

“Employees awareness towards the Welfare Provisions of Factories Act 1948 and its Implementation in the state of Haryana”

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Abstract - In the present democratic and developmental time, it has been observed that the workers are still on the mercy of the employers because of his management and control, pre-employment contract of job etc. Despite the presence of the strong Trade unions and number of provision for labour welfare under labour legislation, workers are not immune from the exploitation in one way or another. Workers are exploited due to their poor socio-economic background, lack of education and awareness about labour laws, inadequate law enforcing machinery, and lack of effective penalties in case of violation of the law. However, the Factories Act, 1948 has laid down certain measures specially for the welfare of workers employed in the factories. This study aims to identify the level of awareness towards provisions of welfare laid Factories Act 1948, amongst the workers working in different public and private organisation in Haryana state and thereafter assess the level of implementation of these provision within the organizational setting. It was found in result that most of the workers are aware of the provisions but on the name of legislations they are not getting what they deserve to get. Facilities like washing, storing, lunchroom and first aid need to be improved and maintained.

Key Words - Factory, Organisation, Welfare, Health, Haryana, Safety.

INTRODUCTION

The Factories Act, 1948, has been promulgated primarily to provide safety measures and to promote

the health and welfare of the workers employed in factories. The object thus brings this Act, within the competence of the Central Legislature to enact. State Governments/Union Territory Administrations have been empowered under certain provisions of this Act, to make rules, to give effect to the objects and the scheme of the Act. This Act applies to factories, which qualify the definition of “Factory” under the section 2(m) of the Act or to those industrial establishments, to whom section 85 have been made applicable by the State Government, by notification in the Official Gazette. This applies to any premises wherein 10 or more persons with the aid of power or wherein 20 or more workers without aid of power are/were working on any day in the preceding 12 months, wherein manufacturing process is being carried on.

LABOUR WORKERS IN FACTORIES ACT 1948

The significance of labour welfare was accepted as early as 1931, when the Royal Commission on the Labour stated, “The benefits which goes under this nomenclature are of great importance to the workers and which he is unable to secure by himself. The scheme of labour welfare may be regarded as a wise investment which should and usually does bring profitable returns in the form of great efficiency. However, the genesis of labour welfare can be traced back to Elton Mayo’s Hawthorne Experience

conducted from 1927 to 1932 leading to the development of human relations theory of organisation. After Independence, the idea of Labour welfare has been incorporated in Directive Principles of State Policy Constitution as well as in five year plans. The necessity of labour welfare is felt all the more in a developing country because of its changing socio-economic development.

Labour welfare is an important aspect of the national programmes, which are related with improving the conditions of the workers and providing them with basic amenities of life and establishing proper working conditions. Although in modern industrial age, the importance of technical machines is increasing day by day but, in now way it should be at cost of labour. Though the efficiency of the workers largely depends upon the quality of machines but simultaneously the effectiveness of machine depends solely upon the efficiency of the workers. There are various factors like suitable working condition, adequate food stuff, education and entertainment etc which have direct influence on the efficiency of the workers.

The welfare provisions enlisted in the Factory Act 1948 are as follows:

- **Washing Facility (Section – 42) :** In every factory adequate and suitable facilities for the washing shall be provided and maintained for the use of workers there in. Such facilities must include soap and nail brushes or other suitable means of cleaning and the facilities should be conveniently accessible and shall be kept in a clean and orderly condition. In case female staff is also engaged at work, separate facilities should be provided and so enclosed or screened that the interiors are not visible from any place where the persons of the other sex work or pass.
- **Facilities for Storing and Drying Clothing (Section – 43) :** In case of workers working on certain dangerous operations like, lead process lining; tanning of raw hides and skins etc suitable places for keeping the clothing not worn during the working hours and for drying of wet clothing separately shall be provided and maintained.
- **Facilities for sitting (Section – 44) :** In every factory suitable arrangement for the sitting shall be provided and maintained for all the workers obliged to work in standing position in order that they take advantage of any opportunity of rest which may occur in course of their work.
- **First Aid Ambulance Room (Section – 45) :** This provision should be provided and maintained with utmost priority in every factory so as to make readily access to first aid boxes and cup boards equipped with the prescribed content during all working hours. All such boxes and cup boards shall be kept in the charge of a responsible person who is trained in the first aid treatment and who shall always be available during the working hours of the factory.
- In every factory where more than 500 workers are employed, provision of ambulance with prescribed size and equipments should be regulated and maintained. The ambulance room shall be in a charge of qualified medical practitioner assisted by at least one qualified nurse and such order staff as may be prescribed
- **Prohibition of employment of women or children near cotton openers (Section – 27) :** No women or children in any organisation will be employed in any part of the factory for pressing cotton where cotton opener is at work.

- **Canteen (Section – 46) :** In specified factories, where in more than 250 workers are ordinary employed, a canteen shall be provided and maintained by the occupier for the use of the workers. Food, drinks and other items served in the canteen should be sold on a non-profit basis and the price charged are subject to the canteen managing committee which shall be appointed by the manager and should contain equal number of members appointed by manager and selected by the workers. In no case number of worker will be less than 2 and will not exceed limit of 5 workers. Committee will be consulted timely for the quality, quantity and menu etc.
- **Shelter, Rest Rooms and Lunch Rooms. (Section 47) :** In every factory where in more than 150 workers are ordinarily employed adequate and suitable shelter or rest rooms and suitable lunch room with provision of drinking water, where they can eat the meal brought by them shall be provided and maintained for the use of the workers.
- **Crèches (Section 48) :** In every factory where in ore than 30 women workers are ordinarily employed, their shall be provided and maintained a suitable room or rooms for the use of the children under the age of six years of such women. The crèche shall be adequately furnished and equipped and in particular their should be one suitable cot or cradle with the necessary bedding for each child, at least one chair or equivalent seating accommodation for the use of the mother while she is feeding or attending to her child and sufficient supply of suitable toys for the older children.
- There shall be in or adjoining the crèche a suitable wash room for the washing of children and their clothing. An adequate supply of clean

clothes, soap and clean towel shall be made available for each child while it in crèche. At least half a pao clean pure milk shall be made available for each child every day while child is accommodated in the crèche and mother of such child shall be allowed in the course of her daily work, to feed the child at suitable interval. A suitable whole some refreshment should be provided to children above 2 years and suitably fenced and shady open air playground shall be provided for the older children.

- **Welfare Officer (Section 49) :** In every factory where in 500 or more workers are ordinarily employed the occupier shall employ in the factory such number of welfare officer as may be prescribed.

OBJECTIVES

This study aims to study the followings in respect to Haryana State:

- To study level of awareness among workers of Haryana state, towards welfare provisions enlisted in Factories Act 1948.
- To study the implementation level of these provision by public and private organisation of Haryana.

METHODOLOGY

This study intends to examine awareness and implementation of the welfare of workers related provisions provided in the Factories Act 1948 in the universe of the study. The universe consists of three industrial undertaking namely National Fertilizers Ltd., Panipat, SPL Ltd., Bahadurgarh and Co-operative Sugar Mills, Karnal in Haryana. The required information is collected through the interview schedules from workers, trade unions, management and Labour Inspector. A purposive sample of 50 workers, 5 trade Union representatives

and 5 representative of management has been collected from each of 3 organisations. To test the goodness of fit Chi square test has been used.

ANALYSIS AND INTERPRETATION

The majority of employees are from the age group 41-50 years whether public or private organisation. 42% of respondents are under Matric, 35.3% are Matric while remaining 22.7% have education above Matric. 72% workers in private organisation SPL are under Metric. Income of NFL workers is more than Rs. 6600-20100, that of Sugar Mill is 4000- 6000, and employees of SPL are poorly paid and is less than Rs. 4500. (Refer to table no. 1).

A. Awareness toward Welfare Provisions

The analysis of table no. 2, shows that more or less, awareness level among the employee of different organization under study is not satisfactory. Most of workers are not aware of welfare provision regarding washing facilities, facility of storing and drying, first aid etc. On averaging the result we found that its only the canteen facility about which most of workers are aware of and the reason attributed is this facility is often marketed during the time of recruitment of the workers by company itself. Also, it is worth noticing that respondents from NFL are much more aware of welfare provision related to them. However, awareness condition of Sugar Mill workers and that of SPL Ltd. is very pathetic where workers are not even known of canteen facility and lunch room etc.

In total employees of SPL ltd are found to be less aware of most of the essential provision and this cause can be attributed to the education level as 72% of its workers have obtained below metric education where this no is 40% & 14% in SM and NFL respectively. Also being a private organisation

it might not give much importance to the awareness programmes and facilities. Awareness of workers about the provision of crèche is not worth appreciating in any of the concern under study even though number of female workers employed. It seems that they do not have no knowledge regarding this provision due to absence of this kind of facility in most of the organisation this facility is not available and also many of women's are not on company roll, they work as a gate workers. Although number of workers who are Metric and above are aware of important provision, still certain steps need to be taken to enhance the awareness level among the less educated workers through imparting education through posters, instructions, assembly discussion, manuals, lectures and by providing the example through proper implementation of these provisions.

Test for Fitness of Good

In order to identify the homogeneity of responses toward the various welfare provision Chi-square test is applied. The results of which indicate that workers from different organisation hold different view regarding the different welfare provisions. The homogeneity in response either on the positive or negative side is lacking and is conformed from the calculated value of the chi-square which is more than the tabulated value of 9.488 at 5% significance level towards all the provisions of welfare. However its provision of welfare officer in which almost all employee said that they are not aware of the provision of welfare officer under Factories Act 1948. In this regard calculated value comes to 0.2237 which is highly significant.

B. Implementation of Welfare Provision

The efficiency of any legislation, policy or any administrative action do not lies only on awareness but it depends on the execution or implementation

which mostly takes place in the field. And it is this performance, which distinguish between the good and poor governance. The implementation of welfare provisions of Factories Act 1948, in the sample units as per worker shows the following pattern.

It can be inferred from the sourced data (**Table no. 3**) that actual implementation done to ensure welfare is equal to the awareness level of the workers. This make us assume that if the awareness level will be increased actual implementation status can also be achieved and this is proved statistically in this study but need a control experimental verification or need more relevant evidences to prove this. Implementation of chi-square on the implementation data shows that implementation level is also significantly different with the industry taken for the study. It is noticeable that it is the provision of safety through First-aid and ambulance on which there is great disparity among the implementation. The calculated value for degree of freedom 4 (@5% significance) is 33.25 which is highest among the all. This is the welfare and security measure both but poor inspection policy of state might have lead to such kind of differences.

It is worth noticing that union leaders might not be doing their job with honesty as their views are entirely different from the views that workers hold for the implementation (**Table no. 4**). Majority of union leaders are satisfied with the implementation of safety measures required under the factories act. The results obtained are listed in below table. In line with the workers view union leaders from above organisation believe that their management still need to do satisfactory implementation of storing and drying, shelter, Lunch room but SPL union leader still seems to favor management. It was

canteen facility with which union representative are found to be satisfied in large.

However Management staff of the responding organisations think that they have done their 100% in implementing the services (**Table no. 5**). Specially in the case of government organisation NFL, no public servant is ready to take responsibility, however in SPL Ltd management think that situation is critical and need to be improved in certain cases. Management representative from both Sugar mill and SPL ltd are in favor of improving the lunch room/Rest room facility. Also when both union leaders and workers are not satisfied with welfare officer, facility of washing and storing etc management believe themselves as at best in implementing these welfare provisions.

CONCLUSION

Labour legislation is the institution through which the state government protect the interest of working class and ameliorates their material and moral conditions. Its essentially a socio-economical measure pertaining to various human problems in relation to industry. But the problem with these legislation is that neither they are fully implemented in the organisation nor the people are aware of them. In the study that we took in state of Haryana to find out the Awareness and implementation of Factories Act 1948 we found that even though number of workers are aware of the provision of the factories act, they are not able to get the subsequent implementation for their welfare. It becomes clear that, barring few provisions the awareness of workers differ significantly from one industry to another. Also, it is observed that socio-economic structure and nature of industry affects the awareness of the workers. NFL which has the largest educated workers within the urban

background with high income are highly aware of all the provisions except one or two.

Union leaders are found to be supporting manager rather than putting down the workers representation. 76.7% workers believe that union is not at all effective in making provision implemented by management. In view of 136 workers (90.67%) the poor implementation of legislation is due to corrupt inspection staff who are partial in their inspection

reports and work in favor of the occupier rather than workers. When management claims the 100 percent of implementation of provision of safety in organisation, this number is not supported by workers of organisation. Thus it becomes imperative for union leaders to play the vital role and bridge this number gap by demanding appropriate measure on Inspection staff of Government and Management of organisation.

Profile of Respondent

Name of the Provision	NFL (Panipat)			Sugar Mill (SM, Karnal)			SPL (Bahadurgarh)			Total
	S	U	C	S	U	C	S	U	C	
18-30 Years	5 (10%)	--	--	--	2 (4%)	1 (2%)	1 (2%)	4 (8%)	--	13 (8.67%)
31-40 Years	13 (26%)	1 (2%)	1 (2%)	3 (6%)	6 (12%)	1 (2%)	1 (2%)	8 (16%)	--	33 (22%)
41-50 Years	19 (38%)	--	--	7 (14%)	16 (32%)	5 (10%)	5 (10%)	26 (52%)	--	77 (51.33)
50-60 Years	8 (16%)	1 (2%)	2 (4%)	4 (8%)	3 (6%)	2 (4%)	2 (10%)	4 (8%)	--	27 (18%)
Total	50			50			50			150 (100%)

Table No. 1

*Source: Based on Interview Schedule
NFL: National Fertilizers Ltd.
SPL: Somani Pikington Ltd.

S = Skilled, ,
U = Unskilled
C = Clerial

Worker's Awareness towards the Provisions Related to their Welfare:

A comparative Look (Total 150 Respondent)

Name of the Provision	NFL (Panipat)			SM (Karnal)			SPL (Bahadurgarh)		
	Yes	No	NR	Yes	No	NR	Yes	No	NR
Washing Facility	20 (40%)	28 (56%)	2 (4%)	25 (50%)	23 (46%)	2 (4%)	5 (10%)	40 (80%)	5 (10%)
Facility of Storing and Drying	35 (70%)	10 (20%)	5 (10%)	20 (40%)	25 (50%)	5 (10%)	20 (40%)	29 (58%)	1 (2%)
Sitting Facility	45 (90%)	2 (4%)	3 (6%)	35 (70%)	13 (26%)	2 (4%)	20 (40%)	28 (56%)	2 (4%)

First Aid, Ambulance	38 (76%)	7 (14%)	5 (10%)	10 (20%)	34 (68%)	6 (12%)	25 (50%)	22 (44%)	3 (6%)
Canteen	40 (80%)	5 (10%)	5 (10%)	28 (56%)	20 (40%)	2 (4%)	35 (70%)	15 (30%)	--
Shelter, Rest/Lunch Room	40 (80%)	23 (46%)	2 (4%)	30 (60%)	18 (36%)	2 (4%)	10 (20%)	38 (76%)	2 (4%)
Crèche	--	--	--	--	--	--	--	--	--
Labour Welfare Officer	10 (20%)	35 (70%)	5 (10%)	10 (20%)	38 (76%)	2 (4%)	10 (20%)	36 (72%)	4 (8%)

Table No. 2

*Source: Based on Interview Schedule

NR: No Response

**Worker's Views towards Actual Implementation of Welfare Provisions:
A comparative Look (Total 150 Respondent)**

Name of the Provision	NFL (Panipat)			SM (Karnal)			SPL (Bahadurgarh)		
	Yes	No	NR	Yes	No	NR	Yes	No	NR
Washing Facility	20 (40%)	28 (56%)	2 (4%)	25 (50%)	23 (46%)	2 (4%)	5 (10%)	42 (84%)	3 (6%)
Facility of Storing and Drying	35 (70%)	10 (20%)	5 (10%)	20 (40%)	25 (50%)	5 (10%)	20 (40%)	30 (60%)	--
Sitting Facility	45 (90%)	2 (4%)	3 (6%)	35 (70%)	13 (26%)	2 (4%)	20 (40%)	25 (50%)	2 (4%)
First Aid, Ambulance	38 (76%)	7 (14%)	5 (10%)	12 (24%)	37 (74%)	1 (2%)	26 (52%)	23 (44%)	1 (2%)
Canteen	40 (80%)	5 (10%)	5 (10%)	28 (56%)	20 (40%)	2 (4%)	35 (70%)	14 (30%)	1 (2%)
Shelter, Rest/Lunch Room	25 (50%)	23 (46%)	2 (4%)	30 (60%)	18 (36%)	2 (4%)	10 (20%)	38 (76%)	2 (4%)
Creche	--	--	--	--	--	--	--	--	--
Labour Welfare Officer	10 (20%)	35 (70%)	5 (10%)	10 (20%)	35 (70%)	5 (10%)	10 (20%)	35 (70%)	5 (10%)

Table No. 3

*Source: Based on Interview Schedule

NR: No Response

**Union Leader's Views towards Actual Implementation of Safety Provisions:
A comparative Look (Total 15 Respondent)**

Name of the Provision	NFL (Panipat)			SM (Karnal)			SPL (Bahadurgarh)		
	Yes	No	NR	Yes	No	NR	Yes	No	NR
Washing Facility	5 (100%)	--	--	3 (60%)	2 (40%)	--	4 (80%)	1 (10%)	--

Facility of Storing and Drying	--	5 (100%)	--	--	5 (100%)	--	3 (60%)	1 (10%)	1 (10%)
Sitting Facility	5 (100%)	--	--	4 (80%)	1 (10%)	--	4 (80%)	1 (10%)	--
First Aid, Ambulance	5 (100%)	--	--	2 (40%)	3 (60%)	--	3 (60%)	2 (40%)	--
Canteen	5 (100%)	--	--	--	5 (100%)	--	5 (100%)	--	--
Shelter, Rest/Lunch Room	2 (40%)	3 (60%)	--	2 (40%)	3 (60%)	--	--	5 (100%)	--
Creche	--	--	--	--	--	--	--	--	--
Labour Welfare Officer	2 (40%)	3 (60%)	--	2 (40%)	3 (60%)	--	4 (80%)	1 (10%)	--

Table No. 4

*Source: Based on Interview Schedule

NR: No Response

Management Views towards Actual Implementation of Welfare Provisions:
A comparative Look (Total 15 Respondent)

Name of the Provision	NFL (Panipat)			SM (Karnal)			SPL (Bahadurgarh)		
	Yes	No	NR	Yes	No	NR	Yes	No	NR
Washing Facility	5 (100%)	--	--	5 (100%)	--	--	5 (100%)	1 (10%)	--
Facility of Storing and Drying	--	--	--	4 (80%)	--	1 (10%)	4 (80%)	1 (10%)	1 (10%)
Sitting Facility	5 (100%)	--	--	5 (100%)	--	--	5 (100%)	1 (10%)	--
First Aid, Ambulance	5 (100%)	--	--	4 (80%)	--	1 (10%)	5 (100%)	2 (40%)	--
Canteen	5 (100%)	--	--	5 (100%)	--	--	5 (100%)	--	--
Shelter, Rest/Lunch Room	5 (100%)	--	--	2 (40%)	3 (60%)	--	--	5 (100%)	--
Creche	--	--	--	--	--	--	--	--	--
Labour Welfare Officer	5 (100%)	--	--	5 (100%)	3 (60%)	--	--	1 (10%)	5 (100%)

Table No. 5

*Source: Based on Interview Schedule

NR: No Response

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