

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

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

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

7. *Annual Estimate.*—The Chairman shall at a special meeting to be held before the end of February in each year lay before the Board, the annual budget of the Scheme for the year commencing on the 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.

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

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

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

(f) to constitute medical Boards when required;

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

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

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

(j) (i) to sanction the creation of posts the maximum salary of which exclusive of allowance is below Rs. 500 per month and to make appointment to such posts;

(ii) to make appointment to the post, the maximum salary of which exclusive of allowance is below Rs. 500 per month;

(k) to take disciplinary action against registered workers and registered employers in accordance with the provisions of 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 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 works 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 workers in the reserve pool as laid down in clause 23;

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

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

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

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

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

(i) framing budget annually for submission to the Board on or before the 15th

(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 the employers registered under the Scheme shall be entered.

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

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

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

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

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

14. *Registration of employers.*—Every employers 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.*—(1) (a) Any worker who on the date of enforcement of this Scheme is already working in the employment in the area to which the Scheme applies shall be registered under this Scheme;

(b) 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.

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 removal of his name from the registers:

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

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

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

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

(a) seniority;

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

(c) record of past service.

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

(3) The Chairman or the Secretary may, for sufficient and valid reasons, allow the transfer of a monthly registered worker to the pool on a request in writing of the registered employer 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 monthly registered worker and his employer regarding termination of employment. No transfer shall take place without the prior approval of the Chairman or the Secretary.

(4) If the services of a monthly registered 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 employer shall transfer to the Board all benefits that have accrued to the registered worker in respect of his previous service as if such has not been transferred. The registered employer shall contribute to the Board such amount of the Provident Fund of the 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 as 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 if his services had been terminated by the registered employer.

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.

(ii) A registration fee of Rs. 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 worker concerned.

20. *Service records for registered workers.*—A service record for every 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 actions 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 monthly registered workers shall be supplied to the Board by the registered employers.

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

22. *Surrender of cards.*—A 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 monthly registered 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 period of work done by the registered worker, and return it to him on completion 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 monthly registered worker shall hand over to his registered employer, at the time when he is allotted in 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 monthly registered worker of a particular category allotted to a registered employer or a group of registered employers shall be entitled to be employed for work in that category by that 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 monthly registered worker of one registered employer or a group of registered employers shall not be employed by another 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 monthly registered 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 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 work 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) A 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 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 workload 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 period as may be specified by the Board by a special or general order, the levy payable under clause 41(1) 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, shall if so required by the Board, deposit with the Board an amount equal to the monthly average of the wages credited by him in the Board during the previous twelve calendar months in order to enable the Board to make payment of wages to 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 make 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 shall engage for employment a worker unless that worker is 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 practice 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 registered 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 record in accordance with the provisions of the Scheme.

(2) This Scheme shall cease to apply to a registered employers 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 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-clause (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 employers and trade unions of workers covered by this Scheme to make such representations as they may think fit as respects the conditions of service which may be fixed or revised or modified under this Scheme in respect of registered unprotected workers. If there is no such association of employers and union of workers, then such representations from registered employers and workers may be invited through notice published in such manner as the Board may think fit.

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

(4) The Board shall take into account the representation 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 employers to pay, and any other circumstances which may seem relevant to the Board.

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

33. *Disbursement of wages and other 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 this Scheme. In respect of registered workers other than monthly registered 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 registered 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, removes 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 this 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.

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

(a) give him a warning in writing;

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

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

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

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

(i) in case of monthly registered 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 a registered worker against the registered worker concerned.

(4) Before any disciplinary action is taken under this clause against any registered worker or any gang of 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, suspended from work any registered worker or gang of registered workers immediately after a declaration has been made under sub-clause (1)

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

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

(2) A registered worker in the pool shall not leave his employment with the Board except by giving fourteen days' notice in writing to the Board of 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-clause (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, a registered worker in the pool who is aggrieved by an order passed by an authority under clause 34 may prefer an appeal against the order of the Personnel Officer to the Chairman and against the order of the Chairman to the State Government.

(2) A 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:

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

(5) Every appeal referred to in sub-clause (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)(ii) 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.*—Where an appeal is made by a registered worker in accordance with the provisions of clause 37 against an order of termination of service on one month's notice or where an appeal is preferred by an 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 Schemes 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 get 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 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.

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

(7) If a registered employer fails to make the payment due from him under sub-clause (1) within the time specified by the Board, the Secretary shall serve a notice on 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 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 Employees' 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 (XXXIX of 1972), as amended from time to time.

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

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

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

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

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

## FORM 'A'

(See clause 14)

## THE KOLHAPUR 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.

Name of the Proprietor—

2. Whether a firm or a company ...

(1) ...

(2) ...

(1) ...

(2) ...

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

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

The 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 Tolli? If so, state the name of the Mukadam/s of the Tolli/s, or of all workers.

Date :

Place :

Signature of the Applicant.

(Notification No. UWA/1082/CR. 8088/Lab-5, dated 14th November, 1983, published in *Maharashtra Government Gazette*, Part I-L, dated 1st December, 1983 Bottom Page Nos. 1 to 18).

## IV. MINIMUM WAGES ACT, 1948.

## DECLARATION OF SPECIAL ALLOWANCE UNDER THE—

(1) *Engineering*.—The Deputy Commissioner of Labour (Rural Wing and Enforcement), Bombay in exercise of the Powers, conferred on it, has declared the Special allowance (cost of living allowance) payable in addition to the basic rate of wages to the employees employed in the said schedule employment in the areas mentioned in column (2) of Schedule III appended hereto in relation to six months commencing on the 1st day of October 1983 at the rates mentioned in column (3) of the said Schedule III.

SCHEDULE III		
Serial No.	Zones	Amount of special allowance (Cost of living allowance payable).
1	2	3
1	I	Rs. 11.48 per day.
2	II	Rs. 11.48 per day.
3	III	Rs. 11.48 per day.
4	IV	Rs. 11.48 per day.

*Explanation*.—For the purpose of this notification, Zones I, II, III and IV, shall respectively mean Zones I, II, and III and IV formed for the purpose and shown in the Notification, Industries, Energy and Labour Department, No. MWA. 5274/198006/Lab-III-A, dated 15th November 1974.

(Notification No. MWA/SPL/Engineering, dated 1st November 1983, published in *Maharashtra Government Gazette*, Part I-L, dated 1st December 1983, pages 7430 to 7432).

(2) *Rubber Manufacturing Industry*.—The Deputy Commissioner of Labour (Rural Wing and Enforcement), Bombay in exercise of the Powers, conferred on it, has declared the Special allowance (cost of living allowance) payable in addition to the basic rate of wages to the employees employed in the said schedule employment in the areas mentioned in column (2) of Schedule III appended hereto in relation to six months commencing on the 1st day of October 1983 at the rates mentioned in column (3) of the said Schedule III.

SCHEDULE III		
Serial No.	Area	Amount of special allowance (Cost of living allowance payable).
1	2	3
1	State of Maharashtra	Rs. 11.25 per day.

(Notification No. MWA/SPL/Rubber Manufacturing Industry, dated 1st November 1983, published in *Maharashtra Government Gazette*, Part I-L, dated 1st December 1983, pages 7433 to 7435).

(3) *Paper and Paper Board Manufacturing*.—The Deputy Commissioner of Labour (Rural Wing and Enforcement), Bombay in exercise of the Powers, conferred on it, has declared the Special allowance (cost of living allowance) payable in addition to the basic rate of wages to the employees employed in the said schedule employment in the areas mentioned in column (2) of Schedule III appended hereto in relation to six months commencing on the 1st day of October 1983 at the rates mentioned in column (3) of the said Schedule III.

SCHEDULE III		
Serial No.	Zones	Amount of special allowance (Cost of living allowance payable).
1	2	3
1	I	Rs. 315.00 per month.
2	II	Rs. 252.00 per month.

*Explanation*.—For the purposes of this Notification, Zones I and II, shall respectively mean Zones I and II, formed for the purpose and shown in the Notification, Industries, Energy and Labour Department, No. MWA. 5674/104084/Lab-III-A, dated 21st March 1975.

(Notification No. MWA/SPL/Paper and Paper Board Manufacturing, dated 1st November 1983, published in *Maharashtra Government Gazette*, Part I-L, dated 1st December 1983, pages 7436 to 7438).

(4) *Paper and Paper Board Manufacturing*.—The Deputy Commissioner of Labour (Rural Wing and Enforcement), Bombay in exercise of the Powers, conferred on it, has declared the Special allowance (cost of living allowance) payable in addition to the basic rate of wages to the employees employed in the said schedule employment in the areas mentioned in column (2) of Schedule III appended hereto in relation to six months commencing on the 1st day of October 1983 at the rates mentioned in column (3) of the said Schedule III.

SCHEDULE III		
Serial No.	Zones	Amount of special allowance (Cost of living allowance payable).
1	2	3
1	I	Rs. 78.00 per month.
2	II	Rs. 78.00 per month.

*Explanation*.—For the purpose of this notification, Zones I and II, shall respectively mean Zone I, and II, formed for the purpose and shown in the Notification, Industries, Energy and Labour Department, No. MWA. 5683/5570/LAB-7, dated 15th October 1983.

(Notification No. MWA/SPL/Paper and Paper Board Manufacturing, dated 1st November 1983, published in *Maharashtra Government Gazette*, Part I-L, dated 1st December 1983, pages 7439 to 7441).

(5) *Cloth Dyeing and Cloth Printing.*—The Deputy Commissioner of Labour (Rural Wing and Enforcement), Bombay in exercise of the powers, conferred on it, has declared the Special allowance (cost of living allowance) payable in addition to the basic rate of wages to the employees employed in the said schedule employment in the areas mentioned in column (2) of Schedule III appended hereto in relation to six months commencing on the 1st day of October 1983 at the rates mentioned in column (3) of the said Schedule III.

## SCHEDULE III

Serial No.	Zones	Amount of special allowance (Cost of living allowance payable).
1	2	3
1	I	Rs. 340.00 per month.
2	II	Rs. 340.00 per month.

*Explanation.*—For the purpose of this Notification, Zones I and II, shall respectively mean Zones I and II formed for the purpose and shown in the Notification, Industries, Energy and Labour Department, No. MWA, 6274/904/Lab-7, dated 4th January 1977.

(Notification No. MWA/SPL/Cloth Dyeing and Cloth Printing, dated 1st November 1983, published in *Maharashtra Government Gazette*, Part I-L, dated 1st December 1983, pages 7442 to 7444).

(6) *Salt Pan.*—The Deputy Commissioner of Labour (Rural Wing and Enforcement), Bombay in exercise of the Powers, conferred on it, has declared the Special allowance (cost of living allowance) payable in addition to the basic rate of wages to the employees employed in the said schedule employment in the areas mentioned in column (2) of Schedule III appended hereto in relation to six months commencing on the 1st day of October 1983 at the rates mentioned in column (3) of the said Schedule III.

## SCHEDULE III

Serial No.	Zones.	Amount of special allowance (Cost of living allowance payable).
(1)	(2)	3
1	Area falling in Zone I	318.00 per month.
2	Area falling in Zone II	278.25 per month.

*Explanation.*—For the purpose of this Notification, Zones I and II, shall respectively mean Zones I and II, formed for the purpose and shown in the Notification, Industries, Energy and Labour Department, No. MWA/5283/5337/Lab-7, dated 20th June 1983.

(Notification No. MWA/SPL/Salt Pan, dated 1st November 1983, published in *Maharashtra Government Gazette*, Part I-L, dated 1st December 1983, pages 7445 to 7446).

(7) *Cinema Exhibition Industry.*—The Deputy Commissioner of Labour (Rural Wing and Enforcement), Bombay in exercise of the Powers, conferred on it, has declared the Special allowance (cost of living allowance) payable in addition to the basic rate of wages to the employees employed in the said schedule employment in the areas mentioned in column (2) of Schedule III appended hereto in relation to six months commencing on the 1st day of 1st October 1983 at the rates mentioned in column (3) of the said Schedule III.

## SCHEDULE III

Serial No.	Zones	Amount of special allowance (Cost of living allowance payable).
(1)	(2)	3
1	I	Rs. 240.00 per month.
2	II	Rs. 240.00 per month.
3	III	Rs. 240.00 per month.
4	IV	Rs. 156.00 per month.
5	V	Rs. 156.00 per month.

*Explanation.*—For the purpose of this notification Zones I, II, III, IV and V shall respectively mean Zones I, II, III, IV and V formed for the purpose and shown in the Notification, Industries, Energy and Labour Department, No. MWA. 2683/5448/Lab-7, dated 5th September 1983.

(Notification No. MWA/SPL/Cinema Exhibition Industry, dated 1st November 1983, published in *Maharashtra Government Gazette*, Part I-L, dated 1st December 1983 at pages 7448 to 7450).

## Consumer Price Index Numbers for Industrial Workers for December 1983

### BOMBAY\*

#### A rise of 3 points

In December 1983 the Consumer Price Index Number for Industrial Workers (New Series) for Bombay Centre with base January to December 1960 equal to 100 was 569 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 Bombay Centre.

The index number for the food group increased by 3 points to 632 due to a rise in the average prices of Jowar, Bajra, Arhaddal, Gramdal, fresh fish, dry fish, turmeric, chillies dry, tea-leaf and tea readymade.

The index number for the Pan, Supari and Tobacco etc. group increased by 14 points to 583 due to a rise in the average prices of pan-leaf, Bidi, Chewing tobacco and supari.

The index number for the Fuel and Light group increased by 2 points to 737 due to a rise in the average prices of charcoal only.

The index number for housing remained steady at 163 being a six monthly item.

The index number for clothing, bedding and footwear group increased by 1 point to 557 due to a rise in the average prices of Shirting, long cloth and full pant.

The index number for the miscellaneous group increased by 4 points to 439 due to a rise in the average prices of doctor's fee, ex-book, pencil, hair oil, barber charges, washing soap and tailoring charges.

### 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	
		November 1983	December 1983
I-A. Food	57.1	629	632
I-B. Pan, Supari, Tobacco, etc.	4.9	569	583
II. Fuel and Light	5.0	735	737
III. Housing	4.6	163	163
IV. Clothing, Bedding and Foot-wear	9.4	556	557
V. Miscellaneous	19.0	435	439
<b>Total</b>	<b>100.0</b>		
<b>Consumer Price Index Number</b>		<b>566</b>	<b>569</b>

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

#### A rise of 12 Points.

In December 1983 the Consumer Price Index Number for Industrial workers (New Series) for Solapur Centre with base January to December 1960 equal to 100 was 607 being 12 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 19 points to 669 due to a rise in the average prices of Jowar, arhaddal, gramdal, masurdal, turmeric, chillies dry, garlic, sugar and tea-leaf.

The index number for the pan, supari and tobacco etc. group decreased 1 point to 471 due to a fall in the average price of supari only.

The index number for the fuel and light group remained steady at 708. The index number for housing remained steady at 252 being a six monthly item.

The index number for clothing, bedding and footwear group remained steady at 567.

The index number for the miscellaneous group increased by 2 points to 447 due to a rise in the average prices of 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 ex Numbers	
		November 1983	December 1983
I-A. Food	63.0	650	669
I-B. Pan, Supari, Tobacco, etc.	3.4	472	471
II. Fuel and Light	7.1	708	708
III. Housing	5.2	252	252
IV. Clothing, Bedding and Foot-Wear	9.0	567	567
V. Miscellaneous	12.3	445	447
<b>Total</b>	<b>100.00</b>		
<b>Consumer Price Index Number</b>	<b>...</b>	<b>595</b>	<b>607</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.

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

## NAGPUR\*

569. A fall of 6 Points.

In December 1983 the Consumer Price Index Number for Industrial Worker (New Series) for Nagpur Centre with base January to December 1960 equal to 100 was 569 being 6 points lower than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Nagpur Centre.

The index number for the food group decreased by 12 points to 616 due to a fall in the average prices of rice, wheat, jowar, onions, corriander, zeera and Vegetables and fruits.

The index number for the pan, supari and tobacco etc. group increased by 6 points to 550 due to a rise in the average prices of pan readymade and katha.

The index number for the fuel and light group remained steady at 774. The index number for housing remained steady at 278 being a six monthly item.

The index number for clothing, bedding and footwear group increased by 4 points to 602 due to a rise in the average prices of dhoti, saree, shirting and markin.

The index number for the miscellaneous group increased by 1 points to 426 due to a rise in the average prices of hair oil, aluminium, brass and washing soap.

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	
		November 1983	December 1983
I-A. Food	57.2	628	616
I-B. Pan, Supari, Tobacco, etc.	3.8	544	550
II. Fuel and light	5.7	774	774
III. Housing	6.6	278	278
IV. Clothing, Bedding and Foot-Wear	10.9	598	602
V. Miscellaneous	15.8	425	426
Total	100.0		
Consumer Price Index Number	....	575	569

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

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

PUNE\*

A rise of 3 points

In December 1983 the consumer Price Index Number for Working class (New series) for Pune centre with base year 1961 equal to 100 was 557 being 3 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 636 due to a rise in the average prices of Jowar, bajri, turdal, gramdal, moongdal, groundnut oil, Karad oil, fresh fish, eggs, turmeric, tomatoes, other vegetables, Sugar and tea leaf.

The index number for the fuel and light group increased by one point to 680 due to a rise in the average price of Raywal only.

The index number for housing remains steady at 143 being a six monthly item.

The index number for clothing and footwear decreased by 2 points to 515 due to a fall in the average price of long cloth only.

The index numbers for the miscellaneous group decreased by 4 points to 454 due to a fall in the average prices of barber charges only.

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

(Average prices for the calendar year 1961=100)

Groups	Weight proportional to total expenditure	Group Index Numbers	
		Nov. 1983	Dec. 1983
I. Food	55.85	628	636
II. Fuel and light	6.89	679	680
III. Housing	6.65	143	143
IV. Clothing and Footwear ..	10.31	517	515
V. Miscellaneous	20.30	458	454
Total	100.00	....	....
Consumer Price Index Number	....	554	557

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

## JALGAON\*

## 561 A rise of 9 points

In December 1983 the consumer Price Index Number for Working class (New series) for Jalgaon centre with base year 1961 equal to 100 was 561 being 9 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 by 14 points to 615 due to a rise in the average price of rice, jowar, turdal, gramdal, moongdal, uridal, oil and fats group, potatoes garlid sugar, tea leaf.

The index number for the fuel and light group increased by 1 point to 711 due to a rise in the average prices of Firewood only.

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

The index number for clothing and foot wear remains steady at 530

The index numbers for the miscellaneous group decreased by 1 points to 448 due to a fall in the average prices of supari, manglori, katha, Jarda (Chandrakant).

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	
		November 1983	December 1983
I-A. Food .. .. .	60.79	601	615
II. Fuel and Light .. .	7.20	710	711
III. Housing .. .	6.11	183	183
IV. Clothing and Foot-Wear .. .	10.29	529	529
V. Miscellaneous .. .	15.61	449	448
<b>Total</b>	<b>100.00</b>		
<b>Consumer Price Index Number</b>	<b>....</b>	<b>552</b>	<b>561</b>

## NANDED\*

## 612 A rise of 3 points

In December 1983 the consumer Price Index Number for Working class (New series) for Nanded centre with base year 1961 equal to 100 was 612 being 3 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 Nanded centre.

The index number for the food group increased by One point to 683 due to a rise in the average price of jowar, turdal, gramdal, masurdal, fresh fish, mixed spices, other vegetable group, banana and tea-leaf.

The index number for the fuel and light group increased by 14 points to 711 due to a rise in the average prices of Firewood only.

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

The index number for clothing and footwear increased by 1 point to 520 due to a rise in the average prices of coloured farics only.

The index numbers for the miscellaneous group increased by 9 points to 463 due to a rise in the average prices of Laundry charges, hair oil and toilets

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	
		November 1983	December 1983
I-A. Food .. .. .	61.46	682	683
II. Fuel and Light .. .	5.88	680	694
III. Housing .. .	4.62	310	310
IV. Clothing, Bedding and Foot-Wear .. .	12.22	519	520
V. Miscellaneous .. .	15.82	454	463
<b>Total</b>	<b>100.00</b>		
<b>Consumer Price Index Number</b>	<b>....</b>	<b>609</b>	<b>612</b>

Details regarding the scope and method of compilation of the index will be found on pages 1107 to 1112 of the March 1966 issue of *Labour Gazette*.

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

## AURANGABAD\*

## A rise fo 16 points

In December 1983 the consumer Price Index Number for Working class (New series) for Aurangabad centre with base year 1961 equal to 100 was 613 being 16 points higher than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living surrvey Aurangabad centre.

The index number for the food group increased by 22 points to 684 due to a rise in the average prices of rice, jowar, turdal, gramdal, masurdal, korad oil chillies dry, tamarind and bananas.

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

The index number for housing remains steady at 316 being a six monthly item.

The index number for clothing and footwear increased by 14 points to 534 due to a rise in the average prices of saree, long cloth and color red pcplin.

The index numbers for the miscellaneous group increased by 5 points to 453 due to a rise in the average prices of pan-leaf, bidi and toilet soap.

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

(Average prices for the calendar year 1961 = 100)

Groups	Weight proportional to total expenditure	Group Index Number	
		Nov, 1983	Dec. 1983
I. Food	60.72	662	684
II. Fuel and Light	7.50	771	771
III. Housing	8.87	316	316
IV. Clothing and Foot-wear	9.29	520	534
V. Miscellaneous	13.62	448	453
Total	100.00	597	613
Consumer Price Index Number ..		597	613

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

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

ALL INDIA AVERAGE CONSUMER PRICE INDEX NUMBERS  
FOR INDUSTRIAL WORKERS

The statistics for the Last 12 calender months from January 1983 to December 1983 are given in the following table:—

TABLE

Month	Base	*Base
	1960=100	1949=100
1	2	3
January 1983	495	602
February 1983	500	608
March 1983	502	610
April 1983	508	617
May 1983	521	633
June 1983	533	648
July 1983	541	658
August 1983	549	667
September 1983	554	673
October 1983	558	678
November 1983	561	682
December 1983	559	679

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

THE STATEMENT SHOWING THE CONSUMER PRICE INDEX NUMBERS WORKING CLASS FOR (INDUSTRIAL WORKERS) GROUPS FOR SEVEN CENTRES OF MAHARASHTRA STATE FOR THE MONTH OF DECEMBER, 1983.

Centre	Base	Food	Pan, Supari, Tobacco etc.	Fuel and light	Housing	Clothing bedding and Foot wear	Misce- lianeous	Consumer Price Index Number December 1983	Equi- valent Old Index Number	Consu- mer Price Index Number November 1983	Equi- valent Old Index Number
1	2	3	4	5	6	7	8	9	10	11	12
Bombay	.. 1960=100	632	583	737	163	557	439	569	2,526	566	2,513
Solapur	.. 1960=100	669	471	708	252	567	447	607	2,319	595	2,273
Nagpur	.. 1960=100	616	550	774	278	602	426	569	2,970	575	3,002
Jalgaon	.. 1961=100	636	....	680	143	515	454	557	....	554	....
Nanded	.. 1961=100	615	....	711	183	529	448	561	2,968	552	2,920
Aurangabad	.. 1961=100	683	....	694	310	520	463	612	1,499	609	1,492
Aurangabad ..	.. 1961=100	684	....	771	316	534	453	613	1,361	597	1,325

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Note.—For arriving at the equivalent old Index Numbers the new Index Numbers may be multiplied by the linking factor 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.

INDUSTRIAL RELATIONS IN MAHARASHTRA  
REVIEW FOR THE MONTH OF NOVEMBER 1983

Labour Intelligence

Industrial Courts, Tribunals and Labour Courts  
In all 1,282 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	Industrial Court/Tribunals—	2	3	4	5	6
1	Industrial Court, Bombay ..	17	26	70	87	87
2	Industrial Tribunal, Nagpur ..	2	14	16	26	26
3	Industrial Tribunal, Nagpur ..	7	2	77	84	84
4	Industrial Tribunal, Pune ..	8	10	65	83	83
5	Industrial Court, Thane ..	..	12	14	26	26
6	Industrial Tribunal, Thane ..	..	..	14	14	14
7	Industrial Tribunal, Amravati ..	..	..	..	..	..
Total ..		34	50	240	324	324
II. Labour Courts—						
1	Labour Court, Bombay ..	43	151	201	455	455
2	Labour Court, Pune ..	1	44	59	95	95
3	Labour Court, Solapur ..	2	27	77	79	79
4	Labour Court, Thane ..	3	27	47	66	66
5	Labour Court, Kolhapur ..	6	42	18	66	66
6	Labour Court, Solapur ..	7	9	65	81	81
7	Labour Court, Akola ..	2	5	21	28	28
8	Labour Court, Malhik ..	..	4	21	25	25
9	Labour Court, Aurangabad ..	5	14	19	32	32
10	Labour Court, Sangli ..	1	7	19	22	22
11	Labour Court, Dhule ..	..	8	10	18	18
12	Labour Court, Amravati ..	..	2	..	9	9
Total ..		72	340	546	958	958

Applications were received by the Wage Board for Silk textile Industry

An analysis of disputes handled by the Conciliation machinery in the State during November 1983 under various Acts is given below:—

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

Act 1	Issues relating to pay, allowances and Bona 2	Employment, leave, hours of work and Miscellaneous causes 3	Total
Industrial Disputes Act, 1947	294	150	444
Bombay Industrial Relations Act, 1946	6	12	18
Bombay Industrial Relations (Extensions and Amendment) Act, 1964.	....	....	....
Total	300	162	462

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

Act 1	Pending at the beginning of the month 2	No. of cases received during the month 3	Settled amicably 4	Ended in failure 5	Withdrawn or not pursued by parties 6	Closed 7	Total (4 to 7) 8	Pending at the end of the month 9
D. Act, 1947	1,337	444	140	147	53	68	408	1,371
B. I. R. Act, 1946	197	18	4	7	7	17	29	156
B. I. R. (Ext. and Amdt.) Act, 1964.	..	..	..	..	..	..	..	..
Total ..	1,534	462	144	154	54	67	437	1,529

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 1	Cotton Textile 2	Silk Textile 3	Chemical 4	Textile Processing 5	Hostery 6	Banking 7	Sugar 8	Misc. 9	Transport 10
B. I. R. Act, 1946	4	2	..	3	1	1	1	4	2

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

District-wise analysis is given below—

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

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

### INDUSTRIAL DISPUTES IN MAHARASHTRA STATE DURING NOVEMBER 1983

	November, 1983	October, 1983	November 1982
No. of Disputes	47	49	83
No. of Workers involved	19,408	13,583	1,07,584
No. of Man-days lost	2,62,091	2,13,886	18,29,883

Industry-wise classification is given below:—

Name of the Industry Group	Number of disputes in progress			Number of work people involved in all disputes	Number of work people lost in
	Started before beginning of the month i.e. before November 1983	Started during the month i.e. November 1983	Total		
1	2	3	4	5	6
Textile	4	1	5	8,206	60,720
Engineering	16	6	22	7,053	1,11,097
Chemical	3	2	5	814	11,560
Miscellaneous ..	12	3	15	3,335	78,714
November 1983 Total	35	12	47	19,408	2,62,091
October 1983 Total	36	13	49	13,583	2,13,886

Twenty-one of the dispute arose over questions of "pay, allowances and bonus issues", 8 related to "Retrenchment and grievances about personnel", while the remaining 18 were due to other causes.

Out of the 9 disputes that terminated during the course of the month, 5 were settled either entirely or partially in favour of the workers and 4 in favour of the employers.

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

Note. 2 No. of workers involved and No. of Man-days lost in November 1982 have been revised.

THE FOLLOWING STATEMENT GIVES THE DETAILED INFORMATION OF IMPORTANT INDUSTRIAL DISPUTES CAUSING MORE THAN 10,000 MANDAYS LOST DURING THE MONTH OF NOVEMBER, 1983

Sr.	Name of the Concern.	Sector	S/L	Reason	Date of work-stoppages		No. of workers involved.	Mandays lost		Result
					Began	Ended.		During the month.	Till the close of the month.	
1	2	3	4	5	6	7	8	9	10	11
	Thane									
1	Teksons Ltd., Kolsket Road, Thane.	Pvt.	S	Reinstatement	20-4-1981	..	459	10,800	3,61,528	Continued
	Pune									
2	Swastik Rubber Prod. Ltd., Khadki, Pune 411 003.	Pvt.	L	Labour trouble	14-3-1982	..	1260	31,226	6,70,052	Do.
	Bombay									
3	Calico Dyeing Pig. Mills Ltd., Industrial Estate, Dr. Ambedkar Rd. Bombay 400 012.	Pvt.	L	Bonus	22-12-1982	..	585	15,210	1,72,575	Do.
	Thane									
4	Krishna Steel Industries Ltd., T. B. Rd. Thane.	Pvt.	L	Violence	31-8-83	..	394	10,140	30,506	Do.
	Bombay									
5	M/s. Devidayl Stainless Steel Industries Pvt. Ltd., Bhandup, Bombay 78.	Pvt.	S	Wages Reduction in wages.	2-9-1983	..	697	15,939	51,440	Do.

THE FOLLOWING STATEMENT GIVES THE DETAILED INFORMATION OF IMPORTANT INDUSTRIAL DISPUTES CAUSING MORE THAN 10,000 MAN-DAYS LOST DURING THE MONTH OF NOVEMBER 1983.

Serial No.	Name of the Concern	Sector S/L	Reason	Date of work-stoppage		No. of Workers Involved	Man-days lost		Result	
				Began	Ended		During the month	Till the close of the month		
1	2	3	4	5	6	7	8	9	10	11
<b>Bombay</b>										
6	Guest Kean Williams Ltd., L. B. S. Marg, Bhandup, Bombay 78.	Pvt.	L	Indiscipline	12-9-1983	..	1,073	27,898	75,110	Do.
<b>Bombay</b>										
7	Kamani Tubes Ltd., L. B. S. Marg, Kurla, Bombay 70.	Pvt.	S	Others Workers refused to give normal production.	11-11-1983	..	700	12,600	12,600	Do.
<b>Bombay</b>										
8	Estrela Batteries Ltd., Dharavi, Bombay 19.	Pvt.	L	Unfair Labour practices.	3-11-1983	..	1,170	28,080	18,080	Do.
<b>Thane</b>										
9	National Rayon Corpn. Ltd. Dist. Thane.	Pvt.	L	Go-slow	24-11-1983	..	5,985	35,808	35,808	Do.

EMPLOYEES' STATE INSURANCE CORPORATION, MAHARASHTRA REGION

Statement showing the progress during the months of November 1983 and December 1983

The Employees' State Insurance Scheme applies to Maharashtra region and includes Haryana and Goa in Maharashtra Region and provides protection to 15,38,505 workers in the events of Employment Injuries, Sickness and Maternity. This protection is made available in two ways namely by provision of Medical Care and Cash Benefits when needed. During these months 37,980 Insured Persons received Rs. 75,04,641.35 Cash Benefit due to Employment injuries. This includes 13,475 persons who were in receipt of pension for Permanent Disablement Benefit and 5,078 persons who were in receipt of Dependents Benefits as dependants of deceased Insured Persons. During these month 15,263 accidents were reported.

Comparatively fewer persons need the employment injury benefits, but a fairly large number need Cash benefit in the event of Sickness. During November and December 1983, 1,64,240 claims were received Rs. 1,10,36,284.45 was paid as Sickness Benefit.

Some Insured Persons suffering from T.B., Mental Malignant and other long term diseases required more attention and they are being paid additional Benefits called Extended Sickness Benefit. During these two month, an amount of Rs. 12,21,744.55 was paid towards this Benefits.

During these months 1,365 Insured Women claimed Rs. 9,63,816.90 by way of Maternity Benefit.

The attendance at the dispensaries as per certificates received Rs. 3,48,846 during these months.

During November and December 1983 Funeral Benefit in 192 cases amounting to Rs. 19,200.00 was paid.

During these months, Confinement Charges in respect of wives of Insured persons amounting to Rs. 69,720.00 was paid.

During these months an amount of Rs. 38,218.00 was paid as Enhanced Sickness Benefit to 211 Insured Persons who had undergone Sterilisation Operation for family planning.

For recovery arrears of contribution under the Scheme, Legal proceedings were initiated in 45 cases against defaulting Employers.

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FEBRUARY 1984

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## The Month in Brief

### Consumer Price Index Numbers for Working Class

The Bombay, Solapur and Nagpur Consumer Price Index Numbers for working Class for the month of December 1983, with average Price for the year ended December 1960 equal to 100 were 569, 607 and 569 respectively. The Pune, Jalgaon, Nanded and Aurangabad Consumer Price Index Numbers for Working Class for the month of December 1983, with the average prices for the year ended December 1961 equal to 100 were 557, 561, 612 and 613 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 December 1983 was 559 as compared to 561 in November 1983. On base 1949—100 derived from 1960 based Index worked out to 679 as against 682 for November 1983.

### Industrial Disputes in Maharashtra State

During the month of November 1983 there were 47 disputes involving 19,408 workmen and time loss of 2,62,091 working days as compared to 49 disputes in October 1983 involving 13,583 workmen and time loss of 2,13,886 mandays.

Further particulars of industrial disputes are given at pages 427 to 428 this issue.

### Benefits under the Employees State Insurance Scheme

During the month of November 1983 and December 1983, 37,980 insured persons received Rs. 75,04,641.35 cash benefit due to employment injuries. This includes, 13,475 persons who were in receipt of pension for permanent disablement benefit and 5,078 persons who were in receipt of dependents benefits as dependants of deceased insured persons. During these months 15,263 accidents were reported.

## Current Notes

### Expense limit under ESIS hiked

The Centre has increased the expenditure on medical care under the Employees' State Insurance Scheme from Rs. 120 to Rs. 130 per worker per annum. It was decided on 24th December 1983 that the increase on purchase of medicines would be increased from the present limit of Rs. 50 to Rs. 55.

*(E. F. I. Bulletin, dated 1st January 1984)*

### President's call for one union in one establishment

President Zail Singh attacked political parties which furthered their own causes by meddling into workers' relations with the management. Inaugurating a function organised by an industrial organisation at Kanpur on December 10, 1983, he advised workers against accepting the leadership of people outside their work force and to ensure that there was only one union in an industrial establishment. He said enlightened managements were the trustees of production that contributed to the economic well being of a country.

*(E. F. I. Bulletin, dated 15th January 1984)*

### P. F. contribution raised in 13 industries

The rate of contribution to the employees provident fund for 13 types of industries under the EPF and MP Act, 1952 has been enhanced from 6.25 per cent to 8 per cent with effect from January 1984. These industries include banks doing business in one state of Union territory and having no branches or departments outside the state of Union territory, tobacco industries, i.e. any industry engaged in the manufacture of cigars, zarda, snuff, guivvam and guraku from tobacco, paper products, licensed salt, explosives, jute baling or pressing, fireworks, tent making industry, bone crushing industry, china clay mines, medical practitioners and medical specialists, canteens and fertilisers.

*(E. F. I. Bulletin, dated 15th January 1984)*

### Rehabilitation of bonded labour being paced.

The Union Labour Ministry, after a quick review of the feedback report, has drawn the attention of the State Governments to the tardy implementation of the schemes for identification and rehabilitation of bonded labour and the organisation of rural workers.

It has been pointed out that through the powers for scrutiny and approval of the schemes for rehabilitation of bonded labour was delegated to the States about six months ago. Four States—Andhra Pradesh, Kerala, Tamil Nadu and Maharashtra—have not even set up the screening committees.

These States have been told that the demand for allowing to set up their own screening committees had been made by the States themselves. Earlier this job was being handled by the Union Government.

Also, many have not sent the certificates on the utilisation of funds for the last financial year. It is because of this drawback that the Centre has not been able to sanction funds further for the rehabilitation schemes in these States.

For instance, against a total of Rs. nine crores sanctioned as the central share, utilisation certificates to the tune of Rs. three crores are still to be received from the State Government.

The Senior Officers of the Union Ministry of Labour have reported that the States approach was largely individual oriented and viewed in isolation as the programme of one single Ministry or the department. The outcome of this was that the social and economic conditions of bonded labour had not undergone any change even after their rehabilitation.

Taking into account these conditions, the Centre had suggested to the States to devise a community approach to the rehabilitation problem and that the funds should be pooled from different Ministries and departments in order to make it an integrated programme as had been done in a couple of State.

It may be recalled that the incidence of bonded labour has been reported from eleven States—Andhra Pradesh, Bihar, Gujarat, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, Tamil Nadu and Uttar Pradesh.

According to the reports received from the State Governments, the total number of bonded labourers identified and freed up to February 28 was 1,52,401 out of which 1,11,808 have been rehabilitated.

The ministry has also reiterated to the States, in order to refresh their memories, that in the scheme of honorary rural organisers, it had been envisaged that a certain number of organisers would be appointed in the current plan to educate rural workers on their rights and duties and to motivate them into forming trade unions and educate them about co-operatives, health and hygiene, family planning, cottage industries and various laws which are meant to protect their interests.

To start with, 415 honorary rural organisers were to be appointed in an equal number of blocks in eight States. These States had been told to follow certain guidelines finalised by the Centre. But due to the confusion about the mode of selection of the organisers and the amount of honorarium to be paid to them, delayed the implementation of the scheme. Thereafter the States pointed to certain difficulties in implementing the guidelines and asked the Centre to revise them. Even after this was done of the 330 organisers so far appointed it had been found that several States had not followed the guidelines on the minimum representation to be given to the Scheduled Castes and the Scheduled Tribes.

*(Indian worker dated 9-1-84)*

**Sick units block Rs. 30,000 cr. bank funds.**

More than a thousand industrial units were on the sick list as on June 30, 1982 blocking bank funds of about Rs. 30,000 crores.

A majority of them were sick because of mismanagement. Non availability of raw materials in time and power shortage aggravated the situation.

Initial bad planning and marketing difficulties were also reasons for rendering many of them sick.

The banks have offered a package of measures to nurse these to health. The package includes finding of interest of losses and concessional finance for rehabilitation.

Categorywise the sick units are 26,973 in the small sector with Rs. 394 crores, 1,019 in the medium scale sector with Rs. 176 crores and 435 big units with Rs. 1,729 crores.

A unit is sick-listed if it sustains cash losses for two years running and is likely to lose in the third year.

*(Indian worker dated 16-1-84)*

**Step to redress grievances of migrant labour.**

Central teams consisting of representatives of the concerned ministries are proposed to be deputed to areas where migrant labour are reportedly denied facilities as required by law.

Complaints on this score have been received from many areas particularly in the northern states where there is a concentration of migrant workers.

An inter-department group on the implementation of the 20-point programme at its meeting on January 19 decided to depute immediately an inspection group to check on enforcement of laws.

The meeting was further informed that Central assistance for rehabilitation of bonded labour would be of Rs. 4.5 crores.

Another point mentioned at the meeting was that the labour ministry has decided to take up with the state governments revision of minimum wages in certain employments.

*(Indian worker, dated 23-1-84).*

**Training course for labour aides.**

An eight-week training programme for Labour law enforcement officials of the Central and State Governments began here (New Delhi) on January 21 at the National Labour Institute (NLI).

Although a few short-term courses in this aspect have been conducted at various levels in the past this is the first attempt to have a comprehensive training programme for the new recruits to the labour enforcement field.

Despite the increase in the size of the work force and additions to labour legislations, there has been no systematic effort so far to set up adequate training facilities for the newly-inducted staff in the enforcement field.

*(Indian worker, dated 23-1-84)*

**PF rate raised for 13 units.**

The rate of contribution to the Employees Provident Fund has been increased for 13 types of industries from 6.5 per cent to 8 per cent.

The industries covered include banks doing business in one State or Union Territory and having no branches or departments outside the State or Union Territory.

Besides, tobacco industries engaged in the manufacture of cigars, zarda, snuff, quivam and guraku from tobacco, paper products, licensed salt, explosives, jute baling or pressing, fire works, tent-making industry, bone-crushing industry, china clay mines, medical practitioners and medical specialists canteens and fertilisers, are other establishments to be brought under this enhancement benefit.

*(Indian worker dated 23-1-84)*

**Rehabilitation of bonded labour slow**

Barely 25 per cent of the target set for rehabilitation of bonded labour, a key-component in the 20-point programme, seems to have been achieved, according to the latest available figures.

The dubious distinction having achieved little goes to UP where of a target of 5,000 had been set for 1983-84. At least this was the position until November.

The concerned states with targets and achievement given in brackets until November last year are : Andhra Pradesh 1590 (902); Bihar 2872 (1126); Karnataka 10,000 (1854); Kerala 292 (50); Madhya Pradesh 250 (82); Orissa 7500 (2096); Tamilnadu 1300 (639); and Uttar Pradesh 5000 (nil.); Total 28,804 (7,749).

The Government has taken steps to eliminate the possibilities of discrepancy in the number of bonded labourers identified and released.

The states have been advised that registers as required to be maintained by the district-level vigilance committee under the Bonded Labour system (Abolition) Rules should be up-to-date.

Schemes for rehabilitation of freed bonded labourers should be formulated and implemented immediately after release.

Sincere efforts should be made to trace the whereabouts of the freed bonded labourers who have migrated to other districts and states by making intensified inquiries in the neighbourhood.

Efforts should be made to allot homestead land and agricultural land in favour of those freed bonded labourers who are landless and the record of rights should be maintained correctly and up-to-date which will help in ensuring accuracy of figures.

**Migrant workers**

At a meeting of the Central Standing committee on Bonded Migrant and Casual Labour here on January 19, the states' representatives assured the Labour Minister, Shri Veerendra Patil, the every effort would be made to fulfil

the rehabilitation target. INTUC was represented in the meeting by Shri Damodar Pande.

Shri Patil also asked them for early submission of utilisation certificates.

The minister made also two announcements; State governments have been asked to provide full protection to those brick kiln owners who want to open kilns and take action against those who are forcing them to close operations. Secondly, legislation will be introduced to protect the interests of construction workers.

The third announcement was that rules were being framed to ensure that casual employees are made permanent on completion of specific period of service and subject to certain other terms and conditions.

Shri Patil said that representations had been received from some brick kiln owners that they were being forced to close their kilns by some employers.

The minister informed the committee that the interest of the workers had to be safe-guarded. It had been suggested that tripartite committees at state level would look into these problems and the issues relating to provident fund and ESIC could be taken care of by the ministry.

All agreed that the problems of bonded, casual and migrant labour were complex.

Shri Patil welcomed the laudable trend set by the Supreme Court in entertaining public interest litigation and setting at rest doubts on interpretation of law. The minister said that the public interest litigation arose from the failure of the administration and enforcement machinery in providing timely relief of the aggrieved.

He added that instead of treating them as adversary litigation and as a reflection of the failure of the system, administrative and law enforcement machinery should view them in the correct perspective and implement the directions in letter and spirit.

*(Indian worker, dated 23rd January 1984)*

#### **Time limit for disposal of industrial disputes**

The Government has drawn up rules for disposal of cases at the labour Courts, Tribunals and national Tribunals in a fixed time frame under the Industrial Disputes (Amendment) Act, reported in New Delhi recently.

According to these rules, they shall submit the award to the Central Government within one month from the date of oral hearing or argument or earlier.

Regarding individual disputes concerning discharge, dismissal or retrenchment, they shall ordinarily submit the award in three months. For extension of time beyond the time-limit they shall record reasons in writing for submission of the award for another specified period.

A Notification has been issued by the Ministry of Labour seeking views of all persons likely to be affected within a period of one month for consideration.

The notification indicates that the Central Government while referring an industrial dispute to them will direct the party raising the dispute to file a Statement of claim, complete with relevant documents within 15 days of the receipt of reference order.

The Labour Courts, tribunals, and national tribunals, after ascertaining that the copies of Statement of claim were furnished to concerned shall fix the first hearing on a date not beyond one month from the date of receipt of order of reference.

The Courts and tribunals will fix the date for recording of evidence within one month from the receipt of relevant documents, which shall be ordinarily within 60 days of the date on which the dispute was referred for adjudication.

*(Indian worker, dated 30th January 1984)*

#### **New Emigration Act to help job seekers**

The new Emigration Act, which makes it compulsory for recruiting agents to get themselves registered, is expected to provide some relief to mob workers headed for the Gulf.

According to the Act, which came into force recently, any recruiting agent found committing irregularities is liable to have his registration cancelled and become eligible for registration only after two years from the date of cancellation.

The new Act replaces the Emigration Act, 1922.

Bombay, which has proved a heaven for people wanting employment in the Oil-rich Gulf is also notorious for its bogus recruiting agents who have taken a number of unsuspecting people for a costly ride.

The new Act says that a copy of each employment advertisement should be given to the protector of Emigrants. The agent can charge a fee of Rs. 15,000 against a receipt.

The emigration fee has been increased from Rs. 10 to Rs. 50 and security deposit, in the case of individual emigrants from Rs. 1,750 to a single air fare to the country where the emigrant proposes to take up employment.

In the first half of the last year, 88,000 emigrants out of a total of 1,21,000 were given clearance by the Protector of Emigrants.

*(Indian worker, dated 9th January 1984)*

#### **Child labour still a neglected lot**

The new year for two crore children in India means little more than 14-15 hours of hard work with no rewards.

Child labour in hotels, tea stalls, agriculture and other industries and fields, continued to escalate under highly appalling conditions all over the world, according to reports published by a seminar on child labour held here recently.

There were 52 million working children in the world under 15 years of age in 1979 which was more or less the total population of France and Britain, the report said quoting the Bureau of statistics and special studies of the ILO.

Of the world's army of working Children 38 million or 73 per cent, were in Asia.

Due to abysmal poverty the plethora of legislative loop holes and widespread illiteracy children continue to work in dangerous fields which not only retarded their development but exposed them to serious risks, the report added.

According to a survey conducted by the Institute of Social Understanding, New Delhi, about three lakh children were working in the capital for 12-14 hours for Rs. two per day. About 20,000 children were engaged in boot polishing and distribution of milk bottles and news papers.

In Jammu and Kashmir one lakh children, of the 6 to 14 years age group, were working in the carpet industry.

Over 50,000 children were engaged in the silk and embriders industry in Varanasi the seminar organised by the National Institute of Public Coproration and Child Development, said in the report.

Children were also smuggled out of the country to the Gulf, the report alleged.

The seminar said that child labour was not wholly due to poverty, but also emanated from other factors like broken home and abuse of children.

*(Indian Worker, dated 9th January 1984)*

#### Public sector workers share in Management

The Union Government on December 31, announced a new scheme for employees participation in management of public sector undertakings. It came into force on January 1, 1984.

Although no legislation is proposed to be undertaken immediately for statutory backing, a comprehensive Bill may be brought in this connection, covering even the private sector, in due course of time.

The New Year gift to the working class was announced through a notification issued here on January 1. All public sector undertakings will be covered except those which are given specific exemption from operations of the scheme.

But such undertakings of the Central Government which are run departmentally shall, however, be excluded from the new scheme.

It has been decided that participation of workers in management at the shop floor level and plant level would be introduced in all public undertakings.

But selection of undertakings in which participation of workers at the board level would be introduced has been left to the administrative ministry concerned in consultation with the labour ministry.

A list of undertakings considered suitable for introduction of the scheme at the board level would be finalised in this manner. This list would be reviewed from time to time with a view to bring as many undertakings, as possible within its scope.

The representation of workers at the shop floor and Plant levels would cover different categories of workers such as skilled and unskilled technical and non-technical.

The management and trade union leaders would ensure that there is adequate representation for women in such forums where women workers constitute 10 per cent or more of the total workforce. The management would also ensure that adequate provision is made to safeguard workers independence from the management's pressure so as to ensure worker's protection against any harassment or victimisation.

The State Governments have been requested to introduce the scheme in their own public sector undertakings. The private sector would also be encouraged to implement the scheme.

The Central Government intends to bring legislation in due course after gaining experience in the working of the scheme.

The Labour Mtaistry has urged upon the private sector to implement such a scheme on its own as it would help it when a comprehensive legislation is brought in this regard.

The managerial personnel would be excluded but the supervisory categories such as foreman, chargeman, etc. would be covered by the scheme. Both workers and the management will get equal representation at the shop floor and plant level forums.

The management and trade unions would have a representations of five to 10 members, depending on the size of the works force. The exact number would be arrived at by the management in consultation with trade union leaders in the undertakings.

The management will also consult the concerned trade union leaders and evolve through consensus the mode for representation of workers at all levels at which the scheme would be implemented. In persuading union leaders to reach a consensus, the management may point out that in the absence or such a consensus, the scheme would not be effectively implemented.

*((Indian Worker, dated 2nd January 1984)*

#### HRA Scheme for mofussil textile workers.

The Mofussil Textile workers of Maharashtra will get house rent allowance at par with Textile workers of Bombay from 1st January 1984. This was announced by the Maharashtra Government at Nagpur Assembly Session. About 62,000 mofussil textile workers will benefit by this.

Shri Haribhau Naik, M.L.C. General Secretary of Maharashtra Mofussil Textile Workers Federation has congratulated the Chief Minister for giving justice to the mofussil textile works.

Shri Naik had earlier pursued the issue of introducing a suitable HRA raising questions in Maharashtra Legislative Council on various occasions. He had earlier led the general mofussil textile workers strike on 27th September last year in which more than 40,000 textile workers had participated.

The 11th session of Maharashtra INTUC at Amalner had also unanimously passed the resolution for HRA to Mofussil Textile Workers.

*(Indian Worker, dated 2nd January 1984)*

#### **Tripartite Pay Panel for Sugar Units**

Maharashtra Labour Minister S. M. I. Aseer on January 1 announced that a tripartite Pay Commission would be set up for the labour employed by the allied sugar industries in the State.

The announcement came while he was speaking as chief guest at the inauguration a two-day annual session of the INTUC led Maharashtra Rajya Rashtriya Sakhar Kamgar Federation, here recently.

He said the commissioner to be notified soon would be asked to submit its report in two months in the light of a demand of the labour in the allied sugar industries for parity in the Pay and D A with those of their counter-parts in the State Sugar factories

The session being attended by about 500 delegates from as many as 30 sugar mills was inaugurated by the Deputy Chief Minister, Ramrao Adik, and chaired by the federation President, Shri P. T. Chaudhary.

The Deputy Chief Minister said the State Government would sanction on a no grant basis, a Veterinary College, an industrial training institute a Polytechnic and a mini MIDC for the area under the influence of the Rahuri Co-operative Sugar Factory here.

Adik's announcement was in response to a plea from the local sugar workers, educationists, farmers and political and social leaders.

Noted personalities present at the function were chairman of the reception Committee Babanrao Pawar, Chairman of the Rahuri Co-operative Sugar Factory Sarjerao Gadhe, the leader of the Sugar workers.

*(Indian Worker, dated 9th January 1984)*

#### **Call for review of PF Scheme functioning**

The Union Labour and Rehabilitation Minister, Shri Veerendra Patil, called for a view of the functioning of the Employees Provident Fund Scheme.

Inaugurating a two-day conference of Regional Provident Fund Commissioner here on January 27, Shri Patil felt that the scheme had perhaps been affected by the liberalisation of withdrawals for various purposes.

Shri Patil said the Employee's Provident Fund Act, 1952 had been extended to 172 Classes of establishments which 78 were industrial establishments. The scope of the Act, however, was being extended some what spasmodically, he said.

The Minister doubted whether all the industries and classes of establishment which could be brought under the cover of the Act had been considered for such courage. He also noted that the extension of the provisions of the Act was not carried out after a proper study of the conditions in target industries or establishments with the result that law enforcement difficult.

Shri Patil Suggested Creation of a division in the Employee's Provident Fund Organisation to carry out studies and formulate proposals for extension of provisions of the Act in a systematic manner.

Shri Patil suggested establishments of state boards of trustees as the organisation had grown too large for the Central board of trustees to administer it effectively. For bringing in a measure of uniformity in the various Provident fund Schemes, he suggested formation committee either at the Government level or at the level of the Central Provident fund Commissioner.

Shri Patil said though there was no wage ceiling in the Act a ceiling had been imposed in the scheme which was applicable to employees drawing wages, including dearness allowance not exceeding Rs. 1,600. For persons drawing higher wages the respective establishments were expected to maintain separate Schemes which would not be under any statutory control.

He Suggested removal of wage Ceiling to bring all the employees under the Act, irrespective of their salary or wages.

*(Indian Worker, dated 30th January 1984)*

#### **Government proposes to amend ID Rules**

##### **Work Committees to be made more broad-based.**

The Government proposes to amend the Industrial Disputes (Central) Rules, 1957, to allow equal representation to workers and employers on the works committees, in industrial establishments to make them broad based, action oriented and in line with the recent trends in industrial relations.

This was notified by the Labour Ministry here on January 23rd and the draft rules have been sent to the concerned persons who have been requested to submit their views and comments on the proposed amendments within 45 days for the Ministry's Consideration.

The modifications are considered necessary in view of the trends in industrial relations.

The draft rules state that the workers' representatives are to be selected by the workers themselves. To enable all categories of workers to get representation, employers will be entrusted with the task of dividing the workmen entitled to vote into different "constituencies". This is to be done in Consultation with the recognised union.

The rules also provide that under exceptional circumstances beyond the control of the employer, the closing date for nomination of workers' representatives can be postponed for a period of seven days.

Similarly, the election date of workmen for representation on a Committee could be postponed for a period of 15 days. The decisions have, however, to be taken in consultation with the recognised trade union, and workers after they have been appraised of the reasons.

A new rule, relating to the appointment of labour officers as returning officers and allotment of symbols to facilitate easy identification has also been incorporated in the draft rules. It, however, ensures that symbols depicting the national anthem or symbols allotted to political Parties are not used.

The existing rules relating to dissolution of works committees has been substituted by a new one which provides that the Central Government or such officer or authority appointed may dissolve any works committee at any time by an order in writing if it has not been constituted in accordance with the rules.

In the absence of the Chairman of an industrial unit, the work committee meeting will be presided over by the vice-Chairman. Existing rules relating to dissolution of works committees have been substituted by new provisions.

*(Indian Worker, dated, 30th January 1984)*

#### **Tripartite panel meet on Palkear award.**

The National Tripartite Committee to review the progress of the implementation of the recommendations of Palekar tribunals for working journalist and non-journalist employees will hold its first meeting here on February 13.

The meeting to be presided by Union Minister for Labour Veerendra Patil will also look into the complaints of non-implementation or wrong implementation of the recommendations of the tribunals and complaints of retrenchment.

The Committee has been constituted to advise the Government of matters relating to implementation of the recommendations.

*(Indian Worker, dated, 30th January 1984)*

35-hour week could give more jobs.

The President of the German affiliate HBV, Gunter Volkmar, an effective contribution to reduce unemployment and to secure existing jobs can only be made through further reduction of the working week.

The economic and Social institute of the German Trade Union Centre (IGL) had estimated that the introduction of the 35-hour working week in the FRG would provide 1.4 to 1.85 million jobs. Volkmar insisted that other the plans by the federal government for early retirement for the offers of the employers for flexible working time and more part-time jobs represented alternative to the reduction of the working week.

*(Indian Worker, dated, 30th January 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. All rights concerning these Articles are reserved.)

### TRAINING OF WORKERS IN PRODUCTIVITY AND RELATED AREAS

D. P. UPADHYAY\*

THE main problem before the country is to achieve rapid economic development to ensure social justice, productive employment and better standard of living for its people. Promotion of productivity at all levels is most vital for achieving this economic development. Though Government, employers, management, professionals and technologists have to play a significant role in increasing productivity, this task cannot be successfully accomplished unless workers, employees and trade union office-bearers also extend their whole-hearted and active co-operation in this endeavour both at the national and organisational levels.

This support and co-operation in enhancing productivity could only be achieved if our workers and their plant level leaders are fully aware of the concept, approach, methods and gains of productivity both to the community as well as to a worker as a person. Apart from a proper appreciation of the national socio-economic plans and policy, they are required to develop proper understanding of the economic behaviour of the organisations to which they belong.

The National Productivity Council, which has been engaged in the task of creating productivity consciousness and helping various organisations in increasing productivity through its expert services since 1958 felt that massive efforts were needed for training of workers and their plant level leaders in the concepts, methods and gains of productivity. The Council also realised that workers and their plant level leaders must be impressed upon that productivity alone could ensure what they aspired to achieve i.e. more employment opportunities and better standard of living besides strengthening of the economic foundation of human well-being.

\* The author, who is the Director of the National Productivity Council, presented this paper at a national seminar on Productivity and Trade Unions held in New Delhi recently, sponsored by NPC in collaboration with the Labour Ministry and ILO.

### Formation of TU and WP Cell

In order to promote its activities for the education and training of workers and union office-bearers, the National Productivity Council established a special cell in 1973 which has been organising training programmes and seminars on productivity and related areas with the following objectives —

- (i) to acquaint the participants with the concept, approach and techniques of productivity.
- (ii) To identify the areas in which the employees could play an effective role for promotion of productivity.
- (iii) Developing a rational understanding of the economic and social set-up and constraints in which the workers and the community are placed.
- (iv) To create a favourable climate for promotion of productivity through better work-ethics, discipline and proper appreciation of the importance of sound industrial relations.
- (v) Development of participative skills to make the schemes of participative management effective.

The training programmes of NPC (listed in Annexure I) are divided into two parts : General and Technical. General programmes are related to enhancement of knowledge in-put resulting in better orientation of workers to the industrial environment. Technical programmes aim at equipping the workers with higher degree of job skill. Ultimately the objective of both types of programmes is enhanced productivity.

These programmes are offered by NPC and the Local Productivity Councils both on in-company basis and inter-company basis to be conducted in English, Hindi or regional languages whichever the participants find convenient. Adequate reading material has been developed and translated into Hindi and regional languages to distribute in these programmes. Subsidised priced publications are also available to supplement the reading material NPC Hindi monthly 'Utpadakata' cover the themes and areas which could help increasing the knowledge of workers and the firstline supervisors besides provoking them to think over various matters in a wider perspective.

### Some Guidelines

Certain broad guidelines are always kept in view while organising and conducting these programmes. These are :—

- (i) As far as possible, the programmes should be developed and offered for an organisation after identification of training needs.
- (ii) The client organisations must be impressed upon that organisation of one or two programmes on *ad-hoc* basis may not create the desired impact unless a series of programmes followed by workshops with vertical participation of all levels of personnel are organised to identify and promote the commitment of the participants for improvement.

(iii) The feed-back of the programmes should be given serious thought and doubts and apprehensions of workers/employees must be dispelled in an atmosphere of mutual trust and understanding.

(iv) The stress in these programmes should be to provide adequate and right type of information i.e. knowledge input to the employees in a logical way. No efforts should be made to impose or prescribe the solution to the problems. It is believed that right type of knowledge input itself will take care of required change in the attitude and analytical thinking.

(v) We believe that workers and their trade union leaders are in no way inferior to anyone else in their intelligence and thinking. As such, the trainer should not think that he is going to counsel workers for certain pattern of behaviour. The main concern is to develop their analytical ability to understand problems in a wider context to find out solutions to the problems.

(vi) The workers and their leaders have certain reservations about the productivity particularly due to fear of retrenchment and absence of sound system of sharing the gains of productivity. These reservations are due to certain reasons. NPC experts tell them that how these adverse effects of productivity drive emanate due to narrow vision and faulty planning. It is felt that a carefully planned productivity drive can ensure prosperity to the working class. However, once they are provided with the right type of information substantiated with examples of our own and other countries, they show positive attitude to lend support to the efforts to increase productivity.

(vii) Adequate emphasis is laid on the need on creation of proper organisations climate for promotion of productivity. It is also stressed that the initiative for promotion of productivity must be taken by the management. Disturbed industrial relations and poor discipline could be reflected in failures of both, i.e. on the part of management and workers. While identification of failure on the part of management is felt to the groups of management, workers are requested to identify their own zone of commitment. The whole exercise is carried out through syndicate discussions rather than through lectures.

(viii) The trainers are required to be fully aware of the social, political and other environmental factors so that the approach and plan of promotion of productivity and commitment could be discussed in the light of these factors and constraints.

(ix) The workers and unit level leaders usually influence the managerial decisions either through informal inter-action or through institutional arrangements. The approach of NPC is to strengthen these workers with relevant information in respect of productivity and related areas so that they are able to participate in the managerial decision making in a meaningful way.

(x) The trainers are advised to avoid jargon in their discussion. It is interesting to note that the intelligence and genuineness of workers participating in these programmes are not necessarily related to their formal levels of education.

(xi) It is always desirable to offer training programmes on productivity and its allied areas to the trade unions at the regional level as well as plant levels. The trainers should persuade the management to consult the trade unions before organising programmes particularly programmes to be organised, on productivity, industrial relations, participative management discipline etc. This enhances the acceptability of the programmes and the impact is favourable.

(xii) Though the training programmes on productivity and allied areas are mainly designed for the workers and trade union leaders, the organisers of the programmes and allied areas are mainly designed for the workers and trade union leaders, the organisers of the programmes and the trainers should encourage participation of some of the executives foremen or supervisors also so that the programmes could be more meaningful and purposeful through the exchange of ideas and experiences. Whenever such a mixed group is to be trained, the trainer is cautious to guide the discussion to promote understanding otherwise many a time the trade union leaders and management start accusing each other.

#### Conclusion

NPC considers training and education of workers and plant level union leaders an integral part of human resource development plan of an organisation. The myth that a knowledgeable worker is more argumentative and, therefore should be kept ignorant is exploded. Progressive employers and managers as well senior trade union leaders are convinced of the need of the education and training but there are many who still consider it a wasteful expenditure. Well-planned and carefully designed productivity programmes of workers and trade union leaders can go a long way in motivating workers for higher productivity and better work ethics.

#### ANNEXURE I

##### General Programmes

##### Worker and Productivity

Productivity Orientation programme for Trade Unions.

Sharing the Gains of Productivity and Productivity Agreements.

Discipline in Industry.

Employer-Employee relations.

Workers' Participation in Management.

Office Productivity (programme for office employees).

Participative Management System : Quality Circles, Quality of work-life, work commitment.

ANNEXURE 1—*contd.***Technical****Production Engineering**

- Principles and practices in machining.
- Cutting tools and their maintenance.
- Machine tools.
- Jigs and fixtures.
- Press tools and presses.
- Principles of Measurement and Gauging.

**Plant Engineering**

- Process Instrumentation for machines.
- Plant operation for operatives.
- Plant maintenance for mechanics.

**Fuel Efficiency**

- Efficient operation of boiler.
- Energy conservation.

*(Published in Indian Worker, dated 9th January 1984)*

## Gist of Important Notifications Under Various Labour Laws

**I. BOMBAY INDUSTRIAL RELATIONS ACT, 1946.**

(A) *Appointments under the Act*—(1) In exercise of the powers conferred by sub-section 2 of section 5 of the said Act, the Commissioner of Labour, Bombay has appointed Shri T.G. Naolabhe, Government Labour Officer, Aurangabad as Assistant Registrar of Unions for all the local areas in Aurangabad Division in place of Shri S. A. Kumbhare, Assistant Commissioner of Labour, Aurangabad.

(Notification No. CL/BIR/NTF/1983/H.O.III(b) dated 21st October 1983, published in M.G.G., Part I-L, dated 22nd December, 1983, page No. 7771).

**INDIAN BOILERS ACT, 1923.****II. EXEMPTIONS UNDER THE ACT.**

(1) In exercise of the conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR. 9594 belonging to the Maharashtra State Electricity Board, Nashik Thermal Power Station, Eklahare, Nashik from the operation of Clause (c) of section 6 of the said Act, for the period of six months from the 25th October 1983 to 24th April 1984 (both days inclusive).

(Notification No. IBA/1083/31404/709/Lab-9, dated 21st October 1983, published in M.G.G., Part I-L, dated 29th Dated 1983, page No. 7880)

(2) In exercise of the powers conferred by Sub-section (2) of Section 34 of the said Act the Government of Maharashtra has exempted the boiler bearing No. MR. 9549 belonging to the Hindustan Petroleum Corporation Limited, Corrdor Road, Mahul, Bombay-400 074, from the operation of clause (c) of section 6 of the said Act, for the period of eight weeks from the 15th October 1983 to 10th December 1983 (both days inclusive).

(Notification No. IBA/1083/30945/711/Lab. 9, daetd 14th October 1983, published in M.M.G. Part I-L dated 29th December 1983, Page No. 6883).

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

*Draft Scheme.*—The following draft of a scheme for employments in (1) Grocery Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning of such other work including work preparatory or incidental to such operations; (2) markets for subsidiary markets established under the 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; and (3) loading of goods into Public Transport Vehicles, or unloading of goods therefrom and any other operation incidental to such operations in the area of Kolhapur City Municipal Corporation, which the Government of Maharashtra, after consultation with the Advisory Committee, proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969), and other powers enabling it in that behalf, is hereby 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 the 20th day of December 1983.

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

**The Kolhapur Grocery Markets or Shops, Markets or Subsidiary Markets, Public Goods Transport Undertakings Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1983.**

1. *Title.*—This Scheme may be called “The Kolhapur Grocery Markets or Shops, Markets or Subsidiary Markets, Public Goods, Transport Undertakings Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1983”.

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—

(a) 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;

(b) markets or subsidiary markets established under the 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; and

(c) public goods transport undertaking in connection with loading of goods into Public Transport Vehicles or unloading of goods therefrom and any other operation incidental and connected thereto or such other work including work preparatory or incidental to such operations,

for efficient performance of work and generally for making better provisions for 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 registered employers at the limits of Municipal Corporation of Kolhapur in—

(a) 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;

(b) markets or subsidiary markets established under the 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;

(c) public goods transport undertakings in connection with loading of goods into Public Transport Vehicles or unloading of goods therefrom and any other operations incidental and connected thereto or such other work including work preparatory or incidental to such operations.

3. *Commencement.*—(i) Clauses 14 and 15 shall come in force from 1st February 1984;

(ii) The remaining clauses shall come into force from 15th February 1984.

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

(b) “Board” means the Kolhapur 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 on monthly basis;

(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 employers” 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, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Rules, 1970;

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

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

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

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

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

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

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

(i) ensuring the adequate supply and the full and proper utilisation of registered workers for purpose 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 registers or records and the increase or reduction to be made in the number of registered workers;

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

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

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

(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 other contributions under this Scheme;

(ix) making provision, subject to availability of funds, for the health and safety measures in places 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.

(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 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 authorised under the Scheme from out of the general fund of the Board or from the reserve and other funds, as the case may be.

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

(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 4(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 registered employers and registered workers;
- (xi) discuss statistics of output of labour and turnout of work and record its observations and directions;
- (xii) subject to such conditions as it thinks fit, delegate in writing to the Committees, Chairman, Secretary or to any other officer of the Board any of its functions under this Scheme.
7. *Annual Estimate.*—The Chairman shall at a special meeting to be held before the end of February in each year lay before the Board, the annual budget of the Scheme for the year commencing on the 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.
8. *Responsibilities and duties of Chairman.*—Without prejudice to the powers and function of the Board, the Chairman shall be generally responsible for satisfactory execution of the Scheme and shall have powers to execute the decisions of the Board subject to its directions and in particular—
- (a) to ensure that the decisions of the Board in regard to the adjustment of the register of workers are carried out expeditiously;
- (b) to ensure that the sanctions for temporary registration of workers are carried out 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 of workers are carried out;
- (f) to constitute medical Boards when required;
- (g) to ensure that conditions laid down in the Scheme for the registration of employers are complied with by them;
- (h) to ensure that all forms, registers, returns and documents, devised by the Board are properly maintained;
- (i) to ensure that suitable statistics in regard to the output of labour is compiled and placed before the Board with appropriate remarks and explanations at such intervals as the Board may desire;
- (j) (i) to sanction the creation of posts the maximum salary of which exclusive of allowance is below Rs. 500 per month and to make appointment to such posts;
- (ii) to make appointment to the post, the maximum salary of which exclusive of allowance is below Rs. 500 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 works 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 workers in the reserve pool as laid down in clause 23;
- (f) (i) the collection of levy or any other contribution from the employers under the Scheme;
- (ii) the collection from registered workers of contribution to the Provident Fund, Insurance Fund or any other fund which may be constituted under the Scheme;
- (iii) the payment to each daily worker of all earnings lawfully due to him from the registered employer and the payment to such worker of all moneys payable by the Board in accordance with the provisions of this Scheme;
- (g) appointing subject to budget provisions such officers and servants, from time to time, as may be authorised by the Board or the Chairman to appoint;
- (h) the keeping of proper accounts of the cost of operating this Scheme and of all receipts and expenses under it and making and submitting to the Board an Annual Report and Audited Balance Sheet and profit and loss accounts statement;
- (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;