

AND CIVIL AVIATION (SHRI A. P. SHARMA): (a) No, Sir.

(b) and (c). Do not arise.

(d) No, Sir.

(e) Does not arise.

**Review of implementation of
Minimum Wages Act**

540. **SHRI CHHITUBHAI GAMIT:** Will the Minister of LABOUR be pleased to state:

(a) the conclusions drawn out by Government from reviewing exercise of implementation of labour laws like Minimum Wages Act; and

(b) whether those conclusions have been communicated to States and if so, with what result?

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR (SHRI TANJIAH) (a) and (b): A statement showing the main conclusions reached at the meeting of Labour Secretaries of State Governments and Union Territories held on the 18th April, 1980 is laid on the Table of the House. The Conclusions have been communicated to the State Governments which are expected to take appropriate action thereon.

Statement

*Meeting of Labour Secretaries of State Governments and Union Territories
18th April, 1980 New Delhi*

MAIN CONCLUSIONS

Item I: Revision of Minimum wages in Agriculture

(i) wherever revision of minimum wages under the Minimum Wages Act is over due, it should be undertaken immediately taking into account the Consumer Price Index for Agricultural workers;

(ii) revision of minimum wages in future should be linked to consumer

Price Index for Agricultural workers and wherever the existing minimum wages were not linked to Consumer Price Index for Agricultural workers, the wage rates in such cases should be revised once in 2 years in accordance with the decision already taken by the Labour Ministers' Conference 26th Session 19th July, 1975;

(iii) wherever the existing minimum wages were very low, it should be brought up to the level of at least Rs. 4 per day; this, however, should not be taken as a guideline of national policy;

(iv) implementation of the minimum wages in agriculture should be pursued vigorously as an item of the 20-point programme;

(v) there should be a separate machinery for implementation of labour laws in general and implementation of minimum wages in agriculture in particular at district and taluk levels. Such machinery should take the assistance of the Revenue, Panchayat and other Departments depending on the conditions in individual States. In this connection, the institutional arrangements set up by the Government of Bihar could be considered by other State Governments so that they could formulate suitable schemes for augmentation of the existing machinery, wherever necessary;

(vi) tripartite committees should be formed at different levels within the State to oversee the implementation of minimum wages in agriculture;

(vii) the workers' education programmes should be intensified in rural areas to bring about an awareness among the agricultural workers about their rights in regard to minimum wages payable by the employer under the Minimum Wages Act;

(viii) steps should be taken to promote the organisation of labour in rural areas which would facilitate the implementation of minimum wages in agriculture.

Item 2: Bonded Labour

(i) Referring the variation in the estimates of bonded labour as between the survey made by the Gandhi Peace Foundation in Collaboration with the National Labour Institute and that reported by the State Governments on the basis of their own surveys, the Conference decided that the National Labour Institute should supply to all State Governments the basis on which estimates of bonded labour were made by the Gandhi Peace Foundation so that the State Governments might correlate the two sets of figures and make fresh estimates, if necessary;

(ii) concerned with the slow progress in the rehabilitation of bonded labour already identified by the State Governments and utilisation of funds already allocated for the centrally sponsored scheme it was agreed that all those bonded labour who had already been identified but not yet rehabilitated should be rehabilitated within a time-frame of say two years. The State Governments should prepare their programmes accordingly and submit them to Government of India quickly for appropriation of plan funds. Periodical report should be furnished to the Government of India on the progress made.

(iii) the suggestion to set up a coordination committee at the National level to monitor the progress and resolve difficulties could also be considered.

Item 3: Workers' Participation in Industry

(i) The State Governments would collect full particulars on the working of the two schemes introduced in October, 1975 and January, 1977 respectively and report the progress made to the Central Government periodically.

(ii) On the recommendations of the 21-member committee on workers participation it was generally felt that a final view on the new scheme could be taken only after fuller consultations had been held with the

State Governments after elections to the assemblies and formulation of popular Governments. However, the following observations were made:

(a) the scheme for workers' participation in management should be introduced by legislation;

(b) the law should be flexible enough to take into account the variation in local conditions;

(c) model schemes could be prepared for hospitals and educational religious etc. institutions which could be considered at a later stage for application;

(d) participative forums may be set up at three levels, i.e. shop floor, plant and board/corporate levels; participative forums at industry level was not feasible at this stage;

(e) the scheme may cover all establishments in the Private/Public/Cooperative sectors and departmental undertakings employing 500 persons or more with an enabling provision for covering units employing upto 100 persons.

Item 4: Apprenticeship Scheme:

(i) provision should be made by law to ensure that 50 per cent of direct recruitment vacancies in establishments should be filled in by trained apprentices;

(ii) there would be greater chances of absorption of trained apprentices if the quality of apprenticeship training was improved, the State Directorates should give due attention to this aspect;

(iii) the suggestion to increase the stipend rates for the apprentices would be placed before the Central Apprenticeship Council for its consideration;

(iv) there is a need for establishing arrangements to see that the apprentices get employment after the period of apprenticeship is over. There should be close liaison between Training and Employment Directorates;

(v) the suggestion of Government of Maharashtra for the abolition of training of commercial Apprentices would be placed before the Central Apprenticeship Council.

Item 5: Problems connected with the collection of claimed membership figures as on 31-12-1977 on industry-wise basis and over all industry figures as on 31-12-1978

Realising that, in the absence of verified membership figures, Government should at least have claimed membership figures, both over-all and industry-wise, for purpose of giving trade union representation on tripartites, it was agreed that that the relevant industry-wise figures for 1977 would be compiled and furnished by the State Governments to the Central Government immediately when this has not already been done and that both over-all and industry-wise figures for 1978 would be furnished in the quickest possible time.

Item 6: Women Employment and the enforcement of the various provisions of the Acts pertaining to women workers.

A request was made to the Labour Secretaries of the State Governments to ensure the implementation of all laws giving protection and welfare to women workmen. It was advised that those State Governments which have not as yet set up Advisory Committees under the Equal Remunerations Act, 1976 may do this immediately and send information to the Government. The need for sending of returns on the implementation of the above mentioned Acts was also emphasised. Stress was laid on promoting self-employment schemes for women.

Item 7: Working of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966

The State Governments were urged to take action for more effective implementation of this Act. However, for want of time, the item could not be discussed in detail.

Item 8: Inter-State Migrant Labour

The Conference noted that the Central legislation on the subject would be brought into effect as soon as the model rules of the central and the State Governments Rules were framed.

Item 9: Other Points

(a) Proposals on the amendments to the Motor Transport Workers Act

The State Governments were requested to expedite their comments on the proposals for the amendments to the Act arising out of the recommendations of the 2nd Conference of the Chief Inspectors appointed under the M.T.W. Act. O

(b) Parliament Assurances

The Chairman of the Conference requested the Labour Secretaries to furnish information, without delay, on the pending parliament assurances to enable the Central Government to fulfil them within the time limit prescribed.

Codification of Labour Laws

541. SHRI P. M. SAYEED: Will the Minister of LABOUR be pleased to state:

(a) whether Government are considering codification of Labour Laws and bring about a uniformity in the hundred odd labour laws now in existences; and

(b) if so, when the final decision is likely to be arrived in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF LABOR (SHRI T. ANJIAH): (a) and (b). The question of evolving a Central Labour Code came up before the National Commission on Labour (1969) by way of a recommendation of the Study Group on Labour Administration. That Commission did not consider it feasible in view of the variety of subjects covered under different Labour Legislations. It