



सरकारी कर्मचारी राष्ट्रीय परिसंघ Govt. Employees National Confederation

(AFFILIATED TO B.M.S.)

CENTRAL OFFICE : RAM NARESH BHAVAN, TILAK GALI, PAHAR GANJ, NEW DELHI - 110055

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Ref: GENC/Cor/193(8/2/L)

Date : 08.05.2020

To
The Cabinet Secretary
Rashtrapati Bhawan
New Delhi – 110 004

Through (1) Email: cabinet@nic.in
(2) Fax : 011-23012835

Kind Attn : Shri Rajiv Gauba, IAS

Sub : Changes/Suspension of Labour Laws by several States.

Sir,

As reported in media, several states are changing/suspending labour laws to the inconvenience of the workforce of the Nation and hence we write this for your kind intervention so that **humanity is not crucified at the alter of business.**

As you are aware, the International Labour Organisation has passed the “Hours of Work (Industry) Convention 1919” and the same has been ratified by India in 1921 thus making it obligatory on the part of India to honour its commitments to restrict hours of work to not more than 8 (eight) hours per day or maximum 48 hours per week.

However, taking advantage of the fact that the subject is covered under the “concurrent list”, several State Governments are arbitrarily changing the law to increase the working hour per day to 12 hours and some state governments are also proposing to suspending all labour law for 1000 days, all these in the name of encouraging/attracting Industries in their respective states.

The Covid-19 Pandemic is unprecedented and to cope up with the situation patience and compassion is needed, particularly when India is a welfare state and a democracy.

It may be appreciated that in any industry, there are 5 elements of a cost of product viz: Direct Labour, Direct Material, Direct Expenses, Factory Overheads, and, Distribution & Selling and Administrative overheads. The cost of labour is hardly 10 percent of the total cost of product and in spite of this it is the labour which has become an epicenter of discrimination.

As is evident from various press reports, the workforce in the unorganized sector, which comprises 90% of the workforce of this country are virtually left at the mercy of circumstances with the implementation agencies being a total failure in ensuring even the statutory minimum wages. Thus, under such circumstances, any changes and/or suspension of Labour laws will result in devastation of humanity per se.

Under the compulsion of competition, it appears the State governments have categorized labour as a “commodity” and are blatantly misusing their powers to browbeat this important element of human race.

The prevailing circumstances compel us to remind that the Principles of ILO as expressed in its preamble to the founding documents states that **“Labour is not a commodity, people should not be treated as inanimate commodities.... People who work for a living should be treated as human beings and accorded dignity and respect.”**

In view of the seriousness of the issue, we urge the central government to play a proactive role and ensure that States stop taking advantage of the “concurrent” list scenario and change and/or suspend operation of labour laws. Necessary directives/advisories may be issued by the Centre immediately.

Thanking You,

Yours Truly



(SADHU SINGH)
Secretary General
Member (Staff Side)
National Council JCM

Copy to:

1. The General Secretary, Bhartiya Mazdoor Sangh, New Delhi
(For kind information & necessary action)