

# A Study on Awareness about Labor Laws Among The Employees of APCO Infratech PVT. LTD, Lucknow

## (A Study of 50 Employees APCO Infratech Pvt. Ltd. Gomti Nagar, Lucknow)

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### Abstract

The very basic purpose of the constitutional provisions and labor laws is to create a healthy and democratic environment for all the workers with a view to provide an opportunity for their overall development. It is oriented towards benefits related to the family, health, social, economic, political and cultural needs of all the employees. Because any organization works through proper utilization of human resource in form of labor. Hence it becomes necessary to provide a healthy environment to the employees, which must be conditioned with a system to fulfil physical and mental needs of the employees. Because a worker with healthy mind and body can make the organization successful to attain its goals but a frustrated or unsatisfied employee can cause verity of unexpected problems and unavoidable hurdles in the way to the progress of the organization. Awareness of the employees was not up to mark as planned by legislation. Employees were not completely aware about in depth knowledge of legislation. The reason may be non-inclusion of this knowledge in educational curriculum. Employees were also not found aware about different dimension wages, working hours, sickness, mode of payment, and different categories of dependents, disability authorized deduction and unauthorized deduction from the wages and actual understanding and difference about minimum, living and fair wages.

The level of knowledge of the employees was satisfactory about different kinds of manufacturing process, health measures, hazardous process, and security measures as mentioned in factories act. A part from this knowledge about different authorities dealing with industrial dispute was just satisfactory but the knowledge about gratuity and bonus among all the employees was found positive.

Therefore it was observed that regular training and awareness program are required to be conducted for employees to update their knowledge. Different competition may be conducted to promote awareness and encourage employees to inculcate the knowledge about labor legislation because as a powerful tool knowledge can make an employee capable of dealing all types of positive and adverse situation. It will be helpful for the smooth functioning of an organization in today's competitive environment.

This study aims to validate the awareness level of labor laws among workers in APCO infratech Pvt. Ltd. Lucknow. The sample size for the study is 50 employees. The study examines the awareness level of workers about provision of different legislation related to labor welfare, Like Factories Act, Industrial Disputes Acts, Minimum Wages Act, Payment of Wages Act, Trade Union Act, Workman's Compensation Act, Employees State Insurance Act, and Maternity Benefit Act applicable in the Industry. Systematic Random Sampling has been used in the study. Age and experience are the demographic variables used in the study. The results of the study revealed that significant difference is found in the awareness level of workers and experience regarding different acts implemented in the industry.

**Keywords:** Awareness level, Factories Act, Industrial Disputes Acts, Minimum Wages Act and payment of Wages Act.

## Introduction

Labor law also known as employment law is the body of laws, administrative rulings, and precedents which address the legal rights of, and restriction on, working people and their organizations. As such, it mediates many aspects of the relationship between trade unions, employer and employees. In other words, Labor law defines the rights and obligations as workers, union members and employers in the workplace. Generally labor law covers: Industrial relations – certification of unions, labor - management relations, collective bargaining and unfair labor practices, Workplace health and safety and Employment standards, including general holidays, annual leave, working hours, unfair dismissals, minimum wage, layoff procedures. There are two broad categories of labor law. First, collective labor law relates to the tripartite relationship between employee, employer and union. Second, individual labor law concerns employee's rights at work and through the contract for work. The labor movement has been instrumental in the enacting of laws protecting labor rights in the 19<sup>th</sup> and 20<sup>th</sup> centuries. Labor rights have been integral to the social and economic development since the industrial revolution. Labor law arose due to the demands of workers for better conditions, the right to organize, and the simultaneous demands of employer to restrict the powers of worker in many organizations and to keep labor costs low. Employers costs can increase due to workers organizing to win higher wages, or by laws imposing costly requirements, such as health and safety or equal opportunities conditions. Workers organizations, such as trade unions, can also transcend purely industrial disputes, and gain political power – which some employers may oppose.

International Labor Organization (ILO) was one of the first organization to deal with labor issues. The ILO was established as an agency of the League of Nations following the Treaty of Versailles, which ended World War I. Post-war reconstruction and the protection of labor unions occupied the attention of many nations during and immediately after World War I. In Great Britain, the Whitely Commission, a subcommittee of the Reconstruction Commission, recommended in its July 1918 Final Report that "industrial councils" be established throughout the world. The British Labor Party had in February 1918, the third Inter-Allied Labor and Socialist Conference (representing delegates from Great Britain, France, Belgium and Italy) issued its report, advocating an international labor rights body, an end to secret diplomacy, and other goals. And in December 1918, the American Federation of Labor (AFL) issued its own distinctively a political report, which called for the achievement of numerous incremental improvements via the collective bargaining process.

The British proposed establishing an international parliament to enact labor laws in which each member of the league would be required to implement. Each nation would have two delegates to the parliament, one each from labor and management. An international labor office would collect statistics on labor issues and enforce the new international laws.

Philosophically opposed to the concept of an international parliament and convinced that international standards would lower the few protections achieved in the United States, Gompers proposed that the international labor body be authorized only to make recommendations, and that enforcement be left up to the league of Nations. Despite vigorous opposition from the British, the American proposal was adopted.

## Introduction of labor law's in India

In the ancient India there were economic groups living together in the form of modern guilds, specializing in different branches of the economy. DR. R. C. Majumdar gives list of about thirty each groups. Besides this guild system, the joint family too played its due role in the society security for the dependent members. It is recorded by Kautilya that the government believed in social cooperation and enforced social duties on its subjects. Any dereliction of such duties was penalized. As such punishments were inflicted on men forsaking wife and children or husbands refusing to maintain wives or on brothers with means, refusing to take cares of minor brothers and sisters. The philosophy of social security was well known in ancient India. Ram Chandra, the embodiment of Hindu philosophy sacrificed his personal pleasure to look after the welfare of his subject. Dr. K.M. Saran has described vividly the laws protecting labor in India centuries ago in his 'Labor in Ancient India'. Kautilya's Arthshastra is a guiding example of the introduction of the philosophy of social security in ancient India. It has been viewed that Ancient India jurists like Brihaspati, Yagnavalkya, Vishnu etc. had framed extensive laws regarding wages and conditions of work, technical and vocational training, women and child labor, regulation of industrial relations etc.

Among the Mughal rulers, Akbar the Great made certain provisions for the learned. Shahjahan made liberal grants to spiritual guides, literary men and musicians. The motive of charity was religious rather than safeguarding the economic interests of the poor. Labor legislation was initiated in India by the British rulers under pressure of jealous Lancashire and Dundee in 1881. Their jealousy and pressure were mainly responsible for most Indian Labour Laws till 1912.

After the First World War labor movement started in our country with the establishment of the Madras Labour union in 1918 to redress the distress caused by post-war rise in prices not followed by rise in wages. Similar bodies sprang up in other industrial centers. Labour aimed for higher wages. There was a series of strikes in the jute mills in Calcutta, in Jamshedpur, in the Coal fields and in Cotton mills of Bombay and Ahmedabad. There were also strikes of employees in Railways, Docks, in the postal department etc. Labor legislation that is adapted to the economic and social challenges of the modern world of work fulfils three crucial roles. It establishes a legal system that facilitate productive individual and collective employment relationships, and therefore a productive economy. By providing a framework within which employers, workers and their representatives

can interact with regard to work-related issues, it serves as an important vehicle for achieving harmonious industrial relations based on workplace democracy. It provides a clear constant reminder and guarantee of fundamental principles and rights at work which have received broad social acceptance and establishes the processes through which these principles and rights can be implemented and enforced. Labor policy of India

Labor policy in India has been evolving in response to specific needs of the situation to suit requirements of planned economic development and social justice and has two fold objectives, namely maintaining industrial peace and promoting the welfare of labor.

### **Labor policy highlights**

1. Creative measures to attract public and private investment.
2. Creating new jobs
3. New Social security schemes for workers in the unorganized sectors
4. Social security cards for workers
5. Unified and beneficial management of funds of Welfare Boards
6. Reprioritization of allocation of funds of Welfare Boards
7. Model employee-employer relationship
8. Long term settlements based on productivity
9. Vital industries and establishment declared as public utilities
10. Special conciliation mechanism for projects with investment of Rs.150 crores or more
11. Industrial Relationship committees in more sectors
12. More labor sectors under Minimum Wages Act
13. Child labor act to be aggressively enforced
14. Modern medical facilities for workers
15. Rehabilitation packages for displaced workers

### **Labor laws enacted by the Central Government, where the Central Government has the sole Responsibility for enforcement**

1. The Employees' State Insurance Act, 1948
2. The Employees' Provident Fund and Miscellaneous Provisions Act, 1952
3. The Dock Workers (Safety, Health and Welfare) Act, 1986
4. The Mines Act, 1952
5. The Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labour Welfare (Cess) Act, 1976
6. The Iron Ore Mines, Manganese Ore Mines and Chrome Ore Mines Labor Welfare Fund Act, 1976
7. The Mica Mines Labor Welfare Fund Act, 1946
8. The Beedi Workers Welfare Cess Act, 1976
9. The Limestone and Dolomite Mines Labor Welfare Fund Act, 1972
10. The Cine Workers Welfare (Cess) Act, 1981
11. The Beedi Workers Welfare Fund Act, 1976
12. The Cine Workers Welfare Fund Act, 1981

### **Labor laws enacted by Central Government and enforced both by Central and State Governments**

1. The Child Labor (Prohibition and Regulation) Act, 1986.
2. The Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996.
3. The Contract Labor (Regulation and Abolition) Act, 1970.
4. The Equal Remuneration Act, 1976.
5. The Industrial Disputes Act, 1947.
6. The Industrial Employment (Standing Orders) Act, 1946.
7. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.
8. The Labour Laws (Exemption from Furnishing Returns and Maintaining Registers by Certain Establishments) Act, 1988
9. The Maternity Benefit Act, 1961
10. The Minimum Wages Act, 1948
11. The Payment of Bonus Act, 1965
12. The Payment of Gratuity Act, 1972
13. The Payment of Wages Act, 1936
14. The Cine Workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981
15. The Building and Other Construction Workers Cess Act, 1996
16. The Apprentices Act, 1961
17. Unorganized Workers Social Security Act, 2008
18. Working Journalists (Fixation of Rates of Wages) Act, 1958
19. Merchant Shipping Act, 1958
20. Sales Promotion Employees Act, 1976
21. Dangerous Machines (Regulation) Act, 1983
22. Dock Workers (Regulation of Employment) Act, 1948
23. Dock Workers (Regulation of Employment) (Inapplicability to Major Ports) Act, 1997
24. Private Security Agencies (Regulation) Act, 2005

In view of the above discussion it may be pointed out that many important enactments relating to labor welfare within the purview of concept of social security have been passed in India also. It may be observed that some labor enactments deal with the labor and management relations such as the Industrial Dispute Act, 1947, the Employment (Standing Orders) Act, 1946 while some legislative measures provide protection to Trade Union and Trade Union activities. Although there are numerous Acts passed by the Central Government and State Government which come under the frame work of the social security legislation in our country.

### **Research Objectives and Methodology**

**Objectives**  
The general aim of the study is to prepare the profile of the respondents and as well as to assess the knowledge of employees related to different labor legislation:

### **Nature and Scope of the Study**

The area of the study constitutes 50 employees of APCO Infratech PVT.LTD. Gomti Nagar, Lucknow. It is Construction Company with special focus to Bridge Road Construction.

## Hypothesis

The level of knowledge of the employees about Labour legislation is not satisfactory and there is a need to conduct awareness programmes for the welfare of employees.

## Universe & Sample

Universe of the study will constitute by all the units of employees of APCO Infratech PVT. LTD. Gomti Nager Lucknow on which study has to be conducted. The sample of the study consists of 50 employers and employee/ responsible representatives of APCO Infratech PVT. LTD, with the application of systematic random sampling out of 154 employees.

## Tools of the study

The primary as well as secondary tools of data collection were adopted. For which interview schedule was prepared which contained about 55 questions? The interview schedule covers almost every possible aspect of awareness of employees about Labor laws included in the scope of study. An effort was made to avoid double –barrel, loaded and vague questions.

## Methods of Data Collection

Observation as well as interview method was applied for the collection of data.

## Major findings of the study

### Profile of the respondent

The study reveals that the majority (38%) of the respondents belong to the age group of 31-40 years and 20-30 years (36%) with the maximum representation (72%) of Hindu religion. A favorable gender ratio (53.73%) found among the family members of the respondents. The educational level of the employees was found satisfactory (Graduate-46% and Post Graduate- 44%) with management (26%) and other type of technical education. Most of the employees were married (68%) and having nuclear pattern of family (58%) with urban background (60%).

### Awareness about constitutional

#### Provision Employee Compensation Act 1957

The studies revealed that maximum number of the employees were aware of constitutional provisions like Art-15 (70%), Art-16(78%), Art 17(58%), Art. 19 (68%), Art 21(58%), Art23 (56%), Art 24 (66%), Art 38 (64%), Art 39 (76%), Art 41 (60%), Art 42(54%), Art 43(66%) and Article 43 A(78%). The study shows that only 46 % of the employees were aware of all the compensatory benefits of the act as majority (54%) of the employees were not aware of the provisions of the act but maximum number(60%) of the employees had the knowledge about different types of disability mentioned in the ac which are partial ,total ,temporary and permanent disability. The study indicates that 18% of the respondents were of opinion that the employees is entitled to get compensation when accident occurred in factory, followed by 24% of the respondents were of opinion that accident occurred in factory or organizational premises, followed by 30% of the respondents were of opinion that accident occurred during the performance of responsibility of organization and followed by 28% of the respondents were of opinion that Injury caused by intentional negligence during organizational working. Only 20% of the respondents were aware of

all types of compensation which include Hospital and medical expenses (24%), Cash (28%), Benefits to dependent after death (28%). The study reveals that 64 % employees were aware that widow, widow daughter in law, unmarried sister and minor brother comes under the category of dependents similarly 70% of the respondents were aware of the fact the minor legitimate or adopted daughter are dependent as well as 60% of the respondents knew that unmarried legitimate or adopted daughter comes under the category of dependents. It was also found that 40% of the respondents were aware of the fact about a minor illegitimate son, unmarried illegitimate daughter if married and minor and widowed or minor are also included in category of dependents.

### Awareness about provisions of Employee State insurance Act 1948

Study shows that only 36% of employees were aware of all the benefits which covered under E.S.I. Act which include Sickness benefit (20%), Disability benefit (18%), Dependent benefit medical benefit (16%) and Funeral expenses (10%). It was also found that only 24% employees were aware of all the categories of sickness mentioned under this act. Which include the condition when employee requires someone to attend him (22%), abstaining from doing work on medical grounds (26%) and a condition requiring medical treatment (28%). Out of all the respondents only 36% of the respondent are aware of all the categories of disablement which includes temporary disablement for not less than three days excluding the days of accident (24%), permanent disablement which may be total or partial (18%), injury must sustain during employment (22%).

In this continuation only 36% employees were aware of all the categories of permanent total disablement which includes disability of a permanent nature which incapacitates an employee from all type of work (18%), loss of earning capacity (28%) and disability which reduces earning capacity (18%). Study also assessed the awareness amongst respondents about conditions required to get funeral expenses. Only 36% of the employees were aware about all the conditions whereas only 22% respondents knew that it is compensated only in case of death, 24% employees stated that claimant must have incurred expenditure on the funeral of the deceased insured person and 18% employees found aware about n claim of such payment must be made within three months of the death of the insured person. It is also indicated by study that out of all the employee 16% employees know that all remuneration capable of being expressed in terms of money, 24% employee know that house rent allowance come under the minimum wages, 28% employees stated that it is determined by contract between employee and employer.

### Awareness about provisions of Factories Act 1948

Present study also included the objective to know about awareness level of respondents related to the provisions of Factories Act 1948. It shows that 16% of the respondents said that factories means ten or more workers, working for 12 months in any part of manufacturing with the aid of power similarly 20% of

the employees opined that factories means twenty or more worker working on the days of 12 months in any part of manufacturing without the aid of power. Out of all the respondents, 80% of the respondents were aware of manufacturing process which includes making, altering, repairing, ornamenting, finishing, and packing, oiling, washing, cleaning, breaking up and demolishing. 70% of the respondents knew that pumping oil, water, sewage or any other substance and book binding comes under manufacturing process and 48% of the respondents knew that manufacturing process include the generating, transforming, and transmitting power. Apart from this only 20% of the respondents were aware that manufacturing process includes construction, reconstruction, repairing, refitting, and breaking. Similarly 18% of the respondents were aware of manufacturing process include in reserving or restoring any article in cold storage. With a positive indication 78% of the respondents were aware of all the categories of manufacturing process mentioned in the act. Findings also revealed the awareness level of the respondents about health measures mentioned in Factories Act, as 84% of the employees were aware health measures like cleanliness from accumulation of dirt, washing of floor, use of disinfectant, proper drainage and white washing must be necessarily provided by employer.

### **Awareness about Industrial Disputes**

The study shows that 24% of the employees opined that Industrial dispute is, a dispute between employees and employer, 20% of the employees said that dispute between employer and employer, 26% respondents answered that it is dispute among employees, 30% of the employees said that all of them are industrial dispute but it must be connected with terms of employment or conditions of labor. Generally an industry may be termed as an activity carried on by co-operation between employer and his workmen for the production, supply or distribution of goods and service, in this reference 80% of the respondents found aware about above mentioned definition of the factory. It was also resulted that only 40% of the respondents had knowledge about Hospitals, Educational institutions, Scientific Research or training Institutes also comes under the head of factory. Similarly only 38% of the respondents were aware that Institutes providing charitable, Social and philanthropic services also under the category of factory and only 30% respondents knew about Khadi, Village industry, Domestic services and agricultural operations are not the part of factory. It was also revealed by study that 40% of the respondents found aware that any activity of government related to sovereign function of government is called factory as well as only 28% of the respondents were aware about Co-cooperative Societies and clubs are considered as factory. Findings of the study shows that only 32% of the respondents were aware about the fact that Individual practitioners or group of individual practitioner is also considered as factory.

### **Limitations of the Study**

After selection of the topic, contact was made to various organizations and requested to grant

us permission for data collection from the employees, most of the organization had denied to grant permission as they were little scared about internal security of their organizations. Initially the senior officer of the organizations was not permitting to collect the data due to confidentiality concern of the organizations. Employees were also little hesitant to respond due to insecurity of job in private sector. Few of the employees commented that the labor laws are just formality and owner in the source of law in private machinery. They also passed comment on the proceeding of Indian judiciary system. They have also expressed their view on prevailing problem on employment. Hence the bread earners like to be silence even in the non adherence of rules and regulations. Due to the busy schedule of employees process of data collection taken a long time. Repeated explanations had been given to the respondents due to low level of understanding of laws. With few of the employees we had to contact two or three time to collect data. Lack of clear cut answer of the questions was making us confused about recording and analysis of the data.

### **Application of the Study**

The findings show that the overall awareness level of employees about labor laws was just satisfactory. It means that they have surface level knowledge about all the legislation. Hence it is required to conduct awareness program about labor laws for all the employees. Content related to labor laws must be included in educational curriculum in all types of technical and non-technical education. Different amendments and changes made in laws must be communicated to all the employees on regular basis. Feedback from the employees must be taken on operational need of organizational working. Amendments must be made in laws in accordance with changing socio-economic and political environment of the organization. Employers must also be sensitized about the need and expectations of the employees to maintain harmonious relationship in the organization. Strict adherence of rules must be promoted among employees as well as employers also.

Transparency about working of organization must maintain among all the employees irrespective of their hierarchy. A democratic decision making process must be promoted in most of the organizations to boost up the morale of employees. There must be proper machinery to deal with the suggestions and complaints of the employees related to the organizational operations. Employee mentorship must be promoted to create awareness about labor laws among all the employees. Interaction with the persons dealing with judiciary and labor machinery must be organized at organizational level. The basic purpose of this interaction must be promotion of organizational harmony not to provoke employees for tiny issues. Establishment of a legal consultancy and counselling cell must be mandatory in every organization. Employees must be promoted to share their knowledge and experience about different aspects of labor welfare machinery with their colleagues through formal and informal



interactions.Competition about awareness of labor laws, among employees must be conducted on regular basis to promote awareness.

## Conclusion

The study reveals that there is need to conduct training program to enhance the awareness level of employees. The knowledge of labor legislation must be included in the curriculum of most technical and professional education. Regular update of charges and amendment made in laws and rule updated to employees' welfare regular implementation is a requirement to be made about laws and amendment for employee welfare.Opinion of employees regulated to the operational need of them job must be considered in labor legislation for this purpose regular feedback must be taken from the employees.Employees must be primarily informed about the working hours at the time of their joining. It must include difference pattern of working hours like their time, even time, night shift, outdoor duty & leave policy. The employees must be informed the enclave measures mentions in factories act.The employees must be informed about the hazardous process and related security measures a part from this employers are also required to make necessary arrangement for associated hazardous aspect of their working.

Study revealed that employees are not aware of all the conditions in which compensation is applicable.Employees are also not aware of different forms of compensation mentioned in the act.The level of knowledge of employees about different categories of dependents is was just satisfactory as expected by the laws.Study shows that the knowledge of employees about the conditions in which compensation will not be given to the employees is not satisfactory. Employees were not known to all the forms of wages to pay to employees. Maximum employees were aware about settlement of remuneration between employer and employee is the only form of wage. Knowledge among employees about different forms of authorized deduction from wages is just satisfactory as expected by laws.Very less number of employees were found aware of different procedure of applying claim application for compensation. Knowledge about provisions of Employee State Insurance Act 1948 was not satisfactory among employees. It was also found that employees were not aware of different form of sickness as mentioned in act.Knowledge about different form of permanent and temporary disability was found very low among all the employees. Understanding about Minimum wages, Living wages and Fare wages among employees was just satisfactory but awareness program must be conducted. Most of the employees were aware of different form of manufacturing process as mentioned in act. Knowledge about different security measure was also found just satisfactory .They were not aware of all the security measures mentioned in act. Understanding about actual meaning, prerequisites and different forms of Hazardous process was just satisfactory among all the employees as expected by the laws.

## Future Scope

The study conducted on the awareness of labor laws among employees provides us the knowledge about effective implementation of the labor laws. The study may be considered as assessment of the level of adoption of laws in practice by employees. Because in most of cases related to the not practice in organization are directly and indirectly related to the non-adherence of rule and regulation made for smooth organizational working. Such types of studies provide us information about knowledge level of the employees. Because ignorance of employees make it obvious to commit mistakes or non-adherence of rule in routine process of organisation. It gives us an insight to prepare the contents to be included for employee training to improve their level of knowledge. Abort from this, such types of studies are also helpful to attain an effective organizational working. Because employees acquainted with required knowledge of rules and regulations commit very low number of mistake. It is also useful for management of the organization because they can identify the areas of improvement within the organizational setup because knowledge is the most important source of power to work efficiently. Hence assessment of the awareness of employees becomes always helpful for further program of the organization.

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