

workings of Upper Kajera seam and this played a part in causing the surface subsidence.

(c) to (e). A number of locations in the operational areas of the E.C.L. located over old abandoned workings of the past, are apprehended to be prone to subsidence and, as such, declared unsafe by the Director General of Mines Safety as early as in 1950. With a view to checking the growth of habitation over these unsafe areas, the Govt of West Bengal had passed legislation in 1979 prohibiting construction over unsafe areas.

There is no provision mentioned of stabilising inaccessible, water-logged, old abandoned workings. E.C.L. has developed through R & D, a system of hydro-pneumatic method of stowing for stabilising, water-logged, inaccessible workings and at present a part of the Raniganj township has been taken up for stabilisation under the supervision and guidance of an 'Apex Monitoring Committee' constituted by the State Government of West Bengal and Coal India Ltd. Necessary remedial measures are taken by E.C.L. to shift the affected persons due to subsidence as and when required.

Amendment in the Industrial Law

749. SHRI V. DHANANJAYA
KUMAR:
SHRI SOBHANADREE-
SWARA RAO VADDE.
SHRIMRUTYUNJAYANAYAK:
SHRI ANAND AHIRWAR:

Will the Minister of LABOUR be pleased to state:

(a) whether the Committee constituted to go into the findings of Ramanujam Committee on industrial law during the 40th conference of labour Ministers convened in February 1992 has submitted its report;

(b) if so, the details of the recommendations made by the committee;

(c) whether the Government have finalised the new industrial relations bill on the basis of the recommendations made by Ramanujam Committee and the committee constituted to go into its recommendations;

(d) if so, the salient features of new industrial relation bill; and

(e) the policy of the Government regarding labour participation in management?

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI PABAN SINGH GHATOWAR): (a) and (b). The Group of five State Labour Ministers under the Chairmanship of the Minister of State for Labour and Coal constituted in pursuance of the decision taken in the 40th Labour Ministers' Conference held in February 1992 examined the areas of disagreement in the Report of the Ramanujam Committee on New Industrial Relations Law. The gist of the views of the Group is given in the attached statement.

(c) and (d). The matter was placed before the Indian Labour Conference held in September, 1992. In pursuance of the decision taken in the Conference, action to draft the Bill amending Trade Unions Act, 1926 and Industrial Disputes Act, 1947 has been initiated.

(e) The policy of Government is to promote workers' participation in management. A number of schemes in this regard had been introduced in the past. At present a scheme of Employees' Federation in Management, 1983 is in operation. In order to provide a statutory backing to the scheme, the Government has introduced the "Participation of Workers in Management Bill, 1990" in Rajya Sabha in 1990. The Bill seeks to provide for a meaningful participation

of workers in the management at shop floor, establishment and board levels in industrial establishments.

STATEMENT

Views of the Group of Ministers on some important recommendations of the Ramanujam Committee

TRADE UNIONS ACT, 1926

(I) Ban on recognition of trade unions on the basis of caste, creed etc.

The Group unanimously agreed that registration of trade unions based on caste, creed, community and religion should be banned. Exception could, however, be made in the case of trade unions based on craft or occupation.

(ii) Outsiders as office bearers of a trade union

The Group unanimously agreed to restrict outsiders to 1/3rd of the total number of office bearers as recommended by the Ramanujam Committee. All except the Labour Minister of West Bengal were against a Central or State Minister being an office bearer of a trade union.

(iii) Disqualification

The Group of Ministers are in favour of retaining the existing provisions of the Act. However, West Bengal supports the dissenting view, namely, disqualification should be only on ground of conviction for dereliction of union funds or on charges of corruption.

INDUSTRIAL DISPUTE ACT, 1947

(I) Definition of 'Industry'

All the Ministers except Labour Minister

of West Bengal were in favour of a separate legislation/grievance redressal machinery for hospitals and educational institutions. The Labour Minister of West Bengal was of the view that the 1982 amendment may be enforced after excluding hospitals and educational institutions from the list of exempted establishments and that the State Governments may form Tripartite Committees to look into the day-to-day grievances of the hospital employees.

(II) Coverage of employees

The Group unanimously agreed that the present pay limit of Rs. 1600/- may be raised to Rs. 3000/- per month for wider coverage of employees. The Labour Minister of West Bengal was of the view that there should not be pay limit for supervisory staff. It was also agreed that employees in the managerial and administrative capacity, as already provided in the Act should not be covered under the proposed law.

(III) Exemption

All States except West Bengal agreed that State laws such as the Bombay Industrial Relations Act, should continue to be exempted. However, there should be general uniformity in the State laws.

(iv) 'Appropriate Government

West Bengal, Andhra Pradesh and Tamil Nadu were in favour of retaining the existing provisions in the Industrial Disputes Act regarding the Appropriate Government. Maharashtra and Uttar Pradesh were of the view that in addition, Central Government should be the appropriate Government in respect of a company in which 51% of the paid up capital is held by the Central Government.

There was unanimity that the State Government should continue to be the

appropriate Government in respect of an Industrial establishment owned by Body Corporate even if it is operating in more than one State.

employees should be reduced from 100 workmen to 50 workmen.

(x) Go-slow

(v) Voluntary Arbitration

It was unanimously agreed that the existing provisions should continue.

The Group was of the view that 'go-slow' should be discouraged. All except West Bengal agreed that provisions for proportional reduction in wages for loss of production due to go-slow may be made. West Bengal Labour Minister was of the view that the Group should refrain from making any comment on the subject since the Ramanujam Committee did not make any recommendation in this regard.

(vi) Industrial Relations Commission

The Group rejected setting up of I.R.C. as recommended by the Ramanujam Committee.

(xi) Union recognition

(vii) Strike and Lock-outs

All States except West Bengal agreed for one month's notice for strike and lock-out, both in essential and non-essential services. West Bengal was in favour of retaining the existing provision of 14 days' notice for essential services.

The Group of Ministers was in favour of secret ballot as the method for verification of membership of unions and identification of a negotiating agent. West Bengal was of the opinion that trade unions should be eligible to contest for a position in the Negotiating Council right from the date of its registration. It was also of the view that the machinery for verification of membership should be decided by the individual states.

No strike or lock out should be permitted during the pendency of conciliation proceedings. Such provision should, however, be only in respect of issues related to the matter in conciliation.

(xii) Recommendations relating to Individual Grievances Procedure, Negotiating Councils etc. are left to be considered by the Indian Labour Conference.

(viii) Retrenchment compensation

It was unanimously agreed that retrenchment compensation should be raised from 15 days to 45 days' wages for every completed year of service.

[Translation]

Constitution of Board of Directors for Management of Banks

(ix) Chapter VB

(a) It was agreed that the coverage of the provisions of Chapter VB (special provisions relating to lay off, retrenchment and closure) should be extended to 'other establishments' in addition to factories mines and Plantations.

750. DR. LAXMINARAYAN PANDEYA: Will the Minister of FINANCE be pleased to state:

(a) whether the Government have constituted Board of Directors for all the Public Sector Banks;

(b) The threshold for coverage of

(b) if so, whether the representatives of