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INTERNATIONAL LABOUR OFFICE  
INDIA BRANCH

Industrial and Labour Development s in  
July-August 1963.

*Retour du Bureau  
de Moscou R.  
23 OCT 1963*

N.B. - Each Section of this Report may be taken out Separately.

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CHAPTER 1. INTERNATIONAL LABOUR ORGANISATION.

INDIA - JULY-AUGUST 1963.

11. Political Situation and Administrative Action.

Cabinets formed in Four Union Territories.

Popular Governments were set up on 1 July 1963 in the four Union Territories of Himachal Pradesh, Manipur, Tripura and Pondicherry.

Himachal Pradesh and Manipur have a three-man Cabinet each, including the Chief Minister, while Tripura has two Ministers and three Deputy Ministers. Pondicherry a former French territory, has six Ministers, including the Chief Minister.

Shri Y.S. Parmal has assumed office as Chief Minister of Himachal Pradesh, Shri Koiren Singh as Chief Minister of Manipur, Shri Sachindra Lal Singh as Chief Minister of Tripura and Mr. Eduard Goubert as Chief Minister of Pondicherry.

(The Hindustan Times, 2 July 1963).

2

Changes in Central Cabinet announced:  
Union and State Ministers leave posts  
to take up Party Work.

The All-India Congress Committee on 10 August 1963 unanimously adopted a resolution moved by the Shri Kamaraj Nadar, Chief Minister of Madras, proposing that leading congressmen should voluntarily leave ministerial posts and take up party organisational work. The resolution which was seconded by Shri S.K. Patil, Union Minister of Food and Agriculture, seeks to reorient the Congress Party. Consequent upon the adoption of the resolution - which has come to be known as the 'Kamaraj Plan', six Central Ministers and six Chief Ministers of States announced their decision to resign from office. The six Central Ministers are:

Shri Morarji Dessai, Minister of Finance.  
Shri Jagjivan Ram, Minister of Transport and Communications.  
Shri Lal Bahadur Shastri, Home Minister.  
Shri S.K. Patil, Minister of Food and Agriculture.  
Shri B. Gopala Reddi, Minister of Information and Broadcasting.  
Shri K.L. Shrivastava, Minister of Education.  
State

The six Chief Ministers are:

Shri K. Kamaraj of Madras.  
Shri B. Patnaik of Orissa.  
Shri Binodanand Jha of Bihar.  
Shri Chandra Bhanu Gupta of Uttar Pradesh.  
Shri B.A. Mandloi of Madhya Pradesh.  
Shri Bakshi Ghulam Mohamed of Kashmir.

Following the acceptance by the President of the resignation of the six ministers, changes in the Central Cabinet were announced on 30 August 1963. The new appointments are:

Shri G.L. Nanda, Minister for Home Affairs.  
Shri T.T. Krishnamachari, Minister for Finance.  
Shri Swaran Singh, Minister for Food and Agriculture.  
Shri Manubhai Shah, Minister of State in charge of Ministry of International Trade.  
Shri Nityanand Kanungo, Minister of State in charge of the Ministry of Industry.  
Shri O.V. Alagesan, Minister of State in charge of the Ministry of Mines and Fuel.  
Shri K.L. Rao, Minister of State in charge of the Ministry of Irrigation and Power.

Further changes both at the Centre and the States are being announced and there will be reported when they take place. (The Hindustan Times, 14 July, '1', 25 August, 1963).

3

Twenty-First Session of the Indian Labour  
Conference, 13 July 1963.

The 21st Session of the Indian Labour Conference was held at Delhi on 13 and 14 July 1963 under the chairmanship of the Central Labour Minister, Shri Gulzarilal Nanda. The Director of the New Delhi Office, Shri V.K.R. Menon, attended the Conference by special invitation.

The agenda of the Conference was: (a) Action taken on the main conclusions/recommendations of the previous session; and (b) Review of the working of the Industrial Truce Resolution.

Review of the Working of the Industrial Truce Resolution.— A memorandum submitted to the Conference by the Labour Ministry points out that the Industrial Truce Resolution was accepted by all Central Employers' and Workers' Organisations in November 1962. It placed some responsibilities both on employers and workers to maximise production, maintain industrial peace, ensure supply of essential commodities at fair prices and augment savings during the emergency.

Of late, complaints have been made by the Workers' Organisations that the Truce Resolution is not being implemented faithfully by employers. The Employers' Federation of India has also cited a number of instances of violation (mostly strikes) of the Truce by the workers and the All India Organisation of Industrial Employers has reported two cases.

To get an idea of the extent of non-implementation of the Truce Resolution and to determine what further action was required to be taken to ensure its better observance, the Union Labour Minister requested the Central Employers' and Workers' Organisations in March 1963 to send details of specific instances of violation of the Truce Resolution. After repeated reminders, replies have been received from two Central Employers' Organisations (Employers' Federation of India and All India Organisation of Industrial Employers) and three Workers' Organisations (A.I.T.U.C., H.M.S., and U.T.U.C.). The All India Manufacturers' Organisation and I.M.T.U.C. have not yet reported any case. In all 256 complaints (some of which had been reported earlier to the Central I & E Division) have been made — 14 in the Central Sphere and 222 in the State Spheres. These complaints of Workers'

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Organisations relate to 141 managements - 10 in the Central Sphere and 131 in the State Sphere. Forty complaints are against workers and 196 against employers; in addition, 6 complaints have been made by two Workers' Organisations against the Government of Rajasthan and Delhi Administration and two against the Industrial Tribunal, Delhi. Majority of the complaints concern employers in Delhi, Punjab and West Bengal. Most of the complaints against employers pertain to lay-off and retrenchment, non-implementation of awards, agreements etc., closure, reduction in shifts, unilateral action, unfair labour practices, discharges and dismissals and refusal of voluntary arbitration. Against workers, the complaints mostly relate to strike, non-cooperation, in working extra hours, etc. The complaints relating to State Sphere were forwarded to respective State Governments for investigation and comments. As the majority of cases were reported during May and June, 1965, they have not yet been finally investigated. ~~A statement giving the complaints and the position about those which have been~~

From the review made and the cases reported by the Central Organisations in response to the Union Labour Minister's letter, the following broad conclusions can be drawn:-

- (i) The Truce Resolution has generally worked well. Its impact was well-pronounced in the first few months, but thereafter it started tapering off. Recently, the Truce has been broken in several major cases and the industrial relations situation seems to be deteriorating.
- (ii) The Truce Resolution which requires workers and employers to work extra shifts, extra hours or on Sundays and holidays has contributed to an overall increase in industrial production.

The establishment of a large number of Emergency Production Committees in individual units is a welcome development of the Truce Resolution. It is hoped that through these Committees, the tempo of production would not only be maintained but accelerated.

(iii) The contribution of workers to defence effort in the form of donations, extra work and restraint on direct action has been commendable. Apart from numerous individual cases of donations to the Defence Fund and the resolve to work on rest days, the spirit shown by some parties in settling out of court their long-pending cases is noteworthy.

(iv) Some voluntary restraint was exercised by the parties in respect of their economic interests. This decisively helped in lessening pressure on prices and keeping them stable during the first few months of the emergency. The impact was not, however, sustained in subsequent months. While the consumer price index at 131 in April, 1962 was lower than that in October, 1962 (134) - though it was 2 points higher than the lowest (129) reached in February, 1963 - the wholesale price index reached almost the same level in April 1963 as in October 1962; it had touched a low figure of 125.8 in December, 1962. Since April, the wholesale price index has risen; in the second week of June, it was about 4 points higher than in April 1963. The following table indicates the trend of wholesale and consumer price indices:-

	Index Number of Wholesale Prices (1952-53=100)	All-India Consu- mer Price Index (1949 =100)
<u>1962</u>		
July.	129.6	152
August.	131.1	153
September.	130.5	153
October.	129.9	134
November.	130.1	153
December.	125.8	131
<u>1963</u>		
January.	126.0	150
February.	126.6	129
March.	127.2	150
April.	129.7	151
May.	132.1	-
June (15th).	133.7	(Provisional) -

The rising trend of wholesale prices, which is bound to be reflected in consumer prices also, is obviously a cause for concern. The matter needs consideration as for the success of the Truce Resolution, it is of utmost importance that prices should be contained.



A number of consumers' cooperative stores for industrial workers have been set up since the emergency but, in consideration of the dimension of the problems, much more remains to be done. The State Governments, the employers' and employees' organisations have a far more positive role to play in this regard than has been done hitherto.

(v) The extent of infringement of the Truce Resolution is not so large as to warrant a demand for its termination. The Resolution has not in any way hampered the growth of normal industrial relations as alleged by A.I.T.U.C.

(vi) There have been lapses on the part of both employers and workers. The main lapses on the part of employers are:-

(a) The employers have not lived up to their obligations in regard to retrenchment, lay-off, dismissal and discharge of workmen.

(b) In the matter of voluntary arbitration, the lapses on the part of employers are more pronounced, particularly in the State Sphere where in only 101 cases out of 2,582 were conciliation failed, arbitration was agreed to by employers. Some of the State Governments have reported that the employers do not yet favour the settlement of disputes through arbitration. In the Central Sphere also, the employers did not agree in a number of cases to refer the disputes relating to dismissal and retrenchment of individual workmen to arbitration.

(c) In the matter of donations to the National Defence Fund or making available for defence effort all advantages accruing to industry out of extra efforts of workers, the attitude of employers has not been unreserved. One of the Central Employers' Organisations has demanded consideration of the subject de novo.

(d) Bank employers had doubts about the applicability of the Truce Resolution to them. Some banks said that they were not a party to the Truce Resolution. When the matter was taken up with the Indian Banks' Association, it agreed to accept the Truce with a few clarifications regarding limitation of period for raising disputes, selection of arbitrators from a panel of retired judges and continuance of voluntary contracts between bank employers and employees. The Association has been informed that these clarifications are not necessary.

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(vii) The main lapses on the part of the unions are:-

(a) By resorting to work-stoppages, the workers in some units violated the provisions of the Truce Resolution.

(b) The recent opposition by a section of workers to the Compulsory Deposits Scheme is not in keeping with the letter and spirit of the Truce.

Chairman's address.- The Labour Minister, Shri Gulzarilal Nanda, in his address, inter alia, said that the Industrial Truce Resolution expressed the immediate and spontaneous response of the employers and workers to the call of the nation to repel the Chinese attack. A profound change occurred in the climate of industrial relations. The number of man-days lost declined abruptly in the month of November 1962. In December, January and February, the monthly rate of loss of man-days was about a sixth of the monthly average of corresponding periods of the previous year. This stretch of four months constitutes the most peaceful period in the industrial history of India. The anxiety of the working class to bring about the maximum increase in production for the sake of defence expressed itself in the numerous offers to work long hours and on Sundays and other holidays. Over 800 Emergency Production Committees are working at the enterprise level, where through labour-management collaboration, continuous efforts are being made to improve efficiency of operation and secure a progressive increase in production.

The record of progress in the field of arbitration has been much better than in the past. Of the cases which failed in conciliation in the Central Sphere, 25 per cent., were settled by the method of arbitration and if we are to exclude cases settled otherwise or considered unfit for adjudication, the proportion comes to 46 per cent. The conclusions reached at the Conference of representatives of public sector undertakings which was held in New Delhi on 11 July 1963, it is hoped, will lead to a remarkable improvement in the labour relations in the public sector. The process of mutual consultation and the tripartite arrangements should be strengthened and made more effective.

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Of late, he added, that there is a set-back in the peaceful climate of industrial relations. Complaints of violations of the terms of the Truce Resolution have started coming in. Hence, the need to restore a sense of urgency and to recapture the shining spirit of the earlier days.

Shri Nanda further said that the Compulsory Deposit Scheme will evidently facilitate the implementation of an undertaking which has already been embodied in the Truce Resolution on behalf of the workers. The Compulsory Deposit Scheme covered 27 to 30 per cent. of the workers employed in factories, mines and plantations and the earnings of the majority of the workers covered are Rs.1500 or more per annum. Compulsory Deposit Scheme embodied a very sound approach to the problems of mobilisation of a part of the needed resources in a country like ours. Workers may be persuaded to contribute to National Defence Fund and/or invest in Defence Bonds every month an amount equivalent to at least one day's earnings.

Setting up of Consumer-Cooperative stores should be regarded as a vital programme, he said, both by the trade unions and the employers and the machinery of the State should render all such help as may be needed. The question of consumer stores has an intimate bearing on the consideration of the problem of prices. Consumer Stores, preferably cooperative, must be organised rapidly. Fair price shops also have to be pressed into service to the extent necessary. In pursuance of this, 1863 new primary stores and 89 Central Stores have already been organised. The Union Labour Ministry took upon itself the task of establishing Cooperative Stores in the mining areas. At present, 119 such stores are functioning for the benefit of the miners. In addition, over 51,000 fair price shops have been opened in different parts of the country of which more than 1900 have been established during the last two months. The markets behaved exceptionally well during the first three months after the onset of the emergency. The all-India consumer price index which is based on commodities consumed by the working class stood at 134 (1949=100) in October 1962 and went down steadily in February 1963.

Decisions.— There was a general decision on the working of the Industrial Truce Resolution. Summing up the general consensus of opinion in the Conference, the Chairman observed that the Industrial Truce Resolution had, by and large, worked well. There had been instances of its violation by certain parties.

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But these should not be made a ground for similar lapses by other parties. What was needed was effective steps to ensure a more satisfactory working of the Truce Resolution. He announced that a high level Tripartite Standing Committee would be constituted to supervise the implementation of the Industrial Truce Resolution in all its aspects. The proposed Committee would consist of the Union Labour Minister as its Chairman, and a representative each of the four Central Organisations of workers and of the three Employers' Organisations represented on the Indian Labour Conference. The Committee would meet at frequent intervals and would be free to go into any matter connected with the successful implementation of the Resolution.

The question of price stability was highly important. The Government, he assured, were fully aware of this problem and would do their utmost, including the introduction of physical controls, when found necessary, to ensure that there was no undue rise in prices. Meanwhile, the effort should be in the direction of setting up, as rapidly as possible, consumers' cooperatives and fair price shops, particularly in centres having a large concentration of workers. The Employers and their Organisations could, particularly, play an important role in this direction.

With regard to arbitration the Chairman said the principle of voluntary arbitration had already been accepted, and urged that there should be greater recourse to arbitration in the settlement of disputes, particularly in cases relating to dismissals, discharge, etc.

It was necessary that workers' grievances should be attended to expeditiously and delays avoided to the utmost extent possible. To ensure this, the administrative machinery at the Central and State level should be streamlined and strengthened to the extent practicable.

Referring to the Compulsory Deposit Scheme, he explained that it did not directly arise out of the Industrial Truce Resolution. If, however, there were cases of practical difficulties or any proposals for its modification, these could also be gone into by the proposed high level Committee being set up to consider any matter connected with the successful implementation of the Resolution.

(Text of Memorandum and Conclusions of the 21st Indian Labour Conference, received from the Ministry of Labour and Employment and Indian Labour Journal, August 1965.)

12. Activities of External Services.

India - July-August 1963.

Mission

The Director visited Bangalore on 8 July, 1963, to hold discussions with the State authorities in connection with the Earth Moving Project.

Conferences

a) The Director attended the 21st Session of the Indian Labour Conference held at Delhi under the Chairmanship of the Central Labour Minister on 13 and 14 July 1963.

b) The Director attended a seminar on Problems of Private and Public Industrial undertakings organised by the Federation of Indian Chambers of Commerce and Industry from 6-8 August 1963. He was co-chairman of the Group dealing with Labour Policy and Corporate citizenship.



Chapter 3 Economic Questions

34. Economic Planning, Control and Development.

India - July-August 1963.

Special Institute for training of Steel Engineers to be set up in Bangalore.

Shri C. Subramaniam, Union Minister for Steel and Heavy Industry, while laying the foundation of the Central Machine Tool Institute in Bangalore, on 5 July 1963, said that he had been contemplating the starting of a special institute for the training of steel engineers in the country. The Institute, the building for which is expected to be completed in about 18 months time, is being established in Bangalore by the Ministry of Steel and Heavy Industry with the financial and technical collaboration from the Czechoslovak Government. The Mysore Government have given a 32 acre plot for housing the Institute. Shri Subramaniam stressed the need for further expansion of technical education and specialisation in technology and said the time had come to further diversity education providing for more academic freedom in the various engineering, science scientific institutions.

(The Hindu, 6 July, 1963).

Stabilisation of Jute Industry: Committee  
Favours Government Control on Prices.

The setting up of a high-powered Jute Development Board under the control of the Ministry of Food and Agriculture has been recommended by the Jute Committee headed by Shri H.C. Srivastava, Adviser to the Planning Commission.

The Committee has suggested that the functions of the Board, on which major jute growing States may be represented, should also cover jute marketing, stabilisation of jute prices and jute transport.

The Committee, appointed by the Government of India had been asked to suggest ways and means of increasing the exports of jute manufacturers.

A series of measures to ensure stability in the price of jute goods have been recommended by the Committee. These include the establishment of jute goods buffer stock which will minimise fluctuations in the prices of jute goods due to seasonal or short-term changes and the setting up of regulated markets in the jute growing areas.

Instability of Prices.- According to the Committee, instability of prices has been the most important adverse factor affecting competitive position of jute manufacturing manufactures in world markets.

The Committee said that a policy of supporting the price of jute above pre-determined "floor" by means of buffer stock operations was adopted for the first time in the 1961-62 season and suggested that the Government should have full operational control over any agency which might be entrusted with buffer stock operations and price support arrangements.

It came to the conclusion that there was no need for continuance of the working time agreement of the Indian Jute Mills Association (IJMA) in view of the achievements of self-sufficiency in raw material and the rising demand for jute goods both internally and externally.

The installation of the additional capacity and the level of production in jute industry are at present strictly controlled by IJMA under the working time agreement which controls 96 per cent. of jute looms installed in India and has been virtually unchanged since 1959.

The Committee has pointed out some "grave disadvantages" which are inherent in the working time agreement. First, it is basically restrictionist in outlook and in the last ten years at any rate it has been operated to keep the level of production of Indian mills static, although the world demand for jute manufactures has expanded appreciably. The increased demand has thus gone entirely to the now vigorous and expanding jute industry of Pakistan.

Secondly, the agreement operates to protect inefficient units from the full effects of competition. At the same time it prevents the more efficient units from expanding and availing themselves of the economies of sale (except to the extent that they can do by amalgamating different units under the control of the same managing agencies).

Thirdly, it has limited the availability of yarn for manufacture of jute goods of special types by pegging it to a level which is determined by each mill's installed capacity as it was in 1939.

Lastly, the forecasts on which the operation of the agreement is based are essentially of a short seasonal character. It does not appear proper to attempt to achieve stability in export prices in the short run by making frequent changes in the level of production.

(The Hindu, 4 August 1963).



36. Wages.

India - July-August 1963.

Results of Labour Bureau's Survey on Occupational Wages published.

The Labour Bureau of the Union Ministry of Labour and Employment has released the main report on the occupational wage survey which was conducted in 44 major manufacturing, mining and plantations industries in the country.

The report contains valuable information on wage rates and pay roll earnings of workers in different occupations in each of the industries covered, and other ancillary information on overtime working and incentive bonus systems. It fills the long-felt gap in the wage statistics of the country particularly in respect of occupational wage data. The results of the survey are expected to help wage fixing authorities.

The results of the survey show that in most of the industries the average earnings of a majority of workers range between Rs.2.01 and Rs.5.00 per day. Generally speaking, average earnings are low in unorganised and agricultural type of industries such as match, bidi, cashewnut factories, tobacco curing and bolts and nuts, and plantations, in which the work is mostly of an unskilled nature or does not require any appreciable degree of skill. In these industries the average daily earnings of a large majority of workers were less or Rs.2.00 per day.

On the other hand, the average earnings of most of the workers exceed Rs.2.00 per day in all organised industries, for example, textiles, engineering, cement, paper, petroleum refineries, cigarette factories and coal mines, etc.

Among the high wage industries, i.e., where average daily earnings of a majority of the workers exceed Rs.5.00 are metal extracting and refining, ship-building and repairing, petroleum refineries, soap factories and cigarette factories.

The survey results show that the practice of overtime working is prevalent in most of the industries, the only exceptions being clothing manufacture, bidi factories, coffee and rubber plantations and mica mines.

Incentive Bonus Schemes.- Incentive Bonus schemes have now been introduced in most of the industries but the percentage of units having such schemes, in many of them, was quite low. The average daily incentive earnings of workers covered under the schemes ranged from Re.0.09 in iron ore mines to Rs.4.35 in match factories.

The survey has also made available for the first time some interesting data on the occupational structure in various industries in the country. It revealed that the number of occupations in different industries ranged from less than 10 in plantations to over 250 in cotton mills and the metal extracting and refining industry.

(The Hindu, 23 July, 1963).

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CHAPTER 4. PROBLEMS PECULIAR TO CERTAIN  
BRANCHES OF THE NATIONAL ECONOMY.

INDIA - JULY-AUGUST 1963.

41. Agriculture.

Agricultural Refinance Corporation constituted.

Shri Morarji Desai, Union Minister for Finance inaugurated in Bombay on 1 July 1963, Rs.250 million Agricultural Refinance Corporation describing it as a big landmark in the development of agricultural credit. He expressed the hope that the new institution, in which the Reserve Bank, scheduled banks and other credit institutions are participating, would ultimately take the place of the Reserve Bank in respect of organising long-term credit for agricultural operations.

Shri Desai noted that land mortgage banks, which provided long-term credit, had increased from five to 18 in the last 10 years and primary units had increased from 280 to 535. But these institutions at present lent only for purposes of liquidation of old debts, which did not relieve the shortage of long-term credit in full measures. What was required was getting credit for long-term development schemes where large sums were required and where returns might not be obtained till such schemes became profitable after a few years. The new institution was intended to provide this.

Referring to the role of scheduled banks in agricultural development, Shri Desai said these banks had not looked upon agricultural credit with favour because it had not been profitable for them to do so. Shri Desai agreed that profit and security were ~~leading~~ prime considerations for lending operations by scheduled banks but pointed out that it would be disastrous to adopt a rigid attitude.

Out of its 250 million rupees authorised capital, the Corporation will start with 50 million rupees interest-free loan from the Union Government and 50 million rupees to be subscribed by way of shares by the participating agencies, including the Reserve Bank, commercial banks, cooperative and other credit institutions.

Among others who addressed the meeting included Shri P.C. Bhattacharya, Governor of the Reserve Bank, Prof. D.G. Karve, Deputy Governor of Reserve Bank and Shri V.L. Menzla, founder of the Indian Cooperative movement and Chairman of the Committee on cooperative credit.

(The Hindustan Times, 2 July, 1963).

Bombay City(Inami and Special)Tenures Abolition  
Bill, 1963.

The Government of Maharashtra published on 29 August 1963 the text of the Bombay City (Inami and Special) Tenures Abolition Bill, 1963, proposed to be introduced in the Legislative Assembly of the State.

According to the Statement of Objects and Reasons of the Bill, in pursuance of its policy of the abolition of inams and non rayotwari tenures in the State, Government proposes to abolish the three inam grants and the special tenures, known as pension and tax tenure, quit and ground rent tenure, foras tenure and Senadi tenure prevailing in the City of Bombay, and hence this Bill.

Clause 3 of the Bill provides for extinguishment of the special rights of the inamdars and tenure holders, enjoyed by them under the inam grants or special tenures. Sub-clause(1)(e) of clause 3 ensures continuance of the present holders on the lands. Sub-clause(2) of clause 3 provides that even on the abolition of inams and special tenures holders of inams or special tenure lands, which were part of public trusts created for the charitable purposes of education or medical relief or of public trusts which are not communal in character, should not be required to pay to Government anything more than what they have been at present paying so long as the lands and properties continue to be part of public trusts and used for the object of the trusts. The holders of all other inam and special tenure lands are made liable to pay full rent or land revenue leviable on the lands held by them, but in order that this should not entail any hardship on them, clause 18 provides for an amendment of section 8 of the Bombay City Land Revenue Act, 1876, which would require the Collector to levy land revenue or rent on these lands in a graduated manner during the period of twenty years immediately following the date of the abolition of inams and special tenures.

Clauses 4, 5 and 7 provide for the payment of compensation to the inamdars and tenure holders and others.

The other clauses, which are for other consequential matters, are on the lines of the corresponding provisions of the Land Tenure Abolition enactments in operation in the pre-Reorganisation area of the State.

(The Maharashtra Government Gazette,  
Part V, 29 August, 1963, pp. 188-195).

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42. Co-operation.

India - July-August 1963.

Conference of Farmers and Agricultural Engineers:  
Board for Manufacture of Improved Implements  
to be set up.

A two-day conference of farmers, agricultural engineers and manufacturers and fabricators of agricultural implements was held at New Delhi on 16 July 1963. The meeting was addressed, among others, by Shri Ram Subhag Singh, Union Minister for Agriculture and Shri Shrinan Narayan, Member Planning Commission.

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Addressing the meeting Shri/Subhag Singh stated that Union Government will set up a high-power board to supervise the manufacture of improved agricultural implements to boost food production. The board will include a representative each from the Ministries of Food and Agriculture, Community Development and International Trade, the Planning Commission, the State Trading Corporation, manufacturers of big as well as small tractors, dealers and fabricators of agricultural implements, co-operative societies and a few farmers.

In his address to the conference Shri Shrinan Narayan, Member Planning Commission, urged that the cuts imposed on agricultural schemes in the wake of the emergency must be restored and promised that the Planning Commission would make available more funds to the States in order to step up agricultural production. Shri Narayan said agricultural production could not be improved "by miracles or magic" but by better implementation of the programmes included in the third Plan. He said agricultural production concerned nearly 70 million families and persistent efforts were needed to win them over to modern techniques. He regretted that nearly 50 per cent. of all tractors were idle for want of repair. This was a waste of national resources.

Shri Narayan suggested that emphasis be laid on power tillers and on improving existing implements. Efforts should be made to produce a few tractor models so that maintenance and servicing become easy.

Shri Narayan was of the view that the wooden implements used by the farmers should not be indiscriminately scrapped in favour of iron tools. The latter would cost much more and bullocks might not be able to drive them. The farmer would thus lose even his old implements. Efforts should also be made to increase bullock power through improved animal husbandry.

The conference recommended that State Governments exercise vigilance over the sale of iron and steel at controlled rates. The Heavy Industries Ministry should invite applications for the manufacture of power tillers and small tractors. Imported power tillers suited to Indian conditions alone should be licensed for production.

Another recommendation related to the setting up of at least one workshop at the district level for the repair and maintenance of improved implements.

(The Hindustan Times, 17 July, 1963).



Report on Progress of Land Reforms published:  
Delay in Payment of Compensation due to absence  
of Records.

According to the latest report on progress of land reforms brought out by the Planning Commission, about 2,250 million rupees out of an ~~estimated~~ estimated 6,410 million rupees have so far been paid to ex-intermediaries as compensation either in cash or in the form of bonds. The delays in the payment of compensation have occurred mainly on account of difficulties arising out of assessment of compensation. In States where flat rates of compensation have been adopted and an up-to-date record of rights is available speedier progress has been possible as in Uttar Pradesh and Madhya Pradesh.

The report points out that in many States the legislation provides for assessment of compensation as a graded multiple of the net total income of an intermediary. Before a multiple applicable to an intermediary can be determined, it becomes necessary to ascertain the total income of the intermediary in respect of all his estates or shares in estates. In several States, there was hardly any up-to-date record of rights on the basis of which estimates of the assets of an intermediaries could be framed.

In Madras and Andhra, there is a further difficulty arising out of the provision relating to compensation to the ryotwari demand to be determined after ryotwari settlements have been made in the ex-zamindari estates. This has taken time. The report says that within these limitations the State Governments are doing their best to expedite payment of compensation.

The report which brings up-to-date the developments which have taken place in various States in the field of land reform records that intermediary tenures like zamindaris, jagirs, inams, etc., which covered more than 40 per cent. of the area of the country have almost been entirely abolished. On abolition of intermediaries, the vestiges of feudalism have been removed and a large body of tenant estimated at 20 millions have been brought into direct relationship with the State. As a result, says the report, the social and economic position of the tenants has considerably improved.

Ceiling on Holdings.- According to the report, legislation for ceiling on existing holdings has been enacted in all the States and the Union Territories except the Punjab. In the Punjab area, the law empowers the Government to settle ejected tenants on surplus lands in the possession of a person above the permissible limit of 30 standard acres.

The report reveals that the progress in the implementation of the legislation has not been speedy.

In Jammu and Kashmir about 450,000 acres of land were taken over by the State Government and of this 230,000 acres have been settled with tenants who were in possession of the surplus land. The bulk of the remaining area has been allotted to displaced persons.

In West Bengal, about 270,000 acres of agricultural land have been taken over by Government and settled with bargadars (share-croppers) or landless workers temporarily on a yearly basis.

In Assam, rules under the legislation enacted in 1957 have been framed and declarations of surplus holders obtained which are under scrutiny. No surplus land have yet been taken over.

In Andhra Pradesh, Gujarat and Uttar Pradesh, preliminary steps are being taken for implementation of the legislation. In Bihar, Madras, Maharashtra and Madhya Pradesh also legislation has been enforced but further steps for implementation have to be taken.

In Punjab, 293,451 standard acres have been declared surplus and 10,853 tenants settled in 18,005 standard acres.

In other States, the legislation is yet to be enforced.

Though there has been a good deal of legislation for prevention of fragmentation, the report discloses that it has not yet been enforced, in Andhra Pradesh, Assam, Orissa, Punjab, West Bengal, Manipur and Tripura.

The progress in regard to consolidation of holdings also is reported to be not appreciable in many States. The main limiting factors are stated to be lack of trained personnel and cost.

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

INDIA - JULY-AUGUST 1963.

50. General.

Labour Conditions in Glass Industry: A Survey  
Undertaken by Labour Bureau.

The Labour Bureau survey of the labour conditions in glass industry conducted during the period April-September 1962 is the third in the series (the first inquiry having been conducted in 1952-53 and the second in 1955). It covers, apart from the factories registered under the Factories Act, the cottage and small scale establishments also, as these employed a good number of workers.

Sampling Design:a) Factory Sector.- In view of the large concentration of these factories in the States of Maharashtra, Uttar Pradesh and West Bengal, each of these States was treated as a separate stratum for the purpose of the enquiry. The factories in the remaining States were clubbed together to form the 'Rest of India' stratum. On the basis of employment data the factories located in the first three States were classified into four groups, viz., "1 to 50", "51 to 150", "151 to 500" and "501 and above". In view of the smaller number of units in the "Rest of India" stratum it was decided to classify these units into two groups, viz., "1 to 150" and "151 and above". Of the 282 units in the frame, 56 were selected for the enquiry. Of these, 12 units were found either closed or belonging to some other industry-group. Only 6 of these twelve units could be substituted as substitutes were not available for the remaining six units. Thus, in all 50 units were finally covered.

b) Cottage Sector.- The units located within the municipal limits of Calcutta, Bombay, Varanasi and Ferozabad were covered. Of the 78 sampled units, only 57 were actually covered during the course of the survey. The remaining 21 units - 2 in Calcutta and 19 in Bombay - were not covered because they either belonged to factory sector or some other industry group or were found closed or employed only family labour.

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Factory Sector: Employment: Direct and Contract Labour.- The total number of workers, as estimated on the basis of the data collected from the 50 sampled units was 57,140. Of these, 52,023 workers or 91.0 per cent., were employed directly by the principal employers whereas 5,117 workers or 9.0 per cent., were employed and paid by the contractors. Stratum-wise position reveals that contract labour was not employed in Maharashtra, was negligible in West Bengal and "Rest of India" but was significant in Uttar Pradesh being 22.4 per cent. of the total labour in that State. Among the employment size groups also there is considerable variation. Leaving aside Maharashtra where no contract labour was employed, whatever little contract labour was employed in West Bengal and "Rest of India" strata, it was in the employment group "151 and above" whereas in Uttar Pradesh most of the contract labour employed in that State was in the employment group "1-150". On an all-India basis, the percentage of contract labour to total labour was 31.0 in group "1-150" and 2.3 in the group "151 and above".

Contract labour was generally engaged on jobs like loading and unloading, construction work, breaking of coal, carrying of broken pieces of glass from one place to another, design-cutting on bangles, manufacturing jobs, etc. The reasons advanced by the employers for entrusting such work to contractors were economy, convenience, custom, irregular nature of jobs, etc. The principal employers were generally not in favour of replacing the contract labour by the direct labour. Only 10 out of the 50 units covered during the survey were found to employ contract labour. Only in 2 out of these 10 units employing contract labour, the managements ensured that the workers of the contractors were treated fairly in the matter of payment of wages.

Employment of Women and Children.- Of the 57,140 workers employed directly as well as by contractors, it was estimated that 2,878 workers or 5.0 per cent. were women and 34 workers or 0.1 per cent. were children. Stratum-wise break-up shows that the percentage of women workers to the total was the highest (8.3) in "Rest of India" and the lowest (2.0) in Uttar Pradesh. Children were reported to be employed in West Bengal only wherein their percentage to the total labour was only 0.3. The percentage of women workers was nearly 5 in both the employment groups.

Employment Status of Direct Workers.- 49.4 per cent. of the total labour was permanent and 41.8 per cent. temporary. The percentage of casual labour was low (4.7). Stratum-wise break-up shows that the percentage of permanent workers was the highest (72.1) in Maharashtra and the lowest (17.2) in Uttar Pradesh. Employment group-wise break-up shows that the percentage of permanent workers to the total labour was 26.7 in the lower employment group and 54.3 in the upper employment group.

Piece-rated and Time-rated Workers.- As many as 95.5 per cent. of the total workers were employed on time-rated basis. The remaining 4.5 per cent. of the total workers were employed on piece-rate basis. Stratum-wise break-up shows that the percentage of time-rated workers to the total labour was the highest (97.0) in Rest of India and the lowest (93.1) in Maharashtra. Employment group-wise break-up shows that the percentages of time-rated workers to the total labour in the employment groups "1 to 150" and "151 and above" were 90.0 and 96.7 respectively.

Length of Service.- As many as 47.4 per cent. of the total workers had less than one year's service. Of these, 91.7 per cent. were temporary and the remaining 8.3 per cent. permanent workers. The percentage of those workers, who had put in a service of 10 years or more, to the total labour was only 12.1. None of these workers was temporary. The percentages of those workers, who had put in 1 to 5 years' and 5 to 10 years' service, to the total labour were 26.6 and 13.9 respectively.

Absenteeism.- The overall rates of absenteeism for the industry varied from 12.5 per cent. in January 1961 to 21.8 per cent. in April 1961. The monthly average for the entire year 1961 was 15.9 per cent. although there were frequent variations from month to month. In all the strata absenteeism was uniformly high during the months February to May 1961 which might be partly due to the fact that during these months crops were being harvested. Stratum-wise break-up shows that the percentages of average annual absenteeism was the highest (20.6) in Uttar Pradesh and the lowest (13.2) in West Bengal. Employment group-wise break-up shows that the percentage of absenteeism in the employment group "1 to 150" was 20.0 as compared to 15.1 in the employment group "150 and above". This was mainly due to higher rates of absenteeism prevailing in units of the lower size-group in Uttar Pradesh. In Uttar Pradesh unlike other strata, absenteeism was higher (24.2) in lower size-group as compared to that in higher-size group (18.7). The main reasons for high rate of absenteeism in the industry were sickness, domestic and personal affairs.

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visits to native places for religious and social ceremonies and agricultural work, viz., harvesting and sowing of crops. Some of the units reported that some workers absented themselves from their work merely because of their habit and lack of any sense of duty and discipline in them. For reducing absenteeism some units had introduced schemes of incentives based on attendance, such as attendance bonus scheme. A few units also resorted to disciplinary action against unauthorised absence under the Standing Orders framed by them.

Recruitment and Training.— The most common method of recruitment was direct. The workers used to come of their own accord in search of employment and they were recruited directly at the gate. The other methods adopted for the recruitment of workers were either through existing workers or Employment Exchanges. The services of Employment Exchanges were however, utilised by ~~the~~ the units in the employment group "151 and above" only. The units in the employment group "1 to 150" recruited their workers either directly or through their existing workers.

Schemes of Apprenticeship Training, etc.— Schemes of apprenticeship and training were in existence in only 10 out of 50 units for which information could be collected. Except one unit in Uttar Pradesh all the units which had introduced such schemes were in the employment group "151 and above".

Wages and Earnings.— From the point of view of daily earnings important categories of workers engaged in this industry were Blowers (Rs.6.84), Fitters (Rs.5.47), Machine Operators (Rs.5.13), Carpenters (Rs.4.19), Masons (Rs.4.15), and Turners (Rs.4.06). The average daily earnings would have been much higher but for very low earnings of fitters (Rs.2.60), turners (Rs.2.64) and masons (Rs.3.20) in Uttar Pradesh and of Carpenters (Rs.3.22) in 'Rest of India'. Some of the categories of workers whose earnings were low were Wrappers (Rs.1.20), Grinders (Rs.1.91), Female Mazdoors (Rs.1.92), Mixers (Rs.2.02), Neckmakers (Rs.2.05), Airmen (Rs.2.07), Oilmen (Rs.2.14), Lehrman (Rs.2.15), Bubble Holders (Rs.2.17), Male Mazdoors (Rs.2.29) and Moulders (Rs.2.41). The average earnings of these workers also would have been a little higher but for very low earnings of their counterparts in Uttar Pradesh and 'Rest of India' strata. Other important categories of workers employed in the Glass industry were Cutters, Helpers, Bubblers and Firemen. Their average-daily earnings were Rs.3.27, 3.76, 2.69 and 3.18 respectively. Employment group-wise break-up shows that the average daily earnings of all categories except Turners, Grinders, Carpenters, Masons, Pressmen, Lehrman and Mixers were higher in bigger factories as

compared to those in smaller factories.

The daily earnings of Tarwalas and Bhangaiwalis were the highest (Rs.26.47) and the lowest (Rs.1.40) respectively. Employment group-wise break-up shows that the earnings of different categories of workers employed in the two employment groups did not vary much. The Tarwalas were paid the highest wages as they were doing the most dexterous job and their services were indispensable for this industry. Excluding this category, it is found that the average daily earnings of Belanwalas were the highest (Rs.8.65). The other categories of workers having high earnings were Muthewalas (Rs.5.83) and Kataiya (Rs.5.75). Besides Bhangaiwalis, the other categories of workers having very low earnings were Piraiya (Rs.2.34), and Lom Carrier (Rs.2.46). Employment group-wise break-up shows that the earnings of all categories except Sikaiwala, Gulliwala and Kataiya were higher in bigger factories as compared to those in smaller factories.

The nature of jobs of piece-rated workers employed in Glass Bangle factories and other Glass Factories were similar. The earnings of cutters were the highest (Rs.101.88). Excluding this category which was found only in Uttar Pradesh, the other jobs in which earnings were comparatively high were Blowing (Rs.81.26), Mixing (Rs.62.50) and Packing (Rs.52.84). The monthly earnings of Grinders, who were found only in Maharashtra, were the lowest (Rs.22.10). Employment Group-wise break-up shows that only packing was got done on piece-rate basis in bigger as well as smaller factories and the earnings of packers were higher (Rs.57.13) in bigger factories as compared to those (Rs.23.04) in smaller factories.

Dearness Allowance.— Generally workers in this industry were paid consolidated wages. However, the system of paying separate dearness allowance existed in 10 of the sampled units (1 in Maharashtra, 2 each in Uttar Pradesh and West Bengal and 5 in 'Rest of India'). All such units except 1 each in Uttar Pradesh and West Bengal were bigger factories. Dearness allowance was paid at a flat rate in two units (U.P.), it varied with income groups in 6 units (1 in Maharashtra, 2 in West Bengal and 3 in 'Rest of India'), it was linked to Consumer Price Index Number in 1 unit (Rest of India stratum) whereas in the remaining 1 unit (Rest of India stratum), it was given arbitrarily.

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The flat rate of dearness allowance was Rs.20 per month in both the units. In one unit it was paid to all workers whereas in the other unit it was paid only to those workers whose salary was less than Rs.100 per month.

House Rent Allowance.- Of the 50 units only 1 in ~~4 - 1 each in Maharashtra~~ 'Rest of India' stratum paid house-rent allowance at the rate of Rs.2.00 to Rs.5.00 per month to all those workers who were not provided with any housing accommodation.

Other Cash Allowances.- Of the 50 units only 4 - 1 each in Maharashtra and West Bengal and 2 in 'Rest of India' stratum - allowed some other cash allowance like night shift allowance, foot-wear allowance, milk allowance and special allowance. Night shift allowance was paid to workers by 3 units - one each in Maharashtra, West Bengal and 'Rest of India' strata - at the rate of Rs.0.25 to Rs.0.50 per day; 5 per cent. of the basic pay plus dearness allowance and 6 per cent. basic pay respectively. Footwear allowance ranging between Rs.5.00 and 20.00 per annum was paid to certain categories of workers employed in the mixing, blowing and finishing departments of 2 units in Rest of India stratum. One of the 2 units in Rest of India stratum paid a milk allowance of Rs.0.25 per day and a special allowance of Rs.2.00 per month only to mixers.

Bonus.- Details regarding the different types of bonuses paid to workers in 1960-61 in the sampled units are given below:

Profit Bonus.- Such bonus was paid in 8 units - 2 each in Maharashtra and Uttar Pradesh and 4 in 'Rest of India' stratum. All these units belonged to employment group "151 and above". The amount of bonus was 1 month's earnings in one unit in Maharashtra and 1 month's earnings in three units in Uttar Pradesh and 'Rest of India' strata. In 3 more units - 1 each in Maharashtra, Uttar Pradesh and 'Rest of India' strata - it was paid on percentage basis which varied from 11 to 30 per cent. of total earnings of a worker. The remaining unit in 'Rest of India' stratum distributed 25 per cent. of the net profit as bonus amongst its workers according to their basic wages subject to a minimum of 15 days' basic wages of a worker. Of the 8 units, 6 gave bonus to all workers whereas the remaining 2 units allowed it only to their permanent workers.



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Production Bonus.- Only 3 units - 1 in Maharashtra and 2 in 'Rest of India' stratum paid monthly production bonus to their workers. One unit in Maharashtra paid it at the rate of Rs.10.00 to Rs.20.00 per month per worker only to Blowers, Cutters, Helpers, etc., who worked at the furnace. One of the 2 units in 'Rest of India' stratum paid 15 per cent. of the total bonus, which was fixed on the basis of percentage of first quality articles produced, to manufacturing workers in proportion to wages earned by them during the month and the remaining amount of bonus was equally distributed amongst all workers including manufacturing workers the other unit paid it only to its permanent workers at the rate of 20 per cent. of the basic wages plus dearness allowance.

Incentive Bonus.- This type of bonus was paid by 11 units - 4 in Maharashtra, 1 in Uttar Pradesh, 2 in West Bengal and 4 in 'Rest of India' stratum. All these units, except 1 in West Bengal, belonged to the employment group "151 and above". Further, except one unit in West Bengal which paid weekly bonus, all paid it on monthly basis. Of the 11 units, as many as 8 paid the bonus to all furnace workers, like cutters, helpers, blowers, machine operators, airmen, etc., two paid it only to Blowers whereas the remaining unit paid it only to Automatic Machine Operators and their Assistants. The bonus was paid only when the total number of articles produced exceeded the specified number. Its rate also varied according to the size of the article manufactured.

Efficiency Bonus.- Only 1 unit in West Bengal paid monthly efficiency bonus at the rate of 30 pice (i.e. 20 p.) per hour to those workers who had put in at least 30 days of continuous service.

Attendance Bonus.- Only 4 units - 3 in Maharashtra and 1 in West Bengal unit which was paying efficiency bonus also paid attendance bonus at the rate of 10 per cent. of the efficiency bonus to its workers if they had put in cent per cent attendance during the month under reference. Of the three units in Maharashtra, one paid attendance bonus at the rate of 5 days' wages to those permanent workers only who had completed 280 days' ~~wage~~ attendance in a year; another paid 2 days' wages in a month to those workers in furnace, mechanical and watch and ward departments, who had put in cent per cent attendance during the month whereas the remaining unit paid a monthly attendance bonus of Rs.10.00 to those Cutters and Helpers who had put in cent per cent attendance during the month.

Annual Bonus.— Only 2 units - one each in Maharashtra and West Bengal - paid such bonus to their workers. The former unit paid  $8\frac{1}{3}$  of total earnings during 1961 as annual bonus only to its permanent workers whereas the latter unit paid 3 months' basic wages as bonus to all workers provided they had not absented themselves for more than 14 days in the year.

Other Bonus.— The other kinds of bonus paid were Faja bonus, Dewali bonus, ex-gratia payments, etc. These were paid in 10 units (3 in Maharashtra, 1 in Uttar Pradesh, 5 in West Bengal and 1 in 'Rest of India' stratum). The amount of bonus varied from 11 days' wages (in one unit in rest of India stratum) to all those workers who had put in 230 days' attendance in the year to 2 months' average earnings during the year (in one unit of Uttar Pradesh) to all workers without any condition.

Working Conditions: Hours of Work.— For the general shift, the number of working hours per day and per week were 8 and 48 respectively. The rest interval was generally 1 hour, but in a few cases it varied from  $\frac{1}{2}$  to 2 hours. The daily hours of work for the workers working in shifts were generally  $7\frac{1}{2}$ . There were  $7\frac{1}{2}$  hours a day in 32 units; less than  $7\frac{1}{2}$  hours a day in four units cases and more than  $7\frac{1}{2}$  hours a day in five cases. In one unit where children were employed there were only 5 hours a day. In 4 units the daily working hours of night shifts were less than by  $\frac{1}{2}$  to 1 hour as compared to those of day shifts. The rest interval was  $\frac{1}{2}$  hour in most of the cases but in a few cases it went upto 1 hour. The weekly hours of work varied from  $41\frac{1}{2}$  to 48.

Weekly-off with Pay.— Only 30 units - 5 in Maharashtra, 9 in Uttar Pradesh, 7 in West Bengal and 9 in 'Rest of India' stratum - granted weekly-off with pay to their workers. Of these, only 8 units allowed it to all workers whereas the remaining 22 units allowed it only to selected categories like permanent, skilled, monthly-rated, firemen, watch and ward staff, etc. In one unit, where 1,650 workers were employed on monthly basis, the weekly-off with pay was allowed only to 50 workers selected according to the discretion of the management after taking into account the length of service put in by the workers.

Casual Leave.- Of the 50 units, only 11 - 4 in Maharashtra, 1 in Uttar Pradesh and 6 in 'Rest of India' stratum - allowed casual leave with pay to their workers. Its duration varied from 2 to 10 days per annum in Maharashtra and Uttar Pradesh and 5 to 12 days in 'Rest of India' stratum. In 4 units all workers were allowed such leave provided they had put in a specified period of service whereas in the remaining 7 units such leave was allowed either to permanent workers or only to certain categories of workers like watch and ward, time-rated workers, etc.

Sick Leave.- Of the 50 units, only 26 - 9 in Maharashtra, 5 in Uttar Pradesh and 7 each in West Bengal and 'Rest of India' strata - allowed sick leave with pay to their workers. Of these, 18 units - 7 in Maharashtra, 1 in Uttar Pradesh and 5 each in West Bengal and 'Rest of India' strata - allowed sick leave as per the Employees' State Insurance Scheme, whereas in the remaining 8 units - 1 in Maharashtra, 2 each in Uttar Pradesh and West Bengal and 3 in 'Rest of India' stratum - sick leave ranging between 5 and 15 days in a year was granted to workers. Of the 8 units, 4 extended this privilege to all workers; 2 allowed it only to their permanent workers whereas the remaining 2 units allowed it only to certain special categories of workers, such as watch and ward staff, packers, etc., on completion of 1 year's service by them.

Earned Leave.- Of the 50 units, as many as 41 - 9 in Maharashtra, 8 in Uttar Pradesh, 10 in West Bengal and 14 in 'Rest of India' stratum - allowed earned leave to their workers. In 36 units it was given according to the provisions contained in the Factories Act, 1948, i.e., 1 day for every 20 days worked to those workers who had worked for a period of at least 240 days during a calendar year. Of the remaining 5 units, 2 allowed earned leave ranging between 7 and 15 days in a year to all workers; 2 allowed 1 to 30 days' earned leave in a year only to their permanent workers and the remaining unit allowed 15 days' leave in a year only to its packers. In addition to these, one unit paid compensatory wages to its workers at the rate of 1 day for every 20 days worked. The remaining 8 units (in Uttar Pradesh) did not allow any earned leave to their workers because due to the frequent closures of factories and break in their continuous service they could not fulfil the qualifying conditions laid down for such leave under the Factories Act.

National Holidays.- All the units except 5 - 1 each in Maharashtra and 'Rest of India' strata and 3 units in Uttar Pradesh - allowed 1 to 3 national holidays in a year to their workers. As many as 36 units allowed such holidays to all workers whereas the remaining 9 units allowed such holidays either to their permanent workers or certain special categories of workers such as packers. Some of the units had imposed conditions like attendance on the preceding and or succeeding days or completion of one year's service.

Festival Holidays.- Of the 50 units, as many as 39 - 6 in Maharashtra, 10 each in Uttar Pradesh and West Bengal and 13 in 'Rest of India' stratum - allowed such holidays to their workers. Of those, 28 units allowed between 1 and 12 days in a year to all workers whereas the remaining 11 units allowed between 2 and 18 days in a year either to their permanent/temporary workers or special categories of workers like packers, etc. In a few cases the workers were eligible for such holidays only when they had either completed a minimum number of attendance or were present on the preceding and/or succeeding days to the holidays.

Welfare.- For the welfare of the workers elaborate provisions exist in the Factories Act, 1948 which is applicable inter alia to this industry. Such provisions relate to the supply of drinking water, provision of separate latrines and urinals for males and females at suitable places, maintenance of first aid boxes or cup boards equipped with prescribed contents, medical facilities, provision of creches, canteens, rest shelters, etc. The actual position in respect of the various welfare facilities, as revealed from the enquiry is discussed briefly in the following paragraphs:-

Housing Facilities.- Only 23 units (5 in Maharashtra, 3 in Uttar Pradesh, 4 in West Bengal and 11 in 'Rest of India' stratum) had provided housing accommodation to some of their workers. Of these, as many as 20 belonged to the employment group "151 and above" and the remaining 3 to employment group "1-150". Taking into account the number of workers employed by all the sampled units, only 19 per cent. of the total workers were provided some housing accommodation by their employers. Of the 23 units providing housing accommodation, as many as 16 did not charge any rent from their workers for such accommodation. The remaining 7 units (all in the employment group "151 and above")

charged rent varying between Re.0.25 to 22.00 per month per worker depending upon the type and extent of accommodation. Sanitary arrangements existed almost in all houses.

Medical Facilities.- All the units except one unit in West Bengal had provided First aid Boxes for the benefit of their workers. Of the 49 units, as many as 23 (7 in Maharashtra, 2 in Uttar Pradesh, 6 in West Bengal and 8 in 'Rest of India' stratum) were covered by the Employees' State Insurance Scheme. In addition to these facilities some units had themselves provided first aid boxes, services of qualified doctors, dispensaries, etc., for their workers. Of the remaining 26 units which were not covered by the Employees' State Insurance Scheme, as many as 17 - 1 each in Maharashtra and West Bengal, 11 in Uttar Pradesh and 4 in 'Rest of India' stratum - had, in addition to the first-aid boxes, provided dispensaries or procured the services of qualified doctors for their workers or were reimbursing the expenses incurred by their workers on medicines, etc. One of them in 'Rest of India' stratum had created a T.B. Welfare Fund for the benefit of those workers who were suffering from tuberculosis.

Educational Facilities.- Only 7 units - 3 in Maharashtra and 4 in 'Rest of India' stratum - had provided some educational facilities for the benefit of the children of their workers. Of the three units in Maharashtra, 2 provided free books to the children of their workers whereas the remaining unit had arranged for a nursery school for them. Of the 4 units in 'Rest of India' stratum, 3 were running primary/high school for the children of their workers whereas the remaining unit had simply provided rent free building for the purpose of a primary school.

Transport Facilities.- No transport facilities were provided to workers except in 2 units - 1 each in Maharashtra and 'Rest of India' stratum. The Maharashtra unit gave free railway passes to their old workers whereas the other unit provided conveyance at concessional rates to their workers.

Drinking Water Facilities.- All the 50 units covered had made some arrangements for the supply of drinking water to the workers. Of these, only 18 had made special arrangements for the supply of cool drinking water. Five units - 3 in Maharashtra and 1 each in Uttar Pradesh and 'Rest of India' stratum - had provided water coolers, whereas the remaining 13 units had provided earthen pots for this purpose.

Latrines and Urinals.- These facilities were provided by all the units except one small unit in Maharashtra. The units, employing female workers, had provided separate latrines and urinals for male and female workers.

Canteens.- According to the provisions contained in the Factories Act, canteens are required to be maintained by units employing more than 250 workers. According to the information collected during the survey only 23 of the units covered employed more than 250 workers. Of these, eighteen units - 5 in Maharashtra, 1 in Uttar Pradesh, 5 in West Bengal and 7 in 'Rest of India' stratum - had arranged for canteens for their workers. Of these, 10 canteens were run either by the management (7) or by the workers (2) or jointly by the workers and the employers(1) whereas the remaining 8 canteens were run by the contractors. Of the 10 canteens in the former category, 2 were run by on no-profit-no-loss basis whereas in the remaining 8 canteens ~~were run~~ edible articles were sold to workers at subsidised rates. Of the 8 canteens run by the contractors, only one got some subsidy from the management, in case of two canteens the managements themselves fixed the selling prices of articles whereas in respect of the remaining 5 canteens the contractors were free to fix their own prices without consulting either the workers or the employers.

Creches.- According to the provisions contained in the Factories Act, 1948, factories employing more than 50 women workers are required to maintain creches. Only two units - one each in Maharashtra and 'Rest of India' strata - were found employing more than 50 women workers. Of these, only Maharashtra unit had maintained creches for the benefit of the children of its women workers. In addition, 3 more units - one in West Bengal and two in 'Rest of India' stratum which employed less than 50 women workers - had also maintained creches for the benefit of children of their workers. Ayahs used to look after such children. In some of these units, milk and toys were also provided to the children.

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Rest Shelters.- According to the provisions of the Factories Act, 1948, rest shelters are required to be maintained in factories employing more than 150 workers. Twenty-nine of the units covered employed more than 150 workers. Of these, only 19 units - 4 each in Maharashtra and Uttar Pradesh, 2 in West Bengal and 9 in 'Rest of India' stratum - had provided rest shelter for the use of their workers. In addition to this, 2 units in West Bengal, which employed less than 150 workers, had also provided rest shelters for the use of their workers.

Community Baths and Washing Places.- All units except 11 - 2 each in Maharashtra and Uttar Pradesh, 4 in West Bengal and 5 in 'Rest of India' stratum - had provided bathing and washing facilities for their workers.

Recreational Facilities.- Only 11 units - 1 in Maharashtra, 3 in Uttar Pradesh, 2 in West Bengal and 5 in 'Rest of India' stratum had provided recreational facilities like indoor and outdoor games, dramas, film shows, club facilities, feasts, etc., for their workers.

Grain-shops.- Of the 50 units covered, only 1 unit in West Bengal had arranged, through a fair price shop run by a contractor, for the supply of food grains to its workers at prices fixed by the Government.

Co-operatives.- Co-operative societies existed in 7 units - 2 in Maharashtra, 1 each in Uttar Pradesh and West Bengal and 3 in 'Rest of India' stratum. Of these, 4 societies - one in each of the strata were credit cooperatives, 2 in 'Rest of India' stratum were Consumers' Cooperatives whereas the remaining society in Maharashtra was a Producers' Cooperative formed to manufacture plastics and accessories of thermos flasks, etc., for the factory itself.

Social Security: Accidents.- During the calendar year 1961, 946 accidents - 206 in Maharashtra, 15 in Uttar Pradesh, 154 in West Bengal and 571 in 'Rest of India' stratum - were reported by 30 out of 50 units covered under the Survey. Employment group-wise break-up shows that the number of accidents in the employment group "151 and above" were more (925 in 2 units) as compared to those (21 in 8 units) in the employment group "1 to 150".

The incidence of accidents can be better appreciated if we work out the frequency rate of accidents, i.e., the number of accidents per 1,000 employees exposed to the risk of accidents. The frequency rates for Maharashtra, Uttar Pradesh, West Bengal and 'Rest of India' worked out to be 50, 44 and 72 respectively. This rate for the units belonging to the employment group "1 to 150" was 12 as against 21 for the units belonging to the employment group "151 and above".

Of the 946 accidents, only 1 was fatal and the remaining non-fatal. Majority of the non-fatal accidents were minor accidents reported to be due to the negligence of workers. For reducing the incidence of accidents only a few units had provided equipment. In some units workers were seen working bare-footed and there was every likelihood of their being wounded by the broken pieces of glass which were scattered everywhere. Similarly, workers working in the mixing departments were open to accidents as they were found mixing the raw materials with their naked hands. The incidence of accidents could be reduced by providing shoes and hand-gloves, etc., to the workers.

Occupational Diseases.— Only 1 unit in 'Rest of India' stratum reported the detection of 3 cases of silicosis during the calendar year 1961. To reduce the incidence of this disease, the management supplied free milk and vitamin tablets to those workers who were likely to contact this disease. As a preventive measure, a few units had arranged for periodical medical check-up of their workers either by the District Health Authorities or by the doctors of the units themselves or through the Employees' State Insurance Corporation.

Maternity Benefits.— Of the 50 units, as many as 30 — 6 in Maharashtra, 8 in Uttar Pradesh, 5 in West Bengal and 11 in 'Rest of India' stratum employed women workers. Workers of only 22 units — 6 in Maharashtra, 1 in Uttar Pradesh, 5 in West Bengal and 10 in 'Rest of India' stratum — were given maternity benefits, if eligible. Of the 22 units, as many as 19 were covered by the Employees' State Insurance Scheme. Of the remaining 3 units, one in Maharashtra granted 42 days' maternity leave to eligible women workers and also paid them allowance at the rate of Re.0.75 per day for such period; one of the two units in 'Rest of India' stratum granted such benefit to eligible women workers according to the Bihar Maternity Benefit Act, whereas the other unit had simply got a few beds reserved in a Maternity Home for the benefit of their women workers as well as the non-working dependents of their workers who were drawing less than Rs.150 a month. Workers were, however, required to pay Rs.20 per head for availing of this facility.



Provident Fund Facilities.- Provident Fund facilities existed in 16 units - 8 in Maharashtra, 2 in Uttar Pradesh, and 6 in 'Rest of India' stratum. Of these, as many as 12 (7 in Maharashtra, 1 in Uttar Pradesh and 4 in 'Rest of India' stratum) were covered by the Employees' Provident Fund Scheme, 1952, whereas the remaining four units had provided Provident Fund schemes of their own. Amongst the four units having their own provident fund schemes, the scheme was applicable to workers having 6 months' and 1 year's service in 1 unit each and only to permanent workers in the remaining two units. The rate of contribution for the workers was  $6\frac{2}{3}$  per cent. of wages in three cases and  $8\frac{1}{3}$  per cent. of consolidated wages in one unit. In all the four units, the employers contributed an equal amount.

Gratuity.- Gratuity was paid in 6 units - 4 in Maharashtra and 2 in 'Rest of India' stratum - on death, retirement, mental or physical disability, resignation or termination of services, etc., provided the worker had put in a service of a specified number of years. The rate of gratuity varied from 4 to 15 days' wages for each completed year of service subject to a maximum of 15 months' wages.

Trade Unions.- Workers of 29 units - 5 in Maharashtra, 8 in Uttar Pradesh, 7 in West Bengal and 7 in 'Rest of India' stratum - had organised themselves into as many as 34 registered trade unions. Of these, only 26 unions - 5 in Maharashtra, 4 in Uttar Pradesh, 8 in West Bengal and 9 in 'Rest of India' stratum - were recognised by the managements. As regards their affiliations with all-India Federations, only 23 unions - 5 in Maharashtra, 6 in Uttar Pradesh, 7 each in West Bengal and 'Rest of India' strata had so affiliated themselves. The remaining 11 unions had no such affiliations. Of the 23 unions having affiliations, 11 were affiliated to All India Trade Union Congress; 10 to Indian National Trade Union Congress and the remaining 2 unions to Hind Mazdoor Sabha. The percentage of workers who were trade union members varied from 8 to 100.

Industrial Relations: Standing Orders.-According to the provisions contained in the Industrial Employment (Standing Orders) Act, 1946, establishments employing 100 or more workers are required to frame Standing Orders so as to define precisely the conditions of employment, etc., and to make such conditions known to the workers employed therein. The appropriate Government is, however, empowered to extend its provisions to industrial establishments employing less than 100 persons. Of the 50 units, 33 - 6 in Maharashtra, 8 in Uttar Pradesh, 7 in West Bengal and 12 in 'Rest of India' stratum - employed 100 or more workers. Of these, 25 units had framed Standing Orders. In addition, 8 units employing less

than 100 workers had also framed Standing Orders. Of the 53 units which had framed Standing Orders, 30 had got them certified.

Works Committees.- Under the Industrial Disputes Act, 1947, works committees consisting of representatives of employers and employees are required to be set up in units employing 100 or more workers. The main function of these committees is to promote harmonious relations between employers and employees and to resolve differences in the initial stage itself. Of the 50 units covered, 53 employed more than 100 workers. However, on the last working day of December, 1961, Works Committees existed only in 9 units - 2 in Maharashtra, 1 in Uttar Pradesh, and 3 each in West Bengal and 'Rest of India' strata. In all these committees workers and employers had equal representation. All Committees except one, where the workers did not show any interest, were reported to have worked satisfactorily during the year 1961.

Labour/Welfare/Personnel Officer.- Under the Factories Act, undertakings employing 500 or more workers were are required to appoint a Labour Welfare Officer to look the welfare of the workers. The number of units employing 500 or more workers was only 12 - 2 in Maharashtra, 3 in Uttar Pradesh, 2 in West Bengal and 5 in 'Rest of India' stratum. All of them had appointed Labour Welfare Officers. In addition to these units, 4 more units employing less than 500 workers had also appointed Welfare/Personnel Officers. The main duties of these officers were to promote the welfare activities of workers and to act as Liaison Officers between workers and the management with a view to maintaining good relations between them. In some cases these officers also attended to the recruitment of workers, personnel management and conducted the legal proceedings on behalf of the management.

Grievance Procedure.- Except in one unit in Maharashtra, nowhere was the grievance committee consisting of representatives of workers and management set up to look into the grievances of workers. In all other units, the grievances of workers were redressed either by the managements themselves or through immediate supervisors/works committees/Labour/Welfare/Personnel Officers. General grievances of workers in a few units were taken up with the management by the trade unions of workers.

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Strikes and Lockouts.- During the calendar year 1961, 3 units - one each in Uttar Pradesh, West Bengal and 'Rest of India' strata - were affected by 5 strikes and ~~lockout~~ 1 lockout resulting in a total loss of 52,000 mandays. The time loss was the highest (50,000 mandays) in West Bengal. The main causes of these strikes/lockout were delay in the issue of chappals, the question of wages and objection of management to the late coming of workers. The total number of workers involved in such strikes/lockout was 2,340. All the disputes were settled through mutual negotiation between the workers and the employers. Some of the suggestions made by the units for improving the industrial relations between the workers and employers were strengthening of mutual trust between the two through discussions and regular meetings of works committees, grievance committees, etc.

Lay-off.- As many as 29 of the units covered had laid off their workers 1 to 4 times during the calendar year 1961 for periods varying from 1 to 100 days for some reason or the other. Stratum-wise position shows that workers in all the strata except Maharashtra were laid off for some period. In Uttar Pradesh as many as 13 of the 16 units covered had laid off their workers 1 to 4 times during the year under reference for periods varying between 12 and 100 days. In West Bengal 6 of the 10 units covered had laid off their workers for periods varying from 6 to 75 days whereas in 'Rest of India' stratum, 10 of the 15 units covered had laid off their workers for periods varying between 1 and 65 days. The main reasons for these lay-offs were shortages of coal and/or raw materials, breakdown of power, overhauling of and repairs to furnaces accumulation of stocks, dull market conditions, etc.

Cottage Sector: Manufacturing Processes  
carried on by the Units covered.- The manufacturing processes carried on in cottage industry units varied from centre to centre. Units in Calcutta were carrying on manufacture of table blown scientific apparatus and laminated glass and decoration of potteries, glass and mirrors while most of the units in Bombay were engaged in belevelling the edges of glasses and mirrors manually or by using grinding wheels run by electric power. The units at Varanasi were manufacturing glass beads while those at Firozabad, excepting Pakai Bhatties, were manufacturing glass bangles in the traditional manner. The Pakai Bhatties which formed the bulk of the cottage workshops in Firozabad were doing the finishing work in the manufacturing manufacture of glass bangles.

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Employment.- Most of these units were owned by illiterate people who did not maintain any muster roll or register showing either the names of workers employed or wages paid to them. For this reason, the data on the number of workers employed on the prescribed date, i.e., 31 March 1962 could not be collected from many of the units. For such units, the number of workers employed on the date of visit of the Investigator was collected. There was, however, not much variation in the day to day employment. The practice of employing women and children was not very common among the units. Their percentages to the total labour were only 3.00 and 6.00 respectively. Children were employed only in Pakai Bhatties at Ferozabad and they constituted more than 20 per cent. of the total labour employed on such Bhatties. Of the 558 workers, as many as 350 or 62.7 per cent., were employed on piece-rate basis whereas the remaining 208 workers or 37.3 per cent. were employed on time-rate basis. Centre-wise break-up shows that the percentage of piece-rated workers to the total labour was the highest (95.3) at Varanasi and the lowest (23.5) in respect of Ohhal Bhatties at Ferozabad.

Recruitment.- Most of the workers employed in the cottage sector were local and the employers recruited them either personally or through their existing workers.

Training.- The system of training was found to exist in the manufacture of table blown scientific apparatus and polishing of lenses. The period of training varied from 3 ~~month~~ months to 1 year and 3 months to 2 years in the units at Bombay and Calcutta respectively. The monthly rates of remuneration paid to trainees during the period of their training varied from Rs.15.00 to Rs.52.00 and Rs.45.00 to Rs.52.00 in Calcutta and Bombay respectively.

Working Conditions: Hours of Work, Rest Interval.- As regards the timings of work, no hard and fast rule was observed in most of the units covered. Of the 8 units covered in Calcutta, 5 worked for 8 hours a day whereas the remaining three only for 7½ hours a day. One of these units, however, worked a second shift of 6 hours' duration. The rest interval in these units varied from half an hour to one hour. Of the 15 units covered in Bombay, nine worked for 8 hours a day with a rest interval of one hour. The remaining 6 units reported that they took 8 hours work from their workers though the timings of ~~6½~~ work were not fixed. Of the 9 units covered in Varanasi, seven worked for 8 hours a day whereas the remaining two units worked for 7½ hours and 7¼ hours a day. The duration of rest interval in Varanasi units varied from 15 minutes to 4 hours a day.

Of the 25 units covered in Firozabad, all the Kara and Chhal Bhatties (9) worked for 8 hours a day, whereas in all the Pakai Bhatties (16), the daily hours of work varied from 6 to 8 according to the number of shifts worked. The workers employed on Kara and Chhal Bhatties had a rest interval of 1 hour daily, whereas those employed in Pakai Bhatties, being piece-rated workers, did not avail of any rest interval.

Shifts.- All the units covered at Calcutta, Bombay and Varanasi, with the exception of one unit, worked only during day time. The Kara and Chhal Bhatties at Firozabad, manufacturing glass bangles, worked only once a shift, but started the shift generally between 2 a.m. and 4.00 a.m., as it was difficult to work near the furnace during the day time because of the high room temperature. All the Pakai Bhatties of Firozabad worked continuously in 3 or 4 shifts.

Overtime.- The practice of working overtime was not common in the units covered. However, in one unit each in Calcutta and Bombay, the workers worked overtime and were paid double and one and a half times their normal rates of wages respectively.

Weekly-off.- Weekly off was allowed to workers in all units except one unit in Varanasi wherein it was left to the will of the workers. In Firozabad workers working in Pakai Bhatties were allowed 2 days off after every 15 days' continuous work because of the peculiar nature of work. The Bhatties were worked continuously for 15 days; thereafter they were closed for two days for the repairs, etc. As regards payment for weekly off, only monthly rated workers were paid for weekly offs; other categories of workers were not allowed any wage for such rest/off.

Leave and Holidays with pay.- None of the units except 3 - one in Calcutta and two in Bombay - allowed any leave or holiday with wages to their workers. The Calcutta unit allowed 10 days' leave with wages to all its workers. In Bombay, one unit allowed 5 days' sick leave and 5 days' festival holidays with wages to all its workers, while the other unit allowed 6 days' festival holidays in addition to 15 days' leave with wages.

Most of the units were found located either in slums or in places with insanitary surroundings. From the point of view of lighting, ventilation, cleanliness, overcrowding, humidity temperature, etc., at the work places, it was observed that these were far from satisfactory in almost all the units.

Wages and Earnings.- In a majority of the units covered, the pay period was either a day or a week. Time-rated workers in all the units were paid consolidated wages; no dearness allowance or any kind of other cash allowance was paid to them.

The wage rates for different categories of time-rated worker ranged from Rs.0.62 to Rs.5.00 per day and Rs.40.00 to Rs.123.00 per month and the approximate daily earning of piece-rated workers ranged from Rs.0.90 to Rs.6.00.

Payment of Bonus, etc.- Of the 57 units, only 9 - 6 in Calcutta and 3 in Bombay paid Puja or Dewali bonus to their workers. In Calcutta the rate of Puja bonus was 15 days' wages in three cases, 20 days' and one month's ~~same~~ wages in one case each and Rs.15.00 in the remaining case. In 4 of these units all workers were given bonus whereas in the remaining 2 units this bonus was given only to time-rated workers. In Bombay the rate of Dewali Bonus/bakhshis was one month's wage to all workers in one case, Rs.50.00 per worker only to those who had completed one year's service in the second unit whereas in the remaining unit its rate varied from Rs.25.00 to Rs.50.00 per worker.

Welfare Facilities.- The position, as revealed from the enquiry, shows that in some of the units covered even the primary facilities like latrines, urinals, medical aid, etc., were absent. As regards drinking water facilities, these were provided by all the units except one in Calcutta. Water was either kept in earthen pitchers at the work places or wells or taps were provided in the vicinity of the work places. Washing facilities were provided by the employers in all cases except four - one in Calcutta and three in Varanasi. Latrines and urinals were provided only by 17 units - 7 in Calcutta, 8 in Bombay and 2 in Varanasi. None of the 25 units at Ferozabad had provided any such facility within the factory premises and the workers used the open spaces available by the side of the work places for such purpose. Of the 57 units covered, only 5 in Calcutta had provided some medical facilities for their workers. Four of them had provided first-aid boxes at the work places whereas the remaining one gave advances to workers whenever they fell ill and needed treatment. A majority of the workers were local ones; only a few workers at Bombay had come from outside and they were provided residential accommodation within the factory premises.

No other welfare facility was provided by any of the units covered.

(Indian Labour Journal, Vol. IV, No. 7, July 1963, pp. 683-745 ).

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Working Conditions of Labour in Jute Industry:  
Report of the Indian Jute Mills' Association\*.

The Indian Jute Mills' Association published recently the Report of the Committee for the year ended 31 December 1962. The report, among other matters, contains a chapter dealing with the working conditions of labour in the jute industry. The following is a brief review of this section of the report.

General labour situation.- During 1961 the employment curve of this industry touched its lowest depth owing to a severe curtailment of production arising out of an acute shortage of raw jute, but the downward trend was checked towards the end of that year and signs of improvement were in sight. With the ~~general~~ gradual increase in the volume of production during the current year, which witnessed the complete unsealing of looms in addition to the utilisation of accumulated/purchases loom hours, the employment curve shot up sharply, creating a position of full employment in the industry. The main outcome of this in the field of labour relations was that the workers on the whole remained contented and consequently there was an appreciable decline in the number of labour disputes. Maintenance of production at such a high level, however, created as a corollary a problem of labour shortage which a number of mills experienced in working their preparatory departments on the weekly day of rest in order to feed their increased number of looms.

The unanimous adoption of the Industrial Truce Resolution by the Central Organisations of employers and workers consequent upon the National Emergency in the face of the Chinese aggression also went a long way in maintaining industrial peace.

The general set-up of the trade unions, which continued to function as a part of the labour wing of their respective political parties, remained unaltered. Most of the jute mill unions were affiliated to the Indian National Trade Union Congress or the All-India Trade Union Congress, ~~and the~~

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\* Indian Jute Mills' Association: Report of the Committee for the year ended 31st December 1962: 1963. pp. 202.

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which owe allegiance respectively to the Congress and the Communist Parties. Mill unions were also organised by the two other central unions, namely the United Trade Union Congress and the Hind Mazdoor Sabha, but these were very few having small influence in restricted areas. Due to multiplicity of unions in the jute industry the influence of different unions was of a transitory nature and no unions appeared to have a substantial influence on the workers. However, the Association continued to negotiate with different union when disputes were raised and many bipartite and tripartite agreements were signed by the management at the instance of the Association.

The Association's Labour Department.— The important role of the Association's Labour Department in the field of labour management relations was played with the same effectiveness as in the past.

The Department kept the Committee of the Association posted with the various requirements and implications under the growing volume of labour enactments and made recommendations so that uniformity in the labour policy in the units of the industry could be maintained. Through its Area Labour Officers, who were vigilant in attending to the problems and difficulties of the member mills in their areas, the Department also ensured the uniform application of the Association's labour policy and relevant recommendations.

The Department devoted a considerable time to work connected with the Bonus Commission and the Central Wage Board for the Jute Industry. Disputes referred to conciliation were invariably handled by the Department and all cases that were referred to Tribunals and Labour Courts were steered in conjunction with the Association's solicitors.

The net-work of Association's Night Offices in the mill areas functioned effectively in promptly redressing various types of grievances of the workers. Disputes taken up by the Labour Directorate were also invariably referred to the Association's Area Officers, who made full investigation of the cases at the plant level and where necessary followed them up at different stages of conciliation, thereby ensuring expeditious settlement of disputes and prevention of accumulation of grievances. Discussions with the unions at the Association's Head Office and Area Off Night Offices went a long way to remove misunderstanding and potential sources of conflict. At times of labour trouble or strikes the services of the Association's Labour Department were fully utilised by the mills.



With the progressive appreciation of the value of joint negotiations more and more disputes were settled by bipartite and tripartite agreements, and both Government and trade unions appeared to have recognised the importance and necessity of the Association's Labour Department taking a leading role in these matters. The mediation service of this Department was able to reduce to the minimum the number of references to tribunals. References of disputes to adjudication in the jute industry were far less than in other industries, though the jute is the major industry in West Bengal and employs the largest number of workers. The effectiveness of this mediation work by the Association's Labour Department was further established by the fact that in a vast majority of the cases referred to adjudication the findings of the Association's mediation service were accepted.

Taking an active interest in developing welfare activities in the areas for the benefit of the workers, the Association's Labour Officers were in charge of the administration of five group welfare centres in different areas where various welfare activities were organised. The Area Labour Officers also acted as secretaries of a number of welfare organisations functioning in the different areas for the development of welfare activities. Details of social and welfare work will be found elsewhere in this section of the report.

Strikes and Lockouts.-- The number of strikes and lockouts in the jute industry and the consequent loss of man hours in each of the past five years is given below:--

Year	Number of Strikes and/or Lockouts.	Man Hours Lost.
1958	15	1,516,893
1959	124	3,273,382
1960	58	6,400,620
1961	87	6,427,749
1962	11	4,640,483

During the year under review there were 11 stoppages involving 51,178 workmen and a loss of 4,640,483 man hours; this represented a decrease from the previous year. Disputes arising out of the revision of working schedules necessitated by the curtailment of power supply in the resulted in three work stoppages. One stoppage was brought about by the spinners of a mill over a demand for reduction of working hours in the 'C' shift. A strike by a section of workers following a fight between the supporters of two rival candidates for

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the Works Committee election led to a complete stoppage of work of the mill concerned. Demand by the budhis for permanent status caused another stoppage. Violent and indisciplined behaviour on the part of the workers inside the mill premises was responsible for the seventh stoppage of the year. Sudden opposition to the operation of two frames by one spinner, workers' demands before the Regional Provident Fund Commissioner for restoration of exemption under the Employees' Provident Funds Act in the case of a jute mill whose exemption was cancelled by the authorities, dissatisfaction over alleged harsh treatment by a departmental overracer and protest against the issue of charge-sheets to some workers for riotous conduct accounted for the remaining four individual work stoppages during the year.

In addition, there were also 23 short duration sectional stoppages. Picketing at the mill gates in opposition to any work on a weekly off-day to build up yarn to cope with the programme of increased production, claim of the budhis for permanent status and other privileges of permanent workers, demand for full payment for the period of stoppage of work on account of power shedding, intimidation by co-workers, demand for reversion to single shift working in the jute handling section, protest against the management's refusal to re-employ a worker who was absent without leave etc., were some of the causes for these short duration sectional stoppages.

Wage Board.— The Wage Board held open sessions at Andhra Pradesh, Uttar Pradesh and Calcutta, and evidence was taken on various aspects of the industry such as foreign competition, threat from substitutes and bulk handling and other difficulties of the industry, capacity of the industry to pay, importance of the jute industry in the economy of India as a whole and West Bengal in particular, workload, productivity and labour utilisation; the need for the introduction of double or multiple loom operation and One-mack looms; scope for increased earnings through the extension of the system of payment by results, incentive schemes etc., and generally the importance of linking earnings with productivity.

The Wage Board Sub-Committee constituted by the Association to deal with matters connected with the Wage Board proceedings felt that the only means of ensuring higher productivity in the industry would be an extension of piece-rate/incentives in the mills which would also augment the earnings of the workers. This question was first examined by a small technical sub-committee of the Association known as the Piece-Rates Sub-Committee and in view of the complexities of the problem it was later decided

to engage the services of a competent firm of industrial consultants to assist the Piece-Rates Sub-Committee in its work. Messrs Ibeon Private Ltd., who were engaged by the Association in September, 1961, carried out investigations in 15 sample jute mills and thereafter prepared the basis of an incentive scheme for occupations at present time-rated which has since been submitted to the Wage Board for its consideration.

The Association, however, felt that before any ~~General~~ general incentive scheme was finalised for application to the whole industry it was desirable that the validity of the work measurement formulate evolved by Messrs Ibeon Private Ltd., ~~was therefore, issued to the unstudied mills in order to~~ on the basis of the work study in 15 sample mills should be checked in all other jute mills. A comprehensive questionnaire prepared by Messrs Ibeon Private Ltd., was therefore issued to the unstudied mills in order to ascertain the extent of the variations in lay-out, process method, equipment etc., so as to assess the applicability of the productivity standards and make any necessary adjustments in the incentive formulate to suit the special circumstances of individual mills.

Works Committees.— Works Committees have functioned in the jute mills as an effective machinery for communication between the management and labour and for solving day to day disputes at the plant level. With the sense of responsibility arising from the experience of joint consultation with the management, the Works Committees have exerted a restraining influence on the agitators and played an important role at the time of labour unrest and strikes.

On the expiry of the terms of office of the Works Committees fresh elections were held in 21 mills during the year under review. The growing importance of the Works Committees tempted the unions to take more interest in Works Committee elections and a number of meetings were organised by various unions on the eve of the elections to canvass support for their respective candidates. An analysis of the Works Committee members in the jute mills reveals that 36.2 per cent. of the members are the nominees of the Indian National Trade Union Congress, 25.5 per cent. of the All-India Trade Union Congress, and 4 per cent. of other unions functioning in the jute mill areas. The remaining 34.3 per cent. of the Works Committee members do not appear to have any pronounced party affiliations.

Although, there were instances where the worker-members of the Works Committees tried to encroach upon managerial functions, for example by raising objections to disciplinary action taken by the management, the Works Committees on the whole worked satisfactorily within their recognised sphere of activities.

Industrial Health.- A large number of cases of influenza reported from the jute mill areas in the month of September, adversely affected the labour supply position. Cases of gastro-intestinal trouble were also not uncommon; otherwise industrial health during the year under review appeared to be satisfactory.

As a part of the industrial health programme, the workers' lines in the jute mills were regularly disinfected and a ~~clean~~ clean water supply maintained. The jute mill dispensaries continued to treat ailing workers not only in the areas uncovered by the Employees' State Insurance Scheme but also in many mills where the above scheme was in operation. On being informed by the Association through circulars, mills carried out mass vaccination and inoculation and thus controlled the outbreak of any epidemic of cholera or smallpox. Stray cases of cholera were, however, reported from some localities.

Social and Welfare Activities.- In the field of human relations in industry the Association maintains welfare centres in the jute mill areas. These welfare centres under the supervision of the Association's Labour Department continued to foster recreational, social and cultural interests amongst the jute mill workers. Each welfare centre provides a library and reading room, a radio set and arrangements for indoor and outdoor games; it also organised physical culture classes, athletic sports, music classes, dramatic societies, etc. To infuse enthusiasm in games and sports, inter-centre football tournaments ~~in games and sports~~ and athletic sports are arranged through these centres. Special programmes are also organised for the workers on national holidays.

Free education to the children of jute mill workers is imparted through the schools attached to the Association's Welfare Centres. The school children are also encouraged to take an interest in extra-curricular activities such as physical training, sports and games, bratachari debates, ~~essay~~ essay and debating competitions etc. Every welfare centre school brings out an annual manuscript magazine and the welfare centre producing the best magazine receives the Governor's Challenge Cup.

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In the 1962 magazine contest, the magazine brought out by the Titaghur Welfare Centre School received the trophy. From time to time holiday camps are organised by the Association for the workers' children studying in the Association's Welfare Centre Schools. At the end of April 1962, the children were ~~then~~ taken to a holiday camp in Darjeeling.

The School children continued to take an interest in the I.J.M.A. Bharat Scouts and Guides Local Association. The Seventh Annual Scout Camp of the Association was held at Barnagore Mill School from the 16 to the 19th March. The camp was joined by 222 scouts and cubs. A grand rally was held on 18 March which was attended by 425 scouts and cubs and 54 bulbul.

Apart from the welfare activities carried on through the Association's Welfare Centres and the schools a large number of jute mills have their own primary schools for the workers' children. There are also secondary schools in some of the mills. Some mills organise welfare activities through their own welfare centres and hold football tournaments and athletic sports in their own groups. A number of mills also arrange special programmes for the entertainment of the workers during festival occasions.

The programmes in the field of sports remained full with football tournaments throughout the jute mill areas during the summer months and with athletic sports organised by the mills themselves and by the Association's Welfare Centres during the winter. A volley ball team organised by one of the jute mills has earned an All-India reputation.

In some industrial areas Welfare Centres have also been started by the Government of West Bengal. An annual athletic meeting was organised by these Government Welfare Centres at Anglo-India Jute Mill ground on 1 March 1962, which was presided over by the Labour Minister. The opening ceremony of the Government Welfare Centre at Birlapur on a site donated by Birla Jute Mills was held during the year. Sri P.C. Sen, Chief Minister, Government of West Bengal, performed the opening ceremony.

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A Recreation Club with provision for outdoor and indoor games, a reading room, library, musical instruments etc., for the benefit of the workers of Empire Mills was opened during the year by the mill authorities.

As in previous years a number of individual mills regularly organised free cinema shows for the workers and their dependants. The Association's Labour Department also organised fifty free cinema shows during the year in the Titaghur area. Programmes of documentary films organised by the West Bengal Publicity Department also attracted a large number of workers. Staging of plays in different languages, jatra performances, kawali songs, religious discourses were the other forms of recreation for the jute mill workers organised by the mills themselves as well as by the Association's Labour Department.

Provident Fund.— Various amendments of the Employees' Provident Fund Scheme were made during the year and jute mills were often requested to change their existing Provident Fund Rules to fall in line with the amended Scheme. It has been contended by the Association that the jute mills are governed by a uniform set of rules which were evolved after protracted negotiations between the Association and the Government of India. It has also been pointed out that these rules, while not identical in all respects with the provisions of the Government scheme, are on the whole more beneficial to the workers, and as such, amendments in the Scheme which are not of a vital nature should not necessitate a revision of the existing Jute Mill Workers' Provident Fund Rules.

The Order of the Central Government that the production bonus paid to workmen should be included in basic wages in calculating the contributions under Section 6 of the Employees' Provident Fund Act, 1952, was strongly opposed by the employers and ultimately a case was filed in the Supreme Court by Messrs Bridge & Roof Co. (India) Ltd., challenging the validity of the above Order. In deciding this petition, the Supreme Court held that the term 'bonus' occurring in clause 2(b)(ii) of the Employees' Provident Fund Act, 1952, included all types of bonus including production bonus which was, therefore, outside the purview of the term 'basic wages' and not liable for deduction for provident fund contribution. The Order of the Central Government was thus set aside by the Supreme Court.

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Labour Courts, Industrial Tribunals, High Courts.— Seven disputes were referred to industrial tribunals in West Bengal during the year under review and hearings in respect of two cases have been concluded without their awards being published at the time of writing this report.

Awards in respect of 27 cases that were pending from previous years before various industrial tribunals in West Bengal were published during the year under review. Out of twenty references concerning dismissal of employees for misconduct or discharge, the decisions of the management were upheld by the tribunals in eleven cases. 'No dispute' award or awards in terms of the settlement arrived at by the parties concerned were given in four cases. Five cases relating to discharge or dismissal were decided against the management and after necessary screening by the Association's Screening Committee, appeals against two of these awards have been filed by the management concerned as they were related to matters of principle. The issues involved in the remaining 7 awards related to transfer, sick leave pay, rate of payment for clerks who worked on festival holidays, non-payment of gratuity, lockout pay etc., the majority of which were decided in favour of the management.

Eleven applications under Section 35(a) of the Industrial Disputes Act were filed by the workers alleging change in the terms and conditions of service during the pendency of adjudication, of which eight cases were rejected by the tribunals and three cases were settled by compromise.

A large number of applications under Section 33 of the Industrial Disputes Act were filed through the Association's Labour Department by various mills in respect of which proceedings were pending before the tribunals at the relevant time.

A Court of Enquiry was appointed by the Government of West Bengal to enquire into the allegations of forcible termination of employment of some female workers in two mills under the same management. The Court, however, came to the conclusion that the allegations were unfounded and that the said termination of employment was nothing but the result of voluntary resignation.

Mysore Industrial Establishments (National and Festival Holidays) Act, 1963 (Mysore Act No. 24 of 1963).

The Government of Mysore gasetted on 11 July 1963 the text of the Mysore ~~National~~ Industrial Establishments (National and Festival Holidays) Act, 1963, as passed by the Mysore Legislature. The Act, which received the assent of the President on 26 June 1963, provides for the grant of national and festival holidays for persons employed in industrial establishments in the State of Mysore.

Section 3 of the Act provides that every employee in industrial establishment shall be allowed in each calendar year a holiday of one whole day on the 26 January and the 15 August, and five other holidays each of one whole day for such festivals as the Inspector may, in consultation with the employer and the employees, specify in respect of any industrial establishment. The employee shall be paid wages for each of the holidays allowed to him under section 3.

Where an employee works on any holiday allowed under section 3, he shall, at ~~his~~ his option, be entitled to -

- (a) twice the wages; or
- (b) wages for such day and to avail himself of a substituted holiday with wages on any other day.

Other provisions of the Act deal inter alia with appointment of inspectors and their powers, rights and privileges under other laws, penalties and power to make rules.

(The Mysore Gazette, Part IV, Sec. 2B,  
11 July 1963, pp. 437-443).



Kerala Motor Transport Workers Rules, 1962.

The Government of Kerala published on 9 July 1963 the text of the Kerala Motor Transport Workers Rules, 1962, made in exercise of the powers conferred under the Motor Transport Workers Act, 1961. The rules deal inter alia with registration of motor transport undertakings, powers and duties of the inspecting staff, provisions relating to welfare and health, hours of work and limitation of employment, provision relating to payment of wages and leave with wages and holidays, annual returns by employers of undertakings.

(Notification No. 35753/H4-1/61/MLD dated 28 June 1963, Kerala Gazette, No. 28, dated 9 July 1963, Part I, pp.1-30).

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51. Hours of Work.

India - July-August 1963.

Annual Report on the Working of the Hours of  
Employment Regulations (Railways) for the  
Year 1961-62\*.

The August 1963 issue of the Indian Labour Journal summarises the annual report on the working of the Hours of Employment Regulations (Railways) for the year 1961-62. The following is a brief review.

Scope and application.- The Hours of Employment Regulations (Railways), inter alia, provide for classification of employment of Railway servants and making temporary exemptions therefrom, appointment and powers of Railway Labour Supervisors, appeals against classification of employment of Railway servants, specification of the categories of excluded staff, prescription of periods of rest up to a maximum of three days for specific categories of workmen, Compensatory periods of rest for exempted railway servants, maintenance of the Register of extra hours worked in the prescribed form, display of rules and notices and submission of annual returns. The Regulations are applicable to all classes of railway servants excepting those governed by the Factories Act, 1948, the Mines Act, 1952 and the Indian Merchant Shipping Act, 1923 and those who are specifically excluded from the purview of the Regulations, such as supervisory staff, persons employed in a confidential capacity, certain categories of employees in the medical department, armed guards and other police personnel subject to military and police discipline, Class IV staff whose work is exceptionally light and staff of Railway schools imparting technical training or academic education. The exclusion of these categories of staff does not, however, absolve the Central Industrial Relations Machinery of its responsibility to watch their conditions of work and satisfy itself that no category of staff has been excluded from the Regulations without sufficient justifications.

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\* Indian Labour Journal, Vol. IV, No. 8, August 1963 (pp. 806-809).

Administration.— The Chief Labour Commissioner (Central), Deputy Labour Commissioner (Central), Regional Labour Commissioners (Central), conciliation officers (Central), have been appointed as "Supervisors" of Railway Labour under the Indian Railways Act, 1890. They are assisted by Labour Inspectors (C) who carry out inspections on behalf of the Regional Labour Commissioners and Conciliation officers in their respective jurisdictions. There were 6 Regional Labour Commissioners, 28 conciliation officers and 100 Labour Inspectors stationed all over the country.

Classification of Officers.— The peculiar nature of employment in Railways requiring service round-the-clock has necessitated classification of employees under different categories with varying hours of work and periods of rest. The General Managers of Railways have been empowered to classify railway servants under one or the other of the four categories, namely (1) Intensive, (2) Continuous, (3) Essentially Intermittent and (4) Excluded.

Enforcement - (1) Method of Inspection.— The Labour Inspectors inspect railway stations every month regularly and other establishments under the Hours of Employment Regulations. The Conciliation Officers and Regional Labour Commissioners, besides conducting some original inspections, also test-check the inspections of Labour Inspectors. Minor irregularities such as, non-display of abstract of the Regulations, working beyond scheduled hours or during rest periods, non-maintenance of registers and records, instances of continuous night duty, etc., are taken up directly by the inspecting officers with concerned officers of the Railway Administration. Cases of wrong classification and other major irregularities are referred to by the inspecting officers to the Regional Labour Commissioners for scrutiny and necessary action.

Classification of Employees.— As classification of railway servants under the Regulations is of primary importance to them, officers of Industrial Relations Machinery continued to pay special attention in this matter. Cases of incorrect or doubtful classification of staff reported by the Inspecting Officers are scrutinised by the Regional Labour Commissioners and thereafter submitted to General Managers of Railways concerned for consideration and necessary action. Differences of opinion do arise in such cases between the Industrial Relations Machinery and the Railway Administration. In order to resolve them, joint inspections are sometimes carried out by the officers of Industrial Relations Machinery. Out of 243 cases (88 cases for the previous year and 155 for the year under review) of reclassification referred to the Railway Administration, the Administration accepted the suggestions of the Inspecting Officers in 131 cases,

contested 42 cases and the remaining 70 cases were pending settlement at the end of the year.

Inspection and Irregularities.- During the year under review 8,094 establishments were inspected as against 6,671 during the previous year. The number of irregularities detected were 63,592 as against 28,443 during the previous year. The nature of irregularities detected and the number of such irregularities are shown in the table below:-

Nature of Irregularities.	Number	Percent- age.
Non-existence of rosters. ---	13,077	20.5
Non-display of rosters. ---	7,655	12.0
Out of date rosters. ---	502	0.5
Illegible and otherwise defective rosters. ---	356	0.6
Non-display of regulations. ---	2,071	3.3
Habitually working outside rostered hours. ---	1,901	3.0
Habitually working on rest days.-	10,295	16.2
Occasionally working outside rostered hours. ---	525	0.5
Occasionally working on rest days. ---	1,849	2.9
Working contrary to rosters. ---	1,151	1.8
Performing continual night duty---	591	0.6
Compensatory off not given in lieu of weekly rest foregone. ---	8,216	12.9
Non-payment of overtime allowance. ---	3,960	6.2
Non-maintenance of overtime Register. ---	1,192	1.9
Irregularities regarding maintenance of muster roll. ---	2,823	4.4
Incorrect classification. ---	118	0.2
Working more than 14 days without rest. ---	2,525	4.0
Other Irregularities. ---	5,385	8.5
<b>Grand Total.</b>	<b>63,592</b>	<b>100.0</b>

All the irregularities detected by the officers of the Industrial Relations Machinery were taken up with the Railway Administration for rectification. Out of the total of 76,581 irregularities, (including 12,989 irregularities for the previous year) the Railway Administration rectified 61,829 (80.73 per cent.) irregularities during the year under review leaving a balance of 14,752 (19.27 per cent.). Of the total irregularities rectified, 15,371 (24.86 per cent.)

irregularities were rectified within one month, 30,025 (48.56 per cent.) irregularities within two to three months, 10,717 (17.33 per cent.) irregularities within four to six months, and 5,716 (9.25 per cent.) irregularities beyond a period of six months.

(The working of the Regulations for the year 1960-61 was reviewed at pages 82-84 of the report of this Office for September-October 1962).

52. Workers' Welfare, Recreation and Workers' Education.

India - July-August 1963.

Assam Tea Plantations Employees Welfare Fund (Amendment) Bill, 1963.

Shri K.P. Tripathi, Minister-in-Charge, Labour, Assam, introduced on 19 August 1963 in the Legislative Assembly of the State a Bill to amend the Assam Tea Plantations Employees Welfare Fund Act, 1959.

According to the Statement of Objects and Reasons of the Bill, the Assam Tea Plantations Employees Welfare Fund Act, 1959 was passed in 1960 with a view to financing the activities and to promote welfare of the tea garden employees in the State by creating a fund to be administered by a Board to be constituted thereunder by the Government.

The provision relating to the constitution of the said Board provides that the term of office of the members shall be three years from the date of notification of their names in the Official Gazette.

However, in the interest of the fund and better implementation of the welfare programme, it is felt that Government should have power to dissolve and reconstitute the Board at any time if in their opinion, it is necessary to do so in the interest of the Fund and better implementation of the welfare programme before the expiry of three years.

Hence, the Bill.

(The Assam Gazette, Part V, 21 August 1963, pp. 18-19 ).

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Iron Ore Mines Labour Welfare Cess  
(Amendment) Act, 1963 (No.24 of 1963).

The Iron Ore Mines Labour Welfare Cess (Amendment) Bill (vide page 63 of the report of this Office for February 1963) as passed by Parliament received the assent of the President on 24 August 1963 and has been gasetted as Central Act No.24 of 1963. The present section 1(3) of the Iron Ore Mines Labour Welfare Cess Act, 1961, does not provide for bringing the Act into force in different States at different times. The Amendment Act amends the Act of 1961 to provide that the Central Government may appoint different dates for different States for bringing into force the Act of 1961.

(The Gazette of India, Extraordinary,  
Part II, Sec.1, 26 August 1963,  
page 287).

## Chapter 6. General Rights of Workers

### 63. Individual Contracts of Employment.

India - July-August 1965.

#### Working of the Industrial Employment(Standing Orders) Act, 1946 during 1961.

Under the Industrial Employment(Standing Orders) Act, 1946, the employers are required to frame Standing Orders which define precisely the conditions of employment in industrial undertakings for information of workmen employed therein and thereby remove the vagueness in this behalf which is frequently the cause of friction in industrial relations. The Act extends to the whole of Indian Union excepting the State of Jammu and Kashmir. The Act is applicable to all industrial establishments wherein 100 or more workmen are employed, or were employed on any day of the preceding 12 months. The Act empowers the appropriate Government to extend its scope to any establishment employing less than 100 workmen or to any other class or classes of establishments from any or all the provisions of the Act. The Act is administered by both Central and State Governments. The Central Government is responsible for administering the Act on Railways, major Ports, Mines, Oil-fields and other industrial establishments under its control. In respect of undertakings falling within the State Sphere the administration of the Act is the responsibility of the State Governments.

Extensions.- According to the information available in the annual returns furnished by the State Governments no notification was issued by any State Government extending the application of the Act to any new class of establishment during the year under review.

Progress of Certification.- The total number of establishments coming within the purview of the Act was 14,494 employing 4,264,268 workers in the Central and State Sphere undertakings. At the beginning of the year, the number of establishments having Certified Standing Orders in respect of all or a group of employees was 9,012 or 62.2 per cent. of the total establishments covered by the Act. The percentage number of employees in these establishments was 3,444,605 or 80.8 per cent. of the total employees in the covered establishments. The percentage of the



establishments having certified Standing Orders to the total number of establishments covered by the Act were 59.7 and 81.6 separately in the State Sphere and Central Sphere undertakings respectively, at the beginning of the year. The percentages of workers employed in establishments having certified Standing Orders to workers employed in covered establishments were 79.6 and 86.5 in the State Sphere and Central Sphere undertakings respectively. At the end of the year, the total number of establishments having certified Standing Orders for all or a group of employees was 70.4 and 84.8 per cent., of the establishments covered in the State Sphere and Central Sphere undertakings and the percentages of employees therein were 82.2 and 89.4 respectively of the total employees in the covered establishments. It will thus be seen that the year under review has shown improvement in the certification of Standing Orders in both the State Sphere and Central Sphere undertakings.

The salient features regarding progress in the certification of the Standing Orders in different States are discussed briefly in the following paragraphs.

In Bihar 23 drafts were pending certification at the beginning of the year and 19 new applications for certification were received during the year. Out of these, 15 drafts were certified and 8 cases were rejected leaving 21 drafts pending certification at the end of the year.

In Madras 1,138 drafts were pending certification at the beginning of the year and 577 establishments submitted draft Standing Orders for certification during the year. The draft Standing Orders of 1,092 industrial establishments were certified during the year. The provisions of this Act ceased to apply to 16 of these establishments which ceased to be covered by the Factories Act, 1948 during the year. In respect of 18 cases, the employers withdrew the draft Standing Orders submitted by them for certification. Thus at the end of the year 589 drafts were still pending certification.

In Punjab 32 cases were pending certification at the commencement of the year and 4 drafts were received during the year. Out of the total 36 cases, Standing Orders were certified in respect of 17 establishments and 19 draft Standing Orders were pending certification at the end of the year.

In the Uttar Pradesh 141 applications for certification were brought forward from the previous year and 92 industrial establishments applied for certification of Standing Orders during the year bringing the total applications for disposal to 233. The Standing Orders of 105 establishments were certified during the year and 10 applications were consigned to records because of various reasons. At the end of the year 118 drafts were still pending certification.

In West Bengal 106 applications for certification of Standing Orders were brought forward from the previous year and 53 industrial establishments applied for certification of Standing Orders during the year. Out of these 159 cases, the Standing Orders of 45 industrial establishments were certified during the year and 4 cases were rejected due to various reasons. Thus for the number of applications pending for certification at the end of the year was 110.

The progress of certification in the other States was not significant. In Tripura no progress was made in the certification of Standing Orders during the year.

In the erstwhile State of Bombay under an amendment to the Industrial Employment(Standing Orders) Act,1946, Model Standing Orders under the Bombay Industrial Employment (Standing Orders) Rules,1959 were promulgated. These Rules have been made mandatorily applicable to all industrial establishments employing 50 or more workers in the present States of Gujarat and Maharashtra. Progress given in statement in respect of of Gujarat and Maharashtra, therefore, relates to Modifications/Amendments of the Model Standing Orders only.

In Madhya Pradesh the M.P. Industrial Workmen (Standing Orders) Act,1959 was brought into force from 31 December 1960. This Act was repealed by the M.P. Industrial Employment(Standing Orders) Act,1961. The latter mentioned Act was brought into force with effect from 25 November 1961. This Act is applicable to all industrial establishments employing 20 or more workmen. According to this Act nothing in the Central Act shall apply to an undertaking to which the State Act is applicable. As the coverage of the State Act is wider than that of the Central Act it will not leave any undertaking to which the Central Act will be applicable.

Central Sphere Undertakings.- The year under review opened with a balance of 150 drafts pending certification. During the year 68 applications covering 70 establishments were received. Out of the total 218 cases, standing orders were certified in respect of 37 applications covering 52 establishments during the year leaving 181 applications covering 189 establishments pending certification at the end of the year.

Application for Modification and Appeals.- In all 95 applications were received for modification during the year and 113 applications were brought forwarded for disposal from the previous year. During the year under review 51 applications were disposed of, leaving a balance of 157 applications pending disposal at the end of the year.

There were 19 appeals pending at the commencement of the year and 43 fresh appeals were received during the year. Out of these, 40 appeals were disposed of during the year and 22 appeals were still pending disposal at the end of the year.

(The Working of the Act for the Year 1960 was reviewed at pp. 64-66 of the Report of this Office for February 1963).

(Indian Labour Journal, Vol. IV, No. 8, August 1963, pp. 815-822 ).

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64. Wage Protection and Labour Clauses in  
Employment Contracts with the Public  
Authorities.

India - July-August 1963.

Payment of Wages (Punjab Amendment) Bill, 1963.

Shri Gopi Chand Bhargava, Finance Minister, Punjab, introduced in the Punjab Legislative Council on 9 September 1963 a Bill to amend the Payment of Wages Act, 1956, in its application to the State of Punjab. According to the Statement of Objects and Reasons of the Bill, consequent upon the enactment of the Compulsory Deposit Scheme Act, 1963, there seems to be no justification for the continuance of the amendment made in Section 6 of the parent Act by the Payment of Wages (Punjab Amendment) Act, 1962, the effect of which is sought to be neutralised by this Bill retrospectively from 1 April 1963, from which date the income of every person became liable to compulsory deposit. The Amendment Bill seeks to delete the whole of the proviso and explanation to section 6 of the Act as amended by Punjab Payment of Wages (Punjab Amendment) Act, 1962.

(Punjab Government Gazette, Extraordinary,  
9 September 1963, pp. 997-998).

Mysore Payment of Wages(Procedure)Rules,1963.

The Government of Mysore published on 29 August 1963 the text of the Mysore Payment of Wages (Procedure) Rules,1963, made in exercise of the powers conferred under the Payment of Wages Act,1936. The Rules prescribe inter alia the form of application for direction under Section 15(2) of the Act, procedure for presentation of documents, to the authority, powers of the authority to refuse to entertain applications under certain circumstances, the form of record of proceedings, procedure for inspection of documents, costs of the proceeding and court-fee payable in respect of proceedings under the Act.

(Notification No.LLH 18LWA(60)(1) dated 14 August 1963, the Mysore Gazette, Part IV,sec.1-c(ii), 29 August 1963, pp. 2269-2280 ).

Payment of Wages (Madras Amendment) Bill, 1963.

Shri M. Bhaktavatsalam, Minister for Finance, Madras, introduced on 9 August 1963 in the Legislative Assembly of the State, a Bill to amend the Payment of Wages Act, 1936, in its application to the State of Madras. According to the Statement of Objects and Reasons of the Bill, instances have been brought to notice where electricity supplied by the Madras State Electricity Board has not been paid for by employed persons to whom house accommodation is provided by employers. It is considered that clause (d) of sub-section (2) of section 7 of the Payment of Wages Act, 1936 (Central Act IV of 1936), which authorises deductions for house accommodation supplied by the employer cannot be pressed into service for the deduction of electricity charges payable by an employed person. The Government has accordingly decided to amend section 7 to enable deductions being made under that section on account of electricity charges payable by an employed person.

The Bill seeks to give effect to the above decision.

The Bill inserts a new section 11B to the Act empowering the employer, if so required by the State Electricity Board, to make deductions from wages of employed person in respect of electricity supplied to the employed person by the Board.

(Fort St. George Gazette, Extraordinary,  
Part IV, Sec. 3, 9 August 1963, pp. 113-114).

67. Conciliation and Arbitration.

India - July-August 1963.

Industrial Disputes (Mysore Amendment) Bill,  
1963.

The Government of Mysore published on 29 August 1963 the text of the Industrial Disputes (Mysore Amendment) Bill, 1963, introduced in the Legislative Assembly of the State. The Statement of Objects and Reasons of the Bill declares that according to the provisions of section 7A of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), as amended by the Industrial Disputes (Mysore Amendment) Act, 1962, (Mysore Act No.6 of 1963), a person who is or has been a District Judge can be appointed as presiding officer of an Industrial Tribunal.

While communicating the assent of the President to the Industrial Disputes (Mysore Amendment) Bill, 1962, the Government of India have suggested provision being made specifying a minimum period of three years' service as District Judge. It is, therefore, proposed to amend section 7A. Hence this Bill.

(The Mysore Gazette, Extraordinary,  
Part IV, Sec. 2A, 29 August 1963,  
pp. 1-3 ).

68. Labour Courts.

India - July-August 1963.

Reservation of Jobs for Backward Classes:  
"Carry Forward Rule" held unconstitutional.

A constitution bench of the Supreme Court with Shri Justice Subha Rao dissenting ~~was~~ followed a petition by one Devadasan against the Union of India and another and declared unconstitutional the "Carry Forward Rule" 1955 governing the reservation of posts in the public services for members of the backward classes.

According to the court, the effect of the "Carry Forward Rule" which purported to make special provisions for securing benefits to the backward classes was to deprive the rest of the community of its legitimate rights in the matter of appointments in public service. As the rule virtually negated the fundamental right of other citizens to equality of opportunity it was unconstitutional.

The appellant was employed in the Central Secretariat Service. The Union Public Service Commission held an examination for promotion to the regular temporary establishment of Assistant Superintendents in June 1960. The announcement publicising the examination had stated that 17 1/2 per cent. of the posts would be reserved for members of the backward classes.

After the results of the examination were declared the respondents by applying the "Carry Forward Rule" filled almost 65 per cent. of the seats with candidates drawn from the backward classes although a number of them had secured fewer marks in the competitive examination than the petitioner. The petitioner, aggrieved by this method of appointment, filed a petition in the Supreme Court challenging the validity of the Rule.



State's Right.- The Supreme Court said that under Article 16(4) the State had a right to make reservations in favour of the backward classes, but such reservations must be reasonable and not have the effect of nullifying the fundamental right of other citizens to equality of opportunity. The "Carry Forward Rule" provided that if in any year the seats reserved for the backward classes could not be filled, the remaining quota would be carried forward to the following year and added to the quota for that year.

In the present case the result had been that nearly 65 per cent. seats had been given to the reserved categories. The court felt that a rule which led to such a heavy proportion of reservation for one section of the population had the effect of almost nullifying the rights of the other citizens. In the case of Balaji versus the State of Mysore the court had held that a reservation of over 50 per cent. of the seats in educational institutions was excessive.

Applying the same principle the court held that the "Carry Forward Rule" had worked in a manner so as to violate the rights of other citizens and was therefore unconstitutional. As the petitioner had not pressed for any further relief, the court did not go beyond granting this declaration.

(The Statesman, 30 August, 1965).

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Chapter 7. Problems peculiar to Certain Categories  
of Workers.

74. Indigenous Labour.

India - July-August 1963.

"Carry Forward Rule" held Unconstitutional:  
Reservation of Jobs for Backward Classes.

The "Carry Forward Rule" which sought to make special provision for securing jobs for backward classes by reserving a percentage of ~~has been~~ notified vacancies for them, has been held unconstitutional by a constitution bench of the Supreme Court.

For details please see paragraph 68,  
pp. 69-70 of this Report.

CHAPTER 8. MANPOWER PROBLEMS.

INDIA - JULY-AUGUST 1963.

81. Employment Situation.

Employment Exchanges: Working during June 1963.

According to the Review of the principal activities of the Directorate-General of Employment and Training for the month of June 1963, the position of registrations, placements, live register, vacancies notified and employers using employment exchanges was as below:-

	May 1963	June 1963	Increase or decrease (+) or (-)
Registrations	358,677	395,167	+ 36,490
Placements	46,144	42,694	- 3,450
Live Register	2,633,197	2,684,691	+ 51,494
Vacancies Notified	87,711	77,328	- 10,383
Employers using Exchanges	13,568	13,099	- 469

Shortages and Surpluses.- Shortage was reported in respect of stenographers, nurses, midwives, compounders, doctors, trained teachers, accountants, engineers, overseers, electricians, draughtsmen and boiler attendants while surpluses were reported in respect of clerks untrained teachers, unskilled office workers and unskilled labourers.

Collection of Employment Market Information.- Sixtyfour Employment Market Reports relating to different areas in various States were issued during the month.

The All India quarterly Employment Review for the quarter ended December 1962 was also issued.

Vocational Guidance and Employment

Counselling.- Aptitude tests were administered at one of the Industrial Training Institutes in each State for the purpose of serving as a total in the selection of trainees for admissions.

Gorakhpur Labour Organisation.- During the month of June 1963, the Gorakhpur Labour Organisation despatched 1,398 workers to various worksites.

Deployment of surplus/retrenched personnel.- During the month of June 1963, 27 persons retrenched from the various river valley and steel projects and government est- establishments were registered and 285 persons were found employment. A detailed statement showing the number of retrenched persons registered and placed and the number of persons awaiting assistance is given below:-

Name of the Project.	No. awaiting assistance at the end of May 1963.	No. retrenched during the month.	No. of retrenched personnel (including those left voluntarily registered during the month for employment assistance.	No. placed during the month.	No. Left during the month.	No. awaiting assistance at the end of the month for employment.
Damodar Valley Corporation.	278	17	17	12	9	274
Bhakra Nangal Project.	11	3	3	-	6	8
Bhilai Steel Project.	2,677	-	248	256	-	2,689
Durgapur Steel Project.	523	3	28	4	-	547
Special Cell of the Ministry of Home Affairs.	1,267	4	4	33	8	70*
						1,160**
						1,230
<b>Total.</b>	<b>4,756</b>	<b>27</b>	<b>300</b>	<b>285</b>	<b>23</b>	<b>4,748</b>

\* Class I & II. \*\* Class III & IV.

(Review of the Principal Activities of the Directorate-General of Employment and Training for the Month of June 1963: Ministry of Labour and Employment, Government of India, New Delhi ).

Employment Exchanges: Working during July 1963.

According to the Review of the principal activities of the Directorate-General of Employment and Training for the month of July 1963, the position of registrations, placements, live registers, vacancies notified and employers using employment exchanges during the month under review was as follows:-

Item	June 1963	July 1963	Increase or decrease (+) or (-)
Registrations	395,167	466,157	+ 70,990
Placements	42,694	45,320	+ 2,626
Live Register	2,684,691	2,743,780	+ 59,089
Vacancies Notified	77,328	77,765	+ 437
Employers using Exchanges.	15,099	14,155	+ 1,056

\* Includes 1,479 vacancies notified by private employers falling within the purview of the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959, against which submission action was not required.

Shortages and Surpluses.- Shortage was reported in respect of typists, stenographers, nurses, midwives, compounders, doctors, physical training instructors, engineers, trained teachers, skilled turners, overseers, electricians and accountants, while surpluses were reported in respect of clerks, untrained teachers, unskilled labourers and unskilled office workers.

Collection of Employment Market Information.- At the end of July 1963, employment market area studies were in progress in 227 areas in different States.

An All-India report on employment in the public sector and Quarterly Employment Review for the quarter ended March 1963 were issued by this Directorate General. These reports also indicate the employment trends in the country since the beginning of the Third Plan.

Vocational Guidance and Employment Counselling.— One more Vocational Guidance Section in the Employment Exchange at North Calcutta has started functioning and thus raising the total number of Vocational Guidance Sections in the Employment Exchanges to 115.

Aptitude tests were administered at Industrial Training Institutes Arab-Ki-Sarai and Fusa for selection purposes.

Gorakhpur Labour Organisation.— During the month of July 1965, the Gorakhpur Labour Organisation despatched 884 workers to various work sites.

Deployment of Surplus/Retrenched Personnel.— During the month of July 1965, 19 persons retrenched from the various river valley projects, steel projects and government establishments were registered and 225 persons were found employment. A detailed statement showing the number of retrenched persons registered and placed and the number of persons awaiting assistance is given below:—

Name of the Project.	No. awaiting assistance at the end of June, 1965.	No. retrenched during the month.	No. of persons (including those left voluntarily registered during the month for employment assistance.)	No. placed during the month, no desire for employment assistance.	No. left at the end of the month.	No. awaiting assistance at the end of the month.
Damodar Valley Corporation.	274	—	—	12	4	258
Bhakra Nangal Project.	8	5	5	—	2	11
Bhilai Steel Project.	2689	—	422	194	—	2917
Durgapur Steel Project.	547	—	—	—	49	498
Special Cell of the Ministry of the Home Affairs.	1230	14	14	19	—	70* 1155** 1225
<b>Total.</b>	<b>4,748</b>	<b>19</b>	<b>441</b>	<b>225</b>	<b>55</b>	<b>4,909</b>

\* Class I & II.      \*\* Class III & IV.

(Monthly Review of the Principal Activities of the Directorate-General of Employment and Training for the Month of July 1965: Ministry of Labour and Employment, Government of India, New Delhi )

83. Vocational Training.

India - July-August 1963.

Labour Ministry's Training Scheme: Working during June 1963.

According to the Review of the Activities of the Directorate-General of Employment and Training for the month of June 1963, there were 231 institutes for training of craftsmen, 73 undertakings imparting apprentices training and 21 centres holding part-time classes of industrial workers. The total number of seats stood at 65,336 and the total number of persons undergoing training was 53,112.

Craftsmen Training Schemes.- During the month of June 1963, only 2,664 seats under the Craftsmen Training Scheme have been sanctioned. The progressive total of seats sanctioned under the various training schemes and the number of new Industrial Training Institutes sanctioned during the Third Five Year Plan is given as under:-

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1. Craftsmen Training Scheme.	—	56,064 seats.
2. Part-time courses for industrial workers.	—	2,945 seats.
3. Apprenticeship Scheme.	—	2,787 seats.
4. Number of new Industrial Training Institutes sanctioned.		144 I.T.Is.

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Equipment.- Central Training Institutes for Instructors at Calcutta, Kanpur, Madras, Hyderabad, Ludhiana and Bombay are being assisted by Foreign aid programmes. These Projects functioning under Craftsmen Instructors Training Schemes are being aided by S.F.P. of the U.N.O. except the one at Bombay which is being assisted by the AID AGENCY of the United States. The progressive receipt position of equipment upto June 1963 is tabulated below:-

Name of Centre.	Value of equipment stipulated in AID (Millions)	Value of Equipment received upto June/1963. (Millions)
	<u>Rs.</u>	<u>Rs.</u>
Central Training Institute, Calcutta.	1.738	1.650
Central Training Institute, Kanpur.	1.390	1.105
Central Training Institute, Madras.	2.390	0.097
Central Training Institute, Hyderabad.	1.390	-
Central Training Institute, Bhubanes.	1.390	-
Central Training Institute, Bombay.	1.704	1.426

(Review of the Principal Activities of the Directorate-General of Employment and Training for the Month of June 1963; Ministry of Labour and Employment, Government of India, New Delhi).



Labour Ministry's Training Schemes: Working during July 1963.

According to the Review on the principal activities of the Directorate-General of Employment and Training for the month of July 1963, there were 231 institutes for training of craftsmen, 73 undertakings imparting apprenticeship training, and 21 centres holding part-time classes for industrial workers. The total number of seats stood at 65,336 and the total number of persons undergoing training was 40,190.

Craftsmen Training Schemes.— During the month of July 1963, 306 seats under the Craftsmen Training Scheme were sanctioned for introduction during the Third Five Year Plan. The progressive total number of seats sanctioned under the various Training Schemes and the number of new Industrial Training Institutes sanctioned during the Third Five Year Plan is given as under:—

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	<u>Seats</u>
1. Craftsmen Training Schemes.	56,430
2. National Apprenticeship Scheme.	2,787
3. Part-time courses for industrial workers.	2,945
4. Number of new Industrial Training Institutes sanctioned.	144

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Equipment.— Central Training Institutes for Instructors at Calcutta, Kanpur, Madras, Hyderabad, Ludhiana and Bombay are being assisted by foreign aid programmes. These Projects are presently functioning under the scheme of Training of Craft Instructors and are being aided by U.S.A.I.D. except the ones at Bombay, which is being helped by the AID Agency of the United States. The progressive receipt position of equipment upto July 1963, is tabulated below:—

Name of Centre.	Value of equipment stipulated in Aid (in Millions).	Value of Equipment received upto July 1965 (in Millions).
	<u>Rs.</u>	<u>Rs.</u>
Central Training Institute, Calcutta.	1.738	1.650
Central Training Institute, Kanpur.	1.390	1.105
Central Training Institute, Madras.	1.390	0.109
Central Training Institute, Hyderabad.	1.390	0.012
Central Training Institute, Ludhiana.	1.390	0.009
Central Training Institute, Bombay.	1.704	1.426

It may be mentioned that C.T.I. Calcutta and Bombay have received all the equipment except books and some accessories etc., to the equipment. Most of the supply orders have been placed by I.L.O. Geneva in case of Hyderabad and Ludhiana; shipping documents for some of these have also started coming in.

(Monthly Review of the Principal Activities of the Directorate-General of Employment and Training for the Month of July 1963: Ministry of Labour and Employment, Government of India, New Delhi ).

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60 Vocational Training Centres to be set up  
for training of Young Boys.

A pilot scheme for giving vocational training to children of the age group 11-14 who discontinue their studies at the post-elementary stage, for economic or other reasons, has been approved by the Ministry of Finance. The scheme envisages the setting up of 60 centres in different States and Union Territories in the next two to three years. The centres would be attached to the best high/higher secondary/multi-purpose schools and would provide both full-time and part-time courses comprising vocational training as well as general education. Vocational training will include elementary metal work and carpentry, and general education will include humanities, social studies, arithmetic, general knowledge, etc.

Last year, UNICEF made an offer of financial assistance of the order of a million dollars during the Third Plan period for the establishment of such vocational centres. I.L.O. would be giving technical advice for the project.

Preliminaries such as training of instructors and career masters for the 60 centres would be undertaken during the current year. Five training centres would be started and would be affiliated to the central training institutes run by the Labour Ministry.

The first 20 youth vocational centres are expected to be set up as from 1 July 1964, followed by 20 more at the end of six months and the remaining 20 from 1 July 1965.

The Union Education Ministry have asked State Governments to nominate an officer to implement the scheme. After the Third Plan period, the scheme would become Centrally-assisted with State Governments bearing a certain percentage of expenditure from their own resources.

(The Hindu, 1 July 1963 )

Draft Mines Vocational Training Rules, 1963.

The Central Government published on 27 July 1963 the draft Mines Vocational Training Rules, 1963, proposed to ~~made~~ be made in exercise of the powers conferred under the Mines Act, 1952. The rules apply to all persons employed ~~or~~ to be employed in a mine other than certain specified categories of persons including persons holding position of supervision or management, clerks, persons who have undergone a course of training, apprentice mechanics, etc. The rules provide that every person to be newly employed in a mine on the surface or in open cast workings, before he is so employed shall undergo a course of theoretical and gallery training, as detailed in the First Schedule, which shall extend for not less than 12 working days. A person to be newly employed below ground in a mine in which safety lamps are not required to be used shall, before he is so employed in addition to the training specified above, undergo a course of training on actual operations which shall extend for not less than 21 working days. A person to be newly employed below ground in a mine in which safety lamps are required to be used shall before he is so employed in addition to the training specified above, undergo a course of training about the dangers of inflammable gas and methods of dealing with the same as detailed in the Schedule Second Schedule, which shall extend for not less than 12 working days.

Whenever a person returns to employment on the surface or in open cast workings or to employment below ground in a mine after a break of 6 months or more, he shall, within one month of the re-employment, undergo refresher training as detailed in the Third Schedule, consisting of not less than -

- (1) three safety lectures and demonstrations, in case of persons re-employed on the surface or in the open cast workings;
- (2) six safety lectures and demonstrations in addition to the training specified in clause (1), in case of persons re-employed below ground in a non-gassy mine;

- (3) six further lectures and demonstrations about the dangers of inflammable gas and methods of dealing with the same in addition to the training specified in clauses (1) and (2), in case of persons re-employed below ground in a gassy mine.

Other provisions of the rules deal inter alia, with training of line ministries, training of persons in handling explosives, training of persons in shot firing, training centres and arrangements for training, rights and certification of trainees, etc.

The draft rules will be taken into consideration by the Government after 31 October 1963.

(The Gazette of India, Part II, Sec. 3, sub-sec. (1), 27 July 1963, pp. 1465-1476).

85. Migration and Colonisation.

India - July-August 1963.

Indian Emigration (Amendment) Act, 1963  
(No. 25 of 1963).

The Indian Emigration (Amendment) Bill (vide pages 59-60 of the report of this Office for January 1963) as passed by Parliament received the assent of the President on 24 August 1963 and has been gazetted as Central Act No. 25 of 1963. The Amendment Act, among other things, extends the provisions of the Act of 1922 to journeys abroad by air, makes provision for heavier punishment for certain offences under the Act, provides that the vessel, country-craft, aircraft or any other conveyance used in the commission of offence shall be liable to confiscation, extends the safeguards provided for emigration under the Act to personal domestic servants accompanying their employers and makes the provisions of the Act applicable to all citizens of India.

(The Gazette of India, Extraordinary,  
Part II, Sec. 1, 26 August 1963,  
pp. 283-287 )

Chapter 9. Social Security

92. Legislation.

India - July-August 1963.

Working of ESIS Reviewed by a Tripartite Committee: Increase in Benefits to Workers Recommended.

The first meeting of the Tripartite Committee set up by the Union Government to review the working of the Employees' State Insurance Scheme was held at New Delhi on 28 July 1963. The meeting was inaugurated by Shri G.R. Pattabhi Raman, Union Deputy Minister of Labour, Employment and Planning, and attended, among others, Shri M. Bhaktavatsalam, Madras Labour Minister, Shri P.K. Guha, West Bengal Minister of State for Labour and Health, Shri H.D. Chaudhuri, Maharashtra Minister for Public Health, Shri C.V. Puranik and Shri Bagaran Tulpule.

Inaugurating the meeting, Shri G.R. Pattabhi Raman said that the Government proposed to amend the Employees' State Insurance Act to simplify and stream-line the scheme. According to the amendments proposed, the rate of disablement and dependents benefit would be raised by 25 per cent. The exemption limit for employees' contribution would be raised from Rs.1 to Rs.1.50. This would mean considerable relief to low-paid employees receiving daily wages of less than Rs.1.50. The qualifying conditions for sickness and maternity benefit would also be considerably simplified.

He said that it was proposed to extend the scope of the Employees' State Insurance Act to cover factories as defined under the Factories Act, 1948 and shops and commercial establishments including transport companies employing 20 or more people. The Government was considering the recommendations of the Study Group on Social Security relating to the integration of the Employees' State Insurance Scheme and the Employees' Provident Fund Scheme.

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Shri P.K. Gaha suggested that the Employees' State Insurance Scheme should cover industrial employees drawing Rs.600 a month as against Rs.400 at present.

Shri Bagaran Talpule suggested that more effective measures should be taken to rehabilitate workers who had suffered permanent disablement on account of employment injury. At present there were no institutional facilities for the rehabilitation of the disabled workers.

(The Statesman, 29 July 1965).



Employees' Provident Funds Act, 1952, extended  
to Employees of Aerated Water Industry.

In exercise of the powers conferred under the Employees' Provident Funds Act, 1952, and by a notification dated 3 August 1963, the Central Government has with effect from 31 August 1963 added the aerated water industry, that is to say, any industry engaged in the manufacture of aerated water, soft drinks or carbonated water, to Schedule I to the said Act.

(Notification GSR 1432 dated 3 August 1963, the Gazette of India, Extraordinary, Part II, Sec. 3, sub-sec. (1), 29 August, 1963, page 693 ).

Personal Injuries (Compensation Insurance)  
Bill, 1963.

Shri Gulzarilal Wanda, Union Minister of Labour and Employment, introduced on 23 August 1963 in Lok Sabha a Bill to impose on employers a liability to pay compensation to workmen sustaining personal injuries and to provide for the insurance of employers against such liability.

According to the Statement of Objects and Reasons of the Bill, under section 4 of the Personal Injuries (Emergency Provisions) Act, 1962, the liability of an employer to pay compensation for personal injuries (i.e. war injury) under the Workmen's Compensation Act, 1923, or the Employees' State Insurance Act, 1948, has been removed. The present Bill seeks -

(i) to impose on the employers of workmen in factories, mines, major ports, plantations, essential services, etc., the liability to pay compensation in respect of personal injuries to the extent the amount of compensation payable under the Workmen's Compensation Act, 1923, exceeds the amount of compensation payable under the Personal Injuries (Emergency Provisions) Act, 1962;

(ii) to provide for a scheme of insurance of the liability by the employers with Government based on premium rates which can be varied with reference to the actual nature or extent of the liability as it may exist from time to time.

Bill

The Bill provides for payment of compensation on a uniform basis irrespective of the fact whether a workman is covered by the Workmen's Compensation Act, 1923 or the Employees' State Insurance Act, 1948. This has been considered necessary from the point of view of the practicability, equity and the fact that the quantum of benefits under the latter Act is not fixed automatically as in the case of the former Act.

The premium payable by employers for compulsory insurance will be collected at quarterly intervals as is being done under the Emergency Risks (Factories) Insurance Act, 1962.

Exemption from compulsory insurance is proposed to be granted to small establishments whose total wages bill for any quarter is less than Rs. 1,500 because the cost of collecting the premium and the

administrative charges in their case is likely to be out of proportion to the realisations made.

The various provisions of the Bill are explained in the notes on clauses.

Clause 4.- This clause imposes on employers the liability to pay compensation to the workmen to whom the Bill would apply for "personal injuries". It further provides that the employer's liability to pay compensation under the Bill would be discharged by the Central Government if the employer takes out a policy of insurance as provided for in clause 9 and pays all premiums regularly. It further makes the Central Government and the State Governments liable to pay compensation for "personal injuries" sustained by their employees.

Clause 5.- This clause provides that where any person is entitled to the benefits of extraordinary pension, gratuity, etc., in respect of a personal injury under the conditions of his service or otherwise, and the amount of such pension, gratuity, etc., is greater than the amount payable as compensation under the Bill then he shall be paid by the Government (as insurer) the amount of compensation payable under the Bill and the difference shall be paid by the employer.

Clause 6.- This clause provides that if the amount of extraordinary pension, gratuity, etc., payable in respect of a personal (war) injury suffered by an employee of the Government is equal to or greater than the amount of compensation payable under the Bill, then, only the amount of extraordinary pension, gratuity, etc., shall be paid. But if the amount of such extraordinary pension, gratuity, etc., is less than the amount payable as compensation under the Bill, then, the amount payable as extraordinary pension, gratuity, etc., shall be paid in the first instance and thereafter a sum equal to the difference between the amount of such extraordinary pension, gratuity, etc., and the amount payable as compensation under the Bill shall be paid.

Clause 7.- This clause provides that the amount of compensation for personal injuries shall be roughly equal to the difference between the amount of compensation payable under the Scheme framed under the Personal Injuries (Emergency Provisions) Act, 1962, and the amount of compensation payable under the Workmen's Compensation Act, 1923.

Under the Workmen's Compensation Act, 1923, the monthly wage limit for coverage is Rs. 500, and the rates of compensation are linked with wage-slabs. Workmen in the wage-slab Rs. 400.01-Rs. 500 are entitled to the maximum rates of compensation. As the Bill would cover workmen drawing monthly wages more than Rs. 500 also, provision has been made in clause 7(2) that in their case the maximum rates of compensation provided for in the Workmen's Compensation Act, 1923, for the workmen in the wage-slab Rs. 400.01-Rs. 500 would be taken into account.

Clause 8.— This clause empowers the Central Government to make and put into operation a scheme undertaking, in relations to employers, the liability of insuring the employers against the liabilities incurred by them under the Bill. The Scheme may, inter alia, regulate the payment of compensation payable under the Bill and determine the value in lump sum of the periodic payments required to be made under the Scheme framed under the Personal Injuries (Emergency Provisions) Act, 1962. This is necessary because the compensation payable under the Workmen's Compensation Act, 1923, has been expressed in lump sum.

Clause 9.— This clause makes it obligatory for every employer of workmen to whom the Bill applies, other than an employer whose total wages bill for any quarter is less than Rs. 1,500, to take out a policy of insurance in accordance with the Scheme framed under the Act. The Government as an employer will not, however, be required to take out a policy of insurance.

Clause 10.— This clause provides that the liabilities of a contractor, whether he lends or lets on hire the services of workmen or executes any work for a principal employer, shall not be transferred to the principal employer. The principal employer will only be required to furnish necessary information to the Central Government or its agent regarding the terms of his arrangement or contract with the contractor. This clause also exempts a contractor from insuring against the liabilities imposed by the Bill where the contract or arrangement is for a term of less than a month.

Clause 12.— This clause prohibits private insurance insurers from carrying on the business of insuring employers in India against the liabilities arising under the Bill.

Clause 11.— This clause empowers the Central Government to appoint agents for any of the purposes of the Bill and to pay remuneration to such agent.

Clause 13.- This clause provides for the establishment of a Personal Injuries (Compensation Insurance) Fund, which is intended to be self-sufficient. This clause, however, empowers the Central Government to make an advance to the Fund, if it is temporarily in deficit, of any amount which may be needed for meeting the expenditure chargeable to the Fund. The intention is that the advance so made would be recouped from the future premium. This clause further provides that if there is ultimately a surplus in the Fund after providing for all the payments from the Fund, the excess shall be disposed of in such manner as the Central Government may decide.

Clause 14.- This clause empowers the Central Government to obtain such information or to carry out such inspections as may be necessary for enforcing the provisions of the Bill.

Clause 15.- This clause empowers the Central Government to recover unpaid premium as an arrear of land-revenue.

Clause 16.- This Clause empowers the Central Government to pay compensation in the first instance from the Fund in cases where an employer has failed to insure or, having insured, has failed to pay premium and thereafter to recover the unpaid premium, together with a penalty, from the defaulting employer.

to 20:

Clause 17.- These clauses contain the usual provisions in regard to the limitation of prosecutions, the composition of offences, power of magistrate to impose any sentence, and bar of legal proceedings in respect of action taken in good faith under the relevant provisions of the Bill.

Schedule.- The Schedule contains a list of injuries which shall be deemed to result in permanent total disablement or permanent partial disablement, which will be compensated in accordance with paras. (b) and (c) of sub-clause (1) of clause 7.

(The Gazette of India, Extraordinary,  
Part II, Sec. 2, 25 August 1963,  
pp. 589-615 )

93. Application.

India - July-August 1965.

VIII. Maternity Benefits.

Working of the Maternity Benefits Acts during 1961\*.

The following is a brief review of an article on the working of the Maternity Benefit Act during 1961, published in the August 1965 issue of the Indian Labour Journal.

Introduction.- Legislation providing for the payment of cash benefits, grant of leave and other facilities for maternity relief to women workers employed in factories exists in almost all the States and Union Territories of India. The State Acts have been extended to cover the women workers in Plantations also in Assam, West Bengal and Kerala. As regards Assam, however, the figures presented in the tables given below are those collected under the women Plantations Labour Act, 1951. Similar benefits are being provided to the women workers employed in Mines under the Mines Maternity Benefit Act passed by the Central Government. The scope, qualifying conditions, the period and the rate of maternity benefits are not, however, uniform under the various Acts.

During the year under report, the percentage of establishments submitting returns to the total number of establishments covered by the State Acts varied from 28.1 in Madhya Pradesh to 100.0 in Bihar and Uttar Pradesh in respect of factories and 61.7 in Kerala to 100.0 in West Bengal in so far as plantations were concerned. Under the Mines Maternity Benefit Act, this percentage was 56.2 for Coal Mines and 39.3 for other Mines. Further, the State Maternity Benefit Acts cease to be operative in areas where the integrated Social Insurance Scheme framed under the Employees' State Insurance Act, 1948 is enforced.

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\* Indian Labour Journal, Vol. IV, No. 6, August 1965, (pp. 809-815).

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In factories among States, Kerala reported the largest number of cases in which maternity benefit was paid. Next in order came Mysore and Madras. In Plantations, Assam reported the largest number of cases in which maternity benefit was paid during the year. Though the number of claims paid in factories was the largest in Kerala, the amount of maternity benefit paid was the highest in Madras. The proportion of women workers who were paid maternity benefit in full or in part in factories and plantations, to the total number of women workers who claimed such benefit during the year under review, was fairly high in all States except Rajasthan and Madras.

The following table shows the amount of benefit paid in factories and plantations (by States) and mines during 1961:—

States	No. of Estab- lishment covered by the Maternity Benefit Act.	No. of Estab- lish- ments making returns.	Average No. of women employed in estab- lishment making returns.	No. of women who claimed maternity benefit during the year.	No. of women who were paid mater- nity benefit in full or in part Total	No. of women who were paid mater- nity benefit in full or in part From current year claim.	No. of cases in which benefits were paid.	Total amount (Rs.)
1	2	3	4	5	6	7	8	9
<b>Factories</b>								
Andhra								
Pradesh.	3,068	1,974	78,142	524	375	375	2	6,639
Bihar.	357	357	8,828	423	415	362	6	81,127
Gujarat.	3,963	2,967	32,957	1,249	1,043	858	31	41,338
Kerala.	879	430	51,482	5,689	5,289	5,270	3,231	375,039
Madhya Pradesh.	1,938	545	10,471	192	141	..	..	13,206
Maharash- tra.	1,533	1,107	33,320	530	613	503	..	23,821
Madras.	2,098	1,792	39,867	1,589	1,319	233	381	100,755
Mysore.	679	395	17,015	1,597	1,494	1,494	365	74,385
Orissa.	188	165	3,465	100	95	95	..	14,236
Punjab.	377	312	3,596	11	11	11	..	494
Rajasthan.	164	56	1,737	9	8	2	..	562
Uttar Pradesh.	250	250	2,647	17	17	17	3	1,568
West Bengal.	973	859	26,377	654	669	648	17	95,848
<b>Total.</b>	<b>16,467</b>	<b>11,209</b>	<b>309,904</b>	<b>12,584</b>	<b>11,489</b>	<b>9,848</b>	<b>4,036</b>	<b>829,018</b>
<b>Plantations</b>								
Assam.	791	618	136,022	44,763	41,434	..	..	4194,920
Kerala.	405	250	42,673	7,908	7,908	7,908	378	579,269
West Bengal.	276	276	73,355	21,629	20,772	..	..	1432,367
<b>Total.</b>	<b>1,472</b>	<b>1,144</b>	<b>302,650</b>	<b>74,500</b>	<b>70,114</b>	<b>7,908</b>	<b>378</b>	<b>6206,556</b>
<b>Mines</b>								
Coal.	843	474	26,017	2,814	2,945	2,764	..	416,233
Other.	2,323	912	40,233	4,485	4,517	4,427	432	171,655
<b>Total.</b>	<b>3,166</b>	<b>1,386</b>	<b>66,250</b>	<b>7,299</b>	<b>7,462</b>	<b>7,191</b>	<b>432</b>	<b>587,888</b>

The table below shows the percentage of women workers who claimed maternity benefit to the total number of women employed in units furnishing returns and the average amount of benefit paid per case in the various States and Mines.

State	No. of claims made per 100 women employed.		Average Amount of benefit paid per case. (Rs.)	
	1960	1961	1960	1961
<b>Factories -</b>				
Andhra Pradesh.	0.7	0.7	19	18
Bihar.	6.7	4.8	163	195
Gujarat.	4.1	3.8	32	40
Kerala.	28.7	11.1	75	71
Madhya Pradesh.	1.7	1.8	82	94
Maharashtra.	1.0	1.6	47	39
Madras.	4.4	4.0	107	76
Mysore.	7.9	9.4	33	50
Orissa.	3.7	2.9	79	150
Punjab.	0.08	0.3	38	45
Rajasthan.	1.0	0.5	51	70
Uttar Pradesh.	0.6	0.6	172	92
West Bengal.	3.8	2.5	127	143
Average.	3.2	4.1	74	72
<b>Plantations -</b>				
Assam.	14.3	24.0	96	101
Kerala.	15.1	18.5	72	73
West Bengal.	28.2	29.5	68	69
Average.	17.4	24.5	86	89
<b>Mines -</b>				
Coal.	10.0	10.8	131	141
Others.	11.1	11.1	37	38
Average - Mines.	10.7	11.0	65	79

The percentage of claims in factories and plantations was the highest in Kerala and West Bengal respectively. As compared to 190 the average percentage of claims in both factories and plantations were higher in 1961. The percentage of claims in Mines also registered a slight rise from 10.7 in 1960 to 11.0 in 1961.



The average amount of benefit paid per case in factories varied from State to State, the highest (Rs.195/-) being in Bihar and the lowest (Rs.18/-) in Andhra Pradesh. The average maternity benefit paid per case during 1961 was Rs.72/-, Rs.89/- and Rs.79/- for Factories, Plantations and Mines respectively.

The number of complaints received was the highest in Kerala in respect of factories as well as in Plantations. Prosecutions were launched in a few cases as the violation of the Acts or the Rules framed thereunder which led to the complaints was generally of a very minor nature.

Payment under the Employees' State Insurance Act.— The extent of the areas covered under the Employees' State Insurance Act varies from State to State. Taking all the States together, the number of women who claimed benefit formed about 5.8 per cent. of the total women insured and the average amount of benefit paid per case was about Rs. 257/-.

The table below shows the amount of benefit paid under the Employees' State Insurance Act during 1961:—

State	Net No. of Insured women as on 31.12.1960.	Net No. of Insured women who claimed Maternity Benefit during 1961.	No. of claims accepted fully or partially during 1961.	Amount of Maternity Benefit paid during 1961. (Rs.)
Andhra Pradesh.	6,919	345	290	88,768
Assam.	20	1	2	86
Bihar.	2,510	147	119	23,652
Delhi.	5,534	60	122	9,402
Kerala.	15,751	2,008	1,941	274,215
Madhya Pradesh.	9,898	302	450	89,571
Madras.	26,084	1,829	1,573	562,771
Maharashtra.	42,450	1,513	1,422	550,850
Mysore.	5,043	262	242	68,309
Orissa.	1,184	52	48	7,980
Punjab.	1,203	37	37	3,744
Rajasthan.	1,487	216	189	23,032
Uttar Pradesh.	2,938	52	95	6,951
West Bengal.	5,695	402	560	56,651
Total.	126,701	7,314	6,370	1,765,782

As the women workers can claim Maternity Benefit under either the State/Central Act or the Employees' State Insurance Act, the total of the respective figures under both the Acts is expected to indicate the progress in the extension of the particular benefit to eligible women workers. During 1961, the total number of claims under the various State/Central Acts and the Insurance Scheme together increased to 101,497 from 79,944 in 1960, while the corresponding number of claims paid increased to 95,935 from 89,688. The total amount paid as maternity benefit under the two provisions together was Rs.9.389 millions in 1961 as compared to Rs.8.474 millions in 1960 and the overall average amount paid per effective claim, improved from Rs.94.28 in 1960 to Rs. 97.87 in 1961.

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LIST OF THE PRINCIPAL LAWS PROMULGATED  
DURING THE PERIOD COVERED BY THE REPORT  
FOR JULY-AUGUST 1965.

INDIA - JULY-AUGUST 1965.

CHAPTER 5. WORKING CONDITIONS AND LIVING  
STANDARDS.

- a) Mysore Industrial Establishments (National and  
Native) Holidays) Act, 1965 (Mysore Act No. 24  
of 1965) (The Mysore Gazette, Part IV, Sec. 2B,  
11 July 1965, pp. 437-443).
- b) Iron Ore Mines Labour Welfare Cess (Amendment)  
Act, 1965 (No. 24 of 1965) (The Gazette of India,  
Extraordinary, Part II, Sec. 1, 26 August 1965,  
Page 287).

CHAPTER 8. MANTPOWER PROBLEMS.

Indian Migration (Amendment) Act, 1965  
(No. 23 of 1965) (The Gazette of India,  
Extraordinary, Part II, Sec. 1, 26 August 1965,  
pp. 283-287).

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CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

- \*(a) "Annual Report of the Chief Inspector of Factories, U.P., on the Administration of the Factories Act, 1948, and U.P. Maternity Benefit Act, 1958, Employment of Children Act, 1956 for the Year 1958": Allahabad: Superintendent, Printing and Stationary, Uttar Pradesh, 1961. Price Rs.7. pp.160.
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- \*(c) "Labour Research - An Annotated Bibliography of Station Labour Research in India, 1956-62": Labour Bureau Pamphlet Series - 4: Labour Bureau, Ministry of Labour and Employment, Government of India, Simla, January 1963: Printed in India by the Manager Government of India Press, Simla for the Manager of Publications, Civil Lines, Delhi, 1963. Price Rs.3.85nP. pp.140.
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CHAPTER 6. GENERAL RIGHTS OF WORKERS.

- \*(a) "A Case Study of Labour-Management Relations at the Godrej and Boyce Mfg. Co. Pvt. Ltd., Bombay": 1962": Bombay Labour Institute, Parle, Bombay-12(DD): 1963: Printed at the Government Central Press, Bombay: Sponsored by the Ministry of Labour and Employment, Government of India, New Delhi. pp.100.
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