

10,
The General Secretary,
All-India Trade Union Congress,
5-E, Jhandewalan,
New Delhi-1.

Dated 8th September, 1965

Dear Comrade,

Ref: O.M. dated 6th September 65 regarding lapses of
affiliation of unions. + *Initial to my file, missing this
same evening.*
...

1. Kanpur Mazdur Sabha applied for affiliation on 15th July 1964 with incomplete papers. On 20th July 1964 the papers were returned to the UPTUC with copies of letter endorsed to Coms. S.S. Yusuf and Ram Asre for completion of paper and endorsement of UPTUC. Union was also informed of the same the same day.

No reply to this was received.

2. Another application dated 25-9-64 was received for revival of affiliation of Kanpur Mazdoor Sabha. A note was put up by me to the General Secretary to place it before the Working Committee on 12.10.64 which saw, connected but did not order anything.
3. On 2nd November 64 General Secretary and UPTUC and Com. S.S. Yusuf were specifically reminded about this. A note from Com. Ram Asre was received and seen by the General Secretary. No comment till to-day have been received from Com. Yusuf even though verbally the issue was raised with him.
4. In the Working Committee and General Council meetings of AITUC held in April 1965 Com. Yusuf and UPTUC representatives were present but did not raise this issue.
5. When the agenda was for the Working Committee meeting of 23rd Aug. was being prepared I had told Com. Satish Loomba that there are some new affiliations and this item be included in the agenda. I had told Com. Ramesh Mukherji to keep paper of the new unions ready in a separate file.

Accordingly this item was included in the agenda.

mike/

6. When the meeting started and the agenda proposed by Com. Loomba was approved as the ~~meeting~~ was a little out of order, with the permission of the Chairman and the House in order that the short time at our disposal is not wasted and utilized, I placed this item of new affiliations before the Committee and three names for the Credential Committee were suggested. Two of them have served on the Committee earlier also. All the three members of the Credential Committee were from our Party, none from the Left, Centre or independent. The seven applications I had been given by Com. Ramesh Mukherjee were announced.
7. After the Credential Committee was elected and you were speaking; Com. Ramesh came and put something in the file of the Affiliation applications and noted something. Later I saw it was the application of Kanpur Mazdoor Sabha dated 19.7.65, recommended by the President of the UPTUC on 21.7.65.
8. The other day (6th Sept.) Com. Satish said that this application was lying with him for six months. How could it be when UPTUC President has recommended it only on 21.7.65.
9. In any case this application has not been registered in the 'Daily Receipt Register' of AITUC. It has no initials of any AITUC office bearer having received it.

Com. Ramesh says it was given to him only a few minutes back, before he placed it in the file on 3.8.65.

10. This union may have paid a token affiliation fee of Rs.20/- only then and there on 23.8.65. I do not know if even this was pending with Com. Loomba.
11. It has been our practice in the past in the AITUC and it is constitutionally correct that before a union is given affiliation certificate, it should pay full affiliation fee.

In this case Com. Loomba has been insisting Com. Ramesh to issue affiliation certificate though the full affiliation fee has not been yet paid.

I have not seen any note on the papers of Kanpur Mazdoor Sabha. I don't know if there were any more papers and you gave a note. In any case it has not been shown to me.

I spoke to you on this on 6th Sept. itself.

I am unable to find where and by whom any attempt was made to side track the affiliation application of Kanpur Mazdoor Sabha. On the other hand this union had been shown an extraordinary precedural concession and a swiftness which will be rare in the history of AITUC.



GOVERNMENT OF ANDHRA PRADESH

Office of the Pay Commission,
Secretariat Buildings, Hyderabad-22.

Letter No. 1863/Pay Com./66-1, dated 19th January, 1966

From

N. K. Muralidhara Rao, I.A.S.,
Secretary to Pay Commission.

To

Sir,

I am desired to forward a copy of the Questionnaire issued by the Pay Commission. The Commission will be grateful if you let it have the benefit of your views on such of the points raised in the Questionnaire, as you wish to.

Since the Commission is anxious to complete its work early, it will greatly appreciate if you send your reply by the 15th March, 1966.

Yours faithfully,

(N. K. MURALIDHARA RAO)
Secretary to Pay Commission.

QUESTIONNAIRE

I. GENERAL PRINCIPLES

Q. 1. (a) What objectives should be kept in view in determining the scales of pay and allowances and conditions of service of different classes of employees of State Government, Local Bodies, Aided Teaching Institutions and State Government Industrial Undertakings and those borne on work-charged establishment (hereinafter compendiously mentioned as Government employees)? Please discuss these objectives in relation to the economic and social objectives of the State.

*Minimise need
paid work
according to
15% I.C.*

(b) To achieve these objectives, what principles should govern the structure of pay and allowances and conditions of service?

*Subject to
Capacity to pay
for Local
Bodies
all the more
mic details
to make it*

Q. 2. Should there be differentiation between the emoluments of employees in industrial and commercial establishments and other Government employees performing comparable duties? If so, what should be the guiding principles for comparison of duties and for differentiation in emoluments?

*Full min
emoluments
high on
ind. estab.*

Q. 3. Should there be differentiation between emoluments of employees in developmental and technical departments on the one hand and those of administrative and non-technical departments on the other performing comparable duties? If so, how and why? Do you consider that there has been a change in the relative roles of different departments in the context of the economic and social objectives of the State?

m

II. SCALES OF PAY

Q. 4. (a) What should be the minimum emoluments of a Government employee? Please furnish your calculations in detail specifying the cost of (1) food; (2) fuel and lighting; (3) clothing; (4) shelter; and (5) miscellaneous items and the number of consumption units taken into consideration.

(b) While fixing the minimum emoluments how if at all should the benefits allowed to any class of Government employees, such as educational concessions, medical concessions, etc., be set off?

(c) Is it not desirable that two consumption units alone should be taken into consideration in fixing the minimum emoluments (i.e., for man and wife) and that allowance may be given for each child up to a maximum of three children or upto the number of children considered desirable from the view point of the population policy of the State?

*|| Three are
15% I.C.*

the basis of...
to determine the
to...
e.g.

Q. 5. What relationship, if any, should the minimum emoluments have with the per capita income in the State, the financial resources of the State and the wages obtaining in other sectors of the economy? *no 2*

Q. 6. What minimum emoluments do you suggest, at the cost of living index you may specify, for (1) a last grade employee, (2) a lower division clerk; and (3) a daily rated employee, e.g., in work-charged establishment. *no*

...
resources &
population

Q. 7. Should the minimum emoluments be ensured to the Government employees even if that should lead to a reduction or slowing down of nation-building activities?

Q. 8. Do you think that a distinction should be made between employment by Government and employment by private sector in view of the incidental advantages of better security of tenure, retirement benefits, nature and conditions of work, etc.?

...
no, not

Q. 9. How does the nature of duties performed by the ministerial staff of the Heads of Departments differ from that performed by similar categories of staff in the Secretariat? To what extent, if any, are higher scales of pay for the Secretariat staff justified?

Q. 10. Do you suggest that the maximum emoluments admissible to a Government employee ought to have any relationship with or be a definite multiple of the minimum emoluments? If so, what should be the ratio between the minimum and maximum emoluments and what principles do you suggest as being relevant? *10 (?)*

...
Technical
Experts

Q. 11. What tests and standards would you suggest for adoption in fixing emoluments of different posts? Having regard to the tests and standards you propose, are the present scales fair? If not, please state how the present scales of pay should be revised? You may answer with reference to the posts with which you are familiar.

Q. 12. Is there dissatisfaction among the Government employees on the score of disparities in emoluments in regard to any specific post in any department?

Q. 13. There are about 135 scales of pay for the State and Sub-ordinate Services. Do you consider that this number is excessive, too low or about the right. If too low or excessive, please state how the pay structure should be rationalised keeping in view the answers to the foregoing questions? *over*

Q. 14. (a) What should be the principles governing the length of time-scale? Do you think that the time-scale should be longer for posts of entry and shorter for posts which will be filled by promotion? If so, *Rate of increments kept up after 10 years service.*

what should be the span for the two types of posts? Please specify for the departments with which you are familiar.

(b) Out of the following, what scheme do you prefer in regard to rates of increments and for what reasons:—

(i) uniform increments for time-scale;

(ii) higher increments in the initial stages and lower at the top stages or vice-versa;

(iii) the increment rates to be high in the middle stages with lower rates initially and at the top of the scale.

Q. 15. How far is it desirable that advance increments should be given in cases where an employee with longer experience and higher qualifications than are required for the post takes it up; if so, what should be the principles under which these advance increments are to be regulated? If you have alternative proposals, please state them.

Technical posts

Q. 16. Are the chances of promotion necessary and adequate in all the departments? Please specify the departments and posts, if any, where promotion outlets are inadequate. Can you suggest methods by which adequate scope for promotion is provided? If not, what other incentives do you propose? Do you suggest that there should be a selection grade scale for a post in which there are few opportunities for promotion?

Q. 17. What posts are filled by direct recruitment as well as by promotion? What should be the proportion between the two and for what reasons? Please specify for each department separately.

mostly from hands to before up after using the existing ones this is no file para. 2/3

Q. 18. There is a large number of employees who are borne on contingent establishment, such as, gardeners, watchmen, punca pullers, sweepers, etc., who do not have security of tenure. Do you consider that this contingent establishment should continue, so that there may be flexibility in appointment when needed and for removal when the posts are superfluous or do you consider that employment of a person for a considerably long period without security of tenure is inconsistent with the policies of Government?

Security?

Yes. all with some benefits.

Q. 19. Do you suggest parity in emoluments between the employees of State Government and those of local bodies? Is parity necessary keeping in view that employees of local bodies are not liable to be transferred anywhere in the State; and also is it possible within the financial resources of local bodies?

Q. 20. (a) To meet the cost of higher emoluments to Government employees is there scope for economy in any sphere of Governmental activities without impairing efficiency? Please give concrete examples. Or, can you suggest a method for meeting the expenditure;

without affecting the projects contemplated in the economic plan of the State? Please also examine the implications of your proposals with reference to the State's finances and the possibility of raising additional revenues.

(b) It is suggested that there has been excessive expansion of staff in recent years and a sizeable reduction can be made without curtailment of any useful activity or impairing efficiency and that higher emoluments can be paid to employees by such a reduction in number. What is your opinion?

Q. 21. Have you any suggestions in regard to the criteria laid down for the grant of special pay? Or, are the existing criteria satisfactory?

III. DEARNESS ALLOWANCE

Q. 22. Would you suggest the merger of existing dearness allowance either wholly or in part with pay scales in the event of a decision to revise them in an upward direction? Please state the year and the cost of living index which should be taken as the basis for such a merger?

Q. 23. Are the present rates of dearness allowance satisfactory? If not, what should be the principles governing the grant of dearness allowance?

Q. 24. Please state with detailed calculations what should be the amount of dearness allowance at present in accordance with these principles?

Q. 25. To what extent do the cost of living indices or the consumer price indices provide a basis for adjustment of the emoluments consequent upon the changes in prices? Please mention the cost of living or the consumer price indices which you wish to be adopted for the grant of dearness allowance.

Q. 26. Upto what pay range do you suggest neutralisation and what should be the percentage of neutralisation for each pay-range?

Q. 27. Do you accept the proposition that any increase in dearness allowance is likely to lead to a further rise in prices and thus defeat the very purpose for which dearness allowance is granted and that an employee is not deriving any benefit by the increase in dearness allowance? As an alternative, do you not consider that supply of food grains at subsidised rates either through co-operatives or through some other mechanism would be better? If not, what are your reasons?

Q. 28. It is suggested that the rise in prices is a general phenomenon which affects people of all walks of life and, therefore, a Government employee alone has no exclusive and special right to claim compensation for the fall in purchasing power or the diminution of his pay

1961?

cost of living index of Govt. employees

high price of grain

that has been done to neutralize it except that there is no income tax on the price rise.

packet in terms of goods and services. Do you agree with this? If not, why?

Q. 29. What will be the general trend of prices? Will it continue to be rising? If so, what method do you suggest for the adjustment of dearness allowance in future with the cost of living? Please state at what intervals and for what duration or magnitude of fluctuation in the cost of living should dearness allowance be revised? Are you in favour of automatic change of dearness allowance in accordance with the changes in the cost of living irrespective of consideration of all other circumstances prevailing at the time?

Yes

Yes

IV. HOUSE RENT ALLOWANCE

Q. 30. At present, the State Government is giving what is called Compensatory Allowance in lieu of House Rent Allowance and City Compensatory Allowance. Do you think there is any need to grant House Rent Allowance besides City Compensatory Allowance? Please state your proposals in a concrete form giving facts relating to the trends in house rents.

Q. 31. At what rates should rent be recovered from employees who have been given accommodation owned by Government?

5% Basic
R3

V. TRAVELLING ALLOWANCE AND DAILY ALLOWANCE

Q. 32. State Government employees have been classified into ten grades for purposes of travelling allowance. Do you recommend any change in the present classification?

or 30/4

Q. 33. Do you propose any changes in the present rates of Transfer Travelling Allowance, Tour Travelling Allowance, Fixed Travelling Allowance and Daily Allowance. If so, how and why?

VI. OTHER CONDITIONS OF SERVICE

Q. 34. (a) What are your observations regarding the state of efficiency and morale of Government employees?

(b) What reforms do you suggest in the structure of emoluments and conditions of service of the Government employees with a view to promoting a sense of participation in the administration and fuller aliveness to growing responsibilities?

(c) Is the system of advance increments adequate in this regard?

Q. 35. It has been pointed out that a vast number of Government employees are recruited and kept on temporary basis and thus there is a sense of insecurity and that there are also delays in regularisation of services and in confirmation. Is this true? If so, what measures do you suggest to improve the situation?

Temporary work
1 or 2 years
Regularisation

Q. 36. What changes do you propose in the present educational concessions given to Government employees?

Q. 37. It is generally represented that Government employees do not derive the intended benefits from the medical facilities as provided now. Have you got any suggestions to improve the present system of medical attendance on Government employees?

Q. 38. Are you satisfied with the scheme of retirement benefits which a Government servant is entitled to at present? If not, what will be your suggestions in particular with reference to qualifying service for pension, the scale of pension and gratuity and the basis with reference to which average emoluments are to be calculated?

Q. 39. Should the specialists, who enter Government service late in life, have the benefit of contributory provident fund in lieu of pension even though they are appointed against pensionable posts or should the qualifying service for pension be reduced? What categories of posts should have this benefit?

Q. 40. What are your views regarding the enhancement of the age of compulsory retirement which is now 55 years for the bulk of Government employees?

Q. 41. What are your suggestions, if any, in regard to the public holidays, casual leave, earned leave, hours of work and over-time duty and compensation for such duty?

Q. 42. Do you think there is need to change the present classification of services?

Q. 43. Do the existing Service Conduct Rules require any modification or revision? Do they impose an undue restriction on the exercise of political or civic rights of Government employees? Should any distinction be drawn in the matter of political activity between one class of employees and the other, as for example, between industrial and non-industrial employees?

Q. 44. Do you consider that there should be any restrictions on retired employees of the State Government and local bodies seeking employment in the private sector?

Q. 45. Is the functioning of Joint Staff Councils adequate? If not, what measures do you suggest for improvement?

Q. 46. Do you consider the present system of character rolls satisfactory or what method will you suggest to assess merit for purposes of promotion?

VII. GENERAL

Q. 47. Have you got any other suggestions which have a bearing on the topics covered by the terms of reference of the Commission? If so, please state.

STRUGGLE FOR YOUR DEMANDS STRENGTHEN AND DEMOCRATISE A. I. R. F. AITUC'S CALL TO RAILWAYMEN

A serious situation faces the railwaymen. All their pressing demands remain unfulfilled. An unsympathetic, bureaucratic and adamant administration refuses to concede even the most pressing demands. The cause of united action of railwaymen and their unity in the AIRF which has the tradition of being the premier, militant organisation of our railway workers has not, unfortunately, made the advance which is necessary to face the new situation. The AIRF leadership continues to suffer from lethargy and the organised strength of the railwaymen is seriously affected due to the undemocratic and partisan attitudes of AIRF leaders.

DISRUPTION ENGENDERED

Taking advantage of this situation, fissiparous tendencies have raised their head. The NFIR is already there and has split the unity of the railwaymen. A spate of categorywise unions have come into being, in some cases with the active support of the administration. A third federation has already been formed by communal elements. Now, a so-called convention has been organised recently at Moghalsarai which will ultimately lead to another attempt at a rival federation, as some of its sponsors are well-known advocates of this and others like George Fernandes are known for their splitting activities in the trade union field in general.

Hence railwaymen are faced with a situation in which, on the one hand, their demands are not conceded leading to justified anger, while, on the other, unity is threatened and organisation is getting weaker due to the undemocratic practices and lack of proper functioning of their traditional organisation—the AIRF.

AITUC'S STAND

In such circumstances, the AITUC which has always stood for democratic unity of railwaymen and has always supported all their struggles for their demands calls upon all railwaymen to close their ranks, defeat all fissiparous tendencies and strengthen their organisation on the basis of democratic functioning. Only in such a way can the combined offensive of the administration and the splitters be defeated, advance made

towards realisation of demands and the AIRF made to function in a way which will reflect the united will to action of lakhs of railwaymen.

It is necessary that in the interest of the unity of the railwaymen, the AIRF leadership is forced to shed its sectarian approach. In one of the largest zones, the Southern Railway, the AIRF leadership has refused to affiliate the largest organisation of the railwaymen, the Dakshin Railway Employees Union (DREU). Such an attitude weakens the unity of the railwaymen and the railwaymen should call upon the AIRF to strengthen unity in the Southern Zone and affiliate the DREU forthwith.

DEMANDS

The demands of railwaymen are well-known and do not need much elaboration.

WAGE BOARD

At a time when prices are rising continuously and sharply, the foremost question is naturally regarding WAGES. The entire pay structure of the railwaymen fixed by the first and second Pay Commissions requires drastic revision. The minimum wage is too low compared with the needs of the workers and the responsibilities of the job. The differentials and gradings are out of date. The system of D.A. does not recompense adequately the sharp rises in prices and, as a result, the real wage is getting depressed. The incentive schemes in various workshops are unscientific, put too great a workload on the workers and do not give sufficient rewards.

Hence the railwaymen are justified in demanding a Wage Board. Wage Boards have been established in various industries including some in public sector, e.g., in iron and steel, engineering, chemicals and fertilisers. All public sector enterprises coming within the specific purview of these Boards have been covered. There is no justification why railways—the premier and most vital industry of our country—should not have a Wage Board to determine its wage structure. The present system of treating railway workers on a par with administrative employees has no logic behind it and should be scrapped.

D. A.

D.A. must be linked to the cost of living index providing for 100 per cent neutralisation at all levels of

pay. Without this, the real wage of workers gets corroded with each rise in prices. The present system of waiting for 10 points rise has to go and point to point adjustment every three months provided.

The last revision of D.A. which was at 165 points was done as from December 1965. For the quarter October to December, 1965, the average of the index is 172 points. This means that D.A. has to cover 72 points and not 65 points as done by Government compared to 1949. On a basic wage of Rs. 70, the D.A. for 72 points would be Rs. 50.40 whereas railwaymen get at the lowest level only Rs. 38. For those getting Rs. 110 as basic wage, the D.A. should be Rs. 79.20. The D.A. formula of Government is therefore nothing but a formula to deprive the workers of their legitimate D.A.

And then, Government manipulates the index numbers and this is proved by expert committee inquiries into the Bombay, Ahmedabad, Delhi and Hyderabad indices. It is therefore to be demanded that index numbers for all centres should be corrected immediately.

BONUS

The railway workers have been denied the right to bonus in an arbitrary and unjustified manner. Railways are a profit-making concern. It makes no difference to the nature of the concern or the type of work whether a particular concern is run departmentally or otherwise. To deny workers of this most vital section a share of profits which has been guaranteed by law even in case of loss to the general industrial workers, is totally unjust.

GRAIN SHOPS

When prices are rising sharply and there seems to be no possibility in the foreseeable future for these to come down or even get stabilised, when conditions of scarcity continuously exist with regard to many necessities of life, the demand of the railwaymen for revival of cheap grain shops on the pre-1949 style becomes a real and forceful demand. These grainshops supplying not merely cereals, sugar, oil, etc., but also cloth, soap and various other necessities of life at PRICES PEGGED AT A CERTAIN DATE must be established. Only then can the workers be assured against the ravages of rising prices and scarcity conditions.

Unless the Government assures the workers of the minimum conditions of life, it is not possible for them to work efficiently and in a manner which their most vital job calls upon them to do.

RETRENCHMENT

With the introduction of diesel traction and change-over of some sections to electric traction, workers are being retrenched. In the mechanical work in such areas, eventually two-third of the present strength will become redundant. Hence a policy has to be laid down providing for absorption of these workers in suitable jobs as the changeover takes place. Similarly in the audit, accounts and statistical branches, automation is being progressively introduced. Here also a similar policy is needed.

CASUAL LABOUR

It is fantastic that the railways continue to employ about 5½ lakh casual workers. These workers are in fact kept on the jobs for years together but their services are arbitrarily broken, their wages are kept low—from Rs. 1.37 per day to Rs. 2 per day—and they are deprived of all other amenities which railway workers get. There is no reason why the bulk of these so-called casual workers should not be immediately absorbed as regular employees. There is still less reason why their wages should not be on par with those of regular workers doing similar jobs.

Comrades! The AIRF has called for observing a Demands Day on March 21. The AITUC fully supports this. But at the same time, the AITUC appeals to you to carry on a continuous campaign for the fulfilment of your demands through your unions and organisations. The AIRF must be strengthened but pressure must be exerted to make it democratic and wide-based, reflecting fully the unity and views of the masses of its members.

**RAILWAYMEN!
ORGANISE AND UNITE!
FORWARD TO SUCCESS!**

ALL-INDIA TRADE UNION CONGRESS
Rani Jhansi Road, New Delhi

March 10, 1966

SHRI RAM CENTRE FOR INDUSTRIAL RELATIONS
5 PUSA ROAD, NEW DELHI-5.

SAC/SK/A-2/4755

20th May, 1966

PHONE : 568261

GRAMS : SRICIR

Dear Friend,

Now that the Simla Seminar is over and we are back at our respective posts, perhaps we can dispassionately reflect on the work we did there. We at the Centre are particularly keen to review our work as objectively as possible. In this we will be greatly aided if you could write your candid views on what you thought was the main purpose of the Seminar, how well it was planned and how far we were successful in achieving that purpose. Please include in your comments not only the academic side of the Seminar but also the other arrangements made in connection therewith.

The Concluding Report has been edited and duplicated. Please find herewith a copy of the same. We need not add that meeting and working with you at Simla was a real pleasure.

With kind regards,

Yours sincerely,

C. K. Johri
Joint Director
(Seminar)

B. M. Kapur
Secretary
(Seminar)

Shri K.G. Shrivastava,
Secretary, AITUC, Central Office,
SE, Jhandewalan,
Rani Jhansi Road,
New Delhi.

Encl: 1

Principles of
Earnings Allowance
and 15 Solutions

The announcement by the Government of India that D.A. rise announced in February 1966 to the Central Govt. employees is the last and that Govt. will find out ways to hold price-line or compensate the employees in some other way than cash payment of D.A. A few months before in Calcutta efforts were made to reduce the D.A. of workers specially Engineering workers. In Bombay Mill Owners' Association have already filed an application before the Wage Board for reduction of 33% D.A. After the recent strike the Govt has only agreed to press the employers to withdraw the application. In Nagpur the Government after taking over a mill reduced the amount of D.A. for ~~which~~ the restoration of which agitation is on. All these instances point out to only one direction i.e. of Wage freeze policy. Both in the Second and Third Five year plans, the Government had enunciated a policy of Wage Freeze, saying that wages should be linked to productivity rise. It is another matter that due to the agitations and struggles of the workers the Government and Employers could not ~~adhere~~ adhere to this policy. Workers had to pay for each rise in their earnings through sufferings and sacrifices.

WAGE -PRICE SPIRAL

Against rise in the earnings of the workers the danger of Wage - price spiral has been raised again and again. No less than a person of the status of present Home Minister Shri Gulzari Lal Nanda had discussing the grant of his item Labour & Employment in Lok Sabha on April 11, 1960 stated categorically that :
" I am not prepared to make any dogmatic assertion, but on the basis of such ~~studies~~ studies as I have been able to make of these questions (wages- prices-Ed) I feel that it is very unfair to blame the workers for the inflationary pressures and for the upward trend in prices. It is not at all good to creat a feeling among the workers that they are being held to be responsible for raising prices and they are benefiting at the expense of the community.

The fact is - and it is a very important fact - that the workers always lose when prices rise. Some people gain, but not the workers.

Even in those cases where D.A. is linked with the C.L.I. and percentage of neutralisation is over 60% (in very few Centres and industries) the increase in

2

D.A. follows rise in prices ~~and~~ ~~the~~ ~~cause~~ of it. The basic wages are so low in these places i.e. between Rs.30 to Rs.50 per month that though the percentage of neutralisation may work out to be more than 50%, it does not increase their real purchasing power very much. The consumer price indices ~~are~~ are defective i.e. do not reflect the actual increase in prices. The recent enquiries in Bombay, Ahmedabad, Rajasthan and Delhi have amply proved it though correction had been only partial. Workers do not therefore get increase in D.A. commensurate to the actual rise in prices.

LESS NEUTRALISATION

Another factor is that in most of the industries and services D.A. is not revised monthly. The base year of cost of living indices go on being changed. It was changed from 1939 to 1944, then to 1949, to 1952-53 and now 1960 series are in force. When the D.A. formula is revised and brought to new series, it has been the experience that new formula reduces the percentage of compensation. In many cases the D.A. is revised quarterly, half yearly or yearly and in still others i) certain points of minimum rise and/or ii) a given period is a pre-condition. And over and above these are large number of workers in the unorganised industries, but even that of organised industries who either get a fixed wage with no element of D.A. and therefore no rise in it or with ~~an~~ fixed D.A. i.e. not linked with cost of living indices even though in 21st session of Standing Labour Committee and 23rd Session of Indian Labour Conferences this principle has been accepted by all. State Government employees and employees of Local bodies teachers are a big chunk whose D.A. is not linked with the Cost of Living Indices, thus putting Government itself in the dock for violation of tripartite decisions. Then there are industries and services where though in principle the D.A. is linked to the cost of living indices, in actual practice it is not implemented and even after agitations it is only partly implemented. Over 2 millions of Central Government employees and about half a million workers of corporations and others whose D.A. follows the pattern of central government employees are in this category. The recommendations of the First Pay Commission, Second Pay Commission, Das Commission even though accepted by the Government have not been implemented fully reducing appreciably amount of D.A. due to the workers.

With the introduction of rationalisation and attempts at automation, productivity and production has gone up but the workers have not received their full share in the gains thus accrued.

To say that part ~~of~~ of increase in wages or D.A. which working people obtained in such circumstances gives rise to increase in prices is nothing but a big fraud.

This has to be contrasted with open market for monopolies, profiteers, speculators, hoarders, contractors and the like to enrich themselves without any check or means. Is this not responsible for inflation and black money and consequently rise in price? While the employers and the Government are ever ready to deny the workers their dues in the name of price rise, what effective steps have been taken to put a stop to this real cause for price rise?

WORKERS AND PEASANTS EARNINGS:

Another argument advanced to deny the D.A. and due wage increase to workers is to put lower paid workers against some who have won higher wages or compare them with landless peasants and beggars. In fact in capitalist economy the larger the number of unemployed and beggars, the better is the society for them. They would distribute poverty-unemployed and hunger in their brand of socialism on mass of people, with a chosen few who ~~insure~~ serve their interest ungrudgingly to remain employed and some of their own only among the well to do ones. That will guarantee them higher profits with cheap labour. It is for this purpose that in capitalist society even when productivity and production is rising; the figure of unemployment is almost constantly kept up unless there are in neighbouring countries cheaper labour available. It is because of this self interest of their class that they and their supporters always refer to the lower and lowest strata of people in comparing wages and standard of living at the wage-negotiating table.

The employers in our country are only following in the foot steps of their class-friends monopolists of the world. For example bourgeois economist Clarence Long says that " a certain amount of unemployment is of positive value for stimulating economic growth and checking inflation." The new term for employment used to perpetuate redundancy, low wages, partial employment and unemployment to a certain level are considered by this section of society as a necessity for economic growth.

Working class wants to raise the living standard of not only theirs but of all working people, whether they be in Factory, Government services, Farms or amongst the intellectuals. Often united struggles are fought for this purpose and on some occasions fraternal help is rendered to another section of working people fighting for bettering of their standard of living. The anarchy in the wage structure in our society is the gift of capitalism. Standardisation of wages i.e. equal pay for equal work irrespective of industry, place of work and sex is the goal of the socialism. But we know as a ~~realist~~ realist that the capitalist and their henchmen only distort this plea to deny the working people their due and keep its wages lower and not for raising the pay of the lowest to bring it to higher level. This

will have to be done by the working people coming together and fighting unitedly. The employers often shower the lip sympathy for poor peasants or beggars but they never agree to divert their savings out of less payments to their workers to either peasants or such other sections. It goes to enrich them still more. While they want to deny low paid workers any rise in wages in the name of the poor; they are not the least agreeable to put a curb on their profits for any purpose. It does not therefore lie with the employers of any category to take this plea of/section remaining poor or low paid than the other, to deny their due wage rise, much less than it if it is an element of D.A.

CASE OF GOVERNMENT EMPLOYEES

Among the Government employees the Government often takes the plea that they are not profit-making concern and therefore these laws of society should not apply to them.

Government is said to be model employer and also the biggest one. It has vast resources. It should be able to pay its employees in Factories and offices living wage and conform to the principle of rise in earning with the rise in prices. Holding of price line is their prime responsibility. If the Government fails to tax the rich ones, continue to give them relief and free ~~xxx~~ hand to exploit, fails to take steps to keep the price-line; its employees should not be made to suffer, for its inefficiency and regard for the capitalist structure of society. In fact by not following the universal principle of rise in wages accordingly to rise in prices in their own establishments, they will be encouraging employers in the private sector to behave worst and will not remain in a position to checkmate them against this social evil.

CAN PRICE RISE BE HALTED

Do we expect as the Government says that it will hold the price line?

Much as the people including working class would like that the price-line is held by all means at the disposal of the Government, out past experience of 18 years of the Government and in view of the policies of failure to check the speculators and hoarders, there is no hope that the prices will for a long time remain stationary at the present level. Shri Ashok Mehta Planning Minister has given a hint in this connection recently when he said that the country will have to live up with high price for another ~~xxx~~ ten years.

This Government which is guilty of criminal act in not tackling the hoarders and speculators and being able to arrange distribution of even the available food grains equitably and takes the shelter of providing the necessities to their workers instead of paying cash dearness allowance which are eaten up very soon by the rising

prices. Is Government itself with its policy of raising the ~~Railway fares~~ prices of controlled wheat, milk from Govt. Dairies, Bus and Railway fares, increasing taxes on commodities of common man's use not keeping the process of alround prices going up? Thus while the Government is playing the game of vicious circle of prices and wages raising, it advises and forces the working people alont to ask for cash D.A.

FAIR PRICE SHOPS AND COOPERATIVE STORES

Government on August 5, 1963 decided to open Fair Price Shops and Consumer Cooperative Stores in all establishments employing more than 300 employees. Leaving aside the question as in how many establishments this has succeeded (Government claims 60% success in private and 80% in Public sector concerns), the fact is that the cost of living indices which was at 136 in August 1963 has gone up to 173 in December 1965. Fair Price Shops are useful in meeting the scarcity but not checking prices.

Along with it the 22nd I.L.C. in 1964 decided to arrange for each worker on voluntary basis foodgrains and edible oil and coarse cloth from these shops on loan, subject to recovery of cost from his wages. This was subsequently considered impracticable and given up.

FIXED PRICE SHOPS AND DEARNESS ALLOWANCE

During last War Railway employees were provided cheap grain and some other necessities from this stores opened by the Railway administration. In 1949 the Government felt that this is uneconomical and therefore even by paying an ad-hoc sum of Rs.100/- per worker this was changed to the system of paying cash D.A. In this crisis period railway and some other employees have been demanding revival of this system. Government upto now even on 4th MEF March 66, through a reply in the Lok Sabha by the Railway Minister Patil stated that the scheme is not practicable.

What does Government then mean when representatives of Central Government employees were given assurance by the Prime Minister Indira Gandhi and the New Finance Minister Mr. Sachin Chaudhari to evolve a scheme where these articles may be provided by the Government. Unless the Government scheme is made known, it cannot be commented upon. Andhra Pradesh Government has lately talked of supplying food grains ti their employees.

As far as the working people are concerned they would definitely like food grains and other major necessities being provided at a fixed price on a particular cost of living indices. The responsibility of this provision will have to be of the Government and the employees and the employers organisations can cooperate in the system of its distribution. If all the major items required by them in full quality.

major items required by them in full quality are provided on that fixed prices, their cost of living indices would of course not go up and the D.A. enhancement would not be necessary. If on the other hand only some items are provided, the D.A. will be reduced only to that extent. In this case part of the D.A. will have to be in cash, with some items being provided in these shops by the employers. Details can be worked out. Before this is done it will be necessary that the dispute about full neutralization at that particular cost of living index in regard to dearness allowance is settled.

PRINCIPLE OF LINKING D.A. WITH C.L.I.

It will however be incorrect for the working class to give up at any stage the practice of linking his earnings (whether in the form of wages or D.A. or be whatever name it is called) for the prevalent prices computed in the cost of living indices. This right has been achieved by them with hard struggles and sacrifices. Bombay and Ahmedabad Textile workers got it in ~~first~~ first and then the central government employees in the last World War. History of trade union movement is full of major ~~strikes~~ struggles for this purpose including the historical 1960 strike of central government employees, State Government employees and employees of local self government bodies have also been agitating for it from time to time. If the working class has not yet been able to achieve a uniform system of payment of D.A., which in the present circumstances can only be on the basis of linking D.A. with cost of living indices for full neutralisation for all workers, it will be wrong for any section of the workers to demand or rejoice at the freezing of D.A. of employees getting higher D.A. A united voice in favour of the principle of linking D.A. with cost of living indices to be reviewed every month with full neutralisation is the only answer, unless a satisfactory arrangement for provision of all necessities of life in the quantity required at a fixed price is made and worked.

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SHRI RAM CENTRE FOR INDUSTRIAL RELATIONS

SEMINAR ON
THE ADMINISTRATIVE DIMENSION OF LABOUR LAWS

Report Adopted by the Concluding Session

Chairman - Jagjivan Ram

Date - 11.5.1966

Time - 2 p.m. to 4 p.m.

PREAMBLE

The Shri Ram Centre for Industrial Relations, New Delhi, organised the Second National Seminar on Industrial Relations in a Developing Economy at Cecil Hotel, Simla from May 7 to 11, 1966 on the theme of "The Administrative Dimension of Labour Laws". It had the distinction of being inaugurated by Mr. V. Vishwanathan, the Lieutenant Governor of Himachal Pradesh.

The theme was discussed in four sessions on the basis of the papers written by several authors and the decisions of the Plenary Session which decided the focus of deliberations. The Seminar addressed itself to the problems experienced in the process of administration and implementation of labour laws, and to making suggestions and recommendations for the consideration of the Government, the firms and the unions. The purpose and the substantive contents of the Labour Laws fell outside the limits of the scope of the Seminar.

The session I was devoted to the Working of Government Organisation that administer Labour Laws. In this session the Seminar took five sets of problems that may be summarised under the broad heading of (i) the use of discretion, (ii) delay in labour judiciary, (iii) the implementation of the Minimum Wages Act, (iv) the implementation of some of the provisions of the Factories Act, and (v) the effectiveness of conciliation machinery, and (vi) the social aspects of labour legislation.

On the use of discretion under Sections 10 and 12 of I.D. Act the Seminar is of the opinion that the use of discretion is unavoidable.

Even in case of judicial decisions, discretion plays an important part. In the administration and executive field, it assumes an even greater role. It was clear that discretion cannot be taken away from the administering authority, especially when the human element, as in the case of Industrial Disputes is pronounced.

However, in as far as possible, administrative discretion should be used in as objective a manner as possible. The Seminar is of the opinion that full disclosure of facts which form the basis of the decision for reference or non-reference of a dispute may bring a check on the arbitrariness in the exercise of discretion. The very fact that all the facts are to be made public will encourage precision and objectivity.

It was felt that one of the unintended consequences of full disclosure of facts may be increased litigation. Many of the facts which may form the basis of report and the reasonableness of the opinion itself would be justiciable, and there would be greater tendency to move the courts. The danger of increased litigations cannot be minimised but for the sake of greater objectivity this risk is worth taking.

With regard to the fear that many a time the conciliation officer's report is not complete, it was pointed out that an individual officer has his own worries and limitation. However, it was felt that if in practice the parties are heard by the Government before a decision on the conciliation officer's report is taken regarding reference of a dispute to adjudication the risk of some facts being missed or misrepresented

will be lessened, although discretionary element in this decision itself would be there.

It was also agreed that the Government must follow a consistent policy in the exercise of discretion. The intention of the law is not peace at any cost, but a consideration for equity and fair play. The best industrial relations situation is one where a fair balance is maintained between the parties. If this objective is not fulfilled, the purpose of the law is defeated. The Seminar is of the view, however, that difficulties in striking a balance between the objective of the situation and political objectives may sometimes be serious and Government should, in such a case, rise above political objectives

It was felt that where discretion rests in the officer he should be free to use it. There should be no extraneous pressure or consideration while exercising this power. In this context it was pointed out that some guidelines for use of discretion may be evolved. Some measure of consistency in the manner of exercise of discretion in similar situations may be a good guide though for a variety of reasons similarity of situations itself may not be so obvious. It was also felt that in the exercise of discretion a wrong emphasis must be avoided. Most often, it was pointed out, there is an obsession with immediate peace, and this may lead to miscarriage of justice.

On the question of delay three issues were posed for discussion:

- (i) Can judicial procedures be improved to minimise?
- (ii) Will improvement of the personnel of the Tribunal reduce delay?
- (iii) Should the

right of appeal be controlled to reduce delay? Can we suggest, that without going to the courts, disposal of the cases can be speeded up?

It was suggested that a study of cases which are disposed of quickly may be fruitful in this connection. Also the attitude of the contending parties themselves towards the reference of disputes is an important area for enquiry.

About the procedures it was felt that the improvement may be brought (1) by prescribing a time limit for disposal by the Tribunals; (2) requiring the tribunals to deal with the cases on the lines of sessions trials, and (3) by giving appellate powers to the High Courts. It would also help if the parties in dispute were induced to co-operate in speedy disposal of cases and not seek adjournments. Besides there also appeared to be a need for an increase in the number of judges.

There was brief discussion on the quality of the personnel appointed on the Tribunal and Labour Courts. The general feeling was that the practice of appointing retired judges, and the lack of attraction for these positions on account of status and remunerations offered account a great deal for slow pace of work. This situation can be improved by (1) elevation of the status of the tribunal personnel to that of a High Court judge; (2) appointment of persons in the active service only and (3) provisions for secretarial assistance to the Tribunals to help arrive at scientific decision. It was felt that persons from active service would be under the joint control of the High Court as well as the State Government. They would also have an incentive for going up

through good performances.

It was felt that if the High Courts are associated in the framing of rules for the working of the Tribunals, the working may improve.

A significant point that emerged related to the possibility of expeditious disposal of cases even under the present procedure. Instances were cited where many quick disposals were made, as contrast to excessive delays and it was pointed out that the rate of disposal is improving. This laid a focus on the personnel of the tribunals.

On the subject of the implementation of the Minimum Wage Act the Seminar considered three aspects. These are (a) delay in fixing minimum wages, (b) administration of minimum wages and (c) measures for expediting both the decision making process and implementation of the wage norms.

It was felt that, inasmuch as the Act is meant to cover the sweated and unorganised industry, its extension to the organised industries may be avoided. This will have the effect of reducing the burden on administration.

However, it was pointed out that the Act does not provide for de-notification of an industry, once it is included in the schedule.

The participants pointed out that the delay in wage fixation can be reduced (a) through a judicious selection of committee members, (b) extending adequate secretarial aid through data collection and (c) fixing a time limit for arriving at a decision. Some felt that use of the notification provision of the Act in certain cases may also reduce delay.

(3)

It was observed that the enforcement of the Act suffers due to inadequate staffing in the Labour Commissioner's Office, faulty work assignments to the inspecting staff and the problems inherent in covering a vast area by the enforcement machinery of minimum wages.

Several fruitful suggestions were made by the participants to make administration more streamlined and efficient. It was suggested that a set of separate inspectors exclusively for the administration of the Minimum Wages Act may improve matters. The need for some such arrangement was especially felt in the case of agricultural labour. Some felt that local village agency or block development staff can suitably be employed for the implementation of this Act.

It was felt that trade unions can fruitfully collaborate with the Government machinery in helping the enforcement of notified wages. In general the usefulness of educating the employees, the employers and other concerned, and inducing them to abide by the norms was stressed. Instances were cited in support of successful working of this process.

The Seminar noted that minimum wages are fixed for skilled, semi-skilled and unskilled workers. Skilled workers get more than the minimum due to their bargaining power based on skill. In case of semi-skilled and unskilled workers the lack of economic power forces them to accept less than the minimum. It might, therefore, simplify matters if the minimum wages are fixed for the unskilled category only. It was, however, felt that this by itself would not lighten the task of the enforcing machinery though it will ease the task of the wage fixing machinery.

It was pointed out that even prosecution may not help as penalties are not heavy.

On the question of increasing the effectiveness of conciliation machinery the Seminar was of the view that, despite limitations of varied character, it was rendering a very useful service. A large number of cases referred to it were settled by the conciliation officer. Nevertheless, there was a general consensus that they could and should be enabled to achieve more. Indeed if the pressure on the labour judiciary is to be reduced to any significant extent the conciliation officer must assume greater responsibility for settling disputes referred to them. This realization led several participants to voice a strong opinion that the status of conciliation officers should be fully commensurate with the highly important tasks they were performing. It was also suggested in this context, that they should be provided with training and educational opportunities for improving their skill in human relations and other fields of interest. In this connection an opinion was expressed that frequent exchanges of experience among conciliation officers in different states might lead to gradual improvement in their overall performance.

In the Seminar discussion on these subjects there was a strong undercurrent of unity of thought that the basic goal towards which the administrations should move is the strengthening of collective bargaining based on stable bipartite negotiations between unions and management. Ultimately the objective of industrial peace can be achieved in a

framework of industrial democracy and when both parties develop liability of mutual confidence and reassurance in their ability to handle problems without third party interference.

On the question of implementation of the Factories Act the Seminar felt that there was evidence of unevenness in the compliance to its provisions in different parts of the country. It was pointed out that in some States the violations of the Factories Act were rather infrequent. This was probably due in part to strong trade unions and partly to the practice of giving wide publicity to the prosecution proceedings against the defaulting firms.

There was a feeling in the Seminar that the Factories Act was reformative rather than punitive in character and the function of the administration was to gradually enforce it through a combination of persuasion, pressure and prosecution. However, the problems of implementing the Factories Act are of an entirely different nature for small firms. It was felt that sometimes the enforcement of this Act bristled with practical difficulties of a rather intractable nature. The Seminar was therefore unable to recommend positive measures for speedy enforcement of the Factories Act on small firms.

In the session devoted to the Problems covering Implementation of Labour Laws at the Enterprise Level several interesting problems were discussed. On the subject of "the effect of legislation on organisational effectiveness" it was argued that the legislation was reducing the elasticity of operation in the latter and in calculating a mood of

rigidity in management thinking. While the Seminar did not have sufficient evidence to reach a firm conclusion one way or the other the general consensus was that the legislative framework had prescribed procedures which encouraged their use and to that extent hindered the growth of voluntarism. Thus the trend would be the growing effectiveness of one method at the expense of the other. The facile assumption that the two could be mutually complementary at best and neutral at worst was open to serious doubts.

On the question of the effect of labour law administration on the structure of the personnel department, the Seminar noted that this effect, if at all significant, has not been negative. The personnel departments in large concerns have grown immensely in size and status. This trend is likely to continue and will probably be conducive to better compliance to labour laws. Accordingly it merited further encouragement.

However, on the role of the labour welfare officer who has to be appointed under the Factories Act, there was much dissatisfaction. It was agreed that the Labour Welfare Officer had to perform difficult chores and frequently found himself caught between opposite fires. It was held that a person appointed by the management must remain loyal to it. Indeed he cannot do otherwise. Therefore the Government might consider the desirability of modifying the legal provisions for the appointment of such an officer.

On the question of compliance costs of labour laws the general discussion led to the belief that though absolute costs may have increased

the rise has not been of a nature which would pose a problem to the industry. In fact the percentage of labour costs as compared to other costs may have even become lower.

The Seminar also discussed at length the effect of labour legislation on the trade unions. While no precise conclusions could be reached there was a general consensus that trade unions can be the watchdogs for the implementation of labour laws. Accordingly it might be desirable to develop a suitable organisational structure for co-ordinating the interests of trade unions with those of the Governmental machinery.

The Seminar also devoted some time to discussing the implications of the right to strike enjoyed by unions. The consensus was that strikes are not always bad. While these have to be avoided in the interest of production the Seminar was of the view that often strikes have laid the foundation of sound bipartite relationship. Indeed the sanction of strike has traditionally been used in support of agreements reached between the two parties. Without the former the latter are unlikely to thrive.

So far as the trade unions rivalry is concerned the Seminar has expressed the opinion that it cannot be attributed entirely to the legal system. The latter no doubt permits it but its causes lie deep. Under the present circumstances the phenomenon of inter-union rivalry is not likely to be eliminated, nor is it desirable to suggest either legal or administrative measures for suppressing it. The Seminar therefore suggested that all the parties concerned should search for practical ways and means for living with it. The remedy lies in developing sanctions

from the sides of law, administration and public opinion for recognising unions which are known to have the largest membership of workers without curbing the constitutional rights of minority unions in any way. This is necessary for strengthening the collective bargaining system in this country which alone can in the long run mitigate the severity of this problem.

In discussing the administrative aspects of voluntary arrangements the Seminar covered the wide area of the formulation of codes and the implementation arrangements made by the parties themselves as well as the administrative arrangements set up by Central and State Governments. The verification procedure followed by the Centre came in for some detailed discussion. While there was a general satisfaction about the verification procedure, internal evidence, at times, revealed that verification machinery could be more objective and the investigation that is undertaken in respect of some federations could be more impartial. If complaints against the verification are few, it is because in the initial stages of verification some federations found the machinery to be somewhat irresponsible. To some extent lack of response in the Government machinery was due to the vastness of the machinery through which the work was done, but it was the experience that if complaints were brought to central authority, they were investigated.

However, the larger question was in regard to verification which would lead to recognition of unions at the plant level. Many instances were quoted as to how the administrative arrangements in this area were

defective. As there was no detailed paper on this subject, it was felt that for an adequate discussion of the subject; a separate opportunity should be availed of.

Certain conclusions about the operation of the Evaluation and Implementation machinery and generally the operation of the code of discipline were discussed with specific reference to the written conclusions presented to the Seminar in respect of two States. A general conclusion which was reached that while certain elements of the code had given satisfaction there were others where the experience was not happy. The codes specified certain 'do's' and 'don'ts'. In regard to 'don'ts', most of these were provided in legislation and perhaps because of these there was a satisfaction; but in respect of specific performance of others the experience was not happy. A basic question which came in for mention was whether the parties to the code had entered into those arrangements with all the frankness that was required to make it a success. It was felt that each party saw some advantages in the code and agreed to it, but in course of implementation difficulties arose mainly because of other clauses the effects of which were different for different signatories to the code.

The question of voluntary arbitration was also brought up. In this connection the group felt that, in this area, a considerable educative effort was needed. There is not only a paucity of literature on the subject but also inadequacy of persons who will enjoy confidence of both the parties. In this context the efforts made by the academy of

arbitration as also by Central Government in arranging to have a tripartite body set up for promotion of voluntary arbitration were taken note of.

A general point which emerged out of the discussion was that there should be strong emphasis on the building up of such voluntary arrangements at the unit level and thereafter seeking suitable instruments at the top. A part of the failure of voluntarism is due to the fact that this aspect has been ignored. Some defects in the evaluation and implementation machinery that has been set up at the state level were mentioned and a general point which was accepted was that a person invited for the membership of this machinery should have a representative status.

A basic point raised in the course of discussion, was that a voluntary arrangement can succeed only in an atmosphere where voluntarism has been "built in" the industrial relations system. To expect the voluntary approach to work in an atmosphere of mutual distrust will not be proper. This is at the root of the problem of failure of voluntary efforts by the parties whether it is at the level of Government, the employers or workers.

The legal impediments which arise out of the requirements also come in for mention. Cases were pointed out where parties had reached an agreement for securing the acceptance of all workers but it was necessary to bring in a conciliation machinery. In a way, this inhibited the voluntary approach. This again links with the general question of recognition of representative union to which adequate reference has been

made elsewhere in the report.

A unanimous view was expressed that the name "Joint Management Council" required to be changed. The functions of the Joint Management Council do not amount to management and most of the difficulties arise because of the name. It is important to recognise that the JMCs are not a substitute for bargaining. A recognition that a union has a role in representing the workers will go a long way in the healthy development of such councils. Certain positive suggestions on the working of the Joint Management Council from the experience of the two firms were mentioned at the meeting. The basis for the successful working was that both the management and the union should enter into the JMC arrangement in the spirit of working it. The unanimous decisions of the council should be implemented and it was a pre-condition of success that the terms and conditions of employment must be settled to the satisfaction of parties before the JMC's start operating. This again links up with the question of union recognition.

The question of increasing the effective operation of Joint Management Councils in the public sector was referred to and a point was made that this is an area where adequate effort has not been forthcoming from the Government.

In the context of future, it was pointed out that for improving working and living conditions, the efficiency of the unit concerned and in general, of both management and workers, voluntarism can play an important part. In the sphere of productivity it has a significant role but even

here a mere emphasis on voluntarism in a situation where the basis for it does not exist will not be proper.

Finally, it needs to be pointed out and this has a firm statistical basis that whether it is a piece of legislation or a voluntary arrangement between parties, its effectiveness seems to vary with the time for which it maintains its novelty to the users. The conciliation machinery set up under the law, industrial tribunals and other instruments in the earlier stages of their work went on unhampered till they reached a point when employers/workers felt the need for introducing a change in their outlook through intervention by superior seats of justice. Voluntary arrangements have had the same fate.

अखिल भारतीय ट्रेड यूनियन काँग्रेस

ALL-INDIA TRADE UNION CONGRESS

5-E, Jhandewalan, Rani Jhansi Road, New Delhi — 1

8 October 1966

President: S. S. MIRAJKAR
General Secretary: S. A. DANGE

To,

The Secretariat,
National Council of C.P.I.
New Delhi.

Dear Comrade,

You must be aware that the AITUC has given a call for the observance of October 21, 1966, as a 'Day of Solidarity with Vietnam' in cooperation with SOHYO (Japan). SOHYO has given a call to the Japanese workers for one-day token strike of one-day on 21.10.66 demanding withdrawal of U.S. Military forces from Vietnam and protesting to the Japanese Government against her direct and indirect cooperation with US war efforts in Vietnam.

We have issued besides a circular to all our STUCs and General Council Members, 2 press statements and a direct appeal to the Workers in the form of leaflets (copy enclosed) which has been sent to almost all the unions. Over and above this I have written personal letters to the following comrades:

1) Com. Indrajit Gupta, 2) Com. K.M. Sundaram, Madras, 3) Com. S.G. Patkar, 4) Com. G.V. Chitnis, Bombay, 5) N. Satyanarayana Reddy, Hyderabad, 6) Dr. Raj Bahadur Gour, Hyderabad, 7) Com. M.S. Krishnan, Bangalore, 8) Com. B.D. Joshi, Delhi and 9) Com. Y.D. Sharma, Delhi.

I am informed that in Delhi the C.P.I.(M) is preparing in a big way to bring their followers in this procession.

This is for your information and action as considered necessary to make the observance of this day a success.

With greetings,

Yours fraternally,

(K.G. Sriwastava)
Secretary

Com.KG

Herewith three copies of the note. Copy for Com.Satish may be given tomorrow morning when you meet him.

I am also keeping here the TUR which contains the Samiti resolution on bonus amendment as also the Economic Times which carries the report which is referred to in my note.

1. According to some reports, "indications are that the ordinance (which Government might issue after the tripartite) to amend the Bonus Act) will alter the rate of return allowed on capital and reserves for ascertaining the allocable surplus to the levels suggested by the majority recommendations of the Bonus Commission".

This will obviate the necessity, according to the report, for constitutional amendments to re-validate Section 34(2) - on protection of past bonus benefits.

It is said that the "objection of the employers to calculating allocable surplus at the rates suggested by the majority recommendation is also said to be not so strong as before in view of the later modifications of the Finance Act."

2. The modifications of the Finance Act involved (i) abolition of the tax on dividends declared upto 10 per cent; (ii) abolition of tax on bonus shares; (iii) Larger rate of depreciation for some industries.

The Finance Act thereby made a material change in the circumstances, justifying a de novo consideration of the bonus formula, because

- the ground for raising the rate of return from 7 per cent to 8.5 per cent on equity capital, as demanded by Dandekar, was that 6 per cent return of LAT ~~was not taxable~~ was not taxable and to include the element of tax, it should be raised to 8.5 per cent. Now that tax on dividend upto 10 per cent is abolished, the rate of return should return to 6 per cent.
- the free conversion of reserves into bonus shares would mean that sums hitherto claiming return as reserves at 6 per cent would become entitled for return at 8.5 per cent. In recent months, most of the concerns have converted reserves into bonus shares and thus, through this method alone, the quantum of bonus would fall appreciably.
- Higher depreciation and development rebate now being sanctioned would mean inflating the prior charges or, in other words, reducing the available surplus.

3. Therefore, the proposal to revert back to majority report of Bonus Commission in the matter of return on capital would not fully meet the demands of workers, to protect their bonuses. Additional measures, such as:

- (a) reduction of rate of return from 8.5 per cent not to 7 per cent but to 6 per cent on equity - since the dividend upto 10 per cent is not taxable; on reserves from 6 per cent to 4 per cent.
- (b) the share of workers should be raised from 60 per cent to 75 per cent (in view of the large incidence of depreciation and the higher rates now being contemplated following devaluation).

4. With regard to Section 34, while the Bill was discussed in Lok Sabha, Indrajit Gupta and Dandekar had jointly suggested the following amendment to Labour Minister Sanjivayya:

"34(1) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in the terms of any award, agreement or contract of service made before the commencement of this Act;

Provided that where under any such award, agreement or contract of service, employees employed in an establishment are entitled to bonus under a formula which is more favourable than that under this Act, then, the employees shall continue to be entitled to the bonus under that formula.

- (2) Nothing contained in this Act shall be construed to preclude employees employed in any class of establishments from entering into an agreement with their employer for granting them an amount of bonus under a formula which is more favourable than under this Act.

The above amendment may not attract provisions of Art.14 of the Constitution and is generally line with all labour enactments which protects the higher benefits which might be available at the time of enactment of any act.

5. The Government itself has decided to ignore the clause relating to non-competitive public sector undertakings and a Cabinet decision exists calling for payment of ~~xxxx~~ bonus as "ex gratia" keeping in view the provisions of the Bonus Act. Thus when de facto the clause about competition is held over, a suitable amendment of the Bonus Act is only logical.

6. It is not clear whether the scope of the meeting would cover examination of all other points relating to bonus, as for instance, extension of bonus to departmental employees, etc. If these could be raised, the enclosed note (received today from SOHYO as a special article for TRADE UNION RECORD which we had requested when the SOHYO representative was here) may become handy. The note establishes the fact that bonus is, in fact, a deferred wage and has arisen in conditions when wages are abnormally low and lumpsum payments become an economic necessity to keep the family economy of the worker above even marginal levels.

ON BONUS SYSTEM IN JAPAN

by Yoshihiko Shibata,
Research Department of SOHYO

It is a predominant practice in Japan that employers pay bonuses to the employees twice a year, one during summer and the other at the end of the year. Some enterprises pay bonuses as many as four times a year, however. For instance, nearly one third or 39 per cent of financial and insurance firms offer four seasonal bonuses. But, generally, employers pay summer and year-end bonuses, specifically in June and December.

The sum of bonuses is considerably high. Generally speaking, the sum is higher in winter than in summer. In private enterprises, the sum of summer bonuses was about 70,000 yen, i.e., 2.3 months' average wages.

The winter bonus~~xx~~ was 75,000 yen, i.e., 2.5 months' average wages.

It means that in a year, 145,000 yen, that is, 4.8 months' average wages was paid in summer and winter in addition to the monthly wages.

Bonuses are also paid to Governmental employees. In the case of Governmental employees, in 1966, 1.4 months' average wages were paid in summer and 2.4 months' average wages will be paid in winter. The average wages of Governmental employees are 40,000 yen. In March, 0.4 month's wages will be added as the fiscal year-end allowance. It means that Governmental employees receive 4.2 months' average wages in a year as bonuses.

Moreover, bonuses are increasing every year in the case of private employees as well as Governmental employees.

Employers adopting no bonus system are rare in Japan, regardless of industry or enterprise, as practically all of them pay periodic bonuses. The bonuses are varied depending on industries, however, as they use two different formulas to set the amount of bonuses. Basically, bonuses are paid at fixed and fixed rates by firms doing relatively stable businesses. The amount is only partially fixed by small firms where businesses are rather unstable. The latter system is adopted by 83 per cent of all Japanese enterprises. Large enterprises mostly offer fixed bonuses while small enterprises offer a mixed system in which one part is fixed and the other made flexible so that it can be adjusted in response to economic fluctuations.

Trade unions consider bonuses principally ~~xxx~~ as wages and a back pay being similar to retirement allowances. Although some enterprises offer bonuses primarily as rewards~~xx~~ for increased profits, the majority of enterprises provide bonuses as a supplementary payment for living while also considering them as rewards.

Task:

Review of 2-3-4 years for 34(2)

or (A period say 10 years to be found
in 10)

or Sub Committee to evolve a ~~unit~~ ~~area~~
franchise

or Main & Macmillan will set up 100 in
of other details to be sent monthly

Let main paper

50/50

SECTION 33

1. TEXT OF THE SECTION.

Act to apply to certain pending disputes regarding payment of Bonus.

33. Where, immediately before the 29th May, 1963 any industrial dispute regarding payment of bonus relating to any accounting year, not being an accounting year earlier than the accounting year, ending on any day in the year 1962, was pending before the appropriate Government or before any Tribunal or other authority under the Industrial Disputes Act, 1947, or under any corresponding law relating to investigation and settlement of industrial disputes in a State, then, the bonus shall be payable in accordance with the provisions of this Act in relation to the accounting year to which the dispute relates and any subsequent accounting year, notwithstanding that in respect of that subsequent accounting year no such dispute was pending.

Explanation: A dispute shall be deemed to be pending before the appropriate Government where no decision of that Government on any application made to it under the said Act or such corresponding law for reference of that dispute to adjudication has been made or where having received the report of the Conciliation Officer (by whatever designation known) under the said Act or law, the appropriate Government has not passed any order refusing to make such reference.

2. BACKGROUND INFORMATION

2.1 Extract from Bonus Commission's recommendation.

"Our recommendations should apply to all bonus matters relating to accounting year ending on any day in calendar year 1962 other than those cases in which settlements have been reached or decisions have been given". (Page 93 - Para 19.24 of the report).

2.2 Extract from Government Resolution dated 2.9.1964.

"As regards the retrospective effect of the recommendations of the Bonus Commission as amended by the foregoing decisions, they should apply to all bonus matters, other than those cases in which settlements have been reached or decisions have been given already, relating to the accounting year ending on any day in the calendar year 1962, in respect of which dispute is pending."

2.3 Extract from notes on clauses appended to the Bill.

"Clause 33 - The clause makes the provisions of the

Act applicable to certain pending disputes relating to bonus with respect to any accounting year ending on any day in the year 1962 and subsequent accounting years. Such disputes shall be decided in accordance with the provisions of the Act."

3. EXTRACTS FROM JUDGEMENT OF SUPREME COURT

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In considering the effect of section 33 regard must first be had to section 34(1) which provides that save as otherwise provided in the section, the provisions of the Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in the terms of any award, agreement, settlement or contract of service made before May 29, 1965. All previous awards, agreements, settlements or contracts of service made before May 29, 1965, therefore are since the commencement of the Act rendered ineffective, and if there be a dispute relating to bonus pending on the date specified for the year ending on any day in 1962 or thereafter, before any appropriate Government or before any authority under the Industrial Disputes Act, bonus shall be computed and paid in the manner provided by the Act. Even if in respect of any year there is no such dispute pending on May 29, 1965, because a dispute pending in respect of an earlier year, not being earlier than the year ending on any day in 1962, the same consequences follow.

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Application of the Act for the year for which the bonus dispute is pending therefore creates an onerous liability on the employer concerned because:

- 1) employees who could not claim bonus under the Industrial Disputes Act become entitled thereto merely because there was a dispute pending between the workmen in that establishment, or some of them and the employer qua bonus;
- 2) workmen who had under agreements, settlements contracts or awards become entitled to bonus at certain rates cease to be bound by such agreements, settlements, contracts or even awards and become entitled to claim bonus at the rate computed under the scheme of the Act;
- 3) basis of the computation of gross profits, available surplus and bonus is completely changed ;

- 4) the scheme of "set on" and "set off" prescribed by section 15 of the Act becomes operative and applies to establishments as from the year in respect of which the bonus dispute is pending; and
- 5) the scheme of the Act operates not only in respect of the year for which the bonus dispute was pending, but also in respect of subsequent years for which there is no bonus dispute pending.

If therefore in respect of an establishment there had been a settlement or an agreement for a subsequent year, pendency of a dispute for an earlier year before the authority specified in section 33 is sufficient to upset that agreement or settlement and a statutory liability for payment of bonus according to the scheme of the Act is imposed upon the employer. Application of the Act retrospectively therefore depends upon the pendency immediately before May 29, 1965 of an industrial dispute regarding payment of bonus relating to an accounting year not earlier than the year ending on any day in 1962. If there be no such dispute pending immediately before the date on which the Act becomes operative, an establishment will be governed by the provisions of the Full Bench Formula and will be liable to pay bonus only if there be adequate profits which would justify payment of bonus. If however a dispute is pending immediately before May 29, 1965, the scheme of the Act will apply not only for the year for which the dispute is pending, but even in respect of subsequent years.

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Therefore two establishments similarly circumstanced having no dispute pending relating to bonus between the employers and the workmen in a particular year would be liable to be dealt with differently if in respect of a previous year (covered by section 33) there is a dispute pending between the employer and the workmen in one establishment and there is no such dispute pending in the other. Liability imposed by the Act for payment of bonus is for reasons already set out more onerous than the liability which had arisen under the Full Bench Formula prior to the date of the Act. Imposition of this onerous liability depending solely upon the fortuitous circumstance that a dispute relating to bonus is pending between workmen or some of them immediately before May, 29, 1965, is plainly arbitrary and classification made on that basis is not reasonable.

...4/-

There is one ground which emphasizes the arbitrary character of the classification. If a dispute relating to bonus is pending immediately before May 29, 1965, in respect of the years specified in section 33 before the appropriate Government or before any authority under the Industrial Disputes Act or under any corresponding law, the provisions of the Act will be attracted: if the dispute is pending before this Court in appeal or before the High Court in a petition under Art. 226, the provisions of the Act will not apply.

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There appears neither logic nor reason in the different treatment meted out to the two establishments. It is difficult to appreciate the rationality of the nexus - if there be any - between the classification and the object of the Act. In our view therefore section 33 is patently discriminatory.

1. TEXT OF THE SECTION.

34(2) If in respect of any accounting year the total bonus payable to all the employees in any establishment under this Act is less than the total bonus paid or payable to all the employees in that establishment in respect of the base year under any award, agreement, settlement or contract of service, then, the employees in the establishment shall be paid bonus in respect of that accounting year as if the allocable surplus for that accounting year were an amount which bears the same ratio to the gross profits of the said accounting year as the total bonus paid or payable in respect of the base year bears to the gross profits of the base year.

Provided that nothing contained in this sub-section shall entitle any employee to be paid bonus exceeding twenty per cent. of the salary or wage earned by him during the accounting year:

Provided further that if in any accounting year the allocable surplus computed as aforesaid exceeds the amount of maximum bonus payable to the employees in the establishment under the first proviso, then, the provisions of section 15 shall, so far as may be, apply to such excess.

Explanation I: For the purpose of this sub-section, the total bonus in respect of any accounting year shall be deemed to be less than the total bonus paid or payable in respect of the base year if the ratio of bonus payable in respect of the accounting year to the gross profits of that year is less than the ratio of bonus paid or payable in respect of the base year to the gross profits of that year.

Explanation II: In this sub-section:-

(a) "base year" means-

(i) in a case where immediately before the 29th May, 1965, any dispute of the nature specified in section 33 was pending before the appropriate Government or before any tribunal or other authority under the Industrial Disputes Act, 1947, or under any corresponding law relating to investigation and settlement of industrial disputes in a State, the accounting year immediately preceding the accounting year to which the dispute relates;

(ii) in any other case, the period of twelve months immediately preceding the accounting year in respect of which this Act becomes applicable to the establishment;

(b) "gross profits" in relation to the base year, or as the case may be, to the accounting year, means gross profits as reduced by the direct taxes payable by the employer in respect of that year.

2. BACKGROUND INFORMATION

2.1. Extract from Bonus Commission's recommendation.

".....Where industrywise arrangements already exist the parties are at liberty to renew the agreements, with such modifications, if any, as may be agreed to by them. If the Employers' and Employees' Associations can agree to make or continue industrywise arrangements on a basis acceptable to them, the formula proposed by us in our recommendations in the succeeding Chapters will not apply. The formula proposed by us would also not apply during the currency of any industrywise or unitwise agreements, except where such agreements stipulate that the formula recommended by the Bonus Commission should apply in modification or substitution of existing arrangements."

(Page 34 - Para 6.12 of the report).

2.2. Extract from the statement made by the Labour Minister in Parliament on 18.9.64.

.....Since the publication of the Resolution containing the decisions mentioned above, a large number of representations have been received from various labour organisations. It has been pointed out that, according to the decisions of the Government, in the case of certain industries or establishments, the bonus payable would be actually less than what the workers have been getting in the past. The decisions taken by Government on the Bonus Commission's Report will provide for the payment of bonus to a large number of workers who were not getting any bonus previously and also give enhanced bonus to many others who were getting less in the past. At the same time, it was not government's intention that benefits which labour may have been enjoying in the matter of bonus in any establishment or industry should in any way be curtailed by the adoption of a new formula for the payment of bonus. In the circumstances, Government desire to clarify that in the legislation to be promoted to give effect to the recommendations of the Bonus Commission as accepted by Government suitable provisions would be included so as to safeguard that labour would get in respect of bonus the benefits on the existing basis or on the basis of the new formula, whichever be higher.

2.3. Extract from notes on clauses appended to the Bill.

"Clause 34- In certain establishments, the employees are getting bonus under an award, agreement, settlement or contract of service which would be higher than that payable under the Act. The clause seeks to safeguard the interest of such employees by providing that they would get bonus either on the existing basis or on the basis of the formula provided in the Act, whichever is higher."

3. Extracts from judgement of Supreme Court.

Section 34(2) contemplates a somewhat complicated enquiry into the determination of bonus payable:

..... Apart from the complexity of the calculations involved it was forcefully pointed out before us that in certain cases the ratio may be unduly large or even infinite. In order to buy peace and in the expectation that in future the working of the establishments would be more profitable, employers had in certain cases paid bonus out of reserves, even though there was no gross profit or insufficient gross profit, and those establishments are under s.34(2) saddled with liability to allocate large sums of money wholly disproportionate to or without any surplus profits, and even to the amount which would be payable if the scheme of the Act applied.....

..... Payment of bonus by agreement was generally determined not by legalistic considerations and not infrequently generous allowances were made by employers as bonus to workmen to buy peace especially where industrywise settlements were made in certain regions, and weak units were compelled to fall in line with prosperous units in the same industry and had to pay bonus even though on the result of the working of the units no liability to pay bonus on the application of the Full Bench Formula could arise. But if in the base year such payment was made, for the duration of the Act the ratio becomes frozen and the total bonus payable to the employees in the establishment under the Act can never be less than the bonus worked out on the application of the ratio prescribed by s. 34(2).

Here again units or establishments which had paid bonus in the base year and those which had not paid bonus in the base year are separately classified, without taking into consideration the special circumstances which operated upon the payment of bonus in the base year which may vary from establishment to establishment. The ratio under s.34(2), so long as the Act remains on the statute book, determines the minimum allocable surplus for each accounting year of those establishments which had paid bonus in the base year. The fact that under sub-s.(3) the employees and the employers are not precluded from entering into agreements for granting bonus to the employees under a formula which is different from that prescribed under the Act has little significance.....

..... In our view s. 34 imposes a special liability to pay bonus determined on the gross profits of the base year on an assumption that the ratio which determines the allocable surplus is the normal ratio not affected by any special circumstance and perpetuates for the duration of the Act that ratio for determining the minimum allocable surplus each year,..... If the concept of bonus as allocation of an equitable share of the surplus profits of an establishment to the workmen who have contributed to the earning has reality, any condition that the ratio on which the share of one party computed on the basis of the working of an earlier year, without taking into consideration

the special circumstances which had a bearing on the earning of the profits and payment of bonus in that year, shall not be touched, is in our judgement arbitrary and unreasonable. The vice of the provision lies in the imposition of an arbitrary ratio governing distribution of surplus profits. In our view s.34(2) is invalid on the ground that it infringes Art. 14 of the Constitution.

.....

COUNCIL OF INDIAN EMPLOYERS

Constituted by
EMPLOYERS' FEDERATION OF INDIA ALL-INDIA ORGANISATION OF INDUSTRIAL EMPLOYERS

Ref.No.C.I.E.90

FEDERATION HOUSE,
NEW DELHI-I

24th October, 1966.

To

The Secretary to the Government of India,
Ministry of Labour, Employment & Rehabilitation,
(Department of Labour & Employment),
New Delhi.

Dear Sir,

Sub: 25th Session of the Standing Labour Committee -
New Delhi, October 26, 1966.

I am directed to invite a reference to your letter No.LC-9(42)/66 dated 13th October, addressed to the Employers' Federation of India and endorsed to all Central Employers' and Workers' Organisations, etc. As you know, our Council represents the Employers' Federation of India and the All-India Organisation of Industrial Employers. On behalf of both the organisations, I have to submit the following:

2. It is noted with regret that Government are thinking of amending the Payment of Bonus Act, and this is implicit in the statements earlier made by the Union Labour Minister in and outside Parliament. But it is surprising that Government should choose to convene a special session of the Standing Labour Committee to consider, as it has been said, the question of amendment to Payment of Bonus Act following the Supreme Court decision, without circulating any officially sponsored memorandum on the question. The Supreme Court Judgment was announced on the 5th August. Nearly 2½ months have passed and, by now, Government should be in a position to clearly indicate the course of action they propose to take.

3. If, as it is programmed by Government, the S.L.C. will consider suggestions that may be placed before it by

members, it is likely that a number of last-minute proposals will be made by workers' organisations as well as State Governments. On the basis of the past experience, it is highly probable that Government may place before the Conference, during the course of the deliberations, some kind of draft proposal. I wish to make it abundantly clear that the representatives of the two employers' organisations, who will be attending the Session, have not been given any mandate by their respective Committees to enter into a discussion on the merits or demerits of any particular official draft proposal. You will undoubtedly agree that the two bodies must consult their **constituents** before they can even indicate the reactions of the employing interests.

4. Besides, the thinking of the Committees of the two organisations is very clear on the point that there is no need at all to amend the Payment of Bonus Act following the Supreme Court Judgment. In their considered opinion, it would be wrong in principle to proceed with any amendment, for, it will be an action which can only be construed as circumventing the Judgment of an impartial and highest judicial authority of our land, which, in the past, has given several judgments unfavourable to employers, without any subsequent action on the part of the Government to counteract its effect.

5. Moreover, even looked at from the point of the working class, the Judgment has not, in essence, deprived the workers' benefits in toto. The minimum bonus provided in Section 10, however inequitable to industry and unjustifiable, has been retained, and the Bonus formula itself is in tact. The only part affecting the working class would be the absence of the provisions which sought to give retrospective effect in pending cases, and the indefinite continuation of bonus payment on the basis of a hypothetical formula

and an arbitrary base year. Both these provisions were not only bad in law, but also economically impracticable and inequitable. It was, therefore, not surprising that the Supreme Court has struck them down.

6. In this connection, I have also to point out that the number of workers who are likely to be affected will be an infinitesimal minority, when compared to the large body of workers, estimated by Government at 4.5 million, who will gain substantially on account of minimum bonus.

7. It is also relevant to observe here that, after the passing of the Bonus Act, industrial establishments which are in a position to pay more than that warranted by bonus formula have done so spontaneously, without Governmental interference, taking advantage of Section 34(3). In other words, establishments which are in a position to pay more have not fallen back upon the letter of the law to pay less. There is no reason why they would not do so in the future. This is an important point, which must be accepted in good faith by everybody.

8. In conclusion, I am to emphatically urge Government not to rush ahead with any amendment, without serious consideration. After all, the Supreme Court's decision was intended to set right the impossible position which had been created by certain objectionable Sections of the Act.

Thanking you,

Yours faithfully,

(sd) P. Chentsal Rao

Secretary.

Opening Speech of the Union Minister of Labour
and Employment and Rehabilitation at the 25th
Session of the Standing Labour Committee on
26th October 1966.

Friends,

I welcome you to this special meeting of the Standing Labour Committee. This meeting has been called to consider the situation arising out of the judgment of the Supreme Court regarding the constitutional validity of certain Sections of the Payment of Bonus Act 1965. The Bonus Act first as an ordinance and later as an Act of Parliament was promoted to give effect to the recommendations of the Bonus Commission as accepted by Government. A number of petitions challenging the constitutional validity of important sections of the Act were filed in various High Courts. The matter was also moved before the Supreme Court. The Supreme Court's judgment was delivered on the 5th August, 1966 and I have no doubt you are all fully aware of its main decision. While the Supreme Court has upheld the constitutional validity of Section 10 of the Act, which provides for the payment of a minimum annual bonus regardless of profits, it has, by a majority judgment, declared Sections 33, 34(2) and 37 of the Act, as unconstitutional. Section 37 confers powers on the Central Government to pass orders making provisions not inconsistent with the purposes of the Act, in order to remove any difficulty or doubt. Similar provisions exist in some other laws. The question whether these provisions should be retained in any modified form or not is a general one and in the meeting today we need not perhaps spend much time on this matter. So far there has been no occasion for us to exercise the powers conferred by Section 37 and its deletion may not seriously affect the working of the bonus legislation.

2. This, however, cannot be said of the two other Sections, namely, Sections 33 and 34(2) which have been struck down. A text of these two Sections, the background information relating to their incorporation in the legislation and relevant extracts from the Supreme Court's judgment have been placed before you. Section 33, as you know, provides for application of the new bonus formula to the disputes pending at the time of the Commencement of the legislation. According to the Supreme Court's judgment the pending disputes would have to be disposed of according to the old bonus formula. This Section, was intended to deal with a passing phase and it would have in any case become redundant after some time when the pending disputes were cleared.

3. Section 34(2) stands on a different footing. The main object of this Section was to protect the benefits of higher bonus which were available to workers prior to the commencement of the new formula. The provisions made in Section 34(2) have been held invalid by the Supreme Court under Article 14 of the Constitution. In course of time it has developed into a well-accepted principle that new measures or laws should not curtail the benefits which the employees are already enjoying. Obviously labour attaches great importance to this principle.

4. The Standing Labour Committee has at various times dealt with a number of complex issues concerning industry as well as labour. Today also it is assembled to consider matters which have important implications not only for industry or labour but for the society as a whole. I hope that the Committee,

with the combined wisdom of its members which include representatives of the State Governments, the employers and the workers, will be able to find a satisfactory solution of the matter. I have no doubt that members will approach the matter in a constructive spirit so that the discussions might help us in finding out a course of action which may promote mutual goodwill and industrial peace.

LIST OF PERSONS ATTENDING THE 25TH SESSION OF THE
STANDING LABOUR COMMITTEE - NEW DELHI - 26th October '66.

CENTRAL GOVERNMENT

Ministry of Labour, Employment and Rehabilitation

Shri Jagjivan Ram, Chairman
Minister of Labour, Employment
and Rehabilitation.

Shri Shah Nawaz Khan,
Deputy Minister of Labour,
Employment and Rehabilitation.

Shri P.C. Mathew,
Secretary.

Shri P.M. Nayak,
Additional Secretary.

Shri K.I. Vidyasagar,
Joint Secretary.

Shri S.A. Qadir,
Director General, Employment and Training.

Shri V.N. Rajan,
Director General, Employees' State
Insurance Corporation.

Shri B.N. Datar,
Labour and Employment Adviser.

Dr. B.R. Seth,
Deputy Secretary.

Shri Shah Aziz Ahmed,
Deputy Secretary.

Shri Vidya Prakash,
Deputy Secretary.

Shri P. Sadagopan,
Deputy Secretary.

Shri S.R. Bhise,
Dy. Director General, Factory Advice Service
and Labour Institutes.

Shri E.V. Ram Reddi,
Chief Provident Fund Commissioner.

Dr. K.C. Seal,
Director, Labour Bureau,
Simla.

Shri I.B. Sanyal,
Officer on Special Duty.

Shri S.K. Wadhawan,
Director of Enforcement.

Shri Ghulam Ali Asgar,
Officer on Special Duty (cooperatives)

Shri B.N. Chakravarti,
Assistant Economic Adviser

Shri M.V. Mathai,
Assistant Labour & Employment Adviser.

Shri A. Krishnamurthi,
Chief Research Officer.

Shri L.Y. Chandoke,
Press Information Officer.

Ministry of Commerce

Department of Communications

Shri T.R. Mantan,
Deputy Secretary.

Shri Mahabir Sarup,
Personnel Manager,
Indian Telephone Industries Ltd.,
Bangalore.

Ministry of Defence

Shri R.B. Vaghiavalla,
Joint Secretary.

Ministry of Finance

Department of Co-ordination

Department of Expenditure

Shri F.H. Vallibhoy,
Joint Secretary.

Ministry of Industry

Ministry of Iron & Steel

Shri C.V.S. Mani,
Deputy Secretary

Shri R. Sinha,
Chief Estt., Recruitment
and Indl. Relations,
Hindustan Steel Ltd.

Ministry of Irrigation & Power

Shri A. Das,
Deputy Secretary

Shri M.M. Anand,
Additional Chief Engineer,
National Projects Construction Corpn.,
E-9, Defence Colony, New Delhi.

Ministry of Law

Shri H.K. Chaudhury,
Deputy Legal Adviser.

Ministry of Mines & Metals

Shri S.K. Doy,
Minister of Mines & Metals

Shri K.K. Dhar,
Deputy Secretary

Shri Rajinder Singh,
Chief Project Officer,
National Mineral Development
Corporation, N.I.T. Faridabad

Ministry of Petroleum & Chemicals

Shri A.S. Grewal,
Deputy Secretary.

Shri Satish Chandra,
Chairman and Managing Director,
Fertiliser Corporation of India,
F-43, N.D.S.E. Pt. II, New Delhi

Shri L.J. Johnson,
Chairman,
Oil & Natural Gas Commission,
Dehra Dun.

Planning Commission

Shri Tarlok Singh,
Member

Ministry of Railways

Dr. K.B. Mathur,
Joint Director
(Labour & Welfare)

Shri A.K. Roy Chaudhuri,
Joint Director, Finance.

Deptt. of Social Welfare

Shri H. Chakravorti,
Under Secretary.

Ministry of Transport & Aviation

Deptt. of Transport

Shri K. Narayanan,
Deputy Secretary

Shri S.K. Ghosh,
Dy. Chairman, Calcutta Port Commissioners,
Calcutta.

Deptt. of Aviation

Shri Gopeshwar Nath,
Deputy Secretary.

Shri A.S. Banavalikar, Personnel
Manager, Air India.

Ministry of Works, Housing & Urban
Development.

Shri N.P. Dube,
Managing Director, Ashoka Hotels Ltd.,
New Delhi.

Shri T.N. Bahel,
Chief Controller of Printing and Stationery,
New Delhi.

Shri R.M. Agrawal,
Director of Administration,
C.P.W.D., New Delhi.

Shri R.T.D. Joseph,
Officer on Special Duty (J),
Ministry of Works, Housing &
Urban Development,
New Delhi.

Shri J. Dorai Raj,
Managing Director,
Hindustan Housing Factory Ltd.,
New Delhi

STATE GOVERNMENTS

Andhra Pradesh

Shri Bharat Chand Khanna,
Labour Commissioner

Delegate

Assam

Shri K.P. Tripathi,
Labour Minister

Delegate

Shri S.J. Das,
Secretary.

Adviser

Shri H.P. Duara,
Labour Commissioner.

Adviser

Bihar

Shri K.B. Sahay,
Chief Minister

Delegate

Shri Baleshwar Ram,
Minister of Tourism.

Alternate
Delegate

Shri F. Ahmed,
Secretary.

Adviser

Shri S.N. Saigal
Joint Labour Commissioner.

Adviser

Gujarat

Shri M.D. Rajpal,
Labour Secretary

Delegate

Shri B.B. Brahmhatt,
Deputy Secretary.

Adviser

Shri R.B. Shukla,
Labour Commissioner.

Adviser

Jammu & Kashmir

Maj. Piar Singh,
Minister of Industries & Power.

Delegate

Shri S.M.Y. Andrabi,
Labour Commissioner.

Adviser

Kerala

Shri C.K. Kochukoshy,
Secretary,
Health and Labour..

Adviser

Madhya Pradesh

Shri S.S. Patidar,
Labour Minister.

Delegate

Shri Devindar Nath,
Secretary.

Adviser

Shri S.B. Lal,
Labour Commissioner.

Adviser

Madras

Shri Badrinath,
Secretary.

Delegate

Shri M.G. Balasubramanian,
Labour Commissioner.

Adviser

Maharashtra

Shri N.M. Tidke,
Labour Minister.

Delegate

Shri K.P. Patil,
Deputy Labour Commissioner.

Alternate
Delegate.

Shri H. Nanjundiah,
Joint Secretary.

Adviser

Shri D.G. Kale,
Labour Commissioner.

Adviser

Mysore

Shri D. Devaraj Urs,
Labour Minister.

Delegate

Shri N.S. Ramachandra,
Secretary.

Adviser

Shri V. Hanumanthappa,
Labour Commissioner.

Adviser

Orissa

Shri C.M. Sinha,
Deputy Chief Minister.

Delegate

Shri U.N. Sahu,
Labour Commissioner.

Adviser

Punjab

Shri I.C. Puri,
Labour Secretary. Delegate

Shri D.D. Sharma,
Labour Commissioner. Adviser

Rajasthan

Shri Bheekha Bhai,
Labour Minister. Delegate

Shri
Deputy Secretary. Adviser

Shri S.N. Shukla,
Labour Commissioner. Adviser

Uttar Pradesh

Shri Banarsi Dass,
Labour Minister. Delegate

Shri Uma Shankar,
Secretary. Adviser

Shri J.N. Tewari,
Labour Commissioner. Adviser

West Bengal

Shri Bijoy Singh Nahar,
Labour Minister. Delegate

Shri M.M. Kusari,
Secretary. Adviser

Shri S.N. Roy,
Deputy Labour Commissioner. Adviser

Delhi

Shri D.S. Misra,
Labour Secretary. Adviser

Shri S.C. Vajpeyi
Labour Commissioner. Adviser

Goa, Daman & Diu

Shri Tony Fernandes,
Labour Minister.

Delegate

Shri A.B. Kenny,
Labour Commissioner.

Adviser

EMPLOYERS

Employers' Federation of India

Shri N.H. Tatra,
Bombay House, Bruce Street,
Bombay-1.

Delegate

Shri S.K. Datta,
Burn & Co. Ltd.,
Howrah.

Delegate

Shri N.S. Bhatt,
(Chairman, Southern Regional Committee),
M/s Binny & Co., Ltd., Madras.

Alternate
Delegate

Shri Santosh Nath,
Secretary,
Punjab and Delhi Chamber of Commerce
and Industry, Phelps Building,
Connaught Place, New Delhi.

Alternate
Delegate.

Mr. C.A. Pitts,
(Vice-President, E.F.I.),
M/s I.C.I. (India) Pvt.Ltd.,
Calcutta-16.

Non-official
Adviser.

Shri Madanmohan Mangaldas,
Deputy Chairman,
Indian Cotton Mills Federation,
Elphinstone Building,
Veer Nariman Road, Bombay-1.

Non-official
Adviser.

All-India Organisation of Industrial Employers

Shri R.H. Mody, (President - A.I.O.I.E.), Delegate
Tata Iron & Steel Co., Ltd.,
Central Administration Office,
Jamshedpur.

Shri Babubhai M. Chinai,
(Vice-President, AIOIE),
P.N.B. Building,
Sir Pherooshah Mehta Road,
Fort, Bombay-1.

Delegate

Shri G.B. Pai,
'Dolphins'
13-Nizamuddin, New Delhi.

Alternate
Delegate

Shri P. Chentsal Rao,
Secretary, All-India Organisation
of Industrial Employers,
Federation House, New Delhi-1.

Alternate
Delegate

Shri V.P. Chacko,
Secretary & Adviser,
United Planters Association of
Southern India, Glenview,
Coonoor.

Non-official
Adviser.

Dr. K.P. Agarwal,
Secretary,
Employers' Association of
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14/77, Civil Lines,
Kanpur.

Non-official
Adviser

All-India Manufacturers' Organisation

Shri Ram Agarwal,
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Sir P.M. Road, Fort, Bombay.

Delegate

Shri I.D. Gupta,
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Indian National Trade Union Congress

Shri Kali Mukherjee,
President, INTUC-Bengal Branch,
179/B, Acharya Jagdish Bose Road,
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Delegage

Shri V.V. Dravid,
President, I.N.T.U.C.,
Shram Shibir, Indore.

Delegate

Shri G. Rmanujam,
General Secretary, INTUC.,
2/44, Royapettah High Road,
Madras-14.

Delegate

Shri N.K. Bhatt, M.P.,
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17, Janpath, New Delhi.

Adviser

Shri A.N. Buch,
General Secretary,
INTUC - Gujarat Branch,
Gandhi Majoor Sevalaya,
Bhadra, Ahmedabad.

Adviser

Shri N.S. Deshpande,
General Secretary,
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Shri S.A. Dange, General Secy.
Shri Satish Doober
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Rani Jhansi Road, New Delhi.

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OTHERS

Shri P.M. Menon, Special
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Shri T.K. Mukherjee, Observer
Vice - President,
Indian Institute of Personnel Management,
Calcutta.

The National Institute of Labour Management

Shri Y.D. Joshi, Observer
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Army & Navy Building,
148, Mahatma Gandhi Road,
Bombay-1.

To
All Circle Secretaries,
P & T Unions

NOT FOR PUBLICATION

Subject: JAIPUR SESSION OF THE CONFEDERATION COUNCIL

Dear Comrades,

The National Council of the Confederation of Central Govt. Employees & Workers was held at Jaipur in the P&T Compound for three days from 12th to 14th September, 1966.

During the last few years under Com. Madhusudan's leadership the Confederation's prestige has registered significant growth and on certain occasions and on certain major demands the Confederation has been able to effectively intervene, establish contacts with Govt. and arrange negotiations with Govt. These developments had naturally roused the interest of many small organisations in the Confederation and the Jaipur Council therefore attracted wide attention.

However, the happenings during the proceedings of the Council have not been quite in tune with the traditions of the Confederation and much less with the needs and requirements of a coordinating organisation like the Confederation.

Confederation Traditions

Hitherto, the Confederation has been functioning on the basis of consensus of views of the affiliates. When once the consensus was clearly established it became the basis of "decisions" and hence all organisations, big and small, had a sense of satisfaction and implemented the same. Hitherto, no one insisted on majority vote since it would naturally upset the views of some affiliates in which case it would become impossible to enlist the cooperation of such organisations.

The affiliates of the Confederation are all sovereign bodies, neither subordinate to each other nor controlled by a superstructure. The stand of the Confederation on any issue therefore required the concurrence, endorsement or ratification by each affiliate and then only could it be binding on the affiliates. If this basis is altered it would shake the very foundations of the unity of the Confederation.

Unfortunately, in the Jaipur Council there was lack of awareness and appreciation of the above wholesome principles and Councillors of some organisations attempted to insist on majority decisions assuming too much about their "binding" nature. Even the specific appeal of the Secretary General, Com. Madhusudan, to the Councillors appeared to fall on deaf ears and those who were involved in the tussle for positions appeared to encourage this trend.

Composition of the Council

The present constitution provides representation for unions on the following basis:

Membership upto 250	1
" 251 - 500	2
" 501 - 1000	3
" 1001 - 5000	4
" 5001 - 10000	6
" 10001 - 20000	8
" 20001 - 50000)	
and above)	12.

Different Types of Organisations

The Confederation has affiliates with varying experiences, traditions and concepts and different historical backgrounds. Some are trade unions registered under the Trade Unions Act, but many affiliates are Associations. Some organisations like NFPTE have 50 years of glorious history and some others have come into existence only a few years ago. The same is the case with regard to their potentiality. Organisations like NFPTE representing 5 lakhs of P&T workers can stand on their own feet even on common demands but there are many affiliates who represent a few hundreds only and who are not in a position to tackle effectively even their own departmental problems. In fact, about a dozen affiliated Associations have just less than 1000 members and only two organisations could claim between 10000 and 20000 members with 50 to 100 branches all over the country. But in the other extreme stands the massive NFPTE with a paid Headquarters membership of 1 lakh 31 thousand and Branch-level paid membership of 2 lakhs, with 3000 branch unions spread out in every district of this vast country of ours.

Moreover, a large number of affiliates are real civil service associations whereas organisations like P&T, Civil Aviation etc. are commercial or industrial or servicing organisations with 8 hours duty, night and split duties, manual operative and technical work involving large chunks of workers.

The approach of the various organisations towards the Confederation is therefore bound to vary. Most of the small organisations look upon the Confederation as a body which should help solve even their departmental problems, whereas an organisation like the NFPTE is able to directly approach the Govt. and settle even some common issues like upgrading of cities, educational and other concessions to Central Govt. employees etc. Even on an issue like D.A., NFPTE can independently create a big stir in the country if only it decides to go it alone.

Jaipur Council

The above background material is given only to enable you to understand correctly the happenings in Jaipur.

About 55 Councillors representing about 15 affiliates with a total membership of less than 2 lakhs attended, About 6 or 7 are unrecognised. About 7 or 8 have only less than 1000 members each. The NFPTE with its 1 lakh 31 thousand audited paid membership had 12 Councillors whereas all the other 14 affiliates with a total claimed membership of about 60000 had 43 Councillors. The next biggest ones, i.e., Audit and Income-Tax, together claiming about 30,000 members had 16 Councillors. The Central Secretariat Federation with about 10,000 claimed members had 10 Councillors. The constitution is such that four organisations with less than 1,000 members each together having less than a total of 4,000 members are entitled to 12 Councillors equal to the NFPTE.

Discussions and Debates in the Council

The discussions and debates in the Council from the very start became controversial and acrimonious. To some extent different

approaches were inevitable because some affiliates, particularly the small unions, do not have regular functioning, some are unrecognised and some were attending the Confederation Council for the first time. Therefore, they cannot be expected to be so well informed as the NFPTE regarding the various developments on D.A., minimum wage or J.C.M. etc. We were therefore very patient and tolerant and on our part tried our level best to explain to them the various issues in great detail, clarify the points raised by them and clear their doubts. However, to our great dismay we found that a sentiment of anti-NFPTE had been whipped up amongst many unions. The plea was that all should unite against NFPTE domination. Com. Madhusudan and his Civil Aviation having more in common with the NFPTE became a target of most unfounded criticisms and attacks. What was more deplorable was that bitter controversies were raised on almost all and sundry matters not realising that a nascent organisation like the Confederation which had brought together the various organisations on a united platform could not withstand bitter inner struggles.

Shouting and counter-shouting were also freely resorted to. The Vice-President of NFPTE was shouted down. Some sections were not even willing to hear in full the views of big organisations like NFPTE. Even the time allowed by the Chairman to the Secretary General of NFPTE was questioned by some friends.

We had to repeatedly appeal for calmness, patience and tolerance and with a view to helping towards a calmer atmosphere we did not at all involve ourselves in controversies. We did not even choose to reply to certain insinuations against NFPTE since that itself would set in motion a chain reaction threatening the unity of the Confederation. At one stage we had to painfully hint to the House that if the discussions were not conducted in a proper manner and if NFPTE's views were not even allowed to be heard in full, we may have to withdraw from the discussions.

Resolutions

Resolutions were adopted without formal consultation amongst the leaders of the various organisations. At any rate, it did not strike those who were framing the resolutions that the draft at least be shown to NFPTE. They have taken it for granted that every resolution adopted would be binding on all the affiliates. As far as NFPTE is concerned, we are a sovereign body and while NFPTE has always been prepared to go to the maximum extent to accommodate others' views it could never subject its sovereignty to be controlled by somebody else outside NFPTE.

On J.C.M.

The discussions on J.C.M. showed complete ignorance on the part of many organisations on the various developments. There were some unrecognised associations whose only demand was to get recognition by holding up the J.C.M. There was also an objection on non-inclusion of outsiders in the J.C.M.

But the NFPTE holds entirely different views. This became the central point of criticism even by those organisations who were willing to accept the original scheme of J.C.M. itself without modifications.

Our position is that the NFPTE cannot agree for recognition of new unions in any department howsoever genuine their cases might be, except of course the Audit Association on which the NFPTE has played an important role to expedite its recognition. In fact it is on NFPTE's insistence that the Home Minister had agreed not to recognise new unions for one year till the rules of recognition are finalised in consultation with us. We are

totally opposed to cadre organisations and we cannot permit the Govt. to open the flood-gates of recognition on the eve of the J.C.M. since it would be misused by Govt. for recognising all sorts of Associations, especially in those departments where there are no strong trade unions.

Some of the recognised organisations in the Confederation do not have big stakes. Even though they are themselves united bodies, their size and potentiality do not invite the wrath of the Govt. and in any case does not attract the attempts of INTUC to concentrate on disrupting them. But the position of NFPTE is very different. P&T workers due to their size and strategic importance have historically lead the strike struggles in 1946, 1949, 1957 and 1960. The NFPTE therefore as the only united big mass organisation can under no circumstances agree to any procedure which would encourage fissiparous tendencies and help even indirectly to erode the unity of the P&T workers. But these requirements do not seem to be appreciated by many other affiliates in the Confederation. Perhaps some would like to see NFPTE put into difficulties on this account.

Elections

From the very beginning at Jaipur, tension was mounting on elections. Due to the rising stature of the Confederation, ambitions have been roused. Persistent attempts were made to denigrate Com. Madhusudan and belittle the great contributions he had made for the rapid growth of the Confederation during the last few years. His powerful Civil Aviation Union being an unorthodox and the most militant organisation has made the maximum contribution for Confederation's growth. C.A.D.E.U. office has been the place of shelter for many organisations. The Audit Association had functioned in Civil Aviation office at T-16 I.N.A. Colony for 6 months and so also the Income-Tax Federation. Even now half a dozen organisations of Central Secretariat etc. use C.A.D.E.U. office only. In the last 1960 general strike the Civil Aviation topped the list of honours with 90% strike all through the 5 days.

Com. Madhusudan as Secretary General was able to cut through various hurdles and raised the Confederation from an unrecognised body to almost a semi-recognised body. He was able to ensure that for all practical purposes the Govt. negotiated with the Confederation. He is also much respected because he is the leader of the most militant and fighting union, i.e., the C.A.D.E.U., whose potentialities are far greater than what their number indicates. His effective role in U.P. State Govt. employees' strike was another feather in the cap of the Confederation apart from rendering great help to the State employees themselves.

But all these achievements of the Confederation under his leadership were ignored and severe criticism on petty matters like minutes of meetings, keeping records etc. were persisted with. Other unkindly and motivated remarks got wide currency. A contest was repeatedly threatened. Tense atmosphere was created.

Com. Madhusudan therefore felt somewhat pained and declined to contest as Secretary General so as to give place to more ambitious men to try their luck. He would have agreed to continue if he were re-elected unanimously.

However, informal consultations were not held amongst the leaders of the major affiliates regarding the list of office-bearers. The contestants were itching to force a contest. The last day was an extended day and in the evening I was away from the Council since I had to address 4 meetings of P&T workers in Jaipur. When I returned to the Council meeting, I found elections being taken up. Even at this late stage I suggested prior informal

consultation amongst the major affiliates since at least in the Confederation, election battles should not be allowed. But this appeal also was ignored. Only because of our conviction that a loose body like Confederation cannot withstand election contests etc., we remained passive spectators and allowed things to take their own course. We do not yet know who finalised the list of office-bearers and what authority they had.

Especially when we have the programme of one-day strike etc., whose main brunt is going to fall on P&T, a senior leader belonging to a militant organisation like C.A.D.E.U. would be taken more seriously by Govt. and would facilitate negotiations also.


The NFPTE as a mature and massive body functioning throughout the country in every District, in every Taluk and in every town, has its own grave responsibilities and it should not at all be difficult for other organisations to appreciate this position and give due weight to the views of NFPTE. We do hope that realisation would dawn very soon.

Conclusion

This circular is issued only to keep you informed of these sudden unexpected developments in Jaipur and with a feeling that this itself would help create a better atmosphere for the Confederation to function on proper lines. It would be unfair on my part to keep you all in the dark.

However, I am confident that the slight damage caused to the potentiality of the Confederation could be repaired in course of time and the NFPTE shall continue to work for better coordination and better relations. We have great respect for all the other fraternal organisations in the Confederation, and that is why in Jaipur we scrupulously avoided saying anything which would hurt their feelings and we repeatedly made appreciative references whenever other organisations were named in our speeches. We consider the happenings in Jaipur as temporary aberrations pushed to the fore by momentary considerations and we hope that things would take proper shape on the basis of the needs and requirements of unifying the entire 22 lakhs of Central Govt. employees and workers. The sooner the aberrations are corrected the better for the Confederation.

Yours fraternally,


(D. GNANIAH)
SECRETARY-GENERAL

Copy to all General Secretaries, All-India P&T Unions.

(D. GNANIAH)
SECRETARY-GENERAL

LIST OF OFFICE-BEARERS

Chairman:	Com. Nath Pai, M.P.
Vice-Chairmen:	Com. S. Madhusudan
	Com. Nagchoudhury
Secretary-General:	Com. G. S. Gnanam
Secretary:	Com. E. X. Joseph
Treasurer:	Com. O. P. Gupta

* * * * *

No. 9, Pusa Road,
New Delhi 5
3-10-1966.

No. R III/58(1)

To,
All Circle Secretaries
and Office bearers

Dear Comrade,

The Secretary General, NFPTE, has issued a circular on 19-9-66 addressed to all Circle Secretaries and endorsed it to the General Secretaries by sufferance. It was about National Council meeting of the Confederation held in Jaipur from 12 to 14-9-66.

He has not consulted the General Secretaries in the Secretariat or otherwise that he was going to issue such a Circular. It is a new way of approaching on issues and it is not in keeping with the dignity of the office he holds. The Circular has created misgivings and misunderstandings amongst most of the affiliated Unions of the Confederation which has come to know about it.

Had I been consulted I would never have approved of this kind of circular. By-passing the General Secretaries and over their heads objectionable circulars are being sent to Circle Secretaries which is a novel method adopted by the Secretary General which is bound to bring frictions and disruption within and without.

It is most unfortunate that the Secretary General, NFPTE has thought it fit to issue such a circular which instead of causing and strengthening unity will create bad blood amongst the Central Government Employees Coordinating Committees in the base.

The contents of the circular is nothing but projection of an individual's view which is in most respect in-correct and is written with a view to distort what has happened in the Jaipur National Council of the Confederation.

As I was not sent in the session, I feel it my duty to present the facts without any coloured vision so that the Circle Secretaries and other leaders at branch level are not carried away by the wrong facts presented by the Secretary General, NFPTE.

CONFEDERATION TRADITION: Secretary General says that tradition of Confederation of arriving at a decision by concurrence, endorsement or ratification by each affiliate which alone could be binding was sought to be changed. There has not been single decision or resolution on which the view point of affiliates was not taken. No decision was taken by vote. It was by consensus and common agreement.

Rather the decision were taken by proper democratic discussions. While discussions were forceful and sharp, all decisions were by consent. Secretary General has not cited a single instance where decision was taken by majority vote. It may be added here that there was no voting at all throughout the session.

It is clear that the Secretary General NFPTE did not like the councillors speaking their mind freely. This he deems to be a tussle for position.

As a matter of fact different views were expressed by P&T Councillors themselves. To present the democratic airing of views as tussle for position is indeed strange. If it were so, does it mean that Madhusudan's coming into position replacing Sri D. Rajaratnam should be called tussle for position? Therefore it is not only absurd but in preference to an individual he is trying to malign others.

COMPOSITION OF THE COUNCIL: In this paragraph he tries to portray that/the Confederation, P&T is having the maximum membership and other Unions are having much less but more representation. On the one hand he says that every affiliate is sovereign in this paragraph he tries to show that NFPTE is more sovereign as per its strength and power than other affiliated Unions or Associations. He has tried to belittle other Unions and Associations calling them mere "Associations".

He forgets that even though Income Tax and Audit are called Associations they are in no way less militant or less capable than P&T.

He again projects that the NFPTE could independently solve even common problems and is able to approach the Government and settle even some common issues like upgrading of cities, educational and other concessions. Even on D.A. NFPTE can independently create a big stir etc. he says.

This is nothing but a scant ~~in~~ regard to other Unions and Associations except Civil Aviation Union of which Madhusudan is General Secretary. It clearly indicates that since the Secretary General is close to Madhusudan and from the same native place, he has regard only to his Union. But other Unions and Associations according to Secretary General, NFPTE, are incapable of conducting any movement and therefore should follow NFPTE unquestioningly and without any sense of independence. It seems according to Secretary General, their existence is superfluous and NFPTE could do everything on its own.

In the interest of truth we have to point out that upgrading of cities and other concessions rather came as a surprise. There is no special credit for any organisation. If NFPTE wants to claim credit then the same credit goes to all the Unions. In any case to pose the issue in this way only belittles the role of other Unions which no Union will accept. Further it is not the fault of small Unions that they have less staff. Rather in the administrative offices it is more difficult to form Unions and Associations and to have sustained activity. It is very creditable for those to have built up the organisation and give tough battle under all odds. The same difficulty and suffering the P&T Unions also had to face at the initial stage of formation of Union. Hence to exhibit big brother attitude and look down on other unions is nothing but exhibiting chauvinistic and parochial outlook and is the sure way of creating disunity and disruption.

DISCUSSIONS & DEBATES IN THE COUNCIL: Yes, discussions in the Council instead of being docile were undoubtedly controversial but not acrimonious. But to say that many of them were not well informed etc. is again nothing but blowing one's own trumpet. Some of the points discussed brought out revealing informations for example in the discussion on JCM about recognition of Central Secretariat Federation was very relevant and well informed. Similarly CPWD Union expressing that for them "Outsider Question" was very important as other questions must be restored as was restored to all others not merely for JCM but for normal day to day representations was very relevant. The fact is Sri D. Gnaniah and S. Madhusudan wanted the Council to give seal of approval to the agreement arrived at by them which the other Unions did not oblige. Nay Sri O.P. Gupta gave notice to other Unions saying "whether others accept JCM or not, P&T will go in the JCM" really provoked the other Unions and this attitude of going apart was bitterly criticised and rightly criticised. The so called anti-NFPTE that is referred to is nothing but a reaction of other Unions to the self conceited approach of some of the leaders of NFPTE. It is said that vice president of NFPTE was shouted down. Who shouted him down? It was CPWD representative whom Gnaniah knows well. At another time Gupta insinuated CPWD Union that he did not give strike notice on which there was heated

exchange. It was not as if NFPTE was all angel and others were anti-NFPTE. It was the way the NFPTE spokesman behaved in the Council which brought counter reaction. That is all. The tragedy is none looks at himself in a mirror.

RESOLUTIONS: It is absolute untruth to say that resolutions were moved without consultations. The fact is that the Secretary General, NFPTE chose to sit in the background and entrusted this job to Sri O.P. Gupta who was doing all jobs on behalf of Secretary General. All Unions therefore were under the impression that Gupta is the spokesman of Secretary General and consulted him. If O.P. Gupta did not consult or keep informed Sri D. Gnaniah, he should lay accusing finger against Gupta and not against other Unions. Further if the resolution placed did not contain the view point of any Union its representative could have freely placed his point of view in the council. If NFPTE is sovereign other unions are no less sovereign. Therefore this attitude of Secretary General is nothing but exhibiting a mind of disruption and disunity.

ON J.C.M.: If there was anything very material and useful in the discussions it was on JCM. Other Unions exhibited complete understanding of their rights. Secretary General, NFPTE thought that his agreement with Government will get easy passage. But he was disappointed that on many issues he was put into dock. Hence he had to come out with long, windy, two hour speech which he himself said "I am compelled to impose on you a long speech". Secretary General tried hard to convince the Councillors but in vain.

ELECTIONS: The elections were unanimous and there was no contest at all. The panel was discussed informally between various leaders on the second day. On the last day as well one or two names were finalised. For example the Central Secretariat was requested to name a Vice-President on their behalf. They were consulting amongst themselves till the time of elections. When elections were taken up there was already an agreed panel and hence the names were proposed and seconded and unanimously elected. The entire house were aware of the agreed panel.

At the time election item was taken up Sri D. Gnaniah just came. He rose and said that consultation should be had amongst the leaders. Sri O.P. Gupta who was in the dias surprisingly or guiltily looked at the Secretary General and said that already he told him about the names. Sri Gnaniah then slipped away. Sri O.P. Gupta on behalf of Secretary General already negotiated the panel.

If the Secretary General, NFPTE, wanted to propose any name he was free. It is not clear why he should rake up this and cry like child. If anyone claims the right of a leader to be consulted he should act like a leader. But handing over the steering wheel to back seat driver and then complain that steering is not done according to his wish exhibits want of capacity of leadership. There was neither tense atmosphere or contest was repeatedly threatened. If those who were elected were ambitious then does the same thing apply to Sri Madhusudan, Gnaniah and all? No one therefore is less ambitious. The insinuation is uncalled for and childish.

CONCLUSION: This is the most obnoxious part of the Circular. The Secretary General says that "We consider the happenings in Jainpur as temporary aberrations pushed to the fore by momentary considerations". The tragedy is the one who is afflicted by aberration is looking at the other in the same image. It is because everything was decided democratically and after due discussions, which was not to the liking of the Secretary General. It is because Secretary General, NFPTE's calculations went wrong, his advice went against the interest of other unions, his attitude were divisive and parochial and not only parochial but big brother speaking to small brother, nobody

paid serious attention. His role was taken over by Sri O.P. Gurta and people saw in him as spok sman of Gnaniah. Hence the mental upset of Sri Gnaniah.

WHAT IS THE REAL MOTIVE OF THE CIRCULAR: Sri D. Gnaniah, after reaching Delhi for two or three days did not speak with anyone. He bitterly criticised other union leaders and spit bile on them when Sri P.K. Mukherjee, our Circle Secretary, talked to him. When B.D. Saini asked him about issue of a circular to be issued about pay strike, he angrily said who is the Confederation to decide about these matters? Only Federation or its Executive could decide about their programme. Later of course wisdom was dawned. All these for what? Sri S. Madhusudan was not elected as Secretary General. Sri Madhusudan did not decline the post of Vice President nor he said anything about the election. He has taken it sportsmanly. If you read the whole circular, it will be evident, that he was thoroughly upset and disappointed that Sri Madhusudan was not elected.

It is all borns out of wrong understanding of the role of individuals. He gives importance to individuals than to the organisation. In his mind individuals are organisations. The growth of stature of the Confederation according to him is only due to Madhusudan. He does not realise thousands and thousands who worked hard for unity and creation of strength and power to the Confederation. When organisations and individuals are to be weighed, he attaches importance only to individuals than to organisation. He does not realise that organisation is greater than individual and individuals are child of organisation.

The circular is nothing but "Ode to Madhusudan" than concern for unity and organisation. He is incorrect and wrong in portraying that others did not value Madhusudan's services. The vast majority desired a change and they decided so. It is wrong to assume that successor is unequal to the task and that he will not rise to the occasion. If he fails he will have to give way to another. Nobody should be upset by such democratic change of leadership. It also does not mean that because the successor is to his liking he should drag the organisation from under the feet. The Circular is nothing but an attempt to create disruntion and wedge amongst the Confederation by pooh poohing other organisations all for the sake of an individual.

Therefore let all beware of such attitude which is generally exhibited by leaders who are thoughtless. The name of NFPTU has been further tarnished by the issue of this circular. The Secretary General has taken undue liberty in trying to sow poison in the minds of simple and sincere workers at lower levels. Weed out the poison and weed out the wild oats. Be on guard against such vile accusations and spilling of the bile.

In the interest of fairness and objectivity I felt that the circular should be replied. I hope the Circle Secretaries and others will read both sides of the question instead of one sided presentation of the matter.

With greetings,

Yours fraternally

N. J. Dyal
General Secretary

- Copy to:
- 1) All General Secretaries, P&T Unions.
 - 2) Other Circle Secretaries and Coordinating Committees and active leaders.
 - 3) The Secretary General, NFPTU, NEW Delhi 5.

DELHI STATE COMMITTEE
ALL-INDIA TRADE UNION CONGRESS

दिल्ली राज्य कमेटी
अखिल भारतीय ट्रेड यूनियन कांग्रेस

Trade Union House, Katra Shahanshahi, Chandni Chowk, Delhi-6

President's Address,
Gandhara Gate, Kishanganj, Delhi
Dated: 11.11.1966.

The General Secretary,
All India Trade Union Congress,
Rani Jhansi Road, Jhandewalan, New Delhi.

Dear Comrade,

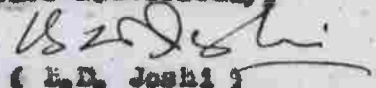
I hope you have already received letter from the Kapre Handloom Mita Union, dated 11.11.1966, complaining against the highly objectionable, disruptive and anti-A.I.T.U.C. activities of one of the secretaries of AITUC, Com. Pandhey, General Council Member, Com. D.D. Singh, and the president, Comrade Mirajkar. I write this letter to you in my capacity as a member of the working committee of the AITUC, testifying to the accuracy of the serious allegations levelled in the afore-mentioned Union letter.

I would request you to take urgent steps to put an end to the disruptive activities of Com. Pandhey, and also to see to it that no office-bearer of the AITUC indulges in activities calculated to injure the interests of any AITUC affiliate in Delhi. I would also call upon you to stop payment of allowance to Com. Pandhey in case he is not amenable to the discipline of the Organisation and to place the whole matter before the next, and the next meeting of the working Committee, scheduled to be held on 30.11.66 to 2.12.1966.

In case the matter is not put on the agenda, I shall be compelled to formally move for disciplinary action against Shri Pandhey and others.

Soliciting the favour of an urgent response,

Yours fraternally,



(E. D. Joshi)
Member, Working Committee and President,
Delhi State Committee of A. I. T. U. C.

Copy forwarded to Com. X. D. Sharma, Member, Working Committee,
and General Secretary, Delhi State Committee, A. I. T. U. C.



(E. D. Joshi)

कपड़ा मजदूर एकता यूनियन (रजि०) KAPRA MAZDOOR EKTA UNION (Regd.)

(Affiliated to A. I. T. U. C.)

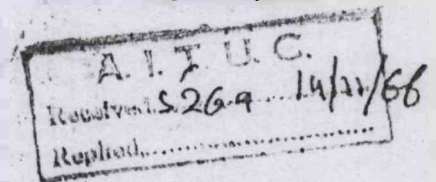
Goushala Gate, Kishanganj, DELHI.

गौशाला गेट, किशनगंज, मिल एरिया, दिल्ली।

Ref. No. : 6/66/108

Dated : 11.11.1966.

The General Secretary,
All-India Trade Union Congress,
Rani Jhansi Road, Jhandewalan,
New Delhi.



Dear Comrade,

I am directed by the Central Executive Committee of the Union to bring to your serious and urgent notice that for quite some time past an organised campaign to disrupt the unity of Cotton Textile Workers, overwhelming majority of whom are organised under the banner of this affiliate of the A. I. T. U. C., have been going on in Delhi. These activities were initiated about 2 years back by a handful of disgruntled and corrupt members of the Union who were facing expulsion on charges of embezzlement and misuse of union funds. These scoundrals then put on the garb of Left-Communism and started a parallel union. Even at that stage we had received reports that an employee of the A. I. T. U. C., Shri Pandhey, who had gone underground, was guiding them clandestinely. Later on at the time of the Bombay Session of the A. I. T. U. C., you might perhaps remember, these disruptors made an unsuccessful bid to secure affiliation to the A. I. T. U. C.

After the A. I. T. U. C. Session the activities of these disruptors took a more organised form under the direct leadership and guidance of Shri Pandhey, who had managed to sneak into the high office of Secretary of the A. I. T. U. C. For the last few months Shri Pandhey has been devoting considerable time to organise the parallel Union and disrupt the Ekta Union. It was under the leadership of Shri Pandhey himself, assisted by a General Council member, Shri D. D. Singh that a campaign of vilification and abuses of the most filthy type was let loose against the leadership of the Ekta Union. We have reliable information that Shri Pandhey has been guiding and directing all these activities from the A. I. T. U. C. itself, using all the facilities and the prestige available to him as one of the Secretaries of the A. I. T. U. C.

We have been wondering all the time why and how Shri Pandhey is being allowed to convert the Head Office of the A. I. T. U. C. into a centre of disruption of working class solidarity and of wrecking the A. I. T. U. C. itself. Comrades are also asking the question how is it that this Shri Pandhey is being liberally paid by the A. I. T. U. C. for carrying on these patently anti-working class activities.

Last month, precisely on 25.10.1966 the disruptors, with a view to salvage their rapidly dwindling stock and to boost up the sagging morale of their followers, staged a so-called demonstration, allegedly to demand bonus. This demonstration was staged at the gates of Delhi Cloth Mills and despite two weeks hectic efforts and reckless spending of money (from sources other than their bankrupt 'Textile Union') the disruptors could not mobilize more than 500 workers, more than 50% of whom were not connected with Textile industry at all!

What is most objectionable, ~~is that~~ Shri Pandhey managed to persuade Shri Mirajkar, President of A. I. T. U. C. to address this so-called "Textile Workers' demonstration". Shri Mirajkar was amply forewarned about the consequences of his extending his patronage to the campaign of disruption launched by his followers against the biggest affiliate of the A. I. T. U. C. in Delhi. But we regret to say that blinded by prejudices and guided solely by partisan interests, Shri Mirajkar chose to address the so-called demonstration. The demonstration was held under the banner of the parallel organisation the so-called "Kapur Mazdoor Lal Jhanda Union", and its stage was freely utilised, amongst others, by Shri Pandhey and Mirajkar himself to attack the A. I. T. U. C. affiliate Ekta Union and its leadership, including the undersigned, a member of the Working Committee of the A. I. T. U. C.

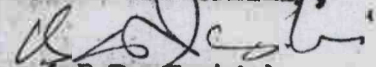
The Central Executive Committee of the Ekta Union has directed me to register its most emphatic protest at these organised attempts of the aforementioned leaders of the A. I. T. U. C. to calculatedly wreck the unity of the workers by disrupting the Ekta Union. I am further desired to request you to denounce these activities in order to clear the A. I. T. U. C.'s position before the workers. I am also directed to request you to take urgent steps to restrain Shri Pandhey, D. D. Singh and Shri Mirajkar from associating themselves with the activities of the disruptors.

You are also requested to inform the undersigned immediately what steps you propose to take to prevent the misuse of A. I. T. U. C. prestige, facilities, including funds in the form of liberal payment of salaries to Shri Pandhey, etc. for such anti-working class activities.

I beg to be excused for certain strong expressions I have used in the foregoing lines. I wish to point out that I am only conveying to you the true feelings of thousands of honest toilers who have spared no sacrifice to build-up this Union after a full decade of repeated and hard struggles. I would, in fact, be failing in my duty if I did not do so.

With greetings,

Yours fraternally,



(B. D. Joshi)
General Secretary

Copy forwarded for information and necessary appropriate action to:

1. The General Secretary, Delhi State Committee of AITUC.
2. Shri S. A. Dange, General Secretary, AITUC for his personal attention.

Under Postal Certificate

A.P. Shrivastava

US2

M. K. Bajpai,
566 West Niwarganj,
Jabalpur.

Dated 18th June 66

Dear Com. K.G.

U.C.
2990 21/6/66
R 21/6/66

Received your letter dated 11th June on 15th

Excuse me for the delay in reply.

I would be ~~at~~ here at Jabalpur from now onwards till the end of the month. You can and should visit on any date convenient to you this month.

Preparations for Token Shree has just began. It would be better if you can send a copy of the circular on AIDCF's Executive's decision regarding 12th July to the O.F.K. Mazdoor Sangh also. A.P. Shrivastava has gone to Kanpur to contact Com. S.M. Banerji.

It would be better if you can address the Central Zone Conference of L.I.C. employees on behalf of the AITUC on 25th or 29th or 30th June 66 in Jabalpur. More when we meet.

Yours Comradely
M.K. Bajpai
18/6/66

29/6/66

S. A. DANGE

P/Field

SHAH NIWAS,
9, KOHINOOR ROAD,
DADAR, BOMBAY 14.
TEL. 445850

6/10/66

Dear K.S.

You know the three
people who have gone to
Hungary. Would you ask the
Chemical Pharmaceutical T.O.,
of Moscow to invite them for
a week and show them around?

It is very essential. As
they are already in Europe, in
Hungary, the AVCCO has only
to arrange a diversion
out for Budapest to Moscow.

This should be done before
their two weeks are out.

Is the engineering delega-
-tion fixed and in making?

I propose to go to Prague
(shall I via Sofia?) about 17th
or 18th.

Please get my papers
ready.

S.A. Dange

Return
this
to SA

7. 10. 66

P/Inis
me
MT

Dear Sirs

I am now definite that I will not be able to go with the Engineering Delegation. Because from today only the doctors have examined me and I have begun a little bit of my regime since this morning.

So I will give ~~at least~~ one week for the over-haul at this stage that is I will be leaving for Bombay on 15th or 20.

Then will begin the problem of looking into areas of work. So it is no use hurrying & leaving things half way.

You have heard the Poonpur Report. Those idiots got together and "repelled" all of us for the Union and elected Chandrasekhar as President in

my place and Bama pada as
to S. in place of Taku Huan.

Of course all this is done
to claim the property - buildings.

This is their way to keeping
unity - and "joint functioning".

There is a Tropic like an
Bama called by S. and J. India.
I read in the news that it is
in 18th Oct.

Sahab & you can do the
job - need not take too many
- perhaps they will give us two
seats. I think we now repudiate
the Commission formula as it has
been materially altered by
S. and Demand a "de novo"
examination of the whole problem.

Meanwhile, we pass the amend-
ment we have already
thought of in the S. and S. and
Business that among in Subsett.
and decide what formula to
adopt & then proceed. Most probably
S. will not want to restore the
impugned acts in some way. SPT

Further the
S. and S. may
agree in order
to allow up to
4% more.

Let me know
what you all
think

S. A. DANGE

P/Phil
24/12

US 2

SHAH NIWAS,
9, KOHINOOR ROAD,
DADAR, BOMBAY 14.
TEL. 445850

14/10/66

Dear G

I hope the Engineering
delegation is finalized
& the people - that is the
worker people are going -
there is no difficulty for
them & the like. Don't
be kept up by Mr
Robini Mankarjee & others
- cut it out. The Bombay
man (Nair) is difficult
to get then because he
himself cannot do much
& the 'leaders' will not help
him much - as he is not
in Chandray's union.

Have met D.R. fellows
some at last!
I forget the Bulgarian
names we decided last day.

And request Elias not to
create any difficulties
because of Brazil.

I am leaving Rome
on 17th in Jan 57 and
trying to get on to
Berlin on 21st evening.

And put me on to Praha
by 23rd or 20. Make it

D in Praha - London -

Moscow - Berlin -
Send cable to Praha just now

in advance
as information
so that they are
there. They will
they will be in
office. Do tell
Elias to inform
them -

V
S.A.S.

My Dear Comrade K. J.

At Bhilai as yet the position of the Left C.P. is not publicly told. It is learnt that some of their state leaders including some here want to contest here with their own candidate - probably Hamid Khan or Dr. Yadu. Even otherwise they take the position I learn that they will not vote and not work for anyone. A.K.G. had come here. His mass meeting was well attended in recent days. Since then the section of the comrades seem more enthusiastic to contest. Their contention I believe is that they will not lose deposit and at the present moment it is not proper to merge their identity with the right CPI candidate. Their state executive meeting in which Sundarayya attended, after discussions on suggestion of Com. Sundarayya left the issue to be decided by their P.B. which is to meet at Delhi probably in first week of December. Their state secretary is supposed to have stated that unless there is state level agreement they should contest Bhilai. They will not set up anyone at Indore or Bhopal or Gwalior against Sarwate.

Here the PSP has declared to contest and announced their candidate. The PSP of Raipur had written to Kamath and Niranjan Singh, stating that CPI active support at Raipur is essential for winning for them Raipur seat and similarly their Bhilai position is only to defeat the CPI candidate. They suggested that PSP should not set up candidate at Bhilai in return of CPI support at Raipur. They had stated that Bhilai PSP is not agreeable hence they are writing to them. Prem Basin had come. It is stated that the Central Executive of PSP will finalise their list for M.P. at Delhi on 1st. or 2nd. of Dec.

PSP may not set up any candidate. Congress candidate is trying to set up one or two more candidate for splitting the opposition votes and he may succeed. The rebel congress which may get formed on 28th. Nov. may set up their own candidate.

Under the conditions it is absolutely essential that the Marxist C.P. is persuaded not to set up anyone and to actively support us here in such similar exchange somewhere else which may be agreed upon. Both contesting means positive defeat of both and that too badly. (The total south indian and bengali votes here is only 15,000 out of the total of 75,000 voters).

Similarly immediately Kamath be tackled for Bhilai as he is said to have already some talks for Bhilai with Com. Daji.

Please do something immediately and let me know at Raipur address. Else it would be a fight for the sake of fight which I have very little enthusiasm to go through the ordeal now. The other picture will be very much hopeful battle.

The whole thing has to be tackled immediately as once others take any final decision it would become almost impossible to change and very big damage will already be done.

Dated,
26th. Nov. '63.

Yours Sincerely,

Budhapara;
Raipur, M.P.

Sudhir Mukherjee

*P.S. Pl. take
personal interest
& reply soon*

A/End

US 2

New Delhi,
3 Dec., 66

Dear Com. Sudhir,

I have talked to Com. M.K. Pandhe, regarding your seat. Also Com. Prakash Roy conveyed your message. A gist of the talk has been conveyed to Com. Prakash Roy and Com. B.K. Gupta who were available on the spot. They are consulting the provincial Committee.

I am going to Sofia for attending WFTU General Council. I am proceeding tomorrow and will be back by 15th December.

With greetings,

Yours fraternally,

(K.G. Sriwastava)

1100
Dhantoli, Nagpur.

D-2-12-66.

Dear K. G.,

Received your letter & was very sorry that you could not come to my new place. Now the repairs are all over & I am free from that work. I shall be very glad if you will come here in near future.

In Nagpur we are now having an All Parties meeting & it seems that we will have a United Front on adjustment basis throughout Vidarbha. Soon election fever will be on & we will be all busy with it.

I had written two letters to dear D & Tai & am sorry that there is no reply from their side. Perhaps dear D is very busy with his tour, Party meetings & health. I was glad to know from your letter that both are now better. I am always worried about his health & he needs rest very badly. But it seems that he is unable to take rest &

will be very busy for coming these months.

We were all shocked to hear about the 7th Nov. incidents in Delhi. It is high time that the progressive forces come out openly against the reactionary & communal forces in the country. I am very sorry about some of the electoral adjustments which may prove beneficial in the elections but will prove very harmful in future.

Best is G.K.

We were having heavy rains for the last two days & the weather is now cool here.

How are Com. Bamesh & others? Please let me know about your home address & also D's new address. Sri D. L. Jangwant, Advocate wants to subscribe for T.U. Record. So please enlist him & I will see that he sends the subscription. His address is - Near Hishor College, Temple Rd., Civil Lines, Nagpur.

I received a letter from dear Soral & please do write to her. In case she needs some things I am sure that you will arrange for it.

Please convey my B.R. to your
Mrs. & when you come here next time
you should both come here. If dear
D. is still there please ask him to
visit this place before the elections.

Best is o.k.

Yours sincerely
Gopal

अन्तर्देशीय पत्र
INLAND LETTER



कलकत्ता
PLANYO



To

Com. K. G. Shrivastava
Secretary, A. I. T. U. C.
Ghandewalan St
Rani Zansi Road
New Delhi.

भेजने वाले का नाम और पता :- Sender's name and address :-



इस पत्र के अन्दर कुछ न रखिये NO ENCLOSURES ALLOWED