Labour Regulation in Indian Industry

general editor • T S Papola

VOLUME 4

Effectiveness of Labour Regulations in Indian Industry

Jesim Pais
Assistant Professor, Institute for Studies in Industrial
Development, New Delhi







CONTENTS

Foreword		v
Preface		vii
1. Introd	luction	1
1.1	Labour Regulations in India, an Introduction	1
2. Descr	iption of Important Labour Regulations in India and	
	Applicability	7
	Introduction	7
2.2	Regulations on Conditions of Work, Provisions and	
	Applicability	8
2.3	Provisions and Applicability of Regulations on	
	Wages and Remuneration	16
2.4	Social Security Regulations in India, Features and	
	Applicability	20
2.5	Industrial Relations, Employment and Job Security	
	Regulations in India and their Applicability	26
3. Estim	ation of the Coverage of Different Labour Regulations	33
3.1	Introduction	33
3.2	Coverage of Regulations on Conditions of Work	37
3.3	Coverage of Wage Regulations	41
3.4	Coverage of Social Security Regulations	54
3.5	Coverage of Regulations on Employment Security	
	and Industrial Relations	57
3.6	Conclusion	58
4. Labou	r regulations in India: Implementation Machinery	61
	Introduction	61
4.2	Appropriate Government for Enforcement of Labour	
	Regulations	62
4.3	Administration and Enforcement of Different Labour	
	Regulations	65
4.4	Implementation Machinery for Different Labour	
	Regulations	67
4.5	Implementation Machinery Staff Strength	<i>7</i> 5

4.6	Enforcement of Labour Regulations: A Discussion on	
	Punishment and Penalty	79
4.7	Conclusion	92
5. Effect	iveness of Coverage and Implementation	93
5.1	Introduction	93
5.2	Actual Coverage of Different Labour Regulations	94
5.3	Enforcement of Labour Regulations, Inspections,	
	Irregularities, Prosecutions	103
	ll Assessment of Compliance and Enforcement	131
6.1	Introduction	131
6.2	Overall Compliance and Problems with Implementation	
	of Labour Regulations	132
6.3	Alternative Systems of Enforcement including Self	
	Enforcement	136
Reference	ees	141
Appendi	x 1: Important Labour Regulations	145
Statistica	l Appendices	150
	List of Figures	
Figure 5.1	Strikes and Lockouts, India, 1991–2005	125
Figure 5.2	Strikes and Lockout, Number of Workers Involved,	
	India, 1991-2005	125
Figure 5.3	3 Strikes and Lockouts, Number of Mandays lost,	
	India, 1991-2005	126
	List of Tables	
Table 2.1	Permissible limits of exposure of certain chemical	
	substances under the Factories Act	10
Table 3.1	Labour Regulations on Conditions of Work and their	
	Applicability	39
Table 3.2	Estimates of Workers Technically Covered under	
	Regulations on Conditions of Work, 1999-2000	41
Table 3.3	Labour Regulations on Wages and Remuneration	
	and their Applicability	42
Table 3.4	Estimates of Workers Technically Covered under	
	Different Wage Related Regulations, 1999-2000	43
Table 3.5	Number of Scheduled Employments in Central Sphere/	
	States/U.T's, as on 31st December 2003	46