

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

Engr.C.L.Nankani

Former Joint Director of Labour
Government of Sindh

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

Based on my long spell with the Labour Department, Government of Sindh responsible for welfare of workers and maintaining of industrial peace, I may say that Health & Safety objective are achieved by implementing the following functions:

- Registration of Trade Unions**
- Enforcement of Factory Act 1934 alongwith other labour laws**
- Payment of wages as well as compensation to the Workers**
- Industrial Labour management relations: Strike Notice and conciliation.**

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

Enforcement of Factories Act 1934 alongwith Sindh Factory rules 1975 and other labour laws is the prime function of the Factory Inspector appointed by the Provincial Government in the Directorate of Labour. There are two categories of Factory Inspectors. One is called 'general inspector' and other call 'technical inspector' of factories.

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

GENERAL INSPECTOR:

General Inspector is appointed mostly through promotion from the shop inspector or by appointment by Sindh Public Service Commission as Labour Officer in Basic Pay Scale (BPS)16, Assistant Director Labour in BPS 17. Officers who possess generally an education background of Graduation or Masters degree, after their appointment by the Government of Sindh in the department of labour, There is no training compulsory in any institute where they can be sent / kept for training as Factory Inspector. There is one National Institute of Labour Administration and Training (NILAT), which organizes, courses for workers, trade unions, employers, officers of labour department for Safety and Health but no specialized courses for Factory Inspectors. A post graduate diploma course is organized by NILAT for period 24 weeks for workers, employers and officers.

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

TECHNICAL INSPECTOR:

Technical Inspector is appointed through Sindh Public Services Commission. The requisite qualification is Bachelor Degree in Engineering in the Electrical, Mechanical and Chemical Engineering. These inspectors are also not provided any training for Factory Inspector as there is no branch / institute which can provide training. Years back, International Labour Organization (ILO) used to provide Fellowship for Factory Inspectors in respect of Occupational, Safety and Health in foreign countries but now due to the lack of funds the same are stopped.

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

TRADE UNION-MANAGEMENT CONCILIATION:

Department does not have any specific funds to arrange the training course for Factory Inspector and other specific post such as Assistant Director (Trade Union) who handle very sensitive problems of formation of Trade Union, conduct referendum among Trade Unions and provide them certificate of collective bargaining agent etc. Similarly Assistant Director Labour (Conciliation) is very important position as he has to handle the strike notices when a Trade Union serves charter of demand on their employer. He has to strike balance between two extremes ends of the society that is employees and employer, to sit side by side and discuss their demands and make them to come on some amicable settlement with the consent of both parties. The agreement reached is signed by both parties in his presence as the conciliator and this agreement becomes a legal document for both parties for working purposes for the period as mentioned in their settlement.

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

WAGE COMMISSIONER:

Then comes the Assistant Director Labour for purposes of wages and commissioner for compensation. This position holder is also not provided any training in this special field. Mainly it should have been that a person appointed as this post should have degree in law as the post is judicial one. And finally come the labour officer, Assistant Director Inspections, Technical Inspector / Medical Inspector. There is no Institute in province of Sindh or all over Pakistan to provide the basic training to the appointed factory inspectors about their functions, duties, importance and sensitivity of their jobs.

During my service length of about thirty four years I have noticed that most of the officers avoid being sent to NILAT as they deem it as punishment. If some officer is interested in diploma courses of labour administration to enhance his qualification he too would not be sent in such training. It was noticed that for some training in rural academy in Peshawar an officer would avoid to go there or due to the lack of fund for training and related expenses he is not sent by the department.

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

TRAINING NEEDS:

A factory inspector, if he is properly provided with training, he will inspect factory thoroughly in each and every respect including Safety and Health provisions, installation of machines, construction of buildings, door and window, opening emergency exits, fire fighting equipment, fire alarm etc. When he comes to the checking of records such as most important one the issuing of appointment letter at the time of induction clearly mentioning term and condition of employment, wages and other benefits or allowance, he should see hygiene and fitness certificate which shows that workers are being taken care properly. He should notice holiday book or leave pass issued to the workers. Factory Inspector should also have knowledge with the problems or hazards associated with certain process of manufacturing. If these were not possible to eliminate them than how to minimize the same. He may discuss the issues with the management and provide them alternatives or advise the personal protection equipment to be used by the workers to reduce the impact of that particular hazard.

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

TRAINING NEEDS:

For example, providing secure place when welding is taking place, other workers are protected by the screening, providing face mask to the workers in the process where dust powder or gases are involved which effect the health of the worker after a long period of service; arrangement of proper lighting as in the Factories Act 1934 and Sindh Factories Rules 1975. It is simply mentioned sufficient and proper lighting arrangement but have the experts laid down every process has its own requirement, fine work need better lighting and rough worker needs comparatively less lighting and then again where to install the light; distance needed to be kept in between the machine for proper movement of the raw material and finished goods. Emergency exit and provision of the alternate escape route in case of fire / emergency. In case the factory is employing 250 workers or more, then workers canteen and its conditions, does it fulfill the requirement laid down in the canteen law food provided their rates, sitting arrangements, subsidies offered by the management etc.

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

TRAINING NEEDS:

Another very important point is that of issuing an appointment letter to a worker describing all the term and condition of employment. This appointment letter helps reduce the manager's problem of the industrial peaceful working. A worker cannot be thrown out of job instantly or refused his legal rights such as wages and other legal due to be paid to him at time of termination from services or compensation in case of accidents met by the worker during the course of working.

Registration of the Factories is very important aspect of the inspection which lacks in the factory inspectors at the moment mostly willfully unfortunately. There are two separate conditions, one that factory employing, 10 workers have not to submit the certificate of stability of building along with the building plan which is generally not understood by them hence should they register the factory under these provisions only. Secondly when the factory is employing more than 20 workers they have to submit certificate of stability in form "K" signed by qualified architect alongwith factory building plan and in that case they have to get approval of Chief Inspector of Factories which they avoid for the reasons best known to them.

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

Table 1 shows the position of factories registered in the Sindh Province during 1996-2005 and number of work employed therein. There appears a stagnant position for the last two year.

Table:1.(a) : FACTORIES REGISTERED IN PROVINCE OF SINDH UNDER FACTORY ACT

YEAR	NO. OF FACTORY	WORK FORCE EMPLOYED
1996	4164	282077
1997	4591	293938
1998	4720	298470
1999	4942	303035
2000	5142	305642
2001	5363	310391
2002	5617	315963
2003	5820	320677
2004	6050	325265
2005 (upto 31st December)	6086	326528

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

Table:1.(b): NUMBER OF ACCIDENTS IN KARACHI DIVISION:1992-2004

YEAR	FATAL ACCIDENT	SERIOUS ACCIDENTS	MINOR ACCIDENTS	TOTAL ACCIDENTS
1992	4	20	233	257
1993	0	30	123	153
1994	3	19	137	159
1995	7	1	63	71
1996	4	0	93	97
1997	8	2	122	132
1998	11	0	105	116
1999	5	10	54	71
2000	6	25	58	89
2001	22	12	18	52
2002	12	3	7	22
2003	7	17	21	45
2004	4	44	15	63

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

During the course of inspection they do not properly check working hours and then spread position, limit of overtime allowed to be taken and under what condition the rate of payment of overtime to the worker, weekly holiday / festival holiday and their substitute holiday, issuing of show cause notice to the factories after inspection for the defects noted during the inspection, lodging of case in the court for the same and defending the same with legal point of view.

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

Table:2.

GOVERNMENT OF SINDH, DIRECTORATE OF LABOUR FACTS REGARDING INSPECTION PROSECUTIONS, CASES DECIDED BY THE COURT WITH FIN IMPOSED

S/NO	YEAR	INSPECTIONS CARRIED OUT	PROSECUTIONS LODGED IN THE COURTS	CASES DECIDED BY THE COURT	AMOUNT OF FINE IMPOSED BY THE COURTS RUPEES
1	1980	3961	7727	5312	262,205.00
2	1981	2640	4312	3986	261,141.00
3	1982	2921	2801	1115	88,885.00
4	1983	2884	2847	747	47,840.00
5	1984	3091	10403	766	44,465
6	1985	2291	962	506	42,940
7	1986	2995	6353	10156	114,880
8	1987	2806	13001	6900	221,075.00
9	1988	2344	6472	4853	363,165.00

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

Table:2. (Contd...)

GOVERNMENT OF SINDH, DIRECTORATE OF LABOUR FACTS REGARDING INSPECTION PROSECUTIONS, CASES DECIDED BY THE COURT WITH FIN IMPOSED

S/NO	YEAR	INSPECTIONS CARRIED OUT	PROSECUTIONS LODGED IN THE COURTS	CASES DECIDED BY THE COURT	AMOUNT OF FINE IMPOSED BY THE COURTS RUPEES
10	1989	3217	6033	6913	271,710.00
11	1990	2863	5561	6260	9,734,700.00
12	1991	3147	7277	5990	219,844.00
13	1992	2481	2224	7211	205,475.00
14	1993	2290	4490	5338	99,772.00
15	1994	2239	7223	2720	83,310.00
16	1995	2457	6083	748	32,633.00
17	1996	2709	3131	2234	150,935.00
18	1997	3126	3367	2224	91,505.00

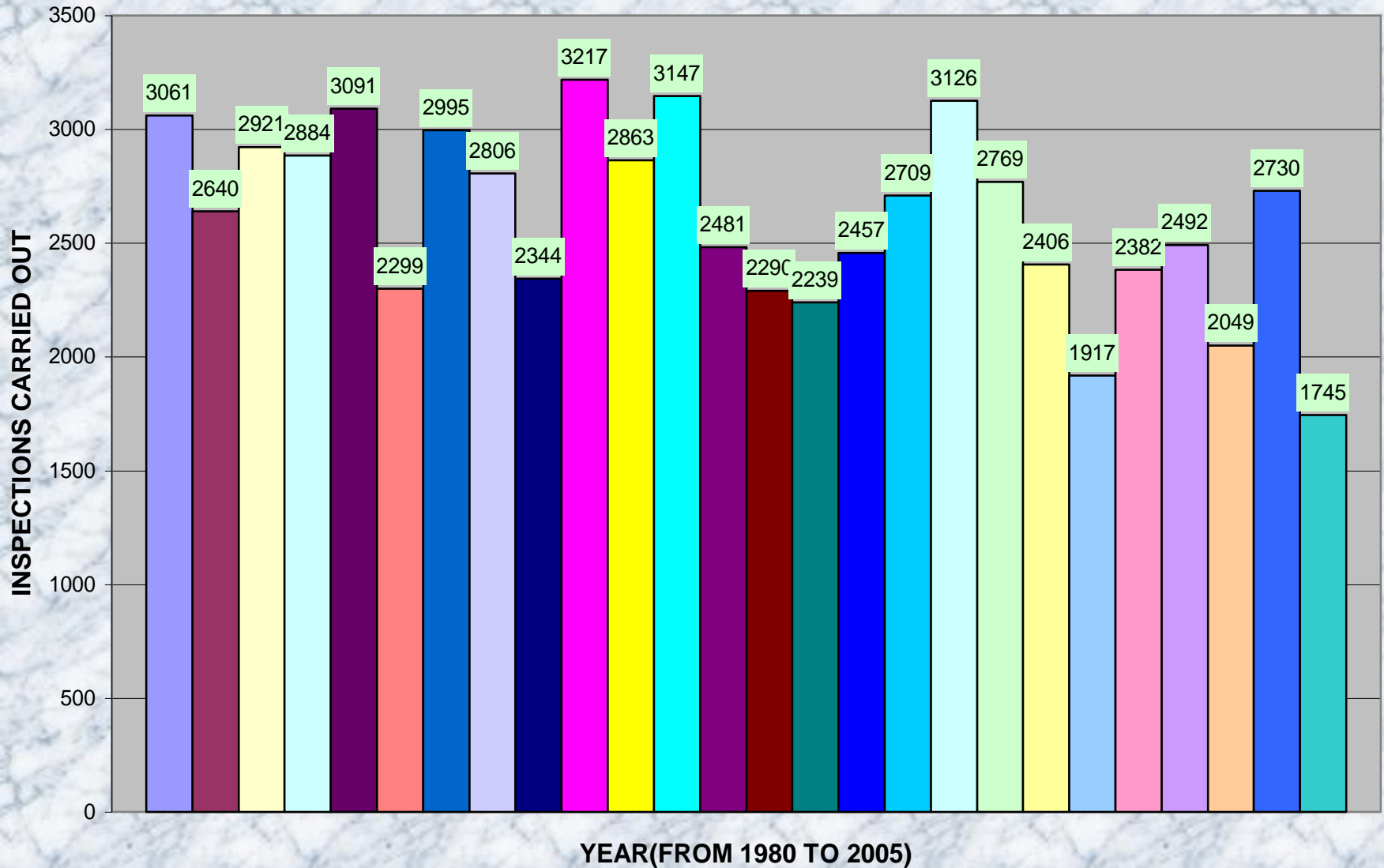
NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

Table:2. (Contd...)

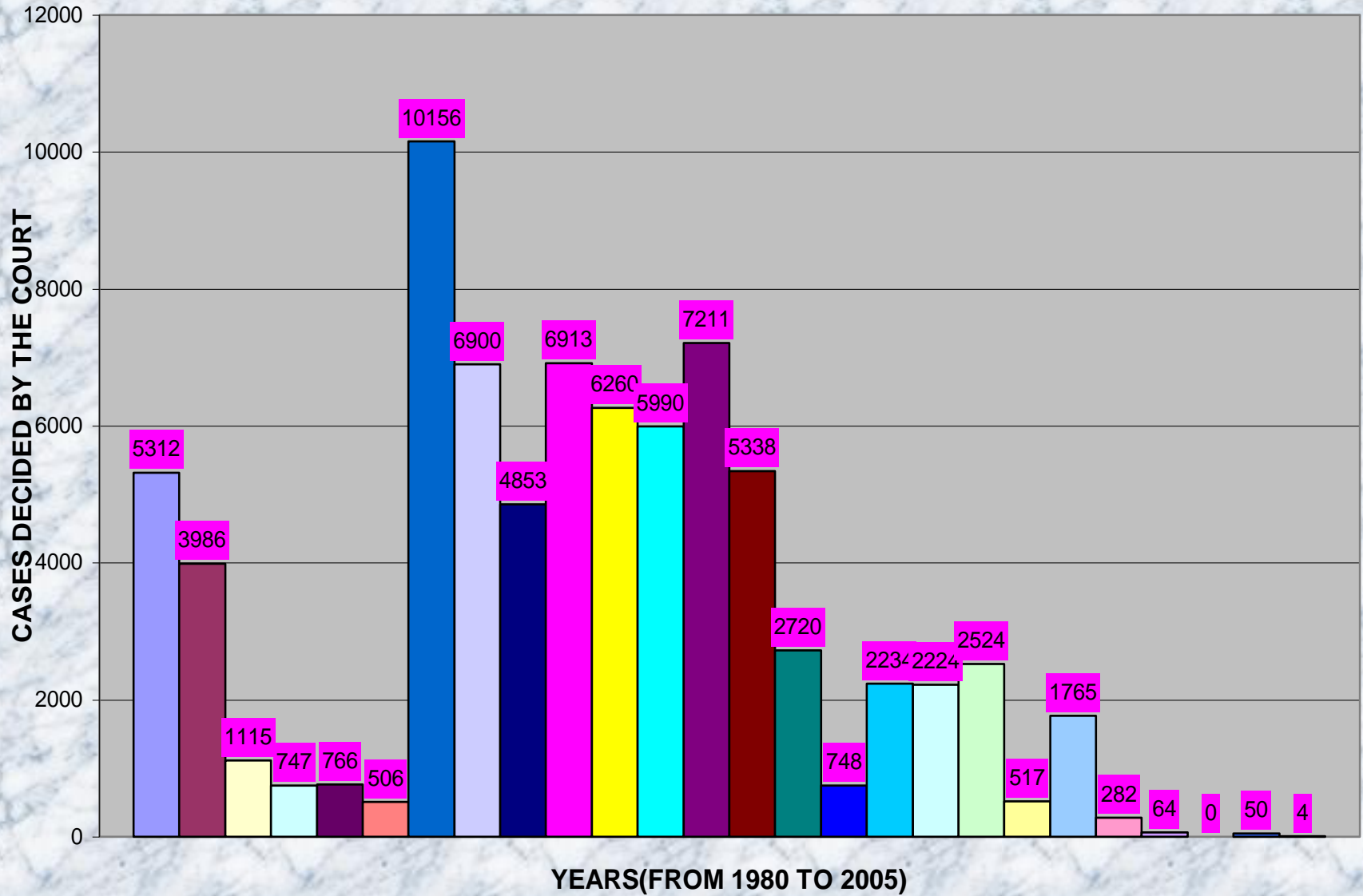
GOVERNMENT OF SINDH, DIRECTORATE OF LABOUR FACTS REGARDING INSPECTION PROSECUTIONS, CASES DECIDED BY THE COURT WITH FIN IMPOSED

S/NO	YEAR	INSPECTIONS CARRIED OUT	PROSECUTIONS LODGED IN THE COURTS	CASES DECIDED BY THE COURT	AMOUNT OF FINE IMPOSED BY THE COURTS RUPEES
19	1998	2769	2219	2524	84,527.00
20	1999	2406	1345	517	14,795.00
21	2000	1917	1897	1765	94010.00
22	2001	2382	977	282	33,700
23	2002	2492	39	64	12,700.00
24	2003	2049	80	0	-
25	2004	2730	287	50	2,940.00
26	2005 Upto June	1745	26	4	2,000.00

FACTS REGARDING INSPECTION PROSECUTIONS,



FACTS REGARDING INSPECTION PROSECUTIONS,



FACTS REGARDING INSPECTION PROSECUTIONS,

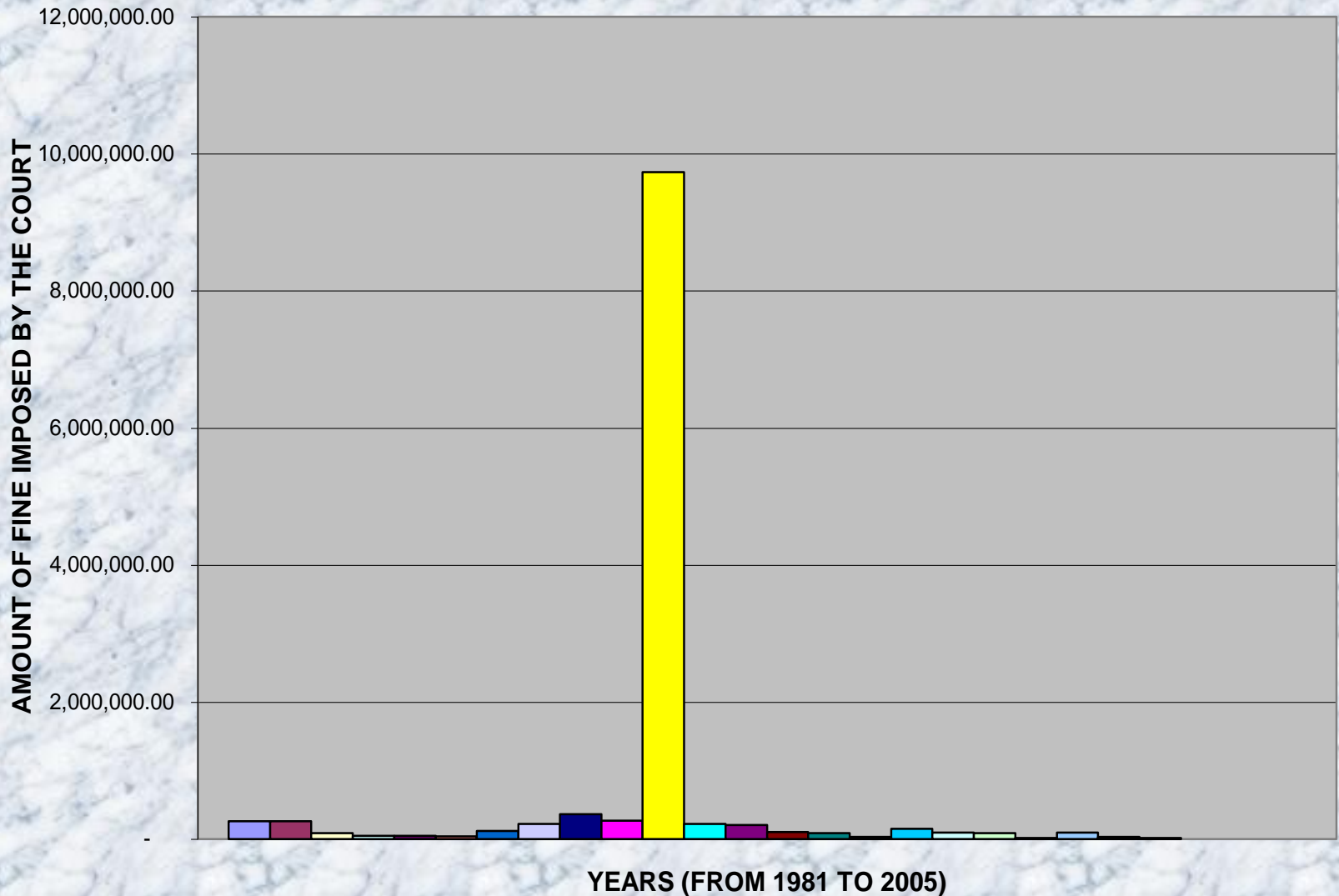


Table-3

NUMBER OF INSPECTIONS, CASES LODGED, CASES DECIDED AND FIN IMPOSED
OSHC KARACHI DIVISION

S/NO.	YEAR	FACTORY PROSECUTED	FACTORY INSTPECTE D	CASES DECIDED BY THE COURTS	FINE IMPOSED BY THE COURTS RUPEES
1	1983	8	78	52	4,500.00
2	1984	1	60	30	900.00
3	1985	12	450	110	10,700.00
4	1986	22	175	216	16,385.00
5	1987	0	0	0	-
6	1988	20	165	131	21,040.00
7	1989	12	170	85	4,960.00
8	1990	0	-	0	-
9	1991	0	-	0	-
10	1992	6	178	109	2,150.00

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

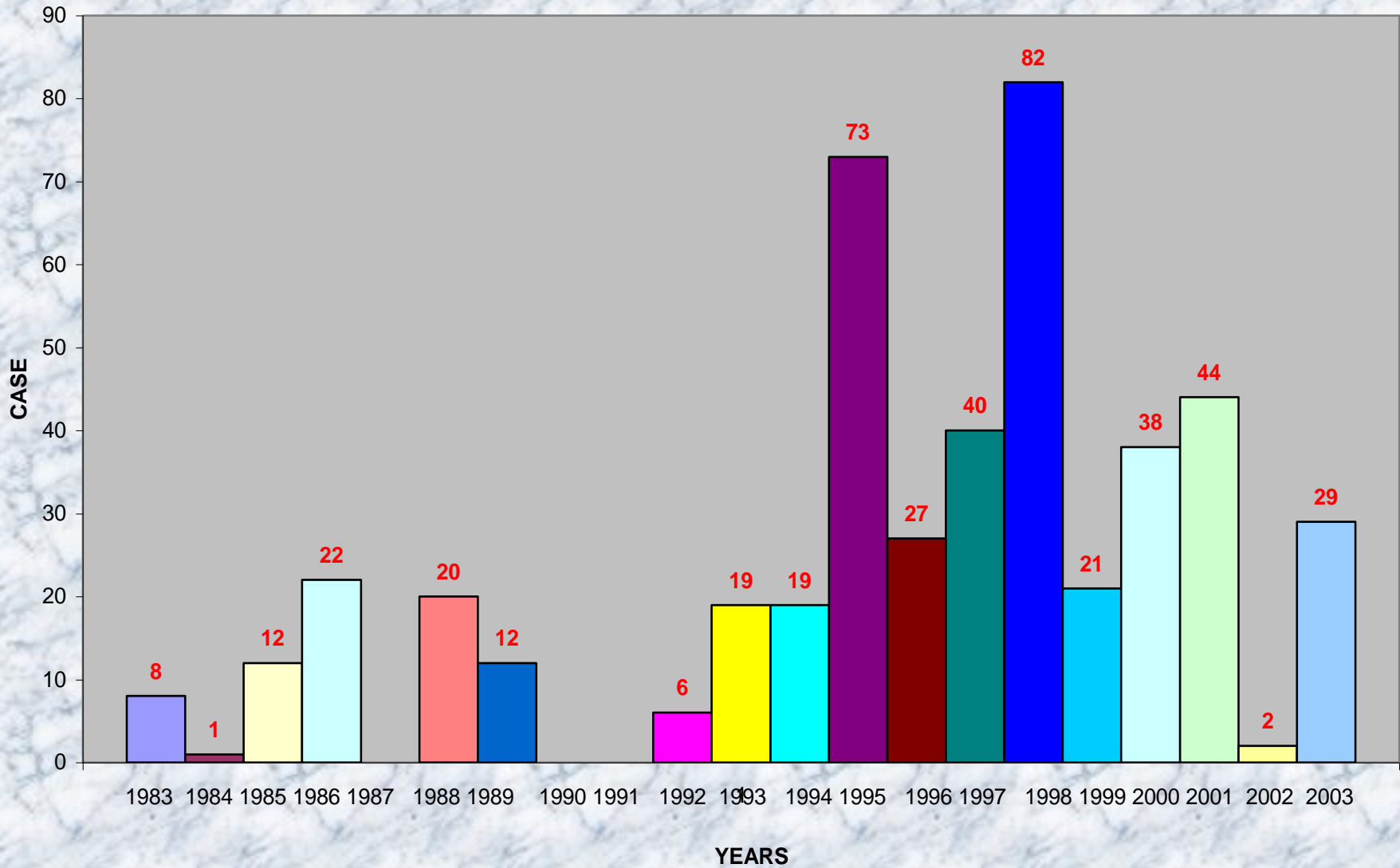
Table-3 (Contd...)

NUMBER OF INSPECTIONS, CASES LODGED, CASES DECIDED AND FIN IMPOSED
OSHC KARACHI DIVISION

S/NO.	YEAR	FACTORY PROSECUTED	FACTORY INSTPECTED	CASED DECIDED BY THE COURTS	FINE IMPOSED BY THE COURTS RUPEES
11	1993	19	575	603	13,380.00
12	1994	19	590	856	53,570.00
13	1995	73	1080	1382	172,245.00
14	1996	27	418	163	13,750.00
15	1997	40	735	507	19,520.00
16	1998	82	990	707	54,390.00
17	1999	21	687	182	13,090.00
18	2000	38	727	254	22,310.00
19	2001	44	409	71	8,850.00
20	2002	2	279	8	-
				312	-

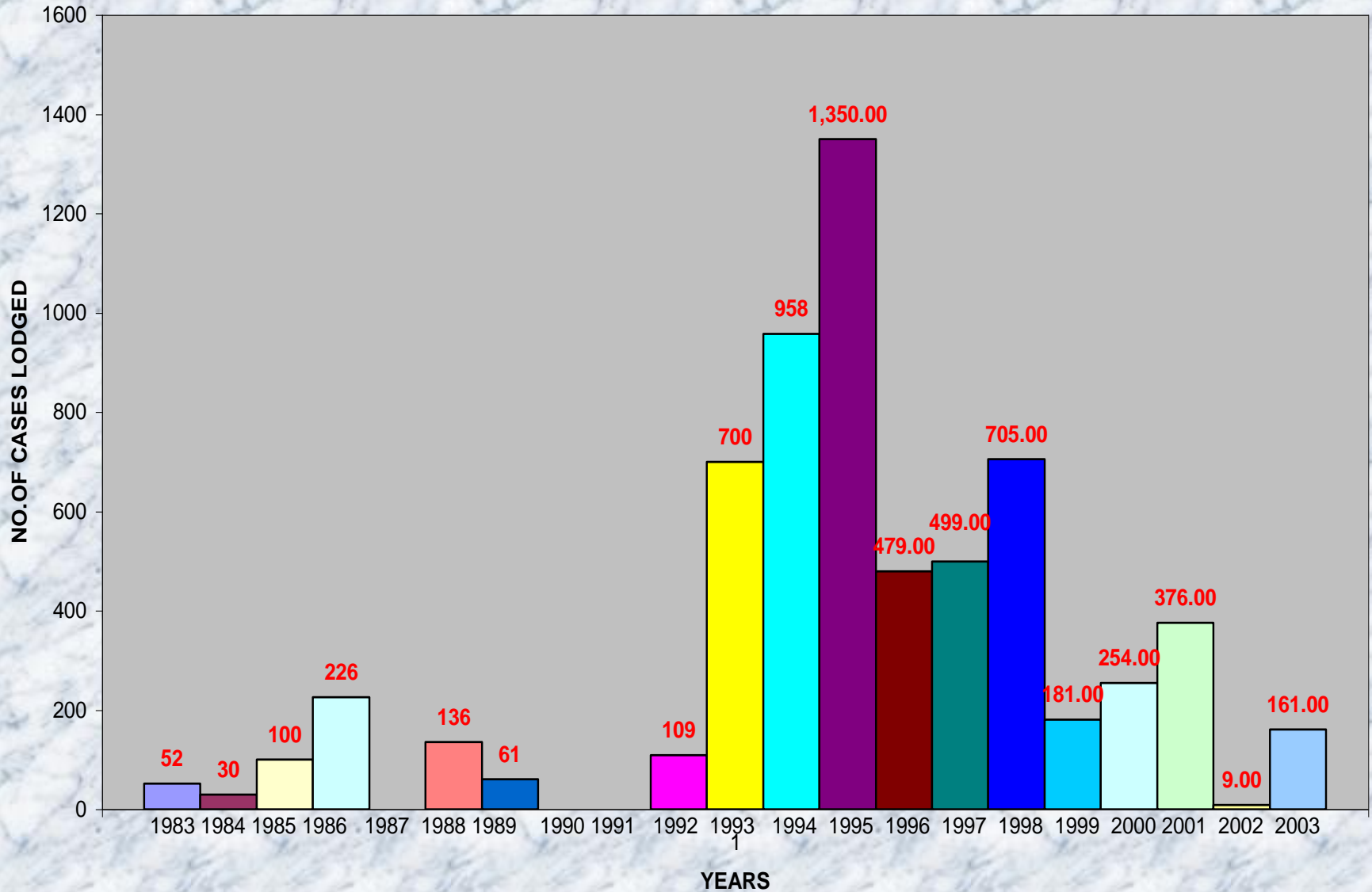
NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

PROCECUATION REGISTER



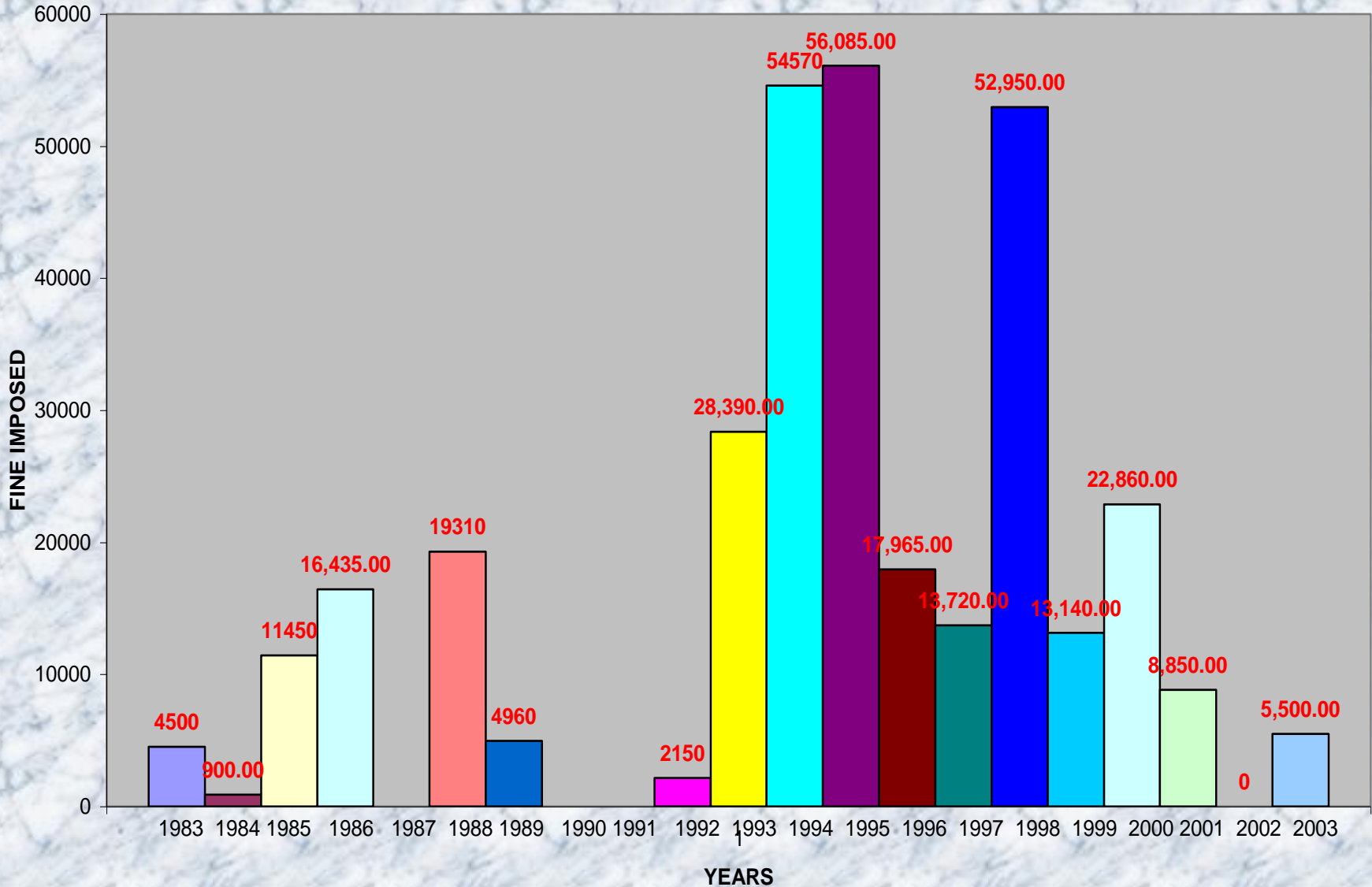
NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

PROSECUTION REGISTER



NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

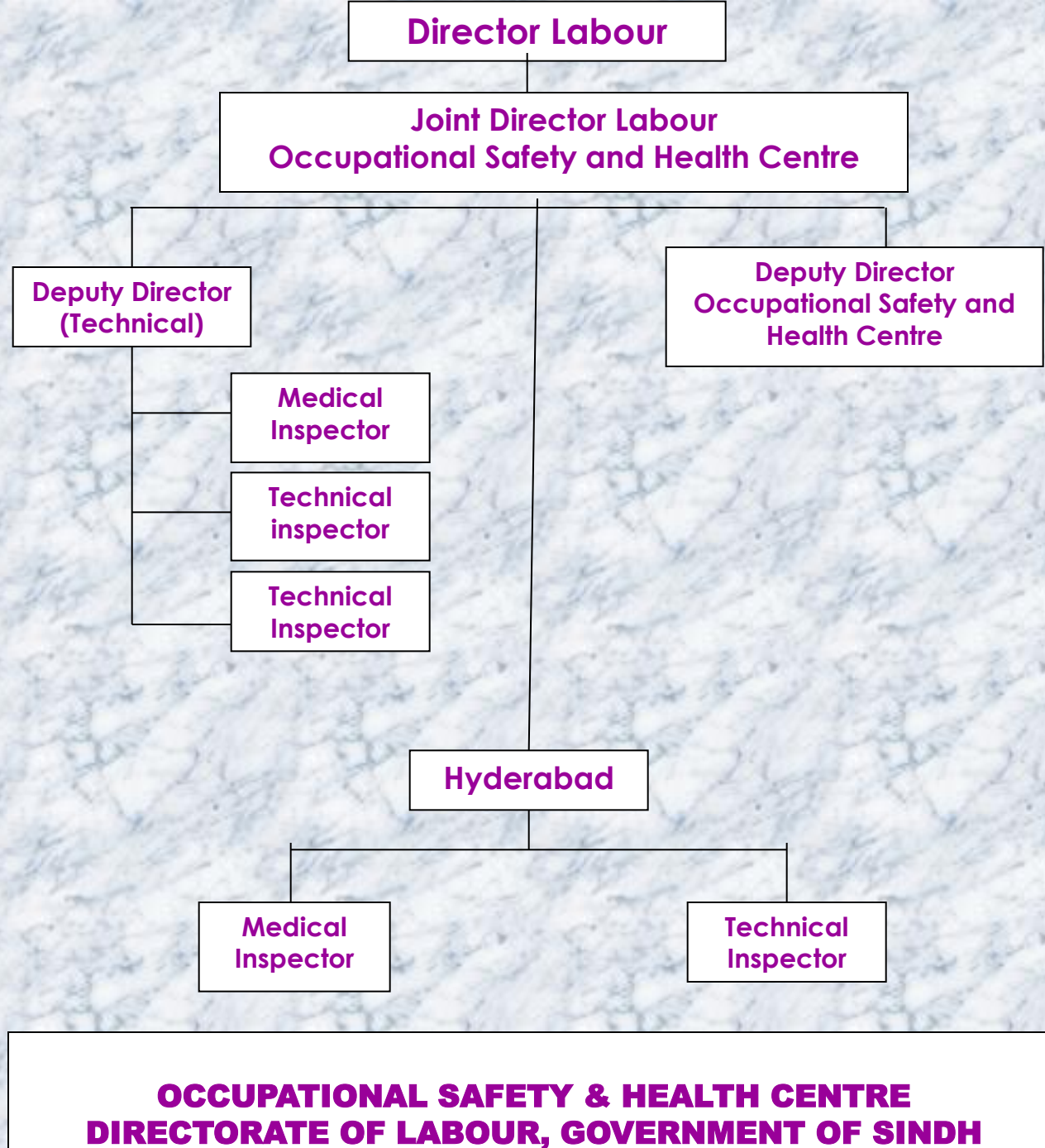
PROSECUTION REGISTER



NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

Making of periodical report, weekly report, monthly report and annual report their importance, as these figures reflect the working of department and it further becomes important for the provincial and national planning in creating jobs. Most of the officers feel that returns are simply the trivial formalities. In this way the employers have chance of making evasion in social security contribution, education etc. EOBI contribution and payment of premium to insurance company in case of group insurance to the insurance companies. So the nation loses a lot of funds in this way and workers have to face litigations and good time and money is wasted in this way. If all these are checked properly it is my feeling that about 30% of the litigation will be eliminated and in the long run there will be need of lesser staff in the Directorate of Labour. The funds saved in this way can be used in other projects as well as for betterment of the staff.

Figure 'A' shows the Organization Chart of Occupational Safety and Health Centre, Sindh.



NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

With all these reasons as explained and experience of being in the department, it is felt that each and every officer at the time of appointment must be sent to the institution set for this purpose for at least a period of six month and then posting according to his abilities which have been observed during the training. Every officer should attend a 4 week refresher course in a year. Promotion of the officer may also be linked with these courses he has attended, position scored there by him or by the confidential recommendation of the head of institute after completion of each course or a written test set out for this purpose. Promotion of an officer only on seniority basis do not create interest in them for learning. In the advanced countries there is no promotion system. Every vacancy which takes place is advertised and the officers of the lower grade are allowed to make application as well as from the open market which gives clear competition chances to all and department gets better staff in all respect.

NEED AND IMPORTANCE OF TRAINING TO FACTORY INSPECTOR

Lastly, I may submit that the world is progressing forward. One of the most important requirement of WTO in respect of education is "Continuous Professional Development" (CPD) which says that each person has to attend certain number of days in attending technical lectures / workshops seminars to update his knowledge regularly otherwise his university degree will be of no use. Chartered Accountants, Cost and Management Accountants, Doctors and Engineers have to attend the seminars of their relevant field to update their knowledge about the development taking place in world in their respective field of work or specialization.

Need of Pre-training and post appointment of the factory inspector is becoming absolute necessary day by day, to save the industries from collapsing and our manpower being unemployed. Our county's economic position is lowering in the world scenario as instead of becoming a manufacturing entity is it listed as a trading house. Very recently there was a news in daily "DAWN" that NWFP Government is spending Rs.18 million on training of the officer employed in the Environment Protection Agency and other department of City Government, it supports our view point on training needs. Keeping in view the world scenario, there is need for more to be spent in the training of manpower which will pay its dividends in long run. One can say that it is a long term investment, as the aim behind is to save industries in Pakistan and manpower they employ.

TRAVEL

