

INTERNATIONAL LABOUR OFFICE

INDIAN BRANCH

Report for February 1932.

(ILO)

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References to the I.L.O.

The Statesman of 25-2-1932 and the Hindustan Times of 26-2-1932 publish short summaries of the discussions that took place in the Legislative Assembly on 24-2-1932 on the resolution of Sir Joseph Bhore re. the Geneva Conventions on Hours of Work in Coal Mines. (Extracts from the discussions in the Legislative Assembly and the Council of State are given at pages 5 — 9 of the present report.

... ..

An Associated Press of India message dated 15-2-1932 to the effect that India's delegation to the International Labour Conference this year is to consist of Sir B.N. Mitra, High Commissioner, and Sir A.C. Chatterjee, representing the Government of India, Mr. R.K. Shanmukham Chetty, representing the employers, and Diwan Chaman Lall representing Labour, and that there are to be no advisers deputed this year as a measure of economy, has been published by the Hindu of 16-2-1932, the Times of India of 17-2-1932 and the Hindustan Times of 17-2-1932. The Leader, Allahabad, of 20-2-1932 publishes an editorial article on the subject under the caption: "India's delegation to the Labour Conference". The article, after commenting favourably on the personnel of the delegation for this year's conference, criticises the Government for trying to effect economies by sending no advisers along with the delegates. The paper points out that such parsimony is not justified when the Government do not grudge "hundreds of thousands of rupees to provide first-class return passages to members of the services and their families yearning for "home" and to give effect to the other costly recommendations of the Lee Commission, in spite of the fact that a Committee appointed

A communique issued by this Office on the Blue Report on the Age of Admission of Children to Employment in non-industrial occupations was published by the Hindustan Times of 21-2-1932 and the Federated India of 24-2-1932, (Vol. VI, No.8). Copies of the communique have been sent to Geneva with this Office's Minute No. H 2/353/32, dated 16/18-2-1932.

... ..

The Federated India of 3-2-1932 of 3-2-1932 (Vol.VI, No.5) reproduces at pages 7-8 all the news items included in the November 1931 issue of the Monthly Summary of the I.L.O.

... ..

The Hindustan Times of 15-2-1932 publishes a long summary of a lecture delivered at the Y.M.C.A., New Delhi, by Mr. K.E. Matthew, M.A., on 13-2-1932 on "Social Democracy". In the course of the lecture, extensive references were made to those aspects of the work of the I.L.O. which are designed to invest the worker with the qualities of intelligent citizenship and thus contribute materially to the hastening of "social democracy".

... ..

The February 1932 issue of the B.B. and C.I. Railwayman, (Vol.3, Nos. 6 and 7) publishes at page 9 a short news item announcing the date of the opening and the agenda of the 16th session of the International Labour Conference.

... ..

The February 1932 issue of the Labour Gazette, Bombay, (Vol.XI, No.6) reproduces at pages 550-551, the Note on the unemployment situation published at pages 46-47 of "Industrial and Labour Information of 18-1-1932 (Vol. ~~XLI~~ XLI, No.3).

... ..

The February 1932 issue of "Labour Gazette", Bombay, (Vol. XI, No. 6) publishes at pages 567-568 a long review of the recent report issued by the I.L.O. on "An International Enquiry into Cost of Living".

... ..

India and Convention re Hours of Work in Coal Mines.

Possibilities of Reduction to be examined by Governor-

General in Council.

The Legislative Assembly took up for discussion on 24-2-1932 the following resolution moved by the Honourable Sir Joseph Bhore (Member for Industries and Labour):-

"This Assembly, having considered the Draft Convention limiting hours of work in coal mines adopted at the 15th session of the International Labour Conference, recommends to the Governor General in Council that he should examine the possibility of reducing the statutory limits for hours of work in mines and that the results of this examination should be placed before this Assembly".

In moving the resolution, Sir Joseph Bhore gave ~~an~~ a brief review of the history of the Convention and said:

"I may remind the House that this question of hours of employment in coal mines has been considered by two authorities in this country, namely, a Select Committee of this House and the Royal Commission on Labour. The Select Committee of this Assembly by a majority recommended, when the amending Act of 1928 was under consideration, that after that Act had been in force for three years and some experience of its working had been gained, enquiries should be made to see whether the eight-hour shift could then be introduced. That period of three years will expire in April 1933. The Royal Commission on Labour by a majority endorsed this recommendation, and the majority also made a recommendation that the weekly limit for surface workers should be reduced from 60 hours to 54 hours, which is the underground limit. The Convention goes far beyond this and adopts a $7\frac{3}{4}$ hour day. The Royal Commission on Labour gave expression to the opinion that conditions at present were inopportune for the adoption straightaway of so drastic a change as the eight hours shift. The Resolution, as now framed, will permit of a re-examination of the whole question in accordance with the recommendation of the majority of the Select Committee of this House, as endorsed by the Royal Commission on Labour, and it will also enable us to consider the connected recommendations made by the Royal Commission on Labour. Sir, I move:

Mr. President.- The Resolution proposed runs:

"This Assembly, having considered the Draft Convention limiting hours of work in coal mines adopted at the 15th Session of the International Labour Conference, recommends to the Governor General in Council that he should examine the possibility of reducing the statutory limits for hours of work in mines and that the results of this examination should be placed before this Assembly".

Mr. N.M. Joshi (Nominated Non-Official): "Sir, I move that at

the end of the Resolution the following be added:

"at its next session."

"Sir, the meaning of my amendment is that the Government of India should place the results of the examination of this question before the Simla session of the Assembly. Sir, as the Honourable Member has already explained, this Convention was passed at the last session of the International Labour Conference. The Convention provides that the hours of work should be $7\frac{3}{4}$ hours per day. In India, as the Honourable Member has explained, the hours of work for underground workers are 54 hours a week, and 12 hours a day, and for surface workers 60 hours a week. I feel that these hours of work are too long. There is no difficulty, in my humble judgment in reducing them. Three members of the Royal Commission, including a distinguished representative of British Labour, I mean my friend Mr. John Cliffe, who rendered a great service and a very distinguished service to the workers of India by his self-sacrificing and noble work on this Commission as its member, ~~Mr. John Cliffe~~, Mr. Chaman Lall and myself expressed the view in the Report of the Royal Commission that it is necessary that the hours of work in Indian mines should be reduced to 48 hours a week and 8 hours a day. In ~~the~~ the first place under the present circumstances when a man according to the law could work for 24 hours a day and for six days a week, the only limitation placed upon them is that no worker should work for more than 12 hours a day and 54 hours a week, and it becomes difficult, as the Chief Inspector of Mines ~~has~~ admitted, to check the number of hours ~~worked~~ worked by each miner within a week. He admits that when a man could work 24 hours a day and 6 days a week, it is very difficult to check the hours worked by each miner. It is for this reason necessary that when you have got 54 hours a week, the number of hours for each shift should also be reduced; at least the hours of work for each shift should not be more than nine hours. It was argued in the Select Committee, which considered the hours of work in mines, that if you reduce the hours of work of the miners, the wages will also be considerably reduced. We felt that there was not much force in this argument. In India, even at the present moment, there are several mines which have been working for a much less number of hours than are allowed by legislation. There are mines which work ten hours a day; there are mines which work on a shift of nine hours, there are mines which work with a shift of 8 hours a day, and it has not been shown that wages in those mines where longer hours are worked are higher than the wages in those mines where shorter hours are worked.

"Therefore there is not much fear of the wages going down if the hours of work are reduced. We therefore felt the hours of work should be reduced to 48 hours a week and $8\frac{3}{4}$ hours a day. Now, the Convention is asking that the hours should be $7\frac{3}{4}$. The difference between the proposal which we made in the Report of the Royal Commission and the proposal of the Convention is very small. I therefore feel that there should be no difficulty in our accepting the Convention and ratifying it. But, as the Government are willing to examine this question, I do not press that they should bind themselves today to ratify the Convention. I shall be quite satisfied if they will examine the question without loss of time. I feel that, although the Select Committee which ~~had~~ considered this question recommended that the question should be examined after three years, ~~the~~ the Honourable Member will admit that it is now nearly two years out of those three years, and as a matter of fact it is more than three years, I may say it is nearly four years

since the Bill was passed, and I feel that sufficient time has now elapsed to take up the question of examination and arrive at a decision, without much loss of time. It may be true that when the Select Committee met four years ago, they might have thought that the period necessary for experience should be three years, but in India as we all know things move much quicker than we sometimes anticipate and expect. I therefore feel that the ~~xxx~~ experience of two years is quite sufficient for Governments to come to a conclusion about this question. I therefore hope that Government will not delay the examination and will place the result of their examination before the next session of the Assembly, namely, the Simla session of the Assembly. I hope my amendment will be accepted."

Mr. President: Amendment proposed:

"That at the end of the Resolution, the following be added:
'at its next session'".

Mr. Abdul Matin Chaudhury: "Sir, it is a little gratifying to note that Government have given up their usual custom of moving that the Convention be not ratified and have now taken to examining the Convention. It is some improvement, and we are thankful for this little mercy: I only hope that this change from non-ratification to examination will not mean that, instead of putting it into the waste-paper basket they will be putting it on the shelf. This Convention provides that in no mine should the hours spent underground exceed $7\frac{3}{4}$ hours. In most of the European countries the statutory maximum for underground work is 8 hours. In China and Japan it is 10 hours, in India it is 12. The British Government recommended to the Conference that the hours should be reduced to $7\frac{1}{2}$. The Netherlands Government also supported them. The Government of Germany, France and Italy recommended that the hours of work should be $7\frac{3}{4}$; France recommended that it should be 8 and the workers all demanded that the hours of work should be 7. The Conference adopted $7\frac{3}{4}$. Now, Sir, the position with regard to India is this. Honourable Members are aware that the statutory maximum here is 12 hours. Mr. Lang, the officiating Chief Inspector of Mines, in the memorandum that he submitted to the Royal Commission on Labour, said that the number of hours worked in underground mines varies from 8 to 12 daily, and 54 hours weekly. The Royal Commission went very carefully into the matter. Government had the benefit of the deliberations of the Royal Commission on Labour; they have got the benefit of the discussions of the question in two successive sessions of the International Labour Conference. They had plenty of time to think over the matter because though, as Sir Joseph Bhore pointed out in the agenda of the 14th session the question was confined only to European countries, the agenda of the 15th session reached the Government of India in November 1930. Plenty of time has elapsed to think over the matter, and I think it is quite reasonable that they should accept Mr. Joshi's proposal to bring forward an amendment of the Act in the Simla session."

The Honourable Sir Joseph Bhore.- "Sir, I do not propose to follow the Honourable Members who have preceded me into a discussion of the merits of the question involved. That question must come up for consideration in connection with the later stages of the discussion which must follow from this Resolution. We are now only concerned with the question of time, the time before which the results of the inquiry should be placed before the House. In regard to that, Sir, I should have thought that even from the point of view of my Honourable

friend, Mr. Joshi, he would have realised that nothing is to be gained by hurrying a consideration of this question. I personally am of opinion that a consideration of the somewhat drastic changes involved in the Convention could not be undertaken at a time more inopportune than the present when trade, commerce and industry are in so depressed a condition. Further, I think my Honourable friend Mr. Joshi in referring to the view of the three members, who were in a minority, paid very little attention to the very specific recommendations on this point made by the majority of the Royal Commission. I need not take up the time of the House with reading in full what the majority said. The House will find this on page 125 of the Royal Commission's Report. I need only perhaps give one or two short quotations. What the majority said was this:

'For reasons given in their report the Committee' (i.e., the Select Committee of the Legislative Assembly) 'decided to adhere to the 12-hour shift, recommending to Government that after the Act had been in force for three years the situation should again be examined to see whether an 8-hour shift could then be introduced. As the three years do not commence to run till April, 1930, we have had no opportunity of seeing the Act in operation and it is not possible, therefore, to say that the considerations which led the Committee to suggest an experimental period have lost their force'.

They go on finally in this paragraph to say:

'While we are not prepared to say that compelling the industry to depend on this class of miners who will live near their collieries and work regularly will ultimately prove a disadvantage, we do not think that the present is the best time for a definite step in this direction. On all grounds, therefore, we endorse the recommendation of the Select Committee'.

Now, Sir, I do not commit myself definitely to the position that there will be no inquiry until after April 1933. I only wish not to tie myself to any particular date, especially a date which will involve an immediate inquiry; but I will give the House this assurance, that we will allow no unnecessary or avoidable delay to occur in this matter, and I hope my Honourable ~~fr~~ friend Mr. Joshi will accept it. If he is not prepared to accept this assurance, I am afraid I must oppose his amendment."

Mr. President.- The question is:

"That at the end of the Resolution, the following be added:
'at its next session'".

The motion was negatived.

Mr. President.- The question is:

"That this Assembly, having considered the Draft Convention limiting hours of work in coal mines adopted at the 15th Session of the International Labour Conference, recommends to the Governor General in Council that he should examine the possibility of reducing the statutory limits for hours of work in mines and that the results of this examination should be placed before this Assembly".

The motion was adopted.

(Extracted from the Legislative Assembly Debates of 24-2-1932, Vol. II, No. 4, pages 1177-1181).

Council of State and the
Convention re. Hours of Work in Coal Mines.

An identical resolution as the one moved on 24-2-1932 in the Legislative Assembly on the Convention re. Hours of Work in Coal Mines was moved by the Honourable Mr. J.A. Shillidy (Industries and Labour Secretary) in the Council of State on 2-3-1932. In the course of the discussions that took place on the resolution, the Honourable Rai Bahadur Lala Ram Saran Das, an elected member asked for information as to how, in the event of ratification of the Convention by this country, India would stand in competition with other countries whose coal competes with India. The Honourable Member was assured by the Chairman that as the Government were proposing a full examination, the answer to the issues raised would be found in the report on the subject that would be prepared by the Government. The resolution was then adopted.

(Summarised from the Council of State Debates of 2-3-1932, Vol. I, No. 5, pages 131-132).

National Labour Legislation.

✓ Workmen's Compensation (Amendment) Bill, 1932.

The following Official Bill was introduced in the Legislative Assembly on the 17th February, 1932:-

L. A. Bill No. 9 of 1932.

A Bill further to amend the Workmen's Compensation Act, 1923.

III of 1923. Whereas it is expedient further to amend the Workmen's Compensation Act, 1923; It is hereby enacted as follows:-

1. This Act may be called the Workmen's Compensation (Amendment) Act, 1932.
Short title.

III of 1923. 2. In section 2 of the Workmen's Compensation Act, 1923 Amendment of section 2, Act VIII of 1923. (hereinafter referred to as the said Act), -

(a) in sub-section (1), -

(i) in clause (d), after the word "unmarried", in both places where it occurs, the words "or widowed" shall be inserted,

(ii) in clause (j), for the words "three hundred" the word "fifty" shall be substituted, and the words ", or any inland steam-vessel as defined in section 2 of the Inland Steam Vessels Act, 1917, of a registered tonnage of not less than one hundred tons" shall be omitted, and

(iii) in sub-clause (ii) of clause (n), the words ", either by way of manual labour or" shall be omitted;

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

"(3) The Governor General in Council, after giving, by notification in the Gazette of India, not less than three months' notice of his intention so to do, may, by a like notification, add to Schedule II persons or any class of persons employed in any occupation which he is satisfied is a hazardous occupation, and the provisions of this Act shall thereupon apply to such persons or classes of persons:

Provided that in making such addition the Governor

General in Council may direct that the provisions of this Act shall apply to such persons or classes of persons in respect of specified injuries only."

3. In section 3 of the said Act, -

Amendment of section
3, Act VIII of 1923

(a) in sub-section (1), -

(i) in proviso (a), for the word "ten" the word "seven" shall be substituted, and

(ii) in proviso (b), for the words "injury to a workman resulting from" the words "injury, not resulting in death, caused by" shall be substituted; and

(b) in sub-section (4), the words "solely and" shall be omitted.

4. For sub-section (1) of section 4 of the said Act, the following sub-section shall be substituted, namely:-
Amendment of section 4, Act VIII of 1923.

" (1) Subject to the provisions of this Act, the amount of compensation shall be as follows, namely:-
Amount of compensation.

A. Where death results from the injury -

(i) in the case of an adult in receipt of monthly wages falling within limits shown in the first column of Schedule IV - the amount shown against such limits in the second column thereof, and

(ii) in the case of a minor - two hundred rupees;

B. Where permanent total disablement results from the injury -

(i) in the case of an adult in receipt of monthly wages falling within limits shown in the first column of Schedule VI - the amount shown against such limits in the third column thereof, and

(ii) in the case of a minor in receipt of monthly wages falling within limits shown in the first column of Schedule IV - the amount shown against such limits in the fourth column thereof;

C. Where permanent partial disablement results from the injury -

(i) in the case of an injury specified in Schedule I, such percentage of the compensation which would have been payable in the case of permanent total disablement as is specified therein as being the percentage of the loss of earning capacity caused by that injury, and

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- (ii) in the case of an injury not specified in Schedule I, such percentage of the compensation payable in the case of permanent total disablement as is proportionate to the loss of earning capacity permanently caused by the injury;

Explanation. - Where more injuries than one are caused by the same accident, the amount of compensation payable under this head shall be aggregated but not so in any case as to exceed the amount which would have been payable if permanent total disablement had resulted from the injuries;

D. Where temporary disablement, whether total or partial, results from the injury, a half-monthly payment payable on the sixteenth day after the expiry of a waiting period of seven days from the date of the disablement, and thereafter half-monthly during the disablement or during a period of five years, whichever period is shorter, -

- (i) in the case of an adult in receipt of monthly wages falling ~~xxxx~~ within limits shown in the first column of Schedule IV - of the sum shown against such limits in the fourth column thereof and
- (ii) in the case of a minor - of one-half of his monthly wages, subject to a maximum of thirty rupees:

Provided that -

- (a) there shall be deducted from any lump sum or half-monthly payments to which the workman is ~~entitled~~ entitled the amount of any payment or allowance which the workman has received from the employer by way of compensation during the period of disablement prior to the receipt of such lump sum or of the first half-monthly payment, as the case may be ; and
- (b) no half-monthly payment shall in any case exceed the amount, if any, by which half the amount of the monthly wages of the workman before the accident exceeds half the amount of such wages which he is earning after the accident."

5. In section 5 of the said Act, -

Amendment of section 5,
Act VIII of 1923.

- (a) in sub-section (1), -
 - (i) for the word and figure "section 4" the words " this Act" shall be substituted,
 - (ii) after clause (a) the following clause shall be inserted, namely:-
 - "(b) where the whole of the continuous period of service ~~xxxx~~

immediately preceding the accident during which the workman was in the service of the employer who is liable to pay the compensation was less than one month, the monthly wages of the workman shall be deemed to be the average monthly amount which, during the twelve months immediately preceding the accident, was being earned by a workman employed on the same work by the same employer, or, if there was no workman so employed, by a workman employed on similar work in the same locality,"

(iii) clause (b) shall be re-lettered as clause (c), and

(iv) the proviso shall be omitted; and

(b) sub-section (2) shall be omitted.

6. In section 8 of the said Act, -

Amendment of section
8, Act VIII of 1923.

(a) for the proviso to sub-section (1) the following shall be substituted, namely:-

"Provided that, in the case of a deceased workman, an employer may make to any dependant advances on account of compensation not exceeding an aggregate of hne hundred rupees, and so much of such aggregate as does not exceed the compensation payable to that dependant shall be deducted by the Commissioner from such compensation and repaid to the employer". ; and

(b) in sub-section (4), -

(i) for the words " may deduct" the words "shall deduct" shall be substituted, and

(ii) for the words "fifty rupees or so much of that cost or of fifty rupees, whichever is less, as has not already been advanced by the employer on account of such expenses" the words "twenty-five rupees" shall be substituted.

7. In section 10 of the said Act, -

Amendment of section
10, Act VIII of 1923.

(a) in sub-section (1), after the first proviso the following proviso shall be inserted, namely:-

"Provided further that the want of or any defect or irregularity in a notice shall not be a bar to the maintenance of proceedings -

(a) if the claim is made in respect of the death of a workman resulting from an accident which occurred on the premises of the employer, or at any place where the workman at the time of the accident was working under the control

of the employer or of any person employed by him, and the workman died on such premises or at such place, or on any premises belonging to the employer, or died without having left the vicinity of the premises or place where the accident occurred, or

(b) if the employer had knowledge of the accident from any other source at or about the time when it occurred?"; and

(b) for sub-section (3) the following sub-sections shall be substituted, namely:-

"(3) The Local Government may require that any prescribed class of employers shall maintain at their premises at which workmen are employed a notice book, in the prescribed form, which shall be readily accessible at all reasonable times to any injured workman employed on the premises and to any person acting bona fide on his behalf.

(4) A notice under this section may be served by delivering it at, or sending it by registered post addressed to, the residence or any office or place of business of the person on whom it is to be served, or, where a notice book is maintained, by entry in the notice book".

8. After section 10 of the said Act the following sections shall

Insertion of new
sections 10A & 10B in be inserted, namely:-
Act VIII of 1923.

"10A. (1) Where a Commissioner receives information from any source that a workman has died as a result of an accident arising out of and in the course of his employment, he may send by registered post a notice to the workman's employer requiring him to submit within ten days of the service of the notice, a statement, in the prescribed form, giving the circumstances attending the death of the workman, and indicating whether in the opinion of the employer, he is or is not liable to deposit compensation on account of the death.

(2) If the employer is of opinion that he is liable to deposit compensation, he shall make the deposit within ten days of the service of the notice.

(3) If the employer is of opinion that he is not liable to deposit compensation, he shall in his statement indicate the grounds on which he disclaims liability.

(4) Where the employer has so disclaimed liability, the Commissioner, after such inquiry as he may think fit, may inform any of the dependants of the deceased workman that it is open to the dependants to prefer a claim

for compensation, and may give them such other further information as he may think fit.

10B.(1) Where, by any law for the time being in force, Reports of fatal accidents. notice is required to be given to any authority, by or on behalf of an employer, of any accident resulting in death which occurs on his premises, the person required to give the notice shall, within seven days of the accident, send a report to the Commissioner giving the circumstances attending the death.

(2) The Local Government may, by notification in the local official Gazette, extend the provisions of sub-section (1) to any class of premises other than those coming within the scope of that sub-section, and may, by such notification, specify the persons who shall send the report to the Commissioner."

9. In sub-section (2) of section 12 of the said Act, after the words " the contractor" the words ", or any other person from whom the workman could have recovered compensation", shall be inserted.

10. In Chapter II and after section 18 of the said Act, the following section shall be inserted, namely:-

"18A. Whoever ~~is~~

Penalties.

- (a) fails to maintain a notice-book which he is required to maintain under sub-section (3) of section 10, or
- (b) fails to send to the Commissioner a statement which he is required to send under sub-section (1) of section 10A, or
- (c) fails to send to the Commissioner a report of an accident which he is required to send under section 10B, or
- (d) fails to make any return which he is required to make under section 16,

shall be punishable with fine which may extend to one hundred rupees."

11. In sub-section (1) of section 19 of the said Act, for the words "the Commissioner" the words "a Commissioner" shall be substituted.

12. In section 20 of the said Act, -

Amendment of section 20,
Act VIII of 1923.

- (a) after sub-section (1) the following sub-section shall be inserted, namely:-

"(2) Where more than one Commissioner has been appointed for any local area, the Local Government may, by general or special order, regulate the distribution of business between them"; and

- (b) sub-section (2) and (3) shall be renumbered as sub-sections (3) and (4).

13. In section 21 of the said Act, -

Amendment of section 21,
Act VIII of 1923.

- (a) in sub-section (1), for the words "the Commissioner", in both places where they occur, the words " a Commissioner" shall be substituted, and
- (b) after sub-section (4) the following sub-section shall be inserted, namely:-

"(5) The Local Government may transfer any matter from any Commissioner appointed by it to any other Commissioner ~~by~~ appointed by it."

14. In section 22 of the said Act, -

Amendment of section 22,
Act VIII of 1923-

- (a) in sub-section (1) after the word " Commissioner", the words ", other than an application by a dependant or dependants for compensation," shall be inserted; and
- (b) in sub-section (2), -
- (i) for the words " Where any such question has arisen, the application" the words "An application to a Commissioner" shall be substituted, and
- (ii) in clause (d), after the brackets and letter "(d)", the words "except in the case of an application by dependants for compensation," shall be inserted.

15. After section 22 of the said Act, the following section shall be inserted, namely:-

Insertion of new section
22A in Act VIII of 1923.

"22A. (1) Where any sum has been deposited by an employer as compensation payable in respect of a workman whose injury has resulted in Power of Commissioner to require further deposit in cases of fatal accident.

death, and in the opinion of the Commissioner such sum is insufficient, the Commissioner may, by notice in writing stating his reasons, call upon the employer to show cause why he should not make a further deposit within such time as may be stated in the notice.

- (2) If the employer fails to show cause to the satisfaction of the Commissioner, the Commissioner may make an award determining the total amount payable, and requiring the employer to deposit the deficiency."

16. To sub-section (1) of section 30 of the said Act, after the existing provisos, the following further proviso shall be added, namely:-
Amendment of section 30, Act VIII of 1923.

"Provided further that no appeal by an employer under clause (a) shall lie unless the memorandum of appeal is accompanied by a certificate by the Commissioner to the effect that the appellant has deposited with him not less than one-tenth of the amount payable under the order appealed against or one hundred rupees, whichever is less."

17. After section 30 of the said Act the following section shall be inserted, namely:-
Insertion of new section 30A in Act VIII of 1923.

"30A. Where an employer makes an appeal under clause (a) of sub-section (1) of section 30, the Commissioner may, and if so directed by the High Court shall, pending the decision of the appeal, withhold payment of any sum in deposit with him :

Provided that the Commissioner may distribute, in such manner as he may think fit, out of any sum in deposit with him, a sum not exceeding one-tenth of the sum payable under his order, or one hundred rupees, whichever is less, among persons entitled under his order to receive compensation who, in his opinion, are unable to support themselves, and in the event of the appeal being successful such sum shall not be recoverable by the employer."

18. In section 33 of the said Act, -
Amendment of section 33, Act VIII of 1923.

- (1) in clause (c), the word "and", in the second place where it occurs, shall be omitted;
- (11) after clause (c) the following clauses shall be inserted, namely:-

"(d) for prescribing the classes of employers who shall main-

tain notice-books under sub-section (3) of section 10, and the form of such notice-books;

(e) for prescribing the form of statement to be submitted by employers under section 10A; and"; and

(iii) clause (d) shall be relettered as clause (f).

19. After section 34 of the said Act, the following section shall be inserted, namely:-
Insertion of new section 35 in Act VIII of 1923.

"35. Where the Governor General in Council has entered into an arrangement with any part of His Majesty's Dominions whereby sums awarded under this Act may be transferred to and administered by a competent authority in such part and sums awarded under the law relating to workmen's compensation in such part may be transferred to and administered by a competent authority in British India, the Governor General in Council may, by notification in the Gazette of India, make rules in pursuance of such arrangement -

- (a) for the transfer to such part of money paid to a Commissioner under this Act, which is money applicable for the benefit of any person residing or about to reside in such part, and
- (b) for the receipt and administration in British India of any money awarded under the law relating to workmen's compensation in such part, which has been transferred to British India, and is money applicable for the benefit of any person residing or about to reside in British India."

20. In Schedule II to the said Act, for clauses (i) to (xiii), the following clauses and explanation shall be substituted, namely:-
Amendment of Schedule II, Act VIII of 1923.

- "(i) employed, otherwise than in a clerical capacity or on a railway, in connection with the operation or maintenance of mechanically propelled vehicles used for the carriage of passengers for hire, or for industrial or commercial purposes; or
- (ii) employed, otherwise than in a clerical capacity, in any premises wherein, or within the precincts whereof, on any one day of the preceding twelve months, ten or more persons have been employed in any manufacturing process, as defined in clause (4) of section 2 of the Indian Factories Act, 1911, or in any kind of work whatsoever incidental to or connected with any such manufacturing process or with the article made, and steam, water or other mechanical power or electrical power is used; or

(iii) employed, otherwise than in a clerical capacity, in any premises wherein, or within the precincts whereof, on any one day of the preceding twelve months, fifty or more persons have been employed in any manufacturing process, as defined in clause (4) of section 2 of the Indian Factories Act, 1911, or in any kind of work whatsoever incidental to or connected with any such manufacturing process or with the article made; or

11 of 1911.

(iv) employed, in any mine as defined in clause (f) of section 3 of the Indian Mines Act, 1923, in any mining operation, or in any kind of work, other than clerical work, incidental to or connected with any mining operation or with the mineral obtained, or in any kind of work whatsoever below ground;

V of 1923

Provided that any excavation in which on no day of the preceding twelve months more than fifty persons ~~have~~ ^{employed or who have been} have been used, and whose depth from its highest to its lowest point does not exceed twenty feet shall be deemed not to be a mine for the purpose of this clause; or

(v) employed as the master of a registered ship or as a seaman; or

(vi) employed for the purpose of loading, unloading, fuelling, constructing, repairing, demolishing, cleaning or painting any ship of which he is not the master or a member of the crew, or in the handling or transport on land within the limits of any port subject to the Indian Ports Act, 1908, of goods which have been discharged from or are to be loaded into any vessel; or

V of 1908

(vii) employed in the construction, repair or demolition of -

(a) any building which is designed to be or is or has been more than one storey in height above the ground or twenty feet or more from the ground level to the apex of the roof, or

(b) any dam or embankment which is twenty feet or more in height from its lowest to its highest point, or

(c) any canal, pipe line, public road, public bridge, aerial ropeway or tunnel; or

(viii) employed in setting up, repairing, maintaining, or taking down any telegraph or telephone line or post or any over-head electric line or cable or post or standard for the same; or

(ix) employed in the construction, repair, inspection, upkeep or demolition of any underground sewer; or

(x) employed in the service of any fire brigade; or

- V of 1890
- (xi) employed upon a railway as defined in clause (4) of section 3, and sub-section (1) of section 148 of the Indian Railways Act, 1890, by a person fulfilling a contract with the railway administration; or
 - (xii) employed as an inspector, mail guard, sorter or van peon in the Railway Mail Service; or
 - (xiii) employed in connection with operations for winning natural petroleum or natural gas; or
 - (xiv) employed in any occupation involving blasting operations; or
 - (xv) employed in the making of any excavation in which on any one day of the preceding twelve months more than fifty persons have been employed or explosives have been used, or whose depth from its highest to its lowest point exceeds twenty feet; or
 - (xvi) employed in the operation of any ferry boat capable of carrying more than ten persons; or
 - (xvii) employed, otherwise than in a clerical capacity, on any estate which is maintained for the purpose of growing cinchona, coffee, rubber or tea, and on which on any one day in the preceding twelve months fifty or more persons have been so employed; or
 - (xviii) employed, otherwise than in a clerical capacity, in ~~in~~ the supplying, generating or transforming of electrical energy; or
 - (xix) employed on any vessel which ordinarily plies on any canal, river, lake or other inland navigable water and is propelled wholly or in part by steam or other mechanically power or by electricity; or
 - (xx) employed in a lighthouse as defined in clause (d) of section 2 of the Indian Lighthouse Act, 1927.
- VII of 1927.

Explanation. - In this Schedule "the preceding twelve months" relates in any particular case to the twelve months ending with the day on which the accident in such case occurred".

21. In Schedule III to the said Act, after the entry relating to phosphorus poisoning, the following entries shall be added, namely:-

Amendment of Schedule III, Act VIII of 1923.

"Mercury poisoning or its sequelae.

Any process involving the use of mercury or its preparations or compounds.

Poisoning by benzene and its homologues, or the sequelae of such poisoning.	Handling benzene or any of its homologues; and any process in the manufacture or involving the use of benzene or any of its homologues.
Chrome ulceration or its sequelae.	Any process involving the use of chromic acid or bichromate of ammonium, potassium or sodium, or their preparations.
Compressed air illness or its sequelae.	Any process carried on in compressed air".

22. For Schedule IV to the said Act, the following shall be substituted, namely:-
 Substitution of new Schedule for Schedule IV, Act VIII of 1923.

"SCHEDULE IV.
 (see section 4)

Compensation payable in certain cases.

Monthly wages of the workman injured. ₹	Amount of compensation for -				Half-monthly payment as compensation for Temporary Disablement of Adult.	
	Death of Adult	Permanent Total Disablement of Adult.	Permanent Total Disablement of Minor.	Total	Rs.	A.
1	2	3	4	5	6	
0	Rs. 10	Rs. 600	Rs. 840	Rs. 840	Half his monthly wages.	
10	15	600	840	1,260	5	0
15	18	600	840	1,512	6	0
18	21	630	882	1,764	7	0
21	24	720	1,008	2,016	8	0
24	27	810	1,134	2,268	9	0
27	30	900	1,260	2,520	10	0
30	35	1,050	1,470	2,940	10	0
35	40	1,200	1,680	3,360	10	0
40	45	1,350	1,890	3,780	11	4
45	50	1,500	2,100	4,200	12	8
50	60	1,800	2,520	5,040	15	0
60	70	2,100	2,940	5,880	17	8
70	80	2,400	3,360	6,300	20	0
80	100	3,000	4,200	6,300	25	0
100	200	3,750	5,250	6,300	30	0
200	-	4,500	6,300	6,300	30	0"

Statement of Objects and Reasons.

The Workmen's Compensation Act, 1923, was experimental in character, and since its coming into force on the 1st July, 1924, a number of modifications of its provisions have been suggested by various authorities and interests. A few amendments, which were designed to remedy admitted defects or to embody improvements of a non-controversial character, were effected by the Workmen's Compensation (Amendment) Act, 1929. Those proposals which involved the modification of the principles underlying the Act or its more important features were referred by the Government of India to Local Governments for opinions in a circular letter in 1928. Copies of this circular letter and of the replies received thereto were supplied to the Royal Commission on Labour who have, after reviewing the question in the light of further evidence supplied to them, made a number of recommendations on the subject in Chapter XVI of their Report. This Bill follows these recommendations closely; some minor additional provisions have been incorporated, but few variations from the Commission's proposals have been made. The amendments proposed to be made in the Act are explained in detail in the subjoined Notes on Clauses.

Notes on Clauses.

Clause 2(a)(i). - This amendment adds widowed daughters and widowed sisters to the relatives of a deceased workman to whom a share in the compensation may be allotted by the Commissioner.

Clause 2(a)(ii). - The existing ^{Act} applies only to those seamen who are employed on any seagoing or home-trade ships registered under certain Indian Acts and of a registered tonnage of not less than 300 tons. The amendment seeks to reduce the tonnage limit to 50 tons. In the case of inland steam-vessels it is proposed to remove the tonnage limit and to extend the scope of the Act to all inland vessels whether propelled by steam or other mechanical power or by electricity. See sub-clause (xix) in clause 20.

Clause 2(a)(iii). - In its application to workmen employed in the capacities specified in Schedule II, the scope of the Act is restricted to those who are employed either by way of manual labour or on monthly wages not exceeding three hundred rupees. There appear to be no manual labourers in India in receipt of over Rs.300 a month. It is therefore proposed to delete the reference to manual labour from section 2(1)(n)(ii) of the Act. The Act will then apply to all workmen employed in any capacity specified in Schedule II in receipt of monthly wages not exceeding Rs.300.

Clause 2(b). - The wording of the existing subsection (3) of section 2 has proved inconvenient in drafting notifications under the section. The amendment embodies a redraft of the existing clause without any change of substance, other than the omission, following on the preceding amendment, of any reference to manual labour.

Clause 3(a)(1), - This amendment is consequential upon the proposed reduction of the waiting period from ten days to seven, vide note on clause 4.

Clause 3(a)(ii). - The three exceptions contained in proviso (b) to section 3(1) of the Act operate to remove the liability of the employer to pay compensation when the accident is due to specific misconduct on the part of the workman, e.g., intoxication by drink or drugs, wilful disobedience to certain rules and orders and wilful removal of safety devices. Where a workman is killed, it is extremely difficult for dependants to rebut evidence that that accident was caused by the deceased's misconduct. This is specially true where the employer's defence is that the workman disobeyed a safety rule, e.g., a rule against cleaning machinery in motion. Moreover the withholding of compensation for fatal accidents which are covered by the exceptions gives rise to great hardship to dependants and is not likely to have any appreciable educative effects on other workmen. The amendment therefore seeks to make the exceptions inapplicable in the case of fatal accidents. The proposal here made had the unanimous support of the Royal Commission on Labour; a majority recommended also that the exceptions should not apply in cases where a permanent loss of 50 per cent. or more of earning capacity results from the accident. In a non-fatal accident, the injured workman is in a position to contest the defences put forward by the employer and the members of the Commission themselves recognised that the case for abrogating the exceptions in such cases is "less strong".

Clause 3(b). - The provision in section 3(4) of the Act which limits liability for non-scheduled diseases to those "solely and directly attributable to a specific injury" is unduly stringent; diseases can rarely if ever be regarded as solely due to one cause.

Clause 4. - (1) This amendment and that contained in clause 22 follow the recommendations made unanimously by the Labour Commission. The effect of these amendments would be to enhance considerably compensation payable for death and permanent disablement in the case of the more poorly paid workmen (i.e., those getting less than Rs.17-8-0) and those in receipt of high wages (i.e., those getting more than Rs.80 a month). Compensation for temporary disablement would also be substantially enhanced for most workmen.

The enhanced scales are indicated in Schedule IV in clause 22. In place of the existing fourteen wage classes seven have been substituted. Except in the last two classes, compensation is based on the highest wage of the class and not, as at present, the mean wage. For the last two classes compensation is based on wages of Rs.125 and Rs.150, respectively. In determining the amount of compensation payable, the existing basis of calculation of compensation for death at thirty months' wages and for permanent total disablement at 42 months' wages in the case of adults and at 84 months' wages in the case of minors has been retained. The minimum compensation has been fixed in the case of

adults for death at Rs.600 and for permanent total disablement at Rs.840, while the maximum amounts for death and permanent total disablement are increased from Rs.2,500 and Rs.3,500 to Rs.4,500 and Rs.6,300 respectively. In cases of temporary disablement, in addition to raising the maximum ~~fixed~~ half-monthly payment from Rs.15 to Rs.30, the rate of compensation has been increased in the case of adults whose monthly wages do not exceed Rs.30 to two-thirds of the monthly wages and, in the case of miners, to full wages.

At the same time, certain drafting changes are proposed. In the Act as it at present stands, compensation is expressed in terms of monthly wages in most cases in section 4. Monthly wages have to be calculated according to rules given in section 5 and have then to be modified to certain assumed wages in accordance with Schedule IV. If the amendments made by this clause are adopted, the fiction of "assumed wages" will disappear, and after the application of the rules relating to ~~and after~~ calculation of wages in section 5, a reference to Schedule IV will give, in most cases, the exact amount of compensation payable without further calculations. It should be noted that while it is proposed to replace the whole of section 4(1) by the section contained in this clause, considerable parts of the new sub-section, and in particular the whole of paragraph C, reproduce verbatim the existing provisions.

(2) The waiting period of ten days specified in the existing section 4 is rather long and sometimes results in hardship; it is longer than that prescribed by the great majority of Acts in other countries. It is proposed to reduce it to seven days as recommended by the Commission.

Clause 5. - The provisions in section 5 of the Act for the calculation of wages give some difficulty in application to cases where the workman has been engaged for a very short period before the accident, e.g., less than a month. A clause to obviate the difficulty was included in the amending Bill introduced in the Legislative Assembly in 1928; but it was eliminated by the Select Committee because there were doubts as to its equity and it was desired to avoid making any amendment of a controversial character at that time. The Commission as a result of their examination of the question has recommended the clause for adoption. Sub-clause (a)(ii) is intended to give effect to that recommendation. The other amendments in this clause are consequential on the drafting amendments included in the preceding clause and clause 22.

Clause 6. - The Act ^{as it} stood prior to its amendment in 1929 gave power to the Commissioner to deduct from the compensation deposited with him the actual funeral expenses of the workman up to a maximum of Rs.50. The Select Committee of the Legislative Assembly on the Workmen's Compensation (Amendment) Bill, 1928, introduced certain changes which found a place in the Act as finally passed and had the effect of empowering the employer to make to any person by whom the funeral expenses are to be or have

been incurred a payment of not more than Rs.50 for such expenses and to deduct the amount from the compensation. This provision has been found to led itself to abuse and in three cases from Bengal brought to the notice of the Commission the employer had paid the maximum sum to his own sardar for the expenses incurred in the funeral of a deceased workman. Further it is not open to the Commissioner to question the suitability of the amount paid or to satisfy himself that the whole amount has been spent on the funeral. The amendment is designed to prevent funeral expenses being deducted from the compensation before it is deposited and to provide instead that, on the deposit of the compensation, the Commissioner should deduct the actual cost of the workman's funeral expenses up to Rs.25 (the present limit of Rs.50 is unnecessarily high) and pay them to the person who has incurred them.

Clause 7(a). - The provisions regarding notice contained in existing section 10 are unduly stringent in their terms. The Commissioner has wide powers to dispense with the necessity of a notice; but there are a number of cases in which no notice is necessary. Further want of or a defect in a notice should not be a bar to proceedings if the employer is proved to have had knowledge of the accident from another source.

Clause 7(b). - Notice-books, if effectively maintained, are of assistance both to employers and to workmen; and in spite of the illiteracy of many Indian workmen books might be utilised in some branches of industry.

Clause 8. - Knowledge of the Workmen's Compensation Act is spreading steadily in industrial areas, but a long time must elapse before that knowledge can become generally diffused in the villages. The dependants of many workmen live in rural areas, which may be situated several hundred miles from the place where the workman is employed. The illiteracy of most workmen and of their dependants and the long distance separating them frequently operate to prevent knowledge of an accident being promptly received, and even when information has come, the dependants of a workman who has been killed may have no knowledge of the law, or insufficient knowledge to enable them to proceed with an application for ^{compensation. These provisions are designed to} ensure (i) that, in as many cases as possible, fatal accidents are brought to the notice of the Commissioner; (ii) that, where the employer admits liability, compensation is deposited promptly; and (iii) that, where the employer disclaims liability and there are good grounds for believing compensation to be payable, the dependants get the information necessary to enable them to judge if they should make a claim or not.

Clause 9. - Sub-section (2) of section 12 of the Act provides that where a principal is liable to pay compensation under the section he is entitled to be indemnified by the contractor. There is in the section no provision relating to sub-contracts, which are not uncommon in Indian industry. A recent decision of the Calcutta High Court has made it apparent that no indemnifi-

cation can be obtained under the Act from a sub-contractor in respect of compensation awarded against the principal for injuries sustained by a sub-contractor's workman. The amendment seeks to remove this defect .

Clause 10. - The amendment is designed to provide for the imposition of a small fine for failure to furnish a return, notice, etc., required under the Act.

Clauses 11, 12, and 13. - These amendments are designed to make it possible for local Governments to appoint more than one Commissioner having jurisdiction in the same area, where this is desirable.

Clause 14. - As the Act stands at present, a dependant who finds that no compensation has been deposited on account of the death of a deceased workman must first approach the employer. This is illogical since, in the case of fatal accidents, the Act precludes the parties from reaching an agreement that will be final.

Clause 15. - Cases arise in which the amount of compensation deposited on account of a fatal accident is inadequate. It is not clear under the existing law whether the Commissioner can take steps on his own initiative to secure that the full amount of compensation is deposited. The amendment is designed to empower the Commissioner to call on an employer to make up an inadequate deposit to the proper amount.

Clauses 16 and 17. - Section 8 of the Act does not prescribe any particular period during which compensation deposited with the Commissioner must be distributed by him, but it is doubtful whether he can, without statutory authority, withhold a payment for the periods which are sometimes necessary for the decision of an appeal by a High Court. These amendments seek to confer the necessary authority on the Commissioner to withhold payment of compensation pending the decision of the appeal. In order to prevent hardship power is at the same time given to the Commissioner to distribute a small sum for the maintenance of the opposite party during the pendency of the appeal. This sum, which can in no case exceed Rs.100 and is intended to be disbursed in necessitous cases only, will not be recoverable.

Clause 18. - These amendments are consequential on those in clauses 7(b) and 8 of the Bill.

Clause 19. - The proposed section, which follows a resolution of the Imperial Conference, 1926, would make it possible to arrange for the more convenient distribution of compensation due under the Indian Act to persons in other parts of the Empire and of compensation due under British or Dominion laws to persons in British India.

Clause 20. - The present Act aims at the inclusion of persons employed in branches of industry which are both organised and hazardous. The Commission have recommended that the Act should

be extended to cover as completely as possible the workers in organised industry, whether their occupations are hazardous or not, and that there should be a gradual extension to workers in less organised industries, beginning with those who are subject to most risk. Following this principle they have suggested the widening in most cases of the existing classes in Schedule II and the inclusion of an entirely new class consisting of workers on plantations. The Commission estimate that their proposals "will have the effect of adding perhaps 2,000,000 workers to the number (estimated at 4,000,000) already included". About half of this number is accounted for by the inclusion of plantation workers whose risks of accidents are trifling and, as the Commission observe, the increase in the number of possible claims will be by no means proportionate to the increase in the number of employees covered. Items (xv), (xvi), (xvii) (xviii) and (xx) introduce new classes of workmen to the Act while items (i), (ii), (iii), (iv), (vi), (vii), (xiii) and (xix) involve enlargements of existing categories. Item (xx) is the only new item not proposed by the Commission.

Clause 21. Of the four industrial diseases which it is proposed to add to the Schedule, the first is already an industrial disease for the purposes of the Act by virtue of a notification issued under section 3(3) in 1926. The addition of the next two diseases was recommended by the Commission and the addition of the last by the Government of Bombay.

Clause 22. - See note on clause 4.

(Extracted from the Gazette of India of 20-2-1932, No.8, Part V. - pages 56-63).

Conditions of Labour.Quarterly Strike Statistics (period ending 31-12-1931).

The Department of Industries and Labour of the Government of India in a press communique dated 4-3-1932, has published the statistics of Industrial disputes in British India for the last quarter of 1931. During the period under review, there were 34 disputes involving 29,304 workers and entailing a loss of 572,600 working days. The largest number of disputes occurred in the Bombay Presidency where 13 disputes were recorded involving 13,118 workers and entailing a loss of 256,631 working days. Bengal comes next with 7 disputes involving 10,898 workers and entailing a loss of 279,207 working days, 3 each in Assam, Punjab and United Provinces involving 1,109, 1,105 and 825 workers and entailing losses of 1,655, 12,496 and 9,390 working days respectively, 2 each in Central Provinces and Madras Presidency involving 1,563 and 568 workers and entailing losses of 4,197 and 8,407 working days respectively and 1 in Burma involving 118 men and entailing a loss of 617 working days.

Classified according to industries, there were 21 disputes in cotton and woollen mills involving 14,407 workers and entailing a loss of 275,654 working days, 3 in jute mills involving 7,498 workers and entailing a loss of 228,907 working days, 2 in engineering workshops involving 612 workers and entailing a loss of 8,450 working days and 1 in railways including railway workshops involving 3,380 workers and entailing a loss of 8,450 working days. In all other industries there were 7 disputes involving 3,407 workers and entailing a loss of 51,297 working days.

Of the total 34 disputes, 12 were due to wages, 8 to personnel, 3 to leave and hours and 11 to other causes. In 4 disputes the workers were successful, in 11 partially successful and in 17 unsuccessful while 2 disputes were in progress at the end of the quarter.

(The quarterly strike statistics for the period ending 30-9-31 was reviewed at pages 15-16 of the December 1931 report).

Industrial Disputes in British India in 1931.

According to a communique dated 4-3-1932 on industrial disputes in British India during 1931, issued by the Department of Industries and Labour of the Government of India, the total number of strikes during the year was 166 and the total number of men involved 203,008 as compared with 148 strikes involving 196,301 men during 1930. The total number of working days lost during the year was 2,408,123 as compared with 2,261,731 during 1930. A number of strikes occurred in the Bengal Jute Mills, one of which (Hastings Jute Mill, Rishra, Hooghly) was alone responsible for a loss of 217,323 working days involving about 5,300 workers. Of the strikes that occurred in cotton mills, the more important ones were those affecting in the Madura Mills in the Madras Presidency, and the Sholapur Mills and the Swadeshi Mills (Kurla) in the Bombay Presidency. These strikes involved a total loss of about 673,000 working days affecting 25,800 workers. The number of strikes where the workmen were successful in gaining any concessions was approximately 40% of the total number.

During the year under review, there were 53 disputes in the Bombay Presidency involving 54,865 workers and entailing a loss of 699,226 working days. Bengal comes next with 47 disputes involving 91,006 workers and entailing a loss of 1,132,498 working days.

Madras and Assam had 15 disputes each involving 24,047 and 6,842 workers and entailing losses of 304,732 and 12,508 working days respectively. The United Provinces comes next with 11 disputes involving 7,869 workers and entailing a loss of 52,227 working days, Burma with 10 disputes involving 8,696 workers and entailing a loss of 65,692 working days, the Central Provinces and the Punjab with 7 disputes each involving 4,868 and 2,405 workers and entailing losses of 52,384 and 32,656 working days respectively and Bihar and Orissa with 1 dispute involving 2,500 workers entailing a loss of 56,200 working days.

Of the 166 disputes during the year, 69 were due to questions of wages, 39 to those of personnel, 20 to those of leave and hours, 2 to those of bonus and 36 to other causes. In 23 cases, the workers were successful, in 42 partially successful and in 99 unsuccessful while 2 disputes were in progress at the close of the year.

Classified according to industries, there were 75 disputes in cotton and woollen mills involving 78,666 workers and entailing a loss of 1,108,888 working days, 22 disputes in jute mills involving 76,762 workers and entailing a loss of 953,818 working days, 8 in railways including railway workshops involving 14,118 workers and entailing a loss of 47,993 working days, 5 in engineering workshops involving 1,036 workers and entailing a loss of 14,652 working days, and 3 in mines involving 2,503 workers and entailing a loss of 8,938 working days. In all other industries together, there were 53 disputes involving 29,923 workers and entailing a loss of 273,834 working days.

(The communique on Industrial Disputes in British India during 1929 is reviewed at pages 36-36 of the January 1930 report, and that for 1930 at pages 17-18 of the February 1931 report of this Office).

Working of the Workmen's Compensation Act in India, 1930.*

The following information regarding the working of the Workmen's Compensation Act, 1923, in India during 1930 is taken from a note on the subject issued by the Government of India. According to the report, though the year under report was the sixth complete year of the working of the Act, much difficulty was experienced in obtaining returns from some employers.

Review of Administration in the Provinces. The total number of cases coming under the purview of Statement I (number of cases and compensation paid on factories, mines, railways, docks and tramways) increased from 18,865 in 1929 to 23,574 in 1930. The increase is mainly due to the greater number of temporary disablement cases reported from railways, the number of such cases having increased from 2,632 in 1929 to 7,666 in 1930. The increase in the total number of accident cases within the purview of Statement I is not, however, reflected in the total amount of compensation paid for accidents during the year, the 1930 total being only Rs.1,245,764 as compared to Rs. 1,260,164 in 1929. Though the Act is becoming more widely known among workers, the report states that there are still certain factors which retard the full attainment of the objects underlying its enactment. Thus it is recorded in the Central Provinces report that the workmen are still as a class ignorant of the extent of their rights under the Act. The Burma report records that there is still a tendency among some employers, especially small employers, to evade their obligations, while the Punjab report

*Workmen's Compensation Statistics for the year 1930 together with a note on the working of the Indian Workmen's Compensation Act, 1923. Published by order of the Government of India. Calcutta: Government of India Central Publication Branch, 1932. Price As.7 or 9d.

mentions a greater tendency on the part of workers to accept whatever amount is offered to them by their employers. This is attributed to the desire to avoid prolonged proceedings before Commissioners, and in the case of ~~the~~ minor accidents to anxiety to retain service with the employer. The full and valued co-operation afforded to the Commissioner for Workmen's Compensation in Bengal by the Calcutta Claims Bureau is warmly acknowledged in the Bengal Report which also mentions the help given by the Indian Seamen's Union of Kidderpore to its members in the realisation of compensation. A claims agency acting for workmen, the first of its kind in the Bengal Presidency, was started in Kharagpur and is reported to have dealt with claims arising out of accidents in the railway workshops there. The Bihar and Orissa Report records that compensation in the majority of cases of permanent disablement was as usual settled out of court and generally by agreement under Section 28. The Bombay report acknowledges that the work of the Workmen's Compensation Commissioner of Bombay was greatly facilitated by the fact that many claims were settled through the insurance companies who dealt with about 35 per cent. of the cases. The Textile Labour Union of Ahmedabad continued to do notable work in obtaining compensation for workmen, the great majority of cases in Ahmedabad being presented to the Workmen's Compensation Commissioner through the Union. The Ambernath Labour Union was also active in the same cause and like the Ahmedabad Union did the work without charging commission to its members. It is only in contested cases that the Unions recovered legal and other expenses from the claimants. The Factory Inspection Department in the Punjab continued to render assistance to workmen as regards the method of preferring claims.

The Bombay report acknowledges cases where generous employers made ex-gratia payments to their injured workmen, although no compensation arose under the law. A notable case was where the Burmah-Shell Oil Storage and Distributing Company of India, Limited, deposited in Bombay a sum of Rs. 13,250 in respect of seven men who lost their lives in the sinking of the S.L. "Chukker". The dependants of these unfortunate men were not legally entitled to compensation as the deceased persons were not workmen within the meaning of the Act. Messrs. Volkart Brothers also deposited money under similar circumstances in another case. It was also noticed in the same province that in cases of temporary disablement for short periods some employers of standing voluntarily pay more than is due under the Act.

Application filed before Commissioners.- The total number of applications filed before Commissioners in 1930 under section 10 of the Act for the award of compensation was 640, compared with 554 in 1929 and 558 in 1928, a notable increase. The number of distribution cases filed before Commissioners under section 8 of the Act was 652 as against 703 in 1929 and 531 in 1928. The percentage of contested cases to the total number of cases disposed of by Commissioners was 21.5 as compared with 20.07 in 1929 and 23.7 in 1928. The number of applications filed before Commissioners for the registration of agreements was 997 as against 1,067 in 1929 and 906 in 1928.

The number of appeals filed in the High Courts was 7 as compared with 10 in 1929. Of these, four were in the Bombay Presidency, and three in Burma. The single reference made during the year to High Courts under section 27 of the Act was in Burma.

Occupational diseases.- The only claim which appears to have been made during the year for compensation on account of occupational diseases, was one in Bengal on account of permanent disablement

alleged to have been due to lead poisoning. The claim was disallowed by the Commissioner.

Legislative changes.- The Act remained unchanged throughout the year. Steps were initiated towards the close of the year under review to ensure that the Workmen's Compensation Act is extended to all railway lands which lie in Indian States but jurisdiction over which has been ceded to the British Government. Certain changes were made in the Workmen's Compensation Rules, 1924, by a notification of the Government of India in the Department of Industries and Labour, No. L 1424 dated the 11th January 1930. These changes were consequential on the enactment of the Workmen's Compensation (Amendment) Act, 1929. No serious difficulties in the working of the Act are disclosed in the provincial reports for the year.

(The working of the Workmen's Compensation Act, 1923, in 1928 is reviewed at pages 35-39 of the June 1930 report and that for 1929 at pages 28-31 of the July 1931 report of this Office).

Retrenchment in Railways: A.I.R.F's
Meeting with the Railway Board.

Mr. Jamnadas Mehta, the President of the All India Railwaymen's Federation, met the Railway Board on the 2nd February 1932 to discuss with them the question relating to the discharge of employees who are reported to be in excess of requirements by the railway administration. The Railway Board informed the Federation that the former had authorised the Agents of State railways the discharge of not 3,500 ~~employees~~ employees as was estimated by them in October last (vide page 21 of December 1931 report of this Office) but nearly double that number. The Railway Board also announced its intention of a further retrenchment of nearly 4,500 men in the near future and promised that no action would be taken until a month after the recognised unions had been informed and any representation that such unions may ~~make~~ make within 14 days of such intimation had been considered by the Agent. Mr. Mehta pleaded that no action should be taken till the report of the Court of Inquiry was published by the Government of India, but the Board did not agree to it. He also stated that the cumulative effect of short time, demotions, discharges and wages cuts had been most prejudicial to workers and that the Council of Action had instructed him to inform the Board that the workers could not be expected to submit tamely to all these attacks on their conditions of labour, and he, therefore, strongly urged that the cut in wages should be abandoned and that the discharge of men should not be resorted to.

The contemplated discharge of a large number of workers has roused the feelings of the railwaymen as may be seen from the following passage from a communiqué issued on 13-2-1932 by the General

Secretary of the A.I.R.Federation criticising the Railway Board's Retrenchment policy.

"The Board ignored the presence of the Court of Inquiry and while the latter had hardly begun its task, the proposal of discharging about 10,000 employees was mooted; then, before the end of the month the figure was reduced to 7,000 and by 1st December, the proposed figure of compulsory discharges was about 3,500, excluding certain staff belonging to a different category. As soon as the Court finished its sessions, the figure of compulsory discharge has more than trebled and no doubt, this is not the last of it. The widely divergent estimates within a short time cast suspicion on the bona fides of these figures. Any suggestion of alternatives is not to the liking of the Board. Their action, in the face of wage-cuts and recent staff retrenchments, is not only a mockery of justice and fair-play but is a defiant violation of the spirit of the Trade Disputes Act, which requires neither party to launch into ~~an~~ aggressive action pending consideration of the findings of the machinery set into motion for this purpose, however inadequately". (The Hindu, 14-2-32)

A meeting of the General Council of the Federation was originally intended to take place on the 23rd and 24th February for the consideration of the retrenchment situation but was postponed to the 6th and 7th March 1932, with a view to await the report of the Court of Enquiry, a summary of which is appended at pages 36-42 of the present report.

(Press Report of the A.I.R.F. No.4, dated 29-2-1932).

Report of Court of Enquiry into Railway Retrenchment:*

Main Findings Summarised.

References have been made in the earlier reports of this Office to the Court of Enquiry constituted on 13-10-1931 under the Indian Trades Disputes Act, to investigate certain matters connected

* Government of India - Report of the Court of Enquiry constituted under the Trade Disputes Act, 1929, to investigate certain matters connected with staff retrenchments on Indian Railways - 1932 (Published under the orders of the Governor General in Council) - Calcutta: Government of India Central Publication Branch 1932 - Price Annas 10 or 1s. - pp.67.

with staff retrenchments on Indian Railways (vide pages 44-48 of July 1931 report, and "Conditions of Labour" section of subsequent reports). The Report of the Court was recently published by the Government of India. The following is a summary of the more important findings and recommendations of the Court:

Terms of Reference. - The Court of Enquiry which was composed of the Hon. Justice Murphy, I.C.S (Chairman) and Dr. Syed Ross Masood, LL.D., B.A. (Oxon), Bar-at-Law and Mr. T.R. Venkatarama Sastri, C.I.E. (members) was given the following terms of reference:-

1. Whether the retrenchment has imposed improper conditions of work on the staff still employed;
2. Whether the terms allowed to the staff that has been discharged are inadequate or unreasonable;
3. Whether having in view the limitations imposed by the commercial management of railways the fullest regard has been paid, when discharging the staff, to the following alternatives; the stoppage of recruitment, the operation of normal wastage, working short time, the retirement of staff taking their gratuity and provident fund, or the transfer of individuals to other department or other railways on similar or even reduced rates of pay;
4. Whether there has been victimization or favouritism in discharging establishments; if so, whether ~~if~~ this can be avoided and how; and
5. Whether staff discharged on the ground of retrenchment can or should be given any assurance of re-engagement on recruitment being resumed.

Administrations Covered by Enquiry. - The Enquiry covered retrenchments carried out in the following Railway Administrations: ~~The~~ North Western Railway, ~~The~~ East Indian Railway, ~~The~~ Great Indian Peninsula Railway, ~~The~~ Eastern Bengal Railway, ~~The~~ Bombay Baroda and Central India Railway, ~~The~~ Bengal Nagpur Railway, ~~The~~ Assam Bengal Railway, ~~The~~ Madras and Southern Mahatta Railway, ~~The~~ South Indian Railway, ~~The~~ Bengal and North Western Railway, and ~~The~~ Rohilkhand and Kumaon Railway.

Antecedent Circumstances. - The general circumstances leading up to the retrenchment and giving occasion for the appointment of the Court of Inquiry may be summarized as follows:-

There was a progressive fall in the total of gross receipts on all first class railways, beginning towards the end of 1929. When the budget demands for 1931-32 came to be scrutinized, the Railway Board decided that an all-round reduction amounting to 5 1/2 crores ^(Rs. 55 millions) was necessary. This decision entailed fresh consideration by the different Railway Administrations of their proposed

expenditure, and a search for means of economy to keep expenditure within the limits of the reduced grants.

Principles of Retrenchment . - Speaking generally, the economies in the railways took the form of all possible reductions in the use of material and stores, and an examination of the possibility of operating each railway with a reduced staff. The result of the second step was a number of discharges and demotions, which were made generally from March to the 7th July 1931, though actually some of the administrations had already begun to retrench in this way in the latter part of 1930. The actual retrenchments of staff took place after consultations between the Railway Agents and the Railway Board in February and March, and final orders as to the course which discharges should take were issued by the Railway Board in their letters Nos.683-E.G., dated the 3rd and 6th March 1931, respectively. (vide page 19 of March 1931 report of this Office).

Totals of Discharges and Demotions. - The total staff employed by the 11 first class railways, the subject of this enquiry, on the 31st March 1930, had been 728,821 and on 31st March 1931 was 690,277. Of the latter figure 40,502 were discharged. Of the discharged men, 32,655 were permanent employees, and 7,847 temporary. Another 4,392 were demoted. By this last term is meant the abolition of posts in higher grades and the reduction of the most junior of each grade, to the extent of the abolition, to the grade next below, the abolished posts taking effect in the basic grade by the discharge of the most junior in that grade.

Speaking generally

This block retrenchment was mostly from the engineering and workshop staff. That from the former was largely entailed by the curtailment of all existing betterment schemes and new works, ^{and that} while from the latter, by the decrease in traffic, resulting in less work in the mechanical departments, for repairs, overhauls and renewals.

Convention re. Hours of Work & Weekly Rest. - Among the preliminary points referred to the Court for decision by the A.I. R.F., one is of particular interest to the I.L.O. The question submitted was whether the Conventions on Hours of Work and Weekly Rest should not have been put into force before retrenchment began. The decision of the Court on this point was that if it is shown that the conditions of work have become improper by an increase of the hours of work, the propriety or otherwise of that increase may have to be judged with reference to some standard, and it may be that the conventions accepted by the Government of India and partially put into practice by some Railway Administrations would furnish a basis for a judgment as to the proper standard. The findings of the Court on the question whether improper conditions of service have been imposed on the remaining staff are summarised later.

Conclusions and Recommendations. -

Length of Service Sole Criterion in Block Retrenchment. -

The most important conclusion that the Court have drawn from their

investigation is that where any extensive block retrenchment is to be carried out involving the discharge of hundreds or thousands of men, it is not practical to do it on a complicated classification of men to be discharged as the Railway Board has done in the present case. The Railway Board's classification of the order in which discharges should take place was as follows: (a) those who are inefficient, (b) those who are least efficient, (c) those who have short service and (d) those nearing the age of superannuation. According to the Report of the Court, length of service alone should be made the criterion for block retrenchment. ~~Since~~ ~~this~~ ~~criterion~~ ~~is~~ ~~simple~~ ~~to~~ ~~apply~~ ~~and~~ ~~avoids~~, as far as this can be, feelings of resentment and unfairness in the victims of circumstance and it is intelligible to all of the many grades of workers employed on a railway .

Committees for Ensuring Uniformity. - The report has recommended the appointment of a committee by each Administration affected to prepare the orders which are to be issued to the administrative officers who are to carry out the retrenchment, so as to ensure uniformity in all the departments or divisions of the Administration concerned. These Committees are to consult the representatives of the Unions before framing final orders. The retrenchment is to be carried out in accordance with the general orders which the Committee has framed and appeals from the individuals affected are to be allowed to the Committee whose decision in each case is to be final.

Methods Employed in Present Retrenchment. - As regards the carrying out of the present retrenchment, the findings of the Court are that although the data of the retrenchment were supplied to the Court in the original statement of the case for the Administrations, and the principles to be followed had been laid down by the Railway Board, it was not possible for the Court to judge whether the results had been those intended by the Board, and the investigations have disclosed a great variety of application and interpretation of the orders, which could not have been deduced from the facts stated in the first instance. Apart from variations due to differing interpretations, it was found that in some cases the Railway Board's instructions were not followed on different points by the several Administrations concerned; on the ground that some other course was more suitable in their opinion. Two important instances of such neglect that have been mentioned in the report are the neglect of the Board's order regarding the procedure to be followed when discharging men of ten years' service, or over — a neglect which occurred on all the Administrations —; and the neglect of the Administrations, except those of the M.&S.M. and the N.W. Railways, to consult the unions concerned. There are several other cases of the same neglect of the Railway Board's orders or advice on nearly all the Administrations concerned, and there seems to be some need for ensuring that the orders which are issued by the Agent are in conformity with those which have been received by him from the Railway Board.

Findings on Issues Referred to the Court: Re. Conditions of Service of Staff still Employed. - Regarding the first term of reference, viz., whether the retrenchment has imposed improper conditions of work on the staff still employed, the report states that there is no evidence that improper conditions have been imposed on the remaining staff in the workshops. The retrenchment in shops was due to a lessening of the amount of work to be done, and was largely a matter of weeding out unwanted hands, and more work could hardly be imposed on the staff still employed in these circumstances. Actually, it has been necessary to resort to short time, fully to employ those who remain in the lessened working hours. In the other large group of those discharged, the workers of the engineering gangs, more work has undoubtedly been imposed on the men, where the members of a gang have been reduced and their beats have been enlarged, but the Court do not consider that the conditions imposed thereby are improper and there are no complaints under this head. Such complaints as the Court have had under this head have been mainly from the station and running staff. These complaints have been vague and unconvincing.

Adequacy of terms allowed to discharged staff. - The finding on the second issue, viz, whether the terms allowed to the staff ~~that~~ that has been discharged ~~is~~ are inadequate or unreasonable, is, according to the Report, a question of finance. ~~The finding on the second issue is really a question of finance~~ The best terms were those offered to the men on the Madras and Southern Mahratta Railway, and they secured a large number of voluntary retirements. The same terms would have been suitable in the other Administrations also. But the Court, the report states, was unable to decide whether the financial conditions would have permitted giving these terms elsewhere or not.

Methods of Effecting Retrenchments:- Regarding the third term of reference, the findings of the Court are as follow:-

The evidence before the Court is to the effect that on all the administrations, recruiting has been stopped, and that ~~this~~ step had in most cases been taken before the staff retrenchments began. The stoppage has not been absolute, for there are some posts which must be kept filled, such as those of specialists, and posts in departments or grades which were already working with a minimum staff and could not further be retrenched, but with these exceptions the stoppage has been general.

The operation of normal wastage is a far more complicated problem than appears at first sight and there are no figures available which can yield a general rate, though they might be worked out for small groups. But this kind of wastage is irregular and is apt to decrease when times are hard and men do not lightly resign their appointments, as they do sometimes when they can be reasonably sure of obtaining another when wanted. The Court think

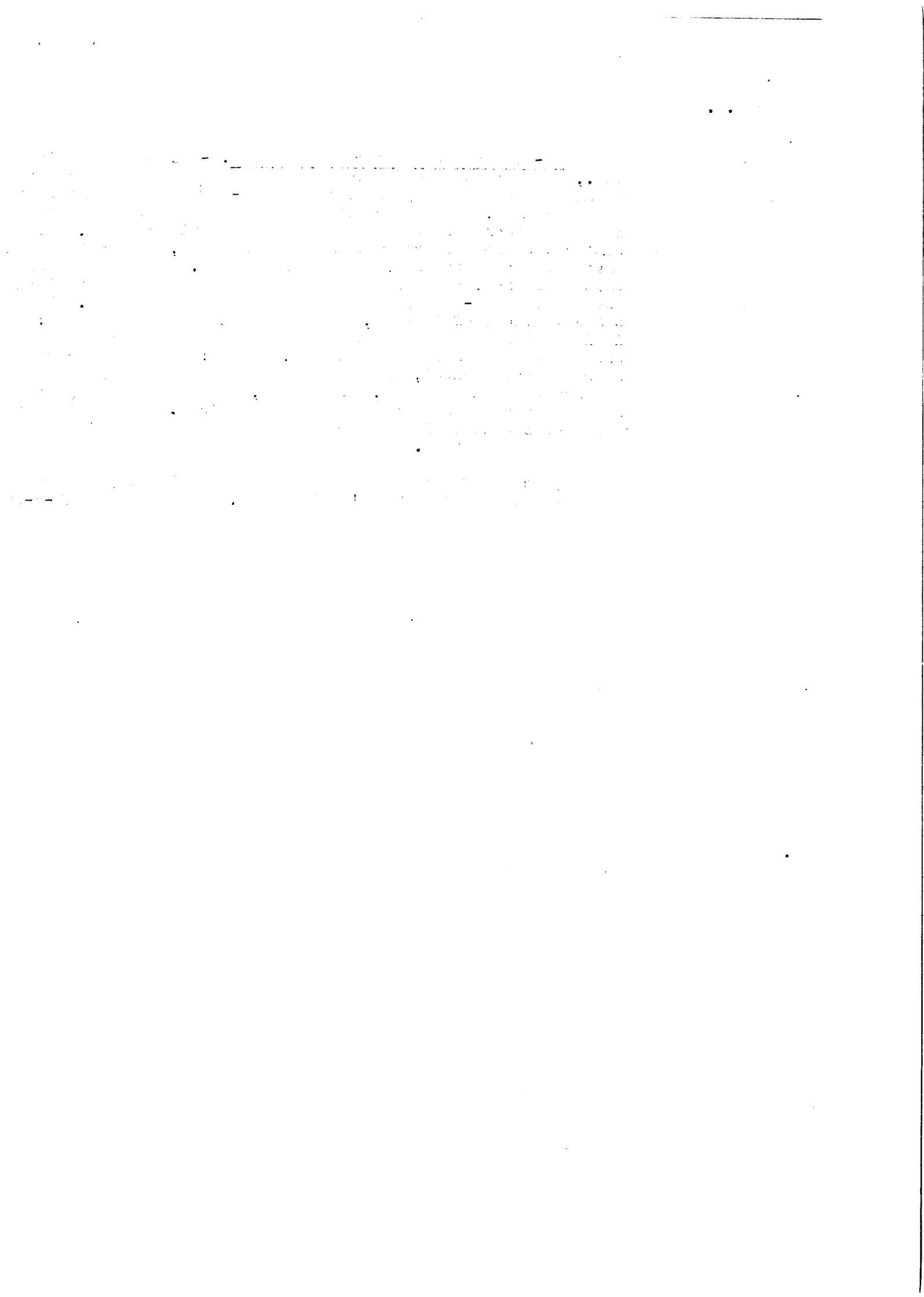
that all the Administrations concerned have been alive to the fact of normal wastage, and have allowed for it to the extent that it was calculable, and that no well founded complaint can be made against them on this score.

Under the 3rd sub-head of short time the methods of spreading work have not all been adopted in the various administrations except compulsory leave without pay which was enforced by the Assam Bengal, Eastern Bengal, Bengal and North Western, Rohilkhand and Kumaon and North Western Railways and leave on half pay in the East Indian Railway.

The 4th sub-head is again fundamentally a question of wastage, or perhaps of encouraging it. The only administration in a position to offer special terms was the Madras and Southern Mahratta Railway and the largest number of resignations was so obtained. There have also been stray resignations in other administrations, but they have been few. Forcible superannuation has been sparingly used. Theoretically, all men over 50 might have been retired, but in practice any large recourse to this expedient would probably have caused more hardship and discontent than the discharge of junior men, and might well have led to the dislocation of the work of many departments.

The last sub-issue is similarly conditional. Where all the Railways were retrenching, it would only be in an odd case in which men discharged from one administration could hope to find similar work on another. There were a few cases, but as far as appears in the evidence, there is no inter-railway labour exchange, and in the absence of any such machinery, little was done in this way. Interdepartmental transfers were also few, for here the "category" or "trade" difficulty comes largely in its way. The North Western Railway however, have a kind of labour exchange in their Personnel arrangements, and probably more was done in this Administration in this matter than in any other.

Victimisation and Favouritism. - The fourth term of reference raises the questions of victimisation and favouritism. Victimization and favouritism involve both injustice to the individual worker discharged and improper motive and consequent conscious misapplication of the rule as to discharge. As to whether the improper motive operated in any particular case the Court cannot make any pronouncement without very elaborate local inquiries giving the officials complained against an opportunity to repel the charge against them. The Court, however, decided not to embark upon any such inquiry. For the future the Court has suggested that in all block retrenchments, the heads of "inefficiency" and "least efficiency" which give room alike for victimization and favouritism and charges of them should be omitted and there should be a single, obvious, clearly defined ground for discharge, the most suitable in ~~the~~ ^{of the Court} opinion, being shortness of service.



Industrial Organisation.

Employers' Organisations.

Bombay Millowners' Association; Review of Activities in 1931.

Mr. T.V. Baddeley, Deputy Chairman of the Bombay Millowners' Association, at the annual general meeting held in Bombay on 26-2-32 outlined the work of the Association during 1931, which he described as "A rather trying year".

Statistical Surveys of Cotton Industry. - Much was done on behalf of the industry in the way of making representations to the Government of India, the Government of Bombay, the Municipality and other public bodies. Statistics and statistical surveys were published regularly by the Association.

Visual Education. - The expensive experiments in visual education met with poor response from the operatives and was eventually dropped. The Association, however, continued its efforts to do more to promote the welfare of labour and introduced a workers' monthly Marathi magazine.

Uniform Standing Orders re. fines, leaves, etc., - The Association introduced uniform standing orders for all mills in the city; among many other things, these orders regularize and limit punishment in the way of fines and dismissals, and they limit the extent to which men can be payed off. The mills generally have introduced a properly controlled system of leave passes and records.

First Aid Training Classes. - The system of first-aid training has been instituted and four classes of 40 each are already being conducted by the staff of the St. John Ambulance Association. The whole of the expense is borne by the Association. A subcommittee of mill doctors was appointed and regular meetings are being held to discuss all possible steps to ameliorate the lot of the sick worker.

Technical Education. - The technical education of the workers is being encouraged by a monetary grant to the Social Service League Technical School and by a system of scholarships, the cost of which is borne by the mills from which the students are drawn. Despite financial difficulty the number of mill crèches has been steadily added to.

Directories & Price Lists. - The cloth labels which were introduced late in 1930 are selling in enormous quantities and these, together with the more recent yarn labels, are now a recognized warranty of Indian manufacture. The demand for copies of the directory of the manufactures of member mills was so great that the directory had to be enlarged and a second edition printed within the year. Another innovation was the publication of detailed price-lists of the leading lines, ~~we manufacture~~, merchants and associations. The Association's service also now includes cloth market reports by reliable trade correspondents in Madras, Delhi and Bombay.

Vigorous Sales Policy. - Much valuable work was also done by the Association to encourage a vigorous and progressive sales policy by its members, and many new agencies and sub-agencies, show-rooms, etc., were opened up in various centres by individual mills, with the result that the industry is now maintaining a much closer contact with its up-country customers and their needs than in the past.

Arbitration Rules & Trade Numbers. - Substantial progress was made by the Association during 1931 towards the solution of the problem of trade numbers. The preliminary work of registering and allocating rights in respect of about 20,000 numbers already used by mills has been almost completed and the procedure, which it is proposed to follow in regard to registration of new numbers, has been circulated to all members for consideration. ~~Another~~ achievement of note on the constructive side has been the introduction of a new standard contract form for transactions in piecegoods arbitration rules which will ensure more expeditious judgments of disputes.

A committee is now engaged on an examination of mills' selling commissions and terms in an effort to standardize these.

(The Statesman, 27-2-1932).

Industrial Organisation.Workers' Organisation.Trade Union Movement in the Bombay Presidency, 1930-31*

The following details regarding the progress of the trade union movement in the Bombay Presidency during 1930-31 are taken from the Annual Report on the working of the Indian Trade Unions Act in the Bombay Presidency during 1930-31. As in last year, the delay in submitting the report to the Government has been explained by the Registrar of Trade Unions as due to the difficulty which was experienced in obtaining correct and complete returns from the Unions.

Number of Registered Unions.- 5 unions were registered during the year under report bringing the total number of registrations as at 31st March 1931 to 52, of which 13 had been cancelled. The number of registered Trade Unions from whom annual general statements under section 28 of the Act were due to be received for the year ended 31st March 1931, was thus only 39.

Classification of Unions.- Of the 39 registered unions at the close of the year under review, only 35 individual unions and one federation submitted annual returns. The 35 individual unions may be classified thus: Textile workers' unions - 5; Railway workers' unions including those of Railway workshop employees - 10; Seamen's unions - 1; Municipal workers' unions - 4; Port Trust and Dock workers' unions - 4; Miscellaneous unions - 11. The Federation was the G.I.P. Railway Staff Union which, at the end of the year had 10 unions affiliated to it.

* Annual Report on the Working of the Indian Trade Unions Act (Act XVI of 1926) for the Bombay Presidency for the Year 1930-31. Price - Anna 1 or 1d. Bombay: Printed at the Government Central Press, 1932. pp.17.

Membership and Finances of Unions.- The total membership of the 35 registered trade unions which submitted returns during the year under review was 94,922 at the beginning of the year and 75,214 at the end of the year, and the opening balance of their combined general fund was Rs. 253,590-12-0 and the closing balance Rs.298,467-10-1. The fall in membership is to be attributed mainly to the fall in membership of the G.I.P. Railwaymen's Union, Bombay, from 41,640 at the beginning of the year to 20,267 at the end.

The following table gives the aggregate membership figures and the opening and closing financial balance as at the beginning and end of the year under review for the 5 textile workers' unions, 10 railway workers' unions, 1 seamen's union, 4 municipal workers' unions, 4 Port Trust and Dock Workers' unions and the 11 miscellaneous Unions.

	Membership		General Fund					
	at beginning of year.	at end of year.	Opening balance			Closing balance		
			Rs.	A.	P.	Rs.	A.	P.
Textile Workers' Unions (5)	5,512	3,664	7,902	15	3	7,997	11	10
Railway Workers' Unions including those of railway workshop employees (10)	56,665	38,412	89,677	3	4	83,035	8	1
Seamen's Union (1)	23,133	24,398	115,847	4	9	163,256	3	6
Municipal Workers' Unions (4)	1,673	1,637	2,157	1	7	2,694	12	4
Port Trust and Dock Workers' Unions (4)	3,986	3,310	27,046	11	6	29,049	11	5
Miscellaneous (11)	3,953	3,793	10,959	7	7	12,433	10	11

The principal liability of the majority of the Unions was the General Fund. The total amount of liabilities under other heads for all the above Unions amounted to Rs. 26,099-13-2 as against total

assets amounting to Rs. 332,701-4-4, the difference between these two figures representing the amount at the credit of the General Fund Account. The figure for total assets includes a sum of Rs. 8,133-13-1 by way of excess of expenditure over income and another amount of Rs. 181,872-9-0 for Unpaid Subscriptions Due (amounting in one case to Rs. 162,392), and the real value of the later is rather doubtful. It is to be noted that over half the figure for cash assets and nearly half that for securities relate to one Union only, viz., the National Union of Railwaymen of India and Burma, Bombay. The Assets of the Federation were made up of cash amounting to Rs. 238-4-8, Unpaid Subscriptions (in this case affiliation Fees) Due amounting to Rs. 580-0-0 and Miscellaneous Assets amounting to Rs. 135-13-6. The liabilities of the Federation were composed of the General Fund Account amounting to Rs. 573-0-2 and other liabilities to the extent of Rs. 381-2-0.

Membership and Finances of Federation.- The G.I.P. Railway Staff Union, Bombay, which is the only registered Federation had ten unions affiliated to it during the year under report. The opening balance of its general fund was Rs. 1,351-13-11 and the closing balance Rs. 573-0-2.

Political Fund.- Only one Union, the National Union of Railwaymen of India and Burma, Bombay, maintained a political fund, which at the end of the period under review amounted to Rs. 947-0-0.

Number and Membership of Registered and Unregistered Unions.-

According to the list of trade unions maintained by the Labour Office, Bombay, the number of Trade Unions reported as in existence at the beginning of the year under report was 94, with a total membership of 144,409 which decreased to 93 with a membership of 128,393 towards the close of the year 1930. The corresponding figures at the close of the year under report were 93 and 127,428.

(The Annual Report on the working of the Trade Unions Act in the Bombay Presidency for the year 1928-29 is reviewed at pages 42-48 of the June 1930 report and that for 1929-30 at pages 58-61 of the May 1931 report of this Office).

Trade Union Unity Conference Postponed to 5-3-1932.

Reference was made at page 45 of the October 1931 report of this Office to the efforts that are being made to effect a union between the All-India Trade Union Congress and the All-India Trade Unions Federation. A meeting ~~at~~ of the Committee that has been appointed to investigate the basis for rapprochement between the two organisations was originally intended to be held at Bombay on the 24th February 1932 along with the meeting of the General Council of the All India Railwaymen's Federation (The Hindu of 12-2-1932). Since the date of the meeting of the General Council of the A.I.R. Federation has been postponed to the 6th and 7th March 1932, (vide pages 35-36 of this report), the date of the meeting of the Trade Union Unity Committee has been postponed to the 5th March so as to facilitate the attendance of the members of the General Council of the A.I.R.F. at the other meeting.

(The Times of India, 29-2-1932)

Intellectual Workers.Recognition of A.I. Postal Union: Deputation to Director-General.

At pages 35-38 of the report of this Office for December 1931, reference was made to the withdrawal of official recognition accorded to the All India Postal and R.M.S. Union and to the circumstances that led to the taking of this step by the Director General of Posts and Telegraphs. An emergent meeting of the Council of the All-India (including Burma) Postal and R.M.S. Union was held at Delhi on the 30th and 31st January and 1st February 1932 to consider the situation created by the withdrawal of official recognition from the Union and all its affiliated branches under the Director-General's Special General Circular No. 40 dated the 11th January 1932 and the steps to be taken to secure an early restoration of recognition. In the absence of the President and Vice-President Mr. M. Somasundaram Mudaliar was voted to the chair.

Proceedings of Council.- The council was unanimously of opinion that restoration of official recognition to the Union and all its affiliated branches was of essential importance and necessity in the best interests of the employees and the Union should be prepared to remove the causes of the misunderstanding that had led to the withdrawal of recognition. It was also unanimously agreed that the services of non-official office-bearers were unavoidably necessary if the Union was to function properly and that the Director-General should be approached and matters be explained to him. The General Secretary informed the Council that negotiations were being carried on with the authorities by some of the non-official members of the Assembly who were also presidents of some of the Provincial Branches of the Union with a view to effecting a satisfactory settlement. He also informed the Council that at his request the Director-General was kind enough to grant him an informal interview on the 29th January in course of which he fully discussed with him the conditions laid down for restoration of recognition. He acquainted the Council members with the details of the discussion and informed them that the Director-General after giving him a most patient and courteous hearing had agreed, at his suggestion, to receive a small deputation of representatives of the Council in his office at 9.30 a.m. on the 1st February to hear the view-points of the departmental men in the matter.

The Council thereupon decided to send the deputation the personnel of which would be settled at the next day's meeting. It was agreed that the Deputation should explain to the Director-General

of the necessity of electing suitable non-official gentlemen as office-bearers of the Union and inform him that the Council was prepared to suspend further action on the Referendum issued by the Union on the mandate of the last Conference and to delete clause 4(e) from the Standing Rules.

The Council unanimously elected the following members to form the Deputation to the Director-General:- Mr. D.N. Mukerjee; Mr. P.C. Vaswani; Mr. D.P. Somasundaram; Mr. R.A. Tahar; Mr. G.G. Chitale; Mr. N.C. Sen Gupta; and Mr. S.C. Joshi. It was decided that the view-point of the employees should be explained to the Director-General mainly by Departmental members.

Deputation to Director-General on 1.2.1932.- The Director-General received the Deputation on 1-2-1932. Mr. D.N. Mukerjee who acted as spokesman, assisted by other members, explained the view-point of the employees in a clear and convincing manner according to the mandate of the Council. The Director-General after a patient and courteous hearing expressed the opinion that he appreciated the necessity of non-official office-bearers, especially in the secretarial staff of the Union and appeared to be convinced that under the constitution of the Union there was absolutely no scope for non-official office-bearers to change the existing policy of the Union or ~~xxx~~ initiate a new policy. He assured the Deputation that he fully appreciated the usefulness of a strong service Union both to the staff as well as to the administration provided it was conducted and administered in a manner consistent with the duties of Government servants. He asked the General Secretary to address him a letter embodying the conditions agreed upon and promised to reconsider his orders on receipt of the letter.

Resolutions Passed.- The following resolutions were passed at the All-India (including Burma) Postal and R.M.S. Union Council Meeting held at Delhi on the 30th and 31st January and 1st Feb. 1932:

Suspension of Referendum.- In view of the fact that exception has been taken by the Director-General to the action taken on the Referendum passed by the last All-India Postal and R.M.S. Conference and that the Director-General has also withdrawn the official recognition of the Union, this meeting of the Council of the All-India Union resolves that further action on the Referendum be suspended.

"Civik Rights" clause dropped.- In view of the fact that objection has been taken to Clause (e) of Rule 4 of the Constitution of the All-India Union regarding the aims and objects of the Union, viz. "to secure full civic rights for Postal and R.M.S. employees", this meeting of the All-India Council resolves that the said clause be deleted and the constitution be accordingly amended at the next Annual Conference.

Request for Recognition.- This meeting of the All-India Council authorises the General Secretary to approach the Director-General with a request for cancellation of the order of withdrawal of recognition of the All-India Union.

(Summarised from pages 73-76 of February 1932 issue of the Indian Post, Vol. 3, No. 2).

Agricultural Indebtedness in Hyderabad State-1930*

The following information regarding agricultural conditions in the Hyderabad State is taken from a review published in the Times of India of 5-2-32 of a report recently published on certain investigations on the subject conducted in certain selected localities of the State by Professor Kesava Iyengar of the Nizam's College, Hyderabad.

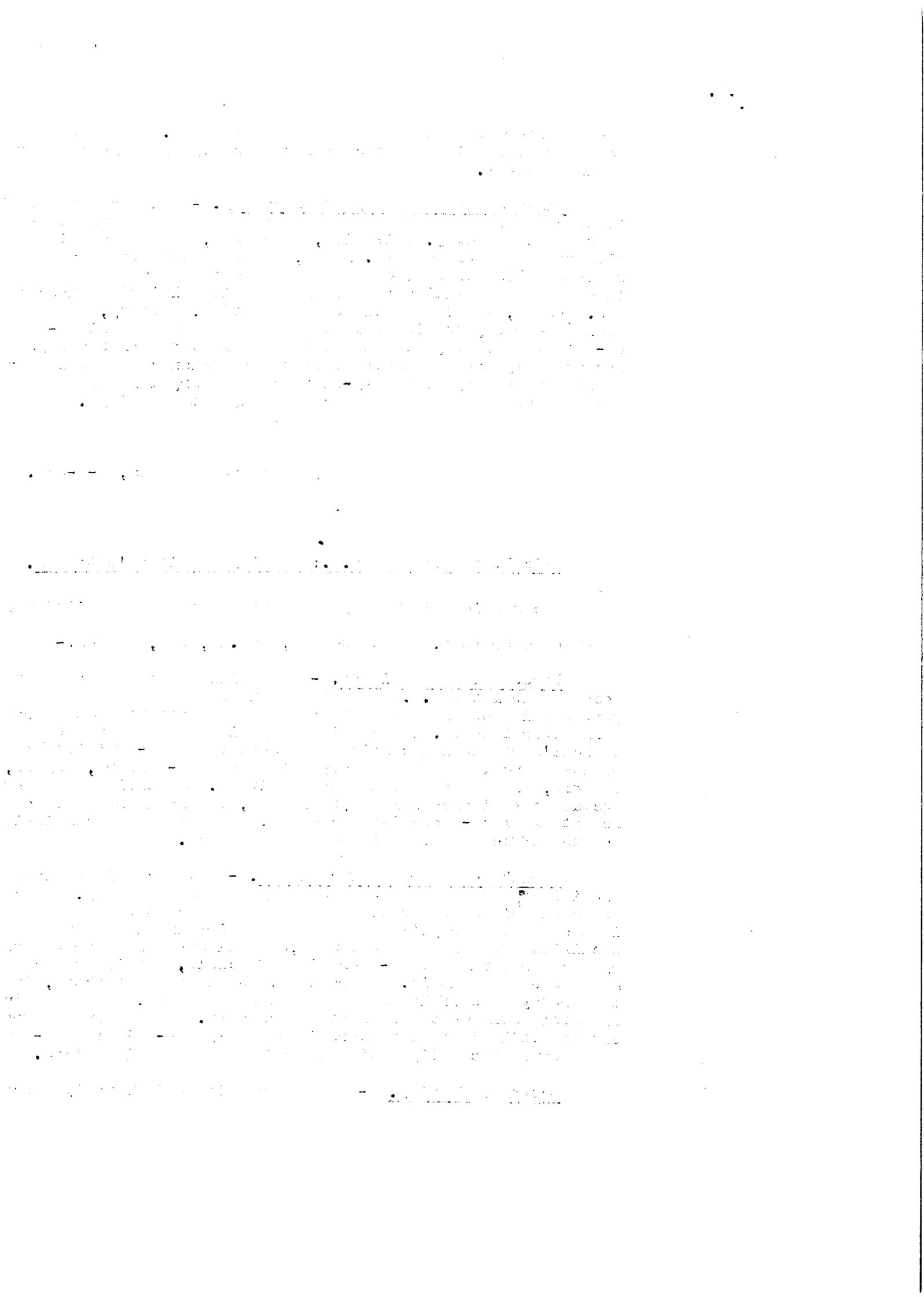
Objects of Inquiry. - The object of the enquiry was two-fold. In the first place an attempt was made to find out the extent to which registered holders of land in the State have been dispossessed of their holdings in the last quarter of a century and what were the causes of their being dispossessed and, secondly, what was the extent of the indebtedness of the existing holders. These are questions which are today receiving much attention in various parts of India, especially in view of the present severe depression.

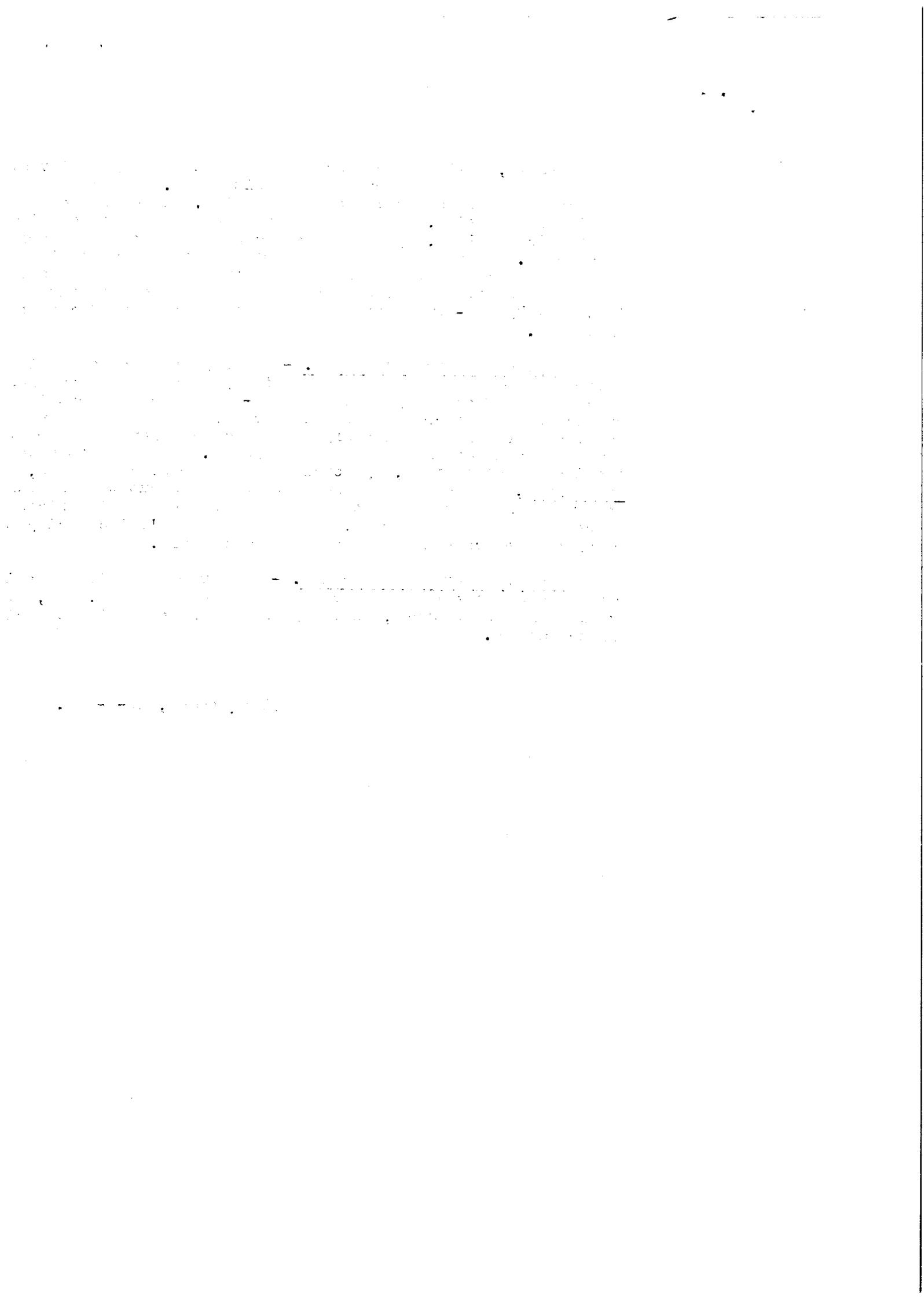
Principal Results Obtained. - The enquiries cover six districts and refer to 56 villages, of which 17 were near main communications and 39 away from these. The results show that in three districts conditions are not unsatisfactory as regards the size of holdings. In one other district land is monopolised by some holders and at the same time too much sub-divided. In the fifth district holdings are not uneconomic but water is insufficient and the outturn small. In the sixth district, although holdings are small climatic conditions are good. In the tables published we find that in the last 25 years ^{if the total area was transferred, the highest} 15.2 per cent. ^{of the total area was transferred, the highest} The causes of dispossession are mainly due to debts contracted for unproductive purposes, such as household and marriage expenses. In two districts there are other causes. "Transfers on account of the interference of village officers are of importance in Nanded and noticeable in Warangal".

Statistics of Indebtedness. - The most important part of the book is that containing statistics of indebtedness. Professor Iyengar divides debts into two classes - land mortgage debts and other debts, the latter class being calculated on resident families. This division has its drawbacks. The result is that it is difficult to get a clear picture of the average indebtedness of tenants who are in debt. The average debt of the resident family, including land mortgages, based on 5,330 families is Rs.124-13-0 and the

* Economic Investigations in the Hyderabad State 1929-30. Prof. Kesava Iyengar. (Governmental Central Press, Hyderabad, Deccan), 1931 - Rs.5-0-0.

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Social Conditions.✓ Immoral Traffic Amendment Act, 1930, Madras.Restricted Application to Madras City.

At page 42 of the report of this office for November 1931, reference was made to the passing of the Bill to amend the Madras Immoral Traffic Act, 1930, by the Madras Legislative Council on 30-10-1931. The following Press Communique dated Fort St. George the 13th February 1932, relating to the Madras Suppression of Immoral Traffic Act, 1930, and explaining why Government have found it impossible to bring into force certain sections of the Act, while bringing into force the other sections of the Act in Madras City and its environs immediately and later in a few selected areas as an experimental measure, has been issued by the Government of Madras.

Objects of the Amending Act.- The question of bringing into force the Madras Suppression of Immoral Traffic Act, 1930, has been engaging the attention of the Government since the passing of the Act in the Legislative Council in January 1930. It could not be brought into force earlier owing to the absence of the machinery postulated in the Act, namely, juvenile courts and rescue homes. The Act as it stood, applied as a whole to the Presidency and contained no provision enabling the Local Government to apply it either in part or to selected areas where juvenile courts and rescue homes were already in existence. To meet these difficulties the Government introduced in the Legislative Council in August 1931 an amending Bill which was passed into law in October 1931. The amending Act enables the Local Government to bring into force the Madras Suppression of Immoral Traffic Act in selected areas and to extend it gradually to other areas as circumstances permit, and to bring into force such of its provisions as may be practicable in any particular area. The Amending Act also dispenses with the necessity for juvenile courts for dealing with girls under section 6 of the Act where such courts do not exist.

Rescue Homes and Private Charity.- The amending Act removes one difficulty in the way of bringing the Act into force. The difficulty about rescue homes still remains. Section 6 of the Act empowers a magistrate to issue an order for the removal of a girl apparently under 18 years of age living in a brothel and for her custody until she attains the age of 21 years or for any shorter period in a rescue home or in such other custody as the court for reasons to be stated in writing shall consider suitable. The Select Committee which reported on the original Bill (the one which subsequently became the Act of 1930) inserted a clause making it obligatory on the part of the Local Government to provide the necessary

rescue homes. The Government were however unable to shoulder ~~the~~ financial responsibility in the matter and the Governor accordingly refused sanction to the introduction of the clause. The clause was therefore deleted by the second Select Committee. The policy of the Government in regard to the provision of rescue homes is as follows: At present they have no money to spare for an object, however deserving, for which it is normally the business of private charity to provide. It follows therefore that, if the whole Act is to be brought into force, rescue homes must be established and maintained by private bodies. Certain institutions have expressed their willingness to accept rescued girls and maintain them provided the Government pay a contribution for their maintenance. This is a proposition to which the Government cannot agree. The Act provides the machinery and it is for philanthropic bodies to make it workable.

Selected application.- In the absence of suitable rescue homes the Government are unable to bring into force those sections of the Madras Suppression of Immoral Traffic Act, namely, sections 6, 7, 8 and 16, which deal with the removal of girls apparently under 18 years of age from brothels and their custody in rescue homes. It is proposed to bring the other sections of the Act into force in Madras City and its environs, and later in a few selected towns as an experimental measure. These sections will be extended to other areas as circumstances permit.

(The Hindu, 15-2-1932).

✓ U.P. Suppression of Immoral Traffic Bill, 1932:

Referred to Select Committee.

On 24-2-1932, Mr. E. Ahmed Shah, the nominated non-official member to represent Indian Christians, moved in the U.P. Legislative Council a Bill for the suppression of Immoral Traffic in the U.P. He also moved its reference to a Select Committee.

Objects of the Bill.- The object of this Bill is to provide consolidated legislation for the suppression of immoral traffic in the United Provinces and give the authorities such powers as would materially aid them in checking the evil of commercialised vice and would lead to the gradual suppression of brothels and immoral traffic

Principal Provisions.- The means suggested in the present Bill are: (a) to strengthen the hands of the authorities in regard to rescuing ~~the~~ of minor girls from brothels or places used for carrying on the business of a prostitute; (b) to empower landlords to get rid of objectionable tenants; (c) to provide a ~~penalty~~ penalty - (1) for any person who keeps a brothel or permits the use of any place as a brothel or for carrying on the business of a prostitute; (2) for procurers, pimps, persons living on the earnings of prostitutes, or such persons as traffic in prostitution; (3) for solicitation in a public place; (4) for causing or encouraging or abetting seduction or prostitution of minor girls; and (5) for detaining minor girls

in any place where prostitution or the business of a prostitute is carried on. Punishment is provided for two years' imprisonment or fine of Rs. 1,000 or both for offences under the Bill, and girls below 18 years of age can be rescued by a police officer under the orders of a magistrate from houses of ill-fame and sent to rescue homes or other suitable custody (other than a police station or a jail). For determination of the question whether a girl produced before a court under this Bill is under 18 years of age, the decision of a civil surgeon is to be final.

Rescue Homes.- ~~Section 1.~~ The Bill further empowers the local Government to make rules (a) for the care, treatment, instruction and maintenance of girls placed in rescue homes or other suitable custody, and (b) for the detention of girls under the provisions of section 1.

(The Leader, 26-2-1932).

The Council passed the motion for reference of the Bill to a Select Committee.

Remarriage of Hindu Widows: New Gwalior Legislation.

The remarriage of Hindu widows has been authorised by an Act passed by the Gwalior Assembly at the third sitting of its eleventh session held on 18-2-1932. ~~The debate on the measure was of a high standard and the galleries were full.~~

(The Times of India, 22-2-1932)

Co-operation.Progress of Co-operation in the Punjab, 1930-31.*

According to the Punjab Government, the progress of co-operation in the Punjab during the year ending 31-7-1931, considering the disturbed credit conditions during the period, was quite satisfactory. The following statement shows the general progress during the year so far as it can be recorded statistically.

Class	Societies		Members		Working Capital	
	1930	1931	1930	1931	1930	1931
Provincial Bank	1	1	13,008	13,090	Millions Rs. 279.7	Million Rs. 10.8
Central Credit	118	119	22,400	22,770	70.6	70.9
Central Non-Credit	40	44	4,379	5,561	0.5	0.6
Agricultural	17,222	17,541	540,338	569,296	81.0	84.9
Non-Agricultural	2,952	3,037	104,603	110,320	14.5	13.9
Total	20,333	20,742	684,728	721,037	176.3	181.1

Workers' Societies.- According to the report, there is now only one society that comes under the head of Production and Labour and that is the Urdu Press which is reported ~~to~~ to work satisfactorily. The Lahore Model Town Society - a building society - has already built 151 houses and has 29 under construction. During the year under review, the number of industrial societies and their membership decreased from 320 in 1930 to 314 and from 6,047 in 1930 to 5,721 respectively. The average membership per society fell

*Report on the working of Co-operative Societies in the Punjab for the year ending 31st July 1931. Lahore: Printed by the Superintendent, Government Printing, Punjab, 1932. Price: Rs. 3-8-0 or 5s.2d. pp. 50 + xviii.

from 19 to 18. Of the 314 societies, 192 are of weavers, and 57 of shoemakers. The remainder include those of tanners, dyers, copper-smiths, ironsmiths and furniture-makers, for the most part. There was a proportionate decrease in the working capital of these societies from Rs. 694,000 to Rs. 672,000. The value of raw materials advanced to members was Rs. 110,000 against Rs. 122,000 during the previous year and the value of members' goods sold Rs. 111,000 against Rs. 118,000 in the previous year.

(The Progress of Co-operation in the Punjab during 1929-30 is reviewed at pages 59-60 of the report of this Office for March 1931).

Education.

Dhanbad School of Mines: Progress in 1930-31.

A press note issued by the Industries and Labour Department of the Government of India on 12-2-1932 says:-

Nature of Studies.- The annual report of the principal of the Indian School of Mines, Dhanbad, on the working of the school for the session ending on October 31, 1931, discloses a successful year's work. The school provides training for the professions of mining engineer and geologist, and is under the management of a governing body appointed by the Government of India.

Progress of Students.- At the commencement of the session under review the total number of students on the roll was 71, of whom 14 were in the first year, 10 in the second year, 20 in the third year and 22 in the fourth year classes. The results of the examinations held in July last show a high percentage of passes, and the favourable comments made by the external examiners, two of whom are professors of important technical institutions in Great Britain, speak well of the standard attained in the examinations. In the diploma examinations for geology and mining engineering, out of the 22 candidates who sat for the examinations 21 were successful and out of the 29 candidates who sat for the examination for the certificate of the school, 28 passed.

Employment Bureau.- An employment bureau has been opened in the school for the purpose of assisting the passed students in finding suitable employments, and it is gratifying to find that the principal's efforts in finding employment for the passed students of the school are meeting with considerable success. During 1928-29, when the school produced its first batch of certificate-holders, employment was found for six who had decided not to proceed with further

studies. In 1929-30, 33 passed students secured employment or received scholarships for further training, the figure for the year under review being 17.

Recognition in Great Britain.- The School has been recognized by the Secretary for Mines, Great Britain, in respect of its diploma in mining engineering for the purpose of the examinations for the first and second class Colliery Manager's Certificates. It has also been recognized by the University of London for the purposes of the B.Sc. degree in engineering (mining) of that university. It is believed that this school is the first technical institution outside the British Isles that has been granted these concessions.

(The Leader, 19-2-1932).

✓ Primary Education in Baroda: Advisory Committee Appointed.

Orders have been passed by the Baroda Government transferring the responsibility of maintaining an effective control on the working of the primary schools to the village panchayats, to be exercised through the inspection committee consisting of the members of the Board, and establishing District Educational Committees with specific powers to advise the Government as to the particular needs in matters educational of the respective districts. With a view to ensure the efficient working of the advisory committees to which the Government attach much importance, the Dewan Saheb, Rao Bahadur V.T. Krishnama-chariar, has issued detailed instructions defining their powers and functions.

Functions of Advisory Committees.- Under these orders, the committee has been authorised to select school teachers for the elementary schools, and nominate candidates from amongst teachers to be deputed to the Training Colleges after holding necessary examination according to the syllabus prescribed by the Commissioner of

Education to ensure the selection of the most suitable candidates. It will also exercise the right to decide appeals against the decisions of the district Inspectors given at their quarterly meetings withholding ^{in 1924} ~~payments~~ to men teachers drawing upto Rs. 40 and women teachers Rs. 30 and under, and pass orders in the light of the criteria laid down in the Commission's circular. Another function entrusted to the committee is to fix ~~dates~~ dates for vacations in schools according to seasonal demands and also hours of school attendance suitable to local conditions.

Half Yearly Reports.- The Dewan Saheb further directs that every half year, the Divisional Inspectors should prepare a comprehensive review of the working of compulsion in his division dealing inter alia with the list of school children, grounds of exemption, proportion of absence with reasons thereof, nature and adequacy of punishment, withdrawal of pupils from schools before attaining literacy amongst the various village communities, improvements noticed in the quality of teaching consequent ~~on~~ the principle of granting bonus to teachers as a mark of appreciation of good services and lastly the interest taken by the village panchayats in the working of ~~the~~ compulsion. The Government desire that the district committee should make their observations and comment on the review prepared by the Inspectors before it is forwarded to the Commissioner of Education for submission to the Government.

Arrangements for Baroda City.- The order is made applicable to all four districts of the State except Baroda City proper where the City Municipality has been empowered to exercise all the functions of the Baroda District Committee which will confine itself to areas excluding the municipal limits.

(The Hindu, 23-2-1932).

Agriculture.Rural Uplift in Baroda: Kosamba Scheme.

The Baroda Government has sanctioned a scheme recently drawn up to provide the agricultural community with supplementary sources of income. Accordingly, it has been decided to open a rural reconstruction centre at Kosamba, a town on the B.B. and C.I. Railway between Surat and Ankleswar. The enterprise will be largely a non-departmental concern and will have considerable freedom of action. The scheme is estimated to cost Rs. 15,000 ^{per year} and will be given a trial for three years in order to find out whether it is capable of extension to other parts of the State. The centre will be under the charge of Mr. Jacobie, whose services have been lent to the State by the National Council of the Y.M.C.A.

(The Leader, 6-2-1932).

Maritime Affairs.Recruitment of Seamen in Bombay.

Reference was made at pages 62-65 of the report of this Office for December 1931 to the controversy between the National Seamen's Union of India, Bombay, and the Shipping companies in that city regarding the recruitment of seamen and to the communication addressed by the Bombay Chamber of Commerce to the Government of Bombay on the subject. From the reply received by the Chamber from the Principal Officer, Mercantile Marine Department, Bombay District, it appeared that while admitting that there were some cases of intimidation on the part of the Union Officials, the Shipping Master had not found it possible to take direct action against them for want of sufficient evidence. Under the circumstances it seemed to the Committee of the Chamber that shipping companies would have themselves to find a solution to the present difficulties, and that in their own interests, they should endeavour to do so. The Committee accordingly suggested to the companies that an arrangement on the following lines might be considered with a view to its adoption by those companies who found it feasible.

1. A register to be maintained by Shipping Companies wherein would be entered the names and particulars of all the ratings at the time they were signed off, a note being taken whether or not they were members of the Union.

2. When a crew or individual ratings were required, a selection would be made by the Shipping Company from those men who were shown on their register as being next in turn for employment, those registered as non-Union members being recruited by the Shipping Company direct, while application would be made to the Union, to supply those ratings who might be shown in the Shipping Company's register as being Union members.

3. In selecting crews, men who for reasons beyond their control were unable to serve more than six months in continuous employment would (other things being equal) be given preference over those ratings whose previous record of employment was twelve consecutive months.

4. Except in the case of principal ratings such as serangs, butlers, cooks, bakers, munshis, etc., the Shipping Company would endeavour, as far as possible, to arrange for employment to be given by turns to all its regular ratings.

5. A representative of the Union might, if desired, call at the office of the Shipping Company when a crew was to be engaged to ascertain what portion, if any, of the men required and selected by the Company were registered with the Company as Union members and to arrange for those ratings to present themselves for employment.

It was felt that an arrangement on these lines would conform with the Labour Commission's recommendations ^{of the Report of the Commission} (see pages 177-183), namely:- (1) the choice of selection to be with the Shipping Company; (2) no "First Voyagers" to be employed; (3) employment of regular employees in turn as far as practicable; and (4) close co-operation between Companies and the Trade Unions.

(Extracted from the Excerpts from the Proceedings of the Committee ~~during~~ of the Bombay Chamber of Commerce for January 1932).

The seamen's point of view on the question of recruitment was formulated at an extraordinary general meeting of the National Seamen's Union of India, Bombay, on 14-1-1932. Several seamen who were on the unemployed list also attended the meeting. It was pointed out that to replace the seamen discharged from the Clan Line ships in Bombay, crews were requisitioned from Calcutta, while in the case of the Scindia Line ships, some deck and engine serangs were kept continuously employed year after year to the exclusion of many who have served the Company loyally and were now unemployed. It was decided to move the authorities concerned to secure redress of the above grievances, and resolutions urging the Clan Line ~~of~~ ships to recruit crews from Bombay as they used to do till 1922 rather than get them from Calcutta, and protesting against the attitude of the Scindia Steam Navigation Company in their refusal to adopt the system of engagement of serangs, butlers and others by annual turns as has been in vogue in the P. and O., B.I., City and Hall Lines and other European Companies, were unanimously passed. (The Trade Union Record Jan. and Feb. 1932., Vol. II, Nos. 11 and 12).

Section 1. Title of the Bill

Section 2. Short Title of the Bill

Enacted by the Senate of the State of New York on the 12th day of January, 1912.

Section 1. Title of the Bill

Section 2. Short Title of the Bill

Section 3. Purpose of the Bill

Section 4. Definitions

Section 5. Provisions of the Bill

Section 6. Enforcement of the Bill

Section 7. Severability

Section 8. Effective Date

Section 9. Repeal of Existing Laws

Section 10. Construction

Section 11. Savings Clause

Section 12. Miscellaneous Provisions

Section 13. Final Provisions

Section 14. Transitional Provisions

Section 15. Technical Corrections

Section 16. Amending Provisions

Section 17. Repeal of Existing Laws

Section 18. Construction

Section 19. Savings Clause

Section 20. Miscellaneous Provisions

Section 21. Final Provisions

Section 22. Transitional Provisions

Section 23. Technical Corrections

Section 24. Amending Provisions

Section 25. Repeal of Existing Laws

Section 26. Construction

Section 27. Savings Clause

Section 28. Miscellaneous Provisions

Section 29. Final Provisions

Section 30. Transitional Provisions

Section 31. Technical Corrections

Section 32. Amending Provisions

Section 33. Repeal of Existing Laws

Section 34. Construction

Section 35. Savings Clause

Section 36. Miscellaneous Provisions

Section 37. Final Provisions

Section 38. Transitional Provisions

Section 39. Technical Corrections

Section 40. Amending Provisions

Section 41. Repeal of Existing Laws

Section 42. Construction

Section 43. Savings Clause

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Section 118. Transitional Provisions

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Section 126. Transitional Provisions

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Section 137. Repeal of Existing Laws

Section 138. Construction

Section 139. Savings Clause

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Section 142. Transitional Provisions

Section 143. Technical Corrections

Section 144. Amending Provisions

Section 145. Repeal of Existing Laws

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Section 151. Technical Corrections

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Section 167. Technical Corrections

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Section 169. Repeal of Existing Laws

Section 170. Construction

Section 171. Savings Clause

Section 172. Miscellaneous Provisions

Section 173. Final Provisions

Section 174. Transitional Provisions

Section 175. Technical Corrections

Section 176. Amending Provisions

Section 177. Repeal of Existing Laws

Section 178. Construction

Section 179. Savings Clause

Section 180. Miscellaneous Provisions

Section 181. Final Provisions

Section 182. Transitional Provisions

Section 183. Technical Corrections

Section 184. Amending Provisions

Section 185. Repeal of Existing Laws

Section 186. Construction

Section 187. Savings Clause

Section 188. Miscellaneous Provisions

Section 189. Final Provisions

Section 190. Transitional Provisions

Section 191. Technical Corrections

Section 192. Amending Provisions

Section 193. Repeal of Existing Laws

Section 194. Construction

Section 195. Savings Clause

Section 196. Miscellaneous Provisions

Section 197. Final Provisions

Section 198. Transitional Provisions

Section 199. Technical Corrections

Section 200. Amending Provisions

Indian Coastal Traffic (Reservation) Bill, 1932.L. A. Bill No. 12 of 1932.

Reference had been made at page 9 of December 1928 report and page 45 of January 1929 report of this Office to the introduction of a Bill in the Legislative Assembly to reserve the ~~Coastal~~ traffic of India to Indian vessels. The Bill/^{lapsed} owing to the dissolution of the Assembly. A non-official Bill, the text of which is identical with the earlier one as approved by the Select Committee, was introduced in the present session of the Legislative Assembly on 18-2-1932. The following is the full text of the Statement of Objects and Reasons for introducing the Bill:

The object of this Bill is to provide for the employment of Indian tonnage in the coastal traffic of British India and of the Continent of India. This Bill is intended to serve as a powerful aid to the rapid development of an Indian Merchant Marine. Several attempts made in this direction in the past have all practically failed, owing, it is believed, to the existence of powerful non-Indian interests in the coasting trade of India. There can be no doubt that the growth of an Indian Merchant Marine would prove a powerful factor in the employment of Indian talent in various directions in a manner calculated to advance the national interests of India.

This Bill was introduced in the last Assembly by Mr. Sarabhai N. Haji, M.L.A. (vide page 9 of December 1928 Report and page 45 of January 1929 report of this Office), and was referred to a Select Committee whose report was presented to the House. The Bill then lapsed owing to the dissolution of the Assembly. The draft of the Bill now submitted is the same as was approved by the Select Committee.

(Extracted from the Gazette of India of 20-2-1932, No.8, Part V . pages 67-69).

Migration.Cape Town Conference.

Reference was made at page 61 of the report of the Office for January 1932 to the progress of the Cape Town Conference between the representatives of the Governments of India and South Africa, to review the working of the Cape Town Agreement of 1927. An impasse in the negotiations between the Government was reported by the Times of India representative in Durban on the question of the Transvaal Land Tenure Bill to which references were made in the earlier reports of this Office (Times of India, 1-2-1932). The Conference, however, concluded its session on 4-2-1932, and according to the Cape Town correspondent of the Times of India, there is every reason to believe that an agreement has been reached in regard to the revision of the Cape Town Agreement and the Land Tenure Bill. The terms of this agreement are being kept secret at present, presumably awaiting the formal approval of the two Governments. The agreement reached at the Conference is to be published later on simultaneously in India and South Africa. (The Times of India, 6-2-1932).

East African Indian National Congress, 1932

The Eleventh Annual Session of the East African Indian National Congress was held at Nairobi during the first week of January 1932 under the presidentship of Mr. Amritlal D Seth. The chief question before the Congress was the consideration of the Report of the Joint Parliamentary Committee on the question of Closer Union of East Africa. (vide pages 69-73 of the November 1931

report of this Office for a summary of the report). The following two resolutions, the first on the subject of communal franchise and the second on the present unemployment situation among Indians in East Africa, was passed among others by the Congress:-

The Indian Community feels it a piece of discourtesy to them by the European settlers in refusing to have the names of the Indians on the same electoral roll, deeply regrets the countenance given to ~~this~~ racial prejudice by His Majesty's Government, requests them, the Parliament and the British public, to close this chapter of racial prejudice by removing this grievance and wishes finally to tell them that the Indian community will never agree to work this communal franchise.

In view of the drastic retrenchment of Indians from railway and government employment effected during the last year and still in course of being carried out, and in view of the consequent unemployment and economic distress, this Congress requests the Government to prepare without loss of time an Indian Settlement Scheme for the benefit of Indians unemployed in consultation with this Congress.

(The Statesman, 5-2-1932).

Repatriation of Indians from Malaya.

The following statistics regarding the number of Indian labourers and their dependants repatriated from Malaya between 1-6-1930 and 31-12-1931 are taken from the answer given to a question on the subject put in the Legislative Assembly on 3-2-32 by Mr. N.S.Dudhuria, M.L.A. The following is the text of the answer:-

"The number of Indian labourers and their dependents who were repatriated from Malaya between the 1st June, 1930, and the 31st December, 1931, was 130,781. The cost of repatriation is borne wholly or in part by the Malayan Government, the Indian

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Immigration Fund and the employers of labour, according to the circumstances of each case. The main causes are unemployment owing to depression in the rubber and tin industries and also, in some cases, to unwillingness to accept work on reduced wages."

In answer to another question regarding the steps taken by the Government to prevent Indians from going to Malaya and South Africa, the Government replied that recruitment of Indian labourers for Malaya has already been stopped and that only such persons are assisted to emigrate as have left their families in that country. As regards South Africa the position was that emigration for purpose of unskilled work is not permissible under the Indian Emigration Act.

(Legislative Assembly Debates
of 3-2-1932, Vol.I.No.7 Page 335).