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INTERNATIONAL LABOUR OFFICE
INDIAN BRANCH

Industrial and Labour Development in October 1951.

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

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CHAPTER 1. INTERNATIONAL LABOUR ORGANISATION.

INDIA - OCTOBER 1951.

11. Political Situation and Administrative Action.

57th Session of Indian National Congress, New Delhi, 17-19 October 1951: Government's Economic Programme approved.

The 57th Session of the Indian National Congress was held at New Delhi from 17 to 19 October 1951. Mr. Jawaharlal Nehru, who had earlier been elected President of the Congress following the resignation of Mr. Purushottam Das Tandon, presided. The meeting, among other things, passed a resolution approving the economic programme of the Government.

Presidential address: emphasis on social justice.- In the course of his presidential address, Mr. Nehru said that the dominant urge in India today was that of social justice and the elimination of the existing inequalities. Unfortunately progress in this sphere had been slow. Recently the Constitution had to be amended so as to remove an obstacle that had come in the way of land reform. Mr. Nehru hoped that progress in this connection would now be swift.

Mr. Nehru said that though abolition of zamindari was the first essential step, it was not enough; for in order to raise the standard of her people India had to produce more wealth by her own labour. In this connection he referred to the food problem and said that unless India achieved self-sufficiency in food she would always be dependent on others and this dependence would weaken her.

Draft five-year plan.- Referring to the draft five-year plan Mr. Nehru said that the plan was in essence a realistic survey of what it was possible to do with the resources likely to be available within the limitations of the Constitution and without a ~~marked~~ break from the existing social and economic framework. The plan forced people to think not only of objectives but of how to achieve them and of the resources at their command. Whatever some people's views might be, Mr. Nehru said that future thinking on planning would largely be based on this plan. India's resources were limited and because of this limitation the Government had to make hard choices at every step and priorities became important. It had to choose sometimes between a river valley scheme and more housing or more schools. Unfortunately it could

not have all that it wanted at the same time. The plan had recommended one set of priorities. This might be varied but the Government could not go beyond the limits set by available resources as well as the social and political conditions and the Constitution.

Mr. Nehru said that whatever the plan might make, the test of its success was how far it brought relief to the millions of Indians who live on a bare subsistence level. Every other interest must be subordinated to this primary consideration. The Constitution had rightly laid stress on raising the living standard of the Scheduled Castes and tribes and other economically backward classes. That was a duty not only to them but to the nation because only then could the general level be raised. The unfortunate fact must be remembered, however, that from the economic point of view, probably 80 per cent of India's people could be called backward classes. The fight against poverty and unemployment and the attempt at the economic betterment of the people thus became a major objective. This was the next vital stage of the journey after political independence. This could only be achieved by social and economic planning so that India's resources could be used to the best advantage and increased as rapidly as possible. It could not be achieved by leaving things to chance or to the vagaries of private enterprise or by the encouragement of the acquisitive instinct. Private enterprise, therefore, had to be related to, and brought into the pattern of the national plan. It might be encouraged but it should always function within that pattern. If it went outside the pattern, then the plan itself would be upset.

Economic programme approved.- The meeting by a resolution approved the economic programme of the Congress.

Moving the resolution, Mr. Gulzarilal Nanda, Minister for Planning, said that the so-called leftist parties claimed that after independence the Congress had no solution to the economic ills of the country. They were asking what was the meaning of co-operative commonwealth, the declared goal of the Congress. They also claimed that they alone could take the country to a classless society, to Socialism, and charged the Congress with being pro-capitalist. Mr. Nanda said that nothing could be more erroneous than such charges. Co-operative commonwealth, he declared, did include the conception of a classless society. But co-operative commonwealth included, Mr. Nanda added, other things too. It could not be said that mere provision of ~~happy individuals~~ bread would be sufficient to create a society of happy individuals. What was important was that every individual should have, apart from bread, full opportunity to develop his personality.

Mr. Nanda said the economic programme of the Congress as outlined in the resolution gave an idea as to how much by way of economic development could be achieved within a certain period under the prevailing circumstances. The Congress did not think in terms of merely satisfying the immediate needs of the people; a more important task was to prepare a longterm plan to solve the basic problems of the country.

Touching upon the broad features of the programme, Mr. Nanda said that attention must also be paid to the question of implementation. There were shortcomings in the administrative machinery due to pressure of work. It was the duty of the Government to remove those shortcomings. But it could not be done by the Government alone. The co-operation of the people was essential in this work.

Text of resolution.- The following is the text of the resolution on the economic programme:

"The Congress approves of the Election Manifesto adopted by the All-India Congress Committee at its Bangalore meeting in July, 1951 (vide pages 1-3 of the report of this Office for July 1951).

"The Congress believes that the establishment of a planned economy is essential for the most effective utilisation of the country's resources, for increasing national wealth and distributing it equitably, and for harnessing the energies of the people in the tasks of national reconstruction. The Congress, therefore, welcomes the draft five-year plan formulated by the Planning Commission and calls upon the nation and, in particular, upon all Congressmen to offer the fullest co-operation in the execution of the National Plan.

"The largest possible increase in production in every sphere of economic activity by all available means must figure in the forefront of our immediate economic programme. The production of food must be the first concern so as to put an end to dependence on foreign aid in this respect. It is also essential to make sure of an adequate supply of raw materials to keep the people employed and industries running to full capacity.

"The underlying defects in the economic and social organization of the country, which have led to economic stagnation, have to be removed so as to lead to higher standards of productivity and welfare.

"Future progress depends on capital formation and the amount saved by the community every year for the purpose. In order to enlarge the savings of the community, consumption will have to be restricted. Traditional sources of investment should give place to corporate and collective savings as well as the small savings of a very large number of persons. Tax

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evasion and blackmarketing, which have grown during the war and post-war period, have become social evils which are a serious impediment to economic progress and which may interfere with any effective planning. It is essential that the Government should take effective steps and the whole community should co-operate in ~~order~~ order to destroy this menace to our social stability and welfare.

"The administrative machinery of the State, both general and economic, has to be attuned to present-day needs in India and to the effective working of the National Plan. This necessitates the building up of an industrial and commercial cadre to plan for the country's economic life and reorganize the existing economic structure in terms of the Plan and in accordance with the needs of social justice.

"The building up of basic industries has to be given high priority. The Congress stands for the progressive extension of the public sector according to the resources and personnel available. For the present, however, the bulk of the resources available to the State have to be invested as a matter of priority in agriculture, irrigation and power, transport and cottage and small-scale industries. The private sector should function in close accord with the public sector in the fulfilment of common national objectives. Labour should be able to participate in the day to-day working of industrial undertakings and in the handling of the general problems of each industry.

"Land is the base of India's economy. The agrarian system should be so organised that the fruits of labour are enjoyed by those who toil and land is worked as a source of wealth for the community. Some measures of land reform notably the abolition of the gamindari system, protection of tenant cultivators, regulation of rents, the imposition of a ceiling on future acquisition of land and the fixation of minimum wages for agricultural workers have already been given effect to in many States. These should be extended and completed as speedily as possible, so that their full benefit reaches the masses.

"The first step in the reorganisation of rural economy is to strengthen the village as a social and economic entity as against the separate interests of individuals, and for the purpose of effective administration for development. Village production councils should be charged with the responsibility of developing and increasing production and should serve as the link between the people and the agencies of the State. They should mobilize voluntary labour for community works. Management of all land not cultivated by occupants should vest in village production councils. Uneconomic and inefficient units of cultivation stand in the way of economic as well as social progress.

Large co-operative farms are therefore necessary and agricultural and agrarian economy should be reorganised on the lines of co-operative village management.

"Until co-operative village management is fully developed and organised, substantial individual farms should, as an interim measure, be brought under State direction and control. They should be required to conform to standards of cultivation and management laid down by Government. Inequality should be reduced through measures, such as, enforcement of minimum wages, levy of betterment fees in kind, agricultural income-tax, and control of land values. In the event of failure, their management should be taken over by Government.

"Incentive should be provided for the organisation of small uneconomic holdings into co-operative farms, and a large-scale programme should be undertaken for the organisation of multipurpose co-operatives.

"The greatest asset of the country is its manpower. But if this is not used to proper advantage, it becomes a drag and a burden on the country. Apart from those who are wholly unemployed, there are a vast number of able-bodied persons who are only partially employed. Many of those who are employed or partially employed exhibit a low level of skill, thus leading to economic loss. Full employment and raising the level of efficiency are thus the most important objectives of national endeavour.

"The growth of basic industries, envisaged in the Plan, as well as the improvement in agriculture will provide additional employment. But the only way to provide useful employment on a large scale is by the development of cottage industries. Definite programmes of production through cottage and small-scale industries should therefore, be framed and such industries should be given facilities for organisation, research, training, finance, materials, marketing, and an ~~adequate~~ adequate measure of protection. It is necessary that such cottage industries should be worked on the highest technical level of efficiency. By this method unused human working capacity will be mobilized and harnessed for constructive activity.

"The whole system of production and distribution has to be reorganised with the deliberate object of achieving the ends of social justice. The existing disparities in respect of material well-being between the rural and urban areas, the backward and more advanced regions and communities and the different economic layers of the population must be progressively narrowed down, and a ceiling should be fixed for the higher incomes. Taxation and fiscal policies should be examined from this point of view.

"The aim of planning must be the progressive removal of economic and cultural inequalities, in order to realise and establish a co-operative commonwealth based on equality of opportunity and of political and social right, aiming at world peace and fellowship, which is the object of the Indian National Congress."

(The Statesman, 19 and 20-10-1951;
The Hindustan Times, 19-10-1951).

Chapter 2. International and National Organisations.

25. Wage-Earners' Organisations.

India - October 1951.

Fourth Annual Session of Indian National Trade Union Congress, Ahmedabad, 23 and 24 October 1951: Reorientation of Labour Policy urged.

The fourth annual session of the Indian National Trade Union Congress was held at ~~Jamshedpur~~^{Ahmedabad} on 23 and 24 October 1951. Mr. Khandubhai Desai presided. The meeting was attended by over 60,000 workers from all parts of India representing various industries. Among the representatives of other organisations were delegates from British Trade Union Congress, a representative from the Trade Union Congress, Ceylon, a representative from the International Confederation of Free Trade Unions, a representative from the American Federation of Labour and a representative from the International Transport Workers' Federation. Besides the Labour Adviser, U.K. High Commissioner's Office, the Labour Attache, U.S. Embassy, Mr. G.L. Nanda, Minister for Planning and Mr. Morarji Desai, Home Minister, Bombay, also attended the meeting. The ILO was represented by Mr. S.P. Saksena of this Office.

Prime Minister's message. - The Prime Minister, Mr. Nehru, in a message said that the Government as such had to be impartial in labour matters and deal with trade union organizations which truly represented workers in a particular area. Both the Central and State Governments had largely followed this policy. A trade union movement had to be an independent movement; otherwise it lost its chief function. The Government could not favour any movements which aimed at disruption and which, under cover of trade union activities, pursued far reaching subversive political ends. No Government could do this. Its sympathy and co-operation naturally would be extended far more to those who were prepared to co-operate with it. But this should not mean, in any way, any subservience of trade union organisations to Government or to any lessening of their independence. Mr. Nehru added that the criticism often made that the INTUC was just an off-shoot of the Indian National Congress and tied up with the present Governments, was unjustified. The INTUC was inevitably friendly to the Congress but it was in no way subservient to it.

Reception Committee Chairman's address.- Srimati Anasuyabehn Sarabhai, chairman of the Reception Committee, in the course of her address said that the question of industrial relations was of fundamental importance and needed careful consideration. Production would increase and industry would develop only if industrial relations ~~are~~ were properly and satisfactorily adjusted. The real welfare of the community, as well as of the workers and employers, therefore, rested on a true, proper and mutually accepted solution of this question. Industrial disputes were now settled through Courts established by Government legislation. These had proved, it must be admitted, helpful in setting many important matters; but the delay which this method entailed, the bitterness it engendered, and the estrangement it produced between the employers and the employees, had lead to serious deterioration in industrial relations. She therefore felt, that it was becoming inevitable to go back once again to the method of voluntary arbitration suggested by Gandhiji. If cordial relations were to be established in industrial matters, parties should negotiate with each other for the settlement of disputes; and if this failed should utilize the machinery of voluntary arbitration for collective agreements.

Mr Khandhubhai Desai's presidential address:
Government's wage policy criticised.- Mr Khandhubhai Desai, in his presidential address criticised the Government for ~~the~~ its failure, even ~~for~~ after four years of administrative experience, to frame a satisfactory price-wage structure policy on which the eventual success of all planning depended. Wages and prices had been allowed to follow an erratic course resulting in lowering the standard of wage earners and salaried employees. He referred to the big anomaly between the present basic wages and dearness allowance, and said that as the price index was never likely to come down to the pre-war level no further time should be lost in having the whole question examined by an expert commission with a view to amalgamating the dearness allowance at a particular level with basic wages.

Freedom from famine.- In the light of the grave scarcity conditions over large areas of the country Mr Desai made a plea for freeing the farmer from the constant fear of impending famines. It was most unfortunate that every year India had to seek ~~the~~ aid of different countries for her food requirements. He blamed the Planning Commission for not laying adequate emphasis on agricultural production. Having regard to the objective conditions in India all available natural and human resources should be concentrated on the development of agriculture and rural industries.

He criticised the Commission for not facing boldly the problem of ~~the~~ unemployment and under-employment.

Re-orientation of industrial relations.- Pleading for a re-orientation of industrial relations, Mr Desai said that in a healthy democracy based on adult suffrage the employer-employee relationship as hitherto accepted should be replaced by the psychology of co-workership. The Government should progressively revise suitably all the legal enactments which had given unnatural weight and importance to those who conducted industry. All legislation was at best a mere indication of the mind of the community. The recent attempt ~~at~~ to amend the Company Law and the passing of the Industries Development and Regulation Bill were, therefore, steps in the right direction.

In the light of this view the Labour Relations Bill pending before Parliament would have to be modified to suit the new concept of industrial relationship. As the existing structure of ~~the~~ industrial organisation was primarily responsible for the present economic evils he would ask the Government to shape its future policy of production on a democratic basis. If that were to be done he would give an assurance on behalf of the workers that they would readily respond to the nation's call and help lift it from the present economic malaise which had been brought about by the Government's policy of drift and hesitancy.

Co-operation with Indian National Congress.- Mr Desai appealed to the working class to fully co-operate with the Indian National Congress in the forthcoming elections. By themselves they hardly formed four to five per cent of the total population while 75 percent of the people lived in rural areas. The prosperity or otherwise of those vast masses should be their main concern. As an organised entity the working classes should align themselves and work in co-operation with a political party which had for its objective the removal of all exploitation and unsocial concentration of wealth by peaceful means. In Mr. Desai's opinion the Congress alone, both by its achievements and the policy it had followed, appeared to be capable of discharging the responsibilities. It was the considered view of the I.N.T.U.C. that the Congress was the only stable and responsible political party which could deliver the goods in the next five years.

INTUC and the ILO.- Mr Desai said that the INTUC has the privilege of representing the Indian Working class at International Labour Conferences and at the various committees of the ILO. He was glad that the attention of the ILO was being increasingly drawn towards Asia. The Asian Regional Conferences had

become an integral part of the ILO. Mr. Hariharnath Shastri, General Secretary of the INTUC, had recently been elected to the Governing Body of the ILO.

Mr Shastri address: need for a Labour Code.- Mr. Hariharnath Shastri, General Secretary of the INTUC, said that the country should now have a labour code incorporating all principles and conditions to govern industrial relations. He suggested that the Government should appoint a committee to draw up such a code "which will on the one hand serve as a guide to industrial tribunals and at the same time considerably minimize industrial disputes and frictions".

Reviewing the past year, before the fourth annual session of the union, Mr. Shastri pointed out that while there was comparative industrial peace in the country and less of "strike psychology", in the past year industrial relations were not free from anxiety. "Continued rise in the cost of living, ~~and~~ growing volume of unemployment in some important industries and the unsatisfactory working of the conciliation machinery contributed to this anxiety".

Mr. Shastri said that while the cost of living had risen, nowhere were the workers getting full neutralization in the shape of dearness allowance.

Unemployment during the year had risen, mainly due to retrenchments on the plea of rationalization. These retrenchments had been effected by employers in an arbitrary manner and without any reasonable justification. He hoped the Joint Consultative Committee of Labour and Industry would end this unsatisfactory position.

Referring to the unsatisfactory working of the conciliation machinery, Mr. Shastri said the appellate tribunal was a new complication which INTUC opposed. The tribunal had been guided by old concepts and in a number of cases pronounced judgments that had jeopardized the workers' interests. INTUC had come to the conclusion that far from improving labour-management relationship, the tribunal was an impediment in the way of industrial ~~relations~~ peace.

Mr Shastri said that while international co-operation through schemes like the Colombo Plan was bound to prove of immense benefit to the country it had to depend on its own manpower and resources. During the past four years India's national policies in the economic sphere had been devoid of firmness, clarity and imagination. The Government even now had failed to realise that even a capitalist economy was bound to collapse without a plan. In no case was it likely to continue in its ~~old~~ form. It had been established beyond doubt that the capitalist class left scot free would bring ruin to this country.

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The INTUC, said Mr Shastri, had suggested abolition of the managing agency system and vesting of powers in the Government to keep supervision in the working of industries and to take them over on grounds of mismanagement. ~~He regretted that the Development and Control of Industries Bill had been shelved.~~

Resolutions.- The meeting adopted a number of resolutions, the more important among which are discussed below:-

Government urged to ratify ILO Convention on equal pay for equal work.- The meeting welcomed the Convention adopted at the last session of the International Labour Conference concerning equal pay for equal work without distinction of sex and urged upon the Government of India to ratify this Convention at an early date and take suitable steps to implement it.

Commission on wage policy.- In a resolution on price-wage structure, the Convention expressed the opinion that the existing basis of wage fixation and payment of dearness allowance was artificial and economically unsound; it had resulted in the deterioration of the standard of living of wage earners and salaried employees and that it was likely to affect adversely the efficiency and production. The Congress therefore demanded a thorough and comprehensive enquiry into the whole question of price wage structure and suggested the setting up of an Expert Commission to determine the correct wage policy in consonance with the existing price level, and the needs of health and efficiency of workers; it also suggested amalgamation of dearness allowance with basic wage at a proper level.

Workers' claim for bonus.- Referring to the refusal by some of the courts and tribunals of the workers' demand for bonus on the ground that there was no surplus profit left in the industry ~~and~~ after making necessary provisions for the expansion and rehabilitation of the industry considered adequate by the Court, the Congress was firmly of the opinion that the claims of workers for bonus should not be linked with the rehabilitation needs of the industry. The rehabilitation charges should be ordinarily defrayed from the depreciation fund and if certain units have not built up an adequate depreciation fund in the past or misused it, it should not prejudice the claims of labour in respect of bonus. If, however, it was considered necessary to make extra provision for rehabilitation and building and machinery in addition to annual depreciation, such provision should follow and not precede the claims of the workers. The Convention further was of the view that the present method of ascertaining the cost of modernisation and

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replacement was unscientific and was likely to affect adversely the interest of society in future. The proper method in the opinion of the Congress would be to make a survey of existing plant, machinery and building through technical experts and find out the working life of different machines, proper cost of replacement and period during which such replacement should be made. The amount thus required should be treated as a part of depreciation fund.

Inspection of factories.- The present method of inspection of factories, mines and shops came in for criticism at the Conference which suggested a resolution, that registered trade unions should be given the right to initiate proceedings for breaches of the provisions of the Indian Factories Act, the Mines Act and Shops and Commercial Establishments Act and Rules made thereunder without the permission of the Factory Department and, secondly, that the administration of the labour laws should be vested in the Labour or Industrial Courts wherever they existed.

Managerial staff.- With a view to covering other sections of labour among whom trade unionism has not generally spread, the Congress passed a resolution urging the Government to enact protective labour legislation for technical, supervisory and managerial staff but excluding managing directors and managers. There was a heated discussion on this resolution as a good many of the delegates did not like to take up the cause of the managerial staff and even supervisors who, according to them, had been the source of their trouble so far. However, ~~after~~ after a fair amount of discussion and clarification it was agreed that managerial staff should exclude managing directors and managers.

Industrial Relations: Voluntary settlement of disputes favoured.- The Congress adopted two resolutions concerning the industrial relations. The resolutions stressed dissatisfaction with the present working of tribunals and courts on grounds of delay, unsuitability of their composition and the bitterness caused between the parties. More important than that, the system almost immobilised the unions from any trade union activity in regard to industrial disputes. It was pointed out that under the existing system of compulsory conciliation and arbitration, disputes generally went under the conciliation as soon as notice of dispute was given. From conciliation the disputes passed on to adjudication and went up to Appellate Tribunals. This took a fairly long time; even after the decisions of the tribunals and Appellate Tribunals the matter was in many cases taken by the employers to the ~~Supreme Court~~ Supreme Court for a decision on law points or constitutional issues. All this took months and months, even years, and during the

pendency of the cases no direct action could be taken by the trade unions as that would be illegal. Thus the settlement of disputes under the present system had become more a matter of skill in the law courts which was the work of lawyers and trade union activity as such was mostly stifled. The Conference therefore changed its previous attitude and declared that the best method to settle disputes was by direct negotiations with the industry or the employers concerned, and failing that voluntary arbitration, while it still accepted the necessity of settlement of disputes through tribunals or industrial courts set up ~~by~~ by the Central ~~for~~ legislation in certain cases. The Congress further suggested that a stage has arrived when legislation should be so conducted as to lead increasingly greater scope for voluntary agreements in preference to constant recourse to tribunals.

The resolution regarding tribunals demanded that industrial courts and tribunals should follow a very simple and summary procedure to elicit the necessary information from the parties to enable the court to understand the problems, rather than rely solely on evidence tendered by one party or the other, that the composition of the tribunal or the court should include besides a judicial member, persons who possess requisite knowledge of the workings of the industry concerned and can understand the workers' requirements and psychology and ~~understand the workers~~ that the proceedings before the court should be free from legal formalities. The decisions must be based on the principles of social and natural justice and the tribunal should attach more weight to moral conviction, as against legal proof of the matter by formal evidence and the decisions of courts and tribunals should be non-appealable, the resolution further demanded.

During the discussions on this resolution a section of the delegates felt that mutual settlement of disputes might create new difficulties in as much as the employers might try to set up one union against the other, more so because the trade union movement in the country today was seriously divided. It was also felt that the workers in direct ~~in~~ negotiations with the employers might not be in as strong a position as they were today. However, the general feeling was that the trade union movement and particularly the INTUC was now in a position in which it did not need any assistance from the State and could stand on its own legs. The resolution therefore was a ~~strong~~ sign of ~~the~~ strength and not of weakness.

Retrenchment. In regard to retrenchment and rationalisation, the Congress strongly urged that all retrenchment in industries should be stopped and an enquiry should be instituted to determine the extent of retrenchment, its causes and ~~justif~~ justification ~~and the extent of retrenchment~~

or otherwise with a view to rectifying any injustice during the year.

Planning Commission's Report.- A comprehensive resolution was adopted on the report of the Planning Commission which while welcoming the idea of the national plan and planned economy, expressed the view that the report had not given due importance to some vital problems affecting the economy of the country as a whole. The INTUC therefore drew the attention of the Planning Commission to the following points:

1) It has not presented a firm and clear cut picture in regard to the future industrial development of the country. It provides no prospects for the enlargement of the scope of public sector and its faith in the usefulness of private sector, is more an outcome of nervousness and hesitancy, rather than its appreciation as a sound economic policy.

2) There is no proper realization of the immense potentiality of cottage and small scale industries that are destined to play the largest part in our future industrial development. While the INTUC is in full accord with the Commission about the scope of co-operative enterprise as the main basis for the development of small scale and cottage industries, it feels that the idea cannot materialize without active and adequate State aid and protection for which there is no provision in the Plan.

3) Though there is a passing reference to the problems of unemployment and under-employment, the Plan does not provide a clear analysis of ways and means by which it could be eliminated. The view taken by the Commission that unemployment cannot be rooted out in the conceivable future, is disappointing and it amounts to shelving the issue of vital importance. Establishment of vocational schools in rural areas to impart elementary knowledge of trades and crafts would be one way to solve the problem.

4) No definite price policy is indicated so as to begin the extension of the Plan on a stable basis.

5) No concrete steps are suggested for elimination of inequalities. The long awaited policy of curtailment of unduly high incomes in business and industry does not find a positive expression in the Plan.

6) While the Commission draws the attention of all concerned to the poor national income of the country, it does not recommend substantial reduction in the salaries of administrative services. If people have to be enthused to adopt an austerity programme for some years to come, Government should set an example by substantial economy in administrative expenses.

Middle classes.- By a resolution , the Congress exhorted all non-factory workers to organise their unions and directed its provincial branches to interest themselves in this work. The Congress desired that the Government of India should apply all necessary labour legislation to non-factory workers and enact a Central Shop Assistants Act and make available machinery for settlement of industrial disputes to these type of employees.

In another resolution the Congress recommended that the Government should make available the same machinery for the settlement of disputes by negotiations and adjudication between the Government and their employees as is available in the case of workers employed ~~and~~ in private industries.

Other resolutions.- Resolutions were also passed requesting the Government to apply the Minimum Wages Act as early as possible and simplify the provisions concerning holidays with pay under the Indian Factories Act to remove the present ambiguities and controversy. The Congress also recommended that the Motor Vehicles Act should be amended on the lines of the Factories Act, 1948 and its provisions extended to the employees of Tramway services.

Office bearers. ~~The~~ Mr. Khandubhai Desai and Mr Hariharnath Shastri were re-elected President and General Secretary. Notable changes ~~in the~~ in the Working Committee were the replacement of Dr. Banerjee and Mr Deven Sen of Bengal. In this connection it is significant to mention that Dr Banerjee was the Vice-President of the INTUC last year but ~~now~~ has now entered into an election alliance with the Communist Party in West Bengal.

(Texts of the resolutions and the addresses by the Chairman, Reception Committee and the President of the Convention and annual report of the General Secretary have been sent to Geneva under this Office Minute No. D.1/208 /51, dated 6 November 1951.)

Bombay: Working of the Indian Trade Unions Act,
1926, during the year 1949-50.

Two-hundred and twenty one new trade unions were registered during the year 1949-50 in the State of Bombay, according to the report on the working of the Trade Unions Act, 1926, for the year 1949-50 published by the Government of Bombay recently.

Number of unions.- The report states that the phenomenal rise in the number of unions registered under the Act witnessed in the last three years continued during the year under report. Two hundred and twenty-one unions were registered during the year 1949-50, thus bringing the total number of unions registered at the end of the year to 581. The increase in the number of registered trade unions was the result of greater consciousness among a larger number of workmen of the importance and strength of collective bargaining for improving their working conditions, wages, dearness allowance, etc., and for safeguarding their interests in the great economic difficulties that industry has been facing during the year under report. The following table shows the ~~growing~~ growth in the number of registered trade unions in the state since 1939-40:-

Year ending 31 March.	No. of unions registered during the year.	No. of registered unions at the end of the year.
1939-40	32	73
1940-41	21	79
1941-42	17	81
1942-43	21	85
1943-44	12	91
1944-45	19	101
1945-46	23	115
1946-47	80	184
1947-48	166	329
1948-49	149	442
1949-50	221	581

Of the 581 Unions on the Register at the end of the year under report, 546 were "State" Unions i.e. unions whose activities

activities are confined to the State and 35 were "Central" Unions i.e. unions whose activities are not confined to one State only. The figures are inclusive of three State Federations and one Central Federation.

The following table gives details regarding membership of unions submitting returns during the period 1937-40 to 1949-50:-

Years.	Number of Registered Trade Unions.	Number of unions included in the report.	Total membership of the Unions shown in column (3)			Average membership per Union included in report.	Percentage of female members to total membership.
			Males.	Females	Total.		
1939-40	73	56	99,086	6,713	1,05,799	1,889	6.35
1940-41	79	63	1,34,489	7,089	1,41,578	2,247	5.01
1941-42	81	65	1,35,105	7,254	1,42,359	2,190	5.10
1942-43	85	75	1,88,422	7,290	1,95,712	2,609	5.72
1943-44	91	77	1,76,277	8,030	1,84,307	2,394	4.36
1944-45	101	86	1,91,935	17,100	2,09,035	2,451	8.18
1945-46	115	87	2,10,700	15,684	2,26,384	2,602	6.93
1946-47	184	140	3,06,946	25,265	3,32,211	2,373	7.61
1947-48	329	261	5,59,283	21,511	5,80,794	1,470	6.39
1948-49	442	319	4,93,328	31,090	5,24,418	1,659	5.88
1949-50	581	383	4,84,394	29,924	5,14,318	1,361	5.74

The registration of 98 unions was cancelled for failure to submit returns. This, the report states, is a high figure, as it forms nearly 45 per cent. of the unions registered during the year under report. Forty-four of these 98 unions were registered during the year 1949-50, twenty-seven were registered during 1948-49, while 27 unions had more than two years' standing. It would thus appear that a large majority of these unions were formed mainly to secure certain specific advantages and did not care for the continuance of their registration as soon as they achieved their objects either fully or partially. The necessity of building up strong trade unions on solid foundations with a view to fostering unity among the workers, regulating the relations between employers and employees or between employees and employees and also for giving much needed benefits to the members during periods of their unemployment, or enforced

In some cases, details regarding exp are not furnished

idleness, or for giving educational benefits is not yet fully realised by a majority of ~~the~~ workmen. Second reason for the increase in the cancellation of registration of unions appears to be lack of persons with suitable training in conducting the affairs of trade unions more efficiently. Attempts are, however, being continued to be made to overcome this difficulty and classes for training workers in labour matters are being conducted by the Bombay Government and also by certain organisations of labour and lastly ~~the~~ separate maintenance and administration of small unions was found to be uneconomical in certain cases and few such unions joined bigger unions in the respective industries. Returns from 92 unions were excluded, since they were defective. Thus, information could be obtained from only 362 state unions including two federations and 23 central unions.

The distribution of the number and membership of 360 unions out of the 362 unions (the two federations have been excluded) by occupation groups are as follows:-

Group.	No. of Registered Unions.	No. of Unions whose returns are included in the report.	Membership at the	
			beginning of the year.	end of the year.
Agriculture and Allied Industries.	9	7	8,147	7,220
Mining and Quarrying	1	1	750	428
Manufacturing	236	151	2,78,062	2,67,330
Construction	2	1	339	254
Electricity, Gas, Water and Sanitary Services.	22	15	3,695	4,187
Commerce	87	67	18,859	17,168
Transport, Storage and Communication	70	41	70,007	83,067
Services	78	51	20,845	20,760
Miscellaneous	38	26	15,623	17,228

Union finances.- The total income of all the unions was Rupees 15,44,673 and the total expenditure Rupees 11,64,897 with the result that the General Fund which stood at Rupees 10,58,178 at the beginning of 1949-50 increased to Rupees 14,37,954 at the end of the year. All the groups except the

"mining and quarrying" showed excess of income over expenditure. The following table shows an analysis of the total income from various sources:--

Items of incomes.	Amount of income.	Percentage to the total income.
	Rs.	Rs.
Contributions from members.	12,91,043	83.57
Donations	1,29,966	8.41
Sale of periodicals, books, rules, etc..	413	0.03
Interest on investments	1,933	0.12
Income from miscellaneous sources	1,21,318	7.87
Total	15,44,673	100.00

The average income of the unions was Rupees 4,291 during the year under report as compared with Rupees 4,115 for the year 1948-49. As against this the average expenditure was Rupees 3,236 for the year under report while Rupees 2,939 was the the average expenditure for the year 1948-49. An amount of Rupees 7,95,122 representing 68.25 per cent. of the total expenditure was spent on account of salaries and expenses of officers and establishment. The "Other Expenses" amounting to Rupees 1,51,572 representing 13.01 per cent of the total expenditure included meeting expenses, miscellaneous expenses, unpaid subscriptions due and depreciation written off. The expenses on account of the establishment charges of the unions thus covered 81.26 per cent. of the total expenditure and *only* a very small amount could be utilised for other activities of the unions. It is clear that the percentage of expenses on account of the establishment charges of the unions are less by 3.64 per cent. when compared with that of the previous year, i.e., 1948-49 even though the number of registered unions has increased from 442 in 1948-49 to 581 in 1949-50. An amount of Rupees 62,626 or 5.38 per cent. of the aggregate expenditure constituted expenses incurred under Section 15(j) of the Act, which generally includes contributions to the organisations to which ~~unions are affiliated, expenses~~ unions are affiliated, expenses of delegates to conferences and ~~donations~~ donations to various other unions. An amount of Rupees 49,034 or 4.21 per cent. was spent on conducting trade

disputes, and Rupees 44,274 on account of legal expenses, while an amount of Rupees 10,015 representing only 0.86 per cent. of the expenditure was given by way of compensation to members for loss arising out of such trade disputes.

During the year all the unions except two opened the year with credit balances. Both these unions and seven other unions ended the year with debit balances. The total assets of the unions were 1,790,666 rupees.

As regards the two federations viz., the Textile Labour Association, Ahmedabad, and the Southern Command M.E.S. Employees' Union, Poona, the former's assets were made up of cash amounting to Rupees 11,63,560, securities worth Rupees 7,79,500 and miscellaneous assets amounting to Rupees 7,11,160. The Federation had a general fund of Rupees 2,50,946, a "Political Fund" of Rupees 29,202, "Staff Provident Fund" of Rupees 99,380, "School Fund" of Rupees 3,794, and "Sholapur Housing Co-operative Society Sinking Fund" of Rupees 47,401 and other liabilities amounting to Rupees 22,23,497. Out of an income of Rupees 2,58,655 during the year under report, Rupees 2,37,555 was realised by way of contributions from members, Rupees 16,088 by way of donations, Rupees 3,738 as interest on investment and the rest from miscellaneous sources. The amount of expenditure of the Association during the year was Rupees 2,08,985 out of which Rupees 25,997 was spent on administration. The Association paid Rupees 1,06,658 by way of educational, social and religious benefits and Rupees 32,732 by way of funeral, old age, sickness and unemployment, etc., benefits. The Association spent Rupees 9,059 in conducting trade disputes and Rupees 23,011 for publishing periodicals. The assets of the Southern Command M.E.S. Employees' Union, Poona, were made up of cash amounting to Rupees 342 and unpaid subscriptions due Rupees 1,707. The Union had no other fund except the General Fund amount to Rupees 2,049. The main source of income of the union was contributions from members which consisted of Rupees 2,476 out of the total income of Rupees 2,785. The expenditure was solely on administration of the Union.

The available information regarding the affiliations of the Unions to the All India Central Organisations of Labour is given in the table below:--

See on next page.

Name of the Central Organisation.	No. of Unions reporting affiliation.	Total strength on 31st March 1950 of the Unions mentioned in column 2.
Indian National Trade Union Congress	99	2,34,116
Hind Mazdoor Sabha	47	67,490
All India Trade Union Congress	7	20,875
United Trade Union Congress	1	224
No affiliation	137	42,161
Not known	69	52,776
Total	360	4,17,642

Central unions.— The total number of Central Unions (excluding one federation) registered under the Act was 34 at the end of the year under report and the statistics given in the annual returns of twenty-three unions have been included in the report. The total membership of these unions increased from 95,747 at the beginning to 1,03,825 at the close of the year under report. The following table shows the occupational distribution of the unions and their membership:—

Group.	No. of Registered Trade Unions.	No. of Unions whose returns are included in the report.	Membership at	
			beginning of the year.	end of the year.
Manufacturing	4	2	394	1,033
Construction	1	..		
Commerce	3	1	92,209	66
Transport, Storage and Communication.	24	18	92,209	1,00,030
Services	2	2	3,144	2,696

The total income of these unions was 285,480 rupees, 91.73 per cent of which was contribution from members. The average income of the unions was Rupees 12,325 during the year under report as compared with Rupees 10,660 for the year 1948-49. As against the total income of Rupees 2,83,480, the total expenditure during the year was Rupees 2,84,790 with the result that the amount of general fund which was Rupees 1,19,994 at the beginning of the year increased to Rupees 1,68,684 at the close of the year. The average expenditure of the unions during the year was Rs. 10,208 as compared with Rupees 9,923 for the year 1948-49. An amount of Rupees 1,53,461 representing 65.36 per cent. of the total expenditure was spent on account of the expenses of officers and establishment. The sum of Rupees 63,100 was spent on other miscellaneous expenses which generally include meeting expenses, propaganda, irrecoverable subscription and depreciation written off. 26.88 per cent. of the total expenditure during the year was spent on other miscellaneous expenses. This raises the percentage of expenditure on administration to 92.24 per cent. and only 7.76 per cent. of the total expenditure was spent on other items.

As regards the affiliations of these twenty-three unions to the All India Central Organisations of Labour, one union was affiliated to the Indian National Trade Union Congress, three to Hind Mazdoor Sabha, seven unions were not affiliated to any Central Organisation while the affiliation of twelve unions is not known. The table below gives the relative strength of the unions affiliated to different Organisations:-

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Name of the Central Organisation.	No. of affiliated Unions.	Membership of the Unions as on 31st March 1950.
Indian National Trade Union Congress	1	9,211
Hind Mazdoor Sabha	3	29,634
No affiliation	7	1,926
Not known	12	63,054
Total	23	1,03,825

The report states that besides the day to day activities of the unions for improving ~~work~~ conditions of work and wages of their members and the workers employed in the concern or industry in general, some of the unions devoted attention to the workers' other needs such as education, medical aid, etc.. Among these, mention might be made of the activities of the Textile Labour Association, Ahmedabad. It decided to collect a political fund on a voluntary basis for ~~work~~ replenishing the amount standing to the credit of the fund. The Association was able to collect about Rupees 45,000 for the purpose. The Association conducted eight recreation centres, six gymnasia, 25 libraries and 75 reading rooms for the benefit of its members. Though with introduction of the compulsory primary education in the city of Ahmedabad, there was no necessity ~~for~~ private agencies to conduct primary schools, a few schools were run by the Association for areas outside the municipal limits etc. The Association maintained a hostel for girls and provided two study homes for workers' children. About Rupees 6,000 was given by the Association by way of scholarships. The Association was conducting a full-fledged dispensary and maternity home. A workers' Co-operative Bank was started by the Association in 1948 with a view to financing the workers' housing societies.

The Rashtriya Mill Mazdoor Sangh, Bombay and the Mill Mazdoor Sabha, Ahmedabad, conducting training classes for trade union workers.

(Annual Report on the Working of the Indian Trade Unions Act, 1926, for the State of Bombay, 1949-50. Obtainable from the Superintendent, Government Printing and Stationery, Bombay. Price Rs. 5 As. 8 or 9s.) 1951. ~~pp.~~ pp. 101.)

27. SALARIED EMPLOYEES' ORGANISATIONS

INDIA - OCTOBER 1951.

Meeting of All-India Federation of Associations
of Labour Officers (Central Undertakings):
Creation of Indian Labour Service
urged.

At a meeting of the All-India Federation of Associations of Labour Officers (Central Undertakings), held in New Delhi on 28 October 1951, a resolution was passed urging the Government to create an Indian Labour Service on the lines of other all-India services. The Federation also appealed to the Government to hasten finalizing its scheme of creating a central pool of labour officers employed in Central undertakings.

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There are about 125 labour officers employed in Central undertakings. According to the Factories Act, 1948, all factories employing more than 500 people must have a labour officers

among others, 1

Courses in labour welfare and social work are provided by Calcutta, Patna, ^{Delhi} and Lucknow Universities, the Tata School of Social Sciences, Bombay, and the Kashi Vidyapeetha, Banaras.

Office bearers.- The following were elected office bearers of the Federation: Mr. O.T. J. Zacharias, president, Mr. M.S. Vazwani, vice-president, Mr. C.B. Prasad, secretary, and Mr. S. Thiagrajan, joint-secretary.

(The Statesman 28-10-1951,
The Hindustan Times
28-10-1951.)

34. Economic Planning Control and Development.

India - October 1951.

Industries (Development and Regulation) Bill, 1949,
passed by Parliament.

The Industries (Development and Regulation) Bill (vide pages 42-43 of the Report of this Office for April 1949) was passed by Parliament on 12 October 1951. The Bill was introduced in Parliament on 23 March 1949 and was referred to a select committee twice. The Planning Commission had suggested that it was desirable that the Bill be passed.

The 32-clause Bill provides for the setting up of Development Councils to increase the efficiency and productivity in a scheduled industry or group of scheduled industries. There is also provision for the licensing of new industrial undertakings and for the assumption of direct control by the Central Government in certain cases.

According to one amendment accepted by the House, the glass and ceramic industry has been added to the list in the first schedule of industries which the Government ~~are~~ empowered to take under ~~their~~ control. The salt industry has been removed from the list as the Government proposes to bring a separate Bill.

As regards the tea, coffee and rubber industries which a number of members sought to add by an amendment, the Industry Minister explained ^{that} these industries were governed by separate laws and that ^{it} was the Government's intention to amend these laws and bring ^{them} in line with this Bill.

The proviso to Clause 11 which stated that any new industrial undertaking with a capital not exceeding Rs. 5 lakh ^{need} not apply for a licence, was deleted. The effect of this deletion is that no new industrial undertaking with a capital exceeding Rs. 1 lakh can be started without a licence. As regards assumption of direct control by the Government under Clause 17, there was a good deal of discussion on its constitutional validity - as to whether Article 31(2) of the Constitution providing for compensation applied. Mr. Mahtab sought to move certain amendments to obviate this difficulty, but Mr. ^Kandubhai Desai took the view that the Article did not apply.

Finally, the clause was amended so as to read that the Government could "take over management" in certain cases. An amendment was, however, accepted to provide that the Government could take over control for a period not exceeding five years.

(A detailed summary of the Act will be included in a subsequent Report, when a copy of the Act is ~~reviewed in this Office~~ received in this Office).

(The Hindustan Times,
13 October 1951.)

State Financial Corporations Bill passed by Parliament.

The State Financial Corporations Bill (vide pages 27-28 of the Report of this Office for December 1950) under which State Governments will be able to establish financial corporations, was passed by Parliament on 28 September 1951.

~~The House passed Clauses 11 to 24 without discussion.~~

An amendment by Mr. A.C. Guha to Clause 25 detailing the business to be transacted by the financial corporations was the subject of a lengthy discussion. Mr. Guha wanted that no loans should be granted to any industrial concern with which any director of the financial corporation was directly connected. Otherwise, said Mr. Guha, the bigger industrial concerns were likely to derive an advantage by reason of persons connected with them being directors of the corporation while the smaller industrialists would stand to lose. There were instances of this kind as far as loans given by the Industrial Finance Corporation were concerned.

Rejecting the amendment, the Finance Minister said that the State financial corporations would always be under effective control of the States and the Reserve Bank. The Indian Banking Companies Act provided for unsecured loans to directors, whereas under the Corporations Act loans would always be secured. In the present case, the Reserve Bank was going to be associated with every transaction connected with loans. There was, therefore, a stricter safeguard in this measure than in the Indian Banking Companies Act.

He said that without any prohibition sought by Mr. Guha, it would be possible to draw upon the experience of the better kind of industrialists for the working of financial corporations. The effect of the amendment might be that small industrialists nominated as directors by the public would hesitate to give the benefit of their service. The House passed Clause 25 after rejecting Mr. Guha's amendment.

~~The remaining clauses also did not raise any controversy and were passed.~~

(A detailed summary of the Act will be included in a subsequent Report, when a copy of the Act is received in this Office.)

(The Statesman, 29 September 1951)

27

Planning Commission's Draft Five-year Plan
approved by Parliament.

On 16 October 1951 Parliament approved the draft outline of the five-year plan prepared by the Planning Commission (vide pages 19-23 of the report of this Office for July 1951).

Prime Minister's speech: need for co-operation stressed.-

Initiating the debate, Mr. Jawaharlal Nehru, Prime Minister, said that the plan was not confined to any particular group or party. It was a national plan and was the result of a large measure of consultation with representatives of various groups. Mr. Nehru emphasised that the success of the plan would depend on how public enthusiasm, public labour and public co-operation could be harnessed to the plan.

Limitations.- Mr. Nehru said that the plan obviously had to be drawn up keeping in view certain limitations. First of all the Planning Commission had to work within the four corners of the Constitution, as long as the Constitution was not changed. He said this because some of the critics made certain proposals which involved fairly vital changes in the Constitution. Another limitation was that the Planning Commission did not ~~now~~ proceed on the basis of sweeping away the present economic and social structure of the country. It proceeded on the basis of changing it with as much speed as might be possible but, nevertheless, accepting things as they were and gradually changing them in a particular direction. The third set of limiting factors were the conditions in which they lived in India, India's available resources and what they could do.

Referring to the financial aspect of the plan Mr. Nehru said that in India, as in many other countries, there was an extraordinary situation. On the one hand, people wanted increased production, on the other, there were the ~~a~~ unemployed or the partially employed in vast numbers all over the country, not only not adding to the wealth of the country but being a burden and a drain on it. The unemployed were of two kinds, a relatively small group and a very large group. The small group were those who did not labour at all or did any productive effort but lived on the labour of others, whether it was rent or some other kind of income which they derived. These were the people who lived at the top of the social ladder. They need not work because others had worked, either before them or at some other time, for them. They were the unemployed at the top. They might not work or produce but they possibly consumed more than others. Therefore they were a burden on society.

Mr. Nehru divided the other unemployed into two categories. Some of them might be lazy. Their number might be in thousands but still they were relatively few. Then come the really unemployed, that is men who can work, given the chance, but who do not easily get the chance.

Mr. Nehru said that one talked of planning in terms of wealth production. That might be quite correct. But a more basic approach to the problem is to look upon it in human terms, how to give the unemployed human beings in India work, how to make them productive, how to save them from the deterioration that comes from not doing anything and losing the respect of others and one's own self-respect.

Mr. Nehru said that critics might ask why the Government does not lay down a scheme for the ~~max~~ employment of everybody. Certainly as an ideal the Government was prepared to do so but under the present conditions it just could not be done. Nevertheless, that aspect of the problem should be emphasised in various ways. For instance, there was the normal employment in the field or factory or Government or business office. But there was another approach which required consideration that was regardless of the economic rates and wages, etc.. there should be some type of work - it might be manual labour - which should be available to any person who wants to have work. No person who wanted work should be denied that, even if it was work of the simplest variety. One could build roads, one could dig canals or wells or tanks, one could build houses which were so badly needed in ~~this country~~ India.

But here one came up against various difficulties. Were Government to compel the people? India was a free democracy and people do not believe in compulsion. Mr. Nehru said that the Government was unable to give effect to many of its rehabilitation schemes because the people preferred a semi-starvation existence in hovels in one place to working in a good place 500 or 200 miles away. Deploring the tendency to live in "old ruts", Mr. Nehru said that unless there was "mobility of labour" there would be difficulties in working out the plan.

Labour conscription.- Mr. Nehru said that the Old National Planning Committee had recommended that every young man should be compelled to put in a year or two of labour in the fields or factory before a diploma was awarded. But this method the country would benefit and the young men would also improve in physique and mind. Some provincial Governments had tried it and found considerable difficulty. But some beginning ~~may~~ even in a small way, should be made. Later on the next step would be to make every young man between 20 and 22 years put in compulsory labour. After referring to military conscription in some countries, Mr. Nehru said he was opposed to it in view of the warlike mentality that was created. But aside from that aspect, such conscription built up a certain amount of discipline in the nation. After the end of World War I, Bulgaria, as a defeated nation, was prevented from having military conscription. But they had labour conscription and built all their damaged roads, houses, etc. The Planning Commission might consider these various approaches to the problem of ~~utilization~~ utilizing surplus labour in India.

Black-market money.- Mr. Nehru referred to the passing of the Industries (Control and Regulation) Bill by Parliament ~~on Saturday~~ and said that the Bill should help the Government in its attempt to ~~put~~ plan, for it gave the state power to control and regulate the location of industries. People talked in this connexion of limiting profits and dividends and also of pegging salaries and wages, not that salaries and wages were high. But there was one matter which troubled him and his colleagues to some extent. This was what was popularly referred to as "the blackmarket money" on which, never came into any picture of planning. There was a good deal of public resentment against this blackmarket business and all of them had expressed themselves strongly ~~g~~ against it. But this was "a serious problem from the ~~planning~~ point of view as well as the social point of view". Various provincial Governments had tried to exert themselves on this subject and sometimes had succeeded in some measure. Some people had also been convicted though "these individuals are what are called small fry and not the ~~big~~". When a small individual ~~indulging~~ indulged in blackmarketing, though it was bad, it was only an individual offence. But when these bigger people indulged in it, it became a social problem. The country had to have a public and a private sector, though there might be differences on the extent of each sector. But a private sector did not mean "unrestricted and absolutely uncontrolled private enterprise". Private enterprise would have to be controlled by the plan and would have to work with the plan. Whenever it came in the way of the plan "we must step in and take control of it if necessary".

there was no control and which

It was therefore essential that there should be control and something more than control "on this blackmarket situation which is not a private sector, but a secret sector working underground".

Foreign aid.- Mr. Nehru said that some people thought that the whole plan depended on foreign help. It was not so. "We welcome foreign help if it comes, but this plan in its present picture does not depend on foreign help at all. If, however, foreign help came, the plan would be enlarged and they would be able to go further, in the same way as they would be enlarging their plan if more work was achieved within the country itself. The whole plan had been so framed that in the second or third stage, the whole activity could be increased by 40 per cent. to 60 percent.

Though the plan had been made for five years, in the light of their achievements, possibly they might be able to go further.

Concluding Mr. Nehru said that he had not the least shadow of doubt that if worked, the plan would yield results. Whatever be the result, which the future generations alone could judge, the mere act of doing something was sufficient.

Mr. Shastri's speech: elimination of private enterprise urged: Speaking during the debate Mr. Hariharnath Shastri expressed "substantial agreement" with many of the conclusions in the plan in regard to rural economy, controlled economy and planned ~~px~~ population, but could ^{not} agree with its basic recommendations. While agriculture had of course to be given priority, it could not absorb surplus labour. This could only be done by industrialisation.

The Commission should also have to place before the country the ultimate goal of elimination of private enterprise and how it should be achieved.

Mr. Kunzru's speech.- Mr. Kunzru said that the labours of the Planning Commission would enable the people to think of the most important problems affecting the country's economic and social progress as parts of a well co-ordinated programme.

Referring to the agricultural programme in the ~~five~~ plan, he said that it was necessary to go ahead with increased production of food. The Commission had made three suggestions for the re-organisation of agriculture, establishment of village production councils, registration of big farms and co-operative farming. He hoped it would not be left to the production councils to decide how much they could produce in a village. Some direction should be given to the councils in respect of the total increased production they should aim at. Mr. Kunzru said that a striking deficiency in the industrial programme was failure of the Commission to recommend the establishment of a large steel factory.

Referring to the question of deficit financing, he said that in spite of the care taken by the Commission the danger of artificial increase of currency was obvious.

The Planning Commission had said that it was not possible to fix minimum wages for the agricultural labourer. But unless minimum wages were fixed, could anyone induce an agricultural labourer to produce more? Would not the agricultural labourer turn round and retort: "For whom am I to produce more? H Unless the Planning Commission revised its attitude, the plan was bound to fail.

The Commission had also suggested that there should be no increase in the wages of the industrial worker at this stage. But the Commission had itself admitted that the real wages of the industrial worker had gone down since 1939. He was, however, prepared to accept the freezing of wages provided the Government would tell the industrilists that they should sell their products at the real cost plus 10 per cent. and nothing more. He deliberately used the expression "real cost" because "we know how the balance sheets are produced. Huge salaries are paid at the top in order to inflate the cost".

Mr. Kamath's speech.- Mr. H.V. Mamath said that the vital problems of India today were those of hunger and unemployment. The draft plan did not deal adequately with the question of creating the necessary psychological atmosphere without which no plan could succeed. Unfortunately, the people's confidence in the Government "has been shaken". During the last three years, the Government had made a number of promises on very vital issues such as self-sufficiency in food etc. Bill. These ~~many~~ promises had not been fulfilled.

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The Commission's agrarian policy was "confusing and contradictory". The land problem could only be solved by nationalization. If the Constitution had to be changed, let the Commission and the Government say so. It had been changed once and it could be changed again if change was unavoidable.

Finance Minister's statement.- Intervening in the debate, the Finance Minister said the plan had been evolved under great pressure. It was not an integrated plan in the sense in which it had been understood in countries with more favourable statistical equipment.

Explaining the "general economic background", he said that he agreed with members who thought that blackmarketing was a canker in society. This phenomenon could not, however, be ~~not~~ dealt with in a short time. Long-term measures were necessary to eradicate habits which had grown up over the past 10 years. Gradually the avenues through which black market money found its way were being tightened. The Company Law had been amended and they were now awaiting the report of the Company Law Inquiry Committee. The passing of the Industries Bill would help in seeing that money did not flow into the black market through unregulated prices. The Forward Markets Bill had also been passed while members would have seen the recommendations of the expert committee on regulation of stock exchanges. In various such ways the Government was tightening the screw.

As regards criticisms about price level, it was true that the Government had not been able to hold the price level as well as it could have wished. But taking everything into account the figures would show that it had done better than many countries in similar circumstances.

Some criticism had been made also in regard to the sterling balances. On August 15, 1947 the sterling balances stood at £1,160m; it ~~was~~ declined to £615m on June 30, 1949. The drop of £545m during a period of less than two years was due to special obligations such as the payments made for consolidating the pensionary liability and payments made in transfer of sums due to Pakistan as her share of certain sums paid to the U.K. Government for military stores. These ad hoc payments amounted to £361m out of the £545m and the balance of £184m was used in meeting current deficit in the balance of payments position during that period. As a result of liberal imports and ~~the~~ slow offtake of 1949, India's balance of payments was heavily adverse and the sterling balances began to run down. Large purchases of foodgrains also contributed to this result to a certain extent. The sterling balances thus declined to £582m in September 1949, the lowest figure on record. Since then, however, due to devaluation, restraints placed on imports etc, the sterling balances have begun to rise and on 30 June 1950 they reached the ~~gi~~ figure of £622m. Of this amount under the existing agreement the Government could have drawn up to a total of £118m till June 30, 1951, leaving a balance of £504m. But since July 1950 the balances had begun to decline as a result of increased food purchases and liberalization of imports to meet essential needs.

exports in the early part of 1949

It was on the basis of the position as on June 30, 1950 that proposals for the extension of the sterling balances agreements after June 30, 1951 were formulated. It was considered that out of £504m that would be left on 30 June 1951, something like £300m would be needed as currency and foreign exchange reserve and to meet certain other payments. The releases under the Colombo Plan were also drawn up on this basis. But as a result of discussion in September 1950 between the U.K. Chancellor of the Exchequer and himself an annual release of £35m during the next six years beginning from 1 July 1951, was provided for. It would, therefore, be found that after allowing for the currency reserve, there would hardly have been anything left out of the sterling balances at the end of that period. During the first three months of 1950-51, as he had already stated, the balances were declining. But by the end of September 1950, favourable external factors came into operation as a result of the Korean war. On the export side there was greater demand for cotton and jute textiles. On the import side also there were ~~difficult~~ difficulties in getting goods for import. As a result of these factors the sterling balances rose to a peak figure of £661m on 4 May. From that day the purchase of raw jute from Pakistan, which was in the sterling area, was an important factor in the reduction of the sterling balances. The figure on 30 June, 1951 was 643m. This included a free balance of £90m. According to the understanding with the U.K. Government ~~the~~ could have drawn up to £300m over the period of the next six years, leaving a balance of £343m.

The Finance Minister added that as a result of further discussions it had now been agreed that a sum of £310m out of this amount would be ~~trans~~ transferred to No. 1 Account and it will be held as currency reserve to be drawn upon only in an emergency. Thus a large portion of the blocked balances had been unblocked and what remained was more or less the equivalent of the amount to be drawn for a period of six years. At the end of the six years there would be practically no balance left in the blocked account. If conditions remained as they were, there would be nothing left of the sterling balances problem at the end of that period.

The draft plan was approved by the House.

(The Statesman,
15 and 17 October 1951.)

Regulation of Film Industry in India:
Inquiry Committee's Recommendations.

The Film Inquiry Committee, set up by the Government of India under the chairmanship of Mr. S.K. Patil, in its report has recommended the setting up of an autonomous statutory Central Film Council to superintend and regulate the industry, a Production Code Administration to enforce standards in production and to give positive guidance on film themes and their treatment in pictures, and a Film Finance Corporation to develop the industry as a great national enterprise and rationalisation of taxes which affect the industry as a whole. It has also suggested the establishment of an Export Corporation to explore the possibility of marketing Indian films in the English-speaking regions.

From the inquiry, the Committee ascertained that the industry with 3,250 cinemas, 60 studios and about 275 productions in a year represents a capital investment of Rupees 32 crores in fixed assets with another Rupees 9 crores in working capital. Its earnings total Rupees 20 crores annually and over 600m ^{persons attend} ~~people in India~~ see the films every year.

Technical improvement.- Detailed recommendations are made by the committee for rationalising the film industry as a whole. On the organisational side, the Committee has recommended the setting up of a statutory Film Council to advise the Central and State Governments in regard to various matters connected with the production, distribution and exhibition of films. The proposed Film Council of India will act as the industry's "friend, philosopher and guide" and will provide the necessary inspiration to conduct its affairs on healthy and constructive lines. The Council would set up ~~panels~~ ^{panels} to deal with different activities of the industry as well as research, and the manufacture and supply of raw materials. The statutory nature of the Council will enable it to intervene effectively in disputes between different branches of the industry. In regard to standards of production, however, the Council should function through the Production Code Administration.

film and other

The Committee believes that in course of time, the Film Council should take over both the PCA and the Board of Censors.

The Film Council is to be an 18-member body, including producers, directors, exhibitors, artistes and technicians. Central and State Government nominees and a labour representative. The chairman to be nominated by the Central Government, should be a person of high judicial status.

Funds for the Council will be raised mainly through a cess on raw cinema film imported into or manufactured in the country, exposed cinematographic film from abroad and 10 per cent. of the net income derived from the levy of entertainment tax on the exhibition of films. The proceeds of the cess will be utilized in research and training institutions for the industry.

best direction,
best reviews, and the

The Council will run institutes for training of film artistes and technicians. To give a fillip to improved production standards, the Council will award annual prizes for the best story, best film.

An educational panel of the Council will be charged with the task of encouraging production of educational and children's films.

Production code.- As an adjunct to the Film Council, the Committee recommends the setting up of a Production Code Administration. Its panel of experts will scrutinize every script and exercise some control over the production. In particular, the PCA will have to approve the films for export ~~and~~ and will have branches at Delhi, Madras, Calcutta and Bombay, and will be run by the Government, in the initial stages.

The Film Finance Corporation proposed by the Committee will have an initial capital of Rupees 1 crore subscribed by the State, industry and public. It may borrow an equal sum, with the approval of the Reserve Bank. "If the film industry ~~and~~ is to be rehabilitated, the Committee sees no escape ^{from} ~~the~~ regulated finance being made available to film producers through the Film Finance Organisation".

The adoption of a uniform entertainment tax tariff at 20 per cent. of the gross takings has been stressed as a dire need by the Committee, with a view to aiding the industry. It has also proposed a review of other miscellaneous fees, like license fees for operation of cinemas and storage of films.

The Committee has recommended placing on OGL raw film imports up to 240m feet per annum. The distribution will be done through film associations.

Provision has been made for import also of studio equipment up to Rupees 45 lakhs a year and projection apparatus for replacement and expansion. The Committee has urged the stepping up of the output of ~~and~~ indigenous chemicals and encouragement of ~~manufacturing~~ manufacture of raw film and theatre equipment.

No unprocessed film is to be allowed to be sent abroad without the approval of the Production Code Administration.

In the absence of any regular prospects of the industry producing and exhibiting "approved films" voluntarily, the Committee feels that the present system of production and distribution of shorts and news reels by the Government should be continued in view of their proved usefulness.

(The Statesman,
14 October 1951.)

36. WAGES

India - October 1951

Minimum Rates of Wages fixed for Employees in Tanneries and Leather Manufacture, Road Construction and Building Operations, Stone-breaking and Stone-crushing Operations carried on by the Ministry of Defence.

By a notification dated 26 September 1951 and in exercise of the powers conferred by the Minimum Wages Act, 1948, the Central Government has fixed the minimum rates of wages payable to the specified classes of employees ~~and~~ ~~and~~ employed in tanneries and leather manufacture, road construction and in building operations and in stone-breaking or stone-crushing carried on by or under the authority of the Ministry of Defence.

(Notification No. SRO 1515 dated 26 September 1951, the Gazette of India, Part II, Section 3, 29 September 1951, p. 1674.)

Madras: Minimum Rates of Wages fixed for Employees in Tanneries and Leather Manufactories.

By a notification dated 30 August 1951 and in exercise of the powers conferred by the Minimum Wages Act, 1948, the Government of Madras has fixed the minimum rates of wages payable to ~~each~~ specified class of employees and employed in tanneries and leather manufactories.

(G.O. No. 3910 Development, 30 August 1951, the Fort St. George Gazette, Part I, 18 September 1951, page 1342.)

Travancore-Cochin: Minimum Wages Act, 1948,
applied to Coir Industry and Cashewnut Industry

In exercise of the powers conferred by section 27 of the Minimum Wages Act, 1948, and by a notification dated 26 September 1951, the Government of Travancore-Cochin has added to Part I of the Schedule to the Minimum Wages Act, 1948, employment in coir industry and cashewnut industry and has fixed 31 December 1953 as the date before which the minimum rates of wages has to be fixed in respect of these industries.

(Notification No. L-1-15302/50/DD(1) dated 26 September 1951, Travancore-Cochin Gazette, No. 40, 2 October 1951, Part I, Section ~~IX~~ IV, page 1.)

Travancore-Cochin Minimum Wages Rules, 1951.

The Government of Travancore-Cochin published on 2 October 1951 the Travancore-Cochin Minimum Wages Rules, 1951, made in exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (Central Act XI of 1948). The Rules prescribe, inter alia, the term of office of the members and the procedure to be followed in the conduct of business of the committee and the advisory board, the method of summoning witnesses by the committee, advisory ~~of~~ committee and the board and production of documents, the mode of computation of the cash value of wages, the ~~term~~ time and conditions of payment of wages and the deductions permissible from wages, the number of hours of work which shall constitute a normal working day, form of registers and records, etc.

(Notification No. L1-15302/50/DD(1) dated 26 September 1951, Travancore-Cochin Gazette No. 40, 2 October 1951, Part I, Section IV, pages 1-18.)

West Bengal: Minimum Rates of Wages fixed for
Employees in Tea Plantations.

By a notification dated 5 September 1951 and in exercise of the powers conferred by the Minimum Wages Act, 1948, the Government of West Bengal has fixed the minimum rates of wages payable to employees employed in tea plantations in the State as specified in the schedule annexed to the notification.

(Notification No. 5559 Lab/2W-5/51 dated 5 September 1951, the Calcutta Gazette, Part I, 20 September 1951, pages 2466-67.)

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

INDIA - OCTOBER 1951.

41. Agriculture.

Plantation Labour Bill, 1951, passed by Parliament.

The Plantation Labour Bill, 1951 (vide pages 17-19 of the report of this Office for June 1951) as amended by the Select Committee was passed by Parliament on 15 October 1951 with a few amendments. One of the amendments provides that existing leave and other facilities favourable to employees would not be taken away as a result of the introduction of the Act.

The report of the Select Committee was published on 13 October 1951. In making certain changes in the Bill the Committee noted as follows:-- (1) ~~Exactly the same~~ The definition of plantation should be restricted to plantations of 25 acres or more employing 30 or more workers; (2) only medical officers, persons whose monthly wages exceed three hundred rupees and persons employed in a managerial capacity even though they are drawing less than three hundred rupees should be excluded from the definition of workers; (3) every plantation employing 150 workers or more should be required to provide a Canteen, instead of only plantations employing 250 or more as originally proposed; (4) creches should be provided in plantations employing 50 women workers instead of one hundred women workers as originally proposed; (5) even where there are 25 children in a plantation the State Government should have powers to require educational facilities to be provided; and, (6) provision should be made for the appointment of Welfare Officers in the case of plantations employing more than three hundred workers and for suitable ~~at~~ protection against rain and cold.

(The Hindustan Times, 16 October 1951; the Gazette of India, Part II, Section 2, 13 October 1951, pages 769-781.)

Act amending the Constitution upheld:
Supreme Court dismisses Zamindars' Petition.

On 5 October 1951, the Supreme Court, by a unanimous judgment, ~~the Supreme Court today~~ declared the Constitution (First Amendment) Act of 1951 (vide page 1 of the report of this Office for June 1951) to be valid and constitutional.

The amendments purported to insert, inter alia, Article 31(a) and 31(b) in the Constitution which affect the property rights of land-lords inasmuch as they seek to validate certain State Acts, namely, the Bihar Land Reforms Act, 1950, the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, and the Madhya Pradesh Abolition of Proprietary ^{rights} Act 1950.

The High Court at Patna had declared that the Bihar Act was ultra vires the State Legislature. The High Courts at Allahabad and Nagpur had declared the corresponding legislations to be good in law.

The effect of the amendment in the Constitution is that the Acts, regardless of judicial decisions, have been validated.

The constitutionality of the amendment came to be examined by their Lordships in ~~the~~ connexion with petitions filed by a group of zamindars from Bihar, Uttar Pradesh and Madhya Pradesh under Article 32 of the Constitution for a declaration that the amendment to the Constitution was void as it sought to infringe the fundamental rights guaranteed to the citizen of India (vide page 35 of the report of this Office for July 1951).

Their Lordships held that the Provisional Parliament was competent to pass the amendment.

(The Statesman,
6 October 1951.)

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CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS

INDIA - OCTOBER 1951

50. General.

The Repealing and Amending Bill, 1951, introduced
in Parliament.

Shri B.R. Ambedkar, Minister for Law, Government of India, introduced in Parliament on 29 September 1951, the Repealing and Amending Bill, 1951. The Bill seeks to correct formal defects in certain enactments and to repeal enactments which have ceased to be in force or have become obsolete. Among the Acts to be repealed are included the Coal Mines Labour Welfare Fund (Amendment) Act, 1949, the Dock Workers (Regulation of Employment) Amendment Act, 1949, and the Inland Steam Vessels (Amendment) Act, 1949. The Bill also seeks formal amendments to the Coal Mines Safety (Stowing) Act, 1939 and the Industrial Disputes Act, 1947.

(The Gazette of India, Part II,
Section 2, 6 October 1951, pages
757-768.)

Delhi: Industrial Statistics (Labour) Rules,
1951.

The draft (Delhi) Industrial Statistics (Labour) Rules (vide pages 70-71 of the report of this Office for July 1950) have been approved and gazetted on 6 October 1951.

(Notification No. F9(122)/49-Dev. dated
26 September 1951, the Gazette of India,
Part III, Section 3, 6 October 1951,
pages 1001-1004.)

Travancore-Cochin: Draft Travancore-Cochin
Factories Rules, 1951.

The Government of Travancore-Cochin has published on 2 October 1951 the draft of certain rules which the Government proposes to make in exercise of the powers conferred by the Factories Act, 1948 (Central Act LXIII of 1948). The Rules deal with, inter alia, licensing of factories, powers and duties of inspecting staff, detailed standards of cleanliness, artificial humidification, etc., safety provisions to be observed in cotton textile mills, cotton ginning factories, wood crushing machinery, rubber mills, jute mills, tea factories, brick and tile works, etc., welfare measures such as washing facilities, first-aid appliances, canteens, shelters, creches, employment of young persons, leave with wages, and special safety provisions relating to dangerous operations. The draft rules will be taken into consideration after 2 January 1952.

(Travancore-Cochin Gazette No. 40 dated 2 October 1951, pages 1-135.)

Uttar Pradesh: Standing Orders framed governing
the Conditions of Service of Employment for
Workmen in Sugar Factories.

In exercise of the powers conferred by the United Provinces Industrial Disputes Act, 1947, and by an order dated 1 October 1947, the Government of Uttar Pradesh has directed that every vacuum pan sugar factory in the State shall observe the standing orders governing the conditions of service in the annexure appended to the Order. The Order is to remain in force for a period of six months from 6 October 1951. The Order directs also that ~~the~~ permanent workman shall be retrenched pending the decision of Government on the report of the Standardization Committee (Sugar), Uttar Pradesh, on questions of standardization of salaries, the fixation of grades and standardization of musters and occupations in the sugar industry of the State.

The Standing Orders appended to the Order which deal with conditions of service of employment for workmen in sugar factories, prescribe, inter alia, the method of classification of workmen, the mode of publishing notices concerning the workmen, the conditions, procedure and the authority to grant leave and holidays, the procedure for suspension or dismissal for misconduct and termination of employment, the safety regulations as prescribed by the mills to be observed by the workmen, etc.

(Notification No. 2124/ST/IV/XVIII dated 1 October 1951, Government Gazette of the Uttar Pradesh, Part I-A, 6 October 1951, pages 635-649.)

52. Workers! Welfare and Recreation.

India - October 1951.

Coal Mines Labour Welfare Fund Rules, 1949:
amended.

By a notification dated 11 September 1951 and in exercise of the powers conferred by the Coal Mines Labour Welfare Fund Act, 1947, the Central Government has amended the Coal Mines Labour Welfare Fund Rules, 1949. The amendment extends the Rules to the whole of India except the State of Jammu and Kashmir.

(Notification No. SRO 1466 dated 11 September 1951, the Gazette of India, Part II, Section 3, 22 September 1951, page 1610).

Uttar Pradesh: Uttar Pradesh Sugar and Power
Alcohol Industries Labour Welfare and Development
Fund Rules, 1951: Housing Board set up.

The draft Uttar Pradesh Sugar and Power Alcohol Industries Labour Welfare and Development Fund Rules, 1951 (vide page 56 of the report of this Office for September 1951) have been approved and gazetted on 1 October 1951.

(Government Gazette of the Uttar Pradesh, Extraordinary, 1 October 1951, pages 1-6).

Advisory Board and Housing Board.- In exercise of the powers conferred by the Uttar Pradesh Sugar and Power Alcohol Industries Labour Welfare and Development Fund Act, 1950, and by notification dated 1 October 1951, the Government of Uttar Pradesh has constituted an Advisory ~~Board~~ Committee and a Housing Board consisting of representatives of the Government, employers and workmen.

(Notifications No. 2307 and 2308(LL)/XVIII-235(LL)-51, dated 1 October 1951, Government Gazette of the Uttar Pradesh, Extraordinary, 1 October, 1951, pages 6-7).

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Madras: Draft Welfare Officers (Recruitment and
Conditions of Service) Rules, 1951.

The Government of Madras published on 2 October 1951 the draft of certain rules prescribing the number, duties, qualifications and conditions of service of Welfare Officers, which the Government proposes to make in exercise of the powers conferred by sections 49, 50 and 112 of the Factories Act, 1948. The draft is to be taken into consideration after 16 January 1952.

(G.O.Ms No. 4136, Development, 17 September 1951, the Fort St. George Gazette, Rules Supplement to Part I, 2 October 1951, pages 545-547).

Welfare of Mica Workers: Review of the Activities
financed from the Mica Mines Labour Welfare Fund
for the Year 1950-1951.

The Government of India published on 6 October 1951, the report of the activities financed from the Mica Mines Labour Welfare Fund, under the Mica Mines Labour Welfare Fund Act, 1946, for the year ending 31 March 1951, together with a statement of accounts for that year and an estimate of the receipts and expenditure of the Fund for the year 1951-52.

Welfare Activities in Bihar: Medical Relief.- The Mica Mines Labour Welfare Fund Advisory Committee for Bihar met four times during the year. Its Finance Sub-Committee met three times during the year. The two bodies approved new schemes and reviewed progress of sanctioned schemes of welfare of mica miners.

Pending the setting up of the Fund's Central Hospital at Karma, the reservation of ~~the~~ ten beds of the Kodarma Hospital for mica miners on payment of a grant of 13,000 rupees per annum was continued. The total number of mining cases treated at the Hospital during the year was 3,113 as against 2,094 in the previous year. Dispensaries at Dhab and Dhorakola gained popularity and there was a considerable increase in the number of patients attending them. The new and old cases treated at the two dispensaries were 7,225 and 5,919 respectively as against 6,792 and 3,797 in the previous year. The number of patients treated in the dispensary at Ganpatbaghi during the last quarter of the year was 652. The ~~dispensary~~ dispensary at Dhab served about 6,000 mica miners within a radius of about six miles, that at Dhorakola about ~~7,500~~ 7,500 mica miners within a radius of about eight miles, and that at Ganpatbaghi about 2,000 mica miners within a radius of about four miles. The total

expenditure on the reservation of the beds and the dispensaries during the year was 36,763 rupees. Two Mobile Medical Units set up at Kodarma and Dhorakola started functioning during the last quarter of the year. Separate staff was appointed for the unit at Kodarma. At Dhorakola, the staff of the dispensary worked on the Mobile Medical Unit in the afternoons. The units proved very useful. The total number of cases treated by them during the quarter being 1,146 and 1,946 respectively. The units visited centres on fixed days once a week to treat the ailing miners in that area. The two units covered the entire Kodarma Reserve Forests. The total expenditure on the units during the year was 7,468 rupees.

Government sanction was accorded to the estimated expenditure of 910,430 rupees on the construction of a Central Hospital with staff quarters at Karma and of 85,320 rupees on the construction of a dispensary with staff quarters, at Dhab.

Paludrine tablets were purchased and distributed to workers in all mines as a prophylactic measure against the incidence of malaria. The results were very encouraging and the incidence was checked by at least 60 per cent during the year. The expenditure on the scheme during the year was 340 rupees. The T.B. Specialist of the Coal Mines Labour Welfare Fund paid quarterly visits to the dispensaries at Dhorakola and Dhab for examining the miners suspected to be suffering from lungs troubles and for giving them advice. He examined 33 cases.

A scheme for opening one Maternity and Child Welfare Centre involving a non-recurring and an annual recurring cost of 1,660 rupees and 3,150 rupees respectively was sanctioned. The implementation of the scheme was delayed owing to lack of availability of suitable accommodation. It is expected that the centre will start at Dhab in a hired building very soon.

Provision of drinking water and other recreational facilities.- Of the three wells, the sinking of which was sanctioned last year one at Kharaktambi has already been completed. Arrangements for the sinking of the other two wells have been made. Total expenditure on the sinking of the well during the year was 650 rupees. A Mobile Shop for selling consumer goods at cheap rates to the mica miners visited the field regularly. The total of the sales during the year was 16,931 rupees 13 annas and 6 pies. The shop operated throughout the field and visited 425 mines. The shop catered to a population of about 35,000 workers in the Mica field. The expenditure on the scheme during the year was 7,558 rupees. The mobile cinema gave 119 shows during the year. In July 1950 the Cinema Van was exchanged with a heavier van of the Mobile shop of the Coal Mines Welfare Organisation. The Cinema Van visited

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the whole of the Mica field and provided recreation to a population of 35,000 workers. The expenditure on the scheme during the year was 12,756 rupees.

A scheme for starting four Multi-purpose Welfare Centres ~~by~~ to afford (1) recreational facilities for miners and their children, (2) education to them and (3) training to women in sewing, knitting and other handicrafts was sanctioned. The non-recurring cost of the scheme is 156,816 rupees and the annual recurring cost 42,980 rupees. Proceedings for the acquisition of the ~~Miners'~~ land for setting up the four centres were started. Pending the availability of the Miners' Institute, a section of the scheme viz., the Women Welfare Section was started in a hired building.

Educational facilities.- A scheme to provide technical education to miner's children by giving them stipends at the workshop of Messrs Christian Mica Industries Ltd., at a cost of 3,500 rupees was sanctioned and eight candidates were selected for the award of the apprenticeship.

Welfare activities in Madras: Medical Relief.- The Mica Labour Welfare Fund Advisory Committee for Madras met 6 times during the year. The Finance Sub-Committee met once and prepared the draft budget proposals. Considerable progress was made in all departments of welfare work during the year.

The three dispensaries at Kalichedu, Talupur and Sydapuram worked under considerable handicaps. For over six months one doctor had to be in-charge of all the three dispensaries for want of qualified doctors. The dispensaries enlarged their scope of service to the labourers by organising periodical visits to the mines, with the ~~an~~ help of the Ambulance Van and by running a mobile dispensary. Average daily attendance at the three dispensaries was 75 at Talupur, 92 at Sydapuram and 81 at Kalichedu. During the last week of January and ~~1st~~ week of February 1951 cholera epidemic broke out in a virulent form in the mining area. The epidemic was brought under control within a short time by inoculating as many as 4,000 labourers within a week and a sum of 250 rupees was specially sanctioned for the medical bills, diet etc., of cholera patients in the mining area.

A grant of 15,000 rupees was sanctioned ~~from~~ the Madras State Welfare Fund for the construction of a special ward of 8 beds in the proposed T.B. Sanatorium under construction for the exclusive benefit of the mica ~~miners~~ mine labourers suffering from T.B.

Government sanction has been accorded for the construction of a Base Hospital at Kalichedu, a Dispensary at Sydapuram and a Maternity Centre at Utukur. The construction will begin shortly. The

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four maternity centres at Sydapuram, Utukur, Kalichedu and Talupur were functioning. The midwives assisted the doctors in the dispensaries and also visited expectant mothers in the neighbourhood. The midwives also looked after the welfare of women and children in general. The total expenditure incurred under medical relief was about 32,000 rupees.

Due to Anti-Malaria operations, the incidence of malaria has greatly fallen. The scheme of anti-malaria measures sanctioned at an expenditure of 15,000 rupees per annum has been put into operation in January 1951. The doctors report that no fresh cases of malaria have been brought to their notice for the last five months. However there have been many cases of relapse and Paludrine tablets were freely distributed to these patients.

Provision for drinking water and other recreational facilities.- Out of three wells started last year one well was completed and the other two ~~were~~ wells are nearing completion. A scheme for running a provision store at an annual recurring expenditure of 1,000 rupees and a ~~non-recurring~~ non-recurring expenditure of 5,000 rupees was sanctioned. It will be started soon. The five radio sets installed at Talupur, Kalichedu, Turimeria, Pallimitta and Utukur worked satisfactorily. ~~Five~~ Six cinema shows on Visual Education and films of general interest were shown at six important centres. ~~Three~~ dramas were staged at three different centres. ~~In order to encourage~~ local talent, the Bhajan Sangham at Kalichedu was given 40 rupees for staging a social drama called "DESH THYAGI" on the Independence Day. A sum of 1,500 rupees was spent under this item.

Educational facilities.- Five elementary schools are now functioning. The Kalichedu and Talupur schools have manual training teachers and have also been recognised by the Government of Madras. The average strength of the school during the year at Kalichedu, Talupur, Palamani, Jogipalli and Tellabodu was ~~during the year~~ 126, 135, 36, 42 and 36 respectively. The proprietors of Palamani, Tellabodu and Jogipalli mines have constructed good thatched houses specially for the schools run under this organisation. Adult education schools are conducted at Talupur and Kalichedu. The Headmasters of Kalichedu and Talupur schools were deputed to take adult literacy training run by the Government of Madras. About 7,800 rupees were spent ~~under~~ schools and Adult Education Centres.

The statement of accounts appended to the report shows that the receipts of the Fund amounted to 6.27 million rupees including an opening balance of 4.20 million rupees and expenditure amounted to .189 million rupees leaving a closing balance of 6.68 million rupees.

(The review of welfare activities financed under the Mica Mines Labour Welfare Fund for the year 1949-50 was summarised at pages 58-61 of the report of this Office for October 1950.)

(The Gazette of India, Part II, Section 3, 6 October 1951, pages 1807-1809).

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56. Labour Administration.

India - October 1951.

Working of the Tea Districts Emigrant Labour Act, 1932, during the Year 1949-1950 *.

The report of the Controller of Emigrant Labour on the working of the Tea Districts Emigrant Labour Act, 1932, for the year ending 30 September 1951 has been published recently. The report reveals that the total population of adult labourers, working and non-working, in the tea estates in Assam, increased to 501,688 from 497,532 in the previous year.

General review of market conditions.- The report states that the total outturn of tea crop for Northern India upto September 1951 for the season was 352.6 million pounds as against 340.1 million pounds last year. The export and internal markets were strong.

The report mentions that the tea industry in Assam this season had to contend with a natural calamity of the first magnitude, namely, the Assam earthquake which disrupted communications in Upper Assam and caused heavy damage to factories and estates. However, production was rapidly resumed and although the actual quantity of tea lost was small, it was anticipated that quality might suffer owing to the improvised system of manufacture many gardens had to adopt temporarily. The most serious effect of the earthquake was the disruption of communications. The steamer ghats in the Lakhimpur District were destroyed by floods and a large quantity of tea was therefore piling up on the garden awaiting despatch and many months passed before the ~~backlog~~ backlog could be cleared.

Recruitment.- During the year, 25,161 persons were recruited by the Tea Districts Labour Association through their depots in the recruiting States, as against 31,885 last year, and 1,307 persons by three

* Annual Report on the Working of the Tea Districts Emigrant Labour Act (XXII of 1932) for the year ending the 30th September 1950, Shillong: Printed at the Assam Government Press, 1951, pp.38.

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other local forwarding agencies at Ranchi, as against 2,328 last year. The decrease in the recruitment figures is said to be due to less demand for imported labour consequent on high cost of recruitment of labour and of wages and also to transport difficulties. Out of these 26,468 assisted emigrants and their family, 10,038 were from Bihar, 9,670 from Orissa and 4,564 from Madhya Pradesh. Besides 6,109 non-assisted emigrants were also recruited during the year as against 9,108 in 1948-49.

During the year, 57 new licenses were granted to Local Forwarding Agents for recruitment of labourers for tea gardens and most of the existing licenses were renewed by the District Magistrates in the recruiting States.

During the period under review the average cost of recruiting one adult labourer was 142 rupees 3 annas and 5 pies as compared with 124 rupees 5 annas and 11 pies and 107 rupees 4 annas and 2 pies for the previous two years. The increase in the cost was due to additional expenditure incurred in paying extra rail fares for and issue of heavy detention khoraki to emigrants resulting from the dislocation in rail transport during the recruiting season. It was also due to increased cost of blankets supplied to labourers at the time of their forwarding to the tea estates.

The total population of adult labourers, working and non-working, on the tea estates in Assam, was 501,688 at the end of the year under review as compared with 497,532 in the previous year and that of children was 503,544 as against 497,289 of the previous year. Thus the total population was 1,005,232 as against 994,821 last year. The population of labourers in the Assam Valley was 856,151 and that in the Surma Valley, 28,100 as compared with 32,432 in the previous year. Statistics of average daily employment in the Assam and Surma Valleys are given below:-

	Assam Valley		Surma Valley	
	Settled labourers	Falter or Basti labourers	Settled labourers	Falter or Basti labourers.
Men	160,921	33,053	18,463	2,975
Women	123,470	25,981	22,443	2,800
Children	40,619	13,293	5,233	784
Total	325,010	72,327	46,139	6,559

The number of assisted emigrants and their families repatriated during the year was 29,898.

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Wages and earnings.- In the Assam Valley the average monthly cash earnings of men, women and children settled on the gardens were 21 rupees 12 annas and 5 pies, 15 rupees 15 annas and one pie and 11 rupees 1 anna and 3 pies as compared with 19 rupees 4 annas and 3 pies, 15 rupees 3 annas and 4 pies and 9 rupees 7 annas and respectively during the previous year. The corresponding figures in the Surma Valley for men, women and children were 17 rupees 8 annas and 5 pies, 11 rupees 14 annas and 7 pies and 5 rupees 3 annas and 10 pies as against 15 rupees 13 annas and 1 pie, 10 rupees 9 annas and 6 pies and 8 rupees 3 annas and 7 pies in the previous year. The average monthly cash earnings of Faltu or Basti labourers on the tea gardens in the Assam Valley districts were 16 rupees 15 annas and 10 pies for men, 13 rupees 6 annas and 7 pies for women and 8 rupees 15 annas and 5 pies for children as compared with 14 rupees 13 annas, 12 rupees 2 annas and 4 pies and 7 rupees 14 annas and 6 pies last year for men, women and children respectively. In the Surma Valley gardens the average monthly cash earnings were 15 rupees 13 annas and 5 pies, 13 rupees 14 annas and 10 pies and 9 rupees 3 annas and 9 pies for men, women and children respectively as against 14 rupees 1 annas and 4 pies for men, 10 rupees 15 annas and 8 pies for women and 7 rupees and 11 pies for children in the preceding year. The difference in the earnings of labourers in the Assam Valley and those in the Surma Valley is due to the fact that in the latter the rates of wages are slightly lower. It is also explained by the fact that absenteeism is greater there. ~~There will be a decrease in the earnings of the labourers in the Assam Valley as compared with the Surma Valley.~~ The settled labourers earn more than the Faltu or Basti (casula) labourers. The reason for this is that the former living as they do in the garden are more or less regular workers and have greater opportunities for work, finding time, not ~~un~~often to do ticca work in addition to the ordinary hazira work.

Wages were paid on the Unit System, weekly, fortnightly and in some gardens monthly. The average earnings of labourers during the year under report, were greater as compared with those of the previous year. The garden labourers were provided with foodstuffs at concessional rates, though in some gardens, food concessions were limited to actual workers and not extended to their families.

Welfare.- The labourers, in a number of gardens, were also allowed free grazing and firewood and benefit of cultivation of garden lands, either free of rent or at a nominal rent, and in some gardens, on the Adhi System. An area of 104,851 acres of garden land in the Assam Valley and 18,775 acres in the Surma Valley were held by the labourers during the year under report.

Housing conditions on tea gardens were ^{practically} ~~partially~~ the same as in the preceding year. All settled and imported labourers were provided with free quarters comprising of 2 rooms - mostly of thatched type; and in some gardens a number of houses with corrugated iron roofs were available for occupation by them. Attempts are being made by employers to replace the existing kutchha thatched houses by those of approved types. The progress, however, in this direction is slowed down on account of the present difficulty in obtaining building materials. Water supply was generally good in the gardens of Assam. The supply varied from garden to garden, in most of which it was made from tanks, pucca wells and tube wells, and in some by means of pipes from overhead tanks. The sanitary conditions of the gardens in Assam were on the whole good. Most of the gardens had their own hospitals and dispensaries for treatment of their labour force but, while in some ample and first class medical facilities were available, in others they were but meager and nominal.

Industrial relations.- During the period under review there were in the tea gardens a few minor labour strikes. They were very short-lived. All the strikes were settled amicably ~~and~~ through the mediation of the District or Subdivisional Officers or the Labour Officers of the State Governments. The introduction of the All-India scale of rice ration in the tea gardens of Assam caused some dissatisfaction among the labourers. Otherwise, the relationship between the labourers and the employers continued to be generally good.

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Assam: Working of the Factories Act during
1950 *.

General.- The Assam Factories ~~Act~~ Rules, 1950 came into force from 7 October 1950. The registration and licensing of factories for the year 1950 under provisions of Rules 4 and 5 of the Assam Factories Rules, 1950, had to be continued in 1951. Many hitherto unregistered factories came within the scope of the new Act and many such factories were registered and licensed in 1951 for the year 1950 as these ~~numbered~~ factories functioned in 1950. No statistics from these factories could be collected for the year 1950. The total number of factories registered and licensed was 846 and the amount of licensing and registration fee collected from the factories was 182,990 rupees for the year 1950. Almost all the factories situated in Upper Assam suffered some damages during the earthquake of 15 August 1951. Seven deaths were reported due to falling debris. As the first shock of the earthquake came in the early hours of the evening and most of the factories were not working at that time, casualties were few and no accidents were reported from working factories.

Number of factories and number of workers employed
The total number of factories in the register at the end of the year was 841 as against 806 in the previous year. Thirty-seven new factories were brought into the register and 2 factories were struck off. The number of working factories was 807. The number of non-power factories in the register was 7. No factories were notified under Section 85 of the Factories Act, 1948. Under the provisions of Rules 3 of the Rules 37 applications were received for approval of plans of building of factories. Of these 22 plans for construction of new buildings and 8 for extension of factory buildings and new canteens were approved. A tea ~~factory~~ factory in the Badarpur area of the Cachar district was ordered to be dismantled and rebuilt as the building was considered to be unsafe.

* Report on the Working of the Factories Act, 1948 in Assam for the year 1950, Shillong: Printed at the Assam Government Press, 1951, pages 21: Price Rs.2-6-0 or 3s.7d.

The average number of workers employed in 776 factories which submitted returns was 61,262 as against 61,132 in 1949, an increase of 130 workers. The average number of women employed was 11,950 as against 12,492 in 1949 and 12,119 in 1948. The average number of adolescents and children employed in the factories were 1,833 and 456 respectively in 1950 as against 2,141 and 441 in 1949 and 1919 and 597 in 1948.

Inspection of factories.- Five hundred and forty-one factories were inspected by the officers of the Inspectorate during 1950. Forty-six factories were inspected twice and 10 factories were inspected three times. The additional Inspectors visited 160 factories. The percentage of inspection in 1950 was 83.3 as against 51.8 of 1949 and 49.9 of 1948. The report says that in the absence of good motorable road the inspection staff find it impossible to inspect all the factories at least once in a year.

The following table shows the number of annual inspections and percentage of inspected factories for the last five years.

	Total number of inspections				
	1946	1947	1948	1949	1950
By officer of the Inspectorate	357	316	340	301	541
By Additional Inspectors	71	186	43	100	160
Total inspection	428	502	383	401	701
Percentage of inspected factories	38	62.5	49.9	51.8	83.3

Certification of adults, adolescents and children.- The report says that about 3,000 certified adolescents and children are employed in the factories of Assam and most of these belong to the tea factories. The proposal for appointment of a certifying surgeon in the Inspectorate who could combine the duties of a Medical Inspector of Factories has been engaging the attention of the Government for some time. It is however felt that Section 10(3) of the Factories Act, 1948 has to be amended so as to enable Government to appoint qualified doctors belonging to the factories to act as a certifying surgeon for factories where outside doctors are not available.

Safety measures.- During the year, particular attention was paid during inspection of factories to improve fencing of dangerous machine. Prosecutions were started where instructions and persuasions failed to bring about the desired results. The percentage of accidents on machineries was only 9.2 per cent. The majority of accidents on machineries occurred on belts and machine tools.

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Sanitation, ventilation, etc.- During inspections and in approving plans of factory buildings particular attention was paid to the aspects of ventilation and sanitation in the factories. One rice mill in the town of Dibrugarh was ordered to change the design of the factory building so as to improve ventilation and sanitary conditions and another rice mill in the same town was ~~ordered~~ ordered to improve flooring, drainage, ventilation and sanitary conveniences. In the town of Gauhati, the factories on the river front appeared to have improved the sanitary conditions but within the town things were still far from satisfactory.

The report says that new standards of lighting, washing facilities, creches, canteens, etc. laid down in the Assam Factories Rules, 1950, should go a long way to improve the sanitation, lighting, etc., in factories. However, in view ~~of~~ of ~~scarcity~~ scarcity of building materials and of immediate need of whatever material is available for other essential purposes, the application of the standards laid down in the Rules may not be enforced immediately.

Accidents.- During the year under review there were 738 accidents as against 892 of the previous year, a decrease of 154 accidents; this shows a 17.2 per cent decrease over the previous year's number of accidents. Out of these 738 accidents 7 were fatal against 9 of the previous year.

The report says that all accidents could be traced to the existence of some unsafe working conditions or commission of an unsafe act by an individual or combination of both. Out of the seven fatal accidents in the registered factories, as many as five fatal accidents occurred due to wearing of loose clothing by workers in a factory, three of these accidents occurred on running belts and two on running shafts. It also transpired from the records that in the case of running belts unauthorised persons were handling the belts and the case of running shafts the shafts were not securely fenced. Regarding insecure fencing, it was seen that even experienced managers and engineers used the argument that nobody ~~went~~ went to such and such a place and made this a plea of keeping ~~and~~ extension of shaftings, belts and flywheels of small oil engines, etc., without adequate fencing.

As regards non-fatal accidents, the incidence of accidents attributable to machineries was 72 and the rest were all due to causes like being struck by falling bodies (139), stepping on or striking against objects (116), handling goods or articles (123), etc. This would mean that a large percentage of accidents could be avoided by workers themselves if they were more careful. ~~It~~ ^{He} adds that the safety posters issued by the Government of India might serve a very useful

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purpose in preventing some unsafe acts committed by factory workers.

The following table shows ~~for~~ the number of accidents in the factories of Assam for the last five years and the percentage of accidents on the total number employed in registered factories.

Year	Fatal	Serious	Minor	Total	Percentage
1946	10	93	1,155	1,258	2.07
1947	2	119	856	977	1.74
1948	7	109	795	911	1.53
1949	9	71	812	892	1.46
1950	7	79	652	738	1.21

Prosecutions and convictions.- During the year under review prosecutions cases were instituted against 7 factories and convictions were obtained for 24 charges against 3 factories.

Payment of wages in factories.- The average number of workers employed daily in the factories and subject to the administration of the Payment of Wages Act and Rules rose to ~~59,744~~ 60,982 from 59,744 in 1949, representing an increase of 2.1 per cent. The total amount paid to factory workers as wages including deductions was about 23,236,852 rupees as against 21,088,730 rupees in 1949. A sum of 59 rupees was deducted from the wages of 135 workers as fines. A sum of 73 rupees was realised from the pay of 2 workers ~~as~~ breach of contract and a sum of 240 rupees was realised from 373 workers as damages to property, etc. In all a sum of 382 rupees and 9 annas was deducted from the wages of 510 workers during 1950. The average per capita income of the factory workers was 381 rupees as against 353 rupees in 1949. This shows an increase of 7.9 per cent over 1949 figures.

There was no presecutions under the Payment of Wages Act and Rules against any factory.

During 1950, less payment of overtime wages was detected in eighteen factories. In all the cases payment of arrear overtime wages at prescribed rate was ordered by the Inspectors, and the amounts were subsequently paid. A total of 4,291 rupees was thus paid to the respective workers within the year.

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Conclusion.- In conclusion the report points out that the most important work of Inspectors is the inspection of factories and the Chief Inspector should be able to pursue matters relating to health and safety of workers with comparative freedom from routine ~~office~~ ~~office~~ office work. A good deal of time of the Chief Inspector was taken up by enquiries of routine nature relating to the requirements under the new Act and the rules and the number of enquiries received from the factory owners has been very considerable. It is felt that the factory inspectorate has got to be properly equipped and the office staff given higher status in order that it will be possible to secure the services of qualified office assistants so as to relieve the Technical staff from routine office work.

During the year under report a good number of factories failed to ensure regular submission of returns and statistics which are to be submitted within one month of the closing of the year for which the statistics are due. Although there is provision for penalty for failure to submit returns in the Act and the rules, the process entailed therein is long and tedious and therefore it is proposed to arrange ~~special~~ special visits to the factories at the time of compilation of the report in order to help them in the preparation of the return correctly and ~~in~~ to ensure their timely submission. The need for a woman ~~and~~ Inspector of factories is also felt for the purpose of looking after the health and safety of about 15,000 women and children employed in the factories.

(The Report on the working of the Factories Act in Assam for the year 1949 was summarised at pages ~~58-59 of the~~ 58-65 of the report of this office for January 1951).

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Chapter 6. General Rights of Workers.

66. Strike and Lockout Rights.

India - October 1951.

Government not to proceed with Essential Services
(Prevention of Strikes) Bill: Railway Minister's
Statement in Parliament.

On 15 October 1951, Mr. N. Gopaldaswamy Ayyangar, Minister for Transport and Railways stated in Parliament that the Government had decided not to proceed with the Essential Services (Prevention of Strikes) Bill (vide pages 47-48 of the report of this Office for August 1951).

Mr. Ayyangar explained that the Bill was introduced on 10 August 1951, but ~~he~~ had not been able to find time for the House to proceed with it. After a great deal of negotiations with the Government, the All-India Railwaymen's Federation decided to go on strike. Subsequently, there had been talks between himself and the president of the All-India Railwaymen's Federation and his working committee. A large number of grievances had been brought to the notice of the Government and talks were continuing and would be resumed by the end of the month. He had therefore, decided not to proceed with the Bill.

Mr. Ayyangar said that while the Ordinance had already expired, the two months' postponement of the proposed strike by the All-India Railwaymen's Federation would expire on 27 October. Although the President of the Federation had expressed his inability to assure that there would not be any strike on the railways till March next, he did not ~~expect~~ expect the Federation would call for a strike before then. If any unforeseen contingency arose he might ask the President to issue another Ordinance to meet the situation.

(The Hindustan Times, 16-10-1951).

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Conciliation Officers appointed for the States
of Vindhya Pradesh, Manipur and Tripura.

In exercise of the powers conferred by the Industrial Disputes Act, 1947, the Central Government has appointed certain Regional Labour Commissioners as the Conciliation Officers respectively for the States of Vindhya Pradesh, Manipur and Tripura for all industries carried on by or under the authority of the Central Government, all Railways and all banking and insurance companies having branches or other establishments in more than one State.

(Notification No. SRO 1554 dated 1 October 1951, the Gazette of India, Part II, Section 3, 6 October 1951, page 1810).

Bihar: Iron and Steel Industry declared a Public
Utility Service.

In exercise of the powers conferred by the Industrial Disputes Act, 1947, and by a notification dated 15 September 1951, the Government of Bihar has declared iron and steel industry to be a public utility service for the purposes of the said Act for a further period of six months from 15 September 1951.

(Notification No. III-DI-607/51-L(A)-90 dated 15 September 1951, the Bihar Gazette, Extraordinary, 15 September 1951, page 1).

Madras: Salt Industry declared a Public Utility
Service.

By a notification dated 24 September 1951 and in exercise of the powers conferred by the Industrial Disputes Act, 1947, the Government of Madras has declared Salt industry in the State to be a public utility service for the purposes of the said Act for a period of six months from the date of publication of the notification. (viz., 26 2 October 1951).

(G.O.Ms No. 4231 Development, 24 September 1951, the Fort St. George Gazette, Part I, 2 October 1951, page 1455).

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Uttar Pradesh: Cotton Textile Industry declared
a Public Utility Service.

By a notification dated 3 October 1951 and in exercise of the powers conferred by the United Provinces Industrial Disputes Act, 1947, the Government of Uttar Pradesh has declared cotton textile industry and every undertaking connected with the manufacture or distribution of cotton textile to be a public utility service for the purposes of the said Act for a ~~period~~ further period of six months with effect from 22 October 1951.

(Notification No. 5193(TD)/XVIII dated
3 October 1951, Government Gazette of the
Uttar Pradesh, Part I, 13 October 1951,
page 814).

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67. Conciliation and Arbitration.

India - October 1951.

Industrial Relations in the State of Bombay
during the Year 1950.

A review of industrial relations in the State of Bombay is contained in a special article appearing in the Labour Gazette, Vol. XXXI, No. 1, September 1951. According to the article, increase in industrial employment and trade union membership and growing recourse to the machinery set up by Government for settling industrial disputes were the outstanding features of industrial relations in Bombay State during 1950. The year also witnessed improvements consequent on prompt action by Government to avert closures of certain mills and considerable progress under the decasualisation scheme started in 1950 at major textile centres.

Trade unions.- During the 12 months ending 1 October 1950 the total trade union membership in the State increased by 16.6 per cent. On 1 October 1950 there were 1,011 trade unions in the State with a membership of 789,570 as compared with 820 trade unions with a membership of 676,602 at the end of September 1949. As usual the highest figure of membership 288,380 was recorded by 125 textile unions, while next in importance were 114 transport unions with a membership of 171,272. The Unions associated with leather manufacturing recorded the lowest aggregate membership figure, viz., 1,099. The table below sets out the details of number of trade unions and their membership according to industries:-

Industry	1949 (1 October 1949)		1950 (1 October 1950)	
	Number of Unions	Membership	Number of Unions	Membership
Agriculture and Pasturing	3	2,386	4	3,286
Textile	99	252,531	125	288,380
Engineering	96	56,509	120	57,943
Metals	18	8,948	19	11,201
Food, Drink and Tobacco	66	34,817	81	38,822
Chemicals	53	27,097	71	41,283
Paper and Printing	33	9,865	40	9,971
Wood and Furniture	15	4,877	20	6,220
Stone, Bricks and Glass	11	7,722	14	9,427
Leather	3	278	5	1,099
Building	4	1,668	6	2,963
Miscellaneous	18	6,174	24	8,216

.....Continued

..... Table continued.

Industry	1949 (1 October 1949)		1950 (1 October 1950)	
	Number of Unions	Membership	Number of Unions	Membership
Transport	92	140,212	114	171,272
Communications	41	15,758	41	15,761
Commerce, Finance and Trade	102	24,445	121	31,797
Public Administration	84	38,671	104	43,580
Professional Services	24	7,161	30	8,046
General	58	37,483	72	40,503
Total	820	676,602	1,011	789,570

Industrial disputes.— Two hundred and seventy-one disputes ~~in 1950~~ involving 374,649 workers and a time loss of 10,718 days occurred in Bombay during 1950, as against 376 disputes during 1949 involving an aggregate of 279,883 workers and 1,765,586 working days. The sharp increase in the number of workers involved and of man-days lost was mainly due to the general textile strike in Bombay during 1950. The following table sets out the details regarding number of disputes, workers involved and man-days lost during 1949 and 1950:—

Industry	Number of disputes		Number of workers involved		Number of Working days lost	
	1949	1950	1949	1950	1949	1950
Textile	147	105	152,696	310,110	715,439	9,871,590 9,871,590
Engineering	59	46	34,696	27,377	48,960	127,920
Miscellaneous	170	120	92,491	37,162	1,001,187	252,208
Total	376	271	279,883	374,649	1,765,586	1,025,1718

Classified according to causes which led to these 271 disputes during the year under review, about 50 per cent arose over questions of employment, leave, hours of work, etc., while issues relating to pay and allowances claimed 28 per cent of the total disputes. The following table gives the details of the causes which led to industrial disputes in the years 1949 and 1950:—

Please see table on the next page.

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Industry	Pay and allowances		Bonus		Employment, leave, hours of work, etc.		Miscellaneous		Total	
	1949	1950	1949	1950	1949	1950	1949	1950	1949	1950
Textile	43	23	12	11	69	56	23	15	147	105
Engineering	15	8	5	10	37	24	2	4	59	46
Miscellaneous	77	46	10	10	68	55	15	9	170	120
Total	135	77	27	31	174	135	40	28	376	271

A further analysis of these 271 disputes according to results shows that 67 per cent of the disputes ended in favour of employers as against only 17 per cent ending in favour of workers. Twenty-four out of the rest ended in mutual agreements while the remaining ~~were~~ were either inconclusive or in progress at the end of the year.

Conciliation and arbitration.- The sharp increase in the number of disputes received for conciliation and cases referred to the Industrial Court, and Industrial Tribunals in the State during the year under review indicates the increasing tendency amongst the workers and the ~~employers~~ employers to resort to Governmental machinery set up to settle industrial disputes. During the year under review 2,073 cases were received for conciliation, 1,046 being under the Bombay Industrial Relations Act, 1946, as against 1,138 cases received during 1949.

The number of cases referred to the Industrial Court, Bombay, during the year under review came to 668 as compared to 567 during 1949. The Court decided 632 cases during the year under review as against 316 in 1949. The number of cases pending from the previous year was 320 as against 69 for 1949 and the number of cases pending at the end of the year was 356.

The Industrial Tribunals in the State received during the year under review 192 cases as compared to 155 received during 1949 and decided 160 cases during the year under review as against 116 in 1949.

Labour Courts in the State received 1,074 applications, during the nine months ending 30 September 1950 as against 1,196 applications received during the corresponding period in the previous year. Of these 1,074 applications and 501 which they carried from the previous year ~~at~~ decisions were given in 1,314 applications during the 9 months ending 30 September 1950.

An analysis of the causes which invoked the applications decided by the Labour Courts shows that

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discharge and reinstatement accounted for 54 per cent of the total decisions, illegal changes ranking next in order with 23 per cent. The table below sets out the details in this respect:-

Period	Illegal strikes	Illegal changes	Discharge and reinstatement	Others	Total
Nine months ending 30 September 1949.....	52	344	376	243	1,015
Nine months ending 30 September 1950.....	54	308	714	238	1,314

Classified according to results about 50 per cent of the decided applications ended in mutual agreements, while dismissals and withdrawals accounted for about 20 per cent each. The details in this respect are set out in the table below:-

Period	In favour of Employ-ers	Work-ers	Mutual Agree-ments.	Dis- missal	With- drawn	Others	Total
Nine months ending 30 September 1949	67	126	386	256	178	2	1,015
Nine months ending 30 September 1950	46	128	645	250	245	-	1,314

Joint consultation machinery.- One hundred and twenty-one joint committees were registered in the State with the Registrar of Unions under the Bombay Industrial Relations Act, 1946, up to the close of the year 1950, as against 89 at the close of the previous year. Of these 121 joint committees, 103 were from the cotton textile industry.

Sixty-one works committees were formed during the year under review as against 187 during the previous year. Out of these 248 committees formed till the end of 1950, only 229 committees were functioning on 1 January 1951 as 19 of them ceased to function on account of various reasons such as closing down of the units, employment falling below the minimum requirement of 100 workers, etc. Of these 61 newly registered committees, 49 were located in Bombay City. An industry-wise analysis of these 61 committees shows that as usual engineering industry recorded the highest figure, namely 19, followed by paper and printing industry with 8.

68. Labour Courts.

India - October 1951.

Industrial Disputes (Appellate Tribunal) Rules,
1951.

In exercise of the powers conferred by section 35 of the Industrial Disputes (Appellate Tribunal) Act, 1950 and in supersession of the notification dated 8 August 1950 (vide page 57 of the report of this Office for August 1950) the Central Government has published the revised Industrial Disputes (Appellate Tribunal) Rules, 1951, prescribing, inter alia, the form of appeal, procedure for the prevention of memorandum of appeal, procedure for hearing, etc.

(The Gazette of India, Part II, Section 3,
6 October 1951, pages 1801-1806).

Industrial Tribunals' Jurisdiction in Cases of
Dismissal of Employees: Labour Appellate
Tribunal's Decision.

The (State) Industrial Tribunals in India have expressed different views from time to time on the question of the jurisdiction of an Industrial Tribunal to interfere with orders of dismissal of employees. This question has been considered by the Labour Appellate Tribunal of India at Calcutta (Shri J.N. Majumdar, Chairman, Shri R.C. Mitter and Shri G.P. Mathur) in a case between Buckingham and Carnatic Mills Ltd. (Madras) and their workers, in its decision dated 27 June 1951 (in three appeals Nos. 94, 138 and 142 of 1950), the Tribunal has laid down certain principles in order that some measure of uniformity may be attained. The decision also deals with various other matters such as principles for fixation of wages, rate of dearness allowance, quantum of bonus, etc. A brief account of the decision concerning the jurisdiction of the Tribunal to interfere with orders of dismissal of employees is given below.

The appeals were directed against an award made by the Second Industrial Tribunal, Madras, and were taken up together by consent of parties. The award was made on two references made by the State Government for adjudication of the disputes between the Buckingham and Carnatic Co. Ltd. and its workers represented by the Madras Labour Union and the Madras Textile Workers' Union. The points in dispute in the first reference were

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were 19 in number, and out of which one related to the question of reinstatement of 39 employees. In the second reference the points involved were 12 in number which included a question of reinstatement of further 65 persons. Appeal No.94 which was by the Company was directed, inter alia, against the order of reinstatement of 24 persons. On the question of bonus ~~of~~ for 1948, which was one of the points referred to in the first reference, the Company had preferred an appeal, which was No.138 of 1950, and that was also one of the subject-matters of Appeal No.142 of 1950 preferred by the Madras Labour Union on behalf of the employees. The last mentioned appeal also related to the other points on which the Tribunals' decision was against the employees. One of them related to the refusal of the Tribunal to reinstate eight operatives.

The Tribunal first took up the question relating to the reinstatement of workmen. It was conceded by the Company and the workmen that appeal against the order of reinstatement would not be competent ~~in~~ unless a substantial question of law was involved. The points of law raised before the Tribunal by the Company were as follows:-

(1) That the question about the legality or propriety of the termination of service must be considered on the basis of the Standing Orders as they stood at the time when their services were terminated;

(2) That if the services had been terminated in accordance with the Standing Orders, an Industrial Tribunal had no power to sit in judgment over the Management's decision except (a) to enquire into the bona fides of the action of the Management, (b) to see if the procedure as laid down in the Standing Orders had been followed, and (c) to see if the rules of natural justice had been observed;

(3) That even when the Tribunal considered the termination of service to ~~it~~ be illegal ~~in~~ or improper, it could not order reinstatement unless it amounted to unfair labour practice or victimisation. In all other cases of illegal or improper termination of service payment of compensation should be the rule.

On the question of reinstatement the State Industrial Tribunals had expressed different views from time to time. In some cases it had been held that an Industrial Tribunal could not at all sit in appeal over the decision of management; in some, a qualification was introduced namely, that if opportunity to the workmen concerned had been given to meet the charges levelled against him by the management and the procedure as provided for in the Standing Orders was followed, the Tribunal would not sit in appeal over the managements' decision; in some others, the element of bona fides was introduced in addition and it was held that an Industrial Tribunal would not sit in appeal over the decision of the management, unless

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it was shown that there was want of bona fides on its part, or the Standing Orders, authorising discharge or dismissal, were used as a cloak for unfair labour practice.

The Labour Appellate Tribunal considered that the first series of awards had been wrongly decided and in the second and third series of awards through the principles had been rightly formulated, the limitations indicated therein could not be considered to be exhaustive but illustrative only. The Labour Appellate Tribunal has pointed out that the Industrial Tribunal acts only as a supervisory body concerning what would be regarded as powers of revision for correction of basic errors which go to the root of the matter and of perverse findings and not as a court of appeal by the substitution of its judgment for that of the management. The Tribunal has held that (i) where the dismissal is due to automatic termination for absence without leave for a stated period or for overstaying leave without satisfactory explanation, and (ii) where the employee is discharged on notice, or payment of wages in lieu of notice, without any reason, the Industrial Tribunal would be at liberty to examine the explanation offered by the employee and other circumstances. If the termination of service is held to be unjustified, the question of relief as in a case of wrongful dismissal will arise. Where the employee is dismissed for alleged misconduct, the Industrial Tribunal will not interfere if there is evidence to support the finding that the decision of the management is a possible view on the evidence before it. Where however the decision of the management (a) lacks bona fides, or (b) is a case of victimisation or unfair labour practice or violation of ~~mutual~~ natural justice, or (c) is based on a basic error on facts, or (d) is a perverse finding on the materials, the decision of the management will not prevail. The relief in cases where the termination of service is held to be unjustified should normally be re-instatement, but the Tribunal must take into account the past record of the employee, the nature of the alleged lapse and considerations of discipline in the industry in determining the relief to be awarded.

(The Indian Factories Journal, September and October 1951, pages 265-304; Labour Law Journal, September 1951, pages 314-338)

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CHAPTER 8. MANPOWER PROBLEMS.

INDIA - OCTOBER 1951.

81. Employment Situation.

Employment Exchanges: Working during
August 1951.

Employment situation.- According to the Report on the work done by the Directorate of Employment Exchanges for August 1951, the most notable features of the employment situation during the month was the sharp decline in the number of vacancies made available to exchanges by private employers and a sharp increase in the employment opportunities offered by Central and State Governments.

Engineers, structural fitters, wiremen, oil engine drivers, boiler attendants, pattern makers, health visitors, skilled textile workers, painters and radiographers were noticed to be in short supply by some exchanges. Lawyers, compositors, masons, tailors, book-binders and electrical and mechanical engineers were surplus in some of the exchanges. Clerical applicants were surplus everywhere. Within the organisation, recent cuts in travelling allowances and reduction of staff and an additional heavy cut in supplies of petrol, plus a reduction of the number of vehicles for use as Mobile Exchanges was beginning to have an adverse effect on the mobility of the Service. As a result, employment opportunities had to be denied to persons resident at places distant from Exchanges. Similarly employers, who in the past had relied upon Exchanges to search out workers from remote areas on their behalf, had been unable to fill their vacancies. In general, the total number of employment opportunities which occurred during August declined though the number of persons who were found jobs increased slightly. A very satisfactory number of highly paid appointments were notified to and successfully filled by Exchanges.

Registration and placings.- The total number of registrations for employment and the total number placed during the month are shown below:-

	August 1951	July 1951
Total number of registrations	126,320	131,846
Total number of placings	36,563	35,233

Of those registered 11,149 were displaced persons, 11,896 were ex-service personnel and 3,158 discharged Government employees. There was a fall of 5,526 in registrations as compared with July 1951 during which month an abnormal and record number of fresh registrations had taken place. The fall was comparatively high in Uttar Pradesh (6,247), Madras (1,607), Madhya Pradesh (1,580) and Bombay (789). On the other hand a considerable rise in registrations was recorded in Delhi, Ajmer and Rajasthan (1,446), West Bengal (1,366) and Orissa (566). In Uttar Pradesh a marked fall in registrations was recorded in Kanpur (2,482), Lucknow (1,133) and Gorakhpur (1,121). The fall at Kanpur was a return to the normal as the registrations effected during July were exceptionally high. The Exchanges at Lucknow and Gorakhpur reported that the fall was to a large extent due to the absence of demands from the building and construction industries. In Madras region, the fall in registrations was comparatively large in Vishakapatnam (350), ~~Madras~~ Salem (321), Trivandrum (305) and Tanjore (220). In Madhya Pradesh the Exchanges at Nagpur and Amravati showed a fall of 645 and 456 respectively, during the month. The decrease at Nagpur was also reported to be a recession to the normal. In Bombay region Sholapur Exchange showed a fall of 605, reported to be due to restricted Mobile Exchange activity. As might be expected, an increase of 2,171 in registrations was reported by the Regional Exchange, Delhi where heavy police recruitment took place. In West Bengal higher registrations were marked in Asansol (886) and Barrackpore (356). In Orissa, the Exchanges at Sambalpur and Cuttack recorded a rise of 290 and 276 respectively in registrations.

Of those placed 2,209 ~~discharged~~ were displaced persons, 3,610 were ex-service personnel and 1,026 discharged Government employees. 17,922 were placed with private employers and 18,641 in Central and State Government establishments. There was an increase of 1,330 as compared with the previous month. A considerable rise in placings was recorded in Delhi, Ajmer and Rajasthan (1296), Madras (1008), Punjab (465) and West Bengal (406). Uttar Pradesh and Bombay regions on the other hand showed a fall of 1,171 and 540 respectively. In Delhi, Ajmer and Rajasthan region, Exchanges at Delhi and Ajmer showed a rise of 1,240 and 315 respectively whereas Jaipur recorded a fall of 240 from the previous month. The sharp increase in placings at Delhi was reported to be due to bulk recruitment of ex-servicemen for the Hyderabad Police Force. Rise in placings at Ajmer was due to the notification of more vacancies, both Government and private, during the month. In Madras the rise in placings was comparatively high in Chinglepet (452), Coorg (308), Kakinada (297), Kozhikode (286) and Bangalore (167). The Exchange at Vishakapatnam showed

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a fall of 313. Employment of a large number of applicants in the regional census tabulation office, Pithapuram, contributed to the increase at Kakinada. In the Punjab region increased placements were effected by the Exchanges at Hissar and Gurgaon which recorded a rise of 271 and 144 respectively as compared with the previous month. In West Bengal, the Exchange at Asansol where an increase of 397 was recorded, mainly contributed to the improvement in the regional figures. This Exchange placed 2,528 applicants during the month, which is reported to be the highest on record. Some large factories, including the Bengal Paper Mills, Raniganj, filled all their vacancies through this Exchange. In Uttar Pradesh appreciable fall in placings was recorded at Gorakhpur (578), Bareilly (318) and Kanpur (244). The decline in Gorakhpur and Bareilly was reported to be due to diminution of employment in building and construction industry in those areas. In Bombay regions the Exchanges at Sholapur recorded a fall of 646 from the previous month. This was reported to be due to a recession to normal as the previous month's high placements were due to recruitment of a fair at Pandharpur.

Placings by wage groups.- Of the total number of placings effected 599 were in posts carrying a basic pay of 101 rupees per month and above; 4,290 in posts carrying a pay of 61 rupees and above but less than 101 rupees per month; 27,600 in posts carrying a pay of 30 rupees and above but less than 61 rupees per month; and 4,074 posts carrying a basic pay of less than 30 rupees per mensem.

Vacancies notified and submissions.- The numbers of vacancies notified by employers during August 1951 was 40,473 as compared with 42,014 during July, that is a fall of 1,541. Of the vacancies notified 21,646 were by Central and State Government establishments and 18,827 by private employers. There was an increase in the Government ~~sector~~ sector of 2,902, and a fall of 4,443 in the private sector as compared with the previous month. The fall in vacancies notified was noticeable in Bihar (296), Bombay (1,124), Punjab (348), and Uttar Pradesh (2,775). On the other hand there was an increase in notifications in the regions of Assam (103), Delhi, Ajmer and Rajasthan (1,325), Hyderabad (89), Madras (890) and Orissa (606). The number of persons submitted to employers during August 1951 was 94,964 as compared with 88,438 during the previous month. This was the highest figure ever recorded.

The number of employers who used the Exchanges during August was 6,216 as compared with 6,458 during July 1951. Of these 50.4 per cent were private employers.

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Employment of highly qualified persons.- 953 applicants were registered of Appointments Branch Standard, (candidates possessing high ~~xxx~~ technical, scientific or professional qualifications and supervisory or administrative experience). 145 were placed during August. The figures of the previous month were 937 registration and 131 ~~px~~ placings.

The Exchange at Delhi was the most successful in this field with 239 registrations and 44 placings of which 27 placings were in posts carrying salaries of 500 rupees a month each. The Exchange at Calcutta, registered 137 and placed 17, one of whom was placed in the Damodar Valley Corporation on a salary of 1,100 rupees a month, and another in a private firm on a salary of 730 rupees a month. Ahmedabad found employment for one of its registrants as a Sales Engineer in a private firm on 700 rupees a month, while Ferozepore placed two applicants in the Ministry of Rehabilitation on 500 rupees a month each. Poona placed three registrants as civilian engineers on posts carrying monthly salaries of 310 rupees each.

Employment assistance to women.- 4,038 women applicants were registered and 1,667 placed in employment by the Exchanges during August.

Regional Employment Exchange, Calcutta, registered 662 and placed in employment 165, of whom two were placed in posts carrying salaries of 225 rupees per month each and above, and one was placed on 160 rupees a month. Coimbatore registered 195 women, of whom 161 were placed in employment. The Regional Employment Exchange, Bombay registered 430 women and placed 67 in employment of whom 3 were placed in posts carrying salaries of 150 rupees a month and above each. Poona placed 76 women registrants in employment, of whom 7 were placed as clerks, two as typists, one as a matron, and one as a telephone operator. The Regional Employment Officer, Kanpur, reported a shortage in the trades of lady typists, stenographers, qualified and trained mid-wives and nurses. He also mentioned that the reluctance of women registrants to be considered for private employment and their unwillingness to accept posts outside Kanpur proved a handicap in finding suitable employment for them. Indore reported that employment opportunities for women were very restricted in ~~the~~ area and that there was little ~~that~~ could be done for them at present.

Assistance to scheduled caste candidates.- The number of Scheduled Caste applicants registered by the Employment Exchanges during the month was 13,230 as against 14,955 in July 1951. 4,551 such applicants were placed in employment. Among those placed 1,197 were in Central Government vacancies, 654 in State Governments vacancies and 2,700 in other vacancies.

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The number of Scheduled Caste applicants submitted to employers during the month was 8,907. 379 vacancies meant specifically for Scheduled Caste applicants were notified to Employment Exchanges, during August. At the end of August 29,796 Scheduled Caste applicants remained on the Live Registers of Exchanges of whom 1,016 were women.

Re-employment of retrenched and discharged Government employees.- 50 surplus/retrenched Central Government Gazetted and Commissioned Officers were brought on to the Central Special Register bringing the total on the Register ~~at~~ at the end of August to 172. The total included 99 Commissioned Officers of the Defence Services. Of the registrants, 103 were ex-Class I Officers and 69 ex-Class II Officers. 95 vacancies for such persons were notified by the various Ministries ~~during~~ ^{during} August and 159 submissions were made to the Union Public Service Commission. For lack of suitable applicants on the Special Register 33 vacancies were referred back to the Ministries concerned. 3,158 discharged Government employees were registered by the ~~Employment~~ Employment Exchanges during August as against 3,256 in the previous month. Of these, 2,399 had been discharged from the Central Government establishments and 759 from State Government establishments. The number of discharged Government employees re-employed during August was 1,026 as against 981 in July. The number of ex-Central Government employees re-employed through Exchanges was 745 and the number of ex-State Government employees was 281.

Employment of displaced persons.- Both the registrations and placings of displaced persons increased during the month, being 11,149 and 2,209 against the figures of 10,354 and 1,836 relating to July.

Vacancy and labour clearing.- During the month under report the Vacancy Clearing Machinery was utilised to fill 733 vacancies by obtaining applicants from other Exchange areas. 363 fresh vacancies were received from Exchanges for circulation at the Control Employment Co-ordination Office as compared to 175 in the last month. Of these 361 were given all-India circulation and the remaining 2 limited circulation. The number of vacancies under all-India circulation at the end of the month was 902 as compared with 658 at the end of July 1951.

The Co-ordination Office dealt with 149 direct applications for employment assistance including 1 from an Indian ex-employee of the Burma Government.

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Live register.- The number of persons seeking employment assistance on the last day of August was 358,814 which was 15,084 more than the figure for July 1951. Of these 42,109 were displaced persons, 38,029 ex-service personnel and 12,476 discharged Government employees. Among discharged Government employees 8,968 were Central Government and 3,508 State Government employees.

Miscellaneous information.- A revised Manual of Instructions was issued to all Employment Exchanges and officers during the month under report. All previous instructions of a permanent and semi-permanent nature had been codified consolidated and incorporated in the revised Manual.

The Employment Advisory Committees attached to the Sub-Regional Employment Exchanges at Agra, Ahmedabad and Lansdowne held their meetings during the month under review.

In Shillong, a conference was convened in August by the Regional Director of Assam for the purpose of considering a scheme for the decasualisation of labour at Gauhati. The Labour Commissioner, Assam, presided and both employers and workers were represented.

Mobile Exchange work continued to decline heavily as a result of recent economies.

(Report on the Work of the Directorate of Employment Exchanges during the month of August 1951, issued by the Ministry of Labour, Government of India).

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Progress of Textile Labour Decasualisation
Scheme in Bombay State during 1949 and 1950.

Statistics on the working of textile labour decasualisation schemes now in operation in Bombay State in the ~~main~~ centres of Ahmedabad, Bombay and Sholapur, are contained in a special article "Industrial Relations in Bombay State" published in the Labour Gazette, Vol. XXXI, No. 1, September 1951. The following table shows the number of persons registered and the number absorbed in the various departments in textile mills, in the years 1949 and 1950 respectively:-

Name of Department	Number of persons registered		Number of persons absorbed	
	1949	1950	1949	1950
A	985	6,787	364	1,599
B	2,050	11,479	148	2,178
C	215	2,194	9	184
D	461	4,539	193	1,132
E	2,718	17,034	1,502	6,666
F	383	2,486	307	1,138
G	191	1,114	2	87
H	--	257	--	1
I	327	2,180	291	955
J	748	5,819	449	1,499
Total....	8,078	53,889	3,265	15,419

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83. Vocational Training.

India - October 1951.

Labour Ministry's Training Schemes: Progress
during August 1951.

Training of adult civilians.- According to the review of work done by the Directorate General of Resettlement and Employment for August 1951, the number of trainees on the rolls of the various Training Institutes was 7,643 on 31 August 1951. Of those on the rolls, 5,704 persons were receiving training in technical trades and the remainder in vocational trades.

Displaced persons' training.- 2,021 displaced persons were undergoing training at the end of the month at the training institutes in the various States under the new Training Scheme for displaced persons against the sanctioned capacity of 2,272 seats.

Training of apprentices.- 1,000 seats have been sanctioned for the apprenticeship training of displaced persons in the West Bengal and Uttar Pradesh. 833 persons were undergoing training at the end of August 1951.

Women's training.- A total of 372 women were undergoing training at the end of the month at the three womens' Industrial Training Institute at New Delhi, Dehra Dun and Madras. In addition 2 women were undergoing training at the Industrial Training Institute in Patna, alongside the men trainees.

Supervisory training.- The total number of Supervisors and Instructors on the roll at the Central Training Institute for Instructors, Koni, Bilaspur, was 110 on the 31 August 1951. Nine private candidates, who had passed out of the Institute, were able to secure employment during the month. In addition to the categories of trainees mentioned above, 191 primary school teachers were receiving training in wood work at the Industrial Training Institute, Aundh, under special arrangements with the Government of Bombay.

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Trade test in Vocational trades.- 282 trainees including 15 women have passed the trade test in vocational trades during ~~the~~ August, 1951.

(Review of work done by the Directorate General of Resettlement and Employment during the month of August, 1951, issued by the Ministry of Labour, Government of India).

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CHAPTER 9. INCOME SECURITY.

INDIA - OCTOBER 1951.

91. Pre-legislation Measures.

Contributory Provident Fund Scheme: Draft Bill
being prepared.

It is understood that the Government of India has approved of a proposal to introduce a contributory provident fund scheme in private industries. A draft of a Bill, seeking to make necessary, statutory provision, is now under preparation by the Labour Ministry. The proposed Bill, in the first instance, will mention six major industries - textiles, iron and steel, cement, engineering, paper, and cigarettes - for the introduction of the scheme.

Factories or other establishments, employing not less than 50 workers, will be brought within the scope of the proposed legislation. The employer and the worker will have each to contribute 6 1/4 per cent of the income per worker, the latter having the option to increase his contribution to 8 1/3 per cent.

There will be a provision for exemption for certain categories of industries. Independently of the Government scheme, an industry will be permitted to operate a provident fund, if it guarantees to the worker all the advantages accruing from the proposed statutory scheme. Government-owned industrial undertakings and establishments, working a pension scheme according to the preferential choice of workers, may be included in the exemption list. Industries, operating for less than three years may also be given this exemption.

The scheme envisaged in the proposed legislation will be similar to the one now in operation in coal mines, subscribed to by about 300,000 workers. These workers are claimed to have benefited by the cultivation of thrift, encouraged under the scheme.

(The Statesman, 23-10-1951).

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92. Legislation

India - October 1951.

Mines Maternity Benefit Rules, 1943: amended.

By a notification dated 11 September 1951 and in exercise of the powers conferred by the Mines Maternity Benefit Act, 1941, the Central Government has amended the Mines Maternity Benefit Rules, 1943. The amendment extends the rules to the whole of India except the State of Jammu and Kashmir.

(Notification No.S.R.O. 1465 dated 11 September 1951, the Gazette of India, Part II, Section 3, 22 September 1951, page 1610).

Bihar: Bihar Employees' State Insurance (Medical Benefit) Rules, 1951.

The draft Bihar Employees' State Insurance (Medical Benefit) Rules, 1951 (vide page 94 of the report of this Office for January 1951), have been approved and gazetted on 19 September 1951.

(The Bihar Gazette, Part II, 19 September 1951, pages 1851-1854).

Burma: The Workmen's Compensation (Amendment) Bill, 1951.

The Government of the Union of Burma published on 8 September 1951 the Workmen's Compensation (Amendment) Bill, 1951. The Statement of Objects and Reasons appended to the Bill declares that the main object and reason for enacting the ~~above~~ amendments to the Workmen's Compensation Act is to provide social security in a greater measure for a far larger number of workers than have hitherto been covered by the Act, by extending the scope of the Act, with certain exceptions, to cover all workmen including those to whom the Act does not at present apply, as for example, persons engaged

in plying for hire with such vehicles and vessels as trishaws, rickshaws, taxi-cabs, sampans and boats and also by increasing the scale of benefits admissible under the Act. ~~PERMANENTLY EMPLOYED~~ The main provisions of the Bill are summarised below.

Scope.- The existing Act is applicable to every workman (other than a person whose employment is of a casual nature) who is a railway servant as defined in section 3 of the Railways Act, not permanently employed in any administrative, district or sub-divisional office of a railway and not employed in any such capacity as is specified in Schedule II of the Act or employed on monthly wages not exceeding 300 rupees in any such capacity as is specified in Schedule II (the schedule lists 23 distinctive classes of employment). The Bill seeks to repeal Schedule II and to extend the Act to every person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, clerical work, or otherwise, and whether the contract is expressed or implied, is oral or in writing, and also includes a person engaged in plying for hire with any vehicle or vessel the use of which is obtained from the owner thereof under any contract (other than a hire purchase agreement) in consideration of the payment of a fixed sum or a share in the earnings or otherwise. Persons excluded from the scope of the Bill are (1) persons employed otherwise than by way of manual labour whose wages exceed 400 rupees per month; (2) persons employed in the cultivation of crops other than those grown on any estate which is maintained for growing cinchona, rubber, coffee or tea and in which 25 or more persons have been employed on any one day in the preceding 12 months; (3) casual workers and outworkers; (4) member of police, naval, military or air forces of the Union; and (5) members of the employers' families dwelling in their houses.

Benefits.- Instead of the present scales of benefits specified in Schedule IV of the Act read with section 4, the following benefits are to be provided. In case of death resulting from injury, the compensation will be a sum equal to 36 times the workman's monthly wages, subject to a maximum of 7,200 rupees and a minimum of 2,160 rupees; in case of permanent total disablement resulting from injury the compensation is a sum equal to 36 times 140 per cent of the workman's monthly wages, subject to a maximum of 10,080 rupees and a minimum of 3,024 rupees; and in case of temporary disablement, whether total or partial the compensation will be a sum equal to one-third of the workman's monthly wages.

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The list of occupational diseases specified in Schedule III is ~~now~~ enlarged and divided under two headings, lists A and B. A workman is entitled to compensation if he contracts any occupational disease specified in List A and if he has been employed for a continuous period of not less than six months in the employment specified in the list, or if he contracts any disease specified in List B and it is certified by a qualified medical practitioner that the disease is directly due to the nature of any employment in which the workman was employed at any time within the twelve months previous to the date of disablement.

The diseases listed in List A are: anthrax, lead poisoning or its sequelae, mercury poisoning or its sequelae, phosphorus poisoning or its sequelae, arsenic poisoning or its sequelae, poisoning by benzene and its homologues or the sequelae of such poisoning, poisoning by nitro-and amido-derivatives of benzene and its homologues (trinitrotoluene, anilin and others) or the sequelae, poisoning by nitrous fumes or its sequelae, dope poisoning that is, poisoning by any substance used as or in conjunction with a solvent for acetate of cellulose or its sequelae, poisoning by carbon bisulphide or its sequelae, poisoning by nickel carbonyl or its sequelae, epitheliomatous cancer or ulceration of the skin due to tar, pitch, bitumen, mineral oil or paraffin, or any compound product or residue of any of those substances, ulceration of the corneal surface of the eye due to tar, pitch, bitumen, mineral oil, or paraffin, or any compound, product or residue of any of those substances, chrome ulceration or its sequelae, compressed air illness or its sequelae, cataract in glassworkers, cataract caused by exposure to rays from molten or red-hot metal, subcutaneous cellulitis of the hand (~~beet~~ beat hand), subcutaneous cellulitis, or acute bursitis over the elbow (beat elbow), inflammation of the sinovial lining of the wrist joint and tendon sheaths, glanders, telegraphist's cramp. List B includes dermatitis produced by dust or liquids, ~~and~~ ulceration of the skin produced by dust or liquids, ulceration of the mucous membrane of the nose or mouth produced by dust, writer's cramp, twister's cramp caused by twisting of cotton or woollen (including worsted) yarns, inflammation, ulceration malignant disease of the skin and subcutaneous tissues, due to exposure to X-Rays or radio-active substances.

(The ~~now~~ Burma Gazette, Part III, 8 September 1951, pages 203-207).

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CHAPTER 11. INDUSTRIAL SAFETY

INDIA - OCTOBER 1951.

111. Prevention of Accidents.

Accidents in Factories during 1949: Rise in Frequency Rate.

According to a note published in the Indian Labour Gazette¹ annual returns under the Factories Act for the year 1949 show a total of 75,616 accidents in factories in the 9 Part A States and the centrally administered areas of Ajmer, Delhi, Coorg and the Andaman and Nicobar Islands. Compared to the reported total of 68,064 accidents in the year 1948, there was, thus an increase of about 11 per cent. in the total number of accidents during the year under review. The frequency rate of accidents per thousand workers employed increased from 28.84 in 1948 to 31.06 in 1949¹.

Of the total number of accidents reported during the year, 250 were fatal, 8,702 were serious and 66,664 were minor accidents in 1948. Thus, while there was a slight fall in the number of fatal and serious accidents during 1949 as compared to the previous year, the number of minor accidents increased considerably. The note says that the Factories Act, 1948, which came into force in the beginning of 1949, lays great stress on fencing and guarding of machinery and places the responsibility for the safety of work-places on the shoulders of the employers. This transfer of responsibility might have had an effect on the incidents of fatal and serious accidents. On the other hand, better reporting and the extension of the scope of the Act to small factories which were not so far governed by any legislation may be partly responsible for the increase in the number of minor accidents.

Statewise analysis.- The following statement gives Statewise, the number of accidents of each type and their frequency rates:

1. Indian Labour Gazette, Vol IX, No. 2, August 1951, pp. 96-100.

	Fatal		Serious		Minor		Total	
	No. of workers killed.	Per 1000 workers employed	No. of workers injured	Per 1000 workers employed	No. of workers injured.	Per 1000 workers employed.	No. of workers injured.	Per 1000 workers employed.
Andhra Pradesh	9	0.15	71	1.16	812	13.28	892	14.59
Assam	23	0.15	398	2.56	5,013	32.27	5,434	34.98
Bihar	73	0.09	4,420	5.60	23,850	30.21	28,343	35.90
Madhya Pradesh	9	0.09	44	0.46	2,422	251.6	2,475	25.71
Madras	44	0.14	1,077	3.32	5,012	15.47	6,133	18.93
Uttar Pradesh	1	0.07	20	1.50	51	3.82	72	5.39
Punjab	5	0.13	51	1.30	1,246	31.65	1,302	33.08
Rajasthan	32	0.14	324	1.39	6,426	27.48	6,782	29.01
West Bengal	51	0.08	2,138	3.21	18,516	27.84	20,705	31.13
Mizoram	1	0.06	33	2.15	2,118	137.71	2,152	139.92
Delhi	2	0.05	122	3.14	1,166	30.05	1,290	33.24
Andaman and Nicobar Islands.	4	2.00	32	16.00	36	18.00
Total	250	0.10	8,702	3.57	66,664	27.39	75,616	31.06

Causes.— An analysis of the accidents by causes is given in the following table:

1	Fatal	Serious	Minor	All accident
	2	3	4	5
Machinery --				
(a) Prime movers.	..	40	97	137
(b) Transmission machinery	26	230	738	994
(c) Lifting machinery	8	53	241	302
(d) Working machinery	42	2,736	12,688	15,466
Total	76	3,059	13,764	16,899

.....continued.

	Fatal	Serious	Minor	All accidents
Transport --				
(a) Rolling stock on lines	13	76	494	583
(b) Rolling stock not on lines	4	88	543	635
Total	17	164	1,037	1,218
Persons falling	41	671	3,652	4,364
Falling objects	26	1,583	12,426	14,035
Hand tools	..	333	5,281	5,614
Electricity	21	43	188	252
Poison, corrosive Substances, etc.	6	67	441	514
Explosions and fire	22	318	2,464 991	3,331
Miscellaneous	41	2,464	26,884	29,389
All causes	250	8,702	66,664	75,616

It will be seen from the above ^{table} that "machinery" accounted for nearly 22 per cent. of the accidents - 30 per cent. of fatal accidents, 35 per cent. of serious accidents and 21 per cent. of minor accidents. Apart from miscellaneous causes, the source next in importance was "falling objects" which accounted for 18.6 per cent. of the accidents. "Hand tools" were responsible for 7.4 per cent. of the accidents.

Apart from machinery, "persons falling", "falling objects", "electricity" and "explosions and fire" accounted for a majority of the fatal accidents. In the case of serious accidents, "falling objects" and "persons falling" were some of the major sources. "Falling objects" were also responsible for a considerable number of minor accidents.

(Indian Labour Gazette, Vol. IX,
No. 2, August, 1951.)

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LIST OF THE MORE IMPORTANT PUBLICATIONS RECEIVED
IN THE NEW DELHI OFFICE DURING OCTOBER, 1951 .

INDIA - OCTOBER 1951.

International and National Organisations

Annual Report on the Working of the Indian Trade Unions Act, 1926, for the State of Bombay, 1949-50. Obtainable from the Superintendent, Government Printing and Stationery, Bombay. Price Rs.5 As.8. 1951. pp.101. (Sent to Geneva under this Office Minute No.D.1/2045/51 dated ^{22 October} 22 November 1951).

Economic Questions

- (a) A Few Social Service Agencies in Delhi. Published by the Indian Conference of Social Work. pp.46.
- (b) Annual Report on the Administration of the Industrial Housing Scheme for the year 1949-50. Obtainable from the Superintendent, Government Printing and Stationery, Bombay. 1951. Price Annas 12, pp.10.

Working Conditions and Living Standards

Annual Report on the Administration of the Factories Act in the Province of Bombay for the Year 1949. Obtainable from the Superintendent, Government Printing and Stationery, Bombay. 1951. Price Rs.5 As.8, pp.127.

Manpower Problems

Annual Report on the Working of the Tea Districts Emigrant Labour Act (XXII of 1932) for the year ending the 30th September 1950. Shillong. Printed at the Assam Government Press, 1951. pp.38. (Sent to Geneva under this Office Minute No.D.1/2045/51 dated 8 November 1951).

Income Security

Annual Report on the Working of the Workmen's Compensation Act, 1923, for the year 1949. Obtainable from the Superintendent, Government Printing and Stationery, Bombay, 1950. Price Annas 8, pp.16.

Social and Industrial Medicine

Annual Report on the Administration of the Bombay Smoke Nuisances Act for the year 1949-50. Obtainable from the Superintendent, Government Printing and Stationery, Bombay, 1950. Price Annas 10, pp.6.

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Industrial Safety

Annual Report on the Administration of the Indian Boilers Act, 1923, in the State of Bombay for the year 1949-50. Obtainable from the Superintendent, Government Printing and Stationery, Bombay, 1950. Price Annas 7, pp.8.

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