

INTERNATIONAL LABOUR OFFICE  
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Industrial and Labour Developments in August 1962.N.B. - Each Section of this Report may be taken out separately.

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## CHAPTER 1. INTERNATIONAL LABOUR ORGANISATION.

### INDIA - AUGUST 1962.

#### 11. Political Situation and Administrative Action.

##### Twentieth Session of Indian Labour Conference, New Delhi, 7-9 August 1962; Panels of Arbitrators to be Constituted; Principle of Participation of Public Sector Representatives Accepted.

The twentieth session of the Indian Labour Conference was held at New Delhi from 7 to 9 August 1962, Shri G.L. Nanda, Union Minister for Labour and Employment and Planning presided. The Conference was attended by State Labour Ministers, representatives of central organisations of employers and workers and officials of the employing Ministries. Delegates on behalf of public sector managements took part in this Conference for the first time. Shri V.K.R. Menon, Director of this Office attended the Conference as a special invitee.

Agenda. - The following were the agenda before the Conference:

#### Part I - Main Items

1. Action taken on the main conclusions/recommendations of the 19th Session of the Indian Labour Conference held at Bangalore in October 1961.
2. Survey of Industrial Relations -
  - (i) Review of the Working of the Code of Discipline in Industry.
  - (ii) Work stoppages for reasons other than industrial disputes.
  - (iii) Rights of recognised unions under the Code of Discipline vis-a-vis recognised unions.
  - (iv) Amendment of the Code of Discipline by imposing restrictions on hunger strikes.
  - (v) Clarification of Clause 2(iii) of the Model Principles for reference of disputes to adjudication.
  - (vi) Additional measures for protection against victimisation and reference of cases of victimisation to arbitration.
3. Amendment of Labour Legislation -
  - (i) Section 79 and 80 of the Factories Act to provide for the rate of payment for the period of leave according to the wages of normal post held and for grant of leave according to exigencies of work in a factory.
  - (ii) Section 2(00) of the Industrial Disputes Act so as to change the definition of the term 'retrenchment'.

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- (iii) Section 25 F of the Industrial Disputes Act so as to provide for payment of full compensation in the case of closure of an undertaking on account of expiry of lease, licence, or exhaustion of reserves.
  - (iv) Section 10(b) of the Indian Trade Unions Act, 1926 so as to empower the Registrars to cancel the registration of a trade union, the executive of which has been found to have violated its registered rules.
4. Representation of the Public Sector on Indian Labour Conference and other Tripartite Committees.
  5. Recording of conclusions of Tripartite Conferences and Committees.
  6. Question of permitting observers to attend the Indian Labour Conference and other tripartite bodies.

#### Part II - Supplementary

1. Wages -
  - (i) Appointment of a Tripartite Committee to report on Wage Trends during First and Second Plan periods.
  - (ii) Publication of New Series of Consumer Price Index Numbers for Industrial Workers.
2. Social Security - Review of the working of the Employees' State Insurance Scheme.
3. Workers' Education - Question of allowing some time off to the workers attending unit level classes.
4. Definition of natural wastage or separation as contained in the recommendations on rationalisation adopted by the 15th Session of the Indian Labour Conference held in 1957.

In accordance with usual practice the Ministry of Labour and Employment has presented to the delegates memoranda on the items of the agenda. A brief review of the more important of the memoranda is given below.

a) Action taken on the main conclusions of the 19th Session of the Indian Labour Conference: 1) Productivity and Welfare. - A tripartite committee consisting of three representatives each of Government, workers and employers was set up in February 1962 to discuss the proposed code of the efficiency and welfare. For various reasons the Committee has not met so far.

ii) Report of the Study Group on Social Security. The previous Indian Labour Conference had decided that the Integrated Scheme of Social Security should not be introduced till increased resources were available, to which end, increase in the rates of contribution under the Employees' Provident Fund Scheme and under the Employees' State Insurance Scheme upto the statutory limits would be necessary. In pursuit of this conclusion, the rate of employees' special contribution in areas where the Employees' State Insurance Scheme has been implemented has been raised from  $1\frac{1}{2}$  per cent. to  $2\frac{1}{2}$  per cent. with effect from 1 April 1962. The question of enhancement of contributions under the Employees' Provident Fund Scheme was considered by a Technical Committee. It recommended enhancement of the rates from  $6\frac{1}{4}$  per cent. to 8 per cent. in the case of four industries, e.g., cigarette, electrical, mechanical or general engineering products; iron and steel and paper. This recommendation has been accepted and further action is being taken to amend the Act. Meanwhile, workers have been allowed to contribute at the rate of  $8\frac{1}{3}$  per cent. instead of  $6\frac{1}{4}$  per cent., if they so desire. The question of increasing the contribution from  $6\frac{1}{4}$  per cent. to  $8\frac{1}{3}$  per cent. of the total emoluments is under examination in regard to the Coal Mines Provident Fund Scheme.

b) (i) Review of the Working of the Code of Discipline in Industry during 1961. The Code of Discipline continued to generate healthy effect on industrial relations during 1961. The faith of the parties in the philosophy and approach of the Code has increased and more and more unions and employers are now abiding by it. The working of the Code of Discipline during the year has shown that by and large both employers and workers are showing greater readiness to set right acts of omission and commission on their part. Their anxiety to avoid breaches of the Code is steadily growing. Time and again the central organisations of employers and workers or their affiliated units have warned their members ~~against~~ against violations of the Code or cautioned them to follow it strictly. The reports of State Governments also show as that in the State sphere too faith in the Code is growing. The restraining influence exercised by the Code on the parties is borne out by the comparative industrial peace that has prevailed since the advent of the Code. The following figures of mandays lost owing to work stoppages are relevant in this connection:

<u>Year</u>		<u>No. of mandays lost (In millions)</u>
1958*	--	7.8
1959	--	5.6
1960	--	6.5
1961 (P)	--	4.2

\* The Code came into force in June 1958.

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It will be seen that but for 1960, there has been a consistent decline in the number of mandays lost owing to work stoppages after 1958. The increase in 1960 was mainly because of the Central Government employees' strike and a general strike in the cashewnut industry in Kerala which synchronised with the former. If the figures for these strikes (about 1.3 millions) are excluded, the resultant figure is less than that of 1959. It must, however, be admitted that various factors contribute to the climate of industrial relations as reflected in the figures of mandays lost; the Code can, however, justifiably claim a major share in the improvement to the overall situation. More important than the statistical figures is the imperceptible leavening and educative effect of the Code in promoting industrial peace.

No general criticism of the Code was made during the year under review. Whenever dissatisfaction with the Code was expressed by a party it was invariably in relation to a specific case which could not be settled to the party's entire satisfaction or in the manner desired by it. It is in the heat or rather the dampness of such a disappointment that the entire Code is sometimes run down and threats to opt out of it given; the benefits secured through the Code in other cases by the same party are forgotten and the partisan attitude allowed to cloud the correct perspective. The number of such cases is however insignificant.

Another criticism sometimes made is about the non-application of the Code of Discipline to certain sectors, particularly to the public sector undertakings. The Code has now been accepted with certain clarifications by most establishments ~~to accept the Code~~ which could not come within its pale earlier. It is now for the workers' organisations in these establishments to accept the Code with the clarifications given to their employers. In the public sector, the Code is now applicable to all undertakings except Railways and Defence which have their own special problems; it is however, hoped that these undertakings will also soon accept the Code.

Complaints are sometimes made that in certain States the Code is not working as vigorously as it should. Tripartite Implementation and Evaluation Committees exist in all States and it is for the representatives of employers' and workers' organisations on these committees to help remove any shortcomings in the working of the Code. The success of the Code depends on the co-operation of the employers and workers and it is as much their responsibility as of Government to remove any impediment in its effective working.



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Much of the discontentment about the working of the Code in certain cases is due to the fact that the spirit of the Code has not yet been imbibed fully at the plant level; the middle management and the rank and file of workers have yet to be made fully aware of their responsibilities under the Code. Though some steps have been taken by the Central Employers' and Workers' Organisations to educate their affiliates, more vigorous efforts are needed in this respect.

The tendency of the parties to rush to Implementation Machinery without first utilising fully the other avenues of settlement of disputes and to make vague, general and often exaggerated or incorrect complaints still continues, though in a much reduced form. Similarly, the hesitation on the part of the central organisations in applying sanctions against the erring members is still present to some extent.

(ii) Work stoppages for reasons other than industrial disputes.— The Government of Andhra Pradesh has submitted to the Conference that governments should be empowered to meet situations where workmen resort to work stoppage on issues which have nothing to do with their service conditions. Governments are helpless in such situation as the Industrial Disputes Act, 1947, provides for prohibition of the continuance of a strike when the dispute in question is referred for adjudication. This presupposes that only strikes connected with industrial disputes can be so prohibited.

(iii) Rights of a Recognised Union under the Code of Discipline.— It has been contended that in the absence of defined rights of a recognised union under the Code of Discipline the very purpose of recognition is defeated. In some cases it has happened that an unrecognised union raised disputes on the issues which were settled by the management earlier with the recognised union. The conciliation machinery intervened and later the issues were referred to adjudication. Thus it is complained frustrates the very purpose of recognition and undermines the position of a recognised union. Certain rights of a recognised union are already prescribed under the Bihar Industrial Relations Act, Madhya Pradesh Industrial Relations Act and the Industrial Disputes (Rajasthan Amendment) Act. Therefore it is argued that if recognition under the Code is to be purposeful, it is necessary that the rights of a recognised union be defined. It is accordingly suggested that a union recognised under the Code should have the following rights:

- 1) to raise issues and enter into collective agreements with employers on general questions concerning the terms of employment and conditions of service of workers in an establishment or, in the case of a Representative Union, in an industry in a local area;
- 2) to collect membership fees/subscriptions payable by members to the union within the premises of the undertaking;

(This was recommended by the Indian Labour Conference in May 1958 at its 16th Session).

- 3) to put up or cause to put up a notice board on the premises of the undertaking in which its members are employed and affix or cause to be affixed thereon notices relating to meetings, statements of accounts of its income and expenditure and other non-controversial matters of general interest.

(This is based on Section 25 of Bihar Industrial Relations Act and facilities extended by Government of India in May 1961 to their industrial employees).

- 4) For the purpose of prevention or settlement of an industrial dispute -

- (a) to hold discussions or meetings with the employees who are members of the union normally on open land outside the security zone of the office/factory premises of the undertaking and, members of his union for discussions when the latter files an appeal with the management against the decision of the departmental head. Clause (4) of the Model Grievance Procedure provides that a worker shall have the right to take a union official along with him for this purpose. It is not clear whether such official should be of the recognised union or of any other union of which the worker is a member;

- (ii) to raise questions relating to violation of the Code of Discipline or of labour laws, awards, agreements and settlements with the concerned Implementation Machinery.

It will be seen that the first and foremost exclusive right of a recognised union suggested in para 1(1) above, is to raise issues and enter into collective agreements with employers on general questions concerning the terms of employment and conditions of service of the workers in an establishment, or in the case of a Representative Union, in an industry in a local area. This right conflicts with the right under the Industrial Disputes Act 1947, whereby a registered union can raise an industrial dispute even on matters covered by an agreement entered into mutually by the recognised union with the management. This conflict can be avoided if all Central Organisations agree, on a voluntary basis, that an agreement between a recognised union and management on general questions will not be disturbed or challenged by an unrecognised union affiliated to any of them. Such an arrangement already exists in Bihar; the State Government's Resolution of (1 March 1959 which has the concurrence of both employers and unions provides that an employer should, with all questions of general interest to the workmen with the recognised union only and that he shall not enter into any agreement with such union about specific grievances of individual character of workmen who are members of un-recognised unions. The right of a recognised union will not debar an un-recognised union from taking up grievances of its individual members with the employer and from raising questions relating to the violation of the Code of Discipline; awards, and agreements with the concerned Implementation Machinery. The Bihar Government's Resolution, also lays down that cases of individual workmen, having no general application to others can be brought up before an employer by a registered union of which the workmen are members even if the union is not recognised. It makes it obligatory

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for the employer to negotiate with such a union but in no case can he enter into an agreement with it on matters of general interest. Again, at a tripartite meeting on labour-management relations in Coal Mines held on 5 May 1962 it was agreed that if in a colliery a recognised union exists, the management should deal with that union only for negotiating general questions of terms of service and employment of workers; unrecognised union(s), if any, should not disturb the agreement(s) on these questions between the recognised union and the management.

It may be mentioned that in pursuance of the recommendations of the Second Pay Commission, Government of India have already extended certain facilities to unions recognised by their undertakings.

(iv) Amendment of Code of Discipline in regard to restrictions on hunger strikes. - The West Bengal Government has suggested that resort to hunger strikes should not be allowed as a normal means of ventilating grievances and enforcing workers' demands and that the Code of Discipline should be amended for imposing restrictions against hunger strikes as such.

Hunger strikes as such are not mentioned in clause II(iii) of the Code of Discipline which requires that there should be no strike or lock-out without notice. However, clause II(v) of the Code requires that neither part will have recourse to coercion and intimidation. If "coercion" is taken to cover hunger strikes the Code may be deemed not to countenance hunger strikes. A hunger strike is not the same thing as a strike. The latter is a legitimate weapon which a union may threaten to use or actually use after notice and after exhausting other means of redress. The Code provides for this. Hunger strike, on the other hand, is not one of the recognised weapons in the armoury of workers. It is coercion and even a mere threat of it is not justified.

The question of hunger strikes was discussed in the 19th session of the Standing Labour Committee in April 1961. While it was felt that technically speaking condemnation of hunger strike was not specially mentioned in the Code, the consensus of opinion at the meeting was that it should not be allowed. The Committee recommended that "the existing machinery provided for the redress of grievances should be fully utilised in all cases and that ~~such~~ hunger strikes should be particularly avoided". The Chairman also desired that the implementation of this recommendation be watched for some time so that if necessary "a strong notice of hunger strikes be taken in future".

The reports received from the State Governments, indicate that 86 cases of hunger strikes took place in the State sphere from April 1961 to March 1962. In addition 8 cases of threatened hunger strike, which did not materialise ultimately, also came to the notice of State Implementation Machinery. The Central Implementation and Evaluation Division dealt with 4 cases of hunger strikes during April 1961 to March 1962; in addition, threats of hunger strikes were received in 6 cases.

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(v) Clarification of Clause 2(iii) of the Model Principles for Reference of Disputes to Adjudication.- The INTUC has urged in this memorandum that it has been its experience that clause 2(iii) of the Model Principles for reference of collective disputes as agreed in the Indian Labour Conference (Madras), 1959, are being interpreted by the Government much to the prejudice of the workers. In a recent case the Government of India has limited the period of liability of the management to make payment for pushing of empty tubs by the workmen to a date after 8 June 1959. (Ref. No. 35 of 1960 to the C.G.I.T., Bombay in between the North Chirimiri Colliery and its Workmen). Explanation given for such action is that the demand was raised late and hence no retrospective effect could be given to it. This, in its opinion, is not the task of the Government. Only the tribunal could have made a judicial observation on such a vital matter. Such action on the part of the Government, besides taking away the rightful jurisdiction of the Tribunal, encourages non-implementation or faulty implementation of laws, rules, regulations, awards and agreements. Once the employers come to realise that they will not be called upon to pay any due to the workers unless a dispute is raised by them on that behalf and that they would be paying only from the date the dispute is raised, they would have no interest in implementing laws, rules, regulations, awards or agreements. Such an interpretation, therefore, puts a premium on malpractices of the employers and encourages them to deny the workers their rightful dues. It is, therefore, suggested that the clause 2(iii) of the Model Principles for Adjudication of Collective Disputes as accepted in the Indian Labour Conference, Madras, 1959 be clarified in the light of aforesaid observations.

(vi) Additional Measures for protection against victimisation.- The Seventeenth Session of the Indian Labour Conference which met on 27 - 29 July, 1959, recommended that the existing legal provisions on the subject of victimisation contained in the Industrial Disputes Act, the Bombay Industrial Relations Act and the proposed Madhya Pradesh Industrial Relations Bill should also be examined with a view to providing further protection ~~with a view to~~ against any possible victimisation, if necessary. The organisations would also give further thought to the problems and forward their suggestions to the Government of India for decision by the Standing Labour Committee or the Indian Labour Conference. The consensus of opinion ~~is against~~ of employers' organisations is against further liberalisation of the provisions of the Central Act, as the existing safeguards against victimisation are deemed to be quite adequate. A suggestion has even been made that if at all any modification is required, it should be in the direction of restricting rather than enlarging the existing protection in the Industrial Disputes Act, 1947. It has also been suggested that clause (b) to section 33(2) of the Act should be deleted as it is thought to be a premium for misconduct. The workers' organisations have expressed themselves in favour of further liberalisation of the provisions. One of them has taken the view that none of the existing provisions in the Central or State enactments give adequate protection to workmen against victimisation. The views of the State Governments are divided, though most of them seem to be of the view that the existing provisions in the Industrial Disputes Act, 1947 are adequate.

The matter was placed before the 19th Session of the Standing Labour Committee (held in April 1961) which came to the following conclusions in the matter:

(i) At the instance of employers it was agreed that the subject should be considered further at a meeting of the workers' and employers' representatives to be convened shortly for considering the terms of reference of the Bonus Commission or at the next Session of the Indian Labour Conference to be held some time in September 1961.

(ii) It was agreed that cases of victimisation should be referred to arbitration.

As regards the Conclusion (i) the matter could not be discussed either at the meeting convened for discussing the terms of reference of the Bonus Commission or at the last Indian Labour Conference. The second conclusion was specifically brought to the notice of all Central Organisations of employers and workers, State Governments etc., requesting that this conclusion should be brought to the notice of all concerned for necessary guidance. The Employers' Federation of India has brought to the notice of this Ministry that this Conclusion could not be stated to be an 'agreed' conclusion and that, therefore, they have expressed their inability to comply with the Government's request to bring to the notice of their members this particular 'decision' of the Standing Labour Committee. The All India Organisation of Industrial Employers has stated that this constituents have brought to its notice a number of difficulties in implementing this recommendations, and that it would like to review this matter at the next session of the Standing Labour Committee.

C) (i) Amendment to Factories Act, 1948, in regard payment for the period of leave. - This memorandum relates to a proposal of employers that Section 79(8) of the Factories Act, 1948, be amended so as to provide that the occupier or the manager of a factory may formulate a scheme for purposes of ensuring the continuity of work in the factory with the approval of the Chief Inspector of Factories, and Section 80(1) be amended to provide for the payment of ordinary wages to a worker for the leave with wages allowed to him under Section 79 ibid.

This difficulty has arisen as on account of the provisions of the Factories Act, a practice has grown among workers in some textile mills whereby when workers as substitutes in jobs carrying higher rates of pay than their permanent jobs, they promptly go on leave with a view to getting paid during the leave period at the higher rate of the substitute job. The employers, on the view that in such cases the workers should be entitled to wages at the rate at which they are normally paid and not to wages at the rate at which they are paid when they temporarily work as substitutes in a higher category.

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(ii) Amendment of Industrial Disputes Act, in regard to definition of Retrenchment.- The INTUC has submitted that large number of workers specially in coalmining industry are thrown out of employment due to enforcement of Regulation 28 of Coal Mines Regulation, 1957 or as a result of being declared medically unfit to work. None of these are due to any fault of the worker concerned. Many of such workers have served the industry for the best part of their life and are being thrown out of employment at a time when they are old and unable to find employment elsewhere. No compensation is paid to such workmen. It is only desirable that such workers are given at least the benefit of retrenchment compensation. But the definition of 'Retrenchment' as it is, does not cover such cases and has to be amended to read. "Retrenchment means the termination by the employer of the services of a workman for any reason whatsoever otherwise than as a punishment inflicted by way of disciplinary action, and includes termination due to enforcement of a new law, rule or regulation, but does not include:

- (a) voluntary retirement of the workmen; or
- (b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workmen concerned contains a stipulation in that behalf; or
- (c) termination of the service of a workman on the ground of continued ill health.

EXPLANATION: The words 'continued ill health' do not include incapacity or infirmity due to age.

The Ministry of Labour and Employment in its observations on this suggestion states that the payment of compensation suggested by the I.N.T.U.C. in both the contingencies referred to above, would not appear to fit in with the concept of retrenchment for which provision is made in Chapter V-A of the Industrial Disputes Act. Such compensation would be more in the nature of a retirement benefit accruing on the termination of service of an employee for no fault of his. If the Conference agrees in principle that these benefits should be provided by law the question as to the manner in which such provisions should be made will be a matter of drafting.

(iii) Amendment of Industrial Disputes Act to provide for full compensation for certain categories of closure.- The Indian National Trade Union Congress had suggested that the 'Explanation' attached to Section 25FFF of the Act should be suitably amended so that closures of undertakings by reason of expiry of lease or exhaustion of reserves are not deemed to be closures on account of unavoidable circumstances beyond the control of employers within the meaning of the proviso to the sub-section of the said section. The matter was placed before the 19th session of the Indian Labour Conference, and a memorandum furnished by the I.N.T.U.C. was circulated which recommended that the matter may be discussed at the next Session of the Standing Labour Committee. As there has been no meeting of the Standing Labour Committee since then, the matter is placed before the Indian Labour Conference for consideration.

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The question has also since been examined by Government and it has been advised that under the Section as it stands now, if a lease/license granted under the law to an employer is not renewed because it is not renewable, the closure will be regarded as bona fide and covered by the proviso. On the other hand, if the lease/license is renewable and there has been a default on the part of the employer to get it renewed, the closure may be regarded as mala fide and in that event, the provisions of sub section (1) of section 25FFF will apply and not the proviso thereto. Likewise, the closure due to the exercise of the powers of a statutory body will be regarded as bona fide unless such powers have been exercised due to the default on the part of the employer. Thus, when a company is working under a licence which is terminable on the termination of the licence, may be held to be due to "unavoidable" reasons beyond the control of the employer. Such a kind of closure however is not a contingency which arises suddenly but one which could easily be foreseen, some time ahead, and adequate provision for full compensation made in advance. The question of amending Section 25FFF of the Industrial Disputes Act, 1947, to provide for payment of full compensation in such cases has therefore been considered in consultation with the State Governments and the employing Ministries. The consensus of opinion among them is in favour of the proposal.

(iv) Amendment of Indian Trade Unions Act, 1926, in regard to cancellation of registration.— The West Bengal Government has suggested that as the Indian Trade Unions Act, 1926, (as modified upto date) stands at present, a breach or non-compliance by a registered trade union of any of the rules of its registered constitution does not amount to a contravention of the provisions of the Indian Trade Unions Act, nor can it be made a ground for cancellation of the registration of the trade union under Section 10(b) of the Act. The rules are registered, because they are meant to be observed and this observance should be the proper concern of the Registrar. But because of the above lacuna in the Act, the rules of a registered trade union are often violated by its executive with impunity. It, therefore, seems necessary that in the interest of better administration of the Indian Trade Unions Act, Section 10(b) of the Act should be so amended as to give the Registrar powers to cancel the registration of a trade union where its executive is found to have violated its registered rules.

d) Representation of the Public Sector on the Indian Labour Conference and other Tripartite Committees.— Employers and workers have hitherto been represented on the Indian Labour Conference and other tripartite bodies by the delegates from their central organisations. This system has been based on the assumption that the central organisations of employers' and workers' between themselves, represented the bulk of the employers and workers in the country.

The emergence of the public sector during recent years as an important employer of labour has, however introduced a new element in situation. Apart from the departmental ones, there are more than 50 centrally sponsored undertakings in the public sector functioning as companies and corporations and employing about 500,000 workers. While the central organisations of workers can claim to represent labour employed in these undertakings also, the employers' organisations represented on the tripartite bodies can hardly speak for the employing interests in the public sector.

In order to ensure that the tripartite bodies are fully representative of all the interests concerned it seems necessary that the employing interests in the public sector should also be given due representation on the Indian Labour Conference and other tripartite bodies. It is only then that they can make full contributions to the deliberations of these bodies and feel fully bound by their recommendations.

The problems of labour management relations in the public sector are in no way different from those in the private sector and solutions to these problems are also to be sought on similar lines through tripartite consultations. While the Government has direct responsibility for the departmental undertakings and can represent their managements on the tripartite bodies, it seems necessary that the managements of public sector undertakings run as companies and corporations should be represented separately on these bodies in the same way as employers in the private sector.

It was in recognition of this necessity that separate representation was provided for the National Coal Development Corporation on the Industrial Committee on Coal Mining. A similar principle was accepted and followed in the composition of the Bonus Commission also even though it is not a deliberative body.

The Conference is requested to consider how best the employing interests in the public sector can be represented on the Indian Labour Conference, the Standing Labour Committee and other tripartite bodies, whenever necessary.

e) Recording of Conclusions of Tripartite Conferences and Committees.— The existing procedure on having the conclusions of tripartite Conference and Committees drawn up and finalised by tripartite Drafting Committees has come in for criticism by the AITUC and the INTUC who have raised controversy over some of the conclusions of the last Session of the Indian Labour Conference and the Standing Labour Committee. The statement made in the AITUC Memorandum that the conclusions of the above two meetings were drawn up and finalised by the Ministry of Labour and Employment is not correct. In the case of both these meetings, the conclusions were drawn up by the tripartite Drafting Committees set up by the parent bodies. The INTUC was represented on both the Drafting Committees. The AITUC representative, however, participated only in the work of the Drafting Committee set up by the Indian Labour Conference. In regard to the amendments to the conclusions, proposed by the different organisations, including the AITUC and the INTUC, the Ministry of Labour has been taking the line that it would not be proper to modify the conclusions once these have been finalised



by a Tripartite Drafting Committee. Apart from this consideration, the amendments proposed were also generally not borne out by the verbatim Record of discussions of these meetings.

One of the suggestions made at times to get over the difficulties under reference is that, as soon as the discussion on an item concludes, the Chairman may sum up the discussion, indicating the Conference or Committee conclusion or recommendation on the subject. Though ideal where possible, this as experience has shown, may not always be practicable. An increased use of the practice of dealing with the different items on the agenda through Sub-Committees might be one possible way of getting over the difficulties referred to. Under this procedure, the reports of the Sub-Committees have got to be placed before the plenary sessions for final adoption. This gives the members an idea of the measure of agreement reached on important issues in the Sub-Committee, and an opportunity to comment on its report. This procedure is of course already being adopted. To the extent practicable, increased use could be made of this procedure. In cases when the different items on the agenda do not lend themselves for treatment through Sub-Committees, the existing procedure of having the conclusions drawn up by a Tripartite Drafting Committee would appear to be the best possible method. The difficulties which this procedure has given rise to, could be got over by so organising the business of the Conference or Committee that the conclusions drawn up by the tripartite Drafting Committees come up before the plenary Session for final adoption.

Another point which has led to some controversy in recent months is the insistence on the part of delegates and organisations to have their individual views expressed at tripartite meetings, incorporated in the statement of main conclusions. As the Conference is aware, the earlier practice of preparing a summary of proceedings of tripartite meetings, which permitted incorporation of individual views expressed by different members at these meetings, was discontinued pursuant to one of its decisions, adopted at its 17th Session held in Madras in July 1959. The statement of conclusions of tripartite meetings which are being drawn up in accordance with this decision incorporate only the agreed conclusions which reflect the consensus of opinion in the Conference or Committee and do not contain the individual views expressed by the members. If having a record of the individual is considered essential, it would be necessary to restore the earlier practice of preparing a full summary of proceedings of tripartite meetings. The Conference may consider whether (a) the existing practice of drawing up only a statement of conclusions should be adhered to or (b) a full summary of proceedings of tripartite meetings should also be prepared as was the practice earlier.

f) Review of the Working of the Employees' State Insurance Scheme.- The H.M.S., in their memorandum, has stated that the rate of extension of the Scheme during the past three or four years has been so slow that the annual addition of insured persons under the scheme is only about 100,000. So far not even one half of the total number of factory employees in the country are covered by the Scheme and at the present rate of extension, it will be very long time, indeed, before the bulk of the factory employees get the benefits of the Scheme. The objective of the Scheme is stated to be to reach every centre which has 500 or more industrial workers working. It must also be noted that the workers in unorganised industries and under non-factory employments do not have any benefits of sickness and accident insurance and no Scheme of social security can be deemed to be adequate unless it covers this intensely exploited sector of workers also. The complaints regarding the quality of medical benefits extended to the insured persons and to their families where these are entitled to such benefits, are well known. Yet, there seems to be no improvement in the quality of these benefits with the result that the insured persons have a feeling that they are being made to pay excessive contributions for very poor service. The rate of expansion of hospitalisation facilities is also poor. Though this complaint has been repeated over many years, the actual situation does not appear to have improved very materially. In view of this and various other shortcomings, the Employees' State Insurance Scheme has not proved to be as much of a help to the insured persons as it was intended to be. Indeed the working of the whole Scheme needs to be reviewed very thoroughly and immediate remedial measures need to be taken to meet the situation.

g) Organisation of Consumers' Co-operatives in the Industrial Sector.- A large number of consumers' cooperative stores were organised for the distribution of controlled commodities during and after the second World War. In 1951-52, the number went up to 9,757. However, with the lifting of control, many of the societies had to be wound up. In 1960, it was found that out of 4,255 societies in existence, only 1,383 were in working order. The Third Five-Year Plan (Chapter III Cooperation) states: "Conditions for the development of consumer cooperatives in the Third Plan are generally favourable and, if special efforts are made, rapid progress can be achieved. They will be of the greatest help not only in the stabilisation of retail prices but also in preventing the evils of adulteration in food-stuffs". In Chapter XV of the Plan dealing with ~~Labour~~ Labour Policy, also makes a plea for setting up consumer cooperatives for the working class.

The Committee on Consumers' Co-operatives recommended that in each sizeable factory unit, industrial area and workers' and Government Servants' colony, workers' and employees' stores should be organised in a planned way. It should be made obligatory on the part of the employers and industrial undertakings to introduce consumers' cooperative activity in their labour welfare programmes.

In August 1961, the Ministry of Labour and Employment wrote to all the employing Ministries and the All-India organisation of employers and drawing their attention to the recommendation made in the Third Plan regarding the setting up of cooperative credit societies and consumer stores for workers.

Early in 1962, at the instance of the Ministry of Community Development and Cooperation the recommendation regarding the inclusion of the subject of consumers' cooperation in the training course of the Labour Welfare Officers was accepted by the Ministry of Labour and Employment. But the other recommendation, that it should be made obligatory on the part of employers and industrial undertakings to introduce consumers' cooperative activity in their labour welfare programme, could not be accepted by this Ministry. Instead, it was felt, that the employers should be asked to render all possible assistance to their welfare and personnel staff in organising cooperative stores amongst the employees and to help and encourage the societies when set up.

It may be stated that in order to tackle the problem of indebtedness among the coal miners, the Coal Mines Welfare Fund organisation have already set up 231 credit societies and consumer stores in the coal mining areas. A non-recurring grant of 67 rupees<sup>4</sup> paid to each organised society towards the preliminary cost of establishment. Working capital loans are advanced through the Central Cooperative Banks, and there is provision for direct grant of loans to the cooperatives. For managerial and supervisory expenses a subsidy equal to 1 per cent. of the loans is granted. Other forms of assistance for newly-established societies are under consideration.

The Third Plan State Government schemes for setting up primary and wholesale cooperative stores are for consumers in general. The Ministry of Home Affairs are preparing a scheme for setting up consumer stores for Central Government employees, assistance is in colonies and elsewhere. The pattern of Government assistance is likely to be more liberal than that for the societies for general consumers. A scheme has now been drawn up in consultation with the Ministry of Community Development and Co-operation for setting up consumers' cooperatives of industrial workers. The scheme is for the consideration of this Conference. The basic idea is to set up viable units. It is thought that each consumer cooperative society should have a minimum membership of 250 and the value of each share should be at least 10 rupees. Thus the minimum share capital to be raised would be 2,500 rupees. In addition, each society will need an advance of 10,000 rupees as working capital either from a sister cooperative credit society, if there is one with surplus funds in the same organisation, or from the State Bank of India or the Central Cooperative Bank or by way of deposit or loan from the employer or from members who are better off. For obtaining institutional finance, the problem of adequate security will prove a difficulty. Here the employers can help. But the best method of financing would be for the employer to advance loans at a low rate of interest. The employer will not doubt associate himself closely with the activities of the society and will have opportunities for ensuring that sound business methods are followed and wrong investments are not made.

At least during the first three years it would require some managerial subsidy. It is calculated that such subsidy (on a tapering basis) should be 900 rupees for the first year, 600 rupees, for the second and 300 rupees for the third year. As soon as such a society works up business worth 100,000 annually with a margin of about 6½ per cent. on average, it would become self sufficient. In order that it could borrow its working capital, its "owned assets" have to be strengthened. The borrowing limit of a cooperative society is always a multiple of its owned assets. The scheme for general consumers' cooperatives provides for share capital participation by Government, on 50-50 basis. Thus if the minimum share capital collected by the members is 2,500 rupees, another 2,500 rupees would be contributed by Government. So in the draft scheme for the consumers' cooperatives for industrial workers, it has been provided that the employer should contribute a share capital of 2,500 rupees or make an outright contribution to the reserve fund of the society of an equivalent amount (what has been described as 'foundation money' in the scheme). If there is share participation by employers, obviously the usual limit on the number of shares which can be held by a single member under cooperative law will have to be relaxed by the concerned Registrars of Cooperative Societies.

On the analogy of representation given to Government for contributing share capital on a matching basis, the employers' representation on the Managing Committee of the Society could be upto one-third of the strength of the Committee. If, however, the employer does not purchase shares but advances loan, it could be provided in the by-laws that at least 1 representative of the employer would be on the Managing Committee.

Briefly, the financial assistance expected from the employers (on the pattern of the assistance provided by Government for stores for general consumers) will be as follows:-

	<u>Rs.</u>
(1) Share capital contribution or contribution to Reserve Fund . . .	2,500
(2) Working Capital Loan. . .	10,000
(3) Managerial subsidy * -	
First Year. . .	900
Second Year. . .	600
Third Year. . .	300
(4) Accommodation for the store to be provided free or at nominal rent.	

\* This amount however might vary and some societies with a good share capital base and adequate working capital advance from the employer may not need any subsidy. Others might need a little more than what is provided here.

It is true that the majority of the workers may not be able to purchase outright shares worth 10 rupees each. Weekly or monthly contribution of small amounts towards share capital would be a long drawn out and complicated process. Now that the Employees' Provident Fund and the Coal Mines Provident Fund cover as many as 3.5 million workers, it should be possible to make non-repayable advances from these two Funds to those worker members who wish to join the cooperatives for the outright purchase of one or more shares. This would at once strengthen the share capital base of the consumers' cooperatives to be set up in a large number of establishments.

Since a minimum membership of 250 per society is to be aimed at, for the present industries employing on the average less than 300 persons (workers and office staff) have to be left out. But there is nothing to prevent the smaller units from combining and setting up one viable consumer store for a number of contiguous establishments. It may also be provided that such smaller units in which the individual employers may not be able to provide the kind of financial assistance needed, should qualify for Government assistance under the Scheme for general consumers. Such units, if viable, could be included in the Third Plan Target for of the State concerned.

The primary cooperatives of industrial workers and employees could seek affiliation to the district or central store, if any, or to the Apex wholesale store of the State.

Proceedings: Minister's Inaugural Address.- Shri Inaugurating the Session, Shri Gulzarilal Nanda ~~stated~~ stated that the third Plan, which "leans heavily" on foreign aid, had reached "a difficult stage in its course" and the challenge had to be met by increasing production and enlarging exports. He said the question of improving the living standards of the people, including the working class, was linked with a substantial increase in the total output of the nation.

He urged the representatives of workers and employers to jointly explore avenues of increasing productivity. To achieve high levels of production, necessary conditions had to be created and the well-being of the workers as producers should take precedence over other things, he added.

At the same time, Shri Nanda pointed out that the working class could not attain the levels of living to which they were entitled to as human beings by means of persuasion or pressure, resolutions, agitations or industrial conflict without a very large increase in production as well as in the levels of agricultural and industrial productivity throughout the economy.

Shri Nanda said that in the absence of foreign exchange reserves, the maintenance needs of the economy in addition to any shortfall in foreign aid for capital equipment needed during the third Plan had to be met from export earnings. "To the extent we fail to do so, our production and employment targets will suffer. Prices may rise and the prospects of a better life for the masses will be recede", he added.

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Describing the balance of payments position as "very difficult", ~~difficult~~ he said the remedy lay in substituting certain imports by internal production and setting apart a larger portion of production for additional export. In order to increase export earnings, they had either to step up production beyond the Plan targets or curtail anticipated levels of consumption within the country.

To meet the needs of the third Plan as estimated now, the level of annual export earnings would have to rise to a great extent. But this would not be achieved easily. In any case dependence on foreign aid had to be reduced progressively and for that purpose, they must intensify the tempo of economic activity in the country.

Unless the Plan was effectively implemented, they could not realize even the inadequate target of employment and the promise of a modest improvement in people's living standards, he added.

Industrial Relations.- Dealing with the problems of industrial relations, the Union Minister said that workers should have the sense of assurance that they were having a fair deal.

He felt that the present method of State-sponsored conciliation and judicial settlement of disputes seemed to be the most suitable, despite its imperfections, having regard to the state of organisation of the workers and the implications of a planned economy.

Shri Nanda appealed to employers and workers to adhere to the Code of Discipline more steadfastly than now and make every endeavour to further bring down the number of working days lost. He was glad that his recent suggestion to them to give a "last chance" to State Labour Ministers before a strike or a lock-out took place had been well received.

Shri Nanda regretted that employers, as a rule, did not accept arbitration on the failure of conciliation proceedings. He wondered, whether such refusal to go to arbitration did not amount to a violation of the spirit of the Code of Discipline.

The Minister said he was "deeply concerned" at the scheme of workers' participation in management not having made sufficient headway. It was an accepted programme. The experience of joint councils in 32 units had been encouraging. Yet there was not enough enthusiasm or seriousness about it and this was not a good sign, he added.

He suggested a phased programme to improve the standards of nutrition and housing for workers.

Rising Prices.- Referring to rise in prices and their impact on workers, Shri Nanda said it was not true that the working class was insulated from the consequences of a rise in the cost of living by virtue of liberal dearness allowance and frequent upward revision of wage scales. "The working class on the whole had suffered and lost ground during periods of rising prices and any material improvement in their condition has occurred largely during the periods of stable or falling prices".

The position of fixed income groups worsened as a rule on account of a rise in price level and there was always a time lag between the consequent fall in their standard of living and any relief, "usually partial", which might be provided.

On the question of need-based minimum wage, Shri Nanda said if this was to be extended to all sections, including agricultural labour, it might call for an increase in the national output to the extent of about 60 per cent. over and above what was contemplated in the third Plan. While the wage structure had to incorporate differentials for skill and other factors it could not stand and develop in isolation from the level of rewards for efforts in the rest of the economy.

Twentieth Anniversary of the Conference.- Shri Nanda stated that this session marked the twentieth anniversary of the Indian Labour Conference. It met for the first time on the 7 August, 1942 for a limited purpose. It had grown through the years and stood today as one of the most important ~~inst~~ institutions in the country. "I am sure, all of us - the representatives of workers, employers and Government - participating in the deliberations of the Conference, cherish our association with it. These deliberations have been widening in scope and cover an immense range of questions, touching vitally the position of industry, the working class and the community. They have come to exercise a profound influence on industrial relations and the labour situation in the country. In the face of heavy odds and the need to reconcile many conflicting interests, the record of agreements at the ~~xtion~~ national level built up by the Conference is a tremendous achievement of which all of us may well be proud. It has a deep significance for the political and economic life of the nation, and may well take an important place in international experience in this field.

"For securing all these gains, the spokesmen of the Central Organisations, labour as well as the employers, have borne an onerous burden of responsibility. Without the degree of patience, tact and forbearance displayed by them, and their constructive cooperation at all stages, these results would have eluded our grasp. I have great pleasure in paying my humble tribute to the Central Organisations and their representatives who are our colleagues in these tasks. The foundations have been laid on which can be raised a good edifice of economic prosperity and social justice."

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Addressing the conference, representatives of both employers and labour affirmed their faith in the Code of Discipline and praised the work done by the Union Labour Ministry under Shri Nanda in promoting good industrial relations.

Shri Naval Tata (Employers' Federation of India) said if the Code had not been more effective, it was partly due to "resistance" on the part of workers. He suggested that productivity in the textile industry could be raised if mills were worked on Sundays, but Shri S.R. Vasavada (INTUC) said that workers should have at least one common holiday to enjoy community life.

Shri Vasavada pleaded that voluntary arbitration of disputes should be accepted by employers.

Shri D.C. Kothari (All-India Organisation of Industrial Employers) said the problem of industrial wages would be viewed from the "wide aspect" of promoting productivity at prices which were competitive.

Shri S.A. Dange (AITUC) said the conference had adopted the basic conventions on minimum wage boards, rationalisation, housing and the Code of Discipline. He thought there was a tendency to give effect more readily to conventions "which curb the workers than those which benefit them". He wanted the Government to pay greater attention to the benefiting conventions.

Shri Bharat Ram suggested that the hospital and dispensary facilities of the Employees' State Insurance Corporation should be used for the control of population.

Shri Hagaram Tulpule (Hind Mazdoor Sabha) felt that the expectations aroused by the decisions and recommendations of the Labour Conference were not often fulfilled.

Shri H.P. Merchant (All-India Manufacturers' Organisation) and Shri B.M. Chinai (Organisation of Industrial Employers) urged that the State labour laws should be uniform.

Main Conclusions; General.— During the course of the general discussions the Conference considered the question of security of employment of workers in the context of certain judicial decisions according to which Industrial Tribunals, while adjudicating on cases of dismissals of individual workers, could only go into the question whether the principles of natural justice had been observed, whether there was victimisation or whether there was mala-fide on the part of the employer. State Governments and workers' representatives were of the view that this was not adequate and that in such cases Tribunals should be empowered to consider fully the merits of the case and the propriety of the punishment inflicted and give their award in the light of their findings. The employers' representatives, however, felt that the existing provisions of the law were quite adequate and that no change in the existing legislation was called for. The Chairman agreed with the views of the State Governments and labour representatives, and stated that the matter would be further examined including the question of the need for any amending legislation.



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1. Action taken on the main conclusions of the previous session.- The statement of action taken was noted subject to the following: (i) Provident Fund Schemes.- It was clarified by the Chairman that the question of enhancement of rates of contribution in respect of industries other than the four mentioned in the Statement, would be gone into by similar technical committees. This would also cover the textiles and cement industries. He further mentioned that the notification regarding the enhancement of rates of contribution to the Coal Mines Provident Fund would be issued shortly. (ii) Abolition of Contract Labour.- (a) Several complaints were made that the principles regarding the abolition of contract labour, agreed to at the 19th Session of the Indian Labour Conference, were not being observed. The Conference reiterated that the principles already agreed to at its 19th Session should be strictly adhered to by all the parties. It was also agreed that reports on the progress of abolition of contract labour should be obtained periodically both in respect of the private and the public sector. (b) It was urged that legislative action might be necessary. The Chairman stated that a Draft Bill incorporating the principles of the Supreme Court judgment would be drawn up and circulated to all the parties concerned as early as possible. (c) Some of the workers' representatives pointed out that the information regarding action taken on tripartite conclusions, was in many cases inadequate because many State Governments had not sent their replies. It was urged that the State Governments should be more prompt in furnishing the requisite information.

2. Review of the Working of the Code of Discipline in Industry.-

(i) In the course of discussion on the subject there were frequent references to cases of refusal by the employers to (a) recognise unions, and (b) agree to refer disputes to arbitration. It was agreed that a full note summarising the points and suggestions made in the Conference in this regard should be prepared and circulated to all concerned.

(ii) The Conference also reiterated the position that recognition was one of the basic ingredients of the Code, and failure to accord recognition to unions which satisfied the criteria for such recognition as laid down in the Code, should be considered a serious violation of the Code.

(iii) As regards arbitration, it was agreed that readiness to refer disputes to arbitration was an important requirement of the Code. Whenever conciliation fails arbitration will be the next normal steps, except in cases where the employer feels that for some reasons he would prefer adjudication, such reasons being creation of new rights having wide repercussions or those involving large financial stakes. However, the reasons for refusal to agree to arbitration must be fully explained by the party concerned in each case, and the matter brought up for consideration by the Implementation Machinery concerned.

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(iv) To assist employers and trade unions, Central and State Governments would constitute, in consultation with the Central Employers' and Workers' Organisations, panels of arbitrators and make the list of names available to the parties. Governments would also set a ceiling on the fees which could be charged by the arbitrator, per case and per day.

(v) Minor disputes might be referred to a single person for arbitration. In cases which were more complicated, each party would nominate one arbitrator, and the two arbitrators could select an umpire, if necessary. Whenever necessary the services of the Presiding Officers of Industrial Tribunals might be made available for purposes of arbitration.

3. Work-stoppages for reasons other than Industrial Disputes. There was a brief discussion on the subject. The Chairman expressed the view that labour organisations should discourage such work-stoppages.

4. Rights of recognised unions under the Code of Discipline vis-a-vis unrecognised unions. (a) It was agreed that unions granted recognition under the Code of Discipline should, for the present, enjoy the following rights; (i) to raise issues and enter into collective agreements with employers on general questions concerning the terms of employment and conditions of service of workers in an establishment or, in the case of a Representative Union, in an industry in a local area; (ii) to collect membership fees/subscriptions payable by members to the union within the premises of the undertaking; (iii) to put up or cause to put up a notice board on the premises of the undertaking in which its members are employed and affix or cause to be affixed thereon notices relating to meetings, statements of accounts of its income and expenditure and other announcements which are not abusive, indecent or inflammatory or subversive of discipline or otherwise contrary to the Code; (iv) for the purpose of prevention of settlement of an industrial dispute - (a) to hold discussions with the employees who are members of the union at a suitable place or places within the premises of office/factory/establishment as mutually agreed upon; (b) to meet and discuss with an employer or any person appointed by him for the purpose, the grievances of its members employed in the undertaking; (c) to inspect, by prior arrangement, in an undertaking, any place where any member of the union is employed; (v) to nominate its representatives on the Grievance Committee constituted under the Grievance Procedure in an establishment; (vi) to nominate its representatives on Joint Management Councils; and (vii) to nominate its representatives on non-statutory bi-partite committees, e.g., production committees, welfare committees, canteen committees, house allotment committees, etc., set up by managements.

b) The rights referred to above would be without prejudice to the privileges being enjoyed by the recognised unions at present, either by agreement or by usage.

c) The question of grant of special casual leave to office bearers and release of employees to work as full time union functionaries was briefly discussed. It was, however, decided to defer these questions for full considerations at a future tripartite meeting. The organisations agreed to send full information regarding the existing practices on the subject of rights and privileges of recognised unions.

d) The question of rights and privileges of non-recognised unions was deferred for future consideration because of differences of opinion.

5. Amendment of the Code of Discipline by imposing restrictions on hunger strike. (i) The Conference reiterated the view that hunger strikes should be avoided by all means. It was not, however, considered necessary to amend the Code for the purposes of banning hunger strikes. The workers' representatives also agreed to discourage hunger strikes as a means of settling disputes. It was urged that in extreme cases when the workers have exhausted all other means of redress, a strike would be preferable to a hunger strike.

(ii) The Central and State Governments should take all possible steps to ensure that workers and unions may not be compelled to resort to hunger strike out of sheer desperation.

(iii) The Chairman announced that the Central and State Governments were of the view that hunger strikes should be completely ignored.

6. Clarification of Clause 2(iii) of the Model Principles for reference of disputes to adjudication. While referring disputes to adjudication under Clause 2(iii) of the Model Principles, Government should not determine the date from which the award of the tribunal should be operative.

7. Additional measures for protection against victimisation and reference of cases of victimisation to arbitration. The subject was partly covered during the general discussion and it was agreed that it should be further considered at the next meeting of the Standing Labour Committee.

8. Amendment of Labour Legislation. (i) Sections 79 and 80 of the Factories Act to provide for the rate of payment for the period of leave according to the wages of normal post held and for grant of leave according to exigencies of work in a factory.

(ii) Section 2(00) of the Industrial Disputes Act so as to provide for change the definition of the term 'retrenchment'.

(iii) Section 25 FFF of the Industrial Disputes Act so as to provide for payment of full compensation in the case of closure of an undertaking on account of expiry of lease, licence, or exhaustion of reserves.

(iv) Section 10(b) of the Indian Trade Unions Act, 1926 so as to empower the Registrars to cancel the registration of a trade union, the executive of which has been found to have violated its registered rules.

(v) Section 33 of the Industrial Disputes Act, 1947, to empower Tribunals to adjudicate upon the application made by employers to dismiss a workman.

It was decided that these ~~items~~ items should be considered at the next session of the Standing Labour Committee.

9. Representation of the Public Sector on Indian Labour Conference and other Tripartite Committees.- (i) The principles of participation by the representatives of the public sector undertakings in tripartite conferences and committees was agreed to. These representatives would, however, form part of the Government delegation for the present.

(ii) The conclusions of Conferences and Committees would apply equally to the Public Sector including the employing Ministries.

10. Recording of conclusions of tripartite conferences and committees.- The existing practice of drawing up only the conclusions of tripartite meetings should continue. It was also agreed that the conclusions of such meetings should be drawn up by drafting committees, as at present.

11. Question of permitting observers to attend the Indian Labour Conference and other tripartite bodies.- It was agreed that requests for permission to attend as observers or visitors should be considered on merit, and permission given wherever possible, subject to availability of space and other facilities.

12. Appointment of a Tripartite Committee to report on Wage Trends during First and Second Plan periods.- It was decided that the report of the Mahalanobis Committee should be awaited before considering the question of appointment of the proposed tripartite committee.

13. Publication of New Series of Consumer Price Index Numbers for Industrial Workers.- It was agreed that the subject would be placed before the next session of the Standing Labour Committee.

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14) Social Security - Review of the working of the  
Employers' State Insurance Scheme

Workers' Education - Question of allowing some  
time-off to the workers attending unit-level classes

Definition of natural wastage or separation as contained  
in the recommendations on rationalisation adopted by the 15th  
Session of the Indian Labour Conference held in 1957

These subjects were postponed for consideration at the  
forthcoming session of the Standing Labour Committee.

15. Organisation of consumers' co-operatives in the  
Industrial Sector.- The proposals made in the memorandum on  
the subject were accepted.

Other Matters.- It was agreed that the next meeting  
of the Standing Labour Committee should be held on 17 and 18  
October 1962.

(Documents of the Conference received  
in this Office;  
The Hindustan Times, 8-10 August 1962 ).

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12. Activities of External Services.

India - August 1962.

Conferences and Meetings

- a) The Director of this Office attended the 20th Session of the Indian Labour Conference held at New Delhi on 7 and 9 August 1962.
- b) The Director of this Office attended the inauguration of the Top Executive Programme sponsored by the Ministry of Transport and Communication and organised at Bombay on 9 August 1962 under the technical direction of the ILO's Management Development and Productivity Mission in India.
- c) The Director attended the first meeting of the Central Apprenticeship Council held at New Delhi on 16 and 17 August 1962.

Visitors

Visitors during the month under review included Mr. Bray of Headquarters.

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Chapter 2. International and National Organisations

25. Wage-Earners' Organisations.

India - August 1962.

Resolution on testing the strength of Trade Unions  
Rejected by Lok Sabha.

The Lok Sabha rejected on 6 August 1962 a private member's resolution (vide section 25, page 7 of the Report of this Office for the month of June 1962), urging that rival trade unions should be compelled by legislation to have their influence tested periodically by reference to a secret ballot of the workers concerned to check the representative character of the unions. The resolution moved by Shri S.M. Banerjee (Ind.) had been partly discussed during the last session.

Shri Indrajit Gupta (Com.) said that the existing procedure of verification gave scope for intimidation by workers belonging to rival unions as well as by employers. It also encouraged bogus membership.

Opposing the resolution, Shri J.L. Hathi, Minister of State for Labour said the present procedure was not one that had been imposed by the Government, but was the outcome of the deliberations. deliberations of the tripartite labour conference. The procedure had been working well and there was no need to change it, he added.

(The Statesman, 11 August 1962).

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Meeting of the All-India Secondary Teachers' Federation;  
Delhi, 11 August 1962 ; Social Security Benefits Demanded.

A meeting of the Working Committee of the All-India Secondary Teachers' Federation held at Delhi on 11 August 1962, decided to launch direct action if the triple benefit scheme with regard to teachers' pension, insurance and provident fund is not implemented by 10 October 1962. The meeting was presided over by Shri S.P. Roy, MLC (West Bengal), President of the Federation and attended by representatives from West Bengal, Bihar, Assam, Uttar Pradesh, Madhya Pradesh, Rajasthan, Punjab and Delhi.

The meeting adopted resolution placing on record its "deep sense of resentment over the apathy of the State Governments in implementing the triple benefit scheme in their States in spite of repeated requests from the Centre".

The meeting also demanded uniform pay and service conditions for teachers all over the country and the appointment of a grants commission for schools on the lines of the University Grants Commission. The Federation urged the State Governments to consult the Federation's State organisations in giving aid to needy teachers. It also urged the Punjab Government to exempt teachers from professional tax. The Federation expressed "grave concern" over the "sad plight" of the private aided-school teachers in Punjab and urged the Punjab Government to absorb the teachers retrenched from such schools into Government schools. A sub-committee of six, including the president of the Federation, was formed to meet the authorities in this connection.

The meeting formed four standing committees, one each for the States of Bengal, Bihar, Madhya Pradesh and Punjab to help the teachers' organisations of these States to solve their problems. These committees have been authorised to meet the State and Central Government authorities to have the teachers' grievances redressed as early as possible and also to report to the working committee of the Federation on the matter.

(The Statesman, 12 August 1962).



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## Chapter 3. Economic Questions

### 34. Economic Planning, Control and Development.

India - August 1962.

Parliament Debate on Third Five Year Plan:  
Planning Minister outlines Measures to check  
Rise in Prices.

Both the houses of Parliament, Lok Sabha and Rajya Sabha debated the Third Five Year Plan during the monsoon session of the Parliament. The debate in Lok Sabha took place on 28 August 1962 and in the Rajya Sabha on 29 and 30 August 1962.

Debate in Lok Sabha.- In the course of the discussion, Shri Hem Barua (PSP-Assam) said that industrial production in India during the last decade had been lower than that of any other developing country during the same period. India's national income had risen by only 16 per cent. during the last five years compared with 62 per cent. in Japan and 31 per cent. in Indonesia. During 1961-62 the national income of India had risen only by 3.5 per cent. against the target of 6 per cent. he said.

Imports of maintenance components were "eating up" a substantial part of the country's foreign exchange resources, Shri Barua said. Even the Defence industry was importing large quantities of components. Shri Barua said that cement, steel and fertiliser production constituted the infrastructure of a planned economy but expansion of production of these items had been woefully slow. In spite of vast raw material resources, cement production had lagged behind and important projects were held up, he said. Shri Barua was critical of the frequent breakdown in the Rourkela steel plant, where there had been 26 major breakdowns since the mill went into production.

Shrimathi Ram Dulari Sinha (C-Bihar) said that unsatisfactory labour policy was the main cause of Plan shortfalls. In her opinion very little was being done to improve workers' conditions.

Shri P.R. Chakravarti (C-Bihar) said the gap between the favoured few and the under-privileged millions should be narrowed down on more precise lines.

Shri Indulal Yagnik (Ind-Gujarat) said that too much dependence on foreign aid was not good for the country. In his opinion people both in the rural and in the urban areas were hard hit by the Plans.

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Shri Lalit Sen (C-Bihar Pradesh) suggested the revision of some of the targets in the agriculture sector. He said the Planning Commission had not given adequate attention to this sector.

Shri Vasudevan Nair (Com-Kerala) said that land reform legislation was not being properly implemented. This had resulted in tenants being left to the will of the land-owning classes. Only a revolutionary land reform programme boldly undertaken by the Government would enable the successful implementation of the objectives of the Plan, he said.

Replying to the debate, Shri Gulzarilal Nanda, Union Minister for Planning, gave an indication of the Government's intention to introduce State trading and co-operative marketing and distribution as regulatory measures to check rising prices and to deal with hoarders, speculators and profiteers. He said, "Certain legal and administrative sanctions and an effective distribution machinery are an essential part of the apparatus for enforcement of price policy". Shri Nanda said that a close watch was being maintained on rising price trends and that every effort would be made to secure the just interest of both the producer and the consumer.

He said: "The Government is at present engaged in a thorough study of the implications of these recent trends and will not hesitate to take any necessary action to regulate prices of essential commodities within defined limits, safeguarding the interest of the low-income and fixed-income groups".

The Planning Commission, he added, was not only examining the relevant problems of production but also the character and adequacy of the existing organisation of distribution in respect of each commodity, trading margins and other factors. Shri Nanda said that at present an examination was in progress about price trends in the main agricultural commodities such as wheat, rice and millets, oilseeds and cotton. It also included a number of industrial commodities which were important for agricultural production.

Debate in Rajya Sabha.— Initiating a two-day debate in the Rajya Sabha, Shri Gulzarilal Nanda, Union Minister for Planning outlined the "corrective" measures being taken by the Government to ensure a faster rate of growth on the agricultural front. Shri Nanda said that an additional allocation of 500 million rupees had been set apart to achieve a 20 per cent. increase in the target of area benefited by minor irrigation and soil conservation and for special measures to raise the production of cotton and oilseeds. Strengthening of Agricultural Departments and intensification of plant protection methods were the other steps being taken. Shri Nanda emphasised that the major factor in implementing programmes of agricultural and rural development was the mobilization of the people effectively through panchayats. He stated that the Planning Commission was committed to make available the financial resources needed for agriculture.

In the debate, familiar ground was covered by the members. The Communist and Praja Socialist spokesmen referred to "concentration of economic power" in a few hands while the Congress members highlighted deficiencies in particular fields.

Shri Bhupesh Gupta (Com.), who moved 65 amendments, called for radical agrarian reforms, more direct taxes and greater attention to exports than "reliance" on foreign aid. Shri Rohit Dave (PSP) said that rapid urbanisation was evidence of the growing disparity between the rural and urban areas.

Shri Sri Rama Reddy and Shri Deokinandan Narain (C) expressed concern about the shortfalls in agricultural and rural sector development. The Swatantra Party spokesman, Shri Lok Nath Misra, wanted the Government to focus attention on small industries rather than on heavy industry.

In regard to controlling rise in prices, Shri Nanda admitted that difficulties were enormous and added: "The interests that are ranged against us in that effort are powerful and powerful action has, therefore, to be contemplated to deal with them". While wholesale prices had not appreciably varied, retail prices indicated that middlemen's margins were "excessive". Shri Nanda indicated that Government might undertake some "legislative action" to ensure export earnings from the goods manufactured in the country. Shri Nanda said a number of far-reaching decisions were being implemented to step up exports during the third Plan period. The foreign exchange requirement had been assessed and various measures were being adopted to achieve it. If any legislative action was necessary for the purpose of ensuring export earnings, the Government might have to take it up, he added. Shri Nanda also said that from preliminary information available, the national income during 1961-62 was about 3 per cent. higher than that of the previous year as against 30 per cent. increase targeted at the end of the third Plan. Obviously there was a shortfall. In agriculture, he said, increase was not expected to be much more than 1 per cent. during the last year. The total increase in industrial production might be between 5 and 6 per cent.

Shri Nanda said the Government wanted to have a price structure which would enable the low-income groups to get their requirements at reasonable prices. Merchants and middlemen were now receiving excessive profits. Although the Government might not consider introducing rationing, they should have a system ensuring the availability of essential articles to the people. Shri Nanda detailed steps taken by the Government to increase power production during the Plan period and also the new targets fixed by the railways this year for the carriage of coal and goods transport. Referring to employment potential in the third Plan, Shri Nanda said against 17 million additional jobs required under the Plan, it was estimated to provide only 14 million jobs.

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Shri V.T. Krishnamachari, speaking on the debate, advocated the preparation of village production plans covering entire villages in the country. He said this was one of the main recommendations he had made in his report on the inquiry conducted by him on the administrative set-up on behalf of the Planning Commission and the Home and Community Development Ministries. He said he had dealt with how panchayati raj institutions should work to achieve the primary objective of all-round improvements in rural economy. When panchayati raj was going to cover the entire country by 1963, there should be village production plans, which would benefit, in the course of next three or four years, all families in a village. Production plans and works programmes should be prepared for each village, block and district and from these the State plans should emerge, he said.

Shri Krishnamachari said that village production plans would be prepared by the panchayats and family production plans by village co-operatives. Every family in the village should be represented on the co-operative whose duty was to see that maximum support was given in the implementation of the village production plan.

He said the other part of his recommendation related to recruitment and training of officers of the Indian Administrative Service and State civil service. His report had dwelt on what should be the rate of recruitment in the next five years to these services and also on improvements to be effected in the system of training of officers.

Shri Krishnamachari stressed the need for holding the price line in regard to essential commodities. This, he said, was absolutely essential if the Plans were to be carried out. "Whether there is planning or not, no government can allow prices to rise to the detriment of the vulnerable section of the community".

He said that there was no doubt that the economy had been considerably strengthened during the last 11 years and with the increased effort in the direction indicated by the Planning Minister, "we should be able to achieve the objectives we have placed before ourselves."

Shri Atal Bihari Vajpayee (JS-U.P.) was critical of the shortfalls in attaining physical targets and blamed the Government for these. He expressed concern at the decline in the country's foreign exchange reserves. He thought that the country's capacity to export also had its limitations. He wanted the foreign exchange content of the Plans to be reduced to the minimum possible. He doubted the capacity of the States to raise 6,100 million rupees through new taxes as stipulated in the plan. Experience had shown that even what had been levied had not been fully realised. In this connection, he referred to the anti-tax agitation in various States and said this was economic and not political as had been made out. Dealing with rising prices, Shri Vajpayee said it was not yet clear how the Government proposed to check it. Increased public expenditure only accentuated the trend. He was opposed to physical controls on the ground that it led to corruption, apart from causing undue hardships to the people.

Shri B. Ramakrishna Rao, former Governor of Kerala and Uttar Pradesh, said while he agreed with most of the criticism, he thought it would be wrong to take a pessimistic view about the future. It was true that the results of the Plan had not been spectacular. One outstanding reason for the shortfalls, Shri Rao said, was the failure to make full use of the human resources in the country. Greater stress was therefore, called for in developing small-scale and village industries.

Shri Ruthnaswamy (Swa-Madras) referred to the shortfalls in the targets for foodgrains, textiles and finished steel and said it was high time that the Planning Commission rearranged priorities. He said it was regrettable that important projects were not given their due importance.

Shri T.S. Pattabhiraman (C-Madras) suggested the establishment of regional planning boards. These boards, he said, need not be autonomous bodies. They should submit their plans to the Planning Commission, which should then co-ordinate them and produce an integrated Plan.

Shri M.S. Gurupadaswamy (PSP-Mysore) said people's co-operation was not coming forward for implementation of the Plan and this was because of the Plan had failed to create the necessary impact on their minds. He said that while the progress in the development of agriculture was highly unsatisfactory, industry also was growing only at the slow rate of five per cent.

Shri A.D. Mani (Ind-Madhya Pradesh) said while the country's sympathies should go to the Government for the difficulties it was facing, one could not overlook the serious shortcomings in the operation of the Plan. He thought the shortfalls in the key sectors was the result of the Government's failure to create a "Plan consciousness" in the country. Shri Mani suggested the creation of a fair price control board in every district which would fix the prices and label them on articles, taking into account the cost, reasonable margin of profit, transportation, and distribute them through approved fair price shops.

Replying to the debate Shri Gulzarilal Nanda, expressed the Government's determination to hold the price line notwithstanding "enormous difficulties" and said day-to-day attention would be given to this problem. Shri Nanda reaffirmed his confidence that the Plan would be successfully implemented, and added: "The stage of a self-reliant economy is in sight". Shri Nanda said he was confident about the country's ability to fulfil the coal target and for transport to "match" the set-up in coal production as a result of certain measures already initiated. He stressed the need for quicker development of agriculture by overcoming "organisational faults" and said they would have to rely less and less on foreign aid and more and more on exports.

The Minister denied that regional imbalances had been accentuated and said a paper would soon be made available by the Planning Commission bringing together economic data in different regions.

Referring to the criticism of short-falls in the second Plan targets, Shri Nanda pointed out that the second Plan had to be reappraised and pruned and cut down and to that extent the targets could not be achieved. They did not have sufficient experience in planning for certain things in advance and this led to delays and some projects not being completed. They were trying to profit by this

experience and he would give the assurance that "the same kind of mistakes will not be repeated and we will be able to move much faster than we have done in the past".

Shri Nanda said the country would have to rely less on foreign aid and more and more on export earnings and "keen, concentrated attention" on export promotion was important for the success of the Plan. He said there was tax evasion on a fairly large scale. Apart from that there were large gains made in industry and trade and, he would say with a sense of responsibility on the basis of information gathered in contacts with the community, "what appears in the balance-sheets is not all that the industry yields. There is considerable amount of leakage and pilferage". He would like more attention to be given to put an end to these "anti-social acts and malpractices of concealing incomes liable to taxation".

He agreed that land reforms had to move to a stage where the tiller became owner of the land. But to the extent it was not possible immediately, one had to see that the person was secure and that the tenant had not to pay an undue share of his produce to the landlord. This had been done. Shri Nanda said the problem of landless workers was largely governed by the land-man ~~ratio~~ ratio. With the ~~present rate, it would~~ increase of population at the present rate, it would be impossible for any nation to raise the level of the people in the rural areas merely on the strength of agriculture or land. For the large majority of people with small holdings there was need to provide an alternate avenue of employment.

On the question of unemployment, he explained the steps that had been taken to generate more employment opportunities. If the population had not increased at a rate higher than expected perhaps it could have been possible to match the situation during the third Plan.

After the Minister's reply the House rejected all amendments.

(The Statesman, 28, 29 and 30 August 1962).

35. Productivity.India - August 1962.Problems of Management and Working of Bhilai and Rourkela  
Steel Plants.

According to a joint communique released at New Delhi on 13 August 1962 by the Governments of India and the USSR, the Bhilai Steel Plant has achieved, in the first half of 1962, its full installed capacity, "while in some shops even that capacity had been exceeded". This communique declared that the achievement "a significant event in the economic life of India", has been made possible by the "friendly co-operation between the Soviet specialists and Indian engineers, technicians and operators of the plant".

This contrasts sharply with the tenor of the Solveen Report which was presented to the Lok Sabha on 13 August 1962 by Shri C. Subramanian, Union Minister for Steel and Heavy Industry. The Solveen Report points out that the difficulties at the Rourkela steel plant could have been avoided if Hindustan Steel had employed a sufficient number of German experts and given them full responsibility, and if the maintenance of the plant and equipment and the performance of the Indian personnel were better. The report also draws attention to the absence of a proper internal telephone system in the steel plant and to the fact that essential material does not move properly because of deficiencies in the transport system. The report further lays the blame on the lack of experience in the maintenance of engineering equipment and the unsatisfactory working conditions in the plant.

Recommendations.- The report, among other things, has recommended for expanding the maintenance and repair facilities at an expense of 25 million deutschmarks, and recruitment of 168 skilled Germans to undertake repair and ensure proper upkeep of the plant. It is emphasised in the report that German technicians will be able to fulfil their task only if they are given "full responsibility". At the same time, however, the report recognises that the German experts should have Indian counterparts so that "management can be transferred to Indian personnel as soon as possible".  
~~ending~~

Calling for drastic action to improve discipline, the report said that the abnormally high absenteeism, at times 20 to 25 per cent. of the staff in important departments, was disquieting. The report has also recommended the dismissal of unqualified and insubordinate workers and states that if open strikes or go-slow tactics are to be prevented it will not "suffice to take disciplinary action in the case of particularly serious lapses and as the cases present themselves. An immediate adjustment of the personnel policy with a view to abolishing such elements is necessary, even if the resulting vacancies cannot immediately be filled".

The maintenance department should be separate from the production department. It must be able to order immediate repairs.

Workers should be trained in Germany. "If this is done care must be taken to safeguard that the training of these men is conducted at working places similar to those which they are to fill in Rourkela and the men actually work on the jobs as part of the German crews".

Shri Subramaniam said ~~that the cost of these measures~~ told the Lok Sabha that it would take two to three months to implement the measures agreed upon with the German technical experts to remove the weaknesses in the Rourkela plant pointed out by the Solveen Commission. He said that the cost of these measures was estimated at 44 million rupees in spares and the wages of personnel to be employed, which would be treated as "maintenance and revenue expenditure", and 16 million rupees for purchase of equipment of a "vital" nature.

(The Statesman, 14 August 1962 )

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36. Wages.

India - August 1962.

Working of the Payment of Wages Act, 1936 and Rules made thereunder in Mines during 1960.

The main purpose of the Payment of Wages Act which was enacted in 1936 and further extended to coal mines and other mines in 1948 and 1951, is to ensure regular and prompt payment of wages and to prevent the exploitation of wage earners by prohibiting arbitrary fines and deductions from wages. The Rules framed under the Act in 1949 were applicable to all mines except the manganese mines. To cover all the mines as defined in the Mines Act, 1952 these Rules were revised in 1956. Originally the coverage of the Act was limited to the persons drawing wages below 200 rupees per month. Since 1 April 1958 this monetary limit has been raised to 400 rupees by amending the Act in 1957.

Machinery of Enforcement.— The administration of the Act has been entrusted to the Central Industrial Relations Machinery headed by the Chief Labour Commissioner (Central). Inspection and enforcement work is mainly done by the Labour Inspectors, Junior Labour Inspectors and the Provident Fund Inspectors. The Regional Labour Commissioners and the Conciliation Officers also carry out inspections occasionally for the enforcement of the Act and for test-checking the inspections done by the Labour Inspectors and Junior Inspectors.

Inspections and Irregularities.— During the year under report 2,631 inspections were made as compared to 3,381 inspections made in the previous year which shows a decrease in the number of inspections made during the year by 750. Out of 15,461 irregularities, 9,346 (60.45 per cent.) irregularities were rectified during the year as against 8,001 irregularities out of 11,168 (71.64 per cent.) in the previous year. In the Bombay region, the decrease in the number of inspections was due to certain beats of Labour Inspectors remaining vacant for considerable part of the year. Of the 15,461 irregularities detected during the year, 7,588 irregularities (49.08 per cent.) related to non-display of notices regarding wage rates, dates of payment and list of acts and omissions for imposition of fines as against 2,861 during the previous year. Irregularities related to delayed payment of wages (2,783) and to non-payment of wages (526) detected during the year under report were more than those (1,946 and 187 respectively) noticed during the previous year. As compared to the previous year an improvement was noticed in the year 1960 in respect of other type of irregularities.

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Rectification of Irregularities.- A great improvement was noticed during the year under report as far as time taken for rectification of irregularities is concerned. Out of 9,346 irregularities rectified during the year, 7,592 (81.23 per cent.) (as against 4,414 during the previous year) were rectified within three months, 1,205 (12.89 per cent.) (as against 1,900 during the previous year) within a period of 3 to 6 months.

Claims.- In all 345 cases were disposed of during the year, of which 25 cases were withdrawn by the applicants from the authorities appointed under Section 15 of the Act. Of the 319 cases decided by the authorities, 285 cases were decided in favour of the employees and 34 cases against the employees. The total amount awarded in respect of those cases which were decided in favour of employees was Rs.43,054.34np.

Prosecutions.- During the year under report, 49 cases of prosecutions were filed, out of which 11 cases were disposed of. The total amount of fines imposed in these 11 cases was Rs.635.00.

Annual Returns.- As required under Rule 18 of the Payment of Wages (Mines) Rules, 1956, during the year only 1,572 (47.56 per cent.) mines employing 523,659 workers (out of 3,305 working mines as per 1959 report of the Chief Inspector of Mines) submitted such returns as against 1,454 mines employing 467,681 workers during the previous year. This shows a slight improvement in this respect. The total wages paid to these workers amounted to about 265 million rupees as against about 216 million rupees paid during the previous year. Deductions of Rs.1,311.49np. and Rs.7,449.13np. were made from the wages of the workers due to fines imposed and damage or loss respectively. Disbursement of Rs.802.19np. from the fines fund was made.

Conclusion.- In spite of several difficulties and handicaps faced during the year, special efforts were made to secure effective enforcement of the Act. Though the number of inspections made during the year as compared to the previous year was less, the number of irregularities rectified were larger and were done in a shorter period. As compared to the previous year, this time more mines have submitted the annual returns as required under Rule 18 of the Payment of Wages ~~Act~~ (Mines) Rules, 1956.

(The Indian Labour Journal, Vol. III, No. 7,  
July 1962, pp. 570-572 ).

Wage Board for Coal Mining Industry set up.

By a Resolution dated 10 August 1962, the Ministry of Labour and Employment, Government of India, has set up a Wage Board for the coal mining industry. The wage board consists of ~~five~~ two representatives each representing independent members, employers and workers with Shri Salim M. Merchant as Chairman.

The following are the terms of reference of the Board:-

(a) To determine the categories of employees (manual, clerical, supervisory, etc.) who should be brought within the scope of the proposed wage fixation. (b) To work out a wage structure based on the principles of fair wages as set forth in the report of the Committee on Fair Wages.

Explanation.- In evolving a wage structure, the Board should, in addition to the considerations relating to fair wages, also take into account :-

(i) the special features of the coal mining industry; (ii) the needs of the industry in a developing economy; (iii) the impact of the wage structure so evolved, on the cost of production of coal and ultimately the effect of this on various industries consuming coal; (iv) the need for adjusting wage differentials in such a manner as to provide incentives to workmen for advancing their skill; and (v) the desirability of extending the system of payment by results.

Explanation.- In applying the system of payment by results, the Board shall keep in view the need for fixing a minimum (fall-back) wage and also to safeguard against overwork and undue speed.

(c) To consider the demands of labour for an immediate interim wage increase pending submission of the final report. (d) To consider the demands for the introduction of a gratuity scheme on an industry-wise basis.

The headquarters of the Board will be located at Bombay.

(The Gazette of India, Part I, Sec.1, .  
25 August 1962, pp. 249-250 ).

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Madhya Pradesh Minimum Wages Fixation Act, 1962  
(Madhya Pradesh Act No. 16 of 1962).

The Madhya Pradesh Minimum Wages Fixation Bill, 1962 (vide pages 16 of the report of this Office for July 1962), as passed by the Madhya Pradesh Legislature received the assent of the President on 4 August 1962 and has been gazetted as Madhya Pradesh Act No. 16 of 1962. The Act provides that notwithstanding anything contained in section 5 of the Minimum Wages Act, 1948, in its application to the State of Madhya Pradesh or any ~~part~~ other provision contained therein relating to the fixation or revision of minimum rates of wages in scheduled employments and any judgment, decree or order of any Court to the contrary, the minimum rates of wages in respect of employments in items 2, 3, 5, 6, 7, 8 and 11 in Part I and in respect of employments in Part II of the Schedule to the said Act shall be and shall always, in respect of each such employment, be deemed to be as specified in Table appended hereto and it is hereby enacted that the said minimum rates of wages shall be payable by the employer in the said scheduled employments and be enforceable against him with effect from the 1st January 1959, as if the provisions herein contained have been in force at all material times.

The Act repeals the Madhya Pradesh Minimum Wages Fixation Ordinance, 1962.

(Madhya Pradesh Gazette, Extraordinary,  
5 August 1962, pp. 1995-2001).

Award on Rationalised Working of Kanpur Textile Mills;  
Bombay and Coimbatore Pattern of Wages Recommended .

Dr. Sampurnanand, Governor of Rajasthan and former Chief Minister of Uttar Pradesh, who was requested in 1961 to arbitrate on the issue of rationalisation and cognate matters by the millowners and textile mil workers of Uttar Pradesh, gave his award on 27 August 1962 at Kanpur, conforming as far as possible to the Bombay pattern of basic wages and partially adopting the patterns at other places like Coimbatore also.

The arbitrator has not agreed to any adjustment of the personal wage of the workmen against any ad hoc increase of wages given to them according to the recommendations of the wage board or against any increase in wages on account of rationalised working nor has the arbitrator allowed the ad hoc wage board increase of the merged portion of the dearness allowance to be taken into account in framing piece rates.

The standards of workload and basic wages in respect of the three categories of weavers, ring piecers and ring doffers are to be the same as recommended by the Kanpur Textile Mills Rationalisation Inquiry Committee (1955-56).

In regard to other categories too, covered by the mills in their individual schemes of rationalisation, the arbitrator has endeavoured to conform, as far as possible, to the Bombay pattern of basic wages. However, in some cases, where the wage rates of Bombay were not specifically related to the variations of the workload or because they required to be adjusted in the perspective of production of Kanpur textile mills, the wage patterns of workers at other places like Coimbatore have been drawn upon.

With regard to working conditions, the Sampurnanand award is by and large the same as prescribed by the Committee.

(The Hindustan Times, 29 August 1962).

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Delhi: Settlement of Higher Wages for Construction Workers.

A recent strike of 35,000 building and construction workers in Delhi out of a total of approximately 70,000, from 1 to 13 June 1962 has resulted in significant wage gains for these workers.

The demands which were conceded included the following rates of increases in daily wages:

Mazdoors - from Rs.2 to Rs.2.50; Women Mazdoors - from Rs.1.75 to Rs.2.25; Bhisti - from Rs.2 to Rs.3; Mason - from Rs.5 to Rs.7; Carpenter - from Rs.5 to Rs.7. For certain other categories, for whom no specific rates were fixed, such as sarang, painter, floor polisher, etc., the rates demanded were Rs.3, Rs.4 and Rs.5 respectively. The Jamedars (labour contractors) would get a labour commission at the rate of 13 nP. in the rupee.

The workers are organised in the Delhi Building Karamohari Union (AITUC). The strike was led by an Action Committee consisting of 101 members.

Most of the individual employers accepted the demand of the union in the first days of the strike but the bigger contractors held on to their ground till the last. Within seven days of the strike, about 200 contractors employing nearly 25,000 workers agreed to the unions' terms. The last to settle were the Central Public Works Department and some big contractors, engaged in construction of largesize buildings for foreign embassies etc.

(Trade Union Record, 20 June 1962).

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

INDIA - AUGUST 1962.

41. Agriculture.

Report on the Working of the Tea Districts Emigrant Labour  
Act (XXII of 1932) for the Year 1960 \* .

The following is a brief review of the Annual Report on the working of the Tea Districts Emigrant Labour Act (XXII of 1932) for the year ending 30 September 1960.

Labour on Tea Estates.- The total labour population living on tea estates of Assam was 691,837 on 30 September 1960, as against 685,591 on the 30 September 1959. Of these, 303,917 were working population and 388,920 non-working. The working population was composed of 151,189 men, 133,719 women and 18,009 children; while the dependants of the workers forming the non-working population was composed of 26,104 men, 29,561 women and 333,255 children. During the period under review 22,612 workers entered into employment (accession) against 30,189 who went out of employment (separation). Of the 22,612 workers added to the labour force only 2,502 were brought from outside the State.

Wages.- In Assam Valley, the average monthly cash earnings of men, women and minors living on tea estates (resident) were Rs.49.79np., Rs.44.07 np. and Rs.27.40 np., respectively. Similarly in the Surma Valley the corresponding figures were Rs.40.32np., Rs.31.90np. and Rs.21.50np. respectively. The average monthly cash earnings of Faltu or Busti (casual) labourers in Assam Valley were Rs.47.91np., Rs.42.21np. and Rs.25.57np. for men, women and minors respectively. In the Surma Valley the corresponding figures were Rs.25.81np., Rs.17.82np. and Rs.12.89np. respectively.

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\* Annual Report on the Working of the Tea Districts Emigrant Labour Act (Act XXII of 1932) for the year ending 30 September 1960:1962. Price Rs.2.60np. pp.64.

In the previous year the corresponding figures for workers (resident) on tea estates were Rs.45.45nP., Rs.38.76nP., and Rs.23.28nP. respectively in the Assam Valley and Rs.30.24nP., Rs.27.38nP., and Rs.18.70nP. respectively in the Surma Valley and those of Faltu or Busti (casual) workers in the Assam Valley were Rs.32.36nP., Rs.31.47nP. and Rs.19.68nP. respectively and in the Surma Valley were Rs. 28.41nP., Rs.20.89nP. and Rs.12.27nP. respectively. Average cash earnings of both the categories of workers show an increase. The increase is attributable to the fact that there was an increase in wage rates during the period under review and the share of prosperity bonus paid to workers during the year entering the element of earnings. Sickness allowance continued to be paid as usual and the maternity benefit continued to be paid at Re.0.72nP. per day for a total period of 12 weeks, spread over pre-natal and post-natal periods.

Resident workers in Assam tea estates enjoyed the benefit of free firewood and free grazing for their cattle, they were also given to cultivate, at the discretion of managers, paddy lands within the garden grant, either free of rent or at a nominal rent. It is also usual that workers arrange to cultivate lands belonging to other land holders or Government, outside the garden grant. Such lands belonging to Government, tea estates and other private land holders, under cultivation by the workers were 6,375, 74,075 and 2,847 acres respectively. The average rent per acre of the Government land, tea garden land and land owned by other landholders were Rs.1.83nP., Rs.1.36nP. and Rs.6.58nP. respectively. Paddy cultivation is one of the gainful subsidiary occupations in which the workers engage themselves during their leisure. Other subsidiary occupations which are also popular among plantation workers, are cattle and poultry rearing and kitchen gardening. These subsidiary incomes, which are not quite negligible, largely account for the high percentage of absenteeism in tea plantations.

Absenteeism.— The table below gives the percentage of absenteeism among settled and casual workers during the year under review as compared with those of the previous year:—

	Total No. of workers on books. (320 Tea Estates)	Average daily working strength.	Percentage of absenteeism.
<b>Settled workers:</b>			
1958-59 ..	281,443	230,065	18.3
1959-60 ..	297,880	244,613	17.9
<b>Casual Workers:</b>			
1958-59 ..	44,370	34,662	21.9
1959-60 ..	49,527	38,581	22.1



Steady progress of medical and sanitary arrangements was maintained throughout the year. During the year 13 new hospitals were constructed and 6 more hospitals were reported to be under construction. Improvements involving large scale renovation, construction of additional wards and departments etc., were recorded in 66 cases. These improvements resulted in the addition of 308 hospital beds. In spite of improvements being carried out, at the end of the year it was reported that medical facilities fell short of prescribed standard in the case of 221 estates.

Excluding Central Hospitals, there were 472 garden hospitals with 12,309 beds and 154 dispensaries.

Vital statistics showed a predominance of births over deaths - 9,575 deaths against 29,057 births (320 tea estates). The birth rate was 42.19 as compared with 13.9 deaths per thousand during the year.

Housing. - Free quarters were provided by the management to all settled and imported (emigrant) labourers. There was a phased programme of replacing old thatched type quarters by approved type quarters with more floor area, ventilation, etc. The total number of houses constructed including kutchha and semi-pucca was 12,609 only as against approximately 18,000 houses as required at the rate of 8 per cent per annum. This big gap is accounted for by the slow rate of progress recorded in Cachar district as a whole and the proprietary concerns generally in the Assam Valley districts.

Provident Fund. - The Assam Tea Plantation Provident Fund Scheme was amended so as to extend the scheme to cover adolescents and children. The Scheme extended its operation on 708 plantations with a total membership of 497,037 including clerical, medical and other staff. The over-all collections since the inception of the Scheme (12 September 1955) was Rs.122,647,891.32np. on 30 September 1959 and the total amount repaid to members or paid to nominees of deceased members upto 30 September 1959 stood at Rs.12,751,036.62np.

Steps are afoot to create a fund under the Tea Plantation Employees Welfare Fund Act, 1959, for the purpose of welfare of tea workers from various lapsed deposits, including those lying with the managements of tea estates and also amounts lapsing with Provident Fund.

Workers' Associations. - The Indian National Trade Union Congress continued to be the only major organisation for tea garden labour. According to the report of the Director of Statistics and Statistics Authority, Assam, there were 20 strikes during the year involving 16,754 workers. Man-days lost were 56,999. All the strikes were settled amicably or through the mediation of the officers of the State Government. Generally, labour relations continued to be harmonious.

Recruitment.— During the year under report 2,192 assisted emigrants along with 827 members of their families were recruited for the tea gardens in Assam from the States of Bihar, Madhya Pradesh and Orissa which are all 'Controlled Emigration Areas'. The corresponding figures for the last year were 4,620 and 2,056 respectively. Statewise distribution of the workers emigrating into Assam is as below:—

	Adult Workers.	Minors and other dependants.
Bihar	1,799	672
Madhya Pradesh	385	155
Orissa	8	-
	<u>2,192</u>	<u>827</u>

Forwarding.— Two person depots of Local Forwarding Agents duly licensed were functioning in Ranchi, on behalf of 'Employing Interests' under Section 17(3) of the Tea Districts Emigrant Labour Act. The Tea Districts Labour Association was the larger 'employing interests' alone accounting for the recruitment of 2,767 persons. The other 'employing interests' were, Assam Frontier and Budla Beta Tea Co. Ltd. The Tea Districts Labour Association maintained, for the purpose of forwarding of assisted emigrants to Assam, transit depots at Asansol, Gauhati, Katihar, Rangiya, Sahibganj, Tinsukia and Vizianagram.

No area was declared restricted recruiting area.

The organisations of the above mentioned 'employing interests' functioned upto 31 August 1960. The Tea Districts Labour Association went into voluntary liquidation on 1 September 1960 and all their activities as a recruiting and forwarding organisation ceased from that date. The Assam Frontier and Budla Beta Tea Co. Ltd., which maintained a Local Forwarding Agent's depot only and forwarded their recruits through the Tea Districts Labour Association were rendered incapable of continuing their recruiting activities.

The prescribed routes and the system of forwarding continued to be same as before. There were seven transit depots on the prescribed routes, in compliance with section 20 of the Act, at reasonable distances for providing accommodation, feeding and medical care of assisted emigrants and their families. Under Rule 35 of the Tea Districts Emigrant Labour Rules all emigrants during their rail journey were provided with cooked food once every 24 hours, outside the train (in transit depots), and again for every 48 hours of journey they were provided with at least 9 hours rest at the transit depots. During the year, however, an exemption under Rule 35 of the Tea Districts Emigrant Labour Rules was granted to the Tea Districts Labour Association from the necessity of detaining the labourers between Katihar and Rangiya, as a special case. All emigrants were forwarded under proper escorts. Escort peons are competent persons—persons within the meaning of Section 19 of the Act. Generally, one escort was provided for every 20 adults forwarded.

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The Tea Districts Labour Association forwarded 3,089 persons as against 7,067 persons during the previous year.

The winding up of the Tea Districts Labour Association has created a feeling among the planters in Assam that all restrictions on recruitment of ~~assisted~~-assisted emigrant labourers have been thereby withdrawn. Due to this misunderstanding many employers resorted to recruitment of assisted emigrants without complying with the provisions of the Tea Districts Emigrant Labour Act. In a circular letter it was made clear to the employers that such recruitment would be illegal.

Some unscrupulous planters in their effort to secure adequate labour supply took to clandestine recruitment and during the year under report 2,083 persons were directed to have been assisted to proceed to tea estates of Assam, in contravention of the provisions of Chapter III of the Act. After enquiries 430 cases were regularised by issue of Emigration Certificates.

In order to consider amendment of the Tea Districts Emigrant Labour Act to meet the situation arising out of wide-spread illicit recruitment and to consider the question of recruitment of emigrant labour under the Act from the neighbouring States for Assam tea gardens, a meeting of Industrial Committee on Plantations was convened during August 1960 by the Government of India (vide pages 86-88 of the report of this Office for September 1960).

Emigration Certificates.— Emigration certificates are means of collection of Emigrant Labour cess, levied in respect of entry into Assam of each assisted emigrant, payable by employing interests. Besides, this Emigration Certificate is also an important document for the emigrant workers to help him in enforcing his rights under the Tea Districts Emigrant Labour Act. As in the previous year the Emigrant Labour Cess was fixed under sub-section 3 of section 5 of the Act at 8 rupees.

Repatriation.— During the year 25,501 emigrant labourers and members of their families were forwarded on their homeward journey at employer's cost, as against 27,892 in the last year. Whereas 18,489 emigrant labourers and members of their families were reported to have postponed or waived the exercise of the right of repatriation.

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The Tea Districts Labour Association having gone into liquidation and the transit depots having been closed, intransit facilities or amenities are no longer available to repatriated labourers. In view of the situation created by the winding up of the Tea Districts Labour Association in so far as repatriation of emigrant labourers and members of their families are concerned the following conclusions were reached at the Meeting of the Industrial Committee on Plantations held at New Delhi during August 1960.

Continuation of arrangements for repatriation of assisted emigrants.

The employers agreed that in the event of the winding up of the Tea Districts Labour Association they would make suitable alternative arrangements for the repatriation of emigrant workers:-

(i) Emigrant workers returning to the various States would be assembled in batches at a Central Place in Assam and would be sent with an escort to a convenient central place in each of the main recruiting States. The employers would purchase tickets and make railway reservations and other necessary arrangements.

(ii) The subsistence allowance payable to workers during the journey would be raised from Rs.1.50 to Rs.2.50 per day in the case of adults and from Rs.0.75 to Rs.1.75 in the case of minors.

(iii) A rest room or rooms of adequate size providing sleeping accommodation, water facilities and sanitation would be maintained at Gauhati, Katihar, Ranchi and Vizianagram for a period of three years. The room or rooms at each place would be under the charge of a caretaker.

(iv) Notice should be given to emigrant workers who had previously postponed their rights of repatriation that such of them as wish to exercise their rights of repatriation should do so within three years and that repatriation rights would thereafter be extinguished.

Finance.- The opening cash balance of the Emigrant Labour Fund on 1 October 1959 was Rs.140,567.44nP. Receipts under various heads during the year amounted to Rs.50,500.27nP., as against estimated budget provision of Rs.71,190.00nP. Rs.20,784.00nP. was received on account of Emigrant Labour Cess and Rs.7,307.65nP. on account of interest on investments. The total receipts, however, include Rs.10,000.00nP. being the redemption proceeds of 4 per cent. Loan (1960-70) and Rs.5,563.00nP. being the employer's share of contribution to the Contributory Provident Fund.

The actual expenditure, excluding the sum of Rs.101,279.42nP. on account of investment in Government securities, was Rs.69,378.66nP. This amount also includes a sum of Rs.2,034.00nP. paid on account of final withdrawal of accumulations in the Contributory Provident Fund. Against the budget estimate of Rs.75,122.00nP., there was a saving of Rs.7,941.91nP. This may be attributed to the severe austere standards adopted in the levels of expenditure. The year closed with a cash balance of Rs.20,409.63nP.

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42. Co-operation.

India - August 1962.

Bihar: Annual Report on the Working of the Co-operative Societies for the Year 1957-1958 \*.

According to the annual administrative report of the Co-operative Department, Bihar State, for the year 1957-58, the co-operative movement registered further progress during the year under review. The number of societies of all types went up to 24,514 by the end of the co-operative year, 1957-58 as against 23,852 at the beginning of the year. The membership of the societies also increased from 1.068 millions at the end of the previous year to 1.218 million at the end of the year under report. The paid-up share capital and working capital of these societies stood at 29.285 million rupees and 164.270 million rupees respectively on 30 June 1958 as against 21.563 million rupees and 136.443 million rupees respectively of the previous year. There was thus an increase of 7.722 million rupees and 27.857 million rupees in the share capital and working capital respectively at the close of the year under report. The reserve and other funds of the societies amounted to 13.894 million rupees as on 30 June 1958 as against 14.067 million rupees of the preceding year. Those societies which worked at profit earned a total profit of 7.414 million rupees while those which worked at loss sustained a total loss of 1.842 million rupees during the year. The co-operative movement in the State covered nearly 15.1 per cent. of the total population of the rural areas and 24.8 per cent. of the total population of the urban areas on the basis of 5.2 persons on the average in a family, as against 13 per cent. of the total population of the rural areas and 21 per cent. of the total population of the urban areas in the preceding year.

Agricultural Credit Societies.— There were 14,685 agricultural credit societies on 30 June 1958 comprising of 12,880 multipurpose co-operative societies, 1,630 credit societies with unlimited liability and 175 large-sized co-operative societies as against 13,593 agricultural credit societies on 30 June 1957.

The progress recorded by these societies during the last two years is given in the table below:—

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\* Annual Administration Report of the Cooperative Department for the Year 1957-58; Printed by the Superintendent, Secretariat Press, Patna, Bihar; Price Rs.6.69nP. pp. 241.

Year,	No. of Societies.	Members.	Paid-up Share Capital.	Reserve.	Borrowings held at the end of the year. *	Working capital.	Loans advanced during the year to members.	Loans due at the end of the year.	Profit(+) Loss (-)
1956-57..	13,593	447,801	4,065	1.847	11.212	17.124	6.963	10.989	0.482(+) 0.252(-)
1957-58..	14,685	530,000	5,386	2.129	15.128	22.643	9.736	16.325	0.977(+) 0.431(-)

\*Including deposits.

Large-sized Co-operative Societies.- The Plan also provides for the organisation of 500 largesized multipurpose co-operative societies. During 1956-57, 75 largesized multipurpose co-operative societies were organised and each of these was given a wholetime manager and a share capital contribution of 10,000 rupees by the State Government. Fifty such societies were also given financial assistance by Government for construction of godowns at the rate of 10,000 rupees per society, of which 7,500 rupees was given as loan and 2,500 rupees as subsidy. During 1957-58, 100 such societies were organised and each of those was given a whole-time manager besides share capital contribution at the rate of 10,000 rupees per society. The total cost on this account was 1,000,000 rupees. Out of 100 large-sized societies, 75 societies got financial assistance from the State Government for the construction of godowns on the same basis and at the same rate as in the previous year. The total cost to Government on this account during the year 1957-58 was 750,000 rupees (562,500 rupees as loan and 187,500 rupees as subsidy). Out of 50 godowns, construction work of 48 was taken up in 1957-58 and the construction of the remaining two godowns will be taken up as soon as fresh sites are selected.

Weavers' Co-operative Societies.- The number of weavers' cooperative societies has gone up by 30 June 1958 to 783 with a membership of over 100,000 of weavers and paid-up share capital of 1.490 million rupees as against 753 societies with a membership of 95,304 and paid-up share capital of 0.925 million rupees respectively on 30 June 1957. During the year under review a sum of 0.150 million rupees was sanctioned by Government for being advanced as loans to members to enable them to subscribe to the share capital of their respective societies at the rate of 15 rupees per member, thus bringing in about 15,000 new members within a co-operative fold. The societies sold goods worth 59.781 million rupees during the year under report as against 26.497 million rupees of the previous year.

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**Oilmen's Cooperative Societies.**- The following table shows the working of oilmen's co-operative societies during the year last two years:-

(Rs. in Million)

Year.	No. of Societies		No. of Members.	Paid-up Share Capital.	Working Capital.	Loans advanced during the year.	Sales during the year.	Profit(+) Loss (-)
	On the roll Quoting figures.							
1956-57...	201	111	2,015	0.038	0.224	0.030	0.006	0.015(+) 0.002(-)
1957-58...	397	101	2,159	0.045	0.277	0.103	0.706	0.010(+) 0.003(-)

Of 101 oilmen's co-operative societies whose figures are given above, 28 societies earned a net profit of 10,000 rupees while 36 societies incurred a loss of Rs. 3,000. ~~28~~ Societies worked without any profit or loss during the year under review, were thirtyseven.

**Community Projects and National Extension Service Blocks.**- A total of 5,377 societies of all types were organised in the National Extension Service Areas up to 30 June 1958. These had a membership of 213,000, with share capital of 2.492 million rupees and working capital of 7.541 million rupees. A total of 11,971 villages with 1.3 millions of families were brought under the co-operative fold during the year. Some of the agricultural credit societies in the block areas were selected for undertaking local development works such as excavation of ponds, construction and repairs to roads, sinking of wells and opening of night schools.

**Primary Marketing Societies.**- A STATEMENT showing the progress of the Primary Marketing Societies, from whom reports were received during the year under report is given below:-

(In Million Rupees)

Year.	No. of Societies		Members.	Paid-up share capital.	Borrowing held at the year.	Working capital.	Purchase.	Sale.	Profit(+) Loss (-)
	On the Register Quoting figure.								
1956-57.	89	77	2,096	0.354	0.359	0.790	0.716	0.886	0.033(+) 0.007(-)
1957-58.	89	83	3,163	0.643	0.780	0.840	0.840	1.526	0.087(+) 0.012(-)



Of the 83 societies, 45 societies earned a net profit of 0.087 million rupees while 23 societies suffered a loss of 0.012 million rupees during 1957-58 and 15 societies worked without any profit or loss.

These Primary Marketing Societies distributed seeds, manures and fertilisers to their affiliated societies valued at 8,925 rupees, 181,566 rupees and 10,748 rupees respectively during the year under review for stepping up agricultural production.

All these societies were provided with the services of a wholetime manager of the rank of Inspector of co-operative societies. The State Government contributed 20,000 rupees to the share capital of 50 primary marketing societies organised during the year. As the required financial assistance for the construction of godowns by these societies was sanctioned at the fag end of the year, the actual construction work could not be taken up during the year under review. The construction of 29 godowns out of 30 for which State assistance had been given during 1956-57, was taken up during 1957-58. Most of these godowns has been completed and the rest were nearing completion. The construction of godowns of Bodh Gaya marketing society could not be taken up as the site selected for the godown was subsequently required by the State Government for some other purpose.

Co-operative Milk Unions.- On the 30 June 1958, there were three milk supply unions as in the preceding year viz., one at Patna and the other two at Muzaffarpur and Bhagalpur.

The Patna Co-operative Milk Union had a membership of 11 societies and 170 individuals with a paid-up share capital of 4,514 rupees, reserves of 202 rupees and working capital of 103,716 rupees as on the 30 June 1958. The Union continued to get its supply of milk partly from the Government Cattle Farm at Patna and Dumraon and partly from the milk societies organised in the villages lying within a radius of 20 miles of Patna. The Union supplied milk and milk products to the State Hospital, Secretariat Canteen, College hostels, private institutions and also to a large number of individuals. Milk and milk products marketed by the Union were valued at 180,000 rupees during the year 1957-58 as against 142,000 rupees during 1956-57. For quick transport of milk from the societies to the Union and from the Union to the large consumers it maintains two motor vans. The State Government helped the Union by meeting a part of the recurring cost on technical staff, and allowed the free use of the Pasteurisation Plant of the Animal Husbandry Department during the year under review.

The Co-operative Milk Union at Muzaffarpur had on its roll 159 members with a paid-up share capital of 3,859 rupees, reserves of 82 rupees and working capital of 119,511 rupees as on the 30 June 1958. It continued to supply milk to the Government Hospital and its consumer members during the year under review. The value of milk and milk products sold by this union amounted to 91,000 rupees during the year 1957-58. The Union advanced a sum of 16,935 rupees as loan to its milk supply societies, to enable them to improve their stock of cattle.

The Bhagalpur Co-operative Milk Union had only 2 affiliated societies, and 76 individual members as on 30 June 1958. Its share capital, reserves and working capital amounted to 3,490 rupees, 145 rupees and 122,690 rupees respectively. It sold milk and milk products valued at 107,000 rupees during the year under review.

Cane-Growers' Co-operative Societies.— The table below shows the working of the Cane-Growers' Cooperative Societies during the last two years:—

(In Million Rupees)

Year.	No. of Societies.	Members.	Paid-up share capital.	Reserves.	Borrowings.	Working capital.	Value of goods marketed.	Loans advanced during the year.	Profit (+) Loss(-)
1956-57.	7,868	323,935	1.442	1.106	3.533	6.081	58.524	3.690	0.779(+) 0.010(-)
1957-58.	7,616	322,097	1.469	1.030	4.017	6.516	44.119	4.074	0.494(+) 0.032(-)

Out of 8,215 cane growers' co-operative societies at the end of year, reports were available in respect of 7,616 societies. There was slight increase in their paid-up share capital and working capital from 1.442 million rupees and 6.081 million rupees in 1956-57 to 1.469 million rupees and 6.516 million rupees respectively in 1957-58. Due to absence of report from a number of cane growers' cooperative societies, their membership and reserves appear to be lower in the year under report, viz., 322,097 and 1.030 million rupees as against 323,935 and 1.106 million rupees in 1956-57. Of 7,616 societies whose figures were available the number of societies earning profit was 5,995 while the number of those sustaining loss was 753. The number of societies having neither profit nor loss was 908. The societies advanced loans to their members to the extent of 4.074 million rupees during the year under report as against 3.690 million rupees in the previous year. These loans were advanced mostly for purchase of improved variety of seed canes and manures.

Non-Agricultural Credit Societies.- On 30 June 1958, there were 149 salary earners' or employees co-operative societies as against 130 such societies at the end of the previous year. They had on their rolls 125,000 members with a paid-up share capital of 6,242 million rupees and reserves of 1,897 million rupees. A sum of 30.708 million rupees was held under thrift deposits accumulated by members as against 26,345 million rupees at the end of the previous year. While their owned capital and members' deposits amounted to 38,850 million rupees, their working capital stood at 39,144 million rupees. The loans issued to members during the year amounted to 29,285 million rupees. The outstanding loans against members on 30 June 1958 was 27,530 million rupees. These societies purchased goods for distribution to members valued at 0.852 million rupees and sold them for 0.899 million rupees.

Milk Societies.- There were 36 milk consumers co-operative societies with a membership of 681 on 30 June 1958 as against 20 with a membership of 415 in the previous year. The members are required to sell their milk to their society, which in its turn arranges its disposal. The societies also aim at securing profitable market for dairy products.

Of the 36 societies 10 societies are situated in the district of Patna. These had a total membership of 326 on 30 June 1958 with a paid up share capital of 1,137 rupees and working capital of 5,872 rupees. The Societies purchased milk worth 65,719 rupees and marketed the same for 61,501 rupees during the year. Owing to heavy cost of establishment these societies suffered a loss of 2,805 rupees.

There were 18 milk societies in Muzaffarpur circle on 30 June 1958 with a membership of 140, share capital of 1,205 rupees and working capital of 7,846 rupees. These societies collected milk worth 12,818 rupees and sold the same for 12,215 rupees. These societies suffered also a loss of 1,358 rupees during the period under review.

Industrial Co-operative Societies: Fishermen's Co-operative Societies.- There were 73 fishermen's co-operative societies in the State as on 30 June 1958 with 5,486 members, paid-up share capital of 0.077 million rupees and working capital of 0.512 million rupees as against 68 societies with 1,482 members, paid up share capital of 0.017 million rupees and working capital of 0.057 million rupees of the previous year.

The following table shows the working of Fishermen's Co-operative Societies during the last two years:-

(In Million Rupees)

Year.	No. of Societies.	Members.	Paid up share capital.	Reserves.	Working capital.	Value of Goods		Profit (+) Loss (-)
						Received.	Marketed.	
1956-57.	68	1,482	0.017	0.001	0.057	0.102	0.091	0.019 (+) 0.003 (-)
1957-58.	73	5,486	0.077	0.077	0.512	0.099	0.326	0.173 (+) 0.089 (-)

Poultry Co-operative Societies.- There were 19 such societies at the end of the year 30 June 1958 with a membership of 416, share capital of 3,910 rupees and working capital of 36,719 rupees as against 9 societies on 30 June 1957 with membership of 108, paid up share capital of 1,895 rupees and working capital of 1,895 rupees. Thirteen societies suffered loss of 369 rupees. Profits earned by the remaining societies was negligible.

Harijan Co-operative Societies.- The total number of ~~cooperatives~~ cooperative ~~credit~~ credit societies organised by the Sangh as on 30 June 1958 was 51. These had a total membership of 4,215 with reserve fund of 2,167 rupees and working capital of 83,554 rupees. These Societies earned a profit of 6,304 rupees during the year 1957-58. The total amount of debt liquidated by the members till the close of the year was to the extent of 184,500 rupees. These societies received financial help to the extent of 43,127 rupees from the Government as on 30 June 1958. The total deposits held by the members in the societies as on 30 June ~~1958~~ 1958 was 51,956 rupees.

Besides these societies, there is one important Harijan Cooperative Society at Jamshedpur viz., Tisco Harijan Cooperative Society. It has been rendering very useful service to its members. One of the special features of working of this society is that it advances loans to its members in kind in the form of food-grains, cloths, and other necessities of life. The value of such advances is deducted from the wages or income regularly every month by the Tisco management and is paid to the society. This system has proved very helpful in timely repayments of loans and in preventing the members from squandering their wages on drinks etc. The society had 1,051 members on its roll as on 30 June 1958 with a paid-up share capital of 0.091 million rupees, reserves of 0.020 million rupees and working capital of 0.586 million rupees. The deposits attracted by it as on 30 June 1958 amounted to 0.275 million rupees. The society earned a profit of 0.1471 million rupees during the year under report. Total loans advanced by the society to its members amounted to 0.247 million rupees during 1957-58.

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Jammu and Kashmir: Annual Administration Report of the  
Co-operative Department for the Year 1960-1961\* .

According to the annual administration report of the Co-operative Department, Government of Jammu and Kashmir, for the year 1960-61, at the commencement of the year there were 547 rural co-operatives of multipurpose pattern in the State and during the year under review 78 new such Co-operatives were organised raising the number to 625. By and large the area of operation extends to a Patwar Halqa of 4 to 5 villages within a radius of 3 to 4 miles and population of three to four thousand. The experience of last 10 years is that a Patwar Halqa Society is viable and cohesive unit and suits at the present stage of economic development of our rural community.

Besides these there are 745 old credit Cooperatives with unlimited liability. These have been dormant since a decade and are in the process of merger with the credit co-operatives of multipurpose pattern functioning within their area of operation.

There are about 6,313 villages in the State on this side of the ceasefire line. Of these 3061 villages are in Jammu and 3,252 in Kashmir. Out of 2,252 villages in Kashmir 2,996 are covered by credit co-operatives of multipurpose pattern. In Jammu 1,779 villages out of 3,061 are covered. About 62 per cent. of rural families in Kashmir and about 17 per cent. of rural families in Jammu are represented on the service co-operatives on the basis of population figures of 1951.

Membership.— The membership of the multipurpose co-operatives or service cooperatives increased from 217,000 to 226,000 during the period under report. The average membership per society is 362.

The share capital of these societies increased from 2,113 thousands rupees to 2,720 thousands rupees during the year under report, and average share capital per society increased from 3881 rupees to 4334 rupees. While working out the average the dormant Societies have not been included. To increase the borrowing power of these Societies the State Government entered into financial partnership with 158 societies and provided share capital contribution of 858,750 rupees to them during the period under report. An amount of 67,000 rupees was provided as subsidy for staff to 372 Service Cooperatives.

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\* Annual Administration Report of the Co-operative Department, Jammu and Kashmir Government for the Year 1960-61.

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The working capital of the societies increased from 14.126 million rupees to 15.8 million rupees during the year. On an average working capital per society is 25,280 rupees. Working Capital of these Societies consists mainly of their owned funds, deposits and borrowings from the financing Banks.

During the year under report 18 million rupees were made as short term loans to agriculturists against 6.450 million rupees made last year. In addition 0.660 million rupees were advanced as fertiliser loans.

Marketing Societies.- At the commencement of the year under report there were 36 marketing societies and during the year 2 new marketing societies were organised raising the number to 38 at the close of the year. A total of 30,000 rupees were provided as share contribution and 3,000 rupees as subsidy for staff to 3 Marketing Societies during the year under report.

The marketing society, generally deal in fruits, walnuts, almonds, pulses, ghee etc. During the year under review these commodities of the value of 0.826 million rupees were marketed through these societies. They also supplied fertilisers and seeds of the value of 881,000 rupees and basic consumer goods such as salt, sugar, kerosene oil of the value of 5,738,000 rupees to their constituents.

Milk Supply Societies.- There are 3 milk supply societies in the State one at Jammu and the other two at Sopore and Kulgam in Kashmir.

The milk supply society of Jammu was organised in the year 1959-60 with a membership of 77 and the present membership is 160. The society received milk from members and supplied it to army. During the year under review the Society has received and sold milk of the value of 594,00 rupees and 676,000 rupees respectively.

Saffron Growers Society.- This society was organised in the year 1958 with a membership of 295 and paid-up share capital of 9,215 rupees. The membership and the share capital of the Society now stand at 493 and 16,440 rupees respectively. Government provided a subsidy of 5,000 rupees to the Society for managerial staff. The Society has about 12,000 tolas Saffron in stock for sale.

Co-operative Banks.- The banking structure consists of three central banks two in Kashmir and one in Jammu province and the State Co-operative Bank at the top.

The owned funds of the Banks during the year under report increased from 1,004,000 rupees to 1,490,508 rupees. The composition of the owned funds is given here under:-

	Rs.
(1) Paid-Up Share Capital	811,519
(2) Reserve Fund	248,376
(3) Bad Debt Reserve and other Funds	430,613

The paid-up Share Capital of the Banks registered an increase from 510 thousands rupees to 812 thousands rupees. The additional Share Capital was mainly raised from Society members.

The Reserve Fund of the Banks stood at 249 thousand rupees at the close of the year under report.

The deposits held by the Central Cooperative Banks have stood at 3,096 thousand rupees during the period under report.

The increase in owned funds and the increase in the borrowings resulted in the rise of working capital from 10,194 thousand rupees to 12,259,627 rupees of the Banks during the period under report. The composition of the working capital of these Banks at the close of the year is given here-under:-

		Rs.
(1) Owned Funds	--	1,490,508
(2) Loans	--	7,682,639
(3) Deposits	--	3,096,480

During the year under review the Banks have advanced an amount of 8,851 thousand rupees. The bulk of the advances have been made to multipurpose agricultural credit societies for providing short term.

Non-agricultural Co-operative Societies. There has been no increase in the number of non-agricultural credit societies during the year under report. The position remain the same as it was in the year proceeding to the year under report which was that there were 87 societies. Of these 87 societies only 9 were functioning. The other societies were dormant in 1947 and are so since then. The operation of these societies for the year 1960-61 is shown as under:-

(Amount in thousands).

		Rs.
(1) Membership	---	3,000
(2) Paid-up Share Capital	---	129
(3) Reserve and Other Funds	---	14
(4) Borrowings: Central Bank	---	490
(5) Loans advanced	---	108
(6) Loans recovered	---	56
(7) Loans outstanding	---	613
(8) Loans overdue	---	198

Industrial Cooperatives. Wicker Workers, Nut Crackers and Raffal Embroidery Workers have also been organised on co-operative basis. The total crafts now in the ambit of co-operatives are:-

- (1) Pashmina Embroidery.
- (2) Carpet.
- (3) Papier Machie.
- (4) Wood Carving.
- (5) Chain Stitch.
- (6) Turquoise.
- (7) Gabbas.
- (8) Wicker Works.
- (9) Nut Crackers.
- (10) Raffal Embroidery.

The share capital of the Societies at the end of the year stood at 44,553 rupees and the working capital at 588,477 rupees. During the year under report share capital and the working capital have increased by 16,430 rupees and 47,475 rupees respectively. During the year under report Government provided share capital and working capital loan of 10,000 rupees and 113,000 rupees respectively, for 114 and 235 members. The Induscos have produced and sold goods of the value of 218,110 rupees and 267,083 rupees respectively. The working of two common facility ~~working centres~~ centres, one for wood carving workers and another for gabbas set up during 1957-58 and 1958-59 respectively have also improved. In the year 1960-61 the wood workers centre was able to manufacture and sell furniture worth 6,805 rupees. The common facility centre for Gabbas at Anantnag has also started attracting the workers for dyeing their material. The Dye-House is dyeing blankets, Pattos, Cotton etc.

The arrangements of sale with Indian co-operative union have also improved. During the year goods valuing 83,960 rupees were sent for sale to the Union against the goods valuing 32,253 rupees in preceding year.

Handloom Industrial Co-operatives.— Fifteen spinners and weavers co-operative with a membership of 988 were organised upto March 1961. Six more weaver co-operatives were under organisation. The 49 dormant societies of weaver, organised during 2nd World War for obtaining yarn from the Government which was a controlled commodity then continue to be so. Spinners co-operatives are engaged in spinning of silk yarn from cocoon waste, pashim and wool. The weaver co-operatives weave the silk yarn, pashim, wool, cotton yarn into cloth. Cloth of the value of 211,076 rupees was woven in 1959-60. During the year under report these Societies manufactured and sold cloth of the value of 387,654 rupees and 436,175 rupees respectively. By working on co-operative basis there has been increase in the wages of artisan ranging from 25 per cent. to 50 per cent.

Transport Co-operatives.— During the year under report one more rickshaw drivers co-operative society was organised at Srinagar with a membership of 97. The Society has purchased 15 auto-rickshaws and has provided employment to 15 members drivers. Thus the total number of transport co-operatives at the close of the year was 3. The phases and financial position and other information of the Societies is given here under:—

		(In thousand rupees)
(1) Membership	--	971
(2) Number and value of Vehicle purchased.		24
(3) Deposits	---	22
(4) Share Capital	---	67
(5) Borrowings	---	269
(6) Working Capital	---	350
(7) Owned funds.	---	67



43. Handicrafts.

India - August 1962.

Mysore Government's Training Scheme for Rural Development:  
Useful Work done by Chikmagalur Institute.

With a view to serve the technical needs of the villages for their development on the one hand and relieving unemployment amongst the youth with poor education on the other, the Government of Mysore, has started institutions in important centres of the State and the one at Chikmagalur recently completed two years of useful service. One year's rigorous training is imparted to selected village boys and girls in these institutions to fit them to vocations like blacksmithy, carpentry production of rattan articles, leather stitching and tailoring. A sum of nearly 38,000 rupees is being expended by the Government to train 125 students, both boys and girls. Smithy and carpentry are mainly taken up by boys, while in the other courses girls are also trained. The candidates are selected generally from the areas where the National Extension Service is in existence and they are paid a stipend of 30 rupees.

Review of Work done by Chikmagalur Institute.- During the first two years, the institute has trained 165 students, 81 during 1960-61 and 84 in 1961-62. The fall from the prescribed strength of 125 was mainly due to the ignorance about the utility of the scheme among the rural people, but this year all the seats were filled. Most of the students admitted come from families of artisans and they learn the trades very quickly and efficiently. The experience of the past two years has shown that those who have left the institution have been earning from three to four rupees a day, leading an independent life. These trained artisans are also helped by the Small Scale Industries Scheme through co-operatives to start their own ventures by establishing smithy workshops, rattan furniture shops, readymade cloth shops, footwears depots and furniture workshops, by providing not only financial aid but also by getting them the necessary tools and implements for their vocations. Some of the students have joined important factories and are acquitting themselves well, while a few have taken up higher technical studies.

The students, during the course of their training, have been clever enough to produce articles serving, cooking and agricultural needs, rattan furniture, readymade garments, shoes, sandals, leather bags, etc., which were on show at important fairs, festivals and exhibitions held here and elsewhere, winning several awards. Being utility articles they were purchased by the public and the institute realised a sum of 2,700 rupees ~~and~~ as sale proceeds. The Government through the Department of Industries have been providing the teaching personnel, equipment and raw materials for the institute.

(The Hindu, 27 August 1962 ).

Punjab: Scheme to end Rural Unemployment envisaged.

Shri Partap Singh Kairon, Chief Minister of Punjab State stated at a Press Conference in Chandigarh on 3 July 1962 that the Punjab Government has decided to select one community development block in the State and one village in each block for an experiment to remove underemployment and unemployment. He said the Industries Department had been instructed to prepare a scheme to implement this decision. The experience to be gained in these villages and in the block, it is hoped, would be the key to a greater attempt at the removal of poverty from the State. For this purpose, Punjab will be divided ultimately into 228 development blocks. Of them, 168 blocks have already been established and are functioning. The rest are yet to be set up.

(The Tribune, 5 July 1962 ).

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

INDIA - AUGUST 1962.

50. General.

Working Conditions of Labour in the Paper Mill Industry in India: Results of an Enquiry Conducted by Labour Bureau.

An article on Labour Conditions in the Paper Mill Industry in India has been published in the Indian Labour Journal, July 1962. This article is based on an enquiry conducted by the Labour Bureau in April 1961. Out of the 41 paper mills in the industry, 20 units were sampled for the purpose of the enquiry. A comprehensive questionnaire was issued to the sampled units. As the response by mail was poor, data from most of the units had to be collected on the spot by officials of the Labour Bureau.

Estimates for the Industry.- The data relating to various aspects of labour conditions, as collected during the course of the enquiry, have been presented in three groups, namely, Group A (0-400), Group B (401-1,000) and Group C (1,001 and above) and separately for Maharashtra, West Bengal and 'Rest of India'. Original Groups I & II have been combined into the new Group A. Similarly, States of Uttar Pradesh, Andhra Pradesh and Madras have been clubbed along with other States to form the new 'Rest of India' region. The total number of units in the frame and the number of units sampled in each of the new employment groups and strata are given in the following table:-

Size group (By employment)	Maharashtra		West Bengal		Rest of India		All-India	
	No. of units.	No. of sampled units.	No. of units.	No. of sampled units.	No. of units.	No. of sampled units.	No. of units.	No. of sampled units.
Group 'A' - (Upto 400).	.. 10	3	-	-	15	4	25	7
Group 'B' - (401-1,000).	.. 1	1	1	1	5	2	7	4
Group 'C' - (1,001 & above).	.. -	-	4	4	5	5	9	9
Total.	.. 11	4	5	5	25	11	41	20

As the all the sampled units were covered by field investigations conducted by the Bureau, it has been possible to give estimates for the industry as a whole as well as for different strata in respect of employment, length of service, rate of absenteeism, labour turnover, and average daily earnings.

Employment,- Direct & Contract Labour.- The total number of workers on 31 March 1961 in the industry as estimated on the basis of data collected during the enquiry, was about 37,800. Labour employed directly constituted 85.2 per cent. of the total labour force; the rest were employed through contractors. Contract labour was employed only in big units (i.e., units falling in Group C) in West Bengal and the 'Rest of India' regions, the percentages of contract labour to total labour in the above regions being 8.1 and 19.4 respectively.

Contract labour was mainly employed on loading and unloading of paper and raw-materials and packing of paper, although they were also employed on certain other jobs such as feeding of boilers with coal and building and construction work in a few units. The managements reported that contract labour was engaged due to the uncertain nature of such jobs. A few employers also stated that it was economical to employ contract labour for certain types of jobs. In view of these reasons, the managements did not see any possibility of the abolition of contract labour completely. With the exception of one sampled unit wherein contract labour was paid wages in the presence of the employers' representatives, no control was exercised by the managements in the matter of working conditions ~~of~~ ~~one~~ ~~sampled~~ payment of wages, etc., of contract labour. All the units (excepting one wherein weekly-off with pay was allowed to contract workers) reported that facilities such as leave with wages, festival and national holidays, bonuses of various types and welfare facilities available for direct labour were not provided to contract labour. Contract labour was, however, entitled to benefits under the Employees' State Insurance Scheme in the units covered by the said scheme.

Permanent, Temporary, Badli & Casual Labour.- All the sampled units (except 4 falling in Group A) had classified their directly employed workers into permanent, temporary, casual and badli workers in accordance with the provisions of the Standing Orders as in existence in the units. Of the total direct labour employed in the industry, 73.9 per cent. was permanent, 8.1 per cent. temporary, 11.6 per cent. casual and the remaining 6.4 per cent. was employed as badli labour.

While 58.7 per cent. of the direct labour was made permanent in Group A factories, the percentage of such workers was 61.2 in Group B units and the 78.5 in Group C units. All the workers employed in Group B units in the State of Maharashtra were permanent. Taking all groups together, 68.2 per cent. of direct labour in Maharashtra, 78.4 per cent. in West Bengal and 71.6 per cent of workers in the 'Rest of India' region were permanent.

Temporary labour constituted 5.2 per cent. of the total direct labour in Group A units, 29.5 per cent. in Group B factories and 2.8 per cent. in units coming under Group C. No temporary labour was engaged by Group B units in Maharashtra and West Bengal. Taking all groups together, 4.1 per cent. of the direct labour was temporary in Maharashtra while hardly 0.6 per cent. was temporary in West Bengal.

The percentage of casual labour to total direct labour was 36.1, 6.0 and 10.9 in Groups A, B, and C units respectively. No casual labour was engaged in Group B units in Maharashtra. Taking all groups together, 27.7 per cent. of workers in Maharashtra, 6.9 per cent. in West Bengal and 13.1 per cent. in the 'Rest of India' region were temporary.

No badli labour was employed in the factories located in Maharashtra and Group A units in the 'Rest of India' region. In West Bengal, 7.7 per cent. of workers in Group B units and 14.5 per cent. of the workers in Group C units were engaged as badlis.

Female labour.- About 4 per cent. of the total direct labour employed in the industry were females, forming 8 per cent. in Group A units, 12.0 per cent. in Group B units and only 1.6 per cent. in the sampled units in Group C. There were no women workers in Group B units in West Bengal and only 4 women workers were engaged in Group A units in the 'Rest of India' region. Female labour formed 15.1 per cent. of the direct labour in Maharashtra, 1.4 per cent. in West Bengal and 4.7 per cent. in the 'Rest of India' region, taking all groups together. Women were generally employed on sweeping, packing, rag picking, wagon loading, sorting of waste paper, grading and carrying of raw materials, etc.

Piece-rated and Time-rated Workers.- The workers in the Paper Mill Industry are mostly time-rated, forming as much as 95.5 per cent. of the total direct labour employed (99.7 per cent. in Group A units, 96.5 per cent. in Group B and 94.8 per cent. in Group C factories). There were no piece-rated workers in Group B units in West Bengal and Group A factories in the 'Rest of India' region; 23.2 per cent. of workers employed in factories in Group B in Maharashtra were paid wages on piece-rate basis.

Length of Service.- Of 26,400 workers (permanent and temporary only) employed directly in the industry as on 31 March 1961, about 6.2 per cent. of the workers in the industry had service below one year (25.9 per cent. in Group A, 8.4 per cent. in Group B and 4.4 per cent. in Group C factories). Workers employed in Group A units (small-size factories with employment upto 400 workers) generally had smaller service to their credit. In this group roughly 17.6 per cent. of workers in Maharashtra and 31.3 per cent. in the 'Rest of India' region had less than one year's service. About 73.4 per cent. of workers had more than five years' service on 31 March 1961 (39.8 per cent. of workers in Group A, 86.1 per cent. in Group B and 72.0 per cent. in Group C factories). In Maharashtra, 61.9 per cent of the workers were having more than 5 years' service while in West Bengal 84.0 per cent. of workers had similar service to their credit. There was, therefore, a fair degree of stability of employment in large and medium-sized factories in the industry.

**Absenteeism.**- The annual rate of absenteeism was 12.7 per cent. for the industry as a whole, 15.6 per cent. for Group A units, 10.6 per cent. for Group B units and 13.1 per cent. for Group C units. It was 14.6 per cent. in Maharashtra, 10.9 per cent. in West Bengal and 14.4 per cent. in the 'Rest of India' region, taking all groups together. Workers generally absented from work for attending to social and religious ceremonies, domestic affairs and on account of sickness. In a few units, workers belonging to nearby villages absented themselves from work for attending to agricultural operations during the harvesting season. Some of the units took disciplinary action in cases of unauthorised absence under the relevant provisions of their Standing Orders.

**Labour Turnover.**- The annual rate of accessions/separations was low being 0.57 per cent 100 workers respectively, taking all groups together. The accession rate was 2.81 in Group A, 1.05 in Group B and 0.33 in Group C factories, the separation rates for the three Groups being 3.67, 0.80 and 0.27 respectively.

**Schemes of Apprenticeship & Training.**- Schemes of apprenticeship were in existence in ten big-sized sampled units (seven in Group C and three in Group B).

**Wages and Earnings.**- The following table gives the total earnings of the lowest-paid male and female workers which includes the basic wage, dearness allowance or any other allowances:-

Region/Size Group.	Unit No.	Male Total Earnings.	Female Total Earnings.
		Rs.nP.	Rs.nP.
Maharashtra -			
Group A ..	(1)	2.00	1.25
	(2)	0.75	-
	(3)	1.47	1.49 *
Group B ..	(1)	3.12	3.12
West Bengal -			
Group B ..	(1)	3.64	-
Group C ..	(1)	1.70	1.70
	(2 & 3)	2.58	2.22
	(4)	2.88	2.88
Rest of India -			
Group A ..	(1)	2.93	2.93
	(2)	1.50	-
	(3)	0.75	-
	(4)	1.12	-
Group B ..	(1)	2.00	-
	(2)	2.47	2.50 *
Group C ..	(1)	2.37	1.88
	(2)	3.00	-
	(3)	2.25	-
	(4)	2.50	2.50

N.B.- Where the lowest paid worker was monthly rated, the daily earnings have been calculated by dividing the monthly rate by 26.

\* Females were having slightly higher earnings as they are old hands.

House Rent Allowance & Other Cash Allowances.- A few categories of workers in seven sampled units (1 in Group B and 6 in Group C) were getting certain cash allowances such as house rent allowance, dust and cloth allowance, etc. Workers in 4 units (1 in Group B and 3 in Group C) who could not be provided with rent-free quarters were paid house-rent allowance at a rate varying from Rs.2.00 to Rs.2.56 per month. In two of these units, those workers who had been provided with houses had the benefit of free electricity and water supply. In addition, workers in a unit were provided with free fuel. Another unit in Group C paid Rs.2.00 per month as house rent allowance to all its permanent workers. Still another unit in Group C paid Rs.7.50 to ~~Rs.20~~ Rs.20.00 per month as house rent allowance, but charged house rent varying from Re.1.00 to Rs.16.50 per month for the houses allotted to the workers. Workers of the Rag-cutting Department of a unit (Group C) were getting 'dust and cloth' allowance varying from Rs.4.00 to Rs.9.00 per month. All permanent workers in the Process and Manufacturing sections of one unit in West Bengal (Group C) were paid a special allowance (Rota Allowance) at the rate of 4 days' basic wages in a month.

Profit Bonus.- Profit bonus varying from one week's to 4 months' basic wages was paid to workers in 8 units (2 in Group B and 6 in Group C). Five of these units paid such bonus only to permanent workers while two units paid it to all workers. In the remaining unit, profit bonus was paid to direct labour excluding casual labour. Workers in one of these units were eligible to profit bonus if they had a minimum of 155 days' attendance during the bonus year.

Production Bonus.- The system of payment of production bonus existed in 6 big units (viz., units falling in Groups B and C). Permanent workers in two units were paid this bonus at the rate of 81 days' basic wages during 1959-60. One unit was paying this bonus at the rate of 1/3rd of basic wages to all its workers employed directly excluding casual workers. In another unit, bonus was paid at the rate of 7.59 per cent. of the gross wages to all workers other than casual workers. One unit paid production bonus to all permanent beatermen and machine-men at the rate of 58 days' basic wages. All workers in the remaining unit were paid production bonus according to the monthly output of the factory. The rate of bonus so computed generally amounted to one month's basic wages and it was 84 per cent. of the basic wages for March 1961.

Attendance Bonus.- Payment of attendance bonus to workers was in vogue in three units only (one in Group A and 2 in Group C). One unit paid such bonus at the rate of Re.0.25np. per day to workers employed in night shift while in the other two units, it was Rs.8.00 in case of full attendance in a month, Rs.7.50 for one day's absence only in a month and Rs.7.00 for two days' absence in a month. However, days of absence due to earned leave, sick leave and casual leave with wages were reckoned as days of presence for the purpose of calculating attendance bonus. Only permanent workers were entitled to receive this bonus in these two units.



Incentive Bonus.- Incentive bonus was paid to workers in 4 units. The system of payment was yearly in two units and monthly in the other two units. In one unit, the rate of incentive bonus was dependent on the production of each department and hence the rate varied from department to department. During March 1961, the rates for different departments of this units varied from 39.8 per cent. to 80.0 per cent. of the basic wages. Another unit paid an yearly incentive bonus amounting to one month's total emoluments upto a maximum of Rs.325.00 to all its permanent workers according to an award. One more unit paid bonus to all its permanent workers with not less than six months' service at the rate of 1/12th of total basic earnings. In the remaining unit, incentive bonus was paid to Sorters and Counters in case their out-turn was above a standard work-load.

Annual Bonus.- Two units (one each in Groups A and C) paid annual bonus to their workers. One unit was paying at the rate of 52 days' basic wages to all its permanent workers and the other at the rate of 1/6th of total earnings to all its permanent workers with not less than 6 months' service.

Festival Bonus & Other Bonuses.- Festival bonus was paid to all workers in a unit (Group A) at the rate of 15 days' basic wages. Another unit (Group A) paid to all its permanent and temporary workers a lump-sum equivalent to 15 days' basic wages. The nature of this bonus was, however, not known.

Working Conditions: Hours of Work, Rest-Intervals, Shifts and Periods of Changeover.- All the sampled units worked for 8 hours a day and 48 hours a week with the exception of one unit which worked for 7½ hours a day and 45 hours a week. In 15 units, workers had three continuous shifts of 8 hours' duration each, apart from the general shift. Workers in these shifts were given a rest-interval of generally half-an-hour by staggering the time of interval so that continuity of the production process was not affected. For general shift workers and in units where there were no continuous shifts, the duration of rest-interval varied from 1 hour to 4 hours. In two units, only two shifts were being worked. However, in one of these units, only one shift was worked during the rainy season. In the remaining three units, only one shift was being worked.

The period of change-over of shifts varied from unit to unit. It was weekly in 11 units, fortnightly in 3 units, monthly in one unit, while the duration of this period was not known in the remaining 2 units. Special allowance to workers working in the night shift was paid only by two units, the rate being Re.0.19p. and Re.0.25 p. per day respectively.

Drinking Water Facility.- All the units had provided adequate drinking water facilities for their workers.

Latrines and Urinals.- Latrines and urinals for the use of workers were in existence in all the units surveyed.

Leave and Holidays with Pay.- The different types of leave with pay granted to workers in the sampled units are as given below:-

Casual Leave.- Workers were granted casual leave in 9 units (1 each in Groups A and B and 7 in Group C). The maximum number of days of casual leave allowed per annum was 4 in one unit, 7 in 5 units and 10 in 3 units.

Sick Leave.- Sick leave was granted to workers in 12 units (2 in Group A, 3 in Group B and 7 in Group C). The period of leave varied from 6 to 15 days in 11 units, whereas, in the remaining unit, the period of this leave was not fixed and it was granted according to the discretion of the management. Two units granted sick leave to all their workers. In two more units, sick leave was granted only to permanent workers having one year's service. In four units, sick leave was granted to permanent workers; in two of these units, it was sanctioned only on the production of a medical certificate. One unit allowed sick leave to all its permanent and temporary workers while another unit granted such leave to watchmen only. In one unit, this leave was given to those who had joined the factory prior to 14 September 1955.

Earned Leave.- All the units surveyed except one in Group A granted earned leave to their workers. Nine units granted such leave according to the Rules framed under the Factories Act, 1948. Two units categorised their permanent workers into three groups according to their skill and granted annually earned leave at the rate of 1 month, 21 days and 15 days respectively after 1 year's service. In two units, all permanent workers after one year's service were granted earned leave at the rate of 30 days per annum. In one factory, those who joined service prior to 14 September 1955 were granted 16 days' leave and those who joined after the said date were allowed leave according to the Rules framed under the Factories Act, 1948. In another unit, workers having one year's service were granted 15 days' earned leave if they were drawing a monthly basic pay of less than Rs.75.00 and 18 days' leave if they were drawing a monthly pay of Rs.75.00 and above. Two units granted earned leave at the rate of 15 days to all their permanent workers; the condition of eligibility was one year's service in the unit and 240 days' attendance in the other. Fourteen days' earned leave after one year's service was granted by two units, one allowing it to all the workers and the other to all permanent workers.

National and Festival Holidays.- National holidays were allowed to workers in all the units surveyed except one in Group A. Seven units allowed 3 national holidays and the remaining units 2 such holidays. In seven units, only permanent workers were entitled to these holidays, whereas in the remaining units all the workers were entitled to these holidays. In two of the units, paid national holidays were allowed to the workers on the condition that they were present on the previous and subsequent days.

Weekly-Off.- The system of having the paid weekly-off existed in 10 units. It was allowed to monthly-rated workers only in 2 units, to watch and ward staff only in 3 units and to all workers other than piece-rated workers in the case of one unit.

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In another unit, paid weekly-off was allowed to permanent workers only while in the remaining three units, it was allowed to all workers. One unit in West Bengal (Group C) paid ration allowance to all its workers on weekly-off days, though wages were not paid for these days.

Welfare.- Welfare facilities for workers existed mainly in big units (falling in Groups B and C) in the industry. Units having housing colonies for their workers had generally undertaken adequate welfare measures such as educational and recreational facilities for their workers.

Housing.- Housing had been provided to workers by 12 units (in in Group A, 3 in Group B and 8 in Group C). The extent of workers housed varied from region to region and within region, from unit to unit. One unit in West Bengal (falling in Group B) had provided quarters to about 65 per cent. of its working force. The percentage of workers housed in units falling in Group C varied from 4 to 43. All these workers units had provided pucca-built houses having accommodation of 1 to 3 rooms with adequate arrangements for water and sanitation. In some of the units, quarters provided to the workers were self-contained. In 8 units (1 in Group A, 2 in Group B and 5 in Group C), houses provided to workers were rent-free and in some of these units, free electricity and drinking water were also allowed.

Medical Facilities.- Medical facilities in some form or another existed in all the sampled units except three falling in Group A. Eight units were covered by the Employees' State Insurance Scheme. Some units, which were covered by the Scheme, however, continued to maintain their own dispensaries/hospitals (with qualified staff) wherefrom workers and their family members were entitled to receive medical facilities in addition to those provided under the Employees' State Insurance Scheme.

The article has also reviewed the provision of canteens, creches, rest shelters, grain shops, educational and recreational facilities, and cooperative societies.

Provident Fund.- Provident Fund Schemes existed in 17 units. Three units where such schemes were not in operation were small units (i.e. units falling in Sixe-group A). Of the 17 units, 14 were covered under the Employees' Provident Fund Scheme. The remaining three were exempted under Section 17 of the Employees' Provident Fund Act, 1952 as they had framed their own provident fund schemes. In the case of 2 units, only permanent workers having 1 year's service were eligible to become members of the provident fund scheme. In the case of the remaining unit, all workers with 240 days attendance or 1 year's continuous service were eligible to become members of the scheme. In all the three units, the rate of contribution by the workers was  $6\frac{1}{2}$  per cent. of the basic wages plus dearness allowance and an equal amount was contributed by the employers.

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Pension.- No scheme for paying pension to workers on retirement existed in any of the sampled units. However, an ex-gratia pension varying from Rs.5.00 per month to Rs.50.00 per month was paid during the year to 4 retired workers by one unit.

Gratuity.- In 11 units, the system of paying gratuity to workers on retirement and in cases of termination of services for reasons other than moral turpitude existed. In one unit, only those workers who joined the service of the factory concerned prior to 31 March 1949 and in two more units those who had completed 10 years' service on 1 January 1947 were eligible for gratuity at the rate of  $\frac{1}{8}$  month's - one month's wages/basic salary for each completed year of service upto the above period only. In the remaining 8 units, all the permanent workers were entitled to gratuity in addition to the benefit of provident fund. The rate of gratuity paid to workers varied from  $\frac{1}{4}$  month's basic wages to 1 month's basic wages for each completed year of service, subject to a maximum of 15 months' wages.

Maternity Benefit.- Out of 13 units employing female workers, 10 were paying maternity benefit to eligible female workers. In 4 units, maternity benefit was paid by the Employees' State Insurance Corporation according to the provisions of the Employees' State Insurance Scheme whereas, in the remaining 6 units, it was paid by the employers according to the provisions of the State Maternity Benefit Act and Rules applicable to the unit.

Accidents.- During the year ending March 1961, 3,008 accidents (including injuries of trifling nature as reported by one unit in West Bengal) were reported by 13 units. Of these accidents, 12 were fatal and the rest were non-fatal. The frequency rate of accidents (fatal and non-fatal accidents included) viz., the number of accidents per 1,000 workers employed in the sampled establishments, works out to 52 in the case of Group A units, 47 in Group B units and 119 in the Group C units.

Works/Production/Joint Committees.- Works/Production/Joint Committees existed in 8 big units (falling in Group C). These Committees had an equal number of representatives of both the employers and the employees.

Labour/Welfare/Personnel Officers.- Fourteen units (1 in Group A, 4 in Group B and 9 in Group C) had appointed Labour/Welfare/Personnel Officers. They generally dealt with recruitment of workers, their welfare and also attended to personnel management and redressal of grievances. In some units, they represented the managements in conciliation proceedings also.

Industrial Disputes.- There were, during the year ending March 1961, 5 strikes inclusive of 4 token strikes, in a big unit (falling in Group C) with a total loss of 9,299 mandays. In one small unit (Group A), there were two strikes due to delay in the payment of wages. The first strike involved 175 workers with a loss of 3,150 mandays whereas 143 workers were involved in the second one and it was continuing at the time of the enquiry.

Trade Unions.- Registered trade unions existed in 14 sampled units; 11 of the units had recognised 16 trade unions of workers. Among the recognised trade unions, 9 were affiliated to the Indian National Trade Union Congress, 2 each to the Hind Mazdoor Sabha and the All-India Trade Union Congress and 3 were without formal affiliation to any all-India Federation.

(The Indian Labour Journal, Vol.III, No.7, July 1962, pp. 531-569 ).

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Central Institute for Labour Research set up.

A Resolution of the Ministry of Labour and Employment, Government of India, published on 4 August 1962, states that with a view to undertake aid and promote research in the field of labour, the Government of India has decided to set up a Central Institute for Labour Research. The Institute has been registered under the Societies Registration Act XXI of 1860 (Punjab Amendment) Act 1957 as extended to the Union Territory of Delhi. The main objects of the Institute are -

(i) to undertake, aid and promote research in the field of labour, particularly in problems having a bearing on (1) development of harmonious relations between employers and employees, (2) creation of atmosphere suitable for improvements in productivity, (3) promotion of better working and living conditions for labour, and (4) evolution of rational wage and benefit policies;

(ii) to identify and define labour problems that call for research with a view to discovering possible lines of solution to these problems;

(iii) to undertake training programmes for the benefit of research workers in fields to the objects of the Institute, and for those who may be expected to carry on research outside the Institute;

(iv) to disseminate the results of the research studies;

(v) to encourage and stimulate research on labour topics through the agency of existing organisations engaged in labour research and to give grants-in-aid, where necessary, to such organisations and others interested in labour research;

(vi) to co-operate with national and international agencies and research workers abroad engaged in labour research, in carrying out comparative studies, and in the exchange of ideas and information;

(vii) to establish and maintain centres for research in labour problems; and

(viii) to undertake, organise and facilitate study courses, conferences, lectures, seminars and the like to promote the objects of the Society.

(Resolution dated 31 July 1962, the Gazette of India, Part I, Sec.1, 4 August 1962, page 233 ).

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

India - August 1962.

Annual Report of the Activities financed from Mica Mines Labour Welfare Fund during year ending 31 March 1962.

The Ministry of Labour and Employment, Government of India, published on 4 August 1962 the report of the activities financed from the Mica Mines Labour Welfare Fund during the year ending 31 March 1962. An account of the activities is given below.

General.- The Mica Mines Labour Welfare Fund Act, 1946, provides for the levy of a duty of customs on all mica exported from India upto a maximum rate of 6½ per cent. ad valorem. The present rate is 2½ per cent. The collections are allocated for expenditure on welfare measures among the various mica-producing areas in proportion to their average production.

The following welfare measures have so far been undertaken in Bihar, Andhra Pradesh and Rajasthan:-

Improvement of Medical Facilities: (a) Hospitals.- A 70-bed hospital at Karma (Bihar), a 15-bed hospital at Tisri (Bihar) and a 14-bed hospital at Kalichedu (Andhra Pradesh) to cater to the medical needs of the mica miners. The construction of a 30-bed hospital at Gangapur (Rajasthan) is almost complete and the construction of a 50-bed T.B. hospital as an adjunct to the central hospital, Karma, is in progress.

(b) Other medical facilities.- Other medical institutions set up by the Fund comprise 6 static dispensaries, 3 mobile medical units, 2 ayurvedic dispensaries, 2 maternity and child welfare centres and 4 community centres in Bihar, 3 static dispensaries, one mobile dispensary, 2 ayurvedic dispensaries and 4 maternity centres in Andhra Pradesh, and 5 dispensary-cum-maternity and child welfare centres, 5 mobile medical units, 11 ayurvedic dispensaries and 4 multipurpose centres in Rajasthan.

Ten beds have been reserved in the T.B. Sanatorium at Ranchi for the exclusive use of the mica miners and their families. Eight beds have been reserved in the T.B. Hospital, Nellore, for the exclusive use of mica miners and their families. Steps are being taken to reserve 3 more beds at this hospital. Arrangement was made for treatment of mica miners of Bihar suffering from leprosy at the Tetulmari Leprosy Hospital. The Fund makes grants-in-aid to the institutions for the reservation of beds.

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(c) Assistance to T.B. Patients.- A subsistence allowance at Rs.50 per month is being granted to the dependents of mica miners who are under treatment in the T.B. ward attached to the Central Hospital, Karma or at the T.B. Sanatorium, Ranchi. The scheme of domiciliary treatment of T.B. and Silicosis patients was also continued. The patients attending the out-door department of T.B. Hospital, Nellore were granted travelling allowance.

(d) Training.- The mica miners in Andhra Pradesh are being trained in first aid.

Educational Facilities.- Seven multi-purpose institutes, each with an adult-education centre and a women's welfare centre, provide educational and recreational facilities to workers in Bihar. Training in handicrafts like sewing and knitting is given to women attending the centres. Each institute serves as a training-cum-production centre. One community centre is functioning in Andhra Pradesh where male workers learn carpentry in their leisure time. In 2 women's centres in Andhra Pradesh and 8 centres in Rajasthan, girls and women workers are taught tailoring, stitching, etc. Educational facilities for miner's children are being provided in 6 primary schools, 7 community centres and 6 feeder centres in Bihar; 2 primary schools, one middle school and 25 Adult Education Centres in Rajasthan; and 6 primary schools, one High School and one Middle School in Andhra Pradesh.

In all the schools in Andhra Pradesh, children are provided with facilities like free mid-day meals, milk, books, slates, clothing, bags and chappals. Milk and snacks are provided to the miners' children attending the multi-purpose institutes in Bihar. Mid-day meals, books and slates and other stationery articles are supplied to the school-going children of mica miners in Rajasthan.

Two boarding houses in Bihar and 2 in Andhra Pradesh are being run for the children of mica miners studying in schools and colleges.

Scholarships are granted to the children of mica miner's studying in schools and colleges. In Bihar and Rajasthan, such scholarships are granted for both general and technical education.

Recreational Facilities.- Three month mobile cinema units, 2 in Bihar and one in Rajasthan, give free shows in different mining centres; 18 Radio sets in Bihar; 13 in Andhra Pradesh and 25 in Rajasthan provide recreation to mica miners and their families. In Bihar the recreational facilities are provided at multi-purpose, Community and Feeder Centres. Out-door and in-door recreational facilities are also provided at the centres and sub-centres in Rajasthan. Bhajan parties and recreational clubs have also been set up in different mining areas.

A team of mica miners of Bihar was sent on excursion-cum-study tour of India. Competitive sports were also held in all the three States.



Drinking water facilities.- Twentysix wells - 22 in Bihar and 4 in Andhra Pradesh, have been constructed by the Fund. Ten additional wells, 3 in Bihar and 7 in Andhra Pradesh, have been sunk under the Subsidy Scheme, according to which the mine owners who sink wells get a subsidy equal to 7,500 rupees per well or 75 per cent. of the cost of construction, whichever is less, 3 more wells are being sunk under this scheme in Andhra Pradesh. A dam has also been constructed in Bihar.

Housing facilities.- As there was no response to the earlier Schemes introduced in 1953 and 1955, a New Subsidised Housing Scheme was sanctioned during 1960. Under this Scheme the mica mine owners who construct miners' quarters according to plans and specifications approved by the Fund are entitled to a subsidy equal to 50 per cent. of the cost of construction, subject to certain ceilings.

Construction of Colonies.- In addition to the above Scheme it has been decided to have 2 housing colonies, each consisting of 50 houses, to be built directly by the Fund in the mica mining areas in Bihar. These houses are to be let out on a nominal rent. Construction of a colony at Jorasimar is in progress.

Financial help in case of accidents.- The Scheme relating to the grant of financial assistance from the Fund to the widows and children of miners who die as a result of accidents was continued.

Statement of Accounts.- The statement of accounts appended to the report shows the receipts at 25.117 million rupees including the opening balance of 20.740 million rupees; expenditure amounted to 2.452 million rupees leaving a closing balance of 20.665 million rupees.

(The Gazette of India, Part II, Sec.3, sub-sec.(ii), 4 August 1962, pp.2715-2717).

## Chapter 6. General Rights of Workers

### 67. Conciliation and Arbitration.

India - August 1962.

#### Sanctions Applied by Central Organisations of Employers and Workers for Breaches of Code of Discipline.

The Standing Labour Committee in October 1957 recommended that the Central Organisations of employers and workers should take action against their constituents who committed breaches of the Code of Discipline. Some of the steps suggested by the Committee included notice to the unit to explain the infringement of the Code and set it right within a specified period, warning, and in cases of a more serious nature, censure of the unit concerned for its action constituting the infringement and disaffiliation from membership in case of persistent breaches of the Code. The Committee also recommended that grave, wilful and persistent breaches of the Code by any part should be widely published.

Apart from a large number of cases where employers and unions made amends and set right the breaches of the Code of Discipline pointed out to them or promised to be careful in future, in a number of cases the Central Organisations have applied sanctions against erring members. A few such cases are mentioned below:-

Sanctions Applied by Unions/Organisations.- For violation of the Code the INTUC disaffiliated the following three unions: (i) Dock Workers Union, Visakhapatnam, (ii) Calcutta Dock Workers' Unions, Calcutta, (iii) S.S. Railway Workers' Union, Shahdra. Apologies were tendered by the port Khalasis Union (INTUC) and the Choona Mazdoor Congress (INTUC) for misbehaviour by workers and resort to strike without notice respectively. The Executive Committee of the Dera Colliery Labour Union (HMS) expressed its deep regret for the misbehaviour of the President of the Union towards management and he was forced to resign from office.

Acts of Violence condemned and members advised strict adherence to Code.- (i) The Colliery Mazdoor Sangh (INTUC) whose members were involved in an assault on the Manager of East Bastocolla Colliery, Dhanbad condemned the assault in strong terms at public meetings.

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(ii) In Ghusuria Iron Mines some members of Thakur Mazdoor Sangh (INTUC) indulged in rowdyism and assaulted two persons. INTUC, when approached advised the Sangh to abide by the provisions of the Code strictly and honour it in letter and spirit.

(iii) The Executive Committee of Chhattisgarh Colliery Workers Federation (INTUC) strongly condemned an assault on the Manager of Chidimiri Colliery and decided to debar the assailant from its membership. It also decided not to give any help and shelter to the worker and not to take up his case if he was dismissed from service for his grave misconduct.

(iv) The Bihar Koyla Mazdoor Sabha (INTUC) condemned the assault on the Manager of Busserya Colliery, Dhabbad and strongly warned its members not to get involved in any rash action. It also refused to give financial aid to the workers involved in the incident.

Unauthorized strikes condemned and workers Advised to adhere to the Code.- (i) The Colliery Mazdoor Sangh (INTUC) publicly condemned an unauthorised strike and an act of violence resorted to by its members in Digwadih Colliery.

(ii) In three cases of strike without notice - one in D.V.C. Bermo, another in Bhanora and the third in Ramnagar Colliery - the INTUC advised its affiliates, Colliery Mazdoor Sangh and Colliery Mazdoor Union, to observe the Code in letter and spirit.

(iii) The Champion Reef Mine Labour Association (AITUC) forcefully expressed its complete disapproval of the unauthorised strike by its members in Champion Reef Mine of Kolar Gold Mining Undertaking and severely warned them against such acts involving infringements of the Code and its spirit. In two other cases of strike, in the Association advised its members to adhere to the provisions of the Code and warned them against repetition of such stoppages.

(iv) In one case of strike in Mysore Mine of Kolar Gold Mining Undertaking where the workers went on an unauthorised strike the union promptly advised them to resume work. AITUC with which the breach of the Code was taken up also advised the union to ensure proper dissemination of the provisions of the Code among all its members.

(v) The Punjab Implementation Committee fixed responsibility for a tool-down strike in Messrs. Grand Foundry, Batala on the workers represented by Iron and Steel Workers union and requested its General Secretary who was represented on the Committee to take action against the workers. Despite three reminders he failed to implement the Committee's direction. When this was brought to the notice of AITUC its Punjab State Committee expressed strong disapproval of the action of the workers and directed the union to ensure that no further breach of the Code was committed.

(vi) The members of Singareni Collieries Workers' Union (AITUC) resorted to a strike without notice in Tandur Collieries of Singareni Collieries Co.Ltd. In a settlement with the management later this union and two others functioning in the collieries assured the management that they were averse to unauthorised stoppages of work and would spare no pains to advise their members to desist from such action in future.

(vii) H.M.S. advised its affiliate, Colliery Mazdoor Congress, whose members were found responsible for strike without notice in K.L. Selected Chalbalpur Colliery, to observe the provisions of the Code very strictly and implement the obligations thereunder.

(viii) In a case where two hundred workers of Messrs. Hind Strip Mining Corporation Bihar represented by State Colliery Mazdoor Union (HMS) resorted to a tool-down strike without notice, H.M.S. advised its affiliate to avoid it in future.

(ix) H.M.S. advised its affiliate, Colliery Mazdoor Congress, whose members went on strike without notice in Mondal's Sanctoria Colliery, not to resort to a strike without notice and without recourse to the existing machinery. It was also told that violations of the Code in any manner should be avoided so that strict adherence to the Code was made possible.

Sanctions Applied by Managements or their Organisations.- Following the closure of Khas Chalbalpur Colliery the management was found to evade payment of dues to its workers. Even the registers and records were not produced on demand. The Indian Mining Federation with which the matter was taken up disaffiliated the management from its membership.

The management of Newton Chickli Collieries(P)Ltd., on being informed of the encouragement offered by some of its officials to the rival union warned them not to have any dealings with it.

In view of certain irregularities regarding payment of dues to camp labour, contravention of awards, etc. in Newton Chickli Collieries(P)Ltd., M.P., the Indian Mining Association was requested to get them set right and apply sanctions against the management. While rectifying the breaches the management assured that they would do their utmost to see that the local camp loaders got their dues in time and were treated properly.

(Indian Labour Journal, Vol.III, No.7,  
July 1962, pp. 579-582 ).

Chapter 7. Problems Peculiar to certain categories of Workers.

74. Indigenous Labour.

India - August 1962.

Debate in Rajya Sabha on Dhebar Commission's Report on Scheduled Areas and Scheduled Tribes; Implementation of Recommendations Assured.

Initiating the debate on the Report of Dhebar Commission (vide section 74, page 80 of the report of this Office for the month of November-December 1961) in Rajya Sabha on 7 and 8 August 1962, Shri Lal Bahadur Shastri, Union Minister for Home Affairs said that the Government intended to make definite advance in raising the living standards of the Scheduled Tribes in the next five years. He said State Governments had accepted most of the recommendations of the Dhebar Commission. He also mentioned that the Planning Commission had agreed to give 100 per cent. assistance to State Governments to implement schemes which would benefit the tribal population.

In the course of the debate Shri A.D. Mani (Ind-M.P.) said that, apart from not spending nearly two-thirds of the amount earmarked for tribal welfare, the Madhya Pradesh Government had not even bothered to submit a report to the President on its tribal welfare activities even though this was obligatory under the Constitution. He suggested the creation of a separate ministry for tribal welfare to be manned by competent persons who had adequate understanding of the problems concerning the tribes and a separate administrative cell attached to the Governors to call for information on different aspects of the progress of welfare schemes. Shri Mani was critical of the slackness of the tribal advisory councils. While reservation in services was necessary in the matter of appointments, he felt the principle should not be extended to promotions as that would affect efficiency.

Shri N. Sri Rama Reddi (C-Mysore) wanted major industries to be started in the tribal areas.

Shri P. Ramamurti (Com-Madras) said the Dhebar report had brought out the "abject and total failure" of the Central and State Governments to carry out the directives of the Constitution. He deplored the "inroads made into the tribal ownership laws, forest rights and economies by officials, money lenders and contractors".

Replying to the debate Shrimathi M. Chandrasekhar, Deputy Minister for Home Affairs, assured the Rajya Sabha that the Government would implement most of the recommendations of the Dhebar Commission on Scheduled Castes and Scheduled Tribes as early as possible. She said the recent conference of State Ministers in charge of tribal welfare had had a thorough discussion on the report and had accepted most of the recommendations. It was also decided to take certain steps to bring about better co-operation and co-ordination both at Central and State levels in implementing various welfare schemes.

Referring to the criticism about the shortfall in the implementation of tribal welfare schemes during the second Plan, the Deputy Minister said it was due to a shortage of requisite personnel. She hoped that there would be no shortfall in the third Plan. Shrimathi Chandrasekhar said the Government was now laying special emphasis on the employment of more tribal people in the Government and public sector undertakings and also for providing them technical education.

The post-matric scholarships given to them had steadily risen during the last few years. The number of scholarships which was 84 in 1948-49 had increased to 6,871 in 1960-61. These and other educational facilities had resulted in a steady increase of their representation in Government services. In the latest IAS open competition, of the 112 appointments 26 went to Scheduled Castes and six to Scheduled Tribes. When tribes formed about five per cent of the population, the figure was not really bad, she added.

The members, who participated in the debate, pleaded for greater co-ordination between the Centre and States in implementing various welfare schemes.

(The Statesman, 8 and 9 August, 1962).

CHAPTER 8. MANPOWER PROBLEMS.

INDIA - AUGUST 1962.

81. Employment Situation.

Employment Exchanges: Working during May 1962.

General Employment Situation.- According to the Review of the activities of the Directorate-General of Employment and Training during the month of May 1962, the total number of registrations effected during the month under report was 320,005 as against 309,265 during April 1962. The Live Register at the end of the month contained 1,981,616 registrations as against 1,924,239 at the end of the previous month. The number of vacancies notified during May 1962 was 75,667 which was 5,798 more than the number of vacancies notified during April 1962. The placements achieved during the month under report were 41,453 as against 33,413 in the previous month, the increase during the month under report being 8,040. Increase was also reported regarding the number of employers using the employment exchanges, the number for May 1962 being 12,338 as against 11,294 in April 1962.

Shortages and Surpluses.- The occupations in which shortages were experienced by the Employment Exchanges during the month were the following:- typists, stenographers, nurses, midwives, compounders, doctors, sanitary inspectors, physical instructors, trained teachers, engineers, overseers, turners, electricians and accountants. Persistent surplus of applicants was reported in respect of clerks, untrained teachers and unskilled categories of workers.

Collection of Employment Market Information.- Fiftyfive Employment Market Reports relating to different areas in different States were issued during the month. A report on shortage occupations was also issued during the month of May 1962.

Vocational Guidance and Employment Counselling.- Two equivalent batteries of Clerical Aptitude Tests were finalised. The scheme for the validation studies of these tests was also prepared.

Central Employment Exchange (Special Cell).- The Central Employment Exchange (Special Cell) rendered employment assistance to retrenched workers in various Projects/establishments during the month of May 1962.

	<u>Number retrenched</u>	<u>Number placed</u>	<u>Number awaiting assistance</u>
1. Damodar Valley Corporation.	-	53	679
2. Bhakra Nangal Project.	20	4	115
3. Bhilai Steel Project.	-	288	1,151
4. Durgapur Steel Project.	16	7	658
5. Special Cell of Ministry of Home Affairs.	11	19	Class I & II. 125 Class III. 5 Class IV. - <u>130</u>

Gorakhpur Labour Organisation.- During the month, the Gorakhpur Labour Depot despatched 1,169 workers to various work-sites.

Review of Employment Exchange procedures and policies.- The first meeting of the two Standing Committees, one on Employment Exchange Procedures and the other on Employment Market Information which have been constituted for reviewing the procedures from time to time and which comprise representatives of the Directorate-General of Employment and Training, and selected State Directorates, was held in Bombay from the 21st to 25th May, 1962 and important procedural problems were discussed.

The total number of employment exchanges functioning during the month of May 1962 was 359.

(Review of the Principal Activities of the Directorate-General of Employment and Training for the Month of May 1962: Ministry of Labour and Employment, Government of India, New Delhi).



83. Vocational Training.

India - August 1962.

Labour Ministry's Training Schemes: Working during  
May 1962.

According to the Review of the activities of the Directorate-General of Employment and Training for the month of May 1962, the present admission position in all the Central Training Institutes is as under:-

	<u>Craft</u> <u>Instructors.</u>	<u>Refresher</u> <u>Courses</u>
Central Training Institute, Calcutta.	211	32
Central Training Institute, Aundh (Poona).	155	12
Central Training Institute, Kanpur.	152	-
Central Training Institute, Curzon Road, New Delhi.	36	-

The total number of sanctioned seats during the month stood as follows:-

Craftsmen Training Scheme.	49,608 seats
National Apprenticeship Training Scheme.	2,159 seats
Evening Classes Scheme.	1,745 seats
Number of new I.T.Is. sanctioned during the 3rd Plan.	107 I.T.Is.

Under the UNITA (I.L.O.) Aid Programme equipment to the value of 83,130 rupees was received as against the total allotment of 286,000 rupees in their 1960 programme.

The Central Training Institutes for Craft Instructors, Calcutta has received equipment to the value of approximately 1,600,000 rupees as against the total allotment of 1,738,000 rupees.

(Review of the Principal Activities of the Directorate-General of Employment and Training for the Month of May 1962; Ministry of Labour and Employment, Government of India, New Delhi ).

Apprenticeship Act, 1961, made applicable to certain Trades.

In exercise of the powers conferred under the Apprenticeship Act, 1961, the Central Government has specified the following trades as designated trades for the purposes of the Act, namely:-

Trades	Code Number(s) of *National Classification of Occupations
<b>Group No. 1 Machine-shop trades group -</b>	
1. Fitter	.. 750.10, 750.15
2. Turner	.. 751.10
3. Machinist (Miller)	.. 751.30
4. Machinist (Grinder)	.. 751.55
5. Machinist(Shaper, Slotter and/or Planer)	.. 751.20, 751.22, 751.26
<b>Group 2 Foundry trades group -</b>	
1. Pattern Maker	.. 770.70
2. Moulder	.. 734.10, 734.40
<b>Group No.3 Metal working trades group -</b>	
1. Blacksmith	.. 733.10
2. Sheet Metal Worker	.. 754.00
3. Welder (Gas and Electric)	.. 756.10, 756.20
<b>Group No.4 Electrical trades group -</b>	
1. Electrician	.. 760.10, 761.35
2. Lineman	.. 764.20
3. Wireman	.. 764.25
<b>Group No.5 Building and Furniture trades group-</b>	
1. Carpenter	.. 770.00, 770.10

\*The reference is to National Classification of Occupations adopted by the Government of India, Ministry of Labour and Employment, Directorate-General of Employment and Training.

(Notification GSR 1153 dated 27 August 1962, the Gazette of India, Part II, Sec.3, sub-sec.(ii), 28 August 1962, page 463 ).

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Apprenticeship Rules, 1962.

The Central Government published on 28 August 1962, the text of the Apprenticeship Rules, 1962, made in exercise of the powers conferred under the Apprentices Act, 1961. The rules deal inter alia with standards of education for engagement as apprentice, standards of physical fitness for apprentices, period of apprenticeship training, payment of stipend to apprentices, weekly and daily hours of work of apprentices, and records and returns.

(Notification GSR 1134 dated 27 August 1962, the Gazette of India, Part II, Sec. 3, sub-sec. (i), 28 August 1962, pp. 464-473.)

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Mysore Government's Training Scheme for Rural Development:  
Useful Work done by Chikmagalur Institute.

With a view to serve the technical needs of the villages for their development on the one hand and relieving unemployment amongst the youth with poor education on the other, the Government of Mysore has started institutions in important centres of the State and the one at Chikmagalur recently completed two years of useful service.

For details please see section 43, pp.61-62 of this Report.

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## Chapter 9. Social Security

### 92. Legislation.

India - August 1962.

#### Employees' Provident Funds (Amendment) Bill, 1962.

Shri Gulzarilal Nanda, Union Labour Minister, Government of India, introduced in the Rajya Sabha on 22 August 1962, a Bill further to amend the Employees' Provident Funds Act, 1952. According to the Statement of Objects and Reasons of the Bill, the Employees' Provident Funds Act, 1952, which provides for the institution of compulsory contributory provident fund for employees in factories and other establishments and which was initially applied to 6 industries, now covers 63 industries and classes of establishments and over 5.1 million of workers. The existing compulsory rate of provident fund contribution is  $6\frac{1}{4}$  per cent. of basic wages, dearness allowance and retaining allowance (if any).

In pursuance of the recommendation in the Second Five Year Plan that the question of increase in the rate of provident fund contribution from  $6\frac{1}{4}$  per cent. to  $8\frac{1}{3}$  per cent should be studied, the Government set up, for that purpose, a Technical Committee consisting of some experts and representatives of employers and workers. After carrying out investigations in respect of the following industries engaged in the manufacture of - (i) cigarettes, (ii) electrical, mechanical or general engineering products, (iii) iron and steel, and (iv) paper, the Committee have recommended, by majority, enhancement of the rate of provident fund contribution to 8 per cent. in the above four industries except in the case of establishments employing less than fifty persons and establishments engaged in the manufacture of hand-made paper.

The Bill seeks to give effect to this recommendation.

(The Gazette of India, Extraordinary, Part II, Sec. 2,  
22 August 1962, pp. 691-693 ).

Employees' Provident Funds Act, 1952, extended to  
Cashewnut Industry.

In exercise of the powers conferred under the Employees' Provident Funds Act, 1952, the Central Government has directed that with effect from 30 September 1962, 'Cashewnut industry' shall be added to schedule I to the said Act.

(Notification GSR 1125 dated 18 August 1962,  
the Gazette of India, Part II, Sec. 3, sub-sec. (i),  
25 August 1962, page 1233 ).

VI. Compensation in Case of Employment Injury or Occupational Disease.

Maharashtra State: Annual Report on the Working of the Workmen's Compensation Act, 1923, during 1960\*.

According to the annual report on the working of the Workmen's Compensation Act, 1923, in the Maharashtra State during 1960, the year opened with 758 cases (both applications and agreements) pending from last year and 1,394 were received during the year. Out of these 2,152 cases, 1601 were disposed of during the year under report and, 551 were pending at the end of the year as against 2548 and 1047 respectively last year. The difference in the figures of cases shown as pending at the commencement in the beginning of the year is due to bifurcation of State and the corrections made by some of the ex-officio Commissioners while submitting returns. Out of 1601 cases disposed of during the year, 452 related to fatal accidents, 1092 to non-fatal accidents of which 954 resulted in permanent disablement and 138 in temporary disablement and the remaining 57 were miscellaneous. The total compensation paid by the employers covered by notifications issued under section 16 of the Act was 1,452,940 rupees (585,095 rupees for the death, 390,089 rupees for permanent disablement and 477,756 rupees for temporary disablement).

Proceedings before Commissioners.- The total number of cases disposed of during the year was 854 as against 1,224 last year, of which 295 were cases of award under Section 10, 408 of voluntary deposits under Section 8 and the remaining 57 were miscellaneous. Out of 408 cases of deposits, in twelve cases a sum of 16,910 rupees was refunded to the employers under Section 8(4) of the Act as no claimants came forward to claim the amount deposited. The court fees recovered in all applications was Rs.2,620.14nP. as against Rs.3,470.09nP. last year.

Cases of Agreements.- The total number of cases disposed of during the year was 747 as against 1,324 last year, of which 690 were registered without any modification, 7 after modification and in 50 registration was refused. The total compensation paid in respect of 697 agreements registered during the year was Rs.287,850.34nP. as against Rs.504,711.75nP. paid last year when the number of agreements registered was 1,275.

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\* Annual Report on the Working of the Workmen's Compensation Act, 1923, for the Year 1960 in Maharashtra State. 1961. pp.13.

Wage Group Groups of Workmen.- The total number of persons in respect of whom compensation was awarded during the year was 519 as against 761 last year of whom 486 were male adults and 33 were women. In 40 cases the injuries resulted in temporary disablement, in 202 cases in permanent disablement and in 277 cases in death. This year also the wage group most numerously represented was Rs.100-200 with Rs.80-100 as the next group.

As usual, forms of returns were sent to 7205 employers covered by the notifications issued under the Act, out of which 206 were received back with the remarks "Closed or Left". Returns were received from 4141 employers.

The total compensation reported by the employers in respect of all accidents amounted to Rs.1,452,940.32nP. as against Rs.1,843,529 last year.

Reports of Fatal Accidents.- At the beginning of the year 250 reports were under investigation, 82 of which were submitted by employers under Section 10-B and remaining 168 were received from ~~xxxx~~ other sources. During the year under report 212 reports were received, 98 from employers under Section 10-B and 114 from other sources. Of the total number of 462 reports in 13 cases deposits were received voluntarily and in 73 after issue of notices under Section 10-A. In cases in which liability was denied, applications were received from dependants in 63 cases. In 7 cases no dependants existed. In 94 cases dependants did not apply and hence the papers were filed. Eleven cases were transferred to other Commissioners and one case was not covered by the Act. The number of reports in which investigation was not completed at the end of the year was 200.

The total number of cases dealt with during the year including those pending from last year, was 2152 as against 3595 for the last year. The number of cases disposed of during the year was 1601 as against 2548 last year. The cases of agreements and those of deposits disposed of were 747 and 408 as against 1324 and 465 last year, the number of contested and non-contested cases disposed of being 822 and 124 as against 414 and 345 last year.

Appeals.- There were 11 appeals pending at the beginning of the year and 20 were filed during the year. Out of these 31 appeals, 1 was allowed, 9 were dismissed, 1 was settled, 1 was withdrawn and 19 were pending at the end of the year.



93. Application.

India - August 1962.

Rate of Provident Fund Contribution Raised to  
8 per cent for Coalmine Workers.

The Union Government has decided to raise the rate of Provident Fund contributions under the Coal Mines Provident Fund schemes to eight per cent of the total emoluments, with effect from 1 October 1962.

About 408,000 of colliery workers in Assam, West Bengal, Bihar, Orissa, Madhya Pradesh, Maharashtra, Andhra Pradesh and Rajasthan subscribe to the Coal Mines Provident Fund. The total accumulations in the Fund amounted to 289.6 million rupees at the end of June 1962.

(The Hindustan Times, 31 August 1962).

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## Chapter 11. Occupational Safety and Health

### 112. Legislation, Regulations, Official Safety and Health Codes.

India - August 1962.

#### Maharashtra Boiler Rules, 1962.

The Government of Maharashtra gazetted on 16 August 1962 the text of the Maharashtra Boiler Rules, 1962, made in exercise of the powers conferred under the Indian Boiler Act, 1923. The present Rules supersede the Bombay Boiler Rules, 1924, the Bombay Boiler Attendants Rules, 1853, the Berar Boiler Inspection Rules, 1930 and the Hyderabad State Boiler and Machinery Rules, Fasli 1341. The Rules prescribe the mode of payment of fees payable under the Act and deal *inter alia* with duties of chief inspector, deputy chief inspector and inspectors, administrative instructors for registration, and inspection of boilers, investigation of accidents to boilers or steam pipes, procedure for appeals, constitution of board of examiners, mode of examination and grant of certificates of competency, age and training of candidates, examination subjects engineers' examination rules and forms and returns.

(Notification No. INT-1558-Lab III dated  
6 August 1962, the Maharashtra Government  
Gazette, Part I-L, 16 August 1962,  
pp. 3397-3441 )

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LIST OF THE PRINCIPAL LAWS PROMULGATED DURING THE  
PERIOD COVERED BY THE REPORT FOR AUGUST, 1962.

INDIA - AUGUST 1962.

CHAPTER 3. ECONOMIC QUESTIONS.

Madhya Pradesh Minimum Wages Fixation Act, 1962  
(Madhya Pradesh Act No. 16 of 1962) (Madhya Pradesh  
Gazette, Extraordinary, 5 August 1962, pp. 1995-2001).

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- \* "Tripartite Conclusions - 1942-1962", Government of India, Ministry of Labour and Employment: Printed in India by the General Manager, Government of India Press, New Delhi and Published by the Manager of Publications, Delhi, 1962. pp. 259.

CHAPTER 2. INTERNATIONAL AND NATIONAL ORGANISATIONS.

- \* "Report of the Committee of the Bengal Chambers of Commerce and Industry for the Year 1961"; Vol. I, Calcutta, 1962. pp. 298.

CHAPTER 3. ECONOMIC QUESTIONS.

- \*(a) "Report on Work Load Studies at U.P. Government Cement Factory, Cherk"; Productivity Centre, Government of India, Ministry of Labour and Employment, Industrial Assurance Building, Churchgate, Bombay-1. 4 February 1962. pp. 53.
- \*(b) "Report 1961"; Central Institute of Community Development, Government of India; Ministry of Community Development and Cooperation. Printed in India by the Manager, Government of India Press, Faridabad, 1962. pp. 147.
- \*(c) "Report of Indian Productivity Team - Incentives in Industry in West Germany, USA and Japan"; National Productivity Council, India. NPC Report No. 16. June 1962. pp. 46 & XXX.
- \*(d) "United They Stand - Stories of Successful Cooperations"; Ministry of Community Development and Cooperation, (Department of Cooperation) Government of India, October 1961. pp. 58.
- \*(e) "Report on Sample Survey of Manufacturing Industries: 1956(1); Survey of Scheduled Industries"; Number 58; The National Sample Survey; Issued by the Cabinet Secretariat, Government of India; Printed by the Eka Press, Calcutta in 1962 and published by the Manager of Publications, Civil Lines, Delhi-8. pp. 75.
- \*(f) "Annual Market Review 1961"; Premchand Roychand and Sons, Bombay. pp. 40.

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

- \* "Tables with Notes on Pattern of Household Ownership and possession of Land in Rural Areas: 1950-51 to 1953-54"; Eighth Round; July 1954-April 1955; Number 59; The National Sample Survey; Issued by the Cabinet Secretariat, Government of India; Printed by the Eka Press, Calcutta in 1962 and Published by the Manager of Publications, Civil Lines, Delhi-8. pp. 138.

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\* Publications received in this Office.

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

- \* "Annual Machinery Statistical Bulletin 1961"; Indian Textile Industry; Census Figures of Machinery Equipment Installed in Cotton Textiles Mills as on 1 January 1961: Government of India, Ministry of Commerce and Industry, Office of the Textile Commissioner, Bombay-1. Price Rs.5 or 8s. pp.53.

CHAPTER 8. MANPOWER PROBLEMS.

- \* "Summary of Information on Projects and Activities in the Field of Rehabilitation of the Handicapped in 1961": (Fourth Issue); United Nations, Department of Economic and Social Affairs, New York, 1962. pp. 53. (Revised).

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\* Publications received in this Office.