

PAPER; Labour Welfare and Industrial Relations

(Sub Code- 18BPO 54C)

Unit-I

PHILOSOPHY OF LABOUR WELFARE

The aims and objectives of labour welfare have progressively changed during the last few decades. From the primitive policing and placating philosophy of labour welfare, it gradually moved to the era:

1. The employer should not bargain labour welfare as a substitute for wages or monetary incentives. In other words, the workers have a right to adequate wages in addition to welfare measures.
2. The labour welfare work of an organization must be administratively viable and essentially development oriented.
3. The labour welfare activities should pervade the entire hierarchy of an organization. Management should be welfare oriented at every level.
4. There should be proper co-ordination, harmony and integration of all labour welfare services in an undertaking.
5. The management should ensure co-operation and active participation of unions and workers in formulating and implementing labour welfare programmes.
6. There should be periodical assessment or evaluation of welfare measures and necessary timely improvements on the basis of feedback.

HISTORICAL DEVELOPMENT OF LABOUR WELFARE IN INDIA

Measure during Pre-independence Era

- The apprentices Act of 1850.
- The Fatal Accidents Act of 1853.
- The Merchants shipping Act of 1859.

Stage 1

- The Factory Commission of 1875.
- **The First Indian Factories Act in 1881.**

- The Employment of Children below the age of 7 years was prohibited between 7 and 12 years not to work for more than 9 hours a day.
- An Hours' daily rest and 4 holidays in a month.

Stage 2

- The Bombay Factory Commission of 1884.
- The Factory Labour Commission of 1890.
- The Mulock Commission was appointed by the Government of Bombay in 1884 to review the working of the Factories Act of 1881.
- N.M.Lokhande, founder of the Bombay Mill Hands' Association brought the workmen together on two different occasions in 1884 and presented on their behalf charter of demands to the Commission.
- **The Factories (Amendment) Act 1891.**
- Children were raised to 9 and 14 respectively and their hours of work were limited to 7 and between 5.00 a.m. and 8.00 p.m.
- Employment of women between 7.00 p.m and 5 a.m. was prohibited. Women were allowed to work for 11 hours in a day with 1 ½ hours' rest.

Stage 3

- The Government of India appointed a Commission in 1907 to study the working.
- **The Indian Factories Act of 1911.**
- The hours of work for children were reduced to 6 per day.
- The hours of work for of an adult male worker were specified for the first time to 12 hours a day.

Stage 4

- The Outbreak of the World War –I in 1914.
- The Russian Revolution had the establishment of the International Labour Organization in 1919.
- The formation of AITUC (1920)
- Following industrial unrest in 1919 and 1920, the Government of India passed.
- **The Indian Factories (Amendment) Act, 1922.**
- Children below 12 years of age were not to work in factories and those between the years of 12 and 14 were not to work for more than 6 hours a day.
- Children and women were not to be employed between 7.00 p.m and 5.30 a.m.
- The hours of work for adults were limited to 60 in a week, and 11 in a day.

Stage 5

- **The Royal commission on Labour under the chairmanship of J.H.Whitely was appointed in 1929.**

- Submitted its monumental report on March 14, 1931.
- Relating to payment of wages in time, minimum wages, need for health insurance for industrial workers, improvement of working conditions of plantation workers.
- The factories Act 1934 introduced a number of important changes.
- Children between 12 and 15 were reduced from 11 to 10 in all kinds of factories.

Stage 6

- A Number of committees also were set up by the provincial governments.
- Bombay Textile labour Enquiry Committee (1937), the Kanpur Labour Enquiry Committee (1937), the Central Provinces Textile Labour Enquiry committee (1938) and the Bihar Labour Enquiry Committee (1938).
- **Labour Investigation Committee (Rege Committee) in 1944.**
- In May 1944, the grand Charter of Labour, popularly known as the Declaration of Philadelphia, was adopted by the member states of the I.L.O.
- The World War –II.

Statutory Welfare Provision

The Indian constitution-welfare provides

Many articles in the directive principles of state policy enshrined in part IV of the Indian constitution which have plethora of provisions bearing on social security directives and also promoting labour welfarism are-Article 23,24,32,38,39,39-A, 41,42,43,43-A, and 47.

Article 38 of the Indian constitution directs the state to secure a social order for the promotion of the welfare of the people. The forty-fourth Amendment Act, 1978 has widened the scope of the article 38.

While enacting social security legislation, certain basic principles of policy to be followed by the states which shall in particular, direct its policy towards securing:

- (i) That the citizens, men and women equally, have the right to an adequate means of livelihood (Article 39-(a))
- (ii) That the operation of the economic system does not result in the concentration of wealth and the means of production to the common determinate (Article 39-(c))
- (iii) That there is equal pay for equal work for both men and women (Article 39-(d))
- (iv) That the health and strength of workers, men and women and tender age of children are not abused and the citizens are not forced by economic necessity to enter a vocation unsuited to their age or strength (Article 39-(e))
- (v) That the state shall within the limits of its economic capacity and development make effective provisions for securing the right to work to education and to the public assistant in case of undeserved wants (Article 41)

- (vi) That the state has make provision for securing just and humane conditions for work and maternity relief (Article 42)
- (vii) That the state shall endeavor to secure to all workers, a living wages etc. (Article 43)