

COPY OF THE LETTER NO. 3055/WB-G (12)/DATED 21 AUGUST, 1959
FROM THE SECRETARY OF THE CENTRAL WAGE BOARD FOR SUGAR INDUSTRY
CIVIL LINES, KASIA ROAD GORAKHPUR, ADDRESSED TO THE BIHAR SUGAR WORKS
PACHRUKHI.

CENTRAL WAGE BOARD FOR SUGAR INDUSTRY
Ministry of Labour & Employment,
GOVERNMENT OF INDIA
Civil Lines, Kasia Road,

No.3055/WB-G(12)

GORAKHPUR: AUGUST 21, 1959.

To,

The Bihar Sugar Works,
Pachrukhi, District- Saran.
(Bihar).

Sub: BOARD'S RECOMMENDATIONS FOR INTERIM RELIEF CLARIFICATIONS:

Dear Sir,

I am desired to refer to your letter no. WB-5086 dated 13th August, 1959 and have to inform you as under, apropos the points raised by you:-

1. Chaprasis and Kaddars: The raising, with effect from 18th December, 1954 of the pay of outstation Chaprasis and cane development Kaddars to the minimum of Rs. 55/- in consequence of the clarification issued by the Labour Commissioner was in the nature of rectification of a mistake and not an increment properly so called. The increase therefore is not adjustable against the interim relief recommended by the Board. The interim relief in their case would be calculable on Rs.55/- mistakenly denied to them previously.
2. Promotion of Tractor Cleaners: The increments which accrued to the tractor cleaners in consequence of their promotion as tractor drivers would also not be adjustable against the interim relief recommended by the Board because the pay increase in these cases was by virtue of promotion to a higher job with higher responsibilities. Only those increments will be adjustable against the interim relief which were awarded to the employees in the same occupation with the same requirement of skill and workload.
3. Application to distillery workmen The Board's recommendations are for the vacuum pan sugar factories and their employees. All the employees receiving up to Rs. 500/- and on the rolls of sugar factory are eligible to interim relief. A worker on the rolls of sugar factory should not be deprived of this relief on account of his mere posting into the distillery at the management's instance.

Faithfully yours,

Sd/-

(H. M. MISRA)
SECRETARY.

27 NOV 1959

Registered with A/D.

332



GRAMS: SUGWAGE
PHONE: 466

From,

The Secretary,
Central Wage Board for Sugar Industry,
Civil Lines, Kasia Road,
Gorakhpur.

To,

See K. G. Srivastava,
Office Secretary, A.I.T.U.C.,
4, Ashok Road,
New Delhi.

No. 4836 /WB-G(9)

Dated 24 NOV 1959

Dear Sir,

I am desired to enclose for confirmation
a copy of your recorded statement made before the Central
Wage Board for Sugar Industry, during its sittings on
September 16, 1959 at New Delhi.

The statement may please be returned to this
office after incorporating such corrections as may be
desired to be made.

Yours faithfully,

Encl: As above

H. M. MISRA
(H.M. MISRA)
SECRETARY.

JN.28.4
20 copies

COPY OF THE LETTER DATED 16th DECEMBER, 1959 RECEIVED FROM
THE SECRETARY OF THE SOUTH INDIAN SUGAR MILLS ASSOCIATION
No. 1, NORTH BEACH ROAD, POST BOX No. 12, MADRAS.

The Secretary,
Central Wage Board for Sugar Industry,
Civil Lines, Kasia Road,
GORAKHPUR.

Dear Sir,

Recommendation of the Wage Board for
interim relief to workers in Sugar
Industry.

We would like to have your confirmation in regard to the recommendation of the Sugar Wage Board that even in the case of employees who are on time scale of wages, for the purposes of verifying whether an employee has received the increments recommended by the Wage Board or less during the period 1st June 1954 to 1st January 1959, the basic wage plus dearness allowance drawn by the employee in June 1954 and January 1959 must be taken into account for grant of interim relief to workers in sugar factories situated in States other than Uttar Pradesh, Bihar and East Punjab.

Yours faithfully,

Sd/-

SECRETARY.

CENTRAL WAGE BOARD FOR SUGAR INDUSTRY
Ministry of Labour & Employment,
GOVERNMENT OF INDIA
Kasia Road, Civil Lines

No. 4475/WB-G (97)/ GORAKHPUR: 5th November, 1959.

To,

The Manager,
The Basti Sugar Mills Co. Ltd.,
P.O. Walterganj, Dist. Basti.

Sub: GRANT OF INTERIM WAGE INCREASE:

Dear Sir,

In referring to your letter no. 4689 dated October 13, 1959 on the above subject, I am desired to say that the increments which accrued to a workman in consequence of his promotion to a higher post carrying increased responsibilities would not be adjustable against the interim relief calculable under the terms of the Board's recommendations.

Only those increments will be adjustable against the interim relief which were awarded to the employees in the same occupation with the same requirement of skill and workload.

Faithfully yours,

Sd/-

(H. M. MISRA)
SECRETARY.

January 29, 1960

The Secretary,
Central Wage Board for Sugar Industry,
Civil Lines,
Kasia Road,
GORAKHPUR.

Dear Sir,

Enclosed herewith is a copy of our recorded statement made before the Central Wage Board for Sugar Industries, during its sittings on September 16, 1959, at New Delhi after incorporating necessary corrections.

Yours faithfully,



(K.G.Sriwastava)
Secretary

Encl:



No. 5852/WB-G(97)/

Dated. 1-8-JAN.1960...

Copy forwarded for information to :-

1. The Secretary, Indian Sugar Mills Association, India Exchange Building, Calcutta -1.
2. The Secretary to Govt., Labour Department, U.P., Lucknow.
3. The Dy. Secretary to Govt. of India, Ministry of Labour & Employment, New Delhi.
4. Mohini Sugar Mills, Warisali Ganj, Gaya.
5. The United Trade Union Congress, 249, Bow Bazar Street, 1st Floor, Calcutta.
6. All India Trade Union Congress, 4 Ashok Road, New Delhi.
7. Hind Mazdoor Sabha, Servants of India Societies Home, Bombay.
8. Indian National Sugar Mill Workers' Federation, Shanshan Manzil, Golaganj, Lucknow.
9. United Chini Mill mazdoor Federation, Kanpur.
10. Indian National Trade Union Congress, 17 Janpath, New Delhi.
11. The Secretaries to All State Governments except U.P.
12. All the members of the Central Wage Board for Sugar Industry.

Encl: One of copy of letter
under reference.

(H. M. MISRA)
SECRETARY.

RP. 15/1

COPY OF LETTER NO. 426 DATED 8th DECEMBER, 1959 from THE GENERAL SECRETARY, MOHINI SUGAR WORKER'S UNION, WAHISALIGANG, GAYA ADDRESSED TO THE SECRETARY CENTRAL WAGE BOARD FOR SUGAR INDUSTRY, KASTA ROAD CIVIL LINES, GORAKHPUR.

SUBJECT: INTERIM RELIEF TO WORKMEN IN SUGAR INDUSTRY

We have under reference your letter No.4999/WB-G (97) dated, Gorakhpur, December 2, 1959 on the subject referred to above.

Your clarification that the ad hoc increments in wages granted by the management in terms of the agreements are adjustable against this particular interim relief is not clear as it does not specify the date upto which such increments given by the management under agreement are adjustable against this particular Interim Relief.

In the light of above, we request you to kindly clarify the following points for enabling us to take up the matter with the management of our mills:

- i) Whether a workman appointed on 1.1.59 is entitled to this particular interim relief.
- ii) Whether this particular interim relief is adjustable against the amount of increments in wages (in terms of agreement) declared by the company in the year 1959, taking effect from 1.1.59.

For illustration-sake, let us presume that Mr. X has been given interim relief of Rs.5/- (after necessary adjustments) with effect from 1.1.59 covering the period upto 31.12.58 (closing). Mr. X is also given increment of Rs.2/- under an agreement with the company in the month of January, 1959 taking effect from 1.1.59.

Now the question arises whether this latter increment of Rs.2/- granted to him under separate agreement, is adjustable against the amount of above interim relief?

Early reply will be much appreciated.

Yours faithfully,

Sd/-

General Secretary.

20 JAN 1960

OFFICE OF THE CENTRAL WAGE BOARD FOR SUGAR INDUSTRY,
Ministry of Labour & Employment,
Government of India,
Civil Lines, Kasia Road,
Gorakhpur.

The Business Manager,
The Behar Sugar Works,
Pachrukhi,
Dist. Saran.

No. 5853/WB-G(97)

Dated 14. 1. 1960.

SUBJECT: ADJUSTMENT OF MILLS INCREMENT AGAINST THE
INTERIM RELIEF- CLARIFICATIONS.

Dear Sir,

In referring to your letter no. WB/8037, dated the 5th December, 1959, on the above subject, I am desired to state as under:-

Sri Chaturgun Prasad : As the retaining allowance is paid as a fixed ratio to the wages that the employees receive, it does not offer itself as a criterion for determination as to whether or not there has been any promotion. The Behar Sugar Workers' Union has maintained that Sri Chaturgun Pd. was originally employed as seasonal accounts clerk. The mills have given the description of "cane cash book writer" to this post. He was given an increment of Rs. 8/- w.e.f. February 1950 and came to work as 'cashier' according to the union and "cane cash distributor" according to the management. However, it is admitted in the Company's letter that Sri Chaturgun Pd. came to handle cash in his latter capacity. The increment of Rs. 8/- having been allowed in consequent upon Sri Chaturgun Pd. coming to discharge duties of the post carrying higher responsibilities, it is not covered under clause 3 of the Board's recommendations and would, therefore, not be adjustable against the increment calculable under clause 6 thereof.

Sri G.C. Misra : It appears that Sri Misra was appointed in the year 1954 as a typist on Rs. 100/- per month. He earned two increments of Rs. 1/8/- and Rs. 7/8/- between 21.6.54 and February 28, 1958. From 1st March, 1958, he was promoted as Steno-typist and his salary was raised to Rs. 135/-. He was given an increment of Rs. 26/- consequent to this promotion. Since the increment of Rs. 9/- (Rs. 1/8/- plus Rs. 7/8/-) given to Sri Misra as typist is more than the interim relief under Board's recommendations for this wage slab, the management is not bound to give him any further increment in wages under the terms of the Board's recommendations.

Yours faithfully,

(H. M. MISRA)
SECRETARY.

No. 5853/WB-G(97)

dated 1 . 1. 1960.

Copy forwarded to the Behar Sugar Workers' Union, Pachrukhi with reference to its letter No. 176 dated 22.10.59. This also disposes of their letter no. 192, dated 22.12.59.

(H. M. MISRA)
SECRETARY.

No. 5853/WB-G (97)/

Dated-..... 14.1.62.....

Copy forwarded for information to :-

1. The Secretary, Indian Sugar Mills Association, India Exchange Building, Calcutta - 1.
2. The Secretary to Govt., Labour Department, U.P., Lucknow.
3. The Dy. Secretary to Govt. of India, Ministry of Labour & Employment, New Delhi.
4. The United Trade Union Congress, 249, Bow Bazar Street, 1st Floor, Calcutta.
5. All India Trade Union Congress, 4 Ashok Road, New Delhi.
6. Hind Mazdoor Sabha, Servants of India Societies Home, Bombay.
7. Indian National Sugar Mill Workers' Federation, Shahanshah Manzil, Golaganj, Lucknow.
8. United Chini Mill Mazdoor Federation, Kanpur.
9. Indian National Trade Union Congress, 17 Janpath, New Delhi.
10. The Secretaries to Government of Punjab/Uttar Pradesh/Bihar/Bombay/Madras/Mysore/Madhya Pradesh/S. Bengal/Kerala/Orissa/Andhra Pradesh/Labour Departments.
11. All the members of the Central Wage Board for Sugar Industry.

Encl: One copy of letter
under reference.

(H. N. MISRA)
SECRETARY.

RP. 15/1

L 20041.3 ✓

COPY OF THE LETTER NO. 176 DATED 22nd OCTOBER, 1959 FROM THE
GENERAL SECRETARY OF THE BIHAR SUGAR WORKS UNION ADDRESSED TO
THE SECRETARY, CENTRAL WAGE BOARD FOR SUGAR INDUSTRY, GORAKHPUR.

Ref: Clarification regarding implementation of Wage Board
recommendation for interim increment.

==

There are certain workers who have approached the Labour Union to recommend their cases for increment which according to them is payable to them as per the recommendations of Wage Board. As we are willing to be ourselves sure of their claim before we write to the Management, we would request you to give your clarification. Along with others, for your reference, we cite here-below two cases and rest all are of the similar nature.

1. Shri Chaturgun Prasad :- He was appointed originally as a Seasonal Accounts Clerk. After some years he was promoted to the post of Seasonal Cashier with more responsibility. He was allowed an increment of Rs. 8/- per month at the time of promotion to the post of cashier.

2. Shri G.C.Misra :- He was appointed as a Typist from 21.6.54 till February 1958 his designation was typist. Besides Bihar Government increment of Rs. 1/8/- he was given an efficiency increment of Rs. 7/8/- from 1.1.1958 by the Management but with effect from 1.3.1958 he was promoted to the post of Steno-typist on a consolidated pay of Rs. 135/- as on a minimum pay scale of Steno-typist in this factory. His original salary was Rs. 100/- when the applicant was engaged as typist in the beginning of his service.

While giving your valued clarification kindly also elucidate whether any short of increment either efficiency or by government granted by the Management before promotion is to be merged in the increment at the time of promotion or to be adjusted against Wage Board increment.

Yours faithfully,

Sd/-
General Secretary.

20 JAN 1960

OFFICE OF THE CENTRAL WAGE BOARD FOR SUGAR INDUSTRY,
Ministry of Labour & Employment,
Government of India,
Civil Lines, Kasia Road,
GORAKHPUR.

The Secretary,
South Indian Sugar Mills Association,
No. 1, North Beach Road,
Post Box No. 12,
Madras-1.

No. 5854/WB-G(97)

Dated

SUBJECT: ADJUSTMENT OF MILLS-INCREMENT AGAINST THE
INTERIM RELIEF- CLARIFICATIONS.

Dear Sir,

In referring to your letter no. Nil dated the 16th
December, 1959, I am desired to say that the issue raised is
very general.

However, as a general rule, it may be stated that
if the increment is earned in the same job, then it would be
an increment of the type as contemplated in clause 3 of the
Board's recommendations and would, therefore, be adjustable
against the interim wage increase calculable under clause 6
thereof.

But the increments consequent to promotion to
higher job with greater responsibilities could not be adjusted
against the interim increase calculated in terms of the Board's
recommendations. Copies of the two letters issued by the
Board on specific references involving such points are enclosed
for your perusal.

Yours faithfully,

(H. M. MISRA)
SECRETARY.

RP.15/1

16 JAN 1960

Copy forwarded for information to

- 1 . The Secretary, Indian Sugar Mills Association, Indian Exchange Building, Calcutta -1.
- 2.. The Secretary to Govt. Labour Department, Lucknow.
- 3.. The Dy. Secretary Govt. of India, Ministry of Labour & Employment, New Delhi.
4. Convener Committee of All Trade Unions, in Maharashtra.
- 5 . Deccan Sugar and Abkari Co. Pugalur, Staff Union, Pugalur.
6. The East India Distilleries and Sugar Factories Labour Union, Nellikuppam.
- 7 . United Trade Union Congress, 249, Bow Bazar Street.1st Floor Calcutta.
- 8 . All India Trade Union Congress, 4 Ashok Road, New Delhi.
- 9 . Hind Mazdoor Sabha Servants of India Societies Home, Bombay.
10. Indian National Sugar Mill Workers Federation, Shahanshah Manzil, Golaganj, Lucknow.
11. United Chini Mazdoor Federation, Kanpur.
12. Indian National Trade Union Congress, 17 Janpath, New Delhi.
13. The Secretaries to All Governments except U.P.
14. All the members of the Central Wage Board for Sugar Industry.

Encl: As above.

H. M. MISRA
(H. M. MISRA)
SECRETARY.

14 JAN 1960

Central wage Board for Sugar Industry,
Ministry of Labour & Employment,
Government of India,
Civil Lines, Kasia Road,

No. 5767 /WB-G(59)

Gorakhpur, January 11, 1960.

Re

The Secretary,

All India Trade Union Congress,

4 Ashoka Road, New Delhi

Dear Sir,

I am directed to notify that the hearings of the parties viz. the sugar mills and their employees in Madhya Pradesh and Rajasthan will be conducted by the Central Wage Board for Sugar Industry on the 1st and the 2nd Feb., 1960 in the Assembly Hall of Moti Mahal in Gwalior.

The mills concerned and the registered unions of employees whose names were available in the Board's office have been sent separate notices. I am to request you to please inform your respective affiliates to arrange appearances.

Yours faithfully,

(H. M. Misra)
Secretary.

No. /WB-G(59) of date

Copy forwarded for information to the following :-

1. The Labour Commissioner, Madhya Pradesh, Indore.
2. The Labour Commissioner, Rajasthan, Ajmer.
3. The Asstt. Labour Commissioner, Gwalior.

(H. M. Misra)
Secretary.

(PUBLISHED IN THE GAZETTE OF INDIA
PART I SECTION I, dated the 30th Jan. 1960)

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT

Dated, New Delhi, the 25th Jan. 1960.

RESOLUTION

WB-7(89) - In partial modification of the Ministry of Labour and Employment Resolution No. WB-7(2), dated the 26th December, 1957, Shri Shantilal K. Somaiya is appointed as a member to represent employers on the Central Wage Board for Sugar Industry, vice S. Gulabchand Hirachand resigned.

ORDER

Ordered that a copy of the Resolution be communicated to:-

- (1) All State Governments and the Union Territories.
- (2) All Ministries of the Government of India and the Planning Commission.
- (3) All India Organisations of Employers and Workers.
- (4) The Indian Sugar Mills Association, India Exchange Place, Calcutta-1.

Ordered also that the Resolution be published in the Gazette of India for general information.

Sd/- P.M. MENON
Secretary to the Government of India.

22 FEB 1960

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CENTRAL WAGE BOARD FOR SUGAR INDUSTRY
Ministry of Labour & Employment
GOVERNMENT OF INDIA
Kasia Road, Civil Lines,

No.6501/WB-G(97)

GORAKHPUR: February 17, 1960.

To

The Secretary,
Indian Sugar Mills Association,
East U.P. Branch, Gorakhpur.

Sub: INTERIM RELIEF RECOMMENDATIONS : CLARIFICATIONS

Dear sir,

In referring to your letter no. 15577 dated 1st February, 1960, I am desired to state as under in regard to the two points raised by you :-

1. The staff and the loading coolies at the outstations being employees of the mills receiving salaries and wages below Rs. 500/- per month are clearly covered by the recommendations regarding interim wage increase.
2. In regard to the labour engaged through the contractors also, it is to add that all employees receiving up to Rs. 500/- and covered by wage regulations in the sugar industry should be deemed covered by the recommendations of interim wage increase.

Faithfully yours,

H. M. MISRA
(H.M. MISRA)
Secretary.

No.6501/WB-G(97)

of date

Copy forwarded for information to :

1. The Secretary, Indian Sugar Mills Association, India Exchange Building, Calcutta - 1.
2. The Secretary to Government, Labour Department, U.P., Lucknow.
3. The Deputy Secretary to Government of India, Ministry of Labour & Employment, New Delhi.
4. United Trade Union Congress, 249, Bow Bazar Street, 1st Floor, Calcutta.
5. All India Trade Union Congress, 4, Ashok Marg, New Delhi.
6. Hind Mazdoor Sabha, Servants of India Societies Home, Bombay.
7. Indian National Sugar Mill Workers' Federation, Shanshah Manzil, Golaganj, Lucknow.
8. United Chini Mill Mazdoor Federation, Kanpur.
9. Indian National Trade Union Congress, 17, Janpath, New Delhi.
10. The Secretaries to all the Governments, Except U.P.
11. All the members of the Board.

H. M. MISRA
(H.M. MISRA)
Secretary.

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NO. V.B.7(89)
GOVERNMENT OF INDIA
MINISTRY OF LABOUR & EMPLOYMENT
.....

From

Dr. B. R. Seth,
Deputy Secretary to the Government of India.

To

- (1) The Secretary,
Employers' Federation of India,
Army & Navy Building,
148, Mahatma Gandhi Road, Bombay-1
- (2) The Secretary,
All India Organisation of Industrial Employers,
Federation House, Bara Khamba Road, NEW DELHI.
- (3) The General Secretary,
Indian National Trade Union Congress,
17, Janpath, NEW DELHI
- (4) The Secretary,
All India Manufacturers' Organisation,
4th Floor, Cooperative Insurance Building,
Sir Ferozchah Mehta Road, Bombay.
- (5) The General Secretary,
Hind Mazdoor Sabha,
Servants of India Society's Home,
Bardar Patel Road, Bombay-4.
- (6) The General Secretary,
All India Trade Union Congress,
4, Ashok Road, New Delhi.
- (7) The General Secretary,
United Trade Union Congress,
249, Bow Bazar Street, 1st Floor,
Calcutta-12.
- (8) The President,
Indian Sugar Mills Association,
India Exchange Place, Calcutta-1

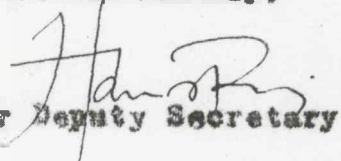
Dated New Delhi, the

Subject:- Central Wage Board for Sugar Industry-Appointment
of a member in place of Shri Gulabchand Hirachand
to represent employers on the Wage Board.

Sir,

I am directed to enclose for your information a
copy of Government of India's Resolution No. WB-7(89),
dated the 25th January, 1960, published in the Gazette of
India-Part I Section I, dated the 30th January, 1960,
on the subject noted above.

Yours faithfully,


for Deputy Secretary (17/1/60)

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CENTRAL WAGE BOARD FOR SUGAR INDUSTRY
Ministry of Labour & Employment
GOVERNMENT OF INDIA
Kasia Road, Civil Lines,

No. 6455/WB-G(97)

GORAKHPUR: February 13, 1960.

To

The Manager,
Punjab Sugar Mills Co. Ltd.,
Ghughli, Dist. Gorakhpur.

Sub: AWARD OF INTERIM WAGE INCREASE - CLARIFICATIONS :

Dear sir,

In referring to your letter no. 2839 dated January 12, 1960 I have to state as follows in respect of the points raised by you:-

- 1). All employees on the muster roll of the mills receiving up to Rs. 500/- are covered by the recommendations of the Board irrespective of their postings and nature of work performed.
- 2). The point raised in second para of the letter under reference is not covered by the clarifications given vide our letter no. 68/WB-G(12) dated April 9, 1959 in the case of Balrampur Sugar Company Ltd. It is however covered by the clarification issued vide our letter no. 3374/WB-F(38) dated September 10, 1959 in the case of Sugauli Sugar Works Ltd. A copy of this along with a copy of the mills letter in question is being enclosed for your perusal. You will notice that there is a distinction between a "seasonal" and "temporary" employee. The latter is one employed for temporary work only whereas the former continues from season to season. In the case of seasonal workmen the relationship of employer and employee should be deemed to subsist. All the more so, in the case of employees receiving retaining allowance. So, for employment during off season the wage increase allowed under the terms of Board's recommendations to seasonal employees should continue.
- 3). In regard to the third point raised by you, it is to confirm that the Board has not so far recommended raising of the minimum wage as such. That being so, old retrenched hands appointed after 1st January, 1959 may start without interim relief.

Faithfully yours,

(H.M. MISRA)
Secretary.

No. 6455(1) / WB-G(97)

of date 13 FEB 1960

Copy with a copy of the letter under reference is forwarded for information to

P T O

1. The Secretary, Indian Sugar Mills Association, India Exchange Building, Calcutta - 1.
2. The Secretary to Government, Labour Department, U.P., Lucknow.
3. The Dy. Secretary to Govt. of India, Ministry of Labour & Employment, New Delhi.
4. The Secretary, Ghughli Chini Mill Mazdoor Union, P.O. Ghughli, District - Gorakhpur.
5. The Secretary, Chini Mill Karmchari Sangh, P.O. Ghughli District - Gorakhpur.
6. The United Trade Union Congress, 249, Bow Bazar Street, 1st Floor, Calcutta.
7. Hind Mazdoor Sabha, Servants of India Societies Home, Bombay.
8. Indian National Sugar Mill Workers' Federation, Shahmshah Manzil, Golaganj, Lucknow.
9. United Chini Mill Mazdoor Federation, 19/36, Patkapur, Kanpur.
10. Indian National Trade Union Congress, 17 Janpath, New Delhi.
11. All India Trade Union Congress, 4 Ashok Road, New Delhi.
12. All the members of the Central Wage Board for Sugar Industry.
13. The Secretaries to All State Governments except U.P.

Encl: One copy of letter
under reference.

H. M. MISRA
(H. M. MISRA)
Secretary.

Copy of letter no. 2839 dated 12th Jan. 1960 from the Punjab Sugar Mills Co. Ltd., Ghughli (Gorakhpur) to the Secretary, Central Wage Board for Sugar Industry, Civil Lines, Gorakhpur.

* * * * *

We beg to submit the following points for your clarification

- 1). There are a few domestic servants working exclusively in the quarters of the Company, but they are paid the minimum wage of Rs. 55/- per month by the Company. As submitted to the Wage Board by the Employers' Association, this category should be excluded from the purview of the Wage Board. The Labour union is demanding interim relief to these domestic servants.
- 2). You have already given clarification regarding temporary appointments during the off-season 1959 vide your letter no. 68/WB-G dated 9.4.1959 addressed to the Balrampur Sugar Co. Ltd., Balrampur P.O. Tulsipur. However, during the off-season of 1959, we employed a few workers temporarily, who are retainer holders. The Labour Union is demanding interim relief to these workmen who are employed temporarily during the off-season for the period of their temporary employment during the off-season as they are retainer holders.
- 3). We have filled in a few vacancies in the season 1958/59 and the current season 1959-60 and have appointed old retrenched employees. In our opinion such employments should be treated as fresh employments and no interim should be paid to them.

Kindly therefore send your clarification at an early date and oblige.

* * * * *

12 FEB 1960

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CENTRAL WAGE BOARD FOR SUGAR INDUSTRY
Ministry of Labour & Employment
GOVERNMENT OF INDIA
Kusia Road, Civil Lines

No. /WB-E(85)

GORAKHPUR, February 9, 1960.

To

The Accountant General, U.P.,
G.A. 7 Section, Allahabad.

Subject: I.A. TO WITNESSES APPEARED BEFORE THE WAGE BOARD
TO GIVE EVIDENCES.

Sir,

I am to invite reference to this office letter no. 5857/WB-E(18) dated January 14, 1960 on the above subject and have to request you to kindly expedite action on the I.A. bills of the witnesses as some of the gentlemen concerned have reminded us on the same behalf.

Yours faithfully,

(H. M. MISHRA)
Secretary.

No. 6376-1 /WB-E(18)

of date - 9 FEB 1960

Copy forwarded for information to the following :

1. Shri E.D. Sinha
2. Shri Bhanu Agarwal
3. Shri Bhanu Shyam Agarwal,
4. Shri Satish Chandra Joshi, and
5. Shri Kadan Prasad, M.L.A., and
6. Prof. R. K. Mishra.

H. M. MISHRA
(H. M. MISHRA)
Secretary.

(332)

CENTRAL WAGE BOARD FOR SUGAR INDUSTRY
Ministry of Labour & Employment
GOVERNMENT OF INDIA
Kasia Road, Civil Lines
G O R A K H P U R

No. XYZ/WB-G(59)

Camp Gwalior: February 4, 1960.

To,

The Manager,
The Gwalior Sugar Co. Ltd.,
P.O. Dabra, Dist: Gwalior
Madhya Pradesh.

Dear Sir,

In referring to your letter no. 10552 dated February 3, 1960 I am desired to state as follows in regard to the points raised by you :-

It should be clear from clause (3) of the Board's recommendations that in the case of employees of your mills where wage scales exist the increments earned after 1st January, 1954 will be set off against the interim increase recommended under clause (6) of the Board's recommendations. Thus if a workman in the scale of Rs. 50-1-54, who had earned two annual increments of Rs. 1/- each of his scale by 1st January, 1959 will be entitled to receive an additional increment of Rs. 1/- the two increments of Rs. 1/- each earned by him being set off against the total of Rs. 3/- accruable to him in terms of Board's recommendations in clause (6) (a).

The interim increments under the Board's recommendations are without prejudice to the future increments of the scale to which workers may be eligible in the time scales prevailing in the factory.

As far the second point raised by you, it is to confirm that it may well be that two workmen in the same pay-scales entering into employment in different years may, come to receive similar pay on account of grant of the interim relief in terms of the Board's recommendations.

Faithfully yours,

Sd/-

(H. N. MISRA)
SECRETARY.

OFFICE OF THE CENTRAL WAGE BOARD FOR SUGAR INDUSTRY, GORAKHPUR,
Ministry of Labour & Employment

No. 6432/WB-G (97)

Dated 11 FEB 1960

Copy with a copy of the letter under reference forwarded for information to :-

1. Shakkar Mill Mazdoor Union, Station Road, Dabra.
2. Gwalior Sugar Company Workers Union Mandi, Dabra.
3. Labour Commissioner M.P., Indore.
4. The United Trade Union Congress, 249, Bow Bazar Street, 1st Floor Calcutta.
5. Indian National Sugar Mill Workers Federation, Shahnsah Manzil, Golaganj, Lucknow.
6. All India Trade Union Congress, 4 Ashok Road, New Delhi
7. Hind Mazdoor Sabha, Servants of India Societies Home Bombay.
8. United Chini Mill Mazdoor Federation, Kanpur.
9. Indian National Trade Union Congress, 17 Janpath, New Delhi.
10. The Secretary Indian Sugar Mills Association, India Exchange Building, Calcutta-1. with the request that it may please use its good offices to secure early implementation of the recommendations.
11. The Deputy Secretary to Govt. of India, Ministry of Labour and Employment New Delhi.
12. All the members of the Central Wage Board for Sugar Industry.

H. M. MISRA
(H. M. MISRA)
SECRETARY.

✓

COPY OF THE LETTER No. 10552 DATED 3rd FEBRUARY, 1960 RECEIVED
FROM THE SECRETARY, THE GWALIOR SUGAR COMPANY, LIMITED, P.O.
DABRA, GWALIOR PRANT, MADHYA PRADESH, ADDRESSED TO THE SECRETARY
CENTRAL WAGE BOARD FOR SUGAR INDUSTRY, CAMP: GWALIOR.

Dear Sir,

We would like to have a clarification from you on the following points in regard to the Interim Award given by the Wage Board for Sugar Industry :-

- (1) The Gwalior Sugar Company employs workers under fixed grades for different categories in which yearly increments are fixed. The question is whether these employees are entitled to both the increments, one under the grade and the other under the Interim Award or to one increment only whichever is greater?
 - (2) Whether the employees taken on work at a later date would be entitled to be put on par with a senior employee so far as emoluments are concerned under the Interim Scheme? Example: Two men were appointed one in 1957 and the other in 1958 in the same grade viz Rs. 50-1-54. It appears on calculation that both men would be getting Rs. 54/- in 1959 which is rather enomolous in view of the seniority of the other man and might conceivably lead to disputes in future.
- We shall be greatly obliged for an early reply.

Yours faithfully,
For THE GWALIOR SUGAR COMPANY LTD.,

Sd/-

(J. COOLAK)
SECRETARY.

20 JAN 1960

OFFICE OF THE CENTRAL WAGE BOARD FOR SUGAR INDUSTRY,
Ministry of Labour & Employment,
Government of India,
Civil Lines, Kasia Road,
Gorakhpur.

The General Secretary,
Mohini Sugar Mills Workers' Union,
Warisaliganj (Gaya).

No. 5852/WB-G(97)

Dated.....

SUBJECT: ADJUSTMENT OF MILLS INCREMENT AGAINST THE
INTERIM RELIEF- CLARIFICATIONS:

Dear Sir,

In referring to your letter no. 426 dated the 8th
December, 1959 on the above subject I am desired to state as
follows:-

The first issue raised is whether a workman appointed
on 1.1.1959 is entitled to interim relief in terms of the Board's
recommendations. Manifestly, this is a hypothetical question
as no such case as has been referred to the Board, although as
a hypothesis it can be answered in the affirmative.

Next is the question whether adhoc increments taking
effect from January 1, 1959 would be adjustable against the
interim relief. This point has already been answered in
affirmative in the particular circumstances of the case referred
to in union's letter no. 411 dated the 23rd November, 1959.

This also disposes your letter no. 453 dated 31.12.59.

Yours faithfully,

(H. M. MISRA)
SECRETARY.

9 MAR 1960

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CENTRAL WAGE BOARD FOR SUGAR INDUSTRY
Ministry of Labour & Employment
GOVERNMENT OF INDIA
Kasia Road, Civil Lines,

No. 6796/WB-G(97)

GORAKHPUR: March 4, 1960.

To

The Director,
Managing Agents,
The Gwalior Sugar Company Ltd.,
P.O. Box no. 376, KANPUR

Sub: INTERIM RELIEF RECOMMENDATIONS & CLARIFICATIONS:

Dear sir,

I have for reference your letter no. 103/60 dated 26th February, 1960 in supersession of your Labour Officer's letter no. 103/60 dated 15th February, 1960. Apropos your suggestion that the interim increments under the Board's recommendations should not only be set off against the increments earned by the workmen after the 1st June, 1954, but should also be treated as accelerated increments given to the workmen in accordance and within the pay-scales obtaining in the factory, I am directed to say that this can not be wholly applicable to the calculation of increments due under the recommendations of the Board.

The interim increase recommended by the Board may be considered as accelerated increments in the case of a particular workman if that brings him to the top of his scale or makes him cross it. But if workman is eligible for certain increments under the terms of the Board's recommendations which would make him cross the maximum of his scale, the amount of interim increase in his case can not be curtailed to the maximum of his scale. This may be illustrated by an example. If 'A' was engaged on 20th December 1958 in the scale of Rs. 50-1-52 he will after 1st January, 1959 be eligible for Rs. 50/- plus Rs. 3.00 i.e. Rs. 53.00 in terms of the Board's recommendations and not for Rs. 52.00 only.

In the illustration given by you, dates of engagements are omitted and only the years have been given. These however, are very necessary for giving categorical reply. There however, seems to be one other fallacy in the illustration given by the company. The company seems to be under the impression that the increment recommended by the Board is to be effective from 1960. That however, is not so. Para 5 of the Board's recommendations, a copy of which is enclosed for your ready reference, will show that the interim relief is effective from 1st January, 1959.

Taking the clue from your illustration, I give here under illustration to clarify the points which seem to me engaging your attention :-

P T O

Scale of pay	1955	1956	1957	1958	1959	No. & increments scale, if any, to be further due.
"A" Engaged on 31.1.57	51/-	51+1 = 52/-	52 + (Rs. 3* - 1) = Rs. 54/-	54/-	54/-	One increment of Rs. 1/- after 31-1-1959.
"B" " 31-1-58	51/-	51+3* = 54				One increment of Rs. 1/- after 31.1
"C" " 31-1-55	51/-	52/-	53/-	54/-	54/-	One increment of the scale as usual after 31.1.59. (No interim increase as the aggregate of increments of the scale exceeds the interim increase due in his case.)
<u>Scale of 52-1-54:</u>						
"D" " 31-1-58	52/-	52 + 3* = 55/-				No further increment of the scale as he has already crossed it.

* Show amount of interim increment
 " show increments of the scale to be adjusted.

It will be seen from the illustrations given above that a junior workman is placed not on more advantageous position than a senior. Of course, the junior and the senior may draw the same total wages as a result of the interim relief. But this is not an unusual feature in an industrial concern according to existing practice.

The interim relief was given on ad hoc basis. It does not intend to lay down any wage structure. While it gives relief to those workmen who were denied increments in the past, it allows adjustments and gives credit to those employers who gave increments either by time scale system or in an adhoc manner, so that they may not suffer for having given increments.

Besides, your attention is invited to the following proviso to the Board's recommendations :-

"Provided that the total emoluments of any workman appointed after the 1st January, 1949 for factories situated in U.P., Bihar and East Punjab and after the 1st June, 1954 for factories situated in the rest of the country, after adjustment contained in para 3 shall not exceed the emoluments of the workmen in the same category appointed before the 1st January, 1949 or the 1st June, 1954 as the case may be. In no case, however, the existing emoluments of any such workmen shall be reduced."

Lastly, I have to add that para one of the company's letter no. 103/60 dated 15th February, 1960 tends to give the

impression that there has taken place a considerable amount of correspondence between the company and this office on this issue of clarification and the delay in implementation of the recommendation is on account of that, while the fact is that the first move by the company seeking clarification from the Board was made at the instance of Board itself vide their letter no. 10552 dated 3rd February, 1960 which was replied by us the very next day vide our letter no. 116/WB-G(59) dated February 4, 1960 and the reply delivered by hand to the Secretary of the concern at Gwalior itself.

Faithfully yours,

(H. M. MISRA)
Secretary

No. 6796/WB-G(97)

of date

Copy with a copy of the letter under reference forwarded for information to :-

1. Sakkar Mill Mazdoor Union, Station Road, Dabra.
2. Gwalior Sugar Company Workers Union Mandi, Dabra.
3. The Labour Commissioner, M.P. Indore.
4. The United Trade Union Congress, 249, Bow Bazar Street, 1st Floor Calcutta.
5. Indian National Sugar Mill Workers Federation, Shahmshah Manzil, Golaganj, Lucknow.
6. All India Trade Union Congress, 4 Ashok Road, New Delhi.
7. Hind Mazdoor Sabha, Servants of India Societies Home, Bombay.
8. United Chini Mill Mazdoor Federation, Kanpur.
9. Indian National Trade Union Congress, 17 Jenpath, New Delhi.
10. The Secretary, Indian Sugar Mills Association, India Exchange Building, Calcutta-1.
11. The Deputy Secretary to Govt. of India, Ministry of Labour & Employment, New Delhi.
12. All the members of the Central Wage Board for Sugar Industry

(H. M. MISRA)
Secretary.

Copy of letter no. 103/60 dated February 26, 1960 from the Gwalior Sugar Co. Ltd., P.O.Box no. 376, Kanpur to the Secretary, Central Wage Board for Sugar Industry, Kasia Road, Gorakhpur.

* * * *

Will you please refer to the correspondence resting with our letter no. 103/60 dated 15th February, 1960 regarding clarification which our Company is seeking in respect of implementation of interim award of the Wage Board by our factory.

The aforesaid letter of the 15th February, 1960 which was addressed to you by our Labour Officer is not fully explanatory and therefore we are endeavouring to illustrate our point further so that you will be in a position to give us the necessary clarification.

In your letter no. 116/WB-G(59) dated 4th February, 1960 you have in the concluding paragraph clarified one of the points at issue, namely that a worker who has put in less services may come to receive emoluments equal to that of a worker who has more seniority of service. We also note from para one of your letter dated 4.2.1960 that annual increments paid to the workers after 1st January, 1954 will be set off or adjusted against the interim increase under clause 6 of the Wage Board's recommendations. Our difficulties arise from an interpretation of the penultimate para of your letter under reference, namely the interim increments are without prejudice to the future increments of the scale to which workers may be eligible in the time scale prevailing in the factory. From the under-noted specific example that we are giving, it will become apparent to you that if we have to comply with this provision the junior workmen would in the course of time have to be paid higher emoluments even beyond our pay-scale, as compared with the senior workmen who have already reached the top of their scale and also do not qualify for any interim increment in terms of the award. We have throughout believed that this particular point that has been raised by us, has not been brought to the notice of the Board by any other factory as most of the sugar factories, we understand, have no pay-scales for their workmen. We also feel that it could never be the intention of the Board to place junior workmen on more advantageous terms than the senior workmen. Having regard to the foregoing circumstances we would request the Board to accord its approval to the following procedure which in our opinion, if adopted, would remove the present difficulties.

The interim increments under the Board's recommendations to be paid to our workmen should not only be set off against the increments earned by the workmen after the 1st January 1954, but should also be treated as an accelerated increment given to the workmen in accordance and within the pay-scale obtaining in the factory. In this manner the workers would be receiving the full interim relief and at the same time the anomaly pointed out above would be precluded.

Since we are anxious to implement the award without further delay, we trust that you will kindly send us an early reply.

* * * * *

	1957	1958	1959	1960	1961	1962	1963
As per pay scale obtaining in our Factory							
1. A workman employed in 1957 will get	51/-	52/-	53/-	54/-	55/-		
2. A workman employed in 1959 will get			51/-	52/-	53/-	54/-	55/-
Add:- Increment in implementation of interim award.				2/-	2/-	2/-	2/-
∅ Total Emoluments				54/-	55/-	56/-	57/-

APR 1960

GRAMS: SUGWAGE
PHONE: 466

From,

Sri H.M. Misra,
Secretary,
Central Wage Board for Sugar Industry,
Civil Lines, Kasia Road,
Gorakhpur.

To,

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

No. 7423 /WB-G(88)

Dated April 18, 1960.

SUBJECT: APPOINTMENT OF SUB-COMMITTEE TO REPORT ON THE
STANDARDISATION OF NOMENCLATURE.

Dear Sir,

With reference to your letter No. Nil dated April 9, 1960, I am desired to say that the Wage Board has appointed two sub-committees one for the South and the other for the North-- for standardisation of nomenclature and classification of employees on the basis of skill. Each principal member of employers and employees has nominated his substitute to serve in the sub-committee. The members of the nomenclature sub-committee so nominated are as follows :-

SUB-COMMITTEE NORTH.

1. Sri J.P. Saxena of Rohtas Industries, Dalmianagar (Bihar). Nominee of Sri R.P. Nevatia one of the Employers' member in the Board.
2. Sri K. Dasgupta, Vice President, Indian National Sugar Mill Workers' Federation, 171-J, Abulane Meerut- Cantt. Nominee of Sri K.N. Pande- one of the employees' member in the Board.

SUB-COMMITTEE SOUTH

1. Mr.D.B. Kale, Labour & Welfare Officer, Maharashtra Sugar Mills Ltd., Tilaknagar. Nominee of Sri G.J. Ogale- one of the employees' member in the Board.
2. Sri H.S. Ganpule, The Phalton Sugar Works Ltd., Sakharwadi (Bombay) Nominee of Sri S.K. Somaiya - one of the employers' member in the Board.

The visits of the sub-committees are to cover 8 (eight) factories in the North zone and eight in South zone. The names of the factories to be visited together with the date of visit are enclosed.

Yours faithfully,

Encl. As above.

H.M. Misra
(H. M. MISRA)
SECRETARY

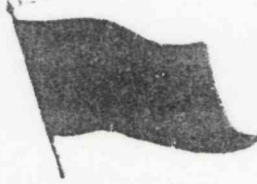
RP.

Workers of the World Unite !

18 APR 1960

Tel. No. 398

Sakhar Kamgar



Union, Kolhapur.

600
Kasaba
no

(Registered, Representative, Approved)

Local Area : KARVIR TALUKA

Regd. No. 1137

Sub Office : Main Road,
Kasaba Bawada, Kolhapur No. 3.

: Head office :

1881, D, Shaniwar, Lonar
Galli, Kolhapur.

L. O. No. 15. / 4 / 60

Date... 18 APR 1960.

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Dear Comrade,

I am sending herewith a copy of the "Supplementary Replies" to the Central Wage Board for the Sugar Factory, sent on behalf of our Union, with a view to reply the points raised by the Deccan Sugar Factories Association.

With greetings.

Faithfully Yours,

S. S. Patil

(S. S. PATIL) M.L.A.

President,

Sakhar Kamgar Union, Kolhapur.

P.S. All the unions affiliated to the A. I. T. U. C. in Maharashtra viz. Shrigonda Taluka Sakhar Kamgar Union in Ahmednagar district, Phalatan Taluka Sakhar Kamgar Union, Sakharwadi in N. Satara district and our union have sent the similar replies. S. S. Patil

Before the Central Wage Board
for Sugar Industry.

Sakhar Kargar Union, Kolhapur, a registered representative and approved Union for the local area of Karvir Taluka in the Kolhapur District in Bombay State submits its comments and remarks on the Supplementary Note of the Deccan Sugar Factories Association, dated 16-2-60, as under:-

1) For the sake of convenience and brevity the D.S.F.A. Supplementary Note will be hereinafter referred to as 'Note' and the accompanying IBCON's Supplementary memorandum will be referred to as 'Memo'.

Existing Settlements.

2) With reference to para 1 of the Note dated 16-2-60 we have to state that we have fully explained our position vis-a-vis the existing settlements on wage scales, i.e. how they are of interim nature, how they have been arrived at as a result of exasperation and exhaustion etc. As far as change in circumstances is concerned this argument is based on the principle analogous to 'Res judicata'. First of all this is not applicable to 'settlements' but only to decisions by the competent authorities. Besides there are in fact a number of changes in circumstances, success in the Planning, Tripartite norms, growth and expansion of sugar Industry, rise in profits even after these settlements etc. These are the changes which hardly need any strict proof. They are patent and obvious. Besides the Textile Wage Board recommendations is a great change. Sugar workers have never got the dearness allowance at full neutralisation rate as recommended by the Textile Wage Board. In this respect the employers are harping on the fact that a few of the settlements have been arrived at after the Tripartite norms. First of all when there are so many settlements in a region remaining few units have to follow the suit. Moreover, as far as norms are concerned, the HOPB was rightly pinned on the Central Wage Board. No individual employer would have accepted a settlement on the basis of norms in face of all the earlier settlements. Under these circumstances, not to follow suit was to deny the workers whatever benefits were available immediately. Looking to all these circumstances there is a perfect case for altering and modifying these settlements radically on the basis of Tripartite

WORKS. Here we may also invite the attention of the Board to the Textile Wage Board's recommendation regarding dearness allowance. The dearness allowance based on full neutralisation of rise in prices is recommended and this recommendation has been fully accepted by the Central Government.

It must be remembered in this respect that all these settlements have been arrived at on the basis of Hon'ble Shri Naik's Award on minimum wage under which Rs.23-2-6 was fixed as minimum basic wage. All these settlements are based on this minimum. It is, therefore, quite immaterial whether they were arrived at prior to or after the 15th Labour Conference held in July 1957.

As we have explained in our "Replies" and also orally at the time of hearing in Poona and Bombay these settlements are arrived at MAINLY BECAUSE OF KILLING INORDINATE DELAY 8-9 years in the proceedings over the wage-disputes. It is noteworthy that all these disputes which are pending since 1948-49 are yet to be finally disposed off. This is very clear even from the latest award by the State Wage Board ^{which in terms says it is an Interim Award. The Board...} observes, "This is an interim order....." (See page 34 of our "Replies".) This Award is dated as late as 24th Oct. 1958. It may be seen that this delay has caused great unrest especially amongst the semi-skilled and skilled workers who did not get any relief by the minimum wage award, and on the contrary the differential was reduced as a result of that Award which became a source for the unrest and discontent amongst the semi-skilled and skilled workers. Further during all these periods in all other industries in the region, such as engineering etc. the workers could get relief 3 or 4 times through the adjudication, before the principle of 'Res-judicata', was introduced by the Supreme Court into the sphere of industrial relations. The Sugar workers were denied these benefits and looking to the gains of the brother workers in other industries in the region, the discontent and unrest was further deepened and could have taken ill forms which would have been greatly harmful to the industry, to the growth of healthy and responsible trade union movement and to the national interests also.

Thus having been bound hand and foot and delivered in the hands

of the employers, the union were forced to accept whatever terms that were offered or rather dictated by the employers.

The following dates speak for themselves :-

A note regarding ~~the~~ the history of the dispute for wages:

- 1) 1st Notice of change demanding a standardisation of wages. 16th March 1952.
- 2) Reference to the Industrial Court...Ref. (IC) No.64 of 1952.
- 3) Award of the Industrial Court regarding the Minimum Wage... Published in the B.G.G.Part I-L dt.23rd April 1953. *Page 94.*
- 4) 2nd Notice of change-demanding wages-scales for the employees in the Supervisory staff etc.dated 12th Oct.54.
- 5) Appointment of the Wage Board for the Sugar Industry in the Bombay State under Govt.Notification, Development Department No.BIR.2355 dtd.20th March 1956.
- 6) Award of the Industrial Court recommending the Reference^{of} the disputes of wage-scales to the Wage Board for the Sugar Industry for the State of Bombay given on 26-4-56..Published in B.G.G.Part I-L dtd.31st May 1956 page 1978-1987. In the same order the Industrial Court recommended that the unskilled labour need not be covered by the scheme of wage-scales.
- 7) Reference of the disputes to the Wage Board for the Sugar Industry for the State of Bombay under the Bombay Govt. Order Labour & Social Welfare Department No.ARS-3356-G dated the 19th July 1956 under Sec.86KK of the B.R.I.Act, 1946...Ref. Nos.1 and 2 of 1955.
- 8) The Union went into appeal to the Labour Appellate Tribunal against the Industrial Court order regarding deletion of the unskilled labour from the scheme of Wage-scales and the matter was remanded to the Industrial Court.
- 9) The IC under its Award recommended to refer the disputes to the Wage Board for the Sugar Industry for the State of Bombay.
- 10) The demand for the wage-scales for the unskilled was referred to the wage-Board for the Sugar Industry for the State of Bombay under Bombay Govt.Order, Labour & Social Welfare Department No.ARS-3357-1 dated 5th Sept.57 under Ref.No.3 and 5 of 57.
- 11) The agreement between the parties regarding wage-scales in Ref. 1 and 2 of 1956 before the Wage Board for the Sugar Industry for the State of Bombay dated 30th Oct.1957...Published in B.G.G. Part I-L dtd.28th Nov.1957 page 5452.
- 12) The Minimum wage^{wad} stepped to Rs.24/- by a settlement reached between the parties in the Misc.Application No.24 of 1956 on 20th March 1958.
- 13) The Interim order of the Wage Board for the Sugar Industry for the State of Bombay in Ref.3 and 5 of 1957 recommending Rs.2/- as the annual increment on the basis of Rs.24/- for the unskilled workers dated 24th October 1956.

In other Sugar Companies the disputes for rise in wages started earlier. The number of the following references speak for themselves

Belapur Co.Ltd. vs.Sakhar Kargar Sabha.

Ref.(IC) No.248 & 250 of 1950 in the matter ^{of} wages, gratuity retention allowance etc.

Maharashtra Sugar Mills Ltd. vs.Sakhar Kargar Sabha.

Ref.(IC) No.249 of 1950 in the matter of wages, gratuity, retention allowance etc.

The disputes in the above companies were referred to the Industrial Court in the year 1950.

THE DELAY IN THE PROCEEDINGS OVER SUGAR DISPUTES HAS BEEN PROVED TO BE DENIAL OF JUSTICE AND therefore the existing settlements should not at all weigh on the mind of the Board.

3) "Objective Test".

As to the objective test suggested in para 1 and dealt with in paras 2 and 3 of the Note and para 4 and proforma No.2 ^{and} appendix No.III of Memo, by the employers for ascertaining whether existing settlements are fair etc. i.e.the test of comparing our present wages with the prevailing wages in the region. But unfortunately for them, the sooner then they suggested this test they seem to have realised that they cannot pass that test and therefore they mentioned the surrounding agricultural wages as comparable wages. This comparison is patently absurd and need no further comment. Beside as we have pointed out in our 'Replies', this issue of comparison with agricultural wages has been disposed off long back by ^{LAT.} ~~L.I.~~ (Replies page... 12 & 13).

4) "Prevailing Rates".

Here we may also refer to statement No.2 mentioned in the note of D.S.F.A.and para 4, and proforma No.2, and appendix No.III of Memo. Most of the concerns chosen for quoting the prevailing wage level in the region are employing handful of employees or at the most a couple of hundreds in few cases and these concerns stand stand no where in comparison, in size, investment, profits, prospects, elasticity of the demand for the commodities they produce etc. We are attaching herewith a statement showing prevailing wages in some comparable concerns in the region and is marked as statement No.1. This is without prejudice to our submission that they should not guide this Board. The Board should strictly implement the 15th Labour Conference norms. We have attached statement No.1 only

to show that the employers figures in this respect are altogether misleading.

5) Pay Commission Approachs

Now coming to the employers reliance on the Second Pay Commission's conclusion in respect of the Fifteenth Labour Conference Minimum Wages norms e.g. with reference to paras 6,7,& 9 of Note we have to submit as follows :-

1. Tripartite Norms (July 1957)

"(1) While accepting that minimum wage was 'need-based' and should ensure the minimum human needs of the industrial worker the following norms were accepted as a guide for all wage-fixing authorities including minimum wage committees, wage boards adjudicators, etc--

- 1) In calculating the minimum wage the standard working class family should be taken to comprise three consumption units for one earner, the earning of woman, children and adolescents being disregarded.

ii) Minimum food requirements should be calculated on the basis of a net intake of calories as recommended by Dr. Aykroyd for an average Indian adult of moderate activity.

iii) Clothing requirements should be estimated on the basis of a per capita consumption of

1. Pay Commission.

"It is not intended that departure from the norms could be made on the ground that the country's economy could not afford a minimum wage determined by these norms. The recommendations, moreover, are expressly meant to be followed during the current Plan Period; they do not lay down an objective to be achieved progressively as the economy develops and the fruits of development are more equitably distributed."

(Pay Commission Ref. p. 63)

"The minimum in terms of Labour Conference recommendations would be of the order of Rs. 125/- per month."

(Pay Commission Report .68)

"The minimum wage cannot be of the order of Rs. 125/-, when on the basis of the national income the average for a family works out only to Rs. 97/- per month. It is not that the entire national income is available for correct distribution; a good percentage of it must go towards building up of capital assets, without undergoing distribution. A minimum wage pitched above the level of per capita

18 yards per annum, which would give for the average worker's family of four a total of 72 yards.

iv) In respect of housing, the rent corresponding to the minimum area provided for under Government's Industrial Housing scheme should be taken into consideration in fixing the minimum wage.

v) Fuel, lighting and other miscellaneous items of expenditure should constitute 20% of the total minimum wage.

(2) Wherever the minimum wage fixed was below the norms recommended above, it would be incumbent on the authorities concerned to justify the circumstances which prevented them from adherence to the aforesaid norms.

(Pay Commission Report p.62)

II. Labour Ministry (Dec. 1958)

"....Your letter raises a question regarding the nature and status of the agreements reached in the Indian Labour Conference. Since then I have spoken to you in this connection.

The communication from the Ministry to which you have referred does not, I am sorry to say, express the position accurately. The decisions of the Conference may be in the nature of recommendations for others but are to be taken as binding on the parties.

This elucidation should re-

income and intended for very wide application is obviously one beyond the country's capacity; in ignoring the vital need for savings and investment, such a wage gives no thought to the future; and a wage that exceeds the highest level, and far exceeds the general level in the organized industries is obviously not one needed for protecting those whose living standards are sub-average."

(Pay Commission report p.64)

II. Finance Ministry (April '58)

"...The Government desire me to make it clear that the recommendations of the Labour Conference should not be regarded as decisions of Government and have not been formally ratified by the Central Government. They should be regarded as what they are,

namely, the recommendations of the Indian Labour Conference which is tripartite in character. Government have, at no

remove the doubt and apprehension which you have expressed in your letter...." (Letter to Shri S.A.Dange by Shri G.L.Handa, Labour Minister, Crisis & Workers by S.A.Dange Page 154).

time, committed themselves to taking executive action to enforce the recommendations.. (Letter to Pay Commission Pay Commission Report p.63)

6) PERTURBING INDEED.

No doubt there are divergent approaches towards the problems of industrial relations and especially minimum wages by different agencies under the central government. How then our economy can be directed and shaped in a planned manner? Indeed a perturbing question.

And who is not perturbed over - The Country-wide strike by the ^{state} Stand Bank employees and similar moves by others. These recent developments in the sphere of industrial relations are the most eloquent comments on the Pay Commission Report. The management have been emboldened to refuse even to discuss the Charter of Demands on the ground that the same are 'highly pitched'. The employees come on the streets. Thus, the Pay Commission could ^{not} inspire any confidence to maintain industrial peace in neither of the sides and could not be said to find out a just solution of the problems of the employees.

7) Character And Composition.

Apart from the nature of the recommendations the character and the composition of the Commission is such that it could not create any such confidence. Even after coming to the conclusion that the tribunals have failed to achieve the desired, and having found the new type of tripartite machinery such as Indian Labour Conference, Wage Boards etc. the Government appointed such a body which is neither compulsory adjudication machinery nor the bipartite or tripartite machinery for collective bargaining but a mere high power departmental committee of experts. Except submitting the statements and replies to the questions in writing or in person the employees had no hand in shaping the decisions or the voice in deliberations. They had not even the opportunity to screen, verify, check, or, test all the materials produced by the other side just as they could have in adjudication proceedings.

8. First Pay Commission.

If we look at the first Pay-Commission from this angle we find that it worked without the background of Planning the goal of socialistic pattern of society and the accompanying immediate objective, or, the tripartite norms. Besides, even then employees were represented on the body by late Shri N. M. Joshi, Shri N.V. Gadgil even if not as a labour representative but being conversant with urges of the common man was also there.

It can be safely said that the failure of the Government to provide the essential content of the forum for collective bargaining in the form of Pay-Commission is the source for the unsatisfactory and undesired nature of its results to say the least. It may be recalled that at the time of the appointment of this body the Government was opposed even to call it a commission and preferred to call it a committee.

9. Whither Collective Bargaining?

Now coming to the main approach of the Commission to the Minimum Wage we find that it has come to following conclusions :-

a) Tripartite agreed minimum wage norms have been evolved for immediate implementation that is during the second Five Year Plan.

b) According to these norms the minimum wage works out to the order of Rs. 125 per man-mo.

c) This is incapable of implementation in the present stage and state of our national economy.

The first is a welcome conclusion. Even in respect of the second conclusion there will be a some room for quarrel as at the local price level this figure is bound to go up to Rs. 150/-. The real trouble is over the third one.

In this respect it is noteworthy that the commission did not (or could not) find it worthwhile to answer in its voluminous report the following crucial questions on which the third conclusion can really be put to test. They are as follows :-

a) Why these tripartite norms were ^{unanimously} UNANIMOUSLY agreed upon? How could the EMPLOYERS especially and Governments both Central and State did agree to them ?

b) Was it competent to torpedo the tripartite agreements ?

c) Was it proper to kill the collective bargaining spirit embodied in these agreements ?

d) While doing so why it has relied on Finance Ministry letter written in April 1958 and not on the Labour Ministry letter written later in December 1958 ?

e) Or is it a challenge thrown at the trade union movement for the 'direct action' in order to upset the Planning its targets, objectives and spirit etc. by those interested in sabotaging the same ?

The mind of the trade union movement in our Country seems to have been keenly exercised over these questions.

10. Nature of the Tripartite Norms.

These norms are certainly not the ideal ones from the point of view of the labour. They have agreed to them as a compromise solution as a result of collective bargaining. There is give and take. And the Commission rightly observes that they are for immediate implementation, and that the same is not of the nature of a distant objective to be achieved gradually at some future time.

In fact the most authoritative and authentic statistics have shown that there are more than three consumption units dependent upon one wage earner in this country but labour has agreed for three consumption units.

Similarly, food containing three thousand six hundred calories is required per day per unit according to the latest estimate by the Nutrition Department of Bombay Government. But labour has agreed to twenty-seven hundred calories.

Twenty percent miscellaneous expenditure including fuel and light certainly falls too short but there is an agreement. And so on.

Why so ? Obviously in the interest of the needs of the developing and expanding national economy and capital formation etc. To that extent it is a voluntary sacrifice. Of course in the 'Enlightened self-interest'.

Really speaking strict adherence to and implementations of these norms will be an effective check on the inflationary trend of prices.

Moreover the real basis for these norms is the share of contribution in National Wealth by the industrial labour. How else could there be unanimity on the same in absence of such a relation?

Thus these norms are settled and agreed upon by all the parties concerned after accounting for all the prior charges on the national wealth such as capital formation, development etc. and as an anti-inflationary weapon. Even then they are thrown over-board.

11) Commission Logic.

Commission while rejecting these norms and fixing Rs.80/- per month as minimum wage/ has advanced the following theories :-

a) Physical non-availability of eggs and milk to the extent prescribed by the tripartite norms.

b) Sub-average standard of living of vast majority.

Let us examine them. First of all the Commission had no business to see the availability of eggs and milk at that rate for all the population. At best it could have been seen only to the extent of industrial workers. However, unfortunate it may be these norms are specially prescribed for industrial workers having regard to their contribution in the national production as a result of their higher productivity of labour than in agriculture and handicrafts etc. The quantity of these articles available is certainly sufficient to the industrial workers without affecting the present consumption of the other sections of the society or even after leaving some room for the increase in the same. If the logic of the Commission is accepted then according to it out of 10,000 patients if only 1000 can be hospitalised no such relief should be given to 1000 only as the same is not available to rest of them who form the great majority. Therefore, no hospitalisation, no milk, no injections, etc. This is patently absurd.

Second ^{theory} theory also has little water to hold. Since the norms have been accepted having regard and relation to the contribution by the industrial workers towards the total national wealth as a result of their higher labour productivity than in agriculture and handicrafts and after leaving discount for capital formation, development etc. WHICH WILL DIRECTLY GO TO THE BENEFIT OF OTHER TOILING SECTIONS OF THE SOCIETY, this can hardly be ^{the} reason for rejecting

the norm.

12. The Real Way for Higher Real Wage.

The Commission has calculated the minimum wage in terms of the tripartite norm at Rs. 125/- per man-em at Dec. 1958 Delhi Price level. The Commission seems to have been scared at this 'high' figure, But if the prices are brought down to a much lower level can this figure also not be automatically reduced to that extent? The Commission could ^{have} certainly recommend to the Government that their employees should be guaranteed the supply at guaranteed prices of all the food, clothing articles etc. The minimum wage in terms of tripartite norm could be fixed at that price level without rejecting the tripartite norm. It is true that it was not within the scope of the Commission to determine the price level in the entire country. But the Commission could certainly make the recommendation of 'guaranteed supply at guaranteed prices' to central Government employees only. The 'Amenities' being an item in the terms of Reference the Commission technically even could have done so. This could have been done without taking a departure from the tripartite norm or doing any harm to the collective bargaining spirit behind them.

There is another way also the Commission could proceed with Rs. 125 at minimum wage but defer the payment of part of the increase to, say, the last year of the Third Five Year Plan with the exception of death, disability retirement etc., during this period. It is true in this case this amount would not be of any immediate use to the employees. It may be argued that if Rs. 125/- is the rock bottom, irreducible or need based figure how can we afford to part with a part of the amount for some time even? The suggestion in this question is perfectly valid. But on the strength of this 'compulsory saving' the employees would have enlarged the credit capacity or borrowing capacity and there by they could be at least partially benefited immediately. But this type of solution would have certainly saved the collective bargaining spirit embodied in the tripartite norm. Besides, may be a part of the Alleged shy capital would have been left loose for loans etc. In this respect it may be seen that the rules for the loans or advanced from the co-operative credit

societies of the employees and the provident fund could have been ^{at} liberated for the purpose.

It seems obvious that this Commission not being a bipartite or tripartite ^{forums} forum for collective bargaining these or such other alternatives could not be considered or weighed against the present reasoning of the Commission. But then the harm is great and immeasurable. It has its repercussions on Textile, Cement, and other wage boards. Although these boards are of different nature the Commission has certainly acted as a break and drag on them. This Commission and these wage boards though different in nature and composition are not as apart as bullock carts from the railways which can be operated side by side. As it is they are the wheels of the same machine. Of course, let it be very clear that we are not suggesting these ways to this Board for Sugar workers. Sugar Industry is quite capable of fully implementing the 15th Labour Conference norms in respect of Minimum Wage. We believe that we have amply proved the capacity to pay of this industry in general and in this region in particular. In this respect it is noteworthy that the employers from this region have not pleaded incapacity nor have they replied our case on the point. They have merely harped and laid stress on the existing settlements and prevailing rates in the region.

13. Minimum Wage Computation.

With reference to para 4,5 of the Note and para 5 & 6, and appendices IV & V of the Memo we submit ^{as} under:-

Regarding actual computation of minimum wage in terms of the 15th Labour Conference Norms, it is noteworthy that the employers have accepted our prices. In para 5 of the Note the employers state that our computation is ideal one and that the same is exaggerated and do not confirm to the pattern of actual food habits. But they have not cited a single item which does not confirm to the food habits or is exaggerated.

We deny this and emphatically state that our computation is objective, realistic and thoroughly in conformity with the actual food habits etc. Similarly as we have followed strictly the Tripartite Norms, it is not ideal one but is merely 'need based'

The employers have taken only a small quantity of milk in their computation. Similarly they have completely omitted the meat, fish, eggs etc. As such this computation i.e. both worked out by the panel of the D.S.F.A. and the IBCON falls too short of tripartite Norms of need-based minimum wage and as such they should be rejected out-right. In this respect we also invite the Board's attention to the recommendation of the Textile Wage Board also ^{regarding dearness allowance we submit that this Board} should accept the same, and recommend accordingly. For this purpose we have no objection if Sholapur Consumer Price Index Number is followed since no such number is worked out for our area. At Sholapur this number in Oct. & Nov. 1959 was 368-362 respectively. (See page 585 Labour Gazette, Bombay-January 1960). On this basis the dearness allowance at 100% neutralization is Rs. 105 nps. This total wage of Sholapur Textile worker is Rs. 138.50 nps. p.m. in terms of the recommendation of the Textile Wage Board.

It may also be noted that the ^{cement} Central Wage Board has in toto accepted the Tripartite 15th Labour Conference Minimum Wage norms and have recommended the minimum wage on that basis unanimously. It seems that due to the backwardness of regions of Cement Industry and low standard of living the figure of minimum wage is low i.e. Rs. 101/-p.m.

14. Amenities.

As regards the amenities we have submitted our view in our 'Replies' on page 19 (para 6 & 7) and we have nothing to add.

15. Ploughing Back of Profits.

As regards the ploughing back of profits in the industry we submit that it is no use to look into the position in this respect. We have submitted Comparative Statement in this respect from the Reserve Bank of India Bulletin September 1957 page 843 and 878-879 and our statement in the Replies on page XIII. Besides we have invited the attention of this Board to the observations on this point, in the 'Financial Trends in Sugar Industry'. (See pages 26-27 and Page 3.)

16. Promotion.

As regards the proportion of semi-skilled and skilled promoted from the unskilled the figure quoted by the Note in para-13 and para 12 and appendix IX of Memo the percentage quoted is 42%. This does not mean that 2% of the unskilled workers are promoted to higher posts. But it means that out of the present semi-skilled and skilled post 42% are promoted from the unskilled. The figures of semi-skilled and skilled as percentage of total workers is not mentioned by the employer either in the Note or Memo. In sugar industry the proportion

un-killed worker is very high compared to the Textile etc.

17. Separation of Agricultural Profits.

With reference to para 10 of the Note and para 8 and appendix VI A & B we have to state as follows :-

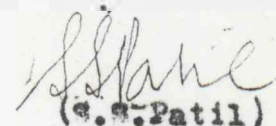
Shri Palakhiwala had stated in his arguments that if the agricultural profits are separated from the manufacturing profits of the sugar companies it will be found that in most of the cases there are losses, the main profits are from the agriculture. He strenuously fixed himself to wash away and destroy the bright and hopeful picture presented by us as disclosed by the Balance-sheet in respect of the paying capacity of the Sugar Industry in this region.

But the actual figures which they have quoted in Appendix VI A & B reveal that in most of the cases it is less than 33%. Only in one case it is shown to be 84% and thus the total percentage has risen to 50% that too only because of one company, which should certainly be left out of consideration while taking the cross-section of the industry. On this point the employers have miserably failed to prove or substantiate their argument that their main source of profit is agriculture. Further since there is income-tax exemption on agricultural profits, naturally the tendency is bound to inflate the agricultural profits. It is therefore necessary for the Board to take a more conservative view of the figures of agricultural profits. Of course, this too without admitting the theory of separation of agricultural profits of the sugar companies, and without prejudice to the contention that such separation is impossible and improper and unjust, and that whatever amounts are shown as agricultural profits are only notional and fictitious and not real for the following reasons :-

- a) For all the practical and legal purposes the Sugar Companies are one legal entity, which is integral, and indivisible.
- b) This entity is an integral while the method of finding out or ascertaining the agricultural profit is that the cost is deducted from the total selling price at Govt. market rate. First of all as this profit is free from income-tax the tendency is bound to inflate the same. Secondly this high price of sugar-cane is fixed only because the same is to be crushed in the sugar is to be manufactured. In absence of the crushing and manufacturing the price of the sugar-cane would have been much lower. This higher price is wholly and solely because of the potential industrial process and prospects and therefore to call all such profit as agricultural profit is mockery of truth. For example if the cost of sugar-cane is Rs. 30/- per ton and selling price of the same is Rs. 55 per ton at present Rs. 25/- would be shown as profit per ton of sugar-cane and this will be classified as agricultural profit. But the price fixed at Rs. 55 is only because of the potential prospect of crushing of sugar-cane and manufacturing of sugar. Otherwise the same would have been at Rs. 35 or 40 per ton and the so-called agricultural profit would come down to Rs. 5 or 10 per ton instead of Rs. 25. This division of agriculture and manufacturing profits is thus purely artificial notional, fictitious and absolutely UNREAL.
- c) It is contrary to all concepts and theories of economic that agriculture yields more profits than industry. The employers are advancing this theory only because it suits them in this case to deny the workers due share especially because the farm labour of these sugar companies is excluded from the scope and purview of this board.

In the light of the above it is requested that the minimum wage proposed by us should be accepted.

Kolhapur.
Dated:


(S. S. Patil)
President,
Sakhar Kamgar Union, Kolhapur.

Statement No. 1.

Total Minimum Wage in some concerns in Maharashtra Region.

<u>Place.</u>	<u>Industry.</u>	<u>Basic-Pay.</u>	<u>D.A.</u>	<u>Other allowance.</u>	<u>Total.</u>
Bombay	Textile	37	90 (Nov.59)	-	127
"	Engineering.	32.50	90 (Nov.59)	-	122.50
"	Municipal Corporation	35	50	5 unclean 7.50 House rent	97.50
"	Central Government (Class IV)	70	10	17 House rent & compensa- -tion.	97
Poona	Municipal Corporation	35	45	7 House Rent 3 Compensation 3 unclean	93
"	Rajababdur Mills (Textile)	35	70 (Nov.59)		103
"	Ruston & Hornby (Engineering)	32.50	70 (Nov.59)	6.50 Attendance allowance.	109
"	Mahindra & Mahindra (Engineering)	26	77 (Nov.59)	6.50 -do-	109.50
Sholapur	Textile	33	70 (Nov.59)		103
Kolhapur	Textile (Chahu Mills)	33	70 (Nov.59)		103

BOMBAY STATE DAILY AVERAGE EARNING.

	1956	1957
Rs.	4.47	4.54

(Indian Labour Journal (Govt. of India) January 1960 p.70).

(Note:- The Dearness Allowance at Sholapur, Kolhapur and Poona in Textile and engineering is only at 66 2/3% neutralisation)

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April 9, 1960

Chairman,
Central Wage Board for Sugar Industry,
Civil Lines,
GORAKHPUR, U.P.


Dear Sir,

It has been brought to our notice that the Sugar Wage Board has appointed a Sub-Committee to report on the standardisation of nomenclatures and classification of occupations in Sugar Industry.

We shall be glad if you will inform us the composition of this sub-committee as early as possible.

Thanking you,

Yours faithfully,


(K.G. Sriwastava)
Secretary

9 APR 1960

Bombay,
Date 8-4-60.

From :- R.S.Kulkarni,
Jt. Secretary,
Maharashtra State Trade Union Committee,
A.I.T.U.C.
Dalavi Building, Bombay 12.

To
The Secretary,
A.I.T.U.C.
4, Ashok Road,
New Delhi.

Dear Comrade,

1) I am sending herewith a note on the Pay Commission Report. This is an extract from the supplementary memorandum submitted to the Central Wage Board for Sugar Industry by A.I.T.U.C. from Maharashtra.

May I request you to see if it can find place in the Trade Union Record, if it is found worthy of the same ?

2) It is understood that the Central Sugar Wage Board has appointed a subcommittee to report on the standardisation of nomenclatures and classification of occupations in Sugar Industry. Strangely enough the Board has appointed Shri D.B.Kale, Labour Officer, Maharashtra Sugar Works, Tilak nagar, as EMPLOYEES Representative on this committee.

The Sugar Unions in Maharashtra affiliated to A.I.T.U.C. are recording protest against the same. A.I.T.U.C. office may suggest sugar unions in other states to follow the suit. Similarly as a Central Organisation A.I.T.U.C. ^{may} also raise this issue with the Board and Central Labour Ministry.

With Greetings,

Yours faithfully,

R.S.Kulkarni
(R.S.Kulkarni.)

Jt. Secretary,
MSTUC.

3 I

~~PAY COMMISSION AND TRIPARTITE
MINIMUM WAGE NORMS.~~

~~Some Points.~~

I. Tripartite Norms (July 1957).

(1) While accepting that minimum wage was 'need-based' and should ensure the minimum human needs of the industrial worker the following norms were accepted as a guide for all wage-fixing authorities including minimum wage committees, wage boards, adjudicators, etc. :-

- (i) In calculating the minimum wage the standard working class family should be taken to comprise three consumption units for one earner, the earning of women, children and adolescents being disregarded.
 - (ii) Minimum food requirements should be calculated on the basis of a net intake of calories as recommended by Dr. Akroyd for an average Indian adult of moderate activity.
 - (iii) Clothing requirements should be estimated on the basis of a per capita consumption of 18 yards per annum, which would give for the average worker's family of four a total of 72 yards.
 - (iv) In respect of housing, the rent corresponding to the minimum area provided for under Government's Industrial Housing Scheme should be taken into consideration in fixing the minimum wage.
 - (v) Fuel, lighting and other miscellaneous items of expenditure should constitute 20% of the total minimum wage.
- (2) Wherever the minimum wage fixed was below the norms recommended above, it would be incumbent on the authorities concerned to justify the circumstances which prevented them from adherence to the aforesaid norms."

... (Pay Commission Report Page 62.)

II. Labour Ministry;- (Dec.1958).

" Your letter raises a question regarding the nature and status of the agreements reached in the Indian Labour Conference. Since I have spoken to you in this connection.

The communication from the Ministry to which you have referred does, not, I am sorry to say, express the position accurately. The decisions of the Conference may be in the nature of recommendations for others but are to be taken as binding on the parties.

This elucidation should remove the doubt and apprehension which you have expressed in your letter. .."
... (Letter to Shri S.A.Dange by Shri G.L.Nanda, Labour Minister.-Crisis & Workers by S.A.Dange Page 154.)

----- V E R S U S -----

I. Pay-Commission.

"It is not intended that departure from the norms could be made on the ground that the country's economy could not afford a minimum wage determined by those norms. The recommendations, moreover, are expressly meant to be followed during the current Plan period; they do not lay down an objective to be achieved progressively as the economy develops and the fruits of development are more equitably distributed."
... (Pay Commission Report Page 63.)

The minimum ^{wage in} terms of Labour Conference recommendations would be of the order of Rs.125/- per mensem."
... (Pay Commission Report Page 68.)

"The minimum wage cannot be of the order of Rs.125, when on the basis of the national income the average for a family works out only to Rs.97 per mensem. It is not that the entire national income is available for current distribution; a good percentage of it must go towards building up of capital assets, without unde-

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undergoing distribution. A minimum wage pitched above the level of per capita income, and intended for very wide application is obviously one beyond the country's capacity; in ignoring the vital need for savings and investment, such a wage gives no thought to the future; and a wage that exceeds the highest level, and far exceeds the general level in the organised industries is obviously not one needed for protecting those whose living standards are sub-average."

... (Pay Commission Report Page 64.)

II. Finance Ministry- (April 1958).

" The government desire me to make it clear that the recommendations of the Labour Conference should not be regarded as decisions of Government and have not been formally ratified by the Central Government. They should be regarded as what they are, namely, the recommendations of the Indian Labour Conference which is tripartite in character. Government have, at no time, committed themselves to taking executive action to enforce the recommendations. "

... (Letter to Pay-Commission. Pay Commission Report Page 63.)

I. PERTURBING - INDEED.

No doubt these are divergent approaches towards the problems of industrial relations and especially minimum wages, by different agencies under the Central Government. How then our economy can be directed and shaped in a planned manner? Indeed a perturbing question.

And who is not perturbed over the present country-wide strike by the State Bank employees and similar moves by others. These recent developments in the sphere of industrial relations are the most eloquent comments on the Pay-Commission Report. The managements have been emboldened to refuse even to discuss the Charter of Demands on the ground that the same are 'highly pitched'. The employees are on the streets. Thus in neither of the sides the ~~Pay-~~

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Pay-Commission could inspire any confidence to maintain industrial peace and yet find out a just solution.

II Character and Composition.

Apart from the nature of the recommendations, the character and the composition of the Commission is such that, it could not create any such confidence. Even after coming to the conclusion that the tribunals have failed to achieve the desired and having found the new type of tripartite machinery such as Indian Labour Conference, Wage Boards, etc. the Government appointed w such a body, which is neither compulsory adjudication machinery, nor the bipartite or tripartite machinery for collective bargaining, but a mere high power departmental committee of experts. Except submitting the statements and replies to the questions in writing or in person the employees had no hand in shaping the decisions or the voice in deliberations. They had not even the opportunity to screen, verify, check, or, test all the materials produced by the other side just as they could have in adjudication proceedings.

III First Pay-Commission.

If we look at the first Pay-Commission from this angle we find that it worked without the background of Planning the goal of socialistic pattern of society, and the accompanying immediate objectives, or, the tripartite norms. Besides even then employees were represented on the body by Late Shri N.M. Joshi. Shri N.V. Gadgil, even if not as a labour representative, but being conversant with urges of the common man was also there.

It can be safely said that the failure of the Government to provide the essential content of the go forum for collective bargaining in the form of Pay-Commission is the source for the unsatisfactory and undesired nature of its results, to say the least. It may be recalled that at the time of the appointment of this body the Government was opposed even to call it a commission and preferred to call it a committee.

19 Whither Collective Bargaining ?

Now, coming to the main approach of the Commission to the Minimum Wages, we find that it has come to following conclusions :-

a) Tripartite agreed minimum wage norms have been evolved for immediate implementation, that is during the Second Five Year Plan.

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Thus these norms are settled and agreed upon by all the parties concerned after accounting for all the prior

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Commission while rejecting these norms and fixing Rs.80 per mensm as minimum wage has advanced two more theories :-

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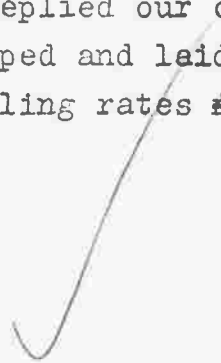
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① In this respect we also invite the Board's attention to the recommendation of the Textile Wage Board regarding dearness allowance, we submit that this Board also should accept the same, and recommend accordingly. For this purpose we have no objection if Sholapur Consumer Price Index Numbers is followed since no such number is worked out for our arears. -At Sholapur this number ~~is~~ in Oct. & Nov. 1959 was 368-362 respectively. (See page 585, Labour Gazette, Bombay- January 1960). On this basis the dearness allowance at 100% neutralisation is Rs.84.50 nP. This total wage of Sholapur Textile workers is Rs.118.50 nP. p.m. in terms of the recommendation of the Textile Wage Board.

It may also be noted that the Cement Works Board has ~~is~~ accepted the 15th Labour Conference decision wage ~~has~~ and have recommended the ~~same~~ ~~on~~ ~~the~~ ~~same~~ ~~basis~~ ~~unanimously~~. It ~~also~~ ~~states~~ that due to the backwardness of the regions of our ~~of~~ industry & low standard of living the ~~same~~ ~~decision~~ ~~is~~ ~~not~~ ~~applicable~~. Rs. 101/- p.m.

Thus the Commission has if any thing nipped
the COLLECTIVE BARRAINING in the bud. Trade
Union Movement has to tackle the situation this
crisis carefully & skillfully without even unconsciously
being tools in the hands of the saboteurs of the
PLAN and turn the tables.

ABG.

8-4-60.



~~ABG~~
(R.S. Mukherjee.)

JT. Secy.

MSTUC.

17 MAY 1960

CENTRAL WAGE BOARD FOR SUGAR INDUSTRY
MINISTRY OF LABOUR & EMPLOYMENT
GOVERNMENT OF INDIA

NO.7712/WB-G(97)

GORAKHPUR: May 13, 1960.

To

M/S Mahalakshmi Sugar Mills Co. Ltd.,
P.O.Iqbalpur, (Dist. Saharanpur)

Subject: INTERIM RELIEF RECOMMENDATIONS OF THE BOARD:

Dear sirs,

I am desired to refer to your letter no. 4427 dated April 25, 1960 on the above subject and have to state as under in respect to the points raised by you :

In the case cited by you, the initial salary of the workman on his regular employment will be deemed to have been Rs. 325/- as it was contracted to be so. The rise of Rs. 25/- over the starting salary of Rs. 300/- for his probationary period, does not therefore constitute an increment which can be set off in accordance with para 3 of the Board's recommendations.

The other amount of Rs. 25/- given to the worker as cash value of the benefits such as free furnished accommodation, free light, water, fuel and sugar which the company had in terms of his appointment, contracted to supply, does not constitute increment in wages at all. Thus no question of adjustment would arise in his case.

Faithfully yours,

(H. M. MISHRA)
Secretary.

No. 7712 / (i-xii) / WB-G(97) of date

Copy forwarded for information to :

1. Mahalakshmi Chini Mill Mazdur Union, Iqbalpur, Saharanpur.
2. Mahalakshmi Sugar Mill Karmchhari Union, Iqbalpur, Saharanpur.
3. The United Trade Union Congress, 249, Bow Bazar Street, 1st floor, Calcutta.
4. Indian National Sugar Mill Workers Federation, Shahinshah Manzil Golaganj, Lucknow.
5. All India Trade Union Congress, 4 Ashok Road, New Delhi.
6. Hind Mazdoor Sabha Servants of India Societies Home, Bombay.
7. United Chini Mill Mazdoor Federation, Kanpur.
8. Indian National Trade Union Congress, 17 Janpath, New Delhi.
9. The Secretary, Indian Sugar Mills Association, India Exchange Building, Calcutta - 1.
10. The Deputy Secretary to Government of India, Ministry of Labour & Employment, New Delhi.
11. All the members of the Central Wage Board for Sugar Industry,
12. The Deputy Secretary to U.P. Govt. Labour Department, Lucknow.

(H. M. MISHRA)
Secretary.

17 MAY 1960

CENTRAL WAGE BOARD FOR SUGAR INDUSTRY
MINISTRY OF LABOUR & EMPLOYMENT
GOVERNMENT OF INDIA

No. 7700/WB-G(97)

GOALAKHPUR: May 13, 1960.

Sub: Interim Wage Increase recommended by the Board.

MEMORANDUM

from In referring to the joint application of Srv/Sri Pyara Singh, Bawa Singh and Ajit Singh - employees of the Vishnu Pratap Sugar Works (P) Ltd., Khadda and the letter no. C-15/1728 /60 dated March 28, 1960 the employer Company viz. Vishnu Pratap Sugar Works (P) Ltd. -- on the above subject, I am desired to say as follows in regard to the points raised :-

2. There are no differences of facts between the version of employees and the company, in so far as the case of Shri Pyara Singh is concerned. He belongs to the category of Assistant Engineers. The Company's contention is that he was not given interim wage increase as by grant of such increase his salary would have exceeded that of his seniors. The next higher salary in the category of Assistant Engineers is that of Shri Tilak Dhari Prasad -- Rs. 226/- p.m. While it is true that in accordance with the proviso to para 6 of the recommendations, the total emoluments of a worker in a particular category can not exceed, in consequence of the interim relief, the emoluments of other senior workmen of the category, but there is atleast the scope of increment to the extent of Rs. 6/- in his case as that would not make his salary exceed that of any other engineer senior to him.

3. The facts pertaining to two other employees in question viz. S. Ajit Singh and S. Bawa Singh are in dispute. While these employees themselves claim that they were appointed as Mill-House Incharges, the management contends that they were appointed as fitters and continue as such. If the management's version as to the nature of employment of these two persons is taken to be correct, their action in not giving interim wage increase to them would be in accordance with the proviso to para 6, as that would make their salary exceed those of their seniors. If however, the workers' contention regarding the capacity in which they were appointed was found correct, they would be entitled to interim relief under para 6 (b) after necessary adjustments under para 3.

4. Since the matter involved is essentially a question of facts, there remain no point as such to be clarified by this Board. It is for the parties to have the question of facts determined in the first instance, either by mutual settlement or through the normal state labour agency.

(H.M.MISRA)
Secretary

No. 7700 / (i-xi) / WB-G(97)

GOALAKHPUR: May 13, 1960.

1. The Vishnu Pratap Sugar Works(P)Ltd. P.O. Raja Bazar, Khadda.
2. Shri Pyara Singh, Asstt. Engineer, Vishnu Pratap Sugar Works (P) Ltd., Khadda (District - Deoria). He may also please inform the other two signatories viz. Shri Bawa Singh and Shri Ajit Singh.
3. The United Trade Union Congress, 249, Bow Bazar Street, 1st Floor Calcutta.

4. Indian National Sugar Mill Workers Federation, Shahanshah Manzil, Golaganj, Lucknow.
- ✓ 5. All India Trade Union Congress, 4, Ashok Road, New Delhi.
6. Hind Mazdoor Sabha, Servants of India Societies Home, Bombay.
7. United Chini Mill Mazdoor Federation, Kanpur.
8. Indian National Trade Union Congress, 17 Janpath, New Delhi.
9. The Secretary, Indian Sugar Mills Association, India Exchange Building, Calcutta - 1.
10. The Deputy Secretary to Government of India, Ministry of Labour & Employment, New Delhi.
11. All the members of the Central Wage Board for Sugar Industry.
12. The Deputy Secretary to Government U.P., Labour Department, Vidhan Bhawan, Lucknow.

H. M. MISRA
(H.M.MISRA)
Secretary.

17 AUG 1960

332

CENTRAL WAGE BOARD FOR SUGAR INDUSTRY
Ministry of Labour & Employment
GOVERNMENT OF INDIA

No. 8831/WB-G(59)

GORAKHPUR: August 12, 1960.

To

1. The Manager,

2. The General Secretary,

Dear sir,

On an examination of the wage scales of the sugar mill employees it appears that in some of the mills the relative positions assigned to some particular jobs in the jobs hierarchy of the mill does not correspond to the widely prevailing positions.

2. Again, a considerable diversity is noticed in the matter of groupings of jobs for application of wage scales.

3. These two features often militate against evolution of standardised wage structure.

4. With a view to enquire into the reason for the deviations as referred in paragraph 1 or the diversities of the kind referred in paragraph 2 above, the Board has deputed its Secretary, Shri H.M.Misra to make, wherever possible, spot observations of jobs, carry on investigation as to duties, responsibilities etc. obtain necessary clarification, give hearings to the parties on the points in issue and submit report to the Board.

5. Accordingly Shri H.M.Misra, Secretary of the Board will be reaching at _____ hrs., by _____ train and will be accompanied by necessary staff. I would be grateful for your kindly assisting him in the task and furnishing all necessary information as may be required.

Yours faithfully,

Bind Basni Prasad

(BIND BASNI PRASAD)
CHAIRMAN

No.8831/WB-G(59)

OF DATE

Copy forwarded for information and necessary action to

1. The South Indian Sugar Mills Association, No. 1, North Beach Road, Post Box no. 12, Madras - 1.
2. The Indian National Trade Union Congress, U.P., Shehnshah Manzil, Baroodkhana, Golaganj, Lucknow.
3. The Indian National Trade Union Congress, 17, Janpath, New D
4. Hind Mazdoor Sabha, Servants of India Society's Home, Sandhurst Road, Bombay.
5. All India Trade Union Congress, 4, Ashoka Road, New Del

with the remarks that the factories to be visited and the date of visit will be as under. This however, is subject to the availability of train connections .

<u>Name of Factory</u>	<u>Date of visit</u>
The Cauveri Sugars & Chemicals Ltd., Pattavaithalai, Trichinopoly.	August 25, 26/27, 1960.
The Travancore Sugars & Chemicals Ltd., Thruvalla, Dist. Alleppy (Kerala)	August 30, 31/Sept. 1, 1960
The Mysore Sugar Co. Ltd., Sandya (Mysore)	September 4 & 5, 1960.
The A.C.P. Ltd., Sugar Factory, Masulipatan, Dist Krishna Vuyyuru (Andhra Pradesh)	9-10/11, 1960. September 27/28/29/30
The Jalajung Sugar Mills Ltd., Munirabad, Dist. Raichur.	September 6, 7/8, 1960.
The Nisam Sugar Factory Ltd., Shakernagar, Nizamabad.	September 13, 14/15, 1960.

Copy also forwarded to the Secretary, Indian Sugar Mills Association, India Exchange Place, Calcutta for information.

H. M. Mishra
(H.M. Mishra)
Secretary.

TELEGRAM

STATE

PARRY
MADRAS

REFER OUR No.8831/MS-Q(59) OF TWELFTH AUGUST (.)
REACHING CAWVERY MILLS TWENTYSIXTH INSTEAD
TWENTYFIFTH (.) PLEASE INFORM UNION

SIGWAGE

Not to be telegraphed

(H.M.MISRA)
Secretary,
Central Wage Board
for Sugar Industry,
Gorakhpur.

No. 8922 /MS-Q(59)¹⁰⁷ of date 19.8.60.

Post copy forwarded in confirmation of the above telegram to :-

1. The Cawvery Sugars & Chemicals Ltd., P.B.No. 12, Madras.
2. The South Indian Sugar Mills Association, No. 1, North Beach Road, Post Box no. 12, Madras - 1,
3. The Indian National Trade Union Congress, Shehnashah Manzil, Laroodkhana, Lucknow.
4. Hind Mazdoor Sabha, Servants of India Society's Home, Sandhurst Road, Bombay.
5. All India Trade Union Congress, 4 Ashoka Road, New Delhi.

(H.M.MISRA)
Secretary.

24 AUG 1960

CENTRAL WAGE BOARD FOR SUGAR INDUSTRY
Ministry of Labour & Employment
GOVERNMENT OF INDIA

No. 8952 /WB-G(107)

GORAKHPUR; Aug. 20, 1960.

To

The South Indian Sugar Mills
Association, No. 1, North Beach
Road, P.B.No. 12, Madras.

Dear sir,

I am desired to say that the visit to
Cawvery Sugars & Chemicals Ltd. Pattaivaithalai
has been cancelled and now the Deccan Sugar
Works, Pugalur will instead be visited by the
Secretary on 26th and 27th instant.

Yours faithfully

(H.M.MISRA)
Secretary.

No. 8952 /WB-G(107)

of date

Copy forwarded for information with re-
ference to this office endorsement no. 8831/WB-
G(59) dated August 12, 1960, to:

1. The Indian National Trade Union Congress,
Shahanshah Manzil, Baroodkhana, Lucknow.
2. Hind Mazdoor Sabha, Servants of India Society
Home, Sandhurst Road, Bombay.
3. All India Trade Union Congress, 4 Ashoka
Road, New Delhi.

(H.M.MISRA)
Secretary.

Sugar Board Report

Continued from page 1 col. 2

ed workers during the off-season which varies from four to six months in a year.

A sliding scale of gratuity linked to the duration of service and a formula for payment of incentive bonus on the base of profits have been suggested by the Board. The retirement age, according to the Board, should be fixed at 58.

The Board, which was appointed on December 26, 1957, has recommended that, where workers are provided with houses, a reduction up to Rs 6 per month in the basic wage may be allowed, depending on the nature of the housing facility. But, for the purposes of gratuity and bonus, the reduction will not apply and the entire basic wage will be taken into account.

The fixation of differential basic wages for the various regions is said to be in sharp contrast to the general demand of different workers' organizations for a national wage for the whole industry and is understood to have been necessitated by certain compelling economic considerations.

The wage level has always varied from region to region. The Maharashtra and Southern regions have always been paying comparatively higher wages vis-a-vis the Northern and Central regions. It is said that sugar workers in the South get a monthly wage of about Rs 75 to 80 whereas their counterparts in the North—Punjab, U.P. and Bihar—get slightly below Rs 60, including the interim relief of Rs 3 a month given in February 1959 on the recommendation of the Board.

WAGES IN SOUTH

The higher level of wages in the South is attributed to the longer duration of the crushing season and the higher percentage of recovery of sugar, estimated at about 13 per cent as against nearly 10 per cent in the North. In deciding against a uniform national wage for the industry, the Board is understood to have felt that the imposition of the relatively high level of wages in the South on the units in the North will be beyond their capacity to pay.

The Board is understood to be of the view that the present sugarcane prices are fair enough to the growers.

The report of the Board is said to contain a comprehensive analysis of the problems of the sugar industry, and suggestions to enable the industry to fulfil its production targets.

Headed by Mr Binbansi Prasad, a former judge of the Allahabad High Court, the Board includes two representatives of employees—Mr Nivatia and Mr Somayya—two trade union leaders—Mr K. N. Pande and Mr Wagle—and two independent members—Dr P. S. Lokanathan and Mr H. C. Dasappa. It is understood to have examined 150 witnesses, including sugar factory owners, trade union leaders and Government officials.

HIGHER WAGE WORKERS

Regional Norms Laid Down

Rs 2 CRORES BURDEN

Sugar ON INDUSTRY

Board Report Finalized

BY OUR SPECIAL CORRESPONDENT

NEW DELHI, Monday.—An additional burden of more than Rs 2 crores a year is likely to be cast on the sugar industry as a result of the Wage Board recommendations.

The Board, which is expected to submit its report to the Government in a fortnight, is believed to have recommended wage increases ranging from Rs 5 to Rs 20 a month to 190,000 workers employed in 170 sugar factories in the country.

The recommendations of the Board, finalized at a meeting held at Ooty on October 10, envisage differential basic wages for sugar workers on a regional basis. The Board has fixed for unskilled workers a basic monthly wage of Rs 86 in the Maharashtra region, Rs 81 in the Southern region, Rs 76 in the Northern region and Rs 70 in the Central region.

Skilled workers will get differential wages, with an increase up to 10 per cent depending on the quality of the skill.

The Board is also believed to have recommended a fixed retainer of 50 per cent of the basic wage for skilled workers and 25 per cent of the basic wage for unskilled.

Continued on back page col. 6

JEC 1960

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PRESS INFORMATION BUREAU
GOVERNMENT OF INDIA

"12.10"

SUGAR WAGE BOARD
RECOMMENDATIONS

REPORT PLACED ON TABLE
OF RAJYA SABHA

New Delhi, ~~December 16, 1960~~
~~December 7, 1960~~
on December 7, 1960

The report of the Central Wage Board for Sugar Industry was placed on the table of Rajya Sabha ~~today~~ by the Union Deputy Minister for Labour, ~~Shri. Baidya~~

For the purpose of wage fixation, the Wage Board has recommended that the country be divided into four regions—North, Central, Maharashtra and South.

The Board has stated that although the total minimum wages will necessarily vary from region to region depending on regional paying capacities of the industry, it considers it desirable to have basic minimum wages in the sugar industry throughout the country, as the same has several advantages. The basic minimum wages shall be Rs. 60 ~~to~~ 65. The rest will be D.A. for each region.

The Board adds that in fixing minimum wages regard for differences in paying capacity of the industry having been made by making differences in the dearness allowance element, basic wages and dearness allowance should together be looked as an integral whole.

The Board has stated that its recommendations should be effective from November 1, 1960.

The Central Wage Board for Sugar Industry was set up in December 1957, with ~~Shri~~ B. Prasad, ex-Judge of the Allahabad High Court, as Chairman. The members of the Wage Board were: ~~Shri~~ Kashinath Pandey, M.P., ~~Shri~~ Gangadhar J. Ogale (workers' representatives), ~~Shri~~ Gulabchand Hira-chand, ~~Shri~~ R.P. Nevatia (employers' representatives), and ~~Shri~~ S.C. Dasappa, M.P., and Dr. P.S. Loknathan (independent members).

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Following is the
official summary
of the report,
released by
Government @
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Following is a summary of recommendations of the Wage Board:

- (1) The investigations by the Board, it was decided, should be confined to the vacuum pan sugar factories and not to cover khandsari industry and (open pan) gur refineries.
- (2) The workers in the allied industries carried on by sugar factories are beyond the purview of the Board.
- (3) The Board is of the view that its terms of reference do not cover the workers employed on the farms attached to the sugar factories.
- (4) Unless expressly indicated otherwise, the recommendations of the Board would apply to workmen engaged by a contractor of a factory also, if they do work connected with:
 - (a) manufacturing process as defined in Section 2 (k) of the Factories Act, 1948; or
 - (b) cleaning any part of the machinery or premises used for manufacturing process; or
 - (c) any other kind of work incidental to or connected with, the manufacturing process or subject of manufacturing process including handling, loading or unloading of raw materials, stores and finished product in the premises of the factory; or
 - (d) repair and maintenance of machinery, building or other capital assets of the sugar factory.
- (5) All employees falling within the definition of "workmen" ~~to~~ excepting apprentices for whom separate scheme has been devised, should be governed by the recommendations of the Board.
- (6) Apprentices may be taken for all highly skilled, skilled and ~~semi~~-skilled occupations but no apprentice should be taken for unskilled jobs. Subject to the condition that if an apprentice for a job is recruited from any of the lower jobs

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in the factory itself, then his emoluments would not be less than what he would be eligible for on that lower post and that the emoluments of none of the existing apprentices would be reduced, the apprentices should not be paid less than sixty percent of the minimum basic wages and dearness allowance or consolidated wages as the case may be, of the occupation for which he is given the training but he would not be eligible for any bonus.

(7) The period of apprenticeship should not exceed two years and while it can not be made obligatory upon a factory to employ a person in the particular occupation for which he was given the training, the Board hopes that the Mills will utilize the training imparted by them to the apprentices.

(8) Having regard to the factors of duration of season, sugar recovery percentage from cane, cost structure of sugar industry in different areas, the sugar price position, the prevailing wages in industry and other cognate matters, the following four regions were decided for purposes of wage fixation:

- (a) North Comprised of the States of Punjab, U.P., Bihar, West Bengal and Assam.
- (b) Central Comprised of the States of Gujerat, Rajasthan, Madhya Pradesh and Orissa.
- (c) Maharashtra Comprised of the State of Maharashtra only.
- (d) South Comprised of the States of Madras, Andhra Pradesh, Kerala and Mysore.

(9) It is not desirable to discriminate against the workers in East U.P. sugar factories in the matter of fixation of wages. It is open to the sugar factories of the area to approach the Central or

PTO

the State Government for grant of relief. It may well be hoped that the national Government interested as they are in the industrial development of the country would give the matter sympathetic consideration.

(10) While, owing to limitations as to time and personnel, it was not found possible by the Board to embark upon workload study to determine labour surplusage in the mills, it strongly recommends to the Government to undertake workload study in the sugar industry at an early date.

(11) While taking note of the subsidised rent prescribed by the Government in respect of single room tenement and the one fixed by the Cement Wage Board, the Board keeping in view the existing practice in the sugar industry, the standard of housing available, the seasonal character of employment, the paying capacity of the industry and the over-all increase likely to result in consequence of its recommendations, recommends that the element of house rent in the emoluments of the sugar workers at the minimum wage level should be to the extent of rupees five for standard housing accommodation.

(12) Since the minimum rent prescribed for the standard housing was below the subsidised rent fixed by the Government, the Board recommends that as total wages advance, the rates of rent should also increase.

(13) In respect of the quarters provided by the mills to its employees drawing upto Rs. 500~~00~~ the house-rents in respective cases are to be inclusive of electric energy at the rate of ^{four} units or in lieu thereof, ^{two} bottles of kerosine oil per point of electricity

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(which in the case of single room tenement amounts to ^{eight} units of electricity or ^{four} bottles of kerosine oil) as per Subsidised Industrial Housing Scheme, subject to the condition that where by agreement or award higher electricity energy was provided, the system would not be disturbed.

(14) The rent prescribed by the Board having been fixed with reference to standard housings, the rent chargeable by the factories will be proportionately less for lesser area in respective cases, while the rents for constructions with tinned or tiled (ordinary roof or masonry walls) or with asbestos G.I. sheets will be half of that chargeable for standard type of housing in respective cases.

(15) For purposes of rent, the Board takes no cognizance of the improvised, purely temporary living arrangements in most cases, set up by low-paid employees in absence of suitable housing arrangement from the side of the mills.

(16) With a view to encourage construction of quarters, the Board considers it essential to prescribe that where a quarter is offered to a worker and the latter does not choose to occupy the same, then 50% of the rent chargeable for the tenement will be deductible from the wage of the workman concerned.

(17) Where food articles were being supplied at subsidised rates or where fuel was being supplied at concessional rates or free to certain extent, the mills would be entitled to make adjustment of concession against wages if the workers opt for the continuance of supply of these articles from the side of the mills.

(18) While free or concessional supply of fuel can no longer be legitimately insisted upon, the factories should arrange to supply fuel at cost rates wherever a demand of that kind is made.

(19) While recommending the early institution of workload studies for assessment of fair workload and actual manpower requirements, the Board considers it important that such studies should be preceded by reasonably specific programme of implementation drawn in consultation with the organisations of the interests concerned.

(20) Taking all the relevant considerations into account, the Board recommends total minimum wages for unskilled workers for each region separately as follows:-

<u>Region</u>	<u>Total Wages</u>
1. Central	66-1-71
2. North	76-1-81
3. Maharashtra	87-1-92
4. South	81-1-86

11 items

(21) Although the total minimum wages would necessarily vary from region to region depending on regional paying capacities of the industry, the Board considers it desirable to have basic minimum wages in the sugar industry throughout the country, as the same has several advantages. It shall be 60-1-65. The rest will be D.A. for each region.

(22) Benefits such as bonus, gratuity, etc. usually calculable on basic wages should be calculated on full basic wages and deductions in account of housing, food and fuel, etc., should not be taken into account.

(23) The total minimum wages fixed by the Board having been conceived in reference to 125 points of cost of living index, the difference between the total Wages prescribed for an occupation and its basic wage would represent the element of dearness allowance in

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the respective regions for 23 points of index, over 1949 base (100).

(24)

In fixing the minimum wages, regard for differences in paying capacity of the industry in different regions having been made by making differences in the dearness allowance element, basic wages and dearness allowance should together be locked as integral whole.

(25)

In view of the broad principle that the wages of employees in the same industry in a region should not differ and as the financial capacity of cooperative sugar factories is undisputed, the Board considers that there exists no justification for making any distinction between the wages in cooperative and other factories.

(26)

Where, in any sugar mill, a settlement in regard to wages is in force, ^{workmen} \angle should have a right to opt between the existing wage rates and the wage structure as evolved by this Board.

(27)

The scheme of dearness allowance conceived by the Board falls into two parts. The graduated rates of D.A. scheme while Part II is comprised of the D.A. comprise part I of the D.A. / rates linked to cost of living index

(28)

The regional differences in graduated D.A. rates have been devised by the Board to adjust the wage structure to the regional differences in paying capacity of the industry and in the same region dearness allowance would vary from one class of occupations to ^{another} depending upon the scales of wages.

(29)

For rises over 123 points of the All-India Average Consumer Price Index Numbers for working class or fall below this level, the Board recommends adjustment of dearness allowance at the rate of .55 N.P. per point of cost of living index in the case of operatives upto skilled 'B' grade and clerks drawing

PTO

basic wage upto Rs.100~~0~~ p.m., while for supervisory and technical employees of not less than skilled 'A' grade and for clerks drawing basic pay of over Rs.100/- p.m. the rate recommended is 65 n.p. per point.

(30) While for rises over 123 points of cost of living index or fall below this level, adjustments in dearness amount shall not be made for less than 10 whole points, when once there has been a rise or fall by 10 or more whole points, adjustments should be made for every point of the rise or fall. Once an adjustment has been made, further adjustment shall be made for further rise or fall of ten or more whole points; provided, firstly, ~~that~~ that for fall of the average cost of living index below 123 points no deduction from the graduated flat rate D.A. shall in the first instance, be made unless the fall exceeds 15 points. Provided, secondly, that at no stage the deduction shall go to the extent of curtailing the basic wage in the scale.

(31) The adjustments in dearness allowance amount related to cost of living index, although automatic, shall be made only once a year on the basis of the average monthly cost of living index calculated over the twelve months period from 1st July to 30th June.

(32) The Board favours the adoption of a common price index series for relating the D.A. rates as against the series maintained in different States or regions, for, apart from other things, otherwise the wage relativities as between different regions are bound to be upset and even in the same region the wages can hardly remain uniform.

(33) There is no justification for whittling down the dearness allowance of sugar employees on the assumption that the prices of goods and services stipulated as entering into the consumption of industrial workers are cheaper in rural areas.

(34)

Since wages should be fixed with reference to distinguishable jobs with known functions or duties, the Board found it essential to standardise more common of the occupational nomenclatures, enumerate as many of the prevailing designations as could be available, classify the operative jobs on basis of skill and to further grade them according to basic job factors.

(35)

While in a large majority of cases fitting of incumbents of different occupations into the standardisation scheme is likely to present no problem because it is to be done with reference to the duties performed by persons and not merely by designations some difficulties may, no doubt, come to be experienced where the duties performed by the incumbent of a job do not, for various reasons, fully conform to the descriptions, given in the Board's scheme. There may besides be some border line cases where inside an occupation gradations have been made. Given necessary goodwill, the Board hopes that most of these would be resolved between the parties, failing which a suitable tripartite machinery devised by the Government should deal with it on reference.

(36)

The Board recommends as below, eight basic wage scales for operatives, six for clerks and four for supervisory employees receiving up to Rs. 500/-.

CLASS	BASIC WAGE SCALES	
	For Central, North and South Regions	For Maharashtra Region
<u>OPERATIVES</u> :		
Unskilled	60-1-65	60-1-65
Semi-skilled B	65-1.50-74	66-2-86
" A	68-2-80	73-3.50-108
Skilled C	75-3-96	80-4-120
" B	90-4-110-EB-5-135	95-5-120-EB-5-145
" A	105-6-135-EB-7-170	115-7-150-EB-7-185
Highly Skilled B	135-7-170-EB-9-215	150-9-195-EB-9-240
" A	180-8-220-EB-10-270	180-10-230-EB-10-280

P.T.O.

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22/11/58

BASIC WAGE SCALES
 For Central, North and South Regions | For Maharashtra Region

CLERKS

VI	72-3-90	
V	77-3-98	77-3-107
IV	87-4-107-EB-5-132	87-4-107-EB-5-132
III	105-6-135-EB-7-170	105-6-135-EB-7-170
II-B	130-7-165-EB-8-205	130-7-165-EB-8-205
II-A	200-8-240-EB-12-300	200-8-240-EB-12-300
I	250-20-350-EB-25-475	250-20-350-EB-25-475

SUPERVISORY

200-10-250-EB-10-300	200-10-250-EB-10-300
200-15-275-EB-15-350	200-15-275-EB-15-350
250-20-350-EB-20-450	250-20-350-EB-20-450
300-25-425-EB-25-600	300-25-425-EB-25-600

(37) In so far as the basic wage structure is concerned, it is common in respect of three regions, viz., Central, North and South and allowance for differing paying capacity of the industry in different regions has been made in the graduated D.A. rates. But a departure from this was found necessary to be made in the case of Maharashtra region, for otherwise the amount of graduated dearness allowance would have come to form unduly large proportion of the total wages, while the Board's view was that the bulk of the total wages should consist of the basic wage.

(38) As for medical and educational staff, it is recommended that subject to the condition that no one's emoluments shall be reduced, and those of compounders, nurses and midwives among the medical staff, and the primary school teachers among the educational staff, will not be less than the minimum of the lowest grade clerk in the mills, the medical staff excepting ward boys, sweepers and such other unskilled manual workers as may be employed and the educational staff shall receive emoluments (viz., basic wage, D.A. and such other allowances) not less than what may be in force for similar categories of employees in the service of the Government of the State in which the mills may be situated.

(39)

Allopathic Doctors possessing upto M.B.B.S. qualifications should be placed in P.M.S. II grade and those possessing over and above the M.B.B.S., post graduate or foreign qualification should be placed in P.M.S. I grade.

(40)

Ward boys and sweepers being on level with unskilled manual workers should receive similar pay.

(41)

Since the rules of appointment regarding Labour Welfare Officers as framed by the respective State Governments are applicable to factories in general, the Board does not consider it advisable on its part to make invidious distinction in favour of those Labour Welfare Officers who happen to be employed in sugar industry.

(42)

There being very wide variations between the functions, qualifications and existing emoluments of holders of certain designations e.g. Cane Development Officer, and Asstt. Works Manager, Asstt. Sales Manager, Sales Manager, Purchase Officer, Labour Officer, Transport Superintendent and Asstt. Transport Superintendent, the Board recommends that the factories concerned may fix their scales of pay and dearness allowance having regard to qualifications, experience, duties and functions and keeping in view the scales and grades applied to other employees in the sugar industry.

(43)

Apart from the few designations, the qualifications and functions of the holders of which show very wide variations, the Board has deliberately left out certain stray jobs, and a few jobs may have been left out on account of information regarding these being not available with the Board. Their emoluments should be fixed by the mills in the light of the revised wage structure and the duties, qualifications and experience required of the incumbents of the particular jobs. The matter can also be dealt with at the level of the

P.T.D.

Tripartite Machinery and failing a settlement on this matter, the machinery provided under the Industrial Disputes Act can be invoked.

(44)

In case of seven occupations, the Board found it necessary to prescribe weightages to be applicable generally or in a particular region only, over and above the wage scale fixed for the respective grades under which they have been classed. Accordingly, palledars should be allowed Rs. 5~~00~~⁰⁰ over and ^{above} the emoluments of their grades. This would apply to all the regions. Peons, watchmen, sweepers, guest house attendants, cleaners and ^{laboratory} boys in Maharashtra factories only should be allowed a weightage of Rs. 5~~00~~⁰⁰ per month over the wage scales for the un-skilled.

(45)

As a safeguard against reduction of existing wages, it is provided that in no case should the existing wages come to be reduced in consequence of deduction for any of the amenities e. g. housing, fuel etc. which was being enjoyed free or at Concessional rates in the past.

(46)

The Board considers it necessary to clarify that ordinarily the workers would cross the efficiency bar as a normal routine. Only in event of proved inefficiency could the increment be stopped but such cases will be reviewed by the management every year.

(47)

The Board also considers it necessary to stress that its recommendations constitute a composite scheme. Being the integral whole, they should be implemented as such.

(48)

The Board recommends that supervisory, clerical, highly skilled and skilled workmen employed on seasonal basis should be paid retaining allowance

@ 50% and the semi-skilled seasonal workmen @ 25% of their monthly basic pay and dearness allowance, subject to the condition that if immediately prior to the implementation of the recommendations of this Board, any workman in any of the above classes was receiving higher amount as retaining allowance, he shall continue to receive such higher amount, until by promotion of the workmen concerned, the amount calculable at the rate specified above become higher in his case.

(49) While the specialised skill acquired by highly skilled, and semi-skilled employees make it difficult in their case to readily obtain suitable alternative employment, difficulties to such an extent do not exist in respect of unskilled seasonal employees. Further, keeping in view the substantial increase in minimum wages already recommended by the Board, it sees no justification for recommending retaining allowance in their case.

(50) Finding force in the demand of the Sugar Technologists Association in this respect, the Board recommends that wherever the Manufacturing Chemists and Lab-Incharges have been employed on seasonal basis, they should be made permanent.

(51) While generally agreeing with the view of the I.L.O. expert that the nature of the sugar industry imposes certain limitations on the types of the incentive schemes which would be suitable for it and that schemes of piece-work type will not suit the main manufacturing operations, the Board commends to the sugar industry further study with a view to introducing incentive schemes wherever possible.

(52) The Board considers that (i) the factories newly installed which went into production in 1959 or thereafter, (ii) those having daily crushing

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capacity below 800 tons which suffered loss for two successive years immediately preceding the implementation of these recommendations, and (iii) the units which have so long been paying total minimum wage of Rs.50 or less, may find it difficult to implement immediately the full recommendations of the Board. Hence as a measure of relaxation for a limited period, it is provided that for the first two years, one-half of the recommended D.A. rates may be applied in their case.

(53)

Subject to the condition that no workman shall cross the maximum of the scale or the grade to which he belongs, every workman, including compounders, nurses and midwives shall be so placed in the scale or grade to which he or she becomes entitled in terms of the recommendations of this Board, that he or she gets an increment of at least Rs.10 over the basic wage and dearness allowance or consolidated wages which he or she was receiving on the 31st October, 1960.

(54)

For fitting the workmen already in the employ on the date of implementation of the Board's recommendations into the wage structure recommended by the Board, the money value of free housing or any other amenity the cost of which has now been held by the Board as deductible from pay but which was being enjoyed free or at concessional rates in the past, shall be taken into account, i.e. it would in the first instance be added into the pay of the respective workmen to place them into the recommended wage structure.

(55)

If in the process of fitting into the new wage structure, the wages of a workman come to fall between two stages of the scale or grade applicable in his case, then he should be fixed in the next higher stage of the scale or grade.

(56)

The full time medical officers and teachers should, after being brought into the respective scales prescribed for similar categories of employees in the service of the Government of the State where the mills may be situated be given increments at the rate of one annual increment for every three years of service or part thereof in excess of one year, subject however to a maximum of three increments and the condition that the respective scale or grade is not exceeded.

(57)

In Maharashtra region the workers will be given one increment for every four years of service subject to a maximum of three increments and the maximum limit of the scales in respective cases not being exceeded.

(58)

Since the crushing season usually begins from November, the Board's recommendations should be effective from 1st November, 1960.

(59)

In view of the desirability of there being a truce between the parties in so far as the matters covered by the Board's recommendations are concerned, it recommends that at least for five years these should not be revised.

(60)

Having considered the question of gratuity for sugar mills employees in all its aspects, the Board frames a detailed gratuity scheme to apply with effect from 1st November, 1960 to all permanent and seasonal workmen (with the exception of apprentices) employed in, or in connection with, sugar factories. The scheme inter alia provides for the general superannuation age of 58 years, lays down other conditions in which gratuity would be payable, and the rates of gratuity to be applicable in the case of permanent and seasonal workmen separately for different periods of service.

P.T.O.

(61) In the factories where basic wage and dearness allowance were paid separately, the gratuity for period of service prior to 1st November, 1960 will be calculable on basic pay immediately preceding the date of application of the new wage structure subject to a minimum of Rs.300~~0~~. But in the factories where consolidated wage system prevailed, such calculation will be made on the notional monthly basic pay as shown in the schedule.

(62) For the period of service from the date of implementation of the recommended wage structure, the gratuity will be calculable on the basic wage as may be payable in respective cases when the gratuity claim becomes due.

(63) Having regard to the particular attitude of labour apropos balance sheets in the North, the good points of the bonus system which has prevailed in the North for thirteen years and the new support which this method of calculating bonus has gained in Central region, the Board recommends for these two regions, a bonus formula which for calculation of net profit rests on the regional cost schedule (given by Tariff Commission 1959) as adjusted to the duration of season and sugar recovery percentage attained by individual mills.

(64) The Board recommends that in the North and Central region 22% of the profits after tax, calculable in the manner prescribed, will be paid by the mills as bonus to their employees, provided that in case of factories having daily (24 hours) cane crush of less than 1000 tons as season's average, the bonus @ 20% of such profits will be paid. Saving in taxation according to clause VII of the formula on the amount distributable as bonus will be further distributed in the same proportion being relief under the income Tax Act but it could be done only once.

Central

(65) The bonus in North and ~~East~~ region mills would be subject to a ceiling of three months consolidated wages.

(66) In view of the fact that the practice of settling bonus claims unit-wise by collective bargaining in the broad frame-work of the full bench Labour Appellate Tribunal formula has on the whole worked satisfactorily in Maharashtra and South regions, the Board taking besides note of the fact that the Government have already announced their intention of appointing a Bonus Commission, does not feel it necessary to evolve a fresh bonus formula for the sugar industry of these regions.

(67) In respect of Maharashtra and South regions the Board recommends that the present practice of settling bonus claims by negotiations in the background of the full bench Labour Appellate Tribunal formula as recently interpreted by the Supreme Court should continue.

~~SRD/Rao/Pool.~~

~~850/7.12.60/16.5Chrs/241~~

(332) why
Sugar Wage Board - Delay ?

~~Not to be done.~~

The Central Wage Board for Sugar Industry came into existence in December, 1957. It is still said to be deliberating somewhere in the South. The authoritative information earlier had revealed that the Board will submit its recommendations by September - so that the Government of India could issue by November and they could be given effect in ~~the~~ 1960-61 season.

Now the whole time-table seems to have been changed - the Board is delaying submission of its recommendations. It is feared that it may submit its report ~~in~~ actually in December and then the Government of India may take 2-3 months to decide about the same. Naturally, the employers in their turn will take time for "consideration" of the Report and by that time, the season will be either over or just at its end.

The tactics seem to be that the workers may not get an opportunity to think and react as they will resume only in early November, 1951.

Meanwhile the Government and the employers are busy in helping each other with the 'measures' to increase production - after all increase in production is in national interests! The Government of India have again offered concessions to continue rebate of 50% in the basic excise duty of Rs 11.25 per cwt. to all such sugar mills which produce sugar during 1950-51 season in excess of the average of their production in the two preceding seasons.

To the demand of the cane-growing peasants the Government had already given 20% ears and despite last year's agitation the prices of sugar-cane shall remain the same i.e. Rs 1.62 per maund for delivery at the gate and Rs 1.50 for delivery at distant centres
hall

(3)

According to U.P.'s Industry's Minister, Sri H.N. Bahuguna, U.P. Government is reported to have submitted certain proposals for acceptance to the Central Government which if implemented will increase State's sugar output by 400000 tons ~~annum~~ per annum. And this increase is to be new and above the record production of the State in the preceding season, which is 1221454 tons, a rise of 333605 tons ~~annum~~ as compared to 887849 tons of 1959-60. In fact the sugar industry all over the country achieved an all-time record in 1959-60 season by producing 240063 tons by July 1, 1960, the previous maximum being 2026139 in 1956-57.

Last week Sugar Millowners' Association (SMA) is reported to have once again raised the question of increasing price of sugar inside the country. It is well-known that for long a cry has been raised for the decontrol of price of sugar in view of the increased production.

(6)

Having failed to have got decontaminated
now these 'patriotic' owners are raising
the cry of increasing sugar prices
internally so that with a view to earn
'Foreign exchange' the ~~the~~ sugar stocks
may be exported on still lower price
to U.S.A. — of course Cuba being too
revolutionary, we cannot refuse to
be even this much humanitarian just as
not to export sugar to America.

The Sugar season has started —
and AITUC unions working in sugar
industry in Maharashtra and Western
Uttar Pradesh held meetings at Poon
and Meerut respectively last week.
Com. S. A. Darge attended Poon meeting.
AITUC having reviewed the position with
regard to Wage Board the two meetings
demanded immediate submission of the
Wage Board Report and Government decision
on the same by January, 1961. The
U.P. meeting has decided to hold a

Sugar Workers' Conference in Kanpur in the last week of November in which AITUC Unions from all over the State are expected to participate.

The A. I. T. U. C. is further considering of holding an all-India Conference of its affiliated Unions in Sugar industry sometime in December. To prepare for this Conference one or two leading comrades from each State are expected to meet in 2nd week of November.

~~Sugar to be concern of all.~~

The A I TUC wishes to ensure fair price of sugar cane to the grower and sugar at reduced prices to consumers. The workers and peasants together engaged in this industry with the patriotic support of the people from all over the country MUST MOVE - AS SUGAR IS THE CONCERN OF ALL AND THE CAPITALISTS IN THIS SECTOR BE ALLOWED TO FATTEN ON THE LOOT OF THE PEOPLE AND MERCILESS EXPLOITATION OF WORKERS AS WELL AS PEASANTS.