector which accounts for 88 per cent of the work-force in India. It is a pity that the benefits of social security hardly percolate to areas and sections whose need can perhaps be described as the greatest. How can these anomalies be removed? How can we make a beginning? How can we provide a minimum protection to the vast masses of people in the rural and unorganised sector? How can social security schemes be extended gradually to agricultural workers, small land owners, artisans, tenant-farmers, fishermen, forest-workers, sharecrop-

pers and landless persons employed in agriculture on a permanent, seasonal or casual basis? What priority should be accorded to the provision of different types of benefits while extending social security schemes to the rural sector? These are some of the questions exercising our minds in our country.

Now I turn to another problem. A study conducted by us has shown that the real value of social security accumulations gets seriously eroded over a period of time. To their dismay, workers often find that far from addition to the real worth of corpus of their contributions through the accretion of interest, they do not even get back the real worth of their own contribution. In an inflationary situation such a position is not ununderstandable. Developed countries protect their workers by what is known as "indexation". But the Asian countries can hardly afford this luxury today. This should not, however, mean that we want the workers to continue to suffer in terms of the erosion of their deposits or the rate of interest. This Seminar may consider steps that can be taken to protect the workers' accumulations in these countries.

While the key to the expansion of social security benefits no doubt lies in increased production and productivity, no one should grudge his contribution to the cause of social security. Employers can easily see that much of what they contribute to social security funds is, in fact, in one sense, financed by the exchequer as deductible expenditure and part of it would have even otherwise gone to the workers as bonus. They should not, therefore, grudge commensurate and liberal contributions to social security funds.

India and other Asian countries won their freedom with the hope that freedom would enable them to make the lives of the humble and ordinary people richer. But this hope is yet to be fulfilled in many cases. The continued presence of large numbers of people who are hungry and homeless, miserable and lonely, neglected and exploited, is a challenge to all of us, and it is the duty of every civilized Government to alleviate the misery and degradation of the poor to put an end to exploitation, and to remove the contrasts between affluence and abysmal poverty by insulating the poor against hunger and

want by providing them with employment and the benefits of social security. The rural poor have to be led out of the morass of poverty and insecurity that have been engulfing them for many centuries. It is high time that we do something about it, and do it quickly.

I am sure that, in the course of our deliberations you will look at many of the important questions in the field of environment and social security in the context of the hope and aspirations of the Asian workers, and in the context of the limitations imposed on us by our resources. I can assure you that we will look forward with great interest to the conclusions that you arrive at after your deliberations here, and I have no doubt that the suggestions that will emerge from your discussions will be of immense value to the Governments of the Asian countries in formulating their thoughts and policies in this regard.

I wish the Seminar all success.



MESSAGES RECEIVED

Messages were received from the following countries and organisations for the Seminar:

1. *From Laos Trade Union*

Happily received invitation stop but occupied we cannot participate 5th Asian trade union seminar over

2. *From South Pacific Committee International T.U. Unity Australia*

Extremely sorry unable to attend 5th Asian trade union seminar due to national election on December 10. Labour movement having maximum campaign to defeat Fraser reactionary government. Please express to your seminar our fraternal greetings and best wishes for highly successful seminar.

3. *From Afro-Asian Trade Union Bureau, Singapore*

Thanks you for your letter of 10th inviting us to send one representative to the seminar we regret to inform you that we are unable to send a representative.

4. *From Vithoon THIENKRUA of Bangkok.*

According to your kind invitation to participate in the 5th Asian trade union seminar, we would like to inform you, with deep regret, that we cannot participate in the seminar because the present situation in our country would not be allowable for unionists to go abroad we are very much appreciated your fraternity taking this opportunity to express our best wishes for the success of this seminar, we remain.

From General Federation of Trade Unions, Korea.

Unable to send delegation to seminar. Wish you great success in seminar to be important moment in Asian workers struggle against aggression and intervention of imperialism and for workers democratic rights and their better working and living conditions—
CC, GFTU Korea, Pyongyang.



STEERING COMMITTEE OF THE SEMINAR

Steering Committee with the following members was elected by the plenary meeting on 30 November:

1. Ignor Klimov—USSR.
2. Hiroshi Kikuya—Japan
3. A. R. Fernandez—Malaysia
4. Ana Dirain—Philippines.
5. K. P. Gautam—Nepal
6. P. Kumaraswamy—Sri Lanka.
7. Dr. Dorjjadamba—Mongolia.
8. Geovanna Rita Leung—Hong Kong.
9. T. N. Siddhanta—India (Convenor)

LIST OF PARTICIPANTS

1. Hiroshi Kikuya, General Council of Trade Unions of Japan (SOHYO) Shiba Park, Minato-Ku, Tokyo (Japan).
2. Geovanna Rita Leung, Trade Unions of Hong Kong, HONG KONG.
3. Igor K. Klimov, All Union Central Council of Trade Unions (AUCCTU) 42, Leninsky Prospect, Moscow—B-119 (USSR)
4. K. P. Gautam, Nepal Bee Keepers Association, 11/20, Kamalchhi, KATHMANDU (Nepal).
5. Dr. Sanjin Dorjjadamba, Central Council of Mongolian Trade Unions, ULAN BATOR (Mongolia).
6. Miss Ana P. Dirain, Federation of Free Workers, 3rd Floor, Cuevas Bldg. Taft Avenue, Corner Pedro Gil St., MANILA (Philippines).
7. Riccardo Pizaro, Trade Unions of the Philippines and Allied Services (TUPAS), R. M. 514 FEMMII Bldg. Aduaana Street, Intramuros, MANILA (Philippines).
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10. Brabakarun, Transport Workers Union, "Transport House" 21, Jalan Barat, (Ist Floor), Pentaling Jaya, KUALA LUMPUR (Malaysia).

11. P. Kumaraswamy, Ceylon Federation of Trade Unions, 123, Union Place, COLOMBO-2 (Sri Lanka).
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16. Mahendra Sen, Secretary, World Federation of Trade Unions, Nam Curieovych 1, PRAGUE-1 (Czechoslovakia).
17. Yuri Arkadaski, Assistant Editor-in-Chief of WFTU Journals, Nam Curieovych 1, PRAGUE 1, (Czechoslovakia).
18. Pal Forgacs, General Secretary, Trade Unions International of Chemical, Oil & Allied Workers, BUDAPEST-76 (Hungary).
19. A. K. M H Islam, Bangla Desh Sramik League, 117, Fakir Bridge, DACCA-2 (Bangla Desh).
20. D. Kumar, International Labour Office, 7, Sardar Patel Marg, Chanakyapuri, NEW DELHI-21.
21. S. A. Dange, President, All India Trade Union Congress 24, Canning Lane, NEW DELHI-110001.
22. B. D. Joshi, Vice-President, All India Trade Union Congress.
23. K. G. Sriwastava, General Secretary, All India Trade Union Congress.
24. Parvathi Krishnan, Secretary, All India Trade Union Congress.

25. T. N. Siddhanta, Secretary, All India Trade Union Congress.
26. Raj Bahadur Gour, Secretary, All India Trade Union Congress.
27. N. C. Dutta, Secretary, All India Trade Union Congress.
28. Roza Deshpande, Treasurer, All India Trade Union Congress.
29. Harish Tiwari, Uttar Pradesh State Committee of AITUC, 7, Bisheshwar Nath Road, LUCKNOW (U.P.).
30. G. V. Chitnis, Maharashtra State Committee of AITUC, Dalvi Building, Parel, BOMBAY-12 (Maharashtra).
31. Parduman Singh, Punjab State Committee of AITUC, Ekta Bhavan, Putligar, AMRITSAR (Punjab).
32. Diwakar, M.P. State Committee of AITUC, 455, Jail Road, INDORE CITY (M.P.).
33. Gour Goswami, West Bengal State Committee of AITUC, 144, Lenin Sarani, CALCUTTA (West Bengal).
34. Ramchandran, Andhra Pradesh State Committee of AITUC, HYDERABAD-29, (A.P.).
35. Provat Kar, All India Bank Employees Association 710, Ballimaran, DELHI-6.
36. S. L. Passey, Assistant Secretary, Indian National Trade Union Congress, 1-B, Maulana Azad Road, NEW DELHI-110001.
37. J. S. Dara, Member, Working Committee, Indian National Trade Union Congress, 1 B, Maulana Azad Road, NEW DELHI-110001.

Resolution passed unanimously by Plenary Session of the Seminar on 2nd November, 1977.

RESOLUTION

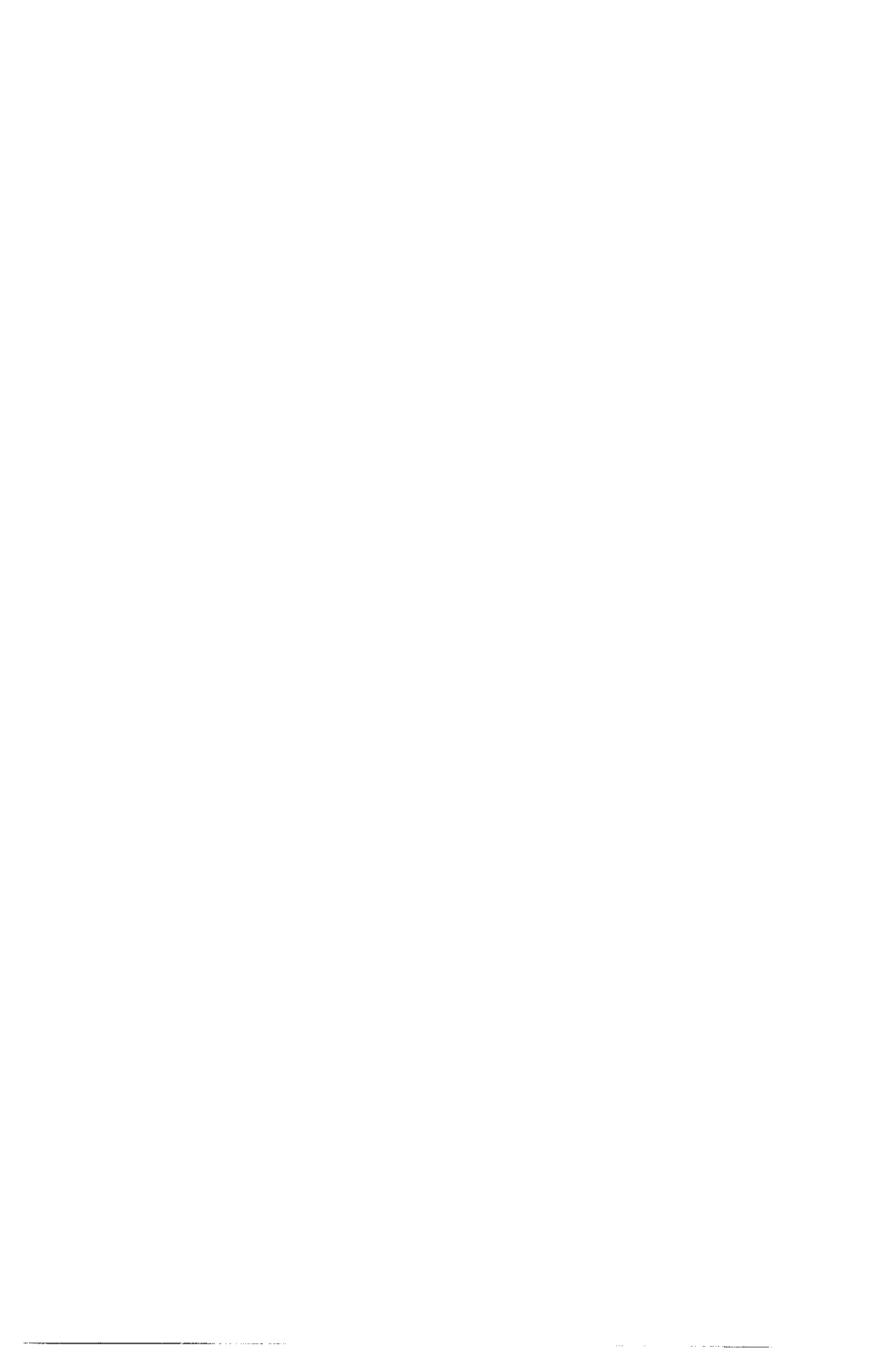
The fifth Asian Trade Union Seminar being held in New Delhi from 30th November 1977 participated by Trade Union representatives from different countries viz. Japan, Philippines, Sri Lanka, Malaysia, Hong Kong, Mongolia, Nepal, USSR, Bangladesh and India and from World Federation of Trade Unions and Trade Union International of Oil and Chemical Workers, expresses its deep sorrow at the tremendous loss of life, property and crops suffered by the three coastal states of this country due to unprecedented cyclone and tidal waves.

The Seminar conveys its deepest sympathy and solidarity with the victims of this natural catastrophe and hopes that all necessary measures will be taken to give relief and succour to the victims.

Seminar appeals to all official and non-official organisations all over the world to extend all help and relief to the victims.



SOCIAL SECURITY



SOCIAL SECURITY IN INDIA

by G. V. Chitnis
All India Trade Union Congress

Social Security : Evolution of Concept

The concept of Social Security has admittedly emerged through a long period of evolution. It's history is probably as old as the history of man. The quest for survival has led mankind from the beginning of it's existence, to devise ways of protecting itself from the hazards of life. In the primitive societies the contingencies against which protection was sought centred mainly around vagaries of nature and external aggression. But the society as also it's problems underwent drastic changes over the years. The intervening centuries between the primitive society and the modern era saw very important changes in the structure of society, the role and functions of the state, man's expectations from the society and the state, the economic and social situation and above all the role and functions of social institutions. Shri T. L. Mathew of ILO Regional Office for Asia, Bangkok observes in this behalf: "The changes from primitive to pastoral society, from agrarian to the industrial age and to the present-day highly materialistic and urban era have brought about changes in the social values and institutional patterns. The break-up of the joint-family following the emergence of urbanisation and industrialisation and in the process, the withering away of the institutional base for security and support made it clear that security in case of need had to be increasingly provided by society through it's own solidarity and that an individual alone could not be expected to fend for himself in times of need—that is when their incomes stopped on account of reasons beyond their control

viz. sickness, injury, unemployment, old-age, invalidity etc, are recorded in history. These early efforts, approaches and devices and their metamorphosis into varied forms such as mutual-aid (self-help), assistance from philanthropic organisations, saving plans, private insurance and finally social security—were a logical outcome of the development of society and social institutions which took place in the course of centuries. (Concepts, Methods and Programmes of social security—Paper submitted to ILO-Norway Seminar on Social Security and National Development, New Delhi—Sept, 1977).

Scope

Social security is now generally understood to be the protection furnished by society to its members through a series of public measures against the economic and social distress that otherwise would be caused by the stoppage or substantial reduction of earnings resulting from sickness, maternity, employment injury, unemployment, invalidity, old age and death, and to provide for medical care and to subsidise families with many children. Thus the contingencies normally dealt with by social security, include:

- 1) the need for medical care
- 2) suspension, loss or substantial reduction of income, due to
 - a) sickness
 - b) maternity
 - c) employment injury, covering both accidents and occupational diseases
 - d) old age
 - e) invalidity
 - f) death of the bread winner
 - g) unemployment, and
- 3) responsibility for maintaining children.

To meet the above contingencies social security programmes provide a series of benefits which include:

- a) medical care
- b) sickness benefit
- c) maternity benefit

- d) employment injury benefit
- e) old age benefit
- f) invalidity benefit
- g) survivors benefit
- h) unemployment benefit and
- i) family benefit.

Some social security schemes are also found to provide various welfare services to persons protected by them. Such welfare services (e.g. vocational rehabilitation of disabled persons, services for convalescents, vocational training and re-training of unemployed workers, facilities for recreation, etc.) are provided by or through arrangements made by social security administrations.

Historical Development

In India, the concept of social security could be said to be inherent in the traditional joint family system which has been prevalent here, since ages. With the growth of industrialisation in the wake of world war-I and the play of modern economic forces the joint family system came to be gradually undermined. With the migration of workers from villages to urban areas and the consequent loss of protection of the joint family, the need for social protection began to be keenly felt.

However for several years, nay decades, in the beginning there was no protection against any contingency and what prevailed in practice was the jungle law of capitalism. The first break-through came with the Fatal Accidents' Act of last century which provided a measure of compensation to the dependants of victims in the event of fatal injuries. The provisions were niggardly and full of loop-holes which were fully exploited by the employers to reject their liability under the Act. A number of false theories such as 'a worker accepted any risk inherent in the job, when he accepted the job' or that 'he was supposed to take reasonable care while performing his duties' held sway and deprived the worker of his dues.

This was an entirely employer-liability measure and the worker or the state had not to contribute anything towards it.

The trade union as also democratic movement was very weak during those times, but after the first World War (1914-18) it began to gather strength. The emergence of ILO on the scene in 1919 also had some impact on the approach of the Government towards labour problems. The result was the Workmen's Compensation Act of 1923 which provided for payment of compensation to the specified categories of workers in scheduled occupations—Factory employment constituting the biggest class of beneficiaries—in the event of employment injuries or to their dependants in the case of death as a result thereof. This too was entirely an employer—liability measure. Further as the employer was not required to insure himself against such a liability, there was always a risk that he might not be able to meet a heavy liability arising out of an accident. The compensation was by way of a lumpsum which could be frittered away to the detriment of real security. In spite of these short comings the measure provided valuable protection to manual workers against the hazards of employment injuries.

The next stage in the growth of social security was the recognition of the contingency of maternity amongst industrial women workers and passing of Maternity Benefit Acts by the then Provincial Governments, the lead being taken by Bombay in 1929. The next decade saw the enactment of maternity benefit laws by several other Provinces and finally by the Government of India in 1961 to ensure uniformity of benefits. These enactments were based on the principle of employers' liability and no contribution by the beneficiary was contemplated.

Social Insurance Legislation

Social insurance first came to be discussed in India in 1927 following the adoption of a convention by ILO on sickness insurance for workers in industry, commerce and agriculture. The Government of India considered the question of a health insurance scheme but regarded the proposal as not practicable. The matter was however pursued by referring it to the then Provincial Governments, who too found it unacceptable in view of the financial liability involved therein.

The Royal Commission on Labour in 1931 emphasised the need for a scheme of health insurance but no action was taken by the Government on this pleading absence of any morbidity data. Working class unrest was however mounting and the leading working class centres were witnessing a chain of strike actions. Several committees were appointed to enquire into this labour unrest—and these made comments on the sad plight of the industrial workers and recommended measures to improve their conditions. The Bombay Textile Labour Enquiry Committee (1937), Kanpur Labour Enquiry Committee (1937) and Bihar Labour Enquiry Committee (1938) appointed by the respective Provincial Governments supported the formulation of a sickness insurance scheme on contributory basis. The Government of Bombay even issued a communique in 1937 concerning its labour policy in which it visualised the development of a comprehensive system of social insurance for the protection of the health of the industrial population. The idea received further stimulus at the Labour Ministers' Conference held in 1940, 1941 and 1942 and both the employers' and the workers' representatives expressed willingness to contribute to a scheme of sickness insurance. The latter did it obviously because they saw it very clearly that without their agreeing to contribute the scheme would never materialise. Accordingly the Labour Department of the Government of India placed at the Third Labour Minister's Conference in 1942, a tentative scheme of sickness insurance for its consideration. The scheme was of a very limited scope and was intended to serve as an experimental measure to provide necessary statistical information—to form the basis of a full-fledged scheme later. In March 1943 the government of India appointed Professor B. P. Adarkar, Special Officer, to prepare a scheme of health insurance for industrial workers, assisted by a panel of advisors drawn from the organisations of employers and workers and an Actuarial Advisory Committee.

Adarkar Plan

Prof. Adarkar submitted his report to the Government in August 1944. His scheme was intended to cover three major

groups of industries viz. textiles, engineering and minerals and metals and envisaged coverage of all employees in perennial factories in these groups except those in public departments and public utility concerns where sick pay and medical facilities were not inferior to corresponding benefits under the scheme. It also envisaged that factories in sparse areas where medical facilities could not be provided would also be exempted.

The Government of India referred the scheme to ILO who deputed two social security experts M/s M. Stack and R. Rao to study the Adarkar Scheme and give their expert opinion.

The ILO experts generally agreed with the basic principles underlying the scheme but suggested certain improvements towards simplification of administration for securing economy, convenience and efficiency.

The chief modifications suggested were :

- a) separation of the administration of medical and cash benefits.
- b) integration of maternity benefit and workmen's compensation in the health insurance scheme
- c) extension of the scheme to all perennial factories covered under the Factories Act and also to all non-manual workers.

ESI Act and Scheme

The Adarkar Scheme and the suggestions of the ILO experts emerged finally in the form of the Workmen's State Insurance Bill, 1946 which was passed by the Dominion Legislature in April 1948 as Employees' State Insurance Act 1948. The scheme envisaged therein is compulsory and contributory. It provided protection against sickness which had not been covered earlier, unified maternity benefit as part of the scheme and replaces lump sum payments by pensions for longterm benefits in the event of employment disability and place the responsibility for administration of the scheme and liability for benefit claims on a statutory organisation viz. the Employees' State Insurance Corporation. The Act has been amended thrice viz. first in 1951, then in 1966 and recently in 1975 with a view to extend coverage and bring about simplification of procedures.

Just before the scheme was to be launched at two, industrial centres as a pilot project, objections were raised by employers in those centres against implementation of the scheme in those centres alone as this would raise the cost of production in those centres and would put them to competitive disadvantage in relation to industries in other centres where the scheme was not implemented.

To overcome these objections the Government finally introduced special provisions in the Act reducing the employers' share of contribution. The original scheme visualised the employers to contribute at double the rate at which the employees were expected to contribute. The employees' share was fixed at 2.17 per cent of their wages and the employers at 4.34 per cent. But the special provisions reduced the employers' share to 1.25 per cent in implemented areas and 0.75 per cent in non-implemented areas. These provisions continued till 1st July 1973 when they were finally done away with though the employers' share was stepped up first on 1st April 1962 and brought on par with that of the employees.

After this hurdle was overcome the scheme was launched first in two centres—Delhi and Kanpur from 24th February 1952 to cover about 12,000 factory workers. Since then the coverage has been extended from time to time till today when the scheme covers some 6 million employees' families in about 400 centres in practically all the states the number of beneficiaries being over 23 millions.

Different Benefits

In addition to medical benefit the scheme provides the following cash benefits.

- 1) sickness benefit
- 2) maternity benefit
- 3) employment injury benefits
 - a) temporary disablement benefit
 - b) permanent disablement benefit—total and partial
 - c) dependants' benefit
- 4) funeral benefit.

Progressive improvements have been brought about in cash benefits during the last 25 years of the working of the Scheme. Sickness benefit which was payable upto a maximum duration of 56 days in any period of 365 days about half the average wages was extended in 1956 upto a maximum period of 309 days in addition to the normal period of 56 days to cover several long term diseases like T.B., Leprosy, mental and malignant diseases, etc.

The list of such diseases has been revised and made more comprehensive from time to time and covers today 21 diseases. Further the rate of extended sickness benefit was also increased by 25 per cent over the normal sickness benefit rate in April 1976 raising it to about 62.5 per cent of the average daily wage. Recently the basic sickness duration has itself been enhanced from 56 days to 91 days from 1st May 1977, thereby bringing the sickness benefit under the scheme at par with the minimum standard laid down in the ILO convention on Minimum standards of Social security for developing countries.

On the Maternity Benefit side the rate of benefit which originally was the same as ordinary sickness benefit or 75 paise whichever was greater, was enhanced in 1958 to double the sickness benefit rate. The benefit is payable for 12 weeks-six weeks prior and six after confinement. By an amendment of the Act in 1966 the benefit which was previously payable for confinement was extended from 1968 to cover cases of miscarriage and made payable upto six weeks following the date of miscarriage. An additional maternity benefit payable for an additional period upto one month was also introduced by the same amendment to cover cases of sickness arising out of pregnancy, confinement, premature birth of child or miscarriage. A provision was also made that when an insured woman died during her confinement or during the period of six weeks following her confinement, for which she is entitled to maternity benefit, and leaves behind the child, the benefit would continue to be paid for the whole of the period of entitlement, but if the child also dies during this period, the benefit would be payable upto the day of the death of the child.

The rate of disablement and Dependents Benefits was increased statutorily by 25 per cent over the standard benefit rate, raising it to 62.5 per cent of the average daily wage rate. Also a provision for a funeral benefit—a lump sum payment of Rs. 100/- payable to the successors of the deceased insured, was introduced. The amendments of 1968, further, liberalised and simplified the determination of eligibility conditions for benefits. Specific provisions were made to facilitate adjudication of employment injury claims in favour of the employee in cases of accidents happening while an employee acted in breach of regulations or travelling in employer's transport or while meeting an emergency.

With a view to promote family welfare planning, insured workers undergoing voluntarily vasectomy or tubectomy operations are allowed, since August 1976, enhanced sickness benefit equal to full average daily wage for a period upto 7 days in cases of the former category and upto 14 days in cases of the latter. This is further extendable in cases of post-operative complications etc.

Improvement in Medical Benefit

Medical benefits under the scheme include outpatient services by general practitioners, including domiciliary treatment, provision of drugs, dressings and injections, specialist services in all branches of medicine and surgery, in-patient treatment in hospitals and diagnostic aids of all descriptions. The scheme originally provided for medical care for insured persons only. But pursuant to a strong and persistent demand for extension of this care to families of insured, the Corporation decided in 1956 to gradually extend this care to families. A start was made with out-door medical care to the dependants, next came specialist consultations to the families wherever arrangements could be made to do so and finally came the hospital care, wherever necessary accommodation for hospital facilities could be provided in the ESI or other hospitals. Today over 23 million men, women and children are eligible to medical facilities under the scheme, of whom nearly 73 per cent are getting 'full' medical care inclusive of hospitalisation facilities, 23 per cent 'expanded'

medical care which provides for specialist facilities, but not in-patient treatment and the rest 4 per cent enjoy only restricted medical care i.e. only out-patient treatment facilities.

The Corporation has undertaken a programme of construction of ESI Hospitals all over the country for the use of insured workers and their family members. As many as 60 ESI Hospitals and 25 Annexes with a total of over 11400 beds have already been commissioned and another 20 hospitals and 16 Annexes to provide over 5,200 beds are in different stages of construction. The scheme today has 870 out-patient dispensaries apart from about 4,600 clinics of Insurance Panel Practitioners. Including the beds reserved in Government and Public Hospitals the total bed capacity currently under the scheme exceeds 15,000 beds. Specialist consultation is provided through 221 centres where specialists in all specialities like medicine, surgery, gynaecology, paediatrics, orthopaedics, etc. are available besides laboratory and X-ray investigation facilities.

As a part of rehabilitation, only artificial limbs were provided to insured workers in the beginning. The scope has since been liberalised to include artificial appliances like spinal supports, cervical collars, walking callipers, crutches and wheel chair. Recently provision has been made to implant cardiac pacemaker to insured persons and members of their families wherever such a device is recommended by a competent cardiologist. Arrangements are also made to send patients to specialised institutions for heart surgery, dialysis, kidney transplant etc. at the cost of the scheme.

Apart from curative medical services, attention has been recently directed towards providing preventive services to insured persons and their families. Especially a programme of immunisation to protect the young children against infectious diseases like diphtheria, small pox, polio, tetanus has been launched. This however is yet on only a modest scale—the number of doses of various vaccines administered being a little more than 700,000.

Incidence of Sickness

A criticism has often been voiced by the employers that the introduction of sickness insurance has tended to encourage absenteeism amongst the insured workers. This issue was gone into at some length by the ESIS Review Committee (1966) who concluded that there was no evidence to show that absenteeism in industry has shown any significant increase after the introduction of ESI Scheme or that there has been malingering on any large scale.

The incidence of sickness benefit under the ESI Scheme during the last decade is given in the table below:

<i>Year</i>	<i>Average number of sickness Benefit days per employee per annum</i>
1966-67	7.7
1967-68	8.2
1968-69	9.0
1969-70	8.9
1970-71	9.5
1971-72	8.4
1972-73	5.7
1973-74	6.3
1974-75	5.5
1975-76	5.0
1976-77	5.0

It would be observed from the above table that the incidence does not reveal any large scale absenteeism. In fact it has been consistently coming down since 1972-73 and seems to have settled more or less around 5 days per employee per year which cannot be regarded anywhere on the high side.

Invalidity Benefit

Out of the five recognised branches of Social Security the ESI Scheme covered so far two branches viz. Medical, Sickness and Maternity Benefits and Employment Injury Benefits. The Corporation is now visualising introduction of a new benefit viz. the invalidity benefit. This is to be payable to victims

of injury not arising out of employment or to victims of prolonged sickness who may have exhausted the duration of even the extended sickness benefit. The rate of benefit proposed is the standard Sickness Benefit rate i.e. half the average wage rate and the duration is to be upto the age of retirement viz. 55 years. The Corporation adopted an outline of the scheme of this benefit which however can be introduced only after the Central Government approves the Scheme and effects necessary amendments to the ESI Act.

Other measures of Social Security : Provident Fund

The ESI Scheme does not provide any old-age benefits. It is done by separate institutions, viz. the Provident Fund Organisations. The earliest enactment in this direction was the Provident Fund Act of 1925, providing for a Provident Fund contributed by employers and the workers. This Act was however restricted in its application mainly to the employees of Government Departments and Local Bodies.

The need for old-age pensions was stressed by the Royal Commission on Labour as early as in 1929 as also by the Rege Committee and the subject was also discussed at the Third Labour Ministers' Conference in 1942. The Conference recognised the need for instituting Provident Fund for industrial workers but considered that such Fund should be instituted on a voluntary than compulsory basis. The question was reviewed at the Asian Regional Conference of the ILO and on the recommendation of the Conference, the matter was discussed at the 10th Session of the Indian Labour Conference in 1948, when it was generally agreed that a statutory Provident Fund Scheme should be introduced. The ideal course would, of course, have been the provision of old-age and survivors' Pensions as in industrially advanced countries. But pleading the demands of socio-economic factors, the Government decided to introduce a Provident Fund Scheme.

EPF Act and Scheme

A beginning was accordingly made in the same year in which the ESI Act was enacted to provide for a compulsory

provident fund for coal-mines by enactment of Coal mines Provident Fund and Bonus Scheme Act, 1948. The measure encountered opposition from the employers in view of the additional financial burden involved in it. But after this was got over, the Scheme got off to a good start. Its success lent strength to the persistent demand from workers organisations for a general and compulsory Provident Fund Scheme. Finally in 1952 the Government instituted such a fund by the enactment of the Employees' Provident Fund Act. The Employees' Provident Fund Scheme framed thereunder was brought into force by stages from November 1952.

The scheme initially covered industrial workers in factories engaged in six major industries drawing a monthly wage of Rs. 300/- and over. Factories employing less than 50 workers were excluded from the coverage. Later, in the name of Special conditions in the plantations, the Government framed a separate Provident Fund Scheme for the employees in the plantations in the State of Assam in 1955. Further yet another legislation was enacted in 1966 viz. the Seamen's Provident Fund Act to cover the Seamen as their working conditions and needs differed from those of their colleagues in the other industries. As regards the self-employed persons, the Government introduced the Public Provident Funds Scheme for their benefits. Thus several enactments and schemes came into being to cater this one benefit alone, each to a separate section of workers.

Rate of Contribution

The Employees' Provident Fund Act provided for initially a contribution equal to 6.25 per cent of the monthly wage on the workers and a matching contribution on the employers. The above rate of contribution was considered to be not enough to provide adequate old age protection to the worker or to his family in the event of his death. The Labour Ministers' Conference in May 1958 which considered this question decided that the contribution be increased from 6.25 per cent to 8.33 per cent. However it could not be possible to implement the decision immediately, owing to the opposition from employers.

Finally the statutory rate of contribution was enacted from 1.1.1963 to 8 per cent in the case of establishments employing 50 or more persons engaged in certain specified industries and classes of establishments. This higher rate was applied to only 4 industries to begin with. Since then this number has increased to 94 today. The members and employers are also allowed to contribute at a higher rate, if so desired by them.

The coverage of the Act and the scheme was extended from time to time till today, when it covers some 8.33 million workers engaged in about 75,400 factories and establishments in 153 industries.

To be eligible for membership of the fund a worker should be employed in a covered establishment and should have worked in the establishment for a prescribed period and should be in receipt of pay not exceeding Rs. 1600/- per month. The period of eligibility for membership of the fund was prescribed as one year's continuous service or 240 days of actual work during a period of 12 months or less or on becoming permanent whichever was the earliest. The period was later reduced to 120 days of actual work during a period of six months or less or on becoming permanent whichever was earliest.

Right to employer's contribution

Originally the subscribers were not allowed the employers' contribution if their period of membership of the fund was less than 5 years and those having more than 5 years membership received employers' contribution at a graded scale depending upon their period of membership. The provisions in this behalf were amended in 1957 and today a member becomes entitled to 75 per cent of the employers contribution on completing 5 years of membership, to 85 per cent on completing 10 years and 100 per cent on completing 15 years of membership of the Fund.

Accumulations in the Fund are allowed to be withdrawn only in the event of death, superannuation after attaining the age of 55 years or on retirement on account of permanent and total incapacity for work due to bodily or mental infirmity or

when a member is migrating from India for permanent settlement abroad. In November 1962 a provision was also made for payment of full accumulations on termination of service of the member in the case of mass or individual retrenchment. The withdrawal in the case of individual retrenchment is however permitted if the member is not employed in any other factory or establishment covered by the Act for a continuous period of not less than 6 months immediately preceding the date on which the member applied for withdrawal.

In special cases non-refundable advances are made to a member from the Fund for:

- i) purchasing a dwelling house or a dwelling site and/or construction of a dwelling house.
- ii) daughter's marriage or higher education for a subscriber's son or daughter.
- iii) natural calamities, etc.

Special Reserve Fund

A special Reserve Fund has been created for paying the Provident Fund accumulations to the outgoing members or their nominees when the employers have failed to pay the whole or part of the provident fund contributions deducted from the wages of the members. The employers' contribution not deposited by the employer with the fund is however not paid to the members out of this Special Reserve Fund.

Death Relief Fund

Death relief fund has been set up for affording financial assistance to the nominees/heirs of the deceased members in receipt of wages not exceeding Rs. 500/- p.m., so that a minimum of Rs. 750/- is assured to the nominees/hirers of every deceased member. The fund set up on a trial basis for one year from 1.1.1964 is being continued since then. No financial assistance from this fund is however given to the nominees/heirs of deceased members who joined the Employees' Provident Fund on attaining the age of 55 years and after receiving superannuation benefits.

With a view to ensure that the Provident Fund accumulations refunded to the worker were not frittered away and the worker became a destitute, the Government decided to convert EPF Scheme partially into a Family Pension Scheme within its own framework and without any extra financial burden on the employers and the workers. This made it possible for the families of the workers who died in harness to receive a constant monthly income. The Government further decided to partly finance such a scheme.

The Employees' Family Pension Scheme

The Family Pension Scheme was accordingly introduced by the Government in 1971 as a supplement to the Employees' Provident Fund Scheme. A small portion equal to 1-1/6 per cent of the contribution made by the worker and his employer is set aside under the scheme and credited to a separate account. The Union Government too makes an equal contribution to this fund, and bears the entire cost of its administration. The total amount thus set apart so far is Rs. 742 millions contributed by 3.32 million subscribers in the scheme.

The scheme was optional for those who were members of the Employees' Provident Fund at the time of its introduction but compulsory for those who joined the fund later.

The following benefits are payable under the Family Pension Scheme :

- a) Family Pension
- b) Life Assurance Benefit
- c) Retirement Benefit
- d) Withdrawal Benefit

Family Pension

Unlike the Provident Fund Scheme which provides for a one-time lump sum payment to the subscriber on retirement or death or on leaving the fund after being out of covered employment for a period over six months, the family pension scheme ensures a recurring payment in the form of a monthly pension to the family of a deceased member. The monthly

rate of pension varies from 30 per cent of the employee's pay subject to a minimum of Rs. 40/- for those whose monthly pay is below Rs. 200/- to 12 per cent of pay subject to a maximum of Rs. 150/- in the case of employees with monthly pay of Rs. 800/- and above. In the case of death of an employee who had been a member of the Pension Scheme for a period of not less than 7 years, family pension at a higher rate of 50 per cent of the pay last drawn in full subject to a maximum of twice the family pension rates mentioned above, is payable for a period of 7 years from the date of death or till the date on which the member would have reached the age of 60 years, had he/she remained alive, whichever period is shorter. After the expiry of the above-mentioned period of 7 years the pension is payable at normal rates. In the case of a member whose age at the time of entry into the scheme had been more than 25 years, the rate of family pension payable is reduced by a factor depending on the age at entry. The monthly pension is given to the widow/widower, to the minor son till he attains 18 years of age and to the minor unmarried daughter till she attains 21 years of age or gets married, to one individual at a time and in that order.

Life Assurance Benefit

When a member of the family pension fund who joined the scheme at the age of 25 or below dies while in service a lump sum of Rs. 1000/- is payable to his/her family as Life Assurance Benefit. In case of a Member who joined the Scheme after the age of 25 years the benefit is reduced by a factor depending on the age at entry.

Retirement Benefit

A lump sum of Rs. 4000/- is payable as Retirement Benefit to a member on attaining the age of 60 years if he had entered the Fund at the age of 25 years or less and contributed to the Fund for not less than 2 years. In cases where the member entered the Fund after 25 years of age, the aforesaid lump sum is reduced by a factor depending on the age at entry—the note-worthy feature of this benefit is that a worker can

continue to work in the factory and contribute to the provident fund even after attaining the age of 60 and after receiving this retirement benefit.

Withdrawal Benefit

Withdrawal benefit is payable to a member if he leaves service for reasons other than death before attaining the age of 60 years, if he had entered the fund at the age of 25 years or less and had contributed to it for not less than 2 years. If however, the member entered the Fund at the age of more than 25 years, the amount of benefit is reduced by a factor depending on the age at entry. When membership ceases before completion of 2 years contribution to the scheme, the members own share of contribution with interest is refunded.

The interest received by the subscribers to the Provident Fund on their accumulations in the Fund has been always considerably less than the interest on term deposits allowed by the Banks, or the interest the depositors could have earned on equally secure investments. The workers' organisations have always criticised this and pleaded for an increase in the interest rate. The Government have no doubt revised the rate of interest from time to time, but not of course sufficient to bring it on par with the rate allowed even on term deposits.

With a view to meeting the criticism of the workers' organisations in this behalf and assuage the feelings of the workers, the Government announced in 1976 a new Scheme entitled Employees' Deposit Linked Insurance Scheme. Under this scheme, in the event of death of a Provident Fund subscriber while in service, the person receiving his provident fund amount would receive an additional amount equal to the average of the provident fund accumulations to his credit during the three years immediately preceding the death, if such average was not below Rs. 1000/- at any time during the said period. The maximum amount of benefit payable under the scheme is Rs. 10,000/-. Only the employers are required to pay contributions to this insurance fund at the rate of 0.5 per cent of the total emoluments. The Central Government also contributes to this fund at the rate of 0.25 per cent of the total emolu-

ments. In addition administrative charges are payable by all covered establishments at the rate of 0.1 per cent and the Central Government also meets the administrative expenses of the scheme by paying an amount at the rate 0.05 per cent of the total emoluments of employee members.

The Employees' Provident Fund vests in and is administered by a tripartite Central Board of Trustees with representatives of the Central Government and all-India organisations of employers and employees. The expenditure involved in administering the Act and the Scheme is met from a levy or administrative charge at a prescribed rate from the employers of unexempted establishments and inspection charge at a prescribed rate from the employers of exempted establishments. The administrative and inspection charges are calculated at the rate of 0.37 per cent and 0.09 per cent respectively of the wage bill of the establishment concerned.

Gratuity

One more old age benefit achieved by the Indian Working class is the gratuity. There was no central legislation governing the payment of gratuity in the beginning and the concept developed and took shape first out of collective bargaining and later out of industrial awards. But multiplicity prevailed as regards rate of payment of gratuity and the eligibility conditions. Finally the payment of Gratuity Act enacted by the Government of India in 1972 brought about certain uniformity in this. Now a worker is eligible for gratuity after putting in 5 years service with his employer. The rate of payment is 15 days wages per every year of service subject to a maximum of 20 months' wages. Wages are deemed to be inclusive of Dearness and other allowances. No separate authority has been created to administer the Act and the onus to pay according to the provisions of the Act has been placed on the employers who are supposed to make necessary provision for it.

Retrenchment and Lay-off Benefits

There is no unemployment benefit available to the Indian worker except the retrenchment and lay-off benefits provided

under the Industrial Disputes Act. An amendment to this Act in 1953 provided for retrenchment compensation to a retrenched worker at the rate of 15 days full wages for every completed year of service. Another amendment provided for lay-off benefit to laid off workers under certain conditions. The benefit equalled 50 per cent of the average wage rate and is subject to a maximum of 56 days wages in a year.

Employment Guarantee Scheme

A novel type of scheme called the Employment Guarantee Scheme has been introduced by the Maharashtra State Government since two years past. It is being enforced in certain selected areas. All able-bodied persons ready to do manual labour are assured of work on certain development projects. In the event of the inability of the state to offer them employment, the beneficiaries are assured of some fixed allowance. A special tax called the Profession Tax has been levied on all employed persons to finance the scheme. The Scheme is yet in an experimental stage, but has aroused considerable interest in other parts of the country.

Uneven Development

Under the ESI Scheme while the Corporation looks after the administration of the cash benefits, the medical benefit is administered by the State Governments. This has led to a very uneven and haphazard growth of the scheme. The Corporation had laid down standards to be followed by States and even paid them accordingly. But the States believed in following their own policies, priorities, programmes and standards. Several states did not believe in "different" standards for the insured employees and the general public and followed the same standard as applied to the latter. The sufferers of this were naturally the insured beneficiaries who received medical treatment at standards applicable to the non-contributing members of the general public, though they were made to pay for a better standard.

This uneven development of the scheme was soon reflect-

ed in three types of medical care emerging viz. restricted care, expanded care and full care. The insured were required to pay for full care from the very beginning, but lakhs continued to be on restricted care for years and still more on expanded care. As late as on 31.3.1976 out of an insured population of 5.6 million, 607,000 continued on restricted care, 23,42,750 continued on expanded care and only 26,34,300 enjoyed full medical care. The family members of insured persons in big cities like Bombay and Calcutta accounting for over 30 per cent of the total insured persons did not receive hospitalisation facilities till the beginning of this year. These were extended in Bombay in Feb. this year and are yet to be extended in Calcutta. Over 200,000 insured persons in Uttar Pradesh continue to be under restricted care even today.

The uneven development can be further seen from the varying per capita cost of medical benefit from State to State as can be seen from the following for the year 1975-76.

Per Capita Cost of Medical Benefit

	<i>Rs.</i>
Andhra Pradesh	100.31
Assam	54.18
Bihar	77.45
Chandigarh	70.02
Delhi	119.96
Goa	27.18
Gujarat	87.71
Haryana	65.80
Karnataka	105.90
Kerala	113.75
Madhya Pradesh	86.40
Maharashtra	72.07
Orissa	71.26
Pondicherry	66.15
Punjab	62.72
Rajasthan	88.39
Tamilnadu	124.81
Uttar Pradesh	60.09
West Bengal	85.08

Inadequate Benefits

The high-powered ESIS (Employees' State Insurance Scheme) Review Committee appointed by the Central Government to review the working of the scheme had this to observe in 1966 about the medical arrangements under the scheme.

“The written replies to our questionnaire as well as the oral evidence given before us were overwhelmingly of the view that the medical benefits provided under the scheme at present are neither adequate nor satisfactory. This applies to almost all parts of the country and all aspects of the benefits. Our own observations during our visits to ESI medical installations, panel doctors' clinics, diagnostic centres, etc. largely substantiated these complains. We may briefly recount here more glaring shortcomings that came to our notice.

- a) the doctor-patient relationship in out-door treatment is poor in both panel and service systems.
- b) the availability of drugs is unsatisfactory, especially in panel areas where the insured persons have to go from place to place in search of them.
- c) the clinics of a large number of doctors are too small and do not even approach the minimum requirements of a satisfactory clinic.
- d) some service dispensaries are understaffed and extremely poorly maintained.
- e) diagnostic centres in panel areas are too few, the attendance of specialists therein too short and the time taken to complete the investigations too long.
- f) few or no domiciliary visits are paid by the Doctors both in service and panel areas.
- g) Ambulance facilities are meagre. Even when a few ambulances are provided, they are often out of order or without drivers and are seldom available when needed.
- h) Hospitalisation facilities are far short of the required scale. The shortage is even more severe for ailments needing special or prolonged treatment like tuberculosis, cancer, etc.

- i) Hospitals do not have adequate medical and paramedical staff. In some cases they have no regular specialists to supervise the treatment of the in-patients.
- j) rehabilitation facilities are also extremely meagre.
- k) no preventive work of any kind is done under the scheme.
- l) conditions in several of the hospitals visited by us were far from satisfactory. Patients from some of these complained of lack of proper attention from the hospital staff.

This was the position 14 years after the launching of the Scheme. The Committee made several valuable recommendations to improve the position. But action on these was again halting and tardy, with the result that improvement was slow and again uneven. The many reports of the General Purposes Sub-Committee of the Corporation made from time to time after visits to different states to review the working of the scheme, would make an interesting reading in this behalf.

This dual administration was not contemplated when the first draft of the scheme was prepared by Prof. B. P. Adarkar. Shri Adarkar was of the firm view that medical service organisation under the health insurance scheme should be fully controlled by the insurance institution itself and should not be entrusted to outside authority or state government. The ILO experts who reviewed the Draft at the request of the Central Government suggested this modification viz. the separation of the administration of medical and cash benefits which was accepted by the Central Government.

The situation has improved in certain respects since the ESIS Review Committee submitted its report. But even today the situation continues to be far from satisfactory in regard to hospital beds, ambulances, medical and paramedical personnel, diet in hospitals, domiciliary visits etc. The paucity of hospital beds forced the Corporation to reduce the standard from 11 beds per 1000 insured persons to only 4 per 1000 insured. But the available beds fall far short of even this reduced standard. The bed requirement for the present insured population of 6 millions would be 24 thousands, even according to the reduced

standard of today. But the beds available as on 31st August 1977 were only 16052 made up as 11436 in ESI Hospitals and Annexes and 4616 reserved in public or private hospitals. This comes to only some 66 per cent of the requirement. Naturally there is a waiting list in several hospitals and in some even malpractices have made their appearance in connection with hospital admissions. The sharp rise in prices has affected hospital budgets adversely and lead to a deterioration in quality of service in general and of food served, in particular. The position concerning ambulances still continues to be deplorable in several centres, diagnostic centres continue to be overcrowded and some in fact, have to maintain waiting lists. The Doctors under the panel system have been agitating for a rise in their capitation fees and have embarked on a campaign of non-cooperation with the ESI administration. Para-medical staff, particularly the nurses, continue to be in short supply. Position of drug-supply continues to be chaotic, preventive medicine and rehabilitation facilities both continue to be in a poor shape and the poor service in local offices leads to exasperation, often irritation, of the insured persons.

Rural Poor

It would be seen from the above that a substantial part of social security benefits in this country are in the nature of medical benefits, certain cash benefits to insured persons and disbursement of contributory provident fund accumulations. There is no comprehensive social security system extending protection to the total work force of the country which is estimated in the neighbourhood of 250 millions. In 1973-74 the organised work force totalled 20 million and unorganised workforce 227 million bringing the total work force to 247 million. It is only the organised workforce that receive certain social security benefits. The ESI and PF coverage extends to only some 8.3 millions in organised industries. The Government servants and local Bodies' employees total another 10 millions who are in receipt of a measure of social security in the form of pensions or provident funds. Thus the total number of employees who are in receipt of one or the other social security benefit can not be said to exceed 20 million or just 8 per cent of the total workforce. The

vast mass of agricultural workers and the millions in the unorganised sector accounting for over 90 per cent of the workforce of the country are without any protection. No wonder the Union Minister for Labour Shri Ravindra Varma observed in his inaugural address to the ILO-Norway Seminar on Social Security held in New Delhi in Sept. 1977 that the existing social security institutions in the country do not touch even the fringe of the problem.

Further even those who are covered have no protection against the biggest and the much-dreaded contingency, viz. lack of gainful employment. In fact this is the main problem before the Indian working people. The number of persons registered as job-seekers with various employment exchanges in the country as on 30.6.1977 was 10.4 million. According to Bhagwati Committee Report the number was around 18.7 million in 1971 out of which 16.1 million were in rural areas. According to national sample survey (27th round) (period Oct. 72 to Sept. 1973) "casual wage workers intermittently unemployed and seeking work or available for work numbered 32.65 million and persons with no work, seeking work or available for work numbered 4 millions."

This chronic unemployment has naturally affected the earnings of the Indian working people. According to National Sample Survey Report of 1975 one Indian in every five is a severe destitute, one in every three is a destitute and nearly half the population of the country is below the poverty line. In rural India nearly 200 million people could spend less than Rs. 0.93 a day on basic necessities.

These persons who need social security protection most are the very ones who are entirely denied it. This is because the existing social security schemes are mainly contributory in nature and these persons are not in a position to contribute any thing for any benefits. The existing social security institutions are not in a position to extend them any cover in view of the big financial burden involved in it. Unless therefore the State comes forward in a big way to lend it's helping hand, extension of security to persons such as these would be an impossibility.

Public Assistance

There are three kinds of social security programmes. They are :

- 1) Social insurance
- 2) Social assistance
- 3) Public assistance.

Social insurance is based on contribution, social assistance on contingency, but regardless both of need and contribution while public assistance is based on need.

The Indian programmes are mostly of the first type. viz. social insurance. The other two types demand more active participation of the State not only in the administration and control of the programmes but also in their financing. Particularly, public assistance is based on acceptance of responsibility by the State to provide a minimum standard of living to all its citizens. The modern state can not allow any of its citizens to die of hunger or starvation and must offer them the basic necessities of life.

The Indian Constitution enjoins on the State "to strive to promote the welfare of the people securing and protecting as efficiently, as it may, a social order in which justice social, economic and political shall inform all the institutions of national life". It further says: "The state shall within the limits of its economic capacity and development, make effective provisions for securing the right to work, to education and public assistance in case of unemployment, old age, sickness and disablement and in other cases of undeserved want."

Despite this clear direction the Government did pretty little during the first two plan periods to extend any protection to the most vulnerable sections of society. The first and second Five Year Plans confined themselves to social security measures for industrial workers only. Admitting the need for social security programme for other vulnerable groups of society the Third Plan document stated: "The Social Security approach has so far been extended mainly to wage-earners in organised industry. There are other groups whose condition calls for closer attention on the part of the community, progressively, however, the State and Local Bodies, both urban and rural will need to participate

in schemes undertaken by way of social assistance and social security. Even at this stage, it would be desirable to make a modest beginning in respect of three groups of persons—the physically handicapped, old persons unable to work, women and children—where there are altogether lacking in the means of livelihood and support. Assistance for them will have to come from voluntary and charitable organisations, municipal bodies, panchayat samitis, village panchayats and voluntary organisations. With a view to enabling these organisations to develop their activities with the help of the local communities, and giving them a little support, it might be useful to constitute a small relief and assistance fund”.

The Third Plan accordingly made a provision of Rs. 20 millions under the head ‘Labour and Labour Welfare’ for social security programmes envisaged in the plan document.

However even this very modest provision went unutilised and the programmes visualised remained only on paper.

The draft of the Fourth Plan contained a provision of Rs 40 millions for social assistance schemes under the head “Miscellaneous”. However due to “constraints on resources” the contemplated provision for social assistance could not be accommodated, when the Fourth Plan proposals were finalised.

Lack of Political Will

Thus inspite of clear directives of the Constitution the State never accepted the responsibility for providing social security to the teeming millions in the unorganised and rural sector. In fact theories were invented to maintain that this was an impossible task during the present stage of development of economy and with present organisation in the rural areas. Shri K. C. Seal, Labour and Employment Adviser and Joint Secretary to Government of India (Planning Commission) affirms in his Paper to the ILO-Norway Seminar on Social Security held in New Delhi in September 1977: “An effective Social Security Scheme for the agricultural labour force would not be feasible until and unless there are real improvements in social and economic conditions, a rise in educational levels, development of

cooperatives and security of income or employment through provision of insurance against natural and other risks affecting rural production and development. The case of the self-employed persons and the labour force engaged in the urban informal sector is no different from that of the agricultural population. Coverage of social security schemes still being confined to a part of the urban industrial population is primarily the result of administrative convenience. Insurance against unemployment in the case of organised industrial labour has not been found feasible on account of the vast magnitude and complex nature of the problem”.

Shri Seal was less than fair when he says that ‘coverage of social security schemes still being confined to a part of the urban industrial population is primarily the result of administrative convenience’. The industrial population was covered because it could pay for the cover. A large section of the rural poor has no gainful employment or income and hence can not contribute to any contributory scheme. It can be covered only if the state comes forward to solve the problem of their contributions by offering a subsidy to the Scheme. But the State is not ready for this. And with a view to cover this, false theories concerning administrative convenience etc. are paraded. What is lacking is not organisation or administrative convenience, but the political will. Therefore the framers of the plan give up the entire rural sector and restrict themselves to planning for only the physically handicapped, old and infirm and women and children. Here again instead of assuming direct responsibility for implementing it, they look to Municipalities, Local Bodies, Panchayat Samitis and voluntary organisations to implement it and restrict their role to providing a paltry relief fund to give them a ‘little support’. And even this petty provision either fails to materialise or remain unspent.

This is the sad history of the 20 years of planning for social security. And without going into the causes of this failure, the Fifth Plan document again states that: “Progressively, the states should endeavour to evolve a comprehensive social security system covering the needs of the aged, handicapped and others in need of assistance”.

Role of Voluntary Organisations

The basic approach of the State to Social Security is not changed even today. And therefore it is still left to voluntary organisations to extend whatever care they can to the physically handicapped or mentally retarded. Shri A. R. Dhruvasan, Senior Research Officer of the Planning Commission agreed in his Paper to the ILO-Norway Seminar referred to above that "Mostly the voluntary organisations have been catering to the needs of orphans, destitutes, the aged and the infirm and the physically handicapped. Central Social Welfare Board and State Governments have been rendering some assistance to these groups in the form of grants-in-aid to voluntary organisations engaged in this field of activity. The services rendered by voluntary agencies are mostly in the form of institutional care".

Reliable data regarding the destitutes, physically handicapped persons in the country are not available. However, various estimates have been made by different agencies. According to Joint Committee Report on Blindness in India, Central Advisory Board for the Deaf and Blind, the number of the blind in the country is about 2 millions. The report of the Health Survey Development Committee put the number of leper patients in the country at 1 million. The number of mentally retarded persons requiring social educational treatment in separate schools is estimated to be about 1 million. As for the orthopaedically handicapped persons not even a tentative estimate is available, although the indications are that they are the largest single group of physically handicapped persons.

In the Report of the Working Group on Social Welfare for the Fourth Plan it is stated that "a recent survey under the auspices of the Ministry of Health suggested that the number of blind persons in the country might be of the order of 4.39 millions." About the number of deaf persons in the country, the report observes: "No study of the incidence of deafness has been made. It is usually acceptable, however, that the number of deaf persons in the country is probably 1 to 1.5 millions." The same report has stated "The number of orthopaedically handicapped persons in the country is likely to be at least the same as that

of the blind persons i.e. 4 to 5 millions. It is estimated that the number of mentally retarded children in the age group of 6 and 14 years is about 1.5 million to 2 millions. According to the 1971 census, the number of persons in the country in the age group of 65 years and over is 16.79 millions.

These figures, though not quite reliable, can give an idea of the extent of the problem—itsself a small part of the bigger and the main problem of the rural poor.

And for all these physically handicapped and mentally retarded what are the facilities available in the country? According to the information available with the Central Social Welfare Board there are 270 orphanages, 73 destitute homes for women, 28 homes for the aged and infirm. The Working Group's report on Programme and Policies for the Physically Handicapped (1968) states that there are 200 institutions for the physically handicapped and 25 for the orthopaedically handicapped.

No wonder that these facilities do not touch even the fringe of even the limited problem of physically handicapped. Further the finances at the disposal of most of these organisations being strictly limited they are not in a position to really cater to the needs of the handicapped. There have been complaints about the treatment received by the inmates of these 'homes'. In Bombay and other centres there have been even strikes by these inmates. But the Government action on these has been hardly of any consequences.

Old Age Pension Scheme

Some States have some schemes to render financial assistance to the old. Thus old Age Financial Assistance Scheme is in operation, in Andhra Pradesh (1961), Haryana (1969), Himachal Pradesh (1969), Karnataka (1964), Kerala (1960), Madhya Pradesh (1970), Orissa (1975), Punjab (1968) Rajasthan (1964), Tamilnadu (1962), Uttar Pradesh (1957), and West Bengal (1964). Among the Union Territories Chandigarh and Mizoram have old age Pension Schemes for the aged while Delhi and Dadra and Nagar Haveli have schemes of financial assistance to the socially and physically handicapped persons.

An analysis of the State Scheme on old age pension indicates that there are only a few points of similarity among them. None of the State Scheme enjoys statutory support. The schemes derive their sanction from only administrative orders of State Governments. Again these schemes are all financed purely from current revenues on a year to year basis. There is neither any special law in any of these states to govern the working of the scheme nor any special case or tax to finance it.

The conditions for pensions are unduly restrictive in most of the Schemes and the monthly rate varies from a niggardly Rs. 15/- to Rs. 50/- p.m. Thus the rates of monthly pension in different states are as given below :

<i>State</i>	<i>Rs.</i>
Andhra Pradesh	25/-
Hyderabad & Secunderabad	
Towns with a population	
of 100,000	20/-
Other towns & villages	15/-
Kerala	35/-
Tamil Nadu	20/-
Karnataka	40/-
Punjab	50/-
Rajasthan	30/-
Uttar Pradesh	30/-
West Bengal	20/-
Haryana	25/-
Himachal Pradesh	50/-
Chandigarh	25/-
Delhi	25/-
Mizoram	30/-
Andaman—Nikobar—Adult	17.40
—Child	9.70

Unified Agency Needed

Thus we have the Ministry of Labour of the Government of India looking-after the social security measures for the urban

industrial workers and some of the State Governments running schemes for assistance to the old and destitutes. This is not in consonance with the recommendation of the Study Group on Labour Legislation set up by the National Commission on Labour which in its report (1968) emphasised the importance of consolidating and comprehensively modifying legislation relating to social security and recommended the setting up of a social security Corporation in the country which could deal with this subject. The National Commission on Labour which considered the recommendation of this Study Group, in its report (1969) has observed that "an ideal arrangement will be to gradually work towards a comprehensive social security plan by pulling all the social security collections in a single fund which different agencies can draw upon for disbursing various benefits according to needs." The Commission observed further "we recognise that the details of this idea will have to be worked out by experts and the goal envisaged in this proposal reached in stages."

The ESIS Review Committee which reviewed the working of the scheme had also recommended on similar lines in 1966.

Despite this clear direction, however, the multiplicity of agencies administering different benefits continues in this country. We have now the ESI Corporation administering the medical, sickness and employment injury benefits, three P. F. Boards to administer the P. F. (one administering the Family Pension Scheme as well), the employers managing the gratuity scheme and some State Governments administering their old age assistance programmes.

Unless a unified agency with a solid financial and cadre base is evolved any progress towards a comprehensive social security system extending cover to all those who need it and administering all benefits would be well nigh impossible.

Of course, the State would have to assure its financial participation if any such comprehensive social security scheme is to be planned. Today, except for a small contribution to the funds of the Family Pension Scheme introduced in 1971 and the Deposit Linked Insurance Scheme introduced in 1976 the Government of India do not contribute anything to the funds of

these schemes. The financial participation of the State Governments is limited to only 12.5 per cent of the cost of medical benefit administered through them.

Financial Participation by State

The framers of the ESI Scheme had not visualised it this way. M/s. Stack and Rao—the ILO experts who recommended the bifurcation of medical and cash benefits and handing over the administration of the former to the States had observed that “the fact that the fund will, for some years to come, be assuming, if only for a limited group, a financial responsibility recognised to belong mainly to them, may be accepted to weigh in favour of financial encouragement from these Governments”. As to the cost to be charged to each State government, they recommended:

- a) 1/3rd of the cost of medical care of standard quality (including the supply of surgical appliances) for insured persons.
 - b) 2/3rd of the cost of medical care, likewise of standard quality but less comprehensive than that provided for a insured person, for wives and children.
- &
- c) the excess cost of sickness benefit to insured persons in the State, over the average rate for the country as a whole.

As regards the Central Government, the ILO experts said “The Government of India is the initiator of this Scheme and would doubtless be anxious to make it a success”. The ILO experts stressed that the Central Government must be prepared to bear a share of the cost of administration. They suggested that the cost to be charged to the Central Government should be 2/3rd of the cost of administration of the Insurance Fund.

The Government of India, the State Governments however belied the expectations of the ILO experts. The Central Government refused to contribute anything to the Fund after the first five years during which it bore only 2/3rd share of the cost of administration exclusive of all benefits. The State Governments fought with the Corporation at every stage and got their share progressively reduced from 1/3rd to 1/4th and then to 1/8th.

ESIS Review Committee

The question therefore came before the highpowered ESIS Review Committee. The Committee studied the question in all its aspects and recommended: "We have therefore come to the conclusion that the Central Government should contribute and shoulder part of the financial responsibility in the social security programme to which it is committed. We recommend that the Central Government's share be on a per capita basis calculated with reference to the total number of employees covered under the scheme from year to year, the amount payable being, however, not less than the aggregate contribution of all the State Governments for medical care" (page 148 of Report).

Concerning the share of the State Governments, the Committee observed: "The reluctance of the State Governments to bear a reasonable share of the cost of medical benefits under the ESI Scheme has been largely responsible for its slow growth in the country. We therefore recommend that the State's share should be certified in the Act itself and not left to any agreement to be arrived at between the ESI Corporation and the State Government. The recommendations made by the two experts from the ILO regarding the cost to be charged to each state government are valid even today and the share of the State Governments should be worked out in the light of those recommendations."

Estimates Committee of Parliament

But the recommendations of this high-powered committee also were not accepted by the Government and the situation was allowed to drift in the same old style. The Estimates Committee of the Parliament which reviewed the working of the scheme in 1971 expressed strong dissatisfaction over the state of affairs. In its 123rd Report to the Parliament the Committee observed: "It can be hardly disputed that the benefits provided at present under the ESI Scheme, particularly with regard to the provision of medical care are by no means adequate to meet the needs of the working class. The ever increasing rise in the

cost of living seems to have become a permanent feature of our economy. Then there is growing consciousness too among the workers about their rights and the corresponding duty cast on their employers and the Government which is committed to the ideal of a welfare state. It is therefore, natural that the workers should ask for more and more with the passage of time. The need for wider coverage under the scheme, grant of hospitalisation facilities to the families of workers, construction of additional beds and provision of better out-door specialist and indoor facilities also cannot be ignored for long. All these demands on the Corporation cannot obviously be met from within the limited resources of the Corporation which are primarily built up from the employees' and employers' contributions and which can meet only the current revenue expenditure. It has also to be remembered in this connection that in other developing countries a fair proportion of the cost of the scheme is borne by the States. The argument that the State's share in India is contributed by the State Governments is untenable as the latter contribute only a meagre share of cost of medical benefit alone. While the scheme provides for other benefits too. For even public health services alone, the State in many countries bears substantial part of cost of its financing, the proportion very often being 20 to 30 per cent. In some countries it is much higher. For example, in British National Health Services, the state pays about 90 per cent of the costs, balance being met by a contribution from National Insurance Fund, which itself includes a State Contribution. Financial participation by the Central Government would also justify the control exercised by them in relation to the affairs of the Corporation. The Committee would therefore strongly recommend that the Government of India should contribute towards the cost of the ESI Scheme. The share of their contribution be determined by them in the light of the suggestions made by the ESIS Review Committee in this regard, the long term needs of the Scheme and the practice obtaining in other countries having similar benefit-giving schemes. Government should also consider the question of giving financial assistance to the corporaion by way of grants, loan specifically for the purpose of fulfilling its capital needs such as construction of hospitals/dispensaries etc."

Perspective Planning Committee

In order to consider this as also some other observations and recommendations of the committee, the ESI Corporation appointed in consultation with Central Government a Perspective Planning Committee. The Committee studied all the observations of the Estimates Committee and concluded: "The Central Government's financial assistance to the Scheme is essential particularly for providing full medical care to all families, raising the yard-stick of hospital-beds from 4 to 7 per 1000 and increasing the duration of sickness benefit from 8 to 13 weeks". The Committee recommended that "The Central Government's recurring assistance to the Scheme should be fixed per capita of the insured population, at an amount equal to 13.7 per cent of the total running cost of the scheme (inclusive of the State Government's share). The scale of the assistance works out to 20 per cent of the aggregate contributions collected by the Corporation". Further, "the Central Government's assistance, though it should be fixed at 20 per cent of the contribution should reach this level by stages through the five years of the phased programme." (Page 60 of Report).

Concerning the States' contribution, the Committee recommended: "State Government's share of the cost of medical benefit should be raised from 1/8th to 1/4th, forming by 1977-78 about 14 per cent of the total recurring cost of the Scheme. State Governments share of the cost of medical benefit should be increased with effect from 1978-79 from 1/4th to 1/3rd. Ceiling of expenditure on medical benefit should continue, though it should in due course be raised to the extent that resources permit to a level that is necessary for optimum medical care for insured persons and their families." (Page 61 of Report).

The Government did not accept the recommendations of even this Committee and left the Corporation to wade its way for itself.

False Theories—Fallacious Arguments

The arguments trotted out by the Governments—Central or State—to oppose financial participation in the working of the Scheme are many times based on false notions and false theo-

ries. The Perspective Planning Committee cites the instance of the representative of Maharashtra Government who emphatically argued against the proposal for an increase in State's share on the following grounds:

- a) This scheme is more a social security measure than public health measure and is therefore not the sole responsibility of the States.
- b) Even at present the State's contribution is equivalent to, if not more than, the per capita expenditure on the entire gamut of the health and medical activities in the State.
- c) Since the State Government's contribution to the ESI Scheme is spent on only curative services for industrial employees, the States have also to spend, in addition, on the preventive aspects of health, with the result that the State's expenditure on per capita basis for industrial employees, is much more than its expenditure on other weaker sections of society.
- d) The establishment of the ESI units has not led to any savings to the State Government because for want of separate localities for industrial labour, the States have also to run their own institutions simultaneously in these localities and finally,
- e) The State's financial resources being inelastic, it is not possible for most of the States, to increase their share of contributions.

The argument about the per capita expenditure is entirely fallacious. Even inside a State, the per capita expenditure on health and hygiene in urban areas is not the same as in rural areas. Same is the case with expenditure on roads, transport or even water supply. The per capita expenditure on these in cities like Bombay, Calcutta, Madras or Delhi is always more than the per capita expenditure incurred by the same State Government in adjoining rural areas. And this is not without any reason. The reason is that in a capitalist society per capita expenditure has always some relation to the per capita revenue. The per capita contribution by an industrial worker to the national product or national income is always more than the per capita

contribution of rural poor and hence the difference. The expenditure incurred on the health of industrial workers comes back to the State in the form of higher productivity, higher production and higher national income. That is why several capitalist and even developing countries render financial assistance to the Social Security Schemes and Programmes in their countries. The Perspective Planning Committee itself has listed the names of 48 such countries.

Control by Government

The Central and the State Governments are thus obviously averse to contributing to the funds of the insurance organisations. But they are surely not averse to exercising an absolute control on the working of these bodies. As a matter of fact the ESI Corporation is supposed to be an autonomous body. But the enormous control exercised by the Central Government on its working has made a mockery of the apparent autonomy. The whole working of the organisation is put under a straight jacket by several provisions embodied in the founding Act itself.

The Central Government nominates the Chairman and the Vice-Chairman of the Corporation and five of its members, appoints all its principal officers, approves its draft budget and final report and accounts. Most of the matters which could be speedily disposed off at the Corporation level have to pass through lengthy and complicated processes of examination and reexamination not only in the administrative department of the Government, but also in the Ministry of Finance and take long time before decisions are reached. This applies mainly to proposals with regard to staff and administrative expenditure of the Corporation. The sanction of the Central Government is required for the creation of any post carrying a monthly salary of rupees twelve hundred and more. Their approval is required for making regulations regarding the method of recruitment, pay and other conditions of service of staff. The Central Government would have to prescribe the limits within which the funds of the Corporation can be utilised to promote measures for the improvement of health and welfare of insured persons and for the rehabilitation and reemployment of the disabled. If any

money is to be spent for any purpose not specifically provided for, previous approval of the Central Government is again necessary. Valuer appointed with the approval of the Central Government is again necessary. Valuation of the assets of the Corporation has to be done by a Valuer appointed with the approval of the Central Government and the audit of the accounts too has to be by auditors appointed by the Central Government.

The structure of the Corporation, too, is peculiar. Out of some 40 members of the Corporation only 5 each represent the employers and employees, 2 represent the medical profession and 3, Parliament. All other members some 25, represent the Central and State Governments. Thus the employees and employers who finance the scheme are each represented on the Corporation to the extent of 12.5 per cent only whereas the representation of the non-contributing Central and State Governments is of the order of 62.5 per cent. The composition of the Standing Committee and the Regional Boards is not materially different. All these bodies are loaded heavily in favour of the official members.

This thorough control by Government has led to the bureaucratisation of the Corporation and growth of red tape in its working. The structure itself breeds a sort of allergy for any democratic control. Naturally the functioning of the various bodies tends to become, under such conditions, more formal than real. They become insensitive to the grievances of the insured and indifferent to criticism. All this cannot but lead to discontent in the insured, whom the scheme is supposed to serve.

The Provident Fund Boards do not even feign autonomy. They are run, more or less, on the lines of semi-Government bodies.

The ESIS Review Committee which reviewed the working of the Scheme observed in this behalf: "We understand that the question of autonomy of the Corporation has been raised several times in the meetings of the Corporation. Non-official members have sometimes expressed the view that the representative of the Ministry of Finance on the Corporation has virtually power of veto—the corporation has had a fairly long ex-

perience of its working and can certainly look-after its own affairs. We recommend that the whole list of items on which Central Government alone has the power to sanction expenditure, or where prior approval of the Central Government is required, should be reviewed. While it is essential to keep an over-all control with the Central Government, it is desirable to leave the management of the affairs of the Corporation in the hands of the representatives of the interests concerned. There is no reason to think that the Standing Committee and the Corporation, constituted as they are, with several representatives of the Government will not be fully conscious of the need to exercise supervision over any unjustified expenditure. We suggest that the Central Government need concern itself directly only with the following important matters:

- a) Constitution of the Corporation, of Standing Committee and the Medical Benefit Council, their functions and conduct of their business.
- b) Appointment of the Director General.
- c) Publication of accounts and audit reports.
- d) Prescribing the form for maintenance of accounts and appointment of auditors.
- e) Approval of budget estimates.

Most of the other matters can be left to be looked after by the Corporation itself. Steps may be taken to amend the Central Government Rules, accordingly." The Government however did not heed even this recommendation of the Committee, and continues to exercise its control in the same old style.

Insured received less—pays more

The financial position of the Corporation is more than sound today. The contribution income has been growing with the extension of coverage—particularly of persons in the higher income brackets and the expenses not growing at the same pace. the excess of income over expenditure has been piling up.

The following figures would speak for themselves:

Year	Total income	Total Expenditure	Excess of income over expenditure
	Rs. (in millions)	Rs. (in millions)	Rs. (in millions)
1971-72	536	476	60
1972-73	624	472	152
1973-74	694	599	95
1974-75	710	625	85
1975-76	837	756	81
1976-77	1367	1019	348

The total excess of income over expenditure as on 31.3.1977 has piled to an impressive figure of Rs. 1095 millions.

The ratios of administrative cost to the total contributions, total outgoings and total benefits also make an impressive reading as can be seen from the following figures:

Ratio of Administrative cost to	1972-73	1973-74	1974-75	1975-76	1976-77
1) Total contributions	7.5	7.72	10.4	10.24	8 (approx.)
2) Total outgoings	9.32	8.32	10.57	10.29	
3) Total benefits	11.86	11.04	14.22	13.59	

The building up of huge reserves and surpluses out of excess of income from contributions over outgo on the costs of various benefits and administrative expenditure signifies that there is a serious imbalance between contributions and benefits being provided to insured persons. The valuer also has taken a note of this and observes in his fifth valuation Report as on 31.3.1974: "A small margin in the contributions for building up an emergency reserve to absorb any violent variations in the experience is both necessary and justified, but such large margins and ac-

cumulations of such a large fund out of income over expenditure is not at all justified in a social security scheme as it means that the current generation of insured persons is being penalised for the benefit of future generations. Though I do not suggest any reduction in contributions at this stage, I recommend that the benefits be substantially improved."

The Corporation has already started improving the benefits. The duration of sickness benefit has been revised from 8 weeks to 13 weeks, the ceiling on medical benefit has been raised, the rates of permanent disablement pensions revised and a new benefit—invalidity benefit is being introduced.

Negative aspect of P.F. Scheme

Thus the insured worker pays more to the Corporation today by way of contributions than receives from it by way of benefits. The same is true—rather much more true—in respect of provident funds where the worker loses not only in the interest he receives on his accumulations but also in the principal at the time of its return. Shri Man Mohan Singh, Labour & Employment Adviser in the Ministry of Labour observes in his paper to the ILO-Norway Seminar referred to above:

"The negative aspect of some of the social security schemes becomes apparent if one takes into account the erosion in real value of deposits consequent on inflation. In India, and so also in most of the developing economies, there is no system of indexation of deposits in various provident fund schemes. Consequently, at the time one receives his final withdrawal, not only one does not get a reasonable rate of interest on deposits one has been making from time to time, one does not get back in real terms even the principal one has been depositing. This is true not only of India but for nearly all the developing countries and, in fact, for some developed countries as well. There is a saying, 'It is not my principle to pay interest and it is not my interest to pay the principal. Somewhat modified in the context of social security schemes being operated by most of the employers of the world, for the benefit of the employees, the saying would read: "It is not my principle to pay full interest, and it is not my interest to pay the full principal". In

real terms the employee gets only a negative return on the deposits he hopefully makes in his provident fund account.

The tables given by Shri Man Mohan Singh to illustrate his point are given in appendices 3 and 4.

Income Distribution in reverse gear

There is also a theory that social security programmes lead to income redistribution. Actually this is not quite so. In capitalist societies, particularly, the income redistribution caused by such programmes is found to operate in reverse gear. Shri Man Mohan Singh observes in his paper referred to above:

“Only such social security programmes can be said to contribute favourably to income redistribution as have the effect of transferring income from those having lesser marginal utility of money (comparatively affluent) to those having greater marginal utility of money (comparatively poor). To the extent the social security programmes derive their funds from indirect taxes on wage-goods (consumed by the weaker sections of the community) and to the extent the social security benefits are conferred on comparatively affluent sections of the community, the process of income redistribution is said to operate in reverse gear... one of the very important factor standing in the way of achieving redistributive effect through social security programmes is that, while (in the name of social security) the funds are collected from weaker sections of the community in whose favour economic justice is to be done (thus depriving them of economic power), funds are made available, through agency of public financial institutions, to the affluent sections of the community (thus enhancing their economic power). Since the capacity to earn income is very much dependent on the economic power one wields and the control which one has over means of production, supply and distribution, it is affluent sections of the community who are helped to enhance their sources of income. The modus operandi is quite simple. The funds deposited in various provident fund schemes are statutorily required to be invested in Government securities. The Government though not using the self-same funds, from time to time, adds to the resources of the public financial institutions. The public finan-

cial institutions buy shares and debentures of, and give loans to, large sized companies including companies belonging to large industrial houses in whose hands concentration of economic power mainly rests.

“The effect of transfer of resources from the weaker sections of the community to the affluent ones in the above manner would be better appreciated if one takes into account the deposits of the weaker sections and on the capital assets acquired with the same deposits, by the affluent sections. While the weaker sections find erosion in the real value of their deposits in provident fund and the proceeds of life insurance, the affluent sections reap a windfall as a result of appreciation in the value of their capital assets. In such circumstances, income redistribution in the reverse gear can not be a surprising consequence.”

This would show conclusively how in capitalist societies even social security schemes become instruments in the hands of the capitalist class, to fleece the working class and add to it's own riches.

Role of the Working Class

The Paper can not be complete without adding a word about the role of the working class in the evolution of the concept of the social security, it's institutions and schemes. It is the dogged fight of the working class that has led the employers and Governments to accept the concept of social security and their liability towards providing it. The employers at first sought to ignore the demand, opposed and fought it when ignoring it became impossible and finally submitted to it under pressure of the working class. Having now accepted it, they seek to utilise the schemes, the savings they generate, to their benefit.

The working class continues it's fight for the further development of the concept, the schemes and the programmes—to make them really broad-based so as to cover all those who need their protection.

At the recent ILO-Norway National Seminar on Social Security held in New Delhi from Sept. 19th-30th, 1977 the concept of social security was redefined to read: “Social Security

is the protection furnished by society to its members through a series of public measures against the economic and social distress that otherwise would be caused by the absence of earnings or substantial reduction or stoppage of earnings resulting from sickness, maternity, employment injury, (including occupational diseases), unemployment (including absence of employment) and underemployment, invalidity, destitution, social disability and backwardness, old age and death and further to provide for health care, including preventive measures."

The improvement over the existing definition given in the beginning is quite obvious.

According to the new definition social security would now embrace :

- 1) Social insurance
- 2) Social assistance
- 3) Family benefits
- 4) Health care and other social service
- 5) Related Social Welfare Services.

There was a consensus at the seminar on the following points :

- 1) Employment guarantee services and basic needs of life should form part of social security.
- 2) Provision of essential services and basic needs of life should form part of social security.
- 3) Social security is correlated with family welfare.
- 4) Taking into consideration the situation prevailing in the rural sector of the country, adequate and effective measures should be initiated to formulate and implement appropriate programmes of social security tailored to the needs of the rural population, particularly the agricultural labour, marginal framers and artisans and backward sections of society and to implement the programmes in a phased manner.
- 5) Appropriate provision should be made for grant of legal

aid to enable the beneficiary to establish his right under the social security schemes.

- 6) With a view to moving towards a comprehensive National Social Security system and to achieving effectiveness in the working and as also to ensure higher efficiency and better economy in operation and in order to permit effective planning and an orderly growth of social security, it was generally agreed that the various social security institutions and schemes should be integrated.
- 7) The social security institution should enjoy full autonomy with effective participation of beneficiaries and appropriate representation to the contributors and various interests concerned.
- 8) In line with the new concept of social security, it is all the more necessary that the state must make adequate financial contribution to the social security fund.
- 9) The social security institution must be entirely responsible for administering all the benefits by itself.
- 10) Steps should be taken to link up long term social security benefits with the cost of living index. (consumer price index numbers) and rise in the wage level.
- 10) In keeping with the principle of equity and solidarity involved in social security, all employees should be covered, irrespective of their level of earnings, if necessary with an appropriate ceiling, for computation of contribution and benefits.

The seminar has indeed gone a long way off in taking the concept of social security and the principles underlying the working of the schemes, forward.

The working class has played it's role in enriching the concept of social security. It will continue it's fight now to get it accepted and acted upon.

APPENDIX-1

Population, Hospital beds and Doctors-Nurses in Some Countries

<i>Country</i>	<i>Population in Millions</i>	<i>Hospital Beds per 1000 Population</i>	<i>Ratio of Doctors—one for population</i>
India	412	0.4	5800
Japan	97	10.3	925
Iran	23	1.1	3200
Pakistan	94	0.3	6430
Philippines	32	0.95	5770
Indonesia	104	0.8	41000
Burma	22	0.9	9400
USA	191	11.3	724
USSR	225	9.3	455

World Health Organisation Third report on World Health Situation—April, 1965.

APPENDIX-2

List of countries where Social Insurance Schemes receive regular financial assistance from the Government.

- | | |
|--------------|--------------------|
| 1. Albania | 10. Ceylon |
| 2. Algeria | 11. China (Taiwan) |
| 3. Argentina | 12. Columbia |
| 4. Australia | 13. Costa Rica |
| 5. Austria | 14. Cyprus |
| 6. Belgium | 15. Czechoslovakia |
| 7. Brazil | 16. Denmark |
| 8. Bulgaria | 17. Dominican |
| 9. Canada | 18. Equador |

- | | |
|----------------------|--------------------|
| 19. Germany (F.G.R.) | 34. Newzealand |
| 20. France | 35. Nicaragua |
| 21. Germany (GDR) | 36. Norway |
| 22. Guatemala | 37. Panama |
| 23. Honduras | 38. Paraguay |
| 24. Hungary | 39. Peru |
| 25. Iceland | 40. Philippines |
| 26. Iraq | 41. Poland |
| 27. Ireland | 42. Rumania |
| 28. Italy | 43. Singapore |
| 29. Japan | 44. Sweeden |
| 30. Lebanan | 45. Switzerland |
| 31. Malaysia | 46. U.S.S.R. |
| 32. Malta | 47. United Kingdom |
| 33. Maxico | 48. U.S.A. |

APPENDIX-3

Table showing interest rates allowed on Employees' Provident Fund and earned on Fixed deposits with Banks;

<i>Year</i>	<i>Rate on EPF</i>	<i>Rate on Fixed Deposits</i>
1969-70	5.50%	6.50%
1970-71	5.70%	6.75%
1971-72	5.80%	7.25%
1972-73	6%	7.25%
1973-74	6%	8%
1974-75	6.50%	10%
1975-76	7%	10%
1976-77	7.50%	10%
1977-78	8%	10%

APPENDIX—4

EROSION OF P. F. DEPOSITS

<i>Year</i>	<i>Opening Balance</i>	<i>Deposits</i>	<i>Interest rate per cent</i>	<i>Amount of interest</i>	<i>balance Closing</i>	<i>Consumer Price Index</i>	<i>Adjusted closing balance</i>	<i>Cumulative deposits deflated by consumer price index</i>	<i>Cumulative deposits as interest on deflated by consumer price index</i>
1	2	3	4	5	6	7	8	9	10
1960	—	100	3.75	2	102	100	102	100	2
1961	102	100	3.75	6	208	100	208	200	8
1962	208	100	3.75	10	318	104	306	296	18
1963	318	100	4.00	15	433	108	401	389	32
1964	433	100	4.00	19	552	113	488	477	49
1965	552	100	4.00	24	676	127	532	556	61
1966	676	100	4.25	31	807	139	581	628	83
1967	807	100	4.6	39	946	157	603	692	108
1968	946	100	4.8	48	1094	174	629	749	136

1	2	3	4	5	6	7	8	9	10
1969	1094	100	5.1	58	1252	175	715	806	169
1970	1252	100	5.25	68	1420	177	802	862	207
1971	1420	100	5.5	81	1601	186	861	916	251
1972	1601	100	5.7	91	1792	192	933	968	298
1973	1792	100	6.0	111	2003	207	968	1016	352
1974	2003	100	6.0	123	2226	250	890	1056	401
1975	2226	100	6.5	164	2490	317	785	1088	453
1976	2490	100	7.5	197*	2787	313	890	1120	516
1977	2787	100	7.5	212*	3099	301	1030	1153	586

* Bonus of Rs. 3/- added

From: Social Security and the National Economy of India—Man Mohan Singh, Paper to ILO—Norway Seminar, New Delhi—September, 1977

APPENDIX-5

SOCIAL SECURITY CONTINGENCIES COVERED AND TYPE OF STATUTORY GENERAL SCHEME OF INCOME PROTECTION* FOR EMPLOYED PERSONS IN SELECTED DEVELOPING COUNTRIES IN ASIA AND THE PACIFIC

(EL=Employer's Liability, SI=Social Insurance, NPF=National Provident Fund, NC=Non-Contributory)

Country	Contingencies Covered					
	<i>Employment Injury</i>	<i>Sickness</i>	<i>Maternity</i>	<i>Old Age</i>	<i>Invalidity</i>	<i>Death of the bread winner</i>
1	2	3	4	5	6	7
Bangladesh	EL	EL	EL	1	1	1
Burma	EL/SI	EL/SI	SI			
Cambodia ¹	EL	EL	EL			
China	EL/SI	EL	EL	SI	SI	SI
Fiji	EL	³	EL	NPF	NPF	NPF
Hong Kong	EL	EL	EL	NC ⁴	NC ⁴	
Indonesia	EL/SI	³	EL			
Korea, Repub. of	EL		EL	⁶	⁶	⁶
Laos	EL	—	—	—	—	—
Malaysia	EL/SI	EL	EL	NPF	NPF	NPF
Nepal	EL	EL				
Pakistan	EL/SI	EL/SI	EL/SI	SI	SI	
Papua New Guinea	EL					
Philippines	EL/SI	EL/SI	EL	SI	SI	SI
Singapore	EL	EL	EL	NPF	NPF	NPF
Sri Lanka	EL	³	EL	NPF	NPF	NPF
Thailand	EL/SI					
Vietnam ⁷	EL/SI	EL/SI	EL/SI	SI	SI	SI
Western Samoa	EL	EL		NPF	NPF	NPF

* In addition, medical care is provided by the social insurance schemes in Burma, Indonesia, Pakistan and Philippines. In the case of the first 3, this is mainly through the social security institutions' own network of clinics and hospitals; in the Philippines a fee for service system exists for hospitalisation only.

NOTES:-

1. There is a statutory provident fund which applies only to workers in the tea plantations.

2. Upto 1975, the present position regarding social security provisions in Cambodia is not known. In addition to the schemes shown as being in force in 1975 there was also an employment-related family allowance system.

3. Collective agreements generally provide for periods of certificated sick leave with pay.

4. Persons aged 75 and over who satisfy certain conditions mainly concerned with residence in Hong Kong qualify for infirmity allowance. Severely disabled persons are entitled to disability allowance. Both types of allowance are non-means tested.

5. In addition to the provident fund benefits, there is a Family Pension Scheme for Survivors, a Gratuity Fund for termination of employment by supranuation, resignation, retirement or death and a deposit linked insurance scheme for additional payment on Death in certain circumstances.

6. Legislation for National Welfare Pension Scheme was enacted in 1973 but has not been implemented.

7. The Appendix summarises the separate schemes in force before unification in Vietnam. The present position is not known. There was also an employment related family allowance system which is not shown in the Appendix.

TRENDS & PROBLEMS OF SOCIAL SECURITY IN DEVELOPING COUNTRIES IN ASIA—K. THOMPSON (ILO EXPERT ON SOCIAL SECURITY, ILO REGIONAL OFFICE, BANGKOK) PAPER TO THE ILO—NORWAY SEMINAR HELD IN NEW DELHI—SEPTEMBER 1977



PROBLEMS OF SOCIAL SECURITY IN ASIA

by Mahendra Sen, WFTU Secretary

The main tendency of the international situation today is characterised by the acceleration and widening of political, economic, social and cultural changes which extend throughout the world having repercussions on the living and working conditions of the working masses.

It is not always the case that the development of science and technology is transformed into social progress. Vast regions of the world are characterised by the persistence of capitalist exploitation, colonialist oppression, the disastrous consequences of the policy of neo-colonialism, unsatisfactory and sometimes inhuman conditions of life and work, poverty, hunger, disease, malnutrition and illiteracy.

Considerable insufficiencies persist in the sphere of social security, above all in the developing countries which represent the vast majority of the world's population.

In its widest sense, social security should guarantee workers' rights in the sphere of health and social protection, hygiene and security at work. It must ensure all the social conditions corresponding to the ever growing needs of workers alongside economic development and using in the workers' interests the new facilities provided for by the scientific and technological revolution. Social security needs to ensure the right to work and a decent salary with a guarantee of a minimum wage, effective protection against hunger, poverty, malnutrition and ensure reasonable housing. More concretely, in the narrow sense, the social security, as now understood and being applied, covers the various social expenditures and risks, namely: illness, maternity benefits, disability, old age, industrial accidents and diseases, unemployment, family allowances and survivors' interests.

In the course of the last 15 years, a considerable growth in social security programmes in Asian countries is to be noted. This is mainly due to the persistent struggle and continuing pressure of the workers and their trade unions. The objective background of this progress is the attained higher level of economic and particularly industrial development.

The betterment of social security systems has generally gone in the following directions:

- a) New and better legislation;
- b) New categories of workers and strata of working population in general are covered;
- c) Some new kinds of benefits are provided;
- d) Greater financial means are assigned by the state budget to cover the growing demands;
- e) Structural changes in the distribution of benefits.

Nevertheless, some factors and phenomena must be stressed, which make the general picture in the field of social security look different in various regions and fields and in some of them not so satisfying as it might seem at the first glance.

- a) First of all a distinction must be drawn between the situation in the socialist countries and elsewhere. That is not being done as a rule by official surveys by special international organisations, including international social security associations (ISSA). In the socialist countries in principle, the expenses on social security are covered by the state, but utilisation of the social security budget is being governed by the workers themselves through their trade unions.
- b) A rough evaluation shows that the majority of economically active population in the developing countries is excluded from the coverage by any social security schemes. For instance, old-age pensions in these countries cover only about 10-20 per cent of economically active population, which in the developed countries like USA, Europe, South Pacific and Japan this figure is tending to achieve 100 per cent. In most of the capitalist and developing countries, the agricultural workers and peasants, who constitute a vast majority of the population, are still outside the scope of any statutory social security scheme.

- c) In the latter countries, the inflationary tendencies had in most cases during the last 4-5 years a very negative effect on the cost of social security, and the benefits could not keep pace with the rising cost of living.
- d) Even though the percentage of the GDP (Gross Domestic Product), spent on social security, is growing in developing countries (in the majority of Asian countries), the gap with the developed countries is not diminishing, if not growing. And this gap is scandalously great. For instance, the expenditure on social security (in per cent to GDP) in 1971 was in India 2; in Malaysia 3; in Philippines 1; in Singapore 2.7; in Sri Lanka 3.6 as compared to the USA 10.5; Japan 5.7; United Kingdom 14.8; Australia 9.2. It must be taken into account that the level of the GDP is making this difference immensely deeper. GDP in 1971 per capita in the same developing countries was (in \$) 98; 276; 283; 1073; 175 and in the same developed countries: 5,121; 2,176; 2,454; 2,939.
- e) National social security systems, if any, are existing only in industrial centres. Moreover, even there they do not cover many categories of working population—domestic servants, manual workers in small establishments, seasonal workers, casual workers and others.
- f) In some Asian countries do not exist some very important types of social security benefits (or if they exist legally, they do not function). For example, Burma, Indonesia and South Korea do not have an old-age benefit scheme. In 1976 Fiji, Indonesia, South Korea, Malaysia and Sri Lanka did not have health insurance programmes.

There are many other social risks not covered by effective protection measures. The scope and diversity of social security—despite recent advance—still flagrantly lag behind in the majority of Asian countries.

During recent years, many countries have sought to introduce and generalise social security systems and have succeeded to a certain degree. Nevertheless, social security systems, in spite of the growing necessity for their extension, remain founded on feeble bases. The majority of these countries experience many difficulties either in planning or applying these systems,

which, where they exist, are generally insufficient. The insufficiency of funds allotted can be seen by the following example: in 1971, in 10 Asian countries, the percentage of the social security receipts and expenditure was only 6.8 and 4.8 in relation to the GDP (26 and \$18.00 per capita).

In fact, the benefits of social security in the countries of Asia are extremely limited as are the categories of people protected and the eventualities envisaged. In many countries, such as Afghanistan, Sri Lanka, Indonesia, Malaysia, Singapore and Thailand, these systems only cover risks of industrial accidents.

In Burma, India, Iran, Pakistan and the Philippines, obligatory social assurance exists to a limited degree apart from systems of assurance against industrial accidents.

Systems of State aid, encompassing old-age pensions, disability and death grants, exist on the basis of contributions to a degree in Sri Lanka, India, Malaysia and Singapore.

The spheres covered by social security systems at present in operation in Burma, India and Pakistan are illness, maternity, industrial accidents, old-age, disability and the death of the head of the family. In the Philippines, they cover illness, old-age, disability and the death of the head of the family.

In this respect, it is also important to note that the public health services (medical care during illness and maternity), are guaranteed in principle to all the citizens in Burma, Sri Lanka, India, Malaysia, Pakistan, Philippines, Thailand and Singapore.

The following facts show how limited social security systems are in the majority of Asian countries. Around 64 per cent of unemployed persons out of the total of unemployed in all the developing countries are in Asia, and the majority of them are to be found in southern central Asia (India, Afghanistan, Iran, Nepal, Pakistan and Sri Lanka).

In certain countries, because of the multiplicity of systems, the contributions paid by workers are very high when taking into consideration the very low level of wages. These payments, therefore, represent a very heavy burden.

In the developed capitalist countries, there is also a need for more complete satisfaction of the aspirations of workers and their families. For example, in Japan, on September 26, 1973, a new law was adopted on a reform of pension systems, and

on December 25, 1974—on the creation of a system of “employment insurance”. According to the latter, the government takes upon itself to pay benefits to the dismissed and layed off workers. And that cannot fully satisfy the workers and their trade unions. Later on, a “sliding system” was introduced on the demand of trade unions and other mass organisations. Account needs to be taken of the fact that in certain countries, workers and trade unions are struggling to obtain the prevention of all accidents caused through work and of all industrial diseases.

Another essential demand, notably in developed capitalist and developing countries is that social security should ensure decent means of existence. In general, they need to be increased and constantly readjusted to the cost of living, the development of wages and to the more complete satisfaction of the needs of workers and their families.

In the colonial countries, social conditions are deplorable and the social security systems are often non-existent. The struggle for the establishment of social security systems and for their improvement is closely linked to the general struggle for national liberation.

The elevated level of social security systems is one of the great conquests of socialism. In the socialist countries of Asia, where the working class is in power, social rights are assured by national legislation, established with the constant and active participation of workers and their trade union organisations. These systems encompass all workers and cover all risks at work and guarantee other social rights.

The total payments are increased constantly in relation to the rise in living standards and the financing is assured by the State. Particular attention is given to the specific needs of women, children and young people. Recently, specific measures have been taken in the socialist countries with a view to further improving social security. In the USSR, for example, new comprehensive measures have been taken recently to embrace many categories of workers in agriculture with the general system of social security on the same bases as the workers in industry.

The establishment and improvement of social security demands considerable efforts and the strengthening of international solidarity.

Among the essential aspirations of trade unions of the capitalist countries and of the developing countries of Asia is the necessity of successfully establishing a system of social security which is as complete as possible, first of all applying to all wage-earners then to other sections of the population without discrimination based on nationality, political conviction, religion, race, sex and age. It is necessary to eliminate every discrimination which still persists, notably with regard to agricultural workers, seasonal, domestic servants, those who work at home, those who work in small enterprises and others, and progressively encompassing within social security systems, poor peasants, farmers, artisans, students and members of the liberal professions, etc.

These systems need to cover all social risks, namely: illness, maternity, family allowances, disability, old-age, death, industrial accidents and diseases and unemployment.

Nowadays, it is generally recognised that the social progress is not to be separated from the economic growth, that the social security planning must be considered as an integral part of the national development plans. But in most cases only a lip service is being paid to this correct idea. The duty and imperative task of trade unions consists in urging that this idea be put into practice. The general lack of resources is constantly tempting to neglect the needs of social security, to sacrifice them in the name of a rapid development of national economy. But the correct balance has to be observed and there is no other more appropriate body than a trade union which can successfully perform this duty.

An outstanding and unfavourable feature of social security systems in the developing Asian countries consists in the fact that their funds are too much orientated on the contributions of workers, with employers and governments generally making each an equivalent contribution. The general level of wages being very low, the resources of the social security funds necessarily remain extremely limited and the rates of payments are unsatisfactory. The only way out is: first, a greater participa-

tion of the State and employers in raising funds for social security, second, including the extension of social security into the economic plans of development. Actually, in final analysis, workers should not be obliged to make any contribution at all. In any case, the share of their contribution must be heavily reduced. This is a high and noble object of nationwide trade union campaigning. This is also a problem to which the world public opinion must be drawn. It means that international trade union solidarity can be very effective in this field and international forms must be fully utilised to this end.

In many developing countries of Asia, the administration mechanisms of social security schemes are being restructured. New organs governing all spheres of social security are being created by the unification of old ones or special institutions are being set up to regulate separate or new branches of social protection. In some cases, it leads to the raising of effectiveness or to the lowering of expenditures on the administration. But all these reorganising activities are basically futile if they are not closely linked with the involvement of the workers into the participation in the administration of social security systems or into the decision-making in this field, which is really a rare case.

Trade unions must insist on their participation in the governing of the social security funds for it is an only means to secure the legitimate rights of the workers and the real progress of the whole system of social security. The WFTU advances and supports the principle that the workers and their trade unions must have an effective voice in the elaboration and enforcement of the laws on social security and in all decision-making in this field. On this place, it again must be stressed that the establishment of social security systems and their improvement in capitalist and developing countries are a result of innumerable united struggles carried out for long years by the workers and trade unions against capitalist exploitation, the monopolies, colonialism and neo-colonialism. It is an essential lesson which is valid for all those initiatives to be carried out in the years to come.

The workers and their trade unions continue to act ever more energetically for the introduction of social security systems, for their expansion and constant improvement. For a long time,

the WFTU has unceasingly acted in this sphere and continues to strengthen its activities in the interests of all workers.

The Charter of Economic and Social Demands of Trade Unions in the capitalist countries, approved by the 8th Congress (Varna, October 1973), put at the disposal of the workers and trade union organisations a weapon of considerable value for stimulating their activities and struggles in order to obtain and improve social security systems.

In examining the various forms of this contribution by the WFTU, a fundamental principle needs to be taken into account, namely that the aspirations aiming at establishing, expanding and improving social security systems are an integral part of all the demands of workers on the economic, social, cultural, political and civic levels. Direct and indirect aid, under whatever form, having as an objective the support of actions and struggles for these demands necessarily encompasses a contribution in favour of social security.

That therefore concerns all the initiatives undertaken by the WFTU itself or in support of the efforts of national and regional organisations or of trade union federations against exploitation and the power of the monopolies, for the realisation of economic, social and cultural demands. It also concerns actions for the guarantee of trade union rights, above all in places of work as well as various forms of international working class solidarity.

Moreover, the WFTU has undertaken several initiatives directly concerned with social security. Within the UN and its specialised agencies, in the International Labour Office, the WFTU has taken an active part in the process of the formulation of various conventions and recommendations on the different aspects of social security. The WFTU has actively cooperated with the International Association of Social Security. Throughout all this work, the WFTU has tried to constantly seek cooperation with non-affiliated organisations and with all the progressive forces which are acting in favour of the improvement of social security systems.

Taking into account the fundamental demands laid down in the Charter and the most recent developments in social security, the position and programme of the WFTU in this field could be summarised in the following way:

- * legal recognition in each country of the right of all to the protection of health and to social security;
- * the guarantee of compensation and insurance against any occurrence leading to the loss of or drop in income, and particularly anything limiting the workers' enjoyment of the right to work, the protection of their family, health, education, culture and leisure;
- * free medical care and medication and the extension of guarantees in order to keep up with the development of the needs of individuals;
- * the introduction of free medical care for workers within the enterprise;
- * the linking of all social security payments to increases in wages and at least to the minimum guaranteed wage;
- * the democratic management and control of social security institutions with the participation of workers' elected representatives;
- * the establishment of national health systems fulfilling the highest standards of health and creating conditions permitting free access of the population to preventive medicine, treatment and rehabilitation.

It is necessary to struggle for an introduction of such systems of social security which could protect living standards from the effects of crises, price rises and inflation. A mechanism for the adjustment of the level of benefits must be provided for. Therefore, it is quite natural, that alongside the demands for wage-rises, trade unions are putting forward demands for a corresponding rise in social security benefits, pensions etc.

Efforts need to be made aimed at widening and perfecting protection concerned with hygiene and security at work, the development of establishments for professional rehabilitation, the right to work, the assurance of a reasonable wage and of a guaranteed minimum, the extension of paid holidays, the reduction of the working week without loss of salary, housing and the use of free time and leisure.

This situation can only be changed through the development of united action amongst workers and the different trade union centres of the region.

Social security is an issue of wide value, applicable to all

workers employed or forced to live without work. It is primarily the responsibility of the state to guarantee the right to work and to provide necessary social security. In a system of free market economy, or in other words, under conditions of capitalist system based on maximum profits, it is also obligatory on the employers, who amass profits on the fruits of workers' labour, to make the major contribution to an effective social security fund. And for social security to work in the real interests of the workers, the latter should have an effective voice in the formation and management of this system.

This is a problem common to all workers, employed, semi-employed or unemployed in industry or in agriculture, in big factories or small enterprises. An advance towards the solution of the problem can be made only if at least all organised forces of the workers—organised no matter in what union with whatever national, regional or international affiliation or no affiliation—join together in a common effort and plan of action. Common action on such an issue compromises no one's independence, affiliation or ideology. The only idea here is to win better social security measures for *all* workers.

This is our open offer and call to all who we are convinced to have workers' interests at their heart.



SOCIAL SECURITY SYSTEM OF JAPAN

I. Public Aid :

1. Livelihood Protection Payment under livelihood protection program; administration and consolidation of institutions and facilities

II. Social Welfare:

2. Welfare for the Physically Handicapped Payment for rebuilding of life; administration and consolidation of institutes and facilities; vocational training and employment promotion
3. Welfare for the Weakminded Payment for rebuilding of life; administration and consolidation of institutes and facilities
4. Welfare for the Aged Payment for welfare measures for the aged; administration and consolidation of facilities and institutes
5. Medical Services for the Aged Medical services for the aged
6. Child Welfare Payment concerning child protection; administration and extension of welfare facilities such as consultation office, temporary protection facilities, training of nurses; payment concerning training of nurses; administration of day and seasonal nurseries in remote areas
7. Countermeasures for Handicapped Children Payment for handicapped children as medical charges; supply of artificial legs, etc.; administration and consolidation of institutes and facilities; payment for children under special care; insurance for handicapped children
8. Child Sustenance Allowance Payment of allowance for bringing up children
9. Child Allowance Payment of Child Allowance to authorized recipients
10. Maternal Hygiene Execution of health and hygiene measures; reinforcement of health facilities for mothers and children
11. Maternal Welfare Child and maternal welfare loans; reinforcement of child-maternal institutions and facilities
12. School Lunch, etc. Aid concerning school lunches as well as provision of schooling expenses for children under the protection program; encouragement of schooling for children who need special education

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|-----------------------------------|---|
| 13. National Relief Organs | Administration and fulfillment of various relief institutes such as National Handicapped Eyesight Center, National Regeneration Guidance Center for Physically Handicapped, National Sanatoriums, National Regeneration Guidance for the Deaf and Dumb, National Center for Mentally Handicapped Children, etc. |
| 14. Disaster Relief | Disaster relief; fulfillment of disaster relief facilities of Japanese Red Cross, casualty (accident) allowance; loans coping against disaster (related with the Welfare Ministry only) |
| 15. Other Social Welfare Programs | Administration and reinforcement of facilities and schools for social works; payment of retirement allowance for employees of social welfare institutes; aid to mutual aid works; aid to Social Welfare Works Promotion Association; subsidies to service banks; issuance of pocket books for authorized welfare officers; establishment and administration of health and welfare facilities in remote areas; loans to widows; reinforcement of deteriorated private welfare facilities |

III. Social Insurance:

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| 16. Government - administered Health Insurance | Payment of insurance and expenses for office works concerned; administration of health and welfare facilities and institutes |
| 17. Union - administered Health Insurance | Payment of insurance and expenses for office works concerned; administration of health and welfare facilities including settlement of accounts of all health insurance unions |
| 18. Dayworkers' Health Insurance | Payment of insurance and expenses for office works concerned; administration of health and welfare facilities including settlement of accounts of day employment workers' insurance, etc. |
| 19. National Health Insurance | Payment of insurance and expenses for office works concerned; administration of health facilities including settlement of accounts of local bodies concerning national insurance |
| 20. Welfare Pension | Payment of pensions and office expenses; |

Insurance	administration of welfare facilities including settlement of accounts concerning welfare insurance
21. Welfare Pension Funds	Payment of pensions and expenses for office works concerned
22. National Pension	Payment of pensions and expenses of office works; welfare facilities (National Pension Special Accounts)
23. Farmers' Pension Funds	Subsidies for farmers' pension program and office work expenses
24. Employment Insurance	Payment of insurance and expenses for office works; welfare facilities (Labor Insurance Special Accounts)
25. Unemployment, Retirement Allowance for Government Workers	Payment of unemployment, retirement allowances (Labor Ministry-and Forestry Agency-administered activities)
26. Workers' Accident Compensation Insurance	Payment of insurance and expenses for works concerned; insurance facilities (Labor Insurance Special Accounts)
27. Public Servants' Accident Compensation	Accident compensation for public servants; administration and payment from mutual funds for firemen and others victimized of accidents during public duties
28. Seamen's Insurance	Payment of insurance and expenses of office works concerned; welfare facilities (Seamen's Insurance Special Accounts)
29. National Public Servants' Mutual Aid Association	Payment of insurance and expenses of works concerned; administration of health institutes and facilities (both short-term and long-term accounts)
30. Local Public Servants' Mutual Aid Association	Payment of insurance and expenses of works concerned; administration of health institutes and facilities (both short-term and long-term accounts)
31. Public Enterprise Employees' Mutual Aid Association	Same as above
32. Private School Teachers' Mutual Aid Association	Same as above
33. Agriculture, Fishery Organisation Employees' Mutual Aid Association	Payment of insurance and expenses for works concerned; facilities for health control (accounts for payment and office works)

IV. Public Health, Hygiene and Medical Services:

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|---|--|
| 34. TB Measures | TB prevention, treatments and service activities |
| 35. Mental Hygiene | Works concerning mental hygiene, reinforcement of mental hospitals |
| 36. Leprosy Measures | Works for prevention of leprosy; administration of leper hospitals (only those of privately owned) |
| 37. Contagious Disease Prevention | Activities concerning prevention of contagious diseases; administration and reinforcement of isolation wards |
| 38. Health Centers | Administration and reinforcement of health centres; loans for training of scholarship students at health centres |
| 39. Reinforcement of Simplified Water-work Facilities | Reinforcement of simplified waterwork facilities (including expenses for rehabilitation work against slag pollution) |
| 40. Facilities for Discharges | Reinforcement of garbage facilities, sewage facilities |
| 41. Reinforcement of Facilities for Drainage | Reinforcement of drainage system including terminal facilities |
| 42. Anti-pollution Measures | Compensation for victims of pollution problems; grant of office expenses of Anti-Pollution Associations |
| 43. Reinforcement of National Medical Organisations | Administration and reinforcement of national hospitals and clinics (under the control of Welfare Ministry); reinforcement and fulfillment of public medical service organs and clinics in remote areas |
| 44. Administration of State-owned Medical Organisations | Administration of state-owned hospitals, clinics and local hospitals or clinics in remote areas |
| 45. Other Activities concerning Public Hygiene and Medical Services | Training and guidance of public nurses, mid-wives, medical nurses; activities concerning eugenic protection, preventive inoculation and measures against accidents arising from inoculation; measures for medical services in remote regions; prevention of local diseases; prevention of venereal diseases; measures for holiday and mid-night medical services; quarantine measures; medical services for children requiring special help, for the grown-ups and victims of narcotic poisoning, etc. |

OUTLINE OF PUBLIC PENSION AND MONTHLY PAYMENT PER PERSON (RETIREMENT)

(As at end of March, 1974)

	No. of Applicants	Monthly Average Remuneration (yen)	Insurance Dues per Person (yen)	No. of old-age Pensioners	Monthly Payment per Person (yen)
Welfare Pension	23,707	89,437	4,726	775	38,201
Seamen's Insurance	257	104,352	10,140	18	50,892
National Public Servants MAA	1,158	92,926	8,056	168	48,420
Local Public Servants MAA	2,842	101,348	9,017	315	54,110
Public Enterprise MAA	785	95,193	9,147	197	51,048
Private School Teachers MAA	226	80,320	4,968	5	35,754
Agriculture, etc MAA	426	70,620	6,203	30	30,294
National Pension Contributive	25,136	—	586	789	10,824
National Pension Non-contributive	—	—	—	5,104	4,384

Note: MAA Stands for Mutual Aid Association Unit: 1,000 men/yen

Source: *Statistical Year Book on Social Security* (1974)

SOCIAL SECURITY IN HONG KONG

In my opinion, Hong Kong can no longer be classed as a *developing* economy. Of its 4½ million people 43% are engaged in manufacturing, and the Gross Domestic Product for 1976, in figures issued by the census and statistics Department, was U.S. \$2,340 per capita. In Asia, this is possibly second only to Japan. And although Hong Kong's economy relies heavily on the vagaries of world economy, there are about U.S. \$610.8 million in fiscal reserves. The unemployment rate for 1976 was 4.4%. Against such wealth, the social security benefits enjoyed by the people are negligible.

Some improvements have been brought about by government legislation in the past few years, such as rehousing of almost 2 million people, free medical and health services, provision of nine years of free education, and the establishment of five technical institutes for vocational training. There has been a great deal of emphasis on public expenditure. But as the Trade Unions are weak and divided, the people are very proud and hardworking, and the government more interested in keeping the cost of labour low to continue Hong Kong as a haven for super profit businesses, social security has remained in an embryonic stage.

All workers between the ages of 15 and 55 who are physically fit are not entitled to unemployment benefits. The Public Assistance Scheme applies to those workers between 15 and 55 whose income and savings are not enough to match the level set by the scheme, and which is adjusted from time to time. For a family of four this amounts to about US \$100 per month. There is also a

Special Allowance paid to certain people drawing Public Assistance to help with medically approved extra diets, in the amount of US \$35 a month, and an allowance for boarding charges for disabled children up to US \$17 per month. There is a Disability Allowance of US \$40, and there is an Infirmity Allowance of US \$19 for those over 75 years of age. The Rental Allowance Scheme provides US \$50 per month for a family of four in a city where rents are perhaps second only to New York.

Of the total population, 5.5% are 65 years old and over, and the pensionable age was 75. It is now being lowered to 70. A social insurance scheme in which employers and employees are made to contribute compulsorily is now being proposed, but there is some opposition from employers.

Employment security is virtually non-existent. Workers can be dismissed on month's notice. Recourse to the Labour Department is often unsuccessful. A time or piece-rate worker can be dismissed on ten days wages times the number of years in service, even if he has worked 10 years. The hours of work in Hong Kong are among the longest in the world. Almost 50% of the workforce work 54 hours a week, and almost 25% work between 55 and 64 hours a week. A great number of workers are on time or piece-rate and whilst the cost of living is very high, the job rates seems to be immensely low. To make both ends meet, workers have to put in longer hours. Since mid-1977 every worker is assured of 7 days annual leave with pay, four of them consecutive.

Workers also have to fear their health and safety. In 1974 there were over 30,000 accidents, 1% of them fatal. This means an average two deaths in every three days, and 86 accidents per day. There is a workers compensation scheme, but in 1974 the average for over 29,000 cases was US \$170 each. There is some publicity to encourage industrial safety, but it is not sufficiently implemented.

If a worker is sick for less than four days he receives no pay, even though he can accumulate up to a maximum of 24 days' sickness pay at the rate of one day a month. As

for women, although they are given maternity leave which protects their employment during the period of confinement, they are not entitled to any wages during the period.

Wages in Hong Kong are determined by the supply and demand of labour. In 1974-75 the labour Department reported that daily wages ranged between US \$2.80 to US \$4.00 for unskilled and skilled workers respectively. This seems high when compared with many other Asian countries, but it has not yet caught up with the cost of living, increased housing rents, and the raised cost of transport and utilities. One wage is normally not sufficient to maintain a family of four.

Often, to supplement the families income children are forced to work. Although the legal age of employment is 14, there is no restriction on the employment of children as out workers in their own homes. It is a typical scene to see whole families, from young children to very old people working on plastics, denims, metalware, carving etc. at their place of residence. And although child labour is illegal, there is still some incidence of this practice. In 1969, raids on 1,700 factories resulted in more than 400 factory owners prosecuted in respect of 1,287 children 52 of whom were 10 years old and under, and the majority of whom were paid US \$0.50 to US \$1.00 for working a 9 to 10 hour day. The answer of course is not in prosecution of the employer. What are needed are major reforms in social conditions so that parents do not have to resort to sending their children to work.

As previously mentioned, the trade unions are not sufficiently powerful in Hong Kong to bring about much pressure either on the government or employers. Furthermore there is little protection for union organisers against unfair dismissal and they are further restricted by law. What Hong Kong needs very badly is an effective labour movement which is concerned primarily with the interests of its workers.

From this background, I have come to this Seminar with mainly one solution in mind that is unity. Unity

of the Trade Unions on in national and International level. When different ideologies and political affiliations are put aside, Trade Unions are all working towards similar goals. So why not work together? On international level, the underdeveloped countries may then look to the more powerful and experienced Trade Unions in the developed and socialist countries for help, advice, and even financial support.

In his presentation on the *Problem of Social Security in Asia*, Mr. Mahendra Sen says, "the establishment and improvement of social security demands considerable efforts and strengthening of International Solidarity" (P 7). If the Governments and employers will not take the necessary responsibility to provide social security, then the workers will have to take the initiative to implement some measures, even if small, for their benefits. In the case of Hong Kong, the contributory system is most suitable but is, upto date, gravely inadequate. For this reason, I am not prepared to dismiss so hurriedly the point raised by Mr Fernandez yesterday, namely, that workers and Trade Unions put more emphasis on self-help.



CONCLUSIONS ON SOCIAL SECURITY

Delegates of 19 national and industrial trade union organisations from 10 countries of Asia met at New Delhi in the Fifth Asian Trade Union Seminar which took place from November 30 to December 3, 1977 convened at the initiative of the All-India Trade Union Congress (AITUC).

Delegates from Japan, Malaysia, Hong Kong, Philippines, Nepal, Mongolia, USSR, Sri Lanka, Bangladesh and India representing trade union organisations of various international affiliations (WFTU, ICFTU and WCL) and independent, functioning under different social and economic systems, attended this Seminar.

The following organisations were represented at the Seminar :

- All Japan Council of Trade Unions (Sohyo—Independent)
- Malaysian Trade Union Congress (ICFTU)
- Transport Workers' Union of Malaysia (MTUC—ICFTU)
- U.S.D. Workers' Union (Hong Kong TUC—ICFTU)
- Federation of Free Workers (Philippines, WCL)
- National Association of Trade Unions (Philippines, WFTU)
- Trade Unions of the Philippines and Allied Services (TUPAS—WFTU)
- Nepal Bee Keepers' Association (TUI—Agriculture, WFTU)
- Central Council of Mongolian Trade Unions (WFTU)
- All Union Central Council of Trade Unions of USSR (AUCCTU—WFTU)
- Ceylon Workers' Congress (ICFTU)

- Ceylon Federation of Labour (Independent)
- Ceylon Federation of Trade Unions (WFTU)
- Sri Lanka Independent Trade Union Federation (WFTU)
- Democratic Workers' Congress (Sri Lanka—WFTU)
- Bangladesh Sramik League (ICFTU)
- All India Trade Union Congress (AITUC—WFTU)
- Indian National Trade Union Congress (INTUC—ICFTU)
- All India Bank Employees' Association (Independent)

The delegates from the WFTU and from the TUI of Chemical Workers were also present.

The delegates discussed two of the vital interrelated problems confronting the workers and the trade union movement in the Asian region—Social Security and Working Environments. The discussion on these problems in the Seminar was free, frank, comprehensive and fruitful.

The delegates recognised the vital importance of social security to the working people of Asia, where in many countries mass poverty and widespread unemployment exist.

The delegates note that the social security systems available to the working people of this region are of different types and at different levels depending on the social system, the level of economic development and specific conditions and factors prevailing in each country. In some countries the schemes of social security provisions are almost non-existent, or if existing, are not implemented properly and fully. In some countries the schemes are mainly contributory based on contributions from employers and/or employees with little financial participation by the state. Most schemes do not provide any protection against the vital risk—unemployment or underemployment. Yet many others seek to mobilise the workers' savings primarily for the purpose of investments which eventually serve not the workers' but private interests.

The delegates consider that in the last decade a considerable progress has been registered in respect of the introduction and improvement of social security measures. Some advance can be noted in the field of new legislation, scope of coverage, in the introduction of new kinds of benefits and enhancement of benefit rates. In most countries these achievements are mainly due to the persistent struggle and continuing pressure of the workers and their trade unions.

The delegates also note that in the socialist countries of Asia comprehensive systems of social protection are guaranteed by national legislation, social security funds being provided for by the state budgets and being administered independently by the workers themselves through their trade union organisations. Continuous improvements of social security systems are assured here, the rates of benefits being constantly raised and new categories of working population being covered. In the USSR, for example, new measures have been taken recently to embrace many categories of workers in agriculture on the same basis as the workers in industry.

The delegates consider that in the majority of Asian countries the main negative features of social security schemes are : a narrow range of coverage as to the categories of working population and to the social risks covered; a low level of benefits paid; the lack of integrated social security institutions; and the bureaucratic methods of managing them.

The delegates further find that inflation and spiraling prices which are a common feature of most of the countries of this region consistently erode the real value of the benefits provided, subjecting the beneficiaries to acute hardships and deteriorating standards of life.

During the deliberations in the Seminar the view was expressed and supported that the main responsibility for providing social security funds must rest with the government and employers. The development by some trade unions of social security schemes of their own on the

basis of self help can in no way diminish, let alone eliminate this responsibility. Nevertheless, the fact remains that in the majority of Asian countries the workers are making considerable contributions to the social security funds, amounting in some cases to 6-10 per cent of their wages. Even though it may not be immediately possible to abandon this practice, the aim of reducing these contributions, which are not a small burden, is in the interests of workers and should be one of the main preoccupations of trade unions.

The delegates support the view that a radical democratisation of the administration of social security systems can be obtained only by a larger and more effective participation of workers' representatives. The delegates agree to the principle that the effective participation of workers in the formulation, management and implementation of social security programmes must be ensured.

The delegates are unanimous that social security schemes:

- (i) must cover the entire working population of the country—urban or rural—and working in whatever sector—industrial, agricultural or service.
- (ii) must provide—
 - (a) medical care including rehabilitation
 - (b) rest and leisure
 - (c) effective protection from suspension, reduction or lack of income due to—
 - unemployment or under-employment
 - sickness
 - employment injury covering both accidents and occupational diseases
 - old age
 - invalidity
 - death of bread winner
 - (d) family benefits.
- (iii) must insure that the benefits provided conform to at least the minimum standards envisaged by the ILO Social Security Conventions.

(iv) must protect the real value of the benefits provided through suitable indexation or "sliding scales".

With a view to facilitate coverage of all sections of the working people the delegates consider that an integrated social security scheme must be developed encompassing every form—social insurance, social assistance and public assistance.

The delegates agree that trade union organisations in this region must actively campaign in order to realise the above demands and requirements in the field of social security where the existing standards fall short of them. They feel convinced that united actions at national level buttressed by regional and international solidarity would enable the workers to attain their objectives in this respect.

The delegates recognise that further comprehensive and comparative studies in the field of social security are necessary in order to ensure the improvement and enlargement of the existing measures and systems. For this purpose the delegates agree to send to the AITUC all necessary supplementary information on the social security situation in their respective countries. On the basis of this information thus received, the AITUC should prepare a report to be sent to the participants and their organisations.

The delegates recognise the importance of continuing of exchange of views and increasing the collaboration among the Asian trade unions to fully realise the objectives of the Seminar.

The delegates hope that the publication of the proceedings of the Seminar will contribute to a better mutual understanding and practical collaboration among their organisations with the aim of improving social security systems and in the struggle for better working and living conditions of all workers.

The delegates recommend that in this spirit the conclusions arrived at the Seminar should be circulated to all the trade union centres in the region.

New Delhi December 3, 1977

**EFFECT OF ENVIRONMENT ON THE
WORKING AND LIVING
CONDITIONS OF WORKERS**



EFFECT OF ENVIRONMENT ON THE WORKING AND LIVING CONDITIONS OF WORKERS

Paper Presented by
M. Pal FORGACS, General Secretary,
Trade Union International of Chemical,
Oil and Allied Workers.

I. Environment. Working environment. International inter-relation.

According to the current terminology, the term *environment* means the totality of the elements shaped either by nature or by man, which combine to create the biological and cultural conditions of human life.

Environmental protection means the actions designed to preserve intact certain elements of the environment in order to retain their natural characteristics, beneficial to human life and development. It also means the management of activities aimed at the elimination of possible threats to the environment that might promote adverse changes of its qualities.

The 1977 Report of the Executive Director of the United Nations Environment Programme points out:

“Man does not deliberately damage his own environment, any more than a rational person would purposely destroy his own house. But when man takes action to satisfy his needs—when he grows food, cattle, builds roads, establishes industries—his activities often involve side-effects which are environmentally harmful. Sometimes these environmental side-effects may take it difficult or even impossible for man to sustain his original activities.”

Statistics show that in industry alone there are about 160,000 accidents a day. In industry alone an estimated 100,000 workers die every year from accidents at work. Many serious accidents also happen in farming and forestry, but there are no world-wide data on this.

These figures are the more alarming because they reveal no reduction in frequency or gravity rate in most countries. Moreover, new risks are being added every day.

After the Second World War, there were about 50 chemical substances causing recorded occupational diseases.

Today, there are 600,000 chemicals in daily use and several thousand are being introduced every year. Many of these newer pollutants can have harmful side effects. Yet they are introduced into production processes so quickly that there is no time to assess the potential harm they can do to workers.

The public is understandably worried about the new risks when it sees—and the disaster at Seveso in Italy is a tragic reminder—that present safety precautions are sometimes powerless to prevent catastrophes.

The concept of the *working environment* as an integral part of the general human environment is relatively recent. Traditionally it deals with the hazards at or near the workplace, due to toxic substances, machinery, ionising radiation, dust, noise, vibration, heat, etc., and the synergistic combination of two or more of these factors. Corrective and preventive measures in this respect include, besides the traditional safety techniques, the design and adaptation of materials, machinery and processes to the capabilities of the human body and mind, based on the principles of ergonomics. But improvement of the working environment involves more than the protection of workers' health and safety. It also has a positive contribution to make in humanising working conditions in such matters as work content, job satisfaction, group work and related aspects of work organization. Viewed in this broader perspective, the working environment becomes an

essential element of the human condition in relation to its environment.

There are practical reasons for an *integrated approach to working and general environment*. Many of the pollutants, effluents and wastes found in the general environment originate in the working environment, in particular in the chemical process industries and the related energy sector. Most of the early monitoring, toxicological and medical research on pollutants were carried out in relation to occupational health problems; many of the preventive and protective techniques were developed in this context. Both for reasons of principle and practice it would therefore be inappropriate to deal with the working environment as a closed system unrelated to the broader general environment.

An *international interrelation* in all fields of human activity has increased considerably. At present only a few countries have been able to develop economically within their own borders.

Colonialism, and then the development of world economic relations—no matter how unequal in rights they were sometimes—resulted in a sharp increase of countries' interdependence. The impact of nature, for example, environmental pollution in this or that country, affects not only its own territory, but causes marked consequences in other countries. Thus, for instance, toxic substances emitted into the atmosphere by the industry of Ruhr, are dispersed with atmospheric flows into Scandinavian and East European countries. These substances are causing considerable damage to them even now. Industrial discharges into rivers, such as the Rhine, running through the territories of other countries, or to seas, have the same consequences. Polluted discharges into the Atlantic Ocean from the shores of American and European continents, are carried by currents and concentrate in some areas of the ocean, for example, in the Sargasso and Barents Seas where many states are actively engaged in fishing.

And finally, one should take into account the extreme complexity and diversity of mutual relations and instabilities appearing from time to time in the development of natural phenomena. Therefore, some slight intervening in a state of the environment may cause significant and probably serious consequences.

II. Major hazards in the working and living conditions of workers

More than one hundred year ago Friedrich Engels in his work: *The Condition of the Working Class in England*, called air pollution, shortage of water supply and housing, the damage caused by capitalism to the workers' health and life, a "social murder" or a "veiled, malicious murder".

The reality of labour under capitalist management is first and foremost the continued existence of physically exhausting and often dangerous jobs. The erosion of the workers' physical, nervous and mental strength, accelerated by the continued existence of stresses, tension and excessive working hours, as well as the absence of any satisfaction in the work, extends into the external environment. Hundreds of millions of workers are not only degraded and physically and intellectually exhausted, but also suffer from damage to their environment.

In the majority of capitalist countries, the same factors in the deterioration of working conditions constitute the major cause of the pollution of nature. They extend to the areas where people live and relax, so that the damage and nuisance which affects the workers is increasingly affecting the whole society.

The social order which uses scientific and technical progress as a source of profit and a means of increasingly exploiting men and nature is the cause of the ecological crisis.

The workers and their trade unions consider that neither the rapid growth in population nor the application of the most advanced technological methods can be said to

be responsible for the deterioration of working surroundings and of the environment in general, and that the real cause is the *capitalist management* of natural, scientific and technical resources based upon the excessive growth of productivity and the maximalisation of profits.

A recent report of the International Labour Organisation spells out some major pollution hazards lurking in the working environment:

*Noxious gases and vapours. They may be extremely dangerous in their own right, and also because they may displace the oxygen in the air to a point where there is not enough left to support life.

*Noise and vibration. Noise is becoming more and more a scourge of the general public. Its harmful effects range from nervousness and fatigue to temporary and even permanent deafness.

*Ionising radiations leading to cancer and other diseases.

*Radiant heat causes exhaustion or heat stroke which may, in some cases, be fatal.

The predominant feature of workplace pollution is the combination of chemical substances and physical factors. For instance, the increasing use of lasers in various fields of science, technology and production entails not only the danger of harmful radiation but also that of chemical substances stemming from the use of laser installations, including benzene and its derivatives, carbon disulphide, and ozone.

Latter-day vulcanisation of rubber, for instance, produces a gas containing 40 to 50 different chemical substances many of which are harmful to health.

Modern times have also witnessed an extraordinarily rapid and widespread development of organic chemistry, petrochemistry, metallurgical chemistry, and the chemistry of elementary organic and organo-metallic compounds. Each year several thousand new chemical substances come into use in industry and agriculture, although in many

cases their toxicity and danger have not been established in advance.

There are undoubtedly other problems too, but let us consider only the most essential.

We must consider that the environment begins right in the place of production: our families are the victims of it. It will serve no purpose to struggle for health and safety within the plant if we do not, at the same time, devote attention to the external environment as well.

Pollution is a fact which merits analysis.

Is it inevitable, a sort of curse?

Must we resign ourselves to it, with no concern for the future?

Must we stop progress and go back to the oil lamp and the sailing ship?

Is it a failing inherent in man himself?

Is it a fault due to the structure of society?

In order to reply to these questions and to determine our position, we must place man in his nest, that is, in NATURE.

Common-sense gives us an immediate answer:

WE ARE AN INTEGRAL PART OF NATURE.

The truth is that it is the capitalist system which has distorted the relations between man and nature and brought us into our present situation.

Private ownership of the means of production has led to a notion of the ownership of nature, as an object which can be used and abused, without restraint or limits.

PRODUCTION FOR MAXIMUM PROFITS!

Without concern for wastes and harmful effects because it earns no profits.

Company managers complain about the weather because it has held down sales of insecticides!

Others welcome a severe winter because it brings increased sales of medicines!

Companies in most of the capitalist countries sell dangerous products!

And what can we say about the 7 million hectares of land in Vietnam burnt and poisoned by the US government?

What about the French nuclear explosions in the Pacific, in defiance of universal protest?

However, the extreme gravity of the situation and the mounting wave of protests on all sides are forcing the capitalist leaders and their governments to recognise the problem.

They have launched the slogan: "WE ARE ALL POLLUTERS" to draw attention away from their responsibility and to create a sense of guilt which we cannot accept.

They do not hesitate to use job blackmail: either you put up with pollution or we will move the plant elsewhere.

This reasoning can also be found in the declarations made by the plant managements of the multinational corporations in the different countries.

The capitalists go even further than this...

And of course, under the pretext of anti-pollution measures they also draw on public funds.

The workers and their trade unions reject the attempts of the capitalists to make society bear the blame for the crisis caused by the negative consequences resulting from their ownership of the means of production and denounce the appeals by the monopolies to halt growth and institute a "zero growth rate" in capitalist countries.

Can we prevent technology exerting a harmful influence on nature? Yes, technology can be corrected. Industry has already learned to produce many things that cause no harm to the environment. The solutions are many: technological processes that use little or no water and air, the so-called closed cycle. Special devices to collect, utilise or chemically neutralise waste matter at the end of the technological process. A third method is recycling, that is,

turning waste matter into usable material for other industries. This guarantees purity of the atmosphere, hydrosphere and soil, besides effecting an immense saving of natural resources. Only the new technology furnishes the means needed to ward off, even prevent, ecological crises. But, of course, the objects and results of its application depend on the socio-economic structure of society. And it is not fortuitous that some scientists, far removed from socialism, believe that if the capitalist countries are to moderate the impact of the ecological crises, they will have to limit production anarchy by state planning and international environmental safeguards. And they acknowledge the advantages of the socialist countries in this respect.

III. Environmental protection in the socialist countries

In the socialist countries, too, scientific and technological progress has an increasing effect on the environment. But these countries follow fundamentally different social principles and this enables them to co-ordinate their environmental policies, of which the following are the distinctive features.

—Systematic state control, stringent planned measures to restrict and prevent pollution of the environment by introducing new technology;

—more effective methods of planning new urban communities and modernizing existing ones to provide better conditions, moderate and subsequently eliminate the adverse effects of urbanisation;

—planned implementation of programmes to refashion nature over extensive areas, river-flow regulation, linking of rivers, land improvement, afforestation;

—rational use of natural wealth to assure natural reproduction of renewable resources and economic use of un-renewable;

—creation of rest zones in and around urban communities;

—diverse state measures to safeguard national preserves, enrich their flora and fauna and protect the natural

environment as the basis for evolving new races of plants and animals, and for scientific research to heighten the productivity of the biosphere.

In the USSR there have been a number of developments in both administrative and legislative fields to improve occupational safety and health. A recent law stipulates that the management of all undertakings, institutions and organisations has the obligation to introduce modern safety techniques to prevent occupational accidents and diseases among workers. Work is not permitted in any new or reconstructed undertaking unless the requirements as to occupational safety and health are fulfilled.

According to latest figures, the government spent the equivalent of more than \$10,000 million on occupational safety alone from 1971-1975.

But protection of the working environment cannot be the prerogative of government and management. Workers should be able to participate in the making and assessment of safety and health arrangements at their places of work. Thus the Soviet trade union locals see to it that safety and health rules and standards are complied with and that workers are given proper training. At the same time, workers' representatives participate in drawing up better and more stringent safety and health standards, as for example those covering industrial undertakings. Adopted in 1971 they prescribe the maximum permissible concentrations of harmful substances in the atmosphere at the workplace, the maximum levels of noise and vibration, the requirements as regards lighting, temperature, humidity, and other aspects of the working environment.

The Soviet trade unions have their own technical inspectorate consisting of 6,000 staff inspectors and some 3 million voluntary inspectors who check regularly on working conditions and the implementation of safety and health regulations in Soviet factories and workplaces. Their instructions concerning elimination of shortcomings that come to light are binding on the management.

The technical inspectors take part in the work of the

state committees to approve the use of production materials and equipment. Without their signature the certificate of approval is invalid. They are also given the right to impose penalties on managers who do not follow the labour protection requirements.

The inspectors have the power to stop operations they consider an imminent hazard to life and health.

The socialist countries are expanding their cooperation in environmental protection mainly in the framework of the COMECON.

IV. Some problems of the environment in the developing countries

For the Third world, the sharpest point made in the 1977 State of the World Environment Report is the prediction that the area of cultivated land per person on the earth will be halved by the end of the century.

In that short space of time, an estimated 600 million hectares of potential farm land will be lost to soil erosion, salinisation, water logging and urban sprawl. Meanwhile, the world's population is expected to climb from 4 billion to 6.25 billion. Even though another 300 million hectares of presently unused land will be brought under the plough by the year 2000, the net result of these estimates is that the area of farm land per person will dwindle from 0.31 to 0.15 hectares.

"The present rate of soil loss through erosion," says the UNEP (United Nations Environment Programme) report "may be as high as 2,500 million metric tonnes per year—over half a tonne of soil for every man, woman and child on the planet. Mankind simply cannot afford such a loss to the very basis of agriculture."

Cutting down trees, leaving bare and brittle soils which blow in winds and swirl away in water, is a major cause of erosion. But cutting trees is also a necessity for the 1,000 million people of Africa, Asia and Latin America who depend on firewood for cooking their food and heating their homes.

Half of all the trees cut down every day are used for firewood. The other half fall under the chain-saws of industry. In total, many more trees are being cut down than are growing up and the consequent retreat of the world's forests means that millions of people are having to walk further or pay more for their fuel. In many parts of the developing world collecting firewood, which used to be the chore of an hour or two, has now become the labour for a day or more—and normally it is the women who bear the burden.

In Niamey, Niger, a manual labourer now has to spend a quarter of his income in firewood alone. In Upper Volta—where all the trees within 70 kilometres of capital city Ouagadougou have been cut for firewood—the proportion can rise to a third. "In terms of both labour and money" says the UNEP report "half the world's population finds the price of firewood too high to pay."

With the beginning of understanding of these problems has come the beginning of action against them. In India, thousands of date-trees are to be planted to halt the march of the Rajasthan desert which now swallows 1% of India's land every year.

Industrialisation has only begun in most of the developing countries. But pollution has already grown into an acute problem in some industrial cities such as Sao Paulo, Buenos-Aires and Mexico City. American, Japanese and West German multinational corporations are exerting pressure on Latin American governments to let them build petrochemical, cellulose and other plants with a high pollution coefficient in their territory. All they want is to remove health-hazardous plants from their own countries. An aluminium plant was transferred from Norway to South America for example, because the public objected to air pollution and damage to the surrounding forest land.

At the International Symposium on the Control of Air Pollution in the Working Environment (Stockholm, September 1977) Mr. de Rosen, Director of the Industrial

Programme of the United Nations Environment Programme made an important intervention for banning export of hazardous products. He pointed out that at the May 1977 meeting of the Governing Council of UNEP, Dr. J. C. Kiano, the head of the Kenyan delegation, said that "developing countries had been used as a "dumping ground" for products that had not been adequately tested". Warning that people in these nations should not be used as "guinea pigs", he said "Unless a product has been fully tested and certified and widely used in the countries of origin, it should not be used for export".

UNEP's Governing Council adopted Dr. Kiano's view in a resolution on "Human and Environmental Health". The 54-nation governing body recognised the responsibilities of both exporters and importers to protect against hazardous products. The resolution urged that "...Governments take steps to ensure that potentially harmful chemicals, in whatever form or commodity, which are unacceptable for domestic purposes in the exporting country are not permitted to be exported without the knowledge and consent of appropriate authorities in the importing country..."

It is not surprising that the call for a single standard for both domestic use and export came from an official of a developing country. The people of these countries suffer a disproportionate share of accidents due to several factors, including the relative low-educational level of the farmers and labourers, the inexperience in handling modern chemicals imported from industrialised countries, the frequent lack of instructions and safety warnings in the local language, the use of chemical products whose use has been banned or restricted in the manufacturing country because of their health or environmental risks.

A good example is the export of unregistered pesticides. In some industrial countries, some pesticides, manufactured solely for export, are exempted from any registration requirement. The result is a double standard. Pesticides considered too dangerous for sale in such countries, may

nonetheless be sold abroad. This loophole is, in fact, not confined to importing countries, as it endangers workers in the manufacturing plants.

A well-known instance is the case of Leptophos or Phosvel. Never registered by the environmental agency of the manufacturing country for domestic use, the entire output was sold overseas to some 50 countries. One of the largest customers was Egypt which had no procedures for registration or tolerance settings and where deaths of several farmers occurred and whole rural families became ill with convulsions, speech impairments, loss of bladder control, etc. At the manufacturing plant, workers became severely ill after contact with the pesticide and during production. Their symptoms included partial paralysis, blurred vision, dizziness.

Many examples have shown that a country need not necessarily be industrial to fall victim to certain types of pollution. Take the example of pollution of offshore waters by the shipping.

We must take the long-term view: the future of many of the developing countries depends on the correct use of their national resources. The exploitation of natural wealth will doubtless follow industrial lines. The choice of method is therefore of decisive importance. Will growth be stimulated by private or collective interests?

Progressive forces and trade unions reject the contention that environmental pollution is the unavoidable price of economic growth. While building up the economy, natural resources must be used sensibly employing the achievements of science and technology for the good, rather than to the detriment of the people.

V. ILO International Programme for the Improvement of Working Conditions and Environment

For the International Labour Organisation (ILO) the crucial issue of combatting air, water and soil pollution is a continuing obligation under its constitution which stres-

ses the right of working people to protection against sickness, disease and health risks arising from their employment. Today, it also means "the right to an acceptable working environment".

Among the early contributions of the Organisation in this field were studies on health risks for workers who handle poisonous and noxious substances.

More recently, the ILO has focused on combatting the dusty death—pneumoconiosis. Like most man-made plagues, dust hazards can be reduced by applying the right techniques, which are already known. To this end, the ILO has prepared a comprehensive Guide on the Prevention and Suppression of Dust in Mining, Tunnelling and Quarrying. In addition, the Organisation brings out periodic reports on the latest developments in these matters.

The ILO is also concerned with the problem of methane control and has published recommendations in a Code of Practice which in many countries has served as a model for combatting pollution in mines.

Similarly, ILO proposals to thwart the hidden danger of radioactive contamination are being increasingly adopted. The Convention on Protection of Workers against Ionising Radiations (No. 115) has been ratified by twenty-six countries. To give more guidance on methods to overcome the invisible pollutants, the Organisation prepared a Recommendation and drew up a Manual of Industrial Radiation Protection which includes a Code of Safety Regulations applying to all processes involving a radiation hazard.

"Making work more human" was the title chosen by Director-General Francis Blanchard for his report to the 1975 International Labour Conference, in which he called for a significant new action programme to make work healthier, safer and more human.

Within a year of unanimous endorsement of this appeal by the conference, and following a series of preparatory meetings all over the world, the International Programme

for the Improvement of Working Conditions and Environment was born.

The new programme is designed primarily to support activities of ILO member States. This assistance will be provided by teams of specialists in working conditions and environment, including safety engineers, occupational health physicians, specialists in work organisation or labour inspectors.

A special feature of the programme is a proposed "health hazard alert system" to assist the ILO in speedily getting information to the right place at the right time.

Other means of action under the programme will aim at revising existing international labour standards and creating new instruments, reinforcing technical cooperation in safety and health, and launching a comprehensive enquiry into human labour, including studies, research and tripartite meetings in the field of working conditions and environment.

In developing countries the programme will help to establish national policies for the improvement of working conditions and to setup an adequate safety and health infrastructure as an integral part of over-all development programmes.

VI. The ICFS Charter—WFTU activities

We shall give to all participants in this Seminar a copy of our Charter on the Protection of Man at Work and of the Environment against Industrial Activities.

This Charter defines our fundamental principles.

(1) The permanent action of the trade unions must deal not only with wages, working hours and holidays, but *with all* aspects of the organization of work, with *all* aspects of the protection of man at work.

(2) The struggle for the protection of the environment must also be one of the constant concerns of the trade unions.

(3) As mass organisations, the trade unions can and must play a *leading* role.

(4) The measures listed in the Charter should concern all trade unions, irrespective of the economic and social system and the level of development.

The technical and medical provisions, the regulations and norms of all kinds should be constantly brought up to date and improved.

(5) The fundamental ideas on which the Charter is based are the following:

(a) The present state of science and technology and the use of all the possibilities they offer make it possible to *firmly reject* the idea of a *fatal ailment*.

(b) Consequently, the enterprise must guarantee:

—*for the worker*, that his professional activity will involve no danger to his health and certainly not to his life;

—*for the neighbouring area*, that its activities do not endanger the health of the population outside the enterprise, or the flora;

—*for the users* of the objects and projects which it supplies, that no harm can be caused to the users and their surroundings.

The Charter deals with prevention and its principles, prevention in industrial projects, supervision and control, compensation, industrial accidents and occupational illnesses and the role of the trade unions in all fields of prevention.

The struggle against the harmful effects of the scientific and technical revolution has always been central to the concerns of the WFTU. Our organisation has contributed to drawing up international instruments within the ILO and has taken part in various United Nations activities, as well as in those of its specialised institutions and of a number of international organisations.

WFTU action has not been limited to the working environment; it takes in all the problems connected with the environment, including housing and leisure.

The "Conclusions on Social Security" adopted by the 7th World Trade Union Congress (Budapest, October 1969) states that "the prevention of accidents at work and of technical dangers must come before any demands for production" and the unions were called upon "to struggle so that many benefits for the workers are inserted into the various agreements, statements, international conventions and all other decisions of international bodies".

A section in the Charter of Demands adopted by the 8th World Trade Union Congress (Varna, October 1973) is entitled "The Working Environment and the Environment—For a Better Quality of Life". Since this Congress WFTU has set up a special committee to study the problems of environment. These questions are on the agenda of the 9th World Trade Union Congress which will be held from 16 to 23 April 1978 in Prague, capital of the Czechoslovakian Socialist Republic.

I would like to quote the chapter concerning the environment and the surroundings of the Draft Charter, one of the main documents submitted to the 9th World Trade Union Congress.

"The workers and their trade unions consider that immediate measures must be adopted giving priority to:

- * establishment of an overall policy for the control of the balance of nature within the framework of policies for industry and land management;

- * a policy of non-wastage, of production of more durable goods, of economy of raw materials, of recycling, of research; the perfection of non-polluting technology, with the treatment of refuse in order to extract precious and costly substances, creation of substitute products;

- * the more rational use of energy and research into non-polluting sources of energy without upsetting the world's thermal balance;

- * urban development policies as an integral part of the protection of the landscape and the environment;

- * the right to decent housing for the worker and his family;

* transport policies to establish, equip and develop public transport between the home and the workplace;

* development of techniques for modifying manufacturing processes and manufactured products which cause extensive pollution, as well as their handling and transport;

* penal and financial legislation against enterprises which damage the environment;

* withdrawal of anti-pollution activities from the control of private commercial and industrial interests and the creation of public inspection bodies with the participation of the trade unions;

* progressive taxation on large incomes and the reduction of rates of taxation concerned in the field of the utilisation of natural resources;

* a ban on the export of polluting industries to developing countries;

* the forbidding of changes in the environment for military reasons."

VII. Some conclusions

Domination over nature does not imply that man has ceased to be dependent on it. In certain conditions he can control that dependence, while in others he becomes subject not only to wild nature, but to humanised (or more exactly, inadequately humanised) nature. Capitalism's use of science reminds one of the sorcerer's apprentice who unleashes the elemental forces of nature but cannot hold them in rein. And they dominate man, acting despite and against his will, until scientific control of nature is combined with rational control of social, production relations.

In the capitalist world environmental protection is becoming an acute social problem whose solution is possible and is achieved to a degree through the anti-monopoly struggle of the working class and other working people and through democratic change. The mass movement to

protect nature, to safeguard the health and life of human beings is a new social phenomenon aggravating the contradictions between labour and capital.

In the socialist world rational use of the environment and prevention of dangerous water, soil, air and biospheric pollution is based on combining the advantages of the socialist system with achievements of the scientific and technological revolution. The facts show the fundamental differences of approach between socialism and capitalism. The experience of the socialist countries, where much is done to protect and improve the environment on a comprehensive basis for the good of all, is of international significance. However, many important problems have yet to be dealt with and this will necessitate new organisational, technological and educational measures.

Internationally nature conservation requires cooperation between the socialist countries as well as between them and other countries. It is inseparable from the effort to promote peace and peaceful coexistence, establish collective security and solve other pressing international problems in the interests of the peoples.

The trade unions are beginning to take an active part in the world-wide campaign for environmental protection. This is an obligation to ourselves, as well as a duty to the whole of mankind.



EFFECTS OF THE ENVIRONMENT ON THE WORKING AND LIVING CONDITIONS OF WORKERS

(Paper presented by Y. D. Sharma, Secretary AITUC)

“The environment for hundreds of millions of men and women in the underdeveloped countries is often marked by famine, by wasted childhood because of appalling conditions of nourishment, hygiene and education, and by the existence of tens of millions of unemployed. This environment is also often marked by “modern” industrial pollution and by the creation of shanty towns in those towns which have become the centres of foreign investment aimed at exploiting the people of underdeveloped countries and at pillaging and destroying their resources”.

(From Charter of Trade Union Rights, adopted at 8th World Trade Union Congress, held in Bulgaria in October, 1973.)

A few weeks after the 8th World Trade Union Congress, the third Asian Trade Union Seminar was held in New Delhi from 12th to 16th December, 1973. The problems of environment were discussed in that seminar and all the participants came to the conclusion that the trade unions in this region should give priority to the following demands:

“Elimination of the machine paced production processes and speed up methods.

Increased health protection at work, particularly by improving the workplace conditions ensuring low noise levels and prevention of occupational diseases.

Penal and financial sanctions against those contravening safety and health norms to make such contraventions a cognizable offence.

Effective Labour inspection with the participation of the trade unions to ensure a pollution free workplace and environment.

Establishment of sound policy for the control of the balance of nature within the framework of policies for industry and land management.

Urban development policies connected with the protection of the landscape and the environment and provision of good housing for working people.

Public display of all development or re-development schemes that may affect the environment with maximum people's participation in appropriate forms in such planning.

Development of new techniques for modifying manufacturing processes which cause extensive pollution and elimination of manufactured products which cause extensive pollution.

Penal legislation against enterprises which damage the environment.

Removal of antipollution activities from control of private commercial and industrial interests and the creation of public inspection bodies with the participation of the trade unions.

Total prohibition of the use of nuclear weapons, their manufacture, testing and stockpiling".

Now the 5th Asian Trade Union Seminar has once again put this subject on its agenda. This is quite natural as the problems of environment are constant concern of the working class and its mass organisations, the trade unions.

The fight for a good working environment has been a very important task of the trade unions from their very inception in all countries. The trade unions were first to fight for improvements in the working environment as it profoundly affected the working conditions of the workers. The trade unions' concern for the protection of the labour and health of the workers led them to fight for better working environments, free from accidents and health hazards, free from pollution of various kinds. The trade union movement, therefore, has very rich experience of fight against pollution of the working environment and they must use this in the wider fight for the protection of the general

environment. In fact, there is a close interlink between the tasks of protecting the working or production environment and the general or natural environment.

While the working and living conditions of the workers are all very much influenced by the general environment, it would be more convenient to deal first with the working environment and its effect on the working and living conditions.

Working environment

In the ILO publication, "Noise and Vibration in the working environment", Occupational Safety and Health Series No. 33 (1976) the working environment has been understood to embrace the following work places:

- i) All places of work as well as all the sites and areas where work is carried out including not only the permanent indoor stationary places of work which immediately come to mind such as factories, offices, kitchens and shops, but also temporary places of work such as civil engineering sites, open air places such as fields, forests, roads and oil refineries and mobile vans such as cabs or trucks, seats of tractors and excavators, ship's galleys, flight decks of aircraft, and so on without exception.
- ii) Places where workers are found as a consequence of their work (including canteens and living quarters on board-ship).

In short, every workplace, whether on land or water or in the air, whether overground or underground, whether on the water or underwater, whether in a building or in the open, any place where workers are engaged in work has to deal with the effect of environment on the working condition.

The working environment, in the first place is shaped by nature, but with growing industrialisation and the rapid progress of science and technology it is more and more being influenced and to some extent determined by the actions of man.

Whether man's actions in relation to environment are harmful or beneficial depends on a number of factors. It depends also on the socio-economic system under which men live and work. It depends on whether progress of science and technology is utilised for the welfare of human society or for increasing the exploitation of man by man and of developing nations by the multinational corporations.

The participants in this Seminar will, no doubt, place the experience of trade unions in different countries in conducting their struggles for improving the working environment in their respective countries. We shall also learn how the problems of environment are being solved in the socialist countries. I wish to place before you some information about the working environment that exists in India in various industries and how it has affected the working conditions of Indian workers in those industries.

Working environment in India :

India is a vast country, measuring 3214 KMs from North to South and 2933 KMs from East to West. It has an area of 3.28 million square kilometers. The population in 1971 was 548 million of which 439 million lived in villages and 109 million in urban areas. 32.9% of the population are workers in agriculture or industry. 72% of the total population is engaged in agriculture, although there has been considerable growth of industry in the country during the last 30 years.

Many new modern plants have come into existence both in the public sector and private sector. There are also a large number of old factories still functioning with their old machinery, particularly in traditional industries like Jute, Cotton Textile etc.

Among the new industries that have grown in the post-independence period are the four steel plants in the public sector, six refineries in the public sector, a number of Petrochemical and Fertiliser Plants, Heavy Electricals, Machine Tools, Power Plants and many others, mainly in the public sector.

While the working environment in and around these **new** modern plants and the consequent working conditions are **cer-**tainly better and more congenial than what used to be the **situa-**tion in older industries or in pre-independence days, there **is** great room for improvement and the trade unions have to **wage** constant struggle to protect even the health and safety of **the** workers.

Our present day working environment in some of the **indus-**tries is only marginally better than what it was under the **British** regime. The working conditions are still rooted in the **colonial** past. In fact several of the important laws governing **working** environment and working conditions are a carry forward **from** the days of the British imperialists with some amendments **made** here and there after independence.

When factories were first established in India during **the** British regime, the health and safety of the workers was of **little** importance to the employers, whether foreign or Indian. **The** working hours were very long, generally from dawn to **dusk**, without any rest periods, weekly rest or other holidays. **Work-**ing conditions were inhuman, environment was dirty and there was lack of elementary basic amenities. If a worker fell sick, **it** was considered his own misfortune and mistake and **the** employer never took responsibility for the health and **safety of** the workers. This was the position from the middle of the **19th** century till the start of the first World War in 1914.

Labour laws of that period were against the workers **and** were intended to prevent any type of resistance against the **in-**human working conditions in those days. Workmen's Breach of Contract Act of 1859 and the Employers' and Workmen's (**Dis-**putes) Act of 1860 were such kind of laws which provide **for** heavy penalties against the workers for alleged breach of **con-**tract if any worker refused to toil for long hours in an **inhuman** working environment. There was, of course, no question of **per-**mitting any organised protest as trade unions were not **allowed** and considered a conspiracy by the British colonialists in **those** days. Actually the Indian Trade Unions Act was passed only **in** 1926 although Trade Unions had appeared in India long **before**

that in the face of all the repression and persecution by the capitalists and colonial government.

The growth of industry during the First World War and the emergence of some Trade Unions in early 20th century together with the establishment of the ILO as an international forum, compelled the British government to pass some rudimentary labour protective legislation in India. A Royal Commission on labour was also appointed and its recommendations influenced the labour laws of that period. The important laws of the twenties which dealt with the problems of working environment were the Factories Act of 1922, the Indian Mines Act of 1923 and the Workmen's Compensation Act of 1923.

The above mentioned labour laws were rather elementary, but they represented a big step forward in the conditions then prevailing in India under the British. They brought a measure of much needed relief to the workers by regulating the working hours, leave and holidays and providing for some minimum amenities and hygienic conditions and safety in work place.

After the end of the Second World War and particularly when India became independent in 1947, the Government of India either amended the existing labour laws passed by the British or enacted new and supplementary laws to deal with the working environment in a number of industries. Such laws include:

- (1) Factories Act 1948
- (2) Mines Act, 1952.
- (3) Plantation Labour Act 1951.
- (4) Hours of Employment Regulation (Railways) 1956.
- (5) Motor Transport Workers Act, 1961.
- (6) Dock Workers (Regulation of Employment) Act, 1949.
- (7) The Merchant Shipping Act, 1958.
- (8) Industrial Employment (Standing Orders) Act, 1946.
- (9) Industrial Disputes Act, 1947.

In addition to these principal laws, there are a number of supplementary laws dealing with working environment in certain specific branches of some industries like oil, Petrol, chemi-

cals, certain types of mines, certain plantations, civil aviation, airport etc.

There are also a number of laws passed by the State legislatures dealing with the working environment of commercial sectors like Hotel, Restaurants, Warehouses, Godowns, Shops and Commercial Establishments etc.

Working Environment in Present day factories

The basic law ensuring the safety and the health of the industrial workers is the Indian Factories Act of 1948. This has been amended from time to time and the last amendment was made on 1st May 1973. The Act lays down an obligation on the management of a factory to ensure necessary conditions for safety and health of the workers. Chapter 3 of this Act deals with problems of health and Chapter 4 with safety at work. This law also provides for regulation of working hours and prohibition of employment of young children. Various welfare measures such as provision of washing facilities, medical facilities, canteen, rest rooms, etc. are also provided in this law. In order to ensure the implementation of all the provisions of the Factories Act there is an inspecting machinery consisting of factory inspectors and health officers. It is compulsory under the law to report all accidents taking place in a factory which may cause death or any bodily injury which prevents a worker from working for a period of 48 hours or more. Similarly, certain diseases have to be notified. Violation of provisions of law relating to health and safety of the workers are punishable with penalties which are prescribed in the Act.

Notwithstanding various Laws which have been passed by the Indian Parliament and the State Legislative Assemblies, the situation relating to hygiene and labour safety in India is not satisfactory and it requires great improvement. For example, the number of fatal and non-fatal accidents in the factories have been increasing over the years. (Table 1 attached herewith). The fatal accidents in factories were 474 in 1961 and these increased to 650 in 1974. Non-fatal accidents were 1,59,222 in 1961 and these increased to 2,49,110 in the year 1974. As the number of factory workers has also been growing during these

years the frequency rate of injuries per 1000 workers has remained more or less constant.

To further improve safety at work the Government has, from time to time, been taking various measures. Many of these are taken as a result of demand from the Trade Unions and active campaigning by them. In many plants and factories safety committees are set up with the participation of representatives of Trade Unions to discuss and review, periodically, the safety measures to be taken in the plants. There is a National Safety Council on whose Board of Governors Trade Unions are represented and they take an active part in its activities. The AITUC is a founder member of the Council.

This Council brings out posters and other literature on safety and accident prevention and organises research and study into the problems of industrial safety. The Ministry of Labour and Employment of the Government of India has established Factory Advice Service and Labour Institute. They carry on research work in industrial hygiene and safety. The Central Labour Institute at Bombay has a separate safety wing whose functions are to educate management and workers in problems of industrial safety and occupational health. The institute provides facilities for training of personnel from Industry and Trade Unions in prevention of accidents and safeguarding health of workers and in all problems connected with industrial safety and occupational health. It also carries out research in industrial medicines and industrial physiology.

The Indian Factories Act provides for pre-employment periodical medical check up of the workers. It lays down a list of 17 notifiable diseases. These are mostly occupational diseases to which workers are likely to fall victim if proper health protection measures are not taken at the place of work. The fact, however, remains that many Indian workers fall a prey to many occupational diseases. The situation is further accentuated by the fact that the minimum nutritional demand of the workers cannot be met due to widespread poverty, inadequate wages, high prices and shortage of essential commodities. The per capita consumption of food in India is much less as compared to the socialist countries or advanced capitalist countries.

Working Environments of The Railway Workers:

The Indian Railways to-day constitute one of the largest undertaking in the country. Indian Railway net-work is the second largest Railway system in the world.

The Railways employ nearly 20 lakhs of workers and several lakhs more are employed on the stations as licensed porters, vendors, shopkeepers etc. The Railways cover nearly 60,000 kilometers and have about 7,500 Railway Stations. Over 10,000 trains run every day and nearly 5 million people travel daily by these trains. Millions of tonnes of goods are carried by the goods trains from one part of the country to another.

One can easily imagine the important role which the Indian Railways play in the economic and social life of the country. They have contributed immensely to the industrial development of the country.

The main Indian Railways had been nationalised by 1944 before India became independent. After independence almost all the Railways were nationalised and integrated into a single system controlled and managed by the Ministry of Railways. The Railways have their own separate budget which is presented to the Parliament and passed by it. The Railway fares and freight rates are approved by the Indian Parliament.

The Indian Railways are governed by the Indian Railways Act. The working conditions for the Railway workers are also governed by the hours of employment regulations which have been incorporated into the Indian Railways Act and have been based on the award of an Industrial Tribunal. The working hours and service conditions of nearly 75% of the Railway workers are governed by the Railway Act whereas the working conditions of Railway workers employed in the Railway factories, repair workshops and locosheds etc., are governed by the Indian Factories Act.

The Railway workers in India have well organised trade unions. These trade unions have carried valiant struggles during the last 40 to 50 years for improving the working and living conditions of the Railwaymen.

The Railways were initially built in India by the British Colonialists to facilitate their own import of manufactured

goods and export of mineral and agricultural raw materials **from** the country. The system of Indian Railways therefore has **inherited** a pattern of management which was developed by **the** foreign government.

The present day working environment of the Indian Railways **is still** influenced by this colonial past. For example the Railway **workers** still have very long working hours. For the purpose of **working** hours the employees are classified into four different **groups** i.e. (1) Intensive (2) Intermittant (3) continuous and **(4) excluded.**

The workers whose work involves continued concentration **of strenuous** efforts or hard manual exertion with little or no **period** of relaxation is considered an intensive worker. Such **workers** have to work 45 hours in a week.

The intermittant workers are those whose hours of **employment** **include** certain periods of inaction during which they may be **on** duty but are not called upon to perform physical activity **or show** constant attention. Such intermittant **workers** have to **work** 75 hours in a week.

The excluded category of workmen consists of **supervisory** staff and certain categories of staff of health and medical **departments** and schools etc. They have no restrictions on the number of hours for which they may be called upon to perform the **work** and they are only entitled to periodical rests.

For Railwaymen working in workshops the weekly working **hours** are 48.

These long working hours are a hangover from the colonial **past.** During May, 1974 there was a countrywide Railway strike. The demands included reduction in working hours and **improvement** in working and living conditions. There have also been **several** zonal or sectional or countrywide strikes by sections of **railway** workers (e.g. locomen) in protest against existing **working** conditions and demanding shorter working hours and more **humane** working environments.

The working environment in the railway system in India is **not free** from health and other hazards. There are many **accidents,** big and small causing death or injury to the railway work-

ers and the passengers. Recently, there have been a couple of serious disasters involving several hundreds deaths at a time. During 1973, there were 279 fatal accidents and 26595 non-fatal accidents. During 1974 there were 301 fatal accidents and 27105 non-fatal accidents. The frequency rate of injuries per one thousand workers was 0.19 in case of fatal accidents and 18.53 in the case of non-fatal accidents, during 1973. This increased slightly to 0.21 and 18.76 for the year 1974. Figures for the later years have not yet been published.

Working conditions of Motor Transport workers:

Prior to 1961, there was no all-India law to regulate the working conditions of workers in the motor transport industry. In a vast country like India, it is a growing industry employing lakhs of workers.

Being on the move and not working in a fixed place, these workers were not covered by the Factories Act or any other law. After prolonged demand and agitation by the trade unions of motor transport workers, the Government brought forward a bill to regulate the working conditions of the Road Transport workers. This law came into force in May 1961.

The motor transport workers' Act regulates the working hours of the workers and provides for weekly rest and annual leave. It lays down other working conditions and makes provision for canteens, as well as clean, well ventilated rest rooms for transport workers at all places where they are required to halt at night. Under the law, the workers are also to get uniforms and protective clothing for protection against cold and rains. The workers are also entitled to medical facilities.

The Act, however, does not go far enough. It provides for 48 hours work in a week, but the spread over can be upto 12 hours in a day. The working hours of the drivers are calculated on the basis of steering duty.

Working conditions of Seamen & Dock Workers:

The Merchant Shipping Act of 1958 makes provision for the working conditions of seamen, their health, welfare and medical examination.

The Act provides for the appointment of seamen's Welfare Officers at various ports. The Government also appoints a National Welfare Board of Seafarers for looking after the various amenities to seamen like hostels, hospitals, clubs, canteens etc.

For the benefit of Dock workers, the Indian Parliament has passed a Dock Workers (Regulations of Employment) Act of 1949. This Act authorises the Government to lay down terms and conditions of employment for dock workers including their hours of work, holidays, etc.

This Act provides for the appointment of a Dock Labour Board with representatives of trade unions, government and employers.

The Act gives enough scope to the Government to regulate the working environment of ports and docks.

The 7th International Trade Conference of Transport, Port and Fishery Workers held in Moscow in September 1977 demanded the following measures, among others, for improving the working conditions of Port and Dock Workers:

—Reduction of the working hours or numerical increase in the complement of the workers' team, as well as provision of all dockers with overalls and means of protection in all cases when they are engaged in handling all dirty, obnoxious, hazardous cargoes detrimental to dock workers' health.

—Improved working conditions on board the ships and on shore; prohibition of all dangerous methods of work by introducing safety regulations covering all type of work on board the ship and on shore; legislation providing for strict supervision of the implementation of such regulations and the employers' obligation for their strict observance.

—Compulsory protection of the workers' health by the introduction of special accident-prevention regulations applicable both for ships and docks; the provision of first-aid posts, canteens and dining-messes adjacent to places of work, and all necessary protective equipment and clothing at the employers' cost.

—Mechanisation of all kinds of cargo handling should be introduced in order to eliminate hard manual labour; hard manual labour should be resorted to in exceptional cases only.

—Introduction of the new cargo handling methods should in no case lead to dismissal of dockers even if no alternative work is available; it is the exclusive right of the dock workers to work at loading and unloading of ships, including stuffing and unstuffing of containers in port's vicinity on barges and on board the ship as well as on shore.

Service conditions of Civil Aviation Workers

In the era of B747 (Jumbo) & wide body Aircraft the aviation workers are faced with new problems and hazards. These aircrafts are job eating machines. In order to reap super profit the multinational Air Liners have resorted to:

(a) pooling of human and material resources amongst themselves.

(b) sub-contracting.

The result of pooling and sub-contracting has led to:—

- (i) retrenchments, redeployment, early retirements and redundancy.
- (ii) Inadequate staff due to redundancy has led to bad rostering with insufficient rest in between the duties, consecutive long night duties, shorter weekly off periods, increase in permissible overtime permitted under the Law.
- (iii) Increase of intensity of work, since wide body aircraft carry more passenger and cargo and are handled by inadequate staff, within a scheduled transit time.
- (iv) The intensity of work increases the fatigue and workload when services are almost clashing i.e. landing and taking-off of one after another in quick succession.
- (v) Passenger and cargo are increasing manifold but staff strength is decreasing.
- (vi) Most of the services through India pass through night. The inadequate staff, therefore, is subjected to long consecutive night duties. Often the staff have to undergo a continuous overtime after the night duty without adequate rest. This causes lot of nervous tension.

The aviation workers suffer physically and psychologically on account of more intensive work load, increased insecurity, pre-

mature aging, reduction of employment potential, increased redundancy, more difficult conditions with regard to rest, working hours and frequent night duties, and multicraft work pattern. In the name of rationalisation and mechanisation new responsibilities are imposed. The acceleration of intensification of work at rush hours with inadequate staff leads to breaches of safety regulations which cause numerous accidents and nervous tension and fatigue and psychological disturbances.

Due to inadequate staff and acceleration of intensity of work the ground equipment of the air lines in India gets inadequate attention and there is often noisy, rattling and smoky equipments operating near the parked aircraft causing air pollution and increasing the level of noise and vibration. This along with the noise produced by the Auxiliary Power Units and Exhaust Packs of the airconditioners in the aircraft is so high that inter talk between the staff is not quite audible. This can lead to accident during emergency, apart from the unpleasant effects of the noise and pollution of air on the health of the workers.

The Flying staff has to face the ill effects of the present day flight connected with increasing speed, altitude, time and climate changes. Therefore a progressive reduction of flying time and hours of work is of utmost importance.

With the increase of traffic on the International Airports, the air traffic control staff is put to most strenuous duties. They have to be very alert and deal with highly sophisticated equipments with great accuracy and utmost efficiency. A small error can lead to big disaster. Therefore reduction of duty hours and increased rest period between duty is of utmost importance in the case of such categories of workers.

The 7th International Trade Conference of Transport Workers held in Moscow in September 1977 has put forward the following demands, among others, for the protection of civil aviation workers:

— Safety of flights should be of paramount concern to air-transport; governments and employers must do everything necessary in this regard in respect of material means, equipment, working conditions, health protection, etc.

— Working hours and flying time to be established in accordance with the following principles:

— for ground personnel a progressive reduction of working hours providing for a 40-hour week maximum and 2 consecutive days of rest;

— for flying personnel a progressive reduction of flying time and the hours of work;

— for air traffic control staff a gradual reduction of the period on duty while considering the strenuous nature of their work;

— Adequate number of air traffic control staff and crew complement

— to ensure such working conditions which would not impair health or safety both on the ground and in the air.

— All necessary preventive measures should be taken to protect the technical and commercial flying personnel against the hazards of health deterioration due to often changes of climatic and time zones, solar and cosmic radiation, etc.

Working environment in Plantations:

One of the biggest industries in India is the Plantation Industry.

There are plantations of tea, coffee and rubber in India. Tea is the most important Industry followed by Coffee and Rubber.

Nearly a million workers are engaged in the Tea plantations alone. These plantations are mainly found in Assam and West Bengal in North East India and Kerala, Tamil Nadu and Mysore in South India. Some tea gardens also exist in Punjab, Himachal Pradesh, Uttar Pradesh and Bihar.

During the British regime the plantations were almost exclusively owned by foreign companies, mainly British. Extensive areas were covered by Tea, Coffee, and Rubber Estates. The area under Tea plantations alone was 340,065 hectares before independence. Some areas went to Pakistan after partition, but new areas have since been brought under plantations and the area now is larger than before independence.

The working environment in the plantations was simply hor-

rible during the colonial days. The workmen and their families were exposed to inhuman working and living conditions. As the local labour was inadequate, the workers had to be imported from other States in India.

The rapid growth of the tea plantation industry in Assam in the latter half of the nineteenth century created such a demand for labour that planters began to send contractors to other states to procure labour for them. This led to all sorts of malpractices. Many illiterate men and women and children were enticed away to the tea plantations and made to work there as bonded labourers under conditions of semi-slavery.

The workers, once brought to the tea gardens, had to work there for very long hours for a miserable wage and live in "lines" or "colonies" which were very overcrowded and often built of bamboo and thatch. The houses had no proper ventilation and conservancy arrangement leading to insanitation and a high rate of mortality.

The plantation workers in most cases, were not free to leave their jobs or go to other plantations. The labour investigations Committee under the Chairmanship of Shri D. V. Rege, which inquired into the conditions of tea plantations found that workers in several plantations were not permitted to leave the garden by the chowkidars (Watchmen). It was part of a chowkidar's duty to watch the movements of workers to and from the lines. Even in the case of marriages the consent of the plantation manager was needed.

The Rege Committee further found that "the labourers' liberty of movement is further affected by an agreement of 1939 among planters which is known as the Brahmaputra and Surma Valley Local Recruitment Agreement which prohibits one manager from deliberately enticing or recruiting labourers from another garden.

The system was more or less similar in South Indian Plantations. The workers lack of freedom was further increased by his being kept in complete isolation from outside influences. Persons from outside could not enter any part of the estates including workers' lines and 'colonies' without the permission of the planters. This particularly applied to trade unionists. The plantation workers, therefore, could not even properly

organise themselves prior to independence whereas the planters both in the North and the South had organised themselves into powerful organisation of Employers such as Indian Tea Association, Indian Tea Planters Association, United Planters Association of Southern India and several others.

The Rege Committee in its report (1943-44) stated, "the plantation labour is absolutely unorganised and helpless though the planters are extremely well organised and powerful".

In short, the plantations presented one of the worst picture of colonial exploitation of labour in India. The wages were so low that the whole family had to toil hard, the worker himself, his wife and even his minor children. There was no law, no conventions, no regulations. The planter was the master, the landlord and the government in his estate.

Even meetings of workers were not allowed in the plantations. The planters justified their autocratic behaviour in banning meetings and preventing any outsider from entering even the workers' living areas on the basis of their right to private property.

The Whitley Commission made the following comment on this situation:

"We do not regard as satisfactory the existing position where the workers are largely isolated from outside influence and any member of the public may be effectively prevented from approaching the workers' line except with the manager's permission. On principle it is objectionable that considerable areas included within the garden grants in which large number of workers are settled can be entirely closed to any one who may be interested in their welfare."

Plantation Labour Act 1951

Things began to change somewhat for the better after independence and particularly after Parliament passed the Plantation Labour Act in 1951.

Tripartite Bodies were set up to discuss and decide some of the important problems of plantation labour. The second session of the Industrial Committee on Plantation in 1958 passed a

resolution demanding a ban on the employment of children below 12 years of age.

In 1960 Wage Boards for the plantations were appointed and their recommendations led to some improvement in wages of men, women and children.

The Plantation Labour Act requires the planters to provide rent free houses of a certain minimum standard and specifications to plantation workers under a phased programme within 12 to 13 years.

The planters have also to make provision for free medical attention including maternity benefits, sickness allowance, leave with wages, creches for women workers with young children, recreational facilities like film shows etc. There is also provision for free supply of fuel and concessional supply of foodstuffs in some plantations. In many places, arrangement for free primary education has also been made. The Plantation Labour Act also requires every plantations to have its own hospital or combined hospitals for two or three neighbouring plantations. The hospital should be manned by qualified medical officer and medical staff. It should have 15 beds for each 1,000 workers.

After the country become independent, great progress has been made in the organisation of plantations workers. Now there are trade unions every where and several national federations have also been formed.

All the work done by the trade unions and the legislation undertaken by the Government has brought considerable change in the working conditions of plantation labour.

Working conditions in the Coal Industry

During the British regime, Com. S. A. Dange, President of AITUC had described the Indian Coal Mines as Death Pits. He had made a scathing indictment of the British mine owners for imposing inhuman working conditions on the mine workers.

Now the coal mines have been nationalised. The production has very much increased and industry has made good progress. But the working environment is far from satisfactory. The

safety record is bad and there have been several serious mine disasters.

Several laws for the benefit of coal miners have been passed after independence. A comprehensive Act was passed in 1952 which was further amended in 1959. By this law, the working hours fixed at 9 per day and 48 per week. But for mine workers, even these are very long hours, particularly when the working environment is full of hazards. Although the Act of 1952 and the Coal Mines Regulations of 1957 provide for safeguarding the environment against inflammable noxious gases, dust, heat, flooding of mine etc., there is no proper and effective implementation and inspection.

The whole country was shocked by the Chasnala mine disaster on 27th December, 1975 when so many precious lives were lost. The Enquiry Committee appointed to go into this disaster found serious neglect on the part of management and Government officials.

Shri U. N. Sinha, former Chief Justice of the High Court at Patna, Bihar State, who was Chairman of the Court of Inquiry into the Chasnalla mine disaster suggested a number of changes in the Coal Mines Regulations of 1957. He criticised the promotion and appointment of a certain person as Assistant Manager of the Chasnala Colliery who had been earlier blamed for gross failure in his duties as an overman leading to an accident in Jeetpur Colliery belonging to the same management.

Observations made by Prof. G. S. Marwaha who is Director of the Indian School of Mines, Dhanbad and who was Assessor to the Chasnala Court of Inquiry are also worthy of note in this connection. They are reproduced in appendix 3 of this paper.

There was another serious mine accident in Sudamdih Colliery in District Dhanbad on 4th October, 1976. This is a gassy mine and the accident was caused by inflammable gas. The Court of Inquiry into this accident has recommended a series of measures to avoid gas concentration in excess of safe percentage. For timely detection of gas accumulation, the Court of Inquiry recommended the installation of automatic multipoint methane recorders along with automatic portable methane alarms so that automatic audiovisual alarm is given as soon as gas concentration exceeds pre-determined percentage.

Mr. R. C. Dutt, President of the Court of Inquiry into the accident in Kossurgarh Colliery (9th August, 1975) made a strong plea for associating the trade unions of miners with the implementation of all safety measures and investigation into all accidents. He recommended as follows:

“In my report on the Jitpur Enquiry, I had suggested vide paragraph 9.1.9 that a deliberate attempt should be made “to enlist the cooperation of the workers and their unions and to create interest in safety matters among them”. I had, therefore, suggested that a serious attempt should be made by the management to revive, where necessary, and otherwise to activate the Pit Safety Committees. My specific recommendation was that “the Enquiry reports on fatal accidents, as well as general reports by Safety Officers or by DGMS on standards of safety followed in the Collieries should not only be made available to the Pit Safety Committees, but actively discussed in depth at their meetings.”

“There have been further development since in the concept of associating workers in the management, and workers’ participation in management is now a declared policy of Government. It has also to be noted that good results have been achieved in this respect in several countries of the world as revealed in discussions in the I.L.O. While, therefore, I would reiterate the recommendation I had made in the Jitpur report, I would go a step further now and suggest that a nominee of the Union, or where there are more than one union in a colliery, of the union having the largest membership, should be associated with the Internal Safety Wing during their inspections. In concrete terms, I would recommend that the Safety Officer attached to a Colliery should, accompanied by the nominee of the Union, inspect all the mines in the Colliery once every month. The Inspectors functioning under the General Manager (Safety), as recommended by me, should also when they inspect the mines be accompanied by the nominee of the Union. The Inspection Reports drawn up in both these cases should be signed also by the Union representative with such clarificatory or dissenting remarks, and also with such further suggestions in regard to safety matters, as he might wish to make. These Inspection reports should be put to and considered by the General Manager

(Safety) and while the latter should have the right to accept or reject any suggestion made in these reports either by the Inspecting Officer or by the Union representative, he should, in case he rejects any of these suggestions, record his reasons for doing so."

Chemical Processing Industries and Pollution of Environment

It is generally agreed that chemical processing industries are the worst culprits in polluting the environment, thereby adversely affecting both the working and the living conditions.

Although the Chemical branches of the industry are still in their infancy in India, the country is already face to face with the problem of chemical pollution of the environment, at least in big cities and certain industrial centres.

Air Pollution

We have first of all, the problem of air pollution: The air in big cities is polluted both by industrial smoke and gasses as well as by domestic smoke.

Certain legislative measures were adopted to control air pollution in big cities like Calcutta in 1905, Bombay in 1912 and Kanpur in 1958. But these laws are not enough to deal with the present pollution of air.

A number of institutes are at present working on the problem of air pollution in Indian cities. These are :-

1. Central Labour Institute, Bombay
2. Central Public Health Engineering Research Institute, Nagpur
3. Society for clean environment, Bombay
4. National Safety Council.

These institutes have been educating the managers, workers and the general public on air pollution control techniques by holding seminars, exhibitions and publishing pamphlets, posters etc.

They have paid some attention to air pollution caused by the cement industry, oil industry, chemical industries, Thermal Power stations, Iron and Steel Industry, Transport Industry and several other sources.

What is needed however, is comprehensive legislation to control air pollution and effective implementation of such legislation. Such legislation should be based on the ILO Convention concerning the protection of workers against Air pollution which was prepared by the ILO in June 1977. Several cases of chemical pollution have come to light in India. These include not only air pollution but also pollution of water and soil.

One particularly serious case of chemical pollution occurred in Goa, through the negligence and callousness of Zauri Agro-Chemical Ltd. It is a factory owned by the Indian monopoly house of Birlas. It was set up in collaboration with the U.S. Steel Corporation of Pittsburg, U.S.A. and Toyo Engineering Corporation, a Japanese concern.

This fertiliser plant cost Rs. 600 million. But the American, Japanese and Indian capitalists who collaborated in setting up the plant failed to take the necessary technical measures and install the machinery to treat the effluents before releasing them. These effluents played havoc with the water and soil of the neighbouring areas.

There was widespread protest against this pollution, not only by the workers but also by the neighbouring peasants and fishermen and the local authorities had to intervene and order the closure of the plant. It was allowed to be restarted when remedial measures were adopted and pollution brought under control.

Other cases of pollution of environment have occurred in the following cases:

- Orient Paper Mills—Amlai, Madhya Pradesh
- Titagarh Paper Mills in Orissa
- Rayon Pulp and Fibre Plant near Kozhikode (Kerala)
- Birla Rayon Plant, Nagda, Madhya Pradesh
- Barauni Oil Refinery, Bihar.

In certain parts of big cities like Bombay and Calcutta, there is serious pollution of air, water and soil where there is concentration of factories, particularly Chemical Processing units.

One of the sources of air pollution in big cities is the gross neglect of thousands of vehicles moving on the roads and discharging smoke and unhealthy fumes from their exhaust pipes.

The extensive use of wood and coal for cooking purposes in homes also adds to the air pollution in cities and towns.

In the conditions of many developing countries like India, poverty is also a serious menace to working and living environment.

Any one can visit slums in any of the cities in India where working people live in most hazardous and degrading conditions. There is no proper housing, no sanitation, no ventilation and often no adequate water for drinking, cooking and washing. There are no underground sewers, no proper latrines, no amenities of any type.

To those who have to spend their lives in such slums, bear the heat or cold or rains while living in jhuggies or jhonpries, all talk of environmental protection has little meaning. In the same way there are lakhs of workers compelled to work as porters, rickshaw pullers, casual labourers and so on. They have to work in scorching heat without even having shoes at times. There is hardly any law to protect them. For them the ILO conventions and Government regulations have no relevance.

The various labour protective laws in India which have been referred to in this paper require great improvement. They need to be brought upto date in the light of current international and national knowledge and data. This is a task which requires the attention of the trade unions.

For instance in India, we must adopt urgent measures to protect the working environment against harmful effects of excessive noise levels. We must also give attention to the problem of damage caused to health by excessive exposure to vibrations. We must ensure that air of the working place is not contaminated by harmful substances like dust, unhealthy gasses, chemical fumes etc.

The trade unions must demand and ensure preventive and protective measures against health hazards caused by air pollution, noxious gasses, vapours, radiation, noise and vibrations. We must educate the workers about the potential occupational hazards and provide for regular and periodical medical examination of workers exposed to any occupational hazards.

The ILO has taken a much needed step in this direction through its latest convention concerning the protection of work-

ers against occupational hazards in the environment due to air pollution, noise and vibration at the International Labour Conference held in Geneva this year. This Convention is attached here as Appendix 4 for easy reference and use during discussion of these problems in our Seminar.



Appendix 1

NUMBER OF INDUSTRIAL INJURIES AND FREQUENCY RATE

	1961	1966	1970	1973	1974
1	2	3	4	5	6
I. No. of Injuries					
FACTORIES					
Fatal	474	591	613	666	650
Non-Fatal	159,22	208,253	287,560	285,351	248,46
Total	159,696	208,844	288,173	286,017	249,110
MINES					
Fatal	344	319	279	320	306
Serious	5173	3210	2425	2694	2919
RAILWAYS					
Fatal	353	358	327	279	301
Non-Fatal	46,713	35,484	26,568	26,595	27,105
III. Frequency: Rate of Injury (per 1000 workers)					
FACTORIES					
Fatal	0.14	0.15	0.14	0.15	0.14
Non-fatal	45.53	51.18	67.42	62.43	48.93
Total	45.67	51.88	67.56	62.58	49.07
MINES					
Fatal	0.51	0.45	0.43	0.44	0.40
Serious	7.71	4.58	3.79	3.74	3.91
RAILWAYS					
Fatal	0.30	0.26	0.24	0.19	0.21
Non-fatal	39.56	25.90	19.27	18.53	1876

Source: *Book of Labour Statistics.*

Appendix 2

REPORTABLE ACCIDENTS IN PORTS

Port	1973		1974		1975	
	Fatal	Non-Fatal	Fatal	Non-Fatal	Fatal	Non-Fatal
1	2	3	4	5	6	7
1. Bombay	4	297	7	274	4	231
2. Calcutta	3	1041	7	957*	13**	831
3. Madras	—	402	1	319	3	267
4. Cochin	1	184	1	162	5	209
5. Visakhapatnam	2	83	1	67	1	82
6. Kandla	2	80	1	72	4	63
7. Marmugoa	3	163	—	148	—	107
8. Mangalore	—	—	—	—	—	4
Total	15	2250	18	1999*	30**	1794

* Includes 2 non-fatal accidents in Paradip Port.

** Includes 3 fatal accidents in Paradip Port.

Source: *Book of Labour Statistics.*

Appendix 3

Observations by Assessor Prof. G. S. Marwaha in respect of the accident that occurred at Chasnala Colliery on 27.12.75

1. While I concur in general with the findings of the Court of Inquiry and its recommendations, I would like to take the opportunity to refer to an undesirable trend that become evident in most cases of Court of Inquiries and that has been pointedly referred to in this Report, the pronounced tendency to hide the facts and falsify the truth. The basic purpose of holding the inquiry is to discover

facts, there is expected to be no prosecutor and no accused. This objective tends to be greatly vitiated by the tendency of some parties to blame others, and this in turn results in the latter trying to tamper with facts or to distort them and to try to involve still other parties in the liability. It needs to be remembered that the Court of Inquiry set up under the Mines Act is a fact-finding body and that it is not expected to pronounce any sentence against any party. If this could be kept in mind, the odds against finding the truth would become much better than they actually are.

In the atmosphere of mutual allegations and counter-allegations, accusations and counter-accusations it was no wonder that the Management had somehow managed to secure highly confidential documents of the DGMS and presented the same before the Court. Nevertheless, the situation was somehow surprising and requires some explanation.

2. The inquiry also brought into focus the deplorable lack of written records about even important decisions taken in discussions review meetings in the instant case, including those relating to important deviations from the Project Report. While no Project Report can be taken to be sacrosanct, it would appear highly desirable for a record to be kept of the reasons for major deviations and of the persons who participated in the decision-making process.

3. An equally disturbing facet was the somewhat general disregard for important statutory provisions that emerged during the inquiry.

4. The most potent tool for ensuring safety is that of internal audit. The vital importance of such audit has been brought out clearly and forcefully by Shri R. C. Dutt in his report of inquiry into the Jeetpur disaster of 1973. The main point where internal audit scores over external inspection is that, being nearer to the scene of action, it is better aware of the true state of things—whether they be physical or engineering conditions, or whether they may

be practices and attitudes. What is important, however, is for this voice of conscience to be given serious heed and not to be stilled. Internal Audit can be neglected by the concerned organisation only at its peril and it can be really effective only if it is a really high-level one and has some "teeth". The penalty for neglecting safety must be increased considerably if the lives of those who serve the nation through adopting the highly hazardous profession of mining are to be safeguarded, as indeed they must be.

And herein comes the need to associate with internal audit, the party that has the most at stake, the workers themselves. Participative management cannot have any meaning in the mining industry if it does not include safety.

Sd/- Prof. G. S. Marwaha,
Assessor to the
Chasnalla Court of Inquiry
and Director
Indian School of Mines,
Dhanbad.

Appendix 4

TEXT OF THE CONVENTION CONCERNING THE PROTECTION OF WORKERS AGAINST OCCUPATIONAL HAZARDS IN THE WORKING ENVIRONMENT DUE TO AIR POLLUTION, NOISE AND VIBRATION.

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Sixty-third Session on 1 June 1977, and

Noting the terms of existing international labour conventions and Recommendations which are relevant and,

in particular, the Protection of Workers' Health Recommendation, 1953, the Occupational Health Services Recommendation, 1959, the Radiation Protection Convention and Recommendations, 1960, the Guarding of Machinery Convention and Recommendation, 1963, the Employment Injury Benefits Convention, 1964, the Hygiene (Commerce and Offices) Convention and Recommendation, 1964, the Benzene Convention and Recommendation, 1971, and the Occupational Cancer Convention and Recommendation, 1974, and

Having decided upon the adoption of certain proposals with regard to working environment: atmospheric pollution, noise and vibration, which is the fourth item on the agenda for the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this twentieth day of June of the year one thousand nine hundred and seventy-seven the following Convention, which may be cited as the Working Environment (Air Pollution, Noise and Vibration) Convention, 1977:

PART I: SCOPE AND DEFINITIONS

Article 1

1. This Convention applies to all branches of economic activity.
2. A Member ratifying this Convention may, after consultation with the representative organisations of employers and workers concerned, where such exist, exclude from the application of the Convention particular branches of economic activity in respect of which special problems of a substantial nature arise.
3. Each Member which ratifies this Convention shall list in the first report on the application of the Convention submitted under article 22 of the Constitution

of the International Labour Organization any branches which may have been excluded in pursuance of paragraph 2 of this Article, giving the reasons for such exclusion, and shall state in subsequent reports the position of its law and practice in respect of the branches excluded, and the extent to which effect has been given or is proposed to be given to the Convention in respect of such branches.

Article 2

1. Each Member, after consultation with the representative organisations of employers and workers, where such exist, may accept the obligations of this Convention separately in respect of—
 - (a) air pollution;
 - (b) noise; and
 - (c) vibration.
2. A Member which does not accept the obligations of the Convention in respect of one or more of the categories of hazards shall specify this in its ratification and shall give reasons in the first report on the application of the Convention submitted under article 22 of the Constitution of the International Labour Organisation; it shall state in subsequent reports the position of its law and practice in respect of the category or categories of hazards excluded and the extent to which effect has been given or is proposed to be given to the Convention in respect of each such category of hazards.
3. Each Member which has not on ratification accepted the obligations of this Convention in respect to all the categories of hazards shall subsequently, when it is satisfied that the conditions permit this, notify the Director-General of the International Labour Office that it accepts the obligations of the Convention in respect of a category or categories previously excluded.

Article 3

- (a) the term "air pollution" covers all air contaminated by substances, whatever their physical state, which are harmful to health or otherwise dangerous;
- (b) the term "noise" covers all sound which can result in hearing impairment or be harmful to health or otherwise dangerous;
- (c) the term "vibration" covers any vibration which is transmitted to the human body through solid structures and is harmful to health or otherwise dangerous.

PART II. GENERAL PROVISIONS

Article 4

1. National laws or regulations shall prescribe that measures be taken for the prevention and control of and the protection against, occupational hazards in the working environment due to air pollution, noise and vibration.
2. Provisions concerning the practical implementation of the measures so prescribed may be adopted through technical standards, codes of practice and other appropriate methods.

Article 5

1. In giving effect to the provisions of this Convention, the competent authority shall act in consultation with most representative organisations of employers and workers concerned.
2. Representatives of employers and workers shall be associated with the elaboration of provisions concerning the practical implementation of the measures prescribed in pursuance of the Article 4.
3. Provision shall be made for as close a collaboration as possible at all levels between employers and workers

in the application of the measures prescribed in pursuance of this convention.

4. Representatives of the employer and representatives of the workers in undertaking shall have the opportunity to accompany inspectors supervising the application of the measures prescribed in pursuance of this Convention, unless the inspectors consider, in the light of the general instructions of the competent authority, that this may be prejudicial to the performance of their duties.

Article 6

1. Employers shall be made responsible for compliance with the prescribed measures.
2. Whenever two or more employers undertake activities simultaneously at one workplace, they shall have the duty to collaborate in order to comply with the prescribed measures without prejudice to the responsibility of each employer for the health and safety of his employees. In appropriate circumstances, the competent authority shall prescribe general procedures for this collaboration.

Article 7

1. Workers shall be required to comply with safety procedures relating to the prevention and control of, and protection against, occupational hazards to air pollution, noise and vibration in the working environment.
2. Workers or their representatives shall have the right to present proposals, to obtain information and training and to appeal to appropriate bodies so as to ensure protection against occupational hazards due to air pollution, noise and vibration in the working environment.

PART III: PREVENTIVE AND PROTECTIVE
MEASURES

Article 8

1. The competent authority shall establish criteria for determining the hazards of exposure to air pollution, noise and vibration in the working environment and where appropriate, shall specify exposure limits on the basis of these criteria.
2. In the elaboration of the criteria and the determination of the exposure limits the competent authority shall take into account the opinion of technically competent persons designated by the most representative organisations of employers and workers concerned.
3. The criteria and exposure limits shall be established, supplemented and revised regularly in the light of our current national and international knowledge and data, taking into account as far as possible any increase in occupational hazards resulting from simultaneous exposure to several harmful factors at the workplace.

Article 9

As far as possible, the working environment shall be kept free from any hazard due to air pollution, noise or vibration.

- (a) by technical measures applied to new plant or processes in design or installation, or added to existing plant or processes; or where this is not possible,
- (b) by supplementary organisational measures.

Article 10

Where the measures taken in pursuance of Article 9 do not bring air pollution, noise and vibration in the working environment within the limits specified in pursuance of Article 8, the employer shall provide and maintain suitable personal protective equipment. The employer

shall not require a worker to work without personal protective equipment provided in pursuance of this Article.

Article 11

1. There shall be supervision at suitable intervals, on conditions and in circumstances determined by the competent authority, of the health of workers exposed or liable to be exposed to occupational hazards due to air pollution, noise or vibration in the working environment. Such supervision shall include a pre-assignment medical examination and periodical examinations, as determined by the competent authority.
2. The supervision provided for in paragraph 1 of this Article shall be free of cost to the worker concerned.
3. Where continued assignment to work involving exposure to air pollution, noise or vibration is found to be medically inadvisable, every effort shall be made, consistent with national practice and conditions, to provide the worker concerned with suitable alternative employment or to maintain his income through social security measures or otherwise.
4. In implementing this Convention, the rights of workers under social security or social insurance legislation shall not be adversely affected.

Article 12

The use of processes, substances, machinery and equipment, to be specified by the competent authority, which involve exposure of workers to occupational hazards in the working environment due to air pollution, noise or vibration, shall be notified to the competent authority and the competent authority, as appropriate, may authorise the use on prescribed conditions or prohibit it.

Article 13

All persons concerned shall be adequately and suitably --

- (a) informed of potential occupational hazards in the working environment due to air pollution, noise and vibration; and
- (b) instructed in the measure available for the prevention and control of, and protection against, those hazards.

Article 14

Measures taking account of national conditions and resources shall be taken to promote research in the field of prevention and control of hazards in the working environment due to air pollution, noise and vibration.

PART IV. MEASURES OF APPLICATION

Article 15

Each member shall

- (a) by laws or regulations or any other method consistent with national practice and conditions take such steps, including the provision of appropriate penalties, as may be necessary to give effect to the provisions of this Convention;
- (b) Provide appropriate inspection services for the purpose of supervising the application of the provisions of this Convention, or satisfy itself that appropriate inspection is carried out.

Article 17

The formal ratifications of this convention shall be communicated to the Director-General of International Labour Office for registration.

Article 18

1. This convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-general.
3. Thereafter, this convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 19

1. A member which has ratified this Convention may denounce it, in whole or in respect of one or more of the categories referred to in Article 2 thereof, after the expiration of ten years from the date on which the Convention comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 20

1. The Director—General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director—General shall draw the attention of the Members of the Organisation to the

date upon which the Convention will come into force.

Article 21

The Director—General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciations registered by him in accordance with the provisions of the preceding Articles.

Article 22

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention.

Article 23

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then unless the new Convention otherwise provides—
 - (a) the ratification by a Member of the new revising Convention shall ipso juro involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 19 above, if and when the new revising Convention shall have come into force;
 - (b) as from the date the new revising-Convention comes into force this Convention shall cease to be open to ratification by the Members.
2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 24

The English and French versions of the text of this Convention are equally authoritative.

Extract from the Survey of Carbon Disulphide, Hydrogen sulphide and sulphur Dioxide Hazards in the Viscose Rayon Industry in India.

CONCLUSIONS:

Investigators in almost every industrial country have called attention to the harmful effects of these chemicals. The average industrial physician in the country rarely comes in contact with cases resulting from chronic carbon disulphide poisoning. The details of the investigations carried out in this survey, alongwith the findings of other investigators and the statistical tables will assist the medical man in a proper understanding of the problem. The important conclusions from this study are given below:

1. A total of 270 workers out of 1412 (19.1 p.c.) production workers exposed to hazards of these chemicals from three factories in three states were included for medical study. (Table IX).

2. Of 270 workers, 54.8 p.c. were spinners; 23.2 p.c. were workers in CS₂ manufacture; 12.3 p.c. were from viscose section; and 4.8 p.c. were from cellulose film manufacture department. (Table XI).

3. There were 67.1 p.c. workers of age 30 and below. Factory B, however, had 81 p.c. such workers (Table XII).

4. There were 46.3 p.c. workers with a length of exposure of 3 years and less while 63.7 p.c. workers had exposure of over 3 years (Table XIII).

5. Workers from all job categories were included in the survey. (Table XIV).

6. There were 27.6 p.c. workers whose exposures to concentrations of CS₂ were above the maximum allowable concentration (ie. 20 ppm.). Of these workers 25 p.c. workers were from factory B. (Table XV).

7. There were 80 p.c. workers whose exposures to concentrations of CS_2 were above the maximum allowable concentrations (i.e. 10 ppm). (Table XV).

8. The frequencies of various types of signs and symptoms as recorded during medical examinations are given in various tables. The frequency of these symptoms is much less than that reported in other studies (7, 12, 14, 18, 23, 53, 62, 64), which indicates milder intoxication amongst these workers in comparison to workers in factories in other countries. (Table XVII to XXII), and (XXVI).

9. Of the ocular signs, decrease or absence of corneal, blinking, and pupillary reflexes and the peripheral field of vision was found in 7, 4, 6, 34.8 and 5.2 p.c. of workers respectively (Table XXII).

10. As far as studies of blood are concerned 44.4 p.c. show gross anaemia (less than 3.5 million red cells per cmm. of blood) and 17.6 p.c. show haemoglobin values of below 13.59 mg. per 100 c.c. of blood (Table XXVII).

11. In the differential count of the white cells an increase in percentage is found in the neutrophils, monocytes, leucocytes and eosinophils over the normal counts (Table XXVIII).

12. The percentages of workers found affected by various chemicals are 27.2 p.c. by CS_2 ; 10 p.c. by H_2S ; and 9.5 p.c. by SO_2 . The severity of intoxication in these cases is also shown. (Table XXXIII).

13. Cases of CS_2 intoxication predominate in the spinning department (33.7 p.c.). Then viscose (27.2 p.c.); then cellulose film department (23.0 p.c.) (Table XXXIV).

14. A high percentage of cases of CS_2 intoxication (34.5 p.c.) is found in factory B and in all its departments (Table XXXIV)

15. Of 9 cases of CS_2 intoxication found in viscose department 7 cases out of 20 workers or 35 p.c. were found in the churn rooms in this department. The churn room

workers show by far the greatest amount of intoxication. (Table XXXV).

16. Double the per cent of cases are found to be affected by CS₂ intoxication when workers are exposed to concentrations above 20 ppm. (52 p.c. cases) (Table XXXVI).

17. Only 8.7 p.c. workers showed effect of HS₂ gas. (Table XXXVII).

18. Length of exposure to CS₂ does not seem to have any relation with the incidence of cases of intoxication (Table XXXVIII-XLII).

19. Age by itself does not seem to have any relation with frequency of cases of intoxication (Table XLIII).

Recommendations

On the basis of the data on atmospheric concentrations; the medical findings of signs and symptoms of intoxication; the correlation of these data; and our personal study on the spot of industrial hygiene problems, the following recommendations are laid down for adoption in the industry for safeguarding the health of workers:

1. It should be ensured that after the xanthation process is completed in the churn any excess CS₂ in it is exhausted before the churn door is opened for removal of the orange crumbs. (See table IV in this connection).

2. The contents of the churn should be emptied directly into hoppers (misers) and any manual handling on the floors avoided as far as possible.

3. The cleaning of the churn should be done in the shortest possible time.

4. Complete enclosure of all spinning machines by means of sliding glass windows should be carried out.

5. Each spinning machine should be equipped with exhaust arrangement to take away the sulphur gases.

6. Local cooling methods should be adopted to offset mechanical heat and the heat of reaction of chemicals at various stages in the process especially on the spinning:

machines and in churn rooms to keep down the atmospheric concentration of chemicals.

7. In the nature of the process carried out in this industry a well designed and well maintained ventilation and exhaust system is a great asset.

8. Efficient exhaust ventilation should be provided that:

- churn room
- After-treatment room
- Spinning bath room
- Spinning machine bays

9. Air conditioning with refrigerative cooling is recommended for the spinning section.

10. Expert control must be maintained in the maintenance and correct functioning of the plant and machinery and processes to avoid any leakages and heavy concentration of any toxic gases in the breathing zone of the workers above the allowable concentrations.

11. Ventilation of churn room should be carried out by exhaust fans at floor level on one side of the room with inlet openings at a higher level on the opposite side to maintain a cross current of air.

12. Routine estimations of CS_2 and H_2S concentrations in the breathing zone of the workers should be carried out to detect any faults in the system and attempts made to keep the concentration of each below 20 ppm.

13. Routine medical examination of all workers exposed to these chemicals should be carried out and recorded on properly designed forms, at least once in every 6 months.

14. Restricted hours of work are recommended to shorten the length of exposure. An ideal to achieve should be 5 hours in a day and not more than $2\frac{1}{2}$ hours at a time. (Based on the British Factory Department Memorandum 1943).

15. The workers in the churn room should use respirators while the churns are being emptied and cleaned.

16. To lessen risk of explosion CS_2 vapour and air mixture should be exhausted in contact with water.

17. The workers must be told of the dangers of the substance and methods of safeguarding their health.

18. The Zinc pot for preparation of Zinc sulphate for addition to the spin bath requires to be completely enclosed to prevent heavier concentrations of H_2S gas.

19. The methods of charging of retorts requires adoption of suitable engineering methods to prevent escape of sulphur dioxide fumes in the work room atmosphere of higher concentrations than permissible.

20. The workers in the retort rooms must be provided with suitable respirators and goggles for the protection of their lungs and eyes from the highly irritant fumes of sulphur dioxide.



PROTECTION OF ENVIRONMENT AN IMPORTANT TASK FOR SOVIET TRADE UNIONS

By Igor Klimov, AUCCTU Research Department

In our days grows the importance of policies and actions of protection of environment against pollution and those of rational use of natural resources, problems that concern everyone on the globe.

Deterioration of environment was first felt by working people of industrial plants, who had suffered bad working conditions hazardous to health long before the problem became an international one. It is trade unions, therefore whose task in to stand up for the interests of working people, will they first to start a meaningful campaign for better environment, demanding working and living conditions fit for human beings.

Today, trade unions of all countries are increasingly aware of the need to actively search for ways and means to solve this complicated problem on a national and international plane.

What is our approach in this field in the Soviet Union?

How do we in the Soviet Trade Unions see environment? Defining it is important so as we are able to understand each others when environment is mentioned in trade union circles.

Defined briefly, environment consists of object, circumstances, conditions, regions around one person or a group of people in the process of their industrial and social activities. Therefore in the international TU movement, Soviet Trade Unions including, upto now there have been widely discussed and generally accepted various types of environment of immediate concern to working people, i.e. first

of all so-called work or industrial environment. Secondly there is so-called non-industrial environment. Both of these may include a third element i.e. in the sphere of living (as opposed to working) conditions, urban facilities etc. While at the same time it is very often that environment, wrongly, in my view, is identified only with nature. I submit for your consideration a suggestion, that we agree to divide the whole of environment—for the convenience of our trade union use—into three parts, i.e. a work environment, a social (welfare and cultural) environment as its part beyond the factory—office gates and, at last a natural environment.

It is such an approach, that might give us the possibility of considering environmental problems as one whole complex of various aspects and conditions. This complex in fact meaning a comprehensive approach to such factors, as physical conditions of work and life, content of work and forms of its organisation, industrial relations, organisation of safety and labour protection, health protection, conditions of employment.

It is such ideas that govern our working towards better working and living conditions in the Soviet Union.

The use of scientific and technical achievements in the socialist countries shows that their so-called destructive effect on nature is not fatally inevitable and that mankind is capable of preventing and eliminating negative consequences of industrial progress. Thus comprehensive measures being carried out in the USSR to improve environment have already helped to stop pollution's growth while industry, road transport, use of mineral fertilizers and toxic chemicals in farming and of chemical products in everyday life have continued to develop. It is scientific planning of the use of natural resources and measures to protect environment that allow the development of society's productive forces not only without detriment to the environment, but in the direction of its improvement.

Proper approach and energetic, purposeful activity are needed to control pollution of environment and nonra-

tional use of nature's resources. It stands to reason that solving the problem will prove difficult without the participation of trade unions as mass workers organisations the TUs cannot but have a significant part to play in the improvement of environment as a vital component in man's well being, a role predetermined by their position in society and the very nature of their activity.

Improvement of environment is not in our view a special line of the TUs activities but an integral element inseparable from their traditional tasks and functions. Protection of work environment and control of varied forms of pollution at the enterprise and beyond it are nothing else but a struggle for better working conditions in all their diversity, for the protection of labour and health of the working people and for their better safety. It is connected with social insurance and medical service on the shopfloor, with rest and recreation arrangements for the working people, with their training and their involvement in both public supervision and management of enterprises.

Protection of environment is thus a most important factor in improving the material conditions of living which is one of the TU's main concerns.

We think that environment may be preserved and improved if TUs in all countries pay more attention to the protection of health of the working people, their safe labour, better work organisation methods, if they participate more actively in implementing national programmes for a healthier natural environment.

In the Soviet trade unions, it is believed that protection and improvement of the work environment is one of those areas where international trade-union cooperation is possible and necessary, resting as it does on the objective basis of the need for trade unions of all orientations to stand up for working people's interests. Considering efforts to improve environment as a most important social matter affecting the life and health of all the working people and of all mankind, Soviet trade unions are for its urgent

practical solution on a national, regional and world-wide scales.

Under socialism economic development and use of natural resources are not spontaneous but balanced, planned rationally on the basis of comprehensive efforts in meeting the main task of a socialist society, which is the fullest satisfaction of man's material and spiritual requirements.

Nature conservancy and improvement of environment have become a vital concern of the whole people since the establishment of the Soviet state.

The Soviet people despite the vast economic and political difficulties of the period, showed the world a new attitude their society took to nature and its resources. The first step in this area was the transfer of all the natural resources to the control of the State. Our first assumption is that the riches of nature, being the property of the whole people and constituting public wealth, need to be treated with care, taking account of the immediate and subsequent consequences of human activity.

The use of natural resources to develop production, based under socialism on the latest scientific and technical achievements, should be planned and controlled by the state in the interests of the whole of society. Responsibility for the protection and use of natural resources fell on the organs of the people's state power, which operated in close contact with broad public circles and organisations, TUs including.

On the basis of these principles a set of requirements have been worked out in the Soviet Union. Fulfilment ensures more rational use of natural resources, creation of proper working and living conditions, as duty falling on all departments, enterprises, organisations, establishments and individuals.

The principles underlying state and public activity and the whole of the USSR's policy in nature conservancy and improvement of environment have been written

into our New Constitution, legislative enactments, resolutions of the Communist Party of the Soviet Union and the decrees of the Soviet Government. Soviet legislation, regulating the use of natural resources, consists of an extensive system of legal rules based on the Constitution of the USSR.

The first of the decrees governing the use of natural resources adopted on Lenin's initiative or with his participation from 1917 to 1924, was the Decree on Land, which was signed on October 26 (November 8), 1917, simultaneously with the Decree on Peace. It subsequently helped to create a sound basis for all the efforts to improve the environment in the USSR.

In the past few years, in view of rapid growth of production, scientific and technical progress, growth of cities and of the rising material and cultural living standards of the population, a number of new laws, decrees and decisions on nature conservancy and environments have been adopted in the USSR with the participation of scientists, public figures and trade unions. Among the most important laws adopted in 1968-1972 serving to protect nature are the Fundamentals of Land Legislation, Labour Law, Public Health, Water Legislation.

Land is the most valuable of resources in any country

Soviet trade unions, above all trade unions of workers in agriculture and procurements, paper, timber, wood-working, coal, oil, gas and chemical industries realise that their task is to take an active part in preserving the land fund, extending the forest areas enhancing social control over the state of soil, and its fertility. Among their aims is to enhance the responsibility of executives at industrial enterprises for the rational use of land.

The Soviet Union has the largest world water resources.

With the active support of trade unions consistent measures are being taken in the USSR to protect water resources with the ultimate aim of stopping the drainage of unpurified industrial effluents into bodies of water. It is

a prime duty of Soviet enterprises, organisations and establishments to reduce the consumption of water for industrial purposes by improving the technology of production. Some enterprises in the oil refining, chemical and woodworking industry already have experience in designing and operating efficient and economical purification installations and systems and also closed water-cycles, which exclude the dumping of industrial effluents into open bodies of water.

Trade unions in the timber, paper and woodworking industry, in the oil, chemical and gas industry, and in engineerings and metallurgy exercise social control over the work of purification installations. They stage competitions to stimulate development of new, more economical and highly efficient methods of decontaminating industrial effluents and inducing broad introduction of closed water-cycles.

The USSR has vast forest resources.

This wealth notwithstanding, we are aware that our growing timber requirements can be met only provided there is conservation of forest and its regular reproduction. A forest law, adopted on Lenin's initiative, required: "Every citizen has the duty to use all the means available to him to protect the forests from fires, damage, waste, pests, etc., and to do his utmost to treat this wealth owned by the whole people with care and to make the thriftiest use of any timber and wood obtained.

Working people and trade unions have a direct stake in the development of fundamentally new technological processes ruling out unnecessary timber felling and damage to forests. Together with Soviet scientists, they have engaged in research, for instance, into highly efficient and economical production methods like the dry method in pulp and paper production, the establishment of "hermetically sealed" enterprises whose waste is not ejected into the environment but is used to make additional products.

Combating pollution of the atmosphere is one of the

most complicated areas of activity aimed to improve environment.

Systematic efforts are being made in the Soviet Union in this sphere, including extensive construction of thermal electric power stations, installation of ash-trapping, and gas and dust purification devices; in most major cities and industrial centres gas is used as fuel in place of coal and oil, diesel trucks are made to run outside the city limits, and electric and diesel locomotives are being substituted for coal-burning engines. It is prohibited to start enterprises, shops, units and thermal electric power stations if their noxious substances waste is in excess of the established standards. As a result, the "smoke problem" has in effect been solved in many industrial areas.

Housing conditions, public utilities, schools, creches, nursery schools and similar establishments are an important element of the "microclimate" for the working people and their families. That is why improvement of environment is also connected with housing construction and urban development as a whole. The USSR leads the world in rate and scale of housing construction. A great deal is also being done in this country to build populated localities upto the best standards of vital human activity. In all towns efforts are being made to eliminate the harmful effects of production activity, to prevent pollution of air, water and soil and to develop green areas. High noise levels in cities are being combated by commissions on which the trade unions are represented.

Thus protection of nature and improvement of human environment in the USSR constitute a complex of state and social measures being implemented in industry and elsewhere. This complex comprises economic, scientific, technical, medico-biological, legal and socio-political measures designed to combat pollution of air, water and soil with industrial waste to safeguard the working people's health from noxious effects and make rational use of natural resources and factors to improve the life of the

population through the planned and rational development of production in the interests of society as a whole.

Improvement of industrial environment is a key concern of Soviet Trade Unions.

Multifaceted efforts are being made in the USSR to improve environment, the industrial environment in the first place, with the active and direct participation of the trade unions. Direct participation by the working class, the trade unions and broad sections of the working people in the protection of labour and the health of industrial and office workers was one of the fundamental demands in the program of the working class movement formulated by Lenin before the October Revolution. The importance of this demand has now been borne out by the diverse participation of the working people in managing production and exercising social control in every sphere, to ensure the most successful fulfilment of all the tasks of our development.

Under socialism, trade unions at every level take part in the country-wide economic and social effort to improve environment, securing this through their own specific methods and also "through the peculiar interweaving" of state and trade union measures, as Lenin put it. But direct and active influence on the solution of environmental problems is exerted by the Soviet trade unions chiefly in the sphere of production, that is, where they represent and express the interests of collectives of working people producing material values. The main contribution here comes from the grass roots trade unions at industrial enterprises, on the collective farms and in the establishments.

Many sectoral committees, trade union councils and local branches set up commissions on the protection of environment. They control the state of production equipment, air purity, noise levels, and cleanliness and hygiene of labour in production. These commissions work closely with trade union commissions and labour protection in-

spectors and also with nature conservancy commissions under the local Soviets of Workers' Deputies. Trade union activists at enterprises take part in setting up commissions or posts to exercise systematic control over the design, construction, state and operation of decontamination of facilities.

Trade unions exercise control over the improvement of the industrial environment, in particular, through their societies of inventors and rationalisers and scientific and technical societies, which operate under their guidance and also through the various professional associations of the working people, such as councils and groups for developing and introducing plans for the scientific organisation of labour, innovators' councils, no-payroll design and technological offices, research institutes, laboratories, etc. The scientific and technical societies of the trade unions and societies of rationalisers help to improve the environment by organising competitions for new ideas or projects to decontaminate drainage waters, and remove dust and gas. From 1970 to 1974, scientific and technical societies held 125,000 such competitions, at which nearly 1 million proposals were submitted.

This effort is also promoted by six trade union research institutes engaged in research into labour protection and labour hygiene (in the USSR, there are nearly 300 such research establishments and organisations). They help to improve the scientific principles of labour, develop and improve the facilities for industrial ventilation, control over the working environments, lighting of work places, design of safety devices and means of individual protection, including new models of special clothing and footwear.

Normative instructions, decrees, decisions and laws in this field provide the Soviet trade unions with important support in their work to improve the production and non-production environment, especially in view of the fact that these are adopted by government agencies and local authorities together with the trade unions, on their initia-

tive and in concert with them. The Fundamentals of the legislation of the USSR and the Union Republics on Labour, the Statute on the Powers of the Factory, Plant and Local Trade Union Committee, and the Statute adopted in 1973 by the USSR Council of Ministers and the AUCCTU on the standing production conference help to involve the working people in the effort to improve the production environment. These documents clearly define the broad possibilities and powers of the working people and the trade unions in the important sphere of improving the environment, industrial environment in the first place.

Recently, the AUCCTU for its part, adopted a number of important resolutions to regulate trade union efforts in improving environment, notably its resolution on Improving Trade Union Participation in Fulfilling the Decree of the CPSU Central Committee and the USSR Council of Ministers, On Intensifying Nature Conservancy and Improving the Use of Natural Resources. The resolution stresses that active participation in this effort is a key task before trade union branches at every level. It recommends that all trade union councils and committees should explain to their members that in the struggle to improve the production environment there is need for joint action by the trade unions, management and Soviets of Working People's Deputies.

The resolution helps to step up trade union councils and committee work, aimed to improve environment. The AUCCTU and the central committees of sectoral trade unions have raised their standards in establishing the minimum permissible quantities of noxious substances ejected into the air, in the light of the latest scientific and technical achievements in this field. The coordination plan of works for labour protection between 1974 and 1980 provides for broader research for the purpose of preventing or substantially reducing the ejection of noxious substances into the environment, to seal off dust and gas generating equipment and to enhance the efficiency of gas and dust-trapping systems and devices.

In our country, where people are the most treasured wealth, improvement of working conditions and protection of the working people's health have always been a primary and common task of the Communist Party, the state and trade unions. The Fundamentals of Legislation on Labour of the USSR and the Union Republics say: "Protection of the working People's health, ensuring safe working conditions, elimination of occupational diseases and industrial accidents constitute one of the chief concerns of the Soviet state." All Soviet laws and decrees in effect emphasise this paramount duty of state agencies, enterprises, establishments and collective and state farms.

In the Soviet period, especially in the past few years, working conditions have been substantially improved for millions of workers, collective farmers and office workers. As a result of their conscious and successful labour effort, the working day has been considerably shortened and a five day working week generally established, the duration of annual holidays has been increased, social insurance has become available to collective farmers, and social insurance payments have been increased. State appropriations for labour protection and improvement of working conditions have been growing steadily.

In our country, everything is being done to create working conditions at every enterprise ruling out accidents.

In the Soviet period, over 40,000 major factories and plants, many of which are now upto the strictest standards of labour protection, have been rebuilt, re-equipped and built from the ground up. Tens of thousands of factories and plants have **no accidents at all.**

The measures taken to improve labour protection and safety techniques are made highly efficient through the direct and active participation of masses of industrial and office workers and their trade unions. These measures are provided for at the stage at which state development plans are drafted with the proposals and demands made by the trade unions taken into account, all of which helps to

create the most favourable sanitary, hygienic and even aesthetic conditions in production.

The effort in labour protection is covered by complex plans drawn up jointly by sectoral trade unions and the ministries concerned following thorough studies of the state and needs of labour protection at the enterprises.

The Soviet trade unions have ample possibilities and rights ensuring the effectiveness of their efforts to improve the industrial environment. Thus, in addition to the state inspection, they themselves control the observance of labour protection requirements and labour legislation: the technical inspection of the trade unions involves 4,500 full-time inspectors, a large staff of social insurance physicians and an activist group with broad and well specified powers. Technical inspectors, for instance, have the right to check up at any time on working conditions and safety techniques at enterprises, building sites and offices, and to interview working people for their opinion on the state of labour organisation. The instructions of the technical inspectors are binding for the management and their fulfilment is controlled by the inspectors themselves and the local trade union branches.

The technical inspection of the trade unions and trade union activists take part in the work of commissions testing new models of machinery and equipment and give their opinion on the possibility of their use in production. When new or remodelled enterprises or shops are started when new technological processes are put on line the consent of the technical inspection which checks up on the safety and health aspects of the working conditions, is mandatory. Otherwise, it has the right to suspend the starting of these facilities, to stop the operation of shops sections or whole enterprises. Where sanitary and hygienic standards have not been met in projects, disciplinary action is taken against the officials of design organisations. It is forbidden to run in new production installations before the purification facilities have been completed. For branches of the standards and rules of labour

protection, technical inspectors of the trade unions have the right to impose fines on the persons at fault, and in serious cases to start legal proceedings against them.

Factory, plant and local committees of trade unions have the right to require that executives at enterprises report on the fulfilment of their commitments on labour protection and safety techniques and measures to improve working conditions, as written into the collective agreement.

State social insurance and public health services have a great part to play in the complex solution of problems in improving the environment in the USSR. Here again the trade unions are as active as they are in labour protection. The AUCCTU, which manages social insurance in the country, takes part in legislation in this area, controls the observance of laws, issues instructions, rules and explanations, and organises control over medical services offered to the working people in industry and the activity of social agencies.

A characteristic feature of Soviet social insurance is that it functions entirely at the expense of the state, without the working people having to make any contributions. It applies to all industrial and office workers without exception. Alongside the steady technical re-equipment of the national economy, introduction of safe-labour facilities and the raising of sanitation and hygienic standards, social insurance measures help to reduce the incidence of disease and accidents in industry.

Many forms and types of trade union work in social insurance simultaneously serve to promote the purposes of medihelp health restoration and education. The trade unions, in particular, help to develop among citizens a love of nature and a sense of responsibility for improving environment. For that purpose they make use of 15,000 young-pioneer camps, thousands of children's sports camps, where over 20,000,000 children spent their summer holidays in 1973, and numerous holiday homes and sanatoria which are, as a rule, located in picturesque spots.

The Soviet trade unions run the numerous health resorts

as their own: they have control of about 3,000 sanatoria, hostels and holiday homes, and also 1,950 prophylactic sanatoria where the working people receive prophylactic treatment and rest after working hours. Much attention is being given to sanitation standards at the health resorts, improvement of the areas which have medicinal importance and the recreation camps run by factories and districts. The trade unions control the building up of their territories, see that soil, water and air are not polluted, and get economic agencies and enterprises on the territory of health resorts to show concern on the preservation of the natural factors of the environment and the regime established for these.

At every stage of socialist construction in the USSR everything was done to improve the Soviet people's life: today nearly three-quarters of the national income created by the people's labour and belonging to it, is used for the same purposes. These state appropriations are at the disposal of trade unions and guarantee the steady improvement of the working people's provision with every type of social insurance: temporary disability, pregnancy and parturition, pensions, accommodation at sanatoria and health resorts, and measures to improve the health of the working people and their families.

Improvement of environment, especially the industrial environment, is connected in the USSR with the further development of medical services in the industry.

An unfavourable microclimate is known to reduce physical and mental activity and eventually to reduce labour productivity. It has been proved, for instance, that arduous physical work coupled with a high temperature has a harmful effect on health, and in some instances presents a danger to life itself. That is why Soviet scientists and specialists have concentrated on working out sanitation and hygienic standards for various lines of production in different climates, notably in the Arctic and the deserts of Central Asia. These mandatory standards are the basis on which trade unions and medical agencies control the

state of the industrial environment at enterprises and in offices.

International analysis of the incidence of disease in industry shows that there are many more cases where the working people are not provided with normal sanitary and hygienic conditions and where no preventive measures are taken. That is why the trade unions seek to increase the responsibility of members of the management at enterprises and establishments for the state of the production premises and for any harm done to working people's health in such instances. At every level persistent work is being carried on to ensure health and safe working conditions at enterprises as one of the principal means of preventing disease. Much attention attaches to annual and compulsory prophylactic medical check-ups in industry. In order to prevent occupational disease, the AUCCTU and the USSR Ministry of Public Health have introduced medical check-ups for working people both before they are taken on and in the process of their work. Trade unions take part in drawing up a list of medical contraindicants for work in the conditions of this or that type of production and occupational disease.

In the USSR, an effort to improve the health of men and women is being made not only by means of medicinal or medico-prophylactic methods. Physical culture, sport and tourist travel are important means for improving the working people's health, quite apart from the fact that they stimulate an interest in nature conservancy. The 29 sport societies of the trade unions have over 25 million members, making use of 2,342 stadiums, 7,731 sports gyms, 5,638 ski stations, 475 swimming pools, 237,607 playgrounds and football fields, 12,189 ice-hockey fields, 9,969 health improvement and sports camps, hunting and fishing lodges and tourist camps. All of this is available for use by trade union members free of charge, the only requirement being a desire to go in for athletics and sports. The Soviet trade unions devote much attention to the rational scientific organisation of tourist travel, which

provides for nature conservancy measures and establishment of the necessary sanitation and hygienic conditions in tourist camps, hotels and camping sites.

Thus, the large-scale effort to transform the country which in a short historical period has led to the establishment in the USSR of a powerful industry and a highly developed agriculture through the rational use of natural resources testifies to the truly boundless potentialities of socialist society. But while taking pride in their country, which has done a great deal to improve the people's working and living conditions, the Soviet working people take a critical view of the results of their efforts to protect nature and improve environment. They are aware that certain problems in this area have not been tackled in the best way possible. The state of labour protection does not yet meet present-day standards everywhere; at some enterprises and in some cities environment is still being contaminated with industrial waste; not all machines and units are simultaneously highly productive and convenient to operate, and the requirements of ergonomics are not always taken into account. This is due not only to the technical limitations of the present stage in the development of the productive forces, but also to the specific features of society's historical development, which in the past has had to build up a virtually new economy and to overcome the terrible legacy of the war. The country lost millions of its best and most skilled builders of socialist society.

The Soviet working people will do a great deal to improve environment in industry and elsewhere. They are aware of the lines on which they are to continue doing this and will go on making a contribution to further many-faceted activity of Soviet society in this area. They will be doing this with a clear understanding of close connection between the socialist transformation of environment and creation of the most favourable working and living conditions for the present and coming generations.

Trade-union cooperation: an objective need

The importance of this unifying and attractive problem in which solution populations of all countries have a stake—and this applies to the working people in the first place—is becoming increasingly obvious. Today, many governmental, scientific, trade union and other mass organisations support active and multilateral international cooperation in the rational use of the natural resources and improvement of environment. More and more statements in this spirit have been made by international and national trade union centres of all orientations.

The Soviet Union has long taken an active part in multilateral international studies of environmental problems, including the exploration of space, the earth and the world ocean and their resources, the Arctic and the Antarctic, the Earth's hydrological cycle, and in efforts to set up a World Weather Service. By 1973, the Soviet Union was cooperating on a bilateral basis with many capitalist countries on over 600 problems. This work involved over 430 Soviet and 420 foreign organisations, companies, enterprises and establishments.

The USSR favours a further extension and deepening of such cooperation not only because it holds out economic benefits for the countries involved, but also because it helps to solve the problems of peace and security of nations, and to develop relations of peaceful coexistence between states with different social systems.

International understanding in this area could help to eliminate preconceptions and mistrust in relations between the peoples of the world and create a more favourable situation for international trade union cooperation. Trade Unions of all orientations and of all countries stand to gain from peaceful cooperation and from the efforts to eliminate war from the practice of international relations for good.

It is highly important to involve all sections of public in the international effort to tackle environmental problems, because without public support many measures in

this sphere turn out to be ineffective. This has also been recognised by many trade union centres, including the WFTU, the WCL, the ICFTU and autonomous trade unions and international organisations like the International Labour Organisation, UNESCO and the United Nations. They have stressed that the problem of the environment is a comprehensive one, with national, regional and worldwide aspects. That is why it should be tackled not only by the governments, scientists and technical specialists, but by every section of population, especially the working people and trade unions, which stand to gain most from an improvement in the production and non-production environment.

Environmental policy and practice constitute common ground for trade unions of all orientations, thereby opening up a real way for joint trade-union action on a local, national and international plane.

Good perspectives for such cooperation and exchanges are opening up with the development of international relations on the ever stronger basis of peaceful coexistence of states with different social systems. In particular worthy of our attention as trade unionist could be proposals made by our country with regard to convening of world or continental congresses on environment.

The WFTU, the ICFTU, the WCL as a comparison of their attitudes and demands shows, have forwarded largely similar proposals. That is why, given the good will, the experience of each of these international bodies could be made available to the trade unions of the world in the immediate future.

In order to specify the tasks and coordinate trade union efforts in this area on a national and an international plane there is need for discussions and exchanges of opinion between leaders of trade union centres and sectoral trade unions and their experts on a bilateral and a multi-lateral basis, including discussions within the framework of international bodies, in particular the ILO, which has gained valuable experience in tackling various problems

with the participation of trade unions from socialist, capitalist and developing countries.

International trade union cooperation is an insistent demand of the day. Soviet trade unions, advocating broad and mutually advantageous cooperation in tackling social problems, are prepared with an open heart to share their experience in this area without, however, imposing it on anyone. For their part, they are prepared to use all the positive aspects of trade union work in other countries. They welcome the holding of international seminars, symposia, conferences, exchanges of specialised delegations, exchanges of information, believing that joint efforts by trade unions of different orientations in tackling environmental problems are a step towards a deeper mutual understanding and broad unity of action and cooperation between all men of labour.

The ILO can contribute to international trade union cooperation by promoting exchanges of experience in tackling urgent problems like the rational use of labour resources, occupational training and retraining of working people and their protection from the harmful effects of the environment, in industry in the first place.

In view of the importance of the socio-economic aspect of the drive against the environmental pollution, the ILO, the only organisation which involves in its work governments, trade unions and employers, would do well to co-ordinate their standpoints and demands in long term programs for action such as PIACT. These should be based on the well-known demands by trade unions of the WFTU, the ICFTU, the WCL.

Soviet trade unions want honest and open relations with all the trade-union centres of the world; they are for joint action by working people and trade unions in fighting the monopolies and imperialism and for peace, democracy and social progress.

Everyone has a stake in international cooperation in protecting environment, but most of all the working class.

Neither ideological differences, nor differences of approach should be an obstacle to cooperation between trade unions of all orientations. Soviet trade unions therefore believe that the problems in improving the industrial environment provide a good basis for joint activity in this sphere, which will benefit given a reasonable approach and respect for each other's standpoint.



REPORT FOR THE 5TH ASIAN TRADE UNION SEMINAR

By HIROSHI KIKUYA

*International Bureau of the General Council of
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First I would like to extend my deep gratitude to the All India Trade Union Congress, all its affiliated unions, and all Indian workers, for having invited me here and given me the occasion to make a report on Japanese workers' situations. And also, I'd like to send greetings of strong solidarity and friendship of the largest Japanese trade union organization, the General Council of Trade Unions of Japan, Sohyo.

First I intend to describe the outline of the present Japanese economic situations, and then go on specifically the themes given by the All India Trade Union Congress.

While the capitalist countries in the world are confronted with serious crises, in Japan too, the high level of business bankruptcy, unemployment, price spiral are going on.

The Japanese economy used to be characterised to grow with equipment investments as the leading factor. It has always equipment investments that caused growth in consumption, consumption thus expanded in turn would stimulate further investments. This particular pattern owes to Japanese economy's backwardness and to the postwar liberal setup of the world economy.

But government deliberately followed the strategy of suppressing wage hikes, and personal consumption cannot be hoped to expand, this curtailed consumption forced production cut and this eventually caused slowdown of equipment investments. This downward spiral naturally predicts protracted and structural stagnation in investments and the arrival of a whole period of low economic growth.

With the situation that all capitalist economies have got in them the built-in mechanism of stagflation, these economies will begin to suffer from another violent wave of inflation the moment reflationary policy is taken, and therefore will have to cancel the reflationary policy and resort to money-tight policy. In other words, what is called "the limitation of the Keynesian economy" has begun to be felt ubiquitously.

All this vicious circle derives from the present monopoly-centered social structure, so at this stage, if we only demand the wage increase and improvement of farewell system, it would also work adversely to make another wave of inflation grow, and never reach the real improvement of workers' living.

Therefore, we seek social rationality, policies to control monopolies such as revision of anti-monopoly laws, the control of mechanism of market (that means freedom of behaviours of private industries) such as taking steps to prevent pollution, co-ordination of the fields of medium and small industries, control of owning of land and so on, put high priority on public works projects, and propose social change from monopoly, big industry-centered one to the one centered on working people. Under the situation of slight difference of National Diet's seats between conservative Liberal Democratic Party and opposition parties, all the opposition parties are proposing change policies into the people-centered society based on the improvement of workers life, and these common demands are gaining political reality under the present circumstances.

Some people might know well, the Japanese economy has a character of dual structure, formed by majority of medium and small industries and much less number of big industries.

And standard of wages was also double with wide gaps between organized, strong workers of big industries and unorganized, workers of small industries, with weaker bargaining power. In order to improve this wage disparity, at spring season, all the trade unions start wage increase bargaining, the strongest unions of basic industries lead the line and create the 'primary standard' of wage increase rate, then unions of medium and small industries start wage negotiation, setting focus on the level of the primary increase rate. This is what we call Spring Struggle tactics, which has been formed under the initiatives

of national trade union centers such as Sohyo, Churitsu Roren (Federation of Independent Unions) and other trade unions. However, the worse side of this tactics is that it created the tendency among trade unions, of 'waiting till the favourable conditions are formed' instead of fighting actively, and it has led to decrease of unions' struggling power, and as economy sets in low growth rate period, capitalists' combination became stronger, and they come to check, hold down the activity of stronger trade unions that have been taking role of 'pattern setter' in the wage negotiations so far. Facing this situation, 77 Spring Struggle tactics has changed its manuever, decided to set the unified standard of wage increase demand on '15% at minimum' at the same time, decided to strengthen the struggle to establishment of all nation minimum wage guarantee system.

We need to put high priority, on recognizing the basic principle of 'settling demands by each union's own bargaining power', and the direction that the active struggle of small industries' unions reflect back, and encourage the struggles of big industries. (and not contrary direction)

The goals we are trying to reach is that the strong bargaining power of each trade unions at each working place, strong enough to bargain, settle their own demands by their own power, just like industrial unions of European countries and the United States.

But, admitting the reality that we Japanese workers have not yet enough power to negotiate, so presently we must have efforts on strengthening following two aspects side by side; that is, to strengthen the ability of settling by union's own power, and to strengthen the unity and solidarity of all, big and small, trade unions.

Effects of environment of living and working conditions

First, about the living situation, the nominal income is increasing, but the real index of income has decreased than previous year. About one fifth of the rate of wage increase are taken by the upraise of social insurance premiums and the increase of tax, owing to government's failure of tax reduction for co-ordination of price increase for this year, and increase of prices

of rice, electricity, gas, railway, telephone charges have caused the decrease of household expenditure of food and housing than former year.

The average scene you can see in the family of Japanese middle-aged workers would be as follows; in the morning get to the working place, packed in commuting train for about one hour, after job and return to home where children crying in small room the wife who is tired after finishing part time job, scolding her children, "go get to start your preparation study for school".

The huge development of productivity and high growth rate of Japanese economy in 1960's had brought the mass concentration of workers to big cities, and the raise of educational standard. But the policies of government which should have responded to this phenomena were totally insufficient, and as the result, all the living problems such as housing, education of children, social security, were put on the back of workers themselves.

Demand of houses has rapidly increased by the marriage and births of workers, and it caused the sharp rise of housing rental charges, it amounts 25% of average monthly income. And result of government's failure of increasing of building of public houses, apartments, the owning house became the top subject of workers. And thus it made a new life-pattern of workers' wives' seeking jobs for more income, or using long-term housing loan at much earlier age than before (late 20's to 30's). To get better, steadier employment at big industries, the college diplomas are necessary. So the expenses of letting children go attend preparatory schools, became half forced social cost.

These necessary expenses have made workers savings' purpose changed from security of after retirement life, to obtaining house at first, besides anything else.

Japanese society has getting into 'old men's society'. Now every one out of eight of whole population is over 60 years old, and they estimate, in twenty years the rate become one to six. According to Japan's conventional "seniority order wage system", the problem of life security after retirement, must have been settled by the retirement fund. But in the real situation of Japanese society as I have described, those middle-aged

workers are forced to take charge of everything for their families, actually the retirement fund has no function of securing after retirement life.

The starting age of receiving welfare pension has a gap of some years between the average retirement age (in the total number of enterprises, 47% sets 55 years as retirement age, 21% sets 56 to 59 years, and 32% sets 60, though the starting age of receiving welfare pension is 60 years.) So almost all workers have to work even after their retirement. But, seeking job after retirement is very difficult, and when they could find another job, 60% of them cannot receive half wages as they had received before. So the system of retirement age, can be said, functioning to re-create a strata of another low-wage workers in society.

The difficulties of living appears most strongly in the people called 'low-income population'.

The workers employed under the Unemployment Relief Program by the government are mostly the old and middle generations, receiving only 40% wages of ordinary workers' average, and half of their expenses are spent on food. But its quality is very low, although the Ministry of Health and Welfare sets the standard intake of nutrition on 2500 calories, they only take 2211 calories.

According to the official survey, one out of four of Japanese population, are getting income lower than the standard level of the Livelihood Protection Program by the government. However, only 1% of it receives Livelihood Protection. And 75% of the aid recipients are granted the protection because of sickness. It shows, that to get this Protection, conditions are very severe, persons with any savings, or having other income-earners are hardly entitled to the program grants even their actual income falls below the level. The standard of income of this aid recipients is very low, for example, in Tokyo, Osaka, and other major centers the average family of four, receive 84,961 yen by month. This means very low standard, about 60% of ordinary workers, the Engel coefficient has invariably been higher than 50% since 1965.

The fatherless families, like those who have lost their fathers by traffic accidents, are 620,000 all over the country, and most

of the mothers are working under low-wage, temporary job, and hard labour conditions. It is extremely difficult for these mothers to support their children by their small income.

As to the consumers' movement to protect workers life from these difficult living conditions, are steadily developing. Some local groups of people got together to form Consumers' co-operatives, and organized joint purchase of food and oil, and broaden direct links between the producers and consumers, and expanded sales of cooperative brand commodities.

Also, efforts are being made to nationally unify workers' mutual aid cooperatives in order to counter activities of private insurance companies. Similarly, the task of nationally unifying labour banks and of concentrating workers savings on labour banks as a means to restrict banking capital, is making a development.

Working conditions

While the recession is continuing persistently, the production has been slightly recovering since early 1976. But employment failed to reach the 1975 level and equipment investments remained low. This means capitalists are expecting the recovery of production only by the prolonged working hours, and workshop rationalisation. The measures taken by the enterprises for the rationalization of workshop, can be divided three patterns.

The first type is the imposition of intensified labour, mainly through tightened time-control, such as forced overtime works, introduction of a new shift work system and ill revision of the existing shift works systems.

The second type is the creation of 'multifunctional' workers to save new employment.

The third type is to change in the mass production processes, and aim at speeding up of the belt conveyor.

The present rationalization is entirely different in its nature from the rationalization carried out during the former rapid growth period. In that period, rationalization involved rapid innovation of equipment and qualitative, technological transformation. But now capitalists are aiming at rationalization of working itself, it may be called an austerity type of rationaliza-

tion, reducing personnel to a minimum under the conditions of workers' complete subordination to the machinery. What is necessary for us all is to get back to the point of proper trade unions' struggle, to unite the demands for working conditions of the workers at each workshop, to the managers on the equal basis between workers and managers.

The working hours are being increased, and overtime works are the same. In actuality, Japanese employers take workers' overtime works for granted, and instead of increasing personnel, they make their production plans on the assumption that workers will constantly do overtime works. The unions should regulate, not only the length of overtime work but also check its contents.

If the works involved are regarded as constantly required works, then the unions should demand that permanent staff be employed for the works.

About the ratio of enterprises giving full two holidays a week, yet there is a big gap between big and small enterprises. While 28.7 per cent of the big enterprises with 1,000 or more employees, give two full holidays a week, the comparable percentage for smaller enterprises with 30-90 employees is only 2.8 per cent. The central government employees as from October 1, 1976, gained two holidays a week on a trial basis, and same in 30 local cities and towns public employees gained two holidays a week.

Shortening struggle of working hours means actually the increase of wages. Japan has had a history that cheap and long-time labour had brought the high growth rate economy of 1960's.

Today, to reduce overtime work, to settle the unemployment problem, and fight for the recovery of human rights, are important for especially the democratization of economic structure.

The accident frequency rate, rises as the size of the enterprises get smaller. In 1975 the rate for enterprises with 30-49 employees was about 10 times higher than the comparable rate for enterprises with 1,000 or more employees. The most regrettable problem in this point is that the standards of compensation of the labour accidents, that is the very fruit of the consistent struggle fought by organized workers, is not applied

to subcontract workers and unorganized workers of medium and small enterprises. Huge rationalization of workshop caused various, serious occupational hazards in workers' health. In all kinds of manual working places, many workers are suffering arms-and-neck paralysis syndrome, air conditioning, new cleansing agent, and chemical adhesives has been used, causing skin disorder, troubles in hearing, and troubles in autonomous nerves.

On these occupational hazards, since many compound factors are working, it is not easy for workers to identify the causes for their declining health. But the least thing that should be done in this respect, is to reverse the system so that the responsibility to prove the "non-existence" of the links should be clearly put on the employers' side.

And the question of outside pollution, given by factories is now inseparable with that of inside working conditions of enterprises. External people, neighbour inhabitants, the employees inside the factory now can work and fight together to eliminate the single cause of sufferings for them all. If the causes are identified at the workshop level, naturally that will show the same causes are responsible for the destruction of health of nearby inhabitants.

I have handed to you the copies of tables about Japanese typical social security systems, so I hope it could help for understanding our social situations.

Employment

The situation of employment in Japan has been continuously deteriorating since the end of the high economic growth rate period, the number of unemployment reached the level of one million in September 1975, and since then, number has never been decreasing. The index of permanent employment in manufacturing industries, as putting 1970=100, in March of 1976 it was 90.7, and 71.5 in textile industries, 78.5 in timber industries. This does not mean the mere production cutback caused by the recession, but enterprises are trying to take policies on long time basis, to go ahead with remaining the present reduced level of employment. At the recession period, many enterprises conducted layoffs to get rid of excess of labour, and since then,

stronger combination of capitalist groups are being formed, now they are planning 'cost down' by the workshop rationalization as I have mentioned just now. And what we must bear in mind, is much more enterprises are seeking investment for cheaper labour-market overseas. This is nothing but invasion of economies of developing countries, and it creates additional threat of employment insecurity in Japan at the same time.

Then, for the true friendship with brother workers of foreign countries, the firm attitude and proper response of Japanese trade unions are indispensable.

In these situations, some unions have a trend to protect only the union members' employment by taking policies of labour-capital collaboration. But if they do so, the problem of the dismissed part-time workers, subcontract workers, necessarily have influence up on the workers of small enterprises, and in turn, it leads to dismissal, transfer of the workers of bigger enterprises.

Consequently the problem of weakest workers, insecure employees, mainly women, and aged workers has not to be overlooked. In the period of changing into old men's society, trade unions must take actions to limit the capitals' arbitral dismissal, and to establish the social law systems to guarantee the employment. More in details, to establish law systems that force employers to make clear the reasons of dismissal, and schemes of total employment, and to pass through the official judgement system, and to increase and improve the professional training facilities, to establish employment guarantee system of daily workers, to make clear the responsibilities of the parent enterprises toward subcontract workers, are necessary steps that should be demanded.

The Joint Struggle Congress for the People's Spring Struggle is making efforts to create following conditions as social standards; that is, being based on the strengthening of the control power on these employment insecurity, not to admit the appointed dismissal, guarantee the chance of finding new jobs for the retirees, obtain the prior agreement of the persons concerned in transferring them to other jobs and promise to ensure the same working conditions as before.

SPEECH OF THE MONGOLIAN TRADE UNION DELEGATE

The Mongolian trade unions welcome the organisation of the current Asian trade union seminar on the problems of environmental influence on the labour conditions, life of the people, social insurance and employment.

It is gratifying to note that the present seminar is being held in the year of the 60th anniversary of the Great October—the main event of the XX century, which radically changed the process of the development of whole mankind.

The Great October Socialist Revolution, which had marked a turning point in the life and destiny of the peoples, had a deep and revolutionising impact on the upsurge of the national liberation struggle of the Mongolian people, and laid the only correct way to its national freedom and social progress.

Under the direct influence of the Great October the people's revolution has won in Mongolia in 1921.

In a historically short period of time the Mongolian people under the guidance of the Mongolian People's Revolutionary Party (MPRP) could overcome century-old backwardness and bring about radical transformations in all spheres of the economic and cultural life.

The Party and Government as well as the Mongolian Trade Unions have always considered and consider their main tasks to ensure the steady improvement of the well-being and cultural standards of the people on the basis of the higher material production and labour productivity growth, constant increase of the national income and the amounts of the social insurance funds.

The social insurance fund is constantly increasing.

At present almost 70 per cent of the country's national income is earmarked for raising the material and cultural well-being of the working people.

The social fund is used for financing people's health service, free education, housing construction, and for pensions, allowances, students' grants and other public expenditures. Under the Labour Code of the MPR state bodies of all instances distribute the social fund jointly with the trade union organisations or do it with their consent.

The country's educational establishments of all levels are free, its pupils and students do not pay for their study. The illiteracy is eliminated. Today in Mongolia one in four studies, there are 139 experts having higher and specialised secondary education for every 10,000 of the people, engaged in different sections of the national economy.

Our citizens get free medical aid and treatment of all kinds. There are 100 hospital beds and 20 doctors per 10,000 of the population in Mongolia. While before the people's revolution the average lifespan in the country was 32 years, at present it became 65 years.

The wages and salaries of workers and employees constantly grow in our country, the incomes of members of the agricultural cooperatives, those of the society owned economy and individual auxiliary economies also grow steadily. In the current year the wages for some category of workers and employees have risen, the retail prices for more than a hundred kinds of medicine were reduced, additional allowances were granted to the working mothers. All this has stimulated the growth of the real incomes of the working men. The workers and employees enjoy annual paid leaves. Besides it, they also enjoy additional off-days.

The women in the country are entitled to 45 pre-natal and post-natal maternity leaves.

Every working man in Mongolia is fully guaranteed with the material insurance in the form of old age or disability pensions. The pensions are determined with the participation of the state social insurance organs and trade union organisations. It is envisaged to increase the pensions for invalids and for

the families, who have lost their bread-winners by 15 per cent in 1976-1980. Since 1979 old age pensions for the agricultural cooperative members will be paid according to the state social insurance system and will grow by 50 per cent.

The Mongolian trade unions directly run the state social insurance which is financed through the state budget.

Dwelling houses in this country built mainly at the expense of the state are given over for tenancy to the people free of charge. In 1976-1980 the housing construction in Mongolia will nearly double.

The party and the government, as well as the Mongolian trade union look-after the proper organisation of the rest and leisure time of the working people. A considerable number of cultural and educational institutions, clubs, houses of culture, libraries and reading halls, a wide network of rest homes, sanatorium and pioneer camps are at the disposal of the Mongolian trade unions.

Since the first days of the people's revolution the MPRP and the people's government have paid due attention to the preservation and proper utilisation of the natural resources the national wealth of the people. A number of measures in this initiated and carried out. The 1972 session of the Great People's Hural of the MPR considered the question of improving the protection and utilisation of forests and animal game, radical utilisation of the natural resources and environment protection.

The intensive process of industrialisation taking place in our country in its turn causes a mass migration of rural population to the towns and the change of their way of life.

Under this circumstances a priority to the problems of nature protection, creating of the favourable labour and living conditions, the development of sanatorium and resort service, physical culture, sport and tourism on the scientific basis.

The introduction of the achievements of science and technology into spheres of national economy, the rapid process of urbanisation and industrialisation as well as automatisisation of production and agriculture bring a considerable change in the living conditions of people. The protection of the working people's health and of their environment becomes a serious social problem.

The Guidelines of the Development of National Economy and Culture of the MPR for 1976-80 adopted at the 17th Congress of the MPRP set forth the tasks of protecting nature and environment.

In order to live the people should use the air for breathing, water for drinking, need all kinds of food provided by nature and finally the natural raw material, for any form of productive activities.

As we know, the Nature is the source, which meets the material and spiritual requirements of the people.

Negligent attitude towards the nature, spontaneous utilisation of its wealth lead to rather sad consequences and catastrophes.

That is why it is natural that the world public come out resolutely against the pollution of the air, soil and water.

It is of no doubt that the present seminar would promote the development of cooperation dialogue between the trade unions of Asian countries in this vitally important sphere of human activity.

In conclusion, I wish to thank the All India Trade Union Congress for the kind invitation extended to us to participate in this seminar and for the warm hospitality accorded to us.

I also take this opportunity to wish the All India Trade Union Congress every success in their efforts for the mobilisation of the toiling people of India for the development of their country along the path of progress and democracy.



ADDRESS

BY P. KUMARASWAMY, TREASURER, CEYLON
FEDERATION OF TRADE UNIONS

Permit me at the outset to convey the message of fraternal greetings from the Ceylong Federation of Trade Unions to the participants in this Seminar and in particular to the All India Trade Union Congress for the role it plays to forge the broadest unity of the working class not only of India but also of Asia, our great continent. Permit me also to express my gratitude to the All India Trade Union Congress for sponsoring this Seminar and for the elaborate arrangements made to make this Seminar a success.

Comrades, we in Asia had been suffering for centuries under the yoke of colonialism and feudal exploitation. During this period the masses of the people were neglected and ruined. Our environments were neglected. We were subjected to frequent mass annihilation and mass disablement due to uncontrolled epidemics and endemics such as malaria, cholera, small pox, filariasis, poliomyelitis, tuberculosis etc. Leave alone taking preventive measures against these catastrophes, even the curative side was left uncared for by the colonial masters and our feudal overlords. Their only concern was to plunder whatever they could from our lands and the people.

The colonialists, in their mad rush for plunder, raped our lands indiscriminately, destroyed vast expanses of forests and even cultivated lands for raising various plantations like tea, rubber, coffee, cocoa, sugarcane, cinchona, various spices etc. By this action they exposed the soil in our hilly and highland areas to uncontrolled erosion. Fertile soil was thus wasted away causing not only barrenness in large parts of our coun-

tries but also silting on river beds leading annually to floods causing losses of human life, damage and destruction of houses and properties, not to speak of the damage to cultivation and destruction of fauna and flora.

Scientific experts who have carried out investigations in Sri Lanka recently have concluded that the extreme weather conditions prevailing in our country namely, floods and droughts are mainly due to the felling of forests. These experts have also sounded a warning that in another twenty-five years the northern part of Sri Lanka will be rendered a veritable desert where even underground springs, which are the traditional sources of water supply to this area, will dry up. Such is the nature of the exploitation of these colonialists.

The fact that most Asian countries have liberated themselves from this direct colonial rule is indeed a welcome radical change. But of what avail is this relief? We got rid of the colonial exploiters only to fall into the grip of monopoly capitalism. Multinational Corporations have spread their deadly tentacles around us. Industrialisation have begun only once again to exploit our labour, our land, water, mineral and other raw material resources.

This new form of exploitation is more ferocious and more damaging to our environment, to our conditions of work and living. The new industries, particularly those which rely on toxic and hazardous chemicals for production, are springing up. Wherever the means of production is owned by the private sector, particularly the monopolies, there is an all round exploitation and damage to environment.

In Sri Lanka there are a few factories which used such toxic chemicals for production. We have three cement factories, one ceramic factory, one large chemical factory, one tyre factory, and a number of rubber factories, a paper factory, a pulp factory, six large textile factories and so on. But we are fortunate that most of these factories were owned by the public sector and really came up during the period of 1970-77. Even a few large factories which were privately owned earlier, were nationalised during this period. After nationalisation the State Corporations have taken necessary steps, under the pressure from trade unions, to instal machinery and other devices to

treat the effluent wastes of gas, chemicals and materials which earlier polluted our rivers, lagoons, canals, air and land.

Our experience in Sri Lanka shows that the Public Sector, although it was stinking with corruption, bureaucratic bungling and inefficient administration, was more susceptible to trade union and public pressure than the former private ownership. Thus it was possible for us to get the public sector management to take remedial steps to prevent further pollution of the environment.

I would just cite the example of a private owned textile factory, namely the Wellawatte Weaving and Spinning Mills. This is a large factory employing over 4000 workers. This factory was nationalised due to the workers, who are members of our Federation, launching a prolonged strike for 6 months demanding nationalisation, as the working conditions became so intolerable and as the workers realised that only nationalisation can provide them with the all-round relief for which they struggled for years. Today, after nationalisation, their wages have doubled, conditions of work have improved considerably and production has gone up over hundred per cent. The efflux and the effluent are now being treated, and as a result, there is no more pollution of the Wellawatte Canal and the workers and the people who live in that vicinity are now breathing fresh air.

Unfortunately, since the last General Election, the United National Party which swept to power, is on the path of reversing this policy of nationalisation. In fact a number of nationalised enterprises are now being handed back to the former private owners. Foreign monopolies are being invited to invest in Sri Lanka. In other words we are now facing an era of more industries for purely profit making purposes. And we are in for a period of bitter struggles to defend the gains of the working class.

Our country, like most Asian countries, has its fair share of shanty dwellers. These shanties are the breeding ground for contagious diseases and several other anti-social activities and acts of ill fame. Most of these shanties were owned by big land lords who collected black market rents from these poor tenants. This was an eye sore in certain parts of the city of

Colombo and other provincial towns. The shanty problem was a serious one for the working class, as a sizable number of workers lived in these shanties. Our federation made a study of this problem and came to the conclusion that this problem cannot be solved fully under the present conditions without running the risk of de-housing all the tenants.

That is why, based on our demand, the former government enacted a House Ceiling Law by which it took over more than 90 per cent of these shanty dwellings from the landlords and vested them with the tenants who were expected to purchase those dwellings by paying their normal rent as instalments towards the purchase. This was the first stage in our demand.

The second stage would be to either allocate crown land on sub-urban areas where these tenants could be shifted and helped to build their own houses or shifting them to newly constructed flats. By so doing the government would be able to buy up the lands where the shanties were situated for the planned expansion of the city. Thus by the second stage it was intended to eliminate the environmental problems caused by the shanties.

The biggest industry in our country is the tea plantations. The British monopoly capitalists who raised these plantations about a hundred and fifty years ago and expanded them from year to year had a serious problem in regard to the labour force. Indigenous labour in Sri Lanka was highly feudal in nature and were therefore found unsuitable for the plantation industry. That was why these monopolies recruited labour from South India who were housed on these estates in line rooms. These monopolies in their search for super profits were not concerned about the environmental conditions. They constructed line rooms on those portions of the estate which they considered were not cultivable and where large rocks stood perilously overhanging. The tea plantations are mainly in the hilly parts of our country and the monopolies constructed these line rooms on the slopes of these hills without taking precaution to ensure that in the event of an earth slip these line rooms would not be affected. As a result it has become a common occurrence, where due to heavy rains and the soil erosion on the hills, massive earth slips take place burying whole sets of

line room with their occupants in it. Hundreds and hundreds of workers have thus lost their lives and properties. These catastrophies are explained off as due to act of God and that no remedial steps could be taken. Under pressure from the Trade Unions the Government is considering constructing more modern houses under safe environment. But no positive action has so far been taken.

Comrades, in concluding, I would state that it is our experience that the struggle against the environmental pollution is in the main a struggle against the private ownership of the means of production. While of course this should be a resolute and a long term programme of action, we should not relax our day to day struggles against the pollution menace caused by the private capitalist enterprises.

I wish the Seminar all success.



SOME PROBLEMS OF WORKING AND LIVING ENVIRONMENT IN INDIAN INDUSTRY

by Dr. Raj Bahadur Gour, Secretary, AITUC

I propose to draw your attention only to some of the problems concerning the theme of this Seminar.

Most of the countries in this region have emerged from a long colonial past. The heritage of this past is that we have a very poor cultural infrastructure for modern industry. Setting up of modern industry leads to concentration of labour force in undeveloped towns creating vast slums. These slums not only cause ill health and disease for the workers dwelling in the slums, it also turns out to be a threat to the health and hygiene of the entire area.

The slum dweller cannot give best of production and productivity. Thus we have to attend to this problem of slum clearance which both pollute residential area and is a cause of further pollution in the area.

Introduction of new technology on a technologically unprepared base creates its own hazards for the operations and it also brings in its trail new occupational diseases for which we are not prepared.

Some years ago we came across an example of a bangles manufacturing factory in our country. It was using Tetrachlor Ethane for making synthetic bangles. This drug was causing damage to the liver. The workers complained of just giddiness. The management would accuse the worker of feigning.

Similarly, Thermal Power House workers and in fact the people of the whole area where the power house is situated inhale coal dust which damage their lungs. Likewise, miners workers in blow room sections in cotton mills, cement workers,

etc. work in conditions of dust that causes Pneumoconiosis. Such workers' working age is drastically reduced, life is seriously shortened and their lungs become vulnerable to deadly diseases like Tuberculosis.

Para medical workers working in such hospitals as T.B. hospitals and infectious diseases hospitals are exposed to the risk of contracting the disease the work amidst.

Handling of certain chemicals in certain production processes leads to skin diseases of various kinds.

The question therefore arises of effective inspection, prompt preventive action and proper safety measures.

My experience is that our factories and mines Inspectorates are neither sufficient nor efficient to meet the demands of the situation adequately. These have to be properly equipped with qualified and adequate personnel. Senior workers must be trained and appointed as Safety Inspectors. Such is the case in Singareni Collieries in Andhra Pradesh. But I have a feeling that there is need of an orientation course to do the job. They are well aware of mining technology but this is not enough. As safety Inspectors they will have to have knowledge of possible hazards and the way to prevent them, or deal with accidents when they take place.

The Occupational Diseases defined in our laws are also inadequate. New occupational diseases are coming to occur in the wake of new technology and production methods. New psychological problems are arising. New physical strains are developing. Such are the problems faced by workers say in Assembly Line Production when they are called upon to make only one movement for 8 hours at a stretch. The work at a fire place or oven is again very exacting. This may predispose the workers to various ailments and psychological disturbances. This requires to be tackled by the Trade Unions.

Areas of such hazards have to be identified and workers working in such areas should be subjected to medical check-up and treatment when necessary.

Modern State should accept its responsibility for protecting the health and productive life of its working force.

CONCLUSIONS ON "EFFECTS OF ENVIRONMENT ON WORKING AND LIVING CONDITIONS OF WORKERS"

The Fifth Asian Trade Union Seminar that was held in New Delhi, India, from November 30 to December 3, 1977, discussed the problem of Environment on Working and Living Conditions, and having exchanged views on the situation obtaining in the countries of this region in that regard, the Seminar came to the following conclusions:

1. This region consists of countries with different political, economic and social systems such as Socialist Soviet Union, advanced capitalist countries like Japan and developing countries in different stages of development.

2. Most of the countries in this region have emerged from centuries of colonial rule and have launched on a course of modern industrial development. Because of the colonial past, these countries had not developed, or had a poor cultural infrastructure in the shape of scientific and technical intelligentsia. It was on this base that modern industry with advanced technology was set up in these countries.

3. Soil loss and decline in soil fertility for various reasons, is a common problem in the countries of this region. Comprehensive long term programmes have to be launched to arrest this process.

4. Modern industry inevitably attracted working force and cities and towns grew up, leading to slums, over crowding and unhygienic conditions.

5. Slums not only breed diseases among the slum-dwellers leading to cut into production and productivity, they also create health problems for the entire city or the town.

6. Introduction of advanced technology brings in its trail methods of production to which the working force is not used and cause ever new types of accidents and occupational diseases.

7. Industries like chemical and fertiliser industries bring out toxic waste material which is injurious to human health and dangerous to fauna and flora. When let out in sea it has caused poisoning of fish which when eaten by human beings has caused disease. When thrown deep into the earth through a bore well it has contaminated sub-soil water and caused ill-health and even death to people.

8. Coal-mining, thermal power stations, cement factories and blowroom sections in cotton textile factories and the like lead to workers inhaling foreign bodies leading to pneumoconiosis and weakening of lungs and making them vulnerable to diseases like tuberculosis.

9. Working people's right to work and live in a safe and healthy environment must be recognised as a basic right. This is of primary importance for the trade unions.

10. To this effect, the state, the employers and the trade unions should work out an integrated approach to the questions of working environment and living environment.

11. In Socialist countries adequate comprehensive measures are taken not only to prevent accidents and to combat occupational diseases but also to improve wider human and natural environment outside factory gate, with the widest participation of workers.

12. The representatives of Asian Trade Unions attach considerable importance to the U.N. environment programme and the ILO international programme for the improvement of working conditions and environment (PIACT). All the governments in this region should ratify and fully implement the latest ILO convention concerning the protection of workers against occupational hazards in the working environment due to air pollution, noise and vibration.

13. The state must by law make it obligatory that a new industry is allowed to be set up or a new technology is allowed to be employed after fully examining its impact on the environment and its implications for the working conditions. Remedial steps should be guaranteed against harmful effects, if any.

14. Multinationals take advantages of absence of prohibitive laws in the developing countries and tend to export and set up

dangerous industries that pollute the environment. The argument that hazard has to be lived with in order to secure employment is violative of U.N. and I.L.O. conventions and militates against human considerations. Governments in this region should see that such industries are not allowed to be set up and remedial action taken against those already set up.

15. Slum clearance should be taken up urgently and a phased timebound programme should be adopted to achieve that end without rendering the slum dwellers homeless. To begin with, filtered water, drainage system and clean streets with street lights should be provided and by phases good dwelling houses can be constructed.

16. State and local bodies should set up efficient and adequate inspection machinery to promote safety and prevent hazards and accidents. Trade Unions should be associated with this machinery at all levels. Worker inspectors must be trained and appointed for the purpose.

17. It is necessary that a constant watch is kept by the state on industrial and occupational hazards and for this purpose adequate research organisations are set up and scientific personnel is trained to man them.

18. It is seen that workmen exposed to occupational hazards in these countries are not given proper medical attention and when disabled they are not adequately compensated. Prompt and effective medical attention must be given to the victims and they should be adequately compensated.

19. In the countryside the working and living conditions of rural workers are miserable in a large number of countries in this region. Use of pesticides and fertiliser, exposes the workers to risks. Protected water supply, proper housing must be provided and training in the use of irritant chemicals and necessary protective equipment must be provided specially in large plantations and farms.

20. In hilly plantations in this region it is a frequent occurrence that erosion of soil causes serious loss of lives and livelihood. Steps have to be taken to protect the plantation labour against this hazard.

21. Areas and production sectors that are prone to cause hazards and ill health should be identified and workers engaged

here should be periodically medically checked up and given treatment when necessary. The working hours in such areas should be reduced and recuperative rest intervals should be provided.

22. Trade unions as mass organisations of the working people have a special responsibility in ensuring a healthier and safer working and living environment for all. Therefore they must endeavour to establish and develop contacts and cooperation with other social groups and public organisations both in their countries and internationally, such as scientific and technical organisations concerned with protection of environment and conservation of natural resources, cooperatives, youth and women's organisations etc. This is necessary in order to involve ever wider circles of population in this vital activity to prevent pollution by unscrupulous employers and their allies in the interests of present and future generations of workers by hand and brain. Trade union organisations of all levels are called upon to develop national and regional consultations, exchange of views and programmes of united action to promote and achieve national and international trade union solidarity.

23. Environment must be made safe for peaceful progress and cooperation among nations. It should not be allowed to be used for military purposes.

24. This Seminar recommends that these conclusions should be popularised among mass of the workers and democratic opinion should be built around these recommendations through production of literature, holding Seminars and using the various mass media.

New Delhi
December 3, 1977
