

# KILE NEWS

MARCH 2014



**KERALA INSTITUTE OF LABOUR AND EMPLOYMENT (KILE)**

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**Sri. P.G. Asokakumar**  
Fellow (Labour)



**Sri. V. Veerakumar**  
Executive Director  
(Member Secretary)



119<sup>th</sup> Executive Council in session

## Architect of KILE



**Sri. Oommen Chandy**  
Hon'ble Chief Minister of Kerala

The Kerala Institute of Labour and Employment (KILE) is a society registered under the Kerala Travancore-Cochin Literary, Scientific and Charitable Societies Act, 1955 (Act 12 of 1955), functioning under Labour and Rehabilitation Department, Government of Kerala since 1978. The idea of it was conceived and implemented by Shri. Oommen Chandy who was then Minister for Labour, Government of Kerala.

## Strength of KILE



**Shri. Shibu Baby John**  
Hon'ble Minister for  
Labour and Rehabilitation, Government of Kerala.

Shri. Shibu Baby John, Hon'ble Minister for Labour and Rehabilitation is the President of the thirty two member General Body of KILE, which is the High powered Body in the administration of the Institute. It consists of Member of Parliament, Vice-Chairman of the Planning Board, Members of Legislative Assembly, Vice-Chancellors of the Universities, Secretaries of the Labour, Industries, Planning & Economic Affairs, Finance, Agriculture Departments and representatives of the workers and managements. The strength behind KILE's every achievement and each step in its functioning is the inspiration of the President. We are greatly indebted to him for his majestic leadership and advice provided to us.



# KILE NEWS

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(KILE)

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# Contents

**OUT-MIGRANT  
WOMEN  
OF KERALA** 11  
A TALE OF  
PROSPERITY  
AND WOES



Prof. TSN. Pillai

**SOCIAL PROTECTION  
ARRANGEMENTS** 17  
**FOR WOMEN  
IN THE  
INFORMAL SECTOR**

Dr. Manu Bhaskar

**WORKERS  
AND  
RIGHT TO  
INFORMATION** 30  
**ACT**



**36 Commemorations**

**23**  
**SOCIAL  
SECURITY IN  
DANGER ZONE**  
Dr. J.Rajan





### 29 CHILDREN - RIGHTS AND EXPLOITATIONS



### Labour Scenario 31 Challenges and Solutions



### Student - Official 35 Interface

### 33 Workshop on CAG's Audit



- 8 KILE- Past Present Future
- 32 Workshop on Role of Executives in Legislative Business
- 34 Leadership Training Programmes
- 40 Sponsored Programmes
- 43 Publications
- 44 Research Programmes
- 48 Special Columns
- Juris Consultus
- Do you Know



**Juris Consultus**  
V.Veerakumar





## From the Chairman's Desk

Dear friends,

When I look forward, I remember the days I had spent in the office of the Chairman and the wholehearted support and cooperation we received from various quarters. Among this, I remember with great admiration the generous advice and leadership extended by the Hon'ble President of the Institute Shri. Shibu Baby John, Minister for Labour and Rehabilitation in the activities undertaken by us in the days spent. I strongly believe that the picture would have been different unless we had received these advice, support and cooperation from him and our well wishers on these days.

We are indebted to all of them for their wholehearted support and cooperation provided to us in our programmes and made these programmes historical and memorable in the history of KILE. When I acknowledge them, I would like to mention the distinguished personalities like Sri. G. Karthikeyan, Hon'ble Speaker, Kerala Legislative Assembly, Sri. V.S. Sivakumar, Hon'ble Minister for Health and Devaswom, Sri. K. Muralieedharan MLA, Hon'ble Information Commissioner Sri. C.S. Sasikumar, Smt. Neela Gangadharan, Sri. C.P. Nair, Former Chief Secretaries, Sri. R.N. Ghosh, Principal Accountant General, Sri. P.H. Kurian, Principal Secretary, Industries and Information Technology, Sri. P. G. Thomas, Labour Commissioner and many many others including eminent trade unionists who had associated with us as chief guests and resource persons in our programmes and made these programmes historical and memorable.

I also take this opportunity to inform you that the proposed activities of KILE for the days to come will provide you more and more useful programmes which will enable us to creatively involve in the accomplishment of the objectives for which the institute is established and thereby we imprint our name in the minds of the stakeholders and the public in general more and more deep.

Further, I would like to introduce our revived edition of the publication "KILE NEWS" with more information in a more professional manner. Hope it would be wholeheartedly welcomed by everyone. Feedback to our activities and on this publication is highly solicited.

Philip Joseph

Thiruvananthapuram,  
20.04.2014



## From the Chief Editor's Desk

I am very happy to inform that we are reviving the publication of the "KILE NEWS" which was once deemed to be a reference periodical for the academic community of management studies in the State. But to the total dismay of the readers and well wishers the publication of it was dispensed with due to technical reasons. However, still we have in mind, the time and effort spent by the individuals who brought it to this extent. We take this opportunity to express our sincere gratitude to each and every one of them. I firmly believe that the readers and the well wishers were also equally important in making the magazine to this stature. While expressing our sincere thanks to them, we expect the same co-operation and support from all of them in our present endeavour as well. We assure you that this will not disappoint you as a professional in the field of labour and employment.

The forthcoming issues of the KILE NEWS will reach you with more information in a more professional manner. We hope our readers and well wishers will welcome it and find time to give feedback, which will enable us to improve its quality further. When the upgraded website is in place the issues of KILE NEWS could be accessed through online too.

I also take this opportunity to express our sincere thanks to Shri. Shibu Baby John , Hon'ble Minister for Labour and Rehabilitation, President, KILE, Sri. Philip Joseph, Chairman, KILE, Sri. Tom Jose, IAS, Principal Secretary, Labour and Rehabilitation Department and other respected members of the Executive Council, KILE for their wholehearted advice and support given to us in reviving the publication otherwise no doubt this would not have received a re-birth. Similarly, I admire the effort and co-operation extended by the Fellow (Employment), Fellow (Labour) and each and every individual who have involved in bringing this issue in this form.

Thiruvananthapuram,  
20.04.2014

V.Veerakumar  
Executive Director





# KILE Past **PRESENT** FUTURE

**V.Veerakumar**  
Executive Director, KILE

The Kerala Institute of Labour and Employment (KILE) is a society registered under the provisions of the Travancore - Cochin Literary, Scientific and Charitable Societies Act, 1955 (Act 12 of 1955) and functioning under Labour and Rehabilitation Department, Government of Kerala since 1978.

The idea of constituting this society was conceived and implemented by Sri. Oommen Chandy, then Labour Minister. Since the Labour Ministers are the President of the General Body of the Society which is the apex body in the administration of it.

The objectives of the society as per the memorandum of association are as follows.

"The objectives for which the Society is formed are to provide for education, training, study and research in labour employment and related subjects, with special reference to Kerala and with this purpose;

- (a) to undertake and assist in the organisation of training and study courses, conferences, seminars and lectures;
- (b) to undertake, aid, promote and co-ordinate research through its own or other agencies including universities and other institutions of standing;
- (c) to analyse specific problems encountered in the planning and implementation of labour, employment and allied programmes and to suggest suitable remedial measures;
- (d) to prepare, print and publish papers, periodicals and books in furtherance of the objects of the Society;
- (e) to undertake, aid, promote and coordinate consultancy and such other activities as may be necessary to achieve the objects of the Society;
- (f) to establish and maintain libraries and information services;
- (g) to collaborate with other institutions, organisations, associations and societies in India and abroad, interested in similar objects; and
- (h) to offer fellowships, scholarships, prizes and stipends in furtherance of the objects of the Society."





From its inception, KILE have been conducting various programmes / activities in conformity with its objectives. No doubt, in the past KILE had a significant role to play in the field of labour and employment in the State. The setting up of the institute under the Labour and Rehabilitation Department shows the necessity of an organisation of its kind in the State to take up important activities including training to the partners of the industry and officers of the Departments. It played a pivotal role in the formulation of labour policies of the State in the past. In many instances, when the Government required to evolve decisions on critical issues, KILE had played a catalytic role in bringing the partners of the industry before a negotiation table and bring out amicable solutions in a healthy win - win situation. Similarly, KILE had a prominent role in training the officials of the Labour and Employment Departments and thereby improve their efficiency in the functioning.

### KILE- ORGANISATIONAL SETUP



The society has a General Body headed by the Labour Minister and an Executive Council headed by a part time Chairman. The present General Body has thirty two members comprising a Member of Parliament, Vice – Chairman of the State Planning Board, two members of Legislative Assembly, Secretaries of Labour, Finance, Planning, Industries, Agriculture, Vice Chancellors of Universities, Representatives of Trade Unions, Managements etc.

The Executive Council has 11 members consisting of a Chairman, representatives of Trade Unions and Managements, Secretary, Labour and Rehabilitation Department, Labour Commissioner, Director of Employment and Training, Fellow (L) and Executive Director.

The Executive Director is the Member Secretary in both the forums. The list of present General Body and Executive Council members are included in the forthcoming pages.

Now, the activities of KILE has been streamlined with a view to enhance its functional horizon and effectiveness. As part of this innovative move, unlike from earlier years all the Departments, Welfare Fund Boards and other agencies under Labour and Rehabilitation Department have been considered as the beneficiary Departments / institutions and programmes have been worked out accordingly. Besides, diversified programmes and quality improvement initiatives undertaken by it has made the functioning of the institute more effective. These include identifying



of new areas, beneficiary groups, high profile Chief Guests and resource persons, professional enhancement of programmes etc. For example some of the programmes recently organised were in new areas where no outside departments / agencies have been attempted so far. Eg. Role of Executives in Legislative business and CAG's Audit for the officials, Safe Driving for the drivers of school buses, private vans, autorickshaws, Department vehicles, KSRTC buses and safety in construction industry for the employers, contractors, officials, trade unions etc. On account of these reasons the response on the programmes were amazing and feedback memorable.

Another important activity of KILE is the publication of reference books / important documents for the Departments and the public in general. However, for the last few years no work has been undertaken except the "History of Trade Union Movement in Kerala" by Dr. K. Ramachandran Nair, Professor, Department of Economics (Rtd.) and former Planning Board Member, Government of Kerala and "Labour in Kerala" a compilation of information on the departments under Labour and Rehabilitation Department. The high demand of the "Labour in Kerala" persuaded us to think of its revised edition. In this year KILE has decided to take up new publications which will be benefitted for more persons. The new initiatives under this category are described in the forthcoming pages.

KILE had a good library with more than two thousand four hundred books and a good number of periodicals. Some of the books were very rare and not available in many of the libraries in the city. But the continuous neglect of it has reduced its past glory. We hope the present steps to modernise the library with new additions of books and periodicals will revive its present state. When the new proposal to develop it to an e-library is materialised it would be a state of the art one.

Thirty six years is not a short period in the growth span of an organisation. No doubt, in these period KILE could bring out some remarkable changes in the area of its operation but still it did not tide over its infancy period. From its beginning KILE was functioning in rented premises. However, in 2012-2013 a significant decision came from Government, allotting 6000 sq. feet of area to KILE in the fourth floor at Thozhil Bhavan, Vikas Bahvan, Thiruvananthapuram. Now, KILE has moved to the premises in the ground floor temporarily allotted at Thozhil Bhavan and occupy the original area in the fourth floor when it is ready for accommodation.

An enhancement in the budgetary allocation is also a remarkable change in the recent past. But still, the Non-plan allotment is meagre and insufficient to meet the inevitable expenditure including the salary and allowances of the staff. Though this has created administrative hardships in its functioning, the strong steps taken by the Executive Council and General Body may bring out some obvious changes in the days to come. While considering the current activities, the staff strength of the institute which was fixed initially is inadequate. A reasonable increase in the present staff strength and non plan allotment is the need of the hour. The Plan allocation for 2014 -2015 is 175 lakhs. But with all these constraints KILE is striving to establish its presence in the field.

### Budget allocation and Expenditure 2008- 2014

Year	Opening Balance	Grant In Aid from Govt. Of Kerala			Grand Total	Utilisation	Balance
		Plan	Non-Plan	Total			
2008-09	9.72	20	8.8	28.8	38.52	34.13	4.40
2009-10	4.40	25	9.68	34.68	39.08	38.40	0.68
2010 -11	0.68	25	10.64	35.64	36.32	35.41	0.91
2011-12	0.91	60	12.77	72.77	73.68	55.33	18.35
2012-13	18.35	100	15	115	133.35	133.55	Nil
2013-14	Nil	150	16.5	166.50	166.50	166.50	Nil

KILE's long standing proposal to develop it to a National level institute with a Centre of excellence has been accepted in principle by Government but the budget allocation is yet to receive. However, KILE is examining the scope of getting some Government land on long lease basis for its future development. We hope our dream will come true in the near future.



**T.S.N. Pillai**  
Professor (Retd.)  
Loyola College of Social Sciences

# OUT-MIGRANT WOMEN OF KERALA:

## A TALE OF PROSPERITY AND WOES

"Malayalees are everywhere. Malayalam can be heard on the streets of Abudhabi, Frankfurt, Houston, Singapore and Nairobi. Onam is celebrated in many lands and Malayalam liturgies are chanted every Sunday in churches in every continent. Currencies like Dollar, Dirham, Dinar, Euro, Pound, Rand, Riyal and Yen flow into numerous banks in Kerala."

- Sam George & T.V. Thomas

### 1.1 The background

"Migratory movement of a voluntary nature acquired prominence in the vogue of economic development, ushered in with the industrial revolution of the 18th Century. Since then, movements of people in search of better economic prospects/employment opportunities gained momentum in various parts of the world. Side by side, there is a shift of population from the rural areas in the country side to urban centers where factories are opened, leading to urban growth.

Migration to Great Britain from India towards the close of 19th Century was a rare event, though India was bound with Great Britain for more than a century. Most of those who managed to migrate are students and business men with the Parsis forming the pioneering group.

Migratory movement also started within the country during this time. The newly opened factories in Bombay and Calcutta began to attract different categories of workers from rural India.

### 1.2 Migration trend from Kerala

Kerala, a place with very little migratory movements till the beginning of the 20th century has become an important out-migrating region of India since the second half of the 20th century. Gradually, migration has become a factor generating social and economic changes in Kerala society. Its ramifications are easily visible in all the spheres of

the State's socio-economic and political life. There is hardly any part of the world where Malayalis are not found today. According to a study conducted by the Centre for Development Studies (CDS), Trivandrum, the number of Malayalis living outside India in 2008 was 21.90 lakhs (Zachariah and Rajan, 2009). The number had increased by 8.3 lakhs during 1998 to 2008 period.

The Gulf countries were and are the principal destination of the emigrants. According to Percot and Rajan, about 95% of Kerala emigrants in 1999 went to the Gulf countries; and the other 5% went mainly to the USA and Africa. Gradually, Keralites spread to the USA, the UK, Singapore and Maldives Island.

It is a fact that Kerala lags behind in industrial development and food production. The younger generation seems to be averse to farm work and manual labour. In other words, the educated among them seek white-collar jobs and the unskilled and the semi-skilled ones seek low-end jobs in other states and in Gulf countries.



### 1.3 Women migrants

A good number of Kerala women work in other states in India as nurses, teachers, clerks, typists and in IT services. In Karnataka, Kerala women work in mines, orchards, farming and livestock. Significantly, factory employment is not an important activity for female workers from Kerala. Added to this, there are highly qualified doctors, engineers, teachers, IT professionals and administrators in government departments in other states.

Among the women emigrants in other states in India, the nursing women show a tendency and a trend which can be described as follows:

1. Their first step is to obtain admission in some recognized and affiliated nursing schools or colleges either in Kerala or outside and get a pass and a certificate.
2. These girls then get in touch with their seniors who got placements in some good hospitals, preferably in Delhi or Mumbai. This is mainly to gain first-hand experience in nursing process and finally to gain a proficiency certificate.
3. In most cases, they succeed and with the consent of the parents or guardians they migrate to some hospital of their choice and become part of the group of Kerala girls.
4. Obviously, there wouldn't be any problem in getting accommodation and food even though the facilities and amenities may not be adequate and comfortable.
5. As they go on gaining more and more work experience and exposure in nursing, they dream of preparing for International English Language Testing System (IELTS) and Commission on Graduates of Foreign Nursing Schools (CGFNS) exams. The agenda is to migrate to some foreign country seeking better prospects.
6. And they succeed.

#### The flip side is:

1. Before giving the appointment order, many of the hospital authorities in the private sector "snatch" the degree or diploma certificate from the newly appointed and refuse to return it on demand by the candidate. This is an unfair illegal practice indulged in by a good number of managements of private hospitals of repute.
2. In respect of emoluments, there is a big difference between those given in government hospitals (ranging from Rs. 30,000 to 40,000 per month) and that prevalent in private hospitals namely Rs. 4,000 to 6,000. This is another unfair practice.
3. Just as in the Gulf countries, in India also, the nurses in private hospitals are compelled to work for 10-12 hours per day without the benefit of overtime payment and compensatory off.
4. Even the senior nurses ill-treat the freshers and pass on part of their work to these hapless juniors, thereby overloading their burden of work.
5. The media have been reporting cases of sexual harassment, rape and even murder of female nurses (a good number of them are Keralites), which means they remain unprotected sometimes.

In spite of all these risks, Kerala women nurses continue to migrate to reputed private hospitals and "suffer" because they know the success stories of several of their seniors, friends and relatives who had migrated to foreign countries and are prospering. Indeed, foreign nurses are prospective brides in good demand in Kerala. This is the pull factor.

### 1.4 The Gujarat ordeal

The victims are women migrants from Kerala who work in the fish processing factories in Gujarat. Every year, a large number of women are employed on temporary basis from August to May. In 1987, there were 707 female workers in 14 fish processing plants in Veraval city. Some of them were in the age group of 12-18 years. The number of migrants is so high that the railway authorities have been running 3 or 4 trains every week between Trivandrum and Veravel. Haribhan B. Patel describes the pathetic conditions under which these fisher folk women work in the fish processing units thus:

"Their work time starts from 4 a.m. and ends at late evenings between 22 to 24 hours. They are called to work as the catch arrives, i.e. at any time of the day or night. They have to work at 0 deg. cent. or sometimes, below that temperature because fish is perishable and it has to be processed immediately. They are not provided with woolen clothes. They are not paid for the overtime work. They are deprived of their week-end leaves, sick-leaves or earned leaves".

He adds further: "Once middlemen bring these females to Veravel, they are deliberately segregated from the local communities and are made immobile across various employment giving units. Many females had to quit their jobs and the city, in dire consequences including extreme case of losing one's own life". (Patel G. Haribhan; *Keralite Migrant Labour in Fishing Units of Veravel city in Western India* in Vidyut Joshi (ed.) *Migrant Labour and Related Issues* (New Delhi, Oxford and IBH 1987), pp. 180-181)



The number of Kerala women working under such miserable conditions is very large. (Exact figures are not available). Many of them are exploited and made to work under inhuman conditions. The socio-economic profile of such classes is very low. They migrate to faraway places and work under inhuman conditions for the sake of survival. (K. V. Joseph, *Keralites on the Move*, 2006).

### 1.5 Women in private institutions

In the case of those Kerala women such as nurses, teachers, clerical staff, receptionists, lab technicians and other paramedicals who work in private institutions in Bangalore, Chennai, Mumbai, Delhi etc. do not enjoy satisfactory quality of life and adequate protection against exploitation and harassment. For, these institutions are by and large, driven by greed for profit even at the cost of sacrificing human rights and ignoring the innumerable labour laws such as the Minimum Wages Act, ESI Act, Payment of Wages Act, Industrial Disputes Act, Maternity Benefit Act, Industrial Employment (Standing Orders) Act etc. It is not dearth of labour policies, laws, rules but the deliberate failure of the law enforcement machinery of the government in general and the Department of Labour in particular.

In this context of unbridled greed for profit on the part of private managements and the indifference of the officials of the labour law enforcement department, the employees themselves are compelled to organize into powerful unions and bargain for their rights and the statutory benefits. Dynamic leadership has emerged from among them. The community of nurses is getting unionized and is bargaining strongly for their rights.



### 1.6 IT women of Kerala in other states

A good number of women in IT profession migrate and work in large and reputed IT companies in Bangalore, Chennai, Hyderabad, Mumbai etc. The exact number of such women from Kerala is not known. These women are not a stable work force; they are highly mobile seeking higher and higher positions and better rewards.

Kerala is also emerging as an IT hub, thanks to the serious efforts by the State government. Software engineer is a tag attached to these professionals, which indicates their prestige in the realm of jobs. Everything in a typical IT park appears to be posh, modern, fashionable, attractive and hi-tech. Media

fondly refers to them as "techies". Their remuneration is three to four times that of the manufacturing sector employees and those in the public administration gets for similar positions. An additional lure is the tax-free income that can be earned by them when posted on overseas assignments.

Since almost all the IT companies are in the private sector, their style of functioning is rigid and target-based, time-bound, custom-built and specialized. It is export-oriented, intended to satisfy the requirements of customers located in the USA, the UK and other European countries. It is a buyer's market and the sellers have to be responsive to that.

But, the flip side is that the style of human resource management from the very beginning of the industry, within the protected boundary of Techno/Cyber/Info Parks has been authoritarian and at best, paternalistic. The inevitable consequence of this HRM style is the relegation of all existing labour legislations which were formulated and developed to suit the conventional manufacturing industries and not appropriate for the globally linked high-speed IT industry. Most of the hard-earned norms of work such as 8-hour time period, over-time payment, seniority based promotions, job security, earned leave with pay, collective bargaining and long-term agreements regarding the terms and conditions of service etc. are all brushed aside in one stroke. In other words, the employees are highly vulnerable to health problems - physical and mental, maladjustments with family relationships and obligations and hardly any social life and time for rest, recreation, sleep and rejuvenation. Obviously, the women employees are the worst victims.

### 1.7 Kerala women in gulf countries

Unlike inter-state migration, international migration is a complex process. Comparatively, associational migration for women with their spouses is safe and comfortable. Since, many of these women from Kerala are formally educated, they seek employment opportunities and get placements. But, there are exceptions. There are umpteen cases of women harassed physically and mentally by their husbands themselves and finally abandoned. *Pravasalokam* program, regularly monitored in Kairali channel by Sri. P.T. Kunju Muhammad bears ample testimony to this inference.

Those who go to the USA, the UK, Australia, Newzeland etc. are educated and normally they get good jobs and permanent citizenship. On the other hand, those who go to the Gulf countries find it extremely difficult to get citizenship status and hence, remain as temporary residents, irrespective of the long duration of the stay.

Another strategy noticed is to secure student visa to foreign universities, secure graduate/post-graduate/technical degrees and get employments through campus recruitment or otherwise. The number of migrant women of this category is also on the increase.

Obviously, there is a parallel illegal migration channel from Kerala to Gulf countries which is managed by powerful agencies in women trafficking which have nexus with officers handling emigration at various airports in India and abroad, especially in Gulf countries.

## 1.8 The risks in emigration of women

The life and labour of emigrant women, especially in gulf countries are analysed by several scholars, with focus on the risks they confront both in India prior to their departure and later, in the Gulf where they live and work amidst strangers and hard task masters.

It is obvious that these women emigrants are vulnerable in foreign countries especially, the Middle-East. The concept of "vulnerability" can be defined as defenselessness, insecurity and exposure to risks, shocks and stress. (Chambers dictionary, 2006) In other words, vulnerability is the opposite of security and peace.

In general, according to several studies by NORKA, Centre for Development Studies (CDS), the Protector of Emigrants, KILE and the media reports, the out-migrant women are vulnerable to exploitation by:

- Money lenders and other financing institutions who lend money to out-migrant women to meet travel and board expenses
- The Indian recruiting agents
- The tour agents
- The employer in the foreign country who takes away the passport, the visa and other documents and enslaves
- Premature termination of job contracts
- Changing the clauses of the contract to the disadvantage of the workers
- Delay in payment of salary
- Violation of minimum wage standards
- Freezing of fringe benefits
- Denial of communication facilities with kith and kin and even with co-workers
- Denial of free movement outside the work premises
- In the case of women domestic workers, ill-treatment and sometimes, sexual harassment
- Denial of leave and permission to visit their native countries when requested
- Due to rape, some women become pregnant and deliver and get arrested and imprisoned by the local government as per the existing law. The men culprits escape.

- The migrant woman seldom lodges any complaint against the erring employer for fear of losing her job and punishment
- Refusal to give back the passport and travel ticket for return journey
- Harassment for more and more money by the family members and relatives here in India
- Harassment by the police, if it is a clandestine migration
- Harassment by dishonest and greedy migrant officials especially at the airports
- Agents who help the emigrants in money transfer to families in Kerala

## 1.9 Conclusion

Lot of Kerala women work as skilled professionals – Doctors, Engineers, Architects, Chartered Accountants, Bank Officers, drawing fairly high salaries and perks and prosper without much hassle. Also, women who accompany their spouses are more or less safe, provided the emigration is legal. Nurses, if properly qualified, are provided with good salary – Rs. 50,000 – 80,000 per month, accommodation, free meals and other comforts.

Only those women who seek low-end jobs suffer. For, they are deficient in some respects such as lack of technical skills, to handle modern cooking gadgets, a sense of personal hygiene and sanitation expected of a housekeeper, communication skills in English, negotiation skills and the type of etiquette and manners expected of them by middle/upper class families in the country of their migration.

Another group of women who suffer in foreign countries is the illegal emigrants. Being illegal, they are at risk of being arrested by the police in the country of origin and in the country of destination.

These innocent and hapless women are literally cheated and lured by high wages and benefits by unscrupulous recruiting agents. They smuggle them into the foreign country after extorting high amount of money which eventually land them in trouble – poverty, imprisonment and deportation.

Sex work. This is being promoted by powerful rackets indulging in trafficking in women. In this process, there are two streams. One stream consists of commercial sex workers and they seek better "business" in gulf countries. The other stream consists of "innocents" who are cheated, smuggled and pushed into the sex work circuit in gulf.



## **KILE MOVED TO THOZHIL BHAVAN**

KILE was functioning at rented premises since its inception in 1978. Now, Government have allotted 6000 sq. feet in the fourth floor at Thozhil Bhavan, Vikas Bhavan, Thiruvananthapuram. Pin – 695 033. The construction activities is expected to be completed by the end of February, 2015. However, for the time being KILE has been shifted to the ground floor at Thozhil Bhavan temporarily allotted to KILE. Once the construction of the fourth floor is completed the office will be moved to the original area. Present address is



## **KILE GOING Online**



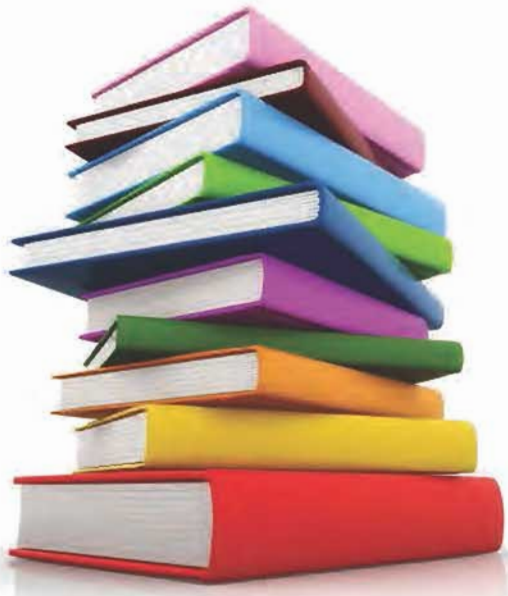
The Kerala Institute of Labour and Employment (KILE) has commenced the computerisation of the activities as part of the e-governance initiative. The entire office administration will be shifted to computer monitored with the help of a software to be developed by KELTRON. Once the computerisation process of the institute is in place the candidates can register their names for the training programmes, researchers can submit their proposals, people can access various reports and data available with the institute through online. Besides, a highly professionalised interactive web-site also will be commissioned along with these initiatives. The software will be in place within six months.



# New Arrivals to the Library

## Books

1. Commentary on The Employee's Compensation Act with Schedules and Rules :  
Aiyar & Aiyar, Universal Law Publishing Company, (Fifth Edition)
2. Constitutional Law of India (3 Volumes):  
H.M. Seervai, Universal Law Publishing Company (Fourth Edition).
3. Industrial Law (2 Volumes): P.L. Malik,
4. Law relating to Shops and Establishments :  
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## SOCIAL PROTECTION ARRANGEMENTS FOR WOMEN IN THE INFORMAL SECTOR: THE CASE OF SALES WOMEN IN TEXTILE SHOPS\*

### Background

The biggest problem in the informal sector of India is the dearth of precise information about the total number of workers engaged in this sector and also the number of women workers and their respective ratio in various occupations within the sector as well. The Report of the National Commission for Enterprises in the Unorganized Sector highlights the existence and qualification of the unorganized or informal workers as defined as those who have no employment security, work security and social security. Informal wage employment comprises of employees of informal enterprises as well as various types of informal wage workers who work for formal enterprises, households and all those who have no fixed employer. These include casual daily laborers, domestic workers, and industrial outworkers (notably home workers), undeclared workers and part-time or temporary workers without social contract.

In India the concept of informal sector is used interchangeably with the unorganized sector and is used as a reference point for the formulation of new policy approaches in spite of its conceptual vagueness. The Report of the 2002 session of the International Labor Conference applied the term 'informal economy' to denote the expanding and increasing diverse group of workers in both rural and urban areas operating informally. The term informal economy refers to all economic activities and economic units that are-in law or in practice- not covered or insufficiently covered by formal arrange-

ments. These activities are either not included in the law or they operate outside the formal reach of the law (Sivananthian and Vekata Ratnam 2005).

The International Conference of Labor Statisticians issued Guidelines on a Statistical Definition of Informal Employment in 2003. It defined informal employment to include the following types of jobs:

- Own-account workers employed in their own informal sector enterprises;
- Employees employed in their own informal sector enterprises; contributing family workers, irrespective of whether they work in formal or informal sector enterprises;
- Members of informal producers' cooperatives;
- Employees holding informal jobs, whether employed by formal sector enterprises, informal sector enterprises, or as domestic workers employed by households; and
- Own-account workers engaged in the production of goods exclusively for own final use by their household



\*It is part of a study conducted by the author for KILE on 'The Impact of Globalization on Women Workers'.

Employees are considered to have informal jobs if their employment relationship in law or practice is not subject to national labor legislation, income taxation, social protection or entitlement to certain employment benefits (advance notice of dismissal, severance pay, paid annual and sick leave). The reason for being considered informal may be the following: non-declaration of the jobs or the employees; casual jobs or jobs of a limited short duration, jobs with hours of work or wages below a specified threshold (e.g. for social security contributions); employment by incorporated enterprises or by persons in households; jobs where the employee's place of housework is outside the premises of the employers enterprise (e.g. outworkers without employment contract); or jobs for which labor regulations are not applied, not enforced, or not complied with for any other reason.

As a result of privatization, globalization and integration of the economy with the rest of the world, the informal sector is expanding and emerging as a major source of additional employment to the millions of people and it will continue to grow in the years to come. Though enactments like the Minimum Wages Act, 1948, Workmen's Compensation Act of 1923, and the Maternity Benefit Act, 1961 are equally applicable to workers in the informal sector, the enforcement/implementation of these legislations leaves much to be desired. Due to diametrically opposite characteristics of the informal sector both the labor administration and the workers in the informal sector are not within the reach of each other. There is lack of awareness amongst the informal sector workers as most of them are illiterate and working in isolation in remote areas. Their workplaces are scattered. Mostly, they are self-employed or low wage earners. There is no backing of trade unions as such and workers lack all kinds of collective bargaining powers.

Among all the Indian States, the State of Kerala has pioneered in advancing the benefits of social security system to the unorganized sector workers. It has no doubt made immense progress in this field. Yet, there are many issues which need to be tackled in the context of globalization and changing labor market policies. Elias George (2005) former Labor Secretary, Government of Kerala, in his article, "Challenges Facing the Labor Administration in the Informal Economy in Kerala" has brought out very forcefully these issues and concerns. Two important issues among others relevant in this context are:



(1) the inadequacy of Welfare Fund Boards catering men and women members being disproportionate with the total women in the workforce. Another issue is that the Tripartite Boards being given inadequate representation in the work force and (2) the existence of Tripartite Boards which accord priority to the issues of employers than the employees. To address these issues the key measures he advocates are to ensure that the workers' representatives in the Tripartite Boards are bonafide representative of the workers from the particular sector and to initiate steps for reducing gender bias in the welfare system.

It is also widely acknowledged that Labor Administration has not been very effective in the informal sector due to various constraints- inadequate implementing machinery, resource constraints and magnitude of the workforce. However, how it can be addressed, remains a challenging task for ensuring justice for the poor vulnerable women.

With this background note a study on sales women is undertaken to examine their vulnerability factors, problems encountered by them, socio-economic background, recruiting channels, working conditions, awareness of existing welfare measures to protect their rights and also to suggest measures for effective social protection arrangements.

## OBJECTIVES AND METHODOLOGY

The present study is conducted among the saleswomen from the city of Thiruvananthapuram and also of towns and suburban centers of Thiruvananthapuram District in the State of Kerala. The broad objectives of the study are:

1. To identify the vulnerability factors of sales women working in the textile shops.
2. To analyze the working conditions of sales women and problems they encounter.
3. To examine the extent of awareness regarding the Kerala Welfare Fund Scheme and provisions under the same among the saleswomen.
4. To suggest appropriate measures for the social protection for saleswomen.

## Research Design

The study is conducted using descriptive study design.

### Concept

Sales girls are divided in two categories, one those moving from door to door and place to place, and others those working in shops (mostly women related items like jewelry, garments and cosmetics) In this study the term 'saleswomen' refers to all females working in the textile shops irrespective of their age.

### Universe and sample

The population of the present study includes the saleswomen working in textile shops registered under the Kerala Shops and Commercial Establishments Workers Welfare Fund Board in Thiruvananthapuram district. A major problem in undertaking research in the informal sector is the absence of adequate official statistics on the number of employees and the number of employers in these sectors. Hence, the first step was to search the source list to compile the list of textile shops. Accordingly an attempt was made to get the information from the Department of Labor, Vyapari Bhavan and the Vyapari Vyavasayi Samithi. However, none of these organizations have digitalized list of the textile shops or the number of workers in this sector and were willing to share the data available in their registers for research purpose. Hence, the only alternative was to rely on those shops that were registered under the Kerala Shops and Commercial Establishments Workers Welfare Fund Board in Thiruvananthapuram. A major drawback of this study is that the employees from the unregistered shops had to be kept outside the purview of the study. The data maintained by the Board also failed to provide item-wise categorization of different shops and all types of shops from petty shops to commercial firms were listed together. The combined list of all shops and commercial establishments in Thiruvananthapuram district totaled to 3781 as per the records of the Kerala Shops and Commercial Establishments Workers Welfare Fund Board on 16/06/2012. From this list the textile shops to be covered under the study were identified. It took almost two months to list the shops as it was difficult to get access to computer during business hours and finally with great difficulty 382 textile shops were identified. The second step was to identify the number of female employees. This task too was difficult as there was no gender based list. For obtaining this the only way out was to scrutinize the list of employees and ascertain gender by their names. Care was taken to include the shops from the city, outskirts of the city and sub-urban areas. Both primary and secondary data have been used for the study. To facilitate sampling the textile shops were stratified into large, medium and small (having five or less number of employees were defined as small, those having six to ten workers were

called medium and those with more than ten workers were considered as large shops). A total of 15 shops were decided to incorporate in the study by fixing the number of shops from each category proportionate to its size. Due consideration was given to cover all the three areas- city, peripheral, and sub-urban - in the final selection of shops. These areas include East Fort and Palayam from the city area, Kazhakuttam and Attingal from the outskirts, and Chirayinkeezhu and Thonakkal as sub-urban area. The sample of the study comprised of 30 saleswomen picking two saleswomen from each of the 15 shops already identified from selected areas.

### Pilot Study

A pilot study was undertaken to examine the feasibility of the study. Although we visited five shops many employers refused to cooperate with this venture. However, those who agreed informed that they would co-operate provided the respondents would be selected by them. This had severe limitation on our research work. But due to the constraint of time we could not pursue for other alternative methods as the employees were living in scattered areas and in some cases the shelters were provided by the owners denying access to outsiders' meeting the respondents away from the work place. It is interesting to note that shops engaging migrant laborers were the ones that refused.

### Tools of Data Collection

Two interview schedules were administered - one for the employers and the other for the sales women. Besides that, informal discussions and observations were also made to strengthen the data base.

### Limitations of the study

Data could not be collected from all the selected shops as many employers refused to co-operate. Hence, the shop next in the list had to be selected. Through informal discussions with the employers the reasons for their non-cooperation was probed. Following were some of the reasons for their non-cooperation:



1. All the employees in their establishment were not registered under the Kerala Shops and Commercial Welfare Fund. In most cases it was found that only the permanent employees were registered and the temporary ones were not.

2. Differential wage structure existed between the new recruits and the earlier recruits. There was also wage discrimination across gender. The employers feared that if these discriminations were made public it would hamper the smooth functioning of their business

3. Some of the employers had employed migrant laborers in their concerns and from their part, resistance was more severe. Many of their employees were below the age of 18 and their working environment below the stipulated standard with inadequate light and ventilation. Moreover, these salesgirls were not registered under the welfare fund scheme and were working at very low wages with long working hours.

### Findings

Saleswomen mostly belong to the marginalized communities and are victims of multiple vulnerabilities. They provide a cheap source of labor as they are socially, economically and educationally backward. As there is severe unemployment among the matriculates the girls are attracted to the sales work force which doesn't call for any specialized training to get into it. They have no membership in trade unions/ women organization and hence have weak bargaining power and are forced to work under poor working conditions. The major findings of the study are:

- The saleswomen have multiple vulnerabilities and belong to the marginalized communities and are socially, economically and educationally backward.
- The small and medium shops mostly engage backward community women, while the large shops engaged forward caste communities.
- The last decades had witnessed more unmarried girls in this sector. The recent trend showed this sector being dominated by married and divorced/ separated women. The reverse trend was because the unmarried girls most often leave the organization causing inconvenience to the employers.
- Majority of the saleswomen belonged to the age group of 21-35.
- Saleswomen were recruited without any written contract which actualized the 'higher and fire policy'.
- There were two classes of saleswomen - temporary workers and permanent workers. In order to retain the girls with more experience they made permanent staff.
- The number of employees registered under the Kerala Shops and Commercial Establishments Workers Welfare Fund was much lower than the actual number of workers employed in each textile shops as the usual practice was to register only the permanent staff.

- The channels of recruitment for the job were normally friends/ relatives as certain qualities like trust and honesty were preferred for this. There was no uniform wage structure in any of the textile shops. It varied from Rs. 2000 to Rs10000.
- The working conditions were poor. They were subjected to long working hours normally eight to eleven hours per day.
- Most of the saleswomen receive bonus. However the amount varied from shop to shop and worker to worker. The incentives were provided only to permanent staff.
- Sexual harassment cells were not constituted in any textile shops.
- Membership in trade unions and women organization was almost non-existent.
- In most shops the welfare card was under the custody of the employers. Hence, the employees were not aware about the details of payment and default in payment.
- Since saleswomen used to leave the shop within a short period of time, the employers did not motivate them to register in the welfare scheme.

### RECOMMENDATIONS

- Steps to be taken by the Labor Department, to register and regulate all employees in the Shops and Commercial Establishments and ensure that all the employees are registered in the Welfare Fund Scheme.
- Measures to be undertaken by the Department of Labor to enhance legal literacy to informal workers to understand their rights.
- Transparent labor inspection system to ensure that the informal sector workers get social protection.
- Enforce ILO Convention 81 on labor inspection and stress the importance of providing information to workers and employers.
- Shops employing migrant laborers need to specify their status as migrants during registration so as to ensure social protection for this less advantaged section of workers.
- Labor administration to be trained and empowered to deal with gender discrimination and exploitation of women workers in the informal sector.
- Role of trade union to be strengthened:
  1. awareness building regarding labor welfare, legislation and programs/ schemes of the workers
  2. To educate the workers as how labor administration could help in dispute settlement, payment of wages, working hours, occupational safety and sexual harassment at work place.
- More research studies in this sector to be undertaken with wider coverage, including studies on the problems of the employees.
- Registration of workers to be made mandatory.
- Integrated data of all informal workers registered in the Welfare Fund Boards in diversified sectors across all the districts in Kerala to be made available in the Department of Labor, Thiruvananthapuram.

- Maintain separate list of workers gender-wise and shops/ establishment wise.
- Constitute a monitoring cell to review and assess any new regulation being proposed.
- Legislation to address the issues of recognition and protection of employers and workers in the informal economy with special emphasis on minimum wages, conditions of employment and gender equality.
- Steps to be taken to ensure that employers honour the statutory provisions.
- Computerization of enrolment and disbursement of benefits to be made faster.
- Positive incentives to employers to encourage optimum participation of the beneficiaries.
- The Tripartite Boards to have bonafide representation of women workers in the particular sector to voice their rights.
- Immediate steps to be taken to constitute committees to combat sexual harassment at work place.
- Bureaucratic hurdles to be reduced to receive the benefit of welfare fund within time limit.
- Minimum wages to be enforced.

To conclude, the vulnerability of saleswomen starts at the very moment they enter labor market as jobseekers. Other factors, being age, economic status, caste, and weak trade unions. Having got a job on their personal initiative, many of them are at the mercy of their employers who could fire them at their will in the event they claimed their rights. Implementation of labor welfare measures will become impossible in this scenario as there is no agency to intervene at the shop floor level to implement the provisions of the Act.

Further, integration into the global market has been putting increasing pressure on employers who are

forced to compete with local and global actors. This environment makes them not to honour pro-worker international, national provisions. In the context of the retail markets being opened to FDI, the market environment is increasingly becoming more hostile and less profitable to domestic operators in shops and establishments. Unless protected by effective social welfare measures from the rapacious greed of the employers who look for profit even at the cost of workers' minimum welfare, more women who are likely to be driven to these easy job market would continue to be exploited in the absence of awareness of their rights. Local self-governments need to be sensitized on these issues and provisions have to be made to ensure the rights of the worker with the active participation of the civil society actors.

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## Retired from KILE



**Smt. Jaya Wilson,**

Senior Fellow,

Retired from the service of KILE on 31st May, 2013. Smt. Jaya Wilson joined the service of KILE as Research Assistant in the year 1984 and had 29 Years of service. During 29.02.2008 to 06.07.2009 she held the additional charge of the Executive Director, KILE.



## Nominated to the Research Core Committee

**Sri. S. Thulaseedharan,**  
Additional Labour Commissioner (Welfare) has been nominated to the Research Core Committee, KILE.

## Joined in KILE



**Sri. P.G. Asokakumar**

Assistant Labour Officer (Grade II), Paravoor joined KILE as Fellow (Labour) on deputation w.e.f. 03.03.2014 F.N



**Sri. T.S Jayalal**

UD Clerk, National Employment Service Department has joined KILE as Accounts Assistant on deputation w.e.f. 11.02.2014 F.N.

## Relieved from KILE



**Sri. K. Vinodkumar**

District Labour Officer working as Fellow (Labour) on deputation has relieved from KILE on 15.01.2014 A.N



## NUMBER OF STRIKES, LOCK-OUTS LAY-OFFS AND MANDAYS LOST 2011-2012 & 2013

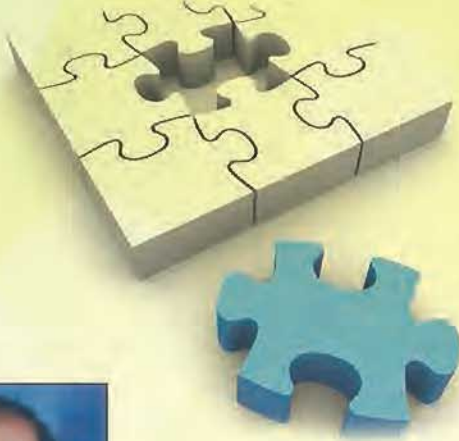
		2011	2012	2013
S T R I K E	PENDING	3	7	8
	AROSE	14	13	10
	TOTAL	17	20	18
	MANDAYS LOST	91,207	1,80,709	2,68,947
L O C K O U T	PENDING	13	13	10
	AROSE	7	6	1
	TOTAL	20	19	11
	MANDAYS LOST	5,54,329	3,16,851	3,53,002
L A Y O F F	PENDING	6	4	2
	AROSE	5	3	2
	TOTAL	11	7	4
	MANDAYS LOST	41,336	52,574	26,691

...No Sir. But he just refuses to retire because we forgot to include the retirement clause in his appointment letter.



Courtesy : Labour Law Reporter, Feb, 2014

Source : Labour Department, Govt of Kerala



**Dr. J. Rajan**  
Prof. & Head, IMK, University of Kerala

# SOCIAL SECURITY IN **DANGER** ZONE

## What is Social Security?

Ingrained in any social formation are some imbalances that originate from certain hazards. The hazards range from those arising out of the vagaries of nature in the primitive society to those arising out of life and work in the modern society. These social imbalances create an indefinite feeling of debility among some members of the society. It is very difficult to fend for themselves. They have to suffer great privation. Mankind has always evinced a genuine concern for eradication of all social malaise. The measures mankind has evolved over time for the protection of the weak, the infirm and decrepit against unfortunate contingencies are known by the generic term "Social Security". As Lexicon Encyclopedia puts it: "Social security consists of Public programmes intended to protect workers and their families from income losses associated with old age, illness, unemployment or death. The term is sometimes also used to include a broad system of support for all those, who, whatever reasons are unable to maintain themselves"<sup>1</sup>. In international usage the term social security has come to mean all collective measures established by legislation to maintain individual or family income or to provide income when some or all sources of income are disrupted or terminated or when exceptionally heavy expenditures have to be incurred<sup>2</sup>. Thus social security may provide cash benefits to persons faced with sickness and disability, unemployment, crop failure, loss of marital partner, maternity, responsibility for the care of young children or retirement from work.

The International Labour Organisation (ILO) used three criteria to define a social security system. First, the objective of the system must be to grant curative or

preventive medical care, to maintain income in the case of involuntary loss of earning or to grant a supplementary income to persons having family responsibilities. Second the system must have been set up by legislation that attributes specified individual rights to or that imposes specific obligations on, a public, semipublic or autonomous body<sup>3</sup>. Third, the system should be administered by a public, semipublic or autonomous body. A report published in 1984, prepared by ten international experts, set out the ultimate aims of Social Security. The fundamental purpose is to give individuals and families the confidence that their level of living and quality of life will not, in so far as is possible, be greatly eroded by any social or economic eventuality.

## Historical Evolution

In many societies charity has been the traditional way in which provision was made for the poor. Charitable donations have been encouraged by different religions, and in many parts of the world religious agencies have collected charitable donations and distributed help to those in need. From the sixteenth century it became recognized in England that there were people who could not find work, and legislation was passed to provide work for the poor and houses for correction for rogues and idlers. From 1598 a clear obligation was placed on parishes to levy local taxes and appoint overseers of the poor in order to give relief to those who could not work and to provide work for those who could. This formed the essence of the Elizabethan Poor Laws, and early provision of social assistance<sup>4</sup>. Some US States copied the Elizabethan Poor Laws but exempted the immigrants. The English Poor Laws were also introduced in Jamaica in 1682 for destitute European immigrants.

Social security got a social significance, and then evolved as a social right with the advent of the Industrial Revolution in the eighteenth and nineteenth centuries. In that period, the workers were deprived of their means of production and the labour power itself was separated

from the person of the worker. The workers had broken away from their families and villages by the organized mass production through the factories. Thus the workers were made totally dependent on their wage for subsistence. The workers were thus exposed to all kinds of misfortunes-sickness, employment injury, invalidity, old age, death and unemployment. They could no longer take shelter under the protective wing of joint family system or other religious or non-institutional form of social security. This miserable social situation forced the workers to organize themselves and as a result the Mutual Aid Societies were established through contributions to help each other in the times of need. But sooner it was found that these societies could not meet all the needs of all their members. The historical significance was that this organised strength gave certain deep rooted insights to the workers regarding their social rights. Moreover, with the spread of socialist ideals across the globe, the workers became enlightened and conscious about their rights. This, in turn, compelled the society and the ruling class to initiate the formulation and implementation of certain social security schemes.

The first general social insurance scheme was introduced in Germany in 1883. German Law establishing pension for all workers in trade, industry, and agriculture from the age of 70 was passed in 1889. Austria followed part of the German example in 1888, Italy in 1893, and both Sweden and the Netherlands in 1901. The German Chancellor Otto Von Bismarck's political aim in introducing social insurance had been to address the legitimate grievances of workers so as to check the growth of socialism and avert revolution. In Austria part of the driving force was the Christian Socialists' aim of improving the workers position. Although Britain had been the first country to industrialize the developments in Germany and Austria originally attracted little British interest because of an aversion to state intervention, and apparently lesser likelihood of revolution, and slower development of British socialism. Further action arose in the United Kingdom out of social concern about poverty, which was systematically investigated both in London and in York. In 1899 Government carried out an enquiry into the income of 12000 elderly people. The influential precedents for action were those of New Zealand and Denmark, which had made provision for old age without establishing social insurance schemes, in contrast with Germany, where the scheme was based on insurance. In 1908 in Britain, pensions at age 70 were introduced in a non-contributory, income tested basis. The social insurance approach was, however, applied to sickness and also to unemployment in certain occupations three years later. This compulsory scheme, again reflected Britain's concern to address the main causes of poverty. Unemployment insurance was subsequently introduced in Austria and Belgium (1920), Switzerland (1924), Germany (1927) and Sweden (1940).

A major innovation came in Belgium (1930) and France (1932) with the introduction of family allowances, although New Zealand had introduced a limited means tested scheme in 1927.

During the inter war period social insurance schemes were introduced in more and more countries in Europe and Latin America. The most common model was that established in Germany through autonomous funds paying earning related benefits. The first group to benefit in Latin America was civil servants, followed by those working in railways and public utilities, then by those working in hospitals, shipyards and docks. The foundations laid for the complex social security schemes in Latin American countries were later amalgamated in other countries. The first comprehensive scheme for industrial workers was established in Chile in 1924. In African countries many schemes of social security were originally introduced only for expatriate Europeans.

The Great Depression of the 1930s finally overcame opposition in the United States to federal intervention in social security by passing the Social Security Act of 1935. A major influence on world developments was the British Governments' report by Sir William Beveridge in 1942, which argued for the maintenance of full employment as a responsibility of Government, family allowances for all children after the first, comprehensive health care for the whole population, and unified national scheme of social insurance run by the state. The aim was to eliminate poverty. By 1948 the scheme had been introduced in the UK with some compromises and modifications. During the period of rapid world economic growth from 1945 to 1973 there was a further major expansion of social insurance to more countries covering higher percentages of population and wider risks. The expansion was particularly notable in Latin America and in African states, where comprehensive social insurance schemes were introduced following the original schemes for family allowances.

At present approximately 140 countries have some type of social security scheme. Nearly all of these countries have schemes covering work-related injury and old age and survivors pensions. Well over half have provisions for sickness and nearly half have provisions for family allowances. The least commonly provided schemes are for unemployment, though at least 40 countries have them.





## Social Security and India

It was only during the 20th century that the British rulers in India tried to take into account the problem of social security. That too was mainly restricted to the factory workers and the like. The different sessions of the International Labour Conference, the recognition of social security as a responsibility of the state by different states in Europe and America and advances made in these countries compelled Government of India to study the problems of the workers and agreed to adopt certain measures in that direction. It was mainly after the attainment of Independence that India could take up the problem of social security at par with all advanced countries of the world in a planned and co-ordinated manner. Free India took up the task of looking into the problem of social welfare to every individual. The Indian Constitution promises security to all. But India is yet to have a comprehensive and integrated social security scheme covering all its citizens or even a limited comprehensive scheme covering the industrial employees in respect of various contingencies of life to which they are exposed.

## Social Security a fundamental right

Thus the concept of social security has covered a long distance from a mere act of compassion to a fundamental social right. The first beginning of social security as a fundamental social right was made at the time of French revolution when a Declaration of the Rights of Man was proclaimed. The Declaration stated: "Public assistance is a sacred duty. Society owes substance to unfortunate citizens by procuring them work or by ensuring to those who are unable to work, the means of subsistence". Recognition of social security at the international level is a major objective of the ILO Constitution. The ILO considers it an obligation to promote and create the basic framework for social security programmes in the nations of the world. The United Nations General Assembly in Article 22 of its Universal Declaration of Human Rights affirmed the right of every member of the society to social security. Under the



auspices of the ILO the International Social Security Association was founded in 1927 in Brussels. At present it has 242 affiliate members and 89 associate members in 127 countries. The main objectives of the International Association are the protection, promotion and development of social security throughout the world, and to assist the developing countries to gradually improve their social security schemes.

## Social security under Neo-liberalism

Before examining the status of social security measures under Globalisation, it is imperative to understand what is the exact meaning of the term, Globalisation, even though these days it is being used in all walks of life. The concept of Globalisation, has been understood variously and defined differently. Globalisation is termed as a historical process which is redrawing the economic, political and cultural maps of the world. Our concern, here is of economic Globalisation. According to M.A Oommen (1998) economic Globalisation is "transnationalisation of production and capital, standardization of consumer tastes, legitimization of global capitalism through transformation and creation of international institutions"<sup>5</sup>. The Globalisation process operates in the national economies through liberalization and privatization. Liberalisation simply means opening up of the economy to the foreign finance capital by the domestic measures of deregulation and decontrol. Privatisation is handing over the public assets and institutions to the control of the private finance capital, both domestic and foreign. Indeed, Globalisation and liberalization accentuate the processes of the sway and strength of capital in a borderless world. The most visible manifestation of Globalisation is the growth of transnational companies which now account for about a third of world output and two thirds of world trade<sup>6</sup>. This process which enriches a few, marginalizes the many.

It is seen that the very direct and too severe onslaught of Globalisation has been on the social security schemes implemented by the nation states. The essence of globalisation the imposition of global capitalism on nation states and establishing the regime of finance capital whose fundamental objective is amassing profit and profit alone. The International Monetary Fund, the World Bank and the World Trade Organisation have all become tools of a covert form of global capitalism in which the United States of America has taken over the economic leadership of the world in its own interest. The unleashing of the market forces to determine strength of the economies is the policy behind the concept. Reintroducing of the laissez-faire economic policies which were initiated by Thatcherism in Britain and Reganomics in the USA in the seventies gave impetus in intensifying the Globalisation process. These initiatives have attacked directly the edifice of the welfare measures undertaken by various governments in the postwar period on the recommendations of the

Beveridge Report of 1942. It was believed that the partnership between state and market is based upon the practical benefits that state intervention can provide for the development and growth of capitalist economy. Keynes envisaged growth and profitability in a market economy and his commitment was to state intervention, rather than state planning. It is also a partnership based, however, upon the obligations that the government in a market economy carries the responsibility to ensure the social protection of all citizens. Thus, where the market cannot provide, the state, must move in. These approaches of Keynes, Beveridge and others in respect of the welfare state were seriously challenged in the international forums in the seventies. There has been acceptance in the last quarter of the 20th Century, by governments of various capitalist countries that state expenditure on welfare cannot simply be expanded indefinitely to meet increased demand. In the name of the economic recession of the 1970s and early 1980s the Governments of the UK, the USA and other capitalist countries had decided to restrict, and to cut state welfare expenditures, alone. Thatcherite Conservative Government was of the opinion of "too much" costly welfare expenditure. By 1990s both the Government and the Opposition in Britain agreed that it was neither possible, nor desirable to continue to raise taxation levels significantly in order to finance further expansion of the welfare state.<sup>7</sup>

The fact is that it was a deliberate attempt on the part of the stakeholders of the Global finance capital to make a global decision on government spending and social security schemes. And the opinion was formulated with the strong support of the capitalist economists that the growth of the economies was shattered due to the excessive state intervention, especially by way of channelizing public funds in the unproductive social welfare programmes. With the calculated and tacit support of the Bretton Woods Institutions the nation states were tied up with the global capital through debt funding by the former in the name of removing economic inefficiencies and for structural adjustments. One of the major conditionalities for advancing loan is the gradual withdrawal of the government from the social welfare sector and redrafting the existing labour laws in such a way as to suit the free flow of finance capital. Now many Third World countries are under the trap of the Bretton Woods Institutions and they are under the frequent pressure to cut back the government expenditure. And what is more, cut backs in government expenditures affect social sectors like education and health adversely, curtail subsidies and welfare spending meant for the poor, and restrict investment in infrastructure.<sup>8</sup>

The macroeconomic policies dictated by the IMF – World Bank combine, apart from effecting a transfer of state sector assets to private capital "for a song", have also acted directly against the interest of the people. The cut back in the social sector spending, the deindustrialization following from deflation have increased poverty and worsened the conditions of the mass of the workers.<sup>9</sup> In a study on the government expenditure pattern in India in the post Economic Reform period,

Sreenivasa Rao (2002) reveals that the globalization and liberalization strategies give less space to the government including public expenditure, it is noticed that the combined expenditure of central and state government as a portion of GDP declined from 32% during 1980-91 period to 30% during the post reform period of 1991-2002. The study revealed the conclusion that the changes in the pattern of public expenditure in the post reform period were likely to have a bearing on the performance of the economy in general and the twin social problems of poverty and unemployment.<sup>10</sup> Prabhat Patnaik (2000) clearly points out another vital area of social security, ie, food security in which the policies of globalization had done serious injuries. The third world countries', with greater indebtedness on the one hand and a crippled industrial sector on the other, pressure to earn larger foreign exchange lead to a greater reliance on export agriculture, which necessarily take the form of a shift from food to export crops, a decline in the profile of per capita food availability, and an undermining of the food security of the people.<sup>11</sup>

In a more recent and less abstract account of the benefits and costs of globalization, Peter Sutherland (2000), the first Director General of the WTO, warned that while globalization must evolve a severe 'shake out' of inefficiencies in the world economy, it will still benefit some of the weaker areas in the third world and the fourth world because of opportunities it affords for greater flow of investment capital to poorer countries and more open markets for their goods. But this strange optimism has no support of substantive evidences and the experiences are in the reverse direction. The British social commentator and dramatist Jeremy Seabrook (1993) is of the opinion that most parts of the world are going to hell in a handcraft because of the deleterious effects of market forces – the urban poor in Brazil, Thailand and India, Third World migrants in the UK and other marginalized Britons-those without the skill to prosper in the job market and those on welfare benefits. The message in this account of globalization is that the rich go on getting richer and the poor get "neighbours", or if they are lucky, "friends"<sup>12</sup>. While discussing the impact of Globalisation on Britain, Barrie Axford (2000) points out that the main case against Globalisation is that it exposes Britain to risks over which national government has no real control, and whose effects are clearly detrimental to economic well being and national independence. Much of this concern relates to the ways in which an unregulated free market global economy is said to contribute to the destruction of jobs and communities, social solidarity and economic security.<sup>13</sup>



In a recent diatribe against the ravages of global capitalism, the social theorist John Gray (1998) who was once committed to the free market ideology of Thatcherism, noted: "We stand on the brink not the era of plenty that free – marketers project, but tragic epoch, in which anarchic market forces and striking natural resources drag sovereign governments into evermore dangerous rivalries"<sup>14</sup>.

The UN Secretary General in his address to the Millennium Assembly stated, "the central challenge we face today is to ensure that Globalisation becomes a positive force for all the world's people, instead of leaving billions of them behind in squalor." From Kofi Annan's observation it is clear that the Globalisation has the potential of leaving billions in poverty and inequality. As Vandana Shiva (2000) puts it: "In a world of globalization, deregulated commerce in which everything is tradeable and economic strength is the only determinant of power and control, resources move from the poor to the rich, and pollution moves from the rich to the poor. The result is a global environmental apartheid"<sup>15</sup>.

The current phase of neo-liberalism led to gigantic level of capital concentration and this again led the Global finance to decide the course and direction of economic activities. This led to reordering of the world where the international capital seeks unhindered access across the Glob in its quest for Profit maximization. The accompanying neo-liberal offensive of economic reforms, seriously threatens and undermines all labour rights and social security nets. It challenges the economic and political sovereignty of the nation-states, particularly the developing countries. It operates through policies for the free flow of goods and capital across borders. Trade liberalization displaces domestic producers engendering domestic de-industrialization and paving the way for occupying this space by multinational corporations. Then the next attack of capital should be on labour and domestic peasantry for enhancing profitability. The Governments in developing countries are compelled to redraft their policies in the interest of neo-liberalism and international finance capital. The government expenditure on various welfare measures will get the blow in the name of fiscal discipline. The services provided to the weaker sections of the society are minimized and public utilities got privatised. Every step is keenly taken to maximize corporate profits. But what the world has witnessed in the recent years, large scale corporate insolvencies. In the urge for profits, these multinational companies are ignoring their business interests as well as the societal realities. Lehman Brothers, the largest financial corporation in the world, having a life history of 158 years, has crumbled down like a heap of cards in 2008, following hundreds of corporate insolvencies in the USA alone in 2008-10 period. The most dangerous thing is that these corporate insolvencies have been converted into sovereign insolvencies affecting many countries of the European Union as well as the USA itself in this period.

The burden of these sovereign insolvencies, again as the dictates of neo-liberalism, is being passed on unprecedented burden on working people and weaker sections. In the name of reducing expenditures, to meet the repayment of this debt, 'austerity package' that drastically cut the existing benefits and rights of the labour and deprived sections of the society. We see that the social security is really in the danger zone.

## Conclusion

From the foregoing discussion, it is clear that the steam roller apparatus of globalization is rolling over the depressed and the marginalized sections of the society and the Third World countries are struggling for its economic survival. Globalisation has withered the seeds of disastrous consequences on the social security systems of the nation states which have been providing a bare minimum social protection to the deprived and working classes. It is proved that the message which globalization has passed on is that the rich go on getting richer and the poor becoming poorer and neglected. This irrational and indiscriminate onward march of global capitalism should be arrested at any cost in order to maintain the present level of social security programme in which the poor is experiencing some relief. The hope is that the people are more aware about the evil designs of the global capital. Local as well as international level protests are being organized by the people spontaneously. Local resistance to globalization is taking place in the developed as well as developing countries. In Latin America, the indigenous communities have been in the forefront. In Ecuador the movement of indigenous nationalities and its political wing Pachakutik lead the popular uprising in January 2000, when people's health care system was sold private interest without their consent. The scale and success of protests in Seattle during WTO's Millennium Round and in Doha during the WTO's Ministerial Level Conference are clear examples of this trend. The civil society activism along with the common people and the local self governments could be seen as the antidote to the centralization of capital. Experience has shown that they can certainly check the economic globalization and its negative impact.

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# PROGRAMMES

KILE undertakes multifarious programmes / activities every year with a view to accomplish its objectives. These include workshops, training programmes, seminars, commemorations, publications, conducting of research / study etc. A calendar of programmes will be prepared annually with the approval of the Executive Council for the implementation in that fiscal year. Besides, special programmes will be organized on the request of other agencies like Welfare Fund Boards for which KILE will charge a nominal amount as co-ordination fee. The training programmes are usually for the workers, employers, trade unions and officials of the Departments under the Ministry of Labour and Rehabilitation. It comprises induction, refresher, skill development, on the job specialised programmes etc. The training programmes, workshops, seminars etc. for the workers and trade unions are ordinarily on topics of relevance at the time besides programmes to create general awareness on their rights under labour laws, health, safety leadership, interpersonal relations etc.

The commemoration talks are conducted with veteran speakers on important topics along with a photo exhibition of the departed personalities depicting the various important moments in their life.

The seminars are organised on relevant topics of the time and the participants are ordinarily from the Departments, trade unions, public and NGOs depending on the topics of the seminar.

The important programmes of the sponsored category were the ones conducted for the Overseas Development and Employment Promotion Consultants Ltd. (ODEPC), Kerala Headload Workers Welfare Board, Kerala Shops and Commercial Establishments Workers Welfare Fund Board, Kerala Labour Welfare Fund Board etc. Among this the programme conducted for ODEPC on "Overseas Employment Orientation Programme" for the candidates of Scheduled Castes and Scheduled Tribes was a significant one. A brief sketch of this programme is included in the forthcoming pages.

All these programmes are organized region based or sector based or gender based or issue based depending on various factors. The services of the experts from the fields are made use of in these programmes. A bird's eye view on the important programmes of the last few months are included in this issue.



# Children - Rights and Exploitations

On November 20 in the Universal Children's day KILE organized this seminar "Children – Rights and Exploitations" at Hotel Mascot, Thiruvananthapuram. It was Inaugurated by Smt. Neela Gangadharan, Former Chief Secretary and Chairperson, Kerala State Protection of Child Rights Commission in an impressive function presided by Dr.G.L.Muraleedharan, Additional Labour Commissioner (Welfare). The Key note address was delivered by Sri. V.N. Jithendran. IAS , Director, Social Justice Department. Dr. Sureshkumar, Registrar, Child Welfare Council, Sri. Vincent Alex, Additional Labour Commissioner (Rtd.) have felicitated the function.

Fr.(Dr.) Joy James.S.J, Chairman, Child Welfare Committee, Thiruvananthapuram, Sri. K.N. Janarajan, Retd. Police Superintendent, Kerala Police, Sri. V. Veerakumar, Executive Director, KILE have presented papers. Officials from the Labour, Social Justice, Education, Local Self Government and Home Departments and Non-Governmental organisations have attended the programme.



# Workers and Right to Information Act



Sri. V. Veerakumar, Executive Director, KILE welcomed the guests and participants. Sri. George Koshy, Functional Director (HR), Keltron, Sri. P.Sukumar, Executive Director, CHIAK, Sri. S. Prasannan, Deputy Labour Commissioner (HQ) have delivered the felicitation. Sri. K. Muraleedharan Nair, Joint Secretary, Legislative Secretariat, Sri. T.Manoharan Nair, Joint Secretary, Legislative Secretariat, Dr. Anishia Jayadev, Senior Faculty, IMG and Adv. D.B. Binu, Right to Information Activist have handled the sessions in the seminar.

The representatives of Trade Unions and Officials from the Labour and Rehabilitation departments have attended the programme.

This programme was organised with a view to give the trade unions and workers a broad outlook on their rights under the Right to Information Act. This was held at Government Guest House, Thycaud, Thiruvananthapuram on 16.11.2013. It was inaugurated by Hon'ble Information Commissioner Adv. C.S. Sasikumar in an august function presided by Sri. Philip Joseph, Chairman, KILE. While delivering the inaugural address the Hon'ble Information Commissioner reminded the trade unions and workers to ascertain the feasibility of seeking information available with the managements of establishments which are covered under the purview of various labour enactments through the authorities appointed under these enactments.





# Labour Scenario Challenges and Solutions

This was another significant seminar organised by KILE during this period. As the industries in the State are facing divergent issues and the chances of resolving it in the near future is not an easy task, KILE has decided to initiate steps to highlight these issues to the partners of Industry and persuade them to suggest amicable solutions, which are deadily required for the survival of the industry.



It was organised at Government Guest House, Thiruvananthapuram on 22.12.2013. Sri. P.H. Kurian, IAS, Principal Secretary, Industries and Information Technology Department have inaugurated the seminar in a significant function presided over by Sri. Philip Joseph, Chairman, KILE. Sri. R. Chandrasekharan, State President, INTUC, Sri. S.S.Potti, State Vice- President, CITU, Sri. G.C. Gopala Pillai, Chairman, KELTRON, Sri. Vazhoor Soman, State Secretary, AITUC have presented the topic for discussion. Sri. V. Veerakumar, Executive Director, KILE has welcomed the Chief Guest and other dignitaries in the function.

Sri. Joseph, State Secretary, State Secretary, INTUC, and many other prominent trade union leaders have actively participated in the discussions.

The participants were the representatives of the organisations of Workers and Employers. Sri. K. Vinodkumar, Fellow (Labour) delivered the vote of thanks.

Adv. Murali Madanthacode, Sri. Salim G. Modayil, Members of Executive Council, KILE have delivered the felicitation speeches.





## Workshop on Role of Executives in Legislative Business

This workshop was organised in the context of the 125th anniversary of the Kerala Legislative Assembly. It was held on 24.09.2013 at Hotel Residency Tower, Near Govt. Secretariat, Thiruvananthapuram. Sri. G. Karthikeyan Hon'ble Speaker of the Kerala Legislative Assembly has inaugurated the programme in an august function presided by the Hon'ble Minister for Labour and Rehabilitation Sri. Shibu Baby John. Sri. Philip Joseph, Chairman, KILE welcomed the guests and other dignitaries. Sri. T. Manoharan Nair, and Sri.K.Muraleedharan Nair, Joint Secretaries of the Kerala Legislative Secretariat have handled the sessions. The participants were the officers of the Departments under the Ministry of Labour and Rehabilitation Department.





# Workshop on CAG's Audit

From the information received from various sources we understood that a good number of Department officials are spending much of their time to reply the audit reports and audit paras of the Accountant General especially due to their poor information regarding the audit procedure and its formalities. So KILE discussed the issue with the Principal Accountant General (G&SSA) and the Deputy Accountant General (G&SSA) who have consented to extend any support if KILE organises workshop on the Audit Procedure. In view of this KILE organised a one day workshop on "CAG's Audit" on 19.11.2013 at Government Guest House, Thycaud, Thiruvananthapuram. The Principal Accountant General (G & SSA) Sri. R.N. Ghosh, I A & AS has inaugurated the workshop in the function presided by Sri. Philip Joseph, Chairman, KILE. Sri. M.K. Isackutty, I A & AS, Deputy Accountant General (G&SSA) has delivered the key note address. Senior Audit officers Sri. Shanmugham Pillai (Rtd.), Smt. Valsamma Thomas, Sri. John Varghese were the resource persons in the workshop.



# Leadership Training programme for members of Trade Unions



Every year KILE organizes number of leadership training programmes for the workers and members of the Trade Unions. The objective of these programme are to develop leadership qualities among workers and give them confidence to take up leadership. The training module includes leadership skills, awareness on the rights and entitlements under various labour laws, health aspects, duties and responsibilities, interpersonal relationship etc. The resource persons from the field of Human Resources Management, Labour, Employment and Health have handled sessions. These programmes are mainly organised district wise or the employment basis. These are widely accepted by the trade unions. Two such trainings were organized at Kumily and Alappuzha for the plantations and coir sectors respectively.

The programme for the plantation sector was held at Holiday Home, Kumily on 15.03.2014 . It was inaugurated by the Chief Inspector of Plantations Sri. C.J. Alexander. The session on the Labour laws was handled by Sri. K.V.Mohandas, Additional Labour Commissioner (Retd.). There were 53 members from various trade unions have participated in the programme.

The programme for the coir workers was held on 19.03.2014 at Hotel Raiban, Alappuzha. This training was inaugurated by Sri. P.N. Vijayakumar, District Labour Officer, Alappuzha. Sri. A. S. Sasiprakash, Regional Joint Labour Commissioner, Ernakulam and Dr. Venugopal, General Hospital, Alappuzha have handled the classes.



# Student - Official Interface



It was a special programme organised with a view to exchange information between the students and faculty members of the Post Graduate Course, Late Narayan Meghaji Lokhande Maharashtra Institute of Labour Studies (LNML MILS) who had been in the State as part of their study tour and the representatives of the Government, Employers, Trade Unions and Academicians in the State.

Sri. P.G. Thomas, IAS, Labour Commissioner has inaugurated the seminar at Government Guest House, Thycaud in the function presided over by Sri. Philip Joseph, Chairman, KILE. Sri. V.L. Anilkumar, Additional Labour Commissioner (E) has felicitated the function.

Prof. T.S.N. Pillai, Loyola College of Social Sciences (Rtd.), Sri. P. Sukumar, Executive Director, Comprehensive Health Insurance Agency of Kerala (CHIAK), Sri. George Koshy, Functional Director (HR), KELTRON, Sri. Hareendra Kumar.V.S, National Working President, KELTRON Employees Union, Sri. B. Arun, District Labour Officer (HQ), and Sri. V.Veerakumar, Executive Director, KILE have exchanged the ideas representing various fields relating to the State. Sri. Saju.S.S Senior Fellow, KILE has delivered the vote of thanks.

Sri. P.M Kadkar, Sri. K.S. Sanad Faculty Members and representatives of students have spoken from the visiting team.





# Commemorations

The commemoration programmes organised in memory of the veteran trade union leaders are the other significant programmes. Every year in the calendar of programmes of KILE, atleast five to six such programmes will be organised in selected places especially in the districts of the concerned dignitaries or in the districts where he / she had established the identity.

This year KILE has taken pain to streamline these programmes with a view to enhance its popularity among the stakeholders by including a speech on relevant topic by an eminent personality from the field of politics/ administration/ literature along with photo exhibition and audio recordings on the significant achievements made by the departed leader. During this year five such programmes have been organised.

## Sri. N. Sreekantan Nair



This programme was conducted on 21st July, 2013 at Bishop Jerome Hall, Chinnakkada, Kollam . It was inaugurated by Sri. R. Chandrasekharan, State President, INTUC. The Presidential address was delivered by Sri. Philip Joseph, Chairman, KILE.

The other speakers were Sri. N. Azhakesan, Chairman, Kerala Toddy Workers Welfare Fund Board, Sri. Sreedharan Pilla, Chairman, Kerala Motor Transport Workers Welfare Fund Board, Adv. S. Baladev, Chairman, Kerala Headload Workers Welfare Board, Sri. Phillip K. Thomas, State General Secretary UTUC and Sri. N.Omanakuttan, District Labour Officer (E).

Sri. V. Veerakumar, Executive Director, KILE and Sri. Saju. S.S. Fellow (Employment) have delivered the welcome address and vote of thanks respectively.





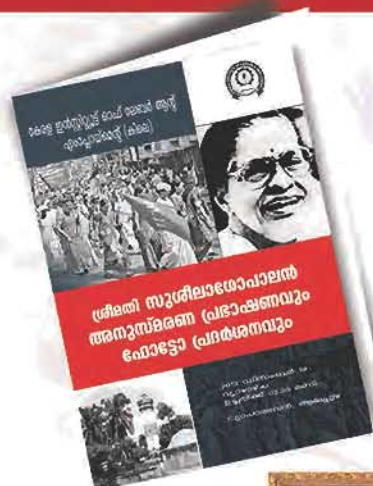
**Sri. K.Pankajakshan**



The commemoration of the veteran trade union leader and former Minister for Labour and Rehabilitation was conducted by KILE on 30.08.2013 at Press Club Hall Thiruvananthapuram. The programme was inaugurated by Sri. Shibu Baby John, Hon'ble Minister for Labour and Rehabilitation in a remarkable function chaired by Sri. V.S. Sivakumar, Hon'ble Minister for Health and Devaswom. Sri. Philip Joseph, Chairman, KILE has delivered the welcome address.



The other speakers were Sri. V.L. Anilkumar, Labour Commissioner (in charge), Sri. V.R. Prathapan, District President INTUC, Sri. Salim G. Modayil, Executive Council Member and Sri. V.Veerakumar, Executive Director. Sri. Vinodkumar, Fellow (Labour) expressed vote of thanks .



**Smt. Suseela Gopalan**

The programme was conducted on 19.12.2013 at Muhamma, Alappuzha, the birth place of the leader. The programme was inaugurated by Sri. P. Thillothaman, Hon'ble Member of Legislative Assembly, Cherthala Constituency in the function presided by Sri. Philip Joseph, Chairman, KILE. Advo. K. Prasad, District Secretary, CITU, Sri. Babu George, District President, INTUC, Advo. Mohandas, District President AITUC have spoken in the occasion. Sri. V.Veerakumar, Executive Director, KILE delivered the welcome address and Sri. Saju.S.S, Fellow (Employment) expressed the vote of thanks.







## Sri. K.Karunakaran

This programme was organised on 24.12.2013 at Engineer's Hall, Vellayambalam , Thiruvananthapuram. The programme was inaugurated by Sri. G. Karthikeyan, Hon'ble Speaker, Kerala Legislative Assembly in the august function presided by Sri. Shibu Baby John, Hon'ble Minister for Labour and Rehabilitation. The photo exhibition was inaugurated by Sri. Phillip Joseph, Chairman, KILE.



The other prominent speakers were Sri. R. Chandrasekharan, State President, INTUC, Sri. Anathalavattom Anandan, State Secretary, CITU, Sri.K.P. Sankaradas, State Secretary, AITUC, Sri. M.P. Bhargavan, State President, BMS, Sri. Uzhavoor Vijayan, State Vice President,NCP and Sri. N.M. Nair, District President, Socialist Janatha. Sri. Phillip Joseph, Chairman , KILE welcomed the Chief Guest and other dignitaries attended the programme. Sri. V. Veerakumar , Executive Director, KILE expressed the vote of thanks.



കേരള ഇൻസ്റ്റിറ്റ്യൂട്ട് ഓഫ് ലേബർ ആന്റ് എംപ്ലോയ്മെന്റ് (കിലെ)

**ശ്രീ.റ്റി.കെ.ദിവാകരൻ, ശ്രീ.ബേബിജോൺ അനുസ്മരണ പ്രദർശനവും ഫോട്ടോ പ്രദർശനവും**

ഉദ്ഘാടനം: ശ്രീ. സി.പി. നായർ  
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2014 ജനുവരി 25 രാവിലെ 10.30 മണി  
 ബിഷപ്പ് ജെറോം നഗർ മിനി ഹാൾ, കൊല്ലം.



**Sri. T.K. Divakaran and Sri. Baby John**

This programme was conducted on 25.01 .2014 at Bishop Jerome Hall, Chinnakkada, Kollam. The remarkable function was presided by Sri. Philip Joseph, Chairman, KILE. It was inaugurated by Sri. C.P. Nair, Former Chief Secretary, Govt. of Kerala. In the function he has also released the copy of "KILE NEWS" a special supplement by delivering a copy to Sri. R.Sreedharan Pillai, Chairman, Kerala Motor Transport Workers Welfare Fund Board. The photo exhibition was inaugurated by Sri. Philip Joseph, Chairman, KILE.

The other eminent speakers were Sri. R. Sreedharan Pillai, Chairman, Kerala Motor Transport Workers Welfare Fund Board, Sri. J. Udayabhanu, State Secretary, AITUC, Sri. K. Thulaseedharan, District Secretary, CITU, Kollam, Adv. Murali Madanthacode, Sri. Salim G. Modayil, Executive Council Members, KILE and Adv. Phillip K. Thomas, State General Secretary, UTUC. Dr. A.K. Shrihari, Regional Joint Labour Commissioner, Kollam felicitated the programme. Sri. V.Veerakumar, Executive Director, KILE and Sri.N.Omanakuttan, District Labour Officer (E) have delivered the welcome address and vote of thanks respectively.





## Sponsored Programmes

- The important programmes conducted in this category were
- "Overseas Employment Orientation Programme" conducted for the Overseas Development and Employment Promotion Consultants Ltd. (ODEPC)
  - Medical camp and Awareness programme for migrant workers
  - Skill Development Programme for the officers of the Kerala Headload Workers Welfare Board
  - Training on Functional Effectiveness for Welfare Administrators for the officers of Kerala Shops and Commercial Establishments Workers Welfare Fund Board
  - Induction training programme for the officers of the Kerala Labour Welfare Fund Board.



### Overseas Employment Orientation Programme

The objective of the programme is to excel and empower the SC, ST job aspirants to face the challenges of interviews, simulate interest and positive attitudes, enhance employability skills etc. This programme integrates the orientation of academic, vocational, employability skills and social competencies through a combination of learning experiences to prepare them for stable, long-term, high-paying jobs.

The launching of these programmes was inaugurated by Sri. Shibu Baby John in a luminous function organised at Hotel Mascot, Thiruvananthapuram on 1st March, 2013. Sri. K.Muraleedharan, MLA delivered the Presidential address and Sri. Phillip Joseph, Chairman, KILE welcomed the dignitaries. Sri. Muhammad Kutty, Chairman, ODEPC, Sri. G.L. Muraleedharan, Managing Director, ODEPC and Dr. A.K. Shihari, Executive Director, KILE and many other dignitaries have attended the function. Thereafter similar programmes were conducted across the State. Twenty one such programmes were organised throughout the State.

The sessions in these programmes were handled by eminent faculty in the field. Some of them are Prof. Samson Thomas, National Trainer JCI & Associate Dean, Marian International Institute of Management, Kuttikanam, Dr. R. Prakash, National Trainer, DoPT, Govt. of India and Professor, Kerala Agricultural University, Dr. T.P. Sethumadhavan, Academic Consultant and Director of Extension Centre, Kerala Veterinary and Animal Sciences University, Visiting Scientist, Smithsonian Institution, Washington DC, USA, Sri. Babu Manjooran, Chief Executive Officer, Manjooran Group of Institutions, Sri. Mohammed Kakkad, Consultant and Columnist in Safe Migration, Smt. Anju T. Raju, Consultant, Overseas Employment, Memmar, Kochi, Sri. Vipin Chandra, National Trainer, JCI, Sri. Ajith Menon, Human Resources Management Trainer, Kozhikode etc.

### Medical camp and Awareness programme for migrant workers

KILE have been associating with the Labour Department in conducting medical camps and awareness programmes for the migrant workers in the State. As a result a number of programmes have been conducted in most of the districts. In the year 2013-2014, on the basis of a proposal Labour Commissioner has entrusted with KILE the conducting of the medical camps and awareness programmes. Consequently with the help of the enforcement officers in the Labour Department thirteen programmes were conducted in Thiruvananthapuram, Kollam, Pathanamthitta, Alappuzha, Kottayam, Idukki and Ernakulam districts. But due to technical reasons programmes could not be conducted in the Northern districts.

For the purpose of the programme KILE has printed and supplied 2 lakh brochures and posters in Hindi to the district offices and the Kerala Building and Other Construction Workers Welfare Board.







### SKILL DEVELOPMENT PROGRAMME for the officials of the Kerala Headload Workers Welfare Board

On the request of the Kerala Headload Workers Welfare Board KILE has organised nine Skill Development Programmes for the officials of the Board. These programmes were conducted in three regions. The first programme was conducted at Renewal Centre, Kaloor, Ernakulam from 23.04.2012 to 25.04.2012. It was inaugurated by Adv. K.P. Haridas, Chairman, Kerala Headload Workers Welfare Board.



Nine such programmes have been conducted in regional basis. Sri. Vincent Alex, Regional Joint Labour Commissioner and Chief Executive, Kerala Headload Workers Welfare Board, Smt. Chinchu Rani Vincent, Trainer and Psychologist, Sri. Rajan Nair.K, Guest Faculty, Sri. G. Jose, Additional Secretary, Government of Kerala (Retd.), Sri. K. Subhash Babu, Chairman, Kerala Headload Workers Welfare Board, District Committee, Kollam, Dr. A.K. Shrihari, Executive Director, KILE, Sri. Natesan Asari, Additional Secretary, Government of Kerala (Retd.), Dr. James Vadakkumcherry, Criminologist, Police Training College (Rtd.), Sri. Mathew Jose, Secretary, Institute of Management in Government (IMG) and Additional Secretary, Government of Kerala (Retd.), Sri. M.A.S. Menon, International Corporate Trainer etc. have handled the classes in these programmes.

### Induction training programme for the officers of the Kerala Labour Welfare Fund Board

This programme was conducted at Holiday Home, Kumily from 16.12.2013 to 18.12.2013. The inauguration of the programme was made by Sri. V. Vasupillai, Chairman, Kerala Labour Welfare Fund Board in a function presided by Sri. S. Thulaseedharan, Chief Welfare Fund Commissioner, Kerala Labour Welfare Fund Board. Sri. Vazhoor Soman, Member, Kerala Labour Welfare Fund Board has delivered the felicitation speech. Sri. K. Vinodkumar, Fellow (Labour) delivered the welcome address.



Sri. S. Thulaseedharan, Additional Labour Commissioner (Welfare), Sri. Vincent Alex, Additional Labour Commissioner (Rtd.), Sri. Samson Thomas, Associate Dean, Marian International Institute of Management, Kuttikkanam, Sri. K. Rajan Nair, Administrative Assistant, Police Training College (Retd.), Dr. A.K. Shrihari, Executive Director, KILE, Sri. Raju, Secretary, Institute of Cost Accountants of India, Kottayam Chapter have handled the classes in the training.

### Training on Functional Effectiveness for Welfare Administrators for the officers of Kerala Shops and Commercial Establishments Workers Welfare Fund Board

This programme was conducted from 29.07.2013 to 31.07.2013 at Hotel North Pride, Ernakulam. The Programme was inaugurated by Sri. Thomas Chazhikadan, Chairman, Kerala Shops and Commercial Establishments Workers Welfare Fund Board, Sri. Aanathalavattom Anandan. Ex. MLA, Member, Kerala Shops and Commercial Establishments Workers Welfare Fund Board, Sri. V.L. Anilkumar, Chief Executive Officer, Kerala Shops and Commercial Establishments Workers Welfare Fund Board have delivered the felicitation speeches. Sri. V. Veerakumar, Executive Director, KILE and Sri. K. Vinodkumar, Fellow (Labour) have welcomed and expressed vote of thanks respectively.

Sri. K. Rajan Nair, Administrative Assistant, Police Training College (Rtd.), Sri. Loiz A Fernandes, Finance Officer, Kerala General Service Secretariat, Thiruvananthapuram, Dr. A.K. Shrihari, Regional Joint Labour Commissioner, Kollam, Sri. Santhosh, Deputy General Manager (Software), KELTRON, Dr. G.L. Muraliedharan, Additional Labour Commissioner (Welfare) and Sri. Jose, Additional Secretary, Government of Kerala (Rtd.), have handled the classes on various topics.



## Other Programmes

### Training on Employability Enhancement for the officers of National Employment Service (Kerala)

Two programmes were held on the topic. One was held at Government Guest House, Kovalam from 12.08.2013 to 14.08.2013 and the other at North Pride Hotel, Enakulam. Both the programmes were inaugurated by Sri. Phillip Joseph, Chairman, KILE, in the functions presided by Sri. P.R. Rainold, Joint Director, Directorate of Employment. Sri. V. Veerakumar, Executive Director and Sri. Saju. S.S., Fellow (Employment) have delivered the welcome address and vote of thanks respectively.

Prof. (Dr.) Manu Bhaskar, Head, Department of Sociology, Kerala University (Retd.), Prof. Samson Thomas, Associate Dean, Marian International Institute of Management, Kuttikkanam, Sri. K.P. Anilkumar, Joint Director, Employment, Sri. Pradeep, State Head for Employability Centre, Thiruvananthapuram, Sri. Raju David. C, Sub Regional Employment Officer, Neyyattinkara, Sri. T.S. Chandran, Assistant District Industries Officer, Enakulam, Sri. Manoj Krishnan, Chief Guidance Officer, The Compass Team, Sri. M.N. Prabhakaran, District Employment Officer, Enakulam etc. have handled various sessions in the programmes.



### Supervisory Skill Development Programme for the Superintendents of Labour Department

This programme was held from 27.06.2013 to 29.06.2013 at Hotel North Pride, Enakulam. It was inaugurated by Sri. Phillip Joseph, Chairman, KILE. Sri. V. Veerakumar, Executive Director, KILE and Sri. K. Vinodkumar, Fellow (Labour) have delivered the welcome address and the vote of thanks respectively.



Sri. G. Jose, Additional Secretary, Government of Kerala (Retd.), Sri. A.S. Sasiprakash, Regional Joint Labour Commissioner, Enakulam, Sri. K. Rajan Nair, Administrative Assistant, Police Training College (Retd.), Dr. A.K. Shrihari, Regional Joint Labour Commissioner, Kollam, Sri. George Joseph, District Treasury Officer (Retd.) have handled various sessions in the programme.

### Question - Answer session on Labour Laws/ Service Rules and Audit Procedure

Two similar programmes were organized. The first one was for the Assistant Labour Officers on Labour Laws held on 05.03.2014 and the other was for the superintendents of the Labour and Employment Departments held on 10.03.2014 at Government Guest House, Thiruvananthapuram. These programmes were inaugurated by Sri. P.G. Thomas, IAS, Labour Commissioner, Kerala in a function presided by Sri. Phillip Joseph, Chairman, KILE. Sri. V. Veerakumar, Executive Director, KILE and Sri. Saju.S.S. Fellow (Employment) have delivered the welcome address and the vote of thanks respectively.



Sri. A.S. Sasiprakash, Regional Joint Labour Commissioner, Enakulam, Sri. P.J. Joy, Chief Executive, Kerala Headload Workers Welfare Board, Sri. Joseph K Paul, Joint Labour Commissioner (Planning), Sri. Vincent Alex, Additional Labour Commissioner (Retd.), Sri. Natesan Asari, Additional Secretary, Government of Kerala (Retd.), Sri. Shanmugham Pillai, Senior Audit Officer (Retd.) etc. have handled the sessions in these programmes.

### Induction Training Programme for the Lower Division Clerks of the Labour Department

This programme was inaugurated by Sri. S. Thulaseedharan, Additional Labour Commissioner (Welfare) in a function presided by Sri. A. Arun, District Labour Officer (HQ). Sri. Saju. S.S. Fellow (Employment) have delivered the welcome address. Sri. A. Arun, District Labour Officer (HQ), Sri. Sukumaran Nair, Director of Treasuries (Retd.), Sri. Natesan Asari, Additional Secretary, Government of Kerala (Retd.), Dr. A.K. Shrihari, Regional Joint Labour Commissioner, Kollam etc. have handled various sessions in the training.



### Workshop on the Revamping of schemes in National Employment Service (Kerala) Department

This programme was organized from 4th July to 5th July, 2013 at Government Guest House, Kovalam. It was inaugurated by Sri. Phillip Joseph, Chairman, KILE in a function presided by Sri. P.R. Rainold, Joint Director, Employment. Prof. (Dr.) Manu Bhaskar, Head, Department of Sociology, University of Kerala (Retd.), Sri. P.R. Rainold, Joint Director, Employment, Sri. M.A. George Francis, Divisional Employment Officer (UAS), Sri. Sudheer Kumar, State Vocational Guidance Officer have handled various sessions. The participants were the senior officers of the National Employment Service (Kerala) Department.





# PUBLICATIONS

Publication is another important activity of KILE. Earlier we had undertaken some prestigious publications which were listed among the frontline publications in the field of labour and employment in the State. "The History of Trade Union Movement in Kerala" (2006) by Dr. K. Ramachandran Nair, eminent Economist and former member State Planning Board is one among them. But for the last few years there were no noticeable publications. However the "LABOUR IN KERALA" published in the year 2010 was an exception. It was a comprehensive compilation of the information from the departments under the Ministry of Labour and Rehabilitation. It was printed in English and Malayalam languages. As there is high demand for this publication, we are thinking of its revised edition.

As part of our own initiative, we are taking up a few publications in this year on the basis of the feedback received from the stakeholders. Besides, as requested by Government we have already commenced the preparation of a compendium of Welfare Fund Acts, Rules and Schemes implemented by the Labour and Rehabilitation Department. We assure that all these publications will be useful for all connected with the labour and employment field. Some of the important publications in the process are

**(i) A compendium of the Welfare Fund Acts, Rules and Schemes implemented by the Labour and Rehabilitation Department.**

Though Kerala is acclaimed by National and International agencies for its initiatives and innovations in the implementation of the social security schemes for the public especially working class there is no publication comprising of all these information. The students, researchers, labour administrators etc. are running from pillar to posts to collect information regarding these social security schemes in the State. So that Government have entrusted KILE to undertake the compilation of the Welfare Fund Acts, Rules and Schemes implemented by the Labour Department. The work is in progress and is expected to be ready by the end of this year.

**(ii) "Njanum Ente Thozhil Niyamangalum"**

It is a user friendly hand book in Malayalam on the various labour enactments applicable in the State of Kerala. It is

primarily aiming ordinary workers and public who are not familiar with the legal language used in these enactments. It could be used as an authoritative handbook on labour laws by public and ordinary workers who cannot afford expensive consultation. This will be ready for circulation by December, 2014.

**(iii) Manual of Labour Laws**

Though plethora of labour legislations are implemented in the State, Government publications of these are not available for reference. The only publication of this kind was the "Kerala Labour Manual" published by the Labour Commissioner in 1963. But it became obsolete due to lapse of time. In this context KILE desires to take up the publication of a Manual of Labour Laws with the enactments implemented in the State.

**(iv) A handbook on research**

KILE desires to publish a handbook on research with a view to help the budding researchers to acquaint with the concepts, techniques, tools etc. of research with specific guidelines on the procedural aspects.

**(v) "Padakosham"**


It is a dictionary of Malayalam words commonly used by the Departments under the Ministry of Labour and Rehabilitation.

Besides all these a few brochures and pamphlets for the use in the programmes to be conducted for different target groups are also in the list of publications of KILE.





# Research

As part of the annual activities KILE undertakes research /study on the request of Government on specific areas/ topics and on selected topics identified by KILE in the consultative workshops of the stakeholders, with the help of researchers from the field of Natural science and management. The proposals will be invited for the identified topics from interested persons and vetted by a research Core Committee consisting of eminent researchers and officials prior to recommending to the Executive Council and General Body for approval.

In 2013-2014, Government entrusted KILE to undertake a study on " the sustainability of the self employment schemes implemented by the National Employment Service Department". It has been entrusted with Dr. P.K.B Nayar, Professor, Department of Sociology, University of Kerala (Retd.) and Chairman Gerontological Studies and the final report is expected by September, 2014.

Topic and Amount of Grant	Scholar
A study on " the sustainability of the self employment schemes implemented by the National Employment Service Department". ₹. 4,87,200/-	<b>Dr. P.K.B. Nayar</b> Chairman, Centre for Gerontological Studies, Thiruvananthapuram - 695 004 

Besides, the following five studies also commenced in this year on the topics identified by KILE.

Sl.No	Topic and Amount of Grant	Scholar
1.	"A study on the marketing effectiveness of selected successful women micro and small enterprises in Kerala" ₹. 3,00,000/-	<b>Prof.(Dr.) K.S. Chandrasekhar</b> Director School of Business Management and Legal Studies, University of Kerala Thiruvananthapuram - 695581 
2.	"Self-employment endeavors of self-help groups of women" ₹. 2,50,000/-	<b>Dr. Charles.L</b> Assistant Professor Department of Social Work, Loyola College of Social Sciences, Sreekaryam Thiruvananthapuram 
3.	"Employment generation through entrepreneurship development in Tourism sector: An evaluative study in the state of Kerala" ₹. 3,00,000/-	<b>Dr. D. Muraleedharan</b> Co-ordinator, HoD of Commerce SNG College of Advanced Studies, Punalur 
4.	"Labour Movements in Agriculture Sector: A case study of Kuttanad region" ₹. 3,00,000/-	<b>Dr. R. Prakash Pillai</b> Head Department of Personnel Management, Loyola College, Sreekaryam, Thiruvannanthapuram - 695017 
5.	"A study on the financial management practices of micro and small enterprises in Kerala" ₹. 2,50,000/-	<b>Dr. Raju.G</b> Assistant Professor Department of Commerce Govt. College for Women, Thiruvananthapuram -695014 





## Juris Consultus

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

kile tvn@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

### Doctors are not "workmen"

While the Supreme Court examining a claim regarding the eligibility of an allowance granted to the deputationist medical officers in the ESI Corporation to the medical officers of the ESI Corporation in a Special leave petition delved into the issue whether medical doctors discharging functions in ESI dispensaries / hospitals are 'workmen' within the meaning of S. 2(s) of the Industrial Disputes Act, 1947 and held a medical professional treating patients and diagnosing diseases cannot be held to be "workman" within the meaning of S.2(s) of the Industrial Disputes Act.

In this case the Association of medical officers employed in ESI Corporation raised a claim for an allowance of Rs. 200/- month given to a class of medical officers employed in the Corporation which was denied to them on the basis of some criteria. The Central Government referred the dispute for adjudication to the Central Government Industrial Tribunal, New Delhi (in I.D. No. 104/1992) wherein the Tribunal awarded the reference in favour of the petitioner Association holding that the medical doctors discharging functions of medical officers are "workman" within the meaning of S. 2(s) of the ID Act. Aggrieved on the above award the Corporation approached Delhi High Court through a Writ Petition No. 6760 of 2010, which was allowed by a learned Single Judge holding that the Tribunal was in error holding that medical doctors fell within the expression "workman" under S. 2(s) of the I.D Act.

The Petitioner, against this judgement in the Writ Petition approached the Hon'ble Supreme Court in the SLP (C) No. 35821 of 2013 wherein the Court held that a medical professional treating patients and diagnosing diseases cannot be held to be "workman" within the meaning of S. 2(s) of the I.D. Act.

The Court observed that Doctor's profession is a noble profession and is mainly dedicated to serve the society which demand professionalism and accountability. Distinction between occupation and profession is of paramount importance. An occupation is a principal activity related to job, work or calling that earns regular wages for a person and a profession on the other hand, require extensive training, study and mastery of the subject, whether it is teaching students, providing legal advice or treating patients or diagnosing disease. Persons performing such functions cannot be seen as a workman within the meaning of S. 2(s) of the I.D. Act. *E.S.I.C Medical Officer's Association v. E.S.I.C*, 2014 (1) KLT 249 (SC)

### Consent of the opposite party or leave of the Presiding Officer is not required for engaging a counsel in appeal u/r 26 C of the Kerala Headload Workers Rules, 1981

In an appeal under Rule 26C of the Kerala Headload Workers Rules 1981 against the order of the Registering Authority (Assistant Labour Officer) under 26A the consent of the opposite party or leave of the Presiding Officer is not required for engaging a counsel. While deciding the Writ Petition in *Abdul Majeed v. Secretary to Government*, 2014 (1) KLT 42 the Hon'ble High Court held that Rule 26 C does not contain any requirement of a consent from the opposite party nor a leave from the Presiding Officer for engaging a counsel.



## Applicability of the Industrial Employment (Standing Orders) Act, 1946 extended to shops and commercial establishments in the State

There was some difference of opinion regarding the applicability of the Industrial Employment (Standing Orders) Act, 1946 to the establishments coming under the purview of the Kerala Shops and Commercial Establishments Act, 1960. However, the persons supporting the view say that the Industrial Employment (Standing Orders) Act is applicable to these establishments vide Section 17 of the Kerala Shops and Commercial Establishments Act, 1960 and the Notn. No. 81691/H3/63/HLD dated, 16th January, 1963 published in K.G dated, 29th January, 1963, Part I, page 125. But to avoid these confusion Government have recently issued a Notification No. G.O (P) No. 74/2013/LBR Dated, Thiruvananthapuram 7th June 2013 as S.R.O No. 485/2013 published in KG (Ext) Vol. 2 No. 1741 dt. 18th June 2013. But this notification has limited the applicability to the commercial establishments alone. So Government have issued an Erratum vide Notification No. G.O (Ms.) No. 121/2013/LBR Dated, Thiruvananthapuram, 7th October, 2013 as S.R.O No. 832/2013 published in KG (Ext) Vol. II No. 2941 dt. 10th October 2013.

[The full text of the Notifications are appended.]

(I)  
GOVERNMENT OF KERALA  
Labour and Rehabilitation (E) Department  
NOTIFICATION

G.O (P) No. 74/2013/LBR

Dated, Thiruvananthapuram, 7th June, 2013

S.R.O. No. 485/2013.- In exercise of the powers conferred by sub-clause (h) of clause (ii) of section 2 of the Payment of Wage Act, 1936 (Central Act 4 of 1936), the Government of Kerala, having regard to the nature of the establishments and the need for protection of persons employed therein, hereby specify all Commercial Establishments coming under the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960) as establishments under the Payment of Wages Act, 1936.

By order of the Governor,  
DR. NIVEDITA P. HARAN  
Additional Chief Secretary to Government.

*Explanatory Note*

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

The Government of Kerala have decided to include all commercial establishments coming under the Kerala Shops and Commercial Establishments Act, 1960 under the Industrial Employment (Standing Orders) Act, 1946. Only the Industrial establishments included in the Payment of Wages Act, 1936 come under the purview of the Industrial Employment (Standing Orders) Act, 1946. Sec. 2 clause (ii) (h) of the Payment of Wages Act empowers the State Government to include any other establishments for the protection of persons employed therein by notification in the Official Gazette.

The notification is intended to achieve the above purpose  
(Published in Kerala Gazette (Extraordinary) No. 1741, Vol. II dated, 18<sup>th</sup> June, 2013)

(II)  
GOVERNMENT OF KERALA  
Labour and Rehabilitation (E) Department

ERRATUM

G.O (Ms.) No. 121/2013/LBR

Dated, Thiruvananthapuram, 7th October, 2013

S.R.O No. 832/2013.- In the Notification issued under G.O (P) No. 74/2013/LBR dated 7th June, 2013 and published as S.R.O No. 485/2013 in the Kerala Gazette Extraordinary No. 1741 dated 18th June 2013, "for all Commercial Establishments coming under" read "all Shops and Commercial Establishments coming under."

By order of the Governor,  
DR. NIVEDITA P. HARAN,  
Additional Chief Secretary to Government

*Explanatory Note*

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

In the notification issued under G. O. (P) No. 74/2013/LBR dated 7th June, 2013 and published as S.R.O No. 485/2013 in the Kerala Gazette Extraordinary No. 1741 dated 18th June, 2013, an error has been crept in. Government have now decided to rectify the errors.

This notification is intended to achieve the above object.  
(Published in Kerala Gazette (Extraordinary) No. 2941, Vol. II dated, 10<sup>th</sup> Oct, 2013)

ഉയർച്ചതാഴ്ചകളുടെ നേർക്കാഴ്ചകൾ

**Karunakaran to be commemorated**  
THIRUVANANTHAPURAM: The Kerala Institute of Labour and Employment will organise a meeting to mark the third death anniversary of Congress leader and former Chief Minister K. Karunakaran on Tuesday. Speaker G. Karthikeyan will inaugurate the meeting at the Institute Staff Reporter

**ഉയർച്ച താഴ്ചകളുടെ നേർക്കാഴ്ചയായി ഒരു പ്രദർശനം**



തിരുവനന്തപുരം: മരണാനന്തരം പ്രദർശനം നടന്നു. കേരള പ്രദർശനം സംഘടിപ്പിക്കുകയും ചെയ്തു. കേരള പ്രദർശനം സംഘടിപ്പിക്കുകയും ചെയ്തു. കേരള പ്രദർശനം സംഘടിപ്പിക്കുകയും ചെയ്തു.

കേരള പ്രദർശനം സംഘടിപ്പിക്കുകയും ചെയ്തു. കേരള പ്രദർശനം സംഘടിപ്പിക്കുകയും ചെയ്തു. കേരള പ്രദർശനം സംഘടിപ്പിക്കുകയും ചെയ്തു.

**Insensitivity of Officials will Spell Disaster for Democracy: Speaker**



Speaker G Karthikeyan talking to Labour Minister Shibu Baby John during a seminar organised by Kerala Institute of Labour and Employment (KILE) in Thiruvananthapuram on Tuesday. KILE chairman Philip Joseph is also seen | EXPRESS

Express News Service

T'Puram: Officialdom should have a commitment to society and the absence of it would lead to an environment of chaos and revolt, warned Speaker G Karthikeyan here on Tuesday. He said that an official framework, which was inaccessible to the people, would spell disaster for democracy. At times, a situation is there wherein the public is not able to approach officials when it is more easier to approach the courts, he said. Inaugurating a workshop organised by the Kerala Institute of Labour and Employment (KILE) on 'the role of officials in legislative procedures,' the Speaker said that unless there was a collective effort for achieving public good, the country and the people would not achieve growth. He pointed out that the indifference and insensitivity of the officials were affecting all spheres of activity and observed that it was indeed sad that it was even reflected while compiling

satisfactory replies by these concerned officials to questions coming up in the Assembly. "The legislature, judiciary and executive should work together. When these arms perform their respective duties well and with mutual respect, it will strengthen democracy," he noted. Labour Minister Shibu Baby John also attested the views of the Speaker and felt that it was a matter to be probed whether the non-cooperation of officials was putting blocks in the execution of laws. "The draft for a legislation is framed by the executive. Once the Assembly passes the law, it is the same executive which is also bound to implement it," he said. KILE chairman Philip Joseph, Employment and Training director N Prasanth, KILE executive director Y Veerakumar, Labour Commissioner Y L Anil Kumar and others spoke. Assembly Secretariat joint secretaries T Manoharan Nair and K Muralidharan Nair led the workshop.

25  
ആഗസ്റ്റ് 2014  
(രണ്ടി)  
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**കിലെ ന്യൂസ്**

**ശ്രീ.എ.കെ.ദിവാകരൻ, ശ്രീ.ബേണിജോൺ അനുസരണ പ്രദർശനവും ഫോട്ടോ പ്രദർശനവും**



കേരള പ്രദർശനം സംഘടിപ്പിക്കുകയും ചെയ്തു. കേരള പ്രദർശനം സംഘടിപ്പിക്കുകയും ചെയ്തു. കേരള പ്രദർശനം സംഘടിപ്പിക്കുകയും ചെയ്തു.

**വിദേശ തൊഴിൽ പരിശീലനം കൊട്ടാരക്കര എസ്.എസ്.എസ്. ഉദ്യോഗാർത്ഥികൾക്ക് വിദേശ തൊഴിൽ പരിശീലനം നൽകുന്നതിൽ കേരളം മുൻനിരയിൽ**

കേരളം മുൻനിരയിൽ വിദേശ തൊഴിൽ പരിശീലനം നൽകുന്നതിൽ കേരളം മുൻനിരയിൽ. കേരളം മുൻനിരയിൽ വിദേശ തൊഴിൽ പരിശീലനം നൽകുന്നതിൽ കേരളം മുൻനിരയിൽ. കേരളം മുൻനിരയിൽ വിദേശ തൊഴിൽ പരിശീലനം നൽകുന്നതിൽ കേരളം മുൻനിരയിൽ.



## **Sri. T.V. Thomas**

Minister for Labour and Transport  
(5.4.1957 to 31.7.1959)

# FIRST in the History

Shri. T.V. Thomas, veteran Communist leader, popularly called T.V., by those around him, was born on July 2, 1910. As many of his generation, Shri. T.V. Thomas was also drawn into the fold of politics, as a student, participating in the freedom struggle, and the agitation against Diwan rule in Travancore. A champion for the cause of the working class and the downtrodden, Shri. T.V. was always in the forefront of agitations for fair deal and justice.

He was instrumental in organising farmers and labourers movements and was also a leading figure in the Punnapra Vayalar struggle.

Shri. T.V. Thomas had previously been elected to the Travancore - Cochin Legislative Assembly too in 1952, and had served as the Leader of Opposition from 1954 to 1956 in that Assembly. In the first ever elections held to the Kerala Legislative Assembly in 1957, Sri. T.V. Thomas got elected from Alleppey as a candidate of the Communist Party. In that first EMS Ministry, Shri. Thomas was the Minister for Labour and Transport, and he held that portfolio from 5.4.1957 to 31.7.1959. When the Communist Party split, Shri. T.V. chose to remain with the CPI.

In the 3rd and 4th KLA too, Shri T.V. Thomas subsequently became elected , from Alleppey itself. In the 4th ministry headed by EMS, he handled the portfolio of Industries during the period from 6.3.67 to 21.10.69.

Later on, in the Achutha Menon Ministry, Shri. T.V. Thomas was the Minister for Industries from 25.9.71 to 25.3.77. As the Minister for Industries, Sri. T.V. Thomas also took the initiative to give impetus for the Industrialisation of the state and encourage new entrepreneurs to achieve this objective. The veteran leader and former Minister Smt. K.R. Gouri Amma, is his wife.

Source: Kerala Legislative Assembly Website.





## Details of Referendum conducted during 2013

[The Kerala Recognition of Trade Unions Act, 2010 (Act 16 of 2010)]



## Referendum

Sl. No.	Name of the Union	Reg. No.	% of votes received	Status	Name of Establishment
1	Keltron Employees Union	102/76	24.88%	Recognised	KELTRON,Thiruvananthapuram
2.	Keltron Employees Organization	8/79	20.8%	Recognised	Do
3.	Keltron Employees Association	01.01.91	44.9%	Principal Bargaining Agent	Do
4.	Keltron Employees United Forum	01/04/12	9.16%	Not recognized	Do
5	Quilon Co-operative Spinning Mills Employees Union AITUC, Chathanoor.P.O, Kollam	96/80	17.06%	Recognized	Quilon Co-operative Spinning Mills Ltd. Karamcode, Kollam
6	Kollam Jilla Textile Mazdoor Sangh, BMS, Main Road, Kollam	336/1981	3.75%	Not recognized	Do
7	Quilon Co-operative Spinning Mill Workers Congress INTUC, Karamcode	66/84	19.8%	Recognized	Do
8	Quilon Co-operative Spinning Mills Workers Union, CITU, Chathannoor	249/84	21.16%	Recognized	Do
9	Chathanoor Co-operative Spinning Mills Employees Union UTUC, Chathanoor, Kollam	24/1986	14.33%	Not Recognized	Do
10	Co-operative Spinning Mill Employees & Workers Front (KTUC), Chirakkara, Chathanoor	02/17/2002	23.2%	Recognized	Do
11	Cominco Binani Zinc Employees Union	143/67	Votes not counted due to Court direction		Binani Zinc, Binanipuram ,
12	Cominco Binani Zinc Employees Association (INTUC),	306/74		Do	Do
13	Cominco Binani Zinc Employees Organisation	97/79		Do	Do
14	Ernakulam District Industrial Mazdoor Sangh (EDIMS),BMS Union,	41/82		Do	Do
15	Kerala Books and Publications Society Employees Association (CITU)	215/79	46.67	Principal Bargaining Agent	Kerala Books and Publication Society , Kakkanadu
16	Kerala Society Staff and Workers Union (INTUC (I))	258/80	27.78	Recognised	Do
17	Kerala Books and Publications Society Employees Federation (AITUC)	209/84	25.56	Do	Do
18	Dynamic Group Employees Union	07/06/2012	42.86	Principal Bargaining Agent	Dynamic Techno Medicals (Pvt.) Ltd. Aluva
19	Dynamic Employees Association	07/04/2013	57.14	Sole Bargaining Agent	Do
20	Webcot Employees Union	07/09/2012	33.00	Recognised	Webcot Techno Medicals (Pvt.) Ltd.
21	Webcot Employees Association	07/07/2013	66.00	Sole Bargaining Agent	Do
22	TCC Association , Udyogamandal	31/53	31.99	Recognised	The Travancore Cochin Chemicals, Udyogamandal
23	The Travancore Cochin Chemicals Employees Union (INTUC)	146/69 - 4836	21.32	Do	Do
24	TCC Staff and Workers Association (AITUC)	193/73 - 1312/KRL	14.33	Not recognised	Do
25	TCC Thozhilali Union, Udyogamandal	352/73	22.79	Recognised	Do
26	TCC Employees Organisation (BMS)	07/20/97 KL 245	8.82	Not recognised	Do

Source : Labour Department , Govt. of Kerala



KERALA INSTITUTE OF LABOUR AND EMPLOYMENT (KILE)  
THIRUVANANTHAPURAM  
**PROGRAMMES 2013-2014**

Sl. No.	Name of the Programme	Date	Venue	Participants	No. of Participants
1	Skill Development Programme (9th Batch)	15.04.2013 to 17.04.2013	Mariyaran Centre, Sreekaryam, Thiruvananthapuram	Officers of the Kerala Headload Workers Welfare Board	26
2	Overseas Employment Orientation Programme for Scheduled Castes and Scheduled Tribes in Kerala	26.04.2013 to 27.04.2013	Hotel Hills Park, Pathanamthitta	SC/ST Job seekers of Pathanamthitta district	53
3	Workshop on Leadership Development	27.04.2013	Hotel Archadia Kottayam	Representatives from the Central trade unions from Kottayam District	89
4	Overseas Employment Orientation Programme for Scheduled Castes and Scheduled Tribes in Kerala	29.04.2013 to 30.04.2013	Hotel Orchid Residency, Kottayam	SC/ST Jobseekers of Kottayam district	40
5	Overseas Employment Orientation Programme for Scheduled Castes and Scheduled Tribes in Kerala	07.05.2013 to 08.05.2013	Hotel Green Gates Wayanadu	SC/ST Jobseekers at Wayanadu District	36
6	Overseas Employment Orientation Programme for Scheduled Castes and Scheduled Tribes in Kerala	09.05.2013 to 10.05.2013	Hotel Paramount Tower, Kozhikode	SC/ST Jobseekers at Kozhikode District	134
7	Supervisory Skill Development Programme	27.06.2013 to 29.06.2013	Hotel North Pride, Ernakulam	Superintendents of Labour Department	27
8	Workshop on Revamping of Schemes in National Employment Service (Kerala) Department	04.07.2013 to 05.07.2013	Govt. Guest House, Kovalam, Thiruvananthapuram	Officers of Employment Department	38
9	Commemoration of Shri. S. Sreekantan Nair and Photo Exhibition	21.07.2013	Bishop Jerome Nagar Mini Hall, Chinnakkada, Kollam	Representatives of Trade Unions	60
10	Workshop on Leadership Development	26.07.2013	Speed Way inn Kasargod	Representatives of trade unions from Kasargod District	74
11	Workshop on Leadership Development	27.07.2013	Malabar Residency, Kannur	Representatives of trade unions from Kannur District	71
12	Functional Effectiveness for Welfare Administrators	29.07.2013 to 31.07.2013	Hotel North Pride, Ernakulam	Officers of Kerala Shops and Commercial Establishment Workers Welfare Fund Board	17



## Programmes

Sl. No.	Name of the Programme	Date	Venue	Participants	No. of Participants
13.	Employability Enhancement Programmes	01.08.2013 to 03.08.2013	Hotel North Pride, Ernakulam	Officers of Employment Department	26
14.	Employability Enhancement Programmes	12.08.2013 to 14.08.2013	Govt. Guest House, Kovalam, Thiruvananthapuram	Officers of Employment Department	41
15.	Commemoration of Shri. K. Pankajakshan and Photo Exhibition	30.08.2013	P.C. Sukumaran Nair Hall, Press Club, Thiruvananthapuram	Representatives of Trade Unions	100
16.	Overseas Employment Orientation Programme for Scheduled Castes and Scheduled Tribes in Kerala	02.09.2013 to 03.09.2013	Hotel Pearl Royal, Thodupuzha	SC/ST Job seekers of Idukki District	60
17.	Overseas Employment Orientation Programme for Scheduled Castes and Scheduled Tribes in Kerala	06.09.2013 to 07.09.2013	Hotel Royal Park, Alappuzha	SC/ST Job seekers of Alappuzha District	50
18.	Workshop on Role of Executives in Legislative Business	24.09.2013	The Residency Tower, Press Club Road, Thiruvananthapuram	Officers of Labour / Employment Departments	130
19.	Consultative Workshop on Research	19.10.2013	Banquet Hall, Govt. Guest House, Thycaud, Thiruvananthapuram	Research Core Committee Members, Executive Council Members, Representative of Trade Unions and Employer's organisations, Academicians and Officers of Labour/Employment Departments	24
20.	Seminar on Workers and Right to Information Act	16.11.2013	Banquet Hall, Govt. Guest House, Thycaud, Thiruvananthapuram	Representatives of Trade Unions and Department Officers	86
21.	Seminar on Children -Rights and Exploitation	20.11.2013	Mascot Hotel Thiruvananthapuram	Representatives of Trade Unions, Officials of the Labour, Factories and Boilers, Social Justice, Police, Local Self Government Departments, NGOs etc.	147



## Programmes

Sl. No.	Name of the Programme	Date	Venue	Participants	No. of Participants
22.	Overseas Employment Orientation Programme for Scheduled Castes and Scheduled Tribes in Kerala	28.11.2013 to 29.11.2013	Hotel Nilla Palace, Ezhukone, Kollam	SC/ST Job seekers of Kollam District	77
23.	Workshop on CAG's Audit	06.12.2013	Banquet Hall, Govt. Guest House, Thycaud, Thiruvananthapuram	Officers of the Departments, Welfare Fund Boards etc.	102
24.	Induction programme for Officers of Labour Welfare Fund Board	16.12.2013 to 18.12.2013	Holiday Home, Kumily	Officers of Labour Welfare Fund Board	15
25.	Commemoration of Smt. Suseela Gopalan and Photo Exhibition	19.12.2013	Vyapara Bhavan, Alappuzha	Representatives of Trade Unions	50
26.	"Student – Official Interface"- Seminar	21.12.2013	Banquet Hall, Govt. Guest House, Thycaud, Thiruvananthapuram	Students and Teachers of Maharashtra Labour Studies	55
27.	Seminar on Labour Scenario Challenges and Solutions	22.12.2013	Banquet Hall, Govt. Guest House, Thycaud, Thiruvananthapuram	Representatives of Trade Unions	70
28.	Commemoration of Sri. K. Karunakaran and Photo Exhibition	24.12.2013	Institution of Engineers Hall, Thiruvananthapuram	Representatives of Trade Unions	90
29.	Overseas Employment Orientation Programme for Scheduled Castes and Scheduled Tribes in Kerala	16.01.2014 to 17.01.2014	Govt. Guest House, Kovalam, Thiruvananthapuram	SC/ST Job seekers of Thiruvananthapuram District	36
30.	Commemoration of Sri. T.K. Divakaran and Sri. Baby John and Photo Exhibition	25.01.2014	Bishop Jerome Nagar Mini Hall, Kollam	Representatives of Trade Unions and Department officers	100
31.	Overseas Employment Orientation Programme for Scheduled Castes and Scheduled Tribes in Kerala	10.02.2014 to 11.02.104	Speed Way Inn, Kasargod	SC/ST Job seekers of Kasargod District	110
32.	Overseas Employment Orientation Programme for Scheduled Castes and Scheduled Tribes in Kerala	12.02.104 to 13.02.2014	K.T.D.C Tamarind Hotel, Kannur	SC/ST Job seekers of Kannur District	86



# Programmes

Sl. No.	Name of the Programme	Date	Venue	Participants	No. of Participants
33.	Overseas Employment Orientation Programme for Scheduled Castes and Scheduled Tribes in Kerala	14.02.2014 to 15.02.2014	Hotel Pearl Regency, Thrissur	SC/ST Job seekers of Thrissur District	72
34.	Question Answer Session on Labour Laws	05.03.2014	Banquet Hall, Govt. Guest House, Thiruvananthapuram	Assistant Labour Officers of Labour Department	35
35.	Induction Training Programme	06.03.2014 to 07.03.2014	Govt. Guest House, Kovalam, Thiruvananthapuram	Lower Division Clerks in Labour Department	32
36.	Question Answer Session on Service Rules and Audit Procedures	10.03.2014	Banquet Hall, Govt. Guest House, Thiruvananthapuram	Superintendents of Labour and Employment Departments	45
37.	Overseas Employment Orientation Programme for Scheduled Castes and Scheduled Tribes in Kerala	11.03.2014 to 12.03.2014	Hotel Mannil Regency, Pathanamthitta	SC/ST Job seekers of Pathanamthitta District	66
38.	Overseas Employment Orientation Programme for Scheduled Castes and Scheduled Tribes in Kerala	13.03.2014 to 14.03.2014	Hotel Orchid Residency, Kottayam	SC/ST Job seekers of Kottayam District	58
39.	Leadership training for the Plantations Sector	15.03.2014	Holiday Home, Kumily	Representatives of the Trade Unions from the plantations in Idukki district	53
40.	Leadership training for the Coir Sector	19.03.2014	Hotel Railban, Alappuzha	Representatives of the trade unions for Coir industry in Alappuzha district	57
<b>Total</b>					<b>2538</b>

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## The History of Trade Union Movement in Kerala

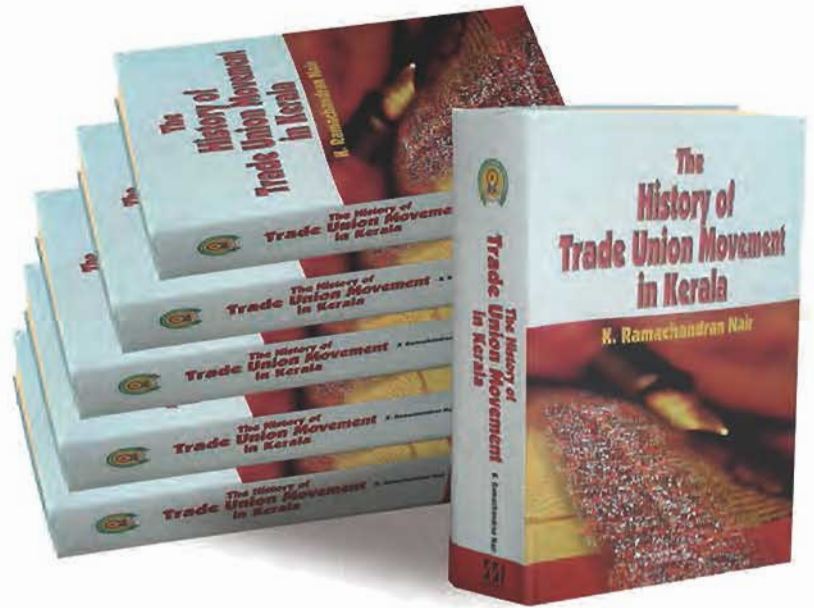
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