

INTERNATIONAL LABOUR OFFICE  
INDIA BRANCH

Industrial and Labour Developments in MAY 1964  
March-April 1964.

I.L.O. REGISTRY-GENEVA

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N.B.-Each Section of this Report may be taken  
out Separately.

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CHAPTER 1. INTERNATIONAL LABOUR ORGANISATION.

INDIA - MARCH-APRIL 1964.

12. Activities of External Services.

Meetings:

a) Director of this Office attended a symposium on 'Social Assistance Scheme' on 29 April 1964, organised by the Indian Association of the Alumni of Schools of Social Work, at New Delhi.

b) The Director attended the 31st Annual Session of the All-India Organisation of Industrial Employers held at New Delhi on 2 April 1964.

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13. Press and Opinion.

India - March-April 1964.

In addition to the attached clippings, the following references to the work of the I.L.O. appeared in Indian Journals received in this Office during the period under review.

1. The Republic Day Special of the "Indian Worker" publishes an article entitled 'Economic Growth and Labour Problems' by the Director of this Office.

2. The same issue of the Journal contains an article on "Trends in Productivity and Real Wages in India and other selected Countries 1951-61". The author quotes from the I.L.O. publication "Year Book of Labour Statistics and Statistical Supplements of I.L.R."

3. The same issue of the Journal contains a newsitem on "I.L.O. Report on Mine Safety".

4. The same issue of the Journal also publishes an article on "Social Justice". There is an incidental reference to the "Declaration of Philadelphia".

5. The Hind Mazdoor in its January 1964 issue under its column "International News" mentions about the ICFTU demand for I.L.O. intervention in the detention of Trade Unionists in Aden.

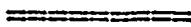
6. 'Asian Labour' dated January 1964 in an article on 'The Task Ahead' on the occasion of the 'Universal Declaration of Human Rights', says ILO Conventions on 'Freedom of Association and Protection of the Right to Organise' and 'Right to Organise and Collective Bargaining' which were adopted at the initiative taken by the ECOSOC, are the direct result of the 'Universal Declaration of Human Rights' - so very lauded and applauded by free democratic countries.

7. The February 1964 issue of the Indian Textile Journal publishes a news-item about the appointment of Mr. Hafiz Abdul Majid as the Assistant Director-General with a short biographical sketch.

8. The National Productivity Council Journal 'Productivity' in its March 1964 issue contains an article on "Productivity, an Exercise in Cooperation". The author in his conclusion says "... using the language of I.L.O. Experts' Productivity Progress should be closely coordinated with over-all programmes and economic development... ."

9. The April 1964 issue of the Journal of Rehabilitation in Asia publishes an article on 'International Team Work in Vocational Rehabilitation - The Role of the International Labour Organisation' by Mr. Aarno J. Banta, ILO Consultant on Vocational Rehabilitation, Social Welfare Administration, Philippines.

10. The Indian Labour (Special Number) received in this Office on 5 May 1964, publishes an article "Vocational Training - A Major I.L.O. Programme", by the Director of this Office.



## Chapter 2. International and National Organisations

### 28. Employers' Organisations.

India - March-April 1964.

Thirty-seventh Annual Session of the  
Federation of Indian Chambers of  
Commerce and Industry, New Delhi,  
7-8 March, 1964.

The 37th Annual Session of the Federation of Indian Chambers of Commerce and Industry was held at New Delhi on 8 and 9 March 1964. The meeting was inaugurated by Shri G.L. Nanda, Home Minister and presided over by Shri Bharat Ram, President of the F.I.C.C.I. Among others, leading industrialists and businessmen attended the Session.

Presidential address.- In his presidential address to the Conference, Shri Bharat Ram said that the administrative techniques proposed by the Union Finance Minister in the latest Central Budget for increasing revenues and checking tax evasion would expose the honest assessee to unprecedented harassment. The proposed removal of the secrecy provision from the Income-Tax Act would result in "character assassination" without any benefit to the exchequer the discretionary power given to the executive was ominously large.

Shri Bharat Ram said that the Finance Minister had left tax-payers in no doubt that to produce revenues the Government can resort to extreme measures of taxation in magnitude as well as in form. Although the Finance Minister had said that tax policy should be geared to promoting growth, some of the proposals he had made in the latest budget were at cross purpose with this objective. Shri Bharat Ram also doubted if there was monopoly and concentration of economic power in the Indian economy so much as to merit the setting up of an enquiry commission. Industry had developed in India on a diversified basis. If some companies had grown more than others that was a reflection of the changing pattern of economic development rather than of monopoly.

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Shri Bharat Ram said the stimulus to production, whether in agriculture or industry, comes from profitability. The retention of profits for further development was a crucial question in any programme of increasing production. It was most unfortunate that there was a tendency to ignore the achievements of private enterprise and chastise, with reckless confidence and without acquaintance with facts all actions of businessmen. A new superstition was growing that the competence and resources of Governmental organisations are infinite. May be, somehow one could contrive to have an endless supply of salaried persons and salaries for them. But it was not an answer to the problem of greater production. Private enterprise had not failed. Credit institutions should not be treated in a cavalier fashion in public discussion like the bulk about nationalisation of banks. That would do irreparable harm to the economy as a whole. Shri Bharat Ram said that increasing agricultural and industrial production was the key to holding prices. All policy should be coordinated with this end in view.

Shri Nanda's speech.— Inaugurating the Conference, Shri Nanda said that production and prices were the most crucial and gravest problems facing the country. In respect of prices, India had reached an acute phase. Group discipline and voluntary check were essential if stable prices had to be ensured. The trade, industry and administration should put their heads together. For this purpose. In agricultural production a good deal had been done but it was not enough. Future progress depended on making supplies available to the agriculturist in a coordinated manner. This was now being arranged. In respect of industry, Shri Nanda rejected the contention of industrialists that a psychology of scarce resources was being created in the country. Much of industry was in the private sector which should reduce its dependence on imported components. Each industry should utilise its capacity in coordination with other industries. There was also scope for reducing foreign know-how by using indigenous scientific and technological facilities in a coordinated way. He specially mentioned the scientific laboratories in this connection.

Shri Nanda said he believed that the restraint on the consumption on the well-to-do was necessary in the interests of society as a whole. He did not agree that there was no problem of monopoly and concentration of economic power. There was a problem that should be enquired into, and industry also might address itself to it.

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Shri Nanda said that there was now an economic and social stalemate in India. It should be broken with a greater sense of social responsibility among business, politics and administration. There was no discrimination against the private sector but it had no claim to any vested interests on the basis of which to demand any restriction of the public sector. The Government's basic approach was that both sectors should serve the object of eliminating poverty by constitutional methods. Poverty, excessive disparity in incomes and uneven distribution of wealth produce discontent which can be exploited for subverting orderly progress. The goal was socialism but it had to be reached through constitutional methods and not by abandoning democratic values. All policies should spring from an acceptance of this basic approach. Government's approach to controls was now more flexible but in key areas controls were essential. The policy in respect of industrial licensing had also been modified with a view to facilitating industrial expansion. Shri Nanda expressed great concern over the problem of unemployment. Not only was this acute but the backlog of unemployment would persist. He appealed to industrialists to increase employment through simpler productive techniques, consistently with improving the quality of industrial products and reducing their cost of production.

Resolutions: Economic Welfare and Fiscal Policy.— Among the important resolutions the meeting adopted a resolution opposing nationalisation of banks and extension of the cooperative sector to agriculture, small scale and processing industries and wholesale and retail trade. The Federation attributed the 'fall' in the country's economic growth mainly to the fiscal policy pursued by the Government over the years and said the level of taxation and the type of the taxes levied had substantially reduced the capacity of the people to save and invest. It demanded the reshaping of the fiscal policy so as to encourage saving, reward effort, stimulate investment, protect honest tax payers and create a climate of confidence in the Government.

Agricultural Production and Productivity.— By another resolution the meeting noted with great anxiety that despite India being a predominately agricultural country, the progress on the agricultural front was unsatisfactory with the result that the growth of economy was also impeded. The dimension of the problem was painfully sharpened on account of the increase in population and had reflected in low standards of health and nutrition. The Conference suggested various methods for the improvement of agricultural production and productivity.

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Role of the trading community.- The Federation also adopted a resolution expressing concern at the serious plight of traders in recent years on account of diminution in the area of their activity as a result of incursions by the State and State-supported Cooperative Societies.

U.N. Conference on Trade and Development.- By another resolution the Federation welcomed the World Trade Development Conference at Geneva and said that the terms of World Trade had hitherto gone against developing countries and that could be redressed only if the more-developed countries adopted such commercial policies as would help the entry into the international market of processed semi-manufactured and manufactured goods from developing nations.

Office bearers.- Shri K.P. Goenka was unanimously elected president of the Federation of Indian Chambers of Commerce and Industry for the year 1964-65, and Shri S.L. Kirloskar vice-President.

(The Hindu, 8-9 March 1964;  
Text of documents received from  
the Office of the Federation of  
Indian Chambers of Commerce and  
Industry, Federation House, New Delhi).

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31st Annual Session of the All-India  
Organisation of Industrial Employers,  
New Delhi, 2 April 1964.

The 31st Annual Session of the All-India Organisation of Industrial Employers was held in New Delhi on 2 April 1964. The meeting was inaugurated by Shri D. Sanjivayya, Union Labour Minister and presided over by Shri D.C. Kothari, president of the Organisation.

Inaugural address.- Inaugurating the Conference, Shri Sanjivayya said that his faith in the Code of Discipline and Industrial Truce Resolution remained unshaken. It was common knowledge, Shri Sanjivayya said, that during the last one year or so the daily-life of the workers had been subjected to serious strains and the rise in the prices had been a source of frustration. But the fact remained that the provisional figure for man-days lost during 1963 was less than half of that for 1962. When the final figures for 1963 became available, possibly there would be some upward revision but it would remain substantially below the level of 1962. This was a measure of how the voluntary covenants, by and large to abide by them had worked.

There was growing willingness to get disputes settled through arbitration, at least when they were not of a major character. Employers were free to select arbitrators of their own choice. The main thing was to overcome mental hesitations.

Shri Sanjivayya agreed that the opening of fair price shops and consumers' stores was not by itself a final answer to the question of rising prices. But they could, in their own way, serve useful purpose. He was glad that a large number of employers had responded to the situation and helped in organising consumers' stores on fair price shops. He hoped that greater efforts would be made and there would be no need for providing any legal sanction which was recommended, at the last session of the Standing Labour Committee. Shri Sanjivayya added that if in the name of rising prices, strikes and demonstration were organised, by the hold up in production might have the effect of pushing the prices further up. The increase in costs and prices occurred due to the interaction of a number of factors of which the earnings of industrial workers was only one. Studies made in the Labour Ministry seem to indicate that the share of wages in the total cost of production had been actually on the decline.

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-As regards employment, Shri Sanjivayya continued that we must be selective in the matter of modernisation, but we reduce even the existing pool of employment opportunities.

Presidential address:- In his presidential address, Shri D.C. Kothari said that a strike climate was being whipped up in the country and industrial unrest was increasing even in establishments engaged in defence production. Inter-union rivalries continued. Very little was observed in the self-imposed discipline embodied in the Code of Discipline and the Industrial Truce-Resolution. Shri Kothari noted with regret, that industrial relations had deteriorated recently. The deterioration stemmed from political factors and wider economic issues over which the employers have no control either individually or collectively. The demands of workers were steadily growing. There was pressure for more holidays with pay which was even now over generous. Shri Kothari said that different kinds of holidays enabled the industrial workers to absent himself on an average from 120 to 150 days a year. He suggested that till the Emergency lasted, every demand for additional holidays should not be a subject-matter, either of dispute or of adjudication.

Wage Policy must be based on the principle that wage increases should be related to increase in the productivity of labour. Wage demands based merely on the increase in prices, however, justified they might be, would intensify inflation. Industry was trying its best to open fair price shops for supplying food grains and other essential articles to workers. But these shops should not be looked upon as a permanent solution to the problem of prices. The permanent solution was of course more production. Shri Kothari felt that the authorities should encourage industrial employers to associate themselves with agricultural production.

Referring to voluntary arbitration, Shri Kothari observed that the success depended upon the integrity, social status and knowledge of industry of the arbitrators. In their enthusiasm to make voluntary arbitration a success, industrialists could not be expected to neglect some of their basic functions like maintenance of industrial operations.

Shri Kothari expressed disappointment that the Bonus Commission had not defined the concept of bonus or indicated a set of alternatives that would be applicable to different industries with different problems. Specifically Shri Kothari said it was necessary to allow provision for depreciation and cover the gap between historical cost and replacement cost as a charge before calculating the distributable profit for bonus. It was necessary to work at the bonus problem against the need to achieve a fast development of Industries.

Shri Kothari said that for their part industrialists could not be indifferent to the urge and necessity for a decent standard of living not only to industrial workers, but to the entire population.

May be the industrialists have to hear doctrines which are not to their liking, but this should not deter them from their effort to promote social harmony and achieve greater, faster and achieve better economic results.

(The Hindu, 3 April, 1964).

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## Chapter 3. Economic Questions

### 34. Economic Planning, Control and Development.

India - March-April 1964.

#### Industrial Development Bank of India Bill, 1964.

- - - Shri T.T. Krishnamachari, Union Finance Minister, introduced in the Lok Sabha on 27 February 1964 a Bill to establish the Industrial Development Bank of India for providing credit and other facilities for the development of industry and for matters connected therewith. According to the Statement of Objects and Reasons of the Bill, the existing arrangements for the provision of credit for the expansion or development of industry are not adequate in relation to the needs of the various enterprises or projects. It is proposed, therefore, to establish a new institution, to be known as the Industrial Development Bank of India. It will be a wholly-owned subsidiary of the Reserve Bank of India and will be managed by a Board of Directors, consisting of persons who are for the time being members of the Central Board of the Reserve Bank.

The Industrial Development Bank of India will be able to coordinate the activities of all the institutions which are or may be concerned with the provision of finance for industrial development. It will be in a position to provide refinance to these institutions or to grant direct loans to industrial concerns or to promote and develop key industries, as circumstances may require. The salient provisions of the Bill are summarised below.

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Clause 3 of the Bill provides for the establishment of the Industrial Development Bank of India and its branches and agencies.

Clause 4 provides for the share capital and ownership of the Industrial Development Bank. Like the Industrial Development Bank of Canada, it will be a wholly-owned subsidiary of the central bank of the country. Its authorised capital will be 500 million rupees, but may be increased to 1,000 million rupees with the previous approval of the Central Government. The issued capital will be initially 100 million rupees, but may be increased from time to time with the previous approval of the Central Government.

Clauses 5 and 6 provide for the management of the Industrial Development Bank. It is proposed (on the analogy of the provision in section 3 of the Industrial Development Bank Act, 1944 of Canada) that the Board of Directors should consist of persons who are, for the time being, directors of the Central Board of the Reserve Bank. The Governor of the Reserve Bank will be the chairman of the Board of Directors and a Deputy-Governor of the Reserve Bank of India nominated by that bank, will be the vice-chairman of the Board.

Clause 7 provides for the constitution of executive and other committees for carrying out any functions or duties which may be delegated or allotted to them by the Board of Directors.

Clause 9 provides for the business which the new institution is expected to transact. It will, like the Kreditanstalt in West Germany and the Mediocredito in Italy, refinance long or medium-term loans granted by other financial institutions or banks. The long-term loans refinanced by the new institution are expected to be repaid within a period of twenty-five years and medium term loans are expected to be repaid within a period of ten years. If industrial concerns require financial accommodation, in connection with the export of capital goods or other commodities on deferred payment terms and the grant of credit facilities to the importers of such goods or commodities outside India, the Industrial Development Bank will be able to grant the necessary accommodation, for periods up to ten years, but subject to the exchange control regulations governing such exports. Short term

loans, granted for a period of less than three years for financing the normal requirements of industrial concerns or for a period of less than six months for financing exports, will not be refinanced by the Industrial Development Bank.

Where loans or other accommodation may not be available to any industrial concern from the existing financial institutions or from the commercial banking system, the Industrial Development Bank will assist the concern by granting loans directly to it or by subscribing to the issue of shares, bonds or debentures by it or by guaranteeing its obligations.

No special provision has been made as regards the nature or types of security against which refinance or direct assistance, as the case may be, can be granted. Apart from being able to exercise some degree of discretion in regard to these matters, the Industrial Development Bank will be able to accept or discount the bills of industrial concerns, arising out of bona fide commercial or trade transactions, either directly, or when such bills are presented through scheduled or State co-operative banks.

The Industrial Development Bank will underwrite new issues, particularly in cases in which facilities for this purpose may not normally be available. It can provide technical or administrative assistance to industrial concerns, and undertake research or technoeconomic studies and surveys, on its own initiative or otherwise, with a view to promoting the establishment of new enterprises. Like the Japanese Development Bank, the Industrial Development Bank of India will be able to develop key industries which are important from the point of view of future industrial growth or the overfall needs of the economy.

The Industrial Development Bank will be in a position to form subsidiaries for any or all of these purposes.

Clauses 14 to 19 relate to the provision for the grant of assistance to industry from another special fund which will be created for this purpose. In other countries, where development banks have been established, it is not unusual for Governments to place at the disposal of these banks counterpart, trust or other funds for supplementing the resources which may otherwise be available to them. The Development Assistance Fund in this case will be created with an appropriate initial contribution from the Central Government and will be credited from time to time with such further sums as may be necessary, having regard to the demands of Indian industry. The fund will be managed by the Industrial Development Bank and will be utilised for granting assistance to essential industrial enterprises, in circumstances in which, on purely commercial considerations or in the light of the standards or criteria which are normally followed, loans are not likely to be granted to these enterprises by banks or other financial institutions. The industries which are likely to be assisted will be those which, for various reasons, such as the heavy investment, which may be involved or the anticipated rate of return on capital, may not be able to obtain funds or resources in the usual course, but may nevertheless be of such importance that special provision for assisting them will be justified.

- The accounts of the Development Assistance Fund will be maintained separately, and a report on the operations of this fund will be submitted to the Central Government.

Clause 38 provides for amendments to the Reserve Bank of India Act, 1934, the Industrial Disputes Act, 1947, the Industrial Finance Corporation Act, 1948 and the Banking Companies Act, 1949.

- The amendments to the Reserve Bank of India Act are mainly consequential. The Reserve Bank will be enabled to subscribe to the share capital of the Industrial Development Bank, to create the National Industrial Credit (Long-term Operations) Fund and to grant to the Industrial Development Bank normal banking accommodation or special loans for periods up to five years on the security of trade commercial bills.

In view of the incorporation of the Industrial Development Bank as a wholly-owned subsidiary of the Reserve Bank and the other responsibilities which have recently been entrusted to the Reserve Bank, it is proposed that the number of directors on the Central Board of the Reserve Bank should be increased from 15 to 20, by the appointment of an additional Deputy Governor ( who may become the vice-chairman of the Industrial Development Bank) and the nomination of four additional non-official directors under clause (c) of subsection (1) of section 8 of the Reserve Bank of India Act.

The amendment to the Industrial Disputes Act, 1947 is intended to make it clear that the appropriate Government in relation to any industrial disputes involving the Industrial Development Bank will be the Central Government.

The amendments to the Industrial Finance Corporation Act, 1948 are intended (a) to facilitate the transfer at par value of the shares now held in the Corporation by the Reserve Bank and the Central Government to the Industrial Development Bank and to enable the Industrial Development Bank to acquire additional shares in the Corporation so as to increase its total holdings up to fifty per cent. of the paid-up capital of the Corporation, and (b) to provide for consequential changes in various provisions relating to the constitution of the Board of Directors of the Corporation, the issue of directions to, or borrowing by, the Corporation, the special reserve fund and accounts and audit.

The Industrial Finance Corporation will, after it is reconstituted, continue to function as an independent institution managed by a Board of Directors, consisting of a chairman and two directors appointed by the Central Government, four directors nominated by the Industrial Development Bank and six directors elected as at present by the remaining shareholders. The Corporation's powers will be extended so as to enable it to take over, with the approval of the Industrial Development Bank, any institution concerned with the provision of industrial finance. If in the light of any further developments, it is considered necessary or desirable that the Industrial Finance Corporation should become a wholly-owned subsidiary of the Industrial Development Bank

or be merged in that institution, the Central Government will acquire and transfer to the Industrial Development Bank the shares in the Industrial Finance Corporation (other than those which may already be held by the Industrial Development Bank) on the terms and conditions which are already specified in section 36 of the Industrial Finance Corporation Act. Provision has been made for the transfer at that stage, if considered necessary, of the business and undertaking of the Industrial Finance Corporation to the Industrial Development Bank.

The amendment to the Banking Companies Act, 1949 is for the purpose of extending to the Industrial Development Bank the benefit of protection against any demand by any tribunal or authority under the Industrial Disputes Act, 1947 for information regarding inner reserves.

(The Gazette of India, Extraordinary,  
Part II, Sec.2, 27 February 1964,  
pp. 33-68 )

Appointment of a Commission to probe  
Monopolies.

On 16 April 1964, the Union Government announced the appointment of a Five-member Commission to inquire into monopolies and concentration of economic power in India under the Chairmanship of Shri Justice K.C. Das Gupta of the Supreme Court of India. The other members of the Commission are Shri G.R. Rajagopahl, Shri K.R.P. Aiyangar, Shri R.C. Dutt, and Dr. I.G. Patel. Shri V. Satyamurti, Deputy Secretary in the Company Law Department will be the Secretary of the Commission.

The Commission will inquire into the extent and effect of concentration of economic power in private hands and the prevalence of monopolies and restrictive practices in important sectors of economic activity other than agriculture. The Commission will suggest such legislative and other measures as might be considered necessary in the light of such inquiry, including in particular among new legislation to protect essential public interests and the procedure and agency for the enforcement of such legislation.

The Commission may also report on any other matter bearing on any aspect of the national economy on functioning of the private sector and financial institutions that it may deem necessary to look into in connection with the foregoing terms of reference.

The Commission has been appointed in order to secure that the development of the economy in the crucial years ahead is in keeping with the Directive Principles of State Policy contained in Article 39 of the Constitution.

(The Hindustan Times, 17 April, 1964).

Railway Budget for 1964-65 approved.

On 9 March 1964, the Rajya Sabha approved the Railway Budget for 1964-65 (vide pp.36-39 of January-February 1964 Report of this Office) and returned the Railway Appropriation Bill, authorizing payment of ~~Rs. 1,334,045.97~~ 13,340,459.7 million rupees out of the consolidated fund towards defraying the several changes for the current financial year.

The Bill had already been passed by the Lower House.

During the Debate on the Bill Dr.P.N. Saprú (Congress) suggested that the Railway Service Commission for appointment of Class III employees should be made a statutory body and invested with the same powers as the UPSC and the State Public Service Commissions.

Shri S.V. Ramaswamy, Union Deputy Railway Minister, replying to the debate, denied the charge of wastage of money on account of high salaries to officials of the Railway Board. He said the total number of highly paid officers of the Board had remained stationary at 201 during the last three years. Out of a total revenue work expenditure budget of 5,170 million rupees for 1964-65, the expenditure on account of the highly salaried officials, he said, was only 11 million rupees, which was very small.

(The Hindustan Times, 10 March 1964).

Report of Mahalanobis Committee placed  
before Parliament: Concentration of  
Economic Power in the Private Sector.

The first part of the Report of a committee appointed by the Planning Commission with Prof. P.C. Mahalanobis as Chairman, in October 1960, was placed before the Lok Sabha on 29 April 1964, by the Minister of State for Finance and Planning. The part deals with distribution of income and wealth and concentration of economic power. The committee has yet to submit Part II of its report on changes in the levels of living and on steps necessary to fill the gaps in statistical and economic data.

The Mahalanobis Committee has stated that despite the "countervailing measures" taken by the Government, the concentration of economic power in private sector "is more than what could be justified as necessary on functional grounds". The concentration "exists both in generalized and in specific forms", it has added. The committee has emphasised that there is inadequate data to draw valid conclusions concerning the changes in income distribution which might have taken place over the two Plan periods.

"The available estimates and data relating to size-distribution of income", the report has said, "seem to suggest that the degree of inequality in income distribution is not higher in India than in some other developed or underdeveloped countries. The distribution of income in the urban sector is more unequal as in other countries, than in the rural sector."

A statement by the Finance Minister issued along with the report said:

"The committee has stressed that the two parts of the report should be treated as a whole in order to get a proper perspective on the questions referred to the committee. Decisions will, therefore, be taken on the committee's recommendations only after part two of the report is available."

The Finance Minister's statement added that pending the submission of Part II of the report, the Ministries had been directed to undertake a preliminary examination of the observations made in Part I.

"The implications of the reports findings and recommendations with regard to broad questions of economic policy are being considered by the Planning Commission and the Ministry of Finance," the statement added.

It also said that in Part I of the report there was a reference to the need for a full-time agency to study the extent of the concentration of economic power with a view to recommending measures to safeguard the public interest. As the Monopolies Commission was constituted prior to the consideration of the committee's report, this recommendation had been met.

The report makes the following 12 concluding observations on distribution of income and wealth:

1. The most important conclusion which emerges from this study is that we do not have the required data for drawing valid conclusions concerning the changes in income distribution which might have taken place over the two plan periods.

2. The available estimates and data relating to size-distribution of income seem to suggest that the degree of inequality in income distribution is not higher in India than in some other developed or underdeveloped countries; the distribution of income in the urban sector is more unequal as in the other countries, than that in the rural sector.

3. The analysis of the available income-tax data suggests some reduction in equality of income among the tax paying group as a whole and also for some of the sub-groups of this population over the period under study except for pure salary earners where the picture is mixed. However, in view of the deficiencies to which these data are subject, it is not possible to place such confidence in this conclusion.

4. Available estimates and data suggest no significant change in the overall distribution of incomes, though they do indicate a slight probable increase in inequality in the urban sector and some reduction in inequality in the rural sector. Again, in view of the inadequacies of the data used for comparison purposes, it is not possible to be definite about this conclusion.

5. Trends in wages and salaries received by selected occupation groups over the decade 1950-51 to 1960-61 indicate that, with the notable exception of agricultural labourers, the growth in income of employees generally kept pace with the growth in average income per employed person for the country as a whole. In particular there is evidence that the growth in incomes of the mining and the factory workers has kept ahead of the rate of growth in average income per employed person. Agricultural labourers as a group do not seem to have shared in the increase of incomes.

6. Analysis of the income-tax data based on the occupation of common assesseees reveals that over the period 1951-59, the average incomes received by contractors have registered the highest increase, the rise in income of this group has been very much higher than the rise in the income per employed person for the country as a whole. Self-employed person engaged in business (manufacture, trade, transport and financial trade), business) and the salaried class among the tax-payers have also increased their incomes but in their case the rate of growth in income seems to have just kept pace with the rate at which average income per employed person has grown.

7. It should be noted that there is a general feeling, though the committee could not collect the required data to support it, that an average person whether in urban or rural areas is better fed, better clothed and better housed in the 1960's than in the 1950's, and that the working conditions have also improved generally over this period.

On the other hand, since there is also some evidence that the rate of growth in income for certain high income groups has been as high as or higher than the rate of growth in income per employed person for the country as a whole, it has not been possible for the committee to pronounce a definite judgment, even of a broad nature, on the changes in income distribution. However, it can be stated that there is no clear indication of a significant change in income distribution over the plan decade.

8. Much less information is available on the distribution of wealth among different groups in the population than on the distribution of income.

9. Some scattered data obtained through household sample surveys indicate that there is a fair degree of concentration of personal wealth held in the form of land both among the rural and urban sectors. The distribution of personal wealth held in the form of owner occupied houses is known only for the urban sector which indicates that there is less concentration of wealth in this form than in the form of land holdings.

10. The available income-tax data relating to dividend incomes indicate that there is a greater degree of concentration in personal wealth held in the form of company shares than in the form of land or owner-occupied houses.

11. Available fragmentary data relating to distribution of important items of wealth indicate that the degree of inequality in wealth distribution is higher than that in income distribution. Wealth distribution seems to be more unequal than income distribution as in some other countries.

12. If the question of income distribution is to be answered satisfactorily, there is clear need for the Government to organise the collection of required data. The earlier we start the job the better. The available data on the distribution of income and wealth are too meagre to draw any firm conclusions on the issues referred to the committee.

(The Hindustan Times, 29 April 1964).

23

Finance Bill passed by Parliament on  
21 April 1964: Tax Concessions for  
Low Income-Groups and Changes in  
Levies on Companies announced by  
Finance Minister.

The Lok Sabha passed on 21 April 1964 the Finance Bill moved by the Union Finance Minister, Shri T.T. Krishnamachari. During the clause-by-clause discussion, Finance Minister Krishnamachari said tax evasion was much more than originally estimated. This evil could not be tackled, he said, by sticking to normal principles of jurisprudence and natural justice. The Finance Minister said he was giving serious thought to the subject of removing income-tax tribunals from the administrative control of the executive and hand them over to proper judicial control.

Earlier, the Finance Minister announced some tax relief for those in the income range up to 8,500 rupees and a rather invidious choice for those wanting to opt out of the annuity deposit scheme. Shri Krishnamachari also announced a series of other minor concessions, including some changes in corporate taxation to benefit small entrepreneurs and exemptions from tax on capital gains.

As part of the changes in corporate taxation, Shri Krishnamachari announced further incentives for small entrepreneurs. For those companies in which the public is not greatly interested and which manufacture or process goods, he liberalized the concession already announced in the Finance Bill.

While formerly only companies which had an income not exceeding 200,000 rupees paid an overall rate of 50 per cent. on the first 100,000 rupees (against the normal overall rate of 60 per cent.), this provision will now apply to the first 200,000 rupees of companies with a total income of 500,000 rupees or less.

To ensure fuller utilisation of capacity in industry, another important change in corporate taxation is the revival of the additional depreciation allowance for a third shift working of plant and machinery at 50 per cent. of the normal rate of depreciation.

In respect of capital gains other than short-term capital gains by non-company assesseees, Shri Krishnamachari said that the first 5,000 rupees of such gains would be totally exempt from tax. Further, no tax would be levied on such capital gains if the assessee's total income did not exceed 10,000 rupees.

In partial mitigation of complaints that the rate of wealth tax of 85 per cent. in some cases had the effect of taking away with duty and taxes the full value of the estate, Shri Krishnamachari said that it was proposed to allow the full amount of probate duty to be deducted from the estate duty payable instead of one-half of the probate duty allowable at present.

On indirect taxes, Shri Krishnamachari announced relief to handloom and powerloom sectors. He extended further the total exemption on yarn in the form of hanks to new French counts below 29 and halved the duty on such yarn of 29 counts but below 34.

On duty payable by small powerlooms, relief was given by re-fixing the compounded levy rate at one-third of the present figure. The effective rate of duty on industrial rayon yarns was reduced from 4 rupees to 2.67 rupees per kg.

(The Hindustan Times, 22 April, 1964;  
The Statesman, 18 April, 1964 ).

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36. Wages.

India - March-April 1964.

Annual Report on the Working of the Payment  
of Wages Act, 1936, in Mines for the Year 1962\*.

The following is a summary of the report on the working of the Payment of Wages Act, 1936, in Mines for the year 1962, which has been published in the March 1964 issue of the Indian Labour Journal.

Introduction.- The Act applies to all persons employed in mines drawing wages below Rs. 400/- per month. The Payment of Wages (Mines) Rules, 1956, framed by the Central Government also apply to all persons employed in mines either by the owner or by the contractor.

Amendments to the Act and the Rules.- During the year under report the Payment of Wages Act was amended to permit deductions from the wages of an employed person, under certain prescribed conditions, for contribution to the National Defence Fund or any Defence Saving Scheme approved by the State Government.

The Payment of Wages (Mines) Rules, 1956 were amended to prescribe a new form for the Annual Return and to make these Rules applicable to persons employed in oil fields.

Machinery for Enforcement.- The administration of the Act has been entrusted to the Central Industrial Relations Machinery. Inspections and enforcement work is mainly done by the Labour Inspectors and Junior Labour Inspectors. The Regional Labour Commissioners and Conciliation Officers also carry out inspections occasionally for the enforcement of the Act and for test-checking the inspections carried out by Labour Inspectors and Junior Labour Inspectors. The Inspectors give their inspection reports enumerating the irregularities detected to the employer at the spot along with a notice to show cause against legal action.

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\* The Indian Labour Journal, Vol. V, No. 3, March 1964, pp. 206-208.

Inspections and Irregularities.- The number of inspections carried out during the year under report are 3,755 as compared to 3,477 during the previous year; the number of irregularities detected are 10,913 as against 14,590 detected during the previous year. Out of these irregularities 8,132 (74.5 per cent.) were rectified during the year under report.

The largest number of irregularities detected related to non-display of notices of dates of payment and lists of acts and omissions for imposition of fines. The other types of irregularities which were quite large in number in both the years are non-maintenance of registers, improper maintenance of registers and non-payment of wages. In 1961, the irregularities relating to delayed payment of wages were also quite larger (1,795 i.e. 12.3 per cent.). In 1962, such types of irregularities noticed were 342 (3.1 per cent) only.

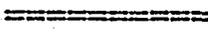
Out of 10,913 irregularities were rectified by the employers during the year under report and they took 3 months only to rectify as many as 6,566 (80.7 per cent.) irregularities. In 3 to 6 months' time, 1,106 (13.6 per cent.) irregularities were rectified and the remaining were rectified in less than 9 months' time.

Claims.- In all 524 cases (including those pending) were filed before the authorities during the year regarding non-payment of wages and illegal deductions. Of these, 99 cases were decided in favour of employees awarding Rs. 144,123.31nP., 49 against the employees and 15 were withdrawn.

Prosecutions.- There were 411 cases of prosecutions for disposal in various courts during the year (including those which were pending in courts at the end of previous year). Of these, 249 cases were disposed of during the year. Out of 249 cases, 218 cases resulted in conviction of the employers by imposing fines of Rs. 14,757.00nP.

Annual Returns.- As required under rule 18 of the Payment of Wages (Mines) Rules, 1956, during the year, 1,835 (57.9 per cent.) mines employing 534,523 workers (out of 3,171 working mines) submitted such returns as against 1,868 (52.9 per cent) mines employing 404,911 workers during the previous year. The total wages paid to these workers amounted to Rs.462,982,394.59nP. Deductions of Rs. 583.14nP., Rs. 41,744.06nP. and Rs. 934,57 nP. were made from wages of the workers due to fines imposed, damage or loss and breach of contract respectively. Disbursement of Rs.118.16nP. from the fines fund was also made during the year.

Conclusion.- It will be seen that during the year as compared to the previous year, the number of irregularities detected came down from 14,590 to 10,913 representing a decrease of 25.2 per cent. although the number of inspections carried out went up from 3,477 to 3,755. This indicates growing awareness on the part of the employers towards fulfilling their legal obligations.



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Orissa: Minimum Rates of Wages fixed  
for Employment in Printing Presses.

In exercise of the powers conferred under the Minimum Wages Act, 1948, the Government of Orissa has, with effect from 1 April 1964, fixed the following minimum rates of wages for employees employed in printing presses in the State of Orissa.

<u>Employment in Printing Presses Category of Workers.</u>	<u>Scale of Wages Basic.</u>
1. Compositor (Senior).	Rs. 70-1-50-85-2-50-95.
2. Compositor (Junior).	Rs. 55-1-70.
3. Machineman (Senior).	Rs. 70-1-50-85-2-50-95.
4. Machineman (Junior) or Treadle- man.	Rs. 55-1-70.
5. Machine Foreman.	Rs. 100-2-50-155.
6. Flyboy or helper.	Rs. 40-1-50.
7. Binder (Junior) or Dastari.	Rs. 40-1-50.
8. Binder or Dastari (Senior).	Rs. 50-1-70.
9. Copy Holder.	Rs. 50-1-70.
10. Proof Reader (Senior).	Rs. 100-2-50-155.
11. Proof Reader (Junior).	Rs. 80-2-100.
12. Office Assistant.	Rs. 60-1-50-75.
13. Office boy or peon.	Rs. 40-1-50.
14. Darwan or Watchman.	Rs. 40-1-50.
15. Distributor.	Rs. 40-1-50.
16. Accountant.	Rs. 80-2-120.
17. Despatcher.	Rs. 50-2-70.
18. Sweeper.	Rs. 40-1-50.
19. Casual mulia.	Rs. 1.12 per day.

(Notification No. 2647-IW-4/63-Lab. dated  
4 March 1964; Orissa Gazette, Part III,  
13 March 1964, pp. 467-468).

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Maharashtra Minimum Wages Rules, 1963.

The Government of Maharashtra published on 16 April 1964 the text of the Maharashtra Minimum Wages Rules, 1963, made in exercise of the powers conferred under the Minimum Wages Act, 1948. The Rules deal inter alia, with terms of office of the members of the Committee and the Board, procedure at meetings of the Committee, and Board, summoning of witnesses by the Committee and Board and production of documents, computation and payment of wages, hours of work and holidays and procedure for claims under the Act. The Rules repeal the Bombay Minimum Wages Rules 1951, the Madhya Pradesh Minimum Wages Rules, and the Hyderabad Minimum Wages Rules, 1951, in force in certain areas in the State.

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(Notification No. MWA 1157-Lab-111  
dated 4 April 1964; the Maharashtra  
Government Gazette, Part I-L,  
16 April 1964, pp. 1457-1481).

The Minimum Wages (Assam Amendment) Bill,  
1964.

Shri K.P. Tripathi, Labour Minister, Assam, introduced on 20 March 1964, a Bill to amend the Minimum Wages Act, 1948, in its application to the State of Assam. According to the Statement of Objects and Reasons of the Bill, it has been the experience that the fixation of the minimum wages under the Minimum Wages Act, 1948 after considering the advice of the committee and sub-committee as appointed under section 5 thereof takes a little time and thereby much delay is caused in making payment to the employees due to the observance of the formalities as required under the law. It is therefore, considered expedient to empower the committee to advise the Government to fix wages on interim measure pending the final fixation so that payment may be made to the employees without delay. As the existing provisions of the Act do not provide for any such matter for the committee and the Government to take, it is considered necessary to amend the Act. The Bill seeks to make necessary amendments to section 5 of the Act of 1948.

(The Assam Gazette, Part V, 25 March 1964,  
pp. 53-54 )

## Chapter 4. Problems Peculiar to Certain Branches of the National Economy

### 42. Co-operation.

India - March-April 1964.

#### Report of the Ministry of Community Development and Co-operation for 1963-64: Big Increase in Number of Societies.

According to the Report of the Department of Co-operation of the Ministry of Community Development and Co-operation, for 1963-64, the main trends during the year under review were the consolidation and strengthening of primary credit societies and marketing societies and fresh organisation in the field of co-operative farming and consumers co-operatives.

The number of co-operatives of all types increased from 181,000 at the beginning of the second Plan to 332,000 at the beginning of the third Plan.

The membership of primary societies increased from 13.7 millions to 34.2 millions, the increase in share capital was from 454.6 million rupees to 2215.7 million rupees and working capital from 2758.5 million rupees to 13120.9 million rupees.

At the end of June 1963, there were 0.212 millions agricultural credit societies.

The report said that co-operative credit in the last year of the third Plan was likely to be approximately 4000 million rupees.

The number of State Co-operative banks during the year continued to be 21.

The working capital of central co-operative banks has been estimated to be about 4000 million rupees at the end of June 1963.

The working capital of central land mortgage banks also increased to about 730 million rupees at the end of June.

During the co-operative year ended June 1963, the value of agricultural produce marketed by co-operatives was estimated at 1830 million rupees. The main commodities handled were sugarcane, cotton, oilseeds, wheat and certain plantation crops.

- Marketing Societies. - About 2,200 primary marketing co-operatives covered most of the important secondary markets in the country. With the organisation of 66 new marketing societies during 1963-64 and another 200 societies in the remaining period of the Plan, it is expected that by the end of the third Plan, all important secondary markets would be covered by marketing societies. Co-operative sugar factories accounted for over 21 per cent. of the country's total sugar production.

By June 30, 1963, nearly 4,200 rural godowns with a capacity of about 100 tons each and 1,200 godowns at the mandi level with a capacity of about 250 tons each were completed under the Plan programmes.

- About 2,300 co-operative farming societies have been organised so far. Following a suggestion by the Union Government, action to allot Government waste lands available in compact blocks to co-operative farming societies on preferential basis has been taken in Maharashtra, Gujarat, Madhya Pradesh, Uttar Pradesh, West Bengal and Assam. So far, 500 societies have been organised on government waste lands in the country.

The report said that significant progress was achieved in the centrally sponsored scheme for consumers' co-operatives. As compared to 72 wholesale stores and 848 primary stores or branches at the end of March-1963, 143 wholesale stores and 2,341 primary stores or branches had been set up by the end of December, 1963.

(The Hindustan Times, 30 March 1964).

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

INDIA - MARCH-APRIL 1964.

50. General.

Assam Shops and Establishments (Amendment) Bill, 1964: Measure to implement I.L. Recommendation.

Shri K.P. Tripathi, Labour Minister, Assam, introduced on 20 March 1964, in the Legislative Assembly of the State a Bill to amend the Assam Shops and Establishments Act, 1948. According to the Statement of Objects and Reasons of the Bill, at its 46th Session of the International Labour Conference held in the month of June 1962, in Geneva, the International Labour Organisation recommended that where the duration of the normal working hours in a week exceeds 48 hours, immediate steps should be taken to bring it down to this level without reduction in the wages of the workers as a result of this reduction. The Government of India while forwarding this recommendation has also given its opinion in favour of amending our existing Act on the lines of the recommendation of the International Labour Conference.

To implement the above recommendation of the International Labour Conference, hours of work both in Shops and Establishments as contained in section 8(2) and Section 11(1) of the Assam Shops and Establishments Act, 1948 (Assam Act XIII of 1948) are required to be reduced. But it is considered expedient to reduce the working hours in Shops only so far as our Act is concerned. The above recommendation of the International Labour Conference has been given effect to by enacting legislation in this regard by many other State Legislatures. It is, therefore, considered expedient to fall in line with these Act.

The Bill seeks to amend section 8 of the Act of 1948 by substituting the words 'forty-eight hours' for the words 'fifty hours' occurring in sub-section 2 of the section.

(The Assam Gazette, Part V, 25 March 1964, pp. 48-49).

Punjab Shops and Commercial Establishments  
(Amendment) Act, 1964 (No. 1 of 1964).

The Punjab Shops and Commercial Establishments (Amendment) Bill, (vide pages 58-60 of the report of this Office for September 1963) as passed by the Punjab Legislature received the assent of the President on 22 January 1964, and has been gazetted as Punjab Act No.1 of 1964. The amendments made to the Act of 1958 are aimed to remove the element of rigidity in the enforcement of the provisions of the Act. The following are some of the principal amendments made to the Act.

1. Amendment of Section 4 of the principal Act.- The existing section 4 is renumbered as sub-section (1) and certain amendments have been made to the various clauses.

After sub-section(1) as so renumbered, the following sub-section (2) shall be added, namely:-

- "(2) Nothing in sub-section(1) of section 10 shall apply to -
  - (i) establishments of cinema houses;
  - (ii) establishments dealing in hides and skins
  - (iii) ice factories;
  - (iv) establishments engaged exclusively in repairs of cycles or motor vehicles, or the service of motor vehicles (not being an establishment dealing in cycles or motor vehicles or exclusively in spare parts thereof);
  - (v) establishments dealing exclusively in providing on hire tents, chhaldaries and other articles such as crockery, furniture, loud speakers, gas lights, and fans required for ceremonial purposes; and
  - (vi) establishments dealing exclusively in the retail sale of phullian, murmara, sugar coated gram, reories or other similar commodities".

For sub-section (1) of section 8 of the principal Act, the following sub-section shall be substituted, namely:-

"(1) Subject to the provisions of section 6, no employee, except a chaukidar, watchman or guard, shall be allowed to work in an establishment for more than five hours before he has had an interval for rest of at least half an hour:

Provided that Government may by notification fix such interval for rest in respect of any class of establishments for the whole of the State or any part thereof as it may consider necessary."

For section 9 of the principal Act, the following shall be substituted, namely:-

9. Government shall by notification fix the opening and closing hours of all classes of establishments; and different opening and closing hours may be fixed for different classes of establishments and for different areas:

Provided that Government may allow an establishment attached to a factory to observe such opening and closing hours as the Government may direct."

For section 12 of the principal Act, the following section shall be substituted, namely:-

12. Every employee in an establishment shall be allowed -

"Holidays

(a) a holiday with wages on the Independence Day, Republic Day and Mahatma Gandhi's birthday; and

(b) three other holidays with wages in a year in connection with such festivals as Government may declare from time to time by notification:

Provided that an employee required to work on any such holiday shall be paid remuneration at double the rate of his normal wages calculated by the hour".

In section 14 of the principal Act, -

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

(f) for clause (a), the following clause shall be substituted, namely:-

"(a) Every employee who has been in employment for not less than twenty days in a year shall be entitled to one day's earned leave for every such twenty days:

Provided that a young person shall be entitled to one day's earned leave for every fifteen days of employment during the year."; and

(ii) in clause (b), the words "even if he has not worked for the entire period specified in the said clause entitling ~~in~~ him to earned leave" shall be omitted;

(2) in clause (a) of sub-section (3), for the words "under this section" the words "under this section and the off days in a week referred to in section 11" shall be substituted; and

(3) for sub-section (4), the following sub-section shall be substituted, namely:-

"(4) Notwithstanding anything contained in the foregoing sub-sections, every employee in an establishment shall be allowed with wages seven days casual leave and seven days sick leave in a year."

For sub-section (1) of section 15 of the principal Act the following sub-section shall be substituted, namely:-

"(1) Any person employed in or about an establishment for a period of fifteen days or more shall receive, for every off day in a week referred to in section 11, wages at the rate of not less than the average daily wages earned by him for the days on which he worked during the week immediately preceding every such off day."

Section 24 of the principal Act shall be omitted.

In section 28 of the principal Act, for the words "Government may" the words "Government or any officer empowered by the Government in this behalf may" shall be substituted.

To sub-section (1) of section 30 of the principal Act, the following proviso shall be added, namely:-

"Provided that nothing in this sub-section shall apply to an establishment which is engaged in the treatment or care of the sick, the infirm, the destitute or the mentally unfit".

After section 33 of the principal Act, the following sections shall be inserted, namely:-

33A. "No court shall take cognizance of any offence punishable under this Act or any rule made thereunder or of the abetment of, or attempt to commit, such offence, save on a complaint made by the employee concerned or by such officer as may be authorised in writing in this behalf by the Government".

(Punjab Government Gazette, Extraordinary, 1 February 1964, pp. 1-5 ).

52 Workers' Welfare, Recreation, and Workers' Education.

India - March-April 1964.

Conditions of Work and Employment in Clothing Industry in India\*.

The clothing industry in India consists of two distinct branches, viz., the manufacture of wearing apparel and ready-made garments and the production of hosiery and knitted goods.

Size of units.- In spite of the steady expansion of the industry during the last two decades and the favourable climate for its further growth, the average unit in this industry is small in size. Field investigations conducted by the Small Scale Industry Organisation some years back showed that there were about 3,500 small scale units manufacturing hosiery goods. These together employed about 44,000 workers. The average employment was thus less than 13 per unit. The position has not altered markedly since. According to another survey conducted in 1959 there were only 21 registered clothing factories employing 50 or more workers where power was used and 100 or more workers operating without the aid of power. Enquiries have revealed that the managements are doubtful of getting a large complement of workers on a permanent basis and the labour turn-over is considerable. This is accounted for by the fact that tailors and similar categories of workers are not unwilling to give up a regular job and take up instead orders from private individuals or organisations on a piece-rate basis, which, though ad hoc, are more paying.

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\* The Indian Labour Journal, Vol.V, No.3, March 1964, pp. 159-172.

Conditions of work and employment  
 (Ad-hoc Enquiry).- Since this is a nascent industry no detailed enquiry into the conditions of work and employment therein has so far been undertaken. However, taking advantage of a request received from the International Labour Organisation for information regarding labour conditions in the clothing industry in India, in connection with a Tripartite Technical Meeting for the Clothing Industry to be convened by their Organisation in the second-half of 1964, the Labour Bureau undertook a quick survey of some selected undertakings in August 1963 and the information collected is summarised in the paragraphs that follow.

Employment.- Information relating to average daily employment in registered factories is given in the following table which is furnished to the Labour Bureau by the Chief Inspectors of Factories under the provisions of the Factory Act 1948.

States/Union Territories.	No. of Factories Submitt- ing Returns for 1961.	Average Daily Employment in Factories						
		Adults		Adolescents		Children		Total
		Male	Women	Males	Females	Boys	Girls	
Andhra Pradesh.	8	155	33	1	1	-	-	190
Assam.	-	-	-	-	-	-	-	-
Bihar.	3	859	42	-	-	-	-	901
Gujarat.	10	272	17	-	-	-	-	289
Kerala.	13	454	-	-	-	-	-	454
Madhya Pradesh.	6	136	-	-	-	-	-	136
Madras.	31	666	187	-	-	-	-	853
Maharashtra.	58	2,150	129	-	-	-	-	2,279
Mysore.	16	1,122	194	1	-	1	-	1,318
Orissa.	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Punjab.	2	11	38	-	-	-	-	49
Rajasthan.	1	32	-	-	-	-	-	32
Uttar Pradesh.	6	7,677	129	-	-	-	-	7,806
West Bengal.	19	1,075	1	-	-	-	-	1,076
Andaman & Nicobar Islands.	-	-	-	-	-	-	-	-
Himachal Pradesh.	-	-	-	-	-	-	-	-
Delhi.	8	726	-	-	-	-	-	726
Manipur.	-	-	-	-	-	-	-	-
Tripura.	1	17	-	-	-	-	-	17
<b>Total.</b>	<b>182</b>	<b>15,352</b>	<b>770</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>-</b>	<b>16,126</b>

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The number of factories and average daily employment in the clothing industry form only 1.1 per cent. and 0.6 per cent. respectively of the total factories and employment therein.

The units studied indicated that they employed only direct labour. No establishment had either workers employed through contractors or home workers. However, one unit in Calcutta reported that their 'fabrication works' were being got done from time to time through contractors on piece-rate basis. The percentage of skilled, semi-skilled and unskilled workers to the total number of workers was 30.3, 47.8 and 21.9 respectively.

#### Permanent, Temporary and Casual Labour.-

All the units had classified their workers into 'Permanent', 'Temporary' and 'Casual'. Out of 2,208 production workers employed directly by the different units, 1,285 or 58.2 per cent. were permanent, 552 or 25.0 per cent. were temporary and 371 or 16.8 per cent. were casual.

Women and Child Labour.- Employment of women was reported only in 6 units. The percentage of women labour to total labour was 8.7. Employment of children was found to be negligible in the units studied.

#### Time-rated and Piece-rated Workers.-

According to the Occupational Wage Survey conducted by the Labour Bureau of the Ministry of Labour and Employment during 1958-59, out of 4,000 production workers in 'clothing manufacturing' the percentage of time-rated workers was 30.8 and of piece-rated workers was 69.2. The recent study has revealed a slight decline in the percentage of piece-rated workers. It is quite possible, that the proportion of piece-rated workers is higher in the large number of small units. Even where workers are time-rated, the actual earnings are linked to a certain minimum standard of production, qualitatively and quantitatively, deductions being made for inferior quality or sub-standard output. With greater regularity of employment, the practice of paying a basic time-rate and additional payments for higher out-turns is gaining ground.

Part-time employment.- The recent study has revealed that part-time employment is conspicuous by its absence in the clothing industry in India. In a few concerns the clerical and accounting work is entrusted to part-time employees. The regular production processes are in the hands of full-time workers.

Fluctuations of Employment.- Fluctuations in employment are occasioned by the changes in the workload and variations in demand. The demand for woollen hosiery goods and umbrellas, for instance, varies with the seasons. Establishments engaged in the manufacture of such goods naturally have a varying employment complement. No special measures appear to have been taken to deal with this problem except to the extent that the additional hands employed during the period of peak production are made aware of the fact that their employment is purely seasonal and temporary.

In the case of other types of garments also, the demand fluctuates. More purchases are made at the time of festivals or when workers get bonus payments, or, in the case of the rural population, soon after the harvesting season. These factors do not, however, seem to affect the quantum of employment in the ready-made garment factories, as production is evenly spread-over throughout the year.

Dismissal and Lay-off.- Dismissals and lay-offs in clothing establishments are governed by the provisions of the Industrial Disputes Act, 1947, and the Standing Orders framed under the Industrial Employment (Standing Orders) Act, 1946. In practice the occasions for lay-offs, dismissals, etc., had been few and more of the garment making establishments covered by the recent study had laid-off any worker during the previous year. In the case of umbrella factories, however, the work is of a seasonal nature and the employees, who are mostly casual workers, are sent away as per the terms of employment.

Lay-offs and short-time workings occur in the seasonal factories when the target of production for the on-coming season is reached.

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Recruitment.- No regular methods of recruitment have yet been evolved by the clothing manufactories. Usually, workers are recruited directly by the management at the factory gate or with the assistance of existing employees. One unit in Bombay reported that about ten per cent. of the workers in the tailoring and ironing sections were recruited by advertisement in the local newspapers.

Till recently, the managements had found no difficulty in obtaining the required number of hands. However, in view of the limited scope for upgrading and promotion in this industry, expert tailors are showing reluctance to take up employment in a clothing factory.

Training.- Clothing establishments in India generally take in only experienced workers, who had got training either in the Training Institutes of the Directorate-General of Employment and Training or in private tailoring houses. The Production-cum-Training Centres established by Government for the rehabilitation of women displaced as a consequence of the partition of the country provide regular training, inter alia, in tailoring and machine and hand embroidery for a period of six months. One such centre in Karnal, Punjab, had given training to 31 women during the year ending 31 March 1963. The trainees are paid a small allowance.

An apparel manufacturing concern in Bombay provides training of three to four months' duration to a selected number of its unskilled workers in ironing and collar-making. These trainees are paid their usual wages. Twenty-seven workers received training during the year ending 31 March 1963.

Methods of Wage Fixation.- No special procedure has so far been evolved for determining wage rates in the clothing industry. The wage rates are normally fixed by the managements in consultation with the managerial and supervisory staff, after taking into account the workmanship and efficiency of the different categories of workers and the prevailing earnings of similar categories of persons working on their own or in tailoring houses. The Minimum Wages Act, 1948, does not cover this industry. However, the Government of Madras have added "Hosiery Manufactory" to the schedule of employments covered by the Minimum Wages Act, 1948. They have also fixed minimum wages for the workers covered as shown below:-

Category of workers/ Nature of Work.	Minimum Rates of Wages Fixed.	Remarks.
1. Class I -- Labelling Boys, Cutting Deptt. Helpers, Damage and Pruning, Tailoring Deptt. Helpers, Finishing Deptt. Helpers and Mending.	Rs. 1.00 per day.	(1) The rates fixed are all inclusive minimum rates of wages.
2. Class II- Machineman or Machine Attendant (Gr. II). Finishing, Pressing, Ironing and Packing.	1.50 per day.	(2) Adolescent & women employees wherever employed will be paid the same rates of wages fixed given in column 2.
3. Class III-Machinemen or Machine-Attendant (Grade I - after one year of service), Khalasis, Boilerman, Cutting Chain & Chainlock Tailors.	2.00 per day.	(3) Where any categories of employees are actually in receipt of higher wages- rates of wages than the statutory minimum rates of wages fixed, they will continue to get the benefit of the higher rates of wages.
4. Class IV- Overlock Tailors & Flatlock Tailors.	2.50 per day.	(4) -Wherever wage periods fixed vary, the wages will be calculated for the wage-period so fixed and paid, i.e., where the wage-period is fixed as a week, fortnight, or month, the daily rates fixed will be multi- plied by six, twelve, or twenty six separately.
5. Supervisor/Foreman/ Mechanic.	100.00 per month.	
6. Clerks.	75.00 per month.	
7. Watchman/Peon.	40.00 per month.	
8. Warpring (Piece- Rate).	1.50 per day- roll.	

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Payment for Short-time work, etc.- In the case of factories working throughout the year, time-rated workers receive guaranteed wages even for short-time work. The earnings of piece-rated workers depend upon the quantum of work given to them. There appear to be no special arrangements for regular part-time, over-time or periodic variations in normal hours.

Working Conditions.- Hours of work, holidays with pay, etc, in the clothing industry are regulated by the Factories Act as in other industries. The conditions in the former do not appear to differ substantially from those obtaining in the latter.

Hours of Work.- Workers in most of the units surveyed worked for 48 hours a week. In certain factories, however, the hours of work varied from 39 to 45 a week.

Overtime, Short-time, etc.- There appear to be no special provisions, apart from the stipulations of the Factories Act, with regard to over-time. Over-time is usually resorted to only by factories the demand for whose products is seasonal or in cases where there is a sudden spurt in demand or when a firm gets special orders. One concern in Bombay, for instance, had to work over-time to the extent of 162 hours during the month of March 1963. One hosiery factory in Calcutta worked over-time during the month of October-November 1962. Another hosiery factory in the same area was also stated to have been working over-time for about six months in the year. This particular factory employed very few workers and hence the need for over-time.

Shift Working.- Shift-working does not appear to be wide-spread in the clothing industry. Only three of the twenty units surveyed worked a double-shift. The exact spacing out of the work in the case of a double shift was broadly on the following lines:-

Body Group - (Day Shift)

7.00 a.m. to 12.00 noon.	.....	Five hours.
12.00 noon to 12.40 p.m.	.....	Break.
12.40 p.m. to 3.40 p.m.	.....	Three hours.

Attaching, Finishing and Ironing Group - (Day Shift)

8.45 a.m. to 12.30 p.m.	.....	3 hrs.45 mins.
12.30 p.m. to 1.10 p.m.	.....	Break.
1.10 p.m. to 3.30 p.m.	.....	2 hrs.20 mins.
3.30 p.m. to 3.40 p.m.	.....	Break.
3.40 p.m. to 5.35 p.m.	.....	1 hr.55 mins.

Body and Collar Group - (Night Shift)

4.00 p.m. to 8.00 p.m.	.....	Four hours.
8.00 p.m. to 8.30 p.m.	.....	Break.
8.30 p.m. to 12.00 p.m.	.....	3½ hours.

- No special allowances were paid to workers in night shifts. Only, they were allowed a grace period of ten to thirty minutes in this the matter of coming to work.

Weekly Off.- Among the units recently surveyed, only 2 units were granting weekly off with with-pay to all workers. In six units this privilege was restricted to clerical staff and monthly rated workers.

Leave and Holidays with Pay.- Besides weekly off, leave with pay was granted on varying scale. Only 5 of the units surveyed stated that they provided casual leave of 3 to 12 days in a year to their monthly rated permanent and temporary workers. Only one unit in West-Bengal reported that sick leave was granted to its employees for a period of 10 days. Monthly-rated workers in all the units were granted holidays with pay at rates varying from to 4 to 24 in a year. One unit reported that festival and other public holidays were not granted as paid holidays to its workers. Five units while granting holidays, had laid down the condition that one must be present either on the preceding or the following day of the holidays.

- Grant of annual leave with wages (earned or privilege leave) is in accordance with the ~~Factories Act~~. In all the units, a worker who has worked for a period of at least 240 days during a calendar year is entitled to earned leave at the rate of one day for every 20 days of duty.

Lighting, Ventilation, etc.- While no special arrangements relating to lighting and ventilation were noticed in many of the units surveyed, the environmental conditions did not appear to be very much unsatisfactory. The absolute prohibition of smoking on the shop floor, on account of the risk of fire involved, helped to keep the atmosphere clear. The conditions in three units in Bombay were particularly satisfactory. There was no doubt some congestion due to lack of space.

Industrial Relations.- In view of the small size of the units in this industry - there have been no large-scale disputes resulting in prolonged strike and lockouts. Differences were localised and settled at the unit level. The employees of certain units in Madras and Bangalore had raised disputes relating to basic wage rates, increments, dearness allowance, bonus, etc. The dispute in one unit prolonged for nearly four years. Another dispute was referred to the Industrial Tribunal, Madras for adjustment adjudication.

General.- The clothing industry in India is rapidly developing. During the last decade or so, more and more people, specially in the urban areas, have taken to ready-made cotton garments and the demand for made-to-order clothes is proportionately declining. Consequently, individual tailors and small tailoring establishments are losing customers. This declining trend is offset to a certain extent by the continuing preference for made-to-order woollen garments. Another aspect that has to be taken note of in this connection is the increasing tendency on the part of women to make their own garments at home with the aid of domestic machines. Although no exact figures of the number of sewing machines sold to private individuals for personal use are readily available, there is no gainsaying the fact that their sales have remarkably increased in recent years. These factors are compelling more and more tailors and similar categories of workers to take up paid employment in garment factories. This changeover from self-employment to wage-paid employment has been accelerated by the opening of Government clothing factories to meet defence needs.

The proportion of children and young persons employed in the clothing industry is very small and no special problems relating to their working conditions appear to have arisen so far.

Although the wage rates in this industry are not as high as in the textile or engineering industries, yet they are not low. The rates are kept up by the higher earnings which clothing workers can still obtain by working on their own. The prospects of promotion to higher jobs, are, however, limited.



Working Conditions of Labour in Cotton  
Ginning and Baling Industry\*: Survey  
by Labour Bureau.

On the recommendations of the Planning Commission, the Labour Bureau has been conducting surveys in several industries in order to ascertain the extent of contract labour and their conditions of work, etc. The survey in the working conditions of contract labour in cotton ginning and baling industry is the tenth in the series and the following is a brief review which has been published in March 1964 issue of the Indian Labour Journal.

Sampling Frame.-- The total number of factories was 2,551. These were located in the States of Maharashtra, Gujarat, Madras, Mysore, Andhra Pradesh, Madhya Pradesh, Rajasthan, Punjab, Uttar Pradesh, Bihar, West Bengal, Orissa, Assam and Tripura.

Sampling Design.-- The factories in the frame were classified into three employment size groups viz., '1 to 100'; '101 to 250'; and '251 and Above' and varying sampling fractions were adopted for selecting samples from these three groups. Since it was not known as to which of the units in the frame had employed contract labour, it was decided to take a larger size of the sample. The samples were drawn separately from each group but care was taken to see that each State was properly represented. State-wise and employment groupwise distribution of the factories in the frame and the sampled factories addressed is given in the following table:--

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\* The Indian Labour Journal, Vol.V, No.3,  
March 1964, pp. 178-206.

State	Employment Group I (1-100)		Employment Group II (101-250)		Employment Group III (250 & above)		Total	
	No. of factories in the frame.	No. of samp- led factories addre- ssed.	No. of factories in the frame.	No. of samp- led factories addre- ssed.	No. of factories in the frame.	No. of samp- led factories addre- ssed.	No. of factories in the frame.	No. of samp- led factories addre- ssed.
Andhra Pradesh.	112	22	2	2	1	1	115	25
Assam.	8	5	2	2	-	-	10	7
Bihar.	2	2	-	-	-	-	2	2
Bombay.	837	168	220	110	26	26	1,083	304
Madhya Pradesh.	343	69	28	14	-	-	371	83
Madras.	203	41	23	12	5	5	231	58
Mysore.	384	77	21	11	1	1	406	89
Punjab.	188	38	26	13	-	-	214	51
Rajasthan.	77	16	9	5	-	-	86	21
Uttar Pradesh.	15	5	-	-	-	-	15	5
West Bengal.	15	5	-	-	-	-	15	5
Tripura.	3	3	-	-	-	-	3	3
All States.	2,187	451	331	169	33	33	2,551	653

In view of the concentration of factories employing contract labour in Maharashtra and Gujarat, it was decided to present the data separately for the following three strata:

- Stratum I - Comprising Maharashtra.
- Stratum II - Comprising Gujarat.
- Stratum III - 'Rest of India' comprising Madhya Pradesh, Rajasthan, Punjab, Madras, Mysore and Assam.

The distribution of contractors and factories amongst different strata is shown below:-

Stratum	No. of factories found employing contract labour.	No. of contractors reported working on the date of actual visit and covered.
I	21	27
II	22	42
III	20	28
Total.	63	97

System of Recruitment.- The most common method of recruiting contract labour in this industry was direct. Of the 97 contractors covered under the survey, as many as 87 recruited their workers directly, 7 directly as well as through existing workers, 2 through existing workers and mates, whereas the remaining one contractor employed workers only through jamadar. The various systems of recruitment adopted by the contractors in different strata are discussed below:

Stratum I.- Of the 27 contractors, as many as 25 recruited their workers directly, -1 directly as well as through his existing workers, whereas the remaining one contract recruited workers only through his jamadar.

Stratum II.- Of the 42 contractors, 36 recruited their workers directly, 4 directly as well as through their existing workers, whereas the remaining 2 contractors recruited them through their existing workers and mates.

Stratum III.- All the 28 contractors recruited their workers directly. Two of them, however, utilised the services of their existing workers also in recruiting workers.

Advances: Advances before engagement.- Of the 97 contractors, only 42 gave such advances to their workers for meeting their daily requirements. All of them gave such advances to their workers directly and recovered such amount either in easy instalments or at the close of the working season. None of them charged any interest on such advances. Stratum-wise position is discussed below:-

Stratum I.- Of the 27 contractors, only 18 gave such advances directly to their workers. Seventeen of them gave such advances to their workers only on the condition that they would work with them till the working season was over whereas the remaining one contractor has not put any such condition. The proportion of workers, who were given such advances, varied from 18 to 100 per cent. The amount of advance given to workers ranged upto Rs. 50.00 per worker.

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Stratum II.- Of the 42 contractors, only 19 gave such advances directly to their workers. Of these, 17 contractors gave such advances to their workers on the condition that they would work with them till the working season lasted, whereas the remaining two contractors had not imposed any such condition. The proportion of the workers, who were given advance, varied between 25 and 100 per cent. An advance to a maximum of Rs. 50.00 per worker was given by some of these contractors.

Stratum III.- Of the 28 contractors, only 5 gave such advances directly to their workers. Three of them gave such advances to their workers on the condition that they would continue to work with them till the working season was over. The remaining two contractors did not impose any such condition. The proportion of workers, who were given such advances, varied between 25 and 100 per cent. The amount of advance given to workers ranged up to Rs. 50.00 per worker.

Advances after Engagement.- Of the 97 - contractors only 44 gave such advances to their workers. All of them gave such advances to their workers directly for meeting their daily requirements and recovered the same either in easy instalments or at the close of the working season. None of them charged any interest on such advances. Stratum-wise position is discussed below:-

Stratum I.- Of the 27 contractors, only 5 gave such advances directly to their workers. The proportion of workers, who were given such advances varied between 5 and 100 per cent. The amount of advance given to workers ranged to a maximum of Rs. 50.00 per worker.

Stratum II.- Workers in respect of as many as 31 out of 42 contractors were given such advances either by the contractors or by the principal employers. In 29 cases such advances were paid by the contractors themselves, whereas in the remaining 2 cases such advances were paid by the principal employers. The proportion of workers, who were given such advances varied between 25 and 100 per cent. The amount of advances given to workers in 30 cases ranged up to Rs. 75.00 per worker whereas in the remaining one case an advance up to 60 per cent. of the wages payable to workers was paid to workers.

Stratum III.- Of the 28 contractors, only 8 gave such advances directly to their workers. The proportion of workers, who were given such advances varied between 20 and 60 per cent. The amount of advance given ranged up to Rs. 50.00 per worker.

Extent of Employment.- The total estimated employment as on the date of visit in this industry worked out to 159,000. Of these, 52,953 workers or 33.3 per cent. of the total estimated workers worked out to be contract workers. Stratum-wise analysis reveals that the percentage of contract to the total estimated employment worked out to be the highest (41.3) in stratum I (Maharashtra) and the lowest (26.2) in stratum III ('Rest of India'). In stratum II, (Gujarat) its percentage to the total estimated labour worked-out to be 35.8. According to state-wise distribution in stratum III the percentage of contract labour to the total labour worked out to be nil in three States viz., Bihar, Uttar Pradesh and West Bengal, whereas in the remaining States the percentage of contract labour to the total estimated employment was the highest (49.6) in Uttar Pradesh and the lowest (9.4) in Andhra Pradesh.

Employment of Women and Children.- The employment of women workers on higher jobs specially in ginning factories was found common in this industry. The main jobs on which women workers were generally engaged were gin feeding, cotton picking/cleaning, sorting, cotton seed carrying, lint carrying, sweeping and sewing. None of the contractors covered during the course of the survey reported any employment of children below the age of 15 years. Of the 4,060 workers employed through/by contractors in all the strata, 1,142 or 28.1 per cent. of the total workers were women. Stratum-wise comparison shows that the percentage of women workers to the total labour employed on the date of visit was the highest (39.7) in stratum III and the lowest (20.9) in stratum II (Gujarat). In stratum I, the percentage to the total labour was 32.1. State-wise comparison within the stratum III shows that the percentage of the women workers to the total labour employed was the highest (57.6) in Madras and the lowest (32.1) in Madhya Pradesh.

Wages and Earnings.- The information collected during the course of the survey reveals that of the 4,060 workers employed as on the date of visit, 1,482 workers or 36.5 per cent., were paid by the contractors under the supervision of the managements; 1,313 workers or 32.3 per cent. were paid by the managements themselves whereas the remaining 1,265 workers or 31.2 per cent. were paid by the contractors independently. Stratum-wise comparison shows that the percentage of workers who were paid by the contractors under the supervision of managements was the highest (70.3) in Stratum I and the lowest (5.8) in Stratum II. The percentage of workers who were paid by the contractors independently was the highest (43.5) in Stratum III and the lowest (27.3) in Stratum II. The workers who were paid by the managements themselves were employed only in Stratum II. Their percentage to the total labour force in that Stratum accounted for 66.9.

Workers Employed on Time-rate Basis - Stratum I - General Workman (Male).- Of the 27 contractors, only 2 employed such workers on daily basis. Their consolidated daily wages varied from Rs. 2.00 to Rs.3.00.

The consolidated daily wages of the direct workers varied from Rs.1.25 to Rs.1.50.

Kapas Carrier.- Of the 27 contractors, only 5 employed such workers on daily basis. Their consolidated daily wages varied from Rs.1.12 to Rs.2.50.

The consolidated daily wages of the direct workers varied from Rs.1.50 to Rs.2.56.

Cotton Seed Carrier.- Of the 27 contractors, only 3 employed such workers on daily basis. Their consolidated daily wages varied from Rs.1.37 to Rs.1.62.

The consolidated daily wages of the direct workers varied from Rs. 1.37 to Rs.2.37.

Gun Feeder.- Of the 27 contractors, 3 employed such workers on daily basis. Their consolidated daily wages varied from Re.1.00 to Rs. 1.19.

The consolidated daily wages of the direct workers varied from Re.1.00 to Rs.1.37.

Lint Carrier.- Of the 27 contractors, 3 employed such workers on daily basis. Their consolidated daily wages varied from Rs. 1.06 to Rs. 1.25.

The consolidated consolidated daily wages of the direct workers varied from Rs. 1.37 to Rs. 1.91.

Palawala.- Of the 28 contractors, 3 employed such workers on daily basis. Their consolidated daily wages varied from Rs. 1.25 to Rs. 1.50.

The consolidated daily wages of the direct workers varied from Rs. 1.37 to Rs. 1.91.

Stratum II - General Workman (Male).- Of the 42 contractors, 10 employed such workers on daily wages. Their consolidated daily wages varied from Rs. 1.06 to Rs. 2.62.

The consolidated daily wages of the direct workers varied from Rs. 1.06 to Rs. 1.56.

General Workman (Female).- Of the 42 contractors, 3 employed such workers on daily basis. Their consolidated daily wages varied from Rs. 1.12 to Rs. 1.56.

The consolidated daily wages of the direct workers varied from Rs. 1.12 to Rs. 2.50.

Picker.- Of the 42 contractors, 8 employed such workers on daily basis. Their consolidated daily wages varied from Rs. 1.06 to Rs. 1.25.

The consolidated daily wages of the direct workers varied from Rs. 1.00 to Rs. 1.25.

Kapas Carrier.- Of the 42 contractors, 9 employed such workers on daily basis. Their consolidated daily wages varied from Rs. 1.56 to Rs. 2.37.

The consolidated daily wages of direct workers varied from Rs. 1.56 to Rs. 3.50.

Cotton Seed Carrier.- Of the 42 contractors, 9 employed such workers on daily basis. Their consolidated daily wages varied from Rs. 1.25 to Rs. 2.00.

The consolidated daily wages of direct workers also varied from Rs. 1.25 to Rs. 2.00.

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Gun Feeder.-Of the 42 contractors, 6 - employed such workers on daily basis. Their consolidated daily wages varied from Rs.1.06 to Rs.1.25.

The consolidated daily wages of direct workers varied from Re.1.00 to Rs.1.25.

Lint Carrier.- Of the 42 contractors, 9 employed such workers on daily basis. Their consolidated daily wages varied from Rs.1.06 to Rs.1.75.

The consolidated daily wages of direct workers varied from Rs.1.00 to Rs.2.00.

Palawala.- Of the 42 contractors, 5 - employed such workers on daily basis. Their consolidated daily wages varied from Rs.1.50 to Rs. 2.00.

The consolidated daily wages of direct workers also varied from Rs.1.50 to Rs.2.00.

Stratum III - General Workman(Male).-Of the 42- 28 contractors, only 12 - 3 in Madras, 3 in Mysore, 4 in Madhya Pradesh, 1 in Rajasthan and 1 in Punjab - employed such workers on time-rate basis. The consolidated daily wages varied from Rs.1.25 to Rajasthan to Rs.3.00 of some workers in Madras Mysore whereas the monthly wages ranged between Rs.50.00 and Rs.75.00 in Madhya Pradesh.

The consolidated daily wages of direct workers varied from Re.0.75 to Rs.2.50 whereas the monthly wages varied from between Rs.35.00 and Rs.48.00.

General Workman (Female).- Of the 28 contractors, only 8 - 4 in Madras, 2 in Mysore and 2 in Madhya Pradesh - employed such workers on daily basis. Their consolidated daily wages varied from Rs.1.00 in Madras to Rs.2.00 of some workers in Mysore and Madhya Pradesh.

The consolidated daily wages of direct workers varied from Re.0.75 to Rs.1.50.

Fitter.- Of the 28 contractors, only 1 in Madhya Pradesh employed such workers on Rs.1.75 per day.

The consolidated wages of such direct workers who were employed only on monthly basis varied from Rs.65.00 to Rs.230.00 per month.

Workers employed on Piece-rate Basis.- The piece-rated workers were employed in ginning as well as pressing factories. In ginning factories the jobs which were generally got done on piece-rate basis, were cotton cleaning, assorting, carrying of kapas and cotton seeds and filling of bags. In pressing factories the job of baling was generally got done on piece-rate basis through a gang of workers. As regards the question of payment to these workers, two systems were found prevalent in the factories covered during the course of the survey. According to the first method, the contractors working in the States of Maharashtra, Gujarat, Madhya Pradesh, Mysore and Madras, where the Minimum Wages Act was extended, were required to pay to their workers the minimum rates of wages fixed under the Act which were different for different categories of workers, corresponding to different operations involved in baling such as Labadi, (including lint press worker and lint -fitter-in-box), Tolwala, Jaliwala (Boja Carrier), Chadiwala (Lint carrier), Opener wala, Chakkiwala, Sinewala, Marker and Palawala. According to the second method which was prevalent in the States where Minimum Wages Act was not extended, contractors, generally distributed the amount received from the Principal employers amongst their workers according to their discretion. Since identical categories of workers were not employed directly, the rates of piece wages and approximate daily earnings relate to contract labour only. Stratum-wise description of some of the jobs/categories of workers is given in the following paragraphs:-

Stratum I: Baling.- Of the 27 contractors, as many as 17 were getting this work done on piece-rate basis. The approximate daily earnings as well as rates of payment of some of the important categories of workers engaged in the various processes involved in the job of baling are discussed below:-

Labadi.- These workers were paid at the rate of Rs.2.00 to Rs.5.22 per-100 bales. Their approximate daily earnings varied from Rs.1.79 to Rs.5.43.

Tolwala.- These workers were paid at the rate of Rs.1.75 to Rs.2.25 per 100 bales or Rs. and their approximate daily earnings varied from Rs.1.50 to Rs.2.58.

Jaiwala/Zariwala.- These workers were paid at the rate of Rs.1.37 to Rs.3.12 per 100 bales or Rs.4.00 per 100 bojhas and their approximate daily earnings varied from Rs.1.47 to Rs.4.07.

Chadiwala/Lint carrier.- These workers were paid at the rate of Rs.1.37 to Rs.2.00 per 100 bales and their approximate daily earnings ranged between Rs.1.47 and Rs.3.31.

Openerwala.- These workers were paid at the rate of Rs.1.25 to Rs.2.50 per 100 bales and their approximate daily earnings ranged between Rs.1.47 to Rs.2.69.

Palawala.- These workers were paid at the rate of Rs.1.25 to Rs.1.50 per 100 bales and their approximate daily earnings varied from Rs.1.18 to Rs.2.91.

Weighing.- Of the 27 contractors, 11 got this job done on piece-rate basis. The workers doing this job were paid at the rate of Rs.1.87 to Rs.6.50 per 100 bales/horas or Rs.6.00 per 100 bags weighed. One of the contractors, however, made a consolidated payment of Rs.12.50 to a group of workers for weighing 100 bojhas. In turn they distributed such amount equally amongst themselves. The approximate daily earnings of the workers employed on this job varied from Rs.1.37 to Rs.4.82.

Stacking.- Of the 27 contractors, only one got this work done on piece-rate basis. The rate of payment for stacking 100 bales/horas was Rs.2.37. The approximate daily earnings of workers employed on this job were Rs.2.94.

Stratum II: Baling.- Of the 42 contractors, only 11 employed piece-rated workers on this job. Of these, one contractor, who was being paid by the principal employer at the rate of Rs.56.00 per 100 bales pressed, distributed the total earnings amount amongst his workers including himself as he also worked along with other workers. The remaining 10 contractors had prescribed different rates of for different categories of workers, which are discussed in the following paragraphs:-

Labadi.- These workers were paid at the rate of Rs.1.62 to Rs.3.48 per 100 bales and their approximate daily earnings ranged between Rs.1.50 and Rs.4.25.

Tolwala.- These workers were paid at the rate of Rs.1.50 to Rs. 1.87 per 100 bales and their approximate daily earnings varied from Rs.1.88 to Rs. 4.00.

Jaliwala/Zariwala.- These workers were paid at the rate of Rs.1.62 per 100 bales and their approximate daily earnings also worked out to Rs. 1.62.

Sinewala.- These workers were paid at the rate of Rs.1.50 to Rs.2.75 per 100 bales and their approximate daily earnings ranged between Rs.1.88 to Rs.5.32.

Weighing.- Of the 42 contractors, only 8 employed piece-rated workers on this job. Of these, 5 contractors, who were paid by the employers at the rate of Rs.12.50 to Rs. 14.00 for weighing 100 bales, distributed such amount amongst their workers including themselves as they also worked. The remaining 3 contractors, however, paid Rs.6.25 to Rs.8.00 per 100 bales to their workers. The approximate daily earnings of the workers employed on this job varied from Rs.1.03 to Rs. 3.50.

Stacking.- Of the 42 contractors, only 7 got this work done on piece-rate basis. Of these, 4 contractors paid Rs.1.50 to Rs.3.12 per 100 bales to their workers whereas in the remaining 3 cases the contractors were paid Rs. 9.00 to Rs.27.00 per 100 bales by their principal employers. In turn the contractors who worked along with their workers, distributed the total earnings equally amongst themselves. The approximate daily earnings of the workers employed on this job ranged between Rs.1.88 to Rs. 4.00.

Loading.- Of the 42 contractors, only 8 employed piece-rated workers on this job. As many as 6 out of 8 contractors worked along with their workers and they distributed amongst themselves the total amount received from the principal employers for doing the loading work at the rate of Rs. 12.00 to Rs.19.00 per 100 bales. The remaining two contractors, however, paid Rs.6.00 to Rs.8.75 per 100 bales to their workers. The approximate daily earnings of the workers employed on this job varied from Rs. 1.03 to Rs.4.00.

Stratum III: Baling.- Of the 28 contractors, only 5 - 2 each in Madhya Pradesh and Assam and one in Punjab - were getting this work done on piece-rate basis. Of these, two contractors - one each in Assam and Punjab - made consolidated payment on the basis of bales pressed. In Punjab the rate of payment was Rs.58.50 per 100 bales whereas in Assam it varied from Re.0.75 to Re.1.00 per bale. The approximate daily earnings of such workers varied from Rs.2.85 to Rs.4.75 in Punjab and Rs.1.80 to Rs.3.34 in Assam. The remaining two contractors in Madhya Pradesh had fixed different rates of payments for different categories of workers employed in pressing factories. The different rates of payments as well as the approximate daily earnings of workers employed on such jobs are discussed in the following paragraphs:-

Labadi.- These workers were paid at the rate of Rs. 2.25 to Rs.2.50 per 100 bales and their approximate daily earnings varied from Rs.1.38 to Rs.2.25.

Sinewala.- These workers were paid at the rate of Rs.1.62 per 100 bales and their approximate daily earnings also worked out to be Rs.1.62.

Tolwala.- These workers were paid at the rate of Rs.1.88 per 100 bales and their approximate daily earnings varied from Rs.1.04 to Rs.1.88.

Jaliwala/Zariwala.- These workers were paid Rs.1.62 to Rs.2.00 per 100 bales and their approximate daily earnings varied from Rs.1.10 to Rs.1.62.

Cotton Palawala.- These workers were paid Rs. 1.00 per 100 bales and their approximate daily earnings varied from Re.0.55 to Re.1.00.

Weighing.- Of the 28 contractors, only 4 - one in Assam and 3 in Madras - were getting this work done on piece-rate basis. In both the States, the contractors paid Rs.6.00 per 100 bales weighed. The approximate daily earnings of such workers in Madras were Rs.2.00 whereas in case of Assam this figure was not available.

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Stacking.- Of the 28-contrators, only 4 in Madras were getting this work done on-piece-rate basis. These workers were paid Rs.6.00 per 100 bales. Their approximate daily earnings worked out to Rs.2.00.

Dearness Allowance.- Neither any contractor nor any principal employer gave any separate dearness allowance to the contract workers.

Other Cash Allowances.- Neither any contractor nor any principal employer paid any other cash allowance to the contract workers.

Money Value of Concession Given in Kind.- None of the contractors gave any concession in kind to his workers himself. However, the principal employers in respect of 14 contractors in Stratum II supplied firewood and kerosene oil worth Rs.5.00 to Rs.8.00 per month per-family of those contract workers who were provided housing accommodation by them.

Retaining or Subsistence Allowance.- Neither any contractor nor any principal employer paid any such allowance to the contract workers.

Wage-period and Time of Payment.- The wage-period and time of payment of wages differed from contractor to contractor. Stratum-wise position is discussed below:-

Stratum I.- Of the 27 contractors, 6 made daily payments, 17 weekly, 3 at the close of the working season whereas the remaining 1 contractor had not fixed period for payment of wages.

Stratum II.- Of the 42 contractors, 6 made weekly payments, 10 fortnightly, 6 monthly, 18 at the close of the working-season whereas the remaining 2 contractors had fixed different periods of payment for the time-rated and piece-rated workers. To their time-rated workers, one paid after every 10 days whereas the other paid after every fortnight. For their piece-rated workers they had not fixed any such period of payment.

Stratum III.- Of the 28 contractors, 1 made daily payments, 18 weekly, 6 fortnightly, 2 weekly as well as monthly and the remaining 1 contractor made weekly payment to his time-rated workers but for his piece-rated workers he had not fixed any such period of payment.

Overtime payment.- Of the 97 contractors, only 12 - 11 in Stratum II and 1 in Stratum III - took overtime work from their workers. Of these, one contractor in Stratum II did not make any extra payment for such overtime work, whereas all the remaining 10 contractors in Stratum II and 1 in Stratum III made extra payments at the rate of ordinary wages to their time-rated as well as piece-rated workers.

Fines and Deductions.- None of the contractors covered, imposed any fine on his workers or made any deductions from their wages.

Bonus.- Of the 97 contractors, only 2 - 1 each in Stratum II and Stratum III - gave Seasonal/Festival bonus to their workers. In respect of the former contractor the amount of such bonus varied between Rs.10.00 and Rs.40.00 per worker, the latter contractor gave dhoti and towel worth Rs.12.00 per worker during Dipawali festival to all his workers.

Working Conditions: Daily Hours of Work.- The daily hours of work of contract labour working within the premises of factories were regulated, as in the case of direct labour, by the Factories Act and were accordingly 9 hours per day. The working hours of contract labour working outside the factory premises were, however, not regulated. The available information shows that the actual working hours of such contract labour varied from 7½ hours to 10 hours per day. Stratum-wise details are given below:-

Stratum I.- Of the 27 contractors, only 6 employed time-rated workers whereas the remaining 21 contractors employed piece-rated workers. All the 27 contractors took work for 8 hours a day.

Stratum II.- Of the 42 contractors, 22 employed time-rated workers, 18 piece-rated workers whereas the remaining 2 contractors employed time-rated as well as piece-rated workers. Of the 24 contractors who had employed time-rated workers, 22 took work for 8 hours a day. Of the remaining 2 contractors, one took work for 10 hours a day whereas the other only for

7½ hours a day. All the 20 contractors, who had employed piece-rated workers, took work for 8 hours a day from their workers.

Stratum III.- Of the 28 contractors, 16 employed time-rated workers, 3 piece-rated workers whereas the remaining 9 contractors employed time-rated as well as piece-rated workers. All the 25 contractors, who had employed time-rated workers, took work for 8 hours a day from their workers. Of the 12 contractors, employing piece-rated workers, as many as 11 took work for 8 hours a day whereas in the remaining one case the daily hours of work were not fixed.

Normal Weekly Hours of Work.- As per the Factories Act, 1948, normal weekly hours of work for contract workers working within the factory premises are also fixed at 48. There was, however, no fixed limit for workers working outside the factory premises. The available information reveals that the actual weekly hours of work for such workers varied from 45 to 60.

Leave and Holidays with Pay.- As per the Factories Act, 1948, every worker who has worked for a period of at least 240 days during a calendar year, is entitled during the subsequent year to annual leave with wages at the rate of one day for every 20 days worked in the case of adults and one day for every 15 days worked in the case of children. The data collected during the course of the survey reveal that very few contractors allowed such leave with wages to their workers. Stratum-wise position in respect of leave and holidays with pay is discussed below:-

Casual and Sick-Leave.- None of the 97 contractors covered in strata I, II and III allowed any casual or sick leave to his workers.

Privilege/Earned Leave: Stratum I.- Workers of only 13 out of 27 contractors were allowed such leave with such leave with wages either by the contractors or by the principal employers. Workers were generally given wages for the leave earned by them at the rate of one day for every 20 days of work performed at the end of the working season. Of the 13 contractors, 10 paid such leave-wages themselves whereas in the remaining 3 cases workers of the contractors were paid such leave-wages by the principal employers.

Stratum II.- None of the 42 contractors gave any earned/privilege leave to his workers. However, workers of 18 out of 42 contractors were paid leave wages for the leave earned by them at the rate of 1 day for every 20 days of work performed at the close of the working season by their principal employers.

Stratum III.- Of the 28 contractors, only 6 gave such leave with wages, at the rate of one-day for every 20 days of work performed, to their workers.

National Holidays.- Of the 97 contractors, only 1 in Stratum III allowed 1 such holiday with pay to those workers who were present on the day just preceding the national holiday.

Festival Holidays.- Of the 97 contractors, only 1 in Stratum II allowed 7 such holidays with pay to his workers.

Welfare.- None of the 97 contractors covered had provided any other welfare facility for his workers except housing. Some of the welfare facilities provided by the principal employers for their direct labour were also made available to the contract workers. The actual position in respect of the various welfare facilities available to contract labour, as revealed by the survey, is discussed briefly in the following paragraphs:-

Medical Aid.- Stratum-wise position is discussed below:-

Stratum I.- The contract workers were provided only first-aid facilities by the principal employers in all cases, first-aid facilities and the services of qualified doctors in 3 cases and first-aid facilities and free medical treatment in cases of accidents in 14 cases.

Stratum II.- The contract workers were provided only first-aid facilities by the principal employers in 40 out of 42 cases, first-aid facilities and the services of qualified doctors in 17 cases and first-aid facilities and free medical treatment in cases of accidents in 3 cases.

Stratum III.- The workers in respect of 27 out of 28 contractors were provided first-aid facilities by the principal employers. In addition to the first-aid facilities, the principal employers in four cases had made available to the workers of the contractors the services of qualified doctors and free medical treatment in cases of accidents.

Transport Facilities.- The principal employers in respect of 11 out of 27 contractors met the cost of railway fare incurred by the workers in coming to and going from place of work. Four of them paid double railway fare whereas the remaining 7 paid only single fare.

Housing Facilities.- Stratum-wise position is discussed below:-

Stratum I.- Neither any contractor nor any principal employer had provided such facilities for the benefit of contract workers. None of the contract workers was paid any house rent allowance also.

Stratum II.- Of the 42 contractors, only 1 had himself provided one-room-tenements to his workers on a monthly payment of Rs.5.00 per tenement. However, the principal employers in respect of another 28 cases contractors had extended housing facilities to contract workers also. Of the 2,003 contract workers on roll on the date of visit in respect of 29 contractors, only 1,749 or 85 per cent. of them were accommodated in 44 pucca, 14 semi-pucca, 125 kacha houses and one godown. Neither any contractor nor any principal employer paid any house rent allowance to these contract workers who were not provided with any housing accommodation.

Stratum III.- None of the contractors had provided any housing facilities to his workers. However, the principal employers in respect of 6 out of 28 contractors had extended rent-free housing accommodation to the contract workers also. Of the 209 contract workers on roll as on the date of visit in respect of 6 contractors, only 90 workers or 43 per cent. of them were accommodated in 12 pucca and 2 semi-pucca houses (tin-sheds). Neither any principal employer nor any contractor paid any house rent allowance to those workers who were not provided with any such accommodation.

Educational Facilities.- Neither any contractor nor any principal employer had provided any educational facilities for the contractworkers.

Recreational Facilities.- Neither any contractor nor any principal employer had provided any recreational facilities for the contract workers.

Creches.- The principal employers of only two contractors - one each in Stratum II and Stratum III - had provided creche for the use of the children of women contract workers.

Canteens.- Workers in respect of 6 contractors - 5 in stratum II and 1 in stratum III - were allowed to make use of the canteens provided by the principal employers for their direct workers.

Rest Shelters.- The workers of 84 out of 97 contractors were not provided - any such facilities. However, the principal employers of the remaining 13 contractors - 5 in Stratum II and 8 in Stratum III - allowed contract workers also to make use of the rest shelters provided by them for their direct workers.

Drinking Water.- The principal employers in respect of all the contractors had extended the drinking water facilities provided by them for their direct workers to the workers of their contractors also.

Latrines and Urinals.- Stratum-wise position is discussed below:-

Stratum I.- The workers of all the 27 contractors were also allowed to make use of conservancy facilities provided by the principal employers for their direct workers. Principal employers in respect of 20 out of 27 contractors had provided latrines as well as urinals whereas the remaining 7 employers had provided only latrines.

Stratum II.- The workers of 27 out of 28<sup>42</sup> contractors were allowed to make use of the conservancy facilities provided by the principal employers for their direct workers. Sixteen Twenty of them had provided latrines as well as urinals whereas the remaining 7 employers had provided only latrines.

Stratum III.- The workers of 22 out of 28 contractors were allowed to make use of the conservancy facilities provided by the principal employers for their direct workers. Sixteen of them had provided latrines as well as urinals whereas the remaining 6 employers had provided only latrines.

Community Baths.- The principal employers of only 44 contractors - 2 in Stratum I, 37 in Stratum II and 5 in Stratum III - had allowed contract workers also to make use of community baths provided by them for their direct workers. Of these, employers in respect of only 25 contractors - 2 in Stratum I, 20 in Stratum II and 3 in Stratum III - had made separate arrangements of community baths for male and female workers.

Washing Facilities.- The principal employers of as many as 45 contractors - 3 in Stratum I, 40 in Stratum II and 2 in Stratum III - allowed contract workers also to make use of the washing facilities provided by them for their direct workers.

Social Security: Accidents and Workmen's Compensation.- Generally the workers employed in this industry were eligible for compensation in cases of accidents according to the provisions of the Workmen's Compensation Act, 1923. The available information reveals that the workers in respect of as many as 96 out of 97 contractors were getting compensation in cases of accidents. In 95 cases - 26 in Stratum I, 41 in Stratum II and 28 in Stratum III - workers were paid compensation in accordance with the provisions of the Workmen's Compensation Act either by the contractors or by the principal employers or by both or by the Insurance Companies, whereas in the remaining one case the workers got such benefits in accordance with the provisions of the Employees' State Insurance Scheme. The compensation was paid by the contractors in 10 cases, by the principal employers in 65 cases, by both in 2 cases, by the Insurance Companies in 18 cases and by the Employees' State Insurance Corporation in the remaining one case. During the period of enquiry, 2 accidents - one minor and one serious - were reported to have occurred only in Stratum I. Both these cases were entitled for compensation but the same was not paid during the period under reference.

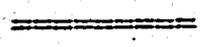
Maternity Benefit.- Of the 97 contractors, only 54 - 19 in Stratum I, 17 in Stratum II and 18 in Stratum III - engaged women workers. Workers of only 6 contractors - 1 in Stratum II and 5 in Stratum III - Were paid maternity benefit. The contractor in question in Stratum II paid maternity benefit in accordance with the Employees' State Insurance Scheme. In Stratum III, such benefit was paid by the contractors themselves in 4 units whereas in the remaining one unit such benefit was paid by the principal employer. During the period of reference maternity benefit was claimed only in 7 cases in Stratum III and payments amounting to Rs. 213.75 were made in these cases.

Provisions for Future: Provident Fund.- Neither any contractor nor any principal employer had introduced any provident fund scheme for the benefit of contract workers.

Gratuaty/Pensions.- Neither any contractor nor any principal employer paid any gratuity or granted any pension to the contract workers.

Trade Unions.- Workers of only 6 contractors - 2 in Stratum I, 1 in Stratum II and 3 in Stratum III - out of 97 contractors covered were members of 3 unions which were recognised by their contractors. Of these 3 unions, only one in Stratum II was exclusively for contract workers. The approximate percentage of workers, who were members of these unions varied between 50 and 93.

Industrial Relations.- None of the 97 contractors covered had any set procedure for redressing the grievances of their workers. In majority of the cases, the disputes arising between contract workers and contractors/the principal employers were normally settled either directly or with the help of the principal employers/union of workers/Labour Departments.



52. Workers' welfare, Recreation and Workers' Education

Assam Tea Plantations Employees' Welfare  
Fund (Amendment) Bill, 1964.

Shri K.P. Tripathi, Labour Minister, Assam introduced on 20 March 1964 in the Legislative Assembly of the State a Bill further to amend the Assam Tea Plantations Employees' Welfare Fund Act, 1959. According to the Statement of Objects and Reasons of the Bill, the welfare programme in respect of the tea gardens labourers in the State is carried on by the Assam Tea Plantations Employees' Welfare Board constituted under the provisions of the Assam Tea Plantations Employees' Welfare Fund Act, 1959. Due to expansion of the activities of the Board, it has become necessary to make the set-up of the Board broad-based so as to ensure presence of the Labour Minister as Chairman. The Bill seeks to make necessary amendments to section 4 of the Act of 1959.

(The Assam Gazette, Part V, 25 March 1964,  
pp. 52-53)

## Chapter 6. General Rights of Workers.

### 64. Wage Protection and Labour Clauses in Employment Contracts with the Public Authorities.

India - March-April 1964.

#### Payment of Wages (Madhya Pradesh Amendment) Act, 1964 (No. 11 of 1964).

The Government of Madhya Pradesh gazetted on 14 April 1964 the Payment of Wages (Madhya Pradesh Amendment) Act, 1964, of the Madhya Pradesh Legislature. The Amendment Act which received the assent of the President on 2 April 1964 makes a number of amendments to the Payment of Wages Act, 1936, in its application to Madhya Pradesh State. Some of the principal amendments made are reproduced below.

In section 2 of the Payment of Wages Act, 1936 (4 of 1936) (hereinafter referred to as the principal Act),-

(a) after clause (i), the following clause shall be inserted, namely:-

~~(i-a)~~ (i-a) 'Industrial Court' means the Industrial Court constituted under section 9 of the Madhya Pradesh Industrial Relations Act, 1960 (27 of 1960); and

(b) after clause (ii), the following clause shall be inserted, namely:-

"(ii-a) 'legal representative' means the person who in law represents the estate of a deceased employed person~~s~~. person".

In section 15 of the principal Act,-

(i) in sub-section (1), for the words "any Commissioner for Workmen's Compensation or other officer with experience as a Judge of a Civil Court or as a stipendiary Magistrate to be the authority", the words "one or more persons to be the authority or authorities" shall be substituted;

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

"(1-A) A person shall not be qualified for appointment as an authority under this Act, unless, he is a Commissioner for Workmen's Compensation or any other officer with experience as a Judge of Civil Court or of a Labour Court, ~~constituted~~ constituted under the Madhya Pradesh Industrial Relations Act, 1960 (No. 27 of 1960).

(1-B) Where more than one person are appointed for any specified area as authorities under sub-section (1), the State Government may, by general or special order, make arrangements as it thinks fit for the distribution of the work among the authorities so appointed";

(iii) in sub-section (2),-

(a) after the words "to act on his behalf", the words, figures and brackets "or a representative union recognised as such under the Madhya Pradesh Industrial Relations Act, 1960 (No. 27 of 1960)" shall be inserted;

(b) after the words, brackets and figure "sub-section (3)", the words, "and in case of death of the employed person, it shall be lawful for his legal representative to make an application for such direction" shall be inserted;

(c) in both the provisions for the words "six months", the words "one year" shall be substituted;

(iv) in sub-section (3),-

(a) after the words "employed person", the words "or his legal representative, as the case may be", shall be inserted;

(b) for the words "ten rupees in the latter case and the words twenty-five rupees in the latter case and the authority may direct the payment of such compensation in cases, where the amount deducted or the delayed wages are paid by the employer, to the employed person or his legal representative before the disposal of the application" shall be substituted;

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(c) in the proviso, after the words "employed person" occurring twice, the words "or his legal representative" shall be inserted; and

(v) for sub-section (4), the following sub-sections shall be substituted, namely;-

"(4) If the authority hearing any application under this section is satisfied,-

(i) that the application was either malicious or vexatious, the authority may direct that a penalty not exceeding fifty rupees be paid to the employer or other person responsible for the payment of wages by the person presenting the application; or

(ii) that, in any case in which compensation is directed to be paid under sub-section(3), the applicant ought not to have been compelled to seek redress under this section, the authority may direct that a penalty not exceeding fifty rupees be also paid by the employer or other persons responsible for the payment of wages which shall, when paid or recovered, be credited to the State Government.

(4-a) Where a question arises as to whether any person is or is not a legal representative of the deceased employed person, such question shall be determined by the authority appointed under sub-section(1) and his decision shall be final.

(4-b) The payment of the amount directed to be paid under this section to the employed person or his legal representative, as the case may be, shall be a full and complete discharge of the employer from the liability to make such payment under this Act, and no further claim shall lie against the employer in respect thereof."

In sub-section(1) of section 20 of the principal Act, for the words "five hundred rupees", the words "two thousand rupees" shall be substituted.

In sub-section (2) of section 21 of the principal Act -

- (a) in clause (a), after the words "employed person", the words "or his legal representative" shall be inserted; and
- (b) in clause (c), after the words "employed person", the words "or his legal representative" shall be inserted.

Every appeal preferred under section 17 of the principal Act, and pending before the District Court immediately before the commencement of this Act, shall on such commencement stand transferred to the Industrial Court and that Court shall proceed to decide the same as if it had been pending in that Court.

(Madhya Pradesh Government Gazette,  
Extraordinary, 14 April 1964, pp.1354-1357).

Payment of Wages (Punjab Amendment) Act,  
1964 (No.2 of 1964).

The Payment of Wages (Punjab Amendment) Bill (vide page 65 of the the report of this Office for July-August 1963) as passed by the Punjab Legislature received the assent of the President on 6 February 1964 and has been gazetted as Punjab Act No. 2 of 1964. The Amendment Act deletes the whole of the proviso and explanation to section 6 of the Act of 1936 as amended by the Payment of Wages (Punjab Amendment) Act, 1962.

(Punjab Government Gazette, Extraordinary,  
14 February 1964, page 9 ).

67. Conciliation and Arbitration.

India - March-April 1964.

Industrial Disputes (Assam Amendment) Bill,  
1964.

Shri K.P. Tripathi, Labour Minister, Assam introduced on 20 March 1964 in the Legislative Assembly of the State a Bill to amend further the Industrial Disputes Act, 1947, the in its application to the State of Assam. According to the Statement of Objects and Reasons of the Bill, the existing definition of the term "employer" in the Industrial Disputes Act, 1947 does not bring within its purview any industry the owner of which contracts with any other person for the execution by or under the control of such person any work which is ordinarily carried on by the said industry. For instance, the Railway authorities do not assume any responsibility regarding the welfare of the handling labourers who are engaged through contractors to do any work ordinarily carried on by the Railway. In order, to bring within its purview the industry, the owner of which employs labourers through contractors it is considered expedient to amend the Industrial Disputes Act, 1946 in its application to the State of Assam so as to protect the interest of such labourers under the Act. The Bill seeks to make necessary amendments to the definitions of 'employer' and 'workman' in section 2 of the Act of 1947.

(The Assam Gazette, Part V, 25 March 1964,  
pp. 50-51).

Government's power to Prohibit Strikes  
in Essential Services Upheld by  
Supreme Court.

On 23 March 1964, delivering judgment on a petition filed by Shri R.D. Sharma, Shri Justice Wanchoo of the Supreme Court upheld the Constitutional validity of Sections 3, 4 and 5 of the Essential Services Maintenance Order 1960, empowering the Central Government to prohibit strikes in essential services and prescribing punishment for violation of such orders.

The petitioner was a teleprinter supervisor in Jaipur in July 1960 when the employees of the Posts and Telegraphs Department went on strike. He was charged with gross misconduct for taking part in a demonstration in furtherance of the strike which had been prohibited by the Government under the Essential Services Maintenance Order. After holding an inquiry the department ordered a punishment affecting his increments for a period of two years. The petitioner challenged this order before the Supreme Court and submitted that sections 3, 4 and 5 of the Maintenance Order were unconstitutional as they violated his right to freedom of speech, expression and assembly.

Dismissing the petition against the Post Master General, Nagpur, the Court held that the punishment inflicted by the respondent upon the petitioner was founded upon evidence before the authorities.

Shri Justice Wanchoo said the order did not restrict the Freedom of Speech or expression or assembly in any way and therefore no question arise of any violation of a fundamental right. The petitioner's contention that there was no evidence on which the authorities could take action against him was rejected by the Court.

(The Statesman, 24 March 1964 ).

CHAPTER 7. PROBLEMS PECULIAR TO CERTAIN CATEGORIES OF WORKERS.

INDIA - MARCH-APRIL 1964.

71. Employees and Salaried Intellectual Workers.

Whitley Council Scheme.

In answer to a question in the Lok Sabha on 29 April 1964, Shri J.L. Hathi, Minister of State for Home Affairs, stated that the scheme for joint consultation and compulsory arbitration for Central Government Employees, known as the Whitley Council Scheme, would be implemented after discussion with employees' organisations.

He said under this scheme, Government was not forcing any union to abjure strike. The scheme sought the cooperation and goodwill of trade unions to evolve a pattern whereby grievances of the employees could be solved without resort to strike. Shri Hathi added that the Government's intention was that the Whitley Council Scheme should confine their activities to the three questions of leave, allowance and hours of work. In regard to other matters the Scheme did not supersede the existing machinery.

(The Statesman, 30 April 1964).

Annual Conference of All India Bank Employees' Federation: Need to avoid Work Stoppages stressed by Labour Minister.

Inaugurating the Fourth Annual Conference of the All India Bank Employees' Federation at New Delhi on 20 April 1964, Shri Sanjivayya, Minister of Labour and Employment, appealed to trade unions leaders to evaluate the trade union movement in the country in the light of the transformation in the industrial scene. Disputes would arise in public and private sectors, but should not be allowed to lead to stoppages. The traditional attitudes and methods modelled on the pattern of the West ~~and~~ had become somewhat out of date. It was only through growing enlightenment that the working class could realise that a change of strategy was called for and the unions also had a responsibility to carry forward the momentum of progress which had been ~~imple~~ imparted to the economy through the five-year Plans.

No Wage Board.- Shri Sanjivayya said the existing award on Bank employees had taken into account ~~for~~ the rise in prices and provided for adequate neutralisation to the cost of living index. The setting up of a Wage Board for the banking industry therefore was not necessary at the moment.

(The Hindu, 21 April 1964).

CHAPTER 8. MANPOWER PROBLEMS.

INDIA - MARCH-APRIL 1964.

81. Employment Situation.

Bombay Relief Undertakings (Special Provisions)  
(Amendment) Ordinance, 1964 (No. III of 1964).

The Government of Maharashtra promulgated on 13 April 1964 an Ordinance to amend the Bombay Relief Undertakings (Special Provisions) Act of 1958. The Statement appended to the Ordinance states that sub-section (1) of section 3 of the Bombay Relief Undertakings (Special Provisions) Act, 1958, empowers the State Government to declare an industrial undertaking by notification to be a relief undertaking for the purposes of the Act. Under sub-section (2) of that section the notification can have effect for a maximum period of five years. This period in the opinion of the State Government is inadequate for the reason stated below. It is, therefore, proposed to extend to ten years the maximum period for which an industrial undertaking should remain a relief undertaking.

The State Government had taken over the Narsingirjee Mills, Sholapur on lease from the Official Liquidator, High Court, Bombay, and is running it since January 1958. Government has declared it as a relief undertaking and the period of five years upto which it can be run as a relief undertaking will expire on the 14 April 1964. The Mill however is not yet sold by the Official Liquidator and it is necessary to continue to run it as a relief undertaking in order to avoid unemployment of labour. It is therefore necessary to extend the period for which it should be run as relief undertaking.

The State Legislature being not in session, it has become necessary to take immediate action to amend the Bombay Relief Undertakings (Special Provisions) Act, 1958, by an Ordinance.

The Ordinance amends sec.3 of the Act of 1958 by substituting the words 'ten years' for the words 'five years' occurring in the section.

(Maharashtra Government Gazette,  
Part IV, 16 April 1964, pp. 53-54).

Employment Exchanges: Working during  
December 1963.

According to the Review on the principal activities of the Directorate-General of Employment and Training for the month of December 1963, the position of registration, placements, live register, vacancies notified and employers using employment exchanges during the month was as follows:

Item	November 1963	December 1963	Increase or Decrease (+) or (-)
Registrations.	273,046	313,786	+ 40,740
Placements.	41,277	45,383	+ 4,106
Live Register:	2,605,715	2,518,463	- 87,252
Vacancies Notified.	67,554	75,385	+ 7,831
Employers using Exchanges.	11,068	12,723	+ 1,655

Shortages and Surpluses.- Shortages were reported during the month under review in respect of engineers, doctors, compounders, overseers, nurses, stenotypists, midwives, draughtsmen, stenographers, electricians, accountants, and trained teachers, while surpluses were reported in respect of clerks, untrained teachers, unskilled office workers and unskilled labourers.

Collection of Employment Market Information.- At the end of December 1963, employment market area studies were in progress in 232 areas in different States.

Report on employment of diploma holders in Engineering and Technology was issued during the month.

Vocational Guidance and Employment Counselling.- A Vocational Guidance Section has been set up at the Employment Exchange, Jodhpur in the State of Rajasthan, bringing the total number of Vocational Guidance Sections in the Employment Exchanges to 117.

Assistance to the Physically Handicapped.- During the quarter ended with September 1963, 276 handi-capped persons were registered and 100 placed leaving 1,175 on the Live Register at the end of September 1963.

Gorakhpur Labour Organisation.- During the month of December 1963, the Gorakhpur Labour Depot despatched 626 workers to various work-sties.

Deployment of surplus and retrenched personnel.- During the month under review, 20 persons were retrenched from the various river valley projects. Three hundred twentyone were registered and 434 placed in employment. A detailed statement showing the number of persons retrenched, number registered, placed and the number of persons awaiting employment assistance is given below:-

Name of Project.	No. awaiting assistance at the end of the month.	No. retrenched during the month.	No. of ret-ched per-sonnel (includ- ing those left voluntarily) registered dur- ing the month for employment assistance.	No. of plac- ed indi- cat- ing no- th- s- ire for	No. of left cat- ing no- th- s- ire for	No. of await- ing assist- ance at the end of the month.
1	2	3	4	5	6	7
1. Damodar Valley Corporation.	209	-	-	5	-	204
2. *Bhakra Nangal Project.	10	20	20	-	3	27
3. *Bhilai Steel Project.	2,815	-	301	420	-	2,696
4. *Durgapur Steel Project.	488	-	-	3	43	442
5. Special Cell of Ministry of Home Affairs.	423	-	-	6	-	417**
Total.	3,945	20	321	434	46	3,786

\*Figures of October 1963 repeated as the report for November 1963 has not been received.

\*\* Class II-61, Class III and IV-356.

Employment Exchange Procedure: Nominees of employment exchange appointed initially in leave/short term vacancies - retention in regular vacancies. - It has been decided in consultation with the Ministry of Home Affairs that if there is no break in the service of an employee who has initially been appointed in a leave or short-term vacancy and is fully qualified in all respects for a regular vacancy in the identical grade, he may be appointed against a regular vacancy without a further reference to the employment exchange.

Recruitment of staff by Government undertakings. - The National Coal Development Corporation, Ranchi (Bihar) and the Central Warehousing Corporation of the Ministry of Food and Agriculture, have agreed to utilise the employment exchanges for their manpower requirement in future.

A total of 372 employment exchanges were functioning in the country at the end of December 1963.

(Review of Principal Activities of the Directorate-General of Employment and Training for the Month of December 1963; issued by the D.G.E.& T., Ministry of Labour and Employment, Government of India, New Delhi.)

Employment Exchanges: Working during  
January 1964.

- According to the Review of the Principal activities of the Directorate-General of Employment and Training for the Month of - January 1964, the following was the position of registration, placements, live register, vacancies notified and employers using employment exchanges:-

Item.	December 1963.	January 1964.	Increase(+) or Decrease(-).
Registrations.	313,786	301,969	- 11,817
Placements.	45,383	41,864	- 3,519
Live Register.	2,518,463	2,494,543	- 23,920
Vacancies Notified.	75,385	68,620	- 6,765
Employers using Exchanges.	12,723	13,075	+ 352

Shortages and Surpluses.- Shortages were reported during the month of January 1964, in respect of Engineers, doctors, stenographers, fast typists, draughtsmen, nurses, midwives, trained teachers, fitters, electricians, overseers, and accountants, while surpluses were reported in respect of clerks, untrained teachers, unskilled office workers and unskilled labourers.

Vocational Guidance and Employment Counselling.- Vocational Guidance Section has been set up at the Employment Exchange, Hubli (Mysore) bringing the total number of Vocational Guidance Sections in the Employment Exchanges to 118 at the end of January 1964.

Deployment of surplus and retrenched Personnel.- During the month under review, 91 persons were retrenched from the various river valley projects. Two hundred seventy three were registered and 401 placed in employment. A detailed statement showing the number of persons retrenched, number registered, placed and the number of persons awaiting employment assistance is given below:-

Name of Project.	No. awaiting assistance at the end of December 1963.	No. retrenched during the month.	No. of retrenched persons (including those voluntarily registered during the month for employment assistance.	No. placed during the month.	No. left indicating no desire for assistance.	No. awaiting assistance at the end of the month.
1	2	3	4	5	6	7
1. Damodar Valley Corporation.	204	-	-	4	-	200
2. Bhakra Nangal Project.	27	91	91	-	7	111
3. Bhilai Steel Project.	2,696	-	180	392	226	2,258
4. Durgapur Steel Project.	488	-	-	3	43	442
5. Special Cell of Ministry of Home Affairs.	417	2	2	2	71	346*
Total.	3,832	93	273	401	347	3,357

\* Class II - 61, Class III and IV - 285.

Collection of Employment Market Information.

At the end of January 1964, employment market area studies were in progress in 237 areas in different States.

Gorakhpur Labour Organisation. - During the month of January 1964, the Gorakhpur Labour Depot despatched 1,027 workers to various work-sites.

Opening of additional Employment Exchanges. - One additional Employment Exchange was opened during the period of review, raising the total number of Employment Exchanges functioning in the country at the end of January 1964 to 373 including 20 University Employment Bureaux.

(Review on the Principal Activities of the Directorate-General of Employment and Training for the Month of January 1964; Issued by the D.G.E.&T. Ministry of Labour and Employment, Government of India, New Delhi).

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Placement of Indian Scientists:  
CSIR Pool Exceeds 2,000.

On 1 January 1964, 2,119 qualified Indian personnel had been selected from various countries to the scientists pool, maintained by the Council of Scientific and Industrial Research. The number included 914 in the U.S.A. and 823 in the U.K. The established pool was established in 1958 for the temporary placement of well qualified Indian scientists, technologists, engineers and medical personnel abroad, until they were absorbed in regular employment in India. The strength of the pool which was originally 100, had been raised to 500 but in June last year the Government decided to do away with the ceiling. The strength of the pool now exceeds 2,000.

The pool officers are given salaries within prescribed limits from the date they join duty and are seconded to universities, laboratories and other establishments until they are absorbed in regular employment. At the commencement of this year 450 pool officers had been distributed to various institutions.

During 1963, 278 persons left the pool on securing regular employment. Nearly 750 persons selected to the pool have so far obtained regular employment in India.

The Government had decided recently that all approved scientific institutions and public undertakings should be authorised to create a certain number of supernumerary posts to which temporary appointments could be made quickly from among pool officers and those scientists working and studying abroad.

Research units are to be established, if necessary, in public sector undertakings, to utilise the scientists' skills.

(The Economic Times, 7 February 1964).

82. Vocational Guidance.

India - March-April 1964.

New Training Pattern for Industry in  
Fourth Plan: Labour Minister's  
Statement.

At a meeting of industrialists of West Bengal, on 14 April 1964, at Calcutta, Shri Sanjivayya, Union Labour Minister said the Government would introduce a new pattern of training for apprentices and instructors in the Fourth Plan. The Government also proposed to develop facilities for the training of junior engineers in the techniques of teaching.

The Minister felt that the pattern of institutional training had not changed for a number of years though the development of industry had changed during the last 15 years and further changes could reasonably be expected in the next 10 years. He emphasised that all plans for expansion of training facilities would be no value unless there was consolidation in terms of quality. He therefore asked the industrialists to help improve the quality of the craftsmen who were being trained either in the institutions or when they went to the industries for apprenticeships.

(The Hindustan Times, 15 April 1964).

83. Vocational Training.

India - March-April 1964.

Labour-Ministry's Training Schemes:  
Working during December 1963.

- According to the Review on the Principal Activities of the Directorate-General of Employment and Training for the month of December 1963, there were 283 institutes for training craftsmen; 55 undertakings imparting apprenticeship training and 21 centres holding part-time classes for industrial workers. The total number of seats stood at 81,344 and the total number of persons undergoing training was 72,604.

Craftsmen Training Schemes.- During the month of December 1963, 996 seats under the Craftsmen-Training Scheme were sanctioned for introduction during the Third Five Year Plan. The progressive total number of additional seats sanctioned so far is as under:-

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1. Craftsmen Training Scheme.	60,614 seats.
2. National Apprenticeship Training Scheme.	2,787 seats.
3. Part-time Courses for Industrial Workers.	3,545 seats.
4. Number of new Industrial Training Institutes.	145

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National Council for Training in Vocational Trades.- A meeting of the Central Apprenticeship Council was held during the month of December 1963 to consider the following :-

1. Inclusion of nine additional trades for apprenticeship training under the Apprentices Act.
2. The minimum rate of stipend payable to an apprentice.
3. Standard of physical fitness.
4. Hours of Work.

Equipment.- Central Training Institutes for Instructors at Calcutta, Kanpur, Madras, Hyderabad, Ludhiana and Bombay are being assisted by foreign aid programmes. These projects functioning under Craftsmen Instructors Training Scheme are being aided by Special Fund Projects of the U.N.O. except the one at Bombay, which is being assisted by the AID Agency of the United States. The progressive receipt position of equipment upto December 1963 is tabulated below:-

Name of Centre.	Value of equipment stipulated in AID (in Millions).	Value of equipment was received upto 31.12.1963.
C.T.I., Kanpur.	1.390	1.229
C.T.I., Madras.	1.390	1.307
C.T.I., Hyderabad.	1.390	0.960
C.T.I., Ludhiana.	1.390	0.975
C.T.I., Bombay.	1.704	1.426

It may be mentioned that C.T.I., Calcutta, has received all the equipment identified for. Out of the saving of previous Project Implementation Orders, two fresh Project Implementation Orders amounting to \$ 28,000 have been issued for which orders are being placed by Indian Supply Mission, Washington.

(Review on Principal Activities of the Directorate-General of Employment and Training for the Month of December 1963; Issued by the D.G.E.& T.; Ministry of Labour and Employment, Government of India, New Delhi).

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Labour Ministry's Training Schemes:  
Working during January 1964.

According to the review on the activities of the Directorate-General of Employment and Training for the month of January 1964, there were 283 institutes for training craftsmen, 55 undertakings imparting apprenticeship training and 21 centres holding part-time classes for industrial workers. The total number of seats stood at 81,314 and the total number of persons undergoing training was 71,978.

Sanction of seats under the Training Schemes.- During the month of January 1964, only 444 seats under the Craftsmen Training Schemes were sanctioned for introduction during the Five Year Plan. The progressive total number of additional seats sanctioned so far is as under:-

a) Craftsmen Training Scheme.	61,058 seats.
b) National Apprenticeship Scheme.	2,787 seats.
c) Part-time courses for Industrial Workers.	3,545 seats.
d) Number of New Industrial Training Institutes.	146

Equipment.- Central Training Institutes for Instructors at Calcutta, Kanpur, Madras, Hyderabad, Ludhiana and Bombay are being assisted by foreign aid programmes. These Projects functioning under Craftsmen Instructors Training Schemes are being aided by Special Fund Programme of United Nations Organisation except the one at Bombay, which is being assisted by the Agency for International Development of the United States. The progressive receipt position of equipment upto January, 1964 is tabulated below:-

Name of Centre,	Value of Equipment stipulated in the Aid. (In Millions).	Value of Equipment received upto 31-1-1964. (In Millions).
Central Training Institute, Kanpur,	1.390	1.254
Central Training Institute, Madras,	1.390	1.307
Central Training Institute, Hyderabad,	1.390	0.995
Central Training Institute, Ludhiana,	1.390	0.978
Central Training Institute, Bombay,	1.704	1.426

It may be mentioned that Central Training Institute, Calcutta, has received all the equipment indented for. Out of the saving of previous project Implementation Orders, two fresh Project Implementation Orders amounting to \$ 28,000 have been issued for which orders are being placed by Indian Supply Mission, Washington.

(Review of the Principal Activities of the Directorate-General of Employment and Training for the Month of January, 1964; Issued by the D.G.E. & T., Ministry of Labour and Employment, Government of India, New Delhi).

Chapter 9 - Social Security

92. Legislation.

India - March-April 1964.

Punjab: Punjab Maternity Benefit  
(Repealing) Bill, 1964.

Shri Mohan Lal, Home Minister, Government of Punjab introduced in the Punjab Legislative Council on 18 February 1964 a Bill to repeal the Punjab Maternity Benefit Act, 1943. According to the Statement of Objects and Reasons of the Bill, the Punjab Maternity Benefit Act, 1943, was enacted when there was no Central Legislation on the subject. The Maternity Benefit Act (Central Act No. 53 of 1956) has since been enacted and its provisions are by and large more beneficial than those in the Punjab Act. In order to benefit women employees as a result of the more liberal provisions of the Central Act and to fall in line with the policy of the Central Government in the matter of Labour Legislation, it is considered expedient to repeal the Punjab Maternity Benefit Act, 1943. The provisions of the Central Act are intended to be made applicable in the State from the date the Punjab Act will be repealed.

(Punjab Government Gazette, Extraordinary,  
18 February 1964, pp. 125-126 )

Kerala: Employees' State Insurance Scheme  
extended to Certain Areas in the State.

In exercise of the powers conferred under the Employees' State Insurance Act, 1948, the Central Government has appointed the 1 March 1964, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section(1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas of the State of Kerala, namely:-

I. The areas within the revenue villages of:-

- Nedumpana
  - Thrikadavoor
  - Kottankara
  - East Kallada
  - Thrikovilvatton
  - Thrikaruva
  - Perinad
  - Maulavana
  - Meenad and Kalluvathukkal
- in Quilon Taluk in the Quilon District.

II. The areas within the revenue villages of:-

- Kottarakara
  - Powthreeswaram
  - Mylom
  - Velinallur
  - Pooyapally
  - Vettikavala
  - Ezhukone
  - Neduvathur and Thrippilazhikom
- in Kottarakara Taluk in the Quilon District.

III. The areas within the revenue villages of:-

- Sooranad North
  - Poruvazhy
  - Kadambanad
  - Kunnathur and Ezhamkulam
- in Kunnathur Taluk in the Quilon District.

(Notification SO 716 dated 18 February 1964;  
the Gazette of India, Part II, Sec. 3,  
sub-section(ii), 29 February 1964, page 963-964)

Uttar Pradesh: Employees' State Insurance  
Scheme extended to Certain Areas of the  
State.

In exercise of the powers conferred under the Employees' State Insurance Act, 1948, the Central Government has appointed 1 March 1964, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and section 77, 78, 79 and 81 which have already been brought into force) of the said Act, shall come into force in the following areas of Sitapur, Churk and Ghazipur in the State of Uttar Pradesh, namely:-

- I. Sitapur: - - - - -  
The areas within the Municipal limits of Sitapur and revenue village Hussainganj in Pargana Khairabad, in Tehsil and District Sitapur.
- II. Churk: - - - - -  
The areas comprised within the revenue villages of:-  
(a) Churk; (b) Arauli; and (c) Musahi, in Pargana Barhar, Tehsil Robertsganj in District Mirzapur.
- III. Ghazipur: - - - - -  
The areas within the Municipal limits of Ghazipur.

(Notification SO 717 dated 18 February 1964;  
The Gazette of India, Part II, Sec 3,  
sub-section(ii), 29 February 1964, p.964).

West Bengal: Employees'-State Insurance Scheme extended to Certain Areas in the State.

In exercise of the powers conferred under the Employees' State Insurance Act, 1948, the Central Government has appointed 29 March 1964 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79 and 81, which have already been brought into force) of the said Act, shall come into force in the district of 24-Parganas in the State of West Bengal except in the following areas of the said district, namely:-

- (a) such areas as fall within the jurisdiction of Calcutta Corporation to which the Scheme has already been extended; and
- (b) areas within the Mouzas Mirpur, Nangi, Bangla and Jagtala under Police Station Mahestala in Sadar sub-division.

(Notification S.O. 982 dated 12 March 1964; the Gazette of India, Part II, sec. 3, sub-sec. (1), 21 March 1964, page 1211).

Mysore: Employees' State Insurance  
Scheme extended to Certain Areas in  
the State.

In exercise of the powers conferred under the Employees' State Insurance Act, 1948, the Central Government has appointed 22 March 1964, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section(1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force) of the Said Act shall come into force in the area within the City Municipal Limits of Gulbarga in the State of Mysore.

(Notification S.O.983 dated 12 March 1964; the Gazette of India, Part II, Sec.3, sub-sec.(1), 21 March 1964, page 1211).

93. Application.

India - March-April 1964.

VI. Compensation in Case of Employment  
Injury or Occupational Disease.

Maharashtra: Annual Report on the Working  
of the Workmen's Compensation Act, 1923 for  
the Year 1962\*.

According to the Annual Report on the Working of the Workmen's Compensation Act, 1923, for the year 1962 in Maharashtra State, the year opened with 574 cases (both applications and agreements) pending from the last year and 1,361 received during the year. Out of these 1,935 cases, 1,258 were disposed of during the year under report and 677 were pending at the end of the year as against 1,345 and 573 respectively last year. The difference in the figures for cases of cases shown as pending at the commencement in the beginning of the year is due to the corrections made by the Ex-officio Commissioners while submitting returns. Out of 1,258 cases disposed of during the year, 449 related to fatal accidents, 809 to non-fatal accidents of which 656 resulted in permanent disablement and 88 in temporary disablement and the remaining 65 were miscellaneous. The total compensation paid by the employers covered by the Notifications issued under Section 16 of the Workmen's Compensation Act was 1,577,771 (Rs. 542,648 for death, Rs. 423,037 for permanent disablement and Rs. 612,086 for temporary disablement).

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\* Annual Report on the Working of the Workmen's Compensation Act, 1923 for the Year 1962: Government of Maharashtra: June 1963: Published by the Director, Government Printing and Stationery, Maharashtra State, Bombay-4; Price Re. 0.18nP. pp. 15.

Proceedings before Commissioners.- The total number of cases disposed of during the year was 847 as against 854 last year, of which 384 were cases of award under Section 10, 398 of voluntary deposits under Section 8 and the remaining 65 were miscellaneous. Out of 398 cases of deposits, in 12 cases a sum of Rs.24,157.40nP. was refunded to the employers under Section 8(4) of the Act as no claimants came forward to claim the amount deposited. The Court fees recovered in all applications was Rs.2,508.08nP. as against Rs.2,503.14nP. last year.

Cases of Agreements.- The total number of cases disposed of during the year was 411 as against 491 last year, of which 391 were registered without any modification, 2 after modification and in 18 registration was refused. The total compensation paid in respect of 393 agreements registered during the year was Rs.199,326.47nP. as against Rs.241,672.93nP. paid last year when the number of agreements registered was 457.

Wage Groups of Workmen.- The total number of persons in respect of whom compensation was awarded during the year was 531 as against 563 last year, of whom 509 were male adults, 22 were women. In 28 cases the injuries resulted in temporary disablement, in 207 cases in permanent disablement and in 296 cases in death. This year also the wages group most numerously represented was Rs.100-200 with Rs.80.100 as the next group.

The total compensation reported by the employers in respect of all accidents amounted to Rs. 1,577,771 as against Rs.1,013,846 last year.

Reports of Fatal Accidents under Section 10-B and notices issued under Section 10-A.- At the beginning of the year, 157 reports were under investigation, 52 of which were submitted by employers under Section 10-B and remaining 105 were received from other sources. During the year under report 224 reports were received, 87 from employers under Section 10-B and 137 from other sources. Of the total number of 381 reports, in 13 cases deposits were received voluntarily and in 86 after issue of notices under Section 10-A. In cases in which liability was denied, applications were received from the dependents in 69 cases. In 76 cases dependents did not apply and hence the papers were filed and 9 cases were not covered by the Act. The number of reports in which investigation was not completed at the end of the year was 128.

Deposits under Section 8(1) and 8(2).- The following table shows the deposits received both voluntarily under Section 8(1) and 8(2) and under awards in contested cases and amounts disbursed during the year under report.

<u>Opening Balance.</u>	<u>Rs. nP.</u>	<u>Rs. nP.</u>
Fatal Accidents.	841,033.78	
Non-fatal Accidents.	<u>88,618.50</u>	<u>929,652.28</u>
<u>Receipts.</u>		
Fatal Accidents.	1,025,486.84	
Non-fatal Accidents.	<u>165,724.13</u>	<u>1,191,210.97</u>
<u>Payments.</u>		
Fatal Accidents.	1,040,490.38	
Non-fatal Accidents.	<u>164,662.41</u>	<u>1,205,152.79</u>
<u>Closing Balance.</u>		
Fatal Accidents.	826,030.24	
Non-fatal Accidents.	<u>89,680.22</u>	<u>915,710.46</u>

Investments under Section 8(7).- Under amended Rule 10 of the Workmen's Compensation Rules, 1924, the Commissioner for Workmen's Compensation cannot deposit money, payable to the parties, in Post Office Savings Bank. Accordingly all the Post Office Savings Bank Accounts were closed and the amounts were deposited in the Personal Ledger Accounts of the Commissioners. The total amount invested in the Government Securities or National Savings Certificates was Rs. 158,220 only.

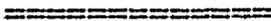
Comparative Statement.- The total number of cases dealt with during the year including those pending from last year, was 1,935 as against 1,918 for the last year. The number of cases deposited ~~of~~ disposed of during the year was 1,258 as against 1,345 last year. The cases of agreements and those of deposits disposed of were 411 and 398 as against 491 and 411 last year, the number of contested and non-contested cases disposed of being 305 and 144 as against 328 and 124 last year.

Appeals under Section 30 and references Under Section 27.- There were 14 appeals pending at the beginning of the year and 21 were filed during the year. Out of these 35 appeals, 7 were dismissed, 1 was settled and 27 were pending at the end of the year.

No reference under Section 27 was made by any Commissioner to the High Court during the year under report.

Industrial Diseases.- No case of any industrial disease came up for decision before any Commissioner nor was any reported by any employer.

(The Working of the Act for the Year 1961 was reviewed at pages 40-43 of the Report of this Office for May 1963).



Madras: Annual Report on the Working of  
the Workmen's Compensation Act, 1923, for  
the Year 1962\*.

Summary of proceedings.- According to the Report on the working of the Workmen's Compensation Act, 1923, in the State of Madras for the year 1962, there were 227 cases pending at the commencement of the year 1962. Six hundred and fifty-nine cases were filed and eleven cases were received from the Commissioners of other States for disposal during the year. Of these 897 cases, 679 cases were disposed of during the year. Of the remaining 218 cases, 49 were pending for over six months and 73 cases have since been disposed of.

Details of proceedings: Award of Compensation under Section 10.- There were 117 cases pending at the commencement of the year. Seventy-four cases relating to death, 77 cases relating to permanent disablement and 9 relating to temporary disablement were filed during the year. Of the 277 cases, 180 were disposed of during the year. Thirty-four of the 97 pending cases have since been disposed of.

Distribution of compensation under section 8(1).- Eighty-seven cases were pending on 1 January 1962. One hundred and ninety cases were filed during the year and ten cases were transferred by other Commissioners for disposal under section 21(2). Of these 287 cases, 218 were disposed of during the year. The compensation deposited was distributed to the dependants of the deceased workmen in 210 cases, refunded to the depositor in two cases and transferred to the Commissioners of other States in 6 cases. Of the 69 pending cases, 39 have since been disposed of.

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\* Report on the Working of the Workmen's Compensation Act in the State of Madras for the Year 1962: Government of Madras, 1963: Price Re. 1.25nP. pp. 9.

Deposit in-favour of women and persons under a legal disability.- Nine cases were pending at the beginning of the year. Six cases were filed during the year. Of the 15 cases, 14 were disposed of.

Deposit under section 8(2).- Two cases were pending at the commencement of the year and 27 cases were filed during the year. Of these 29 cases, the compensation deposited was distributed to the injured workmen in 21 cases. Eight cases were pending at the end of the year.

Application for indemnification under section 12(2).- Three cases were pending at the commencement of the year. Four cases were filed during the year.- Of the seven cases, five were disposed of during the year.

Registration of agreements under section 28.- Eight agreements were pending registration at the beginning of the year. Two hundred and thirty-six agreements relating to permanent disablement and thirty-seven agreements relating to temporary disablement were filed during the year.

Two hundred and thirty-seven agreements were registered during the year and three agreements were refused to be registered for inadequacy of the amount. Thirty-eight agreements relating to permanent disablement and three relating to temporary disablement were pending at the close of the year.

The total amount of compensation paid in respect of the 202 agreements relating to permanent disablement registered during the year was Rs. 141,081.78nP.

Recovery under section 31.- One case was pending at the commencement of the year. The application was disposed of during the year.

Inquiry under the Workmen's Compensation (Transfer of Money) Rules, 1935.- Three cases were pending on 1 January 1962. Twenty-six cases were received during the year. Inquiries were completed in 28 cases.

The total number of cases in which the money was transferred to this court for disposal during the year was twenty-eight and the total amount transferred was Rs. 84,147.87nP.

Return under section 16.- Returns were called for from 8,414 factories and establishments and were received from 5,460 factories and establishments. Forty-seven cases of death, 52 resulting in permanent disablement and 6,970 resulting in temporary disablement were reported in these returns as against 40 cases of death, 33 accidents resulting in permanent disablement and 1,949 resulting in temporary disablement reported during the previous year. The total amount of compensation paid during the year was Rs. 62,545.00nP. for death, Rs. 39,929.26nP. for permanent disablement and Rs. 98,180.55nP. for temporary disablement, the figures for the previous year being Rs. 124,762.00nP. for death, Rs. 57,057.86nP. for permanent disablement and Rs. 111,021.21nP. for temporary disablement.

A consolidated statement showing the total number of cases of accidents reported and the compensation paid is enclosed.

Nineteen prosecutions were launched during the year for non-submission of annual returns against the employers. Eighteen cases were disposed of and a total sum of Rs. 328 was realised as fine.

Reference under section 19.- Seventeen references were received from employers for the Commissioners' opinion as to their liability to pay compensation under the Act. All the references were answered.

Accidents reported: (a) Fatal.- One hundred and forty-seven reports and petitions were pending at the beginning of the year. Three hundred and sixty-four reports and petitions were received during the year. Of these 511 reports and petitions, compensation was awarded or paid in 278 cases, 10 cases were transferred to other Commissioners for disposal, the amount deposited was refunded to the employers in two cases for want of dependants, no compensation was found payable in 22 cases, and 166 cases were lodged. Of the remaining 133 pending cases, 58 have since been disposed of.

(b) Non-fatal.- Sixty-eight reports and petitions were pending at the beginning of the year. Two thousand two hundred and sixty-nine reports and applications from injured workmen were received during the year. Of these 2,337 cases, compensation was awarded or paid in 82 cases, no compensation was found payable in 43 cases and two thousand one hundred and seven cases were lodged as the injuries sustained by the workers concerned were minor. Thirty-nine of the remaining 105 cases have since been disposed of.

Personal Deposit Accounts.- The total amount of compensation deposited with this court during the year was Rs. 531,837.44nP. as against Rs. 253,935.18nP. deposited during the previous year.

The compensation allotted to women and persons under a legal disability was as usual invested on their behalf in the Post-Office Savings Bank for payment to them in instalments. There were 602 Post Office Savings Bank accounts at the commencement of the year, -181 were opened and 138 accounts were closed during the year. The total value of the securities held by the Commissioner in respect of the 645 accounts remaining open at the close of the year was Rs. 760,196.86nP. The total value of the other securities held by the Commissioner, i.e., National Savings Certificates, <sup>12</sup>Year Treasury Savings Deposit Certificates and 3 per cent. Conversion Loans of 1944 Treasury deposit was Rs. 14,760,00nP. Of the 138 accounts closed during the year, 50 were for investment of the amounts in immovable properties. The total amount so invested was Rs. 110,607.65nP.

The accounts for the year 1961 have been audited. The accounts for 1962 have not yet been taken up for audit.

Appeals.- There were seven appeals pending in the High Court of Judicature at Madras at the beginning of the year. Twelve cases were taken up on appeal to the High Court and eleven cases were disposed of during the year. Eight cases were pending at the end of the year.

Legal Assistance.- The Government sanctioned non-recurring expenditure of not exceeding Rs.1,000 towards legal assistance to poor and deserving workmen claiming compensation under the Workmen's Compensation Act. In nine cases legal assistance at State cost was availed of by dependants of deceased workmen.

(The Working of the Act for the Year 1961 was reviewed at pages 111-114 of the Report of this Office for March 1963).

Pension Scheme for all Provident Fund  
Members Proposed: Finance Minister's  
Statement in Rajya Sabha.

Replying to the debate on the Central Budget in the Rajya Sabha on 16 March 1964, Shri T.T. Krishnamachari, Union Finance Minister said, that the Government was considering a plan to bring every provident fund subscriber into a pension scheme. Part of the cost would be met from the fund, and some contribution from the Government to the scheme would be inevitable. The Finance Minister added that it was not intended to take over the entire provident fund money for payment as pensions, as the subscriber would like to be given part of the fund on retirement. It was proposed to extend provident fund benefits to "self-employed" people. The Government hoped that by the end of the fourth Plan period, 25 million individuals (about 125 million people including their families) would be covered by these social security measures.

Shri Krishnamachari also felt that the provident fund benefits should be extended to self-employed people and said attempts were being made to ensure that State Governments introduced a family pension scheme for their employees.

(The Statesman, 17 March 1964)

Provident Fund Benefits to Government  
Press Staff.

The Union Ministry of Works, Housing and Rehabilitation, has decided to extend the benefits of the Contributory Provident Fund to all pensionable temporary industrial employees in the Government of India printing presses, subject to certain conditions.

The facility will be extended as a purely temporary measure so that the employees can take advantage of the benefit in the event of their retirement, discharge on account of retrenchment and invalidation before confirmation.

(The Hindustan Times, 21 February 1964).

LIST OF THE PRINCIPAL LAWS PROMULGATED  
DURING THE PERIOD COVERED BY THE REPORT  
FOR MARCH-APRIL 1964.

INDIA - MARCH-APRIL 1964.

CHAPTER 5. WORKING CONDITIONS AND LIVING  
STANDARDS.

Punjab Shops and Commercial Establishments  
(Amendment) Act, 1964 (No.1 of 1964) (The  
Punjab Government Gazette, Extraordinary,  
1 February 1964, pp. 1-5 ).

CHAPTER 6. GENERAL RIGHTS OF WORKERS.

- (a) Payment of Wages (Madhya Pradesh Amendment)  
Act, 1964 (No.11 of 1964) (Madhya Pradesh  
Government Gazette, Extraordinary, 14 April,  
1964, pp. 1354-1357).
- (b) Payment of Wages (Punjab Amendment) Act, 1964  
(No.2 of 1964) (The Punjab Government  
Gazette, Extraordinary, 14 February 1964,  
page 9 ).

CHAPTER 8. MANPOWER PROBLEMS.

Bombay Relief Undertakings (Special  
Provisions) (Amendment) Ordinance, 1964  
(No.III of 1964) (Maharashtra Government  
Gazette, Part IV, 16 April 1964, pp.53-54).

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CHAPTER 3. ECONOMIC QUESTIONS.

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- \*(b) "Report 1963-64": Ministry of Works, Housing and Rehabilitation, Government of India, New Delhi. pp.72.
- \*(c) "Productivity - A Summary of Work Measurement, Principles and Techniques": Associated Chambers of Commerce and Industry of India: Calcutta: 1963: pp.21.

CHAPTER 4. PROBLEMS PECULIAR TO CERTAIN BRANCHES OF THE NATIONAL ECONOMY.

- \*(a) "Annual Administration Report - Agriculture Department for the Year ending June 30, 1958": Allahabad: Superintendent, Printing and Stationery, Uttar Pradesh: 1963: Price Rs.8/=, pp.137.
- \*(b) "Index Numbers of Wages of Agricultural and Rural Labourers in Madhya Pradesh (1960-61 to 1962-63)": Government of Madhya Pradesh: Directorate of Land Records: Gwalior: Government Regional Press: 1963. pp.17.

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

- \*(a) "Report 1963-64": Volume I: Ministry of Labour and Employment, Government of India, New Delhi. pp.65.
- \*(b) "The Indian Labour Year Book 1962": Labour Bureau, Ministry of Labour and Employment, Government of India: 16th Year of Publication: 1963: Printed in India by the Manager of Government of India Press, Simla for the Manager of Publications, Civil Lines, Delhi: Price Rs.16/=, pp.iii+376.
- \*(c) "Report 1963-64": (Volume II): Ministry of Labour and Employment: (Directorate General of Employment and Training): Government of India, New Delhi. pp. ii+31.

\* Publications received in this Office.

CHAPTER 6. GENERAL RIGHTS OF WORKERS.

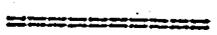
- \*(a) "Proceedings - Fifth Human Relations Conference 1963 - SITRA": 18 and 19 August 1963: The South India Textile Research Association, Coimbatore: pp.129.
- \*(b) "A Pamphlet": The Institute of Industrial Relations - University of California, Los Angeles 24, California.
- \*(c) "The Worker as a Personality": S. Kavcic: Beograd 1962: Publication of the Editorial Office of the Yugoslav Trade Unions: pp.50.

CHAPTER 8. MANPOWER PROBLEMS.

- \* "Annual Administration Report on Employment Exchanges in Maharashtra State - Year 1962": Government of Maharashtra: Industries and Labour Department: Printed in India by the Manager, Government Central Press, Bombay, and published by the Director, Government Printing and Stationery, Maharashtra State, Bombay-4, 1964: Price Re.0.12nP. pp.10.

CHAPTER 9. SOCIAL SECURITY.

- \*(a) "Annual Report on the Working of the Workmen's Compensation Act, 1923 for the Year 1962": Government of Maharashtra: 1963: Bombay: Price Re.0.18nP. pp.15.
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