

Recognised National Labour Unions

452. PROF. RASA SINGH RAWAT:
SHRI GULAB CHAND
KATARIA:

Will the Minister of LABOUR be pleased to state:

(a) the names of recognised Labour Unions at national level in the country and their membership;

(b) the manner in which Government verifies their membership; and

(c) the criteria fixed for any Labour Union to get recognition in an Industry/Institute Undertaking?

THE MINISTER OF LABOUR AND

WELFARE (SHRI RAM VILAS PASWAN):
(a) The verified membership of the Central Trade Union Organisations which are given representation on different Committees by the Central Government is given in the Statement I below.

(b) The verification of membership of Central Trade Unions is conducted by the Chief Labour Commissioner (Central) in accordance with the procedure arrived at in consultation with these organisations.

(c) The criteria for according recognition to a Union at the level of an industry and an industrial undertaking or establishment is contained in the Code of Discipline approved by the 1958 Session of Indian Labour Conference which may be seen in Statement II given below.

STATEMENT-I

<i>Sl. No.</i>	<i>Name of the Central Organisation</i>	<i>Verified Membership</i>
1.	I.N.T.U.C.	22,36,128
2.	B.M.S.	12,11,345
3.	H.M.S.	7,62,882
4.	U.T.U.C. (LS)	6,21,359
5.	N.L.O.	2,46,540
6.	U.T.U.C.	1,65,614
7.	T.U.C.D.	1,23,048
8.	N.F.I.T.U.	84,123
9.	A.I.T.U.C.	3,44,746
10.	C.I.T.U.	3,31,031

STATEMENT-II***Code of Discipline and Criteria for Recognition of Unions***

- I. To maintain Discipline in Industry (both in public and private sectors)—there has to be (i) a just recognition by employers and workers of the rights and responsibilities of either party, as defined by the laws and agreements (including bipartite and tripartite agreements arrived at all levels from time to time) and (ii) a proper and willing discharge by either party of its obligations consequent on such recognition.

The Central and State Governments, on their part, will arrange to examine and set right any shortcomings in the machinery they constitute for the administration of labour laws.

To ensure better Discipline in Industry.

- II. Management and Union(s) agree—

- (i) that no unilateral action should be taken in connection with any industrial matter and that disputes should be settled at appropriate level;
- (ii) that the existing machinery for settlement of disputes should be utilised with the utmost expedition;
- (iii) that there should be no strike or lock-out without notice;
- (iv) that affirming their faith in democratic principles, they bind themselves to settle all future differ-

ences, disputes, and grievances by mutual negotiation, conciliation and voluntary arbitration.

- (v) that neither party will have recourse to (a) coercion, (b) intimidation, (c) victimisation or (d) go-slow;
- (vi) that they will avoid, (a) litigation, (b) sit-down and stay in strikes and (c) lock-outs;
- (vii) that they will promote constructive co-operation between their representative at all levels and as between workers themselves and abide by the spirit of agreements mutually entered into;
- (viii) that they will establish upon a mutually agreed basis, a grievance procedure which will ensure a speedy and full investigation leading to settlement;
- (ix) that they will abide by various stages in the grievance procedure and take no arbitrary action which would by-pass this procedure, and
- (x) that they will encourage the management personnel and workers regarding their obligations to each other.

- III. Management agree—

- (i) not to increase work-loads unless agreed upon or settled otherwise;
- (ii) not to support or encourage any unfair labour practice such as (a) interference with the right of employees to enrol or continue as union members, (b) discrimi-

- nation, restraint or coercion against any employee because of recognised activity of trade unions and (c) victimisation of any employee and abuse of authority in any form;
- (iii) to take prompt action for (a) settlement of grievances and (b) implementation of settlements, awards, decisions and order;
- (iv) to display in conspicuous places in the undertaking the provisions of this code in the local language(s);
- (v) to distinguish between actions justifying immediate discharge and those where discharge must be preceded by warning, reprimand, suspension or some other form of disciplinary action and to arrange that all such disciplinary action should be subject to an appeal through normal grievance procedure;
- (vi) to take appropriate disciplinary action against its officers and members in cases where enquiries reveal that they were responsible for precipitate action by workers leading to indiscipline; and
- (vii) to recognise the union in accordance with the criteria (Annexure-I) evolved at the 16th session of the Indian Labour Conference held in May, 1958.
- (iii) that their members will not engage or cause other employees to engage in any union activity during working hours, unless as provided for by law, agreement of practice;
- (iv) to discourage unfair labour practices such as (a) negligence of duty, (b) careless operation, (c) damage to property, (d) interference with or disturbance to normal work and (e) insubordination;
- (v) to take prompt action to implement awards; agreements, settlements and decisions;
- (vi) to display in conspicuous places in the union offices, the provisions of this Code in the local language(s); and
- (vii) to express disapproval and to take appropriate action against office-bearers and members for indulging in action against the spirit of this Code.

Criteria for Recognition of Unions

IV. Union(s) agree—

- (i) not to engage in any form of physical duress;
- (ii) not to permit demonstrations
- (1) Where there is more than one union, a union claiming recognition should have been functioning for at least one year after registration. Where there is only one union, this condition would not apply.
- (2) The membership of the union should cover at least 15% of the workers in the establishment concerned. Membership would be counted only of those who had paid

their subscription for at least three months during the period of six months immediately preceding the reckoning.

- (3) A union may claim to be recognised as a representative union for an industry in a local area if it has a membership of at least 25% of the workers of that industry in that area.
- (4) When a union has been recognised, there should be no change in its position for a period of two years.
- (5) Where there are several unions in an industry or establishment, the one with the largest membership should be recognised.
- (6) A representative union for an industry in an area should have the right to represent the workers in all the establishments in the industry, but if a union of workers in a particular establishment has a membership of 50% or more of the workers of that establishment it should have the right to deal with matters purely local interest such as, for instance, the handling of grievances pertaining to its own members. All other workers who are not members of that union might either operate through the representative union for the industry or seek redress directly.
- (7) In the case of trade Union federations which are not affiliated to any of the four central organisations of labour, the question of recognition would have to be dealt with separately.
- (8) Only unions which observed the Code of Discipline would be en-

titled to recognition.

Scheduled Caste Status to Christian Dalits

453. SHRI RAMESHWAR PRASAD:
Will the Minister of WELFARE be pleased to state:

(a) the reasons for denying the Scheduled Caste status to the christian dalits even though they are as much oppressed as New-Baudh dalits are;

(b) whether Government have any proposal to extend Scheduled Caste status to the christian dalits; and

(c) if so, the details thereof;

THE MINISTER OF LABOUR AND WELFARE (SHRI RAM VILAS PASWAN):
(a) According to the Constitution (Scheduled Castes) Order, 1950 amended upto date "no person who professes a religion different from the Hindu, the Sikh or the Buddhist religion shall be deemed to be a member of Scheduled Caste". In view of this Christian converts cannot be treated at par with Neo-Buddhists.

(b) and (c). Further action, if any, could be taken only after examining all the issues involved.

[English]

River Water Share for Punjab

454. SHRIMATIBIMAL KAURKHALSA:
Will the Minister of WATER RESOURCES be pleased to state:

(a) the quantity of river water available to Punjab before the reorganisation of the State of Punjab in 1966;

(b) the details of the availability of water