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## LABOUR GAZETTE

Started in 1921, the *Labour Gazette*, issued monthly, is a journal for the use of all interested in obtaining prompt and accurate information on matters specially affecting and concerning labour in India and abroad. It contains statistical and other information on consumer price index numbers for working class, industrial disputes, industrial relations, labour under labour laws, labour legislation, etc. Special articles on labour etc., are published from time to time.

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# LABOUR GAZETTE

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## The Month in Brief

**Consumer Price Index for Working Class**

The Bombay, Solapur, and Nagpur Consumer Price Index Numbers for Working class for the month of June 1984, with average price for the year ended December 1960 equal to 100 were 604, 601, and 585 respectively. The Pune, Jalgaon, Nanded and Aurangabad Consumer Price Index Numbers for working class for the month of June 1984 with the average prices for the year ended December 1961 equal to 100 were 568, 581, 633 and 599 respectively.

**All India Average Consumer Price Index Numbers for Industrial Workers**

All India Average Consumer Price Index Numbers for Industrial Workers (General) base 1960=100 for June 1984 was 574 as compared to 562 in the month of May 1984. On base 1949=100 derived from 1960 based index worked out to 698 as against 683 for May 1984.

**Industrial Disputes in Maharashtra State**

During the month of May 1984 there were 55 disputes involving 29,736 workmen and time loss of 5,47,854 working days as compared to 39 disputes in April 1984, involving 14,380 workmen and time loss of 3,43,133 mandays.

Further particulars of Industrial Disputes are given at Pages 828-829 of this issue.

**Benefits under the Employees State Insurance Scheme**

During the months of June and July 1984, 1,65,934 workers were paid Rs. 1,17,57,946=15P. for the sickness and Rs. 12,52,326.55 were paid for the long term diseases under extended sickness benefit for the classified diseases e.g. T.B., Hemiplegia, Paraplegia, Psychoses, etc. 40,358 workers were paid Rs. 92,82,225=94P. on account of accidents as employment injury which included 13,791 cases for the permanent disablement and 5,111 for the pension to the dependents / families due to death of the workers in the accidents.

## Current Notes

### Labour Ministry for agreed verification formula

The Union Labour Ministry is reported to be seriously considering a proposal that all major trade union centres should themselves evolve a commonly agreed procedure for verifying the membership strength of the central trade union organisations to determine their representative character.

According to reliable sources, the ministry is in favour of this proposal in view of the widespread criticism against the present verification procedure. These sources say that the leading centres are in favour of reconsidering their approach to the verification procedure which was found faulty during the recent verifications conducted by the Chief Labour Commissioner. The INTUC's claimed membership of 35,09,326 as on December 31 1980 was slashed down 22,36,128 by the not taking into account the membership of a large number of its affiliated unions on technical grounds. The AITUC and CITU, who wanted secret ballot and had boycotted the verification, had also protested by alleging that their unions' membership were either reduced or just written off in an arbitrary manner.

It appears that there is a section in the Labour Ministry which is of the view that the two left trade union centres, AITUC and CITU, should not be kept out of the tripartite structure. But in the given situation when the membership of these two organisations stands at around 3 lakhs, they cannot be accorded national status since the qualifying membership is 5 lakhs as recommended by the trade union centres themselves. The Ministry, it may be recalled, had already announced that it would soon set in motion the process of verification of membership for the year ending December 1983. It is learnt that the AITUC and the CITU have indicated to the ministry that they are now agreeable to verification provided some glaring loop holes are plugged with a view to curb the arbitrary propensities of the bureaucratic machinery. The Minister is likely to come out with the proposed of a new verification formula to be evolved by the trade unions themselves in July.

The attitude of the other trade union centres is unpredictable. Most of them had joined the AITUC and the CITU in opposing the last verification, but subsequently decided to participate.

The big question, however, is how far the trade union centres with divergent approaches and policies will be prepared to reconsider their attitude to come out with a commonly agreed formula.

*(Indian Worker, dated 2nd July 1984).*

### Labour Secretary, new ILO chief

The Union Labour Secretary, Shri B. G. Deshmukh, has been unanimously elected chairman of the governing body of the International Labour Organisation for 1984-85.

India occupies a permanent seat in the governing body along with the USA, USSR, UK, France, Italy, Japan, Brazil, China and FRG.

When the question of presenting a candidate for the chairmanship of the governing body for 1984-85 came up in 1983, the Asian government group, headed by Japan, recommended that nominee should be from India. All the regional government groups in their meetings last month unanimously took a decision to support Shri Deshmukh's candidature.

The governing body, which is tripartite character, is the executive council of ILO and is elected every three years.

The governing body meets three times a year. It sets out the agenda for meetings, takes note of their decisions and decides on the consequent action to be taken. It also directs the activities of the International Labour Office.

It comprises 56 members 28 representing Governments, 14 representing workers and 14 speaking for employers.

The Indian Worker had already reported the election of the Treasurer of INTUC, Shri Kanti Mehta to the Governing body on June 13 for the fifth consecutive term. Shri Mehta, secured the second largest number of votes.

*(Indian Worker dated 2nd July 1984)*

### Amended Workmen's Compensation Act in force from July 1

The Workmen's Compensation (Amendment) Act, 1984, which received the assent of the President on May 12 has been notified by the Government of India for enforcement from July 1st this year.

The amended Act provides for higher compensation and removes the wage limit for the coverage by the deletion of the words "On monthly wages not exceeding one thousand rupees" in sub-clause (ii) of clause (n) under subsection (1) of the principal Act.

The revised rate of minimum compensation in case of death will now be Rs. 20,000 as against Rs. 7,200 at present and in case of permanent disability the compensation will be Rs. 24,000 as against the present Rs. 10,080. The Act provides for working out the quantum of compensation with reference to the age of the worker at the time of his death or disability and will be more for young workers.

At present, a permanently disabled worker, because of an accident, drawing wages upto Rs. 1,000 gets a compensation of Rs. 42,000. According to the revised rates, compensation for permanent disability at the age of 20 years will be Rs. 1,12,000, at 40 years Rs. 93,000 and at 55 years Rs. 68,000.

Similarly, in the event of death, at present a worker drawing upto Rs. 1,000 gets Rs. 30,000 as compensation. As per the amended act, the compensation will be Rs. 90,000 at 20 years of age, Rs. 74,000 at 40 years of age and Rs. 54,000 at 55 years of age.

Occupational diseases covered under the Act have been increased to 34 as against 22 earlier. The occupational diseases are considered as accidents for the purpose of compensation under the Act.

*(Indian Worker, dated 2nd July 1984.)*

#### Abolition of contract Labour System Act recommended

The Central Advisory Contract Labour Board has recommended abolition of the contract labour system in certain operations at chromite, mica, magnesite and gypsum mines.

It suggested that operations relating to drilling and blasting, raising, of overburden excavation and removal were of a perennial nature and that these should be departmentalized.

The Board, meeting here, on June 4, took stock of certain difficulties that had come to notice in implementation of the Contract Labour (Regulation and Abolition) Act, 1970. Where the system had been abolished under the law, a tendency to do away with the system at the risk of creating unemployment had been noticed. Attempts had been made in some cases to mechanize certain operations, throwing labour out of work.

Also, the definition of 'contractor' in the Act included 'sub-contractors'. It had been observed that many contractors took advantage of this and tried to circumvent the provisions of the Act to avoid discharging their statutory obligations.

To overcome these difficulties, it was proposed to make suitable amendment in the Act.

Presiding over the meeting, Shri Dharam Vir, Union Minister of State for Labour, said indentification of perennial-nature jobs was not done correctly or in keeping with a time-bound programme, with the result that the contract labour system was still widely prevalent.

He suggested constitution of State-level advisory committees with active co-operation of employers and workers.

Referring to the lot of workers engaged under the system, he said that far from getting first aid or other elementary welfare measures, contract workers did not have their wage periods fixed. Slips were not issued and, notified rates were not paid to them. There were arbitrary and unauthorized deductions from wages by middlemen and cheating either by way of false measurement where payment was piecemeal or through manipulation of accounts by adjustment of advances against wages payable.

*(Indian worker, dated 2nd July 1984)*

#### Amended Gratuity Act comes into force

The amendments to the Payment of Gratuity Act, 1972, as passed by both houses of Parliament, during the last session, have been given assent to by the President of India and the Payment of Gratuity (Second Amendment) Act, 1984 has come into force since its notification in the Gazette of India on May 18 this year.

According to the new sub-section 3-A under section 1 of the amended Act, a shop or establishment to which the Act has become applicable shall continue to be governed by the Act notwithstanding that the number of persons employed therein at any time after it has become so applicable falls below ten.

A new section 2-A defining the terms "continuous service" has been added under section 2 of the principal Act. The new section 2-A reads

(1) an employee shall be said to be in continuous service for a period if he has, for that period, been in uninterrupted service, including service, which may be interrupted on account of sickness, accident, leave, absence from duty without leave (not being absence in respect of which an order imposing a punishment or penalty or treating the absence as break in service has been passed in accordance with the standing orders, rules or regulations governing the employees of the establishment), lay-off, strike or a lock-out or cessation of work not due to any fault of the employees, whether such uninterrupted or interrupted service was rendered before or after the commencement of this Act;

(2) where an employee (not being an employee employed in a seasonal establishment) is not in continuous service within the meaning of clause (1), for any period of one year or six months, he shall be deemed to be in continuous service under the employer:

(a) for the said period of one year, if the employee during the period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer for not less than:

(i) one hundred and ninety days, in the case of an employee employed below the ground in a mine or in an establishment which works for less than six days in a week; and

(ii) two hundred and forty days, in any other case;

(b) for the said period of six months, if the employee during the period of six calendar months preceding the date with reference to which the calculation is to be made, has actually worked under the employer for not less than —

(i) ninety-five days, in the case of an employee employed below the ground in a mine or in an establishment which works for less than six days in a week; and

(ii) one hundred and twenty days, in any other case;

(3) where an employee, employed in a seasonal establishment is not in continuous service within the meaning of clause (1), for any period of one year or six months, he shall be deemed to be in continuous service under the employer for such period if he has actually worked for not less than seventy-five per cent of the number of days on which the establishment was in operation during such period.

Section 5 of the principal act has been renumbered as sub-section (1) of section 5 and after sub-section (1) as so numbered, the following sub-section has been inserted:

(2) The appropriate Government may, by notification and subject to such conditions as may be specified in the notification, exempt any employee or

class of employees employed in any establishment, factory, mine, oilfield, plantation, port, railway, company or shop to which this Act applies from the operation of the provisions of this Act, if, in the opinion of the appropriate Government, such employee or class of employees are in receipt of gratuity or pensionary benefits not less favourable than the benefits conferred under this Act."

The amendments made in the principal Act by section 3 and section 4 shall be deemed to have been made with effect from the 11th day of February 1981 and accordingly any action or thing taken or done under principal Act on or after the said date and before the commencement of this Act shall notwithstanding anything contained in any judgement, decree or order of any court, tribunal or other authority, be deemed to be, and to have always been, for all purposes, as validly and effectively taken or done as if the said amendments had been in force at all material times.

*Explanation.*—For the removal of doubts, it is declared that no act or omission on the part of any person, before the commencement of this Act, shall be punishable as an offence which would not have been so punishable if this Act had not come into force.

(*Indian worker, dated 2nd July 1984*)

#### Wage hike for bank staff

Bank employees all over the Country will get an overall wage increase of 14.5 per cent as per an agreement reached on July 3, between the Indian National Bank Employees Congress (INBEC) and the Indian Banks Association (IBA) here.

(*Indian Worker, dated 9th July 1984*).

#### Labour Ministry on ILO Standards

Ratification of ILO Conventions and Recommendations setting minimum labour standards depends on several factors including the relevance of the subject to a particular country and the state of its economic development, according to a study of the Union Labour Ministry.

The study has recommended the division of the ILO Conventions into three parts. The first part could enunciate the principles and objectives of a proposed instrument, the second could prescribe the minimum standard which may be within easy reach of the least developed and developing countries in the near future and the third could provide for higher standards as a long term objective.

The International Labour Organisation (ILO) has so far adopted 159 Conventions and 168 Recommendations. Few countries in the world, including developed countries, have ratified all the Conventions. In fact, most developed countries like the USA have ratified very few Conventions.

Pressure from the organised labour movement for ratification of the ILO Conventions have been mounting over the years and the developing countries find the standards set by these Conventions to be beyond their reach as to make them hesitate to go in for ratification.

The Union Labour Ministry, in this context, has prepared a study titled "International Labour Standards : A Critical Review", which goes into the problems and difficulties in the way of ratification. The following are some relevant excerpts from the study.

#### Difficulties in the Way Ratification

The record of ratification depends upon several factors including the relevance of the subject to a particular country, the state of its economic development, and in no small measure, the available infrastructure to process and facilitate the ratification of Conventions. The difficulties experienced in regard to ratifications of standards have often been raised by member-States at the International Labour Conference and at other appropriate forums. Briefly stated, the main problems may be categorised as under

- (i) Many countries feel that several ILO Standards are becoming increasingly unrealistic in relation to conditions prevailing in developing countries, as their scope and coverage are too wide to secure full implementation ;
- (ii) Undue pressure is exerted by international trade unions, federations for the rigid applications of ILO Standards relating to human rights ;
- (iii) Complaints are made to the ILO on the alleged infringement of right of Freedom of Association etc., not necessarily connected with trade union activity ;
- (iv) The supervisory body which monitors ILO Conventions has often adopted an unduly legalistic and rigid approach ;
- (v) The developing countries often find it difficult to persuade the supervisory bodies to view their difficulties sympathetically ;
- (vi) Attempts are sometimes made to link international trade with fair labour standards thereby creating suspicion among developing countries.

#### Basic Problems and Suggestions

The purpose of this section is to consider a few basic problems faced by developing countries in relation to the entire standard setting activity of the ILO with a view to suggest solutions. We propose to confine our search for a solution to three fundamental issues (i) standard setting activity of the ILO vis-a-vis other activities and whether or not a reorientation in its approach to achieving objectives set before it would be desirable. It assumes importance because the main problem concerns the economic and social conditions of developing countries, which are stated to hinder acceptance of certain ILO standards and also create difficulties in the application of ratified Conventions", (ii) Role of Supervisory Bodies and (iii) the question of effective participation of developing countries in all the states involved in standard setting and their implementation.

Standard-setting activity of the ILO has been claimed by the International Labour Organisation as its most important function. In the Governing Body and its relevant committees, ways and means are constantly being sought to render more effective the ILO's supervisory and promotional action in respect of international labour standards.

The ILO has drawn inspiration concerning its aims and purposes from the 26th Session of the International Labour Conference, held in Philadelphia in 1944. At that conference the fundamental principles of the ILO were reaffirmed and particular reference was made to the principles that "(a) labour is not a commodity; (b) freedom of expression and association are essential to sustain progress; (c) poverty anywhere constitutes a danger to prosperity everywhere; (d) the war against want requires to be carried on with unrelenting vigour within each nation, and by continuous and concerted international effort in which the representatives of workers and employees, enjoying equal status with those of Governments, join with them in free discussion and democratic decision with a view to promotion of the common welfare." Many of the ILO decisions to achieve the objectives have taken the form of international labour standards. Without minimising the importance of these standards as guides to national policy the question arises whether the time has come when the fundamental objective of the Declaration cannot be better achieved by shifting the emphasis to other operational activities of the ILO also.

Whom does standard-setting really benefit? In most developing countries organised labour usually accounts for only a fraction of the total workforce. The vast majority of the labour force is in the unorganised or informal sector for whom standards are of distant relevance. The primary problems of the labour force in these countries, which comprise the overwhelming percentage of humanity, are problems of unemployment, under employment and intermittent employment, inadequate income and absence of access to basic amenities of life. While the importance of standard-setting activities cannot be minimised, equal emphasis needs to be given to operational activities with a view to maximise employment opportunities. Adequate importance should therefore be given to intensification of building infrastructure in the field of employment and training. Extension of its skill training programmes which generate employment in rural areas and provide trained personnel to administer the schemes in this sector is vital. It is also a quicker means to achieving the aims and purposes of the ILO as adopted in the Philadelphia Declaration. When the war against want is won, other principles fundamental to the Philadelphia Declaration would follow as a logical consequence.

#### Relevance of ILO standards to the developing countries—some viewpoints on flexibility

The question of suitability of ILO standards to conditions of developing countries has been discussed at many forms. Answers and attitudes may vary but there is general agreement on the need for adequate flexibility in the drafting of Conventions. Suggestions have been made that more comprehensive Recommendations are preferable to rigid Conventions. The need for flexibility was reiterated at the Third Conference of ASEAN Labour Ministers (Kuala Lumpur, May 1980) and at the 66th Session of the International Conference (June 1980), by several developed and developing countries. Some of the developed countries of the region considered that the ILO should envisage revising existing standards which are at variance with reality, inserting new standards should take up universal matters capable of implementation by both developing and developed

countries. Again special emphasis was placed on those standards that are particularly important from a humanitarian point of view.

#### The ILO view

The ILO on its part has always maintained that it has exercised constant care for conditions prevailing in different countries and has developed a wide range of flexibility devices. Earlier standards have also been revised to meet new realities. The instruments are discussed by tripartite committees and must be voted for by at least a two-thirds majority of the Conference, usually under double-discussion procedure. Thus an adequate process of consultation and discussion is provided for in the procedure itself. It is also urged that flexibility does not mean that all standards should be within the immediate reach of each and every member country. It has been emphasised that "the Conference legislates for the future and for the world as a whole. There could not be any automatic or at any rate an immediate link between the act of voting for a particular convention and national action to apply or ratify it."

While there is force in the ILO view, the problems for developing countries still persist, especially on two counts (i) pressure exerted by national and international workers organisations for full implementation of benefits envisaged by standards, (ii) attempts by some countries to link fair labour standards with trade agreements. These moves have been viewed as using labour standards for purposes for which they were not intended. While developing countries do not have objection to observance of minimum standards per se set by the ILO, the basic question arises as to how they could reach this stage unless their current levels of economic development permit it. The answer to this is obviously increased technical cooperation encompassing (a) adequate training and up-gradation of skills; (b) organisation of rural workers in the unorganised sector; (c) projects designed to generate greater employment opportunities and (d) strengthening of labour inspection machinery. A rigid approach to the formulation of standards, based on the experience of developed countries is not likely to help the developing countries to achieve observance of minimum standards. A high degree of flexibility in the formulation of standards observance by the member countries is called for.

#### Suggested solutions on flexibility

In this context it may be considered whether an ILO Convention could be divided into three parts. The first part could enunciate the principles and objectives of a proposed instrument, the second could prescribe the minimum standard which may be within reach of the least developed and developing countries in the near future, and the third could provide for higher standards, as a long term objective.

While there would doubtless be difficulties in formulating provisions for part two, these are not unsurmountable. A study of law and practices obtaining in the developing countries could provide guidance in this direction. If this were to be translated into action by the ILO, it would certainly make it simpler for developing countries to ratify a larger number of Conventions. Part three

could be taken as a guide for future action, Countries which have already achieved the level envisaged in the second part, would have before them the third part for implementation. This would take care of the varying economic conditions of different countries and minimise the inherent pressures sometime exerted for ratifying Convention.

*(Indian Worker, dated 16th July 1984).*

#### Compensation. ESI acts to be amended

Comprehensive amendments to the Workmen's Compensation Act as well as the ESI Act are being finalised and the relevant bills are expected to be introduced soon in the Parliament.

Giving this information to the members of the Consultative Committee attached to his Ministry, the Union Minister of Labour, Shri Veerender Patil said that the amended Acts of Gratuity and Mines had already been enforced.

In connection with the amendment to ESI Act, the Minister said that there were proposals to increase the representation of workers and employers from the present limit of 5 to 10, providing medical care to premature retired persons due to permanent disability till actual age of retirement and preventing establishments to opt out of the scheme.

Shri Patil said that a provision was being made for extra territorial application of the Workmen's Compensation Act to cover aircraft crew, motor drivers and also bringing hazardous employment under the purview of the Act.

Referring to the problems faced by agricultural workers, the Minister of State for Labour, Shri Dharam Vir said that the studies conducted from time to time had revealed that the benefits of various statutory and non-statutory schemes had not reached the workers in rural areas primarily due to the lack of organisation among the rural workers. The scheme was being implemented in a phased manner and at present it had been extended to 15 States covering 1,000 blocks.

Shri Patil told the members that according to information received, the mandays lost due to strikes and lockouts during 1983 excluding the loss due to Bombay Textile strike, was 29.8 million.

The Minister agreed with the members that there was delay in the final settlement of the provident Fund account as some of the employers had not deposited the workers' share.

*(Indian Worker dated 16th July 1984)*

#### Over 1 lakh textile workers rendered jobless

In all 1,09,773 workers employed in various Textile mills in different states have been rendered jobless because of closure of the mills.

The statewise break up of the workers rendered jobless is : Andhra Pradesh 2,584, Bihar 500, Gujarat 36,753, Haryana 6,385, Karnataka 3,304, Madhya Pradesh 2,636, Maharashtra 15,276, Orissa 4,805, Rajasthan 2,212, Tamil Nadu 12,839, Uttar Pradesh 4,046, West Bengal 4,723, New Delhi 6,847 and Pondicherry 6,860.

*(Indian Worker, dated 23th and 30th July 1984)*

#### EPF Scheme to Undergo Sea-change

The employees Provident Fund Organisation is considering drastic changes in the Employees Provident Fund Scheme to remove irritants in the way of its effective implementation.

The changes will soon be submitted to the board of trustees for approval and then to the Union Government for necessary action.

The changes are considered necessary in view of the harassment to which a claimant is subjected while claiming the dues. Moreover, the changes will to some extent, eliminate the growing incidence of fraud case.

According to a change being proposed in the Scheme, "where the claim is preferred by an ex-employee within one year of the claim becoming due, then irrespective of the amount involved, the claim should be settled by the Regional Commissioner after following the procedure as laid down under para 72(5) of the scheme."

The other change proposed is that in case of loose claims which are received one year after they become due, the respective account should be deemed to have been transferred to unclaimed deposit account and the claim applications if not attested by the employer should be sent to him for verification only.

In respect of closed establishments where the employees find it difficult to get the attestation of the employer the members can get the claim application attested by one of the authorised officials and send the claim application to the Regional Commissioner who can settle the claims after satisfying himself about their genuineness.

Another recommendation is that wide publicity should be given to the amended provisions of para 72(5) of the scheme and the employers responsibility in this regard should be brought to their notice by the respective Regional Commissioners.

Para 72(5) of the scheme has been amended with effect from February 6, 1982. As per the amended provisions, a statutory liability has been cast on the employer to get claim application of the member filled in at the time of cessation of services of the member and after attestation either to forward the claim to the Regional Commissioner or give the application to the member in case of settlement under para 69(2) (b), of the scheme with instructions that the member should send it after the waiting period, to the commissioner with a non-employment certificate.

Again, against para 72(5) (d), it has been clearly laid down that if the applicant is unable to send the claim application through the employer or duly attested by him, for any reason what so ever, he may forward it to the commissioner or any other officer authorised by him and wherever necessary the commissioner may forward such application to the employer and the employer shall be required to return it within five days of its receipt.

### Weaknesses of Governments Productivity Bonus Scheme

A Home Ministry report has given a very critical evaluation of the productivity-linked bonus schemes presently being followed in the Railways, Post and Telegraphs, Defence Production Establishments, Employees State Insurance Corporation and Employees Provident Fund Organisation.

The productivity-linked bonus scheme was introduced in the above organisations during the period from 1979 to 1981. The Union Home Ministry had appointed a committee of officers for a review of the operation and role of such a bonus scheme as is applied to a number of departments. The Committee has since submitted its report to the ministry.

According to the committee, the scheme in the Railways serves no meaningful purpose for the measurement of productivity or its improvement. Although the scheme in the other government departments do not suffer from this fundamental weakness, they seem to be "productivity static" in that the respective departments are not sufficiently elastic to provide significant incentives in relation to measurable rises in productivity. The schemes of ESIC and EPF are nothing better than work study measurements and serve no purpose.

Taking the schemes under operation in the Railways and P and T as illustrations, the group observes that increase in railway passengers and freight, which are treated as index of productivity under the existing schemes cannot be attributed to the supply side of the Railway system, which is the determinant of the payment of productivity-linked bonus. Similarly, the demand on the P and T is exogenous to it and the P and T has to meet the requirements.

The Group has pointed out that the staff associations participating in the JCM have stated that the Railways Scheme to begin with and the P & T, Defence production and a few other Schemes that were approved subsequently were negotiated without reference to the pending demand at the JCM level proper. While the P & T scheme has been formally put through the instrument of departmental council, the Schemes relating to the Railways and Defence Production establishments were settled by the Ministries with the staff side at the all India level.

The staff associations have also represented that the recommendations made by the three Pay Commissions and the Government's orders issued thereon had approached the problem of employees with the object of evolving uniform service conditions. However, in the context of the introduction of PLB Scheme, Government has not acted upon the principle. The 'Group' has subscribed to the view that the approach of uniformity to public services followed by the Central Government is a healthy one and should be maintained.

The 'Group' has also been informed by the Ministries that ongoing schemes have contributed significantly to industrial peace in their respective sectors of economy but it feels that the demoralisation or sense of dissatisfaction that has crept into other sectors of administration should not easily be brushed aside.

The 'Group' has noted that many staff associations presenting a large number of Ministries have been left out from bonus schemes only because they preferred to have a peaceful approach to the settlement of the matter. It has also been brought to the notice of the Group that the planned development of the nation since independence has made the Central Government assume many more functions than what a sovereign state strictly defined could be expected to shoulder. It could be held, as a principle, that all the departments of Government are contributing to the welfare and development of the nation equally, working as a team.

Pending the development of proper formula, the 'Group' has recommended payment to all Government employees without any distinction between Ministry and Ministry but subject to the prescribed salary limit of Rs. 750/- and Rs. 1,600/- a sum equivalent to 15 days basic pay, dearness and additional dearness allowance to employees with a view to covering a large part of the emoluments of those who had PLB schemes hitherto and to remove the sense of discrimination which others have entertained. This could only be an ex-gratia one time payment to indicate the good will of Government to its employees. A decision in this regard may, however, be taken by Government after the JCM has discussed and agreed upon the new schemes. However, those schemes which are still current may be allowed to run their full term.

### News in Brief

(From Press Reports)

**Bill to protect Small Units likely :** According to Mr. N. D. Tiwari, Union Minister of Industry, a bill to protect small-scale industries and ancillary units with special emphasis on tiny and Small Service establishments, is likely to be placed before Parliament during its Winter Session.

**Prior Permission before Lay off, Retrenchment and Closure :** The State Government of Gujarat promulgated on June 8, 1984, an Ordinance making it compulsory for establishments employing more than 100 workmen to give a notice of 90 days before lay-off, or retrenchment or closure.

(E.F.I. Bulletin Vol. V, No. 13 July, 1, 1984)

### Recession brings changes to collective bargaining

Collective bargaining—the cornerstone of the trade union movement—is changing, perhaps irrevocably. While collective bargaining is still the preferred method of determining wages and conditions of employment in virtually all the industrialised market economy countries, the prolonged economic recession has forced changes in its structure, process and contents. These changes are closely examined in a new ILO study, which shows how the social partners and some Governments have responded to them.

**Different levels**

The study points out that traditionally, during times of economic crisis, trade unions usually press for bargaining at industry level to assure a protective solidarity while employers prefer to bargain at the enterprise level where union power tends to be weaker, as has happened particularly in the United Kingdom and the United States. However, when the chips are down at the negotiating table with the very survival of the enterprise at stake, the balance of power between the social partners may change, and so also their attitudes, which tend to become conciliatory rather than antagonistic. Furthermore, with the ever-present threat of unemployment, workers have become reluctant to resort to strike action, eroding the potency of a usually decisive negotiating weapon.

Power in collective bargaining has shifted to management and some unions have been forced to "give back" hard-won benefits. This adds to a "certain reduction in the appeal of unions to their rank and file," the study says, although "there is no evidence that concession bargaining along has been a critical factor in the decline."

**More evident in US**

It says that the pressure of falling membership is being felt more strongly in the United States—where official statistics show that there has been a significant drop in membership of four major industrial unions—than in Europe where trade unions are more firmly entrenched. Losses there have ranged from 3 to 6 per cent in the United Kingdom, 4 per cent in the Netherlands and Sweden and 2.5 per cent in the Federal Republic of Germany. It should be noted, however, that high unemployment is to a large extent responsible for the thinning ranks of the trade unions.

The study says that the greatest impact of economic restraints on collective bargaining has been in the contents of agreements. "As the priorities of the partners changed, the emphasis shifted from economic benefits to job security, worker participation, early retirement and new forms of training", it comments.

The highly publicised "concession bargaining"—trade-offs between workers' wage concessions and employers' commitments to keep jobs—characterised negotiations mainly in the US where in the auto industry cuts of \$ 4,000 million were stipulated in the 1982 United Auto Workers Ford and General Motors agreements.

In Europe, priority was given to reduction of hours of work to save jobs. In some countries, however direct and early Government intervention had considerably reduced the scope of negotiations, limiting it to discussions of how to share the costs of cuts in working time. In France, for example, when the Socialist Government came to power, it enforced a reduction of working time to 39 hours a week and set a goal of a further reduction to 35 hours a week by 1985.

Significant in terms of how deeply the recession has bitten, but receiving little publicity have been many give-backs from top executives, manage-

panies in the United States. Some firms have cut executive salaries by 15 per cent and others have eliminated merit raises and annual bonuses—which represent 40 per cent or more loss in pay—making it clear that executive status provides no immunity when hard times strike.

**Irrevocable**

As inflation rates have gone down, sometimes dramatically, in many industrialised market economies and signs of economic recovery, however modest, are beginning to appear, some experts say that the changes undergone by collective bargaining during the recession are irrevocable while others contend that they will disappear with a sturdy economic recovery and that it will again be business as-usual at the bargaining table.

(ILO Information)

(E.F.I. Bulletin, Vol. V, No. 14, July 15, 1984).

**India elected as Chairman of ILO Governing Body**

Mr. B. G. Deshmukh, Secretary to the Government of India in the Ministry of Labour and Government's nominee on the Governing Body of the International Labour Organisation (ILO), Geneva, was unanimously elected on June 28, 1984 as its Chairman. The Indian representative was elected to the post after a gap of 22 years.

(E.F.I. Bulletin, Vol. V, No. 14, July 15, 1984)

**Tenure of Shri S. G. Borde Extended**

The Government of Maharashtra, has extended the tenure of Shri S. G. Borde as the Presiding Officer of the Bombay/S.N.D.T., Universities College Tribunals and allowed him to continue to hold the additional charge of the post of the Presiding Officer of the Poona/Shivaji Universities College Tribunals, beyond July 1, 1984 until further orders.

Shri Borde, retired City Civil Judge, has been appointed on the said universities Tribunals for adjudication of disputes or differences of between the employees and managements of any affiliated or recognised institutions of the above universities for a period of two years from 1st July, 1982, which ended on July 1, 1984.

(Daily Note 12th July 1984).

**Beware of Imposters Posing as Labour Inspectors**

It has been brought to the notice of the Commissioner of Labour that certain unauthorised persons had visited some establishments under the Labour Laws, posing themselves as Inspectors under the Acts and un-necessarily harassed the employers.

All the employers of establishments in Bombay are requested to co-operate with the Bombay Labour Office in bringing cases of impersonation to the notice of Labour Commissioner.

The Government Labour Officers working as Inspectors under various Labour Laws are provided with duly authenticated identity cards, alongwith their photographs affixed thereon. They are also allotted jurisdiction area-wise in Bombay. For the information of all concerned the names of the Government Labour Officers and the areas allotted to them, at present in Bombay are as given below :

Shri S. K. Lotankar, A, B, C, D, wards, comprising of Fort, Thakurdwar, C. P. Tank, Dhobitalao, Carnac Bunder, Masjid Bunder, Girgaum, Malbar Hill, Grant Road and Haji Ali; Shri D. P. Pagar, E and F (South) Wards comprising of Mazgaon, Byculla, J. C. Ray Road, Sewaree, Kala Chowki, Lalbaug, Parel and Part of Wadala (F. S.); Shri B. R. Rangari, G, South, comprising of N. M. Joshi Marg, Mahalaxmi, Worli, Lower Parel, Prabhadevi and Savani Road; Shri V. G. Chikode, G North ward from Dadar to Mahim; Shri S. V. Vairat, F North and H ward comprising of Dadar (E) to Sion and Wadala (F North) Bandra to Vile Parle; Shri A. G. Jore, K(E) ward comprising area of Andheri East, excluding Parsi Panchayat Road and Chakala up to Mahakali Caves Road; Shri P. R. Gavaskar, K(W and E) wards comprising of Parsi Panchayat Road, Chakala up to Mahakali Caves Road, and Andheri (W); Shri V. B. Kane, K Ward comprising of Goregaon (W) and Jogeshwari (East and West); Shri Y. G. Darne, L Ward comprising of Kurla, excluding Halaw Pul, Sunrise, Favourite, Sidhapura and Masrani Industrial Estates; Shri P. M. Bhabal, M Ward, comprising of Chembur, Halaw Pul, Sunrise, favourite, Sidhapura and Masrani Industrial Estates; Shri B. R. Meher, N ward comprising of Vikroli and Ghatkopar; Shri R. S. Jagtap, P ward comprising of Goregaon (E) excluding Malad (E and W); Shri S. N. Valvi, P ward comprising of Malad (E and W); Shri N. G. Mantkar, R ward comprising of Kandiwali, Borivli and Dahisar; Shri K. M. Kujawar, T ward comprising of Mulund and Bhandup.

(Daily Note 18th July 1984)

## Articles, Reports, Enquires, etc.

*(The views expressed in signed Articles appearing in this section carry weight in as much as they are expressed by the persons who know their subjects well.*

*They, however, do not necessarily reflect the views of Government.*

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### SEVENTIETH SESSION OF THE INTERNATIONAL LABOUR CONFERENCE

(Geneva, June 6 to 27, 1984)

#### A brief report

The seventieth session of the International Labour Conference was held at Geneva from June 6 to 27, 1984.

Shri Veerendra Patil, Union Minister for Labour and Rehabilitation was the leader of the tripartite Indian delegation to the Conference.

This year the six-member worker's group in the Indian delegation included four representatives of INTUC and one each of BMS and HMS.

The annual exercise of consultations among the ten central trade union organisations was gone through in an attempt to send a composite worker's delegation to the conference. The consultations yielded no result and the INTUC had to communicate to the labour ministry about the failure of the talks.

Subsequently, both BMS and HMS informed in writing that they did not subscribe to the principle of rotation for the nomination of the worker delegate since the INTUC, as the largest and most representative organisation, should nominate its delegate and agreed that the worker's group should function as a team to enhance the prestige and image of our country and the working in the international forum. They were prepared to nominate one of their representatives as advisers. Thus, both BMS and HMS were included in this year's delegation to the conference.

Shri Kanti Mehta, Treasurer of INTUC and a member of the Governing Body of ILO was the delegate and the other three INTUC representatives included in the delegation were sarvashri Gopeshwar, A, Venkatachalam and Ram Lal Thakar. Shri Brijmohan Toofan, General Secretary of HMS and Shri Prabhakar of BMS were the other two advisers.

The 70th session of the conference was of special importance since the elections for the Governing Body of the International Labour Organisation was held this year.

Shri Kanti Mehta was re-elected to the Governing Body on June 13 for the fifth consecutive term. He secured the second largest number of votes among the worker delegates.

Another proud achievement this year is the unanimous election of Shri B. G. Deshmukh, Union Labour Secretary as the Chairman of the Governing Body on June 28. The competition for the chairmanship was tough this year. The choice was between the representative of the employes from Europe and the representative of the governments from Asia. The representative of the government of Japan proposed that the nominee should be from India. The government group and the workers' group decided to support India which led to the withdrawal of the employers' representative from the contest.

For the first time, ILO session had a record participation. 1850 government, worker and employer delegates from 139 member states of the ILO took part in the conference.

It was again for the first time that a woman was elected to head the ILO's annual session this year.

Sweden's Labour Minister, Ms. Anna Greta Leijon, who was elected to chair the conference, in her acceptance speech called for a joint stand by governments, workers and employers the world over in defence of trade union rights, which were being eroded for ideological and other reasons. "Freedom of expression and association are essential to sustain progress," she said.

The main thrust of this year's Director General's Report was on international labour standards, employment problems and human rights violations.

The leader of the Indian delegation, Shri Veerendra Patil in this address asked the ILO to be more flexible and keep in view the needs of developing countries while formulating minimum labour standards for improving the working and living conditions of workers in the world. He also wanted the ILO to strengthen its technical cooperation activities and also to allocate more resources for this purpose.

Shri Kanti Mehta, in his speech on the Director General's report, maintained that the international labour standards had to be universal, but was of the view that there should be no objection to the inclusion of some flexibility clauses taking into account the differences in the economic and social conditions in countries of different stages of development. He was, however, opposed to the applicability of the flexibility clauses to standards relating to basic human rights such as freedom of association, abolition of forced labour and non-discrimination.

Laying emphasis on tripartite consultation and participation at all levels and in all matters pertaining to the introduction and implementation of international labour standards, Shri Mehta pointed out that the tripartite committee on conventions, that had since been revived in India, had shown how such consultation could help the process of implementation.

The following INTUC<sup>2</sup> representatives served on the committees mentioned below

- |                                 |    |                       |
|---------------------------------|----|-----------------------|
| 1. Selection Committee          | .. | Shri Kanti Mehta      |
| 2. Resolutions Committee        | .. | Shri R. L. Thakar     |
| 3. Employment Committee         | .. | Shri Gopeshwar        |
| 4. Occupational Health Services | .. | Shri A. Venkatachalam |
| 5. Committee on PIACT           | .. | Shri Kanti Mehta      |
| 6. Structure                    | .. | Shri R. L. Thakar     |

Shri Kanti Mehta was subsequently elected Chairman of Workers Group of Committee on PIACT (International Programme for the Improvement of Working Conditions and Environment).

The three-week session of the conference adopted detailed guidelines to help countries to fight against unemployment. It also prepared new standards for safeguarding worker's health and improving labour status.

International labour standards and the ILO's system for supervising their application was the main theme of the general debate in which 250 speakers—including 107 ministers—participated. The Conference also carried out its customary detailed review of the application of standards.

A general discussion was held on the ILO's programme for improving working conditions and environment.

The Conference adopted conclusions on apartheid, passed technical resolutions, continued its examination of questions relating to the ILO's structure and elected members of the ILO Governing Body.

#### Employment Policy

An International Labour Recommendation on employment policy, adopted by the Conference, called for the promotion of full, productive and freely chosen employment to achieve in practice the realisation of the right to work. This objective should be the priority of national economic and social policies.

The Recommendation underlines the need to lay special emphasis on the means of increasing employment and production to satisfy basic human needs. National policies and programmes should be drawn up and implemented in co-operation with employers' and workers' organisations, and should aim at eliminating discrimination and ensuring equal opportunity and treatment for all workers.

Methods of giving effect to such policies might include negotiating collective agreements on the promotion and safe guarding of employment, the economic and social consequences of restructuring and the reorganisation and reduction of working time.

The Recommendations urges effective measures to ensure that the negative effects of the investments of multinational enterprises on employment are avoided and the positive effects are encouraged.

It emphasises the importance of balanced regional development within national boundaries as a means of mitigating social and employment problems caused by unequal distribution of natural resources and inadequate mobility of the means of production, and urges countries to implement special public works programmes which help in "creating and maintaining employment, reducing poverty, and better meeting basic needs in areas of widespread unemployment and underemployment."

The Recommendations calls for the improvement of international economic and monetary systems, through a greater participation of developing countries in world industrial production and increased economic co-operation in conditions of stability and growing employment leading to fairer distribution of the social costs and benefits of structural adjustment.

Measures are urged to create more employment opportunities and better conditions of work in countries of emigration so as to reduce the need to migrate to find employment, and to ensure that international migration takes place under conditions designed to promote full, productive and freely chosen employment.

It calls on member States to promote complementary relationships between the formal and informal sectors and to facilitate the latter's progressive integration into the national economy. National employment policy, it adds, should take account of the importance of small undertakings as providers of jobs.

The instrument also contains provisions on population, disadvantaged groups, special measures for the employment of young people and technology.

A resolution on employment urges international monetary and trade agencies to take account of the important social and employment implications of the economic policies which they recommended to the countries in need of their aid, and calls on these agencies to take into account the views of the ILO in this field.

It calls for the convening of a tripartite meeting of experts, in which international agencies concerned would participate, to analyse the cause of unemployment and to promote higher levels of employment.

#### Occupational health services

A preventive and multidisciplinary approach to strengthening the effectiveness of occupational health services was firmly advocated by the Conference.

Conclusions reached with a view to the adoption next year of a Convention and Recommendation in this field stressed the need to place the mission and the functioning of these services in the framework of a coherent national policy for the protection of workers' safety and health.

The various functions of occupational health services should be carried out mainly for preventive purposes, the draft Convention indicates. These functions include surveillance and evaluation of the factors in the working environment which may affect the health of workers—including the design of machinery, equipment and the workplace—and surveillance of the health of workers in relation to health. They should also advise on occupational health, hygiene and ergonomics; assist in providing measures for work-related rehabilitation, collaborate in information and education in the fields covered, and organise first aid and emergency treatment.

Co-operation between management and workers and/or their representatives within the undertaking should be an essential element of occupational health activities.

The proposed Recommendations states that the professional independence of the personnel providing occupational health services should be safeguarded in particular through appropriate consultations with workers' representatives in the undertaking. The proposed text sets out conditions for accomplishing the various tasks of these services and methods for their organisations and functioning, underlining the multidisciplinary approach which should inspire them.

#### Labour statistics

The Conference began the process—to be completed next year—of revising Convention No. 63 on statistics of wages and hours of work. Adopted in 1938 the instrument has become obsolete. The revision aims to provide a framework for integrated systems of labour statistics at national level as well as a basis for the development of national practices in this field, and to enhance the international comparability of data.

In its general provisions the proposed new Convention would require ratifying countries to undertake to collect and publish labour statistics, which should be progressively expanded to cover the structure and distribution of the economically active population, employment, unemployment (where relevant) and underemployment (where possible). Coverage would also include earnings and hours of work, wage structure, labour cost, consumer prices indices household expenditure, occupational injuries and industrial disputes.

A flexibility clause would allow ratifying countries to apply selectively and progressively the Convention's detailed provisions on each of these subject areas.

In designing or revising the concepts, definitions and methodology of labour statistics, the draft Convention states, organisations of employers and workers should be consulted and their views taken into account.

The revised Convention would be supplemented by a more detailed Recommendation providing guidelines for national practice and designed to promote international comparability and ensure flexibility.

### Evaluation of PIACT

In unanimously adopting a resolution on the improvement of working conditions and environment and conclusions relating to future action in this field, the Conference reaffirmed that "the improvement of working conditions and environment and of the well-being of workers is the first and permanent mission of the ILO". Such improvement was "an essential element in the promotion of social justice" and "a measure of the success of economic and social policy."

Elaborated by the Conference committee set up to evaluate the ILO's International Programme for the Improvement of Working Conditions and Environment (PIACT), launched in 1976, the resolutions and conclusions establish an ambitious programme of future national and international action.

At national level, the Conference called for a keener awareness of problems and for coherent national policies to be drawn up and applied on a tripartite basis. The strengthening of labour inspection systems should be one of the main characteristics of these policies.

Employers and workers and their organisations had a key role to play. The importance of the role of collective bargaining and action at enterprise level should be recognised and strengthened.

Action to improve working conditions should be extended progressively to sectors and types of activity which are inadequately covered by existing protection measures, for example to small enterprises, the rural sector, the urban formal sector, home work and clandestine and undeclared work.

Technology should be designed and applied in ways that contribute to the reduction of hazards and the improvement of conditions of work. The international transfer of technology should be accompanied by adequate measures concerning occupational safety and health and other conditions of work.

Among the key means of supporting the improvement of working conditions and environment the Conference stressed the central role of training at all levels and of information and action-oriented research.

Looking to the future directions for the ILO in the PIACT framework, the Conference considered that the programme should be continued and strengthened so as to promote wider awareness of the social and economic importance of improving working conditions and environment. PIACT should focus on activities designed to be of practical use at national level, promote innovative approaches and concentrate on priorities, especially occupational safety and health and training.

While continuing to use a global and multidisciplinary approach emphasising the inter-relationship between problems, PIACT's future action should reflect the priority themes retained for national; action put more accent on tripartite

participation; broaden progressively the protection of workers to those who have remained outside traditional protection measures; put technology at the service of the improvement of conditions of work; and strengthen institutions and mechanisms—foremost among them labour inspection—responsible for implementing national policies.

Noting that potential exists for a significant advance in the improvement of working conditions and environment, the Conference concluded that "a stronger PIACT will contribute to the pursuit of this objective."

### Applications of standards

Of 61 countries present which were invited to give information concerning the discharge of their obligations in respect to international labour standards or compliance with Conventions they have ratified, 58 provided information and entered into dialogue with the Conference Committee on the Application of Standards. The Conference regretted that Czechoslovakia, Malawi and Sierra Leone had failed to take part in the discussion, and noted that five countries (Lao Republic, Paraguay, Poland, St. Lucia and Seychelles) were unable to participate because they were not present at the Conference.

Progress was noted in a number of countries in meeting the obligation to submit newly-adopted ILO standards to their legislative authorities but failure to submit by seven countries was regretted.

The Conference regretted 10 cases of failure to supply reports or information requested concerning ratified Conventions.

It noted with interest steps taken by governments in 56 cases to ensure compliance with ratified Conventions, expressing satisfaction at progress in cases previously discussed concerning five countries (Argentina, Cuba, Italy, Panama and Turkey). In another case concerning Turkey, the government's agreement to a further ILO direct contracts mission was noted.

Five countries (Guatemala, Dominican Republic, Haiti, the Islamic Republic of Iran and Peru) were reported in "special cases" paragraphs.

Taking stock of the application of standards on reduction of hours of work, weekly rest and holidays with pay, the Conference considered working time both as an aspect of social, physical and cultural welfare and as an aspect or policies for economic development and maximisation of employment. Further examination of the complex issues involved was needed, and it hoped further progress would be made through collaboration at the international, regional and national levels to clarify questions raised on the relation between working time and employment.

The "calm and dignified" proceedings of the Committee, said the Conference, and the good will shown by many governments in entering into tripartite discussions and their readiness to take account of the views of the ILO's

supervisory bodies, showed that "with patience and persistence" problems encountered in the implementation of standards could be overcome. The purpose of the wide-ranging review of the standards systems carried out by the Conference, it added, was to examine ways of strengthening and enhancing the effectiveness of the system.

#### Resolutions

The basic principle that productivity improvement must serve the well-being of the people was underlined in a resolution on the ILO's contribution to production and productivity with special reference to developing countries oriented towards greater social and economic development. It asked the ILO to stress that the objective of full employment was possible and necessary and did not contradict productivity. It urged the ILO to study, among other things, the positive and negative effects of productivity improvement measures on employment and the sharing of benefits obtained, and called for increased ILO technical aid in this field to developing countries in particular, and to employers' and workers' organisations.

Another resolution called on countries to implement the Substantial New Programme of Action for the 1980s for the Least Developed Countries and appealed to industrial countries to increase their aid on a concessional basis to the LDCs. ILO member-States were urged to develop programmes for employment creation, vocational training and workers' education that would contribute, particularly in the least developed countries, to the establishment of real economic sovereignty. The ILO was asked to give high priority to these countries in its technical co-operation work.

#### ILO structure

The Conference held a complete exchange of views on outstanding problems relating to the structure of the ILO. It concluded that, in order to resolve these problems in the coming year without interfering in the internal affairs of the groups concerned, it would be appropriate to maintain the Conference Delegation created last year, while utilising various other means. Thus in the interval between the Delegation's meetings which would preferably be held in February/March and May formal and informal contacts should be pursued, through the good offices of the Director-General, with a view to help reconcile positions.

The Conference decided to place on the agenda of its next session all the questions concerning the proposed amendments to the Constitution which had been included on this year's agenda. The conditions previously formulated for the adoption of these amendments would continue to apply and "solutions to the outstanding questions would have to be actively pursued in a spirit of understanding and mutual agreement."

*(Indian Worker dated the 9 July 1984)*

## PARTICIPATIVE MANAGEMENT IN PUBLIC SECTOR

BY

R. K. A. SUBRAHMANYA

*Additional Secretary Union Ministry of Labour and Rehabilitation*

In December 1983 the Government of India notified a new scheme of workers' participation in management of Central public sector undertakings. The scheme is compulsory for all the Central public sector undertakings and is required to be implemented within one year of the notification, that is by December 1985.

It was in 1977 that Government had set up a committee on Workers' Participation and Equity headed by the then Minister of Labour. This committee had recommended inter alia that as the experience of voluntary scheme of participative management in the past had not been satisfactory it was essential to introduce the scheme through legislation and that no distinction need be made between private, public or co-operative sectors in that regard. This recommendation was considered by Government which decided to introduce the new scheme first in the public sector. While the scheme is compulsory for all central public undertakings, state governments have been requested to introduce it in their own undertakings. The private sector establishments are also exhorted to adopt the scheme on a voluntary basis. It is the intention of Government to bring in legislation in due course after gaining some experience in the working of the scheme in the public sector. Extension of the scheme to other sectors is thus dependent on the results of the experiment in the public sector. A great responsibility therefore rests on the public enterprises to make it a success and to set an example for others to follow.

#### Not a mere cliché

Workers' participation in management is part of the Directive Principles of State Policy and it is also a basic ingredient of the economic policy of the ruling party. The economic resolution adopted by the Indian National Congress at its plenary session held at Calcutta in 1983 requires that the new industrial culture in the Public Sector should be based on participative management. It said, "The workers must feel that they are not mere wage earners but also have a place in management. Both the workers and management must realise that the public sector is a national asset and that it has a great responsibility in maximising production. The structure of public sector management should be such as will enthuse the patriotic working class to respond to the responsible tasks of increasing productivity, reduction in costs and technological change with a social awareness it has inherited from the days of the freedom struggle. Workers' participation in management is therefore not to be viewed as a mere cliché. It has a loftier purpose of enlisting the whole hearted support of the working class in the national developmental effort."

The public enterprises are therefore expected to implement the scheme in the true spirit and to make it a success. The notification issued by Government should be treated as a direction which leaves no option. There is however room for flexibility as to the manner in which it is to be implemented.

### The old scheme

Workers' participation in management has a long history. The Industrial Disputes Act, 1947 for the first time provided for limited participation of elected representatives of workers in bipartite works committees which aimed at promotion measures for securing and preserving amity and good relations between employers and workmen. Following the Government's Industrial Policy Resolution of 1956 and the Second Plan recommendations, a scheme of Joint Management Councils was introduced in 1958. In 1970, the nationalisation of banks provided for the appointment of one director from among the employees of the nationalised banks. In 1971, a scheme of inducting representatives of workmen as directors on the boards of management of public sector undertakings were introduced in a few selected enterprises. Then followed the two voluntary schemes of workers' participation in industry at shop floor and plant level and workers' participation in commercial and service organisations having large scale public dealings. These two schemes are reported to have been implemented in 124 out of 192 Central public undertakings. The experience with all these schemes has been rather mixed. It may therefore, be worth-while to consider the experience of the undertakings which have implemented the old schemes and those which have not.

It is obvious that since the public undertakings differ largely in size, form of organisation, etc., there cannot be a single model of workers' participation for all of them. It may be necessary to evolve separate models for each undertaking or group of undertakings.

Since the scheme is meant for workers' participation in management, it follows that the workers should be consulted as to how they would like to be associated in the management process. The first step, therefore, is to take the workers or workers' organisations of each undertaking to confidence and invite their suggestions. It is understood that many of the 68 undertakings which have not implemented the earlier schemes could not do so because the unions were not co-operative. Reasons for non-cooperation by the union in a scheme which is intended to give them more power and authority need to be ascertained.

The new scheme has left several details to be decided in consultation with the representatives of labour. Firstly the scheme is applicable to all Central public sector undertakings except those which are given exemption. The question of granting exemption to any undertaking has not arisen so far. In the event of a request being made it will have to be considered according to some fixed criteria.

The scheme will be operated at the shop floor and the plant level in all public undertakings. Participation at the board level will be introduced in a few undertakings to begin with selectively. Each Ministry/Department concerned with public enterprises have been vested with the task of preparing a list of undertakings in which board level participation should be implemented. The Ministry/Department would naturally be guided by the views of the undertakings themselves in this regard.

### Strength and composition

The scheme envisages workers' participation at three levels, the shop level, the plant level and the corporate level. But the scheme does not specify the number of persons to be in the participatory bodies at each level. Both the workers and the management will get equal representation at the shop floor and the plant levels. Each party will have a representation of five to ten members depending on the size of the workforces. The exact number is to be arrived at by the management in consultation with the trade union leaders in the undertaking.

The representation of workers at the shop floor and plant levels would cover different categories of workers. Managerial personnel would be excluded but supervisory categories would be included. The distribution of seats as between workers and supervisory personnel has been left to be decided by the respective organisations in consultation with the concerned leaders of the employees.

It is also left to the management to decide through consensus in consultation with the trade union leaders the mode of representation of workers at the various levels at which the Scheme is to be implemented. This is perhaps the most crucial point of the whole scheme. It is recognised that if no consensus is reached on this vital issues it would not be possible to implement the scheme.

### Consultative or decision making bodies?

There are also a few incidental but important issues on which a view has to be taken, whether the participatory bodies will be consultative bodies or decision-making bodies. In other words whether the decisions of the bodies will be advisory or mandatory. In the latter case what will be the powers of these bodies? Will the participants be accountable for the decisions to which they would be party and be held responsible for the consequences of their decisions? Whether the workers nominated to the various participatory bodies function in their individual capacity or as representative of the workers at large or the trade unions? If they are to function in a representative capacity how will they ascertain the wishes and views of the bodies whom they represent on the various matters which come up for consideration in the participatory fora?

A comparatively more fundamental issue is whether management being a specialised function requiring a measure of expertise, the workers participating in the participatory fore would be able to function effectively.

Form the foregoing recital it might appear that a large number of issues have been left to be decided by the enterpriser themselves. It is indeed so. It is not because that Government could not decide them but they have been deliberately left to be resolved in consultation with the workers' representatives instead of being imposed by Government. For the same reason I have also refrained from expressing my views in the matter. I would however like to indicate some of the possibilities which you may keep in view in your deliberations.

Workers' participation in management means workers participation in the decision-making process. It is based on the assumption that decision-making is not the prerogative of the managers and that the power of taking decisions should be shared with the workers. In other words, the participatory fora are meant to be decision-making bodies and not merely consultative bodies. In 1969, President Kenneth Kaunda of Zambia, calling for workers participation in management through works councils in reported to have said:

"The purpose of the worker councils will be to provide machinery within the undertaking for the participation of the workers in the management decisions. In certain clearly defined areas which have been traditionally regarded as so-called management prerogatives decisions will only be taken with the participation of the worker councils."

The Zambian Industrial Relations Act of 1971 specifies the powers of the works councils which vary according to the nature of issues and are classified as follows:

Those issues over which the councils have a veto power, those over which the councils must be consulted by management and those about which the councils must be infromed.

It is worth considering if a similar schedule of power can be drawn up for the participatory fora in the central public undertakings.

If the participatory fora are regarded as decision making bodies they cannot be unduly large. The number of workers to be nominated to such bodies can be determined with reference to the number of workers involved. For example, at the plant level, there could be one representative for every 500 or 1000 workers. The number of seats to be allotted to the supervisors could be in the same proportion as the number of supervisors in the organisation bears to the vital number of workers.

#### Mode of representation

As regards the mode of representation, the following alternatives are possible they may be nominated by the recognised trade unions; they may be elected by secret ballot. A third alternative would be a combination of both, e.g. at the shop level election for two-thirds of the seats through secret ballot which may be open to all workers; the remaining seats being filled by nominators by the recognised unions. At the plant level half the seats may be filled by election and the remaining by nominations by the recognised unions. It should be noted that the Committee on Workers' Participation in Management and Equity had recommended that the representatives at the participative forum should be elected through secret ballot. It may also be noted that in majority of the countries workers on participatory fora are elected through secret ballot, but in some there is a combination of election and nomination for specified number of seats.

Since the central trade union organisations are divided on the mode of representation of workers the only way to resolve this conflict would appear to be to have a combination of election as well as nomination; the relative strength of the two groups being decided with reference to the relative strength of the central trade union organisations in the relevant enterprise. For example where there is a single union belonging to a particular organisation all the seats may be filled by nomination by the union.

The Committee on Workers' Participation had considered desirable that the representatives should as far as possible be from amongst the workers employed in the shop or the plant, but it had suggested that it would be advantageous to provide inter linkages in the representation amongst the various fora. Such a linkage among the participatory fora seems essential.

The scheme is silent about the number of representatives to be put on the board. There is therefore greater room for flexibility in this area. To begin with perhaps two or three seats may be reserved for the representatives of workers in the board.

In this connection a question may arise as to how the workers are to be given representation in companies having more than one plant. There could be two alternatives; to allot one seat for each plant—this may make the board unwieldy—or to rotate the seats among the plants.

The scheme also requires that management and trade union leaders should ensure that there is adequate representation for women in the participative fora where women workers constitute ten per cent or more of total workforce. This objective can perhaps be served by prescribing a minimum number of seats to be given to representatives of women workers.

The scheme is also silent about who would preside over the participatory for and who would service them. The scheme introduced in 1975 had provided that the chief executive of the unit should be the chairman of the joint council and that there should be a vice-chairman nominated by the worker-members. It also provided that the joint council should appoint one of the members of the council as its secretary and that necessary facilities for the efficient discharge of the functions of the secretary should be provided within the premises of the undertaking. It envisaged that at the shop council the chairman would be the nominee or the management and the worker members could elect a vice-chairman. Similar arrangements can be had under the new scheme.

The ratio of seats to be filled by election and nominations could be infinitely varied.

Whether the workers are elected or nominated to the participatory bodies there can be no doubt that they represent the workers in general or the trade unions which have nominated them; they cannot therefore function totally autonomously as individuals although they ought to have some authority to exercise their judgement when decisions are to be taken in a hurry. There should therefore be some arrangement for bringing the representatives on matters to be taken up at or to be considered in the various fora. It case

where they are nominated by the trade unions the executive committees of the trade unions may do so. In other cases, it might be necessary to have separate consultative bodies of workers to back up their representatives on the participatory fora.

### Training

On the all important questions as to how the workers will be able to function in a managerial capacity it is obvious that they need to be trained. There may have to be two types of programme: one for publicising and popularising the scheme of participation and the second for providing the worker leaders some rudimentary education in management. The first type of programmes can be organised by the Central Board of Workers' Education or other institutions specialising in workers' education. It may be necessary to have at least one such programme in each public undertaking during the current year. The second type of programme will have to be organised by institution specialising in management education. It may be necessary to design a special short term course for this purpose. Just as there are financial management courses for non-financial executives, there could be general management courses for non-executives or labour representatives. Institute of Management, Management Development Institute and Universities may be involved in designing and conducting such courses.

The next question to be considered is how often the fora should meet. This is a matter which each forum has to decide for itself. But it could perhaps be provided that each forum should meet at least once in three months. The shop level committees can meet more often. The earlier schemes had provided that the shop councils should meet once a month and joint council once a quarter.

In para 4 of the scheme the subject that will be the concern of the participatory fora has been listed. Many of these would require documentation. Arrangements would have to be made for supply of information to the representative of the workers in a manner which would be intelligible to them. The earlier schemes had envisaged that there should be a two-way communication between management and workers particularly on matters concerning production figures, etc.

It is also necessary to arrange to record the decisions taken at each meeting and to submit reports of action taken on the decisions at successive meetings. In the past every decision of the shop council was to be implemented within one month.

As mentioned earlier, workers' participation in management is not intended for the sake of the form only; it is expected to help improving the performance of the undertaking. It would therefore be necessary to evaluate the results of the scheme annually after allowing some time for the scheme to stabilise itself.

*Based on the key-note address at a recent seminar on the new scheme of workers participation in Management of Public Sector Undertakings held under the aegis of the Public Enterprises Centre for continuing Education.*

## Gist of Important Notifications under Various Labour Laws

### I. PAYMENT OF BONUS ACT, 1965

(A) *Exemptions under the Act.*—In exercise of the powers conferred by section 36 of the said Act, the Government of Maharashtra has exempted the Raver Taluka Shetmal Sabakari Prakriya Sanstha Ltd., Raver, District Jalgaon from all the provisions of the said Act for the accounting year 1980-81.

(Vide Notification, I.E. & L.D. No. PBA-1081/(905) Lab-12 dated 14th May 1984, published in *M. M. G. Part-I-L*, dated 28th June 1984, Page No. 2467).

(B) *Appointments Under the Act.*—In exercise of the powers conferred by sub-section (1) of section 27 of the said Act the Government of Maharashtra has appointed the Officers mentioned in column 1 of the Schedule appended to Notification cited below the Inspectors for the purpose of the said Act and has assigned to them jurisdiction over the areas respectively specified against them in column 2 of the said Schedule as specified in the said notification.

(Vide Notification I.E. & L.D. No. PBA-1783/(1198)/Lab-12 dated 16th May 1984, published in *M. M. G. Part -IL-*, dated 28th June 1984, Pages Nos. 2469-2471).

### II. BOMBAY SHOPS AND ESTABLISHMENTS ACT, 1948

(A) *Suspension of the provisions of the Act.*—(1) In exercise of the powers conferred by section 6 of the said Act, the Government of Maharashtra has suspended the provisions of Sections 11 (i), 14, 18 (1), 20, 21 & 24 of the said Act for the whole State of Maharashtra subject to certain conditions stipulated in the notification cited below on account of Holi from 14th March 1984 to 18th March 1984 (both days inclusive).

(Vide Notification, I.E. & L.D. No. P-7384/CR-840/Lab-9 dated the 13th March 1984, published in *M. G. G. Part-I-L*, dated the 14th June 1984, Page No. 2238-2239).

(B) *Corrigendum under the Act.*—No. BSE. 2182/CR-423/LAB-9.—(In Government Notification, Industries, Energy and Labour Department, No. BSE. 2182/CR-423/LAB-9, dated the 31st October 1983, for the words "in the Madhavnagar Municipal Area", appearing in the 6th and 7th line of the said Notification the words "in the area under the jurisdiction of the Madhavnagar Village Panchayat" shall be substituted.)

(Vide Notification I.E. & L.D. No. BSE-2182/CR-423/Lab-9, dated 17th April 1984, published in *M. G. G. Part-I-L*, dated 28th June 1984, Page No. 2446).

(C) *Appointments under the Act.*—(1) In exercise of the powers conferred by sub-section (2) of Section 48 of the said Act, the Commissioner of Labour, Bombay has appointed Shri N. V. Palave, Government Labour Officer, Jalgaon, as Inspector for the purposes of implementation of the provisions of the said Act in the Local Area of Parola in Jalgaon District, in place of Shri S. D. More.

(Vide Notification, I.E. & L.D. No. CL/BSE/NFN/2182(u), H.O. XII dated 27th April 1984, published in *M. G. G. Part-I-L*, dated 28th June 1984, Page No. 2461).

(2) In exercise of the powers conferred by section 6 of the said Act, the Government of Maharashtra has suspended for the period commencing of the 19th May 1984 and ending on the 25th May, 1984 the operation of Section 18 of the said Act in so far as they relate to the Calendar or list of closed days prepared under sub-section (i) and of the orders, if any issued under sub-section (1B) of the said section 18 in the areas of 6-Ratnagiri Assembly Constituency, subject to the conditions as specified in the said notification.

(Vide Notification I.E. & L.D. No. P-7384/71302/910/Lab-9, dated 8th May 1984, published in *M. G. G. Part-I-L*, dated 28th June 1984, pages No. 2464).

(3) In exercise of the powers conferred by sub-section (2) of section 48 of the said Act, the Commissioner of Labour, Bombay has appointed Shri N. S. Bais as Inspector for all the local areas in Nagpur, Wardha, Bhandara and Chandrapur Districts. Where the said Act is not enforced by Local Authorities (instead of such local areas in Pune District.)

Further the Commissioner of Labour, Bombay has also appointed Shri S. V. Joshi And Shri G. P. Darade as Inspectors for the purposes of implementation of the provisions of the said Act for all local areas in Nagpur, Wardha, Bhandara and Chandrapur Districts which are not subject to the Jurisdiction of any local Authority for enforcement of the Act.

(Vide Notification I. E. And L. D. No. CL/BSE/1284(a)/Insp/H. O. XII, dated 18th April 1984, published in *M. G. G. Part-I-L*, dated 28th June 1984, Pages No. 2450-2451.

(4) In exercise of the powers conferred by sub-section(2) of Section 48 of the said Act, the Commissioner of Labour, Bombay has appointed Shri M. B. Gajare, Deputy Commissioner of Labour, Bombay as Inspector for the purposes of Implementation of the provisions of the said Act in the local areas where they are not enforced by the local authorities as well as for the purposes of Supervision over the enforcement of the provisions of the said Act by the local authorities in the entire State of Maharashtra in place of Shri P. K. Panse.

(Vide Notification I. E. and L. D. No. CL/BSE/1284(b)/INSP/H. O. XII, dated 19th April 1984, published in *M. G. G. Part-I-L*, dated 28th June 1984, Page No. 2451.)

(d) *Take over under the Act.*—In exercise of the powers conferred by Section 44A of the said Act, the Government of Maharashtra has declared that the following local authorities as specified in the following notification shall cease to perform the duties of enforcing the provisions of the said Act.

(Vide Notification I. E. and L. D. No. BSE-2583/72397/568/Lab-9, dated 28th May 1984, published in *M. G. G. Part-I-L*, dated 28th June 1984, Page No. 2476).

### III. INDUSTRIAL DISPUTES ACT, 1947

(A) *Amendments to Rules under the.*—In exercise of the powers conferred by sub-section (1) of Section 38 of the said Act, the Government of Maharashtra has framed the following rules further to amend the Industrial Disputes (Bombay) Rules, 1957 namely—

[In exercise of the powers conferred by sub-section(1) of section 38 of the Industrial Disputes Act, 1947 (XIV of 1947) and all other powers enabling it in that behalf, the Government of Maharashtra hereby makes the following rules further to amend the Industrial Disputes (Bombay) Rules, 1957, the same having been previously published as required by the said section 38, namely—

1. These rules may be called the Industrial Disputes (Bombay) (Amendment) Rules, 1984.

2. For rule 6 of the Industrial Disputes (Bombay) Rules, 1957, the following shall be substituted, namely

"6. *Notification of reference.*—(1) An order of reference of a dispute to a Board or Court under the Act shall be notified by the State Government in the *Official Gazette*.

(2) A copy of the order of reference of a dispute to a Labour Court or Tribunal under the Act, shall be displayed conspicuously,—

(a) by the Labour Court or as the case may be, the Tribunal, on the notice board at its office, and such Labour Court or Tribunal shall inform the authority issuing the order and the parties concerned the fact of having so displayed a copy of the order on the notice board of its office; and

(b) by the employer concerned, on the notice board of the Industrial establishment;

(B) *Appointments under the Act.*—(1) In exercise of the powers conferred by Section 8 of the said Act, the Government of Maharashtra has appointed Shri L. V. Patil, Civil Judge (Senior Division), Thane, the Presiding Officer of the Third Labour Court, Bombay in place of Shri D. S. Umrikar.

(Vide Notification, I. E. and L. D. No. IDA-1184/(7239)/Lab-9, dated 5th May 1984, published in *M. G. G. Part-I-L*, dated 27th June 1984, Page 2463).

(2) In exercise of the powers conferred by Section 8 of the said Act, the Government of Maharashtra has appointed Shri V. D. Padamwar, as Judge, 4th Labour Court, to be presiding Officer of Third Labour Court, Nagpur, in place of Shri M. S. Deshpande.

(Vide Notification I. E. and L. D. No. IDA/1084/(7303)/Lab-9, dated 31st May 1984 Published in *M. G. G. Part-I-L*, dated 28th June 1984, Page No. 2477.

(3) In exercise of the powers conferred by Section 8 of the said Act, the Government of Maharashtra has appointed Shri A. D. Deshpande, to be the Presiding Officer of the Ninth Labour Court, Bombay in place of Shri S. B. Chougule.

(Vide Notification I. E. and L. D. No. IDA-1084/(7305)/Lab-9, dated 31st May 1984, published in *M. G. G. Part-I-L*, dated 28th June 1984, Pages No. 2477-2478.

(4) In exercise of the powers conferred by section 8 of the said Act, the Government of Maharashtra has appointed Shri A. G. Deo, Joint Civil Judge (Senior Division), Wardha, to be Presiding Officers of the Fourth Labour Court, Nagpur in place of Shri V. D. Padamwar.

(Vide Notification I. E. and L. D. No. IDA 1084/(7305)/Lab-9, dated 31st May 1984, published in *M. G. G. Part-I-L*, dated 28th June 1984, Page No. 2478).

(5) In exercise of the powers conferred by Section 8 of the said Act, the Government of Maharashtra has appointed Shri H. M. Mohite, Chief Judicial Magistrate, Ahmednagar to be Presiding Officer of the Tenth Labour Court, Bombay in place of Shri B. P. Kanekar.

(Vide Notification I. E. and L. D. No. IDA-1184/(7235)/Lab-9, dated 2nd May 1984, published in *M. G. G. Part-I-L*, dated 28th June 1984, Page No. 2457).

(C) *Declaration as public utility services.*—(1) In exercise of the powers conferred by proviso to sub-clause (vi) of clause (4) of section 2 of the said Act, the Government of Maharashtra has declared concerns manufacturing bread and biscuits and employing 20 or more workmen as Public Utility Services for the purposes of the said Act, for a period of six months commencing from the 16th March 1984.

(Vide Notification, I. E. and L. D. No. IDA-1484/(4555)/Lab-2, dated 12th March 1984, published in *M. G. G. Part-I-L*, dated 14th June 1984, Page No. 2235).

(2) In exercise of the powers conferred by sub-clause (vi) of clause (4) of section 2 of the said Act, the Government of Maharashtra has declared the " Employment in the Bombay Fire Brigade of the Bombay Municipal Corporation of Bombay and the Employment of workmen in Fire Bridage in general in the Maharashtra State " as public utility services for the purposes of the said Act for a period of six months commencing from the date of publication of the notification in the *M. G. G.*

(Vide Notification I. E. and L. D. No. IDA-1483/(4109)/Lab-2 dated 11th May 1984, published in *M. G. G. Part-I-L*, dated 28th June 1984, Page No. 2466).

(3) In exercise of the powers conferred by sub-clause (vi) of clause (4) of section 2 of the said Act, the Government of Maharashtra has declared the industry engaged in production supply and distribution of petroleum products to be a public utility service for the purpose

of taking over charges, the person shown against them in column 2 of that Schedule to be the Presiding Officers of that Labour Court.

## SCHEDULE

Labour Court (1)	Person (2)
(1) Labour Court, Jalgaon	.. Shri J. A. Gaikwad, Chief Judicial Magistrate, Akola.

(Vide Notification, I. E. and L. D. No. IDA-1084/(7306)/Lab-9, dated 31st May 1984 published in M. G. G. Part-I-L, dated 28th June 1984, Page No. 2478.)

## IV. FACTORIES ACT 1948

(A) Amendments to the Rules.—(1) In exercise of the powers conferred by Sections 41 and 11 of the said Act, the Government of Maharashtra has framed the following rules further to amend the Maharashtra Factories Rules, 1963, namely—

1. These rules may be called the Maharashtra Factories (second Amendment) Rules 1984.

2. After rule 73-H of the Maharashtra Factories Rules, 1963, the following rule shall be inserted, namely—

“73-I. *Planting of trees.*—In every factory wherein more than one hundred workers are ordinarily employed, the occupier of a factory shall plant and maintain trees within the precincts of the factory after the approval of the number, type and layout of trees by the District Forest Officer concerned or any qualified horticulturist.”

(Vide Notification I. E. and L. D. No. FAC-1881/8138/Lab-4, dated 22nd May 1984, published in M. G. G. Part-I-L, dated 28th June 1984, page No. 2473).

(2) In exercise of the powers conferred by sub-section (2) of section 13 read with Section 112 of the said Act, the Government of Maharashtra has framed the following rules further to amend the Maharashtra Factories Rules, 1963, namely.

1. These Rules may be called the Maharashtra Factories (Third Amendment) Rules, 1984.

2. After rule 22 of the Maharashtra Factories Rules, 1983, the following new rule 22-A shall be added, namely :—

*Rule 22-A prescribed under sub-section (2) of section 13.*

22-A. *Ventilation and temperature.*—(a) Limits of temperature and air movement in any factory the maximum wet-bulb temperature of air in a work-room at a height of 1.5 metres above the floor level shall not exceed 30 °C and adequate air movement of at least 30 metres per minute shall be provided ; and in relation to dry-bulb temperature, the wet-bulb temperature in the work-room at the said height shall not exceed more than that shown in the Schedule hereto, or as regards a dry-bulb reading intermediate between the two dry-bulb readings, that specified in relation to the higher of these two dry-bulb readings .

## SCHEDULE

Dry-bulb temperature	Wet-bulb temperature
30°C to 34°C	.. 29°C.
35°C to 39°C	.. 28.5°C.
40°C to 44°C	.. 28°C.
45°C to 47°C	.. 27.5°C.

(Vide Notification I. E. and L. D. No. FAC- 1681/8326/Lab-4, dated 25th May, 1984, published in M. G. G. Part-I-L, dated 28th June 1984, Pages No. 2474-2475).

(B) Appointments under the Act.—In exercise of the powers conferred by sub-sections (2) and (7) of section 8 of the said Act, the Government of Maharashtra has appointed Shri H. N. Mirashi, to be the Chief Inspector from the 19th March 1984 to 19th May 1984 and the Commissioner of Labour, Bombay to be the authority to which the Chief Inspector shall be officially subordinate.

(Vide Notification I. E. and L. D. No. FAC/1084/9302/Lab-4, dated 31st March 1984 published in M. G. G. Part -I-L, dated 14th June 1984, page No. 2266).

## V. MINIMUM WAGES ACT, 1948

(A) Revision of Minimum Rates of wages.—The following Notification by the Government of India, Ministry of Labour and Rehabilitation, No. S. 32019/9/83-W.C. (M.W.), dated the 24th April 1984, is hereby republished—

## GOVERNMENT OF INDIA/BHARAT SARKAR

MINISTRY OF LABOUR AND REHABILITATION  
SHRAM AUR PUNARVAS MANTRALAYA

DEPARTMENT OF LABOUR/SHRAM VIBHAG

New Delhi, dated 2nd April 1984.

## NOTIFICATION

S.O. —The following proposals made by the Central Government in exercise of the powers conferred by clause (a) of sub-section (1) of section 3 read with clause (iii) of sub-section (1) of section 4 of the Minimum Wages Act, 1948 (11 of 1948), as specified in column (2) of the Schedule annexed hereto, payable to the categories as specified in the corresponding entries in column (1) of the said Schedule are hereby published, as required by clause (b) of sub-section (1) of section 5 of the said Act for information of all persons likely to be affected thereby and notice is hereby given that the said proposal shall be taken into consideration after the expiry of 2 months from the date of publication of this notification in the *Official Gazette*.

Any objection or suggestion which may be received from any person with respect to the said proposals before the expiry of period specified above will be considered by the Central Government.

## SCHEDULE

Classification of work (1)	Minimum rates of wages per day (2)
<i>Unskilled—</i>	
Mazdoor (Male and Female), Chowkidar, Coolie (Male and Female), Cleaner, Khalasi, Loader, Hole cutter, Earth cutter, Carrier (Stone), Carrier, Cartman, Caretaker, Driver (bullock, camel, donkey, mule), Lampman, Petrolman, White Washer, Waterman, Beldar, other categories by whatever name called which are unskilled.	Rs. 9.75 (for work above ground). Rs. 11.75 (for work below ground).
<i>Semi-skilled—</i>	
Bhisti, Breaker, Driller, Miner, Mali, Attendant, Cook, Croche Ayah, Head Chowkidar, Helper, Muccadam, Mate, Oilman, Pump Khalasi, Shot firer, Head mistry, Quarryman, Quarry operator, Store man, Stocker, Boiler-man, Thatcher, Thoombaman, Tindals, Trolleyman, Jamadar, Bearer, Breaksman, Helper (Loco, crane, truck), Topaz, Topkar (big stone/Marble/Calcite Breaker), Edge Runner, Pack Wallers, Timberman, Jack Hammer, Stone-Dresser, other categories by whatever name called which are semi-skilled.	Rs. 12.25 (for work above ground). Rs. 14.75 (for work below ground).



(1)	(2)	(3)	(4)
III Unskilled adult employees employed as— (1) Gunny bag Stitcher. (2) Weighingman. (3) Dhepwala. (4) Gunnybag Filler. (5) Kandiwala. (6) Unskilled adult employees employed on cleaning, spreading, drying, sifting of oil-seeds and cleaning of factory floor and compound. (7) Employees by whatever name called doing unskilled work of the nature done by persons falling under the above entries.	374.00	306.00	272.00
IV All other adult employees employed in this employment but not specified anywhere above.	374.00	306.00	272.00
V Persons below the age of 18 years employed in any of the categories of employment mentioned above in this column.	75 per cent of the rate fixed for adults in respect of the same category of employment.	75 per cent of the rate fixed to adults in respect of the same category of employment.	75 per cent of the rate fixed for adults in respect of the same category of employment.

Explanation.—For the purpose of this notification,—

(a) Zone I shall comprise of—

- (i) Greater Bombay ;
- (ii) the Thane, Vasai, Bhiwandi, Kalyan and Ulhasnagar talukas of Thane District ; and
- (iii) the Uran, Panvel, Karjat and Khalapur Talukas of Kulaba District.

(b) Zone II shall comprise of,—

- (i) Pune City, and the Haveli, Mulshi, Maval and Khed Talukas of Pune District ;
- (ii) the Nagpur Taluka of Nagpur District ;
- (iii) the Karvir Taluka of Kolhapur District ;
- (iv) the Solapur North Taluka of Solapur District ; and
- (v) the Nashik Taluka of Nashik District.

(c) Zone III shall comprise of all other areas in the State of Maharashtra not included in Zone I or Zone II above.

(d) In the case of an employee employed on daily wages, the minimum rate of daily wages payable to him shall be computed by dividing the minimum rate of monthly wages fixed for the class of employees to which he belongs by 26, the quotient being stepped upto the nearest paise.

(e) the minimum rate of wages shall consist of an all inclusive rate allowing for the basic rate, the cost of living allowance and the cash value of concessions, if any.

(f) Vide Notification I. E. & L. D. No. MAW. 1883/5566/Lab-7, dated 8th March 1984, published in M.G.G., Part I-L, dated 14th June, 1984, Page No. 2228-2231.

(g) In exercise of the powers conferred by clause (b) of sub-section (1) of section 3 read with clause (iii) of sub-section (1) of section 4 of the said Act, the Government of Maharashtra, after considering all the representation received in respect of the foresaid proposals which have been published previously and after consulting the Advisory Board as required by the proviso to the sub-section (2) of section 5 of the said Act, hereby revises with effect from the 16th March 1984. The minimum rates of wages payable to the employees employed in the said scheduled employment and refixes them as set out in column 3 of the Schedule hereto as the minimum rates of wages payable to the classes of employees mentioned against them in column 2 of that Schedule.

Class of employees	Rates		
	Zone I	Zone II	Zone III
2		3	
<p>skilled employees employed as—</p> <p>Drivers</p> <p>Mechanics</p> <p>Turners.</p> <p>Electricians (Auto) including Batteryman</p> <p>Inspector/Vehicle Examiners.</p> <p>Supervisors.</p> <p>Welders.</p> <p>Blacksmiths.</p> <p>Carpenter.</p> <p>Blacksmiths.</p> <p>Welders.</p> <p>Painters.</p> <p>Booking Agents (where such employees are employed by the operator who owns the vehicle).</p> <p>Adult employees by whatever designations called doing skilled work of the nature done by employees falling under any of the above-mentioned categories.</p>	<p>Rs. 444.00 per month in the case of those employed on monthly wages or Rs. 17.76 per day in the case of those employed on daily wages.</p>	<p>Rs. 408.00 per month in the case of those employed on monthly wages or Rs. 16.32 per day in the case of those employed on daily wages.</p>	<p>Rs. 390.00 per month in the case of those employed on monthly wages or Rs. 15.60 per day in the case of those employed on daily wages.</p>
<p>semi-skilled employees employed as—</p> <p>Assistants to any of the employees falling under the category of skilled employees.</p> <p>Conductors.</p> <p>Oilers/Greasers.</p> <p>Tyre Fitter or Upholsters.</p> <p>Hammermen.</p> <p>Store Assistants.</p> <p>Employees by whatever designation called doing semi-skilled work of the nature done by employees falling under any of the above mentioned categories.</p>	<p>Rs. 396.00 per month in the case of those employed on monthly wages or Rs. 15.84 per day in the case of those employed on daily wages.</p>	<p>Rs. 360.00 per month in the case of those employed on monthly wages or Rs. 14.40 per day in the case of those employed on daily wages.</p>	<p>Rs. 342.00 per month in the case of those employed on monthly wages or Rs. 13.68 per day in the case of those employed on daily wages.</p>
<p>unskilled employees employed as—</p> <p>Helpers ..</p> <p>Washers.</p> <p>Cleaners (Vehicles) Attendants.</p>	<p>Rs. 342.00 per month in the case of those employed on monthly wages or Rs. 13.68 per day in the case of those employed on daily wages.</p>	<p>Rs. 306.00 per month in the case of those employed on monthly wages or Rs. 12.24 per day in the case of those employed on daily wages.</p>	<p>Rs. 294.00 per month in the case of those employed on monthly wages or Rs. 11.76 per day in the case of those employed on daily wages.</p>
<p>Other adult employees employed in occupation not specified in any of the occupations mentioned under categories I, II and III above.</p>	<p>Rs. 342.00 per month in the case of those employed on monthly wages or Rs. 13.68 per day in the case of those employed on daily wages.</p>	<p>Rs. 306.00 per month in the case of those employed on monthly wages or Rs. 12.24 per day in the case of those employed on daily wages.</p>	<p>Rs. 294.00 per month in the case of those employed on monthly wages or Rs. 11.76 per day in the case of those employed on daily wages.</p>
<p>Employees below the age of 18 years employed in any of the categories of employed mentioned above</p>	<p>80 per cent of the rate fixed for adults employed in the same category.</p>	<p>80 per cent of the rate fixed for adults employed in the same category.</p>	<p>80 per cent of the rate fixed for adults employed in the same category.</p>

LABOUR GAZETTE—AUGUST 1981

LABOUR GAZETTE—AUGUST 1981

LABOUR GAZETTE—AUGUST 1984

Explanation.—For the purpose of this notification—

- (a) Zone I shall comprise—
  - (i) Greater Bombay;
  - (ii) the Ursā, Panvel, Karjat and Khalapur Talukas of Raigad District, and
  - (iii) the Thane, Vasai, Bhivandi, Kalyan and Ulhasnagar Talukas of Thane District, and
- (b) Zone II shall comprise—
  - (i) City of Pune as constituted under the Bombay Provincial Municipal Corporations Act, 1949 (Bom. LIX of 1949) and the Haveli, Mulshi, Maval and Khed Talukas of Pune District;
  - (ii) the Nagpur Taluka of the Nagpur District;
  - (iii) the Karve Taluka of the Kolhapur District;
  - (iv) the Solapur North Taluka of the Solapur District, and
  - (v) the Nashik Taluka of the Nashik District.
- (c) Zone III shall comprise all other areas in the State of Maharashtra not included in Zone I or Zone II above.

(1) the minimum rates of wages shall consist of an all inclusive rate allowing for the basic rate, the cost of living allowances and the cash value of concessions, if any ;

(2) the minimum rates of wages shall be inclusive of payment of remuneration in respect of the weekly day of rest.

(3) (Vide Notification I.E. and L.O. No. MWA-2083/5502/Lab-7, dated the 8th March 1984, published in M.G.G. Part-I-L, dated the 14th June, 1984, Pages Nos. 2231-2234).

(4) In exercise of the powers conferred by clause (b) of sub-section (1) of section 3 read with sub-section (2) of section 5 of the said Act, the Government of Maharashtra after considering the advice of the said Committee, has revised the minimum rates of wages in respect of the employees employed in the said scheduled employment as follows ;

SCHEDULE

Serial No.	Class of Employees	Zone-I		Zone-II	
		Monthly	Daily	Monthly	Daily
1		Rs.	Rs.	Rs.	Rs.
I.	Unskilled adult employees employed as—	377.00	14.50	364.00	14.00
	(1) Bangle Separator.				
	(2) Barrel Mixer/Head Mixer.				
	(3) Bangle Sorter/Polisher.				
	(4) Comenter/Paster.				
	(5) Cleaner				
	(6) Counter.				
	(7) Cartman (Hand).				

1	2	3	Rs.	Rs.	Rs.	Rs.
(13)	General Worker. (Loader-unloader).					
(14)	Helper (General).					
(15)	Hoaterman.					
(16)	Helper to Mechanic.					
(17)	Hand Trimer.					
(18)	Ghodiwalla/Cylinderman.					
(19)	Magnetic Separator.					
(20)	Mazdoor.					
(21)	Powder Siever.					
(22)	Powder Preheater.					
(23)	Peon.					
(24)	Packer (Hand).					
(25)	Stamper.					
(26)	Sweeper.					
(27)	Scraper.					
(28)	Spreader.					
(29)	Stitch Fixer.					
(30)	Solodoror (Elastic).					
(31)	Saw-dust Siever.					
(32)	Sheet Breaker.					
(33)	Plastic soaling Workmen.					
(34)	Tapper.					
(35)	Waterman.					
(36)	Sheet Foil and Film Culler.					
(37)	Greel Stand.					
(38)	Wrapping Boy.					
(39)	Boom Getter.					
(40)	Extruder Helper.					
(41)	Packing Boy.					
(42)	Printing Boy.					
(43)	Employees by whatever name called doing un-skilled work of the nature done by the persons falling under the above entries.					

II.	Semi-skilled-B-adult employees (not being apprentices) Employed as—	390.00	15.00	377.00	
	(1) Bender.				
	(2) Coller Foremngman.				
	(3) Box Maker.				
	(4) Dall Mill Operator.				
	(5) Bier.				
	(6) Metal and Plastic Parts Asserbler.				
	(7) Order Sorter.				
	(8) Packer doing job of Inspection and packing.				

	1	2	3	4
	Rs.	Rs.	Rs.	Rs.
(15) Hand Press Operator.				
(16) Mining Datch Maker.				
(17) Dresser.				
(18) T. Y. Pressman.				
(19) Duffer (doing buff work).				
(20) Loom Assistant.				
(21) Cheese Attendant.				
(22) Oven Sack Sticher.				
(23) Oven Sack Cutter.				
(24) Drawer.				
(25) Warper.				
(26) Reformer.				
(27) Packer.				
(28) Marking Brander.				
(29) Employees by whatever name called doing semi-skilled "H" work of the nature done by persons falling under the above entries.				
<b>III. Semi-skilled-A-adult employees (not being apprentices) employed as—</b>	<b>403.00</b>	<b>15.50</b>	<b>390.00</b>	<b>15.00</b>
(1) Assembler (on automatic machine).				
(2) Box Sticher.				
(3) Chocker (Supervisor).				
(4) Dic Polisher.				
(5) Pulverisor.				
(6) Power Pressman.				
(7) Power Polisher.				
(8) Roller Press Operator.				
(9) Rolling Machine Operator.				
(10) Tablet Machine Operator.				
(11) Tread Band Filling Machine Operator.				
(12) Assembly Machine Operator.				
(13) Extruder Operator (Head).				
(14) Electrician without licence.				
(15) Apparatus Mending Machine Operator (Head).				
(16) Grinding Machine Operator (Head).				
(17) Embossing Machine Operator (Head).				
(18) Point Welding Machine Operator.				
(19) Bangla Cutter.				
(20) Press Operator.				
(21) Employees by whatever name called doing semi-skilled "A" work of the nature done by persons falling under the above entries.				
<b>IV. Skilled adult employees (not being apprentices) employed as—</b>	<b>416.00</b>	<b>16.00</b>	<b>403.00</b>	<b>15.50</b>
(1) Artist.				
(2) Buff Technician.				

	1	2	3
(3) Band Switch Wireman.			
(4) Bag Stitching tailors and Stending			
(5) Borer (in the tool room).			
(6) Band Regulator (Radio).			
(7) Broacher.			
(8) Boiler Attendant.			
(9) Blacksmith.			
(10) Carpenter.			
(11) CAVM/O. Operator.			
(12) Capstain Lathe Operator (Machine tool room).			
(13) Car Driver.			
(14) Component Wireman (licence holder).			
(15) Coil Winder (Radio).			
(16) Cabinet Maker.			
(17) Charge-hand/Mistry.			
(18) Clip Dye Maker (Machine).			
(19) Dye Maker.			
(20) Dye Setter.			
(21) Dye Fitter.			
(22) Driller (metal tool room).			
(23) Engraver.			
(24) Electrician with licence.			
(25) Electro Plating Technician and Chrome and Anodising Technician.			
(26) Fitter (machine shop).			
(27) Bench Fitter (tool room).			
(28) Foreman.			
(29) Fabricator.			
(30) Film Winder.			
(31) Fine Sprayer.			
(32) Fine Polisher (tool room).			
(33) Hackshaw Operator (tool room).			
(34) Inspector.			
(35) Lorry Driver.			
(36) Lathe Operator (tool room).			
(37) Miller (tool room).			
(38) Machine Operator (tool room).			
(39) Machine (tool room).			
(40) Lota Grinder (tool room).			
(41) Machine Technician.			
(42) Moulder Maker (tool room).			
(43) Mechanical Operator (tool room).			
(44) Motor Machine.			
(45) Pantographer Operator (tool room).			
(46) Press Setter (tool room).			
(47) Printer.			
(48) Pattern Maker.			
(49) Roller Operator.			
(50) Supervisor.			
(51) Spray Painter.			

	2	3		
<p>Printer</p> <p>Turner</p> <p>...</p> <p>(52) Employees in whatever were called doing skilled work of the nature done by persons falling under the above entries.</p>				
V. Highly skilled 'B' adult employees (not being apprentices) employed	435.50	16.75	416.00	16.00
(1) Weaving Jobber.				
VI. Highly skilled 'A' adult employees (not being apprentices) employed	448.50	17.25	435.50	16.75
(1) Man/holder				
VII. (1) ...	450 p.m.		400 p.m.	
(2) ...	500 p. m.		450 p.m.	
(4) Accountant.				
VIII. Employees below the age of 18 years employed in I, II, III and IV categories of employment mentioned above in this column.	80 per cent of the rates fixed for adults (non-apprentice) in respect of the same category of the employment in which he is employed.			
IX. Adult employees as apprentices employed in the Schedule ...				

Declaration for the purposes of the notification.—

- (a) Zone I shall comprise of—
  - (i) The area falling within the limits of Municipal Corporation of Greater Bombay Pune and Thane, Ambernath, Kalyan and Ulhasnagar Municipal Council and the Village Panchayats of Bakam and Majiwada in Thane District.
  - (ii) The area known as Thane-Belapur, the area designated as New Bombay and also as such area falling within the limits of Ulhasnagar, Vithalwadi and Ambernath.
  - (iii) The peripheral area falling within 30 kms. from boundaries of any of the areas referred to in sub-clause (a) of this clause.
  - (iv) The area falling within the limits of the cantonments of Pune, Kirkee and Dehu Road.
  - (v) The area falling within the municipal limits of Pimpri Chinchwad.
- (b) Zone II shall comprise of all other areas of the State of Maharashtra not included in Zone I above.
- (c) In the case of an employed on monthly basis, the minimum rates of wages shall be computed by multiplying the minimum rate of daily wages fixed for the class of employee by 26.
- (d) The minimum rates of wages shall be inclusive of payment of remuneration in respect of the weekly day of rest.

APPENDIX

The consumer price index number for working class for Bombay City shall be the cost of living index number applicable to the employees. The competent authority appointed by the Government of Maharashtra shall, after the expiry of every six months' commencing on the 1st day of January and July shall calculate the average of cost of living index number applicable to the employees for those 6 months' and ascertain the rise of such average over 450 (new series). For such rise of every point over 450, the special allowance (hereinafter referred to as "the cost of living allowance") Payable (in addition to the basic rate of wages) to the employees for each of the 6 months immediately following the 6 months in respect of which such average has been calculated shall be 04.5 paise per point.

2. The competent authority shall compute the cost of living allowance in accordance with the directions made under the preceding paragraph.

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

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

(Vide Notification, I.E. and L.D. No. MWA-5284/5740/Lab-7, dated 12th April 1984 published in M.G.G. Part-I-L dated the 28th June 1984, Pages Nos. 2440-2446).

(B) Exemptions Under the Act.—In exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (XI of 1948), in its application to the State of Maharashtra, the Government of Maharashtra has directed that with effect from the date of this notification, the provisions of the said Act mentioned in column 5 of the Schedule hereto shall not apply for the period ending 6th October 1985 to the classes of employees specified in column 4 of the said Schedule, employed in the Scheduled employments mentioned against them in column 3 of that Schedule in the localities specified in column 2 thereof :—

Schedule

Serial No.	Locality	Scheduled employment	Class of employees	Provisions of the Act
1	2	3	4	5
1	State of Maharashtra	Employment under any local authority.	Employees employed under a village Panchayat constituted under the Bombay Village Panchayats Act, 1958, the annual income of which is less than Rs. 5,000.	All.
2	State of Maharashtra	Employment under any local authority.	Employees employed in fire fighting services.	Sections 13 and 14.
3	State of Maharashtra	Employment under any local authority.	Employees employed in regulating water supply.	Sections 13 and 14.
4	State of Maharashtra	Employment under any local authority.	Employees detailed for Municipal Election duty.	Sections 13(1), (a) and 14.
5	Greater Bombay	Employment under any local authority.	Sargis and labourers appointed and posted on open drain flood gates at Low Gross pumping station, Cleave Road, Borivali and Bharavi by the Bombay Municipal Corporation, Bombay.	Sections 13(1), (a), (aa) and 14.
6	Greater Bombay	Employment under any local authority.	Inspectors and Clerks attending to the duties of Mayor, Chairmen of various committees, Municipal Commissioner and other local officials of the Bombay Municipal Corporation, Bombay.	Sections 13(1), (a) (aa) and 14.
7	Greater Bombay	Employment under any local authority.	Inspectors, persons appointed under the Bombay Shops and Establishment Act, 1948. Staff engaged in drawing of Annual Accounts. Staff engaged for Budget work. Staff working under swimming pool. Staff working under Birla Krosala Kendra.	Sections 13(1), (a) (aa) and 14.
8	State of Maharashtra	Employment in any oil mill	Employees employed in oil mills, which are not run with the aid of power	All.

*Explanation.*—For the purpose of the entry at serial number 1, annual income of a village panchayat shall include contribution by the State Government under section 131 of the Bombay Village Panchayats Act, 1958.  
(*vide* Notification I. E. & L. D. No. MWA 5384/5049/Lab-7, dated 30th April 1984, published in M.G.G., Part I-L, dated 28th June 1984, Pages Nos. 2459-2461).

(c) *Proposed additions to the scheduled Employment.*—(1) In exercise of the powers conferred by section 27 of the said Act, the Government of Maharashtra has proposed to add the employment in Cycle Mechanic Workshop (including repairing, servicing, etc., and incidental operations) to part I of the Schedule to the Act.  
(*vide* Notification, I. E. & L. D. No. MWA 5681/4240/Lab-7, dated 13th March 1984, published in M.G.G., Part I-L, dated 14th June 1984, Page No. 2237).

(2) In exercise of the powers conferred by Section 27 of the said Act, the Government of Maharashtra has proposed to add the employment in Cement and or Cement based Industry to part I of the Schedule to the Act.  
(*vide* Notification, I. E. & L. D. No. MWA. 5281/4242/Lab-7, dated 30th April 1984, published in M.G.G., Part I-L, dated 28th June 1984, Page No. 2457).

(3) *Corrigendum under the Act.*—(1) In the first part of the Appendix to the Government Notification, I. E. & L. D., No. MWA. 6683/5281/Lab-7, dated the 7th September 1983 published at pages 330 to 339 in Part I-L of the M.G.G., Extra-Ordinary dated 7th September 1983, between the words 'For such rise of every' and the words 'points the special allowance figure '2' should be inserted.  
(*vide* corrigendum, I. E. & L. D., No. MWA. 6684/5837/Lab-7, dated 9th May 1984 published in M.G.G., Part I-L, dated 28th June 1984, Page No. 2466).

(2) In the schedule to the Government Notification, I. E. & L. D., No. MWA. 1883/5566/Lab-7, dated 8th March 1984, published at pages 107 to 110, in Part I-L of the M.G.G., Extraordinary, dated the 8th March 1984, against, 'Sr. No. II Semi-skilled adult employees employed as under column No. 3 :—

- (i) below Zone I, for the figure '450.50' read the figure '465.50'; and
- (ii) below Zone II, for the figure '466.50' read the figure '450.50'.

(*vide* Corrigendum, I. E. & L. D., No. MWA. 1884/5838/Lab-7, dated 16th May 1984, published in M.G.G., Part I-L, dated 28th June 1984, Pages Nos. 2467-2468).

(3) In the Schedule of the Government Notification, Industries, Energy and Labour Department, No. MWA 5283/5431/Lab-7, dated the 23rd June 1983, published at pages 202 to 204, in Part I-L of the Maharashtra Government Gazette, Extraordinary, dated 23rd June 1983 —

- (i) in the heading in column No. 4, for the words and figures  
Zone II  
Rupees  
per month "

read the words and figures as—  
" Zone II-A  
Rupees  
per month "

- (ii) in the heading in column No. 5, for the words and figures  
" Zone III  
Rupees  
per month "

read the words and figures as—  
" Zone II-B  
Rupees  
per month :

(iii) in the heading in column No. 6,—

“ Zone III  
Rupees  
per month ” should be inserted.]

(Vide Corrigendum, I. E. & L. D. No. MWA. 5284/5836/Lab-7, dated 16th May 1984, published in *M.G.G.*, Part I-L, dated 28th June 1984, Page No. 2468).

#### VI. BOMBAY RELIEF UNDERTAKINGS (SPECIAL PROVISIONS) ACT, 1958

(a) *Declaration of relief undertaking under the Act.*—(1) In exercise of the powers conferred by section 3 and sub-clause (iv) of clause (a) of sub-section (1) of section 4 of the said Act, the Government of Maharashtra has amended the said notification, as follows, namely:—

In the said notification, in paragraph (b) the words “Industrial Units which are registered as small scale, Industrial Units with the Directorate of Industries of the Government of Maharashtra” shall be deleted.

(Vide Notification, I.E. & L.D. No. BRU-1084/(9825)/IND-10, dated 27th March 1984 published in *M. G. G. Part-I-L*, dated 14th June 1984, Page No. 2264).

(2) In exercise of the powers conferred by section 3 and 4 of the said Act, the Government of Maharashtra has declared —

(a) declares (that the said relief undertaking shall, for a further period of one year commencing on the 1st day of April 1984 and ending on 31st day of March 1985 (both days inclusive) be conducted to serve as a measure of unemployment relief ; and

(b) directs that in relation to the said relief undertaking and in respect of the said further period of one year commencing on the 1st day of April 1984 and ending on 31st day of March 1985 (both days inclusive) for which the said relief undertaking continues as such any right, privileges obligation or liability (excepting all statutory financial liabilities and the obligations accrued towards, or liabilities incurred in favour of the workmen of the said relief undertaking and the liabilities accrued towards any industrial unit which is registered as a small scale industrial unit with the Directorate of Industries of the Government of Maharashtra and whose dues to be recovered from the said relief undertaking before the 1st day of January 1977 did not exceed rupees five thousand) accrued or incurred before the 1st January 1977 and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any court, tribunal, officer or authority shall be stayed.)

(Vide Notification, I.E. & L.D. No. BRU-1084/9824/IND-10, dated 31st March 1984, published in *M. G. G. Part-I-L*, dated 14th June, 1984, Page No. 2265).

(3) [in exercise of the powers conferred by sections 3 and 4 of the said Act, the Government of Maharashtra, hereby—

(a) declares that the said relief undertaking shall, for a further period of one year commencing on the 20th day of April 1984 and ending on 19th day of April 1985 (both days inclusive) be conducted to serve as a measure of unemployment relief; and

(b) directs that in relation to the said relief undertaking and in respect of the said period for which the said relief undertaking continues as such, any right, privilege, obligation or liability (excepting the obligations or liabilities incurred in favour of workmen of the said relief undertaking or in favour of the Maharashtra State Electricity Board, Bank of Maharashtra, Bank of India, the Sangli Bank Limited, The United Western Bank Limited, The Industrial Credit and Investment Corporation of India Limited, and the Industrial Finance Corporation, of India and the dues of the Employees, State Insurance and any liability incurred under the Bombay Sales Tax Act, 1959 (Bom. LI of 1959), the Maharashtra State Tax on Professions, Trades, Callings and Employments Act, 1975 (Mah. XVI of 1975) and the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952) accrued or incurred before the 20th day of April 1982 and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any court, tribunal, officer or authority shall be stayed.

(Vide Notification, I.E. & L.D. No. BRU-1084/(9840)/IND-10 dated 19th April 1984, published in *M. G. G. Part-I-L*, dated 28th June 1984, Page No. 2448-2449).

(4) in exercise of the powers conferred by sections 3 and 4 of the said Act, the Government of Maharashtra hereby,—

(a) declares that, the said relief undertaking shall, for a further period of one year commencing on the 4th day of May 1984 and ending on the 3rd day of May 1985 (both days inclusive), be conducted to serve as a measure of unemployment relief, subject to fulfilling the conditions specified in the Schedule hereto, and

(b) directs that, in relation to the said relief undertaking and in respect of the said further period of one year commencing on the 4th day of May 1984 and ending on the 3rd day of May 1985 (both days inclusive), for which the said relief undertaking continues as such, unless the aforesaid declaration is withdrawn at an early date for breach of the conditions specified in the said Schedule hereto, any right, privilege, obligation or liability (excepting the obligation accrued towards, or liabilities incurred in favour of workmen of the said relief undertaking and the liabilities accrued towards or incurred in favour of the industrial units which are registered as small-scale industrial units with the Directorate of Industries of the Government of Maharashtra, Bank of India and Dena Bank accrued or incurred before the 4th day of January 1979 and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any court, tribunal, officer or authority shall be stayed.

#### SCHEDULE

(i) The said relief undertaking shall pay the current wages, salaries and dues in respect of the Employees' Provident Fund Contribution (both employees' and employers' share) and the Employees' State Insurance to the appropriate authorities.

(ii) The said relief undertaking shall pay every month Rs. 75,000 towards past arrears on account of the Employees' Provident Fund and Rs. 25,000 towards past arrears on account of Employees' State Insurance to the appropriate authorities. In case the instalments granted by the Government of India are less than instalments mentioned above, payment shall be continued according to the above instalments only. If the Government of India's instalments are higher than the above instalments, the payment shall be according to the Government of India's instalments (and not according to the above instalments).

(iii) The said relief undertaking shall pay in full all the dues including gratuity to the workers retiring on or after the 4th May 1982 immediately on their retirement.

(iv) The said relief undertaking shall furnish to the Secretary to the Government of Maharashtra, Industries, Energy and Labour Department, a monthly report about the details of the payments made towards the various items referred to above, by the 15th of the each following month.

(v) In default of payment of any current dues of instalments of arrears, the declaration made and directions issued by the Government of Maharashtra under section 3 and 4 of the Bombay Relief Undertakings (Special Provisions) Act, 1958, in respect of the said relief undertaking shall be withdrawn even without any further show cause notice.

(vi) Government reserves the right to intimate directly to the Bankers of the said relief undertaking requiring them to make payment in respect of arrears as well as the current dues of the Provident Fund, Gratuity and other due of the workers, in the manner as may be specified by Government.

(Vide Notification, L.E. & L.D. No. BRU-1084/(9841)/IND, dated 27th April 1984 Published in *M. G. G. Part-I-L*, dated 28th June 1984, Page No. 2452-2453).

(5) In exercise of the powers conferred by sections 3 and 4 of the said Act, the Government of Maharashtra hereby :—

(a) declares that the said relief undertaking shall for a period of one year commencing from 10th day of May 1984 and ending on 9th May 1985 (both days inclusive) be conducted to serve as a measure of unemployment relief; and

(b) directs that in relation to the said relief undertaking and in respect of the said period of one year commencing on 10th day of May 1984 and ending on 9th day of May 1985 (both days inclusive) for which the said relief undertaking continues as such, any right, privilege, obligation or liability (excepting the obligations or liabilities incurred

in favour of workmen of the said relief undertaking or in favour of the industrial units which are registered as small scale industrial units with the Directorate of Industries of the Government of Maharashtra, the Maharashtra State Electricity Board, the State Industrial and Investment Corporation of Maharashtra Limited, the Maharashtra State Financial Corporation, Bank of Maharashtra, Vijaya Bank, Bank of India, Industrial Development Bank of India, Industrial Finance Corporation of India and Industrial Credit and Investment Corporation of India and the dues of the Employees' State Insurance Corporation, and any liability incurred under the Bombay sales Tax Act, 1959 (Bom. XVI of 1975), and the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952) accrued or incurred before the 10th day of November 1983 and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any Court, Tribunal, Officer or authority shall be stayed.

(Vide Notification, I.E. & L.D. No. BRU-1084/(9875);IND-10,k dated 9th May 1984 published in M. G. G. Part-I-L, dated 28th June 1984, Pages No. 2464-2465).

#### VII. BOMBAY INDUSTRIAL RELATIONS ACT, 1946

(a) *Notifications Under the Act*—(1) In pursuance of the provisions of clause (23) of section 3 of the said Act as extended to the rest of the State of Maharashtra by Section 2 of the Bombay Industrial Relations (Extension and Amendment) Act, 1964 (Mah. XXII of 1965) and in supersession of the areas specified in Part-I of the Schedule to Government Notification No. BIR. 1065 (iii)-Lab-I dated the 2nd May, 1965 the Government of Maharashtra hereby notifies the areas specified in column (1) of the Schedule hereto in the Vidarbha Region of the State, as the local areas for the industries respectively shown against each of them in column (2) of the Schedule.

#### SCHEDULE

Areas 1	Industry 2
------------	---------------

#### Area within the limits of—

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. The Municipal Corporation of City of Nagpur</li> <li>2. The Nagpur Taluka Excluding the area specified in entry No. 1.</li> <li>3. The Hingna taluka.</li> <li>4. The Ramtek taluka.</li> <li>5. The Parshioni taluka.</li> <li>6. The Kamptee cantonment.</li> <li>7. The Kamptee Municipality excluding the area within the limits of the Kamptee cantonment.</li> <li>8. The Kamptee taluka excluding the area specified in entry No. 6 and 7.</li> <li>9. The Katol taluka.</li> <li>10. The Saoner taluka.</li> <li>11. The Narkhed taluka.</li> <li>12. The Umrer taluka.</li> <li>13. The Kalmeshwar taluka.</li> <li>14. The Mouda taluka.</li> <li>15. The Bhiwapur taluka.</li> <li>16. The Kubi taluka.</li> </ol> | <p>The industries to which Bombay Industrial Relations Act, 1946 applies in the areas in Column 1.</p> |
|---|--|

Wardha

Areas 1	Industry 2
21. The Hinganghat taluka excluding the area specified in entry, No. 20.	
22. The Deoli taluka.	
23. The Seloo taluka.	
24. The Karanja taluka.	
25. The Samudrapur taluka.	
<i>Bhandara</i>	
26. The Bhandara Municipality.	
27. The Bhandara taluka excluding the area specified in entry No. 26.	
28. The Gondia Municipality.	
29. The Gondia taluka excluding the area specified in entry No. 28.	
30. The Sakoli taluka.	
31. The Tumsar taluka.	
32. The Tirora taluka.	
33. The Paoni taluka.	
34. The Mohadi taluka.	
35. The Goregaon taluka.	
36. The Salekasa taluka.	
37. The Amgaon taluka.	
38. The Lakhandur taluka.	
39. The Moregaon taluka.	
<i>Chandrapur</i>	
40. The Deori taluka.	
41. The Chandrapur Municipality.	
42. The Chandrapur taluka excluding the area specified in entry No. 41.	
43. The Warora taluka.	
44. The Bramhapuri taluka.	
45. The Rajura taluka.	
46. The Mul taluka.	
47. The Gondpipri taluka.	
48. The Bhadravati taluka.	
49. The Chimur taluka.	
50. The Nagbhid taluka.	
51. The Sindewahi taluka.	
52. The Gadchiroli taluka.	
53. The Sirontha taluka.	
54. The Dhanora taluka.	
55. The Kurkheda taluka.	
56. The Armorli taluka.	
57. The Chamorshi taluka.	
58. The Aheri taluka.	
59. The Etpalli taluka.	
<i>Amravati</i>	
60. The Amravati Municipal Corporation.	
61. The Amravati taluka, excluding the area specified in entry	

Areas 1	Industry 2
65. The Achalpur City Municipality.	
66. The Achalpur taluka excluding the area specified in entry No. 65.	
67. The Bhatkuli taluka.	
68. The Nandgaon Khandeshwar taluka.	
69. The Warud taluka.	
70. The Chandur Rly taluka.	
71. The Tiwsa taluka.	
72. The Anjangaon Surji taluka.	
73. The Chikhaldara taluka.	
74. The Dharni taluka.	
75. The Washim Municipality.	
76. The Washim taluka excluding the area specified in entry No. 75.	
77. The Akot Municipality.	
78. The Akot taluka excluding the area specified in entry No. 77.	
79. The Balapur taluka.	
80. The Akola Municipality.	
81. The Akola taluka excluding the area specified in entry No. 80.	
82. The Mangrulpir taluka.	
83. The Murtijapur taluka.	
84. The Telhara taluka.	
85. The Karanja taluka.	
86. The Manora taluka.	
87. The Malegaon taluka.	
88. The Risod taluka.	
89. The patur taluka.	
90. The Barshi takli taluka.	
<i>Buldhana</i>	
91. The Jalgaon taluka.	
92. The Chikhali taluka.	
93. The Mehkar taluka.	
94. The Khamgaon Municipality.	
95. The Khamgaon taluka excluding the area specified in entry No. 94.	
96. The Malkapur Municipality.	
97. The Malkapur taluka excluding the area specified in entry No. 97.	
98. The Buldhana taluka.	
99. The Shegaon taluka.	
100. The Motala taluka.	
101. The Nandura taluka.	
102. The Sangrampur taluka.	
103. The Sindkhed Raja taluka.	
104. The Lonar taluka.	
105. The Deulgaon Raja taluka.	

Areas 1	Industry 2
108. The Darwa taluka.	
109. The Pusad Municipality.	
110. The Pusad taluka excluding the area specified in entry No. 109.	
111. The Wani Municipality.	
112. The Wani taluka excluding the area specified in entry No. 112.	
113. The Pandharkawada taluka.	
114. The Kalamb taluka.	
115. The Babhulgaon taluka.	
116. The Ghatanji taluka.	
117. The Relogaon taluka.	
118. The Umardhed taluka.	
119. The Mahalgaon taluka.	
120. The Digras taluka.	
121. The Ner taluka.	
122. The Maragaon taluka.	

(vide Notification I.E. & L.D. No. BIR-1084/7110/Lab-9, dated 9th March 1984, published in M. G. G. Part-I-L, dated 14th June, 1984, Page No. 2224-2227).

In exercise of the powers conferred by sub-section (4) of section 2 of the Bombay Industrial Relations Act, 1946 (Bom. XI of 1947), and in supersession of Government Notification, Political and Services Department, No. 367/46, dated the 4th December 1946 and Government Notification, Development Department, No. 298/48-1, dated the 7th April 1954, the Government of Maharashtra hereby directs that, with effect from 26th of April 1984, all the provisions of the said Act shall apply to the industries specified in column 2 of the Schedule hereto in the local area specified in column 3 thereof.

#### SCHEDULE

Serial No. 1	Industries 2	Local areas 3
1	Industries undertaken by the Bombay Electric Supply and Transport Undertaking, Bombay engaged in the conduct and maintenance of public passenger transport services by omnibus.	(1) Areas within the limits of Bombay Municipal Corporation. (2) Areas of 'New Bombay' as designated by Government Notification, Urban Development and public Health Department, No. RPB-1171-18124-I-W, dated the 20th March 1971 as subsequently amended by Government Notification, Urban Development and public Health Department, No. RPB-1173-I RPC, dated the 16th August 1973; as shown in the Annexure hereto.
2	Supply of Electrical Energy by concerns or Undertakings situated within the limits of Bombay Municipal Corporation.	Areas within the limits of Bombay Municipal Corporation.

2. Nothing in this notification shall apply to an industry engaged both in the generation and supply of electric energy.

Serial No.	Name of Village	Taluka	District
1	2	3	4
		Thane	Thane
1	Aizoli	Do.	Do.
2	...	Do.	Do.
3	...	Do.	Do.
4	...	Do.	Do.
5	...	Do.	Do.
6	Talvali	Do.	Do.
7	...	Do.	Do.
8	...	Do.	Do.
9	Khairane	Do.	Do.
10	Pa vaze	Do.	Do.
11	Sonkhar	Do.	Do.
12	...	Do.	Do.
13	...	Do.	Do.
14	...	Do.	Do.
15	Sarpada	Do.	Do.
16	Vashi	Do.	Do.
17	...	Do.	Do.
18	Shakabai	Do.	Do.
19	...	Do.	Do.
20	Nerul	Do.	Do.
21	...	Do.	Do.
22	Kokshet	Do.	Do.
23	Sarsote	Do.	Do.
24	Karave	Do.	Do.
25	Dighe	Do.	Do.
26	Lithan	Do.	Do.
27	Telavali	Do.	Do.
28	...	Do.	Do.
29	...	Do.	Do.
30	...	Do.	Do.
31	...	Do.	Do.
32	...	Do.	Do.
33	...	Do.	Do.
34	...	Do.	Do.
35	...	Do.	Do.
36	...	Do.	Do.
37	...	Do.	Do.
38	...	Do.	Do.
39	...	Do.	Do.
40	...	Do.	Do.
41	...	Do.	Do.
42	...	Do.	Do.
43	...	Do.	Do.
44	...	Do.	Do.
45	...	Do.	Do.
46	...	Do.	Do.
47	...	Do.	Do.
48	...	Do.	Do.
49	...	Do.	Do.
50	...	Do.	Do.
51	...	Do.	Do.
52	...	Do.	Do.
53	...	Do.	Do.
54	...	Do.	Do.
55	...	Do.	Do.
56	...	Do.	Do.
57	...	Do.	Do.
58	...	Do.	Do.
59	...	Do.	Do.
60	...	Do.	Do.
61	...	Do.	Do.
62	...	Do.	Do.
63	...	Do.	Do.
64	...	Do.	Do.
65	...	Do.	Do.
66	...	Do.	Do.
67	...	Do.	Do.
68	...	Do.	Do.
69	...	Do.	Do.
70	...	Do.	Do.
71	...	Do.	Do.
72	...	Do.	Do.
73	...	Do.	Do.
74	...	Do.	Do.
75	...	Do.	Do.
76	...	Do.	Do.
77	...	Do.	Do.
78	...	Do.	Do.
79	...	Do.	Do.
80	...	Do.	Do.
81	...	Do.	Do.
82	...	Do.	Do.
83	...	Do.	Do.
84	...	Do.	Do.
85	...	Do.	Do.
86	...	Do.	Do.
87	...	Do.	Do.
88	...	Do.	Do.
89	...	Do.	Do.
90	...	Do.	Do.
91	...	Do.	Do.
92	...	Do.	Do.
93	...	Do.	Do.
94	...	Do.	Do.
95	...	Do.	Do.
96	...	Do.	Do.
97	...	Do.	Do.
98	...	Do.	Do.
99	...	Do.	Do.
100	...	Do.	Do.

(1)	(2)	(3)	(4)
15	...	Panvel	Kolaba
16	Dapoli	Do.	Do.
17	Kopar	Do.	Do.
18	Vadghar	Do.	Do.
19	Pargaon Dungi	Do.	Do.
20	...	Do.	Do.
21	Pargaon	Do.	Do.
22	...	Do.	Do.
23	Targhar (including Nandaikhar)	Do.	Do.
24	Kalundre	Do.	Do.
25	Karanjade	Do.	Do.
26	Manghar	Do.	Do.
27	Kundevahal	Do.	Do.
28	Nhave	Do.	Do.
29	Gavan	Do.	Do.
30	Kharkopar	Do.	Do.
31	Wahal	Do.	Do.
32	Padeghar	Do.	Do.
33	Bombabi	Do.	Do.
34	Sonkhar	Do.	Do.
35	...	Do.	Do.
36	Pale Khurd	Do.	Do.
37	Tondhare	Do.	Do.
38	Chal	Do.	Do.
* Notification, U.D. & P.H.D. No. RPB. 1173-I-RPC, dated the 16th August 1971			
1	Mhatawali (excluding the Uran Municipal area)	Uran	Kolaba
2	Chanaje (excluding the Uran Municipal area)	Do.	Do.
3	Kaladhonda	Do.	Do.
4	Kegaon	Do.	Do.
5	...	Do.	Do.
6	Boripakhadi (excluding Uran Municipal area)	Do.	Do.
7	Nagaon	Do.	Do.
8	Bokadvira	Do.	Do.
9	Dongari	Do.	Do.
10	Panje	Do.	Do.
11	Funde	Do.	Do.
12	Sheva	Do.	Do.
13	Navghar	Do.	Do.
14	Paßote	Do.	Do.
15	Bhendkhar	Do.	Do.
16	Jaskhar	Do.	Do.
17	Sonari	Do.	Do.
18	Waltikhar	Do.	Do.
19	Kauli Belondkhar	Do.	Do.
20	Pæundkhar	Do.	Do.
21	Shematikhar	Do.	Do.
22	Kauli Bandhankhar	Do.	Do.
23	Belondakhar	Do.	Do.
24	Mut-khar	Do.	Do.
25	Jasai (including Bandhkhar, Khathar and Ranjankhar)	Do.	Do.
26	Karal	Do.	Do.
27	Chirle	Do.	Do.
28	Savarkhar	Do.	Do.
* Notification, U.D. & P.H.D. No. BIR-1184, dated 26th April 1984, published in L.G. Gazette, dated 28th June 1984, Page No. 2408.			

(3) In exercise of the powers conferred by section 9 of the Bombay Industrial Relations Act 1946 (Bom XI of 1947) the Government of Maharashtra hereby appoints Shri H. M. Mohite Chief Judicial Magistrate, Ahmednagar, in place of Shri B. P. Kanekar to be the Presiding Officer of the Tenth Labour Court, Bombay constituted under Government Notification, Industries, Energy and Labour Department, No. BIR. 1182/6087/Lab-9, dated the 15th February 1982 and for that purpose amends that Notification as follows, namely—

In clause 2 of the said notification, for the existing words and letters " Shri B. P. Kanekar", the following shall be substituted, namely—  
" Shri H. M. Mohite."

(Vide Notification, I. E. and L. D. No. BIR-1184/(9233)/Lab-9, dated 2nd May 1984, published in M. G. G., Part-I-L, dated 28th June 1984, Page No. 2458).

(B) *Appointments under the Act.*—(1) In exercise of the powers conferred by section 9 of the said Act, the Government of Maharashtra has appointed Shri L. V. Patil, Civil Judge (Senior Division), Thane, to preside over the Third Labour Court in place of Shri D. S. Umrikar.

(Vide Notification I. E. and L. D. No. BIR-1084/(7237)/Lab-9, dated 5th May 1984, published in M. G. G., Part-I-L, dated 28th June 1984, Page Nos. 2462-2463).

#### VIII. MAHARASHTRA RECOGNITION OF TRADE UNIONS AND PREVENTION OF UNFAIR LABOUR PRACTICES ACT, 1971.

(a) *Appointments under the Act.*—(1) In exercise of the powers conferred by section 6 of the said Act the Government of Maharashtra has appointed Shri H. M. Mohite, Chief Judicial Magistrate, Ahmednagar in place of Shri B. P. Kanekar to preside over as Presiding Officer of the Tenth Labour Court, Bombay.

(Vide Notification, I. E. & L. D. No. ULP. 1084/(7234)/Lab-9, dated 2nd May 1984, published in M.G.G., Part I-L, dated 28th June 1984, Page No. 2458).

(2) In exercise of the powers conferred by section 4 of the said Act, the Government of Maharashtra has appointed Shri L. V. Patil, Civil Judge (Senior Division), Thane as presiding Officer on the Third Labour Court, Bombay, in place of Shri D. S. Umrikar.

(Vide Notification I. E. & L. D. No. ULP. 1084/(7236)/Lab-9, dated 5th May 1984, published in M.G.G., Part I-L, dated 28th June 1984, Page No. 2462).

#### IX. MAHARASHTRA PRIVATE SECURITY GUARDS (REGULATION OF EMPLOYMENT AND WELFARE ACT, 1981.

(a) *Notifications under the Act.*—Whereas by Government Notification, Industries, Energy and Labour Department, No. SGA-1081/CR/153/LAB-13, dated the 18th August 1981 (hereinafter referred to as "the said notification"), the Government of Maharashtra constituted the Advisory Committee (hereinafter referred to as "the said Committee") under sub-section (1) of section 15 of the Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981 (Mah. LVIII of 1981) (hereinafter referred to as "the said Act"); and appointed *inter-alia*, Shri D.G. Shindkar, Personal Manager, Colour-Chem Limited, Balkum, Post Bag No. 22, Thane 400 607, as one of the member of the said Committee, representing the employers;

(Vide Notification I. E. & L.D. No. SGA. 1084/(34)/Lab-12, dated 21st April 1984, published in M.G.G., Part I-L, dated 28th June 1984, Page No. 2449).

#### X. MAHARASHTRA MATHADI, HAMAL AND OTHER MANUAL WORKERS (REGULATION OF EMPLOYMENT AND WELFARE) ACT, 1969.

(a) *Notifications under the Act.*—(1) In pursuance of the first proviso to section 22 of the said Act, the Government of Maharashtra, after consulting the Advisory Committee has published a notice in regard to its intention to issue the following proposed notification under the said section 22.

##### PROPOSED NOTIFICATION

Whereas, the Government of Maharashtra is of the opinion that the unprotected workers engaged in connection with loading, unloading, stacking, carrying, weighing or measuring or other work including work preparatory or incidental to such operations in the Wallace Flour Mills Company Limited, Shivdas Champs Marg, Hancock Bridge, Bombay 400 009 (hereinafter referred to as "the said unprotected workers") are in the enjoyment of benefits which are on the whole not less favourable to the said unprotected workers than the benefits

provided by or under the said Act, or the Grocery Markets or Shops Unprotected Workers (Regulations of Employment and Welfare) Scheme, 1970 (hereinafter referred to as "the said Scheme").

Now, therefore, in exercise of the powers conferred by section 22 of the said Act, the Government of Maharashtra, after consulting the Advisory Committee, hereby *exempts* the said unprotected workers from the operation of all the provisions of the said Act and said Scheme subject to the following conditions, namely—

(i) the period of exemption shall be three years commencing from 1st May 1984 upto 30th April 1987 (both days inclusive);

(ii) the said unprotected workers shall be given benefits and facilities which are, on the whole, not less favourable than the facilities and benefits, enjoyed by the unprotected workers registered with the Grocery Markets and Shops Board for Greater Bombay;

(iii) the amount given as facilities and benefits by the Wallace Flour Mills Company Limited, Bombay shall not be given through wage bill;

(iv) the said unprotected workers shall have security of service and payment.

(Vide Notification, I. E. & L. D. No. UWA. 1581/CR-3866/Lab-5, dated 12th March 1984, published in M.G.G., Part-I-L, dated 14th June 1984, Page No. 2234-2235).

(b) *Constitution of Boards.*—(1) In exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Government of Maharashtra has appointed the 20th March 1984 to be the day on which all the provisions of the said Act shall come into force in the specified areas of Nashik District namely:—

Serial No.	Name of Employment	Areas of Employment
(1)	(2)	(3)
1	Employment in Grocery Markets or Shops in connection with loading, unloading, stacking, carrying weighing measuring, filling stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations.	Areas falling within— (a) Nashik Road Municipal Council. (b) Nashik City Municipal Council. (c) Malegaon Municipal Council. (d) Lasalgaon Grampanchayat.
2	Employment in Markets and Subsidiary Markets established under Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Mah. XX of 1964) in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations.	Areas falling within— (a) Nashik Road Municipal Council. (b) Nashik City Municipal Council. (c) Manmad Municipal Council. (d) Malegaon Municipal Council. (e) Lasalgaon Grampanchayat. (f) Pimpalgaon (Basawant) Grampanchayat.
3	Employment in connection with loading of goods into public transport vehicle, or unloading of goods therefrom and any other operations incidental and connected thereto.	Areas falling within,— (a) Nashik Road Municipal Council. (b) Nashik City Municipal Council. (c) Malegaon Municipal Council.

Serial No. (1)	Name of Employment (2)	Area of Employment (3)
4	Employment in Cloth Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work incidental to such operations.	Areas falling within Malegaon Municipal Council.
5	Employment in Vegetable Markets (including onions and potatoes markets) in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations.	Areas falling within— (b) Nashik Road Municipal Council. (d) Nashik City Municipal Council. (c) Malegaon Municipal Council.
6	Employment in Khoka Making or in Timber Markets.	Areas falling within— (a) Nashik Road Municipal Council. (b) Nashik City Municipal Council.
7	Employment in Markets and factories and other establishments in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations carried out by workers not covered by any other entries in the schedule to the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969).	Areas falling within— (a) Nashik Road Municipal Council. (b) Nashik City Municipal Council. (c) Satpur Municipal Council.
8	Employment in Iron and Steel Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring or such other work preparatory or incidental to such operations.	Areas falling within— (a) Nashik Road Municipal Council. (b) Nashik City Municipal Council... (c) Manmad Municipal Council. (d) Malegaon Municipal Council. (e) Lasalgaon Grampanchayat and the areas within the periphery of ten kilometers of the areas of the Grampanchayat
9	Employment in Railway yards and Goods sheds in connections with loading, unloading, stacking, carrying, weighing, measuring or such other work including work preparatory or incidental to such operations (excluding workmen employed by the Railway Authority).	(f) Pimpalgaon (Baswant) Grampanchayat and the areas within the periphery of ten Kilometers of the areas of the Grampanchayat.

Notification I. E. & L. D. No. UWA. 1482/CR-10045/Lab-5, dated 16th March 1984, published in Maharashtra Gazette Part I-L, dated 14th June 1984, Pages Nos. 2239-2241.

(c) Schemes proposed under the Act.—In exercise of the powers conferred by sub-section (1) of Section 4 of the said Act, and all other powers enabling it in that behalf a notice has been published as required by sub-section (1) of the said section 4 for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration by the Government of Maharashtra on or after 25th April 1984.

#### DRAFT SCHEME

1. *Title.*—This Scheme may be called the Nashik District Mathadi Hamal and other Manual Workers (Regulation of Employment and Welfare) Scheme, 1984.

2. *Objects and Application.*—(1) *Objects.*—The Objects of the Scheme are to ensure an adequate supply and full and proper utilisation of unprotected workers employed in—

(1) employments in Grocery Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations; (2) employment in Markets or subsidiary Markets established under Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Mah. XX of 1964) in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations; (3) employment in connection with loading of goods into public transport vehicle or unloading of goods therefrom and any other operations incidental and connected thereto; (4) employment in cloth Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations; (5) employment in Vegetable markets (including onions and potatoes markets) in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning, or such other work including work preparatory or incidental to such operations; (6) employment in khoka making or in Timber Markets; (7) employment in Markets and factories and other establishments in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations carried out on by workers not covered by any other entries in the Schedule to the Maharashtra Mathadi, Hamal and other Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969); (8) employment in Iron and Steel Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, or such other work preparatory or incidental to such operations; (9) employment in Railway Yards and Goods sheds in connection with loading, unloading, stacking, carrying, weighing, measuring or such other work including work preparatory or incidental to such operations (excluding workmen employed by the Railway Authorities) for efficient performance or work and generally for making better provisions in the terms and conditions of employment of such workers and make provisions for their general welfare and safety.

(2) *Application.*—The Scheme shall apply to the registered workers and the registered employers, in the Scheduled employments specified in column 2 of the Schedule hereto in the areas respectively specified against each of them in column 3 and applicable on and from the dates respectively specified against them in columns 4 and 5 of the said Schedule.

3. *Commencement.*—(1) Clauses 14 and 15 of this Scheme shall come into force on and from the date mentioned in column 4 of the Schedule appended hereto.

(2) The remaining clauses shall come into force on and from the date specified against each of them in column 5 of the Schedule hereto.

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

(b) "Board" means the Nashik Mathadi and Unprotected Labour Board constituted under section 6 of the Act;

(c) "Chairman" means the Chairman of the Board;

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

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- (e) "pool worker" means a registered worker in the pool who is not a monthly worker;
- (f) "pool" means a list of workers maintained by the Board, but which does not include monthly workers;
- (g) "Personnel Officer" means the Personnel Officer appointed by the Board under clause 5;
- (h) "Registered Employer" means the employer whose name is for the time being entered in the register of employers;
- (i) "Registered Worker" means a worker whose name is for the time being entered in the register of pool workers or in the register of monthly workers;
- (j) "Register of employer" means the register of employers maintained under this scheme;
- (k) "Register of Workers" means the register of workers maintained under this Scheme;
- (l) "Rules" means the Maharashtra Mathadi, Harrial and Other Manual Workers (Regulation of Employment and Welfare) Rules, 1970;
- (m) "Secretary" means the Secretary of the Board;
- (n) "Week" means the period of seven days commencing on mid-night of Saturday and ending on the mid-night of the Saturday next following;
- (o) words and expression used but not defined in the Scheme shall have the meaning assigned to them in the Act.

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

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

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

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

- (i) ensuring the adequate supply and the full and proper utilisation of registered workers for purposes of facilitating the rapid turnout of work;
- (ii) regulating the recruitment and entry into and the discharge from the Scheme of workers and allotment of registered workers in the pool to registered employers;
- (iii) determining and keeping under review the number of registered workers, from time to time, on the basis of records and the increase or reduction to be made in the number of registered workers ;
- (iv) keeping, adjusting and maintaining the employers' registers, entering or re-entering therein the name of any employer and where circumstances so require removing from the register the name of any registered employer in accordance with the provisions of the Scheme ;

(v) keeping, adjusting and maintaining, from time to time, such registers or records as may be necessary, of any workers, including and registers, or records of workers who are temporarily not available for work and whose absence has been approved by the Board;

- (vii) making provision, subject to availability of funds, for welfare of registered workers including medical services in so far as such provisions does not exist apart from this Scheme;
- (viii) recovering from registered employers contribution in respect of the expenses of this Scheme, wages, levy and any other contributions under this Scheme ;
- (ix) making provision, subject to availability of funds, for the health and safety measures in place where workers are employed in so far as such provision does not exist apart from this Scheme ;
- (x) maintaining and administering the Workers' Welfare Fund, and recovering from all the registered employers contribution towards the Fund when such Fund is constituted in accordance with the rules of the Fund ;
- (xi) maintaining and administering Provident Fund and Gratuity Fund for registered workers in the pool when such Funds are constituted ;
- (xii) assisting, subject to the availability of funds, by way of grant of loan, the Co-operative Societies formed for the benefit of registered workers and staff of the Board.

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

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

- (a) all monies received by the Board from the State Government;
- (b) all fees, wages and levies received by the Board under this Scheme;
- (c) all monies received by the Board by way of sale and disposal of properties and other assets;
- (d) interest on investment in securities and deposits, rents and all monies received by the Board in any other manner or from any other source.

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

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

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

- (5) The Board may with the previous permission of the State Government borrow money from open market or otherwise with a view to provide itself with adequate resources.
- (6) The Board may accept deposits on such conditions as it deems fit from persons, authorities or establishments with whom it has to transact any business.
- (7) The Board shall make provision for such reserve and other denominated funds as may be provided in this Scheme.

(8) The Board shall have the authority to spend such sum as it thinks fit for the purposes

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

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

and

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

(11) The Board may—

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

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

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

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

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

(vi) fix the rate of levy under clause 14(1),

(vii) sanction the annual budget,

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

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

(x) settle dispute between registerer employers and registered workers;

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

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

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

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

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

(b) to ensure that the sanctions for temporary registration of workers are carried out without delay;

(c) to supervise and control the working of the Scheme;

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

(e) to ensure that the provisions of the Scheme in regard to transfer and promotion

(h) to ensure that all forms, registers, returns and documents, devised by the Board are properly maintained;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(iii) provide for the maintenance of records of employment and earnings of registered workers;

(iv) make or cause to be made the necessary entries in the attendance cards and the wage slips of the registered workers in the reserve pool as laid down in clause 23;

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

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

(h) the keeping of proper accounts of the cost of operating this Scheme and of all receipts and expenses under it and making and submitting to the Board an Annual Report and Audited Balance-Sheet and profit and loss accounts statements;

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

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

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

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

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

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

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

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

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

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

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

14. *Registrations of employers.*—Every employer including a Mukadam, commission agent, clearing agent, purchaser, importer, exporter, engaged in selling, purchasing or trading or acting as agent in grocery markets or shops and agricultural produce markets or subsidiary markets in areas to which this Scheme applies shall get registered with the Board by applying in Form 'A' appended to the Scheme within fifteen days from the date of coming into force of this clause. Provided, however, that an employer of any establishment coming into existence after the commencement of the Scheme shall apply for a registration simultaneously on the commencement of his business.

15. *Registration of existing and new workers.*—(a) Any worker who on the date

(d) The qualification for new registration shall be such as may be specified by the board having regard to local conditions, physical fitness, capacity and/or experience. Citizen of India only shall be eligible for registration;

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

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

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

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

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

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

(a) seniority;

(b) merit and fitness for the category to which promotion is to be made;

(c) record of past service.

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

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

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

(5) If a registered monthly worker is transferred to, or employed in, the pool under sub-clause (3) or sub-clause (4) as the case may be, his previous service shall be reckoned for all benefits in the pool and the registered employer shall transfer to the Board all benefits that have accrued to the registered worker in respect of his previous service as if such service has not been transferred. The registered employer shall contribute to the Board such amount of the Provident Fund of the registered worker, if any, standing to his credit in the Provident Fund of which he is a member and such amount towards his leave and gratuity may have been due to him under any contract subsisting between the registered worker and his registered employer or under any law, award or agreement applicable to such registered worker, as

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

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

18. *Registration Fee.*—(i) A registration fee of rupee one shall be paid to the Board by each worker at the time of registration under this Scheme.

(u) A registration fee of rupees twenty-five shall be paid by each employer at the time of registration under this Scheme.

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

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

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

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

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

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

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

23. *Entries in Attendance Card and Wage Slip.*—(1) A registered worker in the pool shall hand over to the Board at the time he is allotted for work to a registered employer his Attendance Card, the Board shall make necessary entries in the Attendance Card in respect of the engagement. For each day of work, the Board shall supply as soon as possible, a wage slip showing the wages earned by a registered worker.

(2) A registered monthly worker shall hand over to his registered employer, at the time when he is allotted his work, Attendance Card. The registered employer shall make necessary entries in the Card in respect of the period of work done by the registered worker and return it to him on the completion of his allotted work. For each day of work, the registered employer shall supply, as soon as possible, a wage slip showing wages earned by a registered worker.

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

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

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

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

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

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

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

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

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

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

- (a) report at such call stands or control points and at such times as may be specified by the Board and shall remain at such call stands or control points;
- (b) accept any employment under a registered employer whether in the category in which he has been registered or any other category for which he is considered suitable by the Board.

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

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

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

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

(4) A registered employer shall lodge with the Board, unless otherwise directed, particulars of the work-load handled by registered workers on piece-rate and such other statistical data as may be required in respect of the registered workers engaged by him.

(5) (i) A registered employer shall pay to the Board within five days from the end of every fortnight or such shorter periods as may be specified by the Board by a special or general order, the levy payable under clause 41(I) and the gross wages due to registered workers for the work done by such registered workers during the fortnight and other amount due to daily registered workers ;

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

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

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

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

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

(2) Notwithstanding the preceding provisions of the clause—

(a) where the Secretary is satisfied that—

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

(ii) it is not reasonably practicable to obtain registered worker for that work the Secretary may, subject to any limitation imposed by the Board, allow a registered employer to employ a worker who is not a registered worker ;

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

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

(c) in the case referred to in items (a) and (b), the person so employed as aforesaid by a registered employer shall for the purposes of clauses 29(4), (5) and (6) and clause 32 be treated in respect of that work, as if he were a daily workers.

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

31. *Circumstances in which this Scheme ceases to apply.*—(1) This Scheme shall cease to apply to a registered worker when his name has been removed from the Register or records in accordance with the provisions of the Scheme.

(2) This Scheme shall cease to apply to a registered employer when his name has been removed from the Employers' register in accordance with the provisions of this Scheme.

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

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

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

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

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

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

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

33. *Disbursement of wages and other allowances to registered workers.*—The Board may permit the registered employers to pay wages and other allowances to the registered monthly workers employed by them directly after making such deductions as may be authorised and recoverable from them under the Scheme. In respect of registered workers other than registered monthly workers employed by the registered employers, from time to time, the

wages and other allowances payable by the registered employers shall be remitted by the registered employers by cheque to the Secretary of the Board every fortnight. The Secretary thereupon shall arrange to disburse the wages and other dues, if any, to the registered workers on a specified day every month subject to deductions recoverable from them under this Scheme.

34. *Disciplinary procedure.*—(1)(i) The Personnel Officer may on receipt of the information whether on a complaint or otherwise that a registered employer has failed to carry out the provisions of this Scheme after investigating the matter, give him a warning in writing; or

(ii) Where in his opinion, a higher penalty is merited, the Personnel Officer shall report the case to the Chairman who may then cause such further investigation to be made as he may deem fit and take any of the following steps as regards that employer, that is to say, he may—

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

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

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

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

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

(a) give him a warning in writing;

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

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

(d) dismiss him.

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

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

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

35. *Special disciplinary powers of the Chairman.*—(1) Notwithstanding anything contained in the Scheme, if the Chairman is satisfied after enquiry that a "go-slow" has been resorted

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

(i) in case of registered monthly workers, to take, without prejudice to the rights of the registered employers, such disciplinary action including removal against such registered workers as he may consider appropriate; and

(ii) in case of registered workers in the pool to take such disciplinary action including dismissal against such registered workers as he may consider appropriate.

(3) The Chairman may take disciplinary action—

(i) where "go slow" is resorted to by a gang against all the members of the gang, and

(ii) where "go slow" is resorted to by an individual registered worker against the worker concerned.

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

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

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

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

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

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

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

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

(i) placing him in a particular group in the register or record; or

(ii) refusing registration under clause 15; or

(iii) requiring him under clause 28(4) (b) to undertake any work which is not of the same category to which he belongs may prefer an appeal to the Chairman.

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

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

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

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

38. *Appeals by registered employers.*—(1) (i) A registered employer who is aggrieved by an order of the Personnel Officer under clause 34(1) (u) may appeal to the Chairman ;

(ii) In the case of an appeal against an order under clause 34(1) (ii) (b) the Chairman shall forthwith refer the matter to the State Government. The State Government shall make such order on the appeal as it thinks fit.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SCHEDULE II

[Clause 2(2) and Clause (3)]

Sr. No.	Name of Employments	Area of Employment	Date of application of clause 14 and 15 of the Scheme 4	Date of application of remaining Clauses of the Scheme 5
1	2	3	4	5
1	Employment in Grocery Markets or Shops in connection with loading, unloading, stacking, carrying weighing, measuring, filling, stitching, sorting cleaning or such other work including work preparatory or incidental to such operations.	Areas falling within— (a) Nashik-Road, Municipal Council. (b) Nashik City Municipal Council. (c) Malegaon Municipal Council. (d) Lasalgaon Grampanchayat.	1st June 1984	1st July 1984.
2	Employment in Markets and Subsidiary Markets established under Maharashtra Agrkulturel Produce Marketing (Regulation), Act, 1963 (Mah. XX of 1964) in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations.	Areas falling within (a) Nashik-Road, Municipal Council (b) Nashik City Municipal Council (c) Manmad Municipal Council (d) Malegaon Municipal Council (e) Lasalgaon Grampanchayat (f) Pimpalgaon (Baswant) Grampanchayat	1st June 1984	1st July 1984.
3	Employment in connection with loading of goods, into public transport, vehicle, or unloading of goods therefrom and any other operations incidental and connected thereto.	Areas falling within— (a) Nashik Road Municipal Council (b) Nashik City Municipal Council (c) Malegaon Municipal Council	1st June 1984	1st July 1984.
4	Employment in Colth, Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work incidental to such operations.	Areas falling within— Malegaon Municipal Council	1st June 1984	1st July 1984.

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1	2	3	4	5
	Employment in Vegetable Markets (including onions and potatoes markets) in connection with loading, unloading, stacking, carrying weighing, measuring, filling stitching, sorting cleaning or such other work including work preparatory or incidental to such operations.	Areas falling within— (a) Nashik Road Municipal Council (b) Nashik City Municipal Council (c) Malegaon Municipal Council	1st June 1984	1st July 1984.
6	Employment in Khoka Making or in Timber Markets.	Areas falling within— (a) Nashik Road Municipal Council (b) Nashik City Municipal Council	1st June 1984	1st July 1984.
7	Employment in Markets and factories and other establishments in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations carried out by workers not covered by and other entries in the schedule to the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969).	Areas falling within— (a) Nashik Road Municipal Council (b) Nashik City Municipal Council (c) Satpur Municipal Council	1st June 1984	1st July 1984.
8	Employment in Iron and Steel Markets or shops in connection with loading, unloading, stacking, carrying, weighing, measuring, or such other work preparatory or incidental to such operations.	Area falling within— (a) Nashik Road Municipal Council (b) Nashik City Municipal Council (c) Manmad Municipal Council (d) Malegaon Municipal Council (e) Lasalgaon Grampanchayat and the areas within the periphery of 40 K. M. of the Grampanchayat. (f) Pimpalgaon (Baswant) Grampanchayat and the areas within the periphery of 10 K. M. of the area of the Grampanchayat.	1st June 1984	1st July 1984.

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1st June 1984 .. 1st July 1984.

9 Employment in Railway Yards and Goods sheds in connection with loading, unloading, stacking, carrying, weighing, measuring or such other work including work performed or incidental to such operations including workmen employed by the Railway Authority).

Areas falling within—  
(a) District Head Municipal Council  
(b) South City Municipal Council  
(c) North Municipal Council  
(d) Madhav Municipal Council  
(e) Madhav Grampanchayat and the areas within the periphery of 10 K. M. of the area of the Grampanchayat.  
(f) Pimpri (Bawani) Grampanchayat and the areas within the periphery of 10 K. M. of the area of the Grampanchayat.

23. MAI 1985

FORM 'A'

(See clause 14)

THE NASHIK MATHADI AND UNPROTECTED LABOUR BOARD

Application for the registration of employer

Registration No. (to be filled in by office)

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

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

DATE :

Place :

(D) *Appointments Under the Act.*—(1) In exercise of the powers conferred by sub-section (3), (5) and (6) of section 6 of the said Act, the Government of Maharashtra has nominated Shri G. V. Atitkar, Dy. Commissioner of Labour, Pune as a member of the said Board in place of Shri B. G. Jadhav.

(Vide Notification I.E. & L.D. No. UWA-1384/CR-10464/Lab-5 dated 18th April 1984 published in *M. G. G. Part-I-L*, dated 28th June 1984, Page No. 2447)

**XI. BOMBAY LABOUR WELFARE FUND ACT, 1953**

(A) *Notifications Under the Act.*—(1) In exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Government of Maharashtra has directed that with effect from the 10th day of April 1984 the said Board shall consist of the following members, namely:—

**A. Representatives of Employers—**

**A. Representatives of Employers.**—(1) The Chairman or his nominee, Mill Owners' Association, 10, Nariman Road, Bombay.

(2) Shri M. S. Marathe, Managing Director, Maharashtra Rajya Sahakari Sakhar Karkhana Sangh Limited, Ballard House, Manglore Street, Fort, Bombay 400 038.

(3) Shri Y. H. Gharapur, Managing Director, Hindustan Antibiotics, Pimpri, Pune.

(4) Shri D. P. Rathi, Chief Executive Officer, Pulgaon Cotton Mills, Pulgaon.

(5) Shri Dhanraj Acharaya, Vidarbha Industries Association, Bank of Maharashtra Building, Sitabuldi, Nagpur 440 012.

(6) Shri M. D. Karkhanis, Manager (Industrial Relation), N.T.C. (North), N.T.C. House, Ballard Pier, Bombay 400 038.

**B. Representatives of Employees.**—(1) Shri Madhukar Kamble, Akola Mill Mazdoor (INTUC), Akola.

(2) Shri M. A. Ghaffar, C/o. Indian National Trade Union Congress, Kokadpura, Aurangabad.

(3) Shri Dwarkanath Pawar, INTUC, 27 Military Square Lane, Bombay 400 001.

(4) Shri Manohar Nare, Secretary, Rashtriya Mill Nazdoor Sangh, Mazdoor Manzil, Ambekar Road, Bombay 400 012.

(5) Shri E. D'Souza, Secretary, Pune Girni Kamgar Sanghatana, Pune.

(6) Shri Jitendra Joshi, Kamgar Utkarsha Sabha, Amneshwar Nivas, Parleshwar Road, Vile Parel (East), Bombay 400 071.

**C. Independent Members.**—(1) Shri Haribhau J. Naik, M.L.C., Dhantoli, Nagpur.

(2) Shri Ravindra Duragkar, Chitnis Park, Behind Chitra Talkies, Nagpur.

(3) Shri Shridhar Gajanan Madgulkar, 'Panchwati', Bombay-Pune Road, Pune 411 003.

(4) Shri Suryakant Dongre, M.L.A., 8, Guru Nanakpura, Nagpur.

(5) Dr. W. R. Sherekar, M.L.A., 15, Doshi Wadi, Dr. Sherekar Hospital, Agra Road, Ghatkopar (West), Bombay 400 086.

(6) Shri Dajba Patil, M.L.C., Mazdoor Manzil, Amalner.

(7) Shri Nareshkumar Pugliya, M.L.A., Gandhi Chowk, Chandrapur.

(8) The Administrator/Commissioner, Greater Bombay Municipal Corporation, V. T., Bombay.

**D. Members representing Women.**—(1) Smt. Tarabai Vartak, Vartakwadi, Virar, Taluka Vasai, District Thane.

(2) Smt. Roza Deshpande Anusuya Sadan, Bhalchandra Road, Bombay 400 014.

(4) Smt. Amita Sengupta, (Ex-President, Nagar Parishad), Kamptee, District Nagpur.  
(5) Smt. Sudha Kolhe, Mahila Manch, Congress (I), Vanzari Nagar, Behind Medical College, Nagpur.

(6) Smt. Vimaldevi Borade, M.L.A., 968, Chambhar Galli, Borale Ves, Mangal Wedha, District Solapur.

(Vide Notification, I.E. & L.D. No. MLW-1184/4245/Lab-II, dated 10th April 1984, published in *M. G. G. Part I-L*, dated 14th June 1984, Pages 2268-2269).

**XII. MAHARASHTRA WELFARE OFFICERS (DUTIES QUALIFICATIONS AND CONDITIONS OF SERVICE) RULES, 1966**

(A) *Notifications Under the Rules.*—(1) In pursuance of clause (a) of sub-rule (1) of Rule 3 of the said Rules, the Government of Maharashtra has recognised the Master of Social Welfare (New Syllabus-Semester System Course with specialisation in Labour Welfare and Personnel Management only) of the Shivaji University for the purposes of the said sub-rule.

(Vide Notification I.E. & L.D. No. WOR-1083/8799/Lab-4, dated 16th March 1984, published in *M. G. G. Part-I-L*, dated 14th June, 1984, Page No. 2223).

## Consumer Price Index Numbers for Industrial Workers for June 1984

### BOMBAY\*

#### A rise of 9 points

In June 1984 the Consumer Price Index Number for Industrial Workers (New Series) for Bombay Centre with base January to December 1960 equal to 100 was 604 being 9 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Bombay Centre.

The index number for the food group increased by 12 points to 672 due to a rise in the average prices of rice, wheat, grinding charges, fish fresh, bumbloos and pampret, dry chillies, onion, tea-readmade, edibles oil and vegetables and fruits sub-group.

The index number for the Pan, Supari and Tobacco etc., group decreased by 7 points to 643 due to a fall in the average price of Pan-leaf.

The index number for the Fuel and Light group increased by 12 points to 797 due to a rise in the average prices of Kerosene oil and Charcoal.

The index number for housing remained steady at 171 being a six monthly item.

The index number for clothing, bedding and footwear group decreased by 1 point to due to a fall in the average prices of dhoti, sarce and trouser's cloth.

The index number for the miscellaneous group increased by 10 points to 466 due to a rise in the average price of bus fare, barbar charges, umbrella, durric, bucket and washing soap.

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

(Average prices for the calendar year 1960=100)

Group	Weight proportional to the total expenditure	Group Index Numbers	
		May 1984	June 1984
I-A. Food	57.1	667	672
I-B. Pan, Supari, Tobacco, etc.	4.9	650	643
II. Fuel and Light	5.0	785	797
III. Housing	4.6	171	171
IV. Clothing, Bedding and Foot-wear	9.4	557	558
Miscellaneous	19.0	456	466
<b>Total</b> ..	<b>100.0</b>	<b>595</b>	<b>604</b>
<i>Consumer Price Index Number</i> ..		<b>595</b>	<b>604</b>

\*Details regarding the scope and method of compilation of the index will be found on pages 607 to 613 of December 1965 issue of *Labour Gazette*, For Errata (see) page 867 of January 1966 issue.

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

### SOLAPUR\*

#### 601—A rise 3 points

In June 1984 the Consumer Price Index Number for Industrial Workers (New Series) for Solapur Centre with base January to December 1960 equal to 100 was 601 being 3 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Solapur Centre.

The index number for the food group increased by 3 points to 653 due to a rise in the average prices of gramdal oils and fats, beef, dry chillies, tamarind and tea ready-made.

The index number for the pan, supari and tobacco etc., group increased by 4 points to 521 due to a rise in the average prices of pan finished, supari and cigarettes.

The index number for the fuel and light group increased by 12 points to 727 due to a rise in the average price of firewood and coal.

The index number for housing remained steady at 255 being a six monthly item.

The index number for clothing, bedding and footwear group decreased by 7 points to 561 due to fall in the average prices of shirting and trouser cloth.

The index number for the miscellaneous group increased by 6 points to 461 due to a rise in the average prices of cinema, pencil, toilet soap and washing soap.

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

(Average prices for the calendar year 1960=100)

Group	Weight proportional to the total expenditure	Group Index Numbers	
		May 1984	June 1984
I-A. Food	63.0	650	653
I-B. Pan, Supari, Tobacco, etc.	3.4	517	521
II. Fuel and Light	7.1	715	727
III. Housing	5.2	255	255
IV. Clothing, Bedding and Foot-Wear	9.0	558	561
V. Miscellaneous ..	12.3	455	461
<b>Total</b> ..	<b>100.00</b>	<b>598</b>	<b>601</b>
<i>Consumer Price Index Number</i> ..		<b>598</b>	<b>601</b>

\*Details regarding the scope and method of compilation of the index may be seen on pages 607 to 613, December 1965 issue of *Labour Gazette*, For Errata (see) page 897 of January 1966 issue.

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

## NAGPUR\*

## 585—A rise of 1 point

In June 1984 the Consumer Price Index Number for Industrial Workers (New Series) for Nagpur Centre with base January to December 1960 equal to 100 was 585 being 1 point higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Nagpur Centre.

The index number for the food group increased by 2 points to 628 due to a rise in the average prices of gramdal, oils and fats, dry chillies.

The index number for the pan, supari and tobacco etc., group remained steady at 572.

The index number for the fuel and light group remained steady at 848.

The index number for housing remained steady at 297 being a six monthly item.

The index number for clothing, bedding and footwear group decreased by 1 point to 603 due to a fall in the average prices of dhoti, only.

The index number for the miscellaneous group increased by 3 points to 448 due to a rise in the average prices of tailoring charges only.

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

(Average prices for the calendar year 1960=100)

Group	Weight proportional to the total expenditure	Group Index Numbers	
		May 1984	June 1984
I-A. Food	57.2	626	628
I-B. Pan, Supari, Tobacco, etc.	3.8	572	572
II. Fuel and light	5.7	848	848
III. Housing	6.6	297	297
IV. Clothing, Bedding and Foot-Wear	10.9	604	603
V. Miscellaneous	15.8	445	448
Total ..	100.0		
Consumer Price Index Number ..	....	584	585

\*Details regarding the scope and method of compilation of the index may be seen on pages 771 to 773 of January 1968 issue of *Labour Gazette*.

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

## PUNE\*

## A rise of 7 points

In June 1984 the Consumer Price Index Number for Industrial Workers (New Series) for Pune centre with base year 1961 equal to 100 was 568 being 7 points higher than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Pune Centre.

The index number for the food group increased by 8 points to 642 due to a rise in the average prices of jowar, turdal, gramdal, vanspati, dry chillies and bananas.

The index number for the fuel and light group remained steady at 732.

The index number for housing remains steady at 144 being a six monthly item.

The index number for clothing and footwear remained steady at 531.

The index numbers for the miscellaneous group increased by 8 points to 466 due to a rise in the average price of laundry charges only.

CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL  
WORKERS FOR PUNE CENTRE

(Average prices for the calendar year 1961=100)

Groups	Weight proportional to total expenditure	Group Index Numbers	
		May 1984	June 1984
I. Food	55.85	634	642
II. Fuel and light	6.89	732	732
III. Housing	6.65	144	144
IV. Clothing and Footwear ..	10.31	531	531
V. Miscellaneous	20.30	458	466
Total	100.00	....	
Consumer Price Index Number ..		561	568

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

## JALGAON\*

## 581—A rise of 5 points

In June 1984 the Consumer Price Index Number for Industrial Workers (New Series) for Jalgaon Centre with base year 1961 equal to 100 was 581 being 5 points higher than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Jalgaon Centre.

The index number for the food group increased of 5 points to 638 due to rise in the average price of rice, wheat, gramdal, moongdal, dry and fresh fish, milk, chillies dry, banana, tea-leaf, hot drink.

The index number for the fuel and light group increased by 2 points to 713 due to a rise in the average prices of kerosene only.

The index number for housing remains steady at 183 being a six monthly item.

The index number for clothing and footwear increased by 11 points to 565 due to a rise in the average prices of Saree.

The index number for the miscellaneous group increased by 2 points to 465 due to a rise in the average prices of washing soap and Tata Hair Oil.

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS  
FOR JALGAON CENTRE

(Average prices for the calendar year 1961 = 100)

Groups	Weight proportional to total expenditure	Group Index Numbers	
		May 1984	June 1984
I-A. Food .. .. .	67.7	633	633
II. Fuel and Light .. .. .	7.0	711	713
III. Housing .. .. .	6.11	183	183
IV. Clothing and Foot-Wear .. .. .	19.29	554	565
V. Miscellaneous .. .. .	15.61	463	465
Total .. .. .	100.00	576	581
Consumer Price Index Number .. .. .	.....		

\* Details regarding the scope and method of compilation of the index will be found on pages 1107 to 1112 of the March 19 6 1982 of Labour Gazette.

† Note.—To obtain equivalent old index number on base August 1937=100, the new index number of base 1961=100 should be multiplied by the linking factor viz. 5.29.

## NANDED\*

## 633—A fall of 2 points

In June 1984 the Consumer Price Index Number for Industrial Workers (New Series) for Nanded Centre with base year 1961 equal to 100 was 633 being 2 points lower than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Nanded Centre.

The index number for the food group decreased by 2 points to 700 due to fall in the average price of rice, jowar, dry and fresh fish.

The index number for the fuel and light group remains steady at 780.

The index number for housing remains steady at 310 being a six monthly item.

The index number for clothing and footwear decreased by 4 points to 518 due to a fall in the average prices of long-cloth and saree.

The index number for the miscellaneous group remains steady at 504.

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS  
FOR NANDED CITY

(Average prices for the calendar year 1961 = 100)

Group	Weight proportional to total expenditure	Group Index Numbers	
		May 1984	June 1984
I-A. Food .. .. .	61.46	702	700
II. Fuel and Light .. .. .	5.88	770	770
III. Housing .. .. .	4.62	310	310
IV. Clothing, Bedding and Foot-Wear .. .. .	12.22	522	518
V. Miscellaneous .. .. .	15.82	514	504
Total .. .. .	100.00	615	633
Consumer Price Index Number .. .. .	.....		

\* Details regarding the scope and method of compilation of the index will be found on pages 1107 to 1112 of the March 19 6 1982 of Labour Gazette.

† Note.—To obtain equivalent old index number on base April 1943 to July 1944=100, the new index number of base 1961=100 should be multiplied by the linking factor viz. 2.45.

## AURANGABAD

## A rise of 7 points

In June 1984 the Consumer Price Index Number for Industrial Workers (New Series) for Aurangabad Centre with base year 1961 equal to 100 was 599 being 7 points higher than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Aurangabad Centre.

The Index Number for the food group increased by 10 points to 654 due to a rise in the average prices of rice, wheat, turdal, moongdal, oils and fats, turmeric, chillies dry and vegetables.

The index number for the fuel and light group remained steady at 771.

The index number for housing remains steady at 326 being a six monthly item.

The index number for clothing and footwear increased by 1 point to 544 due to a rise in the average price of dhoti only.

The index numbers for the miscellaneous group increased by 6 points to 474 due to a rise in the average price of pan-leaf only.

CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL WORKERS  
FOR AURANGABAD CENTRE

(Average prices for the calendar year 1961=100)

Groups	Weight proportional to total expenditure	Group Index Number	
		May 1984	June 1984
I Food .. .. .	60.72	644	654
II Fuel and Light .. .. .	7.50	771	771
III Housing .. .. .	8.87	326	326
IV Clothing and Footwear .. .. .	9.29	543	544
V Miscellaneous .. .. .	13.62	468	474
Total .. .. .	100.00	.....	.....
Consumer Price Index Number		522	599

of compilation of the index will be found on pages 1130 to 1134 of March issue of Labour Gazette.

index number on base 1961=100 should be multiplied by the linking factor viz

ALL INDIA AVERAGE CONSUMER PRICE INDEX NUMBERS  
FOR INDUSTRIAL WORKERS

The statistics for the Last 12 calendar months from July 1983 to June 1984 are given in the following table:—

TABLE

Month	Base	
	1960=100	*Base 1949=100
1	2	3
July 1983	541	658
August 1983	549	667
September 1983	554	673
October 1983	558	678
November 1983	561	682
December 1983	559	679
January 1984	563	684
February 1984	561	682
March 1984	558	678
April 1984	559	679
May 1984	562	683
June 1984	574	698

\*Index numbers under this column are derived from the 1980 based index.

## LABOUR GAZETTE—AUGUST 1984

Centre	2	3	4	5	6	7	8	9	10	11	12
Bombay	1960=100	672	643	797	171	558	466	604	2,682	595	2,642
Pune	1960=100	653	521	727	255	561	461	601	2,296	598	2,284
Nagpur	1960=100	628	572	848	297	603	448	585	3,054	584	3,048
Thane	1961=100	642	...	732	144	531	466	568	...	561	...
Kolhapur	1961=100	638	...	713	183	565	465	581	3,073	576	3,047
Aurangabad	1961=100	700	...	780	310	518	504	633	1,551	635	1,556
Ahmadnagar	1961=100	654	...	771	326	544	474	599	1,330	592	1,314

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

BOMBAY : 4.44, SOLAPUR : 3.82, NAGPUR : 5.22, JALGAON : 5.29, NANDED : 2.45, AURANGABAD : 2.22.

## Labour Intelligence

### INDUSTRIAL RELATIONS IN MAHARASHTRA REVIEW FOR THE MONTH OF MAY 1984

#### Industrial Courts, Tribunals and Labour Courts

In all 1,633 applications were received by the Industrial Courts, Tribunals and Labour Court during the month. Their break-up are as under—

Serial No.	Name of the Industrial Court/Tribunal and Labour Court	No. of applications, etc. received during the month under the—			Total
		B.I.R. Act, 1946	I.D. Act, 1947	Other Acts.	
1	2	3	4	5	6
<b>I. Industrial Court/Tribunals—</b>					
1	Industrial Court, Bombay ..	19	..	105	124
2	Industrial Tribunal, Bombay ..	..	27	..	27
3	Industrial Court, Nagpur ..	2	..	12	14
4	Industrial Tribunal, Nagpur ..	..	..	..	..
5	Industrial Court, Pune ..	3	..	122	125
6	Industrial Tribunal, Pune ..	..	88	..	88
7	Industrial Court, Thane ..	..	..	62	62
8	Industrial Tribunal, Thane ..	..	..	..	..
9	Industrial Court, Kolhapur ..	4	..	10	14
10	Industrial Tribunal, Kolhapur ..	..	9	..	9
11	Industrial Court, Amravati ..	..	..	13	13
12	Industrial Tribunal, Amravati ..	..	..	..	..
13	Industrial Court, Nasik ..	..	..	41	41
14	Industrial Tribunal, Nasik ..	..	1	..	1
15	Industrial Court, Aurangabad ..	..	..	..	..
16	Industrial Tribunal, Aurangabad ..	..	..	..	..
<b>Total ..</b>		<b>28</b>	<b>125</b>	<b>365</b>	<b>518</b>
<b>II. Labour Courts—</b>					
1	Labour Court, Bombay ..	63	147	247	457
2	Labour Court, Pune ..	11	30	27	68
3	Labour Court, Nagpur ..	5	47	49	101
4	Labour Court, Thane ..	12	29	22	63
5	Labour Court, Kolhapur ..	1	19	22	42
6	Labour Court, Solapur ..	9	14	114	137
7	Labour Court, Akola ..	..	5	17	22
8	Labour Court, Nashik ..	..	3	5	8
9	Labour Court, Aurangabad ..	..	22	19	41
10	Labour Court, Sangli ..	1	20	..	58
11	Labour Court, Dhule ..	..	57	9	66
12	Labour Court, Amravati ..	..	3	29	32
13	Labour Court, Jalgaon ..	..	..	..	..
14	Labour Court, Bhandara ..	..	4	10	14
15	Labour Court, Ahmadnagar ..	19	44	9	62
<b>Total ..</b>		<b>111</b>	<b>444</b>	<b>616</b>	<b>1,171</b>

Wage Boards— No reference was received by the Wage Board for Silk textile Industry

analysis of disputes handled by the Conciliation machinery in the State during May 1984 under various Acts is given

(Cause-wise analysis of the cases received during the month.—

Act	Issues relating to pay, allowances and Bonus	Employment, leave, hours of work and Miscellaneous causes	Total
1	2	3	4
Bombay Industrial Disputes Act, 1947	189	91	286
Bombay Industrial Relations Act, 1946	10	6	16
Bombay Industrial Relations (Extensions and Amendment) Act, 1964	..	..	..
<b>Total</b>	<b>199</b>	<b>103</b>	<b>302</b>

LABOUR GAZETTE—AUGUST 1984

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

Act	Pending at the beginning of the month	No. of cases received during the month	Settled amicably	Ended in failure	Withdrawn or not pursued by parties	Closed	Total (4 to 7)	Pending at the end of the month
1	2	3	4	5	6	7	8	9
Bombay Industrial Disputes Act, 1947	910	286	56	122	28	85	291	905
Bombay Industrial Relations Act, 1946	163	16	9	6	9	1	25	154
Bombay Industrial Relations (Ext. and Amdt.) Act, 1964	..	..	..	..	..	..	..	..
<b>Total</b>	<b>1,073</b>	<b>302</b>	<b>65</b>	<b>128</b>	<b>37</b>	<b>86</b>	<b>316</b>	<b>1,059</b>

Industry-wise and District-wise analysis of the cases received during the month under Bombay Industrial Relations Act, 1946 and Bombay Industrial Relations (Extension and Amendment) Act, 1964 are given below:—

Act	Cotton Textile	Other Textile	Chemical	Textile Processors	Homey	Banking	Sugar	Misc.	Labour Dept.	Total
1	2	3	4	5	6	7	8	9	10	11
B. I. R. Act, 1946	4	4	..	2	1	..	..	5	..	16

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

District-wise analysis is given below—

Act	Bombay	Pune	Thane	Nagpur	Nanded	Aurangabad	Ahamadnagar	Total
1	2	3	4	5	6	7	8	9
B. I. R. Act, 1946	4	2	2	2	..	2	4	16

Act	Amravati	Bombay	Wardha	Chanda	Akola	Buldana	Total
1	2	3	4	5	6	7	8
B. I. R. (Extension and Amendment) Act, 1964	..	..	..	..	..	..	..

LABOUR GAZETTE—AUGUST 1984

### INDUSTRIAL DISPUTES IN MAHARASHTRA STATE DURING MAY 1984

	May 1984	April 1984	May 1983
No. of Disputes	55	39	92
No. of Workers involved	29,736	14,380	1,25,226
No. of Man-days lost	5,47,854	3,43,133	12,98,645

Industry-wise classification is given below—

Name of the Industry Group	Number of disputes in progress			Number of work people involved in all disputes	Aggregate man-days lost in
	Started before beginning of the month i.e. before May 1984	Started during the month i.e. May 1984	Total		
1	2	3	4	5	6
Textile	7	..	7	19,599	3,23,363
Engineering	22	4	26	5,588	1,28,220
Chemical	6	2	8	1,939	39,328
Miscellaneous ..	11	3	14	2,610	56,943
May 1984 Total ..	46	9	55	29,736	5,47,854
Apr. 1 1984 Total ..	38	1	39	14,380	3,43,133

Twenty-five of the disputes arose over questions of "pay, allowances and DO" .. .. . "Reinstatement and provisions about personnel", while the remaining 23 were due to other causes.

Out of the 4 disputes that terminated during the course of the month, no case .. .. . in favour of the workers. 1 to favour of .. .. . of one dispute was institute.

Note 1 .. .. . are based on returns received under the collection of .. .. . industrial disputes, however .. .. . are included.

.. .. . and No. of Man-days lost in May 1984 have been revised.

THE FOLLOWING STATEMENT GIVES THE DETAILED INFORMATION ON IMPORTANT INDUSTRIAL DISPUTES CAUSING MORE THAN 10,000 MAN-DAYS LOST DURING THE MONTH OF MAY 1984

Serial No.	Name of the concern	Sector	S/L	Reason	Date of work-stoppages			No. of workers Involved	Man-days (000)	Result
					Began	Ended	Till the close of the month			
1	2	3	4	5	6	7	8	9	10	11
1	Bombay— Bombay for .. (pvt.) Ltd., Kall .. Bom. bay 400 09.		S.	20% Bonus	10-4-84	30-5-84	650	16,250	27,950	Unsuccess- ful.
2	Thane— Teksons Ltd., Kolshet (Pvt.) Road, Thane.		S	Reinstatement	20-4-81	....	459	12,150	4,31,728	Continue
3	Bombay— The Podar Mills Ltd., (Pub.) Chinchpokli, Bombay-11		S	General Demands Wges, D.A. etc.	18-1-82	....	2,609	21,357	12,80,630	Do.
4	Bombay— India United Mills (Pub.) No. 1 Bombay-12		S	Do.	18-1-82	....	5,068	39,182	19,27,169	Do.
5	Bombay— The T .. Mills Ltd., (Pub.) Dr. .. A. Road, Dad .. Bombay-14		S	Do.	18-1-82	....	5,119	80,678	35,68,940	Do.
6	Bombay— Calico Dyeing Printing (Pvt.) Mills Ltd., Dr. Am- bedkar Road, Bombay-400 012.		L	Labour trouble	22-12-82	....	585	15,795	2,64,420	Do.

THE FOLLOWING STATEMENT GIVES THE DETAILED INFORMATION OF IMPORTANT INDUSTRIAL DISPUTES CAUSING MORE THAN 10,000 MAN-DAYS LOST DURING THE MONTH OF MAY 1984

Serial No.	Name of the concern	Sector	S/L	Reason	Date of work-stoppages			No. of workers Involved	Man-days lost			Result
					Begun	Ended			During the month	Till the close of the month		
1	2	3	4	5	6	7	8	9	10	11		
7	Bombay— Ms. Devidayal Stainless Steel Industries Pvt. Ltd., Bhandup, Bombay-78.	(Pvt.)	S.	Wages	2-9-83	....	697	17,134	1,55,706	Continue		
8	Bombay— Esirela Batteries Ltd., Matunga, Bombay-19.	(Pvt.)	L	Unfair labour Practices	3-11-83	....	1,170	30,420	2,10,600	Do.		
9	Thane— The National Rayon Corporation Ltd., District Thane.	(Pvt.)	L	Go-slow	24-11-83	....	5,985	1,62,997	10,06,159	Do.		
10	Thane— M/s. Mahanagar Iron and Steel Works Ltd., District Thane.	(Pvt.)	L	Go-slow Indiscipline	27-11-83	....	1,000	35,08	2,11,022	Do.		
11	Thane— Wimco Ltd., Ambernath, District Thane	(Pvt.)	L	Go-slow	12-1-84	....	1,100	29,320	1,21,240	Do.		
12	Bombay— Advani Oerlikon Ltd., Bhandup, Bombay-78.	(Pvt.)	L	Labour Unrest	21-3-84	....	511	10,080	3,134	Do.		

Press note on ESIS benefits in Maharashtra and Goa

ESIS Pays Rs. 2.30 Crores in June and July 1984.

The Employees' State Insurance Scheme protects the industrial workers as defined under the ESI Act in the event of Sickness, Maternity, disablement and death due to employment injury besides providing medical care to the Workers, and their families.

In Maharashtra 26 18 631 employees were under the coverage of the scheme in the month of June and July 1984. The high-lights of the benefit paid to these employees were as follows—

(i) 1,65,934 Workers were paid Rs. 1,17,57,946.15 for the Sickness and Rs. 12,52,326.55 were paid for the long term diseases under Extended Sickness Benefit for the classified diseases, e.g., T. B., Hemiplegia, Paraplegia, Psychosis etc., etc.

(ii) 40,358 Workers were paid Rs. 92,82,225.94 on account of accidents as employment injury which included 13,791 cases for the permanent disablement and 5,111 for the pension to the dependents/families due to death of the Workers in the accidents.

(iii) Rs. 8,08,954.40 were paid to the Women Workers for the Maternity Benefit.

Besides above 76 persons were sterilized and they were paid Rs. 15,726.00 as family planning benefit.

There were 137 cases where legal proceedings were initiated against defaulting employers for the recovery of arrears of contributions.

B. N. KHAPRE,  
Deputy Regional Director.

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