

INDIAN LAW REPORTS

INDIAN LAW REPORTS, BOMBAY SERIES 1984

The subscription rates of Indian Law Reports, Bombay Series for the year 1984 have been fixed as given below

	Rs.
Annual subscription for Twelve monthly issues and one index issue.	Without postage .. 42.00 per set.
	Without Inland postage .. 45.00 per set.
	With foreign postage ... 60.00 per set.
	Single issue (without postage) 3.00 per copy.
	Single issue (inclusive of postage) 3.20 per copy

As limited number of copies are printed, those who wish to subscribe themselves are requested to send in their remittances without delay.

A few complete sets of 13 issues of Indian Law Reports, Bombay Series are also available for sale at the following prices

1977 ..	@	Rs. 42.00 each set with postage.
1978 ..	@	Rs. 45.00 each set with postage.
1979 ..	@	Rs. 45.00 each set with postage.
1980 ..	@	Rs. 45.00 each set with postage.
		Rs. 45.00 each set with postage.
1983 ..	@	

Please send your orders to
The Manager, Yeravada Prison Press, Pune 411 006.

INDUSTRIAL CHEMICAL LABORATORY

BOMBAY AND PUNE
GOVERNMENT OF MAHARASHTRA
CHEMICAL ANALYSIS OF

Minerals and Ores • Nonferrous Alloys • Inorganic Chemicals
Oils and Soaps • Paint and Varnishes • Water • Inks • Carbon
Papers and Allied Products and Several other Products

Accurate analysis of the above and other Similar Products is undertaken on behalf of private parties. Test Reports and Certificates are issued.

For further details and schedule of charges please contract-

INDUSTRIAL CHEMICAL
LABORATORY
V. N. PURVE MARG
BEHIND MEHTA MANSION
CHUNABHATTI
BOMBAY 400 022

Telephone No. 521717

INDUSTRIAL CHEMICAL
LABORATORY
UNIVERSITY COMPUND
GANESH KHIND
Pune 411 007



165

LABOUR GAZETTE

VOL. LXIV

No. 9

MAY 1985

SINGLE COPY Rs. 9.25

ANNUAL SUBSCRIPTION Rs. 100.00

ISSUED MONTHLY BY

THE OFFICE OF THE COMMISSIONER OF LABOUR
GOVERNMENT OF MAHARASHTRA

24 JAN. 1985 Weltwirtschaft
Kiel

X 3438

LABOUR GAZETTE

The "Labour Gazette" is a journal for the use of all interested in general and accurate information on matters specially affecting and concerning labour.

Vol. LXIV

MAY 1985

No. 9

CONTENTS

	PAGE
THE MONTH IN BRIEF—	
CURRENT NOTES	563
Employees State Insurance Corporation—work of National Health Body	564
Trade union movement—rescue to popular	565
Amendment to Payment of Bonus Act—removes anomaly	566
Smaller child Labour Laws likely	567
ILO concern over forced Labour	568
New ILO expert for INTUC's education Project	569
INTUC urges rise in eligibility limit for gratuity	570
Bodded Labour report	574
ESI to be under Labour Ministry	575
Wage board for Working Journalists welcomed by NPEU	578
Bonus issue to be taken up with P. M.	578
New National Policy for Cotton and jute textiles	578
Public Distribution System	578
ARTICLES, REPORTS, ENQUIRIES, ETC.—	
Indira Gandhi And Labour	581
Textile industry can be put back on its rails I and II	584
The Indian Leather Industry	602
GIST OF IMPORTANT NOTIFICATIONS UNDER VARIOUS LABOUR LAWS—	608
CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS IN MAHARASHTRA STATE—	
Bombay	668
Solapur	669
Nagpur	670
Pune	671
Jalgaon	672
Nanded	673
Aurangabad	673
ALL INDIA AVERAGE CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL WORKERS—	675
STATEMENT SHOWING THE CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS BY GROUPS FOR SEVEN CENTRES OF MAHARASHTRA STATE—	676
LABOUR INTELLIGENCE—	
Industrial Relations in Maharashtra State	677
Industrial Disputes in Maharashtra State	680
Benefits under Employees State Insurance Scheme	682

LABOUR GAZETTE

The Month in Brief

Consumer Price Index Numbers for Working Class

The Consumer Price Index Numbers for working class for the month of March 1985 with average price for the year ended December 1960 equal to 100 were 624, 609 and 613 respectively. The Pune, Jalgaon, Nanded and Aurangabad Consumer Price Index Numbers for working class for the month of March 1985, with the average prices for the year ended December 1961 equal to 100 were 588, 578, 636 and 641 respectively.

All India Average Consumer Price Index Numbers for Industrial Workers

All India Average Consumer Price Index Numbers for Industrial Workers (General base 1960=100 for March 1985 was 586 as compared to 585 in February 1984. On base 1949=100 derived from 1960 based index worked out to 712 as against 711 for February.

Industrial Disputes in Maharashtra State

During the month of February 1985, there were 44 disputes, involving 10,274 workmen and time loss of 2,23,218 mandays as compared to 44 disputes in January 1985 involving 17,466 workmen and time loss of 3,60,595 mandays.

Further particulars of Industrial Disputes are given at pages 681 of this issue.

Benefits under the Employees State Insurance Scheme

During the month of March 1985, 69,286 workers were paid Rs 50,70,048.75 on account of Sickness and Rs 4,96,518.20 were paid for the long term diseases under Extended Sickness Benefit for the classified diseases and 19,625 workers were paid Rs. 17,46,945.25 on account of accidents as employment injury which included, 6,857 cases for the permanent disablement and 2,689 for Pension to the dependents families due to death of the workers in the accident.

Current Notes

Employees State Insurance Corporation should be a national health body

The annual report of the Employees State Insurance Corporation during the year 1983-84 betrays certain trends which unless remedied in good time, may spell disaster for this massive public sector undertaking believing the hopes of many that this institution grow at a national health body taking care of the health needs of the nation from the cradle to the grave.

The Employees State Insurance Corporation presently caters to the medical needs of over 69 lakh workers families comprising over 270 lakh beneficiaries. Besides medical attendance, it provides cash benefits in the shape of sickness benefit, maternity benefit, disablement benefit, dependents benefit and funeral benefit in eligible cases. The annual income of the Corporation is of the order of Rs. 225 crores, and the expenditure of a like order.

According to annual report of the Corporation for 1983-84, the over all coverage of the Scheme fell from 71.87 lakh insured workers and 278.86 total beneficiaries as on 31st March 1983 to 69.68 and 270.36 respectively as on 31st March 1984. The main reason for this reduction is stated to be the fact that a large number of insured employees went out of coverage due to increase in their wages beyond Rs. 1,000.

Dealing with the coverage of the Scheme, the Employees State Insurance Act provides that where the wages of an employee covered by the Scheme exceed the ceiling limit at any time after (and not before) the beginning of the contribution period, he shall continue to be covered by the Scheme until the end of that period. One would have wished that on the lines of the Employees Provident Fund Act, an employee once covered by the ESIC Scheme should continue to be so covered and entitled to medical and cash benefits, since in our country we have no national insurance to turn to in evil days. In fact, the ideal should be to throw open the membership of the Scheme to self-employed and other workers, who are prepared to pay the requisite contributions in return for a comprehensive health care, at least in a phased manner.

Another disturbing feature is the mounting arrears of contributions due from employers as revealed in the annual report. As on 31st March 1984, the arrears amounted to Rs. 52 crores as compared to Rs. 40 crores only last year. This increase in arrears is also responsible for the fall in contribution income during 1983-84. More than half of such arrears are accounted for by the textile mills and jute mills.

But they do not appear to be in anyway caused by sickness in these industries because sick units taken over by the NTC, sick units declared as such but not taken over by the NTC, units which have gone into liquidation and units which have closed down and the whereabouts of whose employers are not known account for less than 16 per cent of the arrears. About two-thirds of the arrears are represented by recovery certificates issued by the department

Another disquieting feature is the constant escalation in administrative cost. The annual report says the administrative cost has gone up from 10 crores to 23 crores over a period of 5 years and has increased by 50 per cent over the last 2 years. Given the un-ending inflation in the country and the dearness allowance of ESIC employees linked to CPI, avenues have to be explored to contain the administrative cost which presently stands at 12 per cent of the benefits available to the workers and their families.

The pattern of sickness benefit made available to the workers in the year 1983-84 shows very wide variations ranging from less than 2 days in Haryana, Delhi, Himachal Pradesh and Punjab to over 15 days in Kerala and Madhya Pradesh. While at one end of the ladder, there is a case to go into the possible cause of lax/excessive sickness certification in some centres and states, the situation in Haryana, Delhi and Punjab seems to be too good to be true. This gives out an average sickness rate of 4 days in a year or only about one per cent which undoubtedly is 'excellent'. Can't we repeat this performance everywhere else unless workers in Punjab, Delhi and Harayana are found to have developed an apathetic attitude to the Scheme due to the long redtape and corruption at lower levels of the medical authorities.

Another feature worthy of note is the prevalent indiscipline, rowdiness, threats and intimidation of local office staff and doctors at some centres. During the year 1983-84 such incidents at Porbander in Gujarat and Ujjain in Madhya Pradesh led the authorities concerned to recommend to the State Governments concerned to suspend the scheme at these centres by granting exemption under section 87 of the ESI Act. The relevant section is not intended to be used in such cases. The fact that the section contemplates exemption subject to specified conditions, shows that it is not the last refuge of the helpless. Mercifully the State Governments concerned did not approve of the proposal. The authorities shall have to prove the reasons for such an attitude on the part of the insured employees and deal with the issue squarely instead of adopting an escapist attitude.

(Indian Worker, dated 1st April 1985)

Trade Union movement reduced to populism

Shri Achyut Patwardhan, the octogenarian, who, along with Acharya Narendra Dev and others, started the Socialist Party in India, has bemoaned that not a few of the Indian trade unionism was a degeneration of socialism into populism.

Addressing the Madras Management Association conference here last week-end, Shri Patwardhan, who withdrew from politics two decades ago, hoped India should be able to improve upon the first and the second world by applying technological development for humanising economic relationships. Management was meaningful only if it was placed in the perspective of social well being, including that of the lowliest of the land, he said.

Shri Patwardhan's reading of the present position of India is this: 'the first world after the industrial revolution, raced to grab the resources of backward America, Africa, Asia with Japan joining efforts as conquest of nature'

With the consequent harsh living conditions of industrial labour and the exploited, the second world of Marxism and nationalised industry was born, but Russian nationalism destroyed the dream of communism with the citizen reduced to a mere tool of the all powerful state. The Russian progress was thwarted by their own errors in planning, industry and agriculture.

The third world initially at the mercy of the first world, go to liberated because of the conflict between the first and the second India leads the third world, but not politically for which the gods be part of praised. As a third world, India should understand and seek solutions that could be meaningful for most other countries in the group. With the Arab gains through higher price of oil neutralised by the high priced armament purchases, India has the opportunity to pursue the economics of non-alignment and set an example.

While India has manpower at every level, unemployment is largely due to the failure to impart skills to workers in the fields and the factories. There is a lack of respect for quality. There is chronic indiscipline and lack of efficiency. We think nothing of employing two men where one can be adequate to cope with the workload. Thus, the best benefits of the manpower asset is not realised.

Curiously, Indian agriculture has given a far better account of itself than we had reason to expect; a record better than that of Russia and China, which should strengthen the faith in our innate capacities. But in the development of manual and middle level technological skills lies the answer to poverty and indiscipline. In the third world, we are ourselves the agents of our undoing.

Human values is also the proper use of resources. Silent Valley and Kudremukh take us along the primrose path of the first world. There are not a few among the Indian industrialists who still seek the ways of the first world. The second world has no takers in the third world ranks. Public enterprises in India are backward because of poor accountability with chances of employees evading the effect of his shortcomings through political conventions. The private and the public sectors have colluded to create a high cost economy lacking in quality control.

Our worst failure is in the field of trade unionism. We have succeeded in creating a class of skilled labour who are earning a minimum of Rs. 1,000 a month but lack the will and skill to turn their earnings into a high quality life for the workers' families.

(Indian Worker, dated 1st April 1985)

Amendment to payment of Bonus Act to remove anomaly

The Committee welcomes the raising of the Rs. 750 national ceiling for computation of bonus to Rs. 1,600. This is a long pending demand of the INTUC and it is grateful to Government for this increase. But retaining the Rs. 1,600 limit for eligibility to bonus would create a glaring anomaly besides justifiable discontent among the skilled and highly-skilled workers and technicians working in industries.

The Committee points out that most of the skilled and highly-skilled workers and technicians in the organised sector, including the public sector, are now getting more than Rs. 1,600 per month. These workers' contribution to the

profits is direct and substantial. If they are to be denied bonus totally, that will result in legitimate discontent, and it will be difficult to enlist their co-operation for increasing productivity.

In the private sector even if the Government restricts the bonus eligibility limit to employees drawing Rs. 1,600 per month, the Management in that sector will find "other ways and means" of compensating such employees for the loss of bonus. But in the public sector, which has to strictly follow the law, no such thing is possible. The country wants the productivity and profitability of the public sector to improve and freezing the eligibility ceiling at Rs. 1,600 will be counter productive.

Further the number of workers earning above Rs. 1,600 per month will be relatively much smaller and the additional burden will be negligible. On the other hand, the advantage gained by industry will be substantial.

The Committee therefore appeals to the Government of India to do away with the eligibility ceiling of Rs. 1,600 and allow all those who contribute to the making of profits to share in the profits.

(Indian Worker, dated 1st April 1985)

Stiffer child labour laws likely

The Government proposes to increase the quantum of punishment for infringement of the provisions of the Employment of Children Act.

This was announced by Shri T. Anjaiah, Minister for Labour, while presiding over the meeting of the Central advisory committee on child labour, held here on March 30.

The Minister felt that the problem of child labour could not be solved only by legislations but there was need to generate social awareness and multi-dimensional approach to the problem.

The board was informed that four State Labour Ministers Committees constituted to go into the question of prescribing a uniform age for entry into employment of children had submitted its report last night to the Government. The committee was of the view that it would be inappropriate under the present conditions to recommend a uniform age for entry into employment of children for all trades or industries. It had recommended certain changes in the existing provision in various Acts to remove certain gaps in the protective legislation.

On the question of the need for framing comprehensive legislation, the committee has recommended that a time bound action plan should be taken up by the Government for gradual elimination of child labour. This action plan should be comprehensive covering legislation, welfare arrangements and also include education and economic development.

The committee had also recommended that the legislation should cover non-formal education for the working child, compulsory medical check-up and health care, skill development training and arrangements for transport of working children.

To strengthen the child labour cell in the ministry of labour as well as to set up independent machinery in the States for enforcement of labour laws relating to child and women workers, an allocation of Rs. 500 lakhs has been proposed in the Seventh Plan.

Shri Anjiah said that "his ministry was co-sponsoring a workshop in Varanasi to study the problem of child workers working in the carpet industry in UP as also to evolve a plan of action to ameliorate their condition. We would be able to organise workshops in other parts of the country where there is concentration of child workers in industries," he said.

The board emphasises the role of the voluntary organisations in the implementation of laws relating to child labour. It was felt that a number of voluntary organisations could be involved so that a larger areas could be covered.

(Indian Worker, dated 8th April 1985).

ILO Concern over forced labour

Despite significant progress in recent decades, forced or compulsory labour still exists in many countries.

In its world labour report, the International Labour Organisation (ILO) notes that although 126 member states have ratified the Forced Labour Convention, 1930, and 108 have ratified the Abolition of Forced Labour Convention, 1957 the phenomenon still persists in some parts of the world.

Although the principles on which the international conventions on the abolition of forced labour are based are almost universally recognised, they are not always fully applied in practice. Certain provisions of national legislation adopted for economic reasons often result in imposing labour on certain members of population.

Certain unlawful practices, such as slavery, debt, bondage or the use of force to recruit or retain workers, remain difficult to abolish by legislative action alone. Although laws permitting the action of labour for the performance of work in the public interest, compulsory crop cultivation and the recovery of taxes have mostly been repealed, the report says in some countries such provisions have been included in new laws, especially those regulating agricultural activities.

The problems which these governments have thought they could solve by resorting to coercion were due to geographical and structural imbalances in the utilisation of labour, the true solution which lies in an overall employment policy, the report says.

Moreover, certain legal provisions of a general nature may involve the imposition of compulsory labour. In a number of countries labour codes and even constitutions regard work as a duty, sometimes as a corollary to the right to work. In many cases this is merely a moral principle. In some countries, however, it takes the form of a general obligation to take up employment recognised by the authorities, which calls into question the observance of conventions. A similar compulsion may result from penal provisions on vagrancy or analogous offences, which may be very broadly defined.

The report shows that exiting forms of compulsory labour frequently comprise various systems using national service and conscription, although certain countries have made efforts to limit these provisions to emergency situations. Similarly, the requisition and assignment of young professionals doctors, dentists, pharmacists, engineers and teachers are permitted by law in some countries for varying periods.

(Indian Worker, dated 8th April 1985).

New ILO expert for INTUC's education project

With the conclusion of the first phase of two years of the five-year ILO-DANIDA-INTUC Workers Education Project, the Project Co-ordination Committee, headed by INTUC General Secretary Kanti Mehta with ILO Delhi Area Office Director S. Sankar Narayanan as Secretary, had finalised the Projects' programme for 1985, the start of its second phase. The Indian Worker, in its issue dated April 1, had carried details of the courses envisaged to be conducted during 1985.

The very beginning of the second phase of the five-year project in January (this year, sponsored by the ILO with the assistance of the Danish Government International Development Agency (Danida), saw a new expert, Mr. Bent Pihl taking charge of the future conduct of the project. He assumed office as the Senior Expert on January 26 this year.

Fifty-two-year old Mr. Pihl is an expert of wide experience in the field of worker education. His activities in the Danish youth labour movement and his keen interest in educational activities elevated him to the post of Secretary of the Danish Workers' Education Association at the very young age of 26. He was put in charge of imparting training to instructors and organisers as well as of developing teaching materials. Soon he became the Head of the Adult Education Section of the Danish Radio and Television. However, he continued to maintain his active involvement in workers' education by associating himself with numerous educational committees of the Danish Federation of Trade Unions (LO).

Mr. Pihl had his first ILO assignment as Chief of a workers Education Project in the Carribean island countries in 1974-76. He was later transferred to become the Chief of the South Pacific Workers' Education Project in 1981 before being deputed to India in 1985.

The ILO-DANIDA-INTUC Workers Education Project specialised in the development of educational programmes in four sectors of the trade union movement—mining, textiles, rural and women.

(Indian Worker, dated 8th April 1985).

INTUC URGES RISE IN ELIGIBILITY LIMIT FOR GRATUITY. NO WAGE BOARDS IN ORGANISED SECTOR—GR.

INTUC President G. Ramanujam on March 9, urged that the eligibility limit for gratuity under the Payment of Gratuity Act should be raised from Rs. 1,600 to Rs. 2,500 per month.

Drawing attention to the Finance Minister's announcement, while presenting the Union Budget for 1985-86 in Parliament, of the Government's decision to raise the maximum gratuity payable to Rs. 50,000 from Rs. 36,000, Shri Ramanujam stressed that since the Act provided for the payment of a maximum gratuity of 20 months wages, it had become necessary to bring the provisions in the Act in line with the announcement of the Finance Minister by raising the eligibility limit to Rs. 2,500 a month and wanted the Payment of Gratuity Act to be amended accordingly.

Shri Ramanujam was speaking at a meeting convened by the Labour Minister, Shri Anjaiah with the leaders of the central trade union organisations in an effort to seek their views on the present industrial relations situation improving the working of the provident fund and health insurance schemes, industrial sickness, setting up of wage boards, safety and other allied subjects concerning labour.

The INTUC team, headed by its President, Shri Ramanujam included the General Secretary, Shri Kanti Mehta, the Vice-President, Shri Chimanbhai Mehta, M.P., the Secretary Shri Damodar Pandey, M.P., Shri Haribhau Naik, Secretary, Shri Ram Lal Thakar and the Indian Worker Editor Shri S. N. Rao as advisers. The other trade union centres represented in the meeting were the BMS, HMS, UTUC (LS), UTUC, AITUC, CITU, TUCC and the NLO.

Bonus issue

Shri Ramanujam, while thanking the Government for raising the national ceiling for computation of the annual bonus from Rs. 750 to Rs. 1,600, was, however, critical of the retention of the eligibility wage limit of Rs. 1,600 per month. He drew attention to the fact that skilled and highly-skilled workers and technicians in the organised sector, including the public sector, were getting more than Rs. 1,600 per month and their contribution to the profits was direct and substantial. The retention of the Rs. 1,600 eligibility limit would create a glaring anomaly and justifiable discontent among the skilled and highly skilled workers.

The veteran labour leader pointed out that in the cases of units with adequate allocable surplus declaring a bonus of 20 per cent, workers drawing below and upto Rs. 1,600 per month would be getting somewhere around Rs. 4,000 while the skilled and highly skilled workers and technicians drawing even a rupee above Rs. 1,600 a month would be totally denied bonus. Such an unequitable situation would not be conducive to higher production and productivity, he observed.

Shri Ramanujam also cautioned against the highly skilled and experienced workers in the public sector units, whose management were bound by rules getting attracted to the private sector establishments where the employers had their own means to circumvent the law and make good the loss of bonus. In the context of the public sector having much in store in the Seventh Five Year Plan, Shri Ramanujam emphasised the need for the Government to safeguard the interests of the workers and wanted the Labour Ministry to amend the Payment of Bonus Act to do away with the eligibility limit.

Shri Ramanujam further pointed out that there would be no additional burden in doing away with the eligibility limit since bonus is disbursed only out of the allocable surplus as per the Act and the number of workers drawing over Rs. 1,600 a month would be small.

Wage Boards

Referring to the suggestion for wage boards for various industries, Shri Ramanujam was emphatic that the trade unions would never favour wage boards for industries in the organised sector. Wage boards were at one time considered useful, but later on it was realised that the boards took years to complete their jobs. Further the awards of the wage boards were only recommendatory and not binding on the employers and did not offer any guarantee of the implementation of the awards, he pointed out and warned against making them mandatory as it would invite litigations which the employers would not hesitate to take recourse to.

Shri Ramanujam said that the trade unions had become aware of the uselessness of the wage boards and wanted the present collective bargaining process to be strengthened and all disputes unresolved at the negotiating table to be referred to voluntary arbitration for expeditious settlement.

Shri Ramanujam, however, strongly supported the constitution of statutory wage boards such as for working journalists and non-working journalists and for the workers in the unorganised sectors like beedi, quarry, etc.

Voluntary Arbitration

Rebutting the contention that voluntary arbitration had not become popular, particularly among employers, the INTUC-President stated that the employers' side in the National Labour Conference of 1982 had agreed that voluntary arbitration should be the normal means for resolving those disputes not settled through negotiations.

The National Labour Conference came to the unanimous conclusion that the awards of the arbitration boards should be speaking awards and would be binding and final. They could be appealed against only if the awards were perverse or the arbitration boards had gone beyond their jurisdiction.

In this regard he recalled the two awards of the Arbitration Board for Cement industry which were hailed alike both by the employers and the workers. He also referred to the agreement reached between the workers and management of the public sector Hindusthan Zinc Ltd., through voluntary arbitration and had a dig at the Bureau of Public Enterprises which had directed the management not to take recourse to voluntary arbitration after the expiry of the agreement.

Amendments to Labour Laws

Dealing with the industrial relations situation and the proposed amendments to the out-dated labour laws like the Trade Union Act of 1926, Shri G. Ramanujam was highly critical of the Government for having dismally failed to implement even one of the many unanimous recommendations made by the high-level National Labour Conference headed by late justice Gajendragadkar.

He also took the Government to task for dragging its feet for the past two and half years in implementing the unanimous conclusions of the National Labour Conference, held in September 1982 and the unanimous recommendations of the Santa Mehta Committee set up by it. He said the tripartite National Labour Conference had prescribed norms for according national status to trade union centres and for the composition of the Indian Labour Conference, while the Sanat Mehta Committee had come out with realistic recommendations for amending the Industrial Disputes Act and the Trade Union Act.

Secret Ballot Opposed

On the issue of choosing the collective bargaining agent, he said that the conference was unanimous that it would be on the basis of the verified membership of the union as revealed by the check-off system. He voiced his organisation's total opposition to the concept of secret ballot giving the voting right even to those who were not members of any union. Pointing out that membership was the main basis of the trade unions, he said that secret ballot would be a death knell to the growth of the trade union movement in the country.

The award of the board provided for the recognition of the Association, fresh elections of the Association to be held soon after the enrolment of 5,000 members and the re-instatement of the Association's secretary, Sethi.

The management was, however, dead set against according recognition to the Association as long as Sethi was the Secretary.

Deshbandhu passed away when the negotiations were about to fail. But Deena Bandhu C. F. Andrews continued his active involvement with the affairs of the Tata workers. He was convinced that the only person who could effectively deal with the situation in the interest of the workers was Mahatma Gandhi.

Gandhiji came to Jamshedpur in 1925 and his arrival had an electrifying effect and there came a remarkable improvement in the situation. There was a mediation and agreement was reached by which the Labour Association, Jamshedpur was recognised by the management and Sethi was re-instated.

One of the terms of the Gandhi-Tata management agreement was that the Steel Company would deduct the monthly subscriptions of the workers from their pay and hand over the sum so deducted to the Labour Association, Jamshedpur.

Shri Ramanujam added that the introduction of secret ballot in industrial relations would displace the production atmosphere in the plant and usher in an election atmosphere giving room to various unions to vie with each other to give false promises. Further, the union instead of collecting the subscriptions from the workers would have to pay them to buy their votes. Secret ballot would also afford enough scope to the unions to use the combined votes of their membership to defeat a particular union where as in the choice of the bargaining agent on the basis of membership, no union would come forward to share their membership. According to him a regularly paid membership is a solid vote and hence the identification of the bargaining agent had to be on the basis of membership.

Industrial sickness

Voicing concern over the increasing incidence of industrial sickness, Shri Ramanujam said that the units were being deliberately rendered sick by the managements by siphoning off funds to other areas in the name of diversification. He cited the textile, jute and engineering industries as standing examples in this regard. The ultimate closure of the sick units affected the workers apart from the loss to the financial institutions.

Shri Ramanujam said that there were two aspects in dealing with the situation preventive and nursing the sick units back to health.

While on the subject, he referred to the expert committee on textiles set up by the Government. Regretting that there were no representatives of labour and the employers on the committee and asked how the recommendation of a committee of mere bureaucrats be expected to be implemented.

Shri Ramanujam proposed the setting up of compact, tripartite industrial committees for different industries to monitor the performance of all the units, including the healthy ones and suggest timely preventive and remedial measures.

Safety

Shri Ramanujam stated there was more safety consciousness only after the Bhopal tragedy. The trade unions were as much concerned with industrial and environmental safety as they were in occupational safety. Safety had been the neglected subject by the managements. The functioning of the Directorate of Factory Inspection was very much wanting. For months together, the factory inspectors do not carry out their responsibilities and if at all they do, the workers or their representatives were not taken into confidence. He wanted the direct and active association of the trade union representatives in the inspection by the factory inspectors.

Poor performance of Social Security Schemes

Shri Ramanujam was gravely concerned with the mounting arrears in the provident scheme. Failure to deposit the contributions by the employers was tantamount to breach of trust. Erring employers managed to get away with light penalty. He was for giving the workers the right to prosecute the defaulting employers. He also proposed issuance of pass books to each subscriber to the fund. He was also highly critical of the functioning of the family pension scheme which benefited no one.

He was also critical of the operation of the employees state insurance scheme which was being increasingly misused.

He was also surprised that the Government, that had been voicing concern over the plight of the unorganised and rural workers, had deemed it fit to extend the medicare benefits of the scheme to employees drawing upto Rs. 1,600 per month. This, according to him, was to replenish the sinking finances of the ESI Corporation. He was confident that if given the option, workers getting Rs. 1,000 and above per month would opt out of the scheme due to the deplorable servicing of the scheme. He wanted those establishments offering better or the same medicare facilities should be exempted if both the managements and the trade unions jointly apply for exemption.

Labour Minister's speech

Earlier Labour Minister Anjaiah in his introductory speech said that the meeting was convened mainly for eliciting the view of the trade union centres on various issues like industrial situation, changes in the labour laws which had become obsolete, wage boards, gratuity, improvement in the provident fund scheme, growing incidents of lay-off and lock-outs and the consequent loss in mandays, industrial sickness and other issues concerning labour.

The Minister added that the Prime Minister had been laying particular emphasis on the betterment of the conditions of the workers and even in the Cabinet meetings, Shri Rajiv Gandhi often stressed the need to protect and promote the interests of the working class.

Shri Anjaiah expressed his particular concern over the gross misuse of the ESI scheme and the growing complaints against the working of the ESI Corporation. He also solicited suggestion from streamlining the working of the employees provident fund scheme.

The Minister also drew attention to the unscrupulous exploitation of child labour and discrimination against women. He drew pointed attention to the need for measures to protect the much neglected workers employed in the unorganised sector like quarry workers, beedi workers and those engaged in various other small scale industries.

Shri Anjaiah also referred to the growing violence on the industrial scene.

He revealed his intention to convene the Indian Labour Conference soon after the conference of labour ministers.

(Indian Worker dated 15th April 1985)

Bonded Labour Report

The Government had not received any report about existence of bonded labour system in public jobs or industrial complexes, the Labour Minister, Shri T. Anjaiah informed the Lok Sabha on April 1.

However, according to reports received from State Governments, the number of bonded labourers freed as on February 28, this year was 177,062. Of these, 1,34,802 had been rehabilitated.

(Indian Worker dated 15th April 1985)

ESI to be under Labour Ministry

The Uttar Pradesh Government has decided to set up a new directorate under the Labour Ministry to run the Employees State Insurance (ESI) scheme in the State.

At present the ESI scheme, is under the charge of the State Medical and Public Health Ministry.

The scheme covers nearly 5.20 lakh employees who are provided medical facilities from eight hospitals having 1,036 beds. In addition to this there were

704 beds reserved for the employees in different Government hospitals in the State.

Briefing the press about the cabinet decision taken here on April 6, the Chief Minister, Shri N. D. Tiwari said that nine more hospitals with a capacity of 750 beds will be ready within the next two years.

An expenditure of about Rs. 750 crores was incurred on the scheme every year of which Rs. 32 lakh was borne by the State Government while the bulk of the expenditure was shared by the centre.

With this change he pointed out that the expenditure on the scheme would go up to Rs. 10.11 crore annually.

(Indian Worker, dated 15th April 1985)

Wage board for working journalists welcomed by NPEU

INTUC affiliated National Press Employees Union, Bombay has welcomed the recent announcement of the Union Labour Minister about the Government decision to the appoint of a Fourth Wage Board for working journalists and non-journalists.

The union President, Shri H. N. Trivedi in a statement has said that the journalists and non-journalists have waited for a long time and their demand for adequate interim relief is fully justified.

He has urged the Labour Minister to ensure substantial interim relief to the journalists while appointing the Board as was done in the case of the Central Government employees.

INTUC MPs meet Labour Minister**Bonus issue to be taken up with PM**

Union Labour Minister T. Anjaiah on April 8 assured the Congress (I) members of Parliament belonging to the INTUC that he would soon be taking up the issue of doing away with the eligibility wage limit for bonus with the Prime Minister, Shri Rajiv Gandhi.

The minister gave this assurance at a meeting he had with the members convened at the initiative of the INTUC Secretary, Shri Damodar Pande, a Lok Sabha member from Bihar who is also the Secretary of the INTUC's Parliamentary Wing.

The members attending the meeting were, besides Shri Damodar Pande INTUC Secretary Shri Gopeshwar, Union Minister of State for Rural Development Chandulal Chandrakar, Shri Chintamani Panigrahi, Shri Mool Chand Daga, Shri K. Ramamurthy, Shri Madan Pande and Shri Ram Pyare Panika, all members of the Lok Sabha and Smt. Usha Malhotra from the Rajya Sabha.

The INTUC President, Shri G. Ramanujam and the General Secretary, Shri Kanti Mehta along with Secy. Ram Lal Thakar and The Indian Worker Editor S. N. Rao participated in the meeting on special invitation.

In his introductory speech Shri Anjaiah informed the members about his talks with the Union Finance Minister, Shri Vishwanath Pratap Singh on the issue of the revision of the rate of dearness allowance for the employees of the public undertakings and said that an early announcement of the Government's decision in this regard could be expected.

He also disclosed that the letter written by the INTUC President to the Prime Minister, drawing attention to the serious anomaly caused by the retention of the eligibility limit of Rs. 1,600 per month bonus in the context of the rise in the notional ceiling from Rs. 750 to Rs. 1,600, had since been forwarded to him and assured that he would soon discuss the issue with the Prime Minister and the Finance Minister for necessary amendment in the Bonus law.

He then told the members about his decision to hold such periodical meetings to have the members' guidance in the formulations of policies on issues like industrial relations, industrial sickness, lock-outs, retrenchment and closures, safety, social security, child labour and discrimination against women workers. He said that he would value the guidance from veteran labour leaders like Shri Ramanujam.

Shri G. Ramanujam, who initiated the discussion, regretted that the Government had been dragging its feet for the past two and a half years in implementing the unanimous conclusions and recommendations of the National Labour Conference held in 1982. He said though the Conference was convened in response to the repeated demands of various trade union centres, a section of the trade union centres deemed fit to boycott the conference.

Shri G. Ramanujam also pointed out that unanimity was a rare commodity in such tripartite conferences and it was for the first time that there was unanimity in the last National Labour Conference in arriving at conclusions that gave contents and directions of industrial relations as well as eligibility for representation at national tripartites. He was sore that the Government had allowed the unanimity to go waste because of its bureaucratic attitude and approach.

Shri Ramanujam also voiced the INTUC's view that resorting to secret ballot for the identification of the bargaining agent would run counter to the official policy of promoting the healthy growth of the trade union movement. He pointed out that only 20 or 25 per cent of the workers in the organised sector were unionised and the remaining 75 or 80 per cent had rejected all the unions. Under the circumstance, giving the voting right to all the workers including those who were not members of any union, would tantamount to the absurd proposition of asking the workers which of their own rejects they would like to be represented by. He, therefore, wanted the choice of the bargaining agent should be on the basis of verified membership of the unions as revealed by the check-off system.

Questions raised about the dual or multiple membership of workers, Shri Ramanujam said that they should be invalidated.

The INTUC President was also not in favour of setting up wage boards for industries in the organised sector since they were time consuming and their awards were only recommendatory and not binding. Making them mandatory would only lead to endless litigations, he said and favoured the strengthening of collective bargaining system.

However, he was all in favour of statutory wage boards such as for working journalists and the industries in the unorganised sector.

Shri Ramanujam also suggested setting up of a statutory wage board for the state Electricity Boards.

Speaking about statutory minimum wage he said the minimum wage fixed led to become the maximum wage and the minimum wage fixed by different state governments varied with wide disparity resulting in the migration of workers from one state to the other. He, therefore, wanted region wise fixation of the minimum wage instead of being state-wise.

Shri Kanti Mehta drew the attention of the minister to the non-implementation of the wage agreements by some public sector managements, particularly in the coal-mining industry. The workers were unable to take any trade union action because of the extension of ESMA provisions in the coal industry.

Shri Damodar Pandey complained against the tardy manner in which the verification of membership was carried out by the officials of the Labour Department and cited certain instances in Singrauli coal mines.

Shri Madan Pande brought to notice a strike in one of the industrial units at Gorakpur where it was in support of the demands of the workers which was called off on the assurance of the State Chief Minister and one of his cabinet colleagues. He said that the Chief Minister had also taken follow up action by writing to the management. But the management had been dead set against honouring the assurance of the Chief Minister for the past two years.

Shri Ram Pyare Panika revealed that there was wide disparity in the payment of wages to contract labour, casual labour and other workers in Singrauli coal mines. He said that wages ranged from Rs. 8 per day to Rs. 29 per day. He wanted the Labour Ministry to take up the issue to set right matters.

The minister instructed the officers to take note of all such complaints for immediate remedial action.

The meeting came to a conclusion with a vote of thanks proposed by Shri Damodar Pandey.

New National Policy for cotton and jute textiles

Mr. T. Anjiah, Union Minister of Labour, informed the Rajya Sabha on March 15, 1985 that the Government was considering a new national policy for cotton and jute industry. He added that the Government would take all steps to check retrenchment and closure of jute mills in the country. He also said the Government had no information if the jute industry was resorting to massive layoff and retrenchment. No jute mill had applied for permission either to layoff or retrench workers.

(E.F.I., dated 1st April 1985)

Public Distribution System

In the 20-Point Programme, an important place has been accorded to the strengthening of public distribution system to meet the requirement of essential commodities like rice, wheat, sugar, kerosene, edible oils etc., especially for the weaker sections of the society. Maharashtra took a lead in effective implementation of the public distribution system as is evident in this article.

The Fair Price Shop Schemes is in operation in Maharashtra since 1957. The State is well served by a net-work of authorised ration fair price shops. The measures have been taken from time to time to strengthen the public distribution system (FDS). In the year 1961 for census population of about 3.96 crores, there were nearly 10,000 fair price shops in the State. As against this, at present there are 32,109 shops in the State. Taking into consideration the 1981 census population of Maharashtra State, which is 6.28 crores, the ratio of population to the shops is 1985 : 1. It is the policy of the Government to have overall objective of one shop for every 2,000 population. In some cases, Government has sanctioned fair price shops with less than 2,000 population, taking into account the need of the local people. Government has also concentrated on opening of fair price shops in remote areas, including Tribal Sub-Plan areas, to ensure proper coverage. Instructions have been issued to the Collectors of the districts to take steps to open more shops having regard to the consumers need on the one hand and viability of the shop on the other hand.

20-Point Programme

In the 20-Point Programme announced by the late Prime Minister, an important place has been accorded to the strengthening of public distribution system to meet the requirement of essential commodities, especially for weaker

Attachment of Units

In the Bombay rationing area, ration shops having more than 8,000 units are normally allotted to co-operative societies, textile mills and industrial concerns only. No such criterion is laid down for fair price shops in the rest of the State. However, the Collectors of the districts are free to distribute the units among the fair price shops in any locality with due regard to viability of such shop and the convenience of the cardholders. It is generally ensured that no cardholder in the rural areas is required to travel a distance of more than 3 miles or 5 kilometers to fetch his requirement of essential commodities from the fair price shops.

Mobile Shops

The far-flung areas in the State are already covered under the public distribution system by opening of regular fair price shops. The idea of mobile shops involves considerable investment on suitable vehicle, staff requirement for various duties, such as salesman, weighing man, field officer for control and supervision of mobile shops, equipment, diesel/petrol for the vehicles. Considering the fact that public distribution system net-work of fair price shops in the State has covered the remote areas, the scheme of mobile shops in far-flung areas is not being pressed. If, however, it is considered necessary and if any suitable agency comes forward to run such mobile shops for the benefit of the people in inaccessible and tribal areas, the Government considers the case. Government has already permitted the Collector, Nashik to open a mobile fair price shop in Igatpuri Taluka. The mobile shop has been started functioning with effect from the Independence Day last year.

Commodities Distributed

In the year 1961-62 foodgrains (consisting of rice and wheat) and sugar were being distributed to consumers through the fair price shops. From August 1974, kerosene and from March 1979, imported edible oils have been included as additional items of distribution through fair price shops. Thus, at present present principally there are 4 commodities, viz. foodgrains, sugar, kerosene and principally there are 4 commodities, viz. foodgrains, sugar, kerosene and imported edible oil, which are distributed through the public distribution system. The items are supplied to the cardholders at pre-determined issue prices and the quantum. The Collectors and the Controller of Rationing, Bombay have been instructed to gear up the public distribution system to see that the allocations of essential commodities made by Government are quickly lifted and properly distributed through authorised ration fair price shops and to ensure that the essential commodities are made available to consumers at fixed prices through the public distribution system without any difficulty and to take appropriate action against the offenders indulging in hoarding, blackmarketing and other anti-social activities so far as supply of essential commodities

Vigilance over Distribution

With a view to controlling the prices of essential commodities and preventing hoarding and blackmarketing, the following steps have been taken in the State

(i) Co-ordination committees have been constituted to review the position and co-ordinate intelligence regarding hoarding, blackmarketing and ensuring availability of essential commodities to the maximum possible extent.

(ii) Special intelligence cells have been set up in the Police Commissionerate and in the districts to ensure prompt and effective collection of intelligence pertaining to hoarding and blackmarketing.

Vigilance Committees consisting of officials, non-officials and elected representatives are formed at village, taluka and district levels, as well as rationing offices in the Bombay rationing area/Thane rationing area and areas of municipal corporations of Pune, Nagpur, Sholapur and Kolhapur for keeping a close watch on the public distribution system.

Storage

The food policy implemented by the Government necessitates adequate storage facility at the disposal of the Government. The foodgrains received from the Government of India and locally procured, are stored in godowns, either owned by Government or hired. In the year 1961-62, there were 602 godowns in the State, with storage capacity of 3.1 lakhs tonnes of foodgrains. At present there are 1,161 hired and own godowns with the total capacity of 7.23 lakh tonnes. There is adequate storage capacity to store at time about 3 months' requirements of foodgrains. It is proposed to create an additional storage capacity of 1 lakh metric tonnes in Bombay rationing area through Maharashtra State Warehousing Corporation. Similarly, the scheme for construction of godowns in rural areas through NCDC is also under consideration of Government in the Agriculture and Co-operation Department, separately.

(Daily Note, dated 7th April 1985)

Articles, Reports, Enquires, etc.

(The views expressed in signed Articles appearing in this section carry weight as much as they are expressed by the persons who know their subjects well. They, however, do not necessarily reflect the views of Government. All rights concerning these Articles are reserved.)

INDIRA GANDHI AND LABOUR

V. P. Gupta

Dy. Chief Labour Commissioner (C) (Retd.)

AN important landmark in rendering justice to the deprived and much exploited sections of the society under Smt. Indira Gandhi's regime was the enactment of a legislation in 1976 to put an end to the most obnoxious bonded labour system. Though a few State Governments had earlier enacted legislation banning the system, a legislation on the part of the Central Government was called for to give meaning to Article 23 of the Constitution, "Prohibition of traffic in human beings and forced labour."

Traffic in human beings and 'begar' and other similar forms forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law. The Bonded Labour System (Abolition) Act, 1976 is the law referred to in the constitutional provision. Besides, the Act was called for on another count. While a citizen's right *vis-a-vis* the State could be enforced by holding the relevant act of the state unconstitutional and void, to enforce a citizen's right *vis-a-vis* another citizen, legislation was called for defining the right, terming its violation an offence and prescribing punishment for its breach. The Constitution of India is yet wholly legal document enforceable at law.

Bonded labour system

It is common knowledge that, tanks to the zamindari and the feudal social system in colonial India, tens of thousands may be millions, had been forced to serve as bonded slaves in consideration of some loan taken by their forefathers in the hoary past or because of the caste or some other social obligation.

The magnitude of the problem is not precisely known. The Gandhi Peace Foundation had once conducted a survey and as a result come to the conclusion that the incidence of bonded labour was 26.17 lakhs. Granting that the sampling was not quite scientific, the incidence is colossal none-the-less.

To rehabilitate the freed bonded labour, the state governments have been advised to allot house-sites and agricultural land, ensure land development provide credit, arrange wage employment, health care, education for children and supply essential commodities. While these facilities have to be provided under the on-going welfare schemes administered by the State Governments

certain amount of financial outlay is unavoidable and the Central Government, has undertaken to meet half the expenditure subject to a maximum limit of Rs. 2,000 per freed bonded person.

It is true that bonded labour system is not so much a legal problem as it is a social and economic problem, but still a legal base had to be provided.

Contract labour

Another event of outstanding importance of Indira Gandhi's regime was the enactment of the Contract Labour (Regulation and Abolition) Act, 1970. The Act besides providing for abolition of contract labour system, wherever possible, seeks to regulate it in the interest of the working class. The fact worthy of note is the obligation cast by the Act on the principal employer so far as wages and health and welfare facilities of the contract labour are concerned. Central Government has already ordered abolition of contract labour system in certain employments in coal mines, iron ore mines, limestone, dolomite and manganese mines, coal washeries and sweeping, dusting and watching of buildings.

Equal pay

The Equal Remuneration Act, 1976 is another landmark on the road to social justice during Indira Gandhi's regime. The Act makes it incumbent on the employer to pay equal remuneration to men and women workers for the same work or work of a similar nature. Any discrimination in recruitment of men and women workers is also prohibited. In fact such equality too flows from Art. 15 of the Constitution: "Prohibition of discrimination on grounds of religion, race, caste sex or place of birth—The state shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth of any of them". Here again the Art. refers to discrimination on the part of the state and to none else. The Equal Remuneration Act covers private employment too. The discrimination has, however, to be on account of the mentioned considerations only.

In sum, during the regime of the late Prime Minister the emphasis has been on providing relief to those who were at the lowest rung of the ladder: bonded labour, scheduled caste and scheduled tribes constituting the bulk of contract workers and women. A number of enactments for the economically backward classes e.g. construction workers, brick-kiln workers were also under consideration.

There was significant progress in the field of social security legislation, during the period of Indira Gandhi. Besides the widening of the coverage of the Employees State Insurance Scheme and the Employees Provident Fund Act, 1952, two new schemes were introduced for the benefit of the workmen and their families.

Family pension scheme

The Employees Family Pension Fund Scheme, 1971, envisages payment of family pension to the widow (failing that to the eldest minor son or daughter) of a member of the Scheme who dies before attaining the age of 60 years. This

payment shall continue till her death or re-marriage. The amount of pension ranges from Rs. 126 per month to Rs. 430 including the increase recently announced. The significant aspect is that no additional contribution is payable by the workmen.

Insurance of workmen

The other scheme—Employees Deposit Linked Insurance Scheme, 1976 envisages that an additional amount equivalent to the average balance in the provident account of a member during the last three years but not exceeding Rs. 10,000 shall be payable to the dependents of the member on his death, in case the death comes while he is still in service.

Gratuity

Payment of Gratuity Act 1972 envisages payment of gratuity at the rate of 15 days wages for each completed year of service or part thereof exceeding six months to worker on termination of his service on superannuation, retirement or resignation if the worker has been in continuous service for 5 years. In the case of death, the condition of "5 years continuous service" shall not apply.

It will thus be observed that during the regime of Indira Gandhi the emphasis all along was on helping the weak and to bring about a rationality in labour legislation and wage policy, as far as practicable. We might recall that during the late sixties certain high-wage islands had developed in banking, life insurance and elsewhere. Over the years corrective measures including annulment of bonus settlement of LIC were taken to restore the natural balance. In this context we may recall that to do away with the present anomaly in the Payment of Bonus Act requiring payment of bonus even in a year when there has been no profit or surplus the Payment of Bonus Act was amended by an Ordinance of September, 1975 followed by the Amending Act of 1976. The minimum bonus was reduced from 8.1/3 per cent to 4 per cent of the wages for the year though the minimum cash payment was raised from Rs. 80 to Rs. 100 (Rs. 60 for workers below 15 years of age). It was also stipulated that if a company did not earn any profit there would be no compulsion to pay the minimum bonus. It was also provided that payment of bonus linked with production or productivity in terms of an agreement or settlement will be deemed to be in lieu of profit-sharing bonus under the Payment of Bonus Act, 1965. In other words while the irrationality was sought to be done away with on one end, opportunity was sought to be utilised to link bonus payment to productivity and thus give a fillip to production. Change in Government and political considerations, however, failed the move.

Collective bargaining

Another historic development of the period has been the successful experiment of collective bargaining on the part of the Indian working class. The labour and the trade unions as if out-grew the Wage-Board stage and came to the stage of collective bargaining. The industry-wise wage settlements in steel, coal cement, port and docks, banking etc. demonstrated that the trade unions in the country, despite their various political persuasions, are one when

it comes to dealing with the employers. This exploded the myth of 'plurality of trade unions'. At the same time the implementations of such settlements became more or less automatic since the settlements were self-imposed and voluntary and not handed down by a judicial authority as an award.

To cap all, Indira Gandhi's concern for production and productivity in the country and for the working class is evidenced by the Constitution (Forty-second Amendment) Act, 1976.

Workers participation in management

The Amendment Act, *inter alia*, inserted Art. 43 A in the Constitution of the country and enjoined upon the state to take steps, by suitable legislation or in any other way, to secure the participation of workers in the management of undertakings, establishments or other organisations engaged in any industry.

Such a move, besides inculcating a sense of greater responsibility among the working class is quite in keeping with the national ethos: public sector undertakings belong to the nation as a whole including the working class and the private sector is a trust of the nation to which the workers have no less responsibility.

(*Indian Worker* dated January 28 and February 4-11, 1985)

TEXTILE INDUSTRY CAN BE PUT BACK ON ITS RAILS—I

By

V. R. HOSHING

Shri V. R. Hoshing, the former treasurer of the INTUC, is one with a deep insight into the entire complexity of the country's textile industry by virtue of his decades-long active involvement in the trade union movement, particularly in the textile industry in Bombay. From a very young age, he was intimately associated with the late Shri G. D. Ambekar, the founding father of the INTUC led Rashtriya Mill Mazdoor Sangh (RMMS), the recognised spokesman of the textile workers in the metropolitan city. He was also the president of the Sangh till recently.

As one with a rich knowledge of the working of the industry, which is the pace setter for all other industries and fully confident that the industry, despite the serious crisis that it has been presently pushed into, can be put back on its rails to occupy an important place in the country's industrial scene, Shri Hoshing has presented a memorandum to the Expert Committee on Textile Industry set up by the Government, in his individual capacity—in tune with the total industrial policy framework, which in turn, will be in consonance with the objectives of planned development—spelling out appropriate policy changes for restoring the textile industry back to health.

To understand the total frame-work of the official policy on the textile industry, one may as well start from the Industrial Policy Resolution, 1956 which, as its preamble states, takes into account, the Constitution of India, the adventure of planning and the acceptance by the Parliament of "the socialist pattern of society as the objective of social and economic policy". The Resolution classifies industries in three categories, textiles falling in the last where the private sector was by and large free to operate subject to such constraints as are implicit in the law of the land. The Resolution takes note of the encouragement given to cottage, village and small scale industries by "restricting the volume of production in the large scale sectors", by differential taxation or by direct subsidies but indicates the aim of policy as "to ensure that the decentralised sector acquires sufficient vitality to be self-supporting and its development is integrated with large scale industry". This aspect of the policy has been mentioned because of its relevance to textile. Some of the operative portions of the Resolutions are explained from time to time and particularly when the five year plans are framed; as indeed was the experience in giving effect to it analysed. By 1970 there was awareness of the inadequacy of some elements of the policy, particularly of the decision making and administrative apparatus.

Change in the policy statement

In the process of the working of the policy, several changes were made in relation to licensing requirements particularly during the seventies. For instance with the announcement of 20-Point Programme (1975) twenty-four industries benefited where relaxation of licensing for setting up or substantial expansion of installed capacity. Of these the ones which are related to the textile industry are cotton spinning for the manufacture of cotton yarn upto a capacity of 50,000 spindles ; and man-made fibres upto the same limit. This delicensing was on two conditions : (a) no import of raw materials or capital goods or foreign collaboration was involved ; and (b) manufacture of new article or substantial expansion was not in respect of items reserved for the small scale sector. With the Janata Party taking over the reins of Government, a new policy statement came on the scene. This statement, having taken note of the objectives of the Policy then in force for twenty years and pointing out its limitations stated as the objective of the new policy as : "remove the distortions of the past so that genuine aspirations of the people can be met". More specifically a significant expansion was made in the list of industries which would be exclusively reserved for the small scale sector. At the same time it emphasised that production in this sector had to be economic and of acceptable quality. The statement went on to add a reference to Khadi 'where a break through is in sight with the prospect of spinning and weaving polyester fibre' along with cotton fibre. Within this structure of industrial policy, a textile policy was also announced.

On another, 'hot' issue, but again on the experience of textiles, the statement had something definite to say. Earlier almost automatic response to 'closure' or 'possible closure' of a large scale unit was to invoke the powers under the Industries (Development and Control) Act and take over the management of the unit. Departing from this practice, it was stated, "While Government cannot ignore the necessity of protecting the existing employment, the cost of maintaining such employment was also to be relevant. The practice of pumping public funds into sick units which continue to make losses cannot be continued indefinitely." A selective approach to this contingency was a part of the policy. Early diagnosis for monitoring insipient sickness for timely corrective action was planned as also a curb was planned on the not too uncommon phenomenon where units showed symptoms of sickness but the owners/management continued to be affluent or even improved their prosperity. Another important development of those years was the appointment of a study group to review the role of the Industries (Control and Development) Act in the promotion of industries. The Group made several valuable recommendations including those regarding the operation of the Development Councils for industries which institutions had about twenty years standing.

A footnote needs to be added to these significant developments in late 'Seventies'. When in 1980 the Congress Party came back to power, it brought within six months a policy statement which reaffirmed everything that was stated in the 1956 Resolution and thus part of the country's economic policy returned

back to 'Square one'. This means that whatever policy the present Expert Committee may evolve has to be within the framework of nearly 30 year old Resolution, but with a very interesting escape clause which says : 'Industrial development is an inter-disciplinary concept. It pertains not only to the manufacturing activity but to all related infrastructural development ; licencing and corporate policies ; financial fiscal trade and pricing policies, industrial relations and management, scientific and technological development and broad socio-economic policies. Its ultimate success will depend on the extent of co-operation that industry receives from other sections of society". If such is the analysis of what 'industrial development' connotes is there any way of evolving a workable scheme for understanding its effective operation and where the blame lies for its failure. And as against this sentiment can the expression of hope that "the objectives set out and measures outlined... will receive the support of all sections of the people" have any meaning ? Reports have it that a new industrial policy will be framed. One should hope that with the technological bent of our present Prime Minister, the proposed policy will be more forthright.

Cotton

Experience of long years has shown that availability and price of cotton are the key factors in the efficient working of a significant part of the country's textile industry. The crests and troughs through which the industry passes can be related to these factors. Attempts are made to improve the quality of cotton but there is as yet inadequate attention to supplying the needed inputs in order to increase availability. With the purchase price (floor) of cotton guaranteed, one of the uncertainties associated with the acreage which an individual farmer allots to cotton has been removed. However, in large tracts cotton is a rainfed crop and vagaries of rainfall can defeat any attempts at crop planning. There was a time when middlemen could dictate their price to the farmer but such a situation is fast coming to an end. Purchase and sale of cotton in many areas is through the machinery set up by the State Government of Central Government or through the cooperatives formed by producers. But even with all this and with extension service supplied by the State Government, the availability of cotton for use in the textile industry continues to be uncertain.

One way of securing better yield for cotton of any variety is timely supply of necessary inputs. Being a rainfed crop over large areas, the uncertainty associated with monsoons will affect the yield but other inputs such as good seed, fertilisers where needed and insecticides should be made available to farmers at non-exploitative prices. In this the role of organisations which have been established for bulk purchase of cotton should not be underestimated. The Cotton Corporation of India (CCI) should be able to extend its contacts with the farmers for such activity. Cooperatives of farmers are also active in some areas for this activity. The work of such cooperative and such distributional work as may be entrusted to the CCI needs to be closely monitored to ensure that benefits of the arrangements are not cornered by the more affluent and affluent among the

farmers. It is recognised that the arrangements established for the other cash crop viz., sugarcane cannot be replicated in the case of cotton for a variety of reasons. However a similar scheme as would be appropriate for cotton under the aegis of a CCI should be worked out. Its essential elements apart from supplying inputs, should be (a) taking the technological advances associated with cotton growing to farmers, (b) easy availability of ginning facilities at suitable locations, and (c) helping cotton growers regarding commercial utilisation of cotton seeds i.e. conversion into oil and other products.

It is true that the initiative in this regard has to come from the growers and the agency to be arranged has to be on the basis of felt needs but some arrangements of the type mentioned above will be needed. Even creating consciousness about the possibilities so as to increase growers' appetite for their needs can be a function of the agency. These proposals regarding growing of cotton and its marketing have been made with a view to eliminating middlemen at all stages for ensuring that a farmer gets a better return for his product. Their aim will also be to stabilise the price of cotton over the period of 'crop year'. The idea also is that, if in this process the load of these activities is off the farmers mind, they will be able to concentrate better on production. It is recognised that for many of the steps, implicit in these suggestions, is the cooperation and even active involvement of the user i.e. the manufactures and their organisation. Middlemen through whom some of this work is transacted may fight, but once it becomes the normal way of operation, and the users know that there is no other way, all will fall in line. It will be necessary, of course, to take the usual precaution of making arrangements for a periodic dialogue between the organisation that is evolved and farmers on the one hand and manufacturing interests on the other, these latter should include the representatives of workers in the spirit of the current initiatives by Government in the field of workers' participation in management.

Many observers of the Indian industrial scene have analysed the causes that account for a slow down of industrial growth during the last twenty years. One of them which is relevant to the textile industry is "poor performance of agriculture". This affects the industry in two ways: (i) because what the industry processes is—an agricultural product, fluctuations in cotton crop—because of overall poor performance of agriculture—will affect cotton availability and (ii) poor performance on farms leads to low incomes in rural areas which in turn lead to low demand for textile products. If, therefore, some of the aspects of cotton production and prices of cotton have been mentioned earlier on, the reason is not too far to seek. One more factor needs to be mentioned. The cotton textiles is the oldest industry in the country. As pointed out, its base is cotton and as also pointed out the fortunes of the industry fluctuate with the volume of cotton crop and its value. And yet with this experience of long years, textile magnates in the country have not taken as much interest in regard to maximisation of yields of different varieties of cotton under varying conditions of soil and other inputs such as water, seeds fertilisers and insecticides. Entrepreneurs in agro-industries such as sugar, oil, seeds,

and plantations and others which have recently come in seem to have taken much keener interest in the activities which ensure a steady supply of raw materials to be processed. The committee may like to examine this issue in its historical context and come out with recommendations to remedy the manufacturers' lack of interest in securing for themselves a steady supply of raw materials to be processed.

One more aspect connected with raw materials needs to be set out. Partly because of inadequacy of cotton, and partly due to changes in taste of users, and this latter covers both urban and rural population, mixed fabrics have come on the scene. It is possible with their advent, that individual units may be trying out a variety of combinations (or blending) of different staples of cotton with man-made fibres. And yet one wonders whether adequate publicity is given to the results of different mixes on the final fabric. Or does it all go under the spacious phrase "trade secret"? In any case is such secrecy called for? The Committee may consider if the time is ripe for extensive research on different types of blending natural and man-made fibres outside of what is being done behind closed doors of individual units and arrange for wide dissemination of results both in the interest of small scale manufacturers and for avoiding duplication of efforts.

Also a point to be investigated is how much of cotton stock with the manufacturer is used for speculative transaction. While it is recognised that speculative tendencies in the new generation of employers in the textile industry have gone down, even such of them as exist need to be put to end. It was said at one time that if a textile magnate could earn a sizeable amount by disposing of his stock in the speculative market he would not bother to keep, his establishment funning with all its headaches. Legislative curbs have been introduced in order to discourage such tendencies, but old habit seems to die hard. The suggestion regarding investigation should be viewed in this light.

Manufacture

Comments on this aspect of the textile industry will be under two main heads: (a) Spinning and (b) Weaving. Under 'Weaving' policies regarding composite mills, power looms and handlooms will have to be reviewed.

Spinning

Let us proceed on the assumption that the general run of mills will be using cotton which is indigeneous. If this is classified as 'long staple' 'medium staple' and 'short staple' the interse distribution will be: 25 to 33 per cent represented by long staple, 13 to 16 per cent by short staple and the balance will be of medium staple. This cotton is capable of producing counts below 40. The country is a producer of counts of 40 and below which account for almost 90 per cent of yarn production. In this the distribution as between counts below 20 and above 20 but below 40 will be roughly 45 and 55 per cent. The other fact to be noted is that since loomage in composite mills has been frozen as a part of our textile policy and the spinning capacity has increased,

production of fabric outside the composite mills sector has increased steadily. Yarn not utilised in the composite mills and that produced in spinning mills is supplied to handlooms or powerlooms. This supply is in the form of either reels or cones. These have different uses; that is why probably in the excise duty structure it is the former (reeled) which is free of duty whereas cones attracted excise. The Committee may have to examine whether there is a case for rationalising the duty structure in case the evidence before it suggests that differential excise is misused or is likely to be misused. If as a result of the proposed rationalisation, the least viable sector of the industry i.e. handlooms get affected, Succour should be provided to that part of the industry in some other manner.

The present arrangement seems to be to expand the capacity of the spinning sector in order to fee the increased demand from the decentralised sector. In taking a final decision in the matter it would be appropriate to suggest that study should be made about the extent of utilisation of the installed capacity as at present. There is a feeling that the capacity already licenced, whether for spinning or weaving is greater than the installed capacity and the latter is more than utilised. If on the basis of the suggested inquiry it is found that more spinning capacity is needed, additional spindlage should be set up in cotton growing areas preferably in rural areas where one finds clusters of decentralised weaving whether by way of powerloom or handlooms. Apart from anything else such a policy will help facilitate breaking of transport bottle-necks since it may curtail cotton movements as indeed movement of yarn from such spinning units to the decentralised weaving sector.

Weaving

While it is not suggested that at the stage of spinning, the industry or policy regarding it is free from problems apart from or similar to the one already mentioned. The more complex problems begin at the stage of converting yarn into fabric. It is here that alternatives to production in composite mills have become parts of policy statements. Earlier years of this century saw the advent of powerlooms.

However, for long years these latter received little or no encouragement; in the last thirty years powerlooms have emerged as the major producers of cotton (even silk and synthetic) cloth. In what follows, some of the problems regarding formulation and implementation of policies in regard to each of the sub-sectors are discussed.

Almost upto the year 1950 it was the composite mills which provided cloth to millions of our users. The next twenty-five years showed the gradual shift from composite mills to decentralised production. Starting from the beginning

of the First Plan when the mills were responsible for more than 80 per cent of production by the end of the Fourth Plan (1973-74), the production of the mill sector had gone down to just over half (51 per cent).

The subsequent years have shown a further decline in our dependence on composite mills. This decline was planned. The capacity of the mill sector was frozen at the 1950 level. The only change that the mills were allowed to make was to substitute their older looms by new ones. And a good deal was needed to be done on this score since during the previous decade both because of the demand for cloth and the non-availability of opportunities for replacement or modernisation of machinery (both consequence of war). The machinery in practically every unit of textile industry had suffered considerably.

This was the time, when spurred by transition from war to peace and the translation of technological advances appropriate for the former to normal conditions, several countries producing textiles went ahead with wholesale changes in production methods. However the Indian textile industry failed to keep pace with the technological department. Initially composite mills invested good amounts in having processing section for better marketing of their cloth. Because of the need of pursuing plan objectives and for spreading employment to new areas the structure of the industry changed.

In the early fifties the distribution as between composite and spinning mills was 71 : 29 by the end of the fourth plan (1974). The ratio has since declined to 40 : 60. It is against this background that the present problems of the composite mills and those of the growing sector viz. the powerlooms and the more traditional handlooms sector have to be reviewed.

The first point that comes to mine in the light of what has been said in the previous paragraph is the absence of any attention given by the industry for its renovation and modernisation. This question was the subject matter of committee and various working parties in the last thirty years. Estimates of the financial requirements for the purpose were made but action consequent on the recommendation was halting. Each time the estimate was taken up for consideration, it was felt to be costly in the then prevailing financial and economic climate.

It is not as if no action was taken but the advantage of it went to the relatively better off units. Towards the end of fifties applying for installation of automatic looms became a fashion: licensing of such looms was tied with export performance, again revealing the country's concern for earning foreign exchange. At about the same time some developing countries in Asia went ahead and India was left behind in its export performance.

At times individual units, because of the resource requirement failed to take an integrated view of their operations and sought to modernise their weaving shed without paying adequate attention to improving their preparatory processes. Where this was the case, automation turned to be uneconomical.

Some calculations made in the mid-seventies showed that while conversion of non-automatic looms to automatic looms may have involved a certain amount, the cost of establishment of preparatory processes conducive to efficient

operation of such looms was three times as much. This again meant that modernisation was possible only in units which were able to find resources of that order.

Another lesson to be learnt is that with the technological changes that are taking place all over the world, the rate of obsolescence is growing fast. To keep up with this progress, a country like ours, where bulk of the industry is run on the basis a timid approach to modernisation, partly ; because of its consequences for raising the required funds and partly because of possible loss of employment, will have to adopt flexible policies which will provide appropriate and quick remedies to an emergent problem. A corollary to this approach will be : (a) adequate freedom to the entrepreneur for operating within a given overall framework, and (b) sufficient discretion to the inspectoral/supervisory apparatus to operate within given guidelines supplied by authorities. One hopes that the new look proposed to be given to industrial policy will take note of this factor. More specifically the committee will have to consider how the implications of such approach will have to be spelt out for the textile industry and its various components such as cotton, silk and art silk, woollen processing etc.

One reason for greater efficiency in the textile (fabric) industry abroad is reported to be the standardisation of a limited number of varieties for manufacture. What they lose in the process is made up by changes in apparel styles. In India to cater to a variety of tastes, because of the diversity in styles deposite the fact that the users wear only limited number of garments, we have varieties galor. It should not be difficult to work out a scheme by which the mills sector confines itself to a reduced number of standardised fabrics, leaving the areas where personal preferences may count to the decentralised sector. This will have to be in the case of bulk of their production i.e. for counts below 40. For finer counts which in any case account for a fifth or sixth of their production, standardisation and limitation of varieties may not be called for.

We experimented in the composite sector with a policy for production of what was known as controlled cloth. The experiment intended to supply cheap cloth for the less affluent sections of the society did not succeed. The more efficient among the mills which did not want to fall in line with the scheme managed to get out of it. With a fifth of the composite sector now being taken over for management by the Government and their producing fabric for the masses, of the rigours of earlier policy may be less felt and yet the policy makers got the message loud and clear. Production of a commodity which does not take into account the taste of a broad section of the community and is imposed on the manufacturer is doomed to prove to industry's disadvantage. One should recognise that whatever be our estimates about the people living near or below the poverty line, even these people can have preferences about what to wear and what not. Arrival of cloth made out of man-made fibre merely accentuated the problem of unsaleability of what was designed to be cloth for the poor.

TEXTILE INDUSTRY CAN BE PUT BACK ON ITS RAILS—II

By

V. R. HOSHING

With his intimate knowledge gained during his decades-long involvement in the trade union movement, particularly in the textile industry of Bombay, Shri V. R. Hoshing, former Treasurer of INTUC has presented a memorandum to the Expert Committee on Textiles in his individual capacity. The Indian Worker of April 1, 1985 carried the first part of his memorandum

We give below the concluding part of the memorandum in which Shri Hoshing has dealt with the working of the National Textile Corporation, the existence of a large number of unregistered powerlooms under the control of the contractors and master weavers and the role of the Office of the Textile Commissioner.

Subject to what has been said earlier, there seems to be the need for examining the possibility that all future replacement of looms in composite mills should be with highly automated looms, so that such mills should enable India to effectively compete in the international market, particularly in the context of the entry of some new countries in a big and more sophisticated way. The licensing of such highly automated weaving facilities should be done with care and having regard to the export performance (both in terms of quality and ethical standards of management) of industrial units. Objective criteria have to be established for judging performance particularly of the latter variety.

NTC's role to be re-examined

Two more points about the composite mills sector. The present arrangement is that badly managed mills when taken over by the Government became in turn the responsibility of the National Textile Corporation (NTC) or its state counterparts. It has been urged on a number of occasions, but without effect that NTC should not be saddled with all mis-managed units. Even in the midst of crisis in the industry several managements have shown resilience to ride over difficult times. Such managements should be given adequate opportunity as indeed the necessary incentive, to take over weak units for such time which should be utilised to introduce healthy management practices that have helped their own units to go from strength to strength. Legal formalities for such temporary take over should be worked out. If some units acquire strength and are able to maintain it this is as much due to the skill or entrepreneur as it is because of the technocratic input of the staff and the efforts of the entrepreneur to encourage such inputs. In bad managements all these factors are missing. Where NTC is introduced to correct the situations created by bad management over a series of years, some of the financial worries of the person who is put by NTC in charge may be over but the other factors mentioned will still be missing; a mere change of label may not produce results as experience so far has shown.

Also, if as has been the experience, the NTC finds it difficult in turn the corner in sticky units which have been taken over, the role of the NTC has to be re-examined. If need be we should not hesitate to use some of its units at least as 'guinea pigs' for experimenting with organisational improvements and innovations. For some time in the past NTC units have been asked to establish worker participation in management. Though we have been talking about it for the last thirty years much progress has not been is evidence and each sector has been asking the other to give the lead. But whatever be the motive for the particular decision, the fact remains that 'guinea pig' operations in several other aspects of efficient management may be possible in NTC units. Such of them as may fail should be considered as necessary expenditure by the public exchequer, for understanding 'do's and don't's' of management. There are possibilities however that given the right attitude on the part of managers and workers, many experiments may succeed and through a demonstration effect raise the level of efficiency in the NTC units. Assuming that arrangements are simultaneously made for dissemination of results—good or bad.

NTC has not proved to be an ideal employer, nor its take over has been a deterrent to the other management for their failures. When NTC got advantage in wiping out past financial liabilities, manning of work force to some extent and Government order, entire controlled cloth at price, then their remaining 50 per cent production which is sold in the market should have made good profit. Thus it is clearly evident that the NTC has failed in its sale and purchase policy. NTC has not created their own market nor have created any impact in the market. Even chain retail shop of NTC has proved to be dismal.

Powerlooms

The growth of the powerlooms sector in the country in the last thirty years can be judged from two sets of statistics. For all practical purposes the loomage in the composite sector has been frozen, but powerlooms increased from an estimated number of 24,000 in 1951 to 6,80,000 in 1982. Handlooms too increased during the same period. Powerlooms using cotton yarn and those using other yarns were in the proportion of 55 : 45 in 1951. In 1982 those working on cotton represented more than two thirds. Most of the growth in the powerloom sector has been for weaving cotton yarn. In 1951, whereas the mill production accounted for 78 per cent of the total; its share had gone down to just 30 per cent in 1982. Of the production in the decentralised sector the powerlooms accounted for a fifth and the other 80 per cent belonged to handlooms in 1951, whereas in 1982 the proportion was almost 2:1. It is thus that the powerlooms can be said to bear the burden of clothing the millions to the extent of 45 per cent. Though this preference was meant only for registered powerlooms and handlooms, a large number operate without registration. One need not be meticulous about these data but the fact of the recent predominance of powerlooms is clear. Another point which needs greater attention and study is the capacity utilisation of these powerlooms.

According to the World Bank Report, at present it is roughly estimated that they are hardly working with 25 per cent of the capacity.

In considering a policy on powerlooms as a part of total textile policy its necessary to distinguish between different type of powerlooms operators; (a) owners of powerlooms employing workers and being covered by the Factories Act; (b) those who have split their units artificially or otherwise to evade labour legislations (c) master weavers who collect beams from merchants and return woven cloth to them; (d) weavers who do all the chores by themselves and act as minientrepreneurs. In this totality of groups several units work with the help of family members and an equally large number work with the help of paid labour. Estimates of the relative prevalence of these employer types are not available. This point is brought out in order to emphasise that such policy as the Committee may evolve for this sector may have to take into account the problems of each group. For instance, group (a) may have to be treated as any textile (weaving) mill with a possible difference in the scale of operation; Groups (a), (b) and (d) may require finishing facilities, whereas (c) may not. Labour problems may arise in (a) and (b) but they may be minor and in (c) and (d) the owner identifies himself with the workers if there are any. This aspect has not been taken into account in the literature on problems of powerlooms produced so far. Cooperatives are more an exception than a rule in this sector.

It is in this context that the Committee may like to consider the conclusions of an ad hoc Study Group constituted by trade union research organisation. These are: (i) a census of powerlooms should be undertaken to cover both licenced and unlicenced looms; (ii) Government should state in clear terms what should be the respective spheres of production as between the mills, powerlooms and handlooms; (iii) powerlooms should be encouraged to move into rural areas where power is available; (iv) loans should be made available for replacing old powerlooms by new and more efficient ones; (v) the policy should be so framed that three sectors became complementary to one another and not competitive; (vi) steps should be taken to see that middlemen who currently corner for themselves the benefits accruing to the powerlooms in a variety of ways are gradually eliminated and their place is taken by co-operatives; (vii) technical training and retraining activities should be encouraged in clusters of powerloom locations; (iii) industrial estates should be established at appropriate places to bring together small units of the industry at one place where all infra-structure facilities can be provided; (ix) arrangements should be made to establish preparatory and processing facilities and where entrepreneurs, or group of them, are prepared to set up such common facilities Government could provide all encouragement; (x) conditions of work for labour leave much to be desired and it should be possible for powerloom operators who work with hired labour to have collective responsibility for the welfare of persons entering the industry; (xi) for all practical purposes small powerloom operators and their workers should be brought under the cover of one organisation—the former for being protected against exploitation by middlemen and the latter for securing the share for the labour they put in; (xii) in order for the operator to secure assistance from financial institutions,

there should be an arrangement by which every year a fixed number of un-licensed looms should be given licence.

Powerlooms owned by the companies whether public or private be allowed to continue. Other powerlooms ownership should be transferred to weavers who actually work the looms if they form as co-operative society. Proper financial assistance be provided through financial institution for them. Similarly State Governments should help them to market their goods.

One final point. The assessment made by different committee, working groups and task forces have revealed that the original expectation that allotment of powerlooms should be more for the purpose of giving facilities to the handloom owners to be more productive has not been fulfilled. This should not lead the committee to give up that idea but to examine what should be done in order that the original object in promoting powerlooms is furthered. May be, there are financial difficulties; may be adequately convincing reasons are not given for conversion; may be there are attitudinal obstacles. The aim of the policy should be to remove them. I would like to offer the following suggestion in brief for the committee's considerations:

1. *Excise.*—Excise duty be shifted only to yarn point. It would be advisable to consider 'Single Point Tariff' related to specifications of Power Loom and its capacity.

This will also help in improving excise duty yields.

2. *Internal Audit.*—Those units bought under nursing programme of financial institutions, should necessarily impose internal audit of such units, by agencies to be nominated by financial institutions to overview the operations of units vis-a-vis financial inputs.

The internal audit also should project, quarterly statements of likely operations in the form of 'Cash-Budget, to reduce an area of ambiguity to the minimum.

It would therefore be possible to enunciate in-built analysis with regard to cost audit and will enable the respective management and financial institutions to review periodically, requirement of funds and their applications, on quarterly basis.

3. *Concurrent Audit.*—If need be, the authorised union can lay concurrent audit in the proforma to be devised in advance, to evaluate the performance of the unit. (In the past, several allegations have been made on audits and therefore it is only to keep labour properly informed of financial implications that this suggestions has been made).

4. *Management Audit.*—This parameter is of immense importance in the present environments. Rising turnover and diminishing returns, seems to be the order of the day.

In order to arrest this trend, it is necessary to evaluate profitability by effecting reduction unavoidable costs. This can only be done by instituting, 'Time and Motion Study on all working assets vis-a-vis cost inputs by rationally analysing 'Fixed and Floating Overheads'.

It is necessary to form equations on unit to unit basis, to check that can be done to rationalise costs and improve yields.

In every corporate field this parameter is gaining momentum and therefore this the reply required to be used, earlier the better!

5. *Marketing.*—Mere manufacturing ability is not good enough a reason to embark upon any business venture. In fact, without proper off take, arising out of marketing, it would only help build a huge inventory leading to compounding of problems.

With a stroke of pen, sick units are merged into National Corporations, little realising that corporate to amalgamation of such units, marketing effort need to be augmented.

With enhancement of production capacity, market intelligence has to be strengthened to enable products to be distributed at a price which market can bear.

Product mix, their pricing seasonal fluctuations, consumer habits, will have to properly studied in the form of marketing to improve output and hence yield.

This point needs added attention, if sick unit rehabilitation is to be considered on a long term basis.

6. *Textile Co-operatives.*—The crippling textile strike in Bombay has displaced many mill-heads. Frankly, no worthwhile effort has been made as yet, to rehabilitate such textile workers.

The workers employed in the units that had re-started, does not necessarily mean that the same workers (as earlier employed before the strike) have been re-employed. In fact it is not so.

The question therefore arises as to what can be done to those textile workers who are still jobless.

According to the present industrial policy in Maharashtra, industries cannot be located in the Metropolitan Zone. The policy clearly states that new industries need to be located in specified zones only.

The Government, with a view to rehabilitate textile workers, can consider support to the jobless workers, in the form of 'Co-operatives'. Such units will necessarily offer employment to jobless but ownership of assets would rest on co-operatives. Those connected with co-operatives will be participated in the unit on wages profit showing, in the spirit of co-operation.

Such units be allowed to operate in required location and their promotion be encouraged (by State Government) in term of allotment of land, any by financial institutions, through their lending, to promote proper infrastructures. At least such a co-operative effort will help, utilisation of talent and their output will help the industry in general.

Unless encouragement is offered, it would not be possible to effectively promote this concept. There is a consensus that Co-operatives, in Sugar, Milk and now Oil, has yielded desired result and therefore, this concept deserves sympathetic approach in the broader context of National Textile Policy.

I would like to conclude the memorandum with observations about the arrangements made by Government both for understanding the problems of industry and for exercising the various regulatory and developmental functions for the industry. Apart from other sources, the Textile Commissioner's Office has been working both as eyes and ears of Government and also exercises most of the functions with a view to securing efficient functioning of all sectors of industry. The office itself was a wartime creation and in its early stages was required to help the industry in what may be considered 'self regulation'. Self regulation is appropriate when all sections of entrepreneurs want to play fair with the supervisory agency and as the experience over years showed 'black sheep' in the industry (and textiles cannot be an exception to this) were able to upset self regulation. Statutory as also administrative measures were needed for discharging the functions entrusted to that office. Over the last several years these functions have widened as indeed the office has grown in size. It is not my intention to go into the micro functions and express a view as to whether the growth has or has not been redundant. I will confine my observations to functions with my knowledge as a representative of workers and those which have an effect on the maintenance of the health of the industry in the larger interests of the community and national economy.

The Textile Commissioner's office has to administer controls and oversee arrangements which are specific to this industry which clothes the citizens. To outsiders listing of such controls would indeed be difficult as also the assessment of working of these controls. Fortunately, there has been a very detailed study of controls and subsidies by the committee appointed by the Government of India, the DAGLI Committee. Fortunately a trade union leader was a member of this committee.

As we understand the working of the Textile Commissioner's Office, its regulatory and developmental functions require procedures to be evolved by that office and the Textile Commissioner's overseeing of all these procedures. The responsibilities connected with these functions devolve on three important branches of that office: (i) economics and statistics branch; (ii) financial survey branch; and (iii) technical survey branch (In fact (i) and (ii) form one bigger branch and operate as such). Since in practice, trade unions are interested in understanding the state of health of the industry as also the health of particular units in the industry (because of the repercussions of the closure of units on employment), we have developed special contacts with these branches. That is why we are giving our comments on the work of these branches in some detail.

The Economics and Statistics branch provides periodically all the intelligence that is needed by the Textile Commissioner's Office, on various aspects as affect the industry apart from preparing ad-hoc reports as required by authorities. The branch is engaged in collection compilation of statistical data relating to each and every aspect of the industry and units in the industry. Units in the organised sector are required to submit periodic returns in variety of forms to this branch. Some of these (titles only) are indicated below:

1. Machinery installed in different departments—preparatory, spinning weaving, and processing etc. Details according to these specifications are also required in case of certain important machinery/ies.

2. Labour employed according to its classification departmentwise and shift-wise. Machine activity in different departments, total number of manhours worked, absenteeism as well as details of stock.

3. Details about production of different types of yarn package delivered and stock of yarn etc.

4. Similar details about cloth production.

5. Classification of product, whether of pure cotton or otherwise.

6. Returns of stock, production, purchase, consumption and sale of cotton waste.

7. Stock consumption and sale of cotton.

8. Work stoppages: (These can be partial or complete).

Anticipated stoppages of work and reasons for such stoppages whether due to strike or lock-out or lay off or any other reason have to be reported.

As in obvious items (2) and (8) are of special interests to trade unions. Perusal of the Quarterly Textile Bulletin published by the office at the Headquarters indicates the magnitude of work involved. It can be only a part of the work since the Bulletin is not expected to publish all data as analysed by the Office.

As users of the information I find that the information contained in the Bulletin has a time-lag anywhere between 12 to 15 months. This is nothing new to Government Publications. Trade unions which are interested in understanding the fortunes of the industry find such information considerably outdated. On our own we have been urging expeditious publication of these data but obviously there are some difficulties in the matter including perhaps printing bottlenecks. We believe, however, that persons interested in the type of information that is ultimately published should be able to examine at the Office the material which is sent for publication with the help of a designated authority in the office. If this arrangement does not prevail it should be a part of the Committee's recommendation.

Concrete suggestions

For expediting availability of information mere mechanisation of the process involving in the analysis of this information (for publication) is not adequate. Extension of the 'process' is called for, If the data are useful in policy making and devising of remedial measures to correct wrongs and deficiencies in the working of the industry and the policy for it, the time-lag in publication is not desirable. That is why the operations in the economics and statistics branch should be completely computerised. The advantage will be that the present arrangement of providing simple one way or two way table could then be expanded with the help of computer analysis, to cover inter relationships between variables. This further exercise alone can throw better light on the issues connected with the working of the industry. The unions would like to understand whether there is any imbalance in the pattern of consumption of raw material, under utilisation of production facilities, discontinuous power supply and the effect of these all on reduction of labour force. Experience

in understanding these relationships over a period will help trade unions for understand the possible dangers to its membership in the form of lack of work

What has been stated above is only with regard to physical facilities available to the industry. Considerable information regarding financial working to industrial units is collected by office and analysed with the help of qualified cost and work accountants and chartered accountants. This analysis when viewed in the context of the analysis described above will lead to a better comprehension of the working of the industry and or units therein. Computerisation alone will facilitate such a total view.

The technical Survey Branch with the help of the financial survey unit undertakes jointly a Techno-Economic Survey of the Cotton Textile Mills in the organised sector but by giving priority to the weaker mills and the mills which are in the red and are anticipated to be in the red. This is one of its regular functions but in addition the teams have been asked as and when necessary to report on affairs of specified unit or units. We understand that the personnel in the Team who possess requisite qualifications, experience and expertise in their respective fields undertake a through survey of all the departments of the mills in depth by camping for days if necessary depending upon the size and condition of the mill. These surveys have made it possible for the organisation to have full data of the type, age and conditions and efficiency and the balance of life of each machinery, the financial condition, the efficiency of the workers and of the management. The surveys also supply hints on the mismanagement or the likely mismanagement of the mills, the management-worker relationship etc. The financial personnel in the Survey Team also go through the minutes of the meeting of the Board of Directors and scrutinise carefully decisions taken by them.

On the basis of what has been stated above, the utility of what is being done in the Textile Commissioner's Office to the work of trade unions can be obvious. This is so particularly because it is not impossible to identify well in advance the areas of illness, deficiencies, wrongs malpractices and mismanagement of textile units. It is also not impossible to make out whether the figure under the items of income, expenditure etc. in the balance sheet are correct or fictitious and manipulated and to what extent. An in depth study of the figures in the balance sheet should be made with reference to the figures of production, consumption of various raw-materials, the labour employed, etc. This will be useful particularly when the organisation has the full knowledge of the ruling prices of all the major items of raw-materials and the inputs for the production and processing of yarn and cloth. We think, therefore, that the organisation is well equipped to anticipate well in advance the closures or anticipated closure, fall in production, reduction in strength of workers and the causes therefore.

With regard to consultative arrangements we restrict ourselves only to the labour part, though on Development Council of the industry the unions are represented. On industrial relations matters the internationally accepted form of consultation for this industry is the Industrial Committee on Textiles. Upto the close of the 60s, this Committee used to meet albeit at long intervals

and thrash out labour problems specific to the industry. The 'Seventies witnessed almost a complete freeze on these arrangements as a part of similar freeze on the tripartite Indian Labour Conference and Standing Labour Committee meetings. This tripartite consultative arrangement did receive appreciative reference in the report of the National Commission on Labour (1969) and also internationally. The sudden freeze on tripartism is therefore understandable. If not for anything else the meetings brought to the notice of Government the various problems faced by labour and management in relation to Government's policies and administration as indeed even in areas outside the frame work. In the process they had some influence on the functioning of Government apart from allowing the parties to let off steam and unburden themselves periodically. We believe that a part of the current disarray on the industrial relations scene could have been set right if tripartism had been given a chance to operate un-hampered.

To conclude but more specifically with regard to the Textile Commissioner's Office: we believe that an Advisory Committee on concerned interests would considerably help the working of the office in the sense that it will bring to the notice of the Textile Commissioner the needs of the users of the volume of information collected by office and acquaint him with how the polices (industrial and textile) are working in practice. Such meetings have also a PR function which will be in the interest of the working of the whole organisation.

(Indian Workers dated 8th April 1985).

THE INDIAN LEATHER INDUSTRY

by

HARIBHAU NAIK

General Secretary

Indian National Textile Workers Federation

Leather has been in the service of mankind since the dawn of civilization and leather industry is a traditional industry from the days of yore the world over.

Even in the present space era, in a country like India 80 per cent of the footwear production is at the unorganised cottage industry level in the villages scattered all over the country. Nevertheless, the industry as a whole—organised, small-scale and unorganised—is the fifth largest foreign exchange earner for the country, though it had occupied the third position just two years back. The export of leather and leather goods accounted for Rs. 2,720 million in 1977-78 which was about 5.1 per cent of the total exports in that year. It increased to Rs. 3,718 million in 1982-83, but its share in the country's total export during the year had come down to 4.2 per cent. (See table 1).

The Industry is also the fifth largest employer in the country and over 75 per cent of the workers belong to the economically weaker sections of the community. It is difficult to present an accurate figure of employment in this industry since it is widely scattered in all nooks and corners of this vast country. In almost all villages, which are not less than 7,00,000 in number, there are a large number of workers engaged in this industry, a sizeable section of whom are self-employed. In the organised sector of this industry, comprising both large factories and small-scale units, the available records reveal that there are about 900 units falling under the purview of the Factory Act and providing livelihood to over 1,08,000 persons. The time series data, however, indicates this number to be stagnant for the past several years.

As per available records with regard to the employment situation in the small-scale sector, over 5,000 such units employ over 32,000 workers which means an employment rate of 6 per unit. (See table 2).

At the global level, India ranks high with one-sixth of the world's live-stock population, which was 360 million animals in 1984. India also accounts for one-sixth of the world's trade in leather, the major countries to which we export being Italy, Federal Republic of Germany, the UK and France.

Though the future prospects of the country's leather industry in terms of trade presents a bright picture, there are numerous constraints hampering efficiency and growth such as : (i) social prejudices against slaughtering of animals that hinder un-interrupted and adequate supply of hides ; (ii) ineffici-

*Based on a talk by Shri Haribhau Naik at a Seminar on Leather Industry held at Tokyo from March 3 to 12 under the sponsorship of the Textile Workers Asian Regional Organisation (TWARO).

ent and ineffective arrangement for recovery of dead animals ; (iii) large scale destruction of live-stock due to vagaries of weather like drought or floods in some parts of the country or the other all through the year; (iv) difficulties in organising large-scale tanning in the countryside ; (v) unchecked wastage, particularly in the rural areas : and (vi) shortage of man-power as a result of better employment opportunities elsewhere with the advent of large scale industrialisation. However, the Khadi and Village Industries Commission (KVIC) is doing some commendable work in bringing the activities in the leather and leather goods industry in the rural areas under the organisational fold and is providing financial, technical training and other assistance.

TABLE I

Export of Leather and Leather Products in Small-scale Industries (All India)

	(Rs. crores)		
	1978-79	1979-80	1980-81
Finished leather and leather products	221.36 (20.7)	224.29 (18.37)	221.74 (14.6)
E. I. tanned hides and skins	85.77 (8.0)	70.85 (5.8)	45.26 (3.0)

Note.—Figures in brackets are percentages to the total exports made by small scale industries.

TABLE II

Annual Labour Turnover rates amongst directly employed regular workers in manufacture of Leather and Leather and Fur products (except repair).

All States and Union Territories
Annual rate of Labour Turnover

Accession (%)		Separation (%)	
1977-78	1978-79	1977-78	1978-79
16.6	18.3	14.7	15.1

Constraints

Viewed from the trade union angle, there are specific problems in the Industry some of which are listed below :—

Firstly, the main problem felt is not so much in the supply but in the quality of hides. Various solutions are suggested such as cooperatives to handle the numerous trade transactions from the raw materials to the marketing of the final end product. Due to the lack of requisite organisational effort in this area, there is only a semblance of a cooperative movement.

Then here is the problem of live-stock management. A well organised live-stock management, apart from helping the healthy growth of the industry will give a boost to other related socio economic activities in the rural areas. There is now an encouraging sign that a number of trade unions venturing into non-traditional spheres such as organising the rural workers through socio-economic activities have started paying greater attention to this aspect.

The uneconomic price of tanning material is yet another constraint for this industry. There is therefore the imperative need to popularise the use and production of vegetable tanning material.

The crucial problem common to all tanning centres, particularly in the organised section of this industry, is the erratic power supply. The drastic cut and uncertainty in timely power supply, while increasing the cost of production, spoil the raw hides put on the machine when the power supply is cut without prior warning. There is presently an increasing demand for treating tanning as a continuous process industry for the availability of adequate power supply and advance communication of the schedule of power supply. Trade unions in the industry are extending their full support to this demand in the interest of the industry and the workers.

As a result of the growing export of leather, acute shortage in the availability of quality leather is often felt for domestic use. The representative of the leather industry in the Export Promotion Council should evince a greater interest in safeguarding the future of the industry. The workers too need to be educated so as to generate in them the required quality consciousness.

In the context of the increasing international trade and the prospects for the development of the industry, there is need for stricter quality control in view of the highly competitive international market.

The organised section in the industry seems to be content with the availability of assistance from the financial institutions. But the illiterate small operators, who constitute the majority in the industry, are actually experiencing the severity of the problem of finance. The Leather Industry Development Corporation seems to be satisfied by limiting its efforts to provide advisory service in this regard.

The environmental pollution is another problem that clamours for immediate solution. The potential recycling of waste and the need for educating the small operators on the appropriate technique of utilising the effluent waste is still at the discussion stage in our country. This calls for more serious consideration by the tanners as well as the authorities concerned.

Problems confronting workers

Fluctuations in the availability of raw materials have a direct bearing on employment and wages of workers. Workers are also adversely affected by the frequent changes in the hours of work and the system of sub-contracting which are subject to the changes caused by the fluctuations in production, seasonal variations, effect of climatic conditions, and the ever changing tastes and styles that govern demand. Added to all these is the problem of availability of power and water. The absence or inadequate organisation of workers in this industry is the major cause for the absence of any protection available to them against these adversities.

Working condition.—In the case of rural artisans and tanners who carry on their activities in their homes, the health and safety hazards involved have become a part of the family life. The low level of education, absence of continuity in employment and uneconomic earnings have forced them to suffer dismal working conditions. In the urban areas, the situation is somewhat better depending on the size of the unit. Indifference on the part of a large section of the employers, combined with the lack of awareness about organisation among workers, is responsible for no improvement in the situation.

There is no evidence of any occupational health service being organised at work places even in the urban units. The Central Leather Institute situated at Madras has come out with several research studies identifying spots of hazards—physical and chemical and their adverse physical effects such as by noise, vibration and heat. The leather factories coming under the purview of the Factories Act are supposed to be periodically inspected by the Factory Inspector in order to safeguard the workers against identified hazardous conditions. But such a provision is confined to the statute and in actual implementation there is nothing much to say.

Wages.—The Minimum Wages Act provides for a statutory minimum wage payable to the workers employed in this industry at different centres.

The enforcement of even the flimsy statutory minimum wages which would not help the workers to lead a decent life is found very much wanting because of the collusion between the personnel in the enforcement agency and the 'unscrupulous' employers. It is also to be noticed that barring the wages in different industries at a given centre, inter-industry and inter-regional wages differentials affect the leather industry more than others. This again is dependent on the extent of organisation of workers which unfortunately, is a weak point in this industry.

TABLE III
Per Capita Average Daily Earnings of all Employees in
Manufacture of Leather and Leather and Fur Products
(except repairs) (All India)

Category of Employees	Average Earnings (before deductions) per manday worked (Rs.)	
	1977-78	1978-79
1. Workers	.. 16.56	16.25
2. Supervisory and Managerial staff	.. 64.41	71.57
3. Other employees	.. 18.98	22.62
4. All employees	19.95	20.45

TABLE IV
Per Capita Annual Earnings of Employees in Manufacture of Leather and
Leather and Fur Products (except repair) during the years 1979 and
1980. (All India)

Number of Factories		Furnishing returns		Average daily employment ('000)		Per Capita Annual Earnings (Rs.)	
Covered under the Act		1979	1980	1979	1980	1979	1980
1979	1980	(3)	(4)	(5)	(6)	(7)	(8)
810	827	560	567	40	45	6,482	6,450

Other factors

The banks and other financial institutions are appreciative of the problems of the industry and normally do not hesitate to extend credit facilities. There is also the Small Scale Industries Service Institute which has set up facility centres design development centres in different parts of the country to assist small operators in the industry. Research organisations like the Central Leather Institute are active in the areas of technological development, pollution control and providing training to workers. They too attribute the bad working condition and pollution problems to the combined influence of indifference of employers and ignorance of workers. Development of sound organisations of workers is an immediate need and the Indian National Textile Workers Federation and its parent organisation, the Indian National Trade Union Congress are doing their best in this regard.

FORM 'A'

(See clause 14)

THE VEGETABLE MARKETS UNPROTECTED LABOUR BOARD

Application for the registration of employer

Registration No.

(To be filled in by Office)

I, hereby apply for registration as an employer, etc., The necessary particulars are given below

1. Name and address of the Establishment and Telephone No.
2. Whether a firm or a Company name of the Proprietor.
(1)
(2)
(1)
(2)
3. Are you a member of any Association of employer? If so, state the name of the Association.
4. Whether your Establishment is registered under the Bombay Shops and Establishments Act, 1948. If so, state Registration No.
5. The place(s) of work with location in details where the loading, unloading, stacking, carrying, etc., of goods is carried on in connection with trade/business of your Establishments.
6. Are you employing workers through contractor(s)? If so, state the name and other details of the contractor(s).
7. Are you employing workers through Tolly? If so, state the name of the Mukadam/s of the Tolly/s, or of all workers.

Date :

Place :

Signature of the Applicant.

(3) In exercise of the powers conferred by clause (b) of sub-section (1) of section 3 read with sub-section (2) of section 5 of the said Act, the Government of Maharashtra, after considering the advice of the committee, revised with effect from 26th January 1985 the minimum rates of wages in respect of employees employed in the employment in Cotton Ginning or Cotton Pressing Manufacturing as set out in column 3 of the Schedule appended hereto as the minimum rates of wages payable to the classes of employees mentioned therein in column 2 of the said Schedule.

SCHEDULE

Serial No	Class of employees	Basic Rates (per month)		
		Zone-I	Zone-II	Zone-III
1	2	3		
1	Engineer	640	590	550
2	Manager	600	550	510
3	Turner (Qualified)	570	520	480
4	Electrician (Qualified)	570	520	480
5	Boiler Attendant	570	520	480
6	Fitter (Qualified)	570	520	480
7	Gin Mukadam	470	420	380
8	Clerk-Typist	470	420	380
9	Cobbler (Mochi)	470	420	380
10	Carpenter	470	420	380
11	Engine Driver	470	420	380
12	Blacksmith	470	420	380
13	Turner (Non-qualified)	470	420	380
14	Wireman	470	420	380
15	Semi-clerk	440	390	350
16	Wal-man or half pressman	420	370	330
17	Fisherman	420	370	330
18	Openerman	420	370	330
19	Fireman	420	370	330
20	Roll Cutter	420	370	330
21	Coalman (Coal-carrier)	420	370	330
22	Oilman	420	370	330
23	Chowkidar (Watchman), Ginger Press boy Peon, Office peon.	390	340	300
24	Mukadam/Mukadamin employed in factory by management or any other agency on the work of picking and cleaning raw cotton or waste cotton.	16	14	13
25	Helper to Carpenter/Helper to Blacksmith.	15	13	12
26	Gin-Feeder	14	12	11
27	Sweeper/Mali/Zaduwale	14	12	11
28	Reliver (Kadiwala)	14	12	11
29	Bondawala or Bondawali	14	12	11
30	Kapus Carrier (Raw Cotton)	14	12	11
31	Gunnibag Filler	14	12	11
32	Lint-carrier (Galewala)	14	12	11
33	Cotton-seed-carrier	14	12	11
34	Employees employed on picking and cleaning of raw cotton employed by factory management or by any other agency.	14	12	11
35	Hamal and Mazdoor	14	12	11

	Basic rate (piece rate) for 100 bales			
	Zone I	Zone II	Zone III	
36	Labadi (Lashers)	16	14	13
37	Tol Mukadam, Tolwala, Weighce	16	14	13
38	Press Mukadam/Mukadamin	16	14	13
39	Balasewar (Sinewa)	15	13	12
40	Dable (Zariwala)	15	13	12
41	Bariwala, Digliwala, Bondri Phodnewala	15	13	12
42	Number Marker	14	12	11
43	Palewalas/Palewalis employed in factory by management or by any other agency.	14	12	11
44	Chalniwala, Chalni-feeder, Pin Jariwala, Dholewala.	13	11	10
45	Hessain Cutter (Bardan Cutter)	12	10	9

If the piece rated workers work for more than 180 bales, then they shall be paid proportionate additional wages (basic wages only), No special allowance will be paid for such additional work.

Serial No	Class of Employees	Zone I	Zone II	Zone III
1	2	3	4	5
46-I	Employees by whatsoever name called doing work of the nature done by persons falling under any of the foregoing classes of employees.	The minimum rates of wages shall be that fixed for the class of employees to which the nature of his work would be appropriately related.		
II	Adolescents employed in any of the categories of employment mentioned above in this column.	80 per cent of the rate fixed for adult in respect of the same category of Employment.	80 per cent of the rate fixed for adult in respect of the same category of Employment.	80 per cent of the rate fixed for adult in respect of the same category of Employment.
III	Apprentices employed in any of the following categories of employment; Engineer, Boiler Attendant, Fitter, Fireman, Roll Cutter, Cobbler (Mochi), Carpenter, Oilman, Engine Driver, Electrician (Qualified from I.T.I.), Blacksmith, Valveman of Half Pressman, Finisherman, Openerman, Gin. Mukadam or Gin Mukadamin Turner (Qualified), Turner (Non-qualified), Wireman.	75 per cent of the rate fixed for adults in respect of the same category of Employment.	75 per cent of the rate fixed for adult in respect of the same category of Employment.	75 per cent of the rate fixed for adult in respect of the same category of Employment.

The training period of the apprentices employed in the categories, of Turner (Qualified and non-qualified), Electrician, Boiler Attendant Fitter, Carpenter, Engine Driver, Blacksmith and Wagonman shall be for one year and for other categories shall not be more than 6 months. After completion of the training period as above, they shall be paid 100 per cent basic wages and special allowance of their categories.

Explanation.—For the purpose of this Notification,—

1) Zone I shall comprise of the area within the limits of Municipal Corporation of Greater Bombay.

(2) Zone II shall be comprise of the areas within the limits of all Municipal Corporations, all Municipal Councils, all Cantonments except Municipal Corporation of Greater Bombay.

(3) Zone III shall comprise of all other areas not included in Zone I and Zone II.

(4) The Minimum Rates of Wages shall consist of an all inclusive rate allowing for the basic rate, the cost of living allowance and the cash value of concessions, if any.

(5) The Minimum Rate of daily wages payable to any employee employed in any factory or other premises shall be computed by dividing the Minimum Rates of monthly rate of wages fixed for the class of employees to which he belongs by 26 the quotient being stepped upto the nearest paise.

(6) The Minimum Rates of Wages fixed for all categories (including the piece rated and daily rated Employees) shall be inclusive of payment of contribution in respect of the Employees' Provident Fund.

(7) The competent authority shall on declaring the Consumer Price Index Numbers for Working Class in the City to be the cost of living index number applicable to the employees employed in the said scheduled employment in pursuance of clause (a) of section 22 of the Act and shall after the expiry of every six months commencing on the first day of January and the first day of July, calculate the average of the cost of living index numbers for these six months and ascertain the rise of such average (hereinafter referred to as "the cost of living allowance") payable to the employees in the said Scheduled employment for each of the six months immediately following the six months in respect of which such average has been fixed shall be at the rate of Rs. 0.75 per months in respect of all Zones.

(8) The competent authority shall then compute the cost of living allowance in accordance with the direction given in the preceding paragraph.

(9) "The competent authority" shall by a notification in the Official Gazette declare the cost of living allowance computed as aforesaid in the last week of January when such allowance is payable for each of the months from January to June and the last week of July when such allowance is payable for each of the months from July to December.

Provided that the Competent Authority shall declare the cost of living allowance payable in respect of the period from the date of fixation of the rate of minimum wages to the end of June or of December as the case may be, immediately after the said date with effect from which the minimum rates of wages are fixed.

(Vide Government Notification, Industries, Energy and Labour Department No. MWA. 4284/5968 Lab-7, dated 24th January 1985, published in M.G.G., Part I-L, dated 28th March 1985, at pages Nos. 1173 to 1176).

(4) In exercise of the powers conferred by clause (b) of sub-section (1) of section 3, and with sub-section (2) of section 5 of the said Act, the Government of Maharashtra has after considering the advice of the said Committee, revised and fixed with effect from 29th January 1985 the minimum rates of wages in respect of the employees employed in any Hospital or falling under entry No. 6 in Part-I of the Schedule to the said Act, in the said schedule employment.

(a) the basic rates of wages inclusive of cash value of concessions, if any as set forth in column 3 of the First Schedule hereto in respect of each Zone specified in the same column and of the employees mentioned against them in column 2 thereof, employed in the said scheduled employment in each Zone; and

(b) a special allowance at the rate to be specified in the said schedule employment in each Zone.

Serial No.	Class of employees	Basic Rates per Month		
		Zone-I	Zone-II	Zone-III
1	2	3		
		Rs.	Rs.	Rs.
I	Supervisory and Highly Skilled—			
	(A) Metron and Residential Medical Officer (Full Time).	750	700	650
	(B) Assistant Matron, Sister Tutor, Public Health Nurse, Steno-typist (Full time).	725	675	625
	Employees by whatever name called doing the work of highly skilled nature done by persons falling under the foregoing class of employees.			
II.	Skilled—			
	Qualified Sisters, Therapists, Nurses, Midwives, Compounders, Graduate Para-Medical Staff such as— Laboratory Technicians, X-Ray Technicians, Graduate Office Staff such as Accountants, Cashiers, Store-keepers, Clerks, Typists (Provided such Nurses, Midwives, Laboratory Technicians, X-Ray Technicians and Compounders hold Diploma or Certificate recognised by any State Government or Central Government).	650	600	550
	Employees by whatever names called doing the work of skilled nature done by persons falling under the foregoing classes of employees.			
	Semi-skilled—			
	Untrained Nurses, Untrained X-Ray Technicians, Untrained Laboratory Technicians, Untrained Compounders, Untrained Therapists (having experience of not less than 5 years).	575	525	475
	Electricians, Receptionists, Plumbers, Telephone-Operators, Linen-keeper, Cooks, Drivers, Under Graduate Clerks, Under Graduate Accountants, Under Graduate Typist (having experience of not less than 2 years).			
	Auxiliary Nurses, Dressers, Dias. Employees by whatever name called doing work of Semi-skilled nature as done by persons falling under the foregoing categories of employees.			

Serial No.	Class of employees	Basic Rates per Month		
		Zone-I	Zone-II	Zone-III
1	2	3		
	Auxiliary Nurses, Dressers, Dais.			
		Rs.	Rs.	Rs.
IV. Unskilled—				
	Sweeper, Watchman, Ward-boys, Peons, X-Ray Boy, Laboratory Boy, Dental Boy, Laundry Boy, Janitor Helpers, Kitchen mates, Kitchen Servants, Kitchen Servers, Mali, Bill Collectors, Barbers.	500	450	400
	Employees by whatever name called, doing work of Unskilled nature done by persons falling under the foregoing categories of employees.			
V.	Persons below the age of 18 years employed in any of the classes of employees mentioned above in this column.	80% of the Rate fixed for adult in respect of same class of employees.	80% of the Rate fixed for adult in respect of same class of employees.	80% of the Rate fixed for adult in respect of same class of employees.

Explanation.—

I. 5 per cent of the minimum rate of wages (including special allowance) should be deducted from the wages in respect of those who have been provided with rent free quarters.

II. For the purposes of this Notification,—

(a) "Competent Authority" means the Competent Authority appointed by Government of Maharashtra by Government Notification, Industries, Energy and Labour Department, No. MWA. 5284/5819/Lab-7, dated 3rd August 1984.

(b) Zone I shall comprise the areas within the limits of Municipal Corporation of Greater Bombay and New Bombay.

(c) Zone II shall comprise the areas within the limits of all Municipal Corporation (excluding areas in Zone I) and 'A' grade Municipal Councils and Cantonment areas.

(d) Zone III shall comprise rest of the areas of the State (excluding areas in Zone I and Zone II).

III. In case, the employees are employed on wages other than on monthly basis, the minimum rates of daily wages payable shall be computed by excluding the minimum rates of monthly wages fixed for the class of the employees to which he belongs, by 26, the quotient being stepped up to the nearest paise.

IV. The minimum rates of wages shall consist of basic rates and special allowance will be determined in accordance with the provisions of clause (i) of Sub-section (1) of section 4 of the said Act and the special allowance so determined as per Appendix, shall be payable to the employees alongwith the basic wages.

Appendix

The Competent Authority shall, on declaring the Consumer Price Index Number for Working Class (New Series) specified in column 3 of Second Schedule hereto, to be the cost of living index number applicable to the employees, employed in the said scheduled employment in pursuance of clause (d) of section 2 of the said Act, calculate the average of the cost of living index applicable to the employees in those areas specified in column 2 of the Second Schedule, every six months commencing on the 1st day of January and 1st day of July and ascertain the rise of such average in terms of points over the Index Number mentioned against them in column 4 of the Second Schedule. For every such rise in the number of points specified in column 5 of the Second Schedule, the special allowance (hereafter referred to as the "cost of living allowance") payable to the employees for each of the six months immediately following the period in respect of which such average has been calculated as aforesaid shall be at the rate shown against them in column 6 of the Second Schedule.

Second Schedule

Serial No.	Zone	Consumer Price Index Number (New Series)	Index Number	Points	Rupees
1	2	3	4	5	6
1	I	Average of the six monthly average of seven centres.	500	1	1.50
2	II	Average of the six monthly average of seven centres.	500	1	1.25
3	III	Average of the six monthly average of seven centres.	500	1	1.00

2. The Competent Authority shall compute the cost of living allowance in accordance with the directions made under the preceding para.

3. The cost of living allowance computed as aforesaid shall be declared by the Competent Authority by notification in the *Official Gazette*, in the last week of July when such allowance is payable for each of the months of July to December and last week of January when such allowance is payable for each of the months of January to June :

Provided that the Competent Authority shall declare the cost of living allowance payable in respect of the period from the date of revision of the rates of minimum wages to the end of June or December as the case may be, immediately after the said date, with effect from which the minimum rates of wages are fixed /revised.

Third Schedule

The rate of cash value of meal, break-fast and tea served per month.

Serial No.	Details of meal, tea, etc.	Zone		
		I	II	III
1		3		
		Rs.	Rs.	Rs.
1	Break-fast and tea	10.00	8.00	6.00
2	Two meals	90.00	80.00	70.00
3	Only one meal in a day	40.00	35.00	30.00

(Vide Government Notification Industries, Energy and Labour Department No. MWA-5284/5751/Lab-7, dated 29th January 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 28th March 1985 at pages Nos. 1177 to 1181).

The following draft of a Notification which it is proposed to issue under clause (b) of sub-section (1) of section 3 of the Minimum Wages Act, 1948 (XI of 1948), in its application to the State of Maharashtra containing proposals for revising the minimum rates of wages payable to employees employed in the employment in any residential hotel, restaurant or eating house as defined in the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948) in the State of Maharashtra is hereby published as required by clause (b) of section (1) of section 5 of that Act, for information of all persons likely to be affected therefrom and notice is hereby given that the said draft will be taken into consideration by the Government of Maharashtra, after the expiry of two months from the date of publication of this Notification in the *Maharashtra Government Gazette*.

2. Any representation which may be received by the Commissioner of Labour, Centre, Tardeo, Bombay 400 034, from any person in respect of the said draft before the expiry of the aforesaid period, will be taken into consideration by Government.

DRAFT NOTIFICATION

No. MWA 2484/6042/LAB-7.—Whereas, by Government Notification, Industries, Energy and Labour Department, No. MWA. 2483/5278/LAB-7, dated the 14th July 1984, the Government of Maharashtra has revised the minimum rates of wages payable to the employees employed in the employment in any residential hotel, restaurant or eating house as defined in the Bombay Shops and Establishments Act, 1948 (Bom. LXXIX of 1948) (hereinafter referred as "the said scheduled employment") in the State of Maharashtra ;

And whereas, the Government of Maharashtra, having reviewed the minimum rates of wages payable to the employees employed in the said scheduled employment, considers it necessary to revise them further ;

Now, therefore in exercise of the powers conferred by clause (b) of sub-section (1) of section 3 read with sub-section (2) of section 5 of the Minimum Wages Act, 1948 (XI of 1948), in its application to the State of Maharashtra, the Government of Maharashtra after considering all the representations received by it in respect of the proposals published in Government Notification, Industries, Energy and Labour Department, No. MWA 2484/6042/LAB-7, dated the 31st January 1985, and after consulting and considering the advice of the advisory board hereby revises, with effect from the minimum rates of wages payable to the employees employed in the said scheduled employment and revises them as set-out in Coloum 3 of the Schedule hereto as the minimum rates of wages payable to the classes of employees mentioned against them in column 2 thereof.

FIRST SCHEDULE

Serial No.	Class of employees	Rates per month				
		Zone I	Zone II	Zone III	Zone IV	Zone V
1	(A) Adults (Not being adolescents)			3		
I.	Skilled	Rs. 570	Rs. 520	Rs. 510	Rs. 450	Rs. 420
1.	Cook or Head Cook.					
2.	Achari.					
3.	Maharaj.					
4.	Rasoiya.					
5.	Uthari.					
6.	Havashi.					
7.	Khamama.					
8.	Mishay.					
9.	Accountant.					
10.	Shoetneat maker or farsan maker (Matwalla).					
11.	Clerk.					
12.	Telephone Operator.					
13.	Electrician.					
14.	Tailer.					
15.	Carpenter.					
16.	Head Pantryman.					
17.	Gardens who is doing the work of planting.					
18.	Inspector (qualified such as holding S. S. Certificate or other equivalent examination certificates).					
19.	House-keeper.					
20.	Head waiter.					
21.	Supervisor.					
22.	Butler.					
23.	Supervisor.					
24.	Steward.					

1	Class of employees 2	Rates per month				
		Zone I	Zone II	Zone III	Zone IV	Zone V
		Rs.	Rs.	Rs.	Rs.	Rs.
	<i>Skilled Contd.</i>	570	520	510	450	420
24	Cashier.					
25	Head Baker.					
26	Mistry.					
27	Barman.					
28	Store-keeper, who keeps accounts.					
29	Employees by whatever names called doing work of the nature done by persons falling under the foregoing entries.					
	<i>Semi-skilled</i>	520	490	465	425	400
1	Assistant Manager.					
2	Assistant Malwala.					
3	Samosawalla.					
4	General Works (Reliever or one who attends to two or more duties of semi-skilled categories).					
5	Rotiwalla.					
6	Chapatiwala.					
7	Puriwala.					
8	Dosawalla.					
9	Tandur Rotiwalla.					
10	Bhajiwala.					
11	Ice-creemwala (Ice-cream preparer—one who takes out ice-cream and aerated water).					
12	Pantryman (who prepares sand-wiches, toasts, falooda, omlette, etc).					
13	Mandniwala-cum-Coffee/Tea-Maker.					
14	Liftman.					
15	Handiwalla (Assistant Cook).					
16	Assistant Cook.					
	<i>Wireman.</i>					
3.	Billiards Marker.					
9.	Standwala (Tea Maker).					
0.	Marketman.					
1.	Fountain Barman.					
2.	Boilerman.					
3.	Pumpman.					
4.	Gas-filler.					
5.	Fountainman (who prepares syrups, ice-cream, fruit salad etc.).					
6.	Fallooda Maker.					
7.	Syrup Maker.					
8.	Lassewala-cum-Salesman.					
9.	Waiter-cum-Tablewala.					
0.	Vendor (who keeps accounts).					
1.	Orderwala (shouting bills or writing bills).					
2.	Kabab-Seekwala.					
3.	Bhelpuriwala.					
4.	Floor-waiter.					
5.	Grinder.					
6.	Employees by whatever name called doing the work of the nature done by persons falling under the foregoing entries.					
	<i>Unskilled.—</i>	500	475	445	400	375
1.	Gage-Boy.					
2	Game-Boy.					
3	Bell-Boy.					
4	Page-Boy.					
5.	Room-Boy.					
6.	Tea-Boy.					
7.	Glass-Boy.					
8	Dish-Boy.					

INDIA OR GAZETTE—1957 (10)

Class of employees

Zone I

Zone II

Zone III

Zone IV

Zone V

Rs.

Rs.

Rs.

Rs.

Rs.

Contd.

500

475

445

400

375

oy.

oy.

-helper.

Boy.

oy.

-Boy.

untain-Boy.

la-Panikachamberwala.

wala.

(Room-Boy not doing the work of waiter).

wala (One who fills the dishes).

a.

la.

walla.

walla.

(Server).

an.

rman.

han.

Boy.

leaner (male or female).

neous workers, that is to say, workers doing some of the jobs of an unskilled nature.

or Bharawalla not working on commission and not entrusted with responsibility of

ees by whatever name called doing work of nature done by persons falling under the fore-entries.

s below the age of 18 years of age employed of the categories mentioned above.

80 per cent of the rates fixed for adults in respect of the same category of employment.

80 per cent of the rates fixed for adults in respect of the same category of employment.

80 per cent of the rates fixed for adults in respect of the same category of employment.

80 per cent of the rates fixed for adults in respect of the same category of employment.

80 per cent of the rates fixed for adults in respect of the same category of employment.

SECOND SCHEDULE

Serial No.	Area	Consumer Price Index Number for working Class (New Series)	Index Number	Points	Paise
1	2	3	4	5	6
1	Area falling in Zone-I	Bombay City Index Number	532	2	1.80 p.m.
1	Area falling in Zone-II	Bombay City Index Number	532	2	1.80 p.m.
3	Area falling in Zone-III	Bombay City Index Number	532	2	1.80 p.m.
4	Areas falling in Zone-IV	Bombay City Index Number	532	2	1.80 p.m.
5	Area falling in Zone-V	Bombay City Index Number	532	2	1.80 p.m.

Explanation :—For the purposes of this notification,—

(a) Zone I shall comprise of the areas within the limits of the Municipal Corporation of Greater Bombay.

(b) Zone II shall comprise of the areas within the limits of the Pune, Thane and Nagpur Municipal Corporations ; Cantonments of Pune and Kirkee.

(c) Zone III shall comprise of the areas within the limits of all the Municipal Corporations, either presently existing excluding those covered in Zone I and II above, or to be formed in future ; and the areas within the limits of Municipal Councils of the cantonments, as the case may be of Sholapur, Kolhapur, Ahmednagar, Malegaon, Nashik, Nashik Road, Deolali, Deolali Cantonment, Ulhasnagar, Akola, Amravati, Dhule, Aurangabad Cantonment and Kalyan.

(d) Zone IV shall comprise of the areas within the limits of all Municipal Councils or Cantonments, as the case may be not covered by Zone II and III.

(e) Zone V shall comprise of the areas within the limits of all village gram panchayats where the Bombay Shops and Establishments Act, 1948 applies and all hotels, restaurants or eating houses situated on (or housed in premises on) National Highways and/or State Highways.

(f) In the case of an employee employed in daily wages, the minimum rate or daily wages payable to him shall be computed by dividing the minimum rate of monthly wages fixed for the class or employees to which he belongs by the number of days in the month.

(g) The expression "employee" shall not include a part-time employee, that is to say, employee who works in more than one residential hotel, restaurant, or eating houses, and whose daily hours of work do not exceed five and such hours of work are not split into more than two periods of work.

(h) 30 per cent of fixed or revised basic minimum rates of wages of an unskilled employee in each Zone shall be the cash value of wages to be cut by the employer.

Zonewise distribution of 30 per cent of basic rates of wages.

One meal	Rs. 50.00 × 2	} =	Rs. 150.00
One nasta	Rs. 25.00 × 1		
One tea	Rs. 12.50 × 2		

Zone II—

One meal	..	Rs. 47.50 × 2	} =	Rs. 142.50
One nasta	..	Rs. 23.75 × 1		
One tea	..	Rs. 11.875 × 2		

Zone III—

One meal	..	Rs. 44.50 × 2	} =	Rs. 133.50
One nasta	..	Rs. 22.25 × 1		
One tea	..	Rs. 11.125 × 2		

Zone IV—

One meal	..	Rs. 40.00 × 2	} =	Rs. 120.00
One nasta	..	Rs. 20.00 × 1		
One tea	..	Rs. 10.00 × 2		

Zone V—

One meal	..	Rs. 37.50 × 2	} =	Rs. 112.50
One nasta	..	Rs. 18.750 × 1		
One tea	..	Rs. 9.375 × 2		

(i) The split up of the rate of Special Allowance of Rs. 1.80 per every rise of 2 points shall be (a) 70% to be adjusted towards payment in cash, and (b) 30% allowed to be cut by the employer towards wages in kind. The distribution/allocation of the Special allowance of 30% of the amount of rate of neutralisation as amongst meal, nasta and tea is as indicated below :—

Distribution of 30 per cent of Special Allowance :—

One meal Paise	18 × 2	} =	Paise 54.
One nasta Paise	9 × 1		
One tea Paise	4.50 × 2		

(Vide Government Notification, Industries, Energy and Labour Department No. MWA-2484/6042/Lab-7, dated 31st January 1985, published in Maharashtra Government Gazette, Part I-L, dated 28th March 1985 at pages Nos. 1182 to 1189.)

(B) Declaration of Special Allowance under the Dispensary.—The Deputy Commissioner of Labour (Rural Wing and Enforcement), Bombay in exercise of the Powers, conferred on it, has declared the Special allowance (cost of living allowance) payable in addition to the basic rate of wages to the employees employed in the said Schedule employment in the areas mentioned in column (2) of Schedule III appended hereto in relation to six months commencing on the 1st day of December 1984 at the rates mentioned in column (3) of the said Schedule III.

SCHEDULE III

Serial No.	Zone	Amount of Special Allowance (cost of living allowance payable)
1	2	3
1	I	Rs. 129.00 per month.
2	II	Rs. 107.50 per month.
3	III	Rs. 86.00 per month.

(Notification No. MWA/SPL/Dispensary, dated 5th January 1985, published in M.G.G., Part I-L, dated 28th March 1985, pages 1136 to 1138).

(C) *Addition of the Schedule to the Act*—(1) In exercise of the powers conferred by section 27 of the said Act the Government of Maharashtra has added to Part-I of the Schedule to the said Act, the following employment which it is of the opinion that the minimum rates of wages shall be fixed under the said Act, namely :—

“Sr. No. 57 Employment in any industries manufacturing flattened parched rice (Poha) Murmura, Churmura, Kurmura from paddy or rice including micromica (Bharda) narda from maize.”.

(Vide Government Notification, Industries, Energy and Labour Department No. MWA. 5680, CR-2932/Lab-7, dated 11th February 1985, published in *M.G.G.*, Part I-L, dated 28th March 1985, at page No. 1191).

(2) In exercise of the powers conferred by section 27 of the said Act, the Government of Maharashtra has added to the Part I of the Schedule to the said Act, the following employment in respect of which it is the opinion that the minimum rates of wages should be fixed under the said Act, namely :—

“Sr. No. 58 employment in any chemical fertiliser manufactory and processes incidental thereto”.

(Vide Government Notification, Industries, Energy and Labour Department No. MWA-5281 10041/(CR-4537)/Lab-7, dated 14th February 1985, published in *Maharashtra Government Gazette*, Part-I-L, dated 28th March 1984, at page No. 1192).

VII BEEDI AND CIGAR WORKER'S (CONDITIONS OF EMPLOYMENT) ACT, 1966.

(A) *Notification is under the Act*.—(1) In exercise of the powers conferred by Section 5 of the said Act, the Government of Maharashtra, has specified the officers mentioned in column 2 of the Schedule hereto to be the authorities to which appeals shall be against the decisions (refusing to grant of renew licences or cancelling or suspending licences) of the competent authorities, respectively specified against them in column 3 of the said Schedule.

SCHEDULE

Serial No.	Officers	Competent Authorities		
		3		
1	Additional Commissioner of Labour Bombay.	Government Jalgaon, Nashik, Malegaon, and Sindhadurg.	Labour Raigad, Malegaon, and Sindhadurg.	Officer, Dhule, Ratnagiri
2	Deputy Commissioner of Labour (Enforcement), Bombay District.	Government Bombay.	Labour	Officer,
3	Deputy Commissioner of Labour, Thane.	Government Thane.	Labour Officer, Kalyan	Officer,
4	Additional Commissioner of Labour, Pune Division.	Government Ahmednagar	Labour	Officer,
		Government Solapur.	Labour	Officer,
		Government Kolhapur.	Labour	Officer,
		Government Sangli.	Labour	Officer,
		Government Satara	Labour	Officer,

SCHEDULE

Serial No.	Officers	Competent Authorities		
		3		
5	Deputy Commissioner of Labour, Pune District	Government Pune.	Labour	Officer,
6	Deputy Commissioner of Labour, Nagpur Division.	Government Nagpur.	Labour	Officer,
		Government Wardha.	Labour	Officer,
		Government Bhandara.	Labour	Officer,
		Government Gondia.	Labour	Officer,
		Government Tumsar.	Labour	Officer,
		Government Amravati.	Labour	Officer,
		Government Yavatmal.	Labour	Officer,
		Government Akola.	Labour	Officer,
		Government Buldhana.	Labour	Officer,
		Government Chandrapur.	Labour	Officer,
		Government Tirora.	Labour	Officer,
		Deputy Commissioner of Labour, Aurangabad Division.	Government Aurangabad.	Labour	Officer,
	Government Nanded.	Labour	Officer,	
	Government Beed.	Labour	Officer,	
	Government Latur.	Labour	Officer,	
	Government Parbhani.	Labour	Officer,	
	Government Jalna.	Labour	Officer,	

(Vide Government Notification, Industries, Energy and Labour Department No. BCA-1092/CR-10340/Lab-5, dated the 21st December 1984, published in *Maharashtra Government*

(2) In pursuance of sub-rule (1) of rule 32 of the Maharashtra Beedi and Cigar Worker- (Conditions of Employment) Rules, 1968, the Government of Maharashtra has specified the areas mentioned in column 3 of the Schedule hereto to be the areas in which the appellate authorities, respectively specified against them in column 2 of the said Schedule shall have jurisdiction to hear appeals under sub-section (2) of Section 31 of the said Act.

SCHEDULE

Serial No. 1	Appellate Authority 2	Areas 3
1	The Assistant Commissioner of Labour, Greater Bombay.	Greater Bombay.
2	The Assistant Commissioner of Labour, Thane.	Thane District.
3	The Assistant Commissioner of Labour, Kalyan.	Thane District.
4	The Assistant Commissioner of Labour, Nashik.	Nashik District.
5	The Assistant Commissioner of Labour, Jalgaon.	Jalgaon and Dhule Districts.
6	The Assistant Commissioner of Labour, Pune.	Pune District.
7	The Assistant Commissioner of Labour, Kolhapur.	Kolhapur District.
8	The Assistant Commissioner of Labour, Solapur.	Solapur District.
9	The Assistant Commissioner of Labour, Nagpur.	Nagpur and Wardha Districts.
10	The Assistant Commissioner of Labour, Akola.	Akola and Buldhana Districts.
11	The Assistant Commissioner of Labour, Gondia.	Bhandara District.
12	The Assistant Commissioner of Labour, Aurangabad.	Aurangabad, Jalna and Parbhani Districts.
13	The Assistant Commissioner of Labour, Nanded.	Beed, Nanded, Latur and Osmanabad Districts.
14	The Assistant Commissioner of Labour, Raigad.	Raigad, Ratnagiri and Sindhudurg Districts.
15	The Assistant Commissioner of Labour, Sangli.	Sangli and Satara Districts.
16	The Assistant Commissioner of Labour, Ahmednagar.	Ahmednagar District.
17	The Assistant Commissioner of Labour, Amravati.	Amravati and Yavatmal Districts.
18	The Assistant Commissioner of Labour, Chandrapur.	Chandrapur and Gadchiroli Districts.

(Vide Government Notification, Industries, Energy and Labour Department No. BCA-1083 (R-10349 (i)) Lab-5, dated 21st December 1984, published in Maharashtra Government

(3) In exercise of the powers conferred by sub-section (3) of section 39 of the said Act the Government of Maharashtra has specified the officers mentioned in column 2 of the Schedule hereto to be the authorities to which appeals shall be preferred against the settlements made by the authorities, respectively specified against them in column 3 of the said schedule and also specified fifteen days from the date of such settlement as the time within which such appeal shall be preferred.

SCHEDULE

Serial No. 1	Officers 2	Authorities 3
1	Assistant Commissioner of Labour, Bombay	Government Labour Officer, Bombay.
2	Assistant Commissioner of Labour, Thane ..	Government Labour Officer, Thane and Bhiwandi.
3	Assistant Commissioner of Labour, Kalyan ..	Government Labour Officer, Kalyan.
4	Assistant Commissioner of Labour, Raigad District.	Government Labour Officer, Raigad, Ratnagiri and Sindhudurg.
5	Assistant Commissioner of Labour, Nashik ..	Government Labour Officer, Nashik and Malegaon.
6	Assistant Commissioner of Labour, Jalgaon ..	Government Labour Officer, Jalgaon and Dhule.
7	Assistant Commissioner of Labour, Pune	Government Labour Officer, Pune.
8	Assistant Commissioner of Labour, Ahmednagar.	Government Labour Officer, Ahmednagar.
9	Assistant Commissioner of Labour, Solapur ..	Government Labour Officer Solapur.
10	Assistant Commissioner of Labour, Kolhapur	Government Labour Officer, Kolhapur, Ichalkaranji.
11	Assistant Commissioner of Labour, Sangli ..	Government Labour Officer, Sangli and Satara.
12	Assistant Commissioner of Labour, Aurangabad.	Government Labour Officer, Aurangabad, Jalna and Parbhani.
13	Assistant Commissioner of Labour, Nanded ..	Government Labour Officer, Nanded, Beed and Latur.
14	Assistant Commissioner of Labour, Akola	Government Labour Officer, Akola and Buldhana.
15	Assistant Commissioner of Labour, Nagpur ..	Government Labour Officer, Nagpur and Wardha.
16	Assistant Commissioner of Labour, Gondia ..	Government Labour Officer, Bhandara, Gondia, Tumsar and Tirora.
17	Assistant Commissioner of Labour, Amravati	Government Labour Officer, Amravati and Yavatmal.
18	Assistant Commissioner of Labour, Chandrapur	Government Labour Officer Chandrapur.

(Vide Government Notification, Industries Energy and Labour Department No. BCA-1083 (R-10349 (ii)) Lab-5, dated 21st December, 1984 published in M.G.G. Part-I-L, dated 28th March, 1985 at pages No. 1132 to 1133)

(4) In exercise of the powers conferred by sub-section (1) of section 6 of the said Act the Government of Maharashtra has appointed the officers specified in column 2 of Schedule hereto to be Inspectors for the purpose of the said Act and assigns to them local limits, respectively specified against them in column 3 of the said Schedule.

SCHEDULE

Serial No	Officers	Local limits
1	2	3
I.	(1) Government Labour Officer, Bombay, (2) Government Labour Officer, Jalgaon, (3) Government Labour Officer, Thane. (4) Government Labour Officer, Kalyan. (5) Government Labour Officer, Bhiwandi. (6) Government Labour Officer, Raigad. (7) Government Labour Officer, Ratnagiri. (8) Government Labour Officer, Nashik. (9) Government Labour Officer, Malegaon. (10) Government Labour Officer, Dhule. (11) Government Labour Officer, Sindhudurg.	Bombay Division.
II.	(1) Government Labour Officer, Pune. (2) Government Labour Officer, Ahmednagar. (3) Government Labour Officer, Solapur. (4) Government Labour Officer, Satara. (5) Government Labour Officer, Sangli. (6) Government Labour Officer, Kolhapur. (7) Government Labour Officer, Ichalkaranji.	Pune Division.
III.	(1) Government Labour Officer, Nagpur. (2) Government Labour Officer, Bhandara. (3) Government Labour Officer, Amravati. (4) Government Labour Officer, Akola. (5) Government Labour Officer, Buldhana. (6) Government Labour Officer, Yavatmal. (7) Government Labour Officer, Chandrapur. (8) Government Labour Officer, Wardha. (9) Government Labour Officer, Gondia. (10) Government Labour Officer, Tumsar. (11) Government Labour Officer, Tirora.	Nagpur Division.
IV.	(1) Government Labour Officer, Aurangabad. (2) Government Labour Officer, Nanded. (3) Government Labour Officer, Parbhani. (4) Government Labour Officer, Beed. (5) Government Labour Officer, Latur. (6) Government Labour Officer, Jalna.	Aurangabad Division.

(Vide Government Notification, Industries, Energy and Labour Department No. BCA-1083 CR-10349(iii)/Lab-5, dated 21st December, 1984, published in *M.G.G.*, Part I-L, dated 28th March, 1985, at page No. 1134.

VIII. MAHARASHTRA MATHADI, HAMAL AND OTHER MANUAL WORKER/(REGULATION EMPLOYMENT AND WELFARE) ACT, 1969.

the *Maharashtra Government Gazette*, Part I-L, Extraordinary, dated the 2nd November 1984, at pages 368 to 385,—

(i) in clause 14 of the scheme, after the words "Subsidiary Markets" read the words "and public goods transport undertakings";

(ii) on line 3 of sub-clause (4) of clause 28 of the scheme for the word "the" appearing after the words employer or read the word "his";

(iii) in sub-clause (1) of clause 42 of the scheme for the figures and words "8½ per cent" read the figures and words "8¼ per cent";

(Vide Government Notification Industries, Energy and Labour Department No. UWA. 1384/CR-10612/Lab-5, dated 4th January 1985, published in *M.G.G.*, Part I-L, dated 28th March 1985, at page No. 1135).

(2) In Government Notification, Industries, Energy and Labour Department, No. UWA. 1434/CR-10453(i)/LAB-5, dated the 13th November 1984, published in the *Maharashtra Government Gazette*, Part I-L, Extraordinary, dated the 14th November 1984, at pages 417 to 433 (both inclusive), in the preamble, for the figures, letters and words "15th Day of December 1984", the figure, letters and words "31st January 1985" shall be substituted.

(Vide Government Notification Industries, Energy and Labour Department No. UWA. 1484/CR-10453/Lab-5, dated 4th January 1985, published in *M.G.G.*, Part I-L, dated 28th March 1985, at Page No. 1135.)

(3) In Government Notification, Industries, Energy and Labour Department No. UWA. 1483/CR-10378(j)/LAB-5, dated the 12th November 1984, published in the *Maharashtra Government Gazette*, Part I-L, Extraordinary, dated the 14th November 1984, at pages 399 to 415 (both inclusive), in the preamble, for the figures, letters and words, "15th day of December 1984" the figures, letters and words "31st January 1985", shall be substituted.

(Vide Government Notification, Industries, Energy and Labour Department No. UWA. 1483/CR-10378/Lab-5, dated 11th January 1985, published in *M.G.G.*, Part I-L, dated 28th March 1985, at page No. 1141).

(4) In Government Notification, Industries, Energy and Labour Department No. UWA. 1482/CR-8005/Lab-5, dated the 1st July 1983, published in the *Maharashtra Government Gazette*, Extraordinary, dated the 1st July 1983, at pages 222-238, in the Schedule as substituted by clause 24, at serial number, 6, in column 1, for "colour chemicals, products" read "Colour, chemicals, chemical products".

(Vide Government Notification, Industries, Energy and Labour Department No. UWA 1484/CR-10597/Lab-5, dated 25th February 1985, published in *M.G.G.*, Part I-L, dated 28th March 1985, at page No. 1195.)

(B) *Construction of Board under the Act.*—(1) In exercise of the powers conferred by Sub-sections (1) (3), (5) and (6) of section 6 of the said Act, the Government of Maharashtra has constituted a Board know as Bombay Vegetable Market etc., Unprotected Labour Board and nominated the following persons to be members of the said Board members representing the State Government employers and unprotected workers, namely

Members representing State Government,—

- (1) Shri B. B. Haldavanekar,
Chairman (Part-time), Assistant Commissioner of Labour, Bombay.

Members representing Employers (8)—

- (1) Shri G. B. Dhole,
The Fruit Vegetable Merchants Association, Mahatma Phule Markets, Bombay 400 001.
- (2) Shri Chunilal Sadashiv Naik,
Chairman, Sant Gadge Maharaj Mandai Vyapari Association, Byculla Bombay 400 027.
- (3) Shri Mukundrao Thakoji Patil (Bhujwal),
Byculla Bhajee Bajar Sangh, Meher Market, Byculla, Bombay 400 027.
- (4) Shri Maruti Sakpal,
Bombay Kanda and Batata Merchant Association, Bhatbazar, C/o. M/s. Vijay and Company, Bhatbazar, Bombay 400 009.
- (5) Shri Dattaram Tulshiram Pawar,
Old Dadar Municipal Market Association, Dadar, Bombay 400 028.
- (6) Shri Sudam Bapusaheb Mandlik,
New Municipal Market, Dadar, Bombay 400 028.
- (7) Shri Maruti Shripati Jagtap,
Bhajeepala Vyapari, Krantsinba Nana Patil Market, Dadar, (West),
Bombay 400 028.
- (8) Shri G. V. Mindhe,
Mahatma Phule Market, Bombay 400 001.

Members representing Unprotected Workers (8)—

- (1) Shri K. P. Valvaikar,
General Secretary, Maharashtra Rajya Mathadi Transport and General Kamgar Union, Jivraj Bhanji Shah Market, 3rd Floor, Near Masjid Station, Bombay 400 009.
- (2) Shri V. Y. Pawar,
Secretary, Maharashtra Rajya Mathadi Transport and General Kamgar Union, Jivraj Bhanji Shah Market, 3rd Floor, Near Masjid Station, Bombay 400 009.
- (3) Shri Laxman Manajee Jadhav,
Vice President, Maharashtra Rajya Mathadi Transport and General Kamgar Union Ashirvad, Room No. 24, N. M. Joshi Marg, Byculla, Bombay 400 027.
- (4) Shri Shivaji Shankar Bhosa'e,
C/o. Messrs. S. N. Company, Sant Savata Mandai, Byculla, Bombay 400 027.
- (5) Shri Chandrakant Shivram Shevale,
576/B, Laxmi Nivas, Room No. 30, 2nd Floor, N. M. Joshi Marg, Byculla
Bombay 400 027.
- (6) Shri Parshuram Gangaram Bhalke,
Govind Chawl, Room No. 4, Near Daulat-Baug, Bhatvadi, Ghatkopar,
Bombay 400 084.
- (7) Shri Shripati Narayan Dhankar,
C/o. Ranganath Dhankar Company, Krantsing Nanasaheb Mandai, Plaza
Market, Dadar, Bombay 400 028.

- (8) Shri Krishnadev Shripati Salunkhe,
C/o. Kata Company, Sant Savata Mandai, Dr. Ambedkar Road, Byculla,
Bombay 400 027.
- (c) nominates Shri B. B. Haldavanekar, the Assistant Commissioner of Labour,
Bombay to be the Part-time Chairman of the said Board;
- (d) publishes the names of all the members of the said Board including Chairman
nominated by the State Government, as follows, namely
 - (1) Shri B. B. Haldavanekar.
 - (2) Shri C. G. Patil.
 - (3) Shri G. B. Dhole.
 - (4) Shri Chunilal Sadashiv Naik.
 - (5) Shri Mukundrao Thakoji Patil (Bhujwal).
 - (6) Shri Maruti Sakpal.
 - (7) Shri Dattaram Tulshiram Pawar.
 - (8) Shri Sudam Bapusaheb Mandlik.
 - (9) Shri Maruti Shripati Jagtap.
 - (10) Shri G. V. Mindhe.
 - (11) Shri K. P. Valvaikar.
 - (12) Shri V. Y. Pawar.
 - (13) Shri Laxman Manajee Jadhav.
 - (14) Shri Shivaji Shankar Bhosale.
 - (15) Shri Chandrakant Shivram Shevale.
 - (16) Shri Parshuram Gangaram Bhalke.
 - (17) Shri Shripati Narayan Dhankar.
 - (18) Shri Krishnadev Shripati Salunkhe.

(Vide Government Notification Industries, Energy and Labour Department No. UWA-1484/CR-10507/Lab-5, dated 22nd January 1985, published in M.G.G., Part I-L, dated 28th March, 1985, at Pages Nos. 1153 to 1155).

(2) In exercise of the powers conferred by sub-section (1) of section 4 of the said Act the Government of Maharashtra, after consultation with the Advisory Committee, has made the following Scheme for employment in Vegetable markets and other establishments in the trade in connection with loading, unloading, stacking, carrying, weighing, measuring or such after work including work preparatory or incidental to such operations in the area of Greater Bombay, the same having been previously published as required by sub-section (1) of the said section 4, namely :

1. *Title.*—This Scheme may be called the Vegetable Markets Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1985.

2. *Objects and applications.*—(1) *Objects.*—The objects of the Scheme are to ensure an adequate supply and full and proper utilisation of unprotected workers employed in Vegetable Markets and other establishments in the trade in connection with loading, unloading, stacking, carrying, weighing, measuring or such other work including work preparatory or incidental to such operations for efficient performance of work and generally for making better provisions for the terms and conditions of employment of such workers and make provision for their general welfare.

(2) *Application.*—The Scheme shall apply to the employment of registered workers in the area specified in the Scheme hereto, and registered employers in Vegetable Markets and other establishments in the trade in connection with loading, unloading, stacking, carrying, weighing, measuring, or such other work including work preparatory or incidental to such operation.

3. *Commencement.*—(i) The clauses 14 and 15 shall come into force from 1st March 1985.
(ii) The remaining clauses shall come into force from 15th March 1985.

4. *Interpretation.*—(a) “Act.” means the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1969,

(b) “Board” means the Vegetable Markets Labour Board for Greater Bombay constituted under section 6 of the Act ;

(c) “Chairman” means the Chairman of the Board ,

(d) “monthly worker” means a worker who is employed by an employer or a group of employers on contract or monthly basis ;

(e) “Personnel Officer” means the Personnel Officer appointed by the Board under clause 5 ;

(f) “Pool worker” means a registered worker in the pool who is not a monthly worker.

(g) “pool” means a list of workers maintained by the Board, but which does not include monthly workers ;

(h) “registered employer” or “employer” means the employer whose name is for the time being entered in the register of employer ;

(i) “registered worker” means a worker whose name is for the time being entered in the register of pool workers or in the register of monthly workers ;

(j) “register of employers” means the register of employers maintained under this

(k) “register of workers” means the register of workers maintained under this scheme ;

(l) “rules” means the Maharashtra *Mathadi, Hamal* and other Manual Workers (Regulation of Employment and Welfare) Rules, 1970 ;

(m) “Secretary” means the Secretary of the Board ;

(n) “week” means the period of seven days commencing on midnight of Saturday and ending on the midnight of the Saturday next following ;

(o) words and expression used but not defined in the scheme shall have the meaning assigned to them in the Act.

5. *Secretary, Personnel Officer and other servants of the Board.*—The Board may appoint a Secretary, a Personnel Officer and such other officers and servants on such terms and conditions of service as it deems fit :

Provided that, no post the maximum salary of which exclusive of allowance is Rs. 1,000 and above per mensem shall be created and no appointment to such post shall be made by the Board except with the previous approval of the State Government :

Provided further that, the previous approval of the State Government shall not be necessary to any appointment in a leave vacancy of a duration of not more than three months.

6. *Functions of the Board.*—(1) The Board may take such measures as it may consider desirable for carrying out the objective of administering the scheme set-out in clause 2 including measures for,—

(i) ensuring the adequate supply and the full and proper utilisation of registered workers for the purpose of facilitating the rapid turnout of work ;

(ii) regulating the recruitment and entry into and the discharge from, this scheme of workers and allotment of registered workers in the pool to registered employers ;

(iii) determining and keeping under review the number of registered workers from time to time on the registers or records and the increase or reduction to be made in the number of registered workers ;

(iv) keeping, adjusting and maintaining the employers' registers entering or re-entering therein the name of any employer and other circumstances so require removing from the register the name of any registered employer in accordance with the provisions of this

(1) adjusting and maintaining from time to time, such registers or records, as may be necessary of workers including any registers, or records of workers who are not available for work and whose absence has been approved by the Board; and in any circumstances so require, removing from any register or record the name of a registered worker either at his own request or in accordance with the provisions of the scheme;

(2) the grouping or re-grouping of all registered workers into such groups as may be determined by the Board and reviewing the grouping of any registered worker on the application of such registered worker;

(3) making provision, subject to availability of funds for welfare of registered workers including medical services in so far as such provision does not exist apart from this scheme;

(4) recovering from registered employers contribution in respect of the expenses of this scheme, wages, levy and any other contributions under this scheme;

(5) making provision, subject to availability of funds for the health and safety measures at places where registered workers are employed in so far as such provision does not exist apart from this scheme;

(6) maintaining and administering the workers' welfare fund and recovering from all the registered employers contribution towards the fund when such fund is constituted in accordance with the rules of the fund;

(7) maintaining and administering provident fund and gratuity fund for registered workers in the pool when such funds are constituted.

(8) assisting, subject to the availability of funds by way of grant or loan, the Co-operative Societies formed for the benefit of registered workers and staff of the Board;

(9) A property, fund and other assets vesting in the Board shall be held and applied by it, subject to the provisions and for the purposes of this scheme;

(10) The Board shall have and maintain its own fund to which shall be credited—

(a) all monies received by the Board from the State Government;

(b) all fees, wages and levies received by the Board under this scheme;

(c) all monies received by the Board by way of sale and disposal of properties and other assets;

(d) interest on investment in securities and deposits, rents and all monies received by the Board in any other manner or from any other source.

(11) All monies forming part of the funds shall be kept in current or deposit account with the State Bank of India or the Reserve Bank of India or in any nationalised bank or any Co-operative Bank or any Scheduled Bank or invested in such securities as may be approved by the Board. Such accounts shall be operated by such officers of the Board as may be authorised by it;

Provided that, the Board may keep on hand such sum not exceeding Rs. 1,000 as the Board may consider necessary.

Explanation.—For the purpose of this sub-clause "Nationalised Bank" means any Bank in Column 2 of the First Schedule to the Banking Companies (Acquisition and of Undertakings) Act, 1970 (5 of 1970).

The Board may with the previous permission of the State Government borrow money from open market or otherwise with a view to provide itself with adequate resources.

The Board may accept deposits on such conditions as it deems fit from persons authorities or establishments with whom it has to transact any business.

The Board shall make provision for such reserve and other denominated funds as

(12) The Board shall have the authority to spend such sum as it think fit for the purposes authorised under the scheme from out of the general fund of the Board or from the reserve and other funds, as the case may be.

(13) The Board shall cause the proper account to be kept of the cost of operating this scheme and of all receipts and expenses under this scheme.

(14) The Board shall submit to the State Government—

(a) as soon as may be after the first day of April, in every year and not later than the 31st day of October, an annual report on the working of the scheme during the preceding year ending the 31st of March, together with an audited balancesheet; and

(b) copies of proceedings of the meeting of the Board.

(15) The Board may—

(i) fix the number of workers to be registered under the various categories;

(ii) increase or decrease the number of workers in any category on the register from time to time, as may be necessary after a periodical review of the register and anticipated requirements;

(iii) sanction the temporary registration of a specified number of workers in any category for specific periods;

(iv) determine the wages, allowances and other conditions of service including age retirement of registered workers;

(v) devise forms, records, registers, statements and the like required for administration of the Scheme;

(vi) fix the rate of levy under clause 41(1);

(vii) sanction the annual budget;

(viii) subject to the provisions of clause 5, appoint a Secretary, the Personnel Officer and other staff of the Board;

(ix) make recommendation to the State Government about any modification in the scheme;

(x) settle disputes between registered employers and registered workers;

(xi) discuss statistics of output of labour and turnout of work and record its observations and directions;

(xii) subject to such conditions as it thinks fit, delegate in writing to the Committees, Chairman, Secretary or to any other Officer of the Board any of its functions under this Scheme.

7. *Annual Estimate.*—The Chairman shall at a special meeting to be held before the end of February in each year lay before the Board, the annual budget of the Scheme for the year commencing on the 1st day of April then next ensuing in such details and Forms as the Board may, from time to time, specify. The Board shall consider the estimate so presented to it and shall within four weeks of its presentation sanction the same either unaltered or subject to such alterations as it may deem fit.

8. *Responsibilities and duties of Chairman.*—Without prejudice to the powers and functions of the Board, the Chairman shall be generally responsible for satisfactory execution of the Scheme and shall have powers to execute the decisions of the Board subject to its directions and in particular—

(a) to ensure that the decisions of the Board in regard to the adjustment of the register of workers are carried out expeditiously;

(b) to ensure that the sanctions for temporary registration of workers are carried out with out delay;

(d) to take suitable remedial steps, if any irregularities are detected by him or brought to his notice ;

(e) to ensure that the provisions of this Scheme in regard to transfer and promotion of registered workers are carried out ;

(f) to constitute medical boards when required ;

(g) to ensure that conditions laid down in the Scheme for the registration of employers are complied with by them ;

(h) to ensure that all Forms, Registers, Returns and documents, devised by the Board are properly maintained ;

(i) to ensure that suitable statistics in regard to the output of labour is compiled and placed before the Board with appropriate remarks and explanations at such intervals as the Board may desire ;

(j) (i) to sanction the creation of posts the maximum salary of which exclusive of allowance is below Rs. 1,000 per month ;

(ii) to make appointment to the post, the maximum salary of which exclusive of allowance is below Rs. 1,000 per month ;

(k) to take disciplinary action against registered workers and registered employers in accordance with the provisions of this Scheme ;

(l) to declare that there has been " a go slow " and to take action as authorised under this scheme ;

(m) to sanction the transfer of a monthly worker to the pool at the request of the registered employer or the registered worker as provided for in this scheme ;

(n) to deal with appeals from registered workers and registered employers under clauses 37 and 38 ;

(o) discharge all functions relating to disciplinary action against registered employers and registered workers to the extent permitted under clause 34.

9. *Functions of Secretary.*—Without prejudice to the powers and functions of the Board and the Chairman, the Secretary shall perform duties, imposed on him by this Scheme in discharge of his duties and in particular be responsible for—

(a) keeping, adjusting and maintaining the Register of Employers entering or re-entering therein the name of any employer and where the circumstances so require removing from the register the name of any registered employer in accordance with the provisions of this Scheme ;

(b) keeping, adjusting and maintaining, from time to time, such Registers or Records as may be necessary of workers, including any Register or Records of workers, who are temporarily not available for work and whose absence, has been approved by the Board and where the circumstances require, removing from any Registers or records the name of any registered worker, either at his request or in accordance with the provisions of this Scheme ;

(c) the employment and control of registered workers who are available for work when they are not otherwise employed in accordance with this Scheme ;

(d) the grouping or re-grouping of registered workers in suitable pools, in accordance with the instructions received from the Board in such groups as may be determined by the Board.

(e) the allotment of registered workers in the pool who are available for work to registered employers and for this purpose, the Secretary shall—

(i) make the fullest possible use of registered workers in the pool ;

(ii) keep the record of attendance at call stands or control points of registered workers ;

(f) (i) the collection of levy or any other contribution from the employers under the Scheme ;

(ii) the collection from registered workers of contribution to the Provident Fund Insurance Fund or any other fund which may be constituted under the scheme ;

(iii) the payment to each daily worker of all earnings lawfully due to him from the registered employer and the payment to such worker of all moneys payable by the Board in accordance with provisions of this scheme ;

(g) appointing subject to budget provisions such Officers and servants, from time to time, as may be authorised by the Board or the Chairman to appoint ;

(h) the keeping of proper accounts of the cost of operating this scheme and of all receipts and expense under it and making and submitting to the Board an Annual Report and Audited Balance-sheet and Profit and loss Accounts statements ;

(i) framing budget annually for submission to the Board on or before the 15th day of February each year ;

(j) maintaining complete service records of all registered workers and record sheets of all registered employers ;

(k) authorising the employment of unregistered workers in case registered workers are not available for work in the pool or in such other circumstances as the Chairman may approve; and

(l) such other function as may, from time to time, subject to the provisions of this scheme be assigned to him by the Board or the Chairman.

10. *Function of Personnel Officer.*—The Personnel Officer shall assist the Secretary in the discharge of his duties and shall in particular carry out the functions assigned to him by clause 34 of this Scheme.

11. *Maintenance of Registers.*—(1) *Register of Employer.*—There shall be a register of employers in the form devised by the Board wherein the names and addresses of the employer registered under the scheme shall be entered.

(2) *Register of workers.*—There shall be a register of workers who are engaged by the Board wherein the names and addresses of workers registered under this scheme shall be entered. It shall be duly maintained.

(3) *Monthly register.*—There shall be a register of workers who are engaged by each employer on contract on monthly basis and who are known as monthly workers.

(4) *Pool registers.*—There shall be a register of workers other than those on the monthly register known as pool workers. This register shall include a sub-pool of workers who are not attached to any gang to fill casual vacancies in gangs. The workers included in such a sub-pool shall be known as leave reserve workers.

12. *Classification of workers.*—The Board shall arrange for the classification of workers in suitable categories as may be determined by it, from time to time.

13. *Fixation of number of Workers on the registers.*—The Board shall determine, before the commencement of registration in any category the number of workers required in the category in consultation with the registered employers.

14. *Registration of employers.*—Every employer including a Mukadam, commission agent, clearing agent, purchaser, importer, exporter engaged in selling, purchasing or trading or acting as agent in vegetable market and other establishments in the areas to which this Scheme applies shall get registered with the Board by applying in Form 'A' appended to this Scheme within fifteen days from the date of coming into force of this clause. Provided

15. *Registration of existing and new workers*—(1) (a) Any worker who on the date of enforcement of this Scheme is already working in the employment in the areas to which the Scheme applies shall be registered under this Scheme ;

(b) The qualifications for new registration shall be such as may be specified by the Board having regard to local conditions, physical fitness, capacity or experience or both. Citizen of India only shall be eligible for registration ;

(c) Registration of workers in any new category shall be from among workers who have been or were working in the said employment on any such rate as the Board may specify in this behalf provided that, the workers is medically fit and is not more than 60 years of age.

(2) Notwithstanding any provisions of this Scheme, where the Board is of opinion that a worker has secured his registration by furnishing false information in his application or by withholding any information required therein or where it appears that a worker has been registered improperly or incorrectly the Board may direct the removal of his name from the registers :

Provided that, before giving any such direction, the Board shall give such worker an opportunity of showing cause why the proposed direction should not be issued.

16. *Promotion and transfer of registered workers*.—(1) A vacancy (other than a casual vacancy), in any category of workers in pool register shall ordinarily be filled by promotion of worker from the next lower category within the same gang.

(2) A vacancy (other than a casual vacancy), in any category of monthly worker may be filled only by promotion from lower categories of monthly workers in the gang or, if no worker is suitable for promotion from lower categories of monthly worker in the same gang, by transfer of a worker in the same or a superior category in the pool who may be selected by registered employers or a group of registered employers.

Explanation.—The criteria for promotion shall ordinarily be :—

- (a) seniority ;
- (b) merit and fitness for the category to which promotion is to be made ;
- (c) record of past service.

Note.—A transfer from the pool register to the monthly register in the same category or vice-versa shall not be deemed a promotion.

(3) The Chairman or the Secretary may, for sufficient and valid reasons, allow the transfer of a monthly worker to the pool on a request in writing of the employer or the worker explaining fully the reasons for the transfer provided that such transfer shall be subject to the fulfilment of any contract subsisting between the monthly worker and his employer regarding termination of employment. No transfer shall take place without the prior approval of the Chairman or the Secretary.

(4) If the services of a monthly worker are terminated by the employer for an act of indiscipline or misconduct he may apply to the Board for employment in the pool. The Secretary on behalf of the Board, shall then decide on the merits of the case, whether or not the worker should be employed by the Board and if so, whether in the same or a lower category. The worker should be given an opportunity of being heard and pleading his case before the Secretary, either himself or through his representatives.

(5) If a monthly worker is transferred to, or employed in, the pool under sub-clause (3) or sub-clause (4) as the case may be, his previous service shall be reckoned for all benefits in the pool and the employer shall transfer to the Board all benefits that have accrued to the worker in respect of his previous service as if such service has not been transferred. The

17. *Medical Examination*.—(1) If the Board considers it to be necessary so to do it may require a new worker before registration to undergo, free of charge, a medical examination for physical fitness by a Medical Officer nominated by the Chairman for this purpose. A worker found medically unfit by a Medical Officer may apply in writing to the Chairman and simultaneously deposit with him such fees as may be specified in this behalf for examination by a medical Board. On receipt of such a request of the Chairman shall set-up a medical Board. The decision of the Medical Board shall be final and a worker who is medically unfit shall not be entitled to registration.

(2) If the Chairman deems it necessary so to do he may require a worker to undergo, free of charge, a medical examination by a Medical Board to be constituted by the Chairman. The decision of the Medical Board shall be final, and a worker if found permanently unfit by the Medical Board, the Chairman shall terminate his services forthwith.

18. *Registration fee*.—(i) A registration fee of Re. 1 shall be paid to the Board by each worker at the time of registration under this scheme.

(ii) A registration fee of Rs. 25 shall be paid by each employer at the time of registration under this scheme.

19. *Supply of Cards*.—(1) Every registered worker shall be supplied with (i) an identity card ; (ii) an attendance card, (iii) wageslips in the forms, devised by the Board.

(2) In case of loss of cards, a fresh card will be issued but the cost thereof, which will be fixed by the Board, shall be payable by the worker concerned.

20. *Service records for registered workers*.—A service record for every monthly and daily worker shall be maintained in a Form to be specified by the Board which shall contain amongst other things a complete record of disciplinary actions taken against the worker promotions, commendation for good work, etc. and the such other matters as the Board may think fit. Such details in respect of monthly workers shall be supplied to the Board by the registered employers.

21. *Record sheets for registered employers*.—The Personnel Officer shall maintain a record sheet in respect of each registered employer in a Form to be devised by the Board which shall contain among other things, a complete record of disciplinary action taken against the registered employer.

22. *Surrender of cards*.—A worker's card shall be surrendered to the Board in the following circumstances namely—

- (a) when proceeding on leave for seven days or more ;
- (b) when retiring from service ;
- (c) when dismissed or discharged from service ;
- (d) when temporarily suspended ; or
- (e) on death.

Provided that, the employer of a monthly worker shall also surrender the card of the worker to the Board in the case of (a), (b), (c), (d) and (e) above.

23. *Entries in attendance card and wage slip*.—(1) A registered worker in the pool shall hand over to the Board at the time he is allotted for work to a registered employer his attendance card, the Board shall make necessary entries in the attendance card in respect of the period of work done by the worker, and return it to him on completion of his engagement. For each day of work the Board shall supply as soon as possible, a wage slip showing the

Employment of workers.—(1) A monthly worker of a particular category allotted to a registered employer or a group of registered employers shall be entitled to be employed for work in that category by that employer or group of employers in preference to any worker of the same category in the pool.

(2) If the number of workers on the monthly register in a particular category is not sufficient for the work available, the workers on the pool register in that category shall be employed.

(3) A monthly worker of one employer or a group of employers shall not be employed by an other employer or group of employers except with the previous approval of the Chairman or Secretary.

25. Filling up of casual vacancies.—Casual vacancies of monthly worker shall be filled up in the following manner, namely:—

When a Head Mukadam or Mukadam is absent the vacancy shall be filled by a senior person of the same gang in the employment of employer.

26. Disappointment money.—When a worker in the pool presents himself for work and for any reason the work for which he has been allotted cannot commence or proceed and no alternative work can be found for him and he is relieved within two hours of his attending for work he shall be entitled to disappointment money from the employer at a rate as may be fixed by the Board appropriate to the category to which he belongs. A worker detained for more than two hours shall be paid full wages inclusive of dearness allowance.

27. Holidays.—Each registered worker shall be entitled in year to four holidays with pay at such rates as may be specified by the Board under clause 32. Out of the four holiday three holidays will be on (i) 26th January (Republic Day) (ii) 1st May (Mahatashtra Day), and (iii) 15th August (Independence Day). The fourth holiday shall be decided by the Board.

28. Obligations of registered workers.—(1) Every registered worker shall be deemed to have accepted the obligations of this scheme.

(2) A registered worker in the pool who is available for work shall not engage himself for employment under registered employer unless he is allotted to that employer by the Secretary.

(3) A registered worker in the pool who is available for work shall carry out direction of the Board and shall—

(a) report at such call stands or control points and at such times as may be specified by the Board and shall remain at such call stands or control points;

(b) accept any employment under a registered employer whether in the category in which he has been registered or any other category for which he is considered suitable by the Board.

(4) A registered worker who is available for work when allotted by the Board for employment under a registered employer shall carry out his duties in accordance with the directions of such registered employer or his authorised representative or supervisor and the rules of the employment or place where he is working.

29. Obligations of registered employers.—(1) Every registered employer shall accept the obligations of the Scheme.

(2) Subject to the provisions of clause 24, a registered employer shall not employ a worker other than a worker who has been allotted to him by the Secretary in accordance with the provisions of clause 9(e).

(3) A registered employer shall, in accordance with instructions as may be given by the Board, from time to time, submit all available information of his current and future labour requirements.

(5) (i) A registered employer shall pay to the Board in such manner and at such times as the Board may, direct by a special or general order, the levy payable under clause 14(1) and the gross wages due to registered workers for the work done by such workers during the fortnight and other amount due to daily workers;

(ii) A registered employer who makes default in remitting the amount of wages of workers within the time limit specified in sub-clause (i) above, shall if so required by the Board, deposit with the Board an amount equal to the monthly average of the wages credited by him in the Board during the previous twelve calendar months in order to enable the Board to make payment of wages to worker in time. The said amount shall be deposited with the Board within ten days from the date of order of the Secretary of the Board to that effect. If at any time the amount of such deposit falls short of the average of wages for twelve previous calendar months then the employer shall make good the deficit amount;

(iii) A registered employer, who persistently makes default in remitting the amount of wages of workers within the time limit specified by the Board shall further pay by way of penalty a surcharge of such amount not exceeding ten per cent of the amount to be remitted as may be determined by the Board. The said surcharge shall be credited to the Board within ten days from the date of the order of the Secretary of the Board to that effect.

(6) A registered employer shall keep such records as the Board may require and shall produce before the Board or such person as may be designated by the Board upon reasonable notice all such records and any other documents of any kind relating to registered workers and to the work upon which they have been employed and furnish such information relating thereto as may be set out in any notice or direction issued by or on behalf of the Board.

(7) A registered employer who fails to make the payment of any amount due from time to time to the Board under aforesaid clauses, within the specified time therein, the Secretary of the Board shall without prejudice to the right of the Board to take any other action under the Scheme to which the employer may be liable for the said default, serve a notice on the employer to the effect that unless he pays his dues within three days from the date of receipt of the notice, the supply of registered workers to him shall be suspended. On the expiry of the notice period the Secretary shall suspend supply of registered workers to the defaulting employer until he pays all the dues.

30. Restriction on employment.—(1) No employer (other than a registered employer in any area to which this Scheme applies) shall engage for employment, a worker unless that worker is a registered worker.

(2) Notwithstanding the preceding provisions of the clause—

(a) where the Secretary is satisfied that—

(i) the work is emergently required to be done, and

(ii) it is not reasonably practicable to obtain registered worker for that work, the Secretary may, subject to any limitation imposed by the Board, allow a registered employer to employ a worker who is not a registered worker. In selecting such workers the local Employment Exchange organisation shall as far as possible, be consulted;

Provided that, whenever unregistered workers have to be employed, the Secretary shall obtain, if possible, the prior approval of the Chairman of the employment of such workers and where this is not possible, shall report to the Chairman within 24 hours the full circumstances under which such workers were employed and the Chairman shall duly inform the Board of such employment at its next meeting;

(b) the Board may, subject to such conditions as it may specify, permit employment of unregistered workers on a holiday if work is required to be done on that day, to the extent registered workers are not available for work;

(3) A registered worker in the pool may, provided he fulfils fully his obligations under clause 28, take up employment elsewhere on those days on which he is not allotted for work by the Board.

31. *Circumstances in which this Scheme ceases to apply.*—This Scheme shall cease to apply to a registered worker when his name has been removed from the Register or record in accordance with the provisions of this Scheme.

(2) This Scheme shall cease to apply to a registered employers when his name has been removed from the Register of Employers in accordance with the Provision of this scheme.

(3) Nothing in this clause shall effect any obligation incurred or right accrued during any time when a person was a registered worker or a registered employer.

32. *Wages, allowances and other conditions of service of workers.*—(1) Without prejudice to the provisions of any award it shall be, unless otherwise specifically provided for in the Scheme, an implied condition of the contract between registered worker (Whether in the pool or on the monthly register) and registered employer that the rates, allowances and overtime, hours of work, rest intervals, leave with wages and other conditions of service shall, subject to the provisions of sub-clauses (2), (3), (4), (5) and (6) be such as may be fixed by the Board for each category of register workers.

(2) For the purpose of fixing rates of wages, allowances and overtime, hours of work, rest intervals leave with wages and other conditions of service (hereinafter collectively referred to as "the conditions of service") of the registered workers or for revising or for modifying the same the Board shall call upon the Association of Employer and Trade Union of Workers covered by this Scheme to make such representations as they may think fit, as respects the conditions of service which may be fixed or revised or modified under this Scheme in respect of registered unprotected workers. If there is no such association of employers and union of workers, then such representations from registered employers and workers may be invited through notice published in such manner as the Board may think fit.

(3) Every such representation shall be in writing and shall be made within such period as the Board may specify and shall state the conditions of service which in the opinion of the person making the representation would be reasonable having regard to the capacity of the employers to pay the same or comply with or to any other circumstances which may seem relevant to the person making the representation.

(4) The Board shall take into account the representations aforesaid, if any, and after examining all the material placed before it, shall fix or revise, or as the case may be, modify the relevant conditions of service of the registered workers.

(5) In fixing or revising or, as the case may be, modifying the conditions of service of the registered workers, the Board shall have regard to the cost of living, the prevalent condition of service in comparable employments in the local area, the capacity of the registered employers to pay and any other circumstances which may seem relevant to the Board.

(6) The conditions of service fixed revised or as the case may be, modified by the Board shall take effect either prospectively or retrospectively from such date as the Board may decide. The decision of the Board shall be communicated to the registered workers and employers in such manner as the Board thinks fit.

33. *Disbursement of wages and other allowance to registered workers.*—The Board may permit the registered employers to pay wages and other allowances to the registered monthly workers employed by them directly after making such deductions as may be authorised and

34. *Disciplinary procedure.* (1) (i).—The Personnel Officer may on receipt of the information whether on a complaint or otherwise that a registered employer has failed to carry-out the provisions of this scheme after investigating the matter give him a warning in writing, or; (ii) where in his opinion, a higher penalty is merited the Personnel Officer shall report the case to the Chairman who may then cause such further investigation to be made as he may deem fit and take any of the following steps as regards that employer, that is to say, he may—

(a) censure him and record the censure in his record sheet; or

(b) subject to the approval of the Board and after one months' notice in writing given to the registered employer, remove his name from the register of employers for such period as determined by the Board or permanently.

(2) A registered worker in the pool who fails to comply with any of the provisions of the scheme or commits any act of indiscipline or misconduct may be reported in writing to the Personnel Officer who may after investigating the matter give him a warning in writing, or suspend him for a period not exceeding four days.

(3) Where in the opinion of the Personnel Officer, a higher punishment than that provided, in sub-clause (2) is merited, he shall report the case to the Chairman.

(4) On receipt of the written report from the Personnel Officer under sub-section (3) or from registered employers or any other person that a registered worker in the pool has failed to comply with any of the provisions of this scheme or has committed an act of indiscipline or misconduct or has consistently failed to produce the standard or datum output or has been inefficient in any other manner, the Chairman may make or cause to be made such further investigation as he may deem fit and thereafter take any of the following steps, as regards the workers concerned, that is to say, he may impose any of the following penalties:—

(a) give him a warning in writing;

(b) suspend him for a period not exceeding four days;

(c) terminate his services after giving one months' notice or one months' wages inclusive of dearness allowance in lieu thereof; or

(d) dismiss him.

(5) Before any action is taken under this clause the registered worker concerned shall be given an opportunity to show cause why the proposed action should not be taken against him.

(6) During the pendency of investigation under sub-clauses (2) and (4) above the registered workers concerned may be suspended by the Chairman.

(7) Without prejudice to the powers of the Chairman under clause 35 a registered employer shall have full powers to take disciplinary action against monthly registered workers employed under him.

35. *Special disciplinary powers of the Chairman.*—(1) Notwithstanding anything contained in the scheme, if the Chairman is satisfied after enquiry that a "go slow" has been resorted to by any gang of registered workers or any individual registered worker and is being continued on repeated by the same gang of worker or different gangas of registered workers or registered workers on the same or different places of work he may make declaration in writing to that effect.

(2) When a declaration under sub-clause (1) has been made it shall be lawful for the

(3) The Chairman may take disciplinary action—

- (i) where "go slow" is resorted to by a gang against all the members of the gang; and
- (ii) where "go slow" is resorted to by a registered worker, against the registered worker concerned.

(4) Before any disciplinary action is taken under this clause against any registered worker or any gang of workers, such worker or gang shall be given an opportunity to show cause why the proposed action should not be taken against him or it :

Provided that, the Chairman may, before giving an opportunity to show cause under this sub-clause, suspend from work, any registered worker or gang of registered workers immediately after a declaration has been made under sub-clause (1).

(5) A declaration by the Chairman that a "go slow" has been resorted to by a registered worker or a gang of registered workers shall be final, and shall not be liable to be questioned on any ground whatsoever

36. *Termination of employment*—(1) The employment of a registered worker in the pool shall not be terminated except in accordance with the provisions of this scheme;

(2) A registered worker in the pool shall not leave his employment with the Board except by giving 14 days' notice in writing to the Board of forfeiting 15 days' wages inclusive of dearness allowance in lieu thereof.

(3) When the employment of a registered worker with the Board has been terminated under sub-clauses (1) and (2), his name shall forthwith be removed from the register of workers or record by the Board.

37. *Appeals by workers*—(1) Save as otherwise provided in the clause, a registered worker in the pool who is aggrieved by an order passed by an authority under clause 34, may prefer an appeal against the order of the Personnel Officer to the Chairman and against the order of the Chairman to the State Government.

(2) A worker who is aggrieved by an order of the Secretary:—

- (i) placing him in a particular group in the register of or workers' record; or
- (ii) refusing registration under clause 15; or
- (iii) requiring him under clause 28 (4)(b) to undertake any work which is not of the same category to which he belongs may prefer an appeal to the Chairman.

(3) Any worker who is aggrieved by an order under clause 16(4) may prefer an appeal to the Chairman.

(4) No appeal shall lie where due notice has been given of the removal of the name of a registered worker from the register of workers or record in accordance with the instructions of the Board if the ground of removal is that the registered worker falls within a class of description of workers whose names are to be removed from the register of workers or record in order to reduce the size thereof :

Provided that, an appeal shall lie to the Chairman where the registered worker alleges that he does not belong to the class or description of workers referred in the instruction of the Board.

(5) Every appeal referred to in sub-clauses (1), (2), (3) or (4) shall be in writing and be preferred within 14 days of the date of receipt of the order appealed against :

Provided that, the appellate authority may for reasons to be recorded, admit an appeal preferred after the expiry of 14 days.

(5) Every appeal referred to in sub-clause (1) shall be in writing and preferred within 14 days of the receipt of the order appealed against:

Provided that, the appellate authority may for reasons to be recorded, admit an appeal preferred after the expiry of 14 days.

39. *Powers of revision of the Chairman*—Notwithstanding anything contained in this scheme, the Chairman in case of an order passed by Personnel Officer under clause 34 may at any time, call for the record of any proceeding in which the Personnel Officer has passed the order for the purpose of satisfying himself as to the legality or propriety thereof and may pass such order in relation thereto as he may think fit :

Provided that, the Chairman shall not pass an order under this clause which may prejudicially affect the interest of any person without giving such person a reasonable opportunity of being heard.

40. *Stay of order in case of certain appeals*—Where an appeal is made by a registered worker in accordance with the provisions of clause 37 against an order of termination of service on one month's notice or where an appeal is preferred by a registered employer in accordance with the provisions of clause 38 against an order removing his name from the employer's register of employer under clause 34 (1) (ii) (b), the appellate authority may suspend the operation of the order appealed against pending the hearing and disposal of the appeal.

41. *Cost of operating the scheme and provision for amenities and benefits to the Registered workers*—(1) The cost of operating this scheme and for providing different benefits, facilities and amenities to the registered workers as provided in the Act and under this scheme, shall be defrayed by payments made by the registered employers to the Board. Every registered employer shall pay to the Board such amount by way of levy in respect of registered workers allotted to and engaged by him as the Board may, from time to time, specify by public notice or written order to the registered employers and in such manner and at such time as the Board may direct. The Board may require the registered employers to pay the levy retrospectively or prospectively as it may deem fit.

(2) An employer to whom this scheme applies shall pay the levy as specified by the Board, from time to time, from the date from which the scheme applies to him irrespective whether he gets himself registered within the time-limit laid down in clause 14 of this scheme or any time thereafter.

(3) In determining what payments are to be made by the registered employers under sub-clause (1), the Board may fix different rate of levy for different categories of work or workers, provided that, the levy shall be so fixed that the same rate of levy will apply to all registered employers who are in like circumstances.

(4) The Board shall not sanction any levy exceeding 50 per cent. of the estimated total wage bill calculated on the basis of the daily time rate wage without the prior approval of the State Government.

(5) A registered employer shall on demand make a payment to the Board by way of deposit or provide such other security for the due payment of the amount referred to in sub-clause (1) as the Board may consider necessary.

(6) The Secretary shall furnish, from time to time, to the Board such statistics and other information as may reasonably be required in connection with the operation and financing of this scheme.

(7) If a registered employer fails to make the payment due from him under sub-clause (1) within the time specified by the Board, the Secretary shall serve a notice on the employer to the effect that unless he pays his dues within three days from the date of receipt of the notice, the supply of registered workers to him shall be suspended. On the expiry of the notice period the Secretary shall suspend the supply of registered workers to a defaulting

42. *Provident fund and Gratuity.*—(1) The Board shall frame and operate rules providing for contributory Provident Fund for registered workers. The rules shall provide for the rate of contribution, the manner and method of payment and such other matters as may be considered necessary so however, that the rate of contribution is not less than 6½ per cent. of the wages of a registered worker and is not more than 8½ per cent. of such wages.

Provided that, pending the framing of the rules, it shall be lawful for the Board to fix the rate of contribution and the manner and method of payment thereof.

(2) In framing rules for the contributory Provident Fund, the Board shall take into consideration the provisions of the Employees' Provident Funds Act, 1952 (XIX of 1952) as amended from time to time, and the scheme made thereunder for any establishment.

(3) The Board shall frame rules for payment of gratuity to registered workers.

(4) In framing rules for the payment of gratuity to registered workers, the Board shall take into consideration the provisions of the Payment of Gratuity Act, 1972 (XXXIX of 1972) as amended from time to time.

(5) The rules for Provident Fund and Gratuity framed by the Board shall be subject to the previous approval of the State Government.

43. *Penalties.*—Whoever contravenes the provisions of clauses 14, 29 and 30 shall, on conviction, be punished,—

(1) if it is a first contravention, with imprisonment for a term which may extend to three months, or with fine which may extend to five hundred rupees, or with both;

(2) if it is a subsequent contravention, with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both;

(3) if such contravention continues after the subsequent conviction, with a fine which may extend to one hundred rupees for each day on which the contravention is made till the said contravention continues.

SCHEDULE

The area within the local area of Greater Bombay.

FORM 'A'

(See clause 14)

THE VEGETABLE MARKETS UNPROTECTED LABOUR BOARD

Application for the registration of employer.

Registration No.

(To be filled in by Office)

I hereby apply for registration as an employer, etc. The necessary particulars are given below:—

1. Name and address of the Establishment and Telephone No.

2. Whether a firm or a company name of the Proprietor.

(1)

(2)

(1)

(2)

3. Are you a member of any Association of employer? If so, state the name of the Association.

4. Whether your Establishment is registered under the Bombay Shops and Establishments Act, 1948. If so, state Registration No.

The Place(s) of work with location in details where the loading, unloading, stacking, carrying, etc. of goods is carried on in connection with trade/business of your Establishments.

6. Are you employing workers through contractor(s)? If so, state the name and other details of the contractor(s).

7. Are you employing workers through Tolli? If so, state the name of the Mukadam/s of the Tollis, or of all workers.

Date:

Place:

(Vide Government Notification Industries, Energy and Labour Department, No. UWA-1482/CR-7086/Lab-5, dated 22nd January 1985, published in M.G.G. Part-I-L, dated 28th March 1985 at pages Nos. 1155 to 1172).

IX. FACTORIES ACT, 1948

(A) In exercise of the powers conferred by the proviso to sub-section (1) of section 66 of the said Act, the Government of Maharashtra, has in respect of the Ginning and Pressing Factories in the State of Maharashtra varies the limit laid down in clause (b) of the said sub-section (1), of that no women shall be employed in any factory except between the hours of 5-00 a.m. and 10-00 p.m. during the period from 1st July 1984 to 30th June 1985.

(Vide Government Notification Industries, Energy and Labour Department No. FAC. 1684 9512/LAB-4, dated the 16th January 1985, published in M.G.G., Part I-L, dated 28th March 1985, at page No. 1142).

(B) *Exemptions under the Act.*—In exercise of the powers conferred by section 86 of the said Act, the Government of Maharashtra has exempted the Principal Director, "Institute for Design of Electrical Measuring Instruments" Swatantryaveer Tatyia Tope Marg, Sion Bombay 400 022, from all provisions of the said Act, except section 6 and chapter IV thereof.

(Vide Government Notification Industries, Energy and Labour Department No. FAC. 1083 9141/Lab-4, dated the 16th January 1985 published in M.G.G., Part I-L, dated the 28th March 1985 at page No. 1142).

(C) *Amendments to Rules.*—The following draft of rules further to amend the Maharashtra Factories Rules, 1963, which the Government of Maharashtra proposes to make in exercise of the powers conferred by section 110 read with section 112 of the Factories Act, 1948 (LXIII of 1948), and of all powers enabling it in that behalf, is hereby published as required by section 115 of the said Act for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration by the Government of Maharashtra after the 20th day of April 1985.

2. Any objection or suggestions which may be received by the Commissioner of Labour, Factory Department, Commerce Centre, 5th floor, Tardeo, Bombay 400 034 from any person with respect to the said draft before the date aforesaid will be considered by Government.

DRAFT RULES

1. These rules may be called the Maharashtra Factories (Amendment) Rules, 1985
2. In rule 119 the Maharashtra Factories Rules 1963 (hereinafter referred to as "the principal rules"), in sub-rule (1), after clause (h), the following clause shall be added, namely—
 "(i) such other matters or items as may be prescribed in Form 27 "
3. For Form 27 appended to the principal rules, the following Form shall be substituted namely—

FORM 27

[See rule 119(1)]

ANNUAL RETURN

For the year ending 31st December 19...

1. Registration number of Factory .
2. Name of Factory .
3. Name of Occupier .
4. Name of the Manager .
5. District .
6. Full postal address of Factory .
7. Nature of Industry .

Number of workers and particulars of employment

8. No. of days worked in the year .
9. No. of mandays worked during the year
 - (a) Men
 - (b) Women
 - (c) Children
10. Average number of workers employed daily (See explanatory note)

(a) Adults	(i) Men	(ii) Women
(b) Adolescent	(i) Male	(ii) Female
(c) Children	(i) Boys	(ii) Girls
11. Total No. of man-hours worked including over-time—
 - (a) Men
 - (b) Women
 - (c) Children

12. Average number of hours worked per week (See explanatory note)
 - (a) Men
 - (b) Women
 - (c) Children
13. (a) Does the factory carry out any process or operation declared as dangerous under section 87? (See Rule 114)
 - (b) If so, give the following information

of the dangerous processes or operations carried on (State the Schedule number under Rule 114)	Average No. of persons employed daily in the processes or operations given in Col. 1
(i)	
(ii)	
(iii) etc.	

14. Total number of workers employed during the year. *Leave with wages*
 - (a) Men
 - (b) Women
 - (c) Children
15. Number of workers who were entitled to annual leave with wages during the year.
 - (a) Men
 - (b) Women
 - (c) Children
16. Number of workers who were granted leave during the year.
 - (a) Men
 - (b) Women
 - (c) Children
17. (a) Number of workers who were discharged, or dismissed from the service, or quite employment or were superannuated, or who died while in service during the year.
 - (b) Number of such workers in respect of whom wages in lieu of leave were paid.

Safety Officers

18. (a) Number of Safety Officer required to be appointed as per Notification under section 40-B.
 - (b) Number of Safety Officers appointed.

Ambulance room

19. Is there an ambulance room provided in the factory as required under section 45 ?

Canteen

20. (a) Is there a canteen provided in the factory as required under section 46 ?
 (b) Is the canteen provided managed—
 (i) departmentally, or
 (ii) through a contractor ?

Shelters or Rest Rooms and Lunch Rooms

21. (a) Are there adequate and suitable shelters or rest rooms provided in the factory as required under section 47 ?
 (b) Are there adequate and suitable lunch rooms provided in the factory as required under section 47 ?

Creches

- Is there a Creche provided in the factory as required under section 48 ?

Welfare Officers

23. (a) Number of Welfare Officers to be appointed as required under section 49.
 (b) Number of Welfare Officers appointed.

Accidents

24. (a) Total number of accident (See explanatory note).
 (i) Fatal
 (ii) Non-Fatal
 (b) Accidents in which workers returned to work during the year to which this return relates.
 (i) Accidents (workers injured) occurring during the year in which injured workers returned to work during the same year.
 (aa) Number of accidents
 (bb) Man-days lost due to accidents.
 (ii) Accidents (workers injured) occurring in the previous year in which injured workers returned to work during the year to which this return relates.
 (aa) Number of accidents.
 (bb) Man-days lost due to accidents

- (iii) Accidents (workers injured) occurring during the year in which injured workers did not return to work during the year to which this return relates.
 (aa) Number of accidents
 (bb) Man-days lost due to accidents

Suggestion Scheme

- (a) Is a suggestion Scheme in Operation in the factory.
 (b) If so, the number of suggestions.
 (i) received during the year
 (ii) accepted during the year
 (c) Amount awarded in cash prizes during the year.
 (i) Total amount awarded
 (ii) Value of the maximum cash prize awarded.
 (iii) Value of the minimum cash prize awarded.

Certified that the information furnished above is to the best of my knowledge and belief correct.

Signature of the Manager.
 Date

Explanatory Note

1. The average number of workers employed daily should be calculated by dividing the aggregate number of attendances on working days (that is, days on which workers worked) by the number of working days in the year. In reckoning attendance, permanent employees should be counted, and also temporary employees, whether they are employed directly or by or through contractors. Attendance on separate shifts (e.g. night and day shifts) should be counted. Days on which the factory was closed for whatever cause and days on which the processes were not carried on should not be treated as working days. Part attendance or less than half a shift on a working day should be ignored, while more than half a shift on such day should be treated as full attendance.

2. The average number of workers employed during the working season and the off-season should be given separately. Similarly the number of days worked and average number of man-hours worked per week during the working and off-season should be given separately.

3. The average number of hours worked per week means the total actual hours worked by all workers during the year excluding the rest intervals but including overtime work divided by the product of total number of workers employed in the factory during the year and 52, in case the factory has not worked for the whole year, the number of weeks during which the factory worked should be used in place of the figure 52.

4. Every person killed or injured should be treated as one separate accident. If in one occurrence, six persons were injured or killed, it should be counted as six accidents.

5. In item 24(a), the number of accidents which took place during the year should be given. In case of non-fatal accidents only those accidents which prevented workers from working for 48 hours or more, should be indicated.

(Vide Government Notification, Industries, Energy and Labour Department, No. FAC. 2084 (9446)/Lab-4, dated the 18th January 1985 published in *M.G.G.*, Part I-L, dated the 28th March 1985, at page Nos. 1143 to 1148).

(2) In exercise of the powers conferred by clause (d) of sub-section 6 and section 112 of the said Act, the Government of Maharashtra has made the following rules further to amend the Maharashtra Factories Rules, 1963, the same having been previously published as required by section 115 of the said Act, namely

1. These rules may be called the Maharashtra Factories (Amendment) Rules, 1985.

2. In rule 8 of the Maharashtra Factories Rules, 1963 in sub-rule (1), for the third proviso the following shall be substituted, namely

“ Provided also that where the application for the renewal of the licence is made after the expiry of the due date specified in this sub-rule, the additional graded fees at the percentage of the fees payable for the renewal of the licence specified in column 2 of the Schedule hereto shall be payable for such renewal of the licence for the period of delay specified in column 1 of that Schedule.

SCHEDULE

Period of delay 1	Percentage of fees 2
Upto one month ..	5 per cent.
Upto two months ..	10 per cent.
Upto three months ..	15 per cent.
Upto four months ..	20 per cent.
Upto five months and above ..	25 per cent. ”

(Vide Government Notification Industries, Energy and Labour Department, No. FAC. 2083/6979/Lab-4, dated 13th March 1985, Published in *Maharashtra Government Gazette* Part I-L, dated 28th March, 1985, at page No. 1211).

X. BOMBAY INDUSTRIAL RELATIONS ACT, 1946

(A) *Constitutions and Appointments under the Act.*—(1) In exercise of the powers conferred by section 9 of the said Act the Government of Maharashtra has constituted Labour Court at Latur having jurisdiction in the local areas of Latur District and appointed Shri N. B. Deshpande, Chief Judicial Magistrate, Latur as presiding Officer to preside over that Labour Court.

(Vide Government Notification Industries, Energy and Labour Department, No. BIR. 1085 (7596) Lab-9, dated 31st January, 1985 published in *Maharashtra Government Gazette*, Part I-L, dated 28th March 1985, at page No. 1190).

(2) In exercise of the powers conferred by sub-section (2) and (4) of section 10 of the said Act, the Government of Maharashtra has appointed purely on temporary basis Shri R. N. Gawande, to be the President of the Industrial Court, in place of Shri D. B. Deshpande, Industrial Court resigned.

(Vide Government Notification Industries, Energy and Labour Department, No. BIR. 1185 7634/Lab-9, dated 28th February 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 28th March 1985, at pages Nos. 1200 to 1201).

XI. MAHARASHTRA RECOGNITION OF TRADE UNIONS AND PREVENTION OF UNFAIR LABOUR PRACTICES ACT, 1971 (MAH. I OF 1972).

(A) *Constitution and appointments under the Act.*—(1) In exercise of the powers conferred by section 6 of the said Act, the Government of Maharashtra has constituted Labour Court at Latur having jurisdiction over the local areas of Latur District and appointed Shri N. B. Deshpande, Chief Judicial Magistrate, Latur as Presiding Officer to preside over that Labour Court.

(Vide Government Notification, Industries, Energy and Labour Department, No. ULP. 1085/(7597)/Lab-9, dated 31st January 1985, published in *Maharashtra Government Gazette* Part I-L, dated 28th March, 1985, at page No. 1191).

(2) In exercise of the powers conferred by sub-section (2) and (4) of Section 4 of the said Act the Government of Maharashtra has appointed purely temporary basis during the leave absence of Shri D. B. Deshpande, Shri R. N. Gawande to be the President of the Industrial Court.

(Vide Government Notification, Industries, Energy and Labour Department No. IDA. 1185/7633/Lab-9, dated 28th February 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 28th March 1985, at pages Nos. 1198-1199).

XII. BONDED LABOUR SYSTEM (ABOLITION) ACT, 1976.

(A) *Notifications under the Act.*—In exercise of the powers conferred by section 21 of the said Act, the Government of Maharashtra has conferred on the Executive Magistrate, Vasai the powers of a Judicial Magistrate of the first class or of the second class for the trial of the offences under the said Act.

(Vide Government Notification Industries, Energy and Labour Department, No. BIA. 1088/(736)/Lab-12, dated 6th March, 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 28th March, 1985, at page No. 1208).

Consumer Price Index Numbers for Industrial workers for March 1985

BOMBAY CENTRE

A rise of 10 points.

In March 1985 the Consumer Price Index Number for Industrial Workers (1960=100) for the Bombay Centre with base January to December 1960 equal to 100 was 624 being 10 points higher than that in the preceding month the index relates to the standard of life ascertained during the year 1958-59 family living survey at the Bombay Centre.

The index number for the Food group increased by 11 points to 686 due to a rise in the average prices of wheat, goatmeat, fish fresh bumbrows, pamfret, Sugar and vegetables and fruits sub-group.

The index number for the Pan, Supari and Tobacco etc. group increased by 17 points to 689 due to a rise in the average prices of pan-leaf, bidi and supari.

The index number for the Fuel and Light group increased by 12 points to 822 due to a rise in the average prices of Kerosene oil and charcoal.

The index number for housing remained steady at 185 being a six monthly item.

The index number for the clothing, bedding and footwear group increased by 7 points to 585 due to a rise in the average prices of saree and shirting.

The index number for the miscellaneous group increased by 8 points to 496 due to rise in the average prices of Doctors fee, barber charges and laundry charges.

CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL WORKERS (NEW SERIES) FOR BOMBAY CENTRE

(Average prices for the calendar year 1960=100)

Group	Weight proportional to the total expenditure.	Group Index Numbers	
		February 1985	March 1985
I-A. Food	57.1	675	686
I-B Pan, Supari, Tobacco, etc.	4.9	672	689
II. Fuel and Light	5.0	810	822
III. Housing	—	185	185
IV. Clothing, Bedding and Foot -Wear	9.4	578	585
V. Miscellaneous	19.0	488	496
Total	100.0		
Consumer Price Index Number		614	624

*Details regarding the scope and method of compilation of the index will be found on pages 598 to 605 of December 1965 issued of Labour Gazette, For Errata (see) page 867 of January 1966 issue.

Note.—To obtain the equivalent old index number on base 1933-34=100, the general index number on base 1960=100 should be multiplied by the linking factor viz., 4.44.

CENTRE SOLAPUR

609—A fall of 6 points.

In March, 1985 the Consumer Price Index Number for Working Class (New Series) for Solapur Centre with base January to December 1960 equal to 100 was 609 being 6 points lower than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Solapur Centre.

The index number for the food group decreased by 12 points to 654 due to a fall in the average prices of jowar, arhaldal, oils and fats, chillies dry and tumarind.

The index number for the pan, supari and tobacco etc. group increased by 26 points to 561 due to a rise in the average price of supari only.

The index number for the Fuel and Light group increased by 4 points to 736 due to a rise in the average price of kerosene oil only.

The index number for housing remained steady at 273 being a six monthly item.

The index number for clothing, bedding and footwear group increased by 8 points to 603 due to a rise in the average price of saree only.

The index number for the miscellaneous group remained steady at 470.

CONSUMER PRICE INDEX NUMBERS (NEW SERIES) FOR WORKING CLASS FOR SOLAPUR CENTRE.

(Average prices for the calendar year 1960=100)

Groups	Weight proportional to the total expenditure	Group Index Numbers	
		Feb. 1985	March 1985
IA. Food	63.0	666	654
IB. Pan, Supari, Tobacco, etc.	3.4	535	561
II. Fuel and Light	7.1	732	736
III. Housing	5.2	273	273
IV. Clothing, Bedding and Footwear	9.0	595	603
V. Miscellaneous	12.3	470	470
Total	100.00		
Consumer Price Index Number		615	609

*Details regarding the scope and method of compilation of the index may be seen on pages 607 to 613 December 1963 issue of Labour Gazette, For Errata (see) page 897 of January 1966 issue.

Note.—For arriving at the equivalent of the old index number 1927-28 = 100, the new index number should be multiplied by the linking factor of 3.82.

NAGPUR CENTRE

613—A rise of 5 points

In March, 1985 the Consumer Price Index Number for Working Class (New Series) for Nagpur Centre with base January to December 1960 equal to 100 was 613 being 5 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Nagpur Centre.

The index number for the food group increased by 8 points to 659 due to rise in the average prices of rice, oils and fats, vegetables and fruits sub-groups.

The index number for the pan, supari and tobacco etc. group remained steady at 594.

The index number for the fuel and light group increased by 4 points to 921 due to a rise in the average price of kerosene oil only.

The index number for housing remained steady at 327 being a six monthly items.

The index number for clothing, bedding and foot-wear group increased by 3 points to 626 due to a rise in the average price of saree only.

The index number for the miscellaneous group increased by 2 points to 454 due to a rise in the average price of earthenware only.

CONSUMER PRICE INDEX NUMBER (NEW SERIES) FOR WORKING CLASS FOR NAGPUR CENTRE

(Average prices for the calendar year 1960=100)

Groups	Weights proportional to the total expenditure	Group Index Numbers	
		February 1985	March 1985
I. Food	57.2	651	659
II. Pan, Supari, Tobacco, etc	3.8	594	594
III. Fuel and Light	5.7	917	921
IV. Housing	6.6	327	327
V. Clothing, Bedding and Footwear	10.9	623	626
V. Miscellaneous	15.8	452	454
Total ..	100.0		
Consumer Price Index Number		608	613

*Details regarding the scope and method of compilation of the index may be seen on pages 771 to 779 of January 1968 issue of *Labour Gazette*.

Note—For arriving at the equivalent of the old Index Number (1939=100), the new Index Number should be multiplied by the linking factor viz., 5.22.

PUNE*

588—Index Number remained steady

In March, 1985 the Consumer Price Index Number for Industrial Workers (New Series) for Pune Centre with base year 1961 equal to 100 was 588 which remained unchanged at the figure which was utilised in the previous month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Pune Centre.

The index number for the food group decreased by 1 point to 649 due to fall in the average prices of fresh fish and vegetables. The index number for the fuel and light group increased by 3 points to 794 due to a rise in the average price of firewood (Raywal). The index number for housing remained steady at 149 being a six monthly item.

The index number for clothing and foot-wear remained steady at 577. The index number for the miscellaneous group increased by 3 points to 500 due to a rise in the average prices of supari and laundry charges.

CONSUMER PRICE INDEX NUMBERS FOR WORKING

CLASS FOR PUNE CENTRE

(Average prices for the calendar year 1961=100)

Groups	Weight proportional to the total expenditure	Group Index Numbers	
		February 1985	March 1985
I. Food	55.85	650	649
II. Fuel and light ..	6.89	791	794
III. Housing	6.65	149	149
IV. Clothing and Footwear	10.31	577	577
V. Miscellaneous	20.30	497	500
Total ..	100.00	....	....
Consumer Price Index Number ..	....	588	588

*Details regarding the scope and method of compilation of the index will be found on pages 1727 to 1730 of the August 1965 issue of *Labour Gazette*. For Errata thereto, see page 217 of September 1965 issue.

JALGAON CENTRE

578—A fall of 7 Points

In March 1985 the Consumer Price Index Number for Industrial Workers (1961 = 100) for the Jalgaon Centre with base January to December 1961 equal to 100 was 578 being 7 points lower than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Jalgaon Centre.

The index number for the food-group decreased by 14 points to 622 due to a fall in the average prices of wheat, jowar, gramdal, dry-chillies and vegetables sub-group.

The index number for the Fuel and Light group increased by 1 point to 715 due to a rise in the average price of kerosene only.

The index number for housing remained steady at 188 being a six monthly item.

The index number for the clothing, and foot-wear group by remained steady at 601.

The index number for the miscellaneous group increased by 9 points to 480 due to a rise in the average price of hair oil only.

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS (NEW SERIES) FOR JALGAON CENTRE

(Average prices for the calendar year 1961=100)

Groups	Weight, proportional to total expenditure	Group Index Numbers	
		Feb. 1985	March 1985
I. Food ..	60.79	636	622
II. Fuel and Light ..	7.20	714	715
III. Housing ..	6.11	188	188
IV. Clothing and Footwear ..	10.29	601	601
V. Miscellaneous ..	15.61	471	480
Total ..	100.00	585	578
Consumer Price Index Number ..	....	....	....

*Details regarding the scope and method of compilation of the index will be found on pages 758 to 760 of the January 1966 issue of *Labour Gazette*.

Note.—To obtain the equivalent old index number on base August 1939=100, the new index number on base 1961=100 should be multiplied by the linking factor viz. 5.29.

NANDED CENTRE*

636—A fall of 10 Points

In March 1985 the Consumer Price Index Number for Industrial Workers (1961 = 100) for the Nanded Centre with base January to December 1961 equal to 100 was 636 being 10 points lower than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Nanded Centre.

The index number for the Food group decreased by 24 points to 682 due to a fall in the average prices of rice, jowar, turdal, gramdal, musurdal dry-chillies, tamarind, vegetable group.

The index number for the Fuel and Light group increased by 5 points to 793 due to a rise in the average prices of kerosene only.

The index number for housing remained steady at 386 being a six monthly item.

The index number for the clothing, and foot-wear group increased by 25 points to 556 due to a rise/fall in the average prices of dhoti saree and Long-Cloth.

The index number for the miscellaneous group increased of 13 points to 537 due to a rise in the average prices of Dr.'s daily mixture, Hair Oil.

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS FOR NANDED CITY

(Average prices for the calendar year 1961 = 100)

Groups	Weight proportional to total expenditure	Group Index Numbers	
		Feb. 1985	March 1985
I. Food ..	61.46	706	682
II. Fuel and Light ..	5.88	788	793
III. Housing ..	4.62	386	386
IV. Clothing, bedding and Foot-wear ..	12.22	531	556
V. Miscellaneous ..	15.82	524	537
Total ..	100.00	646	636
Consumer Price Index Number ..	....	....	....

*Details regarding the scope and method of compilation of the index will be found on pages 1130 to 1134 of March 1966 issue of *Labour Gazette*.

Note.—To obtain the equivalent old index number on base August 1943 to July 1944=100 the new index number of base 1961=100 should be multiplied by the linking factor viz. 2.15.

AURANGABAD*

641—A rise of 5 points

In March 1985 the Consumer Price Index Number for Industrial Workers (New Series) for Aurangabad Centre with base year 1961 equal to 100 was 641 being 5 points higher than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Aurangabad Centre.

The index number for the food-group increased by 3 points to 707 due to rise in the average prices of wheat, turdal, Oils, dry-chillies and prepared tea. The index number for the fuel and light group increased by 8 points to 780 due to a rise in the average price of kerosene. The index number for housing remains steady at 326 being a six monthly item.

The index number for clothing and foot-wear increased by 14 points to 592 due to a rise in the price of long cloth only. The index number for the miscellaneous group increased by 10 points to 510 due to a rise in the average prices of hair oil and shave.

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS
FOR AURANGABAD CENTRE

(Average prices for the calendar year 1961=100)

Groups	Weight, proportional to total expenditure	Group Index Number	
		Feb. 1985	March 1985
I. Food ..	60.72	704	707
II. Fuel and Light ..	7.50	772	780
III. Housing ..	8.87	326	326
IV. Clothing and Footwear ..	9.29	578	592
V. Miscellaneous ..	13.62	500	510
Total ..	100.00	....	....
Consumer Price Index Number ..		636	641

*Details regarding scope and method of compilation of the index will be found on pages 1130 to 1134 of March 1966 issue of *Labour Gazette*.

Note.—To obtain the equivalent old index number on base August 1943 to July 1944=100, the new index number on base 1961=100 should be multiplied by the linking factor viz 2.22.

ALL INDIA AVERAGE CONSUMER PRICE INDEX NUMBERS
FOR INDUSTRIAL WORKERS

The statistics for the last 12 calendar months from April 1984 to March 1985 are given in the following table —

TABLE

Month	Base 1960=100	*Base 1949=100
	2	3
April 1984	559	679
May 1984	562	683
June 1984	574	698
July 1984	585	711
August 1984	586	711
September 1984	589	716
October 1984	592	720
November 1984	595	723
December 1984	588	715
January 1985	588	715
February 1985	585	711
March 1985	586	712

* Index numbers under this column are derived from the 1960 based index.

THE STATEMENT SHOWING THE CONSUMER PRICE INDEX NUMBER FOR (INDUSTRIAL WORKERS)
GROUPS FOR SEVEN CENTRES OF MAHARASHTRA STATE FOR THE MONTH OF MARCH 1985

Centre	1	2	3	4	5	6	7	8	9	10	11	12
		Base	Food	Pan, Supari Tobacco etc.	Fuel and light	Housing	Cloth- ing, bedding and footwear	Misc- ellaneous	Con- sumer Price Index No. March 1985	Equiva- lent Old Index No.	Con- sumer Price Index No. Feb. 1985	Equiva- lent Old Index No.
Bombay	..	1960—100	686	689	822	185	585	496	624	2771	614	2726
Solapur	..	1960—100	654	561	736	273	603	470	609	2326	615	2349
Nagpur	..	1960—100	659	594	921	327	626	454	613	3200	608	3174
Pune	..	1961—100	649	....	794	149	577	500	588	....	588	....
Jalgaon	..	1961—100	622	....	715	188	601	480	578	3058	585	3095
Nanded	..	1961—100	682	....	793	386	556	537	636	1558	646	1583
Aurangabad	..	1961—100	707	....	780	326	592	510	641	1423	636	1412

Note.—For arriving at the equivalent Old Index Numbers the new Index Numbers may be multiplied by the linking factors mentioned against the respective centres as follows :—

BOMBAY : 4.44 SHOLAPUR : 3.82 NAGPUR : 5.22

JALGAON : 5.29 NANDED : 2.45 AURANGABAD : 2.22

Labour Intelligence

777

INDUSTRIAL RELATIONS IN MAHARASHTRA REVIEW FOR THE MONTH OF FEBRUARY 1985

Industrial Courts, Tribunals and Labour Courts

In all 2526 applications were received by the Industrial Courts, Tribunals and Labour Court during the month. Their break-up are as under:—

Serial No.	Name of the Industrial Court/Tribunal and Labour Court	No. of applications received during the month under the—			Total
		I.T. Act, 1946	I.D. Act, 1947	Other Acts.	
1	2	3	4	5	6
I. Industrial Courts/Tribunals—					
1	Industrial Court, Bombay ..	35			35
2	Industrial Tribunal, Bombay ..			83	83
3	Industrial Court, Nagpur ..	9			9
4	Industrial Tribunal, Nagpur ..			46	46
5	Industrial Court, Pune ..	4			4
6	Industrial Tribunal, Pune ..		9	33	42
7	Industrial Court, Thane ..	3		76	79
8	Industrial Tribunal, Thane ..		8		8
9	Industrial Court, Kolhapur ..	5		22	27
10	Industrial Tribunal, Kolhapur ..		1		1
11	Industrial Court, Amravati ..	1		30	31
12	Industrial Tribunal, Amravati ..				
13	Industrial Court, Nashik ..	4		15	19
14	Industrial Tribunal, Nashik ..		9		9
15	Industrial Court, A bad ..	1		66	67
16	Industrial Tribunal, A bad ..		1		1
	Total ..	62	51	371	484
II Labour Courts—					
1	Labour Court, Bombay ..	159	282	414	855
2	Labour Court, Pune ..		12	65	77
3	Labour Court, Nagpur ..	8	111	111	230
4	Labour Court, Thane ..	2	38	56	96
5	Labour Court, Kolhapur ..	2	8	28	38
6	Labour Court, Solapur ..	8	9	60	77
7	Labour Court, Akola ..		10	15	25
8	Labour Court, Nashik ..	1	3	13	17
9	Labour Court, Aurangabad ..	4	101	21	126
10	Labour Court, Sangli ..		3	72	75
11	Labour Court, Dhule ..		7	15	22
12	Labour Court, Amravati ..		6	23	29
13	Labour Court, Jalgaon ..		47	4	51
14	Labour Court, Bhandara ..		12	29	41
15	Labour Court, Ahmadnagar ..	1	266	16	283
	Total ..	185	915	942	2042

Wage Boards—No references was received by the Wage Board for cotta during the month under review.

Analysis of disputes handled by the Conciliation machinery in the State during February 1985 under various Acts is given

cause-wise analysis of the cases received during the month.—

Act	Issues relating to pay, allowances and Bonus	Employment, leave, hours of work and Miscellaneous causes	Total
1	2	3	4
Industrial Disputes Act, 1947	11	35	46
Bombay Industrial Relations Act, 1946	61	10	71
Bombay Industrial Relations (Extensions and Amendment) Act, 1964.	5	14	19
Total ..	77	59	136

Result-wise analysis of the cases dealt with during the month—

Act	Pending at the beginning of the month	No. of cases received during the month	Settled amicably	Ended in failure	Withdrawn or not pursued by parties	Closed	Total (4 to 7)	Pending at the end of the month
1	2	3	4	5	6	7	8	9
Industrial Disputes Act, 1947	935	302	72	154	60	40	326	911
Bombay Industrial Relations Act, 1946	102	71	1	0	10	..	17	126
Bombay Industrial Relations (Extension and Amendment) Act, 1964.	49	19	8	..	2	..	10	58
Total ..	1,086	392	81	160	72	40	353	1,125

Industry-wise and District-wise analysis of the cases received during the month under Bombay Industrial Relations Act and Bombay Industrial Relations (Extension and Amendment) Act, 1964 are given below :—

Act	Cotton Textile	Silk Textile	Chemical	Textile Processing	Hosiery	Banking	Sugar	Misc.	Transport	Total
1	2	3	4	5	6	7	8	9	10	11
Bombay Industrial Relations Act, 1946	12	51	..	1	..	5	..	..	2	71

Act	Textile Industry	Paper Industry	Chemical Industry	Press Industry	Electricity	Banking	Chemical Engineering	Local Bodies	Other Misc.	Total
1	2	3	4	5	6	7	8	9	10	11
Bombay Industrial Relations (Extension and Amendment) Act, 1964.	14	..	..	..	..	..	..	..	..	14

District-wise analysis is given below

Act	Bombay	Pune	Thane	Nagpur	Nanded	Aurangabad	Ahamadnagar	Total
1	2	3	4	5	6	7	8	9
Bombay Industrial Relations Act, 1946	71	..	..	..	..	..	..	71

Act	Amravati	Bombay	Wardha	Nagpur	Akola	Buldana	Total
1	2	3	4	5	6	7	8
Bombay Industrial Relations (Extension and Amendment) Act, 1964	15	2	..	17

LABOUR GAZETTE—MAY 1985

LABOUR GAZETTE—MAY 1985

INDUSTRIAL DISPUTES IN MAHARASHTRA STATE
DURING FEBRUARY 1985

	Feb. 1985	Janu. 1985	Feb. 1984
No. of Disputes ..	44	42	44
No. of Workers involved	10,374	17,466	10,07
No. of Man-days lost ..	2,23,218	3,60,595	3,61,705

Industry-wise classification is given below :—

Name of the Industry Group	Number of disputes in progress			Number of work people involved in all disputes	man-days lost in
	Started before beginning of the month i.e. before	Started during the month i.e.	Total		
1	2	3	4	5	6
Textile ..	..	..	..	..	..
Engineering ..	18	3	21	4,877	1,20,623
Chemical ..	11	..	11	2,435	53,703
Miscellaneous ..	11	1	12	3,062	48,892
Feb 1985 Total ..	40	4	44	10,374	2,23,218
Janu. 1985 Total ..	38	4	42	17,466	3,60,595

Twelve of the disputes arose over question of "pay, allowances and bonus issues" 4 related to "Retrenchment and grievances about personnel". No disputes on leave and hours of work and the remaining 28 were due to other causes.

Out of the 8 disputes that terminated during the course of the month, 2 disputes were settled either entirely or partially in favour of the workers, 6 in favour of the employers.

Note :—The figures given in the above Table are based on returns received under the collection of statistics Act, 1953. In compiling statistics of the industrial disputes however disputes in which 10 or more persons are involved are included.

THE FOLLOWING STATEMENT GIVES THE DETAILED INFORMATION OF IMPORTANT INDUSTRIAL DISPUTES CAUSING MORE THAN 10,000 MAN-DAYS LOST DURING THE MONTH OF FEBRUARY 1985

Serial No.	Name of the Concern	Sector	S/L	Reason	Date of work stoppage		Man-days during the month	workers involved	lost Till the close of the month	Result
					Began	Ended				
1	2	3	4	5	6	7	8	9	10	11
1	Thane— M. Tekson Ltd., Keshet Road, Thane.	Pvt.	S	Reinstatement	20-4-1981	....	459	10,752	5,34,872	Continued
2	Bombay— E. V. Batteries Ltd., Plot 1, Dharavi-Matunga, Bombay-19.	Pvt.	L	Unfair Labour Practices.	3-11-1983	....	1,170	27,708	4,80,498	Do.
	Bombay— Bharat Corpling Pvt. Ltd., Vidyanagar Marg, Bandra	Pvt.	S	Others— Fighting amongst the workmen.	11-7-1984	....	625	15,000	1,23,125	Do.
4	Interstate— Rubber and Industries Ltd., G. V. Road, Pune, Dist. Road, A. W. W., Bombay-58	Pvt.	L	Go-slow and Mass Indiscipline.	1-12-1984	....	1,000	24,000	77,000	Do.
5	Bombay— T. T. S. Marg, Mumbai	Pvt.	S	General Demands Wages, D.A. etc	10-12-1984	....	1,007	24,144	52,359	Do.
6	Raigad— Mahindra Ugin Steel Co. Ltd., Pvt. Jagdishnagar, Khopoli, district Raigad, 410 216.	Pvt.	S	Suspension of two workmen pending enquiry for assaulting a watchman.	8-2-1985	....	1,682	30,276	30,276	Do.