

Labour Welfare in Indian Perspective

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Abstract: The term welfare brings in many ideas, meaning to state wellbeing, good health, happiness, prosperity and the development of human resources. The concept of welfare has been a total concept involving physical, mental, moral and emotional wellbeing of individual. The social concept of welfare implies the welfare of man, his family and his community. It is an interconnection of three aspects in the sense that all these work together and individually supplement one another. Labour is an important factor of production which infuses life in other factors but after industrialization labour force is treated very badly by their bosses because they were illiterate, poor and unaware about their right. In order to protect the interest of Labour Government has been developing Labour strategies according to the requirement of working class in order to improvement their condition. In order to implement these Labour welfare polices organization are doing detail need analysis. Thus this paper is focused on studying the concept of labour welfare.

Keywords - Labour Law, Labour Welfare, Need analysis, Industrialization and labour.

I. INTRODUCTION

There are two powerful elements which contribute to development of any industry is its human asset and other one is the presentation of most recent innovation. Human asset is the main issue and reactant compels which implants life in different assets like cash and material. There have been breathtaking changes in the setting in which work is performed. The procedure of globalization pushes in innovation, expanded rivalry, work escalation, broadening of the workforce, expanded number of ladies in the workforce, and the obscuring of limits amongst work and family are a portion of the progressions that have affected the workplace. Given that people spend a significant proportion of their lives at work, changes in the work environment can have deep influence on their health and well-being, and consequentially on job and organizational performance so fostering a work culture that promote work-life balance, employee growth and development, health and safety, and employee engagement can be the key to achieving sustainable employee well-being and organizational performance. Welfare is another expression of well-being. Labour is a crucial factor of production. Healthy and congenial labour management relations are the prerequisite for efficient production. Labour Welfare measures are very important since they have strong impact on workers willingness to work and their productive capacity. In other words, it is worker who really delivers the goods. It is absolutely true that machine should be kept in good condition for proper functioning. Likewise machine operator too should be maintained in satisfactory physical, emotional, mental and moral conditions for uninterrupted and more production.

II. OBJECTIVES OF THE STUDY

This study has following objectives.

- i. To know the need for labour welfare in India.
- ii. To know the theories of labour welfare.
- iii. To know the principles of labour welfare.
- iv. To know the Constitutional Aspects of labour welfare.

III. NEED FOR LABOUR WELFARE

Some of the necessities for the Labour Welfare Measures to introduced –

- i. There were only 25 million during the initial period of industrial growth, while the strength of the workers is increasing year after year and hence, need for a mechanism to look into the welfare of the labour.
- ii. Workers put in long hours of work in unhealthy surrounding and the drudgery of the factory work continues to have adverse effect. To counter these welfare measures were felt necessary.
- iii. As a result of hard work, they fall prey to alcoholism, gambling and other immoral activities results in absenteeism and other problems in the organization. Hence the need was felt.
- iv. Good education and training facilities for workers were also felt necessary as there was high rate illiteracy and lack of proper education background.
- v. Good training provided will reduce industrial accidents, increases workers efficiency and create a sense of commitment among the workers.
- vi. Promoting welfare activities lead to better working conditions and standards for industrial workers.

IV. THEORIES OF LABOUR WELFARE

- i. **The Police Theory** – is based on the contention that a minimum standard of welfare is necessary for labourers. The theory assumes that without compulsion, periodical supervision and fear of punishment, employers will not be ready to provide even the minimum welfare amenities. Further, the theory is based on the conclusion that man is self-centered and selfish and always tries to achieve his own ends even at the cost of the welfare of others. If wealth, authority is at his ends, he would take advantage of the same and exploit the work force for his individual sake. Therefore the theory postulates that the welfare state has to step in to prevent these atrocities and exploitation and force industrialists to offer minimum standard of welfare to their workers. Thus various laws are promulgated in order to compel every organization to provide the minimum standard welfare measures leading to the passing of laws relating to the provision of minimum welfare for workers, Periodical supervision to ascertain that these welfare measures are provided and implemented and Punishment of employers who evade or disobey these laws. It is seen from the above that the emphasis by the theory is on the fear and not on the true spirit of welfare. As such many big industrialists do not undertake the welfare measures that are not backed by law, even though these may bring in some good relief to the workers and improve their life. While the others in spite of being capable to carry out, they are not interested to carry out any welfare Programs while the others try to find loopholes in the law and convince the factory inspectors they have duly carried out the legal requirements.
- ii. **The Religious Theory** – is propounded on the concept that a man is essentially a religious animal. Even today many acts of man are related to religious sentiments and beliefs. Hence these religious feelings sometimes prompt an employer to take up welfare activities in the expectation of future benefits either in his life or in some future life. According to the theory, any good work is considered an investment both the benefactor and the beneficiary are rewarded, based on this philosophy many charitable and other religious institutions have come into existence. Another aspect of the religious theory is the atonement aspect, as some people take up welfare work in a spirit of atonement for their sins and any welfare act is treated either as an investment or atonement. Further, according to this theory man is primarily concerned with his own welfare and only secondarily with the welfare of the others. The religious basis of welfare cannot be rational, nor universal or continuous.
- iii. **Philanthropic Theory** – is based on man's love for mankind. In Greek philo means loving and Anthropos mean man and hence loving mankind becomes the key factory for the theory. Man is believed to have an instinctive urge by which he strives to remove the suffering of others and promote the wellbeing and this being very powerful drive it impels him to perform noble sacrifices. Thus the labour welfare movement began in the early years of the industrial revolution with support of Robert Owen and in India the movement began with the ardent support of Mahatma Gandhi, who strove for the welfare of the labour.

- iv. **Trusteeship Theory** – also called as paternalistic theory of labour welfare says that the industrialist or employer holds the total industrial estate, properties and profits accruing from them in trust. Hence he uses them for himself and for the benefit of his workers and for the society. Here the workers are treated as minors and they are ignorant because they lack in education and they are not able to look after themselves. Therefore employers have the moral responsibility to look after the interest of their wards who are the workers. Here there is no binding or obligation legally but only morality issues are raised. Here, the welfare of the labour depends on the initiative of the top management and more related to moral conscience of the industrialists and hence may create a good will between the labour and management.
- v. **The Placating Theory** – is based on the act that labour groups are becoming demanding and militant. They are more conscious of their rights and privileges than ever before. Their demand for higher wages and better standards cannot be ignored and hence it is said that the timely and periodical acts of labour welfare can appease the workers.
- vi. **Public Relations Theory** – provides the basis for an atmosphere of goodwill between labour and management and also between management and the public. Labour welfare programs under this theory work as a sort of an advertisement and help an industrialist to build up good and healthy public relations. The theory is based on the assumption that the labour welfare movement may be utilized to improve relations between management and labour. Thus an advertisement of the industrialist in promoting labour welfare schemes may improve his relations with the public and at the same time these kind of programs may lack sincerity and continuity as such programs when they lose their advertisement value may become redundant and be withdrawn or even abandoned may become only a publicity stunt rather than labour welfare.
- vii. **The Functional Theory** – also known as efficiency theory, welfare work is used as a means to secure, preserve and develop the efficiency and productivity of labour. It is obvious that if an employer takes good care of these workers, they will tend to become more efficient and will thereby step up production. Thus this depends on the healthy relationship between the union and management and their mutual concern for the growth and development of the industry. Thus higher production is of benefit to both management and labour, as the labourer will get better and higher wages and also to share profits. This concept would work well when both the parties have identical aims. In India it is said that the industrial system clings largely to the paternalistic approach and some management try to achieve this through police control. Either way workers start expecting too much from employers as a result of which employers provide welfare measures in a somewhat halfhearted manner. Thus the theory works more effectively by reason of an intelligent and willing participation of workers.

V. PRINCIPLES OF LABOUR WELFARE

- i. **Principle of Adequacy of Wages** -labour welfare measures cannot be a substitute for wages, workers have a right to adequate wages, but high rate of wages alone cannot create a healthy environment nor would bring in commitment on the part of the workers. A combination of social welfare, emotional welfare and economic welfare together would achieve good results.
- ii. **Principle of Social Responsibility** – according to this principle, industry has an obligation towards its employees to look after their welfare and this is also backed by the constitution of India in its directive principles of the state policy.
- iii. **Principles of Efficiency** – plays an important role in welfare services and is based on the relationship between welfare and efficiency, though it is difficult to measure this relationship. Whether one accepts the social responsibility of industry or not, the employer quite often accepts the responsibility for increasing such labour measures as would increase efficiency. For e.g. Diet planning in canteens.
- iv. **Principle of Re-personalization** - the development of human personality is found to be the goal of industrial welfare and this principle should counteract the baneful effects of the industrial system. Therefore it is necessary to implement labour welfare services, both inside and outside the factory.

- v. **Principle of Totality of Welfare** – emphasizes that the concept of labour welfare must spread throughout the hierarchy of an Organization and employees at all levels must accept this total concept of labour welfare without which the labour welfare would not be implemented.
- vi. **Principle of Co-ordination** – is a concept of co-ordination approach that will promote a healthy development of the worker in his work, home and community. This is essential for the sake of harmony and continuity in labour welfare services.
- vii. **Principle of Democratic Values** – cooperation of the worker is the basis of this principle and thus consultation and the agreement of the workers in the formulation and implementation of the labour welfare services are very necessary for their success. Moreover workers allowed to participate in planning these programs get keenly interested in their proper implementation. This principle is based on the assumption that the worker is a mature and rational individual and industrial democracy is the driving force here and workers also develop a sense of pride when they are made to feel that labour welfare programs are created by them and for them.
- viii. **Principles of Responsibility** – recognizes the fact that both employers and workers are responsible for labour welfare. Trade unions too are involved in these programs in a healthy manner, for basically labour welfare belongs to the domain of his trade union activity. Further, when responsibility is shared by different groups, labour welfare work becomes simpler and easier. Accordingly various committees are elected or nominated and various powers and responsibilities in the welfare field are delegated to them. For E.g. Safety committee, the canteen supervision committee etc.,
- ix. **Principle of Accountability** – is also known as principle of evaluation. Here one responsible person gives an assessment or evaluation of existing welfare services on a periodical basis to a higher authority. In these criteria one judges the success of labour welfare programs.
- x. **Principle of Timeliness** – The timeliness of any service helps in its success. To identify the labour problem and to discover what kind of help is necessary so solve it and when to provide this help are all very necessary in planning labour welfare programs.
- xi. **Principle of Self Help** – is the facts that labour welfare must aim at helping workers to help themselves in the long run. This helps them to become more responsible and more efficient.

VI. CONSTITUTIONAL PROVISIONS IN THE CONSTITUTION OF INDIA

Provisions under part IV ‘Directive Principles of States Policy’

Article 41 - Right to work, to education and to public assistance in certain cases.

The state shall within the limits of its economic capacity and development make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement and in other cases of underserved want.

Article 42 - Provision for just and humane conditions of work and maternity relief.

The state shall make provision for securing just and humane conditions of work and for maternity relief.

Article 43 – Living wage, etc. for workers.

The state shall endeavour to secure, by suitable legislation or economic organization or in any other way, to all workers, agricultural, industrial or otherwise work a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and in particular the state shall endeavour to promote cottage industries on an individual or cooperative basis in rural areas.

Article 43 A. – Participation of workers in management of industries.

The state shall take steps, by suitable legislation or in any other way, to secure the participation of workers in the management of undertakings, establishments or other organizations engaged in any industry.

Important Note – Provisions of part IV of The Constitution of India are not enforceable through court of law i.e one can't go to court in case of violation of these provisions. They are only directions for future government.

Seventh Schedule

List I – Union List

Entry 55 –Regulation of labour and safety in mines and oilfields.

Entry 66 –Industrial disputes concerning Union employees.

List III-Concurrent List

Entry 22 – Trade unions; industries and labour disputes.

Entry 23 –Social security and social insurance; employment and unemployment.

Entry 24 –Welfare of labour including conditions of work, provident funds, employers liability, workmen's compensation, invalidity an old age pensions and maternity benefits.

VII. CONCLUSION

Labour Welfare is very essential for civilized society and Coordination in implementing agencies makes it successful. This paper has thrown light on different aspects of labour welfare and theories which should be consider while conducting the need analysis and legal system which is implemented by government in order to protect the interest of labour.

VIII. REFERENCES

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