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LABOUR GAZETTE

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

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LABOUR GAZETTE

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The Month in Brief

Price Index Numbers for Working Class

The Solapur, Solapur and Nagpur Consumer Price Index Numbers for working class for the month of January 1985, with average price for the year ended December 1960 equal to 100 were 613, 623 and 610 respectively. The Jalgaon, Nanded and Aurangabad Consumer Price Index Numbers for working class for the month of January 1985, with the average price for year ended December 1961 equal to 100 were 585, 582, 633 and 640 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 January 1985 was 708 as compared to 588 in December 1984; on base 1949=100 derived from 1960 base, Index worked out to 715 as against 713 for December 1984.

Industrial Disputes in Maharashtra State

During the month of December 1984, there were 45 disputes involving 17,149 workmen and time loss of 3,83,709 mandays as compared to 47 disputes in November 1984 involving 17,875 workmen and time loss of 3,79,704 mandays.

Further particulars of Industrial Disputes are given at pages 506 to 508 of this issue.

Benefits under the Employees State Insurance Scheme

During the month of January 1985, 68,967 Workers were paid Rs. 48,70,465.55 on account of sickness and Rs. 5,23,627.00 were paid for the long term diseases under Extended Sickness Benefit for the classified diseases, e.g., T.B., Cancer, Hemiplegia, Paraplegia, Psychosis etc., 21540 Workers were paid Rs 41,23,707.71 on account of accidents as employment injury which included 8562 cases for the permanent disablement and 2743 for pension to the dependents/families due to death of the Workers in the accidents.

Current Notes

Contract labourers working abroad

An estimated 40,000 workers in 1984 from the People's Republic of China are working abroad, mainly in the Middle East and Africa, as contract labourers. The programme has been in practice for some twenty years but has expanded rapidly recently.

Under the programme the workers earn far less than most other foreign workers in their host country. The state corporation which organises their two-year tours abroad (without their families) deducts the cost of airline tickets, room, board and taxes. Another 30 to 40 per cent of the remainder is deducted in administration fees. Most of the rest is sent home directly to their families. Even so, the workers seem pleased with the arrangement as they still earn more than they could at home.

China is happy with the programme as it alleviates unemployment, estimated to be 9 per cent in Chinese cities, and earns country foreign exchange.

Some countries are said to prefer the Chinese workers to most others as they are considered more disciplined and accepting of whatever conditions and facilities they are given and because they all must go home when their work is over.

China's authorities are sensitive to any comparison between the programme and coolie workers of the 19th century who did menial labour abroad under miserable conditions. The present workers perform tasks ranging from construction work in Memen, to conservation projects in Ghana, to working as skilled chefs in New Orleans, USA.

(Indian Worker, dated 18th February 1985.)

PF Contribution rate up for more industries

Conciliation officer to have powers to summon recalcitrant managements?

(By our special correspondent)

The Union Government on February 19 decided to raise both the workers' and employers' rate of contribution to the Employees Provident Fund from 6.25 per cent to 8 per cent from the beginning of the ensuing financial year.

The major industries that will come under the Purview of this decision from April 1, 1985 are general insurance, financial institutions other than banking garment factories, diamond cutting units and lignite mines.

Of the 173 categories of establishment covered by the Employees Provident Fund Scheme, 108 are presently making 8 per cent contribution to the Fund.

The high level Employees Provident Fund Review Committee, headed by the INTUC General Secretary, Shri G. Ramanujam had recommended that the Act should be amended to extend the coverage to all establishment employing 10 or more persons.

The rate of interest on provident fund contributions has since been raised to 10.5 per cent by the Government. It may be recalled that during the last P.U.C. budget talks that the Union Finance Minister had with the leaders of the Central trade union organisations on the 13th of this month, the INTUC had propose that the rate of contribution to the provident fund should be raised to 10 per cent and the same rate of interest as allowed by various public sector undertakings.

The Review Committee, in its report submitted in January, 1981 had also recommended that a worker may be allowed non-refundable advance to the extent of 90 per cent of the amount in his provident fund account for construction or purchase of a house. During the talks with the Finance Minister the INTUC had also stressed that the workers should be enabled to invest in real assets before the value of the rupee further depreciated. On February 19, Union Labour Minister T. Anjaiah had further discussions with officials on measures to be taken to improve welfare facilities for workers and simplification of procedures. He is said to be keen on providing from the provident fund account payments of both short-term and emergent loans for marriages and sickness and cash benefits under to Employees Insurance Scheme.

It was felt that the Payments of short-term and emergent loans from the provident fund were unduly delayed to the inconvenience and hardships to workers. There is also rampant corruption. It was suggested that a simplified system should be evolved to facilitate the workers to draw their own contributions through the normal facilities available for account holders in banks, leaving the employers share to the custody of the Provident Fund organisation. This will mean that the employees may be able to withdraw their share of the provident fund by merely issuing a cheque whenever in need.

Other areas to be examined will be the gross misuse of certification, particularly during the days of lock-outs and closures. The workers allegedly secure false certificate of illness and to curb such practice, an insurance scheme is sought to be introduced to help the workers during the period of lock-outs and closures.

Detailed schemes, after their formulation, will be discussed with the workers and employers and later on discussed in the State Labour Ministers' Conference.

Other issues under consideration are introduction of computerisation in employment exchanges and replacement of outmoded equipments. There exist a view that the only way to check malpractices and harassment to job seekers at the employment exchanges, lies in computerisation. The technical training institutes now lack in modern equipment, thus harming employment prospects of trainees from these institutes.

The Working Group on technical training has recommended to the Planning Commission an allocation of Rs. 300 crores in the Seventh Plan for changing the equipments in Industrial Training Institutes (ITIs).

Another problem that is under consideration is the increasing refusal of the managements to appear before conciliation officers. It is felt that the conciliation officers should be armed with powers as are enjoyed by Income Tax and Sales Development officials for the compulsory appearance of the parties in dispute.

(Indian Worker dated 25th February 1985)

Labour situation deteriorating : ILO

The world labour situation is still displaying signs of deterioration both in the industrialised and developing countries alike, says the latest volume of the World Labour Report brought out by the International Labour Organisation (ILO).

The report by ILO Director General Francis Blanchard attributes the deterioration to the two deep recessions of the mid-seventies and early eighties and the changed balance between social and economic objectives. The report came on the eve of the meeting of the ILO's Governing Body in Geneva with India's B. G. Deshmukh as Chairman.

Economic recovery in many countries is being sought to be achieved at the expense of other spending such as social security, training and working conditions, the report says.

The Director General in this connection warns that "it would be a grave mistake to think that even in times of economic stagnation, social and labour questions should take second place."

Economic development Mr. Blanchard points out, is not an aim in itself but a means to a social end—a better life for all and in particular for the disadvantaged.

Some of the notable findings of this report the second in the series, include stagnation in the membership of trade unions even as employers' organisations are becoming more active in public debates on economic and social issues and increasing complaints of violations of the ILO convention on freedom of association.

The report notes that violation of trade union rights tend to take place in countries where civil liberties are limited, often after a change in political regime or under a state of emergency. In some countries such violation takes place due to restrictions on collective bargaining imposed by authorities to contain negative impact of wage increases.

Expenditure on training has dropped in most industrialised market economies as well as in many countries of the Third World. It has been kept at

Government have generally given less attention to vocational training for adults and disadvantaged groups. While they have put more emphasis on unemployed youth and training for new technologies. An enormous training gap exists, particularly in the developing countries.

The situation on working conditions in developing countries, particularly with regard to safety and health, is alarming, the report warns. About half of the 24 developing countries providing sufficient data report increasing fatality rates, with significant rises in the manufacturing and construction sectors. Sketchy evidence shows that in agriculture the increased use of tractors and chemicals fertilisers, insecticides and weed-killers—provokes many, often fatal accidents and poses serious health hazards.

(Indian Worker, dated 25th February 1985)

New Labour Policy on Anvil

The Government is formulating new national labour policy and a working group has been set up in the Union Labour Ministry for this purpose. According to Labour Ministry, the draft labour policy prepared by this working group will be considered by the tripartite meeting later before it is finalised. The major areas intended to be covered under the new labour policy will be industrial relations, wage fixation and productivity, unorganised sector, workers participation in management, safety of workers, social security and mechanisation and computerisation.

The terms of reference of the new study group are wide enough to include the entire gamut of labour relations including wage structure of various industrial sectors. During the past few years, Government was working on a new legislation on industrial relations. However, due to lack of consensus it fell through. Now the new Government is keen to improve production and productivity in all industries. It proposes to establish industrial relations on a firm footing where strikes, go-slows, and the like are avoided. The new Labour Minister, Mr. Anjiah is scheduled to hold a series of discussions with different labour leaders in the coming weeks.

While in the early years of industrialisation, the labour policy was pre-occupied mainly with organised sections of the labour force, growing attention is now being paid to look after the interests of workers in the unorganised sector. Labour policy has been evolved over the years in response to specific needs of the situation and to suit the requirements planned economic development and social justice. Tripartite meetings deliberate on labour policy in which representatives of the working class, the employers and Governments at the Central and State levels participate. The aim has been to promote co-operation between workers and employers in order to improve production

The legislative measures adopted over the last 10 years are evidence of diversification of labour policy to progressively fulfil the directive principles of the Constitution. The more important measures taken since 1970 are the Contract Labour (abolition and regulation) Act to regulate the employment of contract labour and to provide for its abolition in certain circumstances the Bonded Labour System (abolition Act) and several acts to promote the welfare of workers in iron ore, manganese ore, limestone and dolomite mines, Sales Promotion Employees (conditions of service) Act, the Equal Remuneration Act to ensure equal payment to men and women, the employees family pension scheme, employees deposit linked insurance scheme etc. A new article 43-A was also inserted in the Constitution under the directive principles of state policy to ensure participation of workers in management.

The Labour Ministry wants that the thrust of the new policy in the coming years should be on implementing effectively the measures contemplated in different legislative enactments and in extending the coverage of the Employees State Insurance Scheme, Employees Provident Funds Scheme and the Family Pension Scheme. The State Government would also be expected to provide for new schemes to benefit agricultural labour, artisans, handloom weavers, fishermen, leather workers and other unorganised workers.

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

Wage Board For Private Sector Soon

The Government of India proposes to acquire additional powers for setting up wage boards, wherever necessary, in the private sector, according to official sources. The powers that the Centre has in mind, the sources point out, are identical to what it enjoys under the Commission of Inquiries Act. These will facilitate a periodic wage regulation and enable the Government to get the award of the wage boards implemented.

(E.F.I. Bulletin 1st February 1985)

ESI Amendment Act enforced

The ESI (Amendment) Act, 1984 was brought into force with effect from January 27, 1985 covering all employees receiving a monthly remuneration of up to Rs. 1600. The previous upper limit for being entitled to ESI benefits was Rs 1000 per month. An estimated 3.25 lakh additional workers are, expected to be covered under the amended ESI scheme. The employees' contribution will be payable at 2.5 per cent of their wages. The employers' contribution has been fixed at five per cent of the total wages of the covered employees.

Articles, Reports, Enquiries, etc.

(The views expressed in signed Articles appearing in this section carry weight in as much as they are expressed by the persons who know their subjects well. They, however do not necessarily reflect the views of Government. All rights concerning these Articles are reserved.)

Three decades and a half of ILO—II

GLOBAL PARLIAMENT OF LABOUR

BY

B. G. DESHMUKH

Secretary, Union Ministry of Labour
and

Chairman Governing, Body, ILO

Shri Dshmukh, in the first part of his article, Six Decades and A Half of ILO that appeared in The Indian Worker of January 7, gave an account of how a proposal initiated by a Scottish industrialist, Robert Owen in 1819 resulted in the birth of the International Labour Organisation a century later. The ILO's Philedelphia Declaration of 1944 was a land mark in world thinking.

In the second part of his article, Shri Deshmukh explains the set up of the ILO and its working.

—Editor.

The ILO accomplishes its work through three main bodies namely, the International Labour Conference, the Governing Body and the International Labour Office. In the International Labour Conference, each Member State is represented by two Government delegates and an employer delegate and a worker delegate, all with Advisers. Every delegate has the same rights. Worker and Employer delegates have even voted against their Government representatives or against each other. Each can express himself freely and vote as he wishes. This diversity of view-point does not prevent decisions from being adopted by large majorities or in many cases even unanimously.

The Conference which is often called an "International Parliament of Labour" has several main tasks. The first task is to work out and adopt, International Labour Standards in the form of Conventions and Recommendations. Secondly, the Conference approves the work programmes and budget for the organisation. Thirdly, the Conference acts as a forum where social and labour questions of global importance are discussed freely as themes of endeavour for the future. In addition, the Conference also passes resolutions which are intended as guidelines for the ILO's work and for future activities.

Hub of the wheel

The Governing Body is the Executive Council of the ILO and is elected every three years at the Conference. It is so to speak the hub of the wheel around which all ILO activities revolve. The Governing Body like the Conference is tripartite. It comprises 56 members—28 representing Governments, 14 representing workers and 14 representing employers. Of the 28 Government seats 10 are held by States of Chief Industrial importance, India being one of them.

The Governing Body establishes the agenda for the Conference and other meetings, takes note of their decisions and decides on the consequent action to be taken. It directs the activities of the International Labour Office.

The International Labour Office in Geneva is the permanent Secretariat of the ILO. There are regional offices for Asia and Pacific, Latin America, Africa and Europe. In addition to the three Bodies, the ILO accomplishes its task through numerous conferences and specialised meetings. Periodic regional conferences bring together government employer and workers representatives of specific regions to study questions of particular interest to that region.

Industrial committees are permanent tripartite bodies that bring together for discussion, at the international level, the social partners engaged in specific sectors of economic activity. For special sectors like maritime undertakings, public service and telecommunication, there are separate joint commissions which are bipartite in character. The ILO also functions in multi-disciplinary areas in collaboration with other agencies of the UN system.

To accomplish its task the ILO uses three complementary methods of work namely, setting international standards and supervising their observance, extending technical co-operation in the field to member states; conducting research; and collecting and disseminating information.

International standards

The International Labour Standards take the form of Conventions and Recommendations. They are highly varied. Some aim to project the freedom and dignity of the worker by guaranteeing the right of association, prohibition of forced labour, and elimination of discrimination at work. Others relate to such vital labour matters as the promotion of full employment, vocational training, conditions of work and employment, protection of workers lives and health, social security and labour relations. They may apply to all workers or to certain categories such, as migrant workers, sea-farers, women or young people. Between 1919 and 1984, 159 Conventions and 168 Recommendations have been adopted.

Conventions are similar to international treaties and subject to ratification. When a member-state ratifies a Convention, it pledges itself to apply its terms and provisions. Recommendations do not require ratification. They amplify the Convention or deal with questions which do not call for formal obligations. Once they have ratified a Convention, governments are expected to make regular reports to ILO on its application. A committee of independent experts and a tripartite committee of the conference study these reports. For a proper

Some of the key Conventions relating to fundamental human rights are—
(i) The Convention on forced labour (1930); (ii) The Convention on Freedom of Association and Protection of the Right to organise (1948); (iii) the Convention on the right to organise and collective bargaining (1949); (iv) The Convention on the abolition of forced labour (1957); (v) The Convention on discrimination (1958); (vi) the Convention on employment policy (1964); and (vii) The convention on rural workers organisation (1975). All these Conventions legislated within a time span of 45 years not only guarantee human rights they stand as bastions against all forms of oppression.

Technical co-operation

ILO's work in the field of technical co-operation compliments its function in the area of standard setting. In most of the ILO Member-countries before 1948, the level of economic development, the form of social organisation and the nature of social problems were fairly similar. To improve conditions of work in this situation, the ILO could rely mainly on International Labour Conventions. But after 1948, with the expansion of the scope of membership it was realised that one of the major issues in the world was the problem of under-development and the traditional methods of ILO action would be inadequate to deal with that problem. If ILO was to have the desirable impact it should have on social policy in the world, it would have to become an operational organisation. This could be done by undertaking activities which help in creating conditions for the ratification of International Labour standards. The first effort in this direction was launched in 1949 and since then this area of work has slowly and steadily grown. At the present moment, technical co-operation has come to be realised as an independent sphere of action *vis-a-vis* standard setting. The scope of ILO's technical co-operation programme broadly cover development of human resources, raising of living standards and promotion of full employment. These technical co-operation projects are funded out of the regular budget of the ILO or out of multi-lateral resources of the UNDP or through multi-bilateral funding arrangement.

Research education, and documentation

The other working method of the ILO is research, education and documentation. Technical co-operation and standard setting must have a basis in systematic research and documentation, and hence the ILO is involved in numerous research programmes and compilation and analysis of data. As a matter of fact the ILO has come to be recognised as an important international publishing house, issuing every year a wide range of literature in some or all of the working languages, concerning matters within the competence of the organisation.

It has established the 'International Institute for Labour Studies' for, advancing the cause of scientific studies in the field of labour. It has also established an 'International Centre for Advanced Technical and Vocational Training' to provide advance training and re-training in fields not otherwise available to developing countries.

Fields of action

Coming to the ILO field of action, the main fields of ILO activities are—
(i) improvement of living and working conditions, a practical method to humanise work and raising of living standards (ii) Promotion of employment,

development of human resources, since training and use of these resources are the key to economic expansion and social progress (iv) Development of social institutions, i.e., the establishment and strengthening of the administrative bodies, professional organisations and the channels of participation and communication which are the frame work of modern society.

Pioneering role

In so far as better working conditions and environment are concerned, ILO has played the role of a pioneer. The Philadelphia declaration proclaimed that "labour is not a commodity". This is one of the basic tenets underlining the organisations' action and, one of its major programmes is devoted to making work more humane—seeking to promote conditions in which work respects the worker's life and health, gives him free time for leisure, and enables him to serve society and achieve self-fulfilment by developing his personal capacities.

Every year throughout the world some 1,00,000 industrial workers die as a result of employment accident and occupational diseases and an estimated 50 million persons suffer employment injuries. While development of working methods and technical progress are gradually leading to a reduction of certain risks, they give rise to new ones. For example, the problem of pollution in work places has become much more serious in the past 20 years because of the large scale introduction of new substances. We have right before our eyes the Bhopal tragedy where the sufferers in an industrial accident have not only been workers but also the inhabitants of a large city.

The movement for occupational safety and health throughout the world has entered a new phase. It is no longer concerned to eliminate obvious disease and accident risks, but aims increasingly at comprehensive prevention and improvement, taking into account both physical and chemical risks and psychosocial aspects of the undertaking. An international programme for the improvement of working conditions an environment designed to promote or support activities of Member-States in this field called PIACT has been launched by the ILO since 1975.

Social security

In the field of social security, the ILO's field of action lies in the provision of guarantees. These roughly include maintenance benefits and compensation, preventive and curative medical care and rehabilitation. These guarantees are entitled to cover the whole population and extend to any contingency which affects citizens health or which may jeopardise their livelihood. As a corollary to this principle of universality, stress has been laid on the minimum benefits as the lowest level of protection necessary, to effectively prevent poverty and need in the contingency of loss of employment and security.

Women represent 50 per cent of the world adult population and one third of the world's work force, they perform nearly two thirds of all working hours, yet they receive only one tenth of the world income and own less than one per cent of the world property. It is this phenomenon that has brought to the surface special problems of women as workers. In many ways women are still legally excluded from certain types of occupations and in practice do not have equal access to training, retraining or the possibilities of upgrading their skills on the job. The nature of work women perform in many economies and societies show a clear distinction between what is considered to be "women's

men are nevertheless continuously graded in low paid occupations. This segregation also artificially blocks their promotions to responsible positions. Among the several ILO standards directly concerning women workers, three Conventions are specifically designed to eliminate discrimination against them and they contribute to the emerging economic and social norms and values of women and work.

Young people under 20 make up one-third of the population of the industrialised countries and one-half in the developing countries. By a tragic paradox, it is precisely in countries where economic expansion is of vital importance, that the largest numbers of jobless and untrained young persons are to be found. A recent census in an Asian country showed that 79 per cent of the unemployed were under 25 years. Two factors have contributed to the existence of these masses of young people without jobs or skills in developing countries. The first is undoubtedly the population explosion which will double the number of young people under 20 during the present decade and triple it before the end of the century. The second is the inability of the present educational system and vocational training facilities to absorb the mounting tide of youth. Since its earliest years, the ILO has been much concerned with the problems of youth. Apart from legislating for the protection of youth and children the ILO has today gone on to fostering vocational training and guidance with a view to productive employment. The International Labour Conference will be discussing as a major theme the problem of youth in 1986.

Migrant labour

The men who leave their countries for the "promised land" are the migrant workers who have engaged the attention of the ILO since the beginning of its operational programmes. Illegal employment, clandestine employment and employment in sub-human conditions are some of the problems which the ILO has tried to tackle through new and dynamic standards. The isolation of the migrant worker as a victim of linguistic barriers and xenophobia are, recognised by the ILO as areas for rectification through concerted international action.

Faced with the employment crisis in the third world, the ILO launched the World Employment Programme in 1969. This was the starting point for the organisation's efforts to help combat the employment and under-employment. The object of the programme is two-fold; to draw attention to the gravity of the crisis and the need for joint action between developed and developing countries and to assist Governments in the elaboration and implementation of national employment policies and programmes. Employment remains a central objective of development strategy as defined by the United Nations for the Third Development Decade (1980-1990) and an integral part of the proposed new international economic order. In June 1976, the ILO World Employment Conference adopted by consensus a declaration of principles and programme of action which set on recommendations for national and international action in the field of basic needs strategy. The ILO alone cannot create jobs or implement the strategy for the fulfilment of basic needs. This is basically a task for national authorities and the ILO plays its role as a

Development of human resources

The development of human resources is an area of major concern to policy makers and development planners. Man is the architect of economic and social progress but he cannot contribute effectively to national development if he is ill-prepared. This is why the ILO pleads so strongly in aiding its Member States to develop to the full their human resource potential. The sphere of ILO action in this area includes strategies to be followed in gearing the training efforts to labour market need, setting up institutions of vocational guidance and career planning, synchronising training with formal education, organising training and re-training for sectors facing structural adjustments due to a changing economic or technological environment.

The ILO's effort to foster social justice to improve working and living conditions and to encourage balanced economic and social development would be ineffective if there were no social structures promoting large scale participation. To assist Governments, Employers and Workers Organisations in building or consolidating the necessary institutions and mechanism, the ILO is active in such fields as Labour Law and Administration, Labour Relations, Worker Education and Promotion of Employers activities.

In the area of sectoral activities, I would like to mention particularly ILO's work programme on multi-national enterprises. This is again a subject which has assumed great relevance in the context of the operation of these enterprises in developing countries. In November 1977, the Governing Body of the ILO adopted the "tripartite declaration" of principles concerning multi-national enterprises and social policy. The declaration sets out principles in the fields of employment, training conditions of work and life and industrial relations which Governments, Employers and Workers Organisations and multi-national enterprises themselves have agreed to observe on a voluntary basis. The declaration is the outcome of several years' efforts by the International Labour Office to reach agreed solutions in a highly complex and controversial area of social policy through dialogue and negotiations between Governments, Employers and Workers, supported by special research. A significant area of this effort is also devoted to observance of safety standards in high risk technology.

In international sphere ILO's major sphere of action lies in the elimination of discrimination. Discrimination based on race and colour still exists in the world. A country like South Africa is the anchor of apartheid which penetrates not only the workforce it cuts across an entire value system. The ILO is consistent in condemning apartheid. In 1981 it adopted an updated declaration condemning the policy of apartheid in South Africa, calling for more effective action by governments, employers and workers of member-states for the elimination of apartheid in South Africa and for more assistance by the ILO to the peoples of South Africa. The development of the situation in South Africa is followed in a report presented each year to a Special Committee of the Conference.

Before concluding, it is worth recalling a line from Whitman which says "Where a single drop of tear is shed, I myself am crucified." The story of the commitment, success, failure, aspiration and despair of the ILO is the story of such a life.

(Indian Worker dated 14th January 1985)

Labour Legislation

EMPLOYEES' STATE INSURANCE (AMENDMENT) ACT, 1984 (ACT No. 45 OF 1984)

(Received the assent of the President on the 6th August 1984)

An Act further to amend the Employees' State Insurance Act, 1948

BE it enacted by Parliament in the Thirty-fifth Year of the Republic of India as follows :—

1. *Short title and commencement*—(1) This Act may be called the Employees State Insurance (Amendment) Act, 1984.

(2) It shall come into force on such date as the Central Government may, by notification in the *Official Gazette*, appoint and different dates may be appointed for different provisions of this Act and for different States or for different parts thereof.

2. *Amendment of Section 2*.—In the Employees' State Insurance Act, 1948 (34 of 1948) (hereinafter referred to as the principal Act), in Section 2,—

(a) in clause (2),—

(i) for the words "being not less than twenty-five but not exceeding twenty-seven consecutive weeks or", the words "being not exceeding" shall be substituted;

(ii) in the proviso, the words "or shorter" shall be omitted.

(b) in clause 5,—

(i) for the words "being not less than twenty-five but not exceeding twenty-seven consecutive weeks or", the words "being not exceeding" shall be substituted;

(ii) in the proviso, the words "or shorter" shall be omitted.

(c) in clause (9), in sub-clause (b), for the words "one thousand rupees" at both the places wherever they occur, the words "one thousand and six hundred rupees" shall be substituted.

(d) for clause (23), the following clause shall be substituted, namely—

(23) "wage period" in relation to an employee means the period in respect of which wages are ordinarily payable to him whether in terms of the contract of employment, express or implied or otherwise.

3. *Amendment of Section 17*.—In section 17 of the Principal Act—

(a) in sub-section (1), for the words "one thousand and two hundred rupees", the words "two thousand and two hundred fifty rupees" shall be substituted.

(b) in sub-sections (3) and (4), for the words and figures "Class I or Class II", the words and letters "Group A and Group B shall be substituted.

4. *Amendment of section 39.*—In section 39 of the principal Act,—

(a) for sub-section (3), the following sub-section shall be substituted, namely :—

"(3) The wage period in relation to an employee shall be the unit in respect of which all contributions shall be payable under this Act.

(b) in sub-section (4), for the word "week" wherever it occurs, the words "wage period" shall be substituted.

5. *Amendment of section 42.*—In section 42 of the principal Act,—

(a) in sub-section (1), for the words "are below one rupee and fifty paise", the words "during a wage period are below six rupees" shall be substituted;

(b) in sub-section (2) for the word "week", the words "wage period" shall be substituted ;

(c) sub-section (3) shall be omitted.

6. *Substitution of new section for section 47.*—For section 47 of the principal Act, the following section shall be substituted, namely :—

"47. *When person eligible for sickness benefit.*—A person shall be qualified to claim sickness benefit for sickness occurring during any benefit period if the contributions in respect of him were payable for not less than half the number of days of the corresponding contribution period".

7. *Amendment of section 50.*—In section 50 of the principal Act, for sub-section (1) and the proviso thereto, the following sub-section shall be substituted, namely :—

"(1) An insured woman shall be qualified to claim maternity benefit for a confinement occurring or expected to occur in a benefit period, if the contributions in respect of her were payable for not less than half the number of days of the corresponding contribution period".

8. *Amendment of section 56.*—In section 56 of the principal Act, in sub-section (3) for the word "week", the word "period" shall be substituted.

9. *Amendment of section 78.*—In section 78 of the principal Act, in sub-section (1), for the words and figures "section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974)" shall be substituted.

10. *Amendment of section 95.*—In section 95 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely :—

"(2A) The power to make rules conferred by this section shall include the power to give retrospective effect, from a date not earlier than the date of commencement of this Act, to the rules or any of them but no retros-

pective effect shall be given to any rule so as to prejudicially affect the interest of any person other than the Corporation to whom such rule may be applicable.

11. *Amendment of section 96.*—In section 96 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely :—

"(3) Every rule made under this section shall be laid as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or, where such Legislature consists of one House, before that House.

12. *Amendment of section 97.*—In section 97 of the principal Act,—

(a) in sub-section (1), after the words "The Corporation may" the words "with the prior approval of the Central Government and" shall be inserted.

(b) after sub-section (3), the following sub-section shall be inserted, namely :—

"(4) Every regulation shall, as soon as may be, after it is made by the Corporation, be forwarded to the Central Government and that Government shall cause a copy of the same to be laid before each House of Parliament, while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid both Houses agree in making any modification in the regulation or both Houses agree that the regulation should not be made, the regulation shall, thereafter, have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that regulation.

13. *Amendment of the First Schedule.*—In the First Schedule to the principal Act,—

(a) for paragraph 1, the following paragraph shall be substituted, namely :—

"1. The amount of contribution for a wage period shall be, in respect of—

(a) employer's contribution, a sum (rounded to the next higher multiple of five paise) equal to five per cent of the wages payable to an employee;

(b) employee's contribution, a sum (rounded to the next higher multiple of five paise) equal to two and one-fourth per cent of the wages payable to an employee".

(b) in paragraph 2,—

(i) in the opening portion, after the words "daily wages", the words "during a wage period for the purposes of section 42 and sub-paragraph (b) of paragraph 6 of this Schedule" shall be inserted;

- (ii) in sub-paragraph (b), the word "first" shall be omitted;
 (iii) Explanation II shall be omitted;

(c) after paragraph 2, the following paragraph shall be inserted namely—

"2A. The average daily wages during a contribution period in respect of an employee for the purposes of paragraphs 4, 5 and sub-paragraph (b) of paragraph 6 of this Schedule shall be the sum equal to one hundred and fifteen per cent. of the aggregate amount of wages payable to him during that period divided by the number of days (including paid holidays and leave days) for which such wages were payable";

(d) for paragraph 3 and the Table thereunder, the following paragraph and the Table shall be substituted, namely:—

3 Daily rate of benefit (hereinafter referred to as the "standard benefit rate") in respect of group of employees specified in the first column of the Table below shall be the amount respectively specified in the corresponding entry in the second column thereof

TABLE 1

Group of employees whose average daily wages are	Corresponding daily standard benefit rate.
1	2
	Rs. P.
1. Below Rs. 6	.. .. 2.50
2. Rs. 6 and above but below Rs. 8	.. .. 3.50
3. Rs. 8 and above but below Rs. 12	.. .. 5.00
4. Rs. 12 and above but below Rs. 16	.. .. 7.00
5. Rs. 16 and above but below Rs. 24	.. .. 10.00
6. Rs. 24 and above but below Rs. 36	.. .. 15.00
7. Rs. 36 and above	.. .. 20.00

14. *Substitution of the Third Schedule.*—For the Third Schedule to the principal Act, the following Schedule shall be substituted namely:—

" THE THIRD SCHEDULE "

(See section 52-A)

List of Occupational Diseases

Serial No.	Occupational disease	Employment
1	2	3
PART A		
1	Infectious and parasitic diseases contracted in an occupation where there is a particular risk of contamination.	(a) All work involving exposure to health or laboratory work. (b) All work involving exposure to veterinary work;

Occupational disease	Employment	
2	3	
2	Diseases caused by work in compressed air.	(c) Work relating to handling animals, animal carcasses, part of such carcasses, or merchandise which may have been contaminated by animals or animal carcasses.
3	Diseases caused by lead or its toxic compounds.	(d) Other work carrying a particular risk of contamination.
4	Poisoning by nitrous fumes	All work involving exposure to the risk concerned.
5	Poisoning by organophosphorus compounds.	All work involving exposure to the risk concerned.

PART B

1	Diseases caused by phosphotus or its toxic compounds.	All work involving exposure to the risk concerned.
2	Diseases caused by mercury or its toxic compounds.	All work involving exposure to the risk concerned.
3	Diseases caused by benzene or its toxic homologues.	All work involving exposure to the risk concerned.
4	Diseases caused by nitro and amido toxic derivatives of benzene or its homologues.	All work involving exposure to the risk concerned.
5	Diseases by chromium or its toxic compounds.	All work involving exposure to the risk concerned.
6	Diseases caused by arsenic or its toxic compounds.	All work involving exposure to the risk concerned.
7	Diseases caused by radioactive substances and ionising radiations.	All work involving exposure to the action of radioactive substances or ionising radiations.
8	Primary epithelomatous cancer of the skin caused by tar, pitch, bitumen, mineral oil, anthracene, or the compounds, products or residues of these substances.	All work involving exposure to the risk concerned.

Serial No. 1	Occupational disease 2	Employment 3
9	Diseases caused by the toxic halogen derivatives of hydrocarbons (of the aliphatic and aromatic series).	All work involving exposure to the risk concerned.
10	Diseases caused by carbon disulphide.	All work involving exposure to the risk concerned.
11	Occupational cataract due to infrared radiations.	All work involving exposure to the risk concerned.
12	Diseases caused by manganese or its toxic compounds.	All work involving exposure to the risk concerned.
13	Skin diseases caused by physical, chemical or biological agents not included in other items.	All work involving exposure to the risk concerned.
14	Hearing impairment caused by noise.	All work involving exposure to the risk concerned.
15	Poisoning by dinitrophenol or homologue or by substituted dinitrophenol or by the salts of such substances.	All work involving exposure to the risk concerned.
16	Diseases caused by beryllium or its toxic compounds.	All work involving exposure to the risk concerned.
17	Diseases caused by cadmium or its toxic compounds.	All work involving exposure to the risk concerned.
18	Occupational asthma caused by recognised sensitising agents inherent to the work process.	All work involving exposure to the risk concerned.
19	Diseases caused by fluorine or its toxic compounds.	All work involving exposure to the risk concerned.
20	Diseases caused by nitroglycerine or other nitroacid esters.	All work involving exposure to the risk concerned.
21	Diseases caused by alcohols and ketones.	All work involving exposure to the risk concerned.
22	Diseases caused by asphyxiants, carbon monoxide, and its toxic derivatives, hydrogen sulfide.	All work involving exposure to the risk concerned.
23	Lung cancer and mesotheliomas caused by asbestos.	All work involving exposure to the risk concerned.
24	Primary neoplasm of the epithelial lining of the urinary bladder or the kidney or the ureter.	All work involving exposure to the risk concerned.

Serial No. 1	Occupational disease 2	Employment 3
PART C		
1	Pneumoconioses caused by sclerogenic mineral dust (silicosis, anthraosilicosis asbestosis) and silico-tuberculosis provided that silicosis an essential factor in causing the resultant incapacity or death.	All work involving exposure to the risk concerned.
2	Bagassosis	All work involving exposure to the risk concerned.
3	Bronchopulmonary diseases caused by cotton, flax, hemp and sisal dust (Byssinosis).	All work involving exposure to the risk concerned.
4	Extrinsic allergic alveolitis caused by the inhalation of organic dusts.	All work involving exposure to the risk concerned.
5	Bronchopulmonary diseases caused by hard metals.	All work involving exposure to the risk concerned.

15. *Validation.*—The Employees' State Insurance Corporation (General Provident Fund) Rules, 1973, shall be and shall be deemed always to have been as valid and effective as if the provisions of section 95 of the Principal Act, as amended by this Act, were in force at the time when those rules were made.

(Published in Gazette of India, Extra., No. 59, dated 7th August 1984, Part II, Section 1, p-1).

ANNUAL REPORT OF THE CONSUMER PRICE INDEX NUMBERS FOR THE WORKING CLASS FOR THE STATE OF MAHARASHTRA FOR THE YEAR 1984

BOMBAY

The Consumer Price Index Number for Industrial Workers (1960=100) for the Bombay Centre varied between 576 to 618 during the year under review. The average of the index numbers for the whole year came to 599 which was about 0.0 times higher than that of base period (1960=100).

The following table gives the monthly Consumer Price Index Numbers during the year 1984.

Month and Year	Consumer Price Index Number	Variation in points as compared to previous month
1984		
January	576	+7
February	578	+2
March	579	+1
April	586	+7
May	595	+9
June	604	+9
July	611	+7
August	610	-1
September	609	-1
October	615	+6
November	618	+3
December	612	-6
Average	599	

The following table shows the groupwise Index Numbers for the Bombay Centre for each month of the year 1984.

Month and year	Food	Pan, Supari tobacco etc.	Fuel and Light	Housing	Clothing Bedding and Footwear	Miscellaneous
1	2	3	4	5	6	7
1984						
January	640	601	743	171	557	442
February	639	613	760	171	557	444
March	639	629	764	171	557	448
April	647	646	768	171	559	453
May	660	650	785	171	559	456
June	672	643	797	171	558	466
July	682	649	798	184	562	468
August	679	642	797	184	562	470
September	677	630	799	184	565	471
October	687	634	800	184	569	474
November	690	640	803	184	573	476
December	677	644	803	184	576	480
Average	666	635	785	178	563	462

The average of the Index Number was higher than that at the base year for the Food group by about 6.7 times, the Pan Supari, Tobacco etc. group by about 6.4 times, the Fuel and Light group by about 7.8 times, the Housing group by about 1.8 times, the Clothing Bedding and Footwear group by about 5.6 times, and the Miscellaneous group by about 4.6 times.

SOLAPUR

The Consumer Price Index Number for working class (New series) for the Solapur Centre Varied between 588 to 625 during the year under review. The average of the Index Numbers for the whole year comes to 608 which was about 6 times higher than that of base period (1960=100).

The following table gives the monthly Consumer Price Index Numbers (New Series) during the year 1984.

Month and Year	Consumer Price Index Number	Variation in points as compared to previous month
1984		
January	611	+4
February	600	-11
March	590	-10
April	588	-2
May	598	+10
June	601	+3
July	605	+4
August	611	+6
September	620	+9
October	622	+2
November	623	+1
December	625	+8
Average	608	

The following table shows the groupwise Index Number for the Solapur Center for each month of the year 1984.

Month and Year	Food	Pan, Supari tobacco etc.	Fuel and light	Housing	Clothing bedding and Footwear	Miscellaneous
1	2	3	4	5	6	7
1984						
January	674	470	708	255	579	448
February	655	471	708	255	579	450
March	638	481	708	255	577	453
April	636	508	708	255	567	455
May	650	517	715	255	568	455
June	653	521	727	255	561	461
July	655	532	730	266	572	466
August	664	535	730	266	572	465
September	678	534	734	266	575	466
October	681	531	734	266	575	466
November	683	536	734	266	575	467
December	684	536	732	266	578	469
Average	663	514	722	260	573	460

The average of the Index Number was higher than that of the base year for the Food 7.0 times, the Pan Supari Tobacco etc. 5.1 times, the Fuel & Light 7.2 times, the Clothing Bedding & Footwear 6.0 times, the Miscellaneous 5.0 times, and for Housing by about 3.0 time.

NAGPUR

The Consumer Price Index Number for Working Class (New Series) for the Nagpur Centre Varied between 561 to 614 during the year under review. The average of the Index Number for the whole year come to 590 which was about 6.0 times higher than that of base period (1960=100).

The following table gives the monthly Consumer Price Index Number (New Series) during the year, 1984.

Month and Year	Consumer Price Index Number	Variation in points as compared to previous month
1	2	3
1984		
January	571	+2
February	561	-10
March	569	+8
April	570	+1
May	584	+14
June	585	+1
July	597	+12
August	605	+8
September	605	
October	606	+1
November	614	+8
December	614	
Average	590	

The following table shows the groupwise index numbers for the Nagpur Centre for each month of year 1984.

Month and Year	Food	Pan, Supari, tobacco etc	Fuel and light	Housing	Clothing bedding and footwear	Miscellaneous
1	2	3	4	5	6	7
1984						
January	612	553	815	297	602	434
February	589	551	836	297	602	440
March	603	549	846	297	602	441
April	604	560	846	297	602	440
May	626	572	848	297	604	445
June	628	572	848	297	603	448
July	643	575	848	316	618	448
August	655	578	848	316	623	451
September	656	578	848	316	620	451
October	656	579	848	316	620	452
November	672	591	848	316	612	452
December	664	589	917	316	621	452
Average	634	571	850	306	611	446

The average of the Index Number was higher than that of the base year for the Food 6.3 times, the Pan Supari, Tobacco etc. 6.0 times, the Fuel and Light 8.5 times, the Clothing Bedding, and Footwear 6.1 times, the Miscellaneous group 4.5 times and Housing by about 3.1 times.

PUNE

The Consumer Price Index Number for working class (New Series) for the Pune Centre varied between 539 and 579 during the year under review. The average of the index number for the whole year comes to 563 which was about 5.6 times higher than that of the base period (1961=100).

The following table gives the monthly Consumer Price Index Number (New Series) during the year 1984.

Year and month	Consumer Price Index Number	Variation in points as compared to that of the various month
1984		
January	555	-2
February	551	-4
March	539	-12
April	546	+7
May	561	+15
June	568	+7
July	574	+6
August	569	-5
September	568	-1
October	572	+4
November	579	+7
December	579	
Average	563	

The following table shows group wise index number for the Pune Centre for each month of the year 1984.

Year and Month	Food	Fuel and Light	Housing	Clothing and footwear	Miscellaneous
1	2	3	4	5	6
1984					
January	631	685	144	518	455
February	623	686	144	519	455
March	597	714	144	523	457
April	609	723	144	529	456
May	634	732	144	531	458
June	642	732	144	531	466
July	650	732	146	538	467
August	642	732	146	538	467
September	640	732	146	538	467
October	642	732	146	545	479
November	652	740	146	545	483
December	647	767	146	545	485
Average	634	726	145	533	466

The average of the index numbers was higher than that of the base year for the Food 6.3 times, Fuel and Light 7.3 times, for Housing by about 1.4 times, for the Clothing and Footwear 5.3 times and the Miscellaneous group by about 4.7 times.

JALGAON

The Consumer Price Index Number for Working Class (New Series) for the Jalgaon Centre Varied between 601 and 651 during the year under review. The average the index number for the whole year comes to 632 which was about 6 times higher than that of the base period (1961=100).

The following table gives the monthly Consumer Price Index Number (New Series) during the year 1984.

Year and Month (1)	Consumer Price Index Number (2)	Variation in points as compared to that of previous month (3)
1984—		
January	558	+10
February	568	+10
March	556	-12
April	561	+5
May	576	+15
June	581	+5
July	587	+6
August	595	+8
September	587	-8
October	590	+3
November	586	-4
December	592	+6
Average	648	

The following table shows groups wise index number for the Jalgaon Centre for each month of the year 1984.

Year and Month (1)	Food (2)	Fuel and Light (3)	Housing (4)	Clothing and Footwear (5)	Miscella- neous (6)
1984—					
January	611	711	183	529	448
February	626	711	183	529	452
March	601	711	183	539	463
April	608	711	183	554	462
May	633	711	183	554	463
June	638	713	183	565	465
July	646	714	183	569	466
August	651	714	188	617	467
September	638	714	188	617	469
October	642	714	188	617	471
November	638	714	188	602	471
December	648	714	188	598	471
Average	632	713	185	574	464

The average of the index number was higher than that of the base year for the food group by about 6.3 times for the fuel and light group by about 7.1 times for housing by about 1.8 times for clothing and footwear group by about 5.7 times and the miscellaneous group by about 4.6 times.

NANDED

The Consumer price Index Number for Working Class (1961=100) for the Nanded Centre varied between 614 and 669 during the year under review. The average of the index number for the whole year came to 643 which was about 6 times higher than that of the base period (1961 = 100).

The following table gives the monthly consumer Price Index Number (1961 = 100) during the year 1984.

Year and Month (1)	Consumer Price Index Number (2)	Variation in points as compared to that of the previous month (3)
1984—		
January	629	+ 17
February	614	- 15
March	627	+ 13
April	630	+ 3
May	635	+ 5
June	633	- 2
July	647	+ 14
August	657	+ 10
September	658	+ 1
October	669	+ 11
November	665	- 4
December	657	- 8
Average	643	

The following tables shows group wise index number for the Nanded Centre for each month of the year 1984 :—

Year and Month 1	Food 2	Fuel and Light 3	Housing 4	Clothing and footwear 5	Miscella- neous 6
1984—					
January	703	715	310	521	488
February	674	773	310	514	488
March	696	780	310	506	488
April	699	780	310	522	488
May	702	780	310	522	504
June	700	780	310	518	504
July	723	780	310	518	504
August	732	780	386	520	504
September	731	780	386	525	507
October	750	780	386	525	510
November	743	788	386	517	510
December	728	788	386	523	511
Average	715	775	342	519	500

The average of the index numbers was higher than that of the base year for the food group by about 7.2 times for the Fuel and Light group by about 7.8 times, for the housing by about 3.4 times, for the clothing and Footwear group by about 5.2 times and the miscellaneous group by about 5.0 times.

AURANGABAD

The Consumer Price Index Number for Working Class (New Series) for the Aurangabad Centre varied between 581 and 635 during the year under review. The average of the index number for the whole year come to 609 which was about 6.1 times higher than that of the base period (1961 = 100).

The following table gives the monthly Consumer Price Index Number (New Series) during the year 1984.

Year and Month (1)	Consumer Price Index No. (2)	Various in point as compared to that of previous month (3)
1984—		
January	617	+ 4
February	612	— 5
March	583	— 29
April	581	— 2
May	592	+ 11
June	599	+ 7
July	608	+ 9
August	608	
September	617	+ 9
October	620	+ 3
November	631	+ 11
December	635	+ 4
Average	609	

The following table shows group wise Index Number for the Aurangabad Centre for each month of the year 1984 :—

Year and Month (1)	Food (2)	Fuel and Light (3)	Housing (4)	Clothing And footwear (5)	Miscella- neous (6)
1984—					
January	689	771	326	528	458
February	680	771	326	530	458
March	633	771	326	528	458
April	629	771	326	543	456
May	644	771	326	543	468
June	654	771	326	544	474
July	667	771	326	558	474
August	665	771	326	565	475
September	680	771	326	566	477
October	684	771	326	573	477
November	700	771	326	573	485
December	704	771	326	576	491
Average	669	771	326	552	471

The average of index number was higher than that of the base year for the food group by 6.7 times, for fuel and light group by 7.7 times, for housing by about 3.3 times, for the clothing and footwear group by 5.5 times and the miscellaneous group by about 4.7 times.

Gist of Important Notifications under Various Labour Laws

I TRADE UNIONS ACT, 1926

(A) *Appointments under the.*—(1) In exercise of the powers conferred by sub-section (2) of Section 3 of the said Act the Government of Maharashtra has appointed Shri P. A. Achwa, Assistant Commissioner of Labour, Bombay District to be the Deputy Registrar of Trade Unions for the purpose of exercising and discharging under the Superintendence and directions of the Registrar, the powers and functions of the Registrar, within the local limits of Greater Bombay in place of Shri K. N. Borikar.

(Vide Government Notification, Industries, Energy and Labour Department No. TUA-1084/ (7489)/Lab-9, dated the 26th October, 1984, published in *Maharashtra Government Gazette*, Part-I-L, dated the 10th January, 1985 at pages No.s 94-95).

II—EMPLOYEES PROVIDENT FUNDS, AND MISCELLANEOUS PROVISIONS ACT, 1952.

(A) *Exemptions under the Act.*—The Government of Maharashtra has republished the following Notification of the Central Government vide Notification No. EPF-1084/9481/ Lab-4, dated the 20th September, 1984.

GOVERNMENT OF INDIA / BHARAT SARKAR

MINISTRY OF LABOUR AND REHABILITATION

(SHRAM AUR PUNARVAS MANTRALAYA)

DEPARTMENT OF LABOUR /SHRAM VIBHAG

New Delhi, dated the 21st August, 1984

NOTIFICATION

S.O.—In exercise of the powers conferred by sub-section (2) of section 16 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government, after having regard to the circumstances of the case, is of the opinion that it is expedient so to do, hereby exempt the following classes of establishments specified in the Schedule annexed hereto from the operation of the said Act for a period of three year with effect from the 1st September, 1984, subject to the conditions specified therein, namely

SCHEDULE

Particulars of Establishments

1. All establishments (including universities) which have been set up under either an Act of Parliament or of State Legislature and whose employees are in receipt of contributory provident fund, family pension and deposit linked insurance or non-contributory provident fund, pension and deposit linked insurance in accordance with the rules or regulations framed under the respective Acts ;
2. All educational institutions, whose employees are in receipt of contributory provident fund, family pension and deposit linked insurance or non-contributory provident fund, pension and deposit linked insurance at par with State/central Government employees ;
3. All establishments which are registered as 'Society' under the Societies Registration Act, 1860 and whose employees are in receipt of contributory Provident fund, family pension and deposit linked insurance or non-contributory provident fund, pension and deposit linked insurance at par with State/ central Government employees.

(Vide Government Notification, Industries, Energy and Labour Department No. EPF-1084/9481/ Lab-4, dated the 20th September, 1984 published in *Maharashtra Government Gazette*, Part-I-L, dated the 10th January, 1985, at page No. 96).

III. BOMBAY SHOPS AND ESTABLISHMENTS ACT, 1948,

(A) *Suspension of the Provisions of the Act.*—(1) In exercise of the powers conferred by Section 6 of the said Act, the Government of Maharashtra has suspended certain provisions of the said Act, as shown in column 2 of the schedule appended hereto on account of the festivals shown in column 1 of the said Schedule for the periods mentioned in column 3 of the said Schedule.—

Schedule		
Festival 1	Provisions of Sections 2	Period 3
Kartiki Amavatsaya	.. Sections 11 (1) (A), 14, 16, 18, 19, 21, 23 & 24.	22nd November 1984 to 23rd November 1984 (both days inclusive).
Dattajayanti	.. Sections 11 (1) (A), 14, 16, 18, 19, 21, 23 & 24.	7th December 1984 to 8th December 1984.

(Vide Government Notification, Industries, Energy and Labour Department No. P-7384/CR-1053-1054/Lab-9, dated 22nd October, 1984, published in *Maharashtra Government Gazette*, Part-I-L, dated 10th January, 1984 at Pages Nos. 137-139).

(2) In exercise of the powers conferred by Section 6 of the said Act, the Government of Maharashtra has suspended for the period commencing on the 20th December 1984 and ending on the 2nd January 1985 the operation of the provisions of Section 18 of the said Act in so far as they relate to the operations of the calendar or list of closed days prepared under Sub-section (1) and of the orders, if any, issued under Sub-Section (113) of the said Section 18, subject to the conditions that:—

(i) all Shops and Commercial Establishments in the local areas for which the 24th December 1984 has been fixed to be the date of poll for election to the Lok Sabha shall remain closed on the 24th December 1984;

(ii) all Shops and Commercial Establishments in the local areas for which the 27th December 1984 has been fixed to be the date of poll for election to the Lok Sabha shall remain closed on the 27th December 1984;

(iii) no deduction shall be made from the wages of any employee any such shop for commercial establishment on account of closure on the 24th December 1984 or as the case may be, the 27th December 1984.

(Vide Government Notification, Industries, Energy and Labour Department No. P-7384/CR-1082/Lab-9, dated the 28th November 1984, published in *Maharashtra Government Gazette*, Part-I-L, dated the 24th January 1985, at page No. 376).

(B) *Amendments to the Act.*—(1) In exercise of the powers conferred by the proviso to Section 4 of the said Act, the Government of Maharashtra has amended Schedule-II to the said Act, as follows, namely:—

“315. Trombay Thermal Power Station, Sections 13, 14, 15, 17 and 18 subject to Construction Project, Units-5, of the Tata Power Company Ltd., Bombay. the conditions that—

(1) the exemption will remain in the operation for the further period upto and inclusive of 31st December 1984.

(2) the employees concerned are granted wages for over time work and one day holiday in a week

(Vide Government Notification, Industries, Energy and Labour Department No. BSE-1483/CR-770/Lab-9, dated the 3rd September 1984, published in *Maharashtra Government Gazette*, Part—I-L, dated the 10th January, 1984, at page No. 139).

(C) *Appointments under the Act.*—(1) In exercise of the powers conferred by Sub-section (2) of Section 48 of the said Act, the Commissioner of Labour, Bombay has appointed the persons mentioned in column 2 of the Schedule hereinbelow to be Inspectors for the purposes of implementation of the provisions of the said Act, in all the local areas (which are not subject to the jurisdiction of any Local Authority for the enforcement of the Act) falling in the District or Districts specified in column 4 of the said Schedule herein below against each name, instead of the District or Districts specified in column 3 of the said Schedule

SCHEDULE			
Serial No.	Name of the Inspector	Name of the District for which previously appointed	Name of the District for which now appointed
1	2	3	4
1	Shri S. N. Shinde	Thane District.	Pune District.
2	Shri R. V. Rana	Kolhapur District.	Pune District.
3	Shri P. J. Dabriel	Satara District.	Pune District.
4	Shri D. D. Salunke	Sangli District.	Solapur District.
5	Shri A. V. Parekh	Ahmadnagar Cantonment and Shegaon.	Solapur District.
6	Shri D. N. Tammalwar	Osmanabad, Latur and Beed Districts.	Solapur District.
7	Shri A. S. Baviskar	Jalgaon District.	Thane District.
8	Shri S. K. Nagapurkar	Thane District.	Aurangabad and Jalna Districts.
9	Shri S. S. More	Aurangabad and Jalna Districts.	Osmanabad, Latur and Beed Districts.
10	Shri A. M. Phonerkar	Do.	Do.
11	Shri G. D. Dulwad	Do.	Nanded and Parbhani Districts.
12	Shri D. G. Borude	Nanded and Parbhani Districts.	Aurangabad and Jalna Districts.
13	Shri Khan Mohammed Ahad Khan.	Osmanabad, Latur and Beed Districts.	Do.
14	Shri P. K. Borode	Akola, Buldhana and Yeotmal Districts.	Nagpur, Wardha, Bhandara and Chandrapur Districts.

(Vide Order No. C/L/BSE/NFN/2184/H.O.XII, dated the 10th October 1984, published in *Maharashtra Government Gazette*, Part—I-L, dated the 24th January, 1985, at page Nos. 369 to 370).

(2) In exercise of the powers conferred by Sub-Section (2) of Section 48 of the said Act, the Commissioner of Labour, Bombay has appointed the persons mentioned in column 2 of the Schedule herein below to be Inspectors for the purposes of implementation of the provisions

Authority for the enforcement of the Act) falling in the District or Districts specified in column 4 of the said Schedule herein below against each name, instead of the District or Districts specified in column 3 of the said Schedule :—

Schedule			
Serial No.	Name of the Inspector	Name of the District for which previously appointed	Name of District for which now appointed
1	2	3	4
1	Shri B. N. Dhondage ..	Osmanabad Latur and Beed Districts.	Nanded and Parbhani Districts.
2	Shri B. G. Sonandkar ..	Nanded and Parbhani Districts.	Aurangabad and Jalna Districts.
3	Shri S. A. Quadri ..	Aurangabad and Jalna Districts.	Osmanabad, Latur and Beed Districts.
4	Shri G. D. Dulewad ..	Aurangabad and Jalna Districts.	Nanded and Parbhani Districts.
5	Shri Y. G. Rathor ..	Akola, Buldhana and Yavatmal Districts.	Nagpur, Bhandara Wardha and Chandrapur Districts.

(Vide Order No. CL/BSE/NFN/2184/H. O. XII, dated the 16th November, 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 24th January, 1985, at Pages Nos. 372 to 371.

(3) In exercise of the powers conferred by Sub-Section (2) of Section 48 of the said Act, the Commissioner of Labour, Bombay has appointed the following persons mentioned in column 2 of the Schedule herein below (they having the qualifications prescribed under Rule 17 of the Maharashtra Shops and Establishments Rules, 1961) to be Inspectors for the purposes of implementation of the provisions of the said Act, in the local areas which are not subject to the jurisdiction of any Local Authority, for the enforcement of the said Act, in the Districts mentioned in column No. 3 of the said Schedule :—

Schedule		
Sr. No.	Name of the Shop Inspector	Name of the District
1	2	3
1	Shri M. K. Joshi ..	Pune District.
2	Shri D. R. Gaikwad ..	Pune District.
2	Shri S. V. Tbodage ..	Pune District.
4	Shri K. C. Dhapathe ..	Pune District.
5	Shri S. R. Kshirsagar ..	Pune District.
6	Shri Y. S. Salve ..	Pune District.
7	Shri S. V. Pundlik ..	Pune District.
8	Shri R. G. Jadhav ..	Pune District.
9	Shri E. T. Kumbhar ..	Pune District.
10	Shri M. K. Ingulkar ..	Pune District.
11	Shri A. N. Salvi ..	Pune District.
12	Shri I. R. Sagar ..	Pune District.
13	Shri M. S. Kakalia ..	Pune District.
14	Shri S. S. Vasave ..	Pune District.
15	Shri S. H. Bhosale ..	Pune District.

IV. INDIAN BOILERS ACT, 1923.

(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-10583 and belonging to the Tarapur Acid and Alkali Private Limited, MIDC, Boisar, District Thane from the operation of clause (c) of Section 6 of the said Act, for the period of two months from the 3rd December 1984 to 2nd February, 1985 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department No. IBA-1084/97971/(1086)/Lab-9, dated the 1st December, 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 10th January, 1985, at page No. 140).

(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-7941 belonging to the National Rayon Corporation Limited, Mohone, District Thane from the operation of clause (c) of Section 6 of the said Act, for the period of two months from the 22nd November 1984 to 21st January, 1985 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department No. IBA-1084/97462/1080/Lab-9, dated the 19th November, 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 10th January, 1985, at page No. 140).

(3) 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-10203 belonging to the Rasitriya 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 three months from the 15th November, 1984 to 14th February 1985 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department No. IBA-1084/96959/1076/Lab-9, dated the 14th November, 1984 published in *Maharashtra Government Gazette*, Part I-L, dated the 10th January, 1985, at page No. 140).

(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-7795 belonging to the Bharat Petroleum Corporation Limited, Malul, Bombay 400 074 from the operation of clause (c) of Section 6 of the said Act, for a further period of eighteen days from the 14th November 1984 to 1st December 1984 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department No. IBA-1084/97049/1075/Lab-9, dated the 12th November 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 17th January, 1985, at page No. 211).

V. INDUSTRIAL DISPUTES ACT, 1947.

(A) *Amendments to the Act.*—(1) The Government of Maharashtra has re-published the following Notification of the Government of India, Ministry of Labour No. 565012/1/82. D.I. (A), dated the 18th August, 1984, vide Government Notification No. IDA-1084/(7442)/Lab-9 dated 11th September, 1984.

GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF LABOUR AND REHABILITATION
(SHRAM AUR PUNARVAS MANTRALAYA)
DEPARTMENT OF LABOUR/SHRAM VIBHAG.
New Delhi 110 001, dated the 18th August 1984

NOTIFICATION

GSR. —Whereas certain draft rules further to amend the Industrial Disputes (Central) Rules, 1957, were published as required by sub-section (i) of section 38 of the Industrial Disputes Act, 1947 (14 of 1947) at pages 612-613 of the *Gazette of India*, in Part II, section 2

No. S.O. 678, dated the 12th January 1983 inviting objections and suggestions from all persons likely to be affected thereby on or before the expiry of a period of forty-five days from the date of publication of the said notification in the *Official Gazette* ;

And whereas, the said Gazette was made available to the public on the 4th February 1983-

And whereas, the objections and suggestions received from the public in the said draft have been duly considered ;

And, whereas, on the basis of the objections and suggestions received certain changes were incorporated and the draft rules were republished at pages 2870-2871 of the *Gazette of India* in part II, section 3, sub-section (i) dated the 17th December 1983, under GSR, No. 984 dated the 1st December 1983, inviting objections and suggestions from all persons likely to be affected thereby on or before the expiry of 30 days from the date of publication of the said notification in the *Official Gazette* ;

And, whereas, the said Gazette was made available to the public on the 23rd December 1983 ;

And, whereas, the objections and suggestions received from the public on the said draft have been duly considered ;

Now, therefore, in exercise of the power conferred by sub-section (1) of section 38 of the said Act, the Central Government hereby makes the following rules further to amend the Industrial Disputes (Central) Rules, 1957, namely :—

RULES

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

(2) In the Industrial Disputes (Central) Rules, 1957, for existing rule 10-B, the following rule shall be substituted, namely :—

" 10B. *Proceeding before the Labour Court, Tribunal or National Tribunal—*

(1) While referring an Industrial Dispute for adjudication to a Labour Court, Tribunal, or National Tribunal, the Central Government shall direct the party raising the dispute to file a statement of claim complete with relevant documents, list of reliance and witnesses with the Labour Court, Tribunal or National Tribunal within fifteen days of the receipt of the order of reference and also forward a copy of such statement to each one of the opposite parties involved in the dispute.

(2) The Labour Court, Tribunal or National Tribunal after ascertaining that copies of statement of claim are furnished to the other side by party raising the dispute shall fix the first hearing on a date not beyond one month from the date of receipt of the order of reference and the opposite party or parties shall file their written statement together with documents, list of reliance and witness within a period of 15 days from the date of first hearing and simultaneously forward a copy thereof to the other party.

(3) Where the Labour Court, Tribunal or National Tribunal, as the case may be, finds that the party raising the dispute though directed did not forward the copy of the statement of claim to the opposite party or parties, it shall give directions to the concerned party to furnish the copy of the statement to the opposite party or parties and for the said purpose or for any other sufficient cause, extend the time limit for filing the statement under sub-rule (1) or written statement under sub-rule (2) by an additional period of 15 days.

(4) The party raising a dispute may submit a rejoinder if it chooses to do so, the written statements by the appropriate party or parties within a period of fifteen days the filing of written statement by the latter.

(5) The Labour Court, Tribunal or National Tribunal, as the case may be, shall fix a date for evidence within one month from the date of receipt of the statements, documents, list of witness, etc. which shall be ordinarily within sixty days of the date on which the dispute

(6) Evidence shall be recorded either in Court or on affidavit but in the case of affidavit the opposite party shall have the right to cross-examine each of the deponents filling the affidavit. As the oral examination of each witness proceeds, the Labour Court, Tribunal or National Tribunal shall make a memorandum of the substance of what is a being deposed. While recording the evidence the Labour Court, Tribunal, or National Tribunal shall follow the procedure laid down in rule 5 of Order XVIII of the First Schedule to the Code of Civil Procedure, 1908.

(7) On completion of evidence either arguments shall be heard immediately or a date shall be fixed for arguments/oral hearing which shall not be beyond a period of fifteen days from the close of evidence.

(8) The Labour Court, Tribunal or National Tribunal, as the case may be, shall not ordinarily grant an adjournment for a period exceeding a week at a time but in any case not more than three adjournments in all at the instance of the parties to the dispute :

Provided that the Labour Court, Tribunal or National Tribunal, as the case may be, for reasons to be recorded in writing, grant an adjournment exceeding a week at a time but in any case not more than three adjournments at the instance of any one of the parties to the dispute.

(9) In case any party defaults or fails to appear at any stage the Labour Court, Tribunal or National Tribunal, as the case may be, may proceed with the reference *ex-parte* and decide the reference/application in the absence of the defaulting party :

Provided that the Labour Court, Tribunal or National Tribunal, as the case may be may on the application of either party filed before the submission of the award revoke the order that the case shall proceed *ex-parte*, if it is satisfied that the absence of the party was on justifiable grounds.

(10) The Labour Court, Tribunal or National Tribunal, as the case may be shall submit its award to the Central Government within one month from the date of oral hearing/arguments or within the period mentioned in the order of reference whichever is earlier.

(11) In respect of reference under section 2A, the Labour Court or Tribunal, National Tribunal, as the case may be, shall ordinarily submit its awards within a period of three months:

Provided that the Labour Court, Tribunal or National Tribunal, may, as and when necessary extend the period of three months and shall record its reasons in writing to extend the time for submission of the award for another specified period".

Note.—Principal rules published vide Notification SRO. 770, dated 10th March 1957 *Gazette of India*, Extraordinary, dated the 10th March 1957, Part II, section 3, pages 1137-1159

Subsequently amended :—

- (i) Notification No. GSR 141, dated the 31st December 1957.
- (ii) Notification No. GSR 1215, dated 12th December 1958.
- (iii) Notification No. GSR 302, dated 23rd April 1958.
- (iv) Notification No. GSR 40, dated 31st December 1958.
- (v) Notification No. GSR 284, dated 31st January 1959.
- (vi) Notification No. GSR 398, dated 21st March 1959.
- (vii) Notification No. GSR 811, dated 3rd July 1959.
- (viii) Notification No. GSR 1151, dated 8th October 1959.
- (ix) Notification No. GSR 1182, dated 19th October 1959.
- (x) Notification No. GSR 229, dated the 22nd February 1960.
- (xi) Notification No. GSR 402, dated 31st March 1960.
- (xii) Notification No. GSR 1220, dated 7th October 1960.
- (xiii) Notification No. GSR 857, dated 22nd June 1961.
- (xiv) Notification No. GSR 1078, dated 4th August 1962.

- (xviii) Notification No. GSR 1059, dated the 30th May 1968.
- (xix) Notification No. GSR 1283, dated 28th May 1969.
- (xx) Notification No. GSR 1284, dated 28th May 1969.
- (xxi) Notification No. GSR 795, dated 5th September 1972.
- (xxii) Notification No. GSR 410(F), dated 13th September 1972.
- (xxiii) Notification No. GSR 1151, dated 11th October 1974.
- (xxiv) Notification No. GSR 931, dated 15th July 1975.
- (xxv) Notification No. GSR 111(E), dated 5th March 1976.
- (xxvi) Notification No. GSR 1070, dated 28th July 1977.
- (xxvii) Notification No. GSR 289, dated 2nd March 1982.

(Vide Government Notification, Industries, Energy and Labour Department No. IDA-1084/7442/Lab-9, dated the 11th September 1984, published in *Maharashtra Government Gazette*, Part-I-L, dated 17th January 1985, at pages Nos. 208 to 210).

(B) *Appointments under the Act.*—(1) In exercise of the powers conferred by Section 8 of the said Act, the Government of Maharashtra has appointed Shri M. R. Bhope, Presiding Officer, Fourth Labour Court, Bombay to be the Presiding Officer of the First Labour Court, Bombay in place of Shri D. S. Umrikar.

(Vide Government Notification, Industries, Energy and Labour Department No. IDA-1084/7511/Lab-9, dated the 7th November 1984, published in *Maharashtra Government Gazette* Part-I-L, dated the 24th January 1985 at page No. 325).

(c) *Notifications under the Act.*—(1) In exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the said Act, the Government of Maharashtra has 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 11th November 1984.

(Vide Government Notification, Industries, Energy and Labour Department No. IDA-1483/4109/Lab-2, dated the 9th November 1984, published in *Maharashtra Government Gazette* Part-I-L, dated the 24th January 1985, at page Nos. 330-331).

(2) In exercise of the powers conferred by proviso of Sub-clause (vi) of clause (n) of Section 2 of the said Act, the Government of Maharashtra has declared Oxygen and Acetylene Industry to be a public utility service for a period of six months from the date of publication of this Notification in the Official Gazette.

(Vide Government Notification, Industries, Energy and Labour Department No. ADI 1684/68921 (5373)/Lab-2, dated the 17th November, 1984, published in *Maharashtra Government Gazette*, Part-I-L, dated the 24th January, 1985, Page No. 369).

(3) In exercise of the powers conferred by Sub-clause (vi) of clause (n) of section 2 of the said Act, the Government of Maharashtra has declared the industry engaged in production, supply and distribution of petroleum products to be a public utility service for the purpose of the said Act, for a further period of six months from 23rd November 1984.

(Vide Government Notification, Industries, Energy and Labour Department No. IDA 1484/5324/Lab-2, dated the 20th November 1984, published in *Maharashtra Government Gazette*, Part-I-L, dated the 24th January 1985, at page Nos. 373).

VI—EMPLOYEES STATE INSURANCE ACT, 1948,

(A) *Exemptions under the Act.*—(1) In exercise of the powers conferred by Section 87 read with Section 91-A of the said Act, the Government of Maharashtra exempted Messrs. Indira Community Kitchen Society, 558, Rasta Peeth, Pune 411 011, from the operation of the said Act retrospectively with effect from 1st October 1984 till the date of issue of this notification and prospectively upto and inclusive of 30th September 1985.

(Vide Government Notification, Industries, Energy and Labour Department No. SIA-1583/4209/Lab-11, dated the 27th November 1984, published in *Maharashtra Government*

(2) In exercise of the powers conferred by Section 87 read with Section 91-A of the said Act, the Government of Maharashtra has exempted the following factories, establishments mentioned in Schedule hereto appended, located in Village Shelar, Taluka Bhiwandi, District Thane from the operation of the said Act, retrospectively from 1st October 1983 upto and inclusive of 30th September 1984 subject to the condition that the contribution made by them will not be refunded.

Schedule

- (1) Messrs. Super Tiles.
- (2) Messrs. Kamal Asbestos Cement Products.
- (3) Messrs. Uma Textile Processors Pvt. Ltd.,
- (4) Messrs. Reshma Sizer.
- (5) Messrs. Bobbin Industries.
- (6) Messrs. Shreenath Prints.

(Vide Government Notification, Industries, Energy and Labour Department No. SIA-1784/4152/Lab-11, dated the 5th December 1984, published in *Maharashtra Government Gazette*, Part-I-L, dated the 17th January 1985, at page No. 212).

VII—FACTORIES ACT, 1948

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

(A) *Relaxation of Qualifications under the Rules.*—(1) In pursuance of Sub-rule (3) of Rule 3 of the said Rules, the Government of Maharashtra has relaxed the requirement of qualifications laid down in clause (a) of sub-rule (1) of the said rule 3, in respect of Shri Raosaheb Shripatrao Patil, who is presently working with the Balasaheb Desai Sahakari Sakhar Karkhana Ltd., Daulatnagar, Taluka Patan, District Satara.

(Vide Government Notification, Industries, Energy and Labour Department No. WOR-1084/9321/Lab-4, dated the 12th November 1984, published in *Maharashtra Government Gazette*, Part-I-L, dated the 17th January, 1985, page No. 211).

VIII MINIMUM WAGES ACT, 1948

(A) *Exemptions under the Act.*—(1) In exercise of the powers conferred on it by Sub-Section (2) of Section 26 of the said Act, the Government of Maharashtra has exempted the employees employed in the employment in Manufacturing Fountain Pens/Ball Point Pens and/or their parts and/or accessories like nibs, refill etc. whether made from plastic, bakelite, aboite or any other metal, in respect of whom minimum rates of wages have been fixed from the provisions of Section 13(1)(b).

(Vide Government Notification, Industries, Energy and Labour Department No. MWA-2484/5998/Lab-7, dated the 17th November 1984, published in *Maharashtra Government Gazette*, Part-I-L, dated the 17th January 1985, at page No. 212).

(2) In exercise of the powers conferred by Sub-Section (2) of Section 26 of the said Act, the Government of Maharashtra has directed that the provisions of clause (b) of Sub-Section (1), of Section 13, so far as they relate to the payment of remuneration in respect of days of rest shall not apply to the employees employed in the employment in Rubber Manufacturing Industry, Minimum Rates of Wages in respect of whom have been revised by Government Notification, Industries, Energy and Labour Department No. MWA-5674/197807/Lab-III-A, dated the 15th November 1974.

(Vide Government Notification, Industries, Energy and Labour Department No. MWA-5684/6002/Lab-7, dated the 17th November, 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 31st January 1985, at page No. 413).

(B) *Proposed Revision of Rates of minimum Rules of Wages.* The following draft of a notification which it is proposed to issue under clause (d) of sub-section (1) of section 3 of the Minimum Wages Act, 1948 (XI of 1948), in its application to the State of Maharashtra containing proposals for revising the minimum rates of wages payable to the employees employed in the employment in Bowls and Balls Industry in the State of Maharashtra is hereby

published as required by clause (b) of sub-section (1) of section 5 of that Act, for the information of all persons likely to be affected thereby; and notice in this behalf 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, Maharashtra, 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. 5084/6027/Lab-7.—Whereas, by Government Notification, Industries, Energy and Labour Department, No. MWA. 5084/5844/Lab-7, dated the 1st August 1984, the Government of Maharashtra has revised the minimum rates of wages payable to the employees employed in the employment in powerloom Industry (hereinafter referred to as the "said Schedule 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 employment considers it necessary to revise them further;

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 consulting all representations received by it in respect of the proposals published in Government Notification, Industries, Energy and Labour Department No. M.W.A. 5084/6027/Lab-7 dated the 1st November 1984, and after consulting and considering the advice of the Advisory Board, hereby revises, with effect from 1985 the minimum rates of wages payable to the employees employed in the said scheduled employment and revises 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

Serial No.	Class of employees	Wages (per Month)		
		Zone I	Zone II	Zone III
(1)	(2)	Rs.	Rs.	Rs.
	Skilled 'A' (Full time adults not being adolescents)—			
1	Mukadam/Jobber	300.00	250.00	200.00
2	Fitter			
3	Jacquard Weaver			
4	Weaver			
5	Weaver on Bobby above twelve working shifts.			
6	Electrician			
7	Boiler Attendant			
8	Front sizer back sizer			
9	Welder			
10	Warper/Hand Warper			
11	Dyeing Master, Dyer, Rangari,			

(1)	(2)	(3)	Rs.	Rs.	Rs.
12	Designer				
13	Employees by whatever name called doing the work of the nature done by persons falling under any of the foregoing classes of employees.				
II. Skilled 'B' (Full-time adults not being adolescents)—					
1	Wireman				
2	Engine Driver		270.00	220.00	170.00
3	Calenderman				
4	Painter				
5	Tailor				
6	Card Cutter				
7	Employees, by whatever name called doing the work of the nature done by persons falling under any of the foregoing classes of employees.				
III. Semi skilled (Full-time adults not being adolescents)—					
1	Drawer		240.00	190.00	140.00
2	Winders				
3	Thrower				
4	Folder by hand or machine				
5	Twister				
6	Checker				
7	Assistant Welder				
8	Design cloth cutter				
9	Beam Knitter Lacer				
10	Employees by whatever name called, doing work of the nature done by persons falling under any of the foregoing Classes of employees.				
IV. Unskilled (Full-time adults not being adolescents)—					
1	Mazdoor doing the work of Ironer, Beam Carrier, Beacher creet-boy, Bilman, Sweeper, Hamal, Helper, Waft distributor, Stamper, Packer Suit Pital, Fireman, Kandi-bamer Watchman, Peon, Bobin Cleaner.		230.00	180.00	130.00
V. Office staff (Full-time adults not being adolescents)—					
	Manager/Supervisor		350.00	300.00	250.00
	Accountant-Munim		300.00	250.00	200.00

SCHEDULE—contd.

(1)	(2)	(3)	
		I	II
VI. Full-time adolescents employed in any of the categories of employment mentioned above in this column.		80 per cent of the rate fixed for adults in respect of the same category of employment (Basic+DA).	80 per cent of the rate fixed for adults in respect of the same category of employment (Basic+DA).
VII. Part-time employees (i.e. employees who work for not more than five hours in a day) employed in any of the categories of employment mentioned above in this column.		For every hour of work 12½ per cent of the rate fixed in respect of the same category of employees.	For every hour of work 12½ per cent of the rate fixed in respect of the same category of employees.
VIII. Apprentices (Trainees) Employed in any of the categories referred to I to III in column 2 of the Schedule.		75% basic plus special allowance.	75% basic plus special allowance.
			basic plus special allowance.
		Training period should not be more than 3 months.	

IX. The minimum wages for the piece rated workers should be fixed as per guidelines laid down in Government Resolution, Industries and Labour Department, No. MWA. 5071/154465/Lab-III(A), dated the 15th October 1971. (Annexure 'A').

Explanation.—For the purpose of this Notification:—

(a) "Competent Authority" means the competent authority appointed by the Government of Maharashtra by Government Notification, Industries and Labour Department, No. MWA. 2662/20268/Lab-III, dated the 16th January 1965.

(b) Zone I, shall comprise the areas within the limits of Municipal Corporation, Municipal Council as the case may be of Greater Bombay/Thane/Pune/Kalyan/Bhivandi/Nizampur/Ulhasnagar and areas falling within ten kilometres from the limits of such areas.

(c) Zone II, shall comprise the areas falling within the limits of the Municipal Corporation, Municipal Council, Grampanchayat or as the case may be cantonment of Solapur, Malegaon, Ichalkaranji, Nagpur, Kamptee, Sangli, Miraj, Jaisingpur, Dhule, Jalgaon, Aurangabad, Ahmednagar, Kolhapur, Vita (District Sangli), Vadgaon (District Kolhapur), Nanded, Madhavnagar, Tikekarwadi (District Solapur), Kurundwad, and also all areas within periphery of ten kilometres from such areas.

(d) Zone III, shall comprise the rest of the Maharashtra State, i.e. areas not falling in Zone I and II.

(e) The minimum rate of daily wages payable to any employee employed in any factory on daily wages shall be computed by dividing the minimum rate of monthly rate of wages fixed for the class of employee to which he belongs by 26, the quotient being stepped upto the nearest paise.

(f) The wages payable to the employees employed on piece rate basis shall be so fixed that the minimum rates of wages payable to them shall not be less than the wages payable on the aforesaid monthly rate basis.

(g) The competent authority shall declare the Consumer Price Index Numbers for working class (New series) Bombay City shall be the cost of living index number applicable to the employees employed in the said Scheduled employment in pursuance of clause (d) of section 2 of the said Act and shall, after the expiry of every six months commencing on the 1st day of January and the 1st day of July, calculate the average of the cost of living index applicable to the said employees for these six months, and ascertain the rise of such average over 184. For such rise of every point, the special allowance (hereinafter referred to as the cost of living allowance) payable to the employees in the said Scheduled employment for each of the six months immediately following the six months in respect of which such average has been calculated shall be at the rate of Re. 1 per month, in respect of all zones.

(h) The competent authority shall then compute the cost of living allowance in accordance with the direction given in the preceding paragraph.

(i) The competent authority shall by a notification in the official gazette declare the cost of living allowance computed as aforesaid in the last week of July when such allowance is payable for each of the months from July to December and in the last week of January when such allowance is payable for each of the months from January to June.

Provided that the Competent Authority shall declare the cost of living allowance payable in respect of the period from the date of fixation of the rate of minimum wages to the end of June or of December as the case may be, immediately after the said date with effect from which the minimum rates of wages are fixed.

(j) "Employment in Powerloom industry" includes employment in any of the processes such as winding, warping, beaming, sizing, drawing, reaching, weaving, dyeing, bleaching, doubling calendaring, folding, finishing or similar process carried on mainly concerning powerloom production in the establishment and/or outside the establishment.

(Vide Government Notification, Industries, Energy and Labour Department No. MWA-5084/6027/Lab-7, dated the 7th November 1984, published in Maharashtra Government Gazette, Part—I-L, dated the 24th January 1985 at pages No. 326-330).

(2) The Government of Maharashtra has republished the following Notification of the Central Government:—

GOVERNMENT OF INDIA/BHARAT SARKAR

MINISTRY OF LABOUR AND REHABILITATION

(SHRAM AUR PUNARVAS MANTRALAYA)

DEPARTMENT OF LABOUR/SHRAM VIBHAG

New Delhi, dated the 23rd August 1984

NOTIFICATION

S.O. The following proposals made by the Central Government in exercise of the powers conferred by clause (b) of sub-section (1) of section 3, read with clause (ii) of sub-section (1) of section 4, of the Minimum Wages, Act, 1948 (11 of 1948), for revising the minimum rates of wages as specified in columns 2 to 6 of the schedule, annexed hereto, payable to the categories of employees employed in the employments. (I) in the construction or maintenance of roads or in building operations, (II) in stone breaking and stone crushing, (III) in the maintenance of buildings and (IV) in the construction and maintenance of runways, specified in the corresponding entries in column 1 of the said schedule, are hereby published as required by clause (b) of sub-section (1) of section 5 of the said Act for the information of all persons likely to be affected thereby; and notice is hereby given that the said proposals will be taken into consideration on or after the expiry of two months from the date on which the Gazette containing this notification is made available to the public.

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

THE SCHEDULE

All inclusive minimum rates of wages per day

Category of work

Area A		Area B-1		Area B-2		Area C		Area D	
Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.	Rs.	P.
2	3	4	5	6	7	8	9	10	11

1

Unskilled

(1) Belder (Adult Male/Female); Adolescent (Boys above 12 years); Beater Woman (4) Bellowman; (5) Giran Man; (6) Boat Man; (7) Carrier (Stone); (8) Carrier (Water); (9) Cartman; (10) Caretaker; (11) Cinder for Ash Pit; (12) Chowkidar; (13) Concrete; (14) Driver (Bullock; Camel, Donkey, Mule); (15) Daffadar; (16) Gate man; (17) Gangman; (18) Gang Jumper man; (19) Kamin (Female); (20) Khalasi (Man/Female; Boys/Girls; I/II; Bridge Electrical; Roller; Survey); (21) Laborer (Garden); (22) Mazdoor (Adult-Male/Female); (23) Peon; (24) Searcher; (25) Signal man; (26) Strikers; (27) Striker; (28) Turner; (29) Trolley man; (30) Valvemen; (31) Watchman; (32) Waterman; (33) White Wooderman; (34) Wooder Woman; (35) Borryman; (36) Colaman; (37) Cutter; (38) Muchher Jamadars; (39) Condensar Attendant; (40) others; (41) whatever name called which are of an unskilled nature

12.75 11.25 10.50 9.25 8.50

SEMISKILLED/UNSKILLED SUPERVISORY

(1) (with Mushk) (4) Boatman (Head); (5) Breaker; (6) Rock Stone, Stone Metal; (7) Cane Weaver; (8) Chain man; (9) Stringer; (10) Checker; (11) Chowkidar (Head); (12) Cracker; (13) Driller (Hole; Rock); (14) Driver (Skin); (15) Fireman (Brick Kiln, Steam Road); (16) Gharani (Thatcher); (17) Glass man; (18) Greaser; (19) Grinder; (20) Gunmarman; (21) Gunner (Artisan); (22) Gate keeper; (23) Gharami; (24) Glass man; (25) Greaser; (26) Grinder; (27) Gunmarman; (28) Gunner (Artisan); (29) Gunner (Artisan); (30) Gunner (Artisan)

(31) Jamadar; (32) Keyman; (33) Khalasi (Head Survey; Rivetters-Moplah Gang; Supervisor); (34) Labourer (Rock-cutting); (35) Lascar; (36) Mali (Head); (37) Mate; (38) Mate (Blacksmith; Road; Carpenter; Engine Driver and/or Feeder; Fitter; Gang; Khalasi; Mazdoor Mason; Permanent Way; Pump-Driver; Turner); (39) Mazdoor (Heavy-Weight; Charge-man; Mistri; Head); (40) Muccadam; (41) Night Gurad; (42) Runner (Post dak); (43) Oil Man; (44) Quarry man; (45) Quarry Operator; (46) Stone man; (47) Stocker; (48) Thatcher; (49) Stocker and boiler man; (50) Thoomhaman (Spade Worker); (51) Tindals; (52) Trolleyman (Head; Motor); (53) Fitter (Asst. Semi-Skilled); (54) Jamadar (Semi-skilled); (55) Mate (Store); (56) Pump Attendant; (57) Bearer; (58) Breaksman; (59) Crowber man; (60) Cook; (61) Dandee; (62) Farsh; (63) Hacksaw Man; (64) Helper (Locco-Crane/Truck); (65) Kasab; (66) Khalasi (Structural); (67) Laboratory Boy; (68) Manjee (Boatman); (69) Masalchi; (70) P.M. Mates; (71) Pointsman; (72) Seacummy; (73) Topas; (74) Topkar (Big Stone Breaker); (75) Trolley Jamadar; (76) Winchman; (77) Asstt. Wireman; (78) Any other categories by whatever name called which are of semiskilled nature.

15.75 14.25 13.00 11.75 10.75

Skilled

(1) Mistry; (2) Armature Winder Grade II and III; (3) Bhandari; (4) Blacksmith; (5) Blacksmith (Selection Grade, Grade II, Grade III, Class II & III, Head); (6) Boilerman; (7) Boilerman Grade II and III; (8) Boiler Foreman Grade II; (9) Work Brick Layer; (10) Bricklayer (Selection Grade Class II); (11) Blasterer; (12) Carpenter; (13) Carpenter (Selection Grade, Grade II & III, Class I and III Assistant B.I.M. Road); (14) Cabinet Maker; (15) Caneman; (16) Celotax Cutter Maker; (17) Chageman Class II and Class III; (18) Carpenter (Ordinary); (19) Checker (Junior); (20) Chick maker; (21) Chick Man; (22) Concrete Mixture Mixer; (23) Concrete Mixer Operator; (24) Cobbler; (25) Coremaker; (26) Driver; (27) Driver (Motor, Vehicle, Motor Vehicle Selection Grade, Motor Lorry, Motor Lorry Grade II, Lorry Lorry Grade II, Diesel Engine, Desisel Engine Grade II, Mixer Mechanical, Road Cement Mixer etc. Road Roller); (28) Road Roller Driver Grade II; (29) Driver (Engine Static) Stone Crusher, Tractor, Bull Dozer, Steam Road, Roller Pump Mechanical, Asstt. Road Roller mechanical, Steam Crane, Tractor with Bull Dozer Mechanical Transport, Engine Static and Road Roller, Boiler Attendant; (30) Distemperer; (31) Distemperer; (32) Distemperer; (33) Electrician; (34) Fitter (Selection Grade, Grade II, Class II, Class III); (35) Fitter; (36) Fitter (Selection Grade, Grade II, III, Class II, III, Assitt, Pipe, Pipe Class II, Pipe Line, Bending Bars for reinforcement-cum-Mechanic, Mechanic and Plumber); (37) Gharami (head); (38) Gunner (Artisan); (39) Gunner (Artisan); (40) Joiner; (41) Joiner (Cable, Grade II); (42) Line man (Grade II, III HI/LT); (43) Mason; (44) Mason (Selection Grade, Grade II and III, Class II and III, Class B Mistry; Stone, Stone Class II, Birch Work, Stone Work, Bricklayer, Tile Flooring, B.I.M. Muccadam, Head, Stone Cutting Ordinary); (45) Machinist; (46) Mechanic; (47) Mechanic (Class II, Air Conditioning

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	1	2	3	4	5	6
Air Conditioning Grade II, Diesel Grade II, Road Roller Grade II, Asstt. Radio; (48) Mason (Gharami); (49) Mistry; (50) Mistry (Grade II Airconditioning Grade II P. Way, Survey, Santras, Works); (51) Mason Class A; (52) Moulder; (53) Moulder (Brick, Tile); (54) Painter; (55) Painter (Selection Grade, Grade II and III, Class II, Asstt. Lotter and Polisher, Polisher, Rough); (56) Plasterer; (57) Plasterer (Mason Grade II); (58) Plumber; (59) Plumber (Selection Grade, Class II, Asstt. Senior, Junior, Mistry Grade II); (60) Plumbing Mistry; (61) Plumber-cum-Fitter; (62) Polisher (63) Polisher (Floor); (64) Pump Driver; (65) Pump Driver (Selection Grade; Grade II and III, Class II); (66) Pump Driver (Selection Grade); (67) P.E. Driver; (68) Pump Man; (69) Pump man (Asstt.); (70) Pumper; (71) Polisher (with spray) Grade II; (72) Ratan Man; (73) Rivet Cutter (Asstt.); (74) Rivetter; (75) Rivetter (Cutter); (76) Road Inspector Grade II; (77) Railway Plate Layer; (78) Road Binder; (79) Sawyer; (80) Sawyer (Selection Grade Class II); (81) Scrang; (82) Scrangpile Driving Pantooms with Boiler; (83) Shaps-man; (84) Shift-incharge; (85) Sparyman; (86) Sprayman (Roads); (87) Stone Cutter; (88) Stone Chisler (Selection Grade, Grade II, Class II); (89) Stone Chisler; (90) Stone Chisler (Class II); (91) Stone Plasterer; (92) Sub-overseer (unqualified); (93) Surveyors (94) Surveyors (Asstt.); (95) Tailor; (96) Tailor (Upholstry) (97) Tar Sprayer; (98) Tar man; (99) Line Man; (100) Tiler Class II, Wall, Floor, Roof; (101) Tiler (Selection Grade); (102) Tin-Smith; (103) Tin Smith (Selection Grade, Grade II, and III; Class II); (104) Tinker; (105) Trailers; (106) Turner; (107) Upholsterer; (108) Upholsterer (Grade II and III); (109) Painter spray (Class II); (110) Wood Cutter; (111) Wood Cutter Selection Grade; (112) Wood Cutter Class II; (113) Work Sircar; (114) Welder; (115) Welder Gas; (116) Welder (Class II, Bridge Work); (117) Well Sinkers; (118) White Washer; (119) White washer (Selection Grade, Class II); (120) Wireman; (121) Wireman (Grade II & III, Class I, Machanic, Electrical); (122) White Washing & Colour Washing Man; (123) Operator Pneumatic Tools; (124) Operator (Fitter); (125) Borman; (126) Borer; (127) Chipper; (128) Chipper-cum-Grinder; (129) Cook (Head); (130) Driller, (Well-Boring); (131) Driver (Loco/Truck); (132) Electrician (Asstt.); (133) Mechanic (Tube-well); (134) Mistry (Steel, Tube Well, Telephone); (135) Meter Reader; (136) Metrological Observer; (137) Navghani; (138) Operator (Batching Plant, Cinema Project Clamp Shelf, Compressor, Crane, Dorrack, Diesel Engine, Doser, Dragline, Drill, Dumper, Excavator, Fork Lift, Generator, Grader, Jack hammer and pavement breaker Loader, Pump Pile Driving, Scrapper, Screening plant, Shovel, Tractor, Vibrator, Weight/Batcher); (139) Railway Guards; (140) Repairer (Battery); (141) Sharper/Slotter; (142) Sprayer (Asphalt); (143) Station Master; (144) Surveyor (Silt); (145) Trades-man; (146) Train Examiner; (147) Turner/Miller; (148) Tyre Valcaniser; (149) Any other categories by whatever name called which are of a skilled nature ..	20.00	16.25	15.25			

Highly Skilled

(1) Armature Winder Grade I; (2) Blacksmith Grade I and Class I; (3) Boilerman Grade I; (4) Boilerman Foreman Grade I; (5) Brick Layer Class I; (6) Cable Joiner Grade I; (7) Carpenter Grade I and Class I; (8) Celotes Cutter and Decorator; (9) Chargemen Class I; (10) Checker (Senior); (11) Drivery Lorry Grade I; Motor Lorry Grade I; Motor Vehicle Class I and Diesel Engine Grade I; Road Roller Grade II I ump Grade I; Pump Class I; (12) Electrician Grade I and Class I; (13) Fiter Grade I, Class I, Pipe Class I; (Head); (14) Foreman (Assistant); (15) Line Man Grade I; (16) Mason (skilled grade II, Class I); (17) Mast Rigger Mechanic Class I and Class II; (18) Machanic (head) or Electrician; (19) Mechanic (Diesel Grade I, Road Roller Grade I, Air-conditioning Grade I, Class I, Air Conditioning); (20) Mistry Grade I; (21) Mistry (Air-conditioning Grade I); (22) Overseer; (23) Overseer (Senior and Junior); (24) Painter (Grade I, Class I, Spray); (25) Plasterer (Mason Class I); (26) Plumber (Head, Class I; Mistry Grade I); (27) Polisher (with spray) Grade I; (28) Road Inspector Grade I; (29) Sawyer Class I; (30) Stone Cutter Class I; (31) Stone Cutter Grade I; (32) Stone Chisler Class I; (33) Stone Mason Class II (34) Sub-Overseer (Qualified) I; (35) Tiler Class II; (36) Tinsmith Grade I and Class I; (37) Upholsterer Grade I; (38) Varnisher Class I; (39) Welder-cum-Fitter and Air Conditioning Mechanic; (40) Welder (Gas) Class I; (41) White Washer Class I; (42) Wireman Grade II, Class I; (43) Wood Cutter Class I; (44) Grinder (Tool) Grade I; (45) Operator (Batching Plant) Grade I, Clamp Soel Grade I; Compressor Grade I, Crane Grade I, Diesel Engine Grade I, Dozer Grade I, Dragline Grade I, Drill Grade I, Dumper Grade I, Excavator Grade I, Fork Lift Grade I, Generator Grade I, Grader Grade I, Leader Grade I, Pile Driving Grade I, Pump Grade I, Scrapper Grade I, Screening Plant Grade I, Shovel Grade I, Vibrator Grade I, Rigger Grade I, Rigger Grade II, Shovel and Dragline; (46) Sharper Tractor Grade I, Sletter Grade II (47) Tradesman Class I; (48) Turner Tractor Grade I, miller Grade I; (49) Tyre Valcaniser Grade I, (50) Work (Assistant) Grade I; (51) Any other categories by whatever name called which are of a highly skilled nature ..	20.00	22.75	20.75	18.50	17.25	
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Clerical

(1) M. C. Clerk; (2) (Munabi) (Matriculate, non-Matriculate); (3) Store Clerks (Matriculate Non-Matriculate); (4) Store Issuer; (5) Store Keeper; (6) Store Keeper (Grade I, II, Matriculate II, Non-Matriculate); (7) Tally Clerk; (8) Time Keeper; (9) Time Keeper (Matriculate, Non-Matriculate); (10) Tool Keeper; (11) W. Munshi, (12) Work Munshi (Subordinate); (13) Accounts Clerks; (14) Clerks; (15) (16) Telephone Operator; (17) Typists; (18) Any other categories by whatever name called which are of a clerical nature ..	20.00	18.25	16.25	15.25	13.50	
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EXPLANATION.—For the purpose of this notification—

1. (a) Area A, B-1, B-2, and C shall comprise all places as specified in the Annexure I to this notification including all places within a distance of eight Kilometres from the periphery of the Municipal Corporation or Municipality or Contonment Board. Notified Area Committee of particular place; and Area 'D' shall comprise all the places not included in Areas A, B-1, B-2 and C.

(b) The place added or upgraded from time to time by the Ministry of Finance for the purpose of payment of city compensatory allowance to Central Government employees shall be taken to be added from such dates for the purpose of classification specified in the annexure.

2. Employees employed in the employments in the construction or maintenance of roads or in building operations, in stone breaking and stone crushing, in the maintenance of buildings and stone crushing, in the construction and maintenance of runways, in 'D' Class areas where the minimum rates of wages have been field on area-wise basis and where the Central Government has sanctioned payment of winter allowance or hill allowance or any other special allowance, shall be paid in addition to the minimum rates of wages fixed by this notification, an amount equal to 10 per cent of the minimum rates of wages so fixed.

3. Where in any area the minimum rates of wages fixed by this notification are lower than the minimum rates of wages fixed by the State Government for employee, in employment in the construction or maintenance of roads or in building operation in stone breaking or stone crushing, in the maintenance of buildings, and in the construction and maintenance of runways, in relation to which the State Government is the appropriate Government, the rates of wages fixed by the State Government shall in respect of these areas, be deemed to be the minimum rates of wages payable under this notification.

4. Workers employed on tunnel working shall be paid 20 per cent extra of the minimum wages fixed under this notification for the appropriate category.

5. (a) "Unskilled work" means work which involves simple operations requiring little or no skill or experience on the job.

(b) "Semi-skilled work" means work which involves some degree of skill or competence acquired through experience on the job and which is capable of being performed under the supervision or guidance of a skilled employee, and included unskilled supervisory work.

(c) "Skilled work" means work which involves skill or competence acquired through experience on the job or through training as an apprentice in a technical or vocational institute and the performance of which calls for initiative and judgement ;

(d) "Highly skilled work" means work which calls for a high degree of perfection and full competence in the performance of certain tasks, acquired through intensive technical or professional training, or practical work-experience for long years and also requires of a workers to assume full responsibility for the judgement or decisions involved in the execution of these tasks.

6. The minimum rates of wages fixed by this notification are applicable to employees engaged by contractors also.

7. The minimum rates of wages shall consist of all inclusive rates, and include also the wages for weekly day of rest.

8. The minimum rates of wages payable to young persons below 18 years of age and for disable persons shall be 80 per cent and 100 per cent respectively of the rates fixed by

ANNEXURE-I

Name of the State/Union Territory	Class of Cities/Towns			
	A	B-1	B-2	C
1	2	3	4	5
Andhra Pradesh Hyderabad	Vijayawada (Bezwada), Vishakhapatnak (Vizagapatnam).	Adoni, Anantapur, Bandar (Masulipatam), Chirala, Chittoor, Guddapah, Elura, Gudivada, Guntakkal, Guntur, Kakinada, Karimnagar, Khammam, Kothagudem, Kurnool, Mahbubnagar, Nandyal, Nellore, Nizamabad, Ongole, Proddatur, Rajahmundry, Srikakulam, Tenali, Tirupati, Vijapuri, Vizianagaram, Warangal.	
Assam	..	Gauhati		
Bihar	..	Patna, Dhanbad, Jamshedpur.	Arrah, Bhagalpur, Steel, City, Bihar Shariff, Chapra, Darbhanga-Dinapur, Gaya, Hazaribagh, Katihar, Monghyr, Jamalpur, Muzaffarpur, Purnea, Ranchi, Chandigarh.	Bettiah, Bokaro
Chandigarh	..			
Delhi	..	Delhi		
Gujarat	..	Ahmedabad	Surat, Vedodara (Baroda), Bhavnagar, Rajkot.	Anand, Bhuj, Broach, Cambey, Dhoraji, Godhra, Gondal, Jamnagar, Junagarh, Kalol, Mehasana, Morvi, Nadiad, Navsari, Patan,, Porbandar, Surendranagar, Beraval.
Haryana	..			Ambala, Bhiwani, Faridabad, Gurgaon, Hissar, Karnal, Kaithal, Panipat, Rohtak, Sirsa, Sonapat, Yamunagar,
Jammu and Kashmir	Srinagar, Jammu.	
		Hubli, Dharwar, Mysore.	Bagalkot, Bellary, Bidar, Bijapur, Chitradurga, Devangare, Gadag Betgari, Gulbarga, Hassan, Hospet, Kolar Gold Fields, Mandya, Mangalore Raichur, Shimoga, Tumkur.	Belgaum, Bhadravati, Chitra-

1	2	3	4
Kerala		Cochin, Trivandrum, Alwaye, Calicut	Allepay, Cannanor, Changanacherry, Kottayam, Thalassery, Trichur, Quilon
Madhya Pradesh	Indore, Jabalpur	Bhopal, Bilai, Gwalior, (Laskar).	Bilaspur, Chhindwara, Dewas, Durg, Khandwa, M'now (Cantt.), Nurwara, Raigarh, Raipur, Rewa, Sagar, Ujjain, Vidisha.
Maharashtra	Bombay	Nagpur, Sholapur, Pune, Nashik, Pimpri-Chindwada	Achalpur Town group, Ahmednagar, Akola, Anjalner, Ambarnath, Amravati, Aurangabad, Barsi, Bhivandi, Bhusawal, Chanda, Chandrapur, Dhulia, Dombivli, Gondia, Ichalkaranji, Jalgaon, Jalna, Kalyan, Kamptee, Khamgaon, Kolhapur, Latur, Malegaon, Nanded, Nandurbar, Nashik Road, Deolali, Pandharpur, Parbhani, Sangli-Miraj, Satara, Ulhasnagar, Yavatmal, Wardha.
Orissa		Rourkela	Balasore, Berhampur, Bhubaneswar, Cuttuck, Puri, Sambalpur, Pondicherry.
Punjab		Amritsar, Ludhiana	Abhoar, Batala, Bhatinda, Ferozeour, Hoshiarpur, Jullundur, Meherkotla, Moga, Pathankot, Patiala, Phagwara.
Rajasthan	Jaipur	Ajmer	Alwar, Beawar, Bharatpur, Bhilwara, Bikaner, Churu, Ganganagar, Jodhpur, Kota, Sikar, Tonk, Udaipur.
Tamilnada	Madras	Coimbatore, Salem, Madurai, Tiruchirapalli (Trichinopoly).	Ambur, Aruppukottai, Bodinayakanur, Chidambaram, Guddalore, Dindigul, Erode, Gudiyatham, Kadaya allur, Kancheepuram, Keraiikudi, Karur, Kumbakonam, Mayuram, Nagapattinam, Nagercoil, Palayamkottai, Pillaich.

1	2	3	4	5
				Mettu-Palayam, Buddukkotai, Rajapalayam, Sivakasi, Srirangam, Srivilliputtar, Tambaran, Thanjavur (Tanjore), Tindivanm, Tirunelveli, Tiruppur, Tiruvannamalai, Tuticorin, Valparai, Vaniyambodi, Vellore, Villipuram, Virudhunagar.
Uttar Pradesh		Kanpur, Meerut, Lucknow, Agra, Allahabad, Varanasi (Banaras)		Aligarh (Koli Aligarh), Amroha, Balia, Baharaich, Banda, Bareilly, Basti, Badaun, Bullandshahar, Chandausi, Dehradun, Etawah, Faizabad-cum-Ayodhya, Farrukhabad-cum-Fatehgarh, Fatehpur, Ferozabad, Gaziabad, Ghazipur, Gonda, Gorakhpur, Haldwani-cum-Kathgodam, Hapur, Hardoi, Hardwar, Hathras, Jaunpur, Hathras, Jaunpur, Jhansi, Khurja, Kasganj, Mathura, Mauzthbhanjan, Mirzapur, Moradabad, Muuzaffarnagar, Pilibhit, Rampur, Roorkee, Saharanpur, Sambhal, Shahjahanpur, Sitapur.
	Calcutta		Asansol, Durgapur.	Baidyabati, Bally, Bangaon, Bankura, Bansbaria, Barrakpur, Basirhat, Berhampur, Bhatpara, Budge, Burdwan, Chakdaha, Chamdani, Chandernagore, Cooch-Bhar, English Bazar, Halishapur, Hooghly, Chinsura, Jalpaiguri, Kamarhati, Kanchanpara, Kharagkur, Krishnanagar, Midnapur, Nabodwip, Naibati, North Dum Dum, Panhati, Purulia, Ranaghat, Rishra, Santipur, Serampur, Silliguri, Titagarh, Uttarpara, Kotrung.
Goa, Daman & Diu.			Goa, Marmagoa.	

(Vide Government Notification, Industries, Energy and Labour Department No. MWA-1884,6008/Lab-7, dated the 29th September 1984, published in Maharashtra Government Gazette, Part I-L, dated the 31st January 1985, at pages Nos. 413 to 421.)

(C) *Revision of Rates of Wages.*—(1) In exercise of the powers conferred by clause (1) of Sub-Section (1) of Section 3 read with Sub-Section (2) of Section 5 of the said Act Government of Maharashtra, after considering the advice of the said Committee the minimum rates of wages in respect of the employees employed in the said employment and with effect from 1st December 1984 and refixes them as set out in Nos. 3 of the Schedule hereto in respect of each zone specified in that column as the rates of wages for the classes of employees mentioned against them in column 2 of the Schedule.

FIRST SCHEDULE

Serial No.	Classes of employees	Basic Rates per month		
		Zone I Rs.	Zone II Rs.	Zone III Rs.
1	2			
1	<i>Highly Skilled—</i> Nurses doing dialysis. Nurses working in intensive Cardiac Case unit. Physicists, Doctors (full time), Steno-typists (full time).	725.00	675.00	625.00
2	<i>Skilled—</i> Nurses Midwives, Laboratory Technicians, X-Ray Technicians, Compounders (Provided such Nurses, Midwives, Laboratory Technicians, X-Ray Technicians and Compounders possess diploma or certificate, recognised by any State or Central Government or without Diploma or certificate recognised by any State or Central Government or having experience of atleast 2 years), Accountants, Typists, Motor Drivers. Employees by whatever name called doing the work of the nature done by persons falling under any of the foregoing clause of employees.	650.00	600.00	550.00
3	<i>Semi-Skilled—</i> Nurses Midwives, Laboratory Technicians, X-Ray Technicians Compounders, Dais, Dressers (Provided such Nurses, Midwives, Laboratory Technicians, X-Ray Technicians, Compounders Dais and Dressers without diploma or certificate recognised any State or Central Government). Clerks, Telephone Operators, Cooks. Employees by whatever name called doing the work of the nature done by persons falling under any of the	575.00	525.00	5.00

Serial No.	Classes of employees	Basic Rates per month		
		Zone I Rs.	Zone II Rs.	Zone III Rs.
1	2			
4	<i>Unskilled—</i> Ward-boys, Ayas, Peons, Attendants, Helpers, Bill Collectors, Watchman, Gardeners, Washermen, Sweepers. All other employees not specifically classified. Employees by whatever name called doing work of the nature done by persons falling under any of the foregoing classes of employees.	500.00	450.00	400.00
5	Persons below the age of 18 years employed in any of the classes of employees mentioned above in this column.	80% of the rate fixed for adult in respect of the same class of employees.	80% of the rate fixed for adult in respect of the same class of employees.	80% of the rate fixed for adult in respect of the same class of employees.

(1) *Explanation.*—For the purposes of Notification:—

(a) Zone I shall comprise of the areas within the limits of Municipal Corporation of Greater Bombay and New Bombay.

(b) Zone II shall comprise the areas within the limits of all Municipal Corporations (excluding areas in Zone I) and "A" grade Municipal Councils and their Cantonment areas.

(c) Zone III shall comprise rest of the areas of the State (excluding areas in Zone I and III).

(2) In cases where the employee is employed on a basis other than monthly basis, the minimum rates of daily wages payable shall be computed by dividing the minimum rate of monthly wages fixed for the category of the employees to which he belongs by 26, the portion being stopped upto the nearest paisa.

(3) The minimum rates of wages shall consist of basic rate only and a special Allowance that will be determined in accordance with the provision of clause (1) of sub-section (1) of section 4 of the said Act and the Special Allowance so determined as per appendix shall be payable to the employees alongwith the basic wages.

Appendix

1. The Competent Authority shall on declaring the Consumer Price Index Number for working class (New Series) specified in column 3 of the second schedule hereto, to be the cost of living index number applicable to the employees employed in the said Schedule in pursuance of clause (d) of section 2 of the said Act, calculate the average of the cost of living index applicable to the employees in those areas specified in column 2 of the Second Schedule for every six months commencing on the first day of January and first day of July and ascertain the rise of such average in terms of points over the index number mentioned againsts them in column 4 of the second schedule. For every such rise in the number of point specified in column 5 of the said schedule the Special Allowance (hereinafter referred to

allowance") payable to the employees for each of the six months immediately following the period in respect of which such average has been calculated as said shall be at the rate shown against them in column 6 of the said second schedule.

SECOND SCHEDULE

Serial No.	Zone No.	Consumer Price Index Number (New Series)	Index No.	Points	Rs.
1	2	3	4	5	6
1	I	Average of the six monthly average of seven centres.	500	1	1.50
2	II	Do.	500	1	1.25
3	III	Do.	500	1	1.00

2. The Competent Authority shall compute the cost of living allowance in accordance with the directions made under the preceding para.

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

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

(Vide Government Notification, Industries, Energy and Labour Department, No. MWA-15884/5930/Lab-7, dated the 1st December 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 24th January 1985, at pages Nos. 376 to 379).

Minimum Wages Act, 1948

(D) DECLARATION OF SPECIAL ALLOWANCE UNDER THE

(1) *Construction or Maintenance of Roads or Buildings operations.*—The Deputy Commissioner of Labour (Rural Wing and Enforcement), Bombay in exercise of the Powers, conferred on it, has declared the Special allowance (cost of living allowance) payable in addition to the basic rate of wages to the employees employed in the said schedule employment in the areas mentioned in column (2) of Schedule III appended hereto in relation to the period commencing from 5th October 1984 to 31st December 1984 at the rates mentioned in column (3) of the said Schedule III.

SCHEDULE III

Serial No.	Zones	Amount of special Allowance (cost of living allowance Payable).
(1)	(2)	(3)
		Rs. Ps.
I	I	3.40 per day.
II	II	3.40 per day.
III	III	3.40 per day.

Explanation.—For the purpose of this notification, Zones I, II, III, shall respectively mean Zones I, II, III formed for the purpose and shown in the Notification, Industries Energy and Labour Department, No. MWA-1884/5845/Lab-7, dated the 5th October 1984.

(Notification No. MWA-SPL/CMRBO dated 23rd October 1984, published in *M.G.G.*, Part-I-L, dated the 10th January 1985 pages 145 to 147).

(2) *Cloth Dyeing and Cloth Printing.*—The Deputy Commissioner of Labour (Rural Wing and Enforcement), Bombay in exercise of the Powers, conferred on it, has declared the Special allowance (cost of living allowance) payable in addition to the basic rate of wages to the employees employed in the said schedule employment in the areas mentioned Column (2) of Schedule III appended hereto in relation to three months commencing on the 1st day of October 1984 at the rates mentioned in column (3) of the said Schedule III.

SCHEDULE III

Serial No.	Amount of Special Allowance (cost of living allowance Payable)
(1)	(2)
I	Rs. 384.00 per month
2	Rs. 384.00 per month

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

(Notification No. MWA/SPL/Cloth Dyeing and Cloth Printing dated 2nd November 1984, published in *M.G.G.*, Part I-L, dated the 10th January 1985 pages 148 to 150).

(3) *Rubber Manufacturing Industry.*—The Deputy Commissioner of Labour (Rural and Enforcement), Bombay in exercise of the Powers, conferred on it, has declared the Special allowance (cost of living allowance) payable in addition to the basic rate of wages to the employees employed in the said schedule employment in the areas mentioned in column (2) of Schedule III appended hereto in relation to six months commencing on the 1st day of July 1984 at the rates mentioned in column (3) of the said Schedule III.

SCHEDULE III

Serial No.	Amount of Special Allowance (cost of living allowance payable)
(1)	(2)
III	Rs. 12.60 Per day.

(Notification No. MWA/SPL/Rubber Manufacturing Industry dated 2nd November 1984, published in *M.G.G.*, Part I-L, dated 10th January 1985 pages 151 to 153).

(4) *Engineering.*—The Deputy Commissioner of Labour (Rural Wing and Enforcement),

employed in the said schedule employment in the areas mentioned in column (2) of Schedule III appended hereto in relation to three months commencing on the 1st day of October 1984 at the rates mentioned in column (3) of the said Schedule III.

SCHEDULE III

Serial No.	Zones	Amount of special allowance (Cost of living allowance payable)
1	2	3
1	I	Rs. 13.12 per day.
2	II	Rs. 13.12 per day
3	III	Rs. 13.12 per day.
4	IV	Rs. 13.12 per day.

Explanation.—For the purpose of this notification, Zones I, II, III and IV, shall respectively mean Zones I, II, III and IV formed for the purpose and shown in the Notification, Industries, Energy and Labour Department, No. MWA. 5274/198066/Lab-III-A, dated 15th November 1974.

(Notification No. MWA SPL Engineering dated 2nd November 1984, published in M.G.G. Part I-L, dated the 10th January 1984 pages 154-56).

(5) *Paper and Paper Board Manufacturing.*—The Deputy Commissioner of Labour (Rural Wing and Enforcement), Bombay in exercise of the Powers, conferred on it, has declared the Special allowance (cost of living allowance) payable in addition to the basic rate of wages to the employees employed in the said schedule employment in the areas mentioned in column (2) of Schedule III appended hereto in relation to three months commencing on the 1st day of October 1984 at the rates mentioned in Column (3) of the said Schedule III.

SCHEDULE III

Serial No.	Zones	Amount of special Allowance (cost of living allowance payable)
(1)	(2)	(3)
1	I	Rs. 132.00 per month.
2	II	Rs. 132.00 per month.

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

(Notification No. MWA/SPL Paper and Paper Board Manufacturing Dated 2nd November 1984, published in M.G.G., Part I-L, dated the 10th January 1985 pages 157 to 159).

(6) *Cinema Exhibition Industry.*—The Deputy Commissioner of Labour (Rural Wing and Enforcement), Bombay in exercise of the Powers, conferred on it, has declared the Special allowance (cost of living allowance) payable in addition to the basic rate of wages to the

employees employed in the said schedule employment in the areas mentioned in Column (2) of Schedule III appended hereto in relation to three months commencing on the 1st day of October 1984 at the rates mentioned in column (3) of the said Schedule III.

SCHEDULE

Serial No.	Zones	Amount of special allowance (Cost of living allowance payable).
(1)	(2)	(3)
1	I	Rs. 285.00 per month.
2	II	Rs. 285.00 per month.
3	III	Rs. 285.00 per month.
4	IV	Rs. 185.25 per month.
5	V	Rs. 185.25 per month.

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

(Notification No. MWA/SPL/Cinema Exhibition Industry, dated 2nd November 1984, published in M.G.G., Part-I-L, dated 10th January 1985, pages 160 to 162).

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

SCHEDULE III

Serial No.	Zones	Amount of special allowance (cost of living allowance payable).
1	2	3
1	Area falling Zone I	Rs. 370.00 per month.
2	Area falling Zone II	Rs. 323.75 per month.

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

(Notification No. MWA SPL/Salt Pan, dated the 2nd November 1984, published in M.G.G. Part I-L, dated the 10th January 1985, pages 163 to 165)

IX. BOMBAY INDUSTRIAL RELATIONS ACT, 1946

(4) *Appointments under the Act.*—(1) In exercise of the powers conferred by section 4 of the said Act, the Government of Maharashtra has appointed Shri M. R. Bhope, Judge, 4th Labour Court, Bombay, in place of Shri D. S. Umrikar to be the Presiding Officer of the First Labour Court, Bombay.

(*Vide* Government Notification, Industries, Energy and Labour Department No. BIR-1084-7512/Lab-9, dated the 7th November 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 24th January 1985, at page Nos. 325 to 326).

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

(4) *Appointments under the Act.*—(1) In exercise of the powers conferred by section 6 of the said Act, the Government of Maharashtra has appointed Shri M.R. Bhope, Judge, 4th Labour Court, Bombay in place of Shri D. S. Umrikar, to preside over as a Presiding Officer of the First Labour Court, Bombay.

(*Vide* Government Notification, Industries, Energy and Labour Department No. ULP-1084 7513/Lab-9, dated the 7th November 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 24th January 1985, at page No. 326).

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

(4) *Notifications under the Act.*—(1) In exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Government of Maharashtra has appointed the 1st January 1985 to be the day on which all the provisions of the said Act shall come into force in the specified areas within the Municipal Council limits of the Dhule, Dondaicha and Nandurbar of Dhule District for the following schedule employments, namely

(1) Grocery Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations;

(2) Markets or Subsidiary Markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Mah. XX of 1964), in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations;

(3) Public Goods Transport Undertakings in connection with loading of goods into public transport vehicle or unloading of goods therefrom and any other operation incidental and connected thereto.

(*Vide* Government Notification, Industries, Energy and Labour Department No. UWA-1483/CR-10378/Lab-5, dated the 12th November, 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 24th January 1985, page No. 331).

The following draft of a scheme for (1) employments in Grocery Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations; (2) employments in Markets or Subsidiary Markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Mah. XX of 1964), in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations; (3) employment in connection with loading of goods into public transport vehicle or unloading of goods therefrom and any other operation incidental and connected thereto, which the Government of Maharashtra, after consultation with the Advisory Committee, proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969), and of all the other powers enabling it in that behalf, is hereby published as required sub-section (1) of the said section 4 for the information of all persons likely to be affected thereby; and notice is hereby given that the draft will be taken into consideration by the Government of Maharashtra on or after 15th December 1984.

2. Any objections or suggestions which may be received by the Secretary to the Government of Maharashtra, Industries, Energy and Labour Department, Murtalaya, Bombay 400 032, from any person with respect to the said draft before the aforesaid date will be considered by Government.

DRAFT SCHEME

1. *Title.*—This Scheme may be called the Dhule Grocery Markets or Shops and Markets; Subsidiary Markets and Public Goods Transport Undertaking, Unprotected Workers (Regulation of Employment and Welfare) Scheme, 1983.

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

(a) Grocery Markets or Shops, in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations;

(b) Markets or Subsidiary Markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Mah. XX of 1964), in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations.

(c) Public Goods Transport Undertakings in connection with loading of goods into Public Transport Vehicles, or unloading of goods therefrom and any other operation incidental and connected thereto;

for efficient performance of work and generally for making better provisions in the terms and conditions of employment of such workers and make provisions for their general welfare and safety.

(2) *Application.*—The scheme shall apply to the registered workers and registered employers in the areas within the Municipal Council limits of the Dhule, Dondaicha and Nandurbar of Dhule District for the schedule employments mentioned in sub-clause (1).

3. *Commencement.*—(i) Clauses 14 and 15 shall come into force from 1st February 1985.

(ii) The remaining clauses shall come into force from 15th February 1985.

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

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

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

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

(e) "pool worker" means a registered worker in the pool who is not a monthly worker;

(f) "pool" means a list of workers maintained by the Board, but which does not include monthly workers;

(g) "personnel officer" means the Personnel Officer appointed by the Board under clause 5;

(h) "registered employer" means the employer whose name is for the time being entered in the register of employers;

(i) "registered worker" means a worker whose name is for the time being entered in the register of pool workers or in the register of monthly workers;

(j) "register of employers" means the register of employers maintained under this scheme;

(k) "register of workers" means the register of workers maintained under this Scheme

(l) "rules" means the Maharashtra Mathadi, Hamal and Other Manual Workers (Regulation of Employment and Welfare) Rules, 1970;

(m) "Secretary" means the Secretary of the Board;

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

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

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

Provided that, no post the maximum salary of which exclusive of allowance is Rs. 500 and above per mensem shall be created and no appointment to such post shall be made by the Board except with the previous approval of the State Government:

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

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

(i) ensuring the adequate supply and the full and proper utilisation of registered workers for purpose of facilitating the rapid turnout of work;

(ii) regulating the recruitment and entry into and the discharge from, the Scheme of workers and allotment of registered workers in the pool to registered employers;

(iii) determining and keeping under review the number of registered workers, from time to time, on the registers or records and the increase or reduction to be made in the number of registered workers;

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

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

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

(vii) making provision, subject to availability of funds, for welfare of registered workers including medical services in so far as such provisions does not exist apart from this Scheme;

(viii) recovering from registered employers contribution in respect of the expenses of this Scheme, wages, levy and any other contributions under this Scheme;

(ix) making provision, subject to availability of funds, for the health and safety measures in places where workers are employed in so far as such provision does not exist apart from this Scheme;

(x) maintaining and administering the workers' welfare fund and recovering from all the registered employers contribution towards the Fund when such Fund is constituted in accordance with the rules of the fund;

(xi) maintaining, and administering Provident Fund and Gratuity Fund for registered workers in the pool when such Funds are constituted;

(xii) assisting, subject to the availability of funds, by way of grant or loan, the Co-

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

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

(a) all monies received by the Board from the State Government;

(b) all fees, wages and levies received by the board under this scheme.

(c) all monies received by the Board by way of sale and disposal of properties and other assets:

(d) interest on investment in securities and deposits, rents and all monies received by the Board in any other manner or from any other source.

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

Provided that, the Board may keep on hand such sum not exceeding Rs. 1000 as the Board may consider necessary.

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

(5) The Board may with the previous permission of the State Government borrow money from open market or otherwise with a view to provide itself with adequate resources.

(6) The Board may accept deposits on such conditions as it deems fit from persons, authorities or establishments with whom it has to transact any business.

(7) The Board shall make provision for such reserve and other denominated funds as may be provided in this Scheme.

(8) The Board shall have the authority to spend such sum as it thinks fit for the purposes authorised under the Scheme from out of the general fund of the Board from the reserve and other funds, as the case may be.

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

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

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

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

(11) The Board may—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) to ensure that the provisions of the Scheme in regard to transfer and promotion of workers are carried out ;

(f) to constitute medical Boards when required ;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15. *Registration of existing and new workers.* (1) (a) Any worker who on the date of enforcement of this Scheme is already working in the employment in the area to which the Scheme applies shall be registered under this Scheme ;

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

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

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

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

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

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

Explanation.—The criteria for promotion shall ordinarily be

- (a) seniority ;
- (b) merit and fitness for the category to which promotion is to be made ;
- (c) record of past service.

—A transfer from the pool register to the monthly register in the same category shall not be deemed a promotion.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) A registered worker in the pool who is available for work shall be deemed to be in the employment of the Board.

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

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

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

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

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

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

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

(5) (i) A registered employer shall pay to the Board within five days from the end of every fortnight or such shorter periods as may be specified by the Board by a special or general order, the levy payable under clause 41 (1) and the gross wages due to registered workers for the work done by such workers during the fortnight and other amount due to daily workers;

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

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

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

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

(2) Notwithstanding the preceding provisions of the clause—

(a) where the Secretary is satisfied that—

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

(ii) it is not reasonably practicable to obtain registered worker for the work the Secretary may, subject to any limitation imposed by the Board, allow a registered employer to employ a worker who is not a registered worker. In selecting such workers the local Employment Exchange Organisation shall as far as possible, be consulted:

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

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

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

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

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

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

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

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

(2) For the purpose of fixing rates of wages, allowances and overtime, hours of work rest intervals, leave with wages and other conditions of service (hereinafter collectively referred to as "the conditions of service") of registered workers of for revising or for modifying the same, the Board shall call upon the associations of employers and trade unions of workers covered by the Scheme to make such representations as they may think it as respects the conditions of service which may be fixed or revised or modified under this Scheme in respect of registered unprotected workers. If there is on such association of employers and union of workers, then such representations from registered employers and workers may be invited through notice published in such manner as the Board may think it.

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

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

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

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

33. *Disbursement of wages and other allowances to registered workers*.—The Board may permit the registered employers to pay wages and other allowances to the registered monthly workers employed by them directly after making such deductions as may be authorised and recoverable from them under this Scheme. In respect of workers other than monthly workers employed by the registered employers, from time to time the wages and other allowances payable by the registered employers shall be remitted by the registered employers by cheque to the Secretary of the Board every fortnight. The Secretary thereupon shall arrange to disburse the wages and other dues, if any to the registered workers on a specified day every month subject to deductions recoverable from them under this Scheme.

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

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

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

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

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

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

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

(a) give him a warning in writing;

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

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

(d) dismiss him.

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

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

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

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

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

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

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

(3) The Chairman may take disciplinary action—

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

(ii) where "go-slow" is resorted to by a worker against the worker concerned.

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

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

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

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

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

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

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

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

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

(ii) refusing registration under clause 15 ; or

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

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

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

Provided that, an appeal shall lie to the Chairman where the registered worker alleges

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42. *Provident Fund and Gratuity.*—(1) The Board shall frame and operate rules providing for Contributory Provident Fund for registered workers. The rules shall provide for the rate of contribution, the Manner and method of payment and such other matters as may be considered necessary so however, that the rate of contribution is not less than $6\frac{1}{2}$ per cent. of the wages of a registered worker and is not more than $8\frac{1}{2}$ per cent. of such wages :

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

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

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

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

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

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

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

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

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

FORM ' A '

(See clause 14)

THE DHULE MATHADI AND UNPROTECTED LABOUR BOARD Application for the registration of employer

Registration No.

(to be filled in by office)

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

1. Name and address of the Establishment and Telephone No.

2. Whether a firm or a company
Name of the Proprietor—

(1)

(2)

(1)

(2)

3. Are you a member of any Association ?
If so, state the name of the Association.
4. Whether your Establishment is registered under the Bombay Shops and Establishments Act, 1948. If, so, state the Registration No.
5. The places of work with location in details where the loading, unloading, stacking, carrying, etc. of goods is carried on in connection with trade/business of your Establishments.
6. Are you employing workers through contractors ? If so, state the names of the contractors.
7. Are you employing workers through Tolli ? If so, state the name of the Mukadam/s of the Tolli/s, or of all workers.

Date :

Place :

Signature of the Applicant.

(1) Government Notification, Industries, Energy, and Labour Department No. UWA. 1483/CR-10378(1)/Lab-5, dated the 12th November 1984, published in *Maharashtra Government Gazette*, Part-I-L, dated the 24th January 1985, at page Nos. 332 to 348).

(3) In exercise of the powers conferred by Sub-Section (4) of Section 1 of the said Act, the Government of Maharashtra has appointed the 1st day of January, 1985 to be the day on which all the provisions of the said Act, shall come into force in the areas of the Jalna for the following Scheduled employments, namely:—

(1) Employment in grocery markets or shops, in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations;

(2) Employment in markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Mah. XX of 1964), in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations;

(3) Employment in Iron and Steel Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring or such other work including work preparatory or incidental to such operations;

(4) Employment in Cloth and Cotton Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations;

(5) Employment in markets, and factories and other establishment in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations carried on by workers not covered by any other entries in the schedule;

(6) Employment in connection with loading of goods into public transport vehicle or unloading of goods therefrom and any other operation incidental and connected thereto;

(7) Employment in connection with the loading, unloading and carrying of foodgrains into godowns (sorting and cleaning of foodgrains, filling foodgrains in bags, stitching of such bags) and such other work incidental and connected thereto situated within the Municipal limits of the Municipal Council Jalna; for efficient performance of work and generally for making better provisions for terms and conditions of employment of such workers and make provisions for their general welfare and safety.

(Vide Government Notification, Industries, Energy and Labour Department No. UWA-1081/CR-10453/Lab-7, dated the 13th November 1984, published in *Maharashtra Government Gazette*, Part—I-L, dated the 24th January 1985, Page Nos. 349 to 350).

The following draft of a scheme for employments in (1) grocery markets or shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations; (2) markets or subsidiary markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Mah. XX of 1964) in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations; (3) iron and steel market or shops in connection with loading, unloading, stacking, carrying, weighing, measuring, or such other work including work preparatory or incidental to such operations; (4) cloth and cotton markets or shops in connection with loading, unloading, stacking, carrying, weighing (measuring, filling, stitching, sorting, cleaning or such other work) including work preparatory or incidental to such operations; (5) markets and factories and other establishments in connection with loading, unloading, stacking, carrying, weighing measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations carried on by workers not covered by any other entries in this schedule; (6) public goods transport undertaking in connection with loading, into public transport vehicle or unloading or goods therefrom and any other operation incidental and connected thereto; (7) connection with the loading, unloading, and carrying of foodgrains into godowns (sorting and cleaning of foodgrains, filling foodgrains in bags, stitching of such bags) and such other work incidental and connected thereto, situated within the municipal limits of the Municipal Council, Jalna which the Government of Maharashtra, after consultation with the Advisory Committee proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Maharashtra *Mathadi Hamal* and other Manual Workers (Regulation of Employment and Welfare) Act, 1969 (Mah. XXX of 1969), and of all other powers enabling it in that behalf, is hereby published as required by sub-section (1) of the said section 4 for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration by the Government of Maharashtra on or after 15th day of December, 1984;

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

DRAFT SCHEME

The Jalna Grocery Markets or Shops, Markets or Subsidiary Markets, Iron and Steel Markets or Shops, Cloth and Cotton Markets or Shops, Markets and Factories and other Establishments, Public Goods Transport Undertakings and Establishments connected with carrying of foodgrains into godowns Unprotected workers (Regulation of Employment and Welfare) Scheme, 1984.

1. *Title*—This scheme may be called the Jalna Grocery Markets or Shops, Markets or Subsidiary Markets, Iron and Steel Markets or Shops, Cloth and Cotton Markets or Shops, Markets, and Factories and Other Establishments, Public Goods Transport Undertakings and Establishments connected with carrying of foodgrains into godowns unprotected workers (Regulation of Employment and Welfare) Scheme, 1984.

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

(a) Grocery Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work

(b) Markets or Subsidiary Markets established under the Maharashtra Agricultural Produce Marketing (Regulation) Act, 1963 (Mah. XX of 1964) in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations;

(c) Iron and Steel Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring or such other work including work preparatory or incidental to such operations;

(d) Cloth and Cotton Markets or Shops in connection with loading, unloading, stacking, carrying, weighing, measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations;

(e) Markets and factories and other establishments, in connection with loading, unloading, stacking, carrying, weighing measuring, filling, stitching, sorting, cleaning or such other work including work preparatory or incidental to such operations carried on by workers not covered by any other entries in the Schedule to the said Act;

(f) Public goods transport undertaking in connection with loading of goods into public transport vehicle or unloading of goods therefrom and any other operation incidental and connected thereto;

(g) Connection with the loading, unloading, and carrying of foodgrains into godowns (sorting and cleaning of foodgrains, filling, foodgrains in bags, stitching of such bags) and such other work incidental and connected thereto; situated within the municipal limits of the Municipal Council, Jalna for efficient performance of work and generally for making better provisions for terms and conditions of employment of such workers and make provisions for their general welfare and safety.

(2) The scheme shall apply to the registered workers and registered employers at Jalna in areas within the Municipal limits of the Municipal Council, Jalna for the Scheduled employments mentioned in sub-clause (1).

3. *Commencement*.—(i) The clauses 14 and 15 shall come into force on 1st February 1985.

(ii) The remaining clauses shall come into force on 15th February 1985.

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

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

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

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

(e) "pool worker" means a registered worker in the pool who is not a monthly worker;

(f) "pool" means a list of registered workers maintain by the Board but which does not include monthly worker;

(g) "Personnel Officer" means the Personnel Officer appointed by the Board under clause

(h) "registered employer" means the employer whose name is for the time being entered; in the register of employers;

(i) "registered worker" means a worker whose name is for the time being entered in the register of workers;

(j) "register of employers" means the register of employers maintained under this scheme

(k) "register of workers" means the register of workers maintained under this scheme

(l) "rules" means the Maharashtra *Mathadi, Hamal* and other Manual Workers (Regulation of Employment and Welfare) Rules, 1970;

(m) "Secretary" means the Secretary of the Board ;

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

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

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

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

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

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

(i) ensuring the adequate supply and the full and proper utilisation of registered workers for the purpose of facilitating the rapid turnout of work;

(ii) regulating the recruitment and entry into and the discharge from, the scheme of workers and allotment of registered workers in the pool to registered employers;

(iii) determining and keeping under review the number of registered workers from time to time, on the registers or records and the increase or reduction to be made in the number of registered workers;

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

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

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

(vii) making provision, subject to availability of funds for welfare of registered workers including medical services as far as such provision does not exist apart from this scheme;

(viii) recovering from registered employers contribution in respect of the expenses of this scheme, wages levy and other contributions under this scheme;

(ix) making provision, subject to availability of funds for the health and safety measures in places where workers are employed in so far as such provision does not exist apart from this scheme;

(x) maintaining and administering the workers welfare fund and recovering from all the registered employers contribution towards the fund when such funds is constituted in accordance with the rules of the fund;

(xi) maintaining and administering provident fund and gratuity funds for registered workers in the pool when such funds constituted.

(2) A property fund and other assets vesting in the Board shall be held and applied by

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

(a) all monies received by the Board from the State Government;

(b) all fees, wages and levies received by the Board under this scheme;

(c) all monies received by the Board by way of sale and disposal of properties and other assets;

(d) interest on investment in securities and deposits, rents and all monies received by the Board in any other manner or from any other source.

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

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

(5) The Board may with the previous permission of the State Government borrow money from open market or otherwise with a view to provide itself with adequate resources.

(6) The Board may accept deposits on such conditions as it deems fit from persons, authorities or establishment with whom it has to transact any business.

(7) The Board shall make provision for such reserve and other denominated funds as may be provided in this scheme.

(8) The Board shall have the authority to spend such sum as it think fit for the purposes authorised under the scheme from out of the general fund of the Board or from the reserve and other funds, as the case may be.

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

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

(a) as soon as may be after the first day of April, in every year and not later than the 31st day of October, an annual report in the working of the scheme during the proceeding year ending the 31st of March together with an audited balancesheet; and

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

(11) The Board may—

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

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

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

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

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

(vi) fix the rate of very under clause 42 (1);

(vii) sanction the annual budget;

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

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

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

(vii) subject to such conditions as it thinks fit delegate in writing to the committees Chairman, Secretary or any officer of the Board any of the functions under the scheme.

7. *Estimate.*—The Chairman shall at a special meeting to be held before the end of February in each year lay before the Board, the annual budget of the Scheme for the year commencing on the 1st day of April then next ensuing in such details and forms as the Board may, from time to time, specify. The Board shall consider the estimate so presented to and shall within four weeks of its presentation sanction the same either unaltered or subject to such alteration as it may deem fit.

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

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

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

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

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

(e) to ensure that the provisions of the scheme in regard to transfer and promotion of workers are carried out;

(f) to constitute medical board when required;

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

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

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

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

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

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

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

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

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

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

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

(a) keeping, adjusting and maintaining from time register of employers entering or re-entering therein the name of any employer and where the circumstances so required

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

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

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

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

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

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

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

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

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

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

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

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

(h) the keeping of proper accounts of the cost of operating this scheme and of all receipts and expenses under it and making and submitting balance-sheet and profit and loss account statements;

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

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

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

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

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

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

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

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

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

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

14. *Registration of employers.*—Every employer including a Mukadam, commission agent, clearing agent, purchaser, importer, exporter engaged in settling, purchasing or trading or acting as agent in grocery markets or shops and agricultural produce markets or subsidiary markets in the areas to which this scheme applied shall get registered with the Board by applying in "Form A" appended to the scheme, within 15 days from the date of coming into force of this clauses. Provided, however, that an employer of any establishment coming into existence after the commencement of the scheme shall apply for registration simultaneously on the commencement of his business.

15. *Registration of existing and new workers*—(1) (a) Any worker who on the date of enforcement of this scheme is already working in the employment in the area to which the scheme applies shall be registered under this scheme ;

(b) The qualifications for new registration shall be such as may be specified by the Board having regard to local conditions, physical fitness, capacity and/or experience, citizen of India only shall be eligible for registration ;

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

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

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

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

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

Explanation.—The criteria for promotion shall ordinarily be—

- (a) seniority ;
- (b) merit and fitness for the category to which promotion is to be made ;
- (c) record of past service.

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

(3) The Chairman or the Secretary may, for sufficient and valid reasons, allow the transfer of a registered monthly worker to the pool on a request in writing of the registered employer

transfer shall be subject to the fulfilment of any contract subsisting between the registered workers and this registered employer regarding termination of employment. No such transfer shall take place without the prior approval of the Chairman or the Secretary.

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

(5) If a registered monthly worker is transferred to, or employed in the pool under sub-clause (1) or sub-clause (4) as the case may be, his previous service shall be reckoned for all benefits in the pool and the registered employer shall transfer to the Board all benefits that have accrued to the worker in respect of his previous service as if such service has been transferred to the Board. The registered employer shall contribute to the Board such amount of the provident fund of the registered workers, if any, standing to his credit in the provident fund of which he is a member and such amount towards his leave and gratuity as may have been due to him under any contract subsisting between the registered worker and this registered employer or under any law, award or agreement applicable to such registered worker, as if his services had been terminated by the registered employer.

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

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

13. *Registration fee.*—(1) A registration fee of Re. 1 shall be paid to the Board by each worker at the time of registration under this scheme.

(2) A registration fee of Rs. 25 shall be paid by each employer at the time of registration under this scheme.

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

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

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

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

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

- (a) when proceeding on leave for seven days or more;
- (b) when retiring from service ;
- (c) when dismissed or discharged from service ;

- (d) when temporarily suspended ; or
(e) on death :

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

23. *Entriss in attendance card and wage slip.*—(1) A registered worker in the pool shall hand over to the Board at the time he is allotted for work to a registered employer, his attendance card. The Board shall make necessary entries in the attendance card in respect of the period of work done by the registered worker, and return it to him on completion of his engagement for each day of work and the Board shall supply as soon as possible, a wage slip showing the wages earned by a registered worker.

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

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

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

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

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

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

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

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

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

(2) A registered worker in the pool who is available for work shall be deemed to be in the employment of the Board.

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

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

- (a) report at such call stands or control points and at such times as may be specified

(b) accept any employment under a registered employer whether in the category in which he has been registered or any other category for which he is considered suitable by the Board.

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

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

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

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

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

(5) (i) A registered employer shall pay it to the Board, in such manner and at such times as the Board may direct, the levy payable under clause 41 (i) and the gross wages due to registered workers for the work done such registered workers during the fortnight other amount due to daily workers.

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

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

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

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

30. *Restriction on employment.*—(1) No employer shall engage for employment, a worker unless that worker is a registered worker.

(2) Notwithstanding the preceding provisions of this Clause—

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

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

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

(c) in the case referred to in terms (a) and (b) the person so employed as afore-said by a registered employe, shall for the purpose of clauses 29 (4), (5) and (6) and clause 30 be treated in respect of that work, as if he were a daily registered worker.

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

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

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

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

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

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

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

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

(5) In fixing revising or, as the case may be, modifying the conditions of service of the registered workers, the Board shall have regard to the cost of living, the prevalent conditions of service in comparably employments in the local area, the capacity of the registered employers

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

33. *Disbursement of wages and other allowance to registered workers.*—The Board may permit the registered employers to pay wages and other allowances to the registered monthly workers employed by them directly after making such deductions as may be authorised and recoverable from them under this scheme. In respect of workers other than monthly workers employed by the registered employers from time to time, the wages and other allowance payable by the registered employers shall be remitted by the registered employers by cheque to the Secretary of the Board every fortnight. The Secretary thereupon shall arrange to disburse the wages and other dues, if any, to the registered workers on a specified day every month subject to deductions recoverable from them under this scheme.

34. *Disciplinary procedure.*—(1) (i) The Personnel Officer may on receipt of the information whether on a complaint or otherwise that a registered employer has failed to carry-out the provisions of this scheme after investigating the matter give him a warning in writing, or ; (ii) where in his opinion a higher penalty is merited the Personnel Officer shall report the case to the Chairman who may then cause such further investigation to be made as he may deem fit and take any of the following steps as regards that employer, that is to say, he may—

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

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

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

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

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

(a) give him a warning in writing ;

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

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

(d) dismiss him.

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

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

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

35. *Special disciplinary powers of the Chairman.*—(1) Notwithstanding anything contained in the scheme, if the Chairman is satisfied after enquiry that a "go slow" has been resorted to by any gang of registered workers or any individual registered worker and is being contain-

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

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

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

(c) in the case referred to in terms (a) and (b) the person so employed as aforesaid by a registered employer, shall for the purpose of clauses 29 (4), (5) and (6) and clause 3 be treated in respect of that work, as if he were a daily registered worker.

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

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

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

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

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

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

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

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

(5) In fixing revising or, as the case may be, modifying the conditions of service of the

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

Disbursement of wages and other allowance to registered workers.—The Board may require the registered employers to pay wages and other allowances to the registered monthly workers employed by them directly after making such deductions as may be authorised and approved by the registered employers from time to time, the wages and other allowance by the registered employers shall be remitted by the registered employers by cheque to the Secretary of the Board every fortnight. The Secretary thereupon shall arrange to disburse the wages and other dues, if any, to the registered workers on a specified day every month subject to deductions recoverable from them under this scheme.

Disciplinary procedure.—(1) (i) The Personnel Officer may on receipt of the information whether on a complaint or otherwise that a registered employer has failed to carry-out the provisions of this scheme after investigating the matter give him a warning in writing, or ; in the opinion a higher penalty is merited the Personnel Officer shall report the matter to the Chairman who may then cause such further investigation to be made as he may think fit and take any of the following steps as regards that employer, that is to say, he may—

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

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

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

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

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

(a) give him a warning in writing ;

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

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

(d) dismiss him.

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

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

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

35. *Special disciplinary powers of the Chairman.*—(1) Notwithstanding anything contained in the

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

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

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

(3) The Chairman may take disciplinary action—

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

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

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

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

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

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

(2) A registered worker in the pool shall not leave his employment with the registered employer except by giving 14 days notice in writing to the Board or forfeiting 14 days wages inclusive of dearness allowance in lieu thereon.

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

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

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

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

(ii) refusing registration under clause 15; or

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

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

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

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

(5) Every appeal referred to in sub-clauses (1), (2), (3) or (4) shall be in writing and be preferred within 30 days of the receipt of the order appealed against:

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

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

(2) Every appeal referred to in sub-clause (1) shall be in writing and preferred within 14 days of the receipt of the order appealed against:

Provided that, the appellate authority may, for reasons to be recorded, admit an appeal preferred after the expiry of 14 days.

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

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

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

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

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

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

(4) The Board shall not sanction any levy exceeding 50 per cent. of the total wage bill without the prior approval of the State Government.

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

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

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

42. *Provident Fund and Gratuity.*—(1) The Board shall frame and operate rules providing for Contributory Provident Fund for registered workers. The rules shall provide for the rate of contribution, the manner and method of payment and such other matters as may be considered necessary so however, that the rate of contribution is not less than 6½ per cent. of the wages of a registered worker and is not more than 3.1/3 per cent. of such wages:

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

(2) In framing rules for the Contributory Provident Fund, the Board shall take into consideration the provisions of the Employees' Provident Funds Act, 1952 (XIX of 1952) as amended from time to time and the scheme made thereunder for any establishment:

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

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

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

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

43. *Penalties.*—Whoever contravenes the provisions of clauses 14, 29 or 30 shall, on conviction, be punished with an imprisonment for a term of 3 months or with fine which may extend to Rs. 500 (Rupees five hundred only) or with both, where such contravention is a first contravention and with imprisonment for a term of six months or with fine which may extend to Rs. 1000 (Rupees one thousand) or with both, where such contravention is any subsequent contravention. If such contravention is continued further after subsequent conviction, he shall be punished with a further fine which may extend to one hundred rupees for each day on which the contravention is made till the said contravention continues.

FORM 'A'

THE JALNA MATHADI AND UNPROTECTED LABOUR BOARD
Application for the registration of employer.

Registration No.

(To be filled in by office)

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

- 1 Name and address of the Establishment and Telephone No.
- 2 Whether a firm or a company.
Name of the Proprietor.
 - (1) _____
 - (2) _____
3. Are you a member of any Association? If so, state the name and address of the Association.
4. Whether your Establishment is registered under the Bombay Shops and Establishments Act, 1948. If so, state Registration No.

5. The places of work with location in details where the loading, unloading, stacking, carrying, etc. of goods is carried on in connection with trade/business of your Establishments.
6. Are you employing workers through contractors? If so, state the names of the contractors.
7. Are you employing workers through Tolli? If so, state the name of the Mukadam/s of the Tolli/s, or of all workers.

Date:

Place:

Signature of the Applicant.

(Vide Government Notification, Industries, Energy and Labour Department No. UWA-481/CR-10453(i)/Lab-5, dated the 13th November 1984, published in *Maharashtra Government Gazette*, Part—I-L, dated the 24th January, 1985, Pages Nos. 350 to 368).

XII. BOMBAY RELIEF UNDERTAKINGS (SPECIAL PROVISIONS) ACT, 1958.

(A) *Declarations under the.*—(1) In exercise of the powers conferred by Sub-Sections (1) and (2) of Sections 3 and Sub-clause (iv) of clause (a) of Sub-Section (1) of Section 4 of the said Act, the Government of Maharashtra has declared that—

(a) declares that the industrial undertaking called "Messrs. Chemiequip Limited, Bombay" (hereinafter referred to as "the said relief undertaking") to which State Industrial and Investment Corporation of Maharashtra Limited, acting as agent of Government of Maharashtra, has provided a loan of Rs. 15.35 lakhs under Package Scheme of Incentives, shall for a period of six months commencing from 20th November 1984 and ending on 19th May 1985 be conducted to serve as a measure of unemployment relief; and

(b) directs that in relation to the said relief undertaking continue 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, 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 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 13th October 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-1984/(9972)/IND-10, dated the 20th November, 1984, published in *Maharashtra Government Gazette*, Part-I-L, dated the 24th January, 1985, at Pages Nos. 372 to 373).

(2) In exercise of the powers conferred by Sub-Sections (1) and (2) of Section 3 and clause (iv) of clause (a) of Sub-Section (1) of Section 4 of the said Act, the Government of Maharashtra has declared that—

(a) declares that the industrial undertaking called "Messrs. the Kamala Mills 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 deferment of recovery of Sales Tax arrears and electricity duty for the period between January 1983 and February 1983 and for the year 1983-84 vide Government Resolution Industries, Energy and Labour Department No. MIS. 1082/(2440)/IND-11, dated the 8th April 1983 and Government Resolution, Industries, Energy and Labour Department No. MIS. 1082/(2440)/IND-11, dated 12th August 1983 shall for a period of one year commencing from 22nd November 1984, 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, 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, State Bank of India, Industrial Development Bank of India, Industrial Finance Corporation of India and Industrial Credit and Investment Corporation of India, Industrial Reconstruction Corporation of India, Maharashtra State Financial Corporation 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 22nd November 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-1084 (10001) IND-10, dated the 22nd November, 1984 published in *Maharashtra Government Gazette, Part-I-L*, dated the 24th January, 1985, at page No. 374.)

(3) In exercise of the powers conferred by Sub-Sections (1) and (2) of section 3 and Sub-clause (iv) of clause (a) of Sub-Section (1) of Section 4 of the said Act, the Government of Maharashtra has declared that—

(a) declares that the industrial undertaking called Messrs Estrela Batteries Ltd, Bombay (hereinafter referred to as "the said relief undertaking") to which State Industrial and Investment Corporation of India acting as agent of Government of Maharashtra has provided a loan of rupees 20.94 lacs under Package Scheme of Incentive, shall for a period of twelve months commencing from 27th November 1984 and ending on the 26th November 1985 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 of liabilities incurred in favour of workmen of the said relief undertaking, the Maharashtra State Electricity Board, State Industrial Investment Corporation of Maharashtra Limited, Bank of India, Industrial Development Bank of India, Industrial Finance Corporation 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 12th day of October 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-1084 (10001) IND-10, dated the 22nd November, 1984 published in *Maharashtra Government*

(4) In exercise of the powers conferred by Sub-Sections (1) and (2) of Section 3 and Sub-clause (iv) of clause (a) of Sub-Section (1) of Section 4 of the said Act, the Government of Maharashtra has declared that—

(a) declares that the industrial undertaking called "Messrs Amar Dye Chem Limited, Bombay" (hereinafter referred to as "the said relief undertaking") to which Government of Maharashtra has sanctioned a loan of Rs. 9,18,859 (Rupees nine lakh eighteen thousand eight hundred fifty-nine only) by conversion of sale tax dues into term loan, shall for a period of twelve months commencing on the 3rd December 1984 and ending on the 2nd December 1985 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, State Industrial Investment Corporation of Maharashtra Limited, Dena Bank, Indian Overseas Bank and other nationalised Banks, 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. LI of 1959), the Maharashtra State Tax on Professions Trades, calling 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 3rd December 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-1084/ (9897) IND-10, dated the 3rd December, 1984 published in *Maharashtra Government Gazette, Part-I-L*, dated the 24th January, 1985, at page No. 380.)

Consumer Price Index Numbers for Industrial Workers for January 1985

BOMBAY CENTRE*

A rise of 1 point.

In January 1985, the Consumer Price Index Number for Industrial Workers (New Series) for Bombay Centre with base January to December 1960 equal to 100 was 613 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 Bombay Centre.

The index number for the food group decreased by 1 point to 676 due to a fall in the average prices of Rice, Wheat, Arhar dal, Chillies-dry, onion, Vegetables and Fruits subgroup.

The index number for the Pan, Supari and Tobacco etc. group increased by 20 points to 664 due to a rise in the average prices of Panleaf, Supari and Bidi.

The index number for the Fuel and Light group increased by 4 points to 807 due to a rise in the average price of Firewood.

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 1 point to 185.

The index number for the Clothing, Bedding and Footwear group increased by 1 point to 577 due to a rise in the average prices of Shirting, Saree and Shoes.

The index number for the miscellaneous group increased by 1 point to 481 due to a rise in the average prices of Durrie, Trunk and Utensil Brass.

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

(Average prices for the calendar year 1960 = 100)

Group	Weight proportional to the total expenditure	Group Index Numbers	
		December 1984	January 1985
I-A. Food	57.1	677	676
I-B. Pan, Supari, Tobacco, etc.	4.9	644	664
II. Fuel and Light	5.0	803	807
III. Housing	4.6	184	185
IV. Clothing, Bedding and Foot-Wear	9.4	576	577
V. Miscellaneous	19.0	480	481
Total ..	100.0	.....	.....
Consumer Price Index Number ..	.....	612	613

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

623—A fall of 2 points.

In January, 1985 the Consumer Price Index Number for Working Class (New Series) for Solapur Centre with base January to December 1960 equal to 100 was 623 being 2 points lower than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Solapur Centre.

The index number for the food group decreased by 5 points to 679 due to a fall in the average prices of arhar dal, dry chillies, gur and vegetables and fruits.

The index number for the pan, supari and tobacco etc. group increased by 1 point to 537 due to a rise in the average price of chewing tobacco only.

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

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 7 points to 273.

The index number for clothing, bedding and footwear group increased by 17 points to 595 due to a rise in the average prices of dhoti, long cloth, shirting and marking.

The index number for the miscellaneous group remained steady at 469.

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

(Average prices for the calendar year 1960=100)

Groups	Weight proportional to the total expenditure	Group Index Numbers	
		December 1984	January 1985
I-A. Food	63.0	684	679
I-B. Pan, Supari, Tobacco etc.	3.4	536	537
II. Fuel and Light	7.1	732	732
III. Housing	5.2	266	273
IV. Clothing, Bedding and Footwear ..	9.0	578	595
V. Miscellaneous	12.3	469	469
Total ..	100.00	.....	.....
Consumer Price Index Number ..	.....	625	623

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

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

NAGPUR CENTRE*

610—A fall of 4 Points

In January, 1985 the Consumer Price Index Number for Working Class (New Series) for Nagpur Centre with base January to December 1960 equal to 100 was 610 being points lower than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Nagpur Centre.

The index number for the food group decreased by 9 points to 655 due to a fall in the average prices of arhardal, oils and fats sub group, dry chillies, tea leaf and vegetables sub group.

The index number for the pan, supari and tobacco etc. group decreased by 3 points to 586 due to a fall in the average price of pan leaf only.

The index number for the fuel and light group remained steady at 917.

Six monthly house rent index compiled by the chian 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 327.

The index number for clothing, bedding and footwear group increased by 2 points to 623 due to a rise in the average price of marking only.

The index number for the miscellaneous group remained steady at 452.

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	
		December 1984	January 1985
I-A. Food	57.2	664	655
I-B. Pan, Supari, Tobacco, etc.	3.8	589	586
II. Fuel and Light	5.7	917	917
III. Housing	6.6	316	327
IV. Clothing, Bedding and Footwear	10.9	621	623
V. Miscellaneous	15.8	452	452
Total	100.0		
Consumer Price Index Number	....	614	610

*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*

585—A rise of 6 points

In January 1985 the Consumer Price Index Number for Working Class (New Series) for Pune Centre with base year 1961 equal to 100 was 585 being 6 points higher than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Pune Centre.

The index number for the food group increased by 9 points to 656 due to a rise in the average prices of wheat, vegetables, tea-leaf and tea readymade.

The index number for the fuel and light group increased by 22 points to 22 due to a rise in the average price of charcoal only.

Six monthly house-rent survey was conducted by the office of the Commissioner of Labour, Bombay in the month of January 1985. Accordingly the index number for housing increased by 3 points to 149.

The index number for clothing and footwear group remained steady at 545.

The index numbers for the miscellaneous group remained steady at 485.

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	
		December 1984	January 1985
I. Food	55.85	647	656
II. Fuel and Light	6.89	767	789
III. Housing	6.65	146	149
IV. Clothing and Footwear	10.31	545	545
V. Miscellaneous	20.30	485	485
Total	100.00		
Consumer Price Index Number	....	579	585

*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*

582—A fall of 10 points

In January 1985 the Consumer Price Index Number for Industrial Workers for Jalgaon Centre with base year 1961 equal to 100 was 582 being 10 points lower than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Jalgaon Centre.

The index number for the food group decreased by 17 points to 631 due to fall in the average prices of turdal, fresh and dry Fish, chillies dry, vegetable groups, sugar and gur.

The index number for the fuel and light group remained steady at 714.

Six monthly House-rent survey was conducted by the Office of the Commissioner of Labour, Bombay in December 1984. The Housing index for January 1985 works out at 188 which was utilised in the previous half yearly period ending December 1984.

The index number for clothing and footwear increased by 3 points to 601 due to a rise in the average price of saree only.

The index number for the miscellaneous group remained steady at 471.

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 Number	
		Dec. 1984	January 1985
I. Food	60.79	648	631
II. Fuel and Light	7.20	714	714
III. Housing	6.11	188	188
IV. Clothing and Foot wear ..	10.29	598	601
V. Miscellaneous	15.61	471	471
Total ..	100.00	....	....
Consumer Price Index Number ..	....	592	582

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

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. 5.29.

NANDED*

— rise of 2 points

In January 1985 the Consumer Price Index Number for the Industrial Workers for Nanded centre with base year 1961 equal to 100 was 659 being 2 points higher than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Nanded Centre.

The index number for the food group increased by 2 point to 730 due to rise in the average prices of rice, moongdal, mutton, turmeric tamarind, mixed spices and other vegetables.

The index number for the fuel and light group remained steady at 788.

Six monthly House-rent survey was conducted by the Office of the Commissioner of Labour, Bombay in December 1984. The Housing index for January 1985 works out at 386, which was utilised in the previous half yearly period ending December 1984.

The index number for clothing and footwear increased by 7 points to 530 due to a rise in the average prices of long cloth and coloured fabrics.

The index numbers for the miscellaneous group increased by 3 points to 514 due to a rise in the average price of panleaf only.

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS FOR
NANDED CITY

(Average prices for the calendar year 1961 = 100)

Group	Weight proportional to total expenditure	Group Index Numbers	
		Dec. 1984	Jan. 1985
I. Food	61.46	728	730
II. Fuel and Light	5.88	788	788
III. Housing	4.62	386	386
IV. Clothing, Bedding and Footwear ..	12.22	523	530
V. Miscellaneous	15.82	511	514
Total	100.00	....	....
Consumer Price Index Number ..	....	647	659

*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 equivalent old index number on base August 1943 to July 1944 = 100, the new index number of base 100 should be multiplied by the linking factor viz. 2.45.
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AURANGABAD CENTRE*

460—A rise of 5 points

In January 1985 the consumer Price Index Number for Working Class (New Series) for Aurangabad centre with base year 1961 equal to 100 was 640 being 5 points higher than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Aurangabad Centre.

The index number for the food group increased by 8 points to 712 due to a rise in the average prices of wheat, jowar, masurdal, milk, turmeric, chillies dry, tamarind vegetables and gur.

The index number for the fuel and light group increased by 1 point to 772 due to a rise in the average price of kerosene only.

Six monthly House-rent survey was conducted by the Office of the Commissioner of Labour, Bombay in January 1985. The Housing index for January 1985 remained steady at 326.

The index number for clothing and footwear group remained steady at 576.

The index number for the miscellaneous group increased by 3 points to 494 due to a rise in the average price of pan-leaf only.

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS
FOR AURANGABAD CENTRE

(Average prices for the calendar year 1961 = 100)

Groups	Weight proportional to total expenditure	Group Index Number	
		Dec. 1984	Jan. 1985
I. Food	60.72	704	712
II. Fuel and Light	7.50	771	772
III. Housing	8.87	326	326
IV. Clothing and Foot-wear	9.29	576	576
V. Miscellaneous	13.62	491	494
Total ..	100.00	....	....
Consumer Price Index Number ..		635	640

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

ALL INDIA AVERAGE CONSUMER PRICE INDEX NUMBERS
FOR INDUSTRIAL WORKERS

The statistics for the Last 12 calendar months from February 1984 to January 1985 are given in the following table —

TABLE

Month	Base 1960=100	*Base 1949=100
	2	3
February 1984	561	682
March 1984	558	678
April 1984	559	679
May 1984	562	681
June 1984	574	698
July 1984	585	711
August 1984	586	712
September 1984	589	716
October 1984	592	720
November 1984	595	723
December 1984	588	715
January 1985	588	715

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

THE STATEMENT SHOWING THE CONSUMER PRICE INDEX NUMBER FOR (INDUSTRIAL WORKERS) GROUPS FOR SEVEN CENTRES OF MAHARASHTRA STATE FOR THE MONTH OF JANUARY, 1985.

Centre	Base	Food	Pan, Supari, tobacco etc.	Fuel and Light.	Housing	(Clothing, bedding and footwear.	Miscellaneous.	Consumer Price Index Number Jan. 1985	Equivalent Old Index Number	Consumer Price Index Number Dec. 1984	Equivalent Old Index Number
1	2	3	4	5	6	7	8	9	10	11	12
Bombay	1960=100	676	664	807	185	577	481	613	2,722	612	2,717
Solapur	1960=100	679	537	732	273	595	469	623	2,380	625	2,388
Nagpur	1960=100	655	586	917	327	623	452	610	3,184	614	3,205
Jalgaon	1961=100	656	....	789	149	545	485	585	....	579	....
Nanded	1961=100	631	....	714	188	601	471	582	3,079	592	3,132
Aurangabad	1961=100	730	....	788	386	530	514	659	1,615	657	1,610
Aurangabad	1961=100	712	....	772	326	576	494	640	1,421	635	1,410

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

Labour Intelligence

INDUSTRIAL RELATIONS IN MAHARASHTRA
 REVIEW FOR THE MONTH OF DECEMBER 1984

Industrial Courts, Tribunals and Labour Courts
 In 1984 (66) applications were received by the Industrial Courts, Tribunals and Labour Court during the month. Their break-up are as under:—

Serial No.	Name of the Industrial Court/ Tribunal and Labour Court	No. of applications, etc. received during the month under the					Total
		B.I.R. Act, 1946	I.D. Act, 1947	Other Acts.			
1	Industrial Court, Bombay	12	24	113	125	6	
2	Industrial Tribunal, Nagpur	12	..	132	24	..	
3	Industrial Tribunal, Nagpur	..	..	..	144	..
4	Industrial Court, Pune	3	..	85	..	..
5	Industrial Tribunal, Pune	..	..	..	..	..
6	Industrial Court, Thane	..	28	..	..	..
7	Industrial Tribunal, Thane	2	..	29	..	..
8	Industrial Court, Kolhapur	..	10	..	..	..
9	Industrial Tribunal, Kolhapur	..	..	31	..	..
10	Industrial Court, Amravati	..	..	..	..	..
11	Industrial Tribunal, Amravati	5	..	97	102	..	
12	Industrial Court, Nashik	..	1	..	..	..
13	Industrial Tribunal, Nashik	..	..	43	43	..
14	Industrial Court, Aurangabad	..	1	..	..	..
15	Industrial Tribunal, Aurangabad	4	..	79	83	..	
	Total	44	65	609	718	..	

Centre	Labour Court, Bombay	Labour Tribunal, Nagpur	Labour Tribunal, Nagpur	Labour Court, Pune	Labour Tribunal, Pune	Labour Court, Thane	Labour Tribunal, Thane	Labour Court, Kolhapur	Labour Tribunal, Kolhapur	Labour Court, Amravati	Labour Tribunal, Amravati	Labour Court, Nashik	Labour Tribunal, Nashik	Labour Court, Aurangabad	Labour Tribunal, Aurangabad
1	107	279	187	197	583	..	..	..	..	..	..	..	..	..	..
2	..	187	187	..	217	..	..	..	..	..	..	..	..	..	..
3	..	165	165	..	270	..	..	..	..	..	..	..	..	..	..
4	..	29	29	..	148	..	..	..	..	..	..	..	..	..	..
5	..	22	22	..	33	..	..	..	..	..	..	..	..	..	..
6	..	27	27	..	111	..	..	..	..	..	..	..	..	..	..
7	..	24	24	..	138	..	..	..	..	..	..	..	..	..	..
8	..	8	8	..	58	..	..	..	..	..	..	..	..	..	..
9	..	105	105	..	30	..	..	..	..	..	..	..	..	..	..
10	..	5	5	..	131	..	..	..	..	..	..	..	..	..	..
11	..	15	15	..	16	..	..	..	..	..	..	..	..	..	..
12	..	3	3	..	31	..	..	..	..	..	..	..	..	..	..
13	..	3	3	..	20	..	..	..	..	..	..	..	..	..	..
14	..	19	19	..	6	..	..	..	..	..	..	..	..	..	..
15	..	166	166	..	21	..	..	..	..	..	..	..	..	..	..
	Total	107	609	718	192	..	..	..	..	..	..	..	..	..	..

of disputes handled by the Conciliation machinery in the State during August 1984 under various Acts is

wise analysis of the cases received during the month

Act	Issues relating to pay, allowances and Bonus	Employment, leave, hours of work and Miscellaneous causes	Total
1	2	3	4
Disputes Act, 1947	220	100	320
Industrial Relations Act, 1946	12	7	19
Industrial Relations (Extensions and Amendment) Act, 1964	...	...	...
Total	232	107	339

LABOUR GAZETTE—MARCH 1985

wise analysis of the cases dealt with during the month

Act	Pending at the beginning of the month	No. of cases received during the month	Settled amicably	Ended in failure	Withdrawn or not pursued by parties	Closed	Total (4 to 7)	Pending at the end of the month
	2	3	4	5	6	7	8	9
Disputes Act, 1947	846	320	49	133	44	83	309	857
Industrial Relations Act, 1946	145	19	3	10	2	...	15	149
Industrial Relations (Ext. and Amend.) Act, 1964	...	...	...	...	...	...	...	...
Total	991	339	52	143	46	83	324	1,006

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

Act	Cotton Textile	Silk Textile	Chemical	Textile Processing	Hosiery	Banking	Sugar	Misc.	Transport	Total
1	2	3	4	5	6	7	8	9	10	11
Industrial Relations (Extension and Amendment) Act, 1964	5	3	2	1	...	...	2	4	2	19

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

District-wise analysis is given below :-

Act	Bombay	Pune	Thane	Nagpur	Nanded	Aurangabad	Ahmadnagar	Total
1	2	3	4	5	6	7	8	9
Industrial Relations (Extension and Amendment) Act, 1964	5	4	2	3	...	2	3	19

Act	Amravati	Bombay	Wardha	Chandrapur	Akola	Buldhana	Total
1	2	3	4	5	6	7	8
Industrial Relations (Extension and Amendment) Act, 1964

LABOUR GAZETTE—MARCH 1985

INDUSTRIAL DISPUTES IN MAHARASHTRA STATE DURING DECEMBER 1984

	December 84	November 84	December 83
No. of Disputes	45	47	51
No. of Workers involved	17,149	17,857	16,848
No. of Man-days lost	3,83,709	3,79,704	3,84,357

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 December 1984	Started during the month i.e. December 1984	Total		
1	2	3	4	5	6
Textile	2	..	2	1,64,933	
Engineering	18	6	24	1,06,943	
Chemical	9	1	10	48,907	
Miscellaneous	6	3	9	62,926	
December 84 Total	35	10	45	3,83,709	
November 84 Total	39	8	47	3,79,704	

Twelve of the disputes arose over questions of "pay, allowances and bonus issues" 7 no related to "Retrenchment and grievances about personnel" no dispute on "leave and hours of work and the remaining 26 were due to other causes.

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

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

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

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	10		11
1	Thane— M. Kund Iron and Steel (Pvt.) Lid., Kalwa, Thane.		L	Go-slow, Indiscipline.	27-11-83	19-12-84	1,358	21,728	4,49,498	Unsuccessful.	
2	Latur— Jawahar Sahakar Kapus (Pvt.) Utpadak Soot Girmi Mydt., Singnal Camp, Latur, At and Post Latur.		S	General Demands Wages, D. A. etc.	15-10-84	26-12-84	1,314	24,517	68,360	Do.	
3	Thane— Teksons Ltd., Road, Thane.		S	Reinstatement.	20-4-81	..	459	11,648	1,12,177	Commi- nated	
4	Bombay— Estrella Batteries Ltd., (Pvt.) Plot No. 1, Dharavi, Matunga, Bombay-19.		L	Unfair Labour Practices.	3-11-83	..	1,170	31,590	1,23,510	Do.	
5	Thane— The National Rayon Car- peration Ltd., Mohone Post, District Thane.		L/S (Strike 12-9-84)	Go-sow	24-11-83	..	59,85	1,40,416	19,88,326	Do.	

Serial No.	Name of the concern	Sector	S/L	Reason	Date of work-stoppage		No. of workers Involved	Man-days lost		Result
					Began	Ended		During the month	Till the close of the month	
1	2	3	4	5	6	7	8	9	10	11
6	Bombay— Bombay Forging Pvt. Ltd., (Pvt.) Vidyanagari Marg, Kalina, Bombay-98.	S		Others Fighting Amongst the Workmen.	11-7-84		625	16,875	92,500	Do.
7	Satara— Ms. Universal Luggage (Pvt.) Mfg. Co. Pvt. Ltd., Plot No. J-1, Additional MIDC Estate, Satara- Degaon Road, Kodoli, Satara.	S/L		Strike due General. Demands Wages, D.A. etc. and Lockout due to Strike.	2-11-84		939	25,353	47,889	Do.
8	Bombay— International Rubber and General Industries Ltd., 23, Shah Industrial Estate, Veera Dasai Road, Andheri (W.), Bombay-58.	L		Go-slow and Mass Insdiscipline.	1-12-84		1,000	27,000	27,000	Do.

PRESS NOTE ON ESIS BENEFIT IN MAHARASHTRA AND GOA

ESIS was paid Rs. 1 (One) Crores as Cash Benefit in January 1985

Some Insurance Schemes provide the Injured Workers as the Employer has to pay for the event of Sickness, Maternity, Disablement and Death due to employment injury benefits providing full medical care to the workers and their families.

In Maharashtra 11,90,077 employees were under the coverage of the Scheme in the month of January 1985. The high-lights of the benefits paid to these employees are as follows:—

(i) 68,967 Workers were paid Rs. 39,79,411 on account of Sickness and Rs. 4,33,627 on account of long term illnesses under Extended Sickness Benefit for the terminal diseases, e.g., T.B., Cancer, Hemiplegia, Paralysis, Prosthetic etc., etc.

(ii) 2,540 Workers were paid Rs. 41,21,707 on account of accidents as employment injury which included 856 cases for the permanent disablement and 2743 for pension to the dependents/families due to death of the Workers in the accidents.

(iii) Rs. 5,59,818.00 were paid to the Women on account of Maternity Benefit for the period of confinement. In addition to the above 93 Persons were sterilized and they were paid Rs. 18,60,000 as Family planning benefit.

(iv) There were 107 cases where legal proceedings were initiated against defaulting employers/Injured Persons for the recovery of arrears of contributions as under:—

- | | |
|-----------------------|-------------|
| (1) Under section 45B | : 52 cases. |
| (2) Under section 75 | : 18 cases. |
| (3) Under section 84 | : 1 case. |
| (4) Under section 85 | : 31 cases. |

(Mrs.) T. ANMUKUTTY,
Deputy Regional Director.