

KILE NEWS

April-June 2015



Kerala Institute of Labour and Employment

Publication in progress

Njanum Ente Thozhil Niyamangalum

(A handbook on labour legislations in the State)

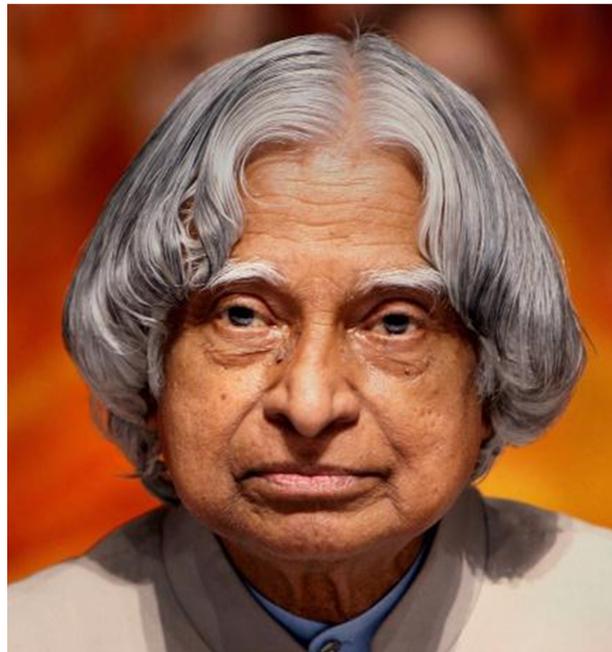


‘Inspire’

അഗ്നിച്ചിറകുകൾ മറഞ്ഞു

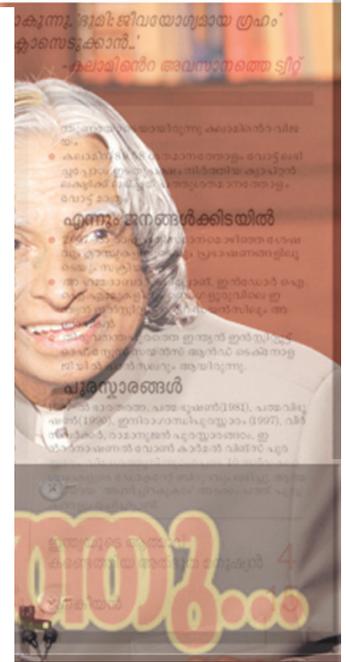


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- ആസ്പത്രിയിൽ മരണം സ്ഥിരീകരിച്ചത് രാത്രി 7.45 ഓടെ
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Dr. A.P.J Abdul Kalam
1931-2015

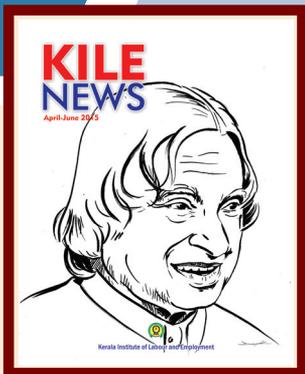
We express our heartfelt condolences on the sad demise of former President of India, great visionary and “Missile Man of India”. His life and vision is an inspiration to all particularly for the younger generation. May his soul rest in peace.



ഡോ. എ.പി.ജെ. അബ്ദുൽ കലാം 1931-2015

ജനനം: 1931 ഒക്ടോബർ 15 ന് തമിഴ് നാട്ടിലെ രാമനാഥപുരം
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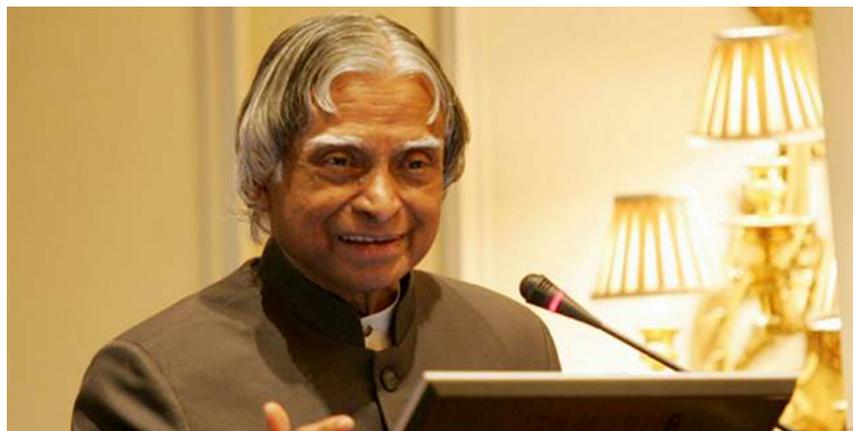
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8 One of the greatest speeches by Dr. A.P.J. Abdul Kalam, Former President of India at IIT, Hyderabad in September, 2013



12 Impact of globalization on women workers in Khadi and Handloom sectors

Dr. Mrs. Manu Bhaskar



25 The 'un'- ease of doing business in India

Vishnu Lal R.



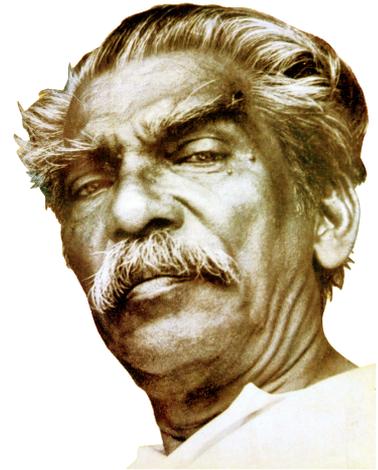
22



KNOW YOUR
AUTHORITIES UNDER
VARIOUS ENACTMENTS

49

Do
You
Know



13 NIYUKTHI 2015



30

Employees' provident funds
and miscellaneous
provisions Act, 1952
and the schemes framed
thereunder

S. Mahalingam



35

Juris
Consultus

V. Veerakumar



- 44 Data Zone
- 12 Research
- 46 News Scan
- 50 Letters

From the Chairman's Desk



37th Annual Celebration of KILE

The diversified activities and the recent innovative steps undertaken have placed KILE to a significant position among other organizations in the category. The recent achievement is the wide acceptance to our quarterly publication “KILE NEWS” and its registration with the National Science Library. We are greatly indebted to our readers and well wishers for giving us this opportunity to serve you better.

In our past performance, the ceremonial organizing of certain programmes has made the instances memorable in the history of KILE. These include the celebration of its anniversaries. But we could not celebrate it annually due to various reasons. However, the Executive Council and General Body of KILE have decided to celebrate its 37th Anniversary in a memorable way with the participation of the organizations of workers, employers, Departments, Welfare Fund Boards etc. with variety of programmes including seminars, exhibitions, trade fest, job fest, family meetings of the workers, literary and cultural competitions of the children of workers etc.

I take this opportunity to thank the Hon'ble Minister, Labour and Skills Shibu Baby John and Government for agreeing to our decision in celebrating the anniversary in a remarkable way and providing necessary financial assistance for the same. I on behalf of the Executive Council invite the wholehearted cooperation of the organisations of employers, trade unions, officials of the Labour and Skills Departments, welfare fund boards and our well-wishers to make this event a grand success.

Philip Joseph

From the Chief Editor's Desk



There will not be any difference of opinion that plantation industry is one of the major traditional employment sectors in the state, providing more than lakhs of employment directly and indirectly. It has substantial contribution in the economy of the state. Different from other employment sectors, the law determining the service conditions to be provided to the workers in the industry are unique in nature. Moreover this is the only employment sector in the state where the workers are denied the benefits of the schemes implemented by the local self-governments. The Plantations Labour Act, 1951 is one of the oldest labour enactments in the country envisaging comprehensive provisions for the social security of the workers. But when years passed, these conditions became obsolete and inadequate to meet their day to day requirements. This had further worsened due to the recession in the industry occurred globally.

The wages in the plantations were fixed in the Industrial Relations Committee (IRC) for Plantations viz. Plantations Labour Committee (PLC) and notified under the Minimum Wages Act for making it statutory. As in any other employments, the trade unions had a major role in ensuring the legal entitlements of workers that created a confidence among members in their unions. But the situation slowly changed and now it seems the workers have lost faith in the trade unions. In their opinion, "when we are living in deplorable circumstances with paltry wages the leaders are enjoying luxurious facilities at the mercy of the employer. This has prevented the leaders from raising any objection against the employers.

"Munnar strike" An eye opener for trade unions

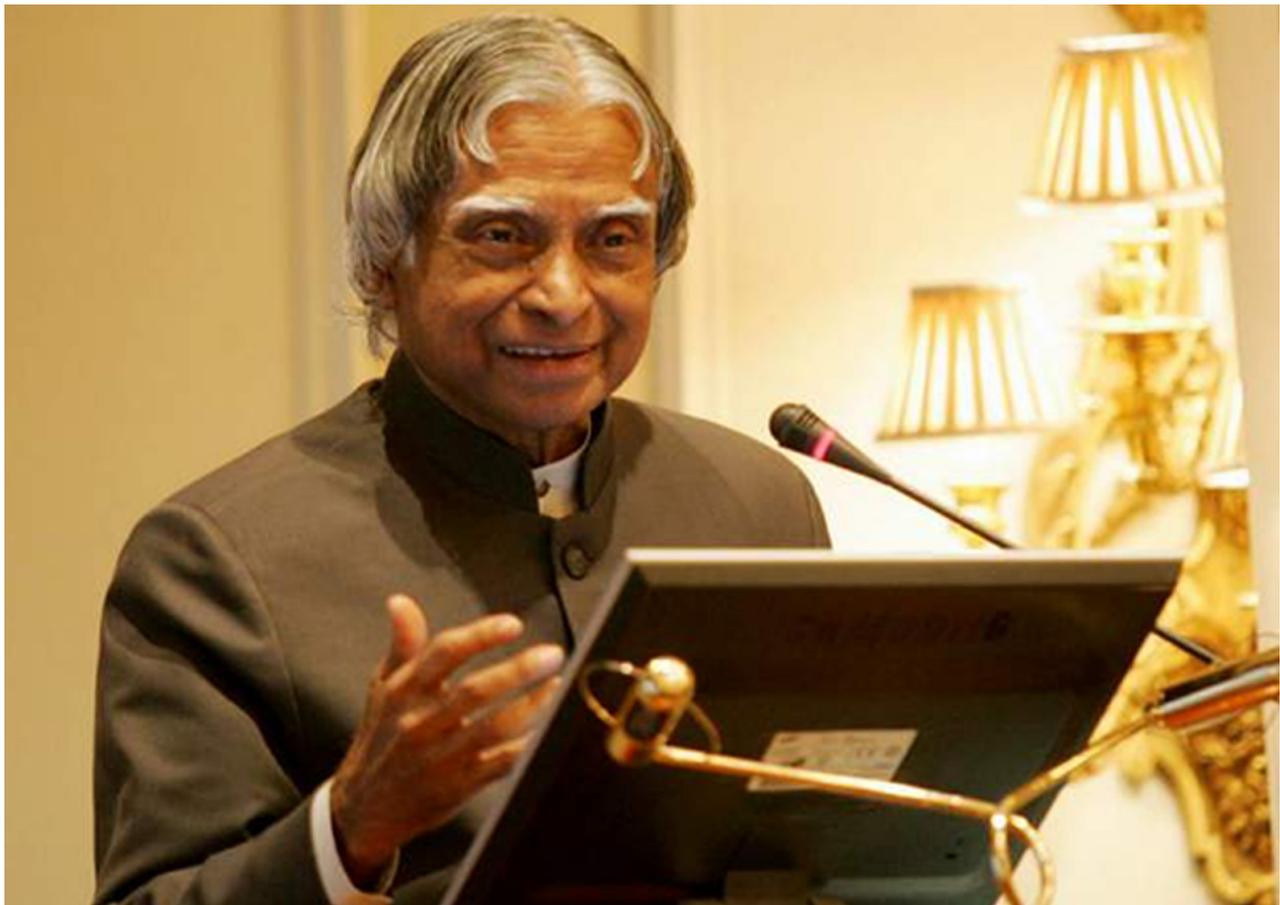
Munnar is known to be the southern Kashmir which is the main tea plantation area in the state. All the major plantations are owned and controlled by Tata Ltd widely known as Kannan Devan Tea. More than fifteen thousand workers are employed in these plantations and a lion share of them is women and members of various trade unions. The ancestors of these workers have been brought here from the neighbouring districts of Tamil Nadu through the old 'Kangani System' prevalent then. Thus these workers are all tamil speaking and residing in the plantations through generations. Recently, Munnar witnessed a strange protest by the women workers popularly known as "Pempilae Orumae" (Unity of women) for the enhancement of their wages, without the support of trade unions and their male counterparts. They have consciously kept away the trade unions in their strike and those who have tried to join them were forced to 'run away' from the scene which made a 'celebratory occasion' for the media. The nine days strike created a historical instance in the trade union movement in the country, forced the government machinery to take up the issue and settle it. Though government successfully handled the issue for the time being differences of opinion among the stakeholders still exist.

Whatever may be the driving force behind this movement, the explanation of the trade unions and other interested parties cannot be swallowed without a pinch of salt. But it is undoubtful; it should not have happened. Otherwise, the history written in golden letters will have to be rewritten by these 'anomalous incidents'. Though the trade unions have initiated alleged social restrictions against the women leaders, it is not a curative process for a permanent solution for the discontent developed against the unions. Eventhough the trade unions have succeeded in curtailing similar unrest developed in other areas or sectors in the bud, this incident should be an eye opener for the trade unions in their future plan of action.

However, the workers also should understand the danger of losing their bargaining power and their locus standi in such movements when they eliminate the trade unions in their protests. The days prior to the enactment of the Trade Unions Act cannot be ignored so lightly and this will ultimately open up chances of exploitation of workers in the long run.

V. Veerakumar
Executive Director

One of the greatest speeches by Dr. A.P.J. Abdul Kalam, Former President of India at IIT, Hyderabad in September, 2013



I have three visions for India. In 3000 years of our history, people from all over the world have come and invaded us, captured our lands, conquered our minds. From Alexander onwards, The Greeks, the Turks, the Moguls, the Portuguese, the British, the French, the Dutch, all of them came and looted us, took

over what was ours. Yet we have not done this to any other nation. We have not conquered anyone. We have not grabbed their land, their culture, their history and Tried to enforce our way of life on them. Why? Because we respect the freedom of others.

That is why my first vision is that of FREEDOM. I believe that India got its first vision of this in 1857, when we started the war of Independence. It is this freedom that we must protect and nurture and build on. If we are not free, no one will respect us.

My second vision for India's DEVELOPMENT, For fifty years we have been A developing nation. It is time we see ourselves as a developed nation. We are among top 5 nations of the world in terms of GDP. We have 10 percent growth rate in most areas. Our poverty levels are falling. Our achievements are being globally recognized today. Yet we lack the self-confidence to see ourselves as a developed nation, self-reliant and self-assured. Isn't this incorrect?

I have a THIRD vision. India must stand up to the world. Because I believe that, unless India stands up to the world, no one will respect us. Only strength respects strength. We must be strong not only as a military power but also as an economic power. Both must go hand-in-hand. My good fortune was to have worked with three great minds. Dr. Vikram Sarabhai of the Dept. of space, Professor SatishDhawan, who succeeded him and Dr.BrahmPrakash, father of nuclear material. I was lucky to have worked with all three of them closely and consider this the great opportunity of my life.I see four milestones in my career:

Twenty years I spent in ISRO. I was given the opportunity to be the project director for India's first satellite launch vehicle, SLV3. The one that launched Rohini. These years played a very important role in my life of Scientist. After my ISRO years, I joined DRDO and got a chance to be the part of India's guided missile program. It was my second bliss when Agni met its mission requirements in 1994.

The Dept. of Atomic Energy and DRDO had this tremendous partnership in the recent nuclear tests, on May 11 and 13. This was

the third bliss. The joy of participating with my team in these nuclear tests and proving to the world that India can make it, that we are no longer a developing nation but one of them. It made me feel very proud as an Indian. The fact that we have now developed for Agni a re-entry structure, for which we have developed this new material. A Very light material called carbon-carbon.

One day an orthopedic surgeon from Nizam Institute of Medical Sciences visited my laboratory. He lifted the material and found it so light that he took me to his hospital and showed me his patients. There were these little girls and boys with heavy metallic calipers weighing over three Kg. each, dragging their feet around.

He said to me: Please remove the pain of my patients. In three weeks, we made these Floor reaction Orthosis 300-gram calipers and took them to the orthopediccenter. The children didn't believe their eyes. From dragging around a three kg.load on their legs, they could now move around! Their parents had tears in their eyes. That was my fourth bliss!

Why is the media here so negative? Why are we in India so embarrassed to recognize our own strengths, our achievements? We are such a great nation. We have so many amazing success stories but we refuse to acknowledge them. Why?

We are the first in milk production.

We are number one in Remote sensing satellites.

We are the second largest producer of wheat.

We are the second largest producer of rice.

Look at Dr.Sudarshan, he has transferred the tribal village into a self-sustaining, self driving unit.

There are millions of such achievements but our media is only obsessed in the bad news and failures and disasters.

I was in Tel Aviv once and I was reading the Israeli newspaper. It was the day after a lot of attacks and bombardments and deaths had taken place. The Hamas had struck. But the front page of the newspaper had the picture of a Jewish gentleman who in

Like lazy cowards hounded by our fears we run to America to bask in their glory and praise their system. When New York becomes insecure we run to England. When England experiences unemployment, we take the next flight out to the Gulf. When the Gulf is war struck, we demand to be rescued and brought home by the Indian government.

five years had transformed his desert land into an orchid and a granary.

It was this inspiring picture that everyone woke up to. The gory details of killings, bombardments, deaths, were inside in the newspaper, buried among other news. In India we only read about death, sickness, terrorism, crime. Why are we so NEGATIVE?

Another question: Why are we, as a nation so obsessed with foreign things? We want foreign TVs, we want foreign shirts. We want foreign technology. Why this obsession with everything imported. Do we not realize that self-respect comes with self-reliance? I was in Hyderabad giving this lecture, when a 14 year old girl asked me for my autograph. I asked her what her goal in life is. She replied: I want to live in a developed India. For her, you and I will have to build this developed India. You must proclaim. India is not an under-developed nation; it is a highly developed nation.

Do you have 10 minutes? Allow me to come back with a vengeance. Got 10 minutes for your country? If yes, then read; otherwise, choice is yours.

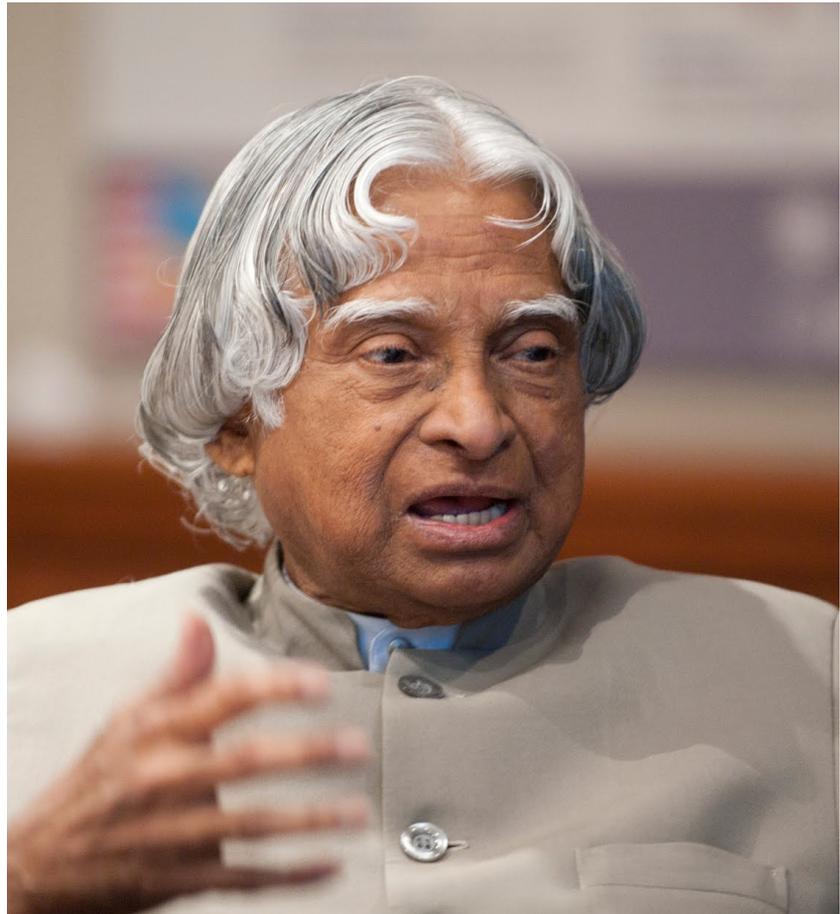
YOU say that our government is inefficient.

YOU say that our laws are too old.

YOU say that the municipality does not pick up the garbage.

YOU say that the phones don't work, the railways are a joke, the airline is the worst in the world, mails never reach their destination.

YOU say that our country has been fed to the dogs and is the absolute pits.



YOU say, say and say.

What do YOU do about it? Take a person on his way to Singapore. Give him a name – YOURS.

Give him a face – YOURS. YOU walk out of the airport and you are at your International best.

In Singapore you don't throw cigarette butts on the roads or eat in the stores. YOU are as proud of their Underground Links as they are. You pay \$5 (approx. Rs.60) to drive through Orchard Road (equivalent of Mahim Causeway or Pedder Road) between 5 PM and 8 PM. YOU come back to the parking lot to punch your parking ticket if you have over stayed in a restaurant or a shopping mall

irrespective of your status identity. In Singapore you don't say anything, DO YOU? YOU wouldn't dare to eat in public during Ramadan, in Dubai. YOU would not dare to go out without your head covered in Jeddah. YOU would not dare to buy an employee of the telephone exchange in London at 10 pounds (Rs.650) a month to, "see to it that my STD and ISD calls are billed to someone else."

YOU would not dare to speed beyond 55 mph (88 km/h) in Washington and then tell the traffic cop, "Jaantahaisala main kaunhoon (Do you know who I am?). I am so and so's son. Take your two bucks and get lost." YOU wouldn't chuck

an empty coconut shell anywhere other than the garbage pail on the beaches in Australia and New Zealand. Why don't YOU spit Paan on the streets of Tokyo? Why don't YOU use examination jockeys or buy fake certificates in Boston? We are still talking of the same YOU. YOU who can respect and conform to a foreign system in other countries but cannot in your own. You who will throw papers and cigarettes on the road the moment you touch Indian ground. If you can be an involved and appreciative citizen in an alien

right. We go to the polls to choose a government and after that forfeit all responsibility. We sit back wanting to be pampered and expect the government to do everything for us whilst our contribution is totally negative. We expect the government to clean up but we are not going to stop chucking garbage all over the place nor are we going to stop to pick up a stray piece of paper and throw it in the bin. We expect the railways to provide clean bathrooms but we are not going to learn the proper use of bathrooms.

consists of our neighbors, other households, other cities, other communities and the government. But definitely not me and YOU. When it comes to us actually making a positive contribution to the system we lock ourselves along with our families into a safe cocoon and look into the distance at countries far away and wait for a Mr. Clean to come along & work miracles for us with a majestic sweep of his hand or we leave the country and run away. Like lazy cowards hounded by our fears we run to America to bask in their glory and praise their system. When New York becomes insecure we run to England. When England experiences unemployment, we take the next flight out to the Gulf. When the Gulf is war struck, we demand to be rescued and brought home by the Indian government.

YOU who can respect and conform to a foreign system in other countries but cannot in your own. You who will throw papers and cigarettes on the road the moment you touch Indian ground. If you can be an involved and appreciative citizen in an alien country, why cannot you be the same here in India?

Everybody is out to abuse and rape the country. Nobody thinks of feeding the system. Our conscience is mortgaged to money.

Dear Indians,

The article is highly thought inductive, calls for a great deal of introspection and pricks one's conscience too....

I am echoing J. F. Kennedy's words to his fellow Americans to relate to Indians.....

“ASK WHAT WE CAN DO FOR INDIA AND DO WHAT HAS TO BE DONE TO MAKE INDIA WHAT AMERICA AND OTHER WESTERN COUNTRIES ARE TODAY”

Let's do what India needs from us.

Thankyou

Abdul Kalam

Courtesy: Karishma Jadeja at Youth Connect website

country, why cannot you be the same here in India?

Once in an interview, the famous Ex-municipal commissioner of Bombay, Mr. Tinaikar, had a point to make. “Rich people's dogs are walked on the streets to leave their affluent droppings all over the place,” he said.” And then the same people turn around to criticize and blame the authorities for inefficiency and dirty pavements. What do they expect the officers to do? Go down with broom every time their dog feels the pressure in his bowels? In America every dog owner has to clean up after his pet has done the job. Same in Japan. Will the Indian citizen do that here?” He's

We want Indian Airlines and Air India to provide the best of food and toiletries but we are not going to stop pilfering at the least opportunity. This applies even to the staff who is known not to pass on the service to the public. When it comes to burning social issues like those related to women, dowry, girl child and others, we make loud drawing room protestations and continue to do the reverse at home. Our excuse? ‘It's the whole system which has to change, how will it matter if I alone forego my sons' rights to a dowry.’

So who's going to change the system? What does a system consist of? Very conveniently for us it



Industries and Information Technology Minister Kunhalikuttu unveiling the logo of the Kerala Business to Business (B2B) Meet, 2016 at the CIAL Trade Fair and Exhibition Centre at Nedumbassery, Ernakulam. The Principal Secretary Industries and Information Technology P.H. Kurian. IAS and the Managing Director, Kerala State Industrial Development Corporation Dr. M. Beena. IAS are also in the picture.

Research

On the basis of the request from Labour Commissioner, KILE have commenced a research on “Current Status of the Coir Industry in Kerala : A Critique (2015).

Objectives of the study

The objectives of the study inter alia includes;

1. To assess the current status of the coir industry in Kerala and examine whether the industry is progressing or declining in terms of certain standard parameters. The economics at the micro, small and the macro levels of the industry is being studied from a business as well as employment generation points of view.
2. To identify the positive and the negative factors (variables) which impact on the industry and its business prospects. In this respect, the functioning of the various promoting institutions such as the Coir Board, Coirfed, Coir Cooperative Societies etc. will be looked into.
3. To examine the scope for mechanizing and modernizing the coir industry, appropriate to the micro, small and macro levels to enhance productivity and profitability
4. To elicit the view points of the various primary and secondary stakeholders of the industry for developing appropriate strategies and support systems to rejuvenate the industry and ensure job security and prosperity for the primary stakeholders

The work in respect of the study is in progress. The final report will be ready by the end of this year.

Besides, proposals for the annual research projects have been invited and the selection of it is in the process. The selected studies will be awarded to the scholars by the end of November, 2015. The final reports are expected by the end of February, 2016.

NIYUKTHI 2015



Government of Kerala has taken a revolutionary step by converting the Employment Exchanges in the state into Centres of Skill and Employability Development. Private and Quasi – Government agencies can join the drive and contribute their mite in the day – to – day operations of the Centres like skill assessment, counselling, job-matching, interview scheduling, in - house basic skill training, Centre management, Psychometric analysis for identifying innate tastes and talents.



The literal interpretation of the Sanskrit dictum ‘Niyukthi’ is “what is expected as an answer to the Job- Fairs - ‘Employment’”. It has been created distinctly for making a better environment in the job market and for making rapid strides in the sphere of employer-employee relation by making use of the untapped potentials latent in our educated youth. Thereby a rapport can be created in this field between an employer and employee. Specially designed software has been developed for this purpose. A series of fairs have been conducted throughout the state. This will be a regular programme of these centres.

Minister for Labour and Skills Shibu Baby John, Tom Jose IAS, Principal Secretary, Labour and Skills Department and Shina Mole IAS, Director, Employment and Training during the Inauguration of the Project



Shibu Baby John,
Minister for Labour and Skills

I am very much glad that the Labour and Skills Department is taking a leading step in alleviating simultaneously the difficulty faced both by the employer and the employee by bringing them under the same roof. I surmise that there is going to be held a prospective Employers’ Meet which has been provided an appellation ‘**NIYUKTHI-2015**’ Arranging 5 Mega Job Fests consecutively in five districts in the ensuing months starting from the districts of Ernakulam as a pilot venture and percolating to other districts, demand great effort.

Employment Exchanges are being revamped in a manner which is conducive to the current need and aspirations of the educated youth in Kerala. The role of the Labour and Skills department is of the essence in dealing with the jobless public and the educated youth and their problems galore.

This venture, I am sure, will work tremendous change. Wishing all success to this great endeavour.



Tom Jose IAS,
Principal Secretary,
Labour and Skills

I note with great pleasure that the Department of Labour and Skills is organizing five Job Fairs in sequence, in five districts under the title Niyukthi 2015. Niyukthi 2015 proposed to be conducted by the National Employment Service, through its Employability Centres is an innovative idea amalgamating the needs of the employers and the job seekers. The employers and the jobseekers come together on a common platform in these Job Fairs. These fairs are sure to make significant changes in the employment scenario of the State. This venture will surely create a jobseeker and industry friendly environment in the state. I wish all success for the job fairs.



Dr. Mrs. Manu Bhaskar*

Impact of globalization on women workers in Khadi and Handloom sectors



This paper is an attempt to examine the changes in the small-scale textile sector as a result of globalization and tries to examine its impact on women workers in the khadi and handloom industries of Kerala through secondary source data. The analysis reveals that problems of women in the khadi and handloom workers from a gender perspective can be hardly be captured through secondary source data and the need for empirical studies.

The context: impact of globalization in the small-scale textile industries

The textile industry is one of the oldest industries in India, which has made a significant contribution to the country's economy over the centuries. The Indian textile industry occupies a most important and unique place in the economy of the country by virtue of its contribution to the industrial output, employment generation and foreign exchange

*Retired Professor and Head, Department of Sociology, University of Kerala

earnings. The industry with 8.90 million hectares of land for cotton cultivation, 2886 spinning mills having a total capacity of 36.08 million spindles, 4.40 lakh rotors, 38.91 lakh handlooms, 17.62 lakh power looms (registered only), 2324 processing units, and 30,000 garment-making units, possesses the largest installed capacity in the global level. The textile industry provides employment to nearly 108.73 lakh people and currently accounts for 8 per cent of the G.D.P., 20 per cent of the industrial production and 35 per cent of the export earnings (Hanveev 2009). With direct linkages to the rural economy and the agriculture sector, it has been estimated that one of every six households in the country depends on this sector, either directly or indirectly, for its livelihood (Dun and Bradstreet India 2003).

The handloom sector of the industry flourished for a long time before the mill sector achieved a significant presence. According to the Report of the National Commission on Kerala. Labour (2002), the textile industry was the largest industry in India a decade ago. It was the second largest employer, employing over 20 million, and coming only after agriculture. It contributed four per cent of the GDP, and had over 30 per cent share of the total export earnings. In addition, a number of other industries like textile engineering, and manufacture of dyes depend upon the textile industry (Ministry of Labour 2002). Impact of globalization can be better understood, with an outline of the structure of the textile and apparel supply chain. There are four product categories in India, namely, yarn, fabrics, made-ups and garments. Both organized and unorganized small-scale sectors manufacture yarn.



Fabrics are manufactured by handloom, powerloom, composite mills and knitting sectors. Small spinning mills, khadi and other small hand processing units are also involved in the sector most often as micro-units with more labour-intensive processing. Spinning, weaving and processing are the main three sectors within the textile industry. In all these sectors, there are both organized and unorganized/ decentralized segments.

In the post-liberalization era, production of cloth in the mill sector was badly affected. The protection accorded to the handloom sector by restricting the mill sector indirectly helped the decentralized powerloom and hosiery sectors. Even in the pre-globalization era, the textile industry

was plagued by sickness and industrial unrest. With the labour-related problems in the mill sector and the competition from the power looms, the mill sector faced increasing sickness. Low productivity, lack of modernization and increase in cost of inputs also contributed to the decline in the organized mill sector. The already sick textile industry was badly hit when imports of textile products from other countries made available abundant varieties of other products at cheaper rates. There was also a decrease in the number of workers employed in the organized sector. For instance, there were 11,79,000 workers in 1980-81 and they got reduced to 10,43,000 in 1999-2000 (Ministry of Labour 2002).

Meanwhile, the condition of workers in the decentralized sector was becoming more pathetic. The wage levels were also becoming more precarious. Job-cuts, retrenchment of labour and closure in the organized as well as unorganized sectors affected thousands of workers across India. Power loom industry seemed to be protected but due to vast expansion of the sector, the condition of the workers was still not satisfactory. If such was the situation of the textile industry in general, more pathetic should have been the situation of the handloom and khadi sectors in which majority of workers were women. Sex-aggregated data were not available in almost all available studies on the traditional, unorganized textile sectors, except in the Third Handloom Census Report 2010.

Pre-globalization scenario of handloom: a traditional, home-based and caste-based sector

The art of hand-weaving is part of India's rich heritage. From the dawn of recorded history, Indian handlooms have enjoyed a high reputation throughout the world. Indian handloom industry is the

largest employment provider under textile sector.

India's tradition of cloth starts from Vedic-age to the present, spread over thirty to forty centuries. As per tradition in ancient period, there was no large scale use of clothes for both men and women in Kerala society. Further, clothes were used as such for wearing and covering the body. Even aristocratic women left their upper body part naked. The tribals as marginalized sections covered the secret parts of their bodies with leaves even in the twentieth century. However, the best varieties of cloth like Muslin, Silk, *Vesti*, *Kazavumundu*, and *Pudava* were popular among the aristocracy and landed class (Kurup 2008).

Kerala, as a highly populated region from the rest of India, had incorporated textile production in her socio-economic system along with her social formation in a distant past. The community of Padma Saliyas in Kerala used to work in the traditional handloom sector. As an artisan class that participated in a much essential requirement of society, its members or their caste or community enjoyed some respect in the caste-hierarchical system of Kerala Society. The chieftains and rulers encouraged

these craftsmen to settle in their respective jurisdiction and extended some sort of patronage. As a caste, no distant pollution was attributed to its members. They remain even now as a backward caste (Kurup 2008).

Technological changes came along with religious conversions in 1860s introduced by the Basel Missionaries. When these missionaries in Malabar converted the labouring class into their religious fold of Christianity, its members lost their traditional occupation. Thus, many of them opted for weaving. The Basel Industrial Mission started to reform the pit looms by substituting wooden framed looms constructed on four wooden poles. By using man power to mobilize the weaving shuttles as flying into a shuttle box, they introduced a new technology. Here, electricity or steam power was substituted by man power. However, the cost of wooden framed looms was much higher than those of the pit looms. Many poor families could not adopt this technology. One major improvement was that a weaver could produce several yards of broad clothes and he or she could earn more wages (Kurup 2008).

The nineteenth century witnessed a transition from feudal mode of production to capitalist mode of production. The weaving process came into a factory system, as a capitalist mode of production. The craftsmen were alienated from the means of production and were converted into wage labourers (Kurup 2008).

Till the mid-nineteenth century, the textile industry in India meant only the handloom industry. Due to the colonial exploitative policies of

The community of Padma Saliyas in Kerala used to work in the traditional handloom sector. As an artisan class that participated in a much essential requirement of society, its members or their caste or community enjoyed some respect in the caste-hierarchical system of Kerala Society.



the British government, the mill sector got prominence after the Second World War and handloom sector suffered a setback (Ministry of Labour 2002). During post-independence era, various measures were taken by the Central Government to support the handloom sector through successive Five Year Plans. A cess was imposed on mill cloth through an Act passed in 1953 [Khadi and other Handloom Industries (Additional Excise Duty on Mill Cloth) Act, 1953]. The sector was put on par with small-scale industries in matters pertaining to competition from the large scale sector. A scheme of product reservation was also practised regulating the mills not to pose a threat to the handloom sector. Controls were imposed on mill production to minimize the competition for handlooms. A rebate scheme was also launched to make

handloom more competitive. But all the governmental measures did not adequately address the main problem facing the industry, the competition from the mill and powerloom sectors. From the Second Plan onwards, the Government recognized the indirect benefits of supporting small-scale and cottage industries, like increased employment, equitable income distribution and capital and human resources compatibility. Till the commencement of the liberalization period, there was emphasis on co-operativisation, loom modernization, raw material linkage and technological upgradation.

Post-globalization scenario of handloom sector

The impact of globalization on the handloom sector vis-à-vis liberalization could be gauged from

the annual decline in production (13 per cent) noticed during the Handloom Censuses of 1987-88 and 1995-96. Compared to the former period, the figures indicated a higher concentration of both workers and looms in the units in the latter. Handloom weaver households further decreased from 25.25 lakhs of Second Handloom Census (1996) to 22.68 lakhs as per the Third Census (2010). The number of handloom weavers also decreased from 34.71 lakh as reported in the Second Census to 29.09 in the Third Census (2010). In 1995-96 period, the average earning of a weaver household declined from Rs. 1,458/- per month to Rs. 1,236/- per month. As per the Third Handloom Census, annual average earning of a weaver household is Rs.37,707/-. Though this showed an increase, considering the soaring prices of essential

commodities in the recent decade, the weavers have become more vulnerable. This overall picture revealed the increased vulnerability of the weaving population to the globalizing forces in the absence of a countervailing welfarist force through governmental or non-governmental interventions that could create adequate social security systems to mitigate the suffering and impoverishment of the victims of globalization.

Pre-globalization scenario of khadi sector

Before Independence, the development of Khadi and Village Industries was entirely a non-governmental effort under the guidance of Mahatma Gandhi. After independence, the Government of India took the responsibility of bringing the development of Khadi and Village Industries within the overall framework of the Five Year Plans. Therefore, the Government of

India set up Khadi and Village Industries Commission (KVIC), which is a statutory organization by an Act of Parliament. This organization came up in 1956 and it played a pivotal role in the strengthening of rural economy by promoting and developing Khadi and Village Industries. The Khadi and Village Industries programme plays a predominant role in providing employment opportunities to rural artisans, especially to socio-economically weaker strata of the society. Since agriculture sector has been losing its ability to generate additional employment opportunities for the fast increasing workforce in rural areas, the importance of Khadi and Village Industries Commission (KVIC) has increased to find an alternative and appropriate employment for rural people (The Kerala Khadi and Village Industries Board 2012).

During the Freedom Struggle, the development of Khadi and Village

Industries was an instrument to meet the twin objective of self-reliance through local production and seeking active participation of the poor in the struggle for Independence through removal of hunger and unemployment. Their potential as an instrument of poverty alleviation was also recognized by our early planners. Accordingly, the Khadi and Village Industries Commission (KVIC) was created by an Act of Parliament to plan, promote and organize their systematic development and expansion (Planning Commission 2001 and The Kerala Khadi and Village Industries Board 2012).

Post-globalization scenario of khadi sector

An evaluation study conducted by the Planning Board on Khadi and Village Industries Programme (2001) brought out that the majority of the workers in Khadi sector belonged to the SC/ST or OBC sections of the population. The workers of KVIC units/institutions were found to be mostly poor, disadvantaged, illiterate and local people. The relatively low income of Khadi workers' families is because of the dominance of part-time employment in the Khadi sector. High stock build-up, high input (raw material) -output ratio (more than 25 per cent) and low wage payment to workers were the major constraints identified by the evaluation study in the economic realm. Only 58 per cent of what the government spent on a khadi unit reached the khadi workers. Other major problems indicating the vulnerable position of this industry in the post-liberalization era were inadequate linkage between production and marketing, closure and inoptimal functioning of the institutions/units, high drop-outs among the new entrants, low

Only 58 per cent of what the government spent on a khadi unit reached the khadi workers. Other major problems indicating the vulnerable position of this industry in the post-liberalization era were inadequate linkage between production and marketing, closure and inoptimal functioning of the institutions/units, high drop-outs among the new entrants, low employment growth and inefficient use of public resources.

employment growth and inefficient use of public resources.

But despite this disappointing level of performance of the khadi sector, the evaluation study opined that the Khadi and Village Industries programme held

“great potential for generating gainful employment opportunities for the rural poor, arresting migration of rural unskilled workers to urban areas and for promoting the strategy of sustainable development. It can also be a viable and effective social safety-net to enable the poor to ward off the adverse impacts of structural-adjustment and economic reforms on their wellbeing” (Planning Board 2001 p.72).

At present, there are 30 State KVIBs functioning all over India. These Boards are mostly assisting the implementing agencies involved in the village industries programme. In general, about 78 per cent of KVI Programme, in terms of production, is being implemented by State Khadi and Village Industries Boards.

In Kerala, the Board has 4456 charkhas and 2198 looms which are installed in various departmental units and being used in khadi production. 12000 artisans are now working in the field of khadi production.

Problems of Indian textile industry

Despite the commendable growth of some segments of the textile industry, the industry is now passing through unprecedented crisis caused by haphazard structure of establishment, excess spinning and weaving capacities, use of obsolete plant and machinery, out-dated



technology for production, sub-standard quality of inputs, high cost of production, very low machine and labour productivities, out-dated labour laws, and low earnings of workers. The Indian Textile Industry is therefore becoming uncompetitive and incapable of facing the challenges of globalization and WTO regime (Hanveev 2009).

The problems in the two sectors under study are summarized in Table 1. Points are presented side by side in order to show the main problems faced by both the sectors. If a column is left vacant, it only means that there was no mention of any similar problem in the secondary literature covered in the study. Vacant space in the opposite column, more often, would indicate the unique problems of the sector.

Surveying the literature on the two sectors to identify the problems in these sectors, did not yield any significant matter specially related to the women workers from a gender perspective. Most of the literature has been focused on techno-economic perspective. Other than the general information that about 75 per cent of the labour force of these labour-intensive sectors were women and

that most of them came from low socio-economic strata of society, nothing more was available about the unique ways in which women in these sectors have been affected by globalization.

Conclusion

No sector of the textile industry has been left unaffected in the post-globalization era. The handloom and khadi segments within the textile industry have been struggling to survive despite various protective measures taken by the Central and State Governments. In the post-globalization era, restrictions imposed on the mill sector indirectly helped the decentralized powerloom and hosiery sector more than the traditional handloom sector. Though there was emphasis on co-operativisation, loom modernization, raw material linkage and technological upgradation till the commencement of the liberalization period, the weaving population was becoming increasingly vulnerable to the globalizing forces.

Decreasing State-support to traditional manufacturing industries such as handloom, and sinking wage and income levels that has gone even

Table 1

Major problems faced by the traditional, small-scale textile industries

| Handloom sector | Khadi sector |
|---|--|
| <ul style="list-style-type: none"> ● Lack of training programme for weavers to empower them to produce new design ● The need for technological upgradation of pit looms into frame looms ● Very little innovation in production. ● There is absence of market infrastructure support to the weavers. ● Lack of institutional support for product development, technology and skill upgradation ● There is no active involvement of national institutes like NID, NIFT in the cluster. ● Lack of publicity and brand building ● Failure to attract mass consumers ● Lack of effective raw material bank to counter price fluctuations and for the supply of right quality and quantity of raw materials ● No regular work and lack of financial assistance for regular wages payment and regular work ● No timely payment of wages ● Low wages compared to other occupations ● Health hazards, especially related to respiratory system due to particles of cotton and the chemical ingredients from the yarn manufactured from the mills ● Deficiency of units for post-loom processing ● Deficiency of units for other type of finishing techniques, garment making, and value-added products ● Need for quality testing lab for raw materials including yarn ● Lack of common effluent treatment plant ● Lack of quality pre-loom processing facilities for warping and sizing ● Lack of modern dye house for yarn and cloths ● Weavers working under unorganized sector not getting assistance/ or covered under welfare scheme from government. ● Powerloom products affecting handloom ● The Local Self Governments not rendering any assistance to the co-operative sector. ● No scheduled bank or nationalized bank is extending assistance to this sector. | <ul style="list-style-type: none"> ● Decrease in the number of Khadi units ● Shortage of trained man power. ● Difficult to adopt new technology. ● Lack of flexibility in the running of Khadi unit ● Lack of forecasting demand to improve marketing of products ● Inadequate linkage between production and sales strategies resulting in accumulation of stocks ● Low return on investment ● Non-performing asset build-up ● Low production and shrinking employment opportunities ● Co-ordination among implementing agencies at various levels is lacking ● The data base available with KVIC on production, employment, sales, earnings, stock and on other relevant parameters are inadequate and inaccurate. ● Non-availability of input supply on time ● Dominance of part-time employment in this sector. ● Negligible employment growth |

lower than that of agricultural labour, create conditions for downward occupational mobility and degradation of human resources, de-skilling and ruthless exploitation. This has led to feminization of the labour force in the traditional sectors.

Given the predominance of women from OBC/SC/ST sections of population in the traditional textile industry who would otherwise be left jobless or hunting for job, the nature of traditional textile industry give ample scope for flexi-time and work-from-home options that could

eventually be strategically used by women's organizations as a good gender-negotiator through civil society interventions starting with minimum wages or just compensations.

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KNOW YOUR AUTHORITIES UNDER VARIOUS ENACTMENTS

The Kerala Headload Workers Act, 1978 (Act 20 of 1980)

| Purposes / Services | Authority |
|---|--|
| 1 Extending the applicability of the Act to areas / establishments | Government (Authority as per sub-section (3) of Section 1) |
| 2 Appointment of Conciliation Officers/ Appellate Authorities/ Inspectors | Government (Authorities specified under Section 3, 4 and 5) |
| 3 Registration of Headload workers and issue of identity cards | Assistant Labour Officer (Grade II) (Registering Authority defined under rule 2(e)) (Also pl. see Section 26 and Rule 26A) |
| 4 Registration of dependants of workers dying – in – harness (Rule 26 - B) | Assistant Labour Officer (Grade II) (Registering Authority and Authority specified under Rule 26-B) |
| 5 Appeal against the order of the Registering Authority regarding registration or cancellation of registration of a Headload worker (Within 60 days from the date of receipt of the order) (Rule 26C) | District Labour Officer (Enforcement) (Appellate Authority appointed under sub-rule (1) of Rule 26C) |
| 6 Issue of duplicate identity cards (When it is defaced or accidentally lost or irrecoverably destroyed) (Sub-rule 3A of Rule 26A) (Headload worker with two copies of recent photograph and a fine of Rs. 25/-) | Assistant Labour Officer (Grade II) (Registering Authority and Authority prescribed under sub rule 3A of Rule 26A) |
| 7 Cancellation of identity cards (After satisfying on a report from Registering Authority that the registration has been obtained by fraud or mistake) (Sub-rule (4) of Rule 26A) | Deputy Labour Officer Assistant Labour Officer (Grade I) (in the areas where there is no Deputy Labour Officers) (Authority appointed under sub-rule (4) of Rule 26A) |

| | |
|--|---|
| <p>8 Appeal against the decision of the Conciliation Officer (Deputy Labour Officer / District Labour Officer) regarding the settlement of Disputes under Section 21 (Within sixty days of the receipt of the decision of the conciliation officer) (Pl. see Section 21, 22, 23 and Rule 25, 25A)</p> | <p>District Labour Officer (Enforcement) (Regional Joint Labour Commissioner) (Appellate Authority appointed under Section 4 and 12)</p> |
| <p>9 Settlement of Disputes under the Act (Section 21, 22 and Rules 25 and 25A)</p> | <p>Deputy Labour Officer and District Labour Officer (General) (Conciliation Officers appointed under Section 3) Assistant Labour Officer (Officer appointed to hold conciliation conferences under sub- section (1) of Section 21- first level conciliation starts before this authority)</p> |
| <p>10 Complaints regarding the non- compliance of the provisions of the Act and Rules</p> <ul style="list-style-type: none"> ● Non maintenance of the registers and records ● Disputes under the Act etc. | <p>Assistant Labour Officer (Grade II) (Inspector appointed under Section 5/ Registering Authority prescribed under Rule 26A/ Authority specified under sub- section(1) of S.21)</p> |
| <p>11 Enforcement of payment of wages</p> <ul style="list-style-type: none"> ● Pays less than the wages due to a headload worker or ● Refuses to pay wages <p>(The headload worker or an official of the union of which he is a member may make an application - In Form No. I with as many copies as there are opposite parties , within thirty days from the date on which the wages became due) (Sections 11 and 12 read with Rule 3)</p> | <p>Conciliation Officer (Authority specified under sub- section (1) of Section 11)</p> |
| <p>12 Appeal against the order of the Conciliation Officer under Section 11 (Enforcement of the payment of wages) (Within a period of thirty days from the date of the order appealed against) (Section 12)</p> | <p>Regional Joint Labour Commissioner (Appellate Authority appointed under Section 4 and 12)</p> |
| <p>13 Recovery of money due from Employer (Where any money is due to a headload worker under a settlement or a decision under Section 21 or 22, the headload worker/ any other person authorised by him/assignee or heirs may within one year from the date on which the money became due to the headload worker – In Form No. VII) (Pl. see Section 36 and Rule 29)</p> | <p>Regional Joint Labour Commissioner (Authority specified under Section 36, 38 and Rules 29 and 30)</p> |
| <p>14 Recovery of money due from a headload worker (Where any money is due to an employer under a settlement or a decision under Section 21 or 22, the employer/ any other person authorised by him / assignee or heirs - In Form No. VIII) (No time limit has been prescribed) (Pl. see Section 38 read with Rule 30)</p> | <p>Regional Joint Labour Commissioner (Authority specified under Section 36, 38 and Rules 29 and 30)</p> |

| | |
|--|---|
| <p>15 Authority for hearing and deciding cases of Accident Compensation (Section 24)</p> | <p>Commissioner for Employees' Compensation (Industrial Tribunals appointed under Industrial Disputes Act, 1947)</p> |
| <p>16 Reference or decision of disputes under Section 22 (Of any existing dispute/ dispute apprehended) (The Govt. by order in writing for and for reasons to be stated therein either</p> <ul style="list-style-type: none"> ● Refer the dispute to the appellate authority constituted for the area in which the dispute exists or is apprehended , for decision or (Clause (a) of sub- section (1) of Section 22) ● Decide the dispute themselves) (Clause(b) of sub- section (1) of Section 22) | <p>Government (Authority specified under Section 22)</p> |
| <p>17 Maintenance of registers and records</p> <ul style="list-style-type: none"> ● Register of Headload workers in Form No. IV (Section 25 read with Rule 26) ● Register of Employment and Wages in Form V (Section 26 read with Rule 27(1)) ● Supply of Wage Card in From VI (Section 26 read with Rule 27(2)) (Section 25, 26 read with Rule 27) | <p>Employer (Authority specified under Section 26 and Rule 27)</p> |
| <p>18 Competent Court of jurisdiction for filing prosecution (Section 32)</p> | <p>No Court inferior to that of a Judicial Magistrate of the First Class (Authority specified under Section 32)</p> |
| <p>19 Competent persons for filing complaints before Court (Within three months from the date on which the alleged commission of the offence comes to the knowledge of the Government or the officer authorised under Section 32) (Section 32 and 33)</p> | <p>Government / Any person with the previous sanction of the Government in writing/ An officer authorised by Government in this behalf) (Authority specified under Section 32)</p> |
| <p>20 Making of Schemes and Rules (Section 13 and 43)</p> | <p>Government (Authority as per Section 13 and 43)</p> |

Source: The Law Relating to Shops and Establishments, N&N Publications, Thiruvananthapuram-43

Don't take rest after ur first victory. Because if u fail in second, more lips are waiting to say, that ur first victory was just luck

Dr. APJ Abdul Kalam





Vishnu Lal R.*

The 'un'-ease of doing business in India

Introduction

The nation witnessed an unprecedented swearing in ceremony at the forecourts of the Rashtrapati Bhavan in Delhi on 26 May 2014, as the *Chaiwala* turned PR guru, the branding strategist Narendra Modi took oath of office at the esteemed presence of various heads of the states, political parties and groups along with leaders of SAARC countries. It is to be admitted that the pro development sentiment swept throughout the nation with the business class immediately responding to it, reflecting a surging rise in the share market. The “*Minimum Government, Maximum Governance*” government has a herculean task ahead, with the nation’s World Bank’s index of ease of doing business, dropping down two places to stand at 142nd out of 189 world nations as of June, 2014. The NDA government has promised to improve India’s ranking to 50th by 2017, and has triggered several productive initiatives in this regard.

Make in India initiative, one of the landmark projects of government, highly intends to create India into a

manufacturing hub and a global centre of innovation. For the government to kick-start the much hyped project on a high, a positive business climate is much required. Determinants of a positive business climate are manifold, categorized into internal, external, micro, macro and so on. The primary contributing factor of an entrepreneurial climate, irrespective of nations would be the universally recognized factors of production. They are land, labour, capital and entrepreneurship as these are the basic resources used by any organisation to produce goods and services. An entrepreneur before setting up his shop in a location would undertake a critical analysis of these four factors, which would ultimately turn out to be the decisive factor. This article intends to chalk out the conduciveness of business environment in India for make in India campaign under the lights of factors of production, with specific emphasis to labour.

Land

As the primary factor of production, Land is of paramount significance, when it comes to

businesses involving manufacturing. The vision statement of Make in India campaign clearly signifies accelerating the growth of manufacturing sector to 12-14% per annum and share of manufacturing in the country’s Gross Domestic Product from 16% to 25% by 2022. This would also help create additional jobs to the tune of 100 million by 2022, which is a much welcome move. As land forms the very foundation of every enterprise upon which business houses build their super structures, ease of acquiring and transferring ownership assumes heightened importance. However our nation hobbles on this count without a proper and effective land acquisition process, which made the entire process tedious. As per a study conducted by CII-KPMG – Ease of doing business in India, May 2014 the average time taken for land acquisition is 14 months and it may even extend further on a case to case basis. Land mutation process is very complex and time consuming adding to the worries of entrepreneur. Huge protests and resistance on the part of those who were displaced in the process, as experienced in various

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states, adds further insult to injury. Many politicians use this as an opportunity to score brownie points by extrapolating the magnitude of the issue which leads the entrepreneur to a whole set of new problems.

This takes us back to our old economics lecture, where it was taught that “Land is free gift of nature”. Land is no more a free gift, neither a paid gift for business houses, it seems. A prudent thinker would ascertain that very little has been attempted towards understanding the plight and offer solutions to the various problems faced by the private sector. As the nation is well used to, one would blame the administrative impediments in the bureaucratic way of working of the governmental machinery and lack of political will to

implement a suitable land acquisition law benefiting both the entrepreneur and the common man. Though the proposed Land Acquisition Bill would have provided a breather for the business class, the government is yet to obtain a consensus with the opposition parties. As the government rides high on development agenda, an immediate reform in the land acquisition procedure is a major concern and it is inevitable to ensure that a Land Acquisition Act with a streamlined process gets implemented at the earliest. Thus business houses undergo predicament right from the very initial stage of setting up of his/her business, if left unnoticed would prove to be detrimental in for the make in India initiative.

Labour

In the globalised world, where labour is also a commodity, organisations tend to be attracted towards markets where labour is cheap. Major conglomerates have switched their operations to countries like China, India, Thailand etc. to cash in on the cost advantages these countries has to offer. This has a positive message for our nation with a large number of English speaking people and Make in India campaign could attract investment on this front. However this needs to be supplemented by a conducive labour legal ecosystem alike other competitors. When scarcity of skilled labour leaves an entrepreneur with sleepless nights, restrictive labour framework makes it more onerous for his/her growth. Archaic labour laws, as it is infamously known constitute a major impediment in the growth trajectory of an entrepreneur. It is often compared to a marriage sans divorce, where once an employee is hired; cannot be retrenched or get rid of him/her. This deteriorates the very concept of market flexibility and makes it immensely difficult for an entrepreneur to make internal restructuring in terms of employee count as per market demand. This does not call for the old approach of “hire and fire”, instead more emphasis is to be laid on flexible manpower deployment, making them extremely industry-friendly.

Another major challenge faced by corporations is the presence of unhealthy politicized trade unions. It was startling to know the recent case of Tata Consultancy Services (TCS), when they downsized as a part of their workforce restructuring, witnessed unfortunate incidents of trade unionism. The Indian



Information Technology industry, which remained free from the clutches of trade unions till very recently, has also got targeted. This has a clear message for other industries where trade union activities are prevalent with the membership of trade unions in India growing by leaps and bounds. It was backed by research data that suggests the largest trade union in India (INTUC) grew by more than 9 times in the last 5 years, which is an antithesis to the argument that they are losing their sheen and are shrinking in numbers with the recent trend of more contract labourers getting inducted in the work force.

Since labour is an item enlisted in the concurrent list of the constitution of India, we have both centre and state laws. Our nation has 45 National and state laws to the tune of four times the central laws. There are many areas where provisions of one law overlap with other, which can be used as a major room for exploitation by officials. To say the least, there are close to a dozen of definitions for the word “wage”, with different connotations which takes a toll on employers. Thus the labour laws are required to be rationalised and simplified in the best interest of both the employer and employees.

The archaic labour laws of the nation are basically myopic in nature, as the legislators adopt a rat-killing approach. It is equally important to understand the source from where rats come and find a long term solution for it along with killing of rats. “If lock-out is a problem, let us ban it” should not be the ideal approach to be followed, instead a holistic approach taking into account priorities of both the sides in a balanced manner would help India attract more investment. On the basis

Major conglomerates have switched their operations to countries like China, India, Thailand etc. to cash in on the cost advantages these countries has to offer.

of the above context, one can certainly assert that the existing legal framework, if not subjected to imminent changes would prove to be counterproductive for make in India campaign.

The proposed Labour Code on Industrial Relations Bill, 2015 is an effort to combine Industrial Disputes Act, 1947, the Trade Unions Act, 1926, and the Industrial Employment (Standing Orders) Act, 1946, which has been sent to various stakeholders for deliberation. This bill is to be taken on a positive note as fewer laws ensure better monitoring and improved compliance, which is a win-win for both employers and workers. The bill carries provisions as to consolidation and amendment of the law relating to registration of trade unions, conditions of employment, investigation and settlement of disputes etc. A major amendment in the act is that it allows firms to retrench workers without seeking the prior permission of the government, if it employs less than 300 workers though ensuring that the employees get higher compensation in return. It has also raised the minimum number of members in order to register a trade union. Unsurprisingly the trade union leaders unanimously voiced strong opposition to the proposal,

but Rajasthan Government made headway in this regard by implementing it. This is to be construed as a positive move, if more states follow the trend. Thus if the bill comes into effect without the government succumbing to the unionist clout, entrepreneurs have a better bet awaiting.

The proposed labour reforms with government extending support to impart skill training for workers, is also a welcome move in this context as these are intended to improve the ease of doing business in India, thereby giving a push to Make in India campaign. Universal Account Number (UAN) for Employees’ Provident Fund members, a system based on responsibility and trust minimises the role of employer in matters pertaining to a member’s account which reduces the administrative load of employers. With UAN, Employee Provident Fund money along with that under Employee Pension Scheme is automatically transferred. Transferring the money instead of withdrawing as was the case earlier will result in better pension money when workers require it the most.

The “Shramyev Jayate” (i.e. only hard work will win) programme has schemes to end “Inspector Raj by disallowing labour inspectors to

Watch this page

conduct labour audits at their discretion. The current system is getting replaced by a computerised system that randomly sends them on inspections, based on data trends and objective criteria. A report has to be uploaded by inspectors within 72 hours and cannot modify them thereafter. The ShramSuidha portal, which streamlines the cumbersome process of compliance, is a one-stop-shop which helps employers file a

Capital

Going by the World Bank's rankings, India stands at a very cosy position in ease of accessing credit compared to its south Asian counterparts. But there are many practical challenges before an entrepreneur or an informal business in getting access to it. Manufacturing in India has always been in the grey, with the sector contributing a dismal 16% to GDP while its peers in East



self-certified single compliance report for 16 Central labour laws. This would be the database from which units would be picked up for inspection. Skilling of youth is also given due significance in the initiative and apprenticeship was very much encouraged. These reforms along with the proposed Industrial Relations Bill, 2015 if implemented in the true spirit would definitely provide an environment so conducive for make in India initiative to flourish in Indian soil.

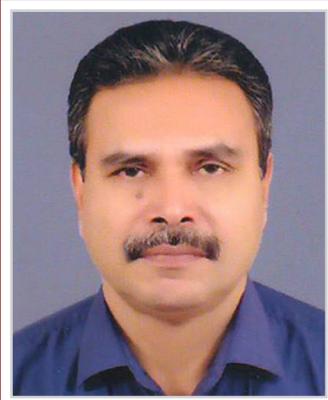
have greatly diversified into manufacturing. Access to timely and adequate credit and high burden of taxation would prominently figure in the list of major woes of entrepreneurs on this count. It is to be admitted that the new government's fiscal and monetary policies along with concerted efforts by RBI has had a considerable improvement in the credit system in India. The government has also setup huge funds to finance new production units of capital-intensive

heavy equipment which incentivises entrepreneurs. The future of lending in India will be determined by how well the menace of Non Performing Assists be managed in the Indian Banking sector. The positive trends in the banking industry clubbed with the proactive steps initiated by RBI makes an entrepreneur feel confident in the days to come.

Entrepreneur

Keeping aside the debate of whether entrepreneur should be considered as a factor of production or not, entrepreneurship climate in India offers a huge growth potential amid lot of distinctive challenges. On the basis of the above parameters, one can ascertain that entrepreneurship in India would never be a bed of roses. The question at this juncture is to what extent would the Make in India initiative tag lined 'Goodbye red tape, hello red carpet' offers entrepreneurs, a real welcome to set up shops in India. This is something time has to answer, as it is too premature to comment on it at this stage.

As entrepreneurs are driven by innovation, its application and adoption takes it forward in the larger interest of the nation. The role of policy makers clearly lies in understanding and providing a regulatory and business environment that encourages companies to use these innovations is the need of the hour. Proactive steps are being taken in this regard, if this does not confine as paper tigers, entrepreneurship has bright days ahead. Thus Make in India campaign would be a huge success if all the proposed plans get implemented at a sooner date without major changes, accentuating the ease of doing business in India.

Appointed

T.T. Antony. IAS (Rtd.), Former Labour Commissioner and Director, Employment and Training has been appointed as the Private Secretary to the Minister for Labour and Skills.



K. Biju. IAS has been appointed as Labour Commissioner. He is also holding the charge of Director, Employment and Training.

Transferred

V.K. Balakrishnan. IAS has been transferred from the post of Labour Commissioner. His new assignment is as Director, Civil Supplies Department.

Appointed

Dr. Febi Varghese has been appointed as the Managing Director, Kerala Minerals and Metals Ltd., Chavara, Kollam. He is one of the members of the Executive Council and General Body of KILE

Relieved from KILE

Saju.S.S. Employment Officer, National Employment Service who was working as Fellow (Employment) on deputation has relieved from KILE on 14.06.2015.

Retired from KILE

P.G. Asokakumar, Assistant Labour Officer (Grade II), Paravoor, Kollam who was working as Fellow (Labour) on deputation has retired from service on. 31.05.2015



S. Mahalingam*



EMPLOYEES' PROVIDENT FUNDS AND MISCELLANEOUS PROVISIONS ACT, 1952 AND THE SCHEMES FRAMED THEREUNDER

Employees Deposit Linked Insurance Scheme, 1976

Introduction:

The central Government with the motive of providing additional social security in the form of life insurance to the family of the deceased member of the provident fund introduced the Employees Deposit Linked Insurance Scheme with effect from 1.8.1976 as provided

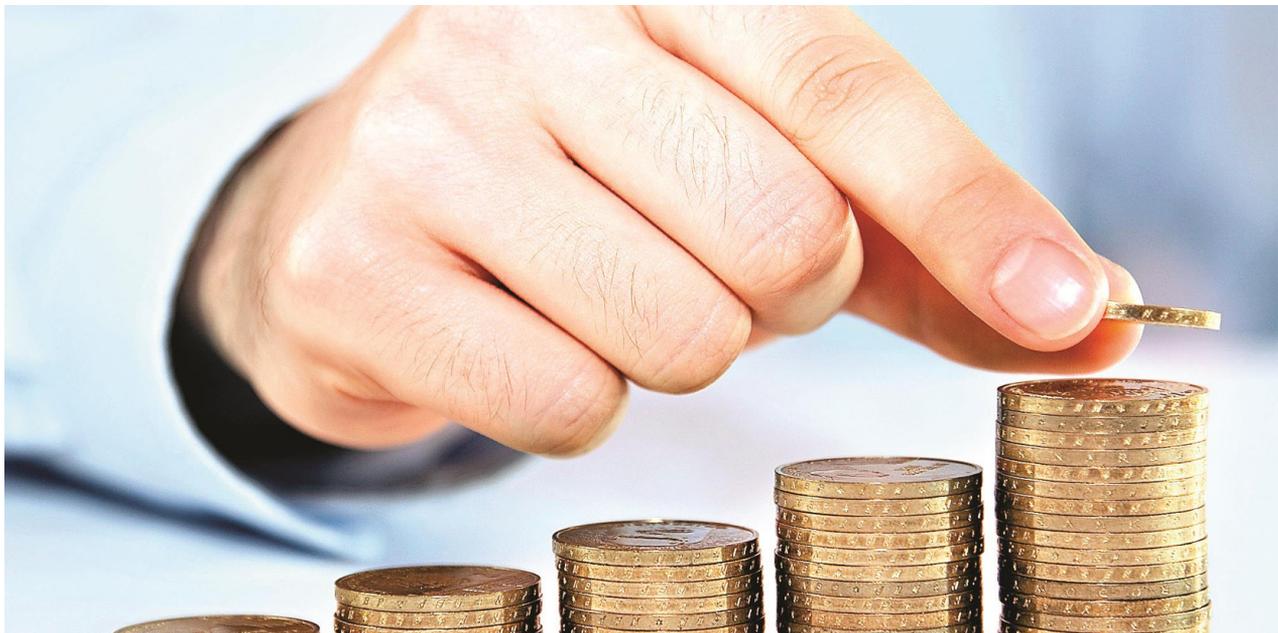
for under Section 6 (C) of the EPF & MP Act, 1952. The benefit under the Scheme is so devised that it acts as an incentive to the members to save more in their Provident Fund Account. As the name of the Scheme says, the benefit is linked to the amount of accumulation in the Provident Fund Account of the member.

Applicability:- The Scheme applies to all the establishments to

which the EPF Scheme applies.

Membership: All the members of the EPF Scheme .

Contribution: Under the Scheme, the members do not contribute any amount as contribution. However, the employer pays an amount equal to 0.5% of the total wage paid to the members as contribution.



*Regional Provident Fund Commissioner (Rtd.)



Administrative Charges: As regards administrative charges, the employer is required to pay an amount equal to 0.01% of the wages subject to a minimum of Rs. 2/- per month.

Assurance Benefit:

The benefit provided under the EDLI Scheme is called Assurance Benefit. On death of the member while in service, the nominee or any other person entitled to receive the Provident Fund benefits will, in addition to the Provident Fund, receive the Assurance Benefit under EDLI Scheme.

Scale of Assurance Benefit

From 24/06/2000 onwards the amount of Assurance Benefit

payable in an amount equal to the average balance in the account of deceased in the Fund during the preceeding 12 months or during the period of his membership whichever is less, except where the average balance exceeds Rs. 35000/- the amount payable shall be Rs. 35000/- plus 25% of the amount in excess of Rs. 35000/- subject to ceiling of Rs 60,000/-. The form prescribed for claiming the Assurance Benefit under EDLI Scheme, 1976, is Form 5(IF). The maximum assurance benefit is enhanced to Rs 130000/- or twenty times of wages (average) subject of maximum wages of Rs 6500/- whichever is less (w.e.f 08.01.2011). With effect from 01-09-2014 the benefit is calculated on maximum salary of Rs.15,000/- increased by 20%)

IMPORTANT DECISIONS OF HIGH COURTS/ SUPREME COURT AND E.P.F. APPELLATE TRIBUNAL

1. Important test for clubbing two or more establishments are: (i) Unity of ownership, Management, control, employment, conditions of service, functional integrality and general unity of purpose (ii) the employer's own conduct in mixing up or not mixing up the capital, staff and management (iii) if all units constitutes one integrated whole, they would be treated as one but it is to the contrary, then each unit is a separate one (iv) whether one unit can exist conveniently and reasonably without the other or not. (2014 LLR.958.in W.P No:15490(W)2000, Dt.17-07-2014 in M/s. Milan Biri Factory & Others Vs. The Regional Provident Fund Commissioner West Bengal & Others, Calcutta High Court)
2. Non-furnishing of report of the Squad of Enforcement Officers to the employer during proceedings under Section 7A of the Act is violation of principle of natural justice. (Calcutta High Court in W.P.No:4377(W)2008 dated 03-07-2014 in Bata India Ltd. Vs. Union of India & Others)(2014 LLR.947)
3. Non-collecting of relevant evidence before determining the E.P.F dues under Section 7A of the Act by the E.P.F authority is not proper. (2014 LLR.940. Punjab & Haryana High Court in CWP No.33305/1993 dated: 17-07-2014)

- in The Food Corporation of India Vs. The Regional Provident Fund Commissioner)
4. Attachment of Bank Account by the EPF Authorities within the Appeal Period of 60 days (7 I appeal) will take away the right of Appeal available to the Petitioner and hence illegal. (2014 LLR 992, Madras High Court W.P.No:25273/2013 & M.P.Ni:1/2013 dated 11-09-2013 in K-Bit Brave Sourcing Pvt. Ltd. VS Asst. P.F Commissioner, Chennai)
 5. Regional P.F. Commissioner cannot file challenge to the order of the E.PF. Appellate Tribunal since the order of the E.P.F Appellate Tribunal is binding on the EPF authority and he neither can be said to be an aggrieved person or party. (2014 LLR.963, Calcutta High Court in W.P.16915 (W)/2000 dated 24-07-2014 in R.P.F.C VS. M/s. Sathi Traders).
 6. Books of Accounts not conclusive for determining employment of employees: M/s. Vijay Motor Services Vs APFC EPF Appellate Tribunal in ATA No:34(06)2013 decided on 27-04-2014.
 7. Bifurcation of minimum wages into allowances- not illegal. EPF Appellate Tribunal in ATA No:606(9)2011 decided on 21-07-2014 in M/s. A.K. Manpower Services Vs. RPFC, Mumbai.
 8. Non-summoning of contractors will nullify determination of money under Section 7A of the EPF & MP Act,1952. (EPFAT in ATA No:800 (1)2013 decided on 26-05-2014 in M/s. The India Cements Ltd., Hyderabad Vs. RPFC-II(C&R), Hyderabad.
 9. Permitting the quasi-judicial authority to challenge the order passed by the E.P.F Appellate Tribunal, reversing its order, would be subversive of Judicial discipline. (Calcutta High Court in A.S.T 273/2014 in RPFC vs. EPFAT. 2014 LLR 1242).
 10. Demand for E.P.F Contributions for trainees liable to be quashed. (M.s. J.K. Tyre industries Ltd. Vs. APFC, Gwalior, ATA No:450(8)2010 decided on 08-08-2014 by EPF Appellate Tribunal.)
 11. Minimum Wages can be split into allowances and E.P.F contribution need not be on total wages. (M/s. Chalet Hotel (P) Ltd. Vs. RPFC, Thane. E.P.F Appellate tribunal in ATA No:17(9)2013 decided on 21-07-2014.)
 12. Employer not obliged to contribute more than prescribed salary cap. (M/s. Biotor Industries Ltd. Vs. APFC. Mumbai. The EPF Appellate Tribunal decided on 07-08-2014 in ATA No: 563 (09)2013.)
 13. The levy of Penal Damages under section:14 B of the EPF & MP Act,1952 is not justifiable if the delay in depositing the E.P.F Contribution within the statutory time limit, is not willful. (EPF Appellate tribunal in ATA No:832(13)2013, decided on 20-08-2014 in M/s. Imam Shafi Matric Hr.Secondary School Vs. APFC, Bangalore)
 14. Coverage of establishment without proper verification of employees and identifying the eligible persons viz. their name, father's name, designation, salary, address and whereabouts is quashed by the EPF Appellate Tribunal vide its order dated 07-08-2014 in ATA No: 780(14)2011 in M/s. Aligarh Gas Services Vs. APFC, Agra.
 15. Piece-rated employees are not coverable under the EPF Act. (Shree Kutchi Vishta Oshwal Mahila Mandal Vs. Union of India, 1992, LLR.584, Bombay HC)
 16. Drivers/conductors of School Buses through contractor is not coverable under the E.P.F Act. (Springdales School Vs. RPFC.2006,LLR.47(Delhi HC)
 17. Managing Director/Director of a Company cannot be an employee as defined under the EPF Act. (Sanatan Ghosh Vs. RPFC.1990.LLR.742, Calcutta HC)
 18. Consulting Doctors are not employees under the EPF Act. (E.P.F Organisation vs. EPF Appellate tribunal, 2012 LLR 165, Ker. HC)
 19. Deposit Collectors are employees under the EPF Act. (South Malabar Gramin Bank Vs. RPFC.2013 LLR 470 Kar. HC)
 20. Regional/Asst. P.F Commissioner or Union of India is not competent to challenge the orders passed by the E.P.F Appellate Tribunal. (W.P. No:11085/2013 in RPFC Vs. Malegaon Sah, Sakhar Karkhana Ltd., 2014, LLR.1035 dated: 06-08-2014)
 21. Coverage of personal staff eg. Sweeper, driver etc. working for Managing Director are not discharging any duty of the company. They are not employees and hence not liable for coverage under EPF



Act.(2014.LLR.1028, WP No(c) 8233/2011 dated;06-08-2014, in Sinha Shipping Pvt. Ltd vs. APFC.Del.HC).

22. When the employment strength is 20 or more of an establishment , the provisions of the E.P.F & M.P. Act,1952 would be applicable. If the employer fails to prove his case that its employment strength was below 20 on the strength of documentary evidence before the authorities under the Act , its coverage is in order. (Delhi High Court in W.P. No: 890/2011, Judgment dated: 26-11-2014, 2015 LLR 128 in Sri Guru Teg

Bahadur Public School, Vs. E.P.F Organisation)

23. When once the E.P.F & M.P. Act,1952 is made applicable to an establishment, it would continue to effective irrespective of the fall of number of employees below 20 as per Sec.1(5) of the Act. There is no distinction as to whether an employee is regular, temporary, casual, getting wages directly or indirectly from the employer, including employees engaged through contractor(s) for the purpose of making applicability of the E.P.F & M.P Act,1952.(2015 LLR.130, Delhi High Court in W.PNo:5362/2013 dated:19-11-2014 in M/s. Bag

Factory Vs. Asst. P.F. Commissioner)

24. An establishment /Factory situated at different places, having separate licences but same Registered Office, activities, Managing Director vis-à-vis Manager and Secretary would be treated as part of the same establishment under Sec.2A of the Act. If there is financial, managerial and functional integrality between the different units such that one cannot exist without the other, they should be treated as one single unit.(2015 LLR 139, Calcutta High Court in W.P.No:15490(W)/2000 dated:17-07-2014, M/s. Milan Biri Factory & Others Vs. Regional P.F. Commissioner, West Bengal & others)

25. Once the order passed by the E.P.F authority under Sec. 7A of the E.P.F & M.P Act,1952, exercising the quasi judicial functions, has been set aside by the EPF Appellate Tribunal , it would not be permissible for the Commissioner to challenge the order of the Appellate Authority by filing writ petition.(2015 LLR 164 Bombay High Court, W.P. No:11085/2013 dated 06-08-2014 in Regional P.F. Commissioner Vs. Melaoan Sahakari Sakhar Karkhana Ltd)

26. E.P.F Authority/E.P.F Commissioner is having legal duty to conduct enquiry under Sec. 7A of the E.P.F & M.P Act,1952 by exercising its powers as are vested in a Court under code of Civil Procedure,1908, before determining the EPF dues to be paid by the employer and any order passed without

conducting proper enquiry, such an order is not sustainable. (2015 LLR.217, Delhi High Court in W.P.(c)2182/2011 dated:04-12-2014, Pasupathi Spinning and Weaving Mills Ltd Vs. Regional Provident Fund Commissioner & Others)

27. Initiating recovery proceedings against an employer on the basis of an order passed by the EPF Appellate Tribunal, prior to expiry of statutory period fixed for filing an appeal by the aggrieved employer before the authority is not justified. (2015 LLR. 175, Kerala High Court in W.P.(c)25816/2014 date 29-10-2014 in Popular Industries (Pynadath Crusher Vs. Assistant

Provident Fund Commissioner & Recovery Officer)

28. An employer has a right to prefer an appeal against the Damages levy order under sec.14 B but the pre-condition of deposit for entertainment of such appeal is not covered under section 7(O) of the Act. (2015 LLR. 167. Delhi High Court in W,P©No:8737/2014 dated:10-12-2014 in H.K. Corporation Vs. Asst. P.F. Commissioner)

29. Damages for unintentional delayed remittance not justified. (M/s. Dooteriah Tea Estate Vs. RPFC, Darjeeling. ATA.608 (15)2014 decided by the E.P.F Appellate Tribunal on 20-11-2014.

30. Determination of money by non-speaking order and without supporting reasons – to be set aside. (EPF Appellate Tribunal decided on 16-10-2014 in ATA No:417(11) in M/s. Punjab State Co-op. Supply & Mark. Fed. Ltd vs. RPFC, Chandigarh)

31. Demanding EPF contributions in respect of unknown worker(s) I not justified. (EPF Appellate Tribunal decided on 26-11-2014 in ATA No:129(04)2013 in M/s. Hemstitch India Vs. APFC, Delhi)

32. Demanding EPF Contribution on gross wages untenable. (EPF Appellate Tribunal decided on 20-11-2014 in ATA No:267(08)/2012 in M/s. Peregrine Guarding Pvt. Ltd. Vs. RPFC, Bhopal)

(Ended)

The advertisement features two overlapping ESIC insurance cards in the foreground. The top card is blue and yellow, with the ESIC logo and text in Hindi and English. The bottom card is yellow and blue, with a photo of a family and the following details: IP No.: 0090402030, Name: Sunil Khara, D. O. B.: 15-05-1976, Perm. Address: 2135/8, Gali No. 9, West Patel Nagar, New Delhi-110008. In the background, a photograph shows a patient lying in a hospital bed, surrounded by medical staff in a clinical setting.

AWAIT FOR
NOTE ON SOCIAL SECURITY BENEFITS
UNDER THE ESI SCHEME

Juris Consultus



This is a special column through which the answers to the questions on law relating to labour legislations implemented in the State received from the readers if any will be published along with other matters on labour and employment. This include new enactments, rules, schemes, latest case law from Supreme Court and High Courts, notifications, amendments to the existing Acts, rules etc.

Readers may either send the questions to

kiletvm@gmail.com or Executive Director,
Kerala Institute of Labour and Employment (KILE),
Thozhil Bhavan, Thiruvananthapuram - 695033

The column is handled by Sri. **V. Veerakumar**, Executive Director, KILE

1. Whether a particular class of establishment can be included or excluded under an Act is clearly a legislative function which cannot be considered by the High Court in Public Interest Litigation.

The inclusion or exclusion of a class of industrial establishment under the purview of a particular enactment is a legislative function. This cannot be considered by a Court in public interest litigation.

In *George Issac, Managing Partner, Malabar Coast Products, Kottayam v. Assistant Regional Provident Fund Commissioner and Others*, the management approached the High Court of Kerala through a Public Interest Litigation in which they have sought a direction to be given to the Central Government authorities, to make applicable the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 to all the establishments, irrespective of the number of workforce of twenty or even less than that. In this case the Division Bench of the Hon'ble High Court held that

(i) Whether a particular class of establishment can be included or excluded under the Act, is clearly a legislative function, which cannot be considered by the Court in a Public Interest Litigation.

(ii) S. 1(4) of the E.P.F & M.P Act makes appropriate provision to take care of the situation, when the employer and majority of the employees decide to come under the scheme of the Act.

2. Recommendations of Wage Board for the Working Journalists and other Newspaper Employees are neither an award nor a settlement under the Industrial Disputes Act, 1947. For non implementation, prosecution is not maintainable.

The recommendations of the Wage Board constituted under the provisions of the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 is only recommendatory in nature. It is neither an award nor a settlement like an award of Labour Court or Industrial Tribunal. So for the non – implementation prosecution is not possible.



The Division Bench of the Hon'ble Supreme Court in *Bennet Coleman and Co. Ltd v. State of Bihar*, 2015 (2) KLT SN 47 (C.No. 58) (SC) held that though the Industrial Disputes Act, 1947 is made applicable to the working journalists by reference under S. 3 of the Working Journalists Act, the award passed by the Wage Board is only recommendations and issued under the provisions of the Working Journalists Act. Hence, it is neither an award nor a settlement in terms of the provisions under the I.D Act. It is not passed by the Labour Court or Industrial Tribunal or National Industrial Tribunal and it is not passed by Arbitration award in terms of Section 10A of the ID Act. It is not a settlement in terms of Section 2(b) of the I.D Act. It is not an agreement between the parties. Its enforceability, being a recommendation, depends on the order passed by the Central Government. The Central Government has passed that order by issuing Annexure notification. If the same is not complied with, the remedies lie under Section 17 for recovery or under Section 18 under the Working Journalists Act for penalty and not prosecution.

3. Whether an injured in a motor accident can file two applications for compensation simultaneously before the Motor Accidents Claims Tribunal and the Commissioner for Employee's Compensation?

Sri. Riaz Mohammed, Kazhakuttom, Thiruvananthapuram

Sir, let me know whether an injured under a motor accident can file two applications for compensation simultaneously before the Motor Accidents Claims

Tribunal and the Employee's Compensation Commissioner?

Reply: No. An injured (Claimant) cannot, for the same cause of action, institute two applications for compensation simultaneously before the Motor Accidents Claims Tribunal under Motor Vehicles Act, 1988 as a third party and other before Commissioner for Employee's Compensation, as an employee under the Employee's Compensation Act, 1923.

On a reference made by the Commissioner for Employee's Compensation, Thiruvananthapuram under Sn. 27 of the Employee's Compensation Act, 1923 the Division bench of the Hon'ble High Court of Kerala has held that a claimant who becomes entitled to claim compensation under both the Motor Vehicles Act, 1988 and the Employee's Compensation Act, because of a motor vehicle accident has the choice of proceeding under either of the Acts before the forum concerned. By confining the claim to the authority or the Tribunal under either of the Acts, the legislature has incorporated the concept of election of remedies, in so far as the claimant is concerned. In other words, he has to elect whether to make his claim under the Motor Vehicles Act, 1988 or under the Employee's Compensation Act, 1923. The emphasis in the section that a claim cannot be made under both the enactments, is a further reiteration of the doctrine of election incorporated in the scheme for claiming compensation. [*In Re Reference made by Commissioner for Employee's Compensation* in W.C.C. Ref. No. 1 of 2010, 2010(2) KLT 822]

JOURNAL SECTION

GOVERNMENT OF KERALA

Labour and Skills (E) Department

NOTIFICATION

GO(P) No. 134/2015/LBR

Dated, Thiruvananthapuram, 16th September, 2015

S.R.O. No. 610/2015.- In exercise of the powers conferred by sub-section (1) of section 34 of the Kerala Shops and Commercial Establishments Act, 1960 (Act 34 of 1960), the Government of Kerala after considering the suggestions received on the draft rules published as per Notification No. 31240/E3/2014/LBR dated 31st March, 2015 in the Kerala Gazette Extraordinary No. 783 dated 7th April, 2015 as required under sub-section (4) of section



34 of the said Act, hereby make the following rules further to amend the Kerala Shops and Commercial Establishments Rules, 1961, namely:-

Rules

1. *Short title and commencement.*- (1) These rules may be called the Kerala Shops and Commercial Establishments (Amendment) Rules, 2015.
(2) They shall come into force at once.
2. *Amendment of the rules.*- In the Kerala Shops and Commercial Establishments Rules, 1961,-
 - (i) in rule 2B,-
 - (a) in clause (b) of sub-rule (1), for the words “has been paid” the words “and excess fee, if any, as prescribed under sub-rule (3) have been paid” shall be substituted;
 - (b) after sub-rule (2), the following sub-rule shall be inserted, namely:-

“(3) The fees chargeable for the grant or renewal of a certificate of registration shall be the same:
Provided that if the application for renewal is not received within the time limit specified in sub-section (6) of Section 5A of the Act, a fee of twenty five percent in excess of the fee ordinarily payable for certificate of registration shall be payable for such renewal;
 - (ii) In rule 2D, for sub-rule (2), the following sub-rule shall be substituted, namely:-

“(2) Whenever any change occurs in the particulars relating to registration under section 5A, the employer shall submit an application for amendment of Registration Certificate in Form BIII to the competent authority having jurisdiction over the area in which the establishment is situated, within one month of such change”.
 - (iii) In rule 2G,-
 - (a) in sub-rule (2), for the words “ten rupees” the words “fifty rupees” shall be substituted;
 - (b) in sub-rule (3), for the words “five rupees” the words “fifty rupees” shall be substituted;
 - (c) for sub-rule (4), the following sub-rule shall be substituted, namely:-

“(4) The fees payable for an appeal under section 5B of the Act shall be ten percentage of the fee applicable under sub-rule (1).”
 - (d) for the proviso to sub-rule (5), the following proviso shall be substituted, namely:-

“Provided that the payment shall be accepted by the competent authority through TR-5 receipts and remitted to treasury in lump sum on the next working day itself.”.
 - (iv) after rule 21, the following rule shall be inserted, namely:-

“2J. *Issue of Appointment Letter.*- (1) Every employer of medium or big establishment shall issue an appointment letter to the employees appointed/ engaged by him in Form BC on his appointment / engagement. In case such employee holds appointment / engagement before the commencement of the Kerala Shops and Commercial Establishments (Amendment) Rules, 2015, appointment letter shall be issued within three months from the date of Commencement of the Kerala Shops and Commercial Establishments (Amendment) Rules, 2015, and in any other case, on the date of appointment / engagement of the employee.

(2) Every employer of a big establishment shall issue identity card to all employees, employed/ engaged by him in Form BD.

(3) Every employer shall issue service certificate to all employees employed/ engaged by him in Form BE, within seven days of receipt of application from the employee concerned for the issue of such certificate.”.
 - (v) in rule 4, after sub-rule (4), the following sub-rule shall be inserted, namely:-



“(4A) Every employer of a small or medium establishment shall provide or arrange separate latrines and urinals for the use of male and female employees. Every big establishment shall have at least one latrine each for every twenty females and every twenty males separately. If the employer provides rest rooms within the establishment latrine/ urinals attached to rest rooms under sub-rule (8) of rule 5A shall be deemed to be those provided under this rule.”

(vi) after rule 5, the following rule shall be inserted, namely:-

“5A. *Rest Rooms.* - (1) Employer of every medium and big establishment shall provide rest rooms, where the employees can have their food and take rest, with sufficient space proportionate to the number of employees employed by him in the establishment.

(2) The rest room shall be sufficiently lighted and ventilated and shall be maintained in a clean and good condition.

(3) The rest room shall be conveniently located within or adjacent to the establishment.

(4) Separate rest rooms and facility to maintain personal hygiene and for disposal of sanitary napkins shall be provided to the female employees if the number of female employees exceeds five.

(5) Every rest room shall be adequately furnished with sufficient number of chairs or benches with back rest for sitting.

(6) Suitable provisions for wholesome drinking water, ventilation, fresh air, natural and artificial lightings shall be provided in the rest room.

(7) Tables with impervious tops shall be provided for use of employees for having their food.

(8) Every employer shall provide and maintain latrines and urinals along with the rest rooms as follows:-

(a) One latrine /urinal each for every 20 employees or part thereof;

(b) Separate latrine/ urinal shall be provided to male and female employees;

(c) the urinals / latrines shall be adequately lighted and maintained in a clean and sanitary condition.

(9) No employer shall install any electric or other equipments in or adjacent to restroom so as to infringe the privacy of employees.”

(vii) in rule 6, after sub-rule (3), the following sub-rule shall be inserted, namely:-

“(4) *Mandatory protective measures to be adopted by employers.* -

(a) The employer shall provide to the employees protective equipments and clothing in conformity with the quality as prescribed by the Bureau of Indian Standards where there is likelihood of bodily injury or exposure to physical or chemical hazards.

(b) In case any accident occurs in any shop or establishment which causes bodily injury by reason of which the person injured is prevented from working for a period of forty eight hours or more, shall be reported by the employer to the Inspector within three days of the date of occurrence of such accident.

Provided that in the case of death or fatal accident, a notice of accident shall be reported within twenty four hours to the Inspector concerned.

(c) The employer shall provide suitable goggles for the protection of eyes of the employees engaged on or in the immediate vicinity of any process carried out in the shop or establishment which otherwise will cause thermal/ chemical injury to the eyes of the employee so engaged therein.

(d) In every medium establishment the employer shall provide and maintain a first-aid box with the following contents, namely:-



| Sl.No. | Items | Quantity |
|---------|---------------------------------------|----------|
| (1) | (2) | (3) |
| (i) | Assorted Adhesive Plasters | 35 |
| (ii) | Triangular Bandages | 3 |
| (iii) | Sterile Eye Pads | 4 |
| (iv) | Safety Pins | 3 |
| (v) | Medium Sterile Wound dressings | 12 |
| (vi) | Large Sterile Wound dressings | 6 |
| (vii) | Non- alcoholic Cleaning wipes | 15 |
| (viii) | Crepe Roller Bandage | 2 |
| (ix) | Pair of Disposable Latex Gloves | 10 |
| (x) | Sterile Eye Wash (500 ml) | 2 |
| (xi) | Pocket Mask or Disposable Face | 1 |
| (xii) | Scissors | 1 |
| (xiii) | Adhesive Tape | 1 |
| (xiv) | Elasticized Roller Bandage | 2 |
| (xv) | Small Burn Dressing | 1 |
| (xvi) | Large Burn Dressing | 1 |
| (xvii) | Gauze Pads (Small Pack) | 1 |
| (xviii) | Safety Glasses | 1 |
| (xix) | Antibiotic ointment - Povidone Iodine | 2 Tubes |
| (xx) | Normal saline | 1 Bottle |
| (xxi) | Aspirin and Paracetamol Tablets | 10 Each |
| (xxii) | Ice Pack | 1 |
| (xxiii) | Tweezers | 1 |
| (xxiv) | First aid leaflet | 1 |

(e) The employer of every big establishment shall provide sufficient quantity of the items specified in sub- clause (d) proportionate to the number of employees employed by him in such establishment.”.

(viii) in the Schedule to sub- rule (1) of rule 6A, in column (2) “Maximum limit in weight” for the figure “75” appearing against the words “Adult male” in column (1) “Persons”, the figure “55” shall be substituted,

(ix) after rule 6B, the following rules shall be inserted, namely:-

“6C. Hostel facilities.- (1) Every employer employing more than fifty employees shall provide or arrange separate hostel facilities free of cost, for men and women employees whose residence is located at a distance of more than 25 kilometers from the establishment.

(2) The employees shall make suitable provisions for wholesome drinking water, ventilation, protection against heat, wind, rain and shall have smooth, hard and impervious floor surface.

(4) In the hostels, each employer shall be provided with beds measuring 3 ft x 6 ft. dimension with comfortable mattresses and pillows. A minimum space of 3ft. shall be maintained between the beds. Three tier beds are prohibited.

(5) Every employee shall be provided with safe storage facilities to keep their personal belongings.

(6) Latrines/ Urinals and bath rooms shall be provided and maintained hygienically in the hostels. A minimum of one latrine/ urinal for every ten employees or part thereof shall be provided.



(7) Washing facilities shall be provided and maintained in hostels.

6D.- Crèches.- (1) Every establishment employing twenty or more women employees in any day of the proceeding twelve months shall provide and maintain crèche facilities, free of cost, for the children of employees under six years of age.

Provided that a group of employers may join together through Trusts or other institutional device or by mutual agreement to provide group crèche under intimation to the inspector concerned within thirty days of its formation.

(2) The crèche shall conveniently be accessible to the employees whose children are accommodated therein.

(3) the employer shall engage a woman to be in charge of a crèche who has sufficient training and experience in the field of child and infant care as approved by the State Government, for every thirty children or part thereof.

(4) Every employer shall provide milk and other refreshment for the child as specified by the government from time to time. There shall not be less than 15 sq. ft. floor area for each child to be accommodated.

(5) Construction of the crèche should offer adequate protection against heat, moisture and should have smooth, hard and impervious floor surface. Adequate number of fans shall be provided in each crèche.

(6) there shall be a wash room, in or adjoin to the crèche, which shall be properly maintained for the use thereof.

(8) the crèche shall be furnished with suitable furniture and a cradle shall be provided for each child below the age of two years.

(9) Sufficient mattresses, pillows and toys are to be provided in the crèche for the use of the children.”.

(10) There shall be one latrine for the use of the 15 children in the crèche.

(x) In rule 9, after sub- rule (2) the following sub- rule shall be inserted, namely:-

(3) Any sum received to be paid by any employer to an employee under section 15 of the Act shall be recoverable by the Inspector as arrears of revenue due on land under the Revenue Recovery Act for the time being in force.”.

(xi) in rule 10, -

(a) After sub- rule (4), the following sub- rule (4), the following sub- rules shall be inserted, namely:-
“(4A) Copy of appointment letters issued in Form BC shall be retained by the employer for a period of three years from the date of issue.

(4B) Every employer shall retain a copy of service certificate in Form E for the whole service of the employee concerned with him and in case of death while in service or retrenchment or termination of employment, the employer shall retain the copy of service certificate for a period of three years from such date;

(a) In sub- rule (8) for the words, letters, figures and brackets except the register in Form BB prescribed under sub- rule (1A) above” the words except the registers, records or Forms specifically mentioned otherwise in the rule” shall be substituted.

(b) after sub- rule (1) the following sub- rule shall be inserted, namely:-

“(10A) No employer shall make, cause or allow in any record, register, notice or Form in written or electronic format prescribed, an entry which is to his knowledge false in any material particular, or willfully omits or causes or allows to be omitted from any such record, register, notice or Form an entry required to be made therein.”;

(c) in sub- rule (11), for the words “a visit book” the words “an Inspection Book” shall be substituted.

(xii) after rule 12A, the following rule shall be inserted, namely:-

12B.- “Submission of Annual Welfare Return.- Every employer of a medium or big establishment shall submit an Annual Welfare Return in Form I r to the Inspector on or before 15th February of every year.”.

(xiii) in rule 14, for the word “fifty” the words “two thousand five hundred” shall be substituted.



- (xiv) in Form BI, in SL. No. 2, in item (iii), for the word “employer” the words “employer owning or having ultimate control over the affairs of the establishment” shall be substituted,
- (xv) in Form B II,
 - (i) below the title, registration of the certificate, for the words “registration Certificate No” the words “Registration Certificate No and Year of Registration” shall be substituted;
 - (ii) in the entries below the body of the Certificate, for the words, “Name of Employer” the words “name of employer owning or having ultimate control over the affairs of the establishment” shall be substituted.
- (xvi) in Form B III,-
 - (a) in the title, for the words “NOTICE OF CHANGES” the word “APPLICATION” shall be substituted;
 - (b) in Serial No. 2, for the word employer” the words” employer owning or having ultimate control over the affairs of the establishment” shall be substituted.
- (xvii) after Form BB the following Forms shall be inserted, namely:-

FORM BC

[See rule 2J(1)]

LETTER OF APPOINTMENT

No.....

1. Registration No, of the establishment ..
 2. Name and address of the establishment
With Pincode, telephone/mobile number
And e-mail ID
 3. Name of the employer
 4. Name and address of the employee ...
 5. Shri/Smt..... aged yers S/o or D/o or W/o Residing at is appointed as (designation / category) in this establishment with effect from (date). He / she is appointed / engaged with a monthly wages / salary of Rs. (Rupees only) and is entitled to other allowances and statutory benefits as per the law in force.
 6. Signature of employer
 7. Name and seal of the employer
- Place:
Date:

FORM BD

[See rule 2J (2)]

IDENTITY CARD

1. Name and full address of the establishment With pincode,
Telephone/mobile number, e-mail ID
2. Registration number of the establishment
3. Name of the employer and his full postal
Address with pincode, telephone/mobile
Number, e-mail
4. Age/ date of birth
5. Blood group of the employee :
6. Designation :
7. Date joining duty :
8. Date of issue of the card :
9. Signature of the employee :
10. Name, signature and seal of the employer



FORM BE

[See rule 2J (3)]

SERVICE CERTIFICATE

Registration No.

Name and address of the establishment

This is to certify that Shri/ Smt..... Aged ... years S/o or D/o or W/o residing at is working as has worked as (Designation / category) in this establishment from (date) to (date). He / she resigned / retrenched/ superannuated on from the service of this establishment. He/she isbeing paid/ was paid salary/wages of Rs..... (Rupees) only.

Signature of the employer

Name and seal of the employer

Place:

Date:

(xvix)After Form H the following form shall be inserted, namely;-

FORM I

[See rule 12B]

WELFARE RETURN

Report for the period ending 31st December (Year) (To be furnished on or before the 15ht February of the succeeding year)

- 1. Name and address of establishment:
- 2. Registration number and year of registration:
- 3. Name of employer
- 4. Number of employees
- 5. Highest number of employees during
The period

- 1. Male :
- 2. Female:

6. Rest rooms provided: Yes/No

Facilities provided in the rest rooms

(describe facilities provided and its numbers as

Mandated by rule 5A)

- (a) No. of rest room exclusively for women employees:
- (b) No. of latrines:
- (c) No. of urinals:
- (d) No. of chairs:
- 8. Hostels provided ; Yes / No
- 9. Facilities provided in the hostel
- 10. (Describe facilities provided and its numbers as mandated by rule 6C)
- 11. (a) No. of latrines:
 - (b) No. of urinals:
 - (b) No. of beds:

4. Creches / group crèches provided : Yes/ No

Facilities provided in the crèches/ group crèches

(describe facilities provided and its numbers as mandated by rule 6D)

- (a) No. of children:



- (b) Name of the crèche attendant:
- (c) No. of latrines:
- (d) No. of urinals:
- (e) No. of cradles, Mattress etc.:
- 5. First Aid Box provided : Yes /No
- 6. Service Certificate
 - 1. Number of certificate issued
 - 2. Number of employees enrolled in the
 - 3. Kerala Shops and Commercial establishments Workers Welfare Fund Board:

Place: _____ Signature _____
 Name and seal of the employer:

To _____
 The Inspector

By order of the Governor,
 TOM JOSE,
 Principal Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.

Consequent to the amendment made to the Kerala Shops and Commercial Establishments Act, 1960 through the Kerala Shops and Commercial Establishments (Amendment) Act, 2014 (Act 3 of 2015), Government have decided to amend the Kerala Shops and Commercial Establishments Rules, 1961 so as to provide provisions for the purpose of regulating the appointment conditions, betterment of working conditions and to enhance the penalties and also to make it in consonance with the recommendations of the International Labour Organisation.

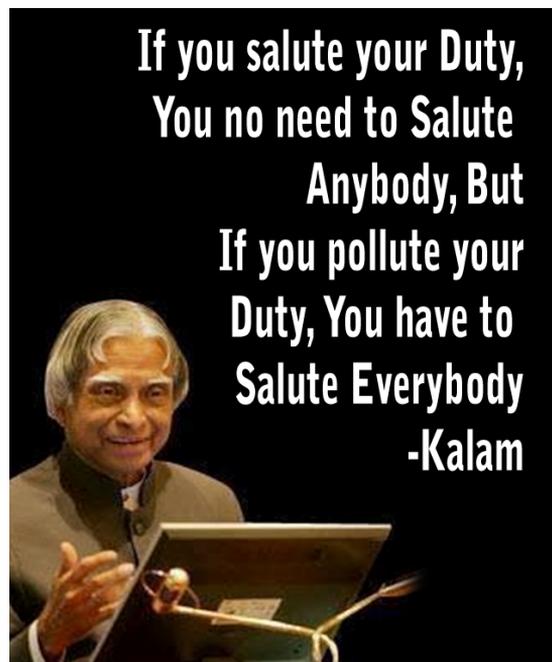
The notification is intended to achieve the above object.

[Published in Kerala Gazette (Ext.) No. 2113 Vo. IV dated 18.09.2015]

‘Padakosham’



The “Padakosham” – a dictionary of Malayalam words commonly used by the Labour, National Employment Service (Kerala) and the Factories and Boilers Departments has been published by KILE.





Number of strikes, lockouts, layoffs and Mandays lost upto June 2015

| | Pending | Arose | Total | Mondays lost |
|--------------|-----------|-----------|-----------|---------------|
| Strikes | 4 | 3 | 7 | 120570 |
| Lockouts | 7 | 2 | 9 | 162938 |
| Layoffs | 5 | 8 | 13 | 44841 |
| Total | 16 | 13 | 29 | 328349 |

**No. Of industrial disputes arose, handled and settled
Jan - March 2015**

| Month | No. of industrial disputes | | | | |
|--------------|---------------------------------------|------------|------------|---------|---------------------------------|
| | Pending at the beginning of the month | Arose | Handled | Settled | Pending at the end of the month |
| January | 3123 | 220 | 237 | | 3106 |
| February | 3106 | 265 | 219 | | 3152 |
| March | 3152 | 145 | 173 | | 3124 |
| Total | 9381 | 630 | 629 | | 9382 |

Source: Labour Department

No. of disputes handled

Jan –March 2015

| Month | No. of industrial disputes | | | | | | |
|--------------|----------------------------|--------------|------------|---------------------------|----------------------------|---------------------------|------------|
| | Negotiation | Conciliation | Withdrawal | Reference for arbitration | Reference for adjudication | Higher level intervention | Total |
| January | 56 | 113 | 48 | 0 | 19 | 1 | 237 |
| February | 28 | 116 | 55 | 0 | 18 | 2 | 219 |
| March | 46 | 48 | 76 | 0 | 3 | 0 | 173 |
| Total | 130 | 277 | 179 | 0 | 55 | 3 | 629 |

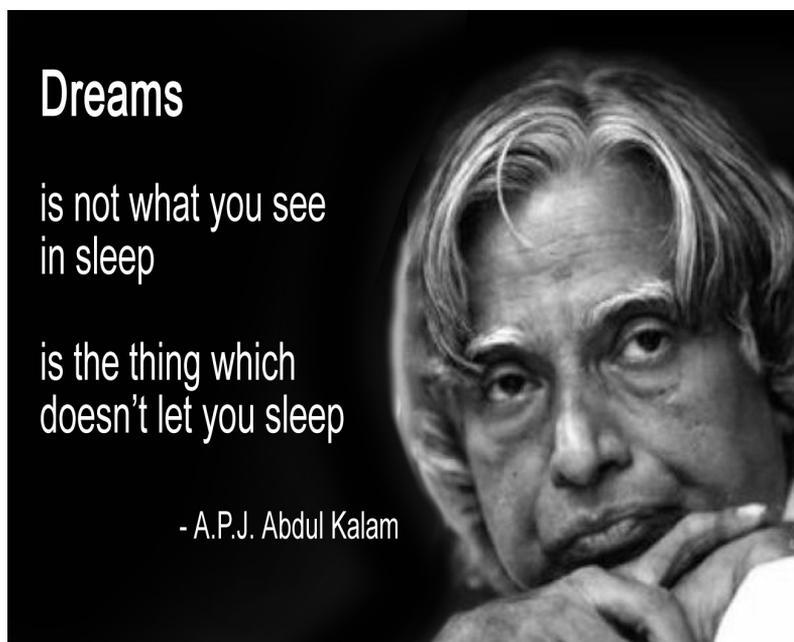
Source: Labour Department

Details of strikes, lockouts

Jan – June 2015

| Month | Disputes led to strike | Disputes led to lockout | No. of workers involved in strike | No. of workers affected due to lockout | Mandays lost due to strike | Mandays lost due to lockout |
|--------------|------------------------|-------------------------|-----------------------------------|--|----------------------------|-----------------------------|
| January | 3 | 8 | 2030 | 992 | 20690 | 25066 |
| February | 4 | 8 | 905 | 992 | 22160 | 25124 |
| March | 3 | 8 | 905 | 992 | 22625 | 28550 |
| April | 4 | 9 | 905 | 992 | 13725 | 26640 |
| May | 3 | 9 | 5730 | 1342 | 40620 | 29008 |
| June | 2 | 8 | 30 | 1142 | 750 | 28550 |
| Total | 19 | 50 | 10505 | 6452 | 101970 | 162938 |

Source: Labour Department



Courtesy: The Economic Times



Close Shave for Migrant Labourer

Express News Service

Idukki: A construction worker had a miraculous escape after he was trapped under a road roller for around three hours here on Sunday. Omer Farooq, from Assam, was oiling the road roller parked at Pambukayam area in Mankulam here at around 9 am when it suddenly started rolling backwards and fell into a



Migrant labourer Omer Farooq being rescued by the public and Fire and Rescue Services personnel at Mankulam in Idukki on Sunday

(The New Indian Express. dt. 13.07.15)

'Youth Need to Develop Skills'

Express News Service

Thiruvananthapuram: The state government celebrated Naipunya Dinam 2015, an event that showcased the achievements of the state in skill development and also launched 'Praveensam', a life skill training programme for youth in partnership with Tata Skills, on Wednesday.

The Praveensam programme, spearheaded by Panchayat and Social Justice Minister M K Muneer, will be implemented through the Kerala Academy for Skills Excellence (KASE) which is the model skill development agency of the state. Targeting youngsters between 14 to 30 years of age, Praveensam aims at empowering the participants by improving their socio-cognitive skills and ensuring employability.

As part of the function, Kase Raj, who served second rank in the Indian Civil Services examination, was also honoured with the Vidya Nalpooyam award by Labour Minister Shibu Baby John. Awards were also distributed to 45 students from various IIT institutions who received placements abroad.

Praveensam programme, launched by Panchayat and Social Justice Minister M K Muneer, will be implemented through KASE

"Even though the youth of Kerala find employment abroad, a majority of them work in the lower strata for a lesser pay. Our skills development programmes are aimed at ensuring better salaries," said Shibu Baby

John in his inaugural address. The minister also unveiled the logo and prospectus of Praveensam.

"We would have started before the amount of foreign currency had we focused on skill development earlier," observed Muneer, who pointed out that skill development programmes have helped Kollam to soar higher and serve as a model for progress in India.

Labour and Skills principal secretary Tom Jose, KASE managing director Rahul R, Tata Sustainability chief Shankar Venkateswaran, FICCI co-chairman Deepak L Aravali, Department of Higher Education additional chief secretary K M Abaham, Directorate of Training additional director P K Madhavan and Centre's Directorate General of Training joint director Shajahan were also present.

Celebrating Skill Development Achievements of Go

Labour and Skills Minister Shibu Baby John presenting the Vidya Nalpooyam Award to Kase Raj on Wednesday

THIRUVANANTHAPURAM - 2015

SHIBU BABY JOHN

SHANKAR VENKATESWARAN

DEEPAK L. ARAVALI

SHAJAHAN

and thanked each and everyone, including Achuthanandan, whose presence gave them a moral boost. Women tea leaf pluckers, including young mothers with their babies, who squatted in front of the KDHP office for the past nine days, were highly focused on their goals and never allowed anybody to hijack their str.

Government would also take steps to change rules so that plantation workers get modern medical treatment facilities including scanning, he said.

It is not common to increase bonus at a time when the profit is low. But we considered this as a special case, the CM said.

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Kerala needs cutting-edge technology: Minister

Special Correspondent

THIRUVANANTHAPURAM: Kerala needs cutting-edge technological developments including robotics—and institutions such as the Kerala State Institute of Design would help the State reach this goal, Labour Minister Shibu Baby John has said.

A press note issued here said he was inaugurating the State Institute that has been set up in collaboration with the National Institute of Design and the first design conclave in the State at Chandanathope, Kollam.

The Kerala State Institute of Design would offer three, five-semester courses—Integrated Product Design, Integrated Textile and Apparel Design and IT-integrated Communication Design. Each course would be of 30-months duration. Of this six months would be an internship at leading institutions. While the first-year would cover general lessons on designing, the second-year would feature sector-specific lessons.

The design of all types of daily-use products is a part of the course in Integrated Product Design. The course in textile and apparel design deals with high-level design studies in the textile sector; this course is distinct from the course in fashion design. The course in communication is for those who wish to specialise in IT and digital areas of design.

The creation of software design solutions and mobile applications forms the core area of study, the press note said. The KSID would function under the Kerala Academic Skills Excellence.

(The Hindu. dt. 05.08.15)

Labourers Taste Their Just Cup of Tea as Struggle Ends

KDHP company agrees to pay 8.33 per cent of the total salary as bonus and 11.67 as ex-gratia to the workers. The decision on the demand for a minimum wage of ₹500 would be taken on Sept 26

Express News Service

Kochi: The unique Munnar strike where the principals - women labourers of the Kanar Devan Hills Plantation Company - decided to keep at bay political parties and trade unions of all hues, come up trumps on Sunday with the management agreeing to their major demands.

The marathon talks started here on Sunday at 11 am dragged on till 8.30 pm and the Chief Minister Oommen Chandy who came here to strike a consensus. The representatives of the women workers from Munnar who were present at the press briefing after final round of talks kissed the hand of Chief Minister and Biji Mol MLA as a token of their gratitude to find a solution to their strike that hit national headlines.

"The government has side-stepped many precedents to find a solution to this problem taking it as a special case," said Chief Minister Oommen Chandy who announced the agreement to give 8.33 per cent of the total salary as bonus and 11.67 as ex-gratia to the workers there. The amount should be paid on or before September 21. The workers had demanded minimum



A KDHP labourer who attended talks held at Kochi on Sunday thanks CM Oommen Chandy after the company agreed to all their demands | ALBIN MATHEW

"The government has side-stepped many precedents to find a solution to this problem taking it as a special case

— OOMMEN CHANDY, Chief Minister

FULL COVERAGE

VS Magic in Munnar

Strike Exposed Both Fronts:BJP PS

wage of ₹500 a day. The decision on this would be taken at the Plantation Labour Committee (PLC) on September 26. The Labour Minister Shibu Baby John will be present at the PLC meeting, the Chief Minister announced.

The government would also

The company is claiming that 98 per cent of the stakeholders are labourers and it could not afford allotment of 20 per cent bonus to them with only 5 crore benefit. However, the truth is something else

— V S ACHUTHANANDAN, Opposition Leader

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WOMAN WORKERS SCRIPT HISTORY

by Sruthi Paruthikad

Idukki: It was a moment of sweet success for thousands of women labourers of the KDHP as Opposition Leader V S Achuthanandan broke the news that they would be granted 20 per cent bonus by the company. The labourers who had kept political parties and trade unions at bay started jutting emotional and thanked each and everyone, including Achuthanandan, whose presence gave them a moral boost. Women tea leaf pluckers, including young mothers with their babies, who squatted in front of the KDHP office for the past nine days, were highly focused on their goals and never allowed anybody to hijack their str.

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MANJU TO PROMOTE GOVT. PROJECT

Popular actress-dancer

Manju Warriar has been named brand ambassador for the Kerala Government's 'Naipunya' development projects. An order appointing her as 'goodwill ambassador' has been issued by the Government recently. She is also the 'brand ambassador' of the State Government backed 'She Taxi' service, owned and driven by women for female travellers.

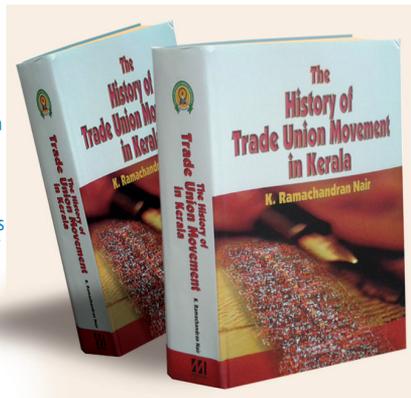
(Destination, Kerala)

ON SALE

The History of Trade Union Movement in Kerala

Highlights

- Formation of Travancore State Congress
- Founding of the Communist Party in Kerala
- Preparation for the working class struggle
- Assessment of Punnpra Vayalar Revolt
- Agitation against E.M.S Ministry
- Unique Features of TU Movement in 1960s
- TU Movement in Kollam/Cochin/Malabar/Thiruvananthapuram
- TU movement in plantations
- Politics and independence in TUs etc....



By
Dr. K. Ramachandran Nair
Renowned Economist and Former Member
Kerala State Planning Board

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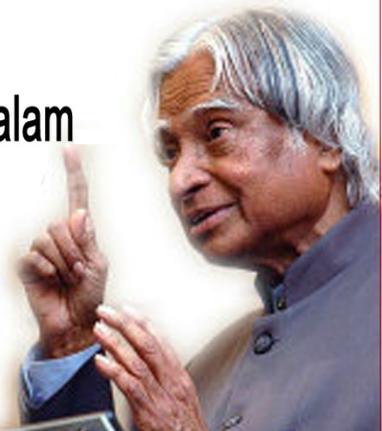
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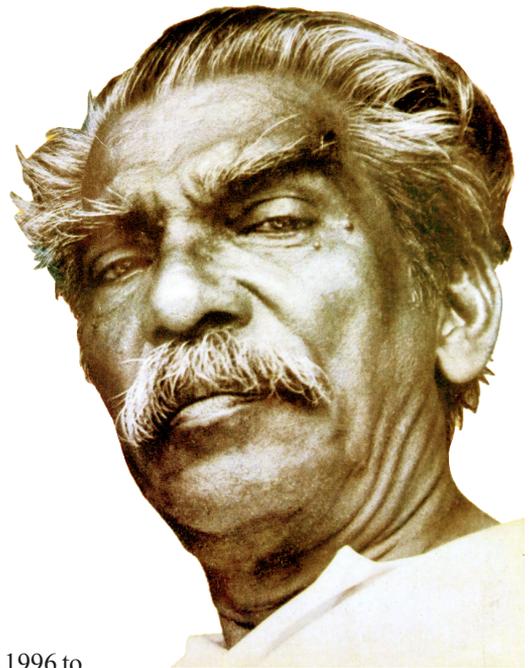
Courtesy: The Economic Times

To succeed in your mission,
you must have single-minded
devotion to your goal.

Abdul Kalam



Through History



‘Kerala Kissinger’
Sri. Baby John
Hon’ble Minister for Labour
(20.05.1996 to 27.01.1998)

Sri. Baby John was the Minister for Labour during the period 20.05.1996 to 27.01.1998. As per the memorandum of Association of KILE, the Minister holding the charge of the Labour and Employment shall be the President of the Institute. Thereby, Sri. Baby John became the President of KILE during this period.

Sri. Baby John, veteran RSP Leader, was born on 14.9.1920 as the son of Shri. Sebastian John and Smt. Mary John. Entering politics even while being a student, Shri. Baby John took part in the Independence movement and was arrested several times for this. He was also excommunicated by the Catholic Church for taking part in political activities. Beginning his political career as a member of Congress Party, he later joined RSP and was its founder member.

Sri. Baby John’s long legislative career begins in 1952-54 when he was elected as a member of Travancore - Cochin Legislative Assembly. Subsequently he was elected to the second KLA in 1960 from Karunagappally, which he again represented in 1967 and 1970. Since 1977, from the 5th KLA to the 10th KLA, he has been representing Chavara constituency continuously.

Sri. Baby John has a long record as a Minister as well. He was the Minister for Revenue from October 1970 to October 1979 in the four Ministries headed by M/s C. Achutha Menon, K. Karunakaran, A.K. Antony and P.K. Vasudevan Nair. Subsequently he was the Minister for Education from January 1980 to October 1981 in the Ministry headed by Shri. E.K. Nayanar, and Minister for Irrigation from 1970 to October 1979 in the four Ministries headed by M/s C. Achutha Menon, K. Karunakaran, A.K. Antony and P.K. Vasudevan Nair.

Subsequently he was the Minister for Education from January 1980 to October 1981 in the Ministry headed by Shri. E.K. Nayanar, and Minister for

Irrigation from 26.3.1987 to 17.6.1991 and the Minister for Irrigation and Labour from 20.5.1996 to 7.1.1998, also in the Ministry headed by Shri. E.K. Nayanar. Shri. Baby John has also had a remarkable stint as General Secretary of RSP, General Secretary of Kerala Committee of UTUC and President of All India, UTUC. He was popularly known as ‘Kerala Kissinger’ in the political history of Kerala.

Smt. T. Annamma B. John is his wife and they have two sons and one daughter. Shri. Shibu Baby John who is presently the Minister for Labour and Skills in the Eleventh KLA, is his son and President of KILE.

Source: Kerala Legislative Assembly Website

Letters



**Ashok Sharma, Manager (HR&ADMN)
Keltron Equipment Complex
Karakulam, Trivandrum-695564**

First of all thank you for publishing my article prominently in your issue.

I should congratulate you for the excellent production of this issue which highlighted the speech made by our Minister at the 46th Indian Labor Conference at New Delhi.

His strong objection that "Making India into a developed nation should not be at the expense of the working class" is I feel a class statement and my hearty congratulations to him for making this emphatic statement.

I also feel that the long & studied article on Workplace exploitation of Women which was on the gender specific provisions of Labor enactments by your Executive Director also needs compliments for bringing out the hardships faced by women workmen employed in textile shops and other establishments.

Your quotations and other cartoons is also really good.

I shall continue extending my support to all your endeavors.

**Edwin Periera,
Post Graduate in Political Science, Thrissur**

I congratulate KILE for obtaining registration for the KILE NEWS from the National Science Society within this short span of its publication. It is certainly its quality determined this recognition. It should further work to maintain and improve its status further among similar publications. I also appreciate and congratulate Sri. Shibu Baby John, Hon'ble Minister for Labor to express the objection of the state regarding the proposed labour reforms of the Union Government. This keeps the traditional outlook of the state in the issues of the working class.

Sivapriya Pramod, Infopark, Kochi

The journal KILE NEWS is excellent in its design and quality. The legal column *Juris Consultus* is very useful for the budding management professional like us. Similarly, the notes on the Authorities under labour enactments are also excellent. Similar notes on all the labour enactments are expected in the forthcoming issues. If KILE could organize some training programmes on the authorities under various enactments and the procedure to be adopted for each and every service under labour enactments somewhere in Kozhikode will be beneficial for the HR and Management professional in the industrial establishments.



KILE NEWS



**Late Narayan Meghaji Lokhande
Maharashtra Institute of Labour Studies**

(Government of Maharashtra)
D. C. Road, Parel, Mumbai - 400 012, INDIA. Tel. : 022 2412 5332, 24 12 3035, Dr. : 2410 3798, Fax: 2412 3035
E-mail: mils@milsl.net.in

Dr. R. M. Tungare
Director

D. O. No. MILS/ 2-57,
Dated: 16-09-2019

I have received the recent issue of KILE News. The articles are of great value to the students and researchers in the fields of Labour Studies. They are full of date and empirical evidence and hence add value to the existing literature on the topics. I am thankful to you for inviting me to write article for your esteem journal. I take this opportunity to compliment you and your team for taking such an initiative which will go a long way in enhancing the quality of debate and discussion on labour matters in the country.

Thanking you and with regards,

Yours Sincerely,
(Dr.R.M. Tungare)

Reji Philip, Law Student, Kochi

Incidentally I happened to see the magazine KILE NEWS and excited with its content especially the strong views expressed by the Minister for Labour on the proposed labour reforms in the recently held Indian Labour Conference. The trade unions including the trade union of the ruling Bharathiya Janatha Party is skeptical about the outcome of these sweeping amendments to the existing labour laws. In such a situation we would appreciate if KILE take the lead role to gather the views of each trade unions regarding this issue and publish through the journal for wide discussion on the topic.

Narayana Kurup, Proprietor, A to Z Solutions, Kochi

I was delighted to see your publication carrying divergent topics with precise information accessible to people who cannot go for frequent legal consultation which require time and money. The articles and the legal columns especially 'Know Your Authorities under various enactments' and the 'Juris Consultus' are worth preserving. I appreciate the effort of the Institute in bringing out a publication like this.

All letters to the editor may be sent to

**The Executive Director,
Kerala Institute of Labour and Employment,
Thozhil Bhavan,
Thiruvananthapuram-695033**

or

email to: kiletvm@gmail.com

KILE NEWS

A quarterly publication from KILE



A reference journal | Articles on divergent topics

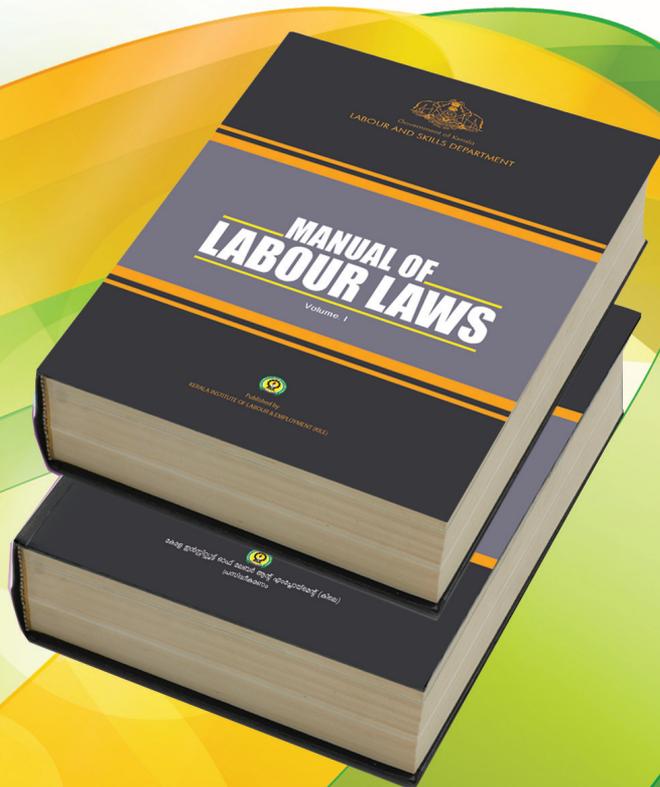
Information on schemes, services, authorities | Activities

Legal updates | Data updates | Special columns etc.etc.

Publication in progress

MANUAL OF LABOUR LAWS

(A compilation of Labour Acts and Rules)
in Two Volumes



Published by

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