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LABOUR GAZETTE

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No. 6

FEBRUARY 1985

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THE OFFICE OF THE COMMISSIONER OF LABOUR
GOVERNMENT OF MAHARASHTRA

LABOUR GAZETTE

Started in 1921, the *Labour Gazette*, issued monthly, is a journal for the use of all interested in obtaining prompt and accurate information on matters specially affecting and concerning labour in India and abroad. It contains statistical and other information on consumer price 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

"Labour Gazette" is a journal for the use of all interested persons and accurate information on matters relating to labour.

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LABOUR GAZETTE

The Month in Brief

Price Index Numbers for Working Class

Solapur and Nagpur Consumer Price Index Numbers for the month of December 1984 with average price for the year and December 1960 equal to 100 were 612 and 625 respectively. The Pune, Jalgaon, Nanded and Aurangabad Consumer Price Index Numbers for the month of December 1984 with the average price for the year ended December 1961 equal to 100 were 588, 595, 602 and 610 respectively.

All India Average Consumer Price Index Numbers for Industrial Workers

All India Average Consumer Price Index Numbers for Industrial Workers (General base 1960-100 for December 1984 was 588 as compared to 505 in November 1984. The base 1949-100 derived from 1960 based index worked out against 723 for November 1984.

Industrial Disputes in Maharashtra State

During the month of November 1984, there were 47 disputes involving 17,857 workmen and time loss of 3,79,704 mandays as compared to 55 disputes in October 1984 involving 20,105 workmen and time loss of 3,62,277 mandays.

Further particulars of Industrial disputes are given at pages 403 to 404 of this issue.

Benefits under the Employees State Insurance Scheme

During the month of December 1984, 70360 workers were paid Rs. 49,86,829.75 on account of sickness and Rs. 5,20,775.70 were paid for the long term diseases Extended Sickness Benefit for the classified diseases, and 19,030 Workers were paid Rs. 34,20,118.48 on account of accidents as employment injury which included, 6,949 cases for the permanent disablement and 2,690 for compensation to dependents /families due to death of the Workers in the accident.

Current Notes

Avoidance of closures assured

Avoidance of closure of Industrial units through advance action will be the thrust of the Government's industrial policy.

Disclosing the future policy of his ministry to newsmen on the first of the new year after assuming office as the Minister of State for Labour with independent command, Shri T. Anjaiah said that the State Governments would be asked to inform the Centre about the problems of the employers wanting to wind up their business so that appropriate preventive action could be taken at the right point.

Shri Anjaiah, who is no stranger to the Labour Ministry and well conversant with the labour problems as one who had been a worker himself and a trade union leader, assured that the emphasis would be on prevention of the recurrence of lock-outs, retrenchments, closures and other related issues and thereby strengthen industrial stability.

The Minister disclosed that he would be taking steps to tighten laws concerning closures, lay-offs and retrenchments for ensuring industrial peace. Any closure without the prior permission of his ministry would be deemed illegal.

Shri Anjaiah observed that one of the main causes for industrial unrest was the delay in wage revision. He was firm that wage revision ought to take place every three or five years following an agreement reached between the union and management. He was also for the applicability of the wage laws to the unorganised sector as well. The ESI and Provident Fund benefits should be made available to all workers, he observed. While on the subject, he said that the Government would consider appointing a new wage board for the newspaper industry.

He also told that the Secretary of his ministry would be asked to set up a committee to study factories such as the Union Carbide plant in Bhopal which was potentially dangerous. In case the study revealed danger from such a unit, the concerned State Government would be pressed to initiate strict action against the management.

The cases of the workers thrown out of employment due to the Bhopal disaster would receive immediate attention of the Government for providing alternative employment. The Union Carbide Company would be pressed to pay adequate compensation for the harm it had brought about by its gross negligence.

The Labour Minister stressed that women workers should be paid equal wages as men and that his ministry would take up this issue as a policy. He cited the situation in the socialist countries where no discrimination existed between the wages of men and women.

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He also assured that special efforts would be afoot to extend employment opportunities for women and in jobs like shop assistants, most suited for women, the Government would like only women to be employed.

As regards the obsolescence of training methods in Government training institutions as highlighted by the Mathew Committee and the need for Rs. 300 crore to modernise them, Shri Anjaiah said that he would ask his officers to take up the issue with the appropriate authorities in the finance ministry. He added that there were many privately run training institutions which were not imparting good training and that the State Government would be asked to take over such institutes.

The Labour Minister said that the tripartite committee on the D.A. issue of the employees of public sector undertakings would now resume its work as the elections were over.

Shri Anjaiah also made it clear that his sympathy was with labour as he himself had risen from the rank of a six anna a day "labourer. He said that his endeavour would be for harmony in industrial relations and stability in industry.

(Indian Worker, dated the 7th January 1985)

More to get ESI medicare

All employees covered under the Employees State Insurance Scheme (ESI) and drawing wages less than Rs. 6 per day will receive free medical care from January 27, the day that the ESI Act as amended by the last Parliament, comes into force as per the notification of the Government.

Presently, only employees getting wages less than Rs. 2 per day are enjoying this facility.

The amended Act also provides for the extension of the coverage of the scheme to persons earning up to Rs. 1,600 per month, as against Rs. 1,000 per month at present.

The contribution of the employees to the ESI fund would be at the rate of five per cent of the wage bill of insured persons.

The employers are presently contributing to the fund on a graded scales linked to the wages of the employees and official sources claim that this change will facilitate calculations and reduce administrative work.

The ESI scheme is applicable to power-run factories employing 10 or more people and other establishments, cinemas, shops and transport establishments having 20 or more workers.

(Indian Worker, Dated 21st January 1985)

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.)

Tripartite meet moots 40-hour week working

The National tripartite seminar of international labour standards, held here under the joint auspices of the government-funded National Labour Institute (NLI) and the International Labour Organisation (ILO), recommended that India should conform to the ILO Convention No. 47 on working hours by reducing them from 48 hours a week to 40 hours.

Union Labour Minister Veerendra Patil presided over the concluding session of the seminar which approved the recommendation of Group I which was set up to go into this issue.

While recommending the shorter working hours the group pointed out that the trend in several industrially developed countries was towards reduction in working hours per week.

The very first exercise of the ILO in laying down international labour standards was the Convention No. 1 concerning "Hours of Working" in 1919 and India was one of the few countries to ratify. Later the ILO adopted a new Convention No. 47 on Forty Hours Week in 1935 and the Government of India, though having accepted the new convention in principle, is yet to ratify and implement the same.

In view of substantial changes in various aspects of industrial development in the country at different levels of economic growth, touching technological advance, production process, distribution systems, structural integration and interdependence fast moving communication systems and environmental and job-hazards, the group urged the consideration of reducing existing standard of working hours per week.

The seminar recommended that the Government should generally accept "without modifications", the unanimous recommendations of the Minimum Wages Advisory Board.

It said though more and more employments have been covered by fixation of minimum wages, a large number of workers are yet to be covered and therefore steps should be taken to cover them in a phased manner.

All State Governments should also entrust the powers of deciding the claims to the Labour Commissioners as has been done at the Centre by the Labour Ministry.

The periodicity of revision of wages, it says is not uniform throughout the country but there is a recent decision by the Labour Ministers conference, that

the minimum wages should be revised once in two years or when there is a 50 point rise in the consumer price index (base 1960=100) as applicable to the area for which minimum wages are fixed whichever is earlier.

The seminar also recommended that the Government ratify ILO conventions relating to minimum standards of social security, within one year. Such ratification would make it obligatory to endeavour to provide this standard of social security to the workers.

The social security benefits under the ILO conventions cover medicare, sickness benefit, employment, injury benefit and maternity benefit. A subgroup of the seminar which went into details found that in many cases, social security measures under existing Factories Act, Bidi Welfare Cess Fund Act, Employees State Insurance Scheme, Maternity Benefit Act, etc., were not inconsiderable; in some cases these exceeded the ILO standards.

However, there were significant differences in certain provisions. If ILO standards in social security were to be implemented these provisions would have to be amended. The employers who had imposed certain restrictions regarding intervals between pregnancies and number of births in the matter of Maternity Benefit Act would have to remove these restrictions.

Another finding regarding social security for workers is that at present there is little choice given to workers under the Maternity Benefit Act with regard to doctor and the type of hospital. The ILO convention wants the member countries to provide such freedom. Also the coverage provided under the Act was far inadequate compared to the standards mentioned in the ILO convention.

If the Government were to act on these recommendation, it would require a radical change in the Maternity Benefit Act to provide much greater benefits for women workers during their maternity period.

Significantly, the employers representatives did not participate in the subgroup discussion, but endorsed the recommendations at the plenary session of the seminar.

Disagreement by TUs

The INTUC participants in the seminar were Sarvashri Raja Kulkarni, Secretary and Daniel Theophilus, Director of the INTUC Employment Promotion Research Project.

The trade union representatives participating in the seminar including Shri Raja Kulkarni, disapproved the Government of India's assertion that the international labour standards as set by the ILO's conventions and recommendations were not relevant to the needs of the developing countries. According to them, the contention that the ILO standards are unrealistic to the socio-economic conditions of the developing countries "is an attempt to isolate modern standards of human resources from the modern standards of technological advance, capital investment, international trade and fast moving communication systems."

The trade union representatives further observed that the Indian Government seemed to desire the acceleration of industrial development by diluting the modern labour standards. "We do not believe that India, as a developing country, can achieve higher growth rate of economic and industrial development by suppressing human resource development, which is as important a component of progress as modern technology and foreign capital and modernisation can not be piecemeal", they asserted.

The labour representatives urged the Government to ratify two basic conventions of the ILO concerning the freedom of association and right to organise and collective bargaining and also those on health and safety of workers, viewing them not as deterrents but as stimulants for reducing the differential gap in economic growth rates between the nations and inside the nation.

They pointed out that India, along with other developing countries, should play a more active and dynamic role in the formulation and implementation of International Labour Standards. They concluded by expressing their dissatisfaction with the selection of the ratified and unratified conventions for the purpose of the agenda of the seminar.

Labour Minister Veerendra Patil in his concluding remarks, however, did not subscribe to the stand of the trade union representatives and continued to project the Government view that standards would have to take into account the realities of the situation in developing countries. He was of the considered view that in many of the developing countries, the unorganised sector employed a majority of the work force and attention would have to be focussed on them.

"ILO on its part has appreciated the need for flexibility in the standards and in fact, maintains that there is flexibility device available in the conventions adopted so far", he observed and asked if the ILO standards are meant to be of universal character, how is it that the ratification score is less than 25 per cent?

The standards should be such that they could be "pragmatically applied to bear meaningful fruit", he added.

(Indian Worker dated 29th October 1984)

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Labour Legislation

The following Act of the Maharashtra Legislature, having been assented to by the President on the 21st December 1984, is hereby published for general information.

MAHARASHTRA ACT No. XXXVI OF 1984

(First published, after having received the assent of the President, in the "Maharashtra Government Gazette," on the 21st December 1984)

An Act to provide for the acquisition and transfer of the undertaking of the Shivraj Fine Art Litho Works, Nagpur, with a view to securing the proper management of such undertaking so as to subserve the interests of the general public and the employees of the undertaking by ensuring the continued manufacture, production and distribution of printed lithographic material which are essential to the needs of the economy of the State and country and for matters connected therewith or incidental thereto.

WHEREAS a printing press styled as Shivraj Fine Art Litho Works, Nagpur was run by the members of a family as partners of a partnership firm registered in the State of Maharashtra under the Indian Partnership Act, 1932 (IX of 1932).

AND WHEREAS due to the disputes between the members of the family regarding dissolution of the partnership firm, which had been a partnership at will, there ensue litigation amongst the partners and a civil suit, being Civil Suit No. 9 of 1974 was filed in the Court of the Civil Judge, Senior Division, Nagpur, wherein receivers were appointed from time to time to manage the Shivraj Fine Art Litho Works and that suit is pending in that Court ;

AND WHEREAS the Shivraj Fine Art Litho Works had been engaged in the manufacture, production and distribution of printed engraved lithographic material being articles mentioned in the First Schedule to the Industries (Development and Regulation) Act, 1951 (LXV of 1951).

AND WHEREAS the undertaking namely, Shivraj Fine Art Litho Works, was closed down from the 17th May 1979, throwing about 460 employees out of employment ;

AND WHEREAS by Government of India, Ministry of Industry (Department of Industrial Development) Order, No. SO-634(E), 18AA, IDRA, 80 dated the 23rd August 1980, the management of the undertaking was taken over by the Central Government under the provisions of the Industries (Development and Regulation) Act, 1951 (LXV of 1951) and the Development Corporation of Vidarbha Limited, Nagpur, was appointed as the authorised person to manage the undertaking ;

AND WHEREAS in Writ Petition No. 2241 of 1980 filed by some of the partners challenging the order of the Government of India taking over the

management of the undertaking as aforesaid, the High Court of Bombay Nagpur Bench, quashed the said order by its judgment rendered on the 28th April 1982 ;

AND WHEREAS the Development Corporation of Vidarbha Limited, Nagpur, filed an appeal in the Supreme Court against the judgment of the High Court and the Supreme Court had by its order, dated the 26th May 1982, stayed the operation of the judgment of the High Court.

AND WHEREAS the period for such management of the undertaking had been extended from time to time and was to expire on the 22nd August 1984 ;

AND WHEREAS for the purpose of securing the optimum utilization of the available facilities for the manufacture, production and distribution of printed engraved lithographic material by the undertaking, its continuous proper management and investment of a large amount was necessary ;

AND WHEREAS it was expedient to acquire the said undertaking to ensure that the interests of the general public and the employees of the said undertaking were served by the continuance by the undertaking of the manufacture, production and distribution of the aforesaid articles which are essential to the needs of the economy of the State and the country and to provide for matters connected therewith or incidental thereto ;

AND WHEREAS such acquisition was for giving effect to the policy of State towards securing the principle specified in clause (b) of Article 39 of the Constitution of India ;

AND WHEREAS both Houses of the State Legislature were not in session ;

AND WHEREAS the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action to make a law for the purposes aforesaid ; and, therefore, promulgated the Shivraj Fine Art Litho Works (Acquisition and Transfer of Undertaking) Ordinance (Mah. Ord. V of 1984) 1984, on the 11th August 1984 ;

AND WHEREAS it is expedient to replace the said Ordinance by an Act of the State Legislature ; It is hereby enacted in the Thirty-fifth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Shivraj Fine Art Litho Works (Acquisition and Transfer of Undertaking) Act, 1984.—

(2) It shall be deemed to have come into force on the 11th day of August 1984.

2. *Definitions.*—In this Act unless the context otherwise requires,—

(a) "appointed day" means the day on which this Act comes into force ;

(b) "Commissioner" means the Commissioner of Payments appointed under section 14 ;

(c) "Corporation" means the Development Corporation of Vidarbha Limited, Nagpur, a Government Company registered under the Companies Act, 1956 ; (1 of 1956).

(d) "new Government company" means a Government company (including a subsidiary Government company) formed and registered under the Companies Act, 1956 (1 of 1956) in which the undertaking is directed to vest under sub-section (1) of section 6 ;

(e) "prescribed" means prescribed by rules made under this Act ;

(f) "proprietors" means the partnership firm, namely, the Shivraj Fine Art Litho Works, Nagpur, registered under the Indian Partnership Act, 1932 (IX of 1932) with head office at Subhash Road, Nagpur, as it existed immediately before its dissolution on the 9th January 1974, and includes the receiver or receivers appointed in Civil Suit No. 9 of 1974 in the Court of the Civil Judge, Senior Division, Nagpur ;

(g) "Schedule" means the Schedule appended to this Act ;

(h) "specified date", in relation to any provision of this Act, means such date as the State Government may, by notification in the *Official Gazette*, specify for the purposes of that provision, and different dates may be specified for different provisions of this Act ;

(i) "undertaking" means the industrial undertaking known as "Shivraj Fine Art Litho Works, Nagpur", belonging to the proprietors

CHAPTER II

ACQUISITION AND TRANSFER OF THE UNDERTAKING

3. *Acquisition and transfer of undertaking and its vesting in State Government and its transfer and vesting in Corporation.*—(1) On the appointed day, the undertaking and the right title and interest of the proprietors in relation to their undertaking, shall, by virtue of this Act, stand transferred to, and vest absolutely in, the State Government.

(2) The undertaking which stands vested in the State Government by virtue of sub-section (1) shall immediately after it has so vested, stand transferred to, and vested in, the Corporation.

4. *General effect of vesting.*—(1) The undertaking shall be deemed to include all assets, rights, leaseholds, powers, authorities and privileges, and all property, movable and immovable, including lands, buildings, workshops, stores, instruments, machinery and equipment, cash balances, cash on hand, reserve funds, investment, book debts and all other rights and interests in, or arising out of, such property as were immediately before the appointed day in the ownership, possession power or control of the proprietors whether within or outside India, and all books of account, registers and all other documents of whatever nature relating thereto.

(2) All properties as aforesaid which have vested in the State Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and all other encumbrances affecting them, and any attachment, injunction, decree or order of any court, tribunal or other authority restricting the use of such properties in any manner or appointing any receiver in respect of the whole or any part of such properties shall be deemed to have been withdrawn.

(3) Every mortgage of any property which has vested under this Act in the State Government and every person holding any charge, lien or other interest in, or in relation to, any such property shall give, within such time and in such manner as may be prescribed, an intimation to the Commissioner of such mortgage, charge, lien or other interest.

(4) For the removal of doubts, it is hereby declared that the mortgagee of any property referred to in sub-section (3) or any other person holding any charge, lien or other interest in, or in relation to, any such property shall be entitled to claim, in accordance with his rights and interest, payment of the mortgage money or other dues, in whole or in part, out of the amount specified in section 7 and also out of the amounts referred to in section 8, but no such mortgage, charge, lien or other interest shall be enforceable against any such property which has vested in the State Government and the Corporation.

(5) Any licence or other instrument granted to the proprietors in relation to the undertaking which has vested in the State Government under section 3, at any time before the appointed day and in force immediately before that day, shall continue to be in force on and after such day in accordance with its tenor in relation to, and for the purposes of, such undertaking, and, on and from the date of vesting of such undertaking under section 3 in the Corporation, or under section 6 in a new Government company, the Corporation, or new Government company, as the case may be, shall be deemed to be substituted in such licence or other instrument as if such licence or other instrument had been granted to the Corporation, or new Government company, and that the Corporation, or new Government company, shall hold it for the remainder of the period for which the proprietors would have held it under the terms thereof.

(6) If, on the appointed day, any suit, appeal or other proceeding of whatever nature in relation to any property which has vested in the Corporation under section 3, instituted or preferred by or against the proprietors is pending, the same shall not abate, be discontinued or be, in any way, prejudicially affected by reason of the transfer of the undertaking or of anything contained in this Act but the suit, appeal or other proceeding may be continued, prosecuted or enforced by or against the Corporation, or new Government company, as the case may be.

Explanation.—For the purposes of this section the expression “any suit, appeal or other proceeding of whatever nature” shall not include Civil Suit No. 9 of 1974 pending in the Court of the Civil Judge, Senior Division, Nagpur.

5. *Proprietors to be liable for prior liabilities.*—(1) Every liability other than the liability specified in sub-section (2), of the proprietors in respect of any period prior to the appointed day, shall be the liability of the proprietors and shall be enforceable against them and not against the State Government or against the Corporation or where the undertaking is directed under section 6 to vest in a new Government company, against that new Government company.

(2) Any liability in respect of materials supplied to the undertaking or of loans advanced to it or of any other nature, arising out of the transaction entered into by the Corporation after the management of the undertaking had been taken over by the Central Government shall, on and from the appointed day, be the liability of the Corporation, and shall, if it has remained undischarged on the appointed day, be discharged by the Corporation.

(3) For the removal of doubts, it is hereby declared that—

(a) save as otherwise expressly provided in this section or in any other provision of this Act, no liability, other than the liability specified in sub-section (2), of the proprietors in respect of any period prior to the appointed day, shall be enforceable against the State Government or the Corporation or where the undertaking is directed under section 6 to vest in any other new Government company, against such new Government company ;

(b) no award, decree or order of any court, tribunal or other authority in relation to the undertaking passed on or after the appointed day, in respect of any matter, claim or dispute, not being a matter, claim or dispute in relation to any matter referred to in sub-section (2), which arose before that day, shall be enforceable against the State Government or the Corporation or where the undertaking is directed under section 6 to vest in any other new Government company, against such new Government company ;

(c) no liability incurred by the proprietors before the appointed day, for the contravention of any provision of any law for the time being in force, shall be enforceable against the State Government or the Corporation or where the undertaking is directed under section 6 to vest in any other new Government company, against such new Government company ;

(d) notwithstanding anything contained in sub-section (1) of section 12 or any other provisions of this Act or any other law for the time being in force or any contract, agreement, settlement, award, or decree or order of any court, tribunal or other authority, no liability towards claims of whatever nature of any employee against the proprietors in respect of his employment in the undertaking for the period prior to the date of taking over the undertaking by the Central Government for management under the provisions of the Industries (Development and Regulation) Act, 1951, LXV of 1951 shall be enforceable against the State Government or the Corporation.

6. *Power of State Government to direct vesting of undertaking in new Government company.*—(1) Notwithstanding anything contained in sections 3 and 4 where the undertaking vests, under sub-section (2) of section 3, in the Corporation, the State Government may, subject to such terms and conditions as it

may think fit to impose, direct, by notification in the *Official Gazette*, that the undertaking and the right, title and interest of the proprietors in relation to the undertaking which had vested in the State Government and which on its transfer vests in the Corporation under section 3, shall, instead of continuing to vest in the Corporation, vest in a new Government company with effect from the date specified in the notification

(2) Where the right, title and interest of the proprietors in relation to their undertaking vest, under sub-section (1), in a new Government Company, such Government company shall on and from the date of such vesting, be deemed to have become the owner in relation to such undertaking, and all the rights and liabilities of the State Government and the Corporation in relation to the undertaking, shall on and from the date of such vesting, be deemed to have become the rights and liabilities of such Government company.

CHAPTER III

PAYMENT OF AMOUNTS.

7. *Payment of amount.*—For the transfer to, and vesting in, the State Government, under section 3, of the undertaking and the right, title and interest of the proprietors in relation to their undertaking, there shall be paid by the State Government to the proprietors, in cash, and in the manner specified in Chapter VI, an amount of rupees fourteen lakhs and twelve thousand.

8. *Payment of further amount.*—(1) For the deprivation of the proprietors of the management of their undertaking (which had remained closed with effect from the 17th May 1979 to the 22nd August 1980) during the period commencing on the 23rd August 1980 being the date on which the undertaking was taken over in pursuance of the Orders made by the Central Government under the provisions of the Industries (Development and Regulation) Act, 1951, LXV of 1951 and ending on the appointed day, there shall be paid by the State Government to the proprietors in cash and in the manner specified in Chapter VI, an amount of rupees five thousand per annum.

(2) The amounts specified in section 7 shall carry simple interest at the rate of four per cent per annum for the period commencing on the appointed day and ending on the date on which payment of such amount is made by the State Government to the Commissioner.

(3) The amount specified in sub-section (1) and the amount determined in accordance with the provisions of sub-section (2) shall be given by the State Government to the proprietors in addition to the amount specified in section 7.

(4) For the removal of doubts, it is hereby declared that the liabilities of the proprietors in relation to their undertaking which has vested in the State Government under section 3 shall be discharged from the amounts specified in section 7, and also from the amount specified in sub-section (1) and the amount determined under sub-section (2), in accordance with the rights and interests of the creditors of the proprietors.

CHAPTER IV

MANAGEMENT, ETC. OF THE UNDERTAKING

9. *Management, etc. of undertaking.*—The general superintendence, direction control and management of the affairs and business of the undertaking, the right, title and interest in relation to which have vested in the State Government under sub-section (1) of section 3, shall—

(a) by virtue of the provisions of sub-section (2) of section 3, vest in the Corporation ; or

(b) where a direction has been issued by the State Government under sub-section (1) of section 6, vest in the new Government company,

and thereupon the Corporation or such Government company, as the case may be, shall be entitled to exercise, to the exclusion of all other persons, all such powers and do all such things as the proprietors were authorised to exercise and do in relation to their undertaking.

10. *Duty of persons incharge of management of undertaking to deliver all assets, etc.*—(1) On the vesting of the management of the undertaking in the Corporation or a new Government company, all persons in charge of the management of the undertaking immediately before such vesting, shall be bound to deliver to the Corporation or a new Government company, as the case may be, all assets books of accounts, registers and other documents in their custody relating to the undertaking.

(2) The State Government may issue such directions, as it may deem desirable in the circumstances of the case to the Corporation or a new Government company and the Corporation or such Government company may also, if it is considered necessary so to do, apply to the State Government at any time for instructions as to the manner in which the management of the undertaking shall be conducted or in relation to any other matter arising in the course of such management.

11. *Duty of persons to account for assets, etc., in their possession.* (1) Any person who has, on the appointed day, in his possession or under his control, any assets, books, documents or other papers relating to the undertaking which have vested in the State Government or in the Corporation, or in a new Government company under this Act, shall be liable to account for the said assets, books, documents and other papers to the State Government or the Corporation or a new Government company, as the case may be, and shall deliver them to the State Government or the Corporation or such Government company or to such person or persons as the State Government or the Corporation or such Government company may specify in this behalf.

(2) The State Government or the Corporation or the Government company aforesaid may take or cause to be taken, all necessary steps for securing possession of the undertaking which has vested in the State Government or the Corporation or such Government company under this Act.

(3) The proprietors shall, within such period as the State Government may allow in this behalf, furnish to that Government a complete inventory of all its properties and assets, as on the appointed day, pertaining to the undertaking which has vested in the State Government under sub-section (1) of section 3 and in the Corporation, by virtue of the provisions of sub-section (2) of that section, and, for this purpose the State Government or the Corporation shall afford to the proprietors all reasonable facilities.

CHAPTER V

PROVISIONS RELATING TO THE EMPLOYEES OF THE PROPRIETORS

12. *Continuance of employees.*—(1) Every person who has been, immediately before the appointed day, employed in the undertaking shall become,—

(a) on and from the appointed day, an employee of the Corporation and

(b) where the undertaking is directed under sub-section (1) of section 6, to vest in a new Government company, an employee of such Government company on and from the date of such vesting,

and shall hold office or service under the Corporation or such Government company, as the case may be, with the same rights and privileges as to pension, gratuity and other matters as would have been admissible to him if there had been no such vesting and shall continue to do so unless and until his employment under the Corporation, or as the case may be, under such Government company, is duly terminated or until his remuneration and other conditions of service are duly altered by the Corporation or such Government company, as the case may be.

(2) Notwithstanding anything contained in the Industrial Disputes Act, 1947, XIV of 1947 or in any other law for the time being in force, the transfer of the services of any officer or other person employed in the undertaking, to the Corporation or such Government company, shall not entitle such officer or other employee to any compensation under this Act, or under any other law for the time being in force and no such claim shall be entertained by any court, tribunal or other authority.

13. *Provident fund and other funds.*—(1) Where the proprietors have established a provident fund, superannuation fund, welfare fund or any other fund for the benefit of the persons employed in the undertaking, the monies, relating to the officers or other employees, whose services have become transferred, by or under this Act, to the Corporation or a new Government company, as the case may be, shall, out of the monies standing on the appointed day, to the credit of such provident fund, superannuation fund, welfare fund or other fund, stand transferred to, and vested in, the Corporation or such Government company, as the case may be.

(2) The monies which stand transferred under sub-section (1) to the Corporation or such Government company, as the case may be, shall be dealt with by the Corporation or such Government company in such manner as may be prescribed.

CHAPTER VI

COMMISSIONER ON PAYMENTS

14. *Appointment of Commissioner of Payments.*—(1) The State Government shall, for the purpose of disbursing the amounts payable under sections 7 and 8 to the proprietors, by notification in the *Official Gazette*, appoint a Commissioner of Payments.

(2) The State Government may appoint such other persons as it may think fit to assist the Commissioner and thereupon the Commissioner may authorise one or more of such persons also to exercise all or any of the powers exercisable by him under this Act and different persons may be authorised to exercise different powers.

(3) Any person authorised by the Commissioner to exercise any of the powers exercisable by the Commissioner may exercise those powers in the same manner and with the same effect as if they have been conferred on that person directly by this Act and not by way of authorisation.

(4) The salaries and allowances of the Commissioner and other persons appointed under this section shall be defrayed out of the Consolidated Fund of the State.

15. *Payment by State Government to Commissioner.*—(1) The State Government shall, within thirty days from the specified date, pay in cash to the Commissioner, for payment to the proprietors,—

(a) an amount equal to the amount specified in section 7; and

(b) an amount equal to the amount payable to the proprietors under section 8.

(2) A deposit account shall be opened by the State Government in favour of the Commissioner in the Public Account of the State, and every amount paid under this Act to the Commissioner shall be deposited by him to the credit of the said deposit account and the said deposit account shall be operated by the Commissioner.

(3) Records shall be maintained by the Commissioner in respect of the undertaking in relation to which payment has been made to him under this Act.

(4) The interest accruing on the amount standing to the credit of the deposit account referred to in sub-section (2) shall enure to the benefit of the proprietors.

16. *Certain powers of State Government or Corporation or new Government Company.*—(1) The State Government or the Corporation, or where a direction has been issued by the State Government under sub-section (1) of section 6, a new Government company, as the case may be, shall be entitled to receive up to the specified date, to the exclusion of all other persons, any money due to the proprietors, in relation to their undertaking which has vested in the State Government, or the Corporation or in such Government company, and realised after the appointed day, notwithstanding that the realisation pertains to a period prior to the appointed day.

(2) the State Government or the Corporation, or such Government company, as the case may be, may make a claim to the Commissioner with regard to every payment made by it after the appointed day, for discharging any liability of the proprietors, not being any liability specified in sub-section (2) of section 5, in relation to any period prior to the appointed day; and every such claim shall have priority, in accordance with the priorities attaching, under this Act, to the matter in relation to which such liability has been discharged by the State Government, or the Corporation, or such Government company.

(3) Save as otherwise provided in this Act, the liabilities of the proprietors in respect of any transaction prior to the appointed day, which have not been discharged on or before the specified date, shall be the liabilities of the proprietors.

17. *Claims to be made to Commissioner.*—Every person having a claim against the proprietors with regard to any of the matters specified in the Schedule pertaining to the undertaking, shall prefer such claim before the Commissioner within thirty days from the specified date :

Provided that, if the Commissioner is satisfied that the claimant was prevented by sufficient cause from preferring the claim within the said period of thirty days, he may entertain the claim within a further period of thirty days but not thereafter.

18. *Priority of claims.*—The claims arising out of the matters specified in the Schedule shall have priorities in accordance with the following principles, namely :—

(a) Category I shall have precedence over all other categories and Category II shall have precedence over Category III ;

(b) the claims specified in each of the categories shall rank equally and be paid in full, but, if the amount is insufficient to meet such claims in full, they shall abate in equal proportions and be paid accordingly ; and

(c) the question of discharging any liability with regard to a matter specified in a lower category shall arise only if a surplus is left after meeting all the liabilities specified in the immediately higher category.

19. *Examination of claims.*—(1) On receipt of the claims made under section 17, the Commissioner shall arrange the claims in the order of priorities specified in the Schedule and examine the same in accordance with such order of priorities.

(2) If, on examination of the claims, the Commissioner is of opinion that the amount paid to him under this Act is not sufficient to meet the liabilities specified in any lower category, he shall not be required to examine the claims in respect of such lower category.

20. *Admission of rejection of claims.*—(1) After examining the claims with reference to the priorities set out in the Schedule, the Commissioner shall file a date on or before which every claimant shall file the proof of his claim.

(2) Not less than fourteen days' notice of the date fixed shall be given by advertisement in one issue of such daily newspaper in the English language, one issue of such daily newspaper in the Marathi language and in one issue of such daily newspaper in such other regional language as the Commissioner may consider suitable, and every such notice shall call upon the claimant to file the proof of his claim with the Commissioner within the period specified in the advertisement.

(3) Every claimant who fails to file the proof of his claim within the period specified by the Commissioner shall be excluded from the disbursements made by the Commissioner.

(4) The Commissioner shall, after such investigation as may, in his opinion, be necessary and after giving the proprietors an opportunity of refuting the claims and after giving the claimant a reasonable opportunity of being heard, admit or reject, by order in writing, the claim in whole or in part.

(5) The Commissioner shall have the power to regulate his own procedure in all matters arising out of the discharge of his functions, including the place or places at which he may hold his sittings and shall, for the purpose of making an investigation under this Act (V of 1908) have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters, namely :—

(a) the summoning and enforcing the attendance of any witness and examining him on oath ;

(b) the discovery and production of any document or other material object producible as evidence ;

(c) the reception of evidence on affidavits ;

(d) the issuing of any commission for the examination of witnesses.

(6) Any investigation before the Commissioner shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code, 1860 (XLV of 1860 II of 1974), and the Commissioner shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.

(7) A claimant, who is dissatisfied with the decision of the Commissioner, may prefer an appeal against such decision to the principal civil court of original jurisdiction within the local limits of whose jurisdiction the registered office of the proprietors is situated :

Provided that, where a person who is a Judge of a High Court is appointed to be the Commissioner, such appeal shall lie to the High Court of Bombay and such appeal shall be heard and disposed of by not less than two Judges of that High Court.

21. *Disbursement of money by Commissioner to claimants.*—After admitting a claim under this Act the amount due in respect of such claim shall be paid by

the Commissioner to the person or persons to whom such amount is due, and on such payment, the liability of the proprietors in respect of such claim shall stand discharged.

22. *Disbursement of amounts to proprietors.*—(1) If, out of the monies paid to him in relation to the undertaking, there is a balance left after meeting the liabilities as specified in the Schedule, the Commissioner shall disburse such balance to the proprietors.

(2) Where the possession of any machinery, equipment or other property has vested in the State Government, or Corporation, or a new Government company, under this Act, but such machinery, equipment or other property does not belong to the proprietors, it shall be lawful for the State Government or the Corporation or such Government company to continue to possess such machinery or equipment or other property on the same terms and conditions under which they were possessed by the proprietors immediately before the appointed day.

23. *Undisbursed or unclaimed amount to be deposited with general revenue account.*—Any money paid to the Commissioner which remains undisbursed or unclaimed on the date immediately preceding the date on which the office of the Commissioner is finally wound up, shall be transferred by the Commissioner, before his office is finally wound up, to the general revenue account of the State Government; but a claim to any money so transferred may be preferred to the State Government by the person entitled to such payment and shall be dealt with as if such transfer had not been made, and the order, if any, for payment of the claim, being treated as an order for the refund of revenue.

CHAPTER VII

MISCELLANEOUS

24. *Act to have overriding effect.*—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law, other than this Act or in any decree or order of any court, tribunal or other authority.

25. *Contracts to cease to have effect unless ratified by State Government or Corporation or new Government company.*—Every contract entered into by the proprietors in relation to their undertaking, which has vested in the State Government under section 3, for any service, sale or supply, and in force immediately before the appointed day, shall on and from the expiry of one hundred and eighty days from the appointed day, cease to have effect unless such contract is, before the expiry of that period, ratified, in writing by the State Government, or the Corporation, or a new Government company, in which such undertaking has been vested under this Act, and in ratifying such contract, the State Government, or the Corporation, or such Government company may make such alteration or modification therein as it may think fit:

Provide that, the State Government, or the Corporation, or such Government company shall not omit to ratify a contract and shall not make any alteration or modification in a contract,—

(a) unless it is satisfied that such contract is unduly onerous, or has been entered into in bad faith, or is detrimental to the interests of the State Government, or the Corporation or such Government company; and

(b) except after giving the parties to the contract a reasonable opportunity of being heard and except after recording in writing its reasons for refusal to ratify the contract or for making any alteration or modification therein.

26. *Protection of action taken in good faith.*—(1) No suit, prosecution or other legal proceeding shall lie against the State Government, or the Corporation, or a new Government company or any officer or other employee of that Government, or the Corporation or such Government company, or other person authorised by the State Government, or the Corporation or such Government company for anything which is in good faith done or intended to be done under this Act.

(2) No suit or other legal proceeding shall lie against the State Government or the Corporation, or such Government company, or any officer or other employee of that Government, or the Corporation, or such Government company or other person authorised by the State Government, or the Corporation, or such Government company for any damage caused or likely to be caused by anything which is in good faith done or intended to be done under this Act.

27. *Delegation of powers.*—(1) The State Government may, by notification in the *Official Gazette*, direct that all or any of the powers exercisable by it under this Act, other than the powers conferred by this section, section 30 and section 31, may also be exercised by such person or persons as may be specified in the notification.

(2) Whenever any delegation of power is made under sub-section (1), the person to whom such power has been delegated shall act under the direction, control and supervision of the State Government.

28. *penalties* —Any Person Who,—

(a) having in his possession, custody or control any property forming part of the undertaking, wrongfully withholds such property from the State Government, or the Corporation or a new Government company; or

(b) wrongfully obtains possession of, or retains, any property forming part of the undertaking; or

(c) wilfully withholds or fails to furnish to the State Government, or the Corporation, or new Government company, as the case may be, or any person or body of persons specified by that Government, or the Corporation or such Government company, any document relating to the undertaking, which may be in his possession, custody or control; or

(d) fails to deliver to the State Government, or the Corporation, or new Government company, as the case may be, or to any person or body of persons specified by that Government, or the Corporation, or such Government company, any assets, books of account, registers or other documents in his possession, custody or control relating to the undertaking ; or

(e) wrongfully removes or destroys any property forming part of the undertaking ; or

(f) wrongfully prefers any claim under this Act which he knows or has reasonable cause to believe to be false or grossly inaccurate.

shall, on conviction, be punished with imprisonment for a term which may extend to two years, or with fine which may extend to ten thousand rupees, or with both.

29. *Offences by companies.*—(1) Where an offence under this Act has been committed by a company, every person, who, at the time when the offence was committed, was in charge of, and was responsible to, the company, for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “ company ” means any body corporate, and includes a firm or other association of individuals ; and

(b) “ director ”, in relation to a firm, means a partner in the firm.

30. *Power to make rules.*—(1) The State Government may, by notification in the *Official Gazette*, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely

(a) the time within which, and the manner in which, an intimation referred to in sub-section (3) of section 4 shall be given to the Commissioner ;

(b) the manner in which the monies in any provident fund or other fund under section 13 shall be dealt with ;

(c) any other matter which is required to be, or may be, prescribed.

(3) Every rule made by the State Government under this Act, shall be laid, as soon as may be, after it is made, before each House of State Legislature, 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 rule or both Houses agree that the rule should not be made, and notify such decision in the *Official Gazette*, the rule 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 rule.

31. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, not inconsistent with the provisions of this Act, removed the difficulty :

Provided that, no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

32. *Repeal of Mah. Ord. V of 1984 and Saving.*—(1) The Shivraj Fine Art Litho Works (Acquisition and Transfer of Undertaking) Ordinance, 1984 (Mah. Ord. V of 1984) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken including any rules made or any order or direction issued under the said Ordinance shall be deemed to have been done, taken, made or issued, as the case may be, under the corresponding provisions of this Act.

SCHEDULE

[See sections 2(g), 17, 18, 19, 20(1) and 22]

ORDER OF PRIORITIES FOR THE DISCHARGE OF LIABILITIES OF THE PROPRIETORS FOR PRE-TAKE-OVER MANAGEMENT PERIOD

Category I—

(a) Wages, salaries and other dues payable to the employees of the proprietors in the undertaking.

(b) Deductions made from the salaries and wages of the employees for provident fund, Employees' State Insurance premium relating to Life Insurance Corporation of India or for any other purposes.

(c) Arrears in relation to contributions to be made by the proprietors to the Provident Fund, Employees' State Insurance Fund, Life Insurance Corpora-

tion premium and any other arrears under any other law for the time being in force (excluding gratuity).

Category II—

Principal amount of secured loans advanced by—

- (a) the Central Government ;
- (b) the State Government
- (c) banks and public financial institutions ;
- (d) any other sources.

Category III—

(a) Any credits availed of by the proprietors for the purpose of carrying on any trading or manufacturing operations.

(b) Any dues of State Electricity Board or Government and semi-Government institutions against supply of goods or services.

(c) Arrears of interest on loans and advances.

(d) Revenue, taxes, cesses, rates or other dues to Central Government, the State Government or any local authority.

(e) Any other loans or dues.

(Published in *M.G.G.*, Part IV, dated the 27th December 1984, page Nos. 303-316)

Gist of Important Notifications under Various Labour Laws

I. EMPLOYEES' PROVIDENT FUNDS AND MISCELLANEOUS PROVISIONS ACT, 1952

(1) (A) *Exemptions under the Act.*— In exercise of the powers conferred by paragraph 27-A of the Employees' Provident Funds Scheme, 1952, framed under the said Act, the Government of Maharashtra has exempted the employees of Messrs Shapoorji Pallonji & Company Private Limited, New India Centre, 17 Cooperage Road, Bombay-400 039, falling in the categories mentioned in the Schedule 'A' below from the operation of the said Scheme subject to the conditions mentioned in Schedule 'B' below:—

Schedule 'A'

1. Executives.
2. Administrative Staff.
3. Engineers.
4. Supervisors.
5. Clerks.
6. Administrative and Registered Office Personnel
7. Motor Car and Truck Drivers.

Schedule 'B'

1. The employer shall in respect of the said employees maintain such accounts, submit such returns, provide such facilities for inspection, pay such inspection charges and invest provident fund contributions in such manner as the Central Government shall direct.

2. The employer shall not any time after exemption reduce the total quantum of benefits in the nature of old age pension, gratuity or provident fund to which the said employees were entitled at the time of exemption without the prior approval of the Central Government.

(Vide Govt. Notification, Industries, Energy and Labour Department, No. EPF-1084/9393/Lab-4, dated 27th September, 1984, published in *Maharashtra Government Gazette*, Part I-L, dated 6th December, 1984, at page No. 5642).

II. PAYMENT OF GRATUITY ACT, 1972

(1) (A) *Appointments under the Act.*— In exercise of the powers conferred by section 3 of the said Act, the Government of Maharashtra has appointed the Presiding Officers, Labour Courts, Thane, First and Second to be the Controlling Authorities for Raigad District also and for that purpose amended the Government Notification, Industries, Energy and Labour Department, No. PGA-1083/5729/Lab-7, dated 7th March 1984 as follows, namely:—

In the schedule to the said notification against entry at serial number 2 in column 3, for the words "Thane District" the words "Thane and Raigad Districts" shall be substituted.

(Vide Govt. Notification Industries, Energy and Labour Department, No. PGA-1083/5729/Lab-7, dated 31st August 1984, published in *Maharashtra Government Gazette*, Part I-L, dated 6th December 1984 at page No. 5643).

III. INDIAN BOILERS ACT, 1923

(1) (A) *Exemptions under the Act.*—In exercise of the powers conferred by sub-section (2)

for the period of six months from the operation of clause (c) of section 6 of the said Act, for the period of six months from the 26th November 1984 to 25th May 1985, (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department, No. IBA-1084/96357/1070/Lab-9, dated the 9th November 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 13th December 1984, at page No. 5692).

(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 Waste Heat Boiler bearing No. MR-10093 belonging to National Organic Chemical Industries Limited, Thane-Belapur Road, Post Box 73, Thane, from the operation of Regulation 380 of the Indian Boiler Regulations, 1950.

(Vide Government Notification Industries, Energy and Labour Department, No. IBA-1084/70380 902/Lab-9, dated the 6th November 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 13th December 1984, at page No. 5692).

(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-10098 belonging to the Maharashtra State Electricity Board, Koradi Thermal Power Station, Koradi, District Nagpur from the operation of clause (c) of section 6 of the said Act, for the period of six months from the 20th November 1984 to 19th May 1985 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department, No. IBA-1084/93658 1069/Lab-9, dated the 9th November, 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 13th December 1984, at page No. 5692).

(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/10093, belonging to the National Organic Chemical Industries Limited, Thane-Belapur Road, from the operation of clause (c) of section 6 of the said Act, for the period of 15 days from the 7th November 1984 to 21st November 1984 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department, No. IBA/1084/96856/1073/Lab-9, dated the 7th November, 1984 published in *Maharashtra Government Gazette*, Part I-L, dated the 13th December 1984, at page No. 5693).

(5) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act the Government of Maharashtra has exempted the boiler bearing No. MR. 11006 belonging to the Maharashtra State Electricity Board, Koradi Thermal Powers Station, Unit-7, Koradi District Nagpur from the operation of clause (c) of section 6 of the said Act, for the period of six months from the 11th October 1984 to 10th April 1985 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department, No. IBA. 1084/94043/1038, Lab-9, dated the 9th October 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 13th December 1984, at page No. 5693).

(6) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR. 9481 belonging to the Iliac Limited (Calico Group) at Chemicals and Plastic Division, Amik, Chembur, Bombay 400 074, from the operation of clause (c) of section 6 of the said Act, for a further period of one month upto and inclusive of 24th November 1984.

(Vide Government Notification, Industries, Energy and Labour Department No. IBA. 1084/95883 1064, Lab-9, dated the 29th October 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 13th December 1984, at page No. 5693).

(7) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-10615 belonging to the Rasitriya Chemicals and Fertilizers Limited, Trombay, Bombay 400 074 from the operation of clause (c) of section 6 of the said Act, for the period of six months from the 1st November 1984 to 30th April 1985 (both days inclusive).

(8) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-7763 belonging to the Hindustan Petroleum Corporation, Limited, Mahul, Bombay 400 074, from the operation of clause (c) of section 6 of the said Act for a further period of eight weeks upto and inclusive of 1st December 1984.

(Vide Government Notification, Industries, Energy and Labour Department No. IBA. 1084. 94315, 1043/Lab-9, dated the 11th October 1984 published in *Maharashtra Government Gazette*, Part I-L, dated the 13th December 1984, at page No. 5694).

(9) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR/EX-3 and MR/EX-5 belonging to the Rashtriya Chemicals and Fertilizers Limited, Chembur, Bombay 400 074 from the operation of clause (c) of section 6 of the said Act, for the period of one year from the 25th October 1984 to 24th October 1985 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department, No. IBA-1084/94054, 1037/Lab-9, dated the 10th October 1984 published in *Maharashtra Government Gazette*, Part I-L, dated the 13th December 1984, at page No. 5694).

(10) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act the Government of Maharashtra has exempted the boiler bearing No. MR-8709 belonging to the National Rayon Corporation Limited, Post Mohone, 421 102, District Thane from the operation of clause (c) of section 6 of the said Act, for a period of three months from the 17th August 1984 to 16th November 1984 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department No. IBA-1084/90104/997, Lab-9, dated the 17th August 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 20th December 1984 at page No. 5761).

(11) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-10424 belonging to the Rashtriya Chemicals and Fertilizers Limited, Bombay 400 074 from the operation of the clause (c) of section 6 of the said Act for a period of three months from the 22nd August 1984 to 31st November 1984 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department, No. IBA-1084/90728/(1000)/Lab-9, dated the 22nd August 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 20th December 1984, at page No. 5761).

(12) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act the Government of Maharashtra has exempted the boiler bearing No. MR-10915 belonging to the Oil and Natural Gas Commission, Uran, District Raigad 400 702, from the operation of clause (c) of section 6 of the said Act, for the period of three months from the 17th October 1984 to 16th January 1985 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department, No. IBA-1084, 94841/1050/Lab-9, dated the 17th October 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 20th December 1984, at page No. 5764).

(13) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act the Government of Maharashtra has exempted the boiler bearing No. MR-9595 belonging to the Maharashtra State Electricity Board, Nashik, Thermal Power Station, Eklahare, Nashik from the operation of clause (c) of section 6 of the said Act, for the period of six months from the 21st October 1984 to 20th April 1985 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department, No. IBA-1084/

IV. BOMBAY, SHOPS AND ESTABLISHMENTS ACT, 1948

(4) *Suspension under 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	Provisions of Sections	Period
Christmas	Sections—11 (1) (a) 14, 16, 18, 19, 21, 23 and 24.	23rd December 1984 to 1st January 1985 (both days-inclusive).

(Vide Government Notification, Industries, Energy and Labour Department, No. P-7384/R-1091/Lab-9, dated the 3rd December 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 20th December 1984 at page No. 5759 to 5760).

(2) In exercise of the powers conferred by section 6 of the Said Act, the Government of Maharashtra has suspended the operation of the provisions of sections 13, 14, 17 and 18 of the said Act from 26th March 1984 to 21st April 1984 (both days inclusive), in respect of the Divisional and Branch offices of the Life Insurance Corporation of India in the State of Maharashtra subject to the conditions specified in the schedule appended hereto.

SCHEDULE

(1) Every employee on account of loss of prescribed holidays on Sundays the 1st April 1984, 8th April 1984 and 15th April 1984 be granted Compensatory holidays before the week ending 31st May 1984, and no deductions shall be made from the wages of the employees on account thereof.

(2) The employees shall in respect of the work done on Sundays the 1st April 1984, 8th April 1984 and 15th April 1984 be entitled to overtime payment of the rates not less than those specified in section 63 of the said Act, and

(3) The employees shall be granted on other days overtime payment at the rates not less than those specified in section 63 of the said Act, in respect of the work done in excess of their normal hours of work.

(Vide Government Notification, Industries, Energy and Labour Department No. P.7384/64420 826/Lab-9, dated the 5th March, 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 20th December 1984, at pages Nos. 5761-62).

V.—THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946

(A) *Notifications under the Act.*—The following Notification by the Government of India Ministry of Labour No. S-12011/3/83-D.I. (A), dated the 12th September 1984, is hereby republished

Whereas certain draft rules further to amend the Industrial Employment (Standing Orders) Central Rules, 1946, were published as required by sub-section (1) of section 15 of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946) at page 929 of the *Gazette of India* in Part II, Section 3, sub-section (1) dated the 14th April 1984, under the Notification of the Ministry of Labour, No. GSR 396, dated the 27th March 1984, inviting objections and suggestions from all persons likely to be affected thereby on or before the expiry of a period of 45 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 21st April 1984 :

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 15 of the said Act, the Central Government hereby makes the following rules further to amend the Industrial Employment (Standing Orders) Central Rules, 1946 namely —

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

2. In the Industrial Employment (Standing Orders) Central Rules, 1946, in Schedule 1B, under heading “ (3) Age of retirement ”, for figure “ 60 ” figure “ 58 ” shall be substituted.

Note.—Principal Notification published, vide Notification No. LR 11(37), dated 18th December 1946 and subsequently amended by :—

- (i) GSR No. 208 dated 31st January 1954.
- (ii) GSR No. 556 dated 24th February 1956.
- (iii) GSR No. 557 dated 30th April 1959.
- (iv) GSR No. 655 dated 3rd June 1960.
- (v) GSR No. 1166 dated 28th June 1963.
- (vi) GSR No. 1123 dated 18th July 1967.
- (vii) GSR No. 1573 dated 10th October 1967.
- (viii) GSR No. 1732 dated 12th May 1971.
- (ix) GSR No. 824 dated 30th June 1975.
- (x) GSR No. 30-E dated 17th January 1983.
- (xi) GSR No. 910 dated 10th August 1984.

(Vide Government Notification Industries, Energy and Labour Department No. IER-1084/(7269)/Lab-9, dated the 30th October 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 20th December 1984, at page No. 5765).

VI. BOMBAY LABOUR WELFARE FUND ACT, 1953

(A) *Notifications under the Act.*—(1) In exercise of the powers conferred by sub-section (1) of Section 4 of the said Act, read with Rule 10 of the Bombay Labour Welfare Fund Rules, 1953, the Government of Maharashtra has Amended the Government Notification, Industries Energy and Labour Department, No. MLW-1184/4245/Lab-II, dated the 10th April 1984 as under :—

The addresses of Sarvashri Dwarkanath Pawar, E. D'Souza appearing of Serial Nos. 3 and 5 respectively under the heading “ B-Representatives of Employees ” shall be as indicated below

(1), Shri Dwarkanath Pawar, Parsiwadi, Kopari Colony, Behind Anand Talkies, Thane (East) 400 603.

(2) Shri E. D'Souza, Plot No. 10, Shahu Mill Colony, Rajarpuri, Kolhapur.

The Government Notification dated the 10th April 1984 shall be deemed to have been amended accordingly.

(Vide Government Notification, Industries, Energy and Labour Department, No. MLW-1184/4245/Lab-11, dated the 29th October 1984, published in *Maharashtra Government Gazette*, Part I-L, dated the 20th December 1984, at page No. 5766.)

VII. MINIMUM WAGES ACT, 1948

said Act, in respect of the Employment in Agriculture as specified in Part II of the Schedule to the said Act, in relation to which the State Government is the appropriate Government and defines the areas respectively specified against them in column 3 of the said Schedule to be the local limits. Within which they shall exercise their functions

SCHEDULE

Serial No.	Designation	Jurisdiction
(1)	(2)	(3)
BOMBAY DIVISION		
1	Minimum Wages Inspector (Non-Gazetted), Bombay	Bombay Division.
2	Minimum Wages Inspector (Non-Gazetted), Thane	Bombay Division.
3	Minimum Wages Inspector (Non-Gazetted), Raigad	Bombay Division.
4	Minimum Wages Inspector (Non-Gazetted), Ratnagiri	Bombay Division.
5	Minimum Wages Inspector (Non-Gazetted), Dhule	Bombay Division.
6	Minimum Wages Inspector (Non-Gazetted), Nashik	Bombay Division.
7	Minimum Wages Inspector (Non-Gazetted), Jalgaon	Bombay Division.
8	Minimum Wages Inspector (Non-Gazetted), Sindhudurg	Bombay Division.
PUNE DIVISION		
1	Minimum Wages Inspector (Non-Gazetted), Pune	Pune Division.
2	Minimum Wages Inspector (Non-Gazetted), Solapur	Pune Division.
3	Minimum Wages Inspector (Non-Gazetted), Satara	Pune Division.
4	Minimum Wages Inspector (Non-Gazetted), Sangli	Pune Division.
5	Minimum Wages Inspector (Non-Gazetted), Kolhapur	Pune Division.
6	Minimum Wages Inspector (Non-Gazetted), Ahmadnagar	Pune Division.
NAGPUR DIVISION		
1	Minimum Wages Inspector (Non-Gazetted), Nagpur	Nagpur Division.
2	Minimum Wages Inspector (Non-Gazetted), Chandrapur	Nagpur Division.
3	Minimum Wages Inspector (Non-Gazetted), Bhandara	Nagpur Division.
4	Minimum Wages Inspector (Non-Gazetted), Akola	Nagpur Division.
5	Minimum Wages Inspector (Non-Gazetted), Amravati	Nagpur Division.
6	Minimum Wages Inspector (Non-Gazetted), Yavatmal	Nagpur Division.
7	Minimum Wages Inspector (Non-Gazetted), Wardha	Nagpur Division.
8	Minimum Wages Inspector (Non-Gazetted), Buldana	Nagpur Division.
9	Minimum Wages Inspector (Non-Gazetted), Gadchiroli	Nagpur Division.
AURANGABAD DIVISION		
1	Minimum Wages Inspector (Non-Gazetted), Nanded	Aurangabad Division.
2	Minimum Wages Inspector (Non-Gazetted), Aurangabad	Aurangabad Division.
3	Minimum Wages Inspector (Non-Gazetted), Beed	Aurangabad Division.
4	Minimum Wages Inspector (Non-Gazetted), Parbhani	Aurangabad Division.
5	Minimum Wages Inspector (Non-Gazetted), Osmanabad	Aurangabad Division.
6	Minimum Wages Inspector (Non-Gazetted), Jalna	Aurangabad Division.
7	Minimum Wages Inspector (Non-Gazetted), Latur	Aurangabad Division.

Consumer Price Index Numbers for Industrial Workers for December 1984

CENTRE-BOMBAY*

A fall of 6 points

In December 1984 the Consumer Price Index Number for Industrial Workers (1960=100) for Bombay Centre with base year 1960 equal to 100 was 612 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 Bombay Centre.

The index number for the food group decreased by 13 points to 677 due to fall in the average prices of wheat, Arhar dal, fish-fresh, Onion, Vegetable and Fruits sub group.

The Pan Supari, Tobacco etc. group increased by 4 point to 644 due to rise in the average price of Supari.

The index number for the fuel and light group remained steady at 803.

The index number for housing remained steady at 184 being a six monthly item.

The index number for the miscellaneous group increased by 4 points to 480 due to a rise in the average prices of Medicine and Washing Soap.

CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL WORKERS (NEW SERIES) FOR BOMBAY CENTRE (Average prices for the calendar year 1960 = 100)

Group	Weight proportional to the total expenditure.	Group Index Numbers	
		Nov. 1984	Dec. 1984
I-A. Food	57.1	690	677
I-B. Pan, Supari, Tobacco, etc.	4.9	640	644
II. Fuel and Light	5.0	803	803
III. Housing	4.6	184	184
IV. Clothing, Bedding and Foot-Wear	9.4	573	576
V. Miscellaneous	19.0	476	480
Total	100.0	...	...
Consumer Price Index Number	...	618	612

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

Note.—To obtain equivalent old index number on base 1933-34=100, the general Index Number on base 1960=100 should be multiplied by the linking factor $\frac{100}{4.44}$.

CENTRE SOLAPUR*

625—Rise of 2 points

In December 1984 the Consumer Price Index Number for Working Class (New Series) for Solapur Centre with base January to December 1960 equal to 100 was 625 being 2 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Solapur Centre.

The index number for the food group increased by 1 point to 684 due to a rise in the average prices of beef and dry chillies.

The index number for the pan, supari and tobacco etc. group remained steady at 536.

The index number for the fuel and light group decreased by 2 points to 732 due to a fall in the average price of dung cake only.

The index number for housing remained steady at 266 being a six monthly item.

The index number for clothing, bedding and footwear group increased by 3 points to 578 due to a rise in the average price of long cloth only.

The index number for the miscellaneous group increased by 2 points to 469 due to a rise in the average price of bus fare only.

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

(Average prices for the calendar year 1960 = 100)

Groups	Weight proportional to the total expenditure	Group Index Numbers	
		Nov. 1984	Dec. 1984
I-A. Food	63.0	683	684
I-B. Pan, Supari, Tobacco etc.	3.4	536	536
II. Fuel and Light	7.1	734	732
III. Housing	5.2	266	266
IV. Clothing, Bedding and Footwear	9.0	575	578
V. Miscellaneous	12.3	467	469
Total	100.00	.....	.....
Consumer Price Index Number		623	625

*Details regarding the scope and method of compilation of the index may be seen on pages 607 to 613 December 1963 issue of Labour Gazette. For Errata (see) page 897 of January 1985 issue.

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

CENTRE-NAGPUR*

614—Index Number remained Steady

In December 1984 the Consumer Price Index Number for Working Class (New Series) for Nagpur Centre with base January to December 1960 equal to 100 was 614 being remained steady 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 8 points to 664 due to a fall in the average prices of rise, oils and fats, onions and vegetable and fruits sub-groups.

The index number for the pan, supari and tobacco etc. group decreased by 2 points to 589 due to a fall in the average price of pan leaf only.

The index number for the fuel and light group increased by 69 points to 917 due to a rise in the average price of firewood only.

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

The index number for clothing bedding and footwear group increased by 9 points to 621 due to a rise in the average price of shirting 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	
		Nov. 1984	Dec. 1984
I-A. Food	57.2	672	664
I B. Pan, Supari, Tobacco, etc.	3.8	591	589
II. Fuel and Light	5.7	848	917
III. Housing	6.6	316	316
IV. Clothing, Bedding and Footwear	10.9	612	621
V. Miscellaneous	15.8	452	452
Total	100.0	.....	.....
Consumer Price Index Number		614	614

*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*

579—Index Number remained Steady

In December 1984 the consumer Price Index Number for Industrial Workers for Pune centre with base year 1961 equal to 100 was 579 i.e. it remained steady points at the level of the previous month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Pune.

The index number for the food group decreased by 5 points to 647 due to a fall in the average prices of rice, wheat, jowar, turdal, moongdal, oils and fats and vegetables.

The index number for the fuel and light group increased by 27 points to 767 due to a rise in the average price of Charcoal.

The index number for housing remains steady at 146 being a six monthly item.

The index number for clothing and footwear remained steady at 545.

The index numbers for the miscellaneous group increased by 2 points to 485 due to a rise in the average prices of utensils and bidies.

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	
		Nov. 1984	Dec. 1984
I. Food	55.65	652	647
II. Fuel and Light	6.89	740	767
III. Housing	6.65	146	146
IV. Clothing and Footwear	10.31	545	545
V. Miscellaneous	20.30	483	485
Total	100.00	....	....
Consumer Price Index Number	....	579	579

*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*

592—A rise of 6 points

In December 1984 the Consumer Price Index Number for Industrial Workers (1961=100) for Jalgaon Centre with base year 1961 equal to 100 was 592 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 Jalgaon Centre.

The index number for the food group increased by 10 points to 648 due to rise in the average prices of gramdal Groundnut oil, Chillies dry, vegetables and vegetables product group and sugar.

The index number for the fuel and light group remained steady at 714.

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

The index number for clothing and footwear decreased by 4 points to 598 due to a rise in the average price of sarce.

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 Numbers	
		November 1984	December 1984
I. Food	60.79	638	648
II. Fuel and Light	7.20	714	714
III. Housing	6.11	188	188
IV. Clothing and Footwear	10.29	602	598
V. Miscellaneous	15.61	471	471
Total	100.00	....	....
Consumer Price Index Number	....	592	592

*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.

Note.—To obtain the equivalent old index number on base August 1939 = 100, the new index number on base 1961 = 100 should be multiplied by the linking factor viz. 5.29.

NANDED*

657—A fall of 8 points

In December 1984 the Consumer Price Index Number for Industrial Workers (1961=100) for Nanded Centre with base year 1961 equal to 100 was 657 being 8 points lower than that in preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Nanded Centre.

The index number for the food group decreased by 15 points to 728 due to fall in the average prices of rice wheat, jowar, turdal, groundnut oil, chillies dry tamarind and banana.

The index number for the fuel and light group remained steady at 788.

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

The index number for clothing and footwear increased by 6 points to 523 due to a rise in the average price of colour fabrics only.

The index number for the miscellaneous group increased by 1 point to 511 due to a rise in the average price of utensils brass 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	
		November 1984	December 1984
I. Food	61.46	743	728
II. Fuel and Light	5.88	788	788
III. Housing	4.62	386	386
IV. Clothing and Footwear	12.22	517	523
V. Miscellaneous	15.82	510	511
Total	100.00		....
Consumer Price Index Number	....	665	657

*Details regarding the scope and method of compilation of the index will be found on pages 10 to 11 of the March 1966 issue of Labour Gazette.

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

AURANGABAD*

635—A rise of 4 points

In December 1984 the consumer Price Index Number for Industrial Workers for Aurangabad centre with base year 1961 equal to 100 was 635 being 4 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 4 points to 704 due to a rise in the average prices of mutton, fish, milk, salt, chillies dry and mixed spices

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

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

The index number for clothing and footwear increased by 3 points to 576 due to a rise in the price of saree only.

The index numbers for the miscellaneous group increased by 6 points to 491 due to a rise in the average prices of sunlight and barber charges.

CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL WORKERS
FOR AURANGABAD CENTRE

(Average prices for the calendar year 1961=100)

Groups	Weight proportional to total expenditure	Group Index Number	
		November 1984	December 1984
I. Food	60.72	700	704
II. Fuel and Light	7.50	771	771
III. Housing	8.87	326	326
IV. Clothing and Footwear	9.29	573	576
Miscellaneous	13.62	485	491
Total	100.00		....
Consumer price Index Number	....	631	635

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

Note.—To obtain the equivalent old index number on base August 1943 to July 1944=100 the new index number on base 1961=100 should be multiplied by the linking factor viz. 2.27

ALL INDIA AVERAGE CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL WORKERS

The statistics for the Last 12 calendar months from January 1984 to December 1984 are given in the following table

TABLE

Month	Base	
	1960=100	*Base 1949=100
January 1984	563	684
February 1984 ..	561	682
March 1984	558	678
April 1984	559	679
May 1984	562	683
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

*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 DECEMBER 1984

Centre	Base	Food	Pan, Supari, and Tobacco etc.	Fuel and Light.	Miscellaneous.	Clothing, bedding & footwear.	Housing	Consumer Price Index No. Dec. 84.	Miscellaneous.	Consumer Price Index No. Nov. 84.	Equivalent Old Price Index No.	Consumer Price Index No.	Equivalent Old Price Index No.
Bombay	..	677	644	803	184	576	480	612	2717	618	2744	618	2744
Solapur	..	684	536	732	266	578	470	625	2388	623	2380	623	2380
Nagpur	..	664	589	917	316	621	452	614	3205	614	3205	614	3205
Pune	..	1961-100	647	767	146	545	485	579	..	579	..	579	..
Jalgaon	..	Do.	648	714	188	598	471	592	3132	586	3100	586	3100
Nanded	..	Do.	728	788	386	523	511	657	1610	665	1629	665	1629
Aurangabad	..	Do.	704	771	326	576	491	635	1410	631	1401	631	1401

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

SHOLAPUR : 3.82

NAGPUR : 5.22

AURANGABAD : 2.22

NANDED : 5.29

.. : 2.45

Labour Intelligence

INDUSTRIAL RELATIONS IN MAHARASHTRA REVIEW FOR THE MONTH OF SEPTEMBER 1984

Industrial Courts, Tribunals and Labour Courts

In all 176 applications were received by the Industrial Courts, Tribunals and Labour Court during the month. Their break-up are as under

Serial No.	Name of the Industrial Court/Tribunal and Labour Court	No. of applications, etc. received during the month under the—			Total
		B.I.R. Act, 1946	I.D. Act, 1947	Other Acts.	
1	2	3	4	5	6
I. Industrial Court/Tribunals—					
1	Industrial Court, Bombay	14	...	98	112
2	Industrial Tribunal, Bombay	...	31	...	31
3	Industrial Court, Nagpur	16	...	24	40
4	Industrial Tribunal, Nagpur	...	...	...	20
5	Industrial Court, Pune	...	6	...	6
6	Industrial Tribunal, Pune	1	...	60	61
7	Industrial Court, Thane	...	154	...	154
8	Industrial Tribunal, Thane	3	...	260	263
9	Industrial Court, Kolhapur	...	...	40	41
10	Industrial Tribunal, Kolhapur	...	...	25	26
11	Industrial Court, Amravati	1	...	...	...
12	Industrial Tribunal, Amravati	...	...	40	60
13	Industrial Court, Nashik	...	3	...	3
14	Industrial Tribunal, Nashik	20	...	...	...
15	Industrial Court, Aurangabad	...	...	...	...
16	Industrial Tribunal, Aurangabad	...	...	...	...
Total		56	194	567	817
II. Labour Courts—					
1	Labour Court, Bombay	79	198	249	526
2	Labour Court, Pune	4	20	45	69
3	Labour Court, Nagpur	12	86	71	169
4	Labour Court, Thane	1	47	35	83
5	Labour Court, Kolhapur	1	27	25	53
6	Labour Court, Solapur	9	37	38	84
7	Labour Court, Akola	1	8	51	60
8	Labour Court, Nashik	...	5	21	26
9	Labour Court, Aurangabad	1	21	8	30
10	Labour Court, Sangli	6	44	52	102
11	Labour Court, Dhule	...	5	1	6
12	Labour Court, Amravati	...	8	29	37
13	Labour Court, Jalgoan	1	25	15	41
14	Labour Court, Bhandara	1	22	23	46
15	Labour Court, Ahmadnagar	...	2	25	27
Total		116	555	688	1,359

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

conciliation

An analysis of disputes handled by the Conciliation machinery in the State during November 1984 under various Acts is given below:—

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

Act	Employment, leave, hours of work and Miscellaneous causes	Issues relating to allowances and Bonus	Total
1	84	2	86
1947	2	...	...
1946	110	3	113
(Extensions and Amendments)	...	...	...
Total	194	5	199

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

Act	Pending at the beginning of the month	No. of cases received during the month	Settled amicably	Ended in failure	Withdrawn or not pursued by parties	Closed	Total (4 to 7)	Pending at the end of the month
1	2	3	4	5	6	7	8	9
D. Act, 1947	621	194	33	104	20	85	242	573
I. R. Act, 1946	96	5	...	...	5	...	5	96
I. R. (Ext. and Amdt.) Act, 1964	...	...	...	...	...	...	...	...
Total	717	199	33	114	25	85	247	669

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

Act	Cotton Textile	Silk Textile	Chemical	Textile Processing	Hosiery	Banking	Sugar	Misc.	Transport	Total
1	2	3	4	5	6	7	8	9	10	11
B. I. R. Act, 1946	2	1	..	1	..	..	..	1	..	5
Act	Textile Industry	Paper Industry	Chemical Industry	Press Industry	Electricity	Banking	Chemical Engineering	Local Bodies	Other Misc.	Total
1	2	3	4	5	6	7	8	9	10	11
B. I. R. (Extension And Amendment) Act, 1964	..	..	..	..	..	..	..	..	..	..

District-wise analysis is given below :—

Act	Bombay	Pune	Thane	Nagpur	Nanded	Aurangabad	Ahmadnagar	Total
1	2	3	4	5	6	7	8	9
B. I. R. Act, 1946	2	1	1	1	..	..	..	5
Act	Bombay	Amravati	Bombay	Wardha	Chanda	Akola	Buldana	Total
1	2	2	3	4	5	6	7	8
B. I. R. (Extension and Amendment) Act, 1964	..	..	..	..	..	..	..	..

INDUSTRIAL DISPUTES IN MAHARASHTRA STATE DURING NOVEMBER 1984

	Nov. 1984	Oct. 1984	Nov. 1983
No. of Disputes	47	55	47
No. of Workers involved	17,857	20,105	19,408
No. of Man-days lost	3,79,704	3,62,277	2,62,091

Industry-wise classification is given below —

Name of the Industry	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 Nov. 1984	Started during the month i.e. Nov. 1984	Total		
1	2	3	4	5	6
Textile	3	2	5	8,889	1,85,862
Engineering	22	3	25	5,942	1,27,145
Chemical	8	2	10	2,249	49,158
Miscellaneous	6	1	7	777	17,539
Nov. 1984 Total	39	8	47	17,857	3,79,704
Oct. 1984 Total	40	15	55	20,105	3,62,277

Seventeen of the disputes arose over question of "pay, allowance and bonus issues", 7 related to "Retrenchment and grievances about personnel", no dispute on leave and hours of work and the remaining 23 were due to other causes.

Out of the 8 disputes that terminated during the course of the month, 2 disputes were settled either entirely or partially in favour of the workers and 5 in favour of the employers, while the result of remaining one dispute was indefinite.

Note.—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.

PRESS NOTE ON ESIC BENEFIT IN MAHARASHTRA AND GOA

ESIC has paid Rs. 0.93 Crores as Cash Benefit in December 1984.

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

In Maharashtra 11,86,612 employees were under the coverage of the Scheme in the month of December 1984. The high-lights of the benefits paid to these employees were as follows:-

(i) 70,360 Workers were paid Rs. 49,86,829.75 on account of Sickness and Rs. 5,20,775.70 were paid for the long term diseases under Extend Sickness Benefit for the classified diseases, e.g., T.B., Cancer, Hemiplegia, Paraplegia, Myocardial infarction, etc.

(ii) 19,030 Workers were paid Rs. 34,20,118.48 on account of accidents or employment injury which included 6,949 cases for the permanent disablement and 2,690 for pension to the dependents/families due to death of the Workers in the accidents.

(iii) Rs. 4,37,948.90 were paid to the Women Workers as Maternity Benefit for the period of confinement. In addition to the above 74 Persons were sterilized and they were paid Rs. 14,201.80 as family planning benefit.

(iv) There were 88 cases where legal proceedings were initiated against defaulting employers/Insured Persons for the recovery of arrears of contribution as under:-

- (1) Under Section 45B : 42 cases.
- (2) Under Section 75 : 8 cases.
- (3) Under Section 84 : 2 cases.
- (4) Under Section 85 : 36 cases.

(Mrs.) T. AMMUKUTTY,
Deputy Regional Director.

THE FOLLOWING STATEMENT GIVES THE INFORMATION OF IMPORTANT INDUSTRIAL DISPUTES CAUSING MORE THAN 10,000 MAN-DAYS LOST DURING THE MONTH OF NOVEMBER 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	Over the month	
1	Thane— Teksons Ltd., Kolshet Road, Thane.	Pvt.	S	Reinstatement	20-4-81	....	159	1,114	00,824	Cont.
2	Bombay— Colico Dying Printing Mills Ltd., Industrial Estate, Dr. Ambedkar Road, Bombay 400 012.	Pvt.	L	Labour Trouble	22-12-82	....	8	14,015	3,51,50	—
3	Bombay— Estrell Batteries Ltd., Plot No. 1, Dharavi, Matunga, Bombay-19	Pvt.	L	Unfair Labour Practices	3-11-83	....	1,110	30,720	3,91,850	—
4	Thane— M/s National Rayan Corporation Ltd., Molhane Post, District, Thane.	Pvt.	L/s	Go-slow (Strike from 12-9-84)	24-11-83	....	5,085	1,07,700	8,37,000	—
5	Thane— M/s Mukund Iron and Steel Works, Ltd., Belapur Road, Kalina, District Thane.	Pvt.	L	Go-Slow Indiscipline	27-11-83	....	1,318	3,308	27,770	—
6	Bombay— M/s. ... Ltd., ... Marg,	Pvt.	S	Other's Fight in amo. Str. work	11-11-84	....	625	1,620	15,025	—
7	Latur Ja ... U ... S ... At and Post ...	S	G	General ...	...	...	1,318	17,098	6,843	—