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LABOUR GAZETTE

Started in 1921, the *Labour Gazette*, issued monthly is 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 industrial and other information of consequence from many quarters for working class, industrial disputes, industrial relations, news under labour laws, labour legislation, etc. Special articles on labour etc., are published from time to time.

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The 'Labour Gazette' is a journal for the use of all concerned in providing accurate information on matters relating to labour and extending labour.

XXV - LVY

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CONTENTS

	PAGE
THE MONTH IN BRIEF—	213
CURRENT NOTES—	
Bill on sales promotion employers passed	214
Labour Policy in the Seventh Plan 130 million additional employment by 2000 A.D.	215
Technology and jobs	
Availability for new law for PF and ESI	221
ARTICLES, REPORTS, ENQUIRIES, ETC.	221
Judicial Interpretation of Gratuity to Badli Workmen.	223
LIST OF IMPORTANT NOTIFICATIONS UNDER VARIOUS LABOUR LAWS	
Consumer Price Index Numbers for Working class in Maharashtra State	237
Bombay	238
Delhi	239
Madras	240
Punjab	241
Jalgaon	242
Nanded	243
Aurangabad	244
ALL INDIA AVERAGE CONSUMER PRICE INDEX NUMBERS FOR INDUSTRIAL WORKERS	
Statement showing the Consumer Price Index Number for Working class by groups for Seven Centres of Maharashtra State.	245
LABOUR INTELLIGENCE	
Industrial Relations in Maharashtra State	246
Industrial Disputes in Maharashtra State	249
Benefits under Employees' State Insurance Scheme	251

The Month in Brief

Consumer Price Index Numbers for working Class

The Bombay, Solapur and Nagpur Consumer Price Index Numbers for working class for the month of November 1985, with average price for the year ended December 1960 equal to 100 were 651, 656 and 647 respectively. The Pune, Jalgaon, Nanded and Aurangabad Consumer Price Index Numbers for working class for the month of November 1985 with the average prices for the year ended December 1961 equal to 100 were 601, 627, 668 and 688 respectively.

All India Average Price Consumer Index Numbers for Industrial Workers

All India Average Consumer Price Index Numbers for Industrial Workers (General base 1960-100 for 1985 was 630 as compared to 625 in October 1985. On base 1949-100 derived from 1960 based Index worked out to 1766 as against 780 for October 1985.

Industrial Disputes in Maharashtra State

During the month of October 1985, there were 38 disputes involving 10,303 workmen and time loss of 1,86,744 mandays as compared to 39 disputes in September 1985 involving 8,615 workmen and time loss of 1,74,604 mandays.

Further particulars of Industrial Disputes are given at pages 249 and 250 on this issue.

Benefits under the Employees State Insurance Scheme

During the month of October 1985, 60,407 workers were paid Rs. 40,76,700.50 on account of sickness and Rs. 4,71,146.90 were paid for the long term diseases, e.g. Cancer, Hemiplegia, Paroptgia, Psychosis etc. etc. 21,780 workers were paid Rs. 44,69,913.01 on account of accidents as employment injury which included 7,911 cases for the permanent disablement and 2,808 for pension of dependent families due to death of the workers in the accident.

Current Notes

Bill on sales promotion employees passed

The Lok Sabha on December 2 passed the Sales Promotion Employees (Conditions of Service) Bill, 1985, which seeks to extend the definition of "sales promotion employees" to employees earning up to Rs. 1,600 per month.

The Bill is also aimed at regulating the service conditions of sales promotion employees, while making available the several benefits to a larger number of employees.

With this the benefits of the Workmen's Compensation Act, the Industrial Disputes Act, the Minimum Wages Act, the Payment of Bonus Act, the Payment of Gratuity Act and the Maternity Benefit Act would now be available to sales promotion employees.

In his reply to the debate on the Bill, the Minister of State for Labour, Shri T. Anjiah disclosed that a notification would soon be issued to bring sales promotion employees of 11 additional industries under the purview of the Act which presently deals mainly with those engaged in the pharmaceutical industry.

In the course of his reply, Shri Anjiah also disclosed that the government was considering the raise in the income ceiling for the definition of "worker" from Rs. 1,600 to Rs. 2,500 per month.

According to the Minister this step could not be taken forthwith but was under serious consideration.

Low productivity as compared to international norms was a major constraint in raising the wages of workers in the country, he said.

Agreeing that Indian workers should be paid wages on par with international standards, Shri Anjiah pointed out that such a situation would be possible only if trade unions accepted the responsibility of raising production and productivity as well.

A number of members were of the view that sales promotion and marketing employees should be provided with legislative safeguards and given benefits equal to those of factory workers.

(Indian Worker, dated 9th December 1985)

LABOUR POLICY IN THE SEVENTH PLAN

130 million additional employment by 2000 A.D.

"THE thrust of the Seventh Plan is on improvement in capacity utilisation, efficiency and productivity." Thus begins the Labour Policy section in the Seventh Plans chapter on Employment, Manpower Planning and Labour Policy.

The problems in prospect and retrospect, pertaining to employment, manpower planning and labour policy, are spanned over 10 pages in the two-volume document running into 500 pages in all.

In the Seventh Plan document, "Labour Policy" as such has been outlined in five paragraphs in all, while upgradation of quality of training, industrial safety, employment exchanges and wage policy have been dealt with in one paragraph each.

Particular emphasis has been laid on unorganised labour in the Plan running into two paragraphs, covering the unorganised workers both in the urban and rural areas. As regards urban labour, stress has been given to implementation of the existing legislations, while the policy package outlines the facilities to be provided to the 'informal sector'.

Three more paragraphs are devoted to bonded labour, child labour and last but not the least, women labour.

The Plan document has estimated that the absolute magnitude of addition to the labour force during the period 1985-90 would work out to 39 million. The addition during the years from 1990 to 2,000 is estimated to be of the order of 81 million. The total generation of an additional employment will be around 120 million by the year 2,000.

This is indeed a challenging task for the economy of a developing country like India. Nevertheless, that the task can be achieved provided all those engaged in the productive process—urban or rural, industrial or agricultural, as well as the administrators and policy makers—become aware of the dimensions of the problem, not only in prospect but also in retrospect, needs no emphasis.

The document gives highest priority to improvement in capacity utilisation, efficiency and productivity, as has also been stressed in the earlier successive plans. It is pertinent to ask what had gone wrong all these years and what shortcomings have been responsible for the present shortcomings, what part can be attributed to the employers, managements, administrators, policy makers or labour relations all these years?

Each has been seeking to hold the other responsible for the shortcomings. The phenomenon of growing sickness in industry, for instance, has been taking huge toll of production and employment. Even essential legislations remain unenforced. It is a matter of grave concern that even organised labour does not feel involved in such vital issues of the economy. Neither labour nor the managements seems to be concerned with the dismal performance of a large number of public sector enterprises. During the past few years, vital labour policy issues were allowed to go by default in the absence of tripartite consultations. Even the Labour Cell in the Planning Commission has ceased to func-

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Each has been seeking to hold the other responsible for the shortcomings. The phenomenon of growing sickness in industry, for instance, has been taking huge toll of production and employment. Even essential legislations remain unenforced. It is a matter of grave concern that even organised labour does not feel involved in such vital issues of the economy. Neither labour nor the managements seems to be concerned with the dismal performance of a large number of public sector enterprises. During the past few years, vital labour policy issues were allowed to go by default in the absence of tripartite consultations. Even the Labour Cell in the Planning Commission has ceased to func-

tion. It is also apprehended that indiscriminate resort to modernisation by industry would lead to further unemployment.

The following are some excerpts from the Seventh Plan Document.

THE FIVE YEAR PLAN 1985-90

Labour Force :

The labour force would be increasing at the annual rate of 2.56 per cent during 1985-90 and at 2.24 per cent during 1990-2000 as against the annual rate of growth of population of 1.96 per cent and 1.09 per cent, respectively. The absolute magnitude of addition to the labour force works out to 39 million and 81 million during these two periods. Taking into account the estimated backlog of unemployment as of 1985, the overall magnitude of additional employment to be generated by the year 2000 would be around 130 million.

In the 15-year perspective, therefore, a major challenge would be to create this volume of additional employment. The projected scenario of continued GDP growth rate of 5 per cent per annum, a fast rate of growth of agriculture combined with an even faster rate of growth of industry together with specific employment generation programmes would, it is expected, make possible the provision of jobs to all in labour force by the year 2,000.

Stock of Educated Manpower and Unemployment

The stock of educated manpower of matriculates and graduates and above is estimated to increase during the Seventh Five Year Plan period from 47.72 million in 1985 to 64.39 million in 1990. However, all educated persons are not economically active since quite a large number of them pursue higher studies; specially matriculates, while some may not be seeking jobs. The number of economically active educated persons in 1985 is estimated to be 30.84 million out of which about 76 per cent are matriculates and 23 per cent are graduates and above, the diploma holders constituting about one per cent. During 1985-90, the addition to the economically active persons of the educated categories would be nearly 10.6 million.

Labour Policy

The thrust of the Seventh Plan is on improvement in capacity utilisation, efficiency and productivity. Labour enters the production process from the supply side as well as from the demand side. The focal point for both aspects is higher productivity because it is through higher productivity that higher real wages can be ensured, cost of production can be brought down and higher demand for products can be generated, which would lead to further growth. The role of labour has to be received in this broad perspective.

The success of labour policy has to be adjudged on the basis of the productivity standard that it helps the economy to achieve. While technical factors and the state of technology are crucial in determining productivity levels, there is no gainsaying the fact that discipline and motivation of workers, their skill, the state of industrial relations, the extent of effectiveness of participation of workers, the working climate and safety practices are also of great importance. While maximising employment generation, requisite attention has to be directed

to the improvement of labour productivity through the adoption of up to date technology in productive processes in major sectors and corrective measures for industrial sickness.

One of the serious problems in the industrial sector is sickness. With greater competition, a large number of units may become unviable than in a protected market. There is the problem of chronically sick units both in the public and the private enterprises not only in the traditional industries like jute and textiles but also in enterprises established after Independence. Therefore, from time to time there arises the problem of rehabilitation of large number of workers in the organised sector. A sound policy of tackling industrial sickness in future has to be evolved which, while protecting the interests of labour, would also take into account the fact that Government cannot bear the huge burden of losses.

There is considerable scope for improvement in industrial relations which would obviate the need for strikes and the justification for lockouts. In the proper management of industrial relations, the responsibility of unions and employees has to be identified and inter-union rivalry and intra-union divisions should be avoided.

Upgradation of Quality and Training

Productivity is greatly dependent upon the quality of training imparted to the workers at different levels. While on the one side there is a great demand for the seats in the ITIs, many trained craftsmen are on the live register of the employment exchanges. Absorption of trained craftsmen is related to the quality of training. Training has to suit the requirements of industry and has to be of the best quality. This will also help in quality output of industrial goods and raise their competitiveness both in domestic and international markets. A problem which affects the quality of training is the use of obsolete equipment and machinery in the ITI's. There is therefore, urgent need for modernisation of the ITI's. In view of the number of ITI's to be covered, this has to be taken up in phases, covering in the first instance the ITI's which are relatively old.

Industrial Safety

Yet another important area is industrial safety requiring constant attention due to its significant impact on the working conditions and welfare of the workers and also on the production mechanism. Safety in the work place is related to several factors like the state of the machinery, maintenance, protective and preventive arrangements, training of workers in the proper handling of the machinery, safety practices, concern of the management and effective supervision. As the technology changes are fast and production processes get diversified, promotional services in this area would have to include survey, research, training and other supportive services. Ensuring of industrial safety involves technical appraisal and therefore, factory inspection has to be carried out by technically competent and trained staff. Arrangements for industrial safety have to be made fool-proof through better vigilance, proper identification of hazardous industries and development of expertise for inspection and enforcement. Industry should also recognise its due responsibility in this

Employment Exchanges

Tackling the problem of unemployment requires not only the generation of productive job opportunities but also coaching, guiding and counselling of trained manpower and specially certain target groups like women and physically handicapped in respect of vocational choices and placement. In this regard the employment exchange machinery has to play a more effective role both in respect of wage employment and self-employment. The functioning of the pilot scheme introduced in the Sixth Plan for strengthening the employment exchanges University Employment Information and Guidance Bureau for the promotion of self-employment will have to be evaluated while drawing up the future course of action in respect of measures for self-employment promotion.

Wage Policy

An important aspect of labour policy pertains to the formulation of an appropriate wage policy. The basic objectives of wage policy are rise in the levels of real incomes in consonance with increases in productivity, promotion of productive employment, improvements in skills, sectoral shifts in desired directions and reduction in disparities. Wage employment and the scope for its further increase may be related elements like allowances, bonus, social security and fringe benefits, assumes enormous importance for many economic and practical reasons.

Unorganised Labour

Labour policy should necessarily have provisions for the welfare and working and living conditions of unorganised labour not only in the rural sector but also in the urban areas. Although a great majority of unorganised labour is found in the rural areas, an increasing number of workers are shifting to the metropolitan cities and small and medium towns in search of better employment opportunities. In the unorganised urban sectors, incomes are not protected, legal regulations of employment and wages are almost non-existent and it is extremely difficult to enforce the rules where they exist. The effective implementation of the existing legislation, particularly the Contract Labour (Regulation and Abolition) Act, 1970, the Minimum Wages Act, 1948 and the Inter State Migrant Workmen (Regulation of Employment and Conditions of Services) Act, 1979, would greatly improve matters for the unorganised urban workers. Additionally, the policy package for the informal sector should have the following ingredients: (i) the provision of minimum infrastructural facilities, (ii) increased ancillarisation, (iii) assured supply of raw materials and spare parts and credit facilities, (iv) technological upgradation and training, (v) establishing linkages with the formal sector and (vi) exploring new marketing opportunities for the products of the informal sectors.

The rural unorganised labour includes the landless labourers and small and marginal farmers, share croppers, rural artisans, forest labour, fishermen and persons engaged in self-employment like beedi workers, leather workers and handloom workers. Apart from the general problem of unemployment

labour faces problems of under employment, low wages, lack of education and organisation. A number of schemes are already being implemented to improve the living and working conditions of rural workers in the country. The transformation of their socio-economic conditions is admittedly a challenging task demanding commitment, dedication and hard work. As the basic malady afflicting the rural unorganised workers has been the lack of employment opportunities, particularly during the slack seasons, emphasis would continue to be placed on the special target groups programmes for employment creation and income generation. Efforts would be made not only to train and upgrade the skills of the workers but also to educate them and make them aware of the programmatic and legislative provisions available for them. Genuine and effective voluntary organisations would be involved in the process of organising the poor and in actual implementation of the schemes.

Bonded Labour, Child Labour and Women Labour

An extreme manifestation of the sorry plight of rural unorganised labour is the bonded labour system. The conditions which have created it have to be rooted out in order to prevent relapse. Extreme poverty, total lack of skill or assets, iniquitous social customs, the state of helplessness of a large number of these people and their dependence on the private money-lending system are the causes which have led to this situation. It is an important social obligation to see that the law on the subject is enforced and the freed bonded labourers are rehabilitated. An Evaluation Report of the Programme Evaluation Organisation on the rehabilitation of bonded labourers has made a number of important suggestions such as the provision of protective measures making the bonded labourers aware of the programme, the need for continuous identification and the possibility of a programme of group rehabilitation.

Another segment of labour market which deserves immediate attention is child labour. Since it is not feasible to eradicate the problem of child labour at the present stage of economic development, attention has to be focussed on making the working conditions of child labour better and more acceptable socially. Improved legislation coupled with better enforcement machinery are called for. Association of voluntary organisations and agencies with the tasks of providing child workers with health care, nutrition and education will be desirable. Efforts can be made to bring non-formal education to child workers in the large numbers of small factories and workshops in which they labour. The ultimate goal of abolition of child labour can only be achieved when there is sufficient improvement in the conditions of the families whose children are compelled to work.

As for women labour, they have to be given special recognition and provided with the requisite facilities for bringing them into the mainstream of economic growth. In this regard, the major tasks are; (i) to treat them as specific target groups in all rural development programmes; (ii) to ensure that in all asset endowment programmes, women have rights over assets and resources; (iii) to properly diversify vocational training facilities for women to suit their varied needs and skills, (iv) to encourage appropriate technologies, equipment and practices for reducing their drudgery and increasing their productivity;

(v) to provide creche facilities and family planning centres; (vi) to establish marketing estates at the State level; (vii) to increase women's participation in trade unions and in decision making; and (viii) to improve and enlarge the scope of the existing legislation for women workers.

(*Indian Worker dated 23rd December 1985*)

Technology And Jobs

Will the new computer-based technologies eliminate more jobs than they can possibly create? The public debate about this question is passionate and highly controversial. Passionate because the livelihood of millions of people in both the North and South is at stake. Controversial because available evidence on the issue is scanty and inconclusive as the technological revolution that will fundamentally transform the world of labour has only begun. Writing in this space recently, Nobel Prize winner Wassily Leontief predicted:

"The new technological change identified with computerisation and automation is just starting to rise; it will crest probably only 30 to 50 years from now."

So at this juncture attempts to count potential job losses and gains are tricky. Rather, we need to look beyond this numbers game at the emerging trends that are increasingly bound to influence employment. Here are some pointers:

The pace at which labour requirements are affected by new technologies vary widely among different industries. In some cases, telecommunications for instance, the consequences on employment and occupational profiles have indeed been revolutionary. But this experience is not necessarily typical. An ILO study of the world clothing industry points out that adoption of microelectronic innovations is proceeding slowly; despite the fact that it will gradually quicken, no precipitate change in labour demands is foreseen for the global garment industry.

The employment impact is very likely to differ significantly in the same industries among countries. For example, ILO research on microelectronics application automobile production indicates that employment will be affected much more moderately in Japan than in France and Italy. For some time Japan has already been mechanising and automating its car plants. Therefore, labour-saving tendencies of microelectronics will be more pronounced when applied to the more labour-intensive operations of the two European countries.

The introduction of new technology is linked with reorganisation of work, changes in the product and its design as well as other factors. For example, when FIAT in Italy introduced robots, employment fell by 40 per cent. The preponderant amount of job losses, however, was due to model change which required less assembly and to depressed demand. At most only 5 per cent of job displacement could be attributed to the robots.

Flexibility in labour markets is of crucial importance. In this respect fears of technological unemployment in Western Europe compared with more optimistic though cautious, views prevalent in the United States and Japan are revealing

The difference seems to arise from smoother job reclassifications and reassignments practised in the two front-running countries.

Resistance to technological change can harm jobs. An ILO study on the British printing industry found that a decline in employment was in fact due to the delayed application of microelectronic production technologies and consequent loss in competitiveness, both at home and abroad.

The same applies to developing countries. An ILO study predicts that by the mid-1990s the cumulative impact of incremental type microelectronics innovations will probably be sufficient to cause some erosion of competitive advantage and employment in those Third World activities such as the garment industry that are based on lower labour costs.

Overall ILO findings show that microelectronics technologies tend to reduce job opportunities for unskilled blue-collar workers and women while increasing employment of highly trained white-collar employees. To the extent that older workers are less adaptable to new technologies and work environment, they will be another vulnerable group.

It is small comfort to a worker who loses his job to know that new jobs are being created for which he is not qualified. Resistance to change by people whose livelihood is affected cannot be dismissed as a troublesome nuisance. On the contrary, this presents an important challenge to vocational training and re-training programmes as well as to the industrial relations systems of all countries.

It was against this background that a recent session of the ILO's Advisory Committee on Technology proposed fresh measures whereby governments, in co-operation with industry and labour, can assist in the adjustment to new technologies. The meeting emphasised that the greater the degree of advance information, consultation and negotiation among the social partners, the greater the likelihood of ensuring technology's acceptance and smooth introduction by all concerned. Moreover, the burden of adjustment and the benefits of technological change must be equitably spread, the committee stressed. This means that the capacity for innovation in the field of technology needs to be matched by innovative approaches in the field of training and social policy if the undoubted potential of new technology for economic progress is to be realised.

(*E. F. I. Bulletin, dated 15th December 1985*)

Anjaiah for new law for PF and ESI

Union Labour Minister Anjaiah on December 24 proposed for a Legislation to take away settlement of dues of Provident Fund and Employees State Insurance from the jurisdiction of the court.

Addressing a meeting of the Central Board of Trustees of the Employees Provident Fund, Shri Anjaiah asked the members to come out with a concrete proposal in this regard.

The Minister pointed out that the mounting arrears of Provident Fund and Employees State Insurance should be the concern of all.

He said that the main function of the Provident Fund Organisation was to settle the claims of outgoing members. It was absolutely essential that the Organisation worked efficiently and achieved its objective of prompt settlement of each and every claim and there should be no room for complaint from the members of the fund alleging delay in the settlement of claims.

Shri Anjaiah told the meeting that some of the employees in the 'beedi' industry had challenged the extension of the Employees Provident Fund Act to the beedi industry and the Supreme Court had rejected the contention of the petitioners.

During 1986-87 Rs. 740.64 crore was anticipated as contributions under the Employees Provident Fund Scheme as against Rs. 668.35 crore in the revised estimates for 1985-86, the Minister said—

Some of the members at the meeting complained that during the last six months the arrears of exempted establishments had increased from Rs. 63 to Rs. 83 crore.

(Indian worker, dated 30th December 1985)

Articles, Reports, Enquires, etc.

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

JUDICIAL INTERPRETATION OF GRATUITY TO BADLI WORKMEN

By

B. P. Srivastava

Several studies by government and other agencies have established that the 'badli' or substitute workmen are an integral part of the textile industry. Badlies enjoy most of the benefits provided under different labour legislations. Since they are engaged only on days on which regular workmen are on leave or remain absent, management make such arrangements for the ready availability of the badlies on demand of the concerned departments and hence the system of maintaining a regular 'badli pool'. The managements issue periodical notices and circulars calling upon the badli workers to be punctual in presenting themselves at the gate to enable the management to engage them on jobs demanding on the requirements. There is, therefore, no continuity of service for the badli workers since their engagement depends solely on the non-availability of regular workmen against whom their names are kept in the badli list.

Classification of workmen

The Model Standing Orders under the Industrial Employment (Standing Orders) Central Rules, 1946 provides for the classification of workmen as (1) permanent, (2) probationer, (3) badli, (4) temporary, (5) Casual and (6) apprentices. This discussion is confined to the status of the 'badli'

According to the definition of the Standing Orders, 'Badli' is a workman who is appointed in the post of a permanent workman or probationer who is temporarily absent. This means a workman before claiming himself to be a badli has to satisfy a specific condition. First of all a permanent or probationer workman has to be temporarily absent necessitating the employment of a substitute on a job which is used to be performed by an absentee permanent or probationer operative. He comes to work on that post by virtue of a positive act of employment by the employer and it is only then a workman can describe himself as a badli.

As per the Standing Orders, the term 'badli' is, therefore, indicative of the status of a person only when he is actually employed in a temporary vacancy of a permanent operative or a probationer. The moment he ceases to be employed, he loses the status of a badli.

Status in employment

In the case of *Mahadev vs. Textile Mills, Hubli vs. Additional Industrial Tribunal and others*, the Karnataka High Court held: "It is seen from the definition of a badli workman in clause 3(j) of the Model Standing Orders that a badli is

The Minister pointed out that the mounting arrears of Provident Fund and Employees State Insurance should be the concern of all.

He said that the main function of the Provident Fund Organisation was to settle the claims of outgoing members. It was absolutely essential that the Organisation worked efficiently and achieved its objective of prompt settlement of each and every claim and there should be no room for complaint from the members of the fund alleging delay in the settlement of claims.

Shri Anjaiah told the meeting that some of the employees in the 'beedi' industry had challenged the extension of the Employees Provident Fund Act to the beedi industry and the Supreme Court had rejected the contention of the petitioners.

During 1986-87 Rs. 740.64 crore was anticipated as contributions under the Employees Provident Fund Scheme as against Rs. 668.35 crore in the revised estimates for 1985-86, the Minister said—

Some of the members at the meeting complained that during the last six months the arrears of exempted establishments had increased from Rs. 63 to Rs. 83 crore.

(Indian worker, dated 30th December 1985)

Articles, Reports, Enquires, etc.

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

JUDICIAL INTERPRETATION OF GRATUITY TO BADLI WORKMEN

B. P. Srivastava

Several studies by government and other agencies have established that the 'badli' or substitute workmen are an integral part of the textile industry. Badlies enjoy most of the benefits provided under different labour legislations. Since they are engaged only on days on which regular workmen are on leave or remain absent, management make such arrangements for the ready availability of the badlies on demand of the concerned departments and hence the system of maintaining a regular 'badli pool'. The managements issue periodical notices and circulars calling upon the badli workers to be punctual in presenting themselves at the gate to enable the management to engage them on jobs depending on the requirements. There is, therefore, no continuity of service for the badli workers since their engagement depends solely on the non-availability of regular workmen against whom their names are kept in the badli list.

Classification of workmen

The Model Standing Orders under the Industrial Employment (Standing Orders) Central Rules, 1946 provides for the classification of workmen as (1) permanent, (2) probationer, (3) badli, (4) temporary, (5) Casual and (6) apprentices. This discussion is confined to the status of the 'badli'.

According to the definition of the Standing Orders, 'Badli' is a workman who is appointed in the post of a permanent workmen or probationer who is temporarily absent. This means a workman before claiming himself to be a badli has to satisfy a specific condition. First of all a permanent or probationer workman has to be temporarily absent necessitating the employment of a substitute on a job which is used to be performed by an absentee permanent or probationer operative. He comes to work on that post by virtue of a positive act of employment by the employer and it is only then a workman can describe himself as a badli.

As per the Standing Orders, the term 'badli' is, therefore, indicative of the status of a person only when he is actually employed in a temporary vacancy of a permanent operative or a probationer. The moment he ceases to be employed, he loses the status of a badli.

Status in employment

In the case of *Mahadev vs. Textile Mills, Hubli vs. Additional Industrial Tribunal and others*, the Karnataka High Court held: "It is seen from the definition of a badli workmen in clause 3(3) of the Model Standing Orders that a badli is

a workman appointed against a post of permanent or temporary, when incumbent in that post is temporarily absent. But a badli appointed as per the badli card in accordance with Rule 3(3) of the Model Standing Orders cannot claim the status of permanent workman even though the management has failed to satisfactorily prove that the permanent incumbents in those respective posts were there or they were temporarily absent.

A badli is appointed for a particular work on a particular day. He has no right to claim continuous employment. His employment automatically comes to an end as soon as his specified work or the period of work is over. He has no right to claim employment the next day (*Crompton Engineering Company Madras Private Limited, vs. Additional Labour Court, Madras, 1974—11 LJ 262*).

In the case of *Honnaya and others vs. Karnataka State Road Transport Corporation and another*, the Karnataka High Court had held "A badli cannot be regarded as in the employment of the employer the days on which he had not worked."

Whether un-interrupted service or not

For proper appreciation of the question, whether the period of employment of a badli workman is to be treated as uninterrupted service or not under the Act, it is necessary to set out the relevant provision of old Section 2(c) of the Payment of Gratuity Act, 1972 (before the enforcement of the amending Act, of 1984).

Under Section 2(c) 'continuous service' means uninterrupted service, which includes service interrupted by sickness, accident, leave, lay-off, strike or lock-out or cessation of work not due to any fault of the employee concerned whether such uninterrupted or interrupted service was rendered before or after the commencement of this Act.

Explanation I under this section of the Act says: "in case of an employee who is not in interrupted service for one year, he shall be deemed to be in continuous service if he has been actually employed by an employer during the twelve months preceding the year for not less than (i) 190 days if employed below the ground in a mine or (ii) 240 days in any other case except when he is employed in a seasonal establishment.

In the case of *Lalappa Vs. Lingappa Vs. Laxmi Vishnu Textile Mills (1981, 58-JJU-150)*, the Supreme Court interpreted the meaning of the expression 'continuous service' as per the explanation given above. The Court replied the contention that a person who had been employed as a substitute on a few days in a year in the place of an absentee workman should be deemed to be continuous under the main part of the section on the ground that on the rest of the days, there was cessation of employment for no fault of workmen concerned.

The Report of the Badli Labour Committee for Cotton Textile Industry in 1967 no doubt conceded that the badli employees were an integral part of the textile industry and that they enjoyed most of the benefits of the permanent employees. But there may not be any continuity of service as observed by the Court in the *Delhi Cloth Mills case in 1969 (FJR-24)*. The badli employees were nothing but substitutes. They were like "spare men" who were not employed while waiting for job, pointed out the verdict in the case of *Colon*

Glasgow, 36, *Scott LR 652*. In the case of *Vallabhadas Kanji (P) Ltd., Vs. Additional Labour Court, Madras*, it was observed that taking the view to the contrary did not appear to lay a good law. Accordingly the view that badli employees were not covered by the substantive clause of the definition of "continuous service" in section 2(c) though they came within Explanation I, was upheld.

The Bombay High Court had held in the case of *Bombay Union Dyeing and Bleaching Mills Vs. Narayan Tukaram More and Another*, "..... we are of the view that a badli worker has no right to ask work and there is no subsisting contract of employment during the time when he is given work, he cannot be said to rendering continuous service merely on account of the fact that he stands registered with the employer as badli worker and he attends at the gate in the expectation that he may get an employment. Consequently such a badli worker must necessarily qualify under Explanation-I, if he has to substantiate his claim for gratuity (1981 LIC-1949).

On the strength of the above judicial pronouncements it is clear that the case of badli is not covered under the substantive part of the term "continuous service" as per section 2(c). Rather it falls under Explanation-I as referred above and as such conclusion can be drawn that the badli period should be treated not as in uninterrupted service. A badli workman has to actually work in an establishment for not less than 240 days during the twelve months immediately preceding the year (except he is employed in a seasonal establishment), failing which he is not entitled to claim gratuity under the Payment of Gratuity Act, 1972.

Extension of scope

By the amended Act 26 of 1984, which became retrospectively effective from February 11, 1981, a new definition of "continuous service" was inserted through the inclusion of a new sub-section 2A, which lays down "continuous service" of this Act—

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

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

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

(i) one hundred and ninety days in the case of an employee employed

below the ground in a mine or in an establishment which work for less than six days in a week ; and

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

By inserting the new Section 2-A, the scope of ' continuous service ' has been further extended. The interruption in services due to absence from duty without leave has been added in the deeming factors of uninterrupted service in the new action.

Sub-section (1) of Section 2-A applies to those employees whose employment is of continuous nature and whose job is permanent in one establishment. But this clause will not be applicable in case substitutes who can expect the employment only when the permanent or probationer who are the original holders of the post are either absent or on leave etc. '

The history of the legislation is set out in the statement of objects and reasons accompanying the bill which specifically mentioned, " The Supreme Court had in its judgement in the case of *Lalappa Lingappa vs. Laxmi Vishnu Textile Mills*, held that in term of the existing definition " Continuous service " in Section 2(c) of the Act, the Permanent Employees were not entitled to payment of gratuity for the year, they remained absent without leave and had actually worked for less than 240 days in a year. It has been represented that the enforcement of this ruling has resulted in denial of gratuity to a number of employees whose short term absence had remained un-regularised due to lack of its significance for the purpose of working out their entitlement to gratuity. It is, therefore, now proposed to amend the definition " Continuous Service ", suitably and to specifically provide that a period of absence in respect of which no punishment or penalty has been imposed would not operate to interrupt the continuity of Service for the purpose of payment of gratuity. It is also to amplify the definition of " Continuous Service

On plain reading of the statement of object and reason for setting out the Bill as stated above, it is amply clear that the amendment in the Act became necessary due to pronouncement of its judgement by the Supreme Court in the case of *Lalappa Lingappa vs. Laxmi Vishnu Textile Mills*, where it was held that Permanent Employees were not entitled to payment of gratuity for the years they remained absent without leave. But the framers of law never intended to interfere in the other part of the judgement as referred above, where it was held that the badli employees are not covered by the substantive part of the definition of " continuous service " in Section 2(c) but came within Explanation-I. Rather the new Section 2-A has amplified the definition of " Continuous Service " and all situations which were covered in Explanation-I, have been specifically brought under the purview of section 2-A(2). The language of Explanation-I before the amended Act and sub-section (2) of Section 2-A of the amended Act 26 of 1984 is identical for interpretation of deeming factors of continuous service.

Hence an inference can easily be drawn that even after the amendment of the Payment of Gratuity Act, vide 26 of 1984, the position of badli workmen will remain the same and for the entitlement of gratuity to this category of workmen will only be possible when they render actual work under the employer for not less than 240 days in a year.

(Indian Worker dated 28th October 1985)

Gist of Important Notifications under the Various Labour Laws

1 BOMBAY SHOPS AND ESTABLISHMENTS ACT, 1948

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

In the said Schedule II to the said Act, in entry No. 339, in column 2, after entry No. 338, the following entry shall be added, namely :—

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

- (i) the exemption will remain in the operation for a further period upto and inclusive of 31st December, 1985.
- (ii) the employees concerned are granted wages for overtime work and one day holiday in a week without making any deduction on account thereof, form their wages.

(Vide Government Notification, Industries, Energy and Labour Department No. BSE-1485/CR-1325/Lab-9, dated 13th September, 1985 published in M.G.G. Part-I-L, dated 7th November, 1985 at page No. 4230.

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

In the said Schedule II to the said Act, in entry No. 338, in column 2, after entry No. 337, the following entry shall be added, namely —

338. Establishment of International Computers Indian Manufacture Limited, situated at Mistry Bivvan, 122, Dinsha Wachha Road, P. O. Box 516, Bombay 400 020." Section 13, Subject to the conditions that—

- (1) The employees shall be entitled to overtime wages in accordance with Section 63 of the Act.
- (2) No female employee shall be allowed to work beyond 8-30 p.m.

(Vide Government Notification Industries, Energy and Labour Department No. BSE-1485/CR-1318 Lab-9, dated 12th September 1985 published in M.G.G. Part-I-L, dated 7th November 1985, at page No. 4230.

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

In the said Schedule II the said Act, following Serial No. (3) should be inserted under entry No. 274.

(3) Computer Section of the office of the aforesaid bank situated at Sakharbhavan, Nariman Point, Bombay. (i) Work should be taken from the employees before 7-30 a.m. and beyond 12-00 midnight.

(Vide Government Notification Industries, Energy and Labour Department No. BSE-1485/CR-1311/Lab-9, dated 30th September 1985, published in *M.G.G.*, Part I-L, dated 7th November, 1985 at page No. 4231).

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

In the said Schedule II to the said Act, in entry No. 340, in column 2, after entry No. 339, the following entry shall be added, namely :—

“340. The workmen performing the function as Computer operators of the IBM and Computer Section of Cyanamid India Limited, 254, D-2, Dr. Annie Besant Road, Bombay 400 025. Section 13(1) subject to the conditions that the Computer Section shall not be opened earlier than 8-00 a.m. and closed later than 8-30 p.m.

(Vide Government Notification No. BSE-1485/CR-1390/Lab-9, dated 19th September 1985, published in *M.G.G.* part I-L, dated 28th November 1985 at page No. 4548.)

(B) Corrigendum—

(Suspensions under the Bombay Shops and Establishments Act, 1948.)

CORRIGENDUM

In Government Notification, Industries, Energy and Labour Department No. P. 7385/80025/1392/Lab-9, dated the 8th August 1985, for the existing column 1 of the Schedule thereto, following column 1 shall be substituted.

(1) for the period from 14th to 20th August 1985.

(2) for the period from 21st to 27th August 1985.

(Vide Government Notification Industries, Energy and Labour Department No. P. 7385/CR-1477/Lab-9, dated 9th September 1985, published in *M.G.G.* Part I-L, dated 7th November 1985, at page No. 423.)

(II) EMPLOYEES' STATE INSURANCE ACT, 1948

(A) Exemptions under the Act.—(1) The Government of Maharashtra Industries, Energy and Labour Department, has in exercise of the powers conferred by Section 87 read with Section 91A of the said Act, exempted the Brick Killns in Maharashtra from the operation of the said Act retrospectively with effect from 1st October, 1984 till 30th September, 1985 (both days inclusive).

(Vide Government Notification, Industries, Energy and Labour Department, No. SIA-1785/4573/Lab-10, dated 12th September, 1985 published in *M.G.G.* Part I-L, dated 7th November 1985, at page No. 4231)

III. PAYMENT OF BONUS ACT, 1965

A. Notifications under the Act.—The following Notification by the Government of India Ministry of Labour, No. S. 33012/2/84-WB, dated the 21st August 1985, is hereby republished :—

GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF LABOUR/SHRAM MANTRALAYA
New Delhi, dated the 21st August 1985

NOTIFICATION

Industrial Re-construction Bank of India Act, 1985 (62 of 1985), as a financial institution clause (g) the said section.

Govt. Notification, Industries, Energy and Labour Department, No. PBA-1685/5 dated 16th September 1985, published in *M.G.G.*, Part I-L, dated 7th November 1985

(B) Amendments under the Act.—(1) The following Act of Parliament received the assent of the President on the 22nd July 1985 and is hereby published for general information—

THE PAYMENT OF BONUS (AMENDMENT) ACT, 1985

No. 30 OF 1985

(22nd July 1985)

An Act further to amend the Payment of Bonus Act, 1965

Enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows :—

1. Short title.—This Act may be called the Payment of Bonus (Amendment) Act, 1985.
2. Omission of section 12.—Section 12 of the Payment of Bonus Act, 1965 shall be omitted.

(Published in *M.G.G.*, Part VI, dated 21st November, 1985, at page No. 579).

(2) THE PAYMENT OF BONUS (SECOND AMENDMENT) ORDINANCE, 1985

No. 8 OF 1985

Promulgated by the President in the Thirty-sixth Year of the Republic of India

An Ordinance further to amend the Payment of Bonus Act, 1965

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution and of all other powers enabling him in that behalf, the President is pleased to promulgate the following Ordinance :—

1. Short title, commencement and application.—(1) This Ordinance may be called the Payment of Bonus (Second Amendment) Ordinance, 1985.

(2) It shall come into force at once.

(3) The amendments made by this Ordinance in the Payment of Bonus Act, 1965 (21 of 1965) (hereinafter referred to as the principal Act) shall, in relation to a factory or other establishment to which the principal Act applies have effect and be deemed always to have had effect in respect of the accounting year commencing on any day in the year 1984 and in respect of every subsequent accounting year.

Explanation.—The words and expressions which are used in this sub-section and which are defined in the principal Act shall have the meanings respectively assigned to them in the principal Act.

2. Amendment of section 2.—In section 2 of the principal Act, in clause (13), for the words “one thousand and six hundred rupees”, the words “two thousand and five hundred rupees”

3. *Insertion of new section 12.*—In the principal Act, after section 11, the following section shall be inserted, namely—

"12. *Calculation of bonus with respect to certain employees.*—Where the salary or wage of an employee exceeds one thousand and six hundred rupees per mensem, the bonus payable to such employee under section 10 or, as the case may be, under section 11, shall be calculated as if his salary or wage were one thousand and six hundred rupees per mensem."

(*Vide* Govt. Notification dated 7th November 1985 published in *M.G.G.*, Part VI, dated 28th November 1985, at page No. 670).

IV. INDIAN BOILER ACT, 1923

(A) *Exemptions under the Act.*—(1) The Government of Maharashtra, Industries, Energy and Labour Department, has in exercise of the powers conferred in the first proviso of rule 68 of the Maharashtra Boiler Rules, 1962, exempted waste Heat Boiler No. MR/11148, belonging to Hindustan Petroleum Corporation Limited, Refinery, Corridor Road, Mahul, Bombay 400 074, from the operation of Rule 68 of the said rules.

(*Vide* Government Notification, Industries, Energy and Labour Department No. IBA-1085/84201/1511/Lab-9, dated 11th October 1985, published in *M.G.G.*, Part I-L, dated 7th November 1985, at page No. 4233.)

(2) In exercise of the powers conferred by sub-section (2) of section 34 of the said Act, the Government of Maharashtra has exempted the boiler bearing No. MR-9915 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 13th August 1985 to 12th February 1986 (both days inclusive).

(*Vide* Government Notification, Industries, Energy and Labour Department No. IBA-1085/80413/1401/Lab-9, dated 9th August 1985 published in *M.G.G.*, Part I-L, dated 21st November 1985, at page No. 4312).

(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-8545 and belonging to the Tata Power Co., Ltd, 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 22nd August 1985 to 21st February 1986 (both days inclusive).

(*Vide* Government Notification Industries, Energy and Labour Department No. IBA-1085/80140/1397/Lab-9, dated 12th August 1985, published in *M.G.G.*, Part I-L, dated 21st November 1985 at page No. 4312.

(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-9594 belonging to the Maharashtra State Electricity Board, Nashik, Thermal Power Station, State 1, Ekalahare 422 105, from the operation of clause (c) of section 6 of the said Act for the period of six months from the 19th August 1985 to 18th February 1986 (both days inclusive).

(*Vide* Government Notification, Industries, Energy and Labour Department, No. IBA-1085/80803/1404/Lab-9, dated 14th August 1985, published in *M.G.G.*, Part I-L, dated 21st November 1985, at page No. 4312.)

(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-Ex-26 and belonging to Shree Vindhya Paper Mills Limited, Dushkhede, Bhusawal, Jalgaon 472 03 from the operation of clause (c) of section 6 of the said Act, for the period of one month from the 18th September 1985 to 17th October 1985 (both days inclusive).

(*Vide* Government Notification, Industries, Energy and Labour Department, No. IBA-1085/83669/1478/Lab-9, dated 6th September 1985 published in *M.G.G.*, Part I-L, dated 21st November 1985 at page No. 4313.

18th August 1985, Bhusawal, District Jalgaon the operation of clause (c) of section 6 of the said Act for the period of three months from the 22nd September 1985 to 21st December 1985 (both days inclusive).

(*Vide* Government Notification, Industries, Energy and Labour Department No. IBA-1085/83519/1483/Lab-9, dated 9th September 1985, published in *M.G.G.*, Part I-L, dated 21st November 1985 at page No. 4313).

(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-8479 and belonging to the Hindustan Petroleum Corporation Limited, Refinery, Corridor Road, Mahul, Bombay 400 074 from the operation of clause (c) of section 6 of the said Act, for the period of three months from the 29th August 1985 to 28th November 1985 (both days inclusive).

(*Vide* Government Notification, Industries, Energy and Labour Department No. IBA-1085/82464/1464/Lab-9, dated 28th August 1985, published in *M.G.G.*, Part I-L, dated 21st November 1985 at page No. 4313).

(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-11006 and belonging to the Maharashtra State Electricity Board, Koradi Thermal Power Station, Koradi, District Nagpur, from the operation of clause (c) of section 6 of the said Act, for the period of three months from the 11th October 1985 to 10th January 1986 (both days inclusive).

(*Vide* Government Notification, Industries, Energy and Labour Department No. IBA-1085/86373/1532/Lab-9, dated 4th October 1985, published in *M.G.G.*, Part I-L, dated 21st November 1985 at page No. 4547.

(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-10441 and belonging to the Maharashtra State Electricity Board, Parli-Vaijanath Power Station, Parli-Vaijanath 431 520, District Beed from the operation of clause (c) of section 6 of the said Act, for the period of six months from the 7th October 1985, to 6th April 1986 (both days inclusive).

(*Vide* Government Notification, Industries, Energy and Labour Department, No. IBA-1085/86374/1533/Lab-9, dated 4th October 1985, published in *M.G.G.*, Part I-L, dated 28th November 1985 at page No. 4547).

(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-7741, belonging to the Hindustan Petroleum Corporation Limited, Refinery, Corridor Road, Mahul, Bombay 400 074, from the operation of clause (c) of section 6 of the said Act, for the period of twelve weeks upto and inclusive of 29th December 1985.

(*Vide* Government Notification, Industries, Energy and Labour Department No. IBA-1085/86375/1534 Lab-9, dated 4th October 1985, published in *M.G.G.*, Part I-L, dated 28th November 1985 at page No. 4547.

V. MAHARASHTRA MATHADI HAMAA AND OTHER MANUAL WORKERS REGULATION OF EMPLOYMENT AND WELFARE ACT, 1969

(A) *Corrigendum.*—(1) In Government Notification, Industries, Energy and Labour Department, No. UWA. 1479/CR-2618/LAB-5, dated the 13th July 1984, published in the *Maharashtra Government Gazette*, Part I-L, Extraordinary, dated the 13th July 1984, at pages 246 to 262—

In line 2 of sub-clause (2) of clause 36 of the scheme for the words "to the Board of" appearing after the words "notice in writing" read the words "to the Board or

(*Vide* Government Notification I.E. and L.D. No. UWA. 1479/CR-2618/Lab-5, dated 27th September 1985, published in *M.G.G.*, Part I-L, dated 7th November 1985, at page No. 4271).

published in the *Maharashtra Government Gazette*, Part I-L, Extraordinary, dated 2nd November 1984 at pages 368 to 385,—

In line 2 of sub-clause (2) of clause 36 of the scheme for the words "to the Board of" appearing after the words "notice-in writing" read the words "to the Board or

(Vide Government Notification, I.E. and L.D. No. UWA. 1384/CR-10612/Lab-5, dated 27th September 1985, published in *M.G.G.*, Part I-L, dated 7th November 1985 at page No. 4271).

VI. PAYMENT OF GRATUITY ACT, 1972.

(A) Amendment to Rules—(1) The Government of Maharashtra, I.E. and L.D., has in exercise of the powers conferred by sub-section (1), of section 15 of the said Act, made the following rules, further to amend the payment of Gratuity (Maharashtra) Rules, as follows, namely :—

1. (1) These rules may be called the Payment of Gratuity (Maharashtra) (Amendment) Rules, 1985.

(2) They shall come into force on the 1st July 1985.

2. In rule 10 of the Payment of Gratuity (Maharashtra) Rules, 1972 (hereinafter referred to as "the principal rules"), after proviso to sub-rule (1), the following provisos shall be added, namely :—

"Provided further that, no limitation for filling an application under this rule shall apply if the employer has failed to give notice under sub-section (2) of section 7 read with sub-rule (5) of rule 8 :

Provided also that, an application under this rule shall be made without prejudice to any other mode of recovery under any law for the time being in force."

3. In rule 11 of the principal rules, in sub-rule (4), after the words "under the Act" the following shall be inserted, namely :—

"together with costs and/or interest at such rate as the controlling authority deems proper."

4. In rule 17 of the principal rules, after the words and letter "in Form 'R' specifying the amount payable" the following shall be inserted, namely :—

"(including the amount towards the costs and interest, if any)".

(Vide Government Notification, I.E. and L.D. No. P.G.A. 1084/4688 Lab-1, dated 1st October 1985, published in *M.G.G.*, Part I-L, dated 7th November 1985, at page No. 4272)

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

(A) *Recognition under the Rules.*—(1) The Government of Maharashtra, Industries, Energy and Labour Department, has in pursuance of clause (a) of sub-rule (1) of Rule 3 of the said Rules, recognised the Diploma in Labour Studies (Dip. Labour Studies) of the Regional Labour Institute, Nagpur the purpose of the said sub-rule.

(Vide Government Notification, Industries, Energy and Labour Department No. WOR-1085/9829 Lab-4, dated 4th October 1985, published in *M.G.G.*, Part I-L, dated 7th November 1985 at page No. 4273).

(VIII) MINIMUM WAGES ACT, 1948

(A) *Fixation and revision of minimum rates of wages.*—(1) The Government of Maharashtra Industries, Energy and Labour Department has in exercise of the powers conferred by clause (b) of sub-section (1) of section 3 read with sub-section (2) of section 5 of the said Act

or any other set out in column 3 of the Schedule to be the minimum rates of wages per day or, as the case may be per month to such classes of employees in the said employment, in such zones as are specified in column 2 and 3 respectively of the said

SCHEDULE

Class of Employees.	Basic rate per day/per month as specified in this column and a special allowance at a rate to be adjusted at such intervals and in such manner as directed in the Appendix to this notification.	
	Zone I Rs.	Zone II Rs.
2	2	3
I. Un-skilled adult employees employed as—	per day 14.00	per day 13.50
1. Helper General		
2. Mazdoor		
3. Sweeper		
4. Waterman		
5. Watchman		
6. Peon		
7. Nib-Counter		
8. Sheet Nib-Grinder		
9. Hand Siever		
10. Nib testing		
11. Drumming		
12. Ring Assembler		
13. Ring Sizer		
14. Moulded thread tapper		
15. Cap barrel section Assembler		
16. Plastic Buff Man		
17. Employees by whatever name called doing un-skilled work of the nature done by the persons falling under the above entries.		
II. Semi-skilled adult employees employed as—	15.00	14.50
1. Nib Slitter		
2. Nib Welder		
3. Nib Embosser (hand press)		
4. Hand Press Operator		
5. Deep Drawing Machine Operator		
6. Embossing Pressman (clip)		
7. Ring/Cap Cutting screw Ring Production		
8. Production Lathe Operator		
9. Power Press Operator		
10. Design Machine Operator		
11. Balling Machine Operator		

1	2	Rs.	3	Rs.
13	Cutter (Plastic articles)			
14	Roller Ink Filler (Hand Operated)			
15	Buffer (long metal out work)			
16	Sub-leader section Assembler			
17	Dye-cleaning Assistant			
18	Dye-cleaner (machine)			
19	Automatic Filler			
20	Press Automatic Moulding Operator			
21	Employees by whatever name called doing semi-skilled work of the nature done by persons falling under the above entries.	16.00		15.50
III. Skilled adult employees employed as—				
1.	Turner			
2.	Dye maker			
3.	Beach fitter			
4.	Tool Setter			
5.	Dye Setter			
6.	Fitter			
7.	Tester (Tools)			
8.	Milling Machine Operator			
9.	Pentograph Operator			
10.	Supervisor			
11.	Electrician			
12.	Electro-plater			
13.	Anodising technician			
14.	Point Matic Machine Operator			
15.	Automatic Ink Filling Machine Operator			
16.	Hobbing Machine Operator			
17.	Lorry/Car Driver			
18.	Mechanic			
19.	Carpenter			
20.	Capstan Lathe Operator			
21.	Employees by whatever name called doing skilled work of the nature done by persons falling under the above entries.			
IV. Clerical Staff (Monthly rates)—				
1.	Clerk	Rs. 350.00 per month.		Rs. 300.0 per month
2.	Store keeper	Rs. 350.00 per month.		Rs. 300.0 per month.
V. Adolescents				
		80 per cent of the rate fixed for adults in		80 per cent of the rate fixed for adults in

1	2	3
VI. Apprentices— Skilled (Upto 6 months) Semi-skilled (upto 3 months).	75 per cent. of the rate fixed for adults in respect of the same category of employees.	75 per cent. of the rate fixed for adults in respect of the same category of employees.
VII. Part-time employees, working upto 5 hours per day.	75 per cent. of the rate fixed for adults in respect of the same category of employees.	75 per cent. of the rate fixed for adults in respect of the same category of employees.

For the purpose of this notification—

(a) Zone I shall comprise the areas falling within the limits of Municipal Corporation Cantonment, Municipal Council, Village Panchayat, District Area Site as the case may be—

(i) Greater Bombay, Pune, Nagpur, Solapur, Kolhapur Thane, Nashik, Aurangabad, Kalyan, Pimpri-Chinchwad, Pune, Cantonment and Kirkee Cantonment.

(ii) Ulhasnaga

(iii) Thane Belapur Industrial Area.

(iv) Area designated as New Bombay.

(v) Majiwada Balkumb, Bhayander, Navghar (Bhayander East) Vasai and Kashmiri

(vi) Maharashtra Industrial Development Corporation areas in the districts of Pune Kolhapur, Solapur, Nagpur, Nashik, Thane and Aurangabad.

(b) Zone II shall comprise the areas in the State of Maharashtra not included in Zone I above.

(c) The minimum rate of wages shall be inclusive of payment of remuneration in respect of weekly day of rest

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

NOTIFICATION

The consumer price index numbers for working class (New Series Bombay 1960) for Bombay City shall be the cost of living index number applicable to the said employees. The competent authority appointed by the Government of Maharashtra shall, after the expiry of every six months commencing on the 1st day of January and 1st day of July calculate the average of the cost of living index number applicable to the said employees for those six months and ascertain the rise of such average over 500. For such rise of every point, the special allowance (hereinafter referred to as the "cost of living allowance") payable (in addition to the basic rate of wages) to the said employees for each of the six months immediately following the six months in respect of which such average has been calculated as aforesaid shall be at the rate of 2 paise per day.

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

The Government shall, by a notification in the Official Gazette, declare the

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

(*Vide* Government Notification Industries, Energy and Labour Department, No. MWA 2485 6169 1a -7, dated 4th October 1985, published in *M.G.G.* Part-I-L, dated 7th November 1985 at pages Nos. 4273 to 4277.

IX. FACTORIES ACT, 1948

(4) *Variation under the Act.*—(1) The Govt. of Maharashtra, Industries, Energy and of section 66 of the said Act, varied the limit laid down in clause (b) of the said sub-section (1) in respect of Messrs. Lorcom (Protectives) Limited, 1-B-Z, Maharashtra Industrial Development Corporation, Industrial Area, Chilkalthana, Aurangabad-431 210 so that no women shall be employed in the said factory except between the hours of 6-00 a.m. to 9-00 p.m. for a period of one year from the date of issue of this notification subject to the following conditions :—

(1) The management shall provide free transport facilities to the female employees for both the trips from and to the factory by a transport owned or hired by it ;

(2) The creche services shall be for the entire duration of the period of working of the factory ;

(3) The transport services mentioned in condition (1), above should also take care of babies, the female workers would like to bring with them for taking advantage of the creche facility.

(4) No female worker shall be required to work in the factory between 9-00 p.m. to 6-00 a.m.

(*Vide* Govt. Notification Industries, Energy and Labour Department No. FAC/1085/(9847)/Lab-4 dated 30th September 1985 published in *M.G.G.*, Part I-L, dated 28th November 1985, at page No. 4548).

*Labour Department, has in exercise of the power conferred by the proviso to sub-section

Consumer Price Index Numbers for Industrial Workers for November 1985

BOMBAY CENTRE*

Rise of 7 point

November 1985 the Consumer Price Index Number for Industrial Workers (1960=100) for the Bombay Centre with base January to December 1960 equal to 100 was 654 being 7 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Bombay Centre.

The index number for the Food group increased by 11 points to 712 due to a rise in the average prices of rice, wheat, jowar, arhar dal, gram dal, onion, tea- readymade, dry chillies and bhajia.

The index number for the Pan, Supari and Tobacco etc. group increased by 1 point to 755 due to a rise in the average prices of pan-leaf and cigarrets.

The index number for the Fuel and Light and the clothing, bedding and foot-wear groups remained steady at 855 and 614 respectively.

The index number for housing remained steady at 191 being a six monthly item.

The index number for the miscellaneous group increased by 3 points to 531 due to a rise in the average prices of medicine, cinema show, laundry charges and washing soap.

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

(Average prices for the calendar year 1960 = 100)

Groups	Weight proportional to the total expenditure.	Group Index Numbers	
		October 1985	November 1985
I-A. Food	57.1	701	712
I-B. Pan, Supari, Tobacco, etc.	4.9	754	755
II. Fuel and Light	5.0	855	855
III. Housing	4.6	191	191
IV. Clothing, Bedding and Foot-Wear	9.4	614	614
V. Miscellaneous	19.0	528	531
Total ..	100.0		
Consumer Price Index Number		647	654

*Details regarding the scope and method of compilation of the index will be found on pages 398 to 605 of December 1965 issue of *Labour Gazette*. For Errata (*see*) page 867 of January 1966 issue.

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

SOLAPUR CENTRE*

A fall of 1 point

In November 1985 the Consumer Price Index Number for Working Class (New Series) for Solapur Centre with base January to December 1960 equal to 100 was 656 being 1 point lower than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at Solapur Centre.

The index number for the food group decreased by 6 points to 709 due to a fall in the average prices of wheat, chillies dry and sugar.

The index number for the Pan, Supari and Tobacco etc. group decreased by 1 point to 597 due to a fall in the average prices of pan-leaf only.

The index number for the Fuel and Light group steady at 740.

The index number for housing remained steady at 281 being a six monthly item.

The index number for clothing, bedding and footwear group steady at 647.

The index number for the miscellaneous group increased by 24 points to 516 due to a rise in the average prices of Half oil 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	
		October 1985	November 1985
I-A. Food	63.0	715	709
I-B. Pan, Supari, Tobacco etc.	3.4	598	597
II. Fuel and Light	7.1	740	740
III. Housing	5.2	281	281
IV. Clothing, Bedding and Footwear	9.0	647	647
V. Miscellaneous	12.3	492	516
Total	100.0	647	656
Consumer Price Index Number		647	656

*Details regarding the scope and method of compilation of the index may be seen on pages 657 to 603 December 1963 issue of Labour Gazette. For Errata (see) page 897 of January 1966 issue.

Note.—For arriving at the equivalent of the old index number 1927-28 = 100, the new index number should be multiplied by the linking factor of 3.42.

NAGPUR CENTRE*

A rise of 6 points

In November 1985 the Consumer Price Index Number for Working Class (New Series) for Nagpur Centre with base January to December 1960 equal to 100 was 647 being 6 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 Nagpur Centre.

The index number for the food group increased by 10 points to 692 due to a rise in the average prices of rice gramdal goat, meat, onion.

The index number for the Pan, Supari and Tobacco etc. group decreased by 1 point to 709 due to a fall in the average prices of Supare.

The index number for the Fuel and Light group steady at 928.

The index number for housing remained steady at 338 being a six monthly item.

The index number for clothing, bedding and footwear group increased by 4 points to 634 due to a rise in the average prices of bed sheet and shirting.

The index number for the miscellaneous group increased by 2 points to 505 due to a rise in the average prices of bus fair only.

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	
		Oct. 1985	Nov. 1985
i-A. Food	57.2	682	692
i-B. Pan, Supari, Tobacco, etc.	3.8	709	709
II. Fuel and Light	5.7	928	928
III. Housing	6.6	338	338
IV. Clothing, Bedding and Footwear	10.9	630	634
V. Miscellaneous	15.8	503	505
Total	100.0	641	647
Consumer Price Index Number	641	647	647

*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*

601—A rise of 6 points

In November 1985 the Consumer Price Index Number for Industrial Workers (1961 = 100) for the Pune Centre with base January to December 1961 equal to 100 was 601 being 6 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Pune Centre.

The index number for the Food group increased by 8 points to 659 due to a rise in the average prices of Rice, Wheat, Jowar, Turdal, Gramdal and Vegetables.

The index number for the Fuel and Light group increased by 18 points to 823 due to a rise in the average prices of Charcoal and Patti.

The index number for housing remained steady at 150 being a six monthly item.

The index number for the clothing and footwear group increased by 1 point to 605 due to a rise in the price of saree only.

The index number for the miscellaneous group increased by 1 point to 513 due to a rise in the average price of pan-leaf only.

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	
		Oct. 1985	Nov. 1985
I. Food ..	55.85	651	659
II. Fuel and Light ..	6.89	805	823
III. Housing ..	6.65	150	150
IV. Clothing and Footwear ..	10.31	604	605
V. Miscellaneous ..	20.30	512	513
Total ..	100.00	....	....
Consumer Price Index Number ..		595	601

* Details regarding the scope and method of compilation of the index will be found on pages 172 to 1730 of the August 1965 issue of Labour Gazette. For Errata thereto, see page 217 of September 1965 issue.

JALGAON CENTRE

Arise of 4 points

In November 1985 the Consumer Price Index Number for Industrial Workers (1961 = 100) for the Jalgaon Centre with base January to December 1961 equal to 100 was 627 being 4 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Jalgaon Centre.

The index number for the Food group increased by 7 points to 685 due to a rise in the average prices of rice, wheat, jowar, turdal, gramdal, goat meat and chillies dry.

The index number for the Fuel and Light group remained steady at 720.

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

The index number for the clothing and footwear group remained steady at 611.

The index number for the miscellaneous group increased by 1 point to 543 due to a rise in the average price of washing soap (501 Bar) only.

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	
		Oct. 1985	Nov. 1985
I. Food	60.79	678	685
II. Fuel and Light ..	7.20	720	720
III. Housing	6.11	188	188
IV. Clothing and Footwear ..	10.29	611	611
V. Miscellaneous	15.61	542	543
Total ..	100.00	....	....
Consumer Price Index Number ..	....	623	627

*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 of base 1961 = 100 should be multiplied by the linking factor viz. 5.25.

NANDED* CENTRE

A rise of 2 Points

In November 1985 the Consumer Price Index Number for Industrial Workers (1961=100) for the Nanded Centre with base January to December 1961 equal to 100 was 668 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 the Nanded Centre.

The index number for the Food group decreased by 6 points to 714 due to a fall in the average prices of rice, turdal, moongdal, chillies dry other vegetables and banana.

The index number for the Fuel and Light group remained steady at 801.

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

The index number for the clothing and footwear group increased by 4 points to 569 due to a rise in the average price of coloured fabrics only.

The index number for the miscellaneous group increased by 34 points to 600 due to a rise in the average price of cigarette only.

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS FOR
NANDED CITY

(Average prices for the calendar year 1961 = 100)

Groups	Weight proportional to total expenditure	Group Index Numbers	
		Oct. 1985	Nov. 1985
I. Food	61.46	720	714
II. Fuel and Light	5.88	801	801
III. Housing	4.62	386	386
IV. Clothing and Footwear	12.22	565	569
V. Miscellaneous	15.82	566	600
Total	100.00		
Consumer Price Index Number		668	668

AURANGABAD* CENTRE

A rise of 15 Points

In November 1985 the Consumer Price Index Number for Industrial Workers (1961=100) for the Aurangabad Centre with base January to December 1961 equal to 100 was 688 being 15 points higher than that in the preceding month. The index relates to the standard of life ascertained during the year 1958-59 family living survey at the Aurangabad Centre.

The index number for the Food group increased by 20 points to 761 due to a rise in the average price of wheat, jowar, oils and fats chillies dry and Vegetables.

The index number for the Fuel and Light group remained steady at 789.

The index number for housing remained steady at 326 being a six monthly items.

The index number for the clothing and footwear group increased by 3 points to 656 due to a rise in the price of saree and coloured fabrics.

The index number for the miscellaneous group increased by 15 points to 562 due to a rise in the average prices of Barber charges only.

CONSUMER PRICE INDEX NUMBERS FOR WORKING CLASS
FOR AURANGABAD CENTRE

(Average prices for the calendar year 1961 = 100)

Groups	Weight proportional to total expenditure	Group Index Number	
		Oct. 1985	Nov. 1985
I. Food	60.72	741	761
II. Fuel and Light	7.50	789	789
III. Housing	8.87	326	326
IV. Clothing and Footwear	9.29	653	656
V. Miscellaneous	13.62	547	562
Total	100.00		
Consumer price Index Number		673	688

Labour Intelligence

INDUSTRIAL RELATIONS IN MAHARASHTRA REVIEW FOR THE MONTH OF OCTOBER 1985

Industrial Courts, Tribunals and Labour Courts

In all 1003 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 Courts/Tribunals—					
1	Industrial Court, Bombay ..	69	24	125	194
2	Industrial Tribunal, Bombay ..	4	..	82	86
3	Industrial Court, Nagpur ..	1	1	54	1
4	Industrial Tribunal, Nagpur ..	..	4	..	55
5	Industrial Court, Pune ..	..	..	50	4
6	Industrial Tribunal, Pune ..	..	8	..	50
7	Industrial Court, Thane ..	5	..	158	8
8	Industrial Tribunal, Thane ..	..	..	..	163
9	Industrial Court, Kolhapur ..	2	..	50	52
10	Industrial Tribunal, Kolhapur ..	..	..	39	39
11	Industrial Court, Amravati ..	..	2	48	2
12	Industrial Tribunal, Amravati ..	6	..	..	54
13	Industrial Court, Nashik ..	..	2	..	2
14	Industrial Tribunal, Nashik ..	..	..	..	54
15	Industrial Court, Aurangabad ..	..	2	..	2
16	Industrial Tribunal, Aurangabad ..	..	..	..	..
Total ..		87	41	606	734
II. Labour Courts—					
1	Labour Court, Bombay ..	442	323	308	1073
2	Labour Court, Pune ..	4	131	42	177
3	Labour Court, Nagpur ..	10	126	119	255
4	Labour Court, Thane ..	25	123	88	236
5	Labour Court, Kolhapur ..	2	76	37	115
6	Labour Court, Solapur ..	7	44	84	135
7	Labour Court, Akola ..	7	5	37	49
8	Labour Court, Nashik ..	1	8	122	131
9	Labour Court, Aurangabad ..	1	29	48	78
10	Labour Court, Dhule ..	..	3	28	31
11	Labour Court, Sangli ..	2	29	60	91
12	Labour Court, Amravati ..	..	5	65	70
13	Labour Court, Jalgaon ..	..	7	19	26
14	Labour Court, Bhandara ..	..	94	21	115
15	Labour Court, Ahmadnagar ..	36	16	16	68
16	Labour Court, Latur ..	925	17	7	949
Total ..		1462	1036	1101	3500

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

Conciliation

An analysis of disputes handled by the Conciliation machinery in the State during October 1985 under various Acts is given below:—

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

Act	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		
								Act	1	2	3	4	5	6	7	8	9
(1) Industrial Disputes Act, 1947		
(2) Bombay Industrial Relations Act, 1946		
(3) Bombay Industrial Relations (Extensions and Amendment) Act, 1964.		
Total ..		1	60	143	203	4	139		
		1	2	3	4	5	6		
		6	53	5	133	58	5		
		2	1	5	3	6	6		

(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	
									Act	1	2	3	4	5	6	7	8	9
I. D. Act, 1947	1015	3	4	5	6	7	8	9	
B. I. R. Act, 1946	135	431	72	238	110	46	466	980	
B. I. R. (Ext. and Amdt.) Act, 1964.	55	58	8	1	8	1	18	175	
Total ..		498	80	247	119	46	488	1215	

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 :—

248

Act	Cotton Textile	Silk Textile	Chemical	Food Processing	Hosiery	Banking	Sugar	Misc.	Transport	Total
1	2			5	6	7	8	9	10	11
B. I. R. Act, 1946		11	..	21	10	2	..	..	..	44

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	7	..	..	..	..	..	..	..	2	9

District-wise analysis is given below :—

Act	Bombay	Pune	Thane	Nagpur	Nanded	Aurangabad	Ahmednagar	Total
1	2	3	4	5	6		8	9
B. I. R. Act, 1946	53	5	..	..	..	..	..	58

LABOUR GAZETTE—JANUARY 1986

Act	Amravati	Bombay	Wardha	Chanda	Akala	Buldana	Total
1	2	3	4	5	6	7	8
B. I. R. (Extension and Amendment) Act, 1964	9	..	..	..	9

LABOUR GAZETTE—JANUARY 1986
Industrial Disputes in Maharashtra State During Oct. 1985

249

No. of Disputes	No. of Workers involved		No. of Man-days lost
	Oct. 1985	Sept. 1985	
38	10,303	8,615	20,105
..	1,86,744	1,74,604	3,65,277

Industry-wise classification is given below :—

Name of the Industry Group	Number of disputes in progress			Number of work people involved in all disputes	Aggregate man-days lost in Oct. 1985
	Started before beginning of the month i.e. before Oct. 1985	Started during the month i.e. Oct. 1985	Total		
1	2	3	4	5	6
Textile	1	2	3	1,348	7,873
Engineering	14	..	14	5,118	98,336
Chemical	9	..	9	1,141	23,957
Miscellaneous	12	..	12	2,696	56,578
Oct. 85 Total	36	2	38	10,303	1,86,744
Sept. 85 Total	2	..	2	1,74,604	..

Seventy of the 38 disputes arose over question of "pay, allowance and bonus issues", 3 related to "Retrenchment and grievances about personnel", and the remaining 18 were due to other causes.

Out of the 8 disputes that terminated during the course of the month, 5 disputes were settled entirely or in favour of the workers and 3 unsuccessful.

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.

THE FOLLOWING STATEMENT GIVES THE DETAILED INFORMATION OF IMPORTANT INDUSTRIAL DISPUTES CAUSING MORE THAN 10,000 MANDAYS LOST DURING THE MONTH OF OCTOBER, 1985

Serial No.	Name of the Concern	Sector	S/L	Reason	Date of work stoppages		No. of workers Involved	Mandays lost			Result
					Began	Ended		During the months	Till the close of the month	10	
1	Thane— M/s. Tekson Ltd., Kolshet Rd., Thane.	Pvt.	S	Reinstatement	20-4-81	..	459	11,622	6,27,570	Continued	
2	Bombay— Batteries Ltd., Plot No 1 Dharavi, Matunga, Bombay 400 019.	Pvt.	L	Unfair Labour Practicse.	3-11-83	..	1,170	22,724	6,75,370	Do.	
3	Bombay— Bombay Forging Pvt., Ltd., Vit. anagari Marg, Kalina, Bombay 400 098.	Pvt.	S	Others— Fighting amongst the workmen.	11-7-84	..	625	16,172	2,53,826	Do.	
4	Bombay— Vee Fein Smelting and Refining Co. Ltd., L.B.S. Marg, Jhaverdup, Bombay 400 078.	Pvt.	S	Genl. Demand— Wages, D. A. etc.	10-12-84	..	1,007	16,639	2,18,783	Do.	
5	Bombay— Ajit Glass Works Pvt. Ltd., Swami Vivekanand, Rd., Jambhvaner (West), Bombay 400 102.	Pvt.	L	Slow down— agitation Strike on account of annual Bonus issue.	24-11-84	..	426	10,816	1,22,304	Do.	
6	Bombay— Brewers Building Products Pvt. Ltd., Jadhavankar Dosa Rd., Matunga, Bombay 400 080.	Pvt.	L	As-salit on the persons' midday Mgt. Salary Go-shit	16-7-85	..	654	17,543	60,482	Do.	

PRESS NOTE ON ESIS BENIFIT IN MAHARASHTRA AND GOA

The Employees State Insurance Scheme protects the industrial workers as provided 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 1233838 employees were under the coverage of the Scheme in the month of November 1985. The high lights of the benefits paid to these employees were as follows.

ESIC has paid Rs. 84.45 lacs as Cash Benefit in November, 1985.

(I) 4251 workers were paid Rs. 35,96,726.30 on account of Sickness and Rs. 3,84,269.35 were paid for the long term diseases, e.g. T. B. Cancer, Hemiplegia, Paraplegia, Psychosis etc. etc.

(II) 18404 workers were paid Rs. 40,68,584.64 on account of accidents as employment injury which included 7159 cases for the permanent disablement and 2774 for pension to the dependents/families due to death of the workers in the accidents.

(III) Rs. 3,92,032.90 were paid to the women workers as Maternity Benefit for the period of confinement. In addition to the above 15 persons were sterilized and they were paid Rs. 3,150.00 as family planning benefit.

(IV) There were 134 cases where legal proceedings were initiated against defaulting employers/owners/Persons for the recovery of arrears of contribution as under.—

(1) Under section	45B : 81 Cases
(2) Under section	75 : 7 Cases
(3) Under section	84 : 8 Cases
(4) Under section	85 : 38 Cases

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