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# LABOUR GAZETTE

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GOVERNMENT OF MAHARASHTRA

### LABOUR GAZETTE

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

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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 July 1985 with average price for the year ended December 1960 equal to 100 were 651, 629 and 625 respectively. The Pune, Jalgaon, Nanded and Aurangabad Consumer Price Index Numbers for working class for the month of July 1985 with the average prices for the year ended December 1961 equal to 100 were 594, 610, 662 and 651 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 July 1985 was 615 as compared to 606 in June 1985. On base 1949 = 100 derived from 1960 based Index worked out to 747 as against 737 for June 1985.

### Industrial Disputes in Maharashtra State

During the month of June 1985, there were 35 disputes involving 6,546 workmen and time loss of 1,55,186 mandays as compared to 48 disputes in May 1985 involving 14,314 workmen and time loss of 2,55,004 mandays.

Further particulars of Industrial Disputes are given at pages 84 and 85 of this issue.

### Benefits under the Employees State Insurance Scheme.

During the month of July 1985, 70,053 workers were paid Rs. 48,45,047.05 on account sickness and Rs. 4,84,471.25 were paid for the long term diseases under Extended Sickness Benefit for the classified diseases, e.g., T. B., Cancer, Hemiplegia, Paraplegia, Psychosis, etc. and 21,431 workers were paid Rs. 43,50,684.20 on account of accidents as employment injury which included 7,430 cases for the permanent disablement and 2,780 for pension to dependents/families due to death of the workers in the accidents.

## Current Notes

### Maharashtra sets up industrial safety cell

A separate monitoring cell is to be set up by the Maharashtra Government to ensure a full safety control system in hazardous industries, following Central direction. A separate wing under the inspectorate of factories is required to check the complete design of plants before they go on stream.

It is stated that for inspection of 800 chemical factories the Maharashtra factory inspectorate has only two chemical inspectors. There are moreover, a variety of other general factories which use chemicals like solvents, heat treatment salts, permanents dyes and electronic plating chemicals.

It is now clear to the State Government that the staff available is inadequate. In the absence of a thorough check, it is difficult to ascertain how many factories are using hazardous materials, and what preventive devices are needed. Foolproof steps are required by the Government to be initiated immediately, and also verified for energy plant.

*(Indian Worker, dated 5th August 1985).*

### ESMA'S life extended to four more years

The Union Cabinet is understood to have decided here on August 5 to extend the operation of the Essential Services Maintenance Act, which bans strikes, lock-outs and lay-offs, by four more years.

The Act which was originally legislated in September 1981 to be operative for four years, seeks to maintain certain essential services and the normal life of the community.

New measures were at one time contemplated to either charge or reduce the scope of the Act.

*(Indian Worker, dated 12th August 1985)*

### ILO concern over unemployment

Underlining a major concern of the industrialised economies, the Director General of the International Labour Organisation (ILO), Mr. Francis Blanchard, told the UN Economic and Social Council last week in Geneva that the largely successful struggle against inflation had not solved the associated problem of unemployment. Employment should be the central policy objective in the decade to come, he said.

In his speech to the ILO in June, Prime Minister, Shri Rajiv Gandhi, had urged that the ILO should not only concern itself with unionised labour but also address the problems of unorganised labour and the unemployed.

Nothing that the growth of the market economy countries in 1984 had reached five per cent—the highest since 1976—Mr. Blanchard pointed out that in the same year unemployment had reached over 30 million in the Organisation for Economic Co-operative and Development (OECD) coun-

tries, proportionately, unemployment of young persons was double that of adults in the seven most industrialised countries and the duration of unemployment for all categories of workers had lengthened. Every day no less than 20,000 new jobs would need to be created over the next five years if the number of unemployed in 1989 is to be reduced to the pre-revival level of 1979. He further declared that even if one takes the somewhat optimistic rate of three per cent growth for the rest of this decade, one in 10 workers in Europe would be unemployed in 1990.

According to Mr. Blanchard, in the developing countries the benefits from the high growth rates during the 1960s and 1970s were wiped out by the rapid population increase and by the average cut in incomes arising from the strict measures adopted by some countries to improve the balance of payments and to face the debt problem. Mr. Blanchard urged the entire international community, including organisations such as the International Monetary Fund (IMF) to combat unemployment and underemployment.

The ILO's current involvement with the issue of unemployment was also reflected in a recent report on the plight of unemployed graduates in industrialised countries. According to the report too many diplomas are hunting too few jobs. In the United States, for example, over half the new PhDs cannot find the type of work for which they were trained, the problem being most acute among chemists and chemical engineers.

In addition, according to the report, more and more professional workers are forced to step down on the employment ladder and accept jobs for which they are over qualified, setting off a chain reaction which affects the entire labour market.

*(Indian Worker, dated 12th August 1985)*

### Third world labour markets prefer males : ILO

Sexual discrimination and inequalities are real in third world labour markets, and employers continue to prefer male to female labour, despite the fact that women have proved more stable workers.

A recent study, by the International Labour Organisation (ILO) and the United Nations Fund for Population Activities (UNFPA) on employment inequalities in developing economics says men outnumber women employees by about three-to-one in non-agricultural sectors.

The employed women are concentrated in a limited number of occupations such as teaching, nursing and dressmaking. Skilled work and managerial positions are almost exclusive male preserves.

The study says this was not due to any limitation in the qualification of women but related to woman's biological and cultural roles as a child-bearer and rearer.

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The study says this was not due to any limitation in the qualification of women but related to woman's biological and cultural roles as a child-bearer and rearer.

The study says inequalities in employment opportunities in India are glaring even though the number of educated women had grown and the number of non-formal jobs had remained constraint.

Besides India, the study cover Sri Lanka, Maurities, Ghana, Nigeria, Cyprus and Peru.

A factor which increase the cost of women worker to employer was legislation which requires maternity leave to be paid directly by the employer. Where fertility rates are high, costs of maternity benefits are correspondingly greater, proving women workers uneconomical.

The study found that only a fraction of economically active women were covered by maternity protection legislations as the majority work in small establishments which are outside the scope of labour laws.

Employers in Sri Lanka said maternity leave could upset a whole work schedule. In Cyprus and Ghana, three-fifths of the respondents cited reduced productivity during pregnancy and the reasons for preferring male employees.

In India, high absenteeism was the most frequent complaint against women workers.

Yet, an independent, ILO survey found the difference in absenteeism rates between men and women negligible and, in fact, many women to be more regular than men.

In the case of each woman worker irregular attendance was related to her familiar and maternal responsibilities.

Higher job turnover among women workers was cited as another reason the employers were reluctant to hire or invest in training them.

The ILO-UNFPA study, however, said job turnover too was not a critical factor in explaining employers preference for male workers.

While turnover among women was related to marriage and childbirth among men it could be traced to obtaining better jobs. Women were much less likely than men to quite for another job mainly because of lower levels of ambition and limited job opportunities, it said.

The study inferred that in socio-economic conditions where family responsibilities did not put pressure on women, they were more stable workers.

The two international bodies have called for amending legal provisions for maternity leave and related benefits so that the financial burden was shared by the employer and the State.

It also urged Governments of developng nations to grant subsidies to establishments to set up creches. This coupled with shared child-care responsibility among the husband and wife, could improve productivity of women employees, the report added.

*(Indian Worker, dated 26th August 1985).*

### **ILO's intensive training on industrial hygiene and safety**

A group of twenty-seven factory inspectors, drawn from the States and Union Territories and four industrial hygienists from the central and regional labour institutes under the Union Ministry of Labour left India on August 25 for Perth in Australia for a ten week intensive training in industrial hygiene and safety including monitoring and control of major hazards and environmental pollution.

The training arranged by the ILO, is at Western Australian Institute of Technology (WAIT) at Perth.

The gruesome Bhopal tragedy of last year let to a closely collaborated long-term technical co-operation between the International Labour Office (ILO) and Union Ministry of Labour in the field of control and management of industrial hazards and promotion of occupational safety and health. The headquarters of the ILO at Geneva had sent expert teams to study the situation and to identify areas of assistance. The field visits and detailed discussions with the concerned authorities resulted in the ILO's formulation of a number of projects and recommendations with the offer of immediate assistance out of its regular budget.

The present training is being funded from a UNDP/ILO project on strengthening of factory inspection and advice services and covers a wide range of safety and preventive methods in major hazard control.

The group training will be followed by another intensive two-week course at the Central Labour Institute at Bombay, conducted by ILO experts and specialists from the Institute and will focus attention on the Indian requirements.

*(Indian Worker, dated 26th August 1985).*

### **ILO-DANIDA-INTUC course at Dhanbad**

Trade union history, the formation of the INTUC and its policies and objectives, the aims and policies of the Indian National Mineworkers Federation, industrial relations collective bargaining, wage movement in the coal industry and trade union finance were the important subjects covered at the 3-day local educational course conducted exclusively for the mine-workers of Chanch Colliery belonging to Bharat Coking Coal Ltd. last month.

In all 26 workers of varied age group participated in the course.

The local course was organised under the ILO-DANIIDA-INTUC Workers Education Project.

The course was inaugurated on July 22 by Shri P. K. Mittal, Agent, Dahibari Colliery who in his address, laid stress on increased production and productivity, elimination of absenteeism and the importance of such educational programme for which he assured all co-operation.

Shri B. K. Das, National Consultant to the ILO-DANIDA-INTUC Project while explaining the objectives and policies of the INTUC, exhorted the trainees to muster more and more mineworkers under the banner of the INTUC.

Giving details of the project with which he was associated, Shri Das said that the project covered the workers of four major sectors—mining, textile, women and rural.

He drew pointed attention to the drastic change in the approach of the trade union movement with the development of the technology and said that the project aimed at educating the workers on subjects of vital concern to them like the relations between wages, production and productivity, workers obligations that went along with their rights and safety. He said that the main objective of the project was to train the maximum number of educators who would take the responsibility of the extension of the activity, while at the same time look after cadre building.

The valedictory address was delivered by Shri R. J. Singh, Manager, JOCP with Shri Asit Chatterjee, Secretary of Young Workers Council of INMF in the chair.

*(Indian Worker, dated 26th August 1985).*

#### **Tripartite panel to oversee new textile policy implementation**

A number of proposals made by the INTUC relating to the new textile policy, were endorsed by the Central Advisory Council on Textile Industry, including the one for setting up a tripartite committee to oversee the proper implementation of the scheme under the new policy.

The suggestion to constitute a compact tripartite committee for identifying sick units in the industry and monitoring the implementation of the rehabilitation package for their revival was also unanimously approved.

Likewise the proposal for the inclusion of labour representatives on the committee to be set up for overseeing the constitution and functioning of the rehabilitation fund for the workers rendered surplus due to modernisation, as outlined in the new textile policy, was accepted by the council.

The fourth meeting of the Central Advisory Council was held here on August 11 under the chairmanship of the Union Minister for Supply and Textile, Shri Chandra Shekhar Singh.

Speaking first after the opening remarks of the Minister, the INTUC President, Shri G. Ramanujam, drew attention to the impact of the growing incidence of sickness in the textile sector on labour.

Shri Ramanujam was of the view that the new policy had not taken a pragmatic approach to the problem of surplus labour arising out of modernisation of the industry and suggested that the mills should operate round the clock every day in the week with five-day week labour without any reduction in their emolument, which, besides increasing employment opportunity, will raise production and productivity, while reducing overheads and unit cost of production.

The INTUC President also made a strong case for bringing the workers' rehabilitation fund under immediate operation.

He was convinced that the acceptance and implementation of the recommendations of the National Seminar on the New Textile Policy would greatly contribute the effective implementation of the policy.

Concluding, he wanted labour to be taken into confidence at every stage of the implementation of the schemes under the new policy.

While summing up the proceedings of the meeting, Shri Chandra Shekhar Singh announced that the compact tripartite standing committee for the identification of sick units in the industry and monitoring the operation of the rehabilitation package would soon be constituted with the Union Textile Secretary as its Chairman.

He also announced that a committee, which would include representatives of the workers, would be set up soon to oversee the constitution and functioning of the proposed rehabilitation fund for workers.

He disclosed that the State Governments would be asked to ensure compulsory registration of all powerlooms as specified in the new textile policy.

The Minister assured the council that the displaced workers as a result of closure of sick and uneconomic mills would be accorded priority in securing employment in other units under the same management or in other industrial units in the same area.

*(Indian Worker, dated 26th August 1985).*

#### **INDUSTRIAL SAFETY : NEED FOR AUTONOMOUS BODY**

Commenting on the decision of the Central Government to amend the Factories Act, with a view to providing rigorous imprisonment for employees for breach of safety regulations. "The Times of India" (Bombay), in a recent editorial, has urged that the question of industrial safety be treated as a national issue of high priority and that the subject must be looked at from a different angle needing the combination of preventive and deterrent measure, rather than resorting to punitive action. The following excerpts culled out from the editorial will be read with interest :—

".....The reported move by the Centre to amend the factories Act and institute rigorous imprisonment for owners of industry who violate safety regulations is a positive, if somewhat belated, acknowledgement of the importance of industrial safety. The Union Labour Ministry has apparently also asked the State Governments to formulate rules and regulations in respect of hazardous manufacturing processes and make special provisions for checking accidents and monitoring employees' occupational health, besides preparing lists of hazardous industries. While all this is welcome as a declaration of intent, the proposal is fraught with a number of problems. The most important of these is that it places the burden of

safety monitoring and regulation upon the factories Act administration in the States the same agencies that have become notorious for passivity, ineffectiveness, incompetence and the basest levels of corruption. Secondly, the proposal places an overwhelming emphasis on punitive action, rather than on prevention (where it should be), without taking adequate account of the fact that powers to punish can be misused with a vengeance by those who are inept and corrupt. And finally, the proposal limits the whole issue of industrial, occupational and environmental safety to the rubric of labour which not being a Central subject, is basically left to the State Governments to deal with.

".....There is every reason to fear that, in its present form, the proposal will achieve very little although an upgradation of safety standards has become overdue in this country. So appealing has been the safety record of Indian industry, both private and public, that the task of improving safety is nothing short of cleaning the Augean stables. The rate of industrial accidents in the country has been rising steadily and is as much as six to ten times higher per unit of output than in the industrially advanced nations; employers continue with impunity to pollute the environment and subject their workers and people living close to their factories to horrendous hazards; and safety awareness in the country as a whole is pitifully low. The magnitude of the task makes it imperative that the question of safety is treated as a national issue of high priority, distinct from the usual gamut of issues associated with labour; and also that a wholly different approach is evolved in devising a judicious combination of preventive and deterrent measures. Going by the experience of those western countries which have succeeded in upgrading safety, the best way of doing so would be to establish an autonomous high-powered occupational health and environmental safety administration. Such an agency, composed of persons drawn from different disciplines and interest groups, and equipped with the kind of expertise and facilities that the best of western regulatory bodies such as the environmental protection agency or the occupational health and safety administration (U.S.) possess, should be charged with the responsibility of evolving and enforcing comprehensive safety norms. Clearance by it can be made a precondition for the grant or renewal of industrial licences."

(E.F.I. Bulletin, dated 1st August 1985).

#### **ESI scheme to cover retired workers :**

According to Mr. T. Anjiah, Union Minister of Labour, his Ministry is working out the modalities for covering retired workers and agricultural labourers under the Employees State Insurance Scheme (ESIS). He said retired workers should be given the benefit, as they needed medical care. He said, he had asked officials in his ministry to work out details to include retired workers and children under the scheme. The agricultural workers should also be including as they formed the majority of the working population.

(E.F.I. Bulletin, dated 1st August 1985)

*Manual based on British model to be ready by year-end*

#### **ILO team moots packages to control industrial hazards.**

An International Labour Organisation (ILO) mission has suggested a comprehensive package to control industrial hazards in India. As a first step, it has suggested new legislative arrangement to control the use and storage of hazardous chemicals and inflammable gases effectively.

The ILO mission, headed by Dr. A. F. Ellis, was in India during March-April this year at the request of the Government of India to suggest ways for controlling major industrial hazards and compile a hazard control manual which is likely to be based on the British manual which, in turn, is based on OECD guidelines. The manual is likely to be ready by the year-end.

The mission has recommended that a specialist unit (major hazards control advisory division—MHCAD) should be established within the Central Labour Institute, Bombay, to provide expert advice to Central and State Governments, factory inspectorates, factory managements and employees on all aspects of hazardous chemicals, including plant standards, risk assessment and emergency planning.

The unit should consist of about 13 professional staff, including the unit head at Director level. At least, four should be qualified with bachelor degree in chemicals engineering with the remainder qualified with at least M.Sc. in chemistry.

The MHCAD should be equipped with computer facilities for its work on risk assessment in addition to establishing data bases.

A list of hazardous chemicals and inflammable gases should be established each with specific quantity such as any factory storing or using any material above the stated quantity should be a major hazardous factory by definition. Full information on properties of hazardous materials should be stored on the MHCAD computer.

The inventory of major hazardous works should be obtained in each State by the appropriate factory inspectorate using new legislation, but it is recommended that, for identifying major hazardous works as an immediate priority, a provisional list be obtained without legislation as soon as the list of hazardous materials is confirmed by the Labour Ministry. A combined list of major hazardous factories from all States should be held in the computerised data base with the MHCAD.

Each work should formulate an emergency plan, detailing explicitly what action will be taken in the event of a major accident occurring on site. The plan should be fully rehearsed at each site once every year.

The mission has suggested that each work should discuss with its local authority and with emergency services of that authority, the nature of the hazard and the on-site emergency plan.

This will enable the authority to consider its own emergency plan offsite and will provide information that can be given to people living near the works on what action to take in the event of an emergency.

The mission says that every effort should be made to prevent centres of population (and shanty developments, in particular) being situated in the immediate vicinity of the works. This should particularly apply to new works being established in an isolated area. The "buffer" distance for each type of factory would depend upon the nature of hazard and would be determined following advice from the MHCAD.

Factory inspectors should be strengthened by recruiting specialist chemical inspectors who are post-graduates in chemistry or graduates in chemical engineering together with industrial experience. These inspectors should be recruited in the ratio of one chemical inspector to about 100 registered chemical factories. The inspectors should be fully equipped to enable them to efficiently carry out their specialist inspection duties.

Chemical inspectors of factories should have equal opportunity with other inspectors of factories for promotion on merit to chief inspector level.

For factory inspectorate licences involving major hazardous works, consideration of the licence should include specific consideration of the major hazardous aspects of the works and the safety measure provided to minimise the risk. Each licence application or reapplication should include details of any hazardous chemical, including its physical, chemical and toxic properties together with the maximum quantity stored or used.

The mission says that regionally our institutes will have an important role in providing a link between MHCAD and factory inspectorates.

It is recommended that at each regional institute, two additional chemists or chemical engineers are recruited to cover all the involvement of the regional institutes in hazardous chemicals and major hazardous works, including the important role of training factory inspectors and factory employees.

Each regional institute should be equipped with a micro-computer to increase the efficiency and scope of the work being carried out on major hazards. The MHCAD should establish a data-base of national and international experts and organisations who would be able to give immediate assistance in the event of a major accident.

*(Economic Times, dated 30th August 1985).*

## 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 subject well. They, however, do not necessarily reflect the views of Government, All rights concerning these Articles are reserved.)*

### Indira Gandhi had set commanding heights for public sector

*(By Prof. Y. S. Mahajan, M.P.)*

This article is a tribute to the singular contribution made by Indira Gandhi to strengthen the public sector and make it achieve commanding heights in the economy of the country. Her commitment to the concept of a strong, vigorous and healthy public sector was meant to socialise the means of production in the country which alone could remove social and economic disparities.

While Jawaharlal Nehru had laid strong foundations of the public sector Indira Gandhi strengthened it sufficiently to achieve the commanding heights in terms of increased production, capacity additions and covering more and more strategic industries which were taboo for the private sector because of their low returns.

Smt. Indira Gandhi became the Prime Minister at a difficult time when the country had just emerged from a war with Pakistan and was faced with crippling problems of shortages and rising prices. Though she was new to the job, she had enough experience of it having been the virtual First Lady for over two decades and having had the opportunity of observing the towering personality of Nehru at work.

### Planning to remove poverty

She was not slow to react to the real problems of the country. Like her late father she saw in planning the solution to many of the problems facing the nation. In 'person to person' broadcast over All India Radio in August, 1966, she said: "The Plan is the centre of our lives. We are immersed in a poverty. The threat to our political stability comes from poverty. Poverty gives edge to such divisive forces as communalism, casteism, linguism and regionalism. Ultimately even our security depends on our economic strength.

"No matter which aspect is considered, we are confronted with the problem of poverty. It is a tremendous human problem, for it affects the lives of millions of people. The answer to poverty lies in development, and it is to ensure order and rapid growth that we, like others, have embarked on poverty.

"It is astounding to hear some people say that planning has failed or that our present problems arise from planning. I think we can claim that we have achieved much of which we can legitimately be proud. In many

directions there has been remarkable progress in education and health, in the development of transport and communications, in irrigation, in the production of food, in the growth and diversification of industry.

"Not for a moment would I suggest that we have done as well as we could have, or, that we have not made mistakes. We are passing through a most critical period because of the drought and foreign exchange difficulties. These have caused acute shortages and have resulted in a rise in prices

#### Homespun growth

She set difficult standards for herself and committed the country to the ideals of Swadeshi. "We hope within the next ten years to attain a stage of self-generating, self-reliant growth. This means that we shall be able continuously to raise production in farm and factory, to step up exports and to improve efficiency and productivity all round without recourse to fresh assistance beyond the next decade. Most of the goods which our growing economy requires will be produced within the country. Those which we cannot produce or which we find economically advantageous to import will be imported by using foreign exchange earned from much larger and growing exports. Thus self-reliance will not mean a narrow concept of self-sufficiency. It will, however very clearly mean an all-pervasive spirit of Swadeshi in which Indian produced goods, Indian engineered projects, Indian designed machines, Indian invented techniques, Indian trained technicians and scientists will not only dominate the scene but enjoy high reputation and regard. The process has started; it has to be accelerated. It is the purpose of our Fourth and Fifth Plans to secure these results."

#### Industrialisation and balanced development

While in full agreement with the need to develop agriculture as a first priority both towards the attainment of the goal of the self-reliance and also towards the removal of poverty, Smt. Indira Gandhi was fully aware of the need to develop a strong and firm industrial base for the country which would not only serve to provide the much needed inputs for agriculture but also for absorbing the surplus man-power in the country. The need for ensuring balanced development was upper-most in her mind. She told the Lok Sabha in May 1969: "Important as agricultural production is, it cannot obviously constitute the whole of our developmental strategy. We have, therefore, sought balanced development laying emphasis also on industrial growth. The bulk of our farm-educated manpower can find employment only in the non-farm sector. Since the commencement of the Second Plan, we have laid stress on broadening and strengthening our industrial development with a leading role for the public sector. We feel that public sector alone can make investments of the kind needed in building up capacities in basic industries such as steel, machine-building, petrochemicals, etc. The allocation for the public sector is about Rs. 14,400 crores and for the private sector, Rs. 10,000 crores. A closer scrutiny of the scale

of the investment in the private and public sector under different heads of development will show that a good deal of the investment of Rs. 10,000 crores for the private sector is under heads such as agriculture, housing road transport, etc. and relates to individual small but collectively large investments, in items such as a land development, sinking of tubewells, procurement of trucks, construction of houses etc."

#### Public sector

Allied to this issue and equally close to her heart was the issue of the concentration of economic power and the need to prevent it. Addressing the Indian Co-operative Congress in December 1967 she said: "In our strategy of development, we want growth and greater equality. We want to prevent concentration of economic power. That is why we must help the public sector as well as the co-operative sector to grow, both absolutely and in relation to the private sector. Co-operatives combine the good points of both the public sector and the private sector, They give a voice and sense of participation to the ordinary man. They are based on voluntary union and democratic control. At the same time, they can take full advantage of modern large-scale management.

The question that now arose was as to how to rapidly industrialise the country and at the same time remove the economic disparities and correct regional imbalances. She supported not only social control for critical industries but advocated public ownership as a means to achieve these needs. In an interview in January 1970, she said: "When we started, none of the private sector were willing to undertake these industries. And whatever industry we had was outmoded, and not in very good shape. The public sector invested heavily in steel and other heavy industries. Without the effort of the Government this industrial sector could not have been built up. Now at this stage, when the Government has put in this effort, to say that the private sector would come in because there is no danger of monopolies in such industries—Well, I don't know whether this is something that can just, happen".

It was for this reason that the public sector was assigned such a prominent role. She said that the strategy of economic advance assigns a prominent role in the public sector to the rapid expansion of basic industries, power and transport. "In our circumstances, this is not only desirable but necessary. It also imposes an obligation to initiate, construct and manage public sector enterprises efficiently and to produce sufficient profits for further investment".

Having convinced herself of the need of a strong public sector, she could clearly visualise the path which was to be traversed by Government. She told the Lok Sabha in April 1971 "The direction in which the Government wants to proceed is quite clear. We visualise a growing and dominant role

for the public sector. We want the public sector to be able to influence and control the pace and direction of investment. Our available resources should be deployed in the best possible manner". She felt that nationalisation of existing industries should also be undertaken with this in view. "Any proposal for the nationalisation of an industry or activity must be subjected to two tests: Firstly, is it necessary from the point of view of enabling the public sector to attain a dominant role and to occupy a key position in the economy; and, secondly, does it further our social objectives?" Continuing on this, she went on:

"Similarly, when we find any industry or unit operating in a manner which is detrimental to our national interests, we shall certainly not hesitate to take it over. But we should not be deflected from our priorities. Our priorities, which are known to the House—but I would like to reiterate them—are at present the acceleration of development and the augmentation of employment. Whatever resources we can mobilise should be canalised as far as possible into further investment in new productive activities in the public sector. In the next few years, we should be engaged in a relentless battle against poverty. We should not dissipate our energies and our resources in diversionary battle which can only make a marginal contribution to victory on the main front".

#### Nationalisation of banks

The most momentous event of the early years of her Prime Ministership was the decision to nationalise the major commercial banks. She herself explained the reasons for the whole move and the revolutionary impact that it would have on the economy of the country it has motivated by her desire to bring the command of the economy within her grasp with a view to remove disparities and better the lot of the poverty stricken masses. "As early as December 1954, Parliament took the decision to frame our plans and policies within a socialist pattern of society. Control over the commanding heights of the economy is necessary, particularly in a poor country where it is extremely difficult to mobilise adequate resources for development and to reduce the inequalities between different groups and regions. Ours is an ancient country but a young democracy, which has to remain ever vigilant to prevent the domination of the few over the social, economic or political systems.

Banks play a vital role in the functioning of any economy to those who have money to spare, banks are the custodians of their savings, on which a good return can be earned by wise and efficient management. To the millions of small farmer artisans and other self-employed persons, a bank can be a source of credit, which is the very basis for any effort to improve their meagre economic lot. Even established trade and industry, big or small, cannot function or expand without adequate bank credit on reasonable terms. For our growing number of educated young men and women, banks offer an opportunity for employment, which at the same time is an opportunity

for service to society. To those who do not have business of their own, banks, like the postal system or the railways, provide a facility of our daily life.

An institution, such as the banking system, which touches—and should touch—the lives of millions, has necessarily to be inspired by a larger social purpose and has to subserve national priorities and objectives. That is why there has been widespread demand that major banks should be not socially controlled but policy owned. It is not an accident that this has been the practice even in some countries which do not adhere to socialism. That is also why we nationalised, more than a decade ago, the life insurance business and the State Bank, or the Imperial Bank as it was then called. That is also why we have set up, directly under the aegis of the State, a number of financial institutions to provide medium or long-term credit to agriculture and industry. The step we have now taken is a continuation of the process which has long been under way. It is my earnest hope that it will mark a new and more vigorous phase in the implementation of our avowed plans and policies. But it is not the beginning of a new era of nationalisation. Nor is it an attempt to transfer resources which are already employed productively to other sectors. The problems of growth whether on farms or in factories, whether in backward regions or in others only relatively well developed, whether in relation to export or growing self-reliance can be solved only in a positive manner, which looks essentially to an enlargement of resources and opportunities rather than to redistribution for its own sake. Certainly, public ownership of the major banks will help to eliminate the use of bank credit for speculative and unproductive purposes, particularly to the extent that it is encouraged at present by the association of a few leading groups with some of our major banks.

The responsibilities of the public sector would no doubt be enlarged because of this revolutionary decision indeed, this was one of its major objectives. She saw very clearly that following the reorganisation of credit policies resulting from the nationalisation of the banks, the public sector would come more and more to occupy the commanding heights of the economy. This was necessary as it alone was in a position to undertake investments of the requisite magnitude in such vital industries as steel, machinery, machine tools, power generation, ship-building, petro-chemicals, fuels and drugs. It was recognised that as in other countries the administration of these enterprises would pose problems of its own but these could not surely be insuperable and would be overcome with experience.

She reacted sharply to demands for reduction in public sector outlays, eventhough larger outlays on this sector may lead to inflationary pressures. She realised that the only other alternative was increased unemployment and continued economic stagnation. "We know that a rise in price causes considerable hardship to people, particularly the poorer sections of society, but some critics are raising the bogey of prices because they want outlays in the public sector to be kept down. They do not reckon with the heavy

toll which a reduction in public sector outlay takes in terms of increased unemployment and economic stagnation. We have, therefore, to keep in view the objectives of growth and stability in formulating our economic strategy

#### **Profit in public sector**

There was loud criticism on the failure of the public sector to make profits. The chores of protest was mainly led by those who felt that practices and morals of the private sector should be duplicated in public enterprises. "Obviously we would like the public sector to make profits. It is necessary also. But it should not do so by creating a contrived scarcity as sometimes happens in the private sector. But I certainly think that to the extent possible the public sector should have autonomy in deciding where investment should go, its pricing policy, etc." She said in an interview with the Citizen in January 1970.

#### **Resource generation by public sector**

While refusing to give the pride of place to profitability for judging the performance of the public sector, Smt. Indira Gandhi was acutely aware of the need to make their working efficient enough for them to be converted as major resource generators. It was disturbing for her that the contribution of public enterprises has been much smaller than anticipated. In view of the size of the public sector, every effort had to be made to make enterprises major resource generators, she told the Planning Commission in December, 1971.

#### **Industrial relations in public sector**

Industrial strife and bad labour relations in some of the public enterprises was a cause of concern to her. She viewed it both as a problem for management and an attitudinal change amongst the labour. She advocated a system of labour participation in management. She felt this was one way how strife and indiscipline could be avoided. She told the international seminar on Workers' Involvement in the Management of Public Enterprises in April last year. "The structure of employer-employee relationship which we inherited from the Industrial Revolution of the 18th and 19th centuries is as out of date as the machineries which were used then. It is true that many of the earlier abuses have been removed as a result of the dedicated work of many enlightened men and women all over the world, amongst whom were Sidney and Beatrice Webb. However, the basic structure survives and with it does the deformation of the human personality to which Marx had drawn pointed attention in his studies of the dynamic of capitalist development.

"In India the public sector is the harbinger of our industrialisation, it should also be the nursery of new values. While propelling the country towards technological advance, it must transform social relationships in

industry. This is the challenge before our public sector. The experiment has been initiated. For it to succeed, new thought processes are called for. Forms and organisational structures are important because they provide the context of action. But it is even more important to have right attitudes of mind. Not that all conflict and disharmony will disappear at the touch of new ideas. The past will weigh heavily on us as we struggle towards changing patterns in which people will not simply want more and more things for themselves, but will think of what they owe to their country, of what they can contribute in terms of innovation, of what they themselves are becoming, stretching their range of feeling and their awareness in different directions so as to become more capable of taking advantages of new opportunities and to give a better chance to their children and coming generation.

"A more congenial atmosphere of cooperation means more contented workers, and therefore more efficient workers. It is obvious that this will lead to greater production and gain. But I look beyond this. Fundamentally, the case for a new kind of relationship in work places rests on the need for workers to realise their full potential as human beings. This is possible only when they assume responsibility for what happens as a result of their actions. There is the responsibility of the individual or group of workers as also the responsibility of workers as citizens. Hence workers should be concerned merely with the work ethos. They can best appreciate the gersof escalating costs or loss of production, and in country as vast as India, of any divisive tendencies whether of religion, language or caste. With our diversity, we must also always keep in mind the utter necessity of communal harmony.

## Labour Legislation .

The following Bill was introduced in the Maharashtra Legislative Assembly on 5th July 1985 —

L. A. BILL No. XIX OF 1985.

### A BILL

to repeal the Bombay Industrial Relations Act, 1946.

WHEREAS it is considered desirable and expedient to repeal the Bombay Industrial Relations Act, 1946 [Mah. XI of 1947], it is hereby enacted in the Tirty sixth Year of the Republic of India as follows

1. *Short title.*—This Act may be called the Bombay Industrial Relations (Repeal) Act, 1985.

2. *Repeal of Bom. XI of 1947.*—On and with effect from the 24th June 1985, the Bombay Industrial Relations Act, 1946, shall stand repealed.

### STATEMENT O OBJECTS AND REASONS

In Maharashtra, Industrial Disputes Act, 1947 is in force. That Act aims at making provision for the investigation and settlement of industrial disputes and certain other purposes. Similarly, Bombay Industrial Relations Act, 1946 is there to take care of the relations of employers and employees, to make provision for settlement of industrial disputes, and to provide for certain other purposes. But this has resulted in overlapping of functions of two separate enactments, particularly in case of selected Industries such as Textiles, Sugar etc., which are supposed to be governed by the provisions of the said Act as per special powers given under the said Act.

It is, however, observed that the Bombay Industrial Relations Act, 1946, contains more stringent powers as compared to those contained in the Industrial Disputes Act and they are detrimental to the interests of workers. Obviously, therefore, there is a good deal of disparity in the matter of industrial relations governed by the Bombay Industrial Relations Act, 1946 on the one hand and those governed by the Industrial Disputes Act, 1947, on the other. Moreover, this piece of legislation is in existence in a couple of States only i.e. Gujarat and Maharashtra.

It is, therefore, not desirable to continue this Legislation in this State. Hence this Bill.

## Gist of Important Notifications under Various Labour Laws

### I. BOMBAY SHOPS AND ESTABLISHMENT ACT, 1948.

(A) *Amendments under the Act.*—(1) The Government of Maharashtra, Industries, Energy and Labour Department has in exercise of the powers conferred by the proviso to section 4 of the said Act, amended schedule II to the said Act, as follows namely :—

In the said Schedule II to the said Act, in entry No. 332, in column 2, after entry No. 331, the following entry shall be added, namely :—

“ 332—The Establishment of Mid-day Publications Private Limited, F-4, Everest, Tardeo, Bombay 400 034.”

Section 62 subject to the condition that any visit book, register or record maintained immediately before the date of notification are continued to be maintained properly and such registers and records are made available to the Inspector for inspection.

(Vide Government Notification Industries, Energy and Labour Department, No. BSE. 1484/CR-1096/Lab-9, dated 11th April 1985, published in M.G.G., Part I-L, dated 11th July 1985, at page No. 2314).

(2) The Government of Maharashtra, Industries, Energy and Labour Department has in exercise of the powers conferred by the proviso to section 4 of the said Act, amended Schedule II to the said Act, as follows namely :—

In the said Schedule II to the said Act, in entry No. 333, in column 2, after entry No. 333, the following entry shall be added, namely :—

“ 333—Establishment of Inquilab Publications private Limited, 156, D. J. Dadaji Road, Bombay 400 034.”

Section 62 subject to the condition that any visit book, register or record maintained immediately before the date of notification are continued to be maintained properly and such registers and records are made available to the Inspector for inspection.

(Vide Government Notification Industries, Energy and Labour Department, No. BSE. 1484/CR-1083/Lab-9, dated 18th April 1985, published in M.G.G., Part II, dated 11th July 1985, at page No. 2314).

Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by the proviso to section 4 of the said Act, amended Schedule II to the said Act, as follows namely:—

In the said Schedule II to the said Act, in entry No. 334, in column 2, after entry No. 333 the following entry shall be added, namely:—

“334—Establishment of HMT Limited, Watch Marketing Division, 78, World Trade Centre, Cuffe Parade, Colaba, Bombay 400 005”.

Section 62 subject to the condition that any visi Book, registers and records maintained in the Establishment are continued to be maintained properly and such registers records are made available to the inspector for inspection.

(Vide Government Notification Industries, Energy and Labour Department, No. BSE. 1484 CR-1109 Lab-9, dated 18th April 1985, published in M.G.G., Part I-L, dated 11th July 1985, at page No. 2315).

(4) The Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by the proviso to section 4 of the said Act, amended Schedule II to the said Act, as follows namely:—

In the said Schedule II to the said Act, in entry No. 336, in column 2, after entry No. 335, the following entry shall be added namely:—

“336—Women employees in House keeping Department, front office and restaurant of the Hotel Sands situated at 39/2, Juhu Beach, Bombay 400 049”.

Section 33, subject to the conditions that—

- (1) No Women employees shall be allowed or required to work in any other Department excepting House-keeping, front office and restaurant.
- (2) No Women shall be given any duty continuing for more than one week.
- (3) No. Women employees shall be put on duty as attendant in the bar room/ permit room.
- (4) All Women whose duties terminate or start after 8-30 p.m. and before 6 00 a.m. should be provided with company's conveyance from their residence to Hotel and back.
- (5) Women employees should be placed in a group at night.

(6) Rest room and separate lockers shall be provided in the Hotel premises for women.

(Vide Government Notification Industries, Energy and Labour Department, No. BSE. 1484/CR-1061/Lab-9, dated 14th May 1985, published in M.G.G., Part I-L, dated 11th July 1985, at pages No. 2316 to 2317).

(5) The Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by the proviso to section 4 of the said Act, amended Schedule II to the said Act, as follows namely:—

In the said Schedule II to the said Act, in entry No. 322, in column 2, after entry No. 321, the following entry shall be added, namely:—

“322. Establishment of Messrs. Pheroze Framroze and Company, Bombay situated in the Bombay International Airport Terminal Building at Sahar, Bombay and Bombay Domestic Airport Terminal Building at Santacruz, Bombay.

Sections 13, 15, 17, 18 and 33 subject to the conditions that—

- (i) The employer concerned are not required to work for more than 48 hours in any week.
- (ii) The spread-over shall not exceed 12 hours in any day.
- (iii) The employee are granted one day holiday in a week without making any deduction from their wages on account thereof.
- (iv) Payment is made for over time work, if any, according to Section 63.

(Vide Government Notification Industries, Energy and Labour Department, No. BSE. 1483/CR-534/Lab-9, dated 14th February 1985, published in M.G.G., Part I-L, dated 11th July 1985, at page No. 2342).

(6) The Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by the proviso to section 4 of the said Act, amended Schedule II to the said Act, as follows namely:—

In the said Schedule II to the said Act, in entry No. 324, in column 2, after entry No. 323, the following entry shall be added, namely:—

“324. All Bakery Products Selling Centres.

Section 111780, subject to the condition that no centre shall be kept open after 11-00 p.m. and that only Bakery Products shall sold out after 8-30 p.m.

(Vide Government Notification Industries, Energy and Labour Department, No. BSE. 1483/CR-666/Lab-9, dated 14th February 1985, published in M.G.G., Part I-L, dated 11th July 1985, at page No. 2342).

*(A) Exemptions under the Act.*—(1) The Government of Maharashtra Industries and Labour Department has in exercise of the powers conferred by section 6 of the said Act, exempted the period commencing on 24th April, 1985 and ending on the 3rd May 1985 the operation of the provisions of section 18 of the said Act in so far as they relate to the operation of the calendar or list of closed shops prepared under sub-section (1) and of the orders, if any issued under sub-section (1B) of the said section 18, subject to the conditions that—

(i) all Shops and Commercial Establishments in the areas of Municipal Corporation of Nagpur, Solapur and Pune and in the areas of all Municipal Councils for which the 25th April 1985 has been fixed to be the date of Poll for election to the Municipal Corporations and Municipal Council shall remain closed on 25th April 1985.

(ii) all Shops and Commercial Establishments in the local areas of Vasai and Ulhasnagar Municipal Councils in Thane District and Baramati, Daund, Indapur, Sarur, Jejuri and Saswad Municipal Councils in Pune District for which the 28th April 1985 has been fixed to be the date of Poll for election to the Municipal Councils, shall remain closed on the 28th April 1985.

(iii) no deduction shall be made from the wages of any employee in any such Shop or Commercial Establishment on account of closure on the 25th April 1985 or, as the case may be, the 28th April 1985.

(Vide Government Notification Industries, Energy and Labour Department, No. P. 7385/69780/1289/Lab-9, dated 19th April 1985, published in *M.G.G.*, Part I-L, dated 18th July 1985, at page No. 2460);

## II EMPLOYEES' STATE INSURANCE ACT, 1948

*(A) Exemptions under the Act.*—(1) The Government of Maharashtra Industries, Energy and Labour Department has in exercise of the powers conferred by Section 90 read with section 91A of the said Act and of all other powers enabling it in that behalf, exempted retrospectively with effect from the 17th June 1967 and prospectively hereafter from the date of issue of the notification, all the Government factories and establishments from the operation of the said Act.

(Vide Government Notification Industries, Energy and Labour Department, No. SIA. 1578/1330/Lab-11, dated 9th May 1985, published in *M.G.G.*, Part I-L, dated 11th July 1985, at the page No. 2315).

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

*(A) Notifications under the Act.*—(1) The Government of Maharashtra, Industries, Energy and Labour Department has in exercise of the powers conferred by proviso to Clause (15) of Section 3 of the said Act, notified the groups of concerns owned by Messrs. Pest Control (India) Pvt. Ltd., in the State of Maharashtra as specified in the Schedule, to be one undertaking for the purpose of Chapter III of the said Act.

### SCHEDULE

Group of concerns owned by M/s. Pest Control (India) Pvt. Ltd.

1. Head Office, Bombay.
2. Fort Base, Bombay.

5. Warden Road Base, Bombay.
6. Bandra Base, Bombay.
7. Thane Branch, Thane.
8. Mira Road Factory, Thane.
9. Pune Branch, Pune.
10. Nagpur Branch, Nagpur.

(Vide Government Notification Industries, Energy and Labour Department, No. ULP. 1084/7498/Lab-9, dated 9th May 1985, published in *M.G.G.*, Part I-L, dated 11th July 1985 at Page No. 2316).

*(B) Appointments under the Act.*—(1) The Government of Maharashtra Industries, Energy, and Labour Department has in exercise of the powers conferred by Section 4 of the said Act, appointed Shri K. M. Desai in place of Shri S. R. Samant to be a member of the Industrial Court.

(Vide Government Notification Industries, Energy and Labour Department, No. ULP. 1085/(7805)/Lab-9, dated 29th June 1985 published in *M.G.G.*, Part I-L, dated 25th July 1985, at Page No. 2594).

(2) The Government of Maharashtra, Industries, Energy and Labour Department has in exercise of the powers conferred by Section 4 of the said Act, appointed Shri S. M. Limaye, Additional District Judge, Nagpur, in place of Shri S. D. Rane to be the Member of the Industrial Court.

(Vide Government Notification Industries, Energy and Labour Department No. ULP. 1085/(7808)/Lab-9, dated 29th June 1985, published in *M.G.G.*, Part I-L, dated 25th July 1985, at pages Nos. 2595 to 2596).

## IV. INDIAN BOILER ACT.

*(A) Exemptions under the Act.*—(1) 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. 9599, belonging to the High Explosive Factory, Khdki, Pune 411 003, from the operation of clause (c) of section 6 of the said Act, for the period of six months from the 31st May 1985 to 30th November 1985 (both days inclusive).

(Vide Government Notification Industries, Energy and Labour Department No. IBA. 1085/73749/1321/Lab-9, dated 29th May 1985 published in *M.G.G.*, Part I-L, dated 11th July 1985, at page No. 2317.

(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. 10098 and belonging to the Maharashtra State Electricity Board, Koradi Thermal Power Station, Koradi, District Nagpur from the operation of clause (c) of section 6 of the said Act, for the period of six months from the 20th May 1985 (both days inclusive).

(Vide Government Notification Industries, Energy and Labour Department No. IBA. 1085/72775/1313/Lab-9, dated 17th May 1985 published in *M.G.G.*, Part I-L, dated 11th July 1985 at page No. 2317.

(3) In exercise of the powers conferred by sub-section (2) of section 34 of the

No. MR-Ex-4 and MR-Ex-6 both belonging to the Rashtriya Chemicals and Fertilizers Limited, Chembur, Bombay 400 074, from the operation of clause (c) of Section 6 of the said Act, for the further period of one month upto and inclusive of 18th May 1985.

(Vide Government Notification Industries, Energy and Labour Department No. IBA. 1085/69933/1293/Lab-9, dated 20th April 1985, published in *M.G.G.*, Part I-L, dated 11th July 1985, at page No. 2318.

(4) 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-10740, belonging to the Maharashtra State Electricity Board, Gas Turbine Power Station, Uran from the operation of clause (c) of section 6 of the said Act, for the further period of three months upto and inclusive of 18th July 1985.

(Vide Government Notification Industries, Energy and Labour Department No. IBA. 1085/69941/1296/Lab-9, dated 24th April 1985, published in *M.G.G.*, Part I-L, dated 11th July 1985, at page No. 2318).

(5) 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. 10124 and belonging to the Maharashtra State Electricity Board, Koardi Thermal Power Station, Koardi, Nagpur from the operation of clause (c) of section 6 of the said Act, for the period of six months from the 8th May 1985 to 7th November 1985 (both days inclusive)

(Vide Government Notification Industries, Energy and Labour Department No. IBA. 1085/70938/1307/Lab-9, dated 7th May 1985 published in *M.G.G.*, Part I-L, dated 11th July 1985, at page No. 2318.

(6) 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-E346, belonging to the National Organic Chemicals Industries Limited, Thane, Belapur Road, From the operation of clause (c) of Section 6 of the said Act, for the further period of six months and 15 days upto and inclusive of 18th October 1985.

(Vide Government Notification Industries, Energy and Labour Department No. IBA. 1085/68327/1275/Lab-9, dated 12th April 1985 published in *M.G.G.*, Part I-L, dated 11th July 1985, at page No. 2319).

(7) 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-EX-17, belonging to the National Organic Chemical Industries Limited, Thane-Belapur Road, from the operation of clause (c) of section 6 of the said Act, for the period of six months from the 19th April 1985 to 18th October 1985 (both day inclusive).

(Vide Government Notification Industries, Energy and Labour Department No. IBA. 1085/68329/1274/Lab-9, dated 12th April 1985 published in *M.G.G.*, Part I-L, dated 11th July 1985 at page No. 2319).

(8) 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-9539 belonging to the Rashtriya Chemicals and Fertilizers Limited, Chembur

Bombay 400 074, from the operation of clause (c) of section 6 of the said Act, for the period of one year from the 16th April 1985 to 15th April 1986 (both days inclusive).

(Vide Government Notification Industries, Energy and Labour Department No. IBA. 1085/68961/1280/Lab-9, dated 17th April 1985 published in *M.G.G.*, Part I-L, dated 11th July 1985, at page No. 2319.

(9) 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-9595 belonging to the Maharashtra State Electricity Board Nasik Thermal Power Station P.O. Eklahare 422 105 from the operation of clause (c) of Section 6 of the said Act, for the period of six months from the 21st April 1985 to 20th October 1985 (both days inclusive).

(Vide Government Notification Industries, Energy and Labour Department, No. IBA. 1085/69030/1283/Lab-9, dated 17th April 1985 published in *M.G.G.*, Part I-L, dated 11th July 1985 at page No. 2320.

(10) 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-10311 belonging to the Rashtriya Chemicals and Fertilizers Limited, Chembur, Bombay 400 074, from the operation of clause (c) of section 6 of the said Act, for the period of two months from 7th March 1985 to 6th May 1985 (both days inclusive).

(Vide Government Notification Industries, Energy and Labour Department, No. IBA. 1085/66003/1176/Lab-9, dated 6th March 1985, published in *M.G.G.*, Part I-L, dated 11th July 1985, at page No. 2343.

(11) 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-9737 belonging to the Hindustan Organic Chemicals Limited, Rasayani, District Raigad from the operation of clause (c) of section 6 of the said Act, for the period of twelve months from the 16th April 1985 to 15th April 1986 (both days inclusive).

(Vide Government Notification Industries, Energy and Labour Department No. IBA. 1085/66927/1257/Lab-9, dated 26th March 1985 published in *M.G.G.*, Part I-L, dated 11th July 1985, at page No. 2343).

(12) 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-9704 belonging to the Hindustan Organic Chemicals Limited, Rasayani, District Raigad, from the operation of clause (c) of section 6 of the said Act, for the period of twelve months from the 20th May 1985 to 19th May 1986 (both days inclusive).

(Vide Government Notification Industries, Energy and Labour Department, No. IBA. 1085/66928/1256/Lab-9, dated 26th March 1985, published in *M.G.G.*, Part I-L, dated 11th July 1985, at page No. 2343).

the operation of clause (c) of section 6 of the said Act, for a further period of two months upto and inclusive of 9th July 1985.

(Vide Government Notification Industries, Energy and Labour Department, No. IBA. 1085/72776/(1305)/Lab-9, dated 17th May 1985 published in *M.G.G.*, Part I-L, dated 18th July 1985, at page No. 2403).

(14) 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-4 and MR-EX-6, belonging to the Rashtriya Chemical and Fertilizers Limited, Chembur, Bombay 400 074, from the operation of clause (c) of section 6 of the said Act, for the further period of three months upto and inclusive of 18th August 1985.

(Vide Government Notification Industries, Energy and Labour Department, No. IBA. 1085/72976/1319/Lab-9, dated 22nd May 1985, published in *M.G.G.*, Part I-L, dated 18th July 1985 at page No. 2403).

(15) 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-9900 and belonging to the Bhabha Atomic Research Centre, Tarapur, District, Thane, the operation of clause (c) of section 6 of the said Act, for the period of two months from the 21st April 1985 to 20th June 1985 (both days inclusive).

(Vide Government Notification Industries, Energy and Labour Department, No. IBA. 1085/69031/1282/Lab-9, dated 17th April 1985 published in *M.G.G.*, Part I-L, dated 18th July 1985 at page No. 2403).

(16) 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 Nos. MR-9906 and MR-9907 both belonging to the Rashtriya Chemicals and Fertilizers Limited, Chembur, Bombay 400 074, from the operation of clause (c) of section 6 of the said Act, for the period of one year from the 25th April 1985 to 24th April 1986 (both days inclusive) and from the 21st April 1985 to 20th April 1986 (both days inclusive) respectively.

(Vide Government Notification Industries, Energy and Labour Department, No. IBA. 1085/69032/1281/Lab-9, dated 17th April 1985, published in *M.G.G.*, Part I-L, dated 18th July 1985 at page No. 2404).

(17) 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-11088 belonging to the Maharashtra State Electricity Board, Chandrapur, Thermal Power Station, Durgapur 442 404 from the operation of clause (c) of section 6 of the said Act, for the period of six months from the 24th April 1985 to 23rd October 1985 (both days inclusive).

(Vide Government Notification Industries, Energy and Labour Department, No. IBA. 1085/69178/1285/Lab-9, dated 17th April 1985 published in *M.G.G.*, Part I-L, dated 18th July 1985, at page No. 2404).

(18) 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

Thane-Belapur Road, from the operation of clause (c) of section 6 of the said Act, for the period of seven months from the 22nd April 1985 to 21st November 1985 (both days inclusive).

(Vide Government Notification Industries, Energy and Labour Department, No. IBA. 1085/69808/1291/Lab-9, dated 20th April 1985 published in *M.G.G.*, Part I-L, dated 18th July 1985 at page No. 2404).

(19) 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-11006 belonging to the Maharashtra State Electricity Board, Koradi Thermal Power Station, Unit-7, Kordia from the operation of clause (c) of section 6 of the said Act, for the period of six months from the 11th April 1985 to 10th October 1985 (both days inclusive).

(Vide Government Notification Industries, Energy and Labour Department, No. IBA. 1085/68328/1258/Lab-9, dated 4th April 1985 published in *M.G.G.*, Part I-L, dated 25th July 1985, at page No. 2570.)

#### V. FACTORIES ACT, 1948.

(A) *Amendments to Rules.*—(1) The Government Maharashtra, Industries, Energy and Labour Department has in exercise of the powers conferred by Section 112, read with sub-sections (1) and (2) of Section 64 of the said Act, made the following rules further to amend the Maharashtra Factories Rules, 1963, the same having been previously published as required by Section 115 of the said Act, namely :—

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

2. In the Maharashtra Factories Rules, 1963, for Rules 100, 101 and 102, the following shall be substituted, namely :—

“Rules 100 to 102 Prescribed under section 64.”.

100. Persons defined to hold positions of supervision or Management or employed in a confidential position.—(1) In a factory the following persons shall be deemed to hold positions of supervision or management within the meaning of sub-section (1) of section 64, provided they are not required to perform manual labour or clerical work as a regular part of their duties, namely :—

- (i) The Manager, Deputy Manager, Assistant Manager, Production Manager, Work Manager and the General Manager;
- (ii) Departmental Head, Assistant Departmental Head, Departmental In-charge or Assistant Departmental in-charge;
- (iii) Chief Engineer, Deputy Chief Engineer and Assistant Engineer;
- (iv) Chief Chemist, Laboratory In-charge;
- (v) Personal Manager, Personnel Officer;

- (vii) Welfare Officer, Additional Welfare Officer or Assistant Welfare Officer;
- (viii) Safety Officer;
- (ix) Security Officer;
- (x) Foreman, Chageman, Overseer and Supervisor;
- (xi) Jobber in Textile Factories;
- (xii) Head Store-keeper and Assistant Store-keeper;
- (xiii) Boiler Sarang or such Boiler Attendants who are in-charge of a battery of boilers and are only required to do supervisory work; and
- (xiv) Any other persons who, in the opinion of the Chief Inspector, holds a position of Supervision or Management and is so declared in writing by him.

(2) In a factory, the following persons shall be deemed to be employed in a confidential position within the meaning of sub-section (1) of section 64, namely:—

- (i) Stenographers or Telex Operators;
- (ii) Office Superintendents;
- (iii) Head Clerk where there is no Office Superintendent;
- (iv) Head Accountant and Head Cashier;
- (v) Head Time Keeper; and
- (vi) Any other person who in the opinion of the Chief Inspector is employed in a confidential position and is so declared in writing by him.

(3) Any dispute whether a person, by virtue of the nature of his duties, falls in any of the definition given in sub-rule (1) or (2) above, shall be decided by the Chief Inspector by passing an order in writing which shall be final.

(4) On an application made by the occupier or manager of the factory, the Chief Inspector may declare in writing any person other than the persons defined in sub-rules (1) and (2) above, as a person holding a position of supervision or management or employed in a confidential position, in a factory, if in the opinion of the Chief Inspector, such person holds such position or is so employed.

(5) All declaration of the nature described in sub-rule (4) of this rule made by the Chief Inspector under the provisions of any earlier rules in that behalf shall be deemed to have been made under sub-rule (4), and shall continue to remain in force.

101. *List of persons defined in Rule 100 and overtime muster-roll and slips.*—

(1) A list showing the names and designations of all persons defined in rule 100 shall be maintained in every factory and it shall be made available for inspection to the Inspector at all times when work is being carried on in any factory.

102. *Exemption of certain adult workers.*—Adult workers engaged in factories specified in column 2 of the Schedule hereto annexed, on the work specified in column 4 of the said schedule, shall be exempt from the provisions of the sections specified in column 5 thereof, subject to the conditions, if any, specified in column 6 of the said schedule; and also subject to the following conditions, namely—

(i) No woman workers shall be required or allowed to work for more than nine hours in any day;

(ii) except in respect of exemption under clause (a) of sub-section (2) of section 64, the following limits of work inclusive of overtime shall be observed, namely:—

(a) the total number of hours of work in any day shall not exceed ten;

(b) the spreadover, inclusive of intervals for rest, shall not exceed twelve hours in any one day;

(c) the total number of hours in a week, including overtime shall not exceed sixty; and

(d) the total number of hours of overtime shall not exceed fifty for any on quarter;

Provided that, the limits imposed by sub-clauses (a) and (b) of this clause shall not apply in the case of a shift workers engaged in factories specified against category and No. X(1) to (39) in the Schedule if the said workers is allowed to work the whole or part of the subsequent shift in the absence of a worker who has failed to report for duty.

SCHEDULE

Category No. 1	Class of factories	Exemption under section	Nature of exempted work	Exemption from Section 5	Conditions
1	2	3	4	5	6
1	All factories	64(2)(a) and 64(3) for urgent repairs and for consequential exemptions from the provisions of section 61.	<p>Urgent, repairs. Explanation, Urgent repairs for the purposes of this exemption shall mean—</p> <p>(a) repairs to any part of machinery, plant or structure of a factory, which are of such a nature that delay in their execution would involve danger to human life or a safety or the stoppage of the manufacturing process.</p> <p>(b) repairs to deep-sea-ships and repairs to commercial air crafts which are essential to enable such ships or air-crafts to leave port at proper time or continue their normal operations in sea worthy or air-worthy conditions as the case may be and</p> <p>(c) repairs in connection with a change of motive power e.g. from steam to electricity or <i>vice versa</i> when such work cannot possibly be done without stoppage of the normal manufacturing process. Provided that urgent repairs shall not include periodical cleaning and maintenance work.</p>	51, 52, 54, 55, 56 and 61.	<p>(i) The occupier or manager of the factory shall send to the Inspector a notice within 24 hours of the commencement of the work, stating therein the precise nature of urgent repairs the exact time of the commencement of such work and the list of all persons employed on such work. A copy of such notice shall be displayed in the factory as provided under section 108(2) of the Act, within 25 hours of the completion of the work of urgent repairs a notice to that effect shall be sent to the Inspector, along with the copy of the entries made in Form No. 15 in respect of every worker mentioned in the earlier notice.</p> <p>(ii) No worker shall be allowed or required to work on such repairs for more than 15 hours on any one day, 39 hours during any 3 consecutive days or 66 hours during each period of seven consecutive day commencing from his first employment on such work.</p>

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(ii) if the Inspector is of opinion that any work being carried on in a factory as 'Urgent Repairs' is not 'Urgent repairs' the Inspector shall serve on the manager an order to that effect and the manager shall in respect of such work not require any work in contravention of the provisions of sections 52, 54, 55, 56 and shall comply with section 56 of the Act.

(iv) No worker shall be required or allowed to work for the period of more than six hours before he has had an interval of rest of at least one hour.

(v) Provisions of sections 51, 52, 54, 55, 56 of the Act and rule 96 of the rules shall be complied with.

II All factories except those on continuous process. . . 64(2) (b) for work in the nature of preparatory or complementary work. (a) Maintenance work in connection with the mill gearing, the electric driving or lighting apparatus, the mechanical or electrical lifts or hoists and the steam or water pipes or pumps of the factory ; 51,54,55, and 56 (i) No worker shall be required or allowed to work on shifts of more than 8 hours duration. (ii) Intervals for rest shall be given to workers allowed on such work.

(b) Departmental cilers and (c) Workers attending to the starting, stopping and maintaining, electrical motors and connected switch gears. (iii) provisions of sections 51, 52, 54, 55, 56 and 96 shall be complied with.

III All Factories 64(2) (e) for work which is necessarily Intermittent in nature. 1. (a) Work performed by drivers on lighting, ventilating and humidifying apparatus. 51,54,55 and 56 (i) No worker shall be required or allowed to work on shifts of more than 8 hours duration. (ii) Intervals for rest shall be given to workers allowed on such work.

2. Telephone Operators and Telex Operators. (iii) Provisions of sections 51, 52, 54, 55, 56 and 96 shall be complied with.

IV All factories 64(2) (h) for work in the Engine room, boilers house, power plants or transmission machinery. Workers engaged in engine rooms or boiler house attending to power plant or transmission machinery or the prime movers. 51, 52 Provisions of sections 51, 52, 54, 55, 56 and 96 shall be complied with.

V All factories 64(2) (i) work of loading and unloading. Workers engaged in the loading or unloading of railway wagons or lorries, trucks and tankers or the loading and unloading at jetties. 51, 52, 54, 55, 56, 61, (i) No workers shall be required or allowed to work on shifts of more than 8 hours duration. (ii) Intervals for rest shall be given to workers allowed on such works. (iii) Provisions of sections 51, 52, 54, 55, 56 and 96 shall be complied with.

VI Carbonic Acid Gas factories. 64(2)(b) for work in the nature of preparatory complementary work. Work of firemen to light lye-boiler. 51, 54, 55 (i) This exemption shall be available only on days on which the work is restarted after a stoppage. (ii) No worker shall be required or allowed to work on shifts of more than 8 hours duration.

						(iii) Intervals for food and rest shall be given to all workers engaged in work on such work. (iv) Provisions of rules 95 and 96 shall be complied with.
(1) Cloth Printing factories or departments.	64(2)(b) work in the nature of preparatory or complementary work	Work in the nature of preparatory or complementary to main operations of printing, sanforizing, finishing and mercerising of cloth.	51, 54 and 55	..	..	Provisions of rules 95 and 96 shall be complied with.
(2) Glass, Enamel and Printing Mills	Do.	.. Work involved in clearing room files.	Do.	..	..	Do.
(3) Film Industry	Do.	.. All work in the nature of preparatory or complementary work which is necessary for the shooting of films.	Do.	..	..	Do.
(4) Dyeing or bleaching factories or departments.	64(2)(b) for work in the nature of preparatory or complementary work.	Work performed by Kiermen	51, 54, 55 and 56.	..	..	(i) No worker shall be required or allowed to work on shifts of longer than 8 hours' duration. (ii) Intervals for food and rest shall be given to all workers to work on such work. (iii) Provisions of rules 95 and 96 shall be complied with.
(1) Brick Factories	64(2)(b) for work which for technical reason must be carried on continuously.	Work of Firemen on Kilns	55	..	..	(i) No worker shall be required or allowed to work on shifts of longer than 8 hours' duration. (ii) Intervals for food and rest shall be given to all workers allowed to work on such work.
(2) Cashew Nut Factories.	Do.	.. Oil Extraction work	.. 55	..	..	Do.
(3) Cloth Printing and processing factories.	64(2)(b) for work which for technical reason must be carried on continuously.	Work of cloth Printing, bleaching, finishing, mercerising, raising, dyeing, singeing and sanforizing.	55	..	..	(i) No worker shall be required or allowed to work on shifts of longer than 8 hours' duration. (ii) Intervals for food and rest shall be given to all workers allowed to work on such work.
(4) Collapsible tube manufacturing factories.	Do.	.. Work of painting, coating, drying of collapsible tubes if carried on in a continuous process.	55	..	..	Do.
(5) Cycle manufacturing Automobile manufacturing and Manufacture of Steel furniture.	Do.	.. Work of painting and enamelling section and service automatic planting plant.	55	..	..	Do.
(6) Enamelled wire manufacturing factories.	Do.	.. Work of enamelling of wires	55	..	..	Do.
(7) Ferrous and Non-ferrous metal factories.	Do.	.. Work on Hot Rolling	.. 55	..	..	Do.
(8) Flour Mills	.. Do.	.. All work	.. 55	..	..	Do.
(9) Gum Industry	Do.	.. Work performed in connection with slitting, dehusking, grinding and packing.	55	..	..	Do.
(10) India Government Mine.	Do.	.. Melting Department including dress washing.	55	..	..	Do.
(11) Leather Cloth factories	Do.	.. Working of continuous coat-PVC, drying, fixing	55	..	..	Do.

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(1)	(2)	(3)	(4)	(5)	(6)
(14)	Ordinance factories.	Do.	Work in melting shop swarfanneal in furnace gas producers, electrical substations and water and electrical distribution departments.	55	Do.
(15)	Pharmaceutical factories.	Do.	All continuous process work	55	Do.
(16)	Plastic factories	Do.	Work on plastic injection moulding machine and extrusion machine.	55	Do.
(17)	Pottery works	Do.	Work of fireman on Kilns ..	55	Do.
(18)	Shellac factories	Do.	Workers employed on kilns	55	Do.
(19)	Smelting and Refining factories.	Do.	(1) Work on the reducing furnace.	55	Do.
			(2) All continuous process work in connection with electrolytic refining.	55	Do.
(20)	Soap factories	Do.	Work on soap boiling pans and soap drying pans.	55	Do.
(21)	Sodium and potassium bichromate factories.	Do.	All works	55	Do.
(22)	Spinning and Weaving Mills.	Do.	Work on hot air sizing machines.	55	Do.
X (1)	Acetylene factories.	64(2)(d) for work which for technical reasons must be carried on continuously.	Generation of gas and filling of cylinders.	51, 52, 54, 55 and 56.	<p>(i) No worker shall be required or allowed to work on shifts of longer than 8 hours duration.</p> <p>(ii) Intervals for food and rest shall be given to all workers allowed to work on such work.</p> <p>(iii) Provisions of rules 95 and 96 shall be complied with.</p> <p>(iv) Compliance with section 53 shall be made in such way that such workers shall be allowed not less than two holidays in each period covered by four consecutive statutory holidays under section 52(1).</p> <p>(v) In the absence of a worker who has failed to report for duty a shift worker may be allowed to work the whole or part of the subsequent shift provided that the next shift of that worker shall not commence before a period of 16 hours has elapsed after the specified stopping time of the shift to which he belongs.</p>
(2)	Carbonic Acid gas works.	64(2)(d) for work which for technical reasons must be carried on continuously.	Work of firemen, pumpmen, plant driver, oilers and the filling of cylinders.	51, 52, 54, 55 and 56.	Do.
(3)	Carbonic Acid gas solidification works.	Do.	All works except packing blocks.	Do.	Do.
(4)	Cement factories and asbestos cement factories.	Do.	All continuous process work	Do.	Do.
(5)	Chemical factories.	Do.	All continuous process work	Do.	Do.
(6)	Chemical Products factories	Do.	Process of manufacturing activated carbon.	Do.	Do.
(7)	Cinematographic films processing factories.	Do.	Work on developing and washing processes.	Do.	Do.

(9) Computer installations.	Do.	"	metres and governors.	"	Do.	Do.
(10) Confectionery Manufacturing Departments or Factories.	Do. Do.	..	Manufacturing of malted chocolate flavoured food and chocolate making.	..	Do.	Do.
(11) Crude Mineral Oil and petro-Chemical Refining Factories.	Do.	..	(a) All continuous process work performed by the plant operators, fire operators, Laboratory testers and analysts, maintenance and instrument personnel connected with continuous process work, dressers and sample carriers. (b) Work performed by safety Operators.	..	Do.	Do.
(12) Dextrine manufacturing factories.	Do.	..	All continuous process work	..	Do.	Do.
(13) Distilleries	Do.	..	Work on the extraction of sugar from various bases, fermentation on sugarcane juice and distillation of fermented wash.	..	Do.	Do.
(14) Electrical accumulators charging departments of factories.	Do.	..	Operations in connection with charging electrical accumulators.	..	Do.	

5) Electrical receiving stations and substations.	64(2)(e) for work which for technical reasons must be carried on continuously.	Operation and maintenance of transformers and their auxiliaries including receiving and distribution, switch gear, lightning arrestors synchronous and other condensers and rotary and static condensers.	51, 52, 54, 55 and 56.	(i) No worker shall be employed or allowed to work in shifts of longer than 8 hours duration. (ii) Intervals for rest shall be given to workers allowed to work on such work. (iii) Provisions of sections 51 and 96 shall be read with. (iv) Compliance with section 53 shall be in such way that shift workers shall be allowed to work for more than two holidays in any period covered by consecutive statutory holidays under section 53. (v) In the absence of a worker who has failed to report for duty a shift/worker shall be allowed to work for part of the shift provided that the worker shall commence before 16 hours has elapsed from the specified start of the shift to which the worker belongs.		
Electronic components factory.	Do.	..	Welding lacquering and colour coding of carbon resistors.	..	Do.	Do.
Iron and ferrous metal works.	Do.	..	Hot rolling.	..	Do.	Do.
Textile factories	Do.	..	All continuous process Work including cartoning and packing carried out in continuous chain.	..	Do.	Do.

Chloride Factories	Do.	..	All work of receiving, shilling, processing of milk by pasturisation, storage, bottling and packing of milk.	Do.	Do.
(23) Milk Dairies ..	Do.	..	(a) Work performed by workers in connection with pumping operations. (b) Work performed by furnacemen and firemen. (c) Work performed by safety operators.	Do.	Do.
(24) Oil tank installations	Do.	..	Engine and plant drivers, oilers and the filling the cylinders.	Do.	Do.
(25) Oxygen factories	Do.	..	Work performed, on choppers digester, kneaders, strainers and washers, beaters, paper making machines, pumping plants, reelers and cutters.	Do.	Do.
(26) Paper, cardboard and strawboard factories.	Do.	..	All continuous process operations in chemical plant.	Do.	Do.
(27) Pharmaceutical factories	Do.	..	Work performed in Matrix Department.	Do.	Do.
(28) Phonograph Disc, manufacturing factories.	Do.	..	Work in the cell room	Do.	Do.
(29) Potassium chlorate factories.	Do.	..	Operation and maintenance of Prime mover and auxiliaries, generators transformers and switch gears, also engines and boilers and their auxiliaries.	Do.	Do.
(30) Public electricity supply factories generating electricity in any manner and those engine rooms and boiler departments/generating electricity in any manner.	Do.	..		Do.	Do.
(31) Public pumping and compressor stations.	64 (2) All work (d) for work which for technical reasons must be carried on continuously.	..		51, 52, 54, 55 and 56.	(i) No worker required or work on shift than 8 hour's (ii) Intervals for rest shall be workers allowed on such work. (iii) Provisions of 96 shall be com (iv) Compliance v 53 shall be ma way that suc shall be allowe than two holid period covered consecutive sta days under secti (v) In the abse worker who ha report for dur worker may be work the whole the subsequent vided that the n that worker commence befor of 16 hours h after the specific time of the shif he belongs.

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(2)	(3)	(4)	(5)	(6)
(32) Rubber Tyre and Rubber factories.	Do.	All work on curing process of rubber.	Do.	Do.
(33) Silver refineries	Do.	All work	Do.	Do.
(34) Soap factories	Do.	(a) All continuous process work in continuous soap making plants. (b) All continuous process work in synthetic detergent plants including cartoning and packing carried out in a continuous chain.	Do.	Do.
(35) Sodium and Potassium bichromate factories.	Do.	Work in furnace and crystallisers.	Do.	Do.
(36) Starch factories	Do.	All work except engineering Department and workshops.	Do.	Do.
(37) Sugar Factory	Do.	Operations beginning with receiving and Reightment of Sugarcane and ending with bogging of sugar.	Do.	Do.
(38) Vegetable Oil hydrogenation factories.	Do.	The work, viz., refining, bleaching filtering, generation in of hydrogen, hydrogenating and deodorising processes also compression of oxyegn and the cylinder filling.	Do.	Do.
(39) Factories having effluent Treatment Plant.	Do.	All continuous process work.	Do.	Do.
(1) All Cotton Ginning factories.	64(2)(2) for work in the nature of preparatory or complementary work 64(2) (1) for work carried	Work performed by Gin Fitters, Mochies and Oilers.	51, 52, 54, 55, 56 and 61.	All the five conditions in X(I)8 (VI) Register or Muster roll required to be maintained under section 62 shall show correctly full

out during fixed seasons and section 64(3) for consequential exemption from section 61.

particulars of periods within which each such workers may be required to work; entries in the register or Muster roll shall be up-to-date.

XII (1) Pottery Works	64(2)(d) for work of continuous nature.	Work on Tunnel kilns	52 and 55	All the conditions as in VII.
XIII (1) Gur (Jaggery) Factories.	64(2)(b) for Work in the nature of preparatory or complementary work and 64(2)(c) for work which which is necessarily intermittent in nature.	A.-work	51, 54, 55 and 56.	All the conditions as in VIII.
XIV (1) News Printing Presses.	64(2) (i) for work in Printing of News paper which is held up due to break down of machinery.	(a) All work on daily weekly News Papers.	51, 54, 55 and 56.	(a) No worker shall be allowed to work for more than 56 hours in any week. (b) No overtime shall be carried on except for two days prior to the date of the publication of the weekly news paper. (c) The exemption under this entry shall be availed of only in that section of the press where there is break down of machinery and, (d) Intervals for food and rest shall be given to all workers allowed to work on such work.
XV (1) All Factories	64(2)(k) for work notified by the State Government as work of National importance.	Workers engaged in any work which is notified by the State Government in the Official Gazette, as work of National Importance.	51, 52, 54, 55 and 56.	All the conditions as in X(I) except condition No. (V).

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(Vide Government Notification, Industries, Energy and Labour Department No. FAC. 1680/6604/Lab-4, dated 18th April 1985 published in Maharashtra Government Gazette, Part I-L, dated 18th July 1985 at pages Nos. 2440 to 2455).

The Government of Maharashtra Industries, Energy and Labour Department exercise of the powers conferred by section 112 read with section 87 of said Act, made the following rules further to amend the Maharashtra Factories Act, 1963 the same having been previously published as required by section 115 of said Act, namely :—

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

in rule 114 of the Maharashtra Factories Rules, 1963,—

in sub-rule (1), after entry 21, the following entry shall be added, namely ;

“(2) Manufacture or manipulation of Carcinogenic Dye Intermediates” ;

After Schedule XXI, the following Schedule shall be added, namely :—

SCHEDULE XXII

*Manufacture or Manipulation of Carcinogenic Dye Intermediates.*

*Application.*—This Schedule shall apply in respect of all factories or any part thereof where processes in which the prohibited substances and controlled substances mentioned in paragraphs 3 and 4 respectively, are used, handled, manufactured, stored or dried, and the processes incidental thereto in the course of which these substances are formed, are carried on. The processes indicated in this paragraph hereinafter be referred to as “the said processes”, and such a reference shall include any or all the processes described in this paragraph.

*Definitions.*—For the purposes of this Schedule unless the context otherwise requires,—

(a) “Controlled Substances” means chemical substances mentioned in paragraph 4 of this Schedule ;

(b) “Efficient Exhaust Draught” means localised ventilation effected by mechanical means for the removal of gas, vapour, dust or fume so as to prevent the same from escaping into the air of any place in which work is carried on. No draught shall be deemed to be efficient which fails to remove smoke generated at the point where such gas, vapour, fume or dust originate ;

(c) “First Employment” means first employment in the said processes and also any subsequent employment in such processes following any cessation of employment for a continuous period exceeding three calendar months ;

(d) “Prohibited Substances” means chemical substances mentioned in paragraph

3. *Prohibited substances.*—For the purpose of this Schedule, the following chemical substances shall be classified as “prohibited substances” except when these substances are present or are formed as a by-product of a chemical reaction in a total concentration not exceeding one per cent :—

- (a) Beta-naphthylamine and its salts ;
- (b) Benzidine and its salts ;
- (d) 4-nitro diphenyl and its salts ; and
- (e) any substance containing any of these compounds.

4. *Controlled substances.*—For the purpose of this Schedule, the following chemical substances shall be classified as “controlled substances”, namely :—

- (a) Alpha-naphthylamine or alphanaphthylamine containing not more than one per cent of betanaphthylamine either as a by-product of chemical reaction or otherwise, and its salts ;
- (b) Ortho-tolidine and its salts ;
- (c) Dianisidine and its salts ;
- (d) Dichlorobenzidine and its salts ;
- (e) Auramine ;
- (f) Magenta.

5. *Prohibition of employment.*—No person shall be employed in the said processes in any factory in which any prohibited substance is used, handled, manufactured, processed or formed unless the process is duly certified and exempted by the Chief Inspector under paragraph 26.

6. *Requirements for processing or handling controlled substances.*—(1) Wherever any of the controlled substances are formed, manufactured, processed, handled or used, all necessary steps shall be taken to prevent inhalation, ingestion or absorption of the said controlled substance by the workers while engaged in processing that substance, and its storage or transport within the plant, or in cleaning or maintenance of the concerned equipment, plant, machinery and storage areas.

(2) All operations shall be carried out in a totally enclosed system. Wherever such enclosure is not possible, efficient exhaust draught shall be applied at the point where the controlled substances are likely to escape into the atmosphere during the process.

(3) The controlled substances shall be received in the factory in tightly closed containers and shall be so kept except when these substances are used, handled or manipulated. The controlled substances shall leave the factory only in tightly closed containers approved by the inspector to be safe for carrying the controlled substances. All the containers shall be clearly labelled to indicate the contents.

7. *Efficient exhaust draught.*—Unless the manufacturing process is completely enclosed so as not to dust or fume it shall be carried on without the use of an efficient exhaust draught when any controlled substance.—

(a) is introduced into a tank hopper machine or container or filled into cartridge.

8. ... equipment shall be ...

(a) Long trousers ...

(b) Rubber gaiters.

(c) The following items of personal protective equipment shall be provided in sufficient numbers for use by workers employed in the said processes—

(i) Rubber hand-gloves,

(ii) Rubber aprons,

(iii) Safety spectacles or eye-protective equipment.

(d) It shall be the responsibility of the manager to ensure that items of personal protective equipment are in good and usable condition at all times.

9. ... or young persons shall be ...

10. ... of the floor.

(a) maintained in a ...

(b) ...

(c) thoroughly ...

11. ...

(1) These ...

12. ...

13. ...

14. ...

15. Medical examinations—(1) Every workers employed in the said processes shall be examined by a Medical Inspector of Factories or a Certifying Surgeon within 14 days of his first employment. Such examination shall include tests which the Medical Inspector of Factories or Certifying Surgeon may consider appropriate and shall include exfoliative cytology of the urine. No worker shall be allowed to work after 14 days of his first employment in the factory unless certified fit for such employment by the Medical Inspector of Factories or Certifying Surgeon.

(2) Every worker employed in the said processes shall be re-examined by a Medical Inspector of Factories or Certifying Surgeon at least once in every six calendar months. Such examination shall include tests which the Medical Inspector of Factories or Certifying Surgeon may consider appropriate but shall include exfoliative cytology of the urine.

(3) A person medically examined under sub-paragraph (1) shall be granted by the Medical Inspector of Factories or Certifying Surgeon a certificate of fitness in Form No. 3. Record of each re-examination carried out under sub-paragraph (2) shall be entered in the certificate. The Certificates shall be kept in the custody of the manager of the factory.

(4) The record of each examination carried out as referred to in sub-paragraphs (1) and (2) including the nature and the results of the tests shall be entered by the Medical Inspector of Factories or Certifying Surgeon in a health register in Form No. 7.

(5) The certificates of fitness and the health register shall be kept readily available for inspection by any Inspector.

(6) If at any time the Medical Inspector of Factories or Certifying Surgeon is of the opinion that a person is no longer fit for employment in the said processes or in any other work on the ground that continuance therein would involve damage to his health, he shall make a record of his findings in the said certificate and the health register. The entry of his findings in these documents shall also include the period for which he considers that the said person is unfit for work in the said process or in any other work, as the case may be.

(7) No person who has been found unfit to work as said in sub-paragraph (6) shall be re-employed or permitted to work unless the Medical Inspector of Factories or Certifying Surgeon, after further examination, again certifies him to be fit for employment

No worker shall be required to pay the charges or fees for the medical examination, re-examination or tests required to be done under this paragraph. Such charges or fees shall be paid by the occupier of the factory.

16. Medical facilities.—(1) The occupier of the factory shall appoint a qualified medical practitioner whose appointment shall be subject to confirmation by the Chief Inspector. The qualified medical practitioner so appointed shall be known as the appointed doctor.

(2) The occupier shall provide,—

(a) for the purpose of medical examination which the appointed doctor wishes to conduct at the factory premises for his exclusive use, a room which shall be properly cleaned, adequately ventilated, lighted and furnished with a screen, a

able (with writing material), chairs and facilities and instruments for such examination and

(1) Oxygen gas cylinder with qualified personnel for its administration.

(2) A record of medical examination and appropriate tests carried out by appointed doctor shall be maintained in a form approved by the Chief Inspector.

(3) No person shall be employed in the said process unless he has been examined using appropriate tests and found fit for the said process by the appointed doctor.

(4) Persons examined in compliance with sub-paragraph (3) shall be re-examined by the appointed doctor at intervals of not more than 3 months or at such other intervals as may be directed in writing by the Chief Inspector and records of such examination shall be entered in the register provided under sub-paragraph (2).

(5) If at any time, the appointed doctor is of opinion that any person is no longer fit for employment in the said process on the ground that continuance thereof would involve special danger to health, he shall make a record of his findings in the said register and intimate the manager in writing that the said person is unfit to work in the said process.

(6) A person so found unfit by the appointed doctor shall be sent by the manager to the Medical Inspector of Factories or the Certifying Surgeon with a report from the appointed doctor. The Medical Inspector of Factories or Certifying Surgeon on examination may suspend the said person from work in the said process.

No worker shall be required to pay the charges or fees for the medical examination, re-examination or tests required to be done under this paragraph. Such charges or fees shall be paid by the occupier of the factory.

*Obligations of the workers.* It shall be the duty of the persons employed in the said processes to submit themselves for the medical examination including qualitative cytology of urine by the Medical Inspector of Factories or Certifying Surgeon or the appointed doctor as provided for under these rules.

*Washing and bathing facilities.*—(1) The following washing and bathing facilities shall be provided and maintained in a clean state and in good repair for the use of all workers employed in the said processes, namely:—

(a) A wash place under cover having constant supply of water and provided with clean towels, soap and nail brush and with at least one stand pipe for every 50 such workers.

(b) 50 per cent of the stand pipes provided under clause (a) shall be located in bathrooms where both hot and cold water shall be made available during the working hours of the factory and for one hour thereafter.

The washing and bathing facilities shall be in close proximity of the area where the said processes are carried out but the same shall not be at a distance longer than 100 meters. Before the end of each shift one hour shall be allowed for bathing for each worker who is employed in the said processes, and at least 10 minutes shall be allowed for washing before each meal in addition to the regular time allowed for meals.

Close stools shall be provided individually to each worker

(c) In addition to the taps mentioned under clause (a), one stand pipe, in which warm water is made available, shall be provided on each floor.

(2) Arrangement shall be made to wash factory uniforms and other work clothes every day.

19. *Food, drinks, etc. prohibited in work-room.*—No worker shall consume food, drink, pan, supari or tobacco or shall smoke on any premises in which the said processes are carried on and no worker shall remain in any such room during intervals for meals or rest.

20. *Cloak room.*—There shall be provided and maintained in a clean state and in good repair for the use of the workers employed in the said processes:—

(a) a cloak room with lockers having two compartments—one for street clothes and the other for work clothes, and

(b) a place separate from the locker room and the mess room, for the storage of protective equipment provided under paragraph 7. The accommodation so provided shall be under the care of a responsible person and shall be kept clean.

21. *Mess room.* There shall be provided and maintained for the use of workers employed in the said processes who remain on the premises during the meal intervals a mess room which shall be furnished with tables and benches and provided with suitable means for warming food. Mess room shall be placed under the charge of a responsible person and shall be kept clean.

22. *Drying oven or stoves.*—(1) Every drying stove shall be efficiently ventilated to the outside air in such manner that hot air from the stove shall not be drawn into any work-room.

(2) No person shall enter stove to remove the contents until a free current of air has been passed through it by mechanical means.

23. *Restrictions on age of persons employed.*—No worker under the age of 40 years shall be engaged in the factory in the said processes for the first time after the date on which the Schedule comes into force.

24. *Separation of processes.*—The said process shall be carried on in a room or rooms which shall not directly communicate with any other room or rooms not having the said process except through a passage open entirely to outside atmosphere.

25. *Testing of atmosphere etc.*—The prohibited substances in the atmosphere of the work-room where the manufacturing process is carried on shall be estimated once in every week and records of results of such estimation shall be made available when required by the Inspector.

26. *Exemptions.* (1) The Chief Inspector may by a certificate in writing (which he may at his discretion revoke at any time) and subject to such conditions, if any, as may be specified therein, exempt any process in the course of which any of the prohibited substances is formed, processed, manufactured, handled, or used, from the provisions of paragraph 5 if he is satisfied that the process is carried out in a totally enclosed and hermetically sealed system in such a manner that the prohibited substance is not removed from the system except in quantities no greater than that required for the purposes of control of the process or such purposes as is necessary to ensure that the product is free from any of the prohibited substances.

The Chief Inspector may allow the transportation, landing or use of benzidine hydrochloride if he is satisfied that all the provisions in connection with it are carried out in a manner enclosed in such a manner that no prohibited substance other than benzidine hydrochloride is removed therefrom except in quantities in excess of that required for the purposes of control of the processes or such purposes as it is necessary to show that the product is free from prohibited substances and the adequate measures are taken to ensure that benzidine hydrochloride is, except while not in a tightly enclosed system, kept wet with not less than one part of water to ten parts of benzidine hydrochloride at all times.

**Exemptions—General.**—If in respect of any factory, the Chief Inspector is satisfied on account of the exceptional circumstances or infrequency of the processes or for any other reason all or any of the provisions of this Schedule are not necessary for the protection of the workers in the factory, the Chief Inspector may grant a certificate in writing (which he may at his discretion revoke at any time) exempting such factory from all or any of such provisions subject to such conditions, if any, as he may specify therein.

### APPENDIX

#### Cautionary Placard Notice

Dye intermediates which are nitro or amino derivatives or aromatic hydrocarbons are toxic. You have to handle these chemicals frequently in this factory.

1. Use the various items of protective wear to safeguard your health.

2. Maintain scrupulous cleanliness at all times thoroughly wash hands and feet after every meal. It is essential to take a bath before leaving the factory.

3. Wash off any chemical falling on your body with soap and water. If splashed with a solution of the chemical remove the contaminated clothing immediately. These chemicals are absorbed through skin and are known to produce cyanosis. Contact the medical office or appointed doctor immediately and get his advice.

4. Handle the dye intermediates only with long handled scoops, never with bare hands.

5. Alcoholic drinks should be avoided as they enhance the risk of poisoning by these chemicals.

6. Keep your food and drinks away from the place of work. Consuming food, drinks or tobacco in any form at the place of work is prohibited.

7. Serious effects from work with toxic chemicals may follow after many years. Great care must be taken to maintain absolute cleanliness of body, clothes, machinery and equipment.

(Vide Government Notification Industries, Energy and Labour Department No. FAC 1180/6563/Lab-4, dated 9th May, 1985, published in Maharashtra Government Gazette, Part I-L, dated 18th July 1985, at page Nos. 2470 to 2477).

(B) Notifications under the Act.—(1) The Government of Maharashtra, Industries, Energy and Labour Department has in exercise of the powers conferred by sub-section (1) of section 85 of the said Act declared that all the provisions of the said Act shall apply to every premises or places including the precincts thereof,

wherein any of the manufacturing processes mentioned in the Schedule appended hereto is carried on with or without the aid of power or is so ordinarily carried on notwithstanding that—

(i) the number of persons employed therein is less than ten, if working with the aid of power; or

(ii) the persons working therein are not employed by the owner thereof but are working with the permission of, or under agreement with, such owner;

Provided that the manufacturing process is not being carried on by the owner only with the aid of his family.

**Explanation.**—For the purposes of this notification "flammable Solvent" means any liquid having a flash point below 65°F, or which can form explosive mixture due to process conditions.

### SCHEDULE

1. Any of the following manufacturing processes when carried out using flammable solvent, namely:—

- (i) Paints, Varnishes, Lacquers or thinners,
- (ii) Nail Polish, or Cosmetic Sprays,
- (iii) Rubber beadings or rubber goods,
- (iv) Artificial leather,
- (v) Adhesive Tapes,
- (vi) Lioleum, rexins or water proof fabrics,
- (vii) Wall paper,
- (viii) Metalizing Plastic or other goods,
- (ix) Cleaning of fabrics or any other material.

2. Manufacture of textile auxiliaries by process of emulsification of silicon oil,

3. Manufacture of nitro cellulose paints,

4. Process involving use of thylene oxide.

5. Manufacturing processes involving any chemical reaction such as nitration, amination, sulphonation, halogenation, polymerisation, isomerisation, or aromatization.

6. Manufacture of chlorates, or perchlorates, or peroxides, or salts of any of these.

7. Any process involving use of pressure vessels.

8. Rotogravure Printing Processes.

9. Manufacture of Metallic powder of aluminium, nickel or zinc.

10. Pulverisation of sulphur, carbon, starch, chlorates or perchlorates.

11. Distillation of organic solvents or chemicals.

(Vide Government Notification Industries, Energy and Labour Department, No. FAC-1082/8583/Lab-4, dated 1st July 1985, published in Maharashtra Government Gazette, Part I-L, dated 25th July 1985, at pages Nos. 2596 to 2597).

VI. Maharashtra, Mysore, West Bengal and Jammu and Kashmir Workers (Special Provisions) Act, 1985

(1) Appointments under the Act.—(i) The Government of Maharashtra, Industries, Energy and Labour Department has in exercise of the powers conferred by sub-section (2) (i) and (ii) of Section 3 and Section 11 of the said Act, read with proviso to sub-rule (i) of rule 1 of the Maharashtra Industrial, Thermal and Other Manual Workers (Regulation of Employment and Welfare) Rules, 1975, appointed Mr. K. N. Bhat, Assistant Commissioner of Labour, Bombay as a member of the Mysore District Industrial Labour Board in place of Mr. B. B. Hill, Assistant Commissioner of Labour, Bombay and also to be the Chairman of the Mysore District Industrial Labour Board in place of Mr. C. G. Paul, Assistant Commissioner of Labour, Bombay.

(Vide Government Notification, Industries, Energy and Labour Department, No. CWA-1085(32)/IND-10, dated 19th April 1985, published in Maharashtra Government Gazette, Part I-L, dated 18th July 1985 at page Nos. 2456 to 2457).

(ii) The Government of Maharashtra, Industries, Energy and Labour Department has in exercise of the powers conferred by Sub-sections (2), (3) and (4) of Section 3 and Section 11 of the said Act, read with proviso to sub-rule (i) of rule 1 of the Maharashtra Industrial, Thermal and Other Manual Workers (Regulation of Employment and Welfare) Rules, 1975, appointed Mr. K. N. Bhat, Assistant Commissioner of Labour, Bombay as a member of the Greater Mumbai and Slum Board for Greater Bombay, representing the State Government and also to be the Chairman of the said Board. Mr. C. G. Paul, Assistant Commissioner of Labour, Bombay.

(Vide Government Notification, Industries, Energy and Labour Department, No. CWA-1385 CR-10649 Lab-5, dated 26th April 1985, published in Maharashtra Government Gazette, Part I-L, dated 18th July 1985, at page No. 2462).

VII. BOMBAY RELIEF UNDERTAKING (SPECIAL PROVISIONS) ACT, 1958.

(A) *Declarations under the Act.*—(1) The Government of Maharashtra, Industries, Energy and Labour Department has in exercise of the powers conferred by sections 3 and 4 of the said Act, declared that—

(a) Messrs. Swastik Rubber Products Limited, K.tee, Pune 411 003 shall, for a further period of one year commencing on the 20th day of April, 1985 and ending on 19th day of April 1986 (both days inclusive) be conducted to serve as a measure of unemployment relief; and

(b) directs that in relation to the said relief undertaking and in respect of the said period for which the said relief undertaking continues as such, any right, privilege, obligation or liability excepting the obligations or liabilities incurred in favour of workmen of the said relief undertaking or in favour of the Maharashtra State Electricity Board, Bank of Maharashtra, Bank of India, the Sangli Bank Limited, the United Western Bank Limited, the Industrial Credit and Investment Corporation of India Limited, and the Industrial Finance Corporation of India and the dues of the Employees' State Insurance Corporation, Industrial Reconstruction Corporation of India and any liability incurred under the Bombay Sales Tax Act, 1959 (Bom. LI of 1959), the Maharashtra State Tax on Professions, Trades, Callings and Employments Act, 1975 (Mah. XVI of 1975) and the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952),

accrued or incurred before the 20th day of April, 1982 and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any court, Tribunal, Officer or authority shall be stayed.

(Vide Government Notification, Industries, Energy and Labour Department, No. BRU-1085/32/IND-10, dated 19th April 1985, published in Maharashtra Government Gazette, Part I-L, dated 18th July 1985 at ages Nos. 2457 to 2458).

(2) The Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by Section 3 and sub-clause (iv) of clause (a) of sub-section (1) of Section 4 of the said Act, declared that—

(a) declares the industrial undertaking called "Messrs. Chowgule and Company (Hind) Private Limited, Bombay" (hereinafter referred to as "the said relief undertaking") to which financial assistance has been provided by the Government of Maharashtra by way of sanctioning sales tax loan amounting Rs. 1,00,000 (Rs. one lakh only), shall for a period of one year commencing from 29th April 1985 and ending on 28th April 1986, be conducted to serve as a measure of unemployment relief; and

(b) directs that in relation to the said relief undertaking and in respect of the said period for which the said relief undertaking continues as such any right, privilege, obligation or liability excepting the obligations or liabilities incurred in favour of workmen of the said relief undertaking, or in favour of the industrial units which are registered as small scale, industrial units with the Directorate of Industries of the Government of Maharashtra, Bank of Baroda, Bank of Maharashtra and other Nationalised Banks, Industrial Reconstruction Corporation of India, Industrial Development Bank of India, Industrial Credit and Investment Corporation of India, Maharashtra State Financial Corporation and the dues of the Employees' State Insurance Corporation and Maharashtra State Electricity Board and liability incurred under the Bombay Sales Tax Act, 1959 (Bom. LI of 1959), the Maharashtra State Tax on Professions, Trades, Callings and Employments Act, 1975 (Mah. XVI of 1975), and the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), accrued or incurred before the 29th April 1985 and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any court, tribunal, officer or authority shall be stayed.

(Vide Government Notification Industries, Energy and Labour Department, No. BRU-1085(51)/IND-10, dated 29th April 1985, published in Maharashtra Government Gazette, Part I-L, dated 18th July 1985 at page No. 2463).

(3) The Government of Maharashtra, Industries, Energy and Labour Department, has in exercise of the powers conferred by section 3 and 4 of the said Act, declared that—

(a) the Industrial undertaking called "the Phoenix Mills Limited, Bombay shall for a further period of one year commencing on the 4th day of May 1985 and ending on the 3rd of May 1986 (both days inclusive), be conducted to serve as a measure of unemployment relief, subject to fulfilling the conditions specified in the Schedule hereto, and

(b) directs that, in relation to the said relief undertaking and in respect of the said further period of one year commencing on the 4th day of May 1985 and ending on the 3rd day of May 1986 (both days inclusive), for which the said relief undertaking continues as such, unless the aforesaid declaration is withdrawn at an early

for breach of any of the conditions specified in the said Schedule hereto, any right, privilege, obligation or liability (excepting the obligation accrued towards the said relief undertaking and the liabilities incurred in favour of workmen of the said relief undertaking and the liabilities accrued towards or incurred in favour of the industrial units which are registered as small scale industrial units with the Directorate of Industries of the Government of Maharashtra, Bank of India and Dena Bank) accrued or incurred before the 4th day of January 1985 and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any court, tribunal, officer or authority shall be stayed.

#### Schedule

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

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

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

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

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

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

(Vide Government Notification Industries, Energy and Labour Department, No. BRU-1085/(36)/IND-10, dated 3rd May 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 18th July 1985, at pages Nos. 2465 to 2467).

The Government of Maharashtra Industries, Energy and Labour Department, in exercise of the powers conferred by section 3 and 4 of the said Act, declared that—

(a) the Industrial Undertaking called Messrs. Doburg Lager Breweries (Private) Limited, Bombay shall for a period of six months commencing from 10th day of May 1985 and ending 9th day of November 1985 (both days inclusive) be conducted to serve as a measure of unemployment relief, and

(b) directs that in relation to the said relief undertaking and in respect of the said period of six months commencing on 10th day of 1985 and ending on 9th day of November 1985 (both days inclusive) for which the said relief undertaking continues as such, any right, privilege, obligation or liability (excepting the obligations or liabilities incurred in favour of workmen of the said relief undertaking or in favour of the industrial units which are registered as small-scale industrial units with the Directorate of Industries of the Government of Maharashtra, the Maharashtra State Electricity Board, the State Industrial and Investment Corporation of Maharashtra Limited, the Maharashtra State Financial Corporation, Bank of Maharashtra, Vijaya Bank, Bank of India, Industrial Development Bank of India, Industrial Finance Corporation of India and Industrial Credit and Investment Corporation of India and the dues of the Employees' State Insurance Corporation and any liability incurred under the Bombay Sales Tax Act, 1959 (Bom. XVI of 1975), and the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952)) accrued or incurred before the 10th day of November 1983 and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any court, tribunal, officer or authority shall be stayed.

(Vide Government Notification, Industries, Energy and Labour Department, No. BRU-1085/(34)/IND-10, dated 10th May 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 18th July 1985, at pages Nos. 2477 to 2478).

(5) the Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by section 3 and 4 of the said Act, declared that—

(a) the Industrial Undertaking called "Messrs. Chemieghip Limited, Bombay shall for a period of twelve months commencing on 20th May 1985, and ending on 19th May 1986 (both days inclusive) be conducted to serve as a measure of unemployment relief and

(b) directs that in relation to the said relief undertaking and in respect of the said period of twelve months commencing on 20th May 1985 and ending on 19th May 1986 (both days inclusive) for which the said relief undertaking continues as such, any right, privilege, obligation or liability (excepting the obligations or liabilities incurred in favour of the workmen of the said relief undertaking or in favour of the industrial units which are registered as Small Scale Industrial Units with the Directorate of Industries of Government of Maharashtra, Maharashtra State Electricity Board, State Industrial and Investment Corporation of Maharashtra Limited, Maharashtra State Financial Corporation Limited, Bank of Baroda, Dena Bank, Saraswat Co-operative Bank Limited, Industrial Development Bank of India, Industrial Finance Corporation of India, and Industrial Credit and Investment Corporation of India and the dues of the Employee's State Insurance Corporation, and any liabilities incurred under the Bombay Sales Tax Act, 1959 (Bom. I.I of 1959), the Maharashtra Sales Tax on Profession, Trades, Callings and Employment Act, 1975 (Mah. XVI 1975), and the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), accrued or incurred before the 13th October 1983 and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereof pending before any court, tribunal, officer, or authority shall be stayed.

(Vide Government Notification Industries, Energy and Labour Department, No. BRU-1085/(55)/IND-10, dated 20th May 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 18th July 1985 at pages Nos. 2485 to 2487).

The Government of Maharashtra, Industries, Energy and Labour Department in exercise of the powers conferred by sections 3 and 4 of the said Act, declared

(a) the Industrial undertaking called "Messrs. IPCO Paper Mills Limited, Karapur District Thane, having its registered office at Elphinstone Mills (Leather Division) compound, N. M. Joshi Marg, Bombay 400 013, shall for a further period of one year commencing on the 14th day of June 1985 and ending on the 13th day of June 1986 (both days inclusive) be conducted to serve as a measure of unemployment relief, and

(b) directs that in relations to the said relief undertaking and in respect of the said further period of one year commencing on the 14th day of June 1985 and ending on the 13th day of June 1986 (both days inclusive) for which the said relief undertaking continues as such any right, privilege, obligation or liability (excepting the obligations or liabilities incurred in favour of workmen of the said relief undertaking, or in favour of the industrial units which are registered as small scale Industrial units with the Directorate of Industries of the Government of Maharashtra, the Maharashtra State Electricity Board, the Maharashtra State Finance Corporation, the State Industrial and Investment Corporation of Maharashtra, Dena Bank, Bank of Baroda, United Bank of India, the Industrial Reconstruction Bank of India Limited, the Employees' State Insurance Corporation of India, and any liability incurred under the Bombay Sales Tax Act, 1959 (Bom. LI of 1959), the Maharashtra State Tax on Professions, Trades, Callings and Employments Act, 1975 (Mah. XVI of 1975), and the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952) accrued or incurred before the 13th day of June 1982 and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any court, tribunal, officer or authority shall be stayed.

(Vide Government Notification Industries, Energy and Labour Department No. BRU-1085/(60)/IND-10, dated 13th June 1985 published in *Maharashtra Government Gazette*, Part I-L, dated 25th July 1985, at page Nos. 2589 to 2590).

The Government of Maharashtra Industries, Energy and Labour Department, in exercise of the powers conferred by sections 3 and 4 of the said Act, declared

(a) the industrial undertaking called Messrs. Kulkarni Foundaries Limited, Pune, shall for a further period of one year commencing on the 29th day of June 1985 and ending on the 28th day of June 1986 (both days inclusive) be conducted to serve as a measure of unemployment relief, and

(b) directs that in relation to the said relief undertaking and in respect of the said further period for which the said relief continues as such any right, privilege, obligation or liability (excepting the obligations or liabilities incurred in favour of workmen of the said relief undertakings, or in favour of the industrial units which are registered as small scale industries with the Directorate of Industries of the Government of Maharashtra, the Maharashtra State Electricity Board, the Maharashtra State Finance Corporation, Bank of Maharashtra, the Industrial Development Bank of India, the Industrial Finance Corporation of India, the Industrial Credit and Investment Corporation of India, the Employees' State Insurance Corporation of India, the Life Insurance Corporation of India, Unit Trust of India, General Insurance Corporation of India Limited, and any liability incurred under the Bombay Sales Tax Act, 1959 (Bom. LI of 1959), the Maharashtra State Tax on

Professions, Trades, Callings and Employments Act, 1975 (Mah. XVI of 1975), the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), accrued or incurred before the 29th day of April 1981 and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any court, tribunal, officer or authority shall be stayed.

(Vide Government Notification Industries, Energy and Labour Department No. BRU-1085/(86)/IND-10, dated 28th June 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 25th July 1985, at pages Nos. 2591 to 2592).

(8) The Government of Maharashtra, Industries, Energy and Labour Department has in exercise of the powers by sections 3 and 4 of the said Act, declared that—

(a) the Industrial undertaking called (Messrs. Solid Containers Limited, Vadavali, District Thane shall for a period of one year commencing on the 3rd July 1985 and ending on the 2nd July 1986 (both days inclusive), be conducted to serve as a measure of unemployment relief; and

(b) directs that in relation to the said relief undertaking and in respect of the said period for which the said relief undertaking continues as such, any right privilege, obligation or liability (excepting the obligations or liabilities incurred in favour of workmen of the said relief undertaking, or in favour of the industrial units which are registered as Small Scale Industrial Units with the Directorate of Industries of the Government of Maharashtra, the Maharashtra State Electricity Board, the State Industrial and Investment Corporation of Maharashtra Limited, the Maharashtra State Financial Corporation, Union Bank of India, and the dues of the Employees' State Insurance Corporation, and any liability incurred under the Bombay Sales Tax Act, 1959 (Bom. LI of 1959), the Maharashtra State Tax on Professions, Trades, Callings and Employments Act, 1975 (Mah. XVI of 1975), and the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952) accrued or incurred before the 26th day of June 1984 and any remedy for the enforcement thereof shall be suspended and all proceedings relative thereto pending before any Court, Tribunal, Officer or Authority shall be stayed.

(Vide Government Notification Industries, Energy and Labour Department, No. BRU-1085/(75)/IND-10, dated 3rd July 1985, published in *Maharashtra Government Gazette*, Part I-L, dated 25th July 1985, at pages Nos. 2598 to 2599)

#### VIII—INDUSTRIAL DISPUTES ACT, 1947.

(A) *Declaration of Public Utility Services.*—(1) The Government of Maharashtra Industries, Energy and Labour Department has in exercise of the powers conferred by Sub-clause (vi) of clause (4) of Section 2 of the said Act, declared "Employment in the Bombay Fire Brigade of the Bombay Municipal Corporation of Bombay and the Employment of Workmen in Fire Brigade in general in the Maharashtra State as Public utility services for the purposes of the said Act for a further period of six months commencing from the 9th May 1985.

(Vide Government Notification Industries, Energy and Labour Department, No. IDA-1483/(4109)/Lab-2, dated 19th April 1985 published in *M.G.G.*, Part I-L, dated 18th July 1985, at page No. 2459).

(2) The Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by sub-section (vi) of clause (4) of section 2

the said Act, declared that Electronics Industry the entire production of which exported to be Public Utility service for the purpose of the said Act for a period six months from the date of issue of the notification.

(Vide Government Notification Industries, Energy and Labour Department, No. IDA-1485/5812/Lab-2, dated 20th April 1985, published in *M.G.G.*, Part I-L dated 18th July 1985, at page No. 2461).

(3) The Government of Maharashtra, Industries, Energy and Labour Department is in exercise of the powers conferred by proviso of sub-clause (vi) of clause (n) Section 2 of the said Act, declared Oxygen and Accetylene Industry to be a public utility service for a further period of six months from the 17th May 1985.

(Vide Government Notification Industries, Energy and Labour Department, No. IDA-1484/68921/(5373)/Lab-2, dated 15th May 1985, published in *M. G. G.*, Part I-L, dated 18th July 1985 at page No. 2484).

(4) The Government of Maharashtra, Industries, Energy and Labour Department is in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the said Act, declared the industry engaged in production, supply and distribution petroleum products to be a Public Utility service for the purpose of the said Act, for a further period of six months from 23rd May 1985.

(Vide Government Notification Industries, Energy and Labour Department, No. IDA-1484/5324/Lab-2, dated 20th May 1985, published in *M.G.G.*, Part I-L, dated 20th May 1985, at page No. 2485).

(5) The Government of Maharashtra, Industries, Energy and Labour Department is in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the said Act declared the industry engaged in the manufacture of basic Heavy Organic Chemicals and employing 20 or more workmen to be a public utility service for the purpose of the said Act for a period of six months commencing from the date of issue of the Notification.

(Vide Government Notification Industries, Energy and Labour Department, No. IDA-1483/2764/Lab-2, dated 24th May 1985, published in *M.G.G.*, Part I-L, dated 25th July 1985, at page No. 2585).

(B) *Appoints under the Act.*—(1) The Government of Maharashtra, Industries, Energy and Labour Department, has in exercise of the powers conferred by section 8 of the said Act, appointed Shri K. M. Desai, Additional District Judge, Pune, to be the Presiding Officer of the Industrial Tribunal in place of Shri S. R. Ramant, Presiding Officer of the Industrial Tribunal, Bombay.

(Vide Government Notification Industries, Energy and Labour Department, No. IDA-1085/(7803)/Lab-9, dated 29th June 1985, published in *M.G.G.*, Part I-L, dated 25th July 1985, at page No. 2593).

(2) The Government of Maharashtra, Industries, Energy and Labour Department is in exercise of the powers conferred by section 8 of the said Act, appointed Shri S. M. Limaye, Additional District Judge, Nagpur to be the Presiding Officer of the Industrial Tribunal, Bombay in place of Shri S. D. Rane.

(Vide Government Notification Industries, Energy and Labour Department, No. IDA-1085/(7806)/Lab-9, dated 29th June 1985, published in *M.G.G.*, Part I-L, dated 25th July 1985, at pages Nos. 2594 to 2595).

## IX. MINIMUM WAGES ACT, 1948.

(A) *Revision of Minimum rates of wages.*—The following draft of Notification which it is proposed to issue under clause (b) of sub-section (1) of section 3 of the Minimum Wages Act, 1948 (XI of 1948), in its application to the State of Maharashtra (hereinafter referred to as "the said Act") to amend Government Notification Industries, Energy and Labour Department, No. MWA. 5683/5570/LAB-7, dated the 15th October 1983, is hereby published as required by clause (b) of sub-section (1) of section 5 of the said Act for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration by the Government of Maharashtra after the expiry of two months from the date of publication of this notification in the *Maharashtra Government Gazette*.

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

## DRAFT NOTIFICATION

No. MWA. 5685/6119/Lab-7.—Whereas, by Government Notification, Industries, Energy and Labour Department No. MWA. 5683/5570/LAB-7, dated the 15th October 1983, (hereinafter referred to as "the said notification"), the Government of Maharashtra has revised the minimum rates of wages payable to the employees employed in the employment in Paper and Paper Board Manufacturing (hereinafter referred to as the "Said Scheduled Employment");

And whereas, the Government of Maharashtra, having decided to include the Municipal Corporations of Nagpur, Solapur and Kolhapur in Zone I of the First Schedule to the said notification;

Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 3 read with sub-section (2) of section 5 of the Minimum Wages Act 1948 (XI of 1948), in its application to the State of Maharashtra the Government of Maharashtra, after considering all representations received in respect of the proposals published in Government Notification, Industries, Energy and Labour Department, No. MWA. 5685/6119/LAB-7, dated the 30th April 1985 and after considering the advice of the Advisory Board hereby amends Government Notification, Industries Energy and Labour Department, No. MWA. 5683/5570/LAB-7, dated the 15th October 1983, as follows, namely :—

In the said notification, in the Explanation below Second Schedule, in sub-clause (a) of clause (2), after the words "Greater Bombay, Pune", the words "Nagpur, Solapur, Kolhapur", shall be inserted;

(Vide Government Notification Industries, Energy and Labour Department, No. MWA-5685/6119/Lab-7, dated 30th April 1985, published in *M.G.G.*, Part I-L, dated 18th July 1985, at pages Nos. 2464 to 2465).

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(2) The Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by section 27 of the said Act, gave notice of its intention to add to Part-I of the Schedule to the said Act, with effect from the expiry of the period of three months from the date of publication of the notification in the *Maharashtra Government Gazette*, the following employment in respect of which it is as the opinion that the minimum rates of wages should be fixed under the said Act, namely :—

No. 59—Employment in the Watch Strap Manufacturing Industry”.

(Vide Government Notification Industries, Energy and Labour Department, No. MWA-81585/5879/1ab-7, dated 29th May 1985, published in *M.G.G.*, Part I-L, dated 25th July 1985, at page No. 2585).

(3) The following draft of notification which it is proposed to issue under clause (b) of sub-section (1) of section 3 of the Minimum Wages Act, 1948 (XI of 1948), in its application to the State of Maharashtra and in supersession of Government Notification, Industries, Energy and Labour Department, No. MWA. 4884/5804/Lab-7, dated the 18th December 1984 containing proposals for revising the minimum rates of wages payable to employees employed in the employment in cashew processing industry in the State of Maharashtra is hereby published as required by clause (b) of sub-section (1) of section 5 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration by the Government of Maharashtra, after the expiry of two months from the date of publication of this notification in the *Maharashtra Government Gazette*.

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

DRAFT NOTIFICATION.

No. MWA. 4884/5804/Lab-7.—Whereas, by Government Notification, Industries and Labour Department, No. MWA. 4873/20302/Lab-III-A, dated the 5th December 1973, the Government of Maharashtra has fixed the minimum rates of wages payable to the employees employed in the cashew processing industry (hereinafter referred to as “the said scheduled employment”) in the State of Maharashtra;

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

Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 3 read with sub-section (2) of section 5 of the Minimum Wages Act, 1948 (XI of 1948), in its application to the State of Maharashtra the Government of Maharashtra, after considering all representations received by it in respect of proposals published in Government Notification, Industries, Energy and Labour Department, No. MWA. 4884/5804/Lab-7, dated the 13th June 1985 and after consulting the advisory Board, hereby revises, with effect from the ..... 1985 the minimum rates of wages payable to the employees employed in the said scheduled

employment and refixes them as set out in column 3 of the Schedule hereto, as the minimum rates of wages payable to the classes of employees mentioned against them in column 2 thereof—

SCHEDULE

Sr. No.	Classes of employees	Rates
1	2	3
1.	Group I	
	(1) Shellar	0.95 paise per kilo. whole kernels.
	(1) (A) All other employees by whatever name called doing the work of the nature done by the foregoing type of employees.	0.95 paise per kilo. whole kernels.
	(2) Peeler	0.90 paise per kilo. whole kernels.
	(2) (A) All other employees by whatever name called doing the work of the nature done by the foregoing type of employees.	0.90 paise per kilo. whole kernels.
2.	Group II	
	(1) Grader	Time rates. Rs. 176.70 Per Month
	(2) All other employees by whatever name called doing the wok of the Rs. 176.70 nature done by the foregoing type of employees.	Time rates Per Month
3.	Group III	
	(1) Roaster	
	(2) Packer	
	(3) Solderer	
	(4) Dryer (Bhattiwalla)	Rs. 107.01 per month.
	(5) Soaker	
	(6) Carpenter	
	(7) Stenciller	
	(8) All other employees doing the work of the above type.	
4.	Group IV	
	(1) Grader (Supervisor)	Rs. 205.15 per month.
	(2) All other employees doing the work of the above type.	

es of employees

Rates

2

3

Rs. 359 00 per month.

employees by whatever name  
ing the work of the foregoing  
employees.

Rs. 384-65 per month.

employees by whatever name  
ing the work of the nature done  
going type of employees.

the purpose of this notification,—

rates of wages shall consist of all inclusive rate allowing for  
cost of living allowance and the cash value of concession,

rate of daily-wages payable to any employee employed in any  
wages shall be computed by dividing the minimum rate of  
for the class of employees to which the belongs by 26 the  
ed up of the nearest paise ;

rates of wages shall be inclusive of payment of remuneration  
weekly day of rest.

Notification Industries, Energy and Labour Department,  
Lab-7, dated 13th June 1985, published in *M.G.G.*, Part I-L,  
at pages Nos. 2586 to 2588).

(REGULATION AND ABOLITION) ACT, 1970.

er the Act.—(1) The Government of Maharashtra Industries  
Department, has in exercise of the powers conferred by sub-  
10 of the said Act, after consultation with the State Advisory  
rd and having regard to the conditions of work and benefits  
ract Labour and other relevant factors such as those referred  
d) (both inclusive) of sub-section (2) of the said section 10

prohibited employment of Contract Labour in the process, operation and other  
work specified in clumn 3 of the Schedule in the establishment mentioned in  
column 2 of that Schedule.

Schedule

Serial No.	Name and address of the establishment	Details of process operation and its work
1	2	3
1	Empress Mills, Nagpur	... Unloading and weighing of cotton bales carting of cotton bales both within and outside the premises of the Empress Mills, Nagpur.

(Vide Government Notification Industries, Energy and Labour Department No. CLA-1084/598/Lab--12, dated 7th May 1985, published in *M.G.G.*, Part I-L, dated 18th July 1985 at page No. 2467).

(2) The Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by sub-section (1) of section 10 of the said Act, after consultation with the State Advisory Contract Labour Board and having regard to the conditions of work and benefits provided for the Contract Labour and other relevant factors such as referred to in clause (a) to (d) (both inclusive) of sub-section (2), of the said section 10, prohibited employment of Contract Labour in the process operation and other works specified in column 3 of the Schedule in the establishment mentioned in column 2 of that Schedule.

Schedule

Serial No.	Name and address of the establishment	Details of process, operation and its work
1	2	3
1	National Organic Chemical Industries Limited, Belapur Thane.	(i) General clearing, removal of garbage grass cutting and road cleaning. (ii) Cleaning of equipments, Pipe Line work, erection of equipments. (iii) Project work, fabrication work, equipment cleaning during shut down period. (iv) Canteen.

(Vide Government Notification Industries, Energy and Labour Department No. CLA-1084/598/Lab-12, dated 7th May 1985, published in *M.G.G.*, Part I-L, dated 18th July 1985, at page No. 2468).

(3) The Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by sub-section (1) of section 10 of the said Act, after consultation with the State Advisory Contract Labour Board and having regard to the conditions of work and benefits provided for the Contract Labour and other relevant factors of work and benefit provided for the Contract Labour and other relevant factors such as referred

to (d) (both inclusive), of sub-section (2) of the said Section 10, of Contract Labour in the process, operation and other work process, operation and other work specified in column 3 of the (Establishment mentioned in column 2 of the Schedule.

Schedule

Name and address of the establishment	Details of process, operation and its work
2	3
Maharashtra Iron and Steel Corporation Limited, Kanhan,	(i) Unloading of loose tea and other raw material and loading of packed tea boxes. (ii) Maintenance of factory, cleaning factory premises, grass cutting and other garden working.

Government Notification Industries, Energy and Labour Department 598/Lab-12, dated 7th May 1985, published in M.G.G., Part I-L, 1985, at pages Nos. 2468 to 2469).

Government of Maharashtra Industries, Energy and Labour Department, of the powers conferred by sub-section (1) of section 10 of the said Act, in consultation with the State Advisory Contract Labour Board and having regard to the conditions of work and benefits provided for the Contract Labour in the process, operation and other work specified in column 3 of the (Establishment mentioned in column 2 of that Schedule.

Schedule

Name and address of the establishment	Details of process, operation and its work
2	3
Maharashtra Ferro Alloys Limited, Nagpur.	Work inside the factory premises for unloading of raw material, breaking ferro, stacking and loading of finished goods.

Government Notification Industries, Energy and Labour Department 598/Lab-12, dated 7th May 1985, published in M.G.G., Part I-L, 1985, at page No. 2469).

XI. BOMBAY SMOKE NUISANCES ACT, 1912.

Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by sub-section (44) of sub-section (2) of Section 11 of the said Act, in exercise of the powers conferred under section 11 of the said Act, Government Notification, General Department No. 2810-A, dated the 9th

April, 1913, the same having been previously published as required by sub-section (1) of section 11 of the said Act, namely—

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

2. For sub-rule (1) of rule 30 of the rules made under section 11 of the Bombay Smoke Nuisances Act, 1912 (Bom. VII of 1912), by Government Notification, General Department, No. 2810-A, dated the 9th April 1913 (hereinafter referred to as "the principal rules"), the following shall be substituted, namely:—

"(i) Every person intending to erect, re-erect, after or add to a furnace, flue or chimney shall make an application to the Chief Inspector of Smoke Nuisances, Maharashtra State, Bombay, in Form-A for obtaining the approval of the Commission to the plans of the furnace, flue or chimney intended to be erected, altered, added to, or re-erected. Such plans shall also show clearly the proposed alteration, addition or re-erection as the case may be."

3. After rule 30 of the principal rules, the following shall be added, namely:—

"V. SHORT TITLE AND MISCELLANEOUS.

34. Short title.—These rules may be called the Bombay Smoke Nuisances Rules, 1913".

4. After rule 31 of the principal rules, the following Form-A shall be added namely:—

FORM 'A'  
[ See rule 30(1) ]

Maharashtra Smoke Nuisances Commission.

Form of Application to be made to the Chief Inspector Smoke Nuisances, Maharashtra State, Bombay, for grant of approval of plans for erection, alteration, addition to re-erection of Furnace, flue or chimney and for grant of written permission for use of the same under section 9A (1) (a), (b) (c) of the Bombay Smoke Nuisances Act, 1912, read with Rule 30 of the Rules made thereunder,—

1. Details of the Applicant/Owner:—

Name  
Address  
Telephone No.

2. Details of factory:—

Name and Location  
Telephone No.

3. Maharashtra Smoke Nuisances Commission Permission No. and Date.

4. Please submit with the application the original of the Plan/s as previously approved by the Maharashtra Smoke Nuisances Commission in regard to the existing erection, alteration, addition to, re-erection of furnace/s, flue/s or chimney/s in the factory.

5. Please state the purpose/s for which the furnaces, flues or chimney/s are presently being used and the purpose/s for which they are intended to be used.

6. Please state whether the application is for erection, alteration, addition to or re-erection of furnaces, flues or chimneys and give detailed description of the intended

rection, alteration, addition to the existing furnaces, flues and/or

Particulars of existing furnaces, flues and Chimneys :—

Type of each of the furnaces	Size of each furnace	Capacity of boilers Furnace in lbs./hr.	Working pressure temp. C	Types of fuel used	Quantity of fuel used in lb./kg./hr.
1	2	3	4	5	6

Total quantity of fuel in kg. worked per day	Types of the flue to which the furnace and chimney is connected	No. of existing chimneys	Types of existings chsimeys	Height of existing chimneys from firing floor level	No. of Chimney to which the existing furnace and fuel is connected,
8	9	10	11	12	13

7-B. Particulars of the proposed erection, alteration, addition to, re-erection of furnaces, flues or Chimneys:—

No. of furnaces	Type of each of the furnaces	Size of furnaces	Capacity of boiler/ furnaces in lbs./hr.	Working pressures temp. O C.	Type of fuel to be used	Quantity of fuel to be used in lb./kg./hr.
1	2	3	4	5	6	7

No. of hours the factory is proposed to be worked per day	Total quantity of fuel lb/kg to be used per day	Types of the fuel to which the furnace and chimneys is to be connected	No. of existing proposed chimneys	Types of existing proposed chimneys	Height of existing proposed chimneys from firing floor level	No. of the existing proposed chimneys to which the existing Proposed furnaces and flue is to be connected
8	9	10	11	12	13	14

N.B.—(I) Please mention which type of furnaces viz.—

(A) Boiler.—(1) Steam Boiler, (2) Tar Boiler, (3) Tharmopacs, (4) Dewtherm type, (5) Waste Heat Boilers.

(B) Metal casting.—(i) Pit furnaces, (ii) Cupola, (iii) Oil fired Furnaces.— (a), annealing, (b) Stress relieving, (c) Rotary type, (d) Heating furnaces, (e) Forging furnaces, (f) Puddling, (g) Metal re-reeling (h) Kiln, (i) other Metal furnaces.

(II) Please mention which type of flues.—(i) Underground brick built type, (ii) Slopping trunk type, (iii) Ducking type.

(III) Please mention.—(a) Material—(1) Stone, (2) Brick built, (3) R.C.C., (4), Steel and (b) Type of Chimney—(1) Self supporting, (2) Supported by guy wires.

8 Please state whether a site plan 5 meters = 1 C.M. scale in blue prints showing the location of the factory and users of building in its immediate vicinity duly certified by the Chartered Engineer/Architects and attested by the Applicant/Owner have been attached in duplicate alongwith the application.

9. A. Please state whether a plan on 1 meter 1 C.M. in blue prints showing the exact position of furnaces, flues, chimneys, (existing and proposed work to be done in

to duly mention in the Statement of Particulars and attested by the Applicant to be attached in the application.

whether such elevation and necessary cross section views

views in the proposed chimney with underground flue or connection with hoods on furnaces and showing the following.

of the Chimney foundation.

of the base plate and foundation bolts

in diameter and length of each chimney piece and details of longitudinal

height from the firing floor level from ground level.

flange angle iron with number and diameter of bolts.

and circular weld seem to be reinforced by suitable size and butt ribs.

are stable foundation conceal bottom chimney piece of about twice diameter at top and of three times height, to be provided.

size, type of guy and also the arrangement of securing these guys and anchoring and their angles which will be forming with the

substantial structure certificate signed by the Chartered Engineer, Architects for chimneys, Stating that the chimney is a substantial structure supported ropes firmly anchored at substantial structure so as to withstand weight of 207 kg. per square meter should be attached alongwith the

proposed chimney is self-supporting besides the relevant dimensions detailed design calculations on the basis of applying the I.S. Code of Designing and Construction of Steel Chimney (IS: 6533 : 1971) subject to the provisions as may be recommended by the Maharashtra Smoke Nuisance Act, 1912, together with substantial structure certificate should be attached alongwith the application.

regards the height of the chimney the provisions of Rule 26 of the Rules of the Bombay Smoke Nuisance Act, 1912 should be followed and the certificate should be signed by the Applicant/Owner of the factory in the following form submitted alongwith the application.

heights of the chimney's as proposed is/are ... ft. from the firing floor level. we hereby undertake that subject to the provisions of the Maharashtra Smoke Nuisance Act, 1912, and the Rules made thereunder to raise or lower the heights of Chimney's to such heights as would be called upon to do so by the Chief Inspector of Smoke Nuisances, Maharashtra State, Bombay at a future date.

in addition, besides the above details, grit arrest on or preferably wet type should be provided and shown.

dimension of the underground flues or overhead trunk connection with the size of the hoods if proposed be provided over the furnace

10. Please give full particulars as to the dimensions and material if the furnace, flue or chimney as at present existing and as intended to be erected, directed, added to or re-erected and show the same on the plans submitted alongwith this application.

11. Please state whether the plans submitted with this application comply with the following particulars :—

(a) The areas of flues and chimneys expressed as a percentage of the total fire grate area shall not be less than the percentage shown below against each item :—

Back and down take flue	45
Bottom Flue	40
Side Flues	33
Delivery flue to main	33
Main flue connected to grate having an area of more than 150 sq. ft. ...	30
Main flue connected to grate having an area of less than 150 sq. ft. ...	25
Chimney connected to grate having an area of more than 150 sq. ft. ...	25
Chimney connected to grate having an area of 150 sq. ft. or less	20

Provided that, in the case of boilers of the marine, locomotive vertical and other similar type, the flues and Chimneys shall not be of less area than the corresponding smoke outlets of the No. of smoke tubes and 02 smoke box or uptake forming an integral part of the structure.

(b) Please state whether the flues and chimneys are air-tight and are of substantial design and material and dampers, where required to be fitted, are of the same area as the flue passages.

(c) Please state whether all the bends of the flues to the chimneys are having concerns well rounded off so as to allow easy flow of gases through the flues and that every flue has a minimum width of 11 inches.

(d) Please state whether furnace doors are substantial and are well fitted and have an air regulating apparatus.

Note.—In the case of boilers having no fire gate e.g. where oil fire is used the calculated equivalent fire grate area which would be necessary for coal as fuel should be taken.

Signature of the Applicant/Owner,  
Name and designation of the person who signs,  
Rubber Stamp of the factory.

Date :

Place :

P.S.—The applicants in caution abundance are requested simultaneously to make application to and obtain No objection Certificate to their proposals from (1) Bombay Municipal Corporation and (2) Civil Aviation Authorities.

SUBSTANTIAL STRUCTURE CERTIFICATE

"This is to certify that the chimney ..... mm. (i.e. .... inches) in diameter and ..... meters (i.e. .... feet) in height serving ..... furnaces situated at plot No. .... as per block plan of the factory indicating the location of furnace/s and the index plan of the factory indicating the survey of the plot and the boundary lines of factory of Messrs. ...."

ropes firmly anchored at substantial and stable structure so as to with stand pressure of 136.7 kilos per square meter (i.e. 23 lbs. per square foot)."

(To be signed by the qualified Engineer or Architect).

(UNDERTAKING FOR CHIMNEY HEIGHT)

er high Chimney for ..... furnaces. We hereby under- subject to the provisions of the Bombay Smoke Nuisances Act 1912 and thereunder the Chimney for the above furnace/s situated at Plot No. .... block plan of the factory indicating the location of furnace/s and the index of the factory indicating the survey No. of the plot and the boundary lines of Messrs. .... will be raised or to such height as would be called upon to do so by the Chief Inspector of Boilers and Smoke Nuisances, Maharashtra State, Bombay, at any time in

(To be signed by the Owner of the furnace)

UNDERTAKING FOR USE OF FUEL

..... as fuel in our furnaces situated at ..... as per block plan of the factory indicating the location of ..... and the index plan of the factory indicating the survey No. of the plot boundary lines of factory of Messrs. .... in the event of any smoke nuisance complaint we agree to comply with requirements under the Bombay Smoke Nuisances Act, 1912 and the rules wherever demanded by the Chief Inspector of Steam Boilers and Smoke Maharashtra State, Bombay.

Government Notification Industries, Energy and Labour Department, No. CR/791-A.Lab-9, dated 13th May, 1985, published in Maharashtra Gazette, Part I-L, dated 18th July, 1985, at page Nos. 2478 to 2484).

MENT OF WAGES ACT, 1936.

ifications under the Act.—(1) The Government of Maharashtra Industries, and Labour Department has in exercise of the powers conferred by clause sub-section (2) of section 7 of the said Act, authorised the deductions Hindustan Aeronautics Limited, Nashik Division, Ojhar, Township Post Nashik 422 207, from the wages of their employees towards the recovery loan granted to them for the purpose of construction of a house by any corporate owned, controlled or managed by Government or any other body and under any law for the time being in force, together with interest due in hereof, subject to the following conditions, namely :—

- (a) the employees concerned shall agree for the deduction in writing;
- (b) that the total deductions to be made from the wages including deductions to be made on account of recovery of such loan shall be subject to the limit provided in sub-section (3) of section 7 of the said Act;
- (c) that a record of all such deductions shall be maintained by the said Company and shall be kept open for inspection by the inspector.

Government Notification Industries, Energy and Labour Department No. CR/791-A.Lab-9, dated the 4th April 1985, published in M.G.G., Part I-L, dated 18th July 1985, at page No. 2570).

XIII. BOMBAY INDUSTRIAL RELATIONS ACT, 1946.

(A) *Appointments under the Act.*—(1) The Government of Maharashtra Industries, Energy and Labour Department has in exercise of the powers conferred by section 10 of the said Act, appointed Shri K. M. Desai, Additional District Judge, Thane to be a Member of the Court of Industrial Arbitration.

(Vide Government Notification Industries, Energy and Labour Department No. BIR-1085/(7804)/Lab-9, dated 29th June 1985, published in M.G.G., Part I-L, dated 25th July 1985, at pages No. 2593 to 2594).

2. The Government of Maharashtra Industries, Energy and Labour Department has in exercise of the powers conferred by section 10 of the said Act, appointed Shri S. M. Limaye, Additional District Judge, Nagpur in place of Shri S. D. Rane, to be a member of the Court of Industrial Arbitration.

(Vide Government Notification Industries, Energy and Labour Department No. BIR-1085/(7807)/Lab-9, dated 29th June 1985, published in M.G.G., Part I-L, dated 25th July 1985 at page No. 2595).

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

(A) *Amendments under the Act.*—(1) The Government of Maharashtra, Industries, Energy and Labour Department has in pursuance of clause (a) of sub-rule (1) of rule 3 of the said Rules, amended Government Notification Industries, Energy and Labour Department, No. WOR-1081/(8039)/Lab-4, dated the 6th June 1981 as follows, namely :—

In the said notification, after the words "Maharashtra University" the brackets and Words " (with specialization in Labour Welfare)", shall be inserted.

(Vide Government Notification Industries, Energy and Labour Department No. WOR-1084/9600/Lab-4, dated 3rd July 1985, published in M.G.G., Part I-L, dated 25th July 1985, at page No. 2598).

### Consumer Price Index Numbers for Industrial Workers for July 1985

#### BOMBAY CENTRE\*

##### A rise of 1 point

In July 1985 the Consumer Price Index Number for Industrial Workers (1960=100) for the Bombay Centre with base Jan. to Dec. 1960 equal to 100 was 651 being 1 point higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Bombay Centre.

The index number for the food group remained steady at 712.

The index number for the Pan, Supari & Tobacco etc. group decreased by 5 points to 742 due to a fall in average price of pan-leaf.

The index number for the fuel and light group increased by 3 points to 850 due to a rise in the average price of fire-wood.

Six monthly house rent index compiled by chain method on the basis of the house rent survey, conducted by N.S.S.O. The index number for the housing increased by 6 points to 191.

The index number for clothing, bedding and footwear group increased by 1 point to 604 due to a rise in the average price of saree.

The index number for the miscellaneous group increased by 3 points to 524 due to a rise in the average prices of hair oil and laundry charges.

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

(Average prices for the calendar year 1960 = 100)

Groups	Weight proportional to the total expenditure.	Group Index Numbers	
		June 1985	July 1985
I-A. Food	57.1	712	712
I-B. Pan, Supari, Tobacco, etc.	4.9	747	742
II. Fuel and Light	5.0	847	850
III. Housing	4.6	185	191
IV. Clothing, Bedding and Foot-Wear	9.4	603	604
V. Miscellaneous	19.0	521	524
Total	100.0		....
Consumer Price Index Number ..	....	650	651

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

Note.—To obtain 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 CENTRE\*

##### 629—A rise of 3 points

In July, 1985 the Consumer Price Index Number for Working Class (New Series) for Solapur Centre with base January to December 1960 equal to 100 was 629 being 3 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Solapur Centre.

The index number for the food group increased by 3 points to 629 due to a rise in the average prices of Jowar, arhardal, goatmeat, onions, sugar and vegetables and fruits sub-group.

The index number for the pan, supari and tobacco etc. group remained steady at 614.

The index number for the fuel & light group remained steady at 740.

Six monthly house rent index compiled by the chain method on the basis of the house rent survey, conducted by N.S.S.O. The index number for the housing increased by 8 points to 281.

The index number for clothing, bedding and footwear group remained steady at 619.

The index number for the miscellaneous group remained steady at 478.

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

(Average prices for the calendar year 1960 = 100)

Groups	Weight proportional to the total expenditure	Group Index Numbers	
		June 1985	July 1985
I-A. Food	63.0	673	676
I-B. Pan, Supari, Tobacco etc.	3.4	614	614
II. Fuel and Light	7.1	740	740
III. Housing	5.2	273	281
IV. Clothing, Bedding and Footwear	9.0	619	619
V. Miscellaneous	12.3	478	478
Total	100.00	....	....
Consumer Price Index Number ..	....	626	629

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

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

## CENTRE-NAGPUR\*

## 625—A rise of 9 points.

In July, 1985 the Consumer Price Index Number for Working Class (New Series) for Nagpur Centre with base January to December 1960 equal to 100 was 625 being 9 point higher than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Nagpur Centre.

The index number for the food group increased by 12 points to 666 due to rise in the average prices of wheat, arhar dal, gram dal, dry chillies, sugar and vegetable and fruits sub-group.

The index number for the pan, supari and tobacco etc. group decreased by 9 points to 686 due to a fall in the average price of pan-leaf.

The index number for the fuel and light group increased by 5 points to 928 due to a rise in the average price of match box.

Six monthly house rent index compiled by the chain method on the basis of the house rent survey, conducted by N. S. S. O. The index number for the housing increased by 11 points to 338.

The index number for clothing bedding and footwear group remained steady at 637.

The index number for the miscellaneous group increased by 4 points to 462 due to a rise in the average price of washing soap.

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

(Average prices for the calendar year 1960=100)

Groups	Weights proportional to total expenditure	Group Index Numbers	
		June 1985	July 1985
I-A. Food	57.2	654	666
I-B. Pan, Supari, Tobacco, etc.	3.8	695	686
II. Fuel and Light	5.7	923	928
III. Housing	6.6	327	338
IV. Clothing, Bedding and Footwear	10.9	637	637
V. Miscellaneous	15.8	458	462
Total	100.0	....	....
Consumer Price Index Number		616	625

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

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

## PUNE CENTRE\*

## 594—A rise of 5 Point

In July 1985 the consumer Price Index Number for Industrial Workers (1961=100) for the Pune centre with base 1961 equal to 100 was 594 being 5 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Pune centre.

The index number for the food group increased by 8 points to 654 due to a rise in the average prices of wheat, tur dal, oils & fats, Vegetables & gur.

The index number for the fuel and light group remained Steady at 797.

Six monthly house rent survey was conducted by the office at the Commissioner of Labour, Bombay in the month of July 1985. Accordingly, the index number for housing has increased by 1 point to 150.

The index number for the clothing and footwear group in the average price of remained steady at 589.

The index number for the miscellaneous group remained steady at 506.

## CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS FOR PUNE CENTRE

(Average prices for the calendar year 1961 = 100)

Groups	Weight proportional to total expenditure	Group Index Numbers	
		June 1985	July 1985
I. Food	55.85	646	654
II. Fuel and Light	6.89	797	797
III. Housing	6.65	149	150
IV. Clothing and Footwear	10.31	589	589
V. Miscellaneous	20.30	506	506
Total	100.00	....	....
Consumer Price Index Number		589	594

\*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

610—A rise of 21 points.

In July 1985 the Consumer Price Index Number for Industrial Workers (1961=100) for Jalgaon Centre with base Jan. to Dec. 1961 equal to 100 was 610 being 21 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 Jalgaon Centre.

The index number for the food group increased by 32 points to 663 due to a rise in the average prices of wheat, jowar, gramdal, moongdal, groundnut oil, goat meat, chillies dry, coriander, onions, garlic, vegetables, fruits and gur.

The index number for the fuel and light group remained steady at 720.

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

The index number for clothing and footwear group increased by 1 point to 604 due to a rise in the average price of cloth for trouser.

The index number for the miscellaneous group increased by 6 points to 522 due to a rise in the average prices of supari manglori and Dr. vaze's cough syrup.

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS FOR  
JALGAON CENTRE

(Average prices for the calendar year 1961=100)

Group	Weight proportional to total expenditure.	Group Index Numbers	
		June 1985	July 1985
I. Food ..	60.79	631	663
II. Fuel and Light ..	7.20	720	720
III. Housing ..	6.11	188	188
IV. Clothing and Footwear ..	10.29	603	604
V. Miscellaneous ..	15.61	516	522
Total ..	100.00	589	610
Consumer Price Index Number ..	....	....	....

\*Details regarding the scope and method of compilation of the index will be found on pages 753 to 760 of the January 1966 issue of *Labour Gazette*.

Note.—To obtain the equivalent old index number on base August 1939 = 100, the new index number of base 1961 = 100 should be multiplied by the linking factor viz. 5.25

## NANDED\*

662—A rise of 11 points

In July 1985 the Consumer Price Index Number for Industrial Workers (1961=100) for the Nanded Centre with base January to December 1961 to equal 100 was 662 being 11 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Nanded Centre.

The index number for the food group increased by 17 points to 714 due to a rise in the average prices of rice, wheat, jowar, gramdal, masardal, groundnut oil, goatmeat, beef, chillies dry, and fruits.

The index number for the fuel and light group remained steady at 801

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

The index number for the clothing and footwear group increased by 4 points to 561 due to a rise in the average prices of dhoti and coloured fadrics.

The index number for the miscellaneous group increased by 5 points to 570 due to a rise in the average prices of supari, cigarets (charminar) and zinda telesmath.

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS FOR  
NANDED CITY

(Average prices for the calendar year 1961 = 100)

Groups	Weight proportional to total expenditure	Group Index Numbers	
		June 1985	July 1985
I. Food ..	61.46	697	714
II. Fuel and Light ..	5.88	801	801
III. Housing ..	4.62	386	386
IV. Clothing and Footwear ..	12.22	557	561
V. Miscellaneous ..	15.82	565	570
Total ..	100.00	651	662
Consumer Price Index Number ..	....	....	....

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

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

(G.C.P.) Ra 4528—6 (535—12-85)

**ALL INDIA AVERAGE CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL WORKERS**

65—4 (one of 10 points)

The 1984-85 consumer price index number for industrial workers in the Aurangabad Centre with base 1966 (1965) was 551 being 4 points higher than in the previous year. The index rises in the standard life measured during the 1984-85 family survey in the Aurangabad Centre.

The index number for the food group increased by 1.2 points to 714 due to a rise in the average price of rice, sugar, vegetable, pulses, banana and oil.

The index number for the fuel and light group remained steady at 71.

The monthly family survey was conducted in the office of the Commissioner of Labour, Aurangabad in July 1985. The housing index for the 1984-85 was 325. The index for housing is the first index which was revised in the previous 107 month period ending June 1985.

The index number for the clothing and footwear group increased by 2 points to 531 due to a rise in the price of cloth.

The index number for the miscellaneous group increased by 1.2 points to 526 due to a rise in the price of pulses, mango, etc.

**CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS FOR AURANGABAD CENTRE**

(Average prices for the calendar year 1966=100)

Group	Weight proportional to total expenditure	Group Index Number	
		June 1985	July 1985
I. Food	66.72	448	714
II. Fuel and Light	7.50	71	71
III. Housing	8.87	325	325
IV. Clothing and Footwear	9.29	412	531
V. Miscellaneous	13.62	526	531
Total	100.00		
Consumer price index number		441	551

\*Details regarding scope and method of computation 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 for base August 1944 or July 1944=100 the new index number on base 1966=100 should be multiplied by the linking factor of 2.27.

**ALL INDIA AVERAGE CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL WORKERS**

The statistics for the last 12 calendar months from August 1984 to July 1985 are given in the following table:—

TABLE

Month	Base 1960=100	*Base 1949=100
	1	2
August 1984	586	712
September 1984	589	716
October 1984	592	720
November 1984	594	724
December 1984	588	715
January 1985	588	715
February 1985	585	711
March 1985	586	712
April 1985	594	720
May 1985	600	728
June 1985	606	737
July 1985	615	747

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

Centre	Base	Food	Pan, Supari, tobacco etc.	Fuel and Light.	Housing	Clothing, bedding and miscellaneous foot wear.	Miscellaneous	Consumer Price Index Number July 1985	Equivalent Old Index Number	Consumer Price Index Number June 1985	Equivalent Old Index Number
1	2	3	4	5	6	7	8	9	10	11	12
Bombay	1960=100	712	742	850	191	604	524	651	2,890	650	2,886
Solapur	1960=100	676	614	740	281	619	478	629	2,403	626	2,391
Nagpur	1960=100	666	686	928	338	637	462	625	3,262	616	3,216
Pune	1961=100	654	....	797	150	589	506	594	....	589	....
Jalgaon	1961=100	663	....	720	188	604	522	610	3,227	589	3,116
Nanded	1961=100	714	....	801	386	561	570	662	1,622	651	1,595
Aurangabad	1961=100	714	....	789	326	614	531	651	1,445	641	1,423

Note.—For arriving at the equivalent old index numbers the new Index Numbers may be multiplied by the linking factors mentioned against the respective centres as follows :—  
 BOMBAY : 4.44, SOLAPUR : 3.82, NAGPUR : 5.22, JALGAON : 5.29, NANDED : 2.45, AURANGABAD : 2.22

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

## Labour Intelligence

#### Industrial Courts, Tribunals and Labour Courts

Industrial Courts, Tribunals and Labour Courts, Tribunals and Labour Courts 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.			
		3	4	5	6		
<b>I. Industrial Court Tribunals—</b>							
1	Kolhapur Court, Kolhapur	16	47	104	120		
2	Industrial Court, Mumbai	10	1	63	47		
3	Industrial Court, Solapur	3	1	40	73		
4	Industrial Court, Pune	3	1	29	43		
5	Industrial Tribunal, Pune	3	1	29	43		
6	Industrial Court, Thane	3	1	29	43		
7	Industrial Tribunal, Thane	3	1	29	43		
8	Industrial Court, Kolhapur	8	4	12	20		
9	Industrial Court, Amravati	4	4	25	25		
10	Industrial Tribunal, Amravati	4	4	25	25		
11	Industrial Tribunal, Amravati	4	4	25	25		
12	Industrial Court, Solapur	4	4	25	25		
13	Industrial Court, Solapur	4	4	25	25		
14	Industrial Tribunal, Solapur	4	4	25	25		
15	Industrial Court, Aurangabad	6	1	38	44		
16	Industrial Tribunal, Aurangabad	6	1	38	44		
	<b>Total</b>	<b>46</b>	<b>58</b>	<b>334</b>	<b>438</b>		
<b>II. Labour Courts—</b>							
1	Labour Court, Bombay	241	107	154	502		
2	Labour Court, Pune	3	31	34	68		
3	Labour Court, Nagpur	8	46	102	156		
4	Labour Court, Thane	8	6	69	83		
5	Labour Court, Kolhapur	1	21	16	37		
6	Labour Court, Solapur	1	8	72	81		
7	Labour Court, Akola	3	23	24	47		
8	Labour Court, Nashik	3	4	19	26		
9	Labour Court, Aurangabad	1	1	4	6		
10	Labour Court, Sangli	5	60	30	95		
11	Labour Court, Amravati	1	85	6	91		
12	Labour Court, Dhule	1	20	10	50		
13	Labour Court, Jalgaon	1	4	15	16		
14	Labour Court, Bhandara	1	4	27	72		
15	Labour Court, Ahmadnagar	1	156	10	167		
16	Labour Court, Latur	1	56	8	94		
	<b>Total</b>	<b>272</b>	<b>699</b>	<b>620</b>	<b>1591</b>		

Wage Boards—42 references was received by the Wage Board for Cotton Textile Industry during the month under review.

(a) Cause-wise analysis of the cases received during the month :-

Act 1	Issues relating to pay, allowances and Bonus 2	Employment, leave, hours of work and Miscellaneous causes 3	Total 4
(1) Industrial Disputes Act, 1947	3	66	69
(2) Bombay Industrial Relations Act, 1946	2	10	12
(3) Bombay Industrial Relations (Extensions and Amendment) Act, 1964.	3	13	16
Total ..	8	89	97

(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
I. D. Act, 1947	965	282	70	116	58	58	302	945
B. I. R. Act, 1946	191	10	..	1	9	1	13	188
B. I. R. (Ext. and Amdt.) Act, 1964.	49	5	..	..	..	..	..	54
Total ..	1205	297	72	117	67	59	315	1187

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	Hosiery 6	Banking 7	Sugar 8	Misc. 9	Transport 10	Total 11
B. I. R. Act, 1946	3	..	..	2	..	1	3	..	3	12

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	Total 11
B. I. R. (Extension And Amendment) Act, 1964	9	..	..	..	..	..	..	..	5	14

District-wise analysis is given below :-

Act 1	Bombay 2	Pune 3	Thane 4	Nagpur 5	Nanded 6	Aurangabad 7	Amravati 8	Total 9
B. I. R. Act, 1946	6	2	..	3	..	..	1	12

Act 1	Amravati 2	Bombay 3	Wardha 4	Chanda 5	Nagpur 6	Buldana 7	Total 8
B. I. R. (Extension and Amendment) Act, 1964 ..	..	..	..	..	53	..	..

LABOUR GAZETTE—SEPTEMBER 1985

LABOUR GAZETTE—SEPTEMBER 1985

## Industrial Disputes In Maharashtra State During June 1985

	June 1985	May 1985	June 1984
No. of Disputes	35	48	52
No. of Workers involved	6,546	14,314	29,895
No. of Man-days lost	1,55,186	2,55,004	4,90,202

Industry-wise classification is given below —

Name of the Industry Group	Number of disputes in progress			Number of work people involved in all disputes	Aggregate man-days lost in
	Started before beginning of the month i.e. before June 1985	Started during the month i.e. June 1985	Total		
Textile	1		2	318	8,268
Engineering	12		12	3,702	96,709
Chemical	6		6	688	12,848
Miscellaneous	13	2	15	1,838	37,361
June 85 Total	33	2	35	6,546	1,55,186
May 85 Total	39	9	48	14,314	2,55,004

Four of the disputes arose over question of "PAY, allowances and bonus issues". 6 related to "Reinstatement and grievances about personnel", no dispute on "leave and hours of work" and the remaining 23 were due to other reasons.

Out of the 5 disputes that terminated during the course of the month, 2 disputes were settled either entirely or partially in favour of the workers 3 in favour of the employers, while the result of remaining — dispute was indefinite.

The figures given in the above table are based on returns received under the provisions of Industrial Disputes Act, 1947. In compiling statistics of the Industrial Disputes however disputes in which 10 or more persons are involved are included.

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

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	Thane— M/s. Tekson Ltd., Kolshet Road, Thane.	Pvt.	S	Reinstatement	20-4-1981	..	..	459	11,200	5,81,464	10	11	Continued
2	Bombay— Esulla Batteries Ltd., Plot No. 1, Dharavi, Mumbai, Bombay-19.	Pvt.	L	Unfair Labour Practices.	3-11-1983	..	..	1,170	23,556	5,82,768	9	10	Do.
3	Bombay— Bombay Forging Pvt. Ltd., Vidyanagar Marg, Kalina, Bombay-98.	Pvt.	S	Others— Lighting amongst the workmen.	11-7-1984	..	..	625	16,172	1,88,516	8	9	Do.
4	Bombay— The India Sm. ling, refining Co. Ltd., L.B.S. Marg, Bhamburda, Bombay-78.	Pvt.	S	General Demands Wages D.A. etc	10-12-1984	..	..	213	19,209	1,47,893	7	8	Do.
5	Bombay— Ajit Glas Works Pvt. Ltd., Swami Vivekanand Road, Jogeshwar, West, Bombay-400 106	Pvt.	L	Slow-down strike on account of Bonus	24-11-1984	..	..	426	10,816	78,624	6	7	Do.

## PRESS NOTE ON ESIS BENEFIT IN MAHARASHTRA AND GOA

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

In Maharashtra 12,19,662 employees were under the coverage of the Scheme in the month of July 1985. The high lights of the benefits paid to these employees were as follows :—

ESIS has paid Rs. 1 01 crore as Cash Benefit in July 1985.

(i) 70,053 Workers were paid Rs. 48,45,047.05 on account of Sickness and Rs. 4,84,471.25 were paid for the long term diseases under Extended Sickness Benefit for the classified diseases, e.g., T. B., Cancer, Hemiplegia, Paraplegia, Psychosis etc., etc.

(ii) 21,431 workers were paid Rs. 43,50,684.20 on account of accidents as employment injury which included 7,430 cases for the permanent disablement and 2,780 for pension to the dependents/families due to death of the workers in the accidents.

(iii) Rs. 4,89,844.50 were paid to the Women Workers as Maternity Benefit for the period of confinement. In addition to the above 19 persons were sterilized and they were paid Rs. 4,368.40 as family planning benefit.

(iv) There were 121 cases where legal proceedings were initiated against defaulting employers/Insured Persons for the recovery of arrears of contributions as under :—

(1)	Under Section 45 B	: 79	cases.
(2)		: 75	cases.
(3)		: 84	cases.
(4)		: 85	cases.

( A. P. BAJI )  
Deputy Regional Director.

## INDIAN LAW REPORTS

### INDIAN LAW REPORTS, BOMBAY SERIES 1984

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