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CHAPTER 1. INTERNATIONAL LABOUR ORGANISATION.

INDIA - JULY 1953.

11. Political Situation and Administrative Action.

Thirteenth Session of the Standing Labour Committee, New Delhi, 27 and 28 July 1953: Agreement arrived on Payment of Compensation for Involuntary Unemployment.

The thirteenth session of the ~~Standix~~ Standing Labour Committee was held at New Delhi on 27 and 28 July 1953, Mr. V.V. Giri, Labour Minister, Government of India, presiding. The meeting was attended by representatives of workers and employers and Central and State Governments.

Agenda.- The following was the agenda before the meeting:

1. Special review of the Tripartite machinery;
2. Uniform standards for national and festival paid holidays in private industrial undertakings;
3. Productivity studies and programmes;
4. Payment of Compensation for involuntary unemployment; and
5. Central legislation for shops and commercial establishments.

The Ministry of Labour had prepared memoranda on these subjects. Of these, the memoranda on the tripartite machinery and uniform standards of national and festival paid holidays in private industrial undertakings were on the same lines as those presented before the twelfth session of the Indian Labour Conference held in October 1952 (vide pp. 1-17 of the report of this Office for October 1952).

Productivity studies and programmes.- The memorandum reviews the work of the I.L.O. mission on productivity in the textiles and engineering industries and gives an interim account of its work. The memorandum further states that the term of the experts working in Calcutta region expires towards the middle of July 1953, and of the experts in Bombay area by the end of August, 1953. With the object of following up the work of the expert mission and for purposes of implementing the recommendations contained in the First Five Year Plan on the subject, the Ministry of Labour proposes to set up, with the assistance of the I.L.O. (in money and personnel), a National Productivity Centre. The Centre would conduct productivity studies in selected plants, organise practical training courses in the field for the benefit of Government, management, and workers' personnel, and assist in applying modern techniques of industrial engineering and management. The Centre would, to begin with, be staffed with four foreign experts and two Indian experts, if possible. It will be headed by a Director. Details of the I.L.O. proposals are also given.

In order to continue the work of the present expert team without any break till the National Productivity Centre is established, the term of the expert team has been further extended up to the first week of November, 1953. There appears to be a growing demand for carrying out productivity studies in industry. Although, so far Indian industry has not been very productivity minded, there are indications that managements as well as labour are anxious that something should be done in this direction. Recently a request was received from the Madhya Pradesh Millowners' Association that their representatives should be associated with the work of the productivity experts in Ahmedabad. There was also a request from the Mashtriya Mill Mazdoor Sangh, Bombay, to study the present wage structure in the textile industry in Bombay on a job evaluation basis. The Sindri Fertilizer Factory has asked for expert assistance on productivity studies. The Transport Ministry have enquired whether the productivity experts could visit the Port Workshop at Calcutta with a view to suggesting improved methods of working.

The expenses of the proposed National ~~Productivity~~ Productivity Centre will, for the first year, be met jointly by the Government of India and the I.L.O. It has been suggested that the expenses of the National Productivity Centre should be met partly through the levy of a fee for the utilisation of ~~its~~ its services. The total recurring cost has been estimated at 90,000 rupees and non-recurring at 17,000 rupees.

The memorandum draws the attention of the conference to the importance of Training Within Industry schemes for India. The I.L.O. have been asked to send two Training Within Industry Experts to start with for a period of one year for the organisation of a programme of Training Within Industry. It is proposed that the experts will set up Training Within Industry Institutes ~~in~~ in the Bombay and Calcutta regions. The experts will train the necessary personnel for taking over the Institutes when they leave India. Courses will be given for instructing 'trainers' in Job Methods, Job Relations and Job Instructions - the three main ingredients of the T.W.I. system. The 'trainers' will in turn train supervisors and foremen in Training Within Industry methods. The Ministry of Labour feels that the use of the Training Within Industry methods in India may assist in increasing labour ~~productivity~~ productivity.

The memorandum states that the Planning Commission in India has devoted considerable thought to this matter. It has, in the First Five Year Plan, recommended that productivity studies should form a normal activity of the Ministry of Labour. It has further observed that the first step in this direction should be to evolve methods suitable to Indian conditions, and in this connection, drawn attention to the existing deficiencies in the matter of inadequacy of labour and industrial statistics, lack of trained personnel, and absence of scientific approach to the problem of productivity.

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It has endorsed the present programme of the Ministry of Labour in the field of productivity studies with the assistance of I.L.O. experts and has observed that, much of this valuable work will be lost after the departure of the experts unless permanent arrangements are made to carry it on afterwards. The Planning Commission has further suggested that the possibility of extending the studies on productivity and payment ~~of~~ by results should be explored and that a regular programme of productivity studies and Training Within Industry for the next five years should be drawn up. It has recommended that:-

- (i) A sufficient number of officials from the Labour Ministry and employers' and workers' organisations should be trained in Training Within Industry, Productivity Studies, and Systems of Payment by Results for further instructing personnel of industries. Productivity and Training Within Industry schools should be organised.
- (ii) An Advisory Committee, consisting of representatives of employers' organisations and trade Unions, should be set up to advise the Ministry in the field.

As regards the training of personnel in systems of payment by results and productivity studies, two fellowships have already been awarded by the I.L.O. to the nominees of employers' organisations, and it is hoped that six Point-Four fellowships in the field would be available in the current year. The I.L.O. ~~is~~ also likely to make available a few fellowships in productivity studies.

Compensation for involuntary unemployment.- The question of paying compensation for involuntary unemployment during periods of stoppage or closure of factories due to shortage of coal, raw-materials etc., has been under consideration since 1943. There is no adequate legal provision for such payment at present and the practice of paying ~~an~~ compensation on a voluntary basis is also not very common. Even where compensation is paid in pursuance of awards of industrial tribunals, there is considerable divergence in the rates at which it is paid as also in the conditions attached to such payment. The need has, therefore, been felt for evolving some uniform method of paying compensation to workers during periods of involuntary unemployment.

The subject was first discussed at the Indian Labour Conference in September, 1943, as a result of which a voluntary scheme for payment of compensation for involuntary unemployment was formulated. The scheme was again discussed at the Seventh Session of the Indian Labour Conference held in 1945, as a result of which some modifications were introduced in it. The scheme provided that benefits were to be determined in either of two ways - (i) 75 percent of the ordinary rate of pay for the first fortnight of unemployment and 50 per cent ~~of~~ of the ordinary rate of pay for the second fortnight

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of unemployment with possibly a flat rate of benefit for persons drawing lower levels of income; or (ii) a flat rate which would be about 75 per cent of the average of the lower range of wage rates in the undertaking. The duration of benefit was to be one month in each half year, allowing for a waiting period of 7 days. In the case of unemployment lasting for more than 7 days, the benefits to be paid from the first day of unemployment. The conditions imposed were: (i) that the worker must answer the muster roll once a day during the period of unemployment; and (ii) that ~~the~~ he must not refuse alternative employment offered to him. Very few employers gave effect to this scheme.

The subject was again discussed at the first session of the Industrial Committee on Tanneries and Leather Goods Manufactories in December 1948. It was decided that for temporary breakdown or temporary suspension of work, all ~~workers~~ workers who were present would be paid at the rate of 75 per cent of their basic wages along with full dearness allowance for the first week and that after the first week, the company would decide whether they should give the prescribed two weeks' notice under the Standing Orders to terminate the services of the persons concerned or, in anticipation of early resumption of work, continue to employ them on the same basis as during the first week.

The Model Standing Orders framed by the Government of India under the Industrial Employment (Standing Orders) Act, 1946, provide that in case of stoppages of work due to fire, breakdown of machinery etc., the workers ~~will~~ shall be entitled to receive wages, if the period of their detention in the establishment concerned exceeds one hour, for the whole of the time during which they are detained. These Standing Orders also provide that in case of lay-off, the period of lay-off shall be treated as leave with pay to the extent ~~is~~ that leave is admissible and leave without pay for the balance of the period. Where, however, workers are laid off for an indefinite period, their services may be terminated after giving them due notice or pay in lieu of notice.

The Model Standing Orders framed by the Uttar Pradesh Government provide that in similar circumstances the employer may close any machine or department for any period by giving two days' notice, if possible. In the absence of notice, wages shall be payable for two days or for the actual period of closure whichever is less. The workers shall receive wages, if they are detained in the establishment in excess of two hours, for the whole of the period of detention. The employers may, however at any time, close any machine or department for a period, not exceeding six days in any one calendar month, by giving the workers 7 days' notice. If 7 days' notice has not been given, the employer shall pay such amount of compensation to the workers laid off as may be prescribed by the State Government or recommended by a Board of Conciliation or a Tribunal set up by the State Government, provided that no compensation in excess of wages for the actual period of closure shall be

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payable in lieu of notice if the closure lasts for less than seven days. The Model Standing Orders framed by the other State Governments are more or less on the lines of those framed by the Government of India.

The Standing Orders framed by the employers also appear to be more or less a replica of the Model Standing Orders framed either by the Government of India or by the State Governments, but very few concerns provide for compensation for involuntary unemployment. These Standing Orders usually provide that workers will not be entitled to compensation for stoppages of work or closure of factories if the stoppage or closure is due to factors beyond the control of the employer.

The Standing Orders framed by the Madras Port provide for payment of compensation to certain categories of employees during periods of involuntary unemployment.

The question of compensation for involuntary unemployment has been considered in many recent disputes. The adjudicators have usually examined the facts of the case and if the closure or stoppage was due to the fault of the employer they have invariably awarded compensation to the employees. In other circumstances also they have often awarded compensation on grounds of equity and social justice. The rate of compensation and conditions attached to their payment have, however, varied considerably. Most of the adjudicators have considered the schemes of the Government of India as adopted by the Indian Labour Conference and have either adopted it in toto or modified it in the light of particular circumstances. In some cases the adjudicators awarded compensation at a flat rate of 8 annas or 12 annas per day while in others they awarded compensation at the rate of 50 per cent up to 75 per cent of individual earnings of the workers. Some of the adjudicators have directed that in the case of involuntary unemployment, the employees shall be granted leave available to their credit on full pay and allowances and that if such leave is not sufficient to cover the whole period of their unemployment then, for the period not covered by leave, they should be paid at the rate of 75 per cent of their earnings during the first fortnight and at the rate of 50 per cent of the earnings during the second fortnight of the remaining period of unemployment. Most of the adjudicators have limited the period of benefit to 30 days in each half year. They have also attached certain conditions to the payment of compensation like answering the roll-call once a day at the usual place of employment and acceptance of alternative work that may be offered.

Central Legislation for workers in shops and commercial establishments.— Prior to 1939, there was no labour legislation in India to cover persons employed in shops and commercial establishments. Bombay was the first State to enact legislation on the subject, viz., the Bombay Shops and Establishments Act, 1939. It was followed by other States like Bengal, the Punjab, C.P. and Berar, U.P., Madras and Assam, Mysore, Travancore-Cochin, Hyderabad and Madhya Bharat. The State Acts

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generally cover shops and commercial establishments and apply, in the first instance, to certain selected centres, power being ~~given~~ given to State Governments to extend the provisions of the Acts to other concerns and areas. The Acts cover a variety of matters, including hours of work, ~~xxx~~ spreadover, interval and rest periods, overtime, holidays, leave, etc. There is, however, no uniformity as between the various States Acts. The Acts are also limited in scope. Apart from these States Acts, the Weekly Holidays Act, 1942, passed by the Central Government, provides for a weekly holiday for workers in shops, restaurants, theatres, etc., but the Act can come into force in a State, or in a specified area thereof, only if the State Government so directs by notification. There is an I.L.O. Convention regarding hours of work, viz., the Hours of Work (Commerce and Offices) Convention No. 30 of 1930.

The question of having a Central Act to ensure uniformity in all States was considered at the ninth meeting of the Standing Labour Committee held in July 1948. The State Governments were in agreement with the proposal of the Central Government to have a Central legislation, but employers and employees expressed divergent views in respect of the application of the proposed legislation and of some of its details. The ~~xxxxxxx~~ matter could not be proceeded with in view of other more pressing legislative measures. The memorandum compares in detail the provisions of the various State Acts on this subject and the I.L. Convention No. 30 of 1930 and has suggested a draft bill based on conclusions arrived at. The provisions of the Bill are briefly summarised below:-

which

The Bill, extends to the whole of India except the State of Jammu and Kashmir, will apply in the first instance to all municipalities constituted under the State Municipal Acts. The State Government may, after giving three months' notice of its intention of so *doing* ~~desire~~, by notification in the Official Gazette, extend the provisions of the Act or any of them to such other areas as may be ~~specified~~ specified. The Bill applied to shops and commercial establishments. Shop has been defined as any premises where goods are sold either by retail or wholesale or both or where services are rendered to customers, and includes offices, store-rooms, godowns or ware-houses, whether in the same premises or otherwise, used in connection with such trade or business but does not include a commercial establishment or a shop attached to a factory where the persons employed in the shop are allowed the benefits provided for workers under the Factories Act, 1948. Commercial establishment has been defined as a commercial or trading or banking or insurance establishment, an establishment or administrative service in which the persons employed are mainly engaged in office work, hotel, restaurant, boarding or ~~eating~~ eating house, cafe or any other refreshment house, a theatre or any other place of public amusement or entertainment and includes such establishments as the State Government may, by notification in the Official Gazette, declare to be a commercial establishment for the purpose of this Act. The following are exempted

from the Act: Offices under the Central and State Governments and Local authorities; establishments in which only members of employer's family are employed; establishments for the treatment or care of the infirm or the mentally unfit; persons occupying positions of management or employed in a confidential capacity; persons whose work is inherently intermittent, such as travellers; persons directly engaged in preparatory or complementary work such as clearing or forwarding clerks; charity fairs and bazars and non-profit making libraries.

The Bill fixes the hours of work at nine hours per day and 48 hours per week. The maximum limit including overtime is not to exceed 10 hours in a day and the total of hours of overtime is not to exceed 50 for any quarter. Wages for overtime work has been fixed at twice the ordinary rate of wages. A rest interval of at least half an hour after 5 hours of work and a spreadover period of 14 hours is also prescribed.

The Bill provides that the State Governments may, after making an enquiry in the prescribed manner, by general or special order fix the time at which any establishment or class of such establishments shall be opened or closed in any local area.

The Bill grants employees at least one whole day in a week with pay as a holiday for rest. This is without prejudice to the existing practice in establishments which allow one and a half day's rest. It shall not be lawful for an employer to call an employee at, or for an employee to go to, his establishment or any other place for any work in connection with the business of his establishment on a weekly holiday or on a day on which such establishment remains closed. Besides the weekly holiday, annual leave with wages, calculated in the following manner is also allowed: (i) if an adult, one day for every twenty days of work performed by him during the previous period of twelve months subject to a minimum of ten days, and (ii) if a child, one day for every fifteen days of work performed by him during the previous period of twelve months subject to a minimum of fourteen days. Unutilised leave to the extent of 15 days for adults and 20 days for children may be carried forward to the succeeding period. The Bill provides that, in consultation with elected representatives of employees, employers may formulate a scheme for regulation of annual leave in order to ensure continuity of work. During annual leave, an employee shall be paid at a rate equal to the daily average of his total full-time earnings, exclusive of any overtime earnings and bonus, but inclusive of dearness allowance and the cash equivalent of any advantage accruing by the sale, by the employer, of foodgrains and other articles at concessional rates, for the days on which he worked during the months immediately preceding his leave.

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The Bill also extends the provisions of the Payment of Wages Act, 1936, to employees in shops and commercial establishments covered by the Bill.

The Bill prohibits employment of children under 14 years of age in an establishment except as apprentices in specified employments. Women's work is prohibited during night and during a period of six weeks following delivery. The Bill also allows pregnant women the right to absent herself from work six weeks before delivery. The absence of a woman during the period she is entitled to maternity benefit under this Act or, due to illness medically certified to arise out of pregnancy or confinement, shall be treated as authorised absence on leave. Every woman employed in an establishment who has been continuously employed in that establishment or in establishments belonging to the owner of that establishment for a period of not less than six months preceding the date of her delivery shall, be entitled to receive and the employer shall be liable to make to her, a payment of a maternity benefit which shall be prescribed by the State Government for every day during the six weeks immediately preceding and including the day of her delivery and for each day of the six weeks following her delivery.

The Bill also contains provisions relating to registration of establishments, appointment, duties and powers of inspectors, and penal clauses.

A strong trade union movement needed: Mr. Giri's address.— Addressing the opening session of the meeting, Mr. Giri emphasised the importance of building up of a strong trade union movement so as to enable workers to enter into collective bargaining with employers on an equal footing to enforce sanctions when necessary. He also urged employers to avoid retrenchment as far as possible. He said that the conduct of labour-management relations was essentially "an essay in reason and compromise" and asked the parties concerned to bear this fact in mind.

On industrial relations, Mr. Giri said: "My own personal views with which you are all familiar have always been, and still are, that a trade union movement characterized by unity, strength and vitality should be ~~built~~ built up so that it will be able to enter into collective bargaining with employers on an equal footing and with confidence in its inherent power to enforce sanctions when necessary".

Active State intervention, Mr. Giri emphasised, in disputes between labour and management was no more than a mere palliative and cannot produce lasting results, but even palliatives were indispensable in certain circumstances. It was therefore, with an open mind, and despite his own strongly-held convictions, that ~~the~~ he had approached the problem in the hope of finding a solution suited to the times and acceptable to the large majority of the parties concerned in the matter.

The large consensus of opinion at the present juncture was that it was premature to consider any change in the present policy of selective and discretionary compulsory adjudication. It must readily be conceded that at a time when we are only half way through the Five Year Plan and in an economy which is showing signs of depression and has already led to a visible increase in unemployment, there is every justification for pursuing a cautious, and perhaps even conservative, policy in the matter of labour-management relations. Much as we might deplore the postponement of an essentially long-term reform that is inevitable in our trade union movement, we cannot ignore the requirements of the times."

He felt therefore, that it was not possible at the present moment to make any change in the basic policy that now governed labour-management relations. Without prejudice to that policy, efforts would nevertheless, be made to encourage to the maximum possible extent the principle of collective bargaining and mutual settlement of disputes - a principle which had found universal acceptance.

Unemployment.- Referring to the current issue of unemployment in the country, the ~~Minister~~ Minister said that there was no denying the fact that the unemployment problem had caused increasing anxiety for some time past. Employment opportunities had decreased; retrenchments in various fields of employment had been of a sizable order and the number of unemployed had risen. The problem had been receiving the attention of all Governments and of the Planning Commission. The Planning ~~Comm~~ Minister realized that every effort should be made towards intensifying the employment content of the ~~Five Year~~ Plan. Greater employment for less capital would, of course, had to be the principle in the plan to combat unemployment, but the creation of fresh avenues of employment was essentially a long-term project, though, given the will and the resources, a beginning could be made when the problem of unemployment was acute.

Mr. Giri suggested that in an acute unemployment situation, much of the severity of suffering could be softened by employers themselves if they viewed their ~~own~~ own difficulties against a background of sympathy and consideration for their employees. Every attempt should be made to avoid retrenchments as far as possible. Rationalization when absolutely necessary, must be planned before hand in such a way that existing workers were not thrown on the streets without alternative employment. All substantial schemes of rationalization had to be planned well ahead and it should ordinarily be possible for employers to so arrange their programmes as not to give rise to unemployment at the wrong time. In a situation of growing unemployment, it would clearly be unpatriotic on the part of anybody to take any steps that would have the effect of replacing men by machines.

As regards compensation for involuntary unemployment, Mr. Giri said the matter required tackling especially in view of the reported increase in the tendency to lay-off workers in the present context of unemployment. He had been given to understand that the existing provisions in the model standing orders framed by the Government of India and the standing orders framed by employers, ~~which~~ were not satisfactory from the point of view of workers and required to be liberalized. In the absence of statutory provision, disputes relating to matters such as lay-off, retrenchment, etc., clutter up the Industrial Tribunals and result in wastage of much unnecessary effort on the part of all concerned. If all could evolve agreed conclusions here and eventually give them statutory authority, it would have the effect of reducing the volume of industrial litigation between employers and workers.

Mr. Giri also invited the opinions of the conference on the other questions of the agenda, viz., review of tripartite machinery, Central legislation for shops and commercial establishments, uniformity in national and festival holidays in commercial undertakings and I.L.O. productivity studies in India.

Decisions: 1) Tripartite machinery.- The Committee, while expressing general satisfaction about the working of the tripartite machinery made certain suggestions for making it more effective. It was urged that the Government should implement unanimous decisions of tripartite conferences and committees. The Indian Labour Conference and the Standing Labour Committee should meet more frequently. The venue of the meetings should be changed to different industrial centres to enable the members to acquaint themselves with industrial conditions in different parts of the country.

The general consensus of opinion was that the size of the Standing Labour Committee and the Indian Labour Conference should not be increased but if it was found necessary to include representatives of "Part C" States, a proportionate increase in the number of representatives of both labour and management would be essential.

2) Uniform standards of festival and national holidays in commercial undertakings.- With regard to the question of uniform standards of paid national and festival holidays in private industrial undertakings, the committee postponed consideration of the subject in view of the opinions expressed at the meeting.

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3) Productivity studies and programmes.- As regards the productivity studies and programmes of the Labour Ministry, employers' representatives welcomed the action taken in inviting a team of productivity experts as also the proposal to set up a National Productivity Centre. They expressed their willingness to contribute their share towards the cost of the Centre. The workers' representatives also favoured the scheme provided the productivity studies were carried out in consultation with workers' organisations and the experts confined their activities to the carrying out of studies and formulation of recommendations, leaving the implementation of their proposals to the parties concerned.

4) Involuntary unemployment.- On this subject the Standing Labour Committee adopted an agreed 14-point formula for the payment of compensation for involuntary unemployment. According to the agreement compensation to the extent of 50 per cent of the basic wage and dearness allowance would be payable to workers during the period of involuntary unemployment, the duration of such benefit being restricted to 45 days in a year.

The committee decided that when once legislation was enacted, no matter relating to a lay-off would be referable to conciliation or adjudication and legislation for this purpose should be introduced by the Central Government without delay which should be binding upon all States.

The agreement was conditional upon the same benefits being extended to workers in the public sector.

The benefit of compensation for involuntary unemployment would be payable to permanent workers who had completed one year's continuous service and to whom alternative employment was not provided by employers. Workers would be expected to answer the roll-call at least once a day and would not be entitled to compensation if they accepted employment elsewhere during the period of the lay-off.

These benefits would not apply to factories employing less than 50 workers or to badli labour or to "seasonal" factories or to factories doing intermittent type of work. According to the agreement if unemployment was caused in any department on account of a strike or "slow down in another department, no compensation would be payable".

Summary

5) Central shops legislation.- The committee examined the question of having a central legislation for shops and commercial establishments. The workers' representatives were in favour of central legislation but the employers desired that special consultation might be undertaken with those who would be actually affected by it as they were not present at the meeting. In view, however, of similar legislation already existing in certain States, it was decided that if the State legislation conformed to the standards prescribed in the Central law in all important respects, it would not be necessary to apply the Central law to that State but where the State Act did not conform to those standards, the State must either amend ~~its~~ its law to bring it up to those standards or come under Central law.

(Memoranda on the items of the agenda, prepared by the Ministry of Labour, Government of India, has been sent to Geneva under this Office Minute No. B.1/1862/53 ~~is~~ dated 30 July 1953).

(Memoranda on the items of the agenda, received in this Office.
The Statesman, 26 and 27 July 1953).

Measures to meet Unemployment: All India Congress Committee urges Revision of Five Year Plan.

The All-India Congress Committee met at Agra on 6 and 7 July 1953 under the chairmanship of Mr. Jawaharlal Nehru, the President of the Indian National Congress. Among others matters, the Committee adopted a number of resolutions on foreign policy, social and economic programme and on unemployment.

The resolution on social and economic programme urged that the "pace of progress must be quickened, more specially in regard to land reform and industrial growth". It urged that State Governments should take immediate steps in regard to the collection of the requisite land data and the fixation of ceilings on land holdings with a view to redistributing the land as far as possible among landless labourers. The resolution said that "every effort should be made to add to the volume of investment for developmental purposes. With this end in view, small savings schemes as well as other methods of savings should be encouraged and wherever possible, compulsory savings should be progressively introduced. A system of State Insurance should be extended to rural areas and credit facilities for production purposes should be provided on an adequate scale, more especially through co-operatives.

The machinery of administration and in particular, the services should be reorganised with a view to dealing effectively with the problems connected with the establishment of a Welfare State.

Economic progress is intimately connected with the social structure, and social reform, therefore, should be given priority. The ~~paragra~~ passage of the various parts of the Hindu Code Bill should be expedited."

The resolution on unemployment said that, in view of the growing unemployment, "the Five Year Plan" required to be re-examined with a view to its expansion and specially in the directions that would lead to an increase in employment. The State must also accept "an increasingly active and positive role in the development of industries and a larger degree of responsibility in regard to cottage and small-scale ~~industries~~ industries, by ~~maintaining~~ developing particular lines of production and channels of distribution, and in providing technical, financial and other assistance. The success of cottage and small-scale industries depends upon constant improvements in the skill of the workers and the techniques of manufactures.

Facilities for training should, therefore, be provided especially in rural areas for this purpose. The success of small-scale industries depends upon the adoption of the co-operative ~~societies~~ method. Co-operative societies should, therefore, be organised for cottage and small-scale industries.

Where unemployment becomes aggravated owing to special circumstances, the State should undertake programmes of work including public works of different kinds in order to give relief and greater purchasing power to the people." The resolution also urged that as the quality and kind of education is not well adapted to the present requirements, the educational system should be re-organised and that the admission to the public services should depend on special tests of merit and not merely on the possession of degrees.

(The Hindu, 7 and 8 July, 1953).

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Delhi: Portfolios of Ministers Redistributed.

Certain changes in the Ministry of Delhi State and redistributing of portfolios have taken place recently, consequent upon the death of Mr. S.R. Kidwai. Two new Deputy Ministers, Miss Shanta Vasisht and Mr. Shiv Charan Gupta have been appointed.

In the redistribution of portfolios, Miss Shanta Vasisht has been given charge of jails, revenues, industries and labour, education, planning and development.

(The Hindustan Times, 12 July 1953).

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25. Wage-Earners' Organisations.

India - July 1953.

Working of the Indian Trade Unions Act in
Madras during 1951-1952.

Number of unions.- According to the report on the working of the Indian Trade Unions Act, 1926, in the State of Madras during the year ending 31 March 1952, there were 579 unions on the register at the beginning of the year. One hundred and eighty-one unions were registered under the Act and the cancellation of ~~140~~ ~~xxxxxxx~~ registration pertaining to 13 unions was received during the year. The registration of 140 unions was cancelled during the year. The total number of unions registered since the commencement of the Act on 1 June 1927 to 31 March 1952 was 1,429 of which 633 were on the registers at the end of the the year under report.

Three hundred and ~~six~~ seventy unions out of 633 unions submitted the returns. The registration of eight unions was cancelled and two unions were amalgamated after 31 March 1952.

Membership.- The total membership of the registered unions at the end of the year was 189,491 as against 174,608 for the previous year.

Agricultural unions.- The number of agricultural unions at the end of the year was eight. Only six unions submitted the returns for 1951-52. The total number of members of these unions at the end of the year was 1,458.

Assets.- The balance at the General Fund at the end of the year was 624,934 rupees as against 433,225 rupees in the previous year.

The concession of ~~the~~ free official audit has been withdrawn by the Government from the accounting year 1951-52.

(The report on the working of the Act for the year 1950-51 was summarised at page 5 of the report of this Office for December 1951).

(The Government of Madras Development Department G.O. No. 3549, dated 13 August 1952).

28. Employers' Organisations.

India - July 1953.

Twentieth Annual Session of the All-India
Organisation of Industrial Employers,
Ahmedabad, 17 July 1953: Presidential
Address: Concern over increasing Unemployment.

The twentieth annual session of the All-India Organisation of Industrial Employers was held at Ahmedabad on 17 July 1953, Mr. Mohanlal L. Shah presiding. Mr. Morarji Desai, Chief Minister, Bombay, inaugurated the session.

Presidential address: Concern over unemployment.-
Delivering the presidential address Mr. Shah said that every measure must be taken to tackle the "grave problem of unemployment speedily and effectively". He added that ~~the~~ unemployment in the country which was "on a scale larger than in recent years" was fraught with "serious social and economic consequences".

Giving a broad picture of the economic condition in the country Mr. Shah said that it was one in which investment on sufficient scale to meet the requirements of the country was ~~not~~ "not still forthcoming". And at the same time there were "grave portents of increasing unemployment". The number of registrations with employment exchanges, which in itself gave only a partial picture, increased from 1.375 million in 1951 to 1.477 million in 1952. At the same time the number of vacancies notified to the employment exchanges fell from 0.486 million to 0.429 million. The number of persons placed in employment during the year by the employment exchanges also declined from 0.417 million in 1951 to 0.358 million in 1952. He said: ~~xxxxxxx~~ ~~xx~~ "The human hardship involved in unemployment, the sense of frustration which it generates and the bitterness it creates in the minds of able-bodied persons have grievous results which a democratic society cannot afford to permit".

The Five-Year Plan, Mr. Shah said, no doubt referred to this "vast and complex question of unemployment but the solution that it offered was at best a palliative". As against the estimated working population of 13.3 million additional employment of 5 million only at the end of the Five Year Plan was envisaged and that would be mostly in agricultural and cottage industries. The "real solution" could come only when the industrial economy of the country became able to absorb the surplus population from the rural areas and provide them with productive employment, he added.

Suggesting measures for solution of the unemployment problem Mr. Shah said that as a "short-term measure" it could not be denied that the cottage and small-scale industries had to be "invigorated" in order to solve unemployment in the country. In offering employment the cottage and small-scale industries in the country had an "important part" to play provided modern methods of working were adopted and they functioned as economic units. But the Government's policies should generally be geared to the "creation of additional employment" by direct encouragement to indigenous industries by such means as suitable import policy, Mr. Shah said. At present India was importing a number of items the production facilities for which existed in adequate quantities in the country or the items which could be manufactured with internal resources. "What one must realize is that by importing articles which can as well be manufactured here, we are reducing to that extent opportunities for employment", he said.

Mr. Shah said that the import policy of the Government, which was largely governed by balance of payments consideration, should be reoriented to increase the scope for employment. The import policy should help maintain and increase indigenous production as well as the starting of new lines of production.

The purchase policy of the Government was also a major factor in encouraging or hampering indigenous production. In the matter of extending preference to indigenous products the Government of India might take a lesson from the U.S. Government which under the "Buy American Act" could not buy goods from foreign sources unless the price after the customs duties was at least 25 per cent below the domestic price, he said.

Industrial relations.- Welcoming the Union Labour Minister, Mr. V.V. Giri's "insistence" that conciliation and direct negotiations were better foundations of employer-employee relations than compulsory adjudication, Mr. Shah said that the All-India Organisation of Industrial Employers had always held that it was necessary to revise the Industrial Disputes Act, 1947, to have a unified policy. The present legislation relating to industrial disputes in the country was characterized by "lack of uniformity" and had resulted in "considerable embarrassment and confusion".

The employers, he pointed out, were as keen as anybody else to foster the growth of healthy trade unionism in the country and that they believed that responsible trade unionism could be evolved only through direct negotiations and conciliation.

Retrenchment.- Referring to retrenchment and lay-offs in different industries, Mr. Shah said though he had no desire "to gloss over the real hardship" to individual workers involved in the process, he could not but feel that alterations in the labour force was an "essential feature of a dynamic industrial economy". It was not retrenchment that caused hardship but it was the inability of such a person to find within a reasonable time an alternative employment, he added.

An overall policy which made for an "expansive outlook in the industrial field generally" rather than the "detailed and rigid ~~provision~~ provisions to protect the immediate interests" of the retrenched personnel should form the basis of the Governmental policy in regard to rationalisation and retrenchment, he said.

Another question "closely linked" with that of retrenchment was the liability of the employer to pay compensation for involuntary unemployment arising out of temporary stoppage or reduction of work due to shortage of coal, power and raw materials or over production. It was not fair to ask the employer to pay under such circumstances when ~~the~~ he was unable to get any work from his employees and where the cause for such a state of affairs was completely beyond his control, he added.

Mr. Shah hoped that in the comprehensive labour legislation now being contemplated such an anomalous position in which a State Government could reverse the decision of the Labour Appellate Tribunal would not be allowed to continue.

Proposals for legislation.- As regards the proposed Union legislation about fair wages, Mr. Shah said that even at the present level of wages the industries were finding it difficult in many cases to retain the present labour force and the necessity to rationalise had arisen. Under such conditions any legislation pertaining to fair wages at this juncture might tend to raise hopes which were ~~and~~ not capable of being fulfilled and thus contribute to misunderstanding.

He appealed to the Union Government to take due note of the various suggestions made by the All-India Organisation of Industrial Employers in respect of the proposed amendments to the Workmen's Compensation Act and to the Factories Act.

Social insurance scheme.- While pleading for efficiency and economy in the administration of the Employees' State Insurance Scheme, Mr. Shah said that the State Government should be persuaded to pay their share of expenditure which in no circumstances should be less than one-third of the cost of medical benefits.

Delegations to I.L.O. Conferences.- Mr. Shah said that in view of the active interest that India had been taking in the work of the International Labour Organisation it was desirable that they were adequately represented at the international conferences held under the auspices of the ILO. He, therefore, deprecated a consistent trend towards reducing the size of the delegations attending the international labour conferences. Conceding that the Government had to consider the matter in terms of economy Mr. Shah said that an undue restriction on the size of delegations was a case of false economy.

(Text of the Presidential Address of Shri Mohanlal L. Shah at the Twentieth Annual Session of the All-India Organisation of Industrial Employers held on Friday the 17th July, 1953, at Ahmedabad).

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29. International Co-operation.

India - July 1953.

U.S. Technical Assistance to India: Two Project Agreements signed.

Representatives of the Government of India and the U.S.A. signed two Project Agreements under the Indo-U.S. Technical Co-operation Programme for 1952-53 was signed at New Delhi on 25 June 1953.

Mining of lignite.- The first agreement provides for the supply of equipment for lignite excavation in South India. The purpose of the Project is to determine the economic feasibility of the recovery and processing of lignite in South Arcot district. The joint cost of this Project is estimated at \$ 250,000 and 2.5 million rupees. The experimental mining operation will make possible the recovery of about 16,000 tons of lignite which will be available for test purposes and actual consumption in plants having facilities for burning the raw lignite. A study of market conditions, fuel requirements of various users and other data relating to the sale, distribution and utilisation of the lignite will be conducted during the period of the experimental pit excavation. This information will be used as a basis for planning the full-scale mining of the lignite deposit.

Erection of pulp and paper plant.- Under the second agreement, it is proposed to acquire certain items of additional equipment for the completion of the pilot plant of the cellulose and paper branch of the Forest Research Institute, Dehra Dun, the construction of which is already under way. The total estimated joint cost of the project for the fiscal year 1953-54 is \$ 210,000 and 320,000 rupees. The completion of the pilot plant will enable the cellulose and paper branch of the Institute to conduct experimentation, demonstrations and pilot operations on the production of pulps and paper from a wide variety of indigenous raw materials. The pulps and paper plant will also serve as a regional centre for research and training for nationals from other countries. The Technical Co-operation Administration will arrange for the engineering services in connection with the erection of the plant as well as for specialists required and requested from outside India under this Project.

(The Hindu, 26 June, 1953).

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U.N. Aid to Ceylon during 1952-1953 Valued at
3 Million Rupees: Ceylon's Contribution
totalled 75,000 Rupees.

U.N. Technical Assistance to Ceylon in 1952-53 was valued at 3 million rupees while Ceylon's contribution to the U.N. Technical Assistance Fund was only 75,000 rupees according to Dr. J.P. Banner, Resident Representative of the U.N. Technical Assistance Administration in Colombo.

Ceylon enjoyed the benefits of the U.N. without being a member. That was possible because the Island was a member of the U.N. agencies like I.L.O., W.H.O., F.A.O. and U.N.E.S.C.O.

At the moment, there were 48 U.N. experts in Ceylon and 20 Ceylonese trainees has so far been sent abroad under U.N. auspices.

(The Hindustan Times, 17 July, 1953).

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32. Public Finance and Fiscal Policy.

India - July 1953.

Sterling Balances: India signs Pact with United Kingdom.

A financial agreement relating to the release of India's sterling balances was signed in New Delhi on 20 July 1953 by the Finance Minister, Mr. C.D. Deshmukh, on behalf of the Government of India, and by Mr. G.H. Middleton, acting U.K. High Commissioner, on behalf of his Government.

The agreement which remains in force up to 30 June 1957, consolidates all provisions of the exchanges of letters between the two Governments which are currently in force. There is no modification of the agreed arrangements for releases from sterling balances. The change is only one of form and not of substance.

The first Indo-U.K. financial agreement on sterling balances was signed on August 1947. Originally in ~~force~~ force for the six months ended December 1947, this agreement was modified and extended from time to time by letters exchanged between the two Governments. It was eventually extended for a period of six years ending 30 June 1957, by exchange of letters on 8 February 1952, between the Indian Finance Minister and the Chancellor of the British Exchequer.

Under the present arrangement, the Government of the U.K. has agreed to release annually up to 35 million pounds from India's sterling balances for six years beginning 1 July 1951.

The U.K. Government transferred towards the end of 1951 an amount of 310 million pounds from Account No.2 (or blocked account) to Account No.1 (or current account). This amount is to be used as a currency reserve, to be drawn upon only in an emergency, and in consultation with the British Government.

At the end of the six-year period, any amount left in the blocked account will be automatically transferred to the current account.

Before the transfer of power in June 1946, undivided India's sterling balances amounted to 16,330 million rupees. The total amount drawn since then, including transfers to Pakistan as her share of assets and to the Government of the U.K. in payment of defence stores and pensionary annuity, was 9,230 million rupees and the present balance to divided India's credit stands at 7,110 million rupees.

(The Hindustan Times, 21 July, 1953).

36. Wages.

India - July 1953.

Travancore-Cochin: Industrial Tribunal fixes Minimum Wages for Employment in Tile Factories.

The Government of Travancore-Cochin published on 23 June 1953 the award of the Industrial Tribunal, Alleppey, in the dispute between the managements of 14 tile factories in Quilon and the workers employed in the factories. The matters in dispute covered inter alia minimum wages and dearness allowance, bonus, compensation for involuntary unemployment, leave privileges, provident fund, gratuity, etc.

The tile industry is one of the major industries in the State of Travancore-Cochin and it is concentrated in Quilon, Alwaye and Trichur areas. Quilon is the leading centre and next to cashewnut industry, it is the largest employer in the area. A brief summary is given below of the decisions of the Tribunal on the various issues referred to it.

Minimum wages and dearness allowance.- The existing emoluments of workers in tile factories varied from one rupee six annas per day to one rupee 10 annas per day. In certain units the dearness allowance was considered as one rupee and the rest as wages. After hearing the representatives of the employers and the workers the Tribunal has fixed the minimum basic wage of adult male workers at ten annas per day and has ~~directed~~ directed that employers should pay dearness allowance calculated on the Quilon cost of living index at the rate of one annas and ten pies per point above 100 points. As regards the quantum of bonus to be paid to the workers the Tribunal held that all employers except two should pay a bonus equal to nine per cent of the total earnings for the year. The two employers exempted above have been ordered to pay bonus at the rate of 8 1/3 per cent of the total earnings as they have been paying the highest wage in the industry.

Compensation for involuntary unemployment.- The Tribunal is of opinion that the question of compensation for involuntary unemployment has to be decided on its merits when it arises.

Provident fund.- The Tribunal has recommended that the provisions of the Employees' Provident Funds Act, 1952, should be extended to the tile industry as early as possible as the workers deserve such benefits.

Gratuity.- The Tribunal has formulated a scheme of gratuity for the tile factories concerned in the dispute. The Tribunal has decided that on the death of an employee while in service or on his becoming physically or mentally incapable of further service a gratuity should be paid to his legal heirs at the rate of half month's basic wage for each year of continuous service subject to a maximum of 12 months' basic wages. The same rate of gratuity has been fixed if a worker voluntarily retires or resigns after 15 years service or if his services are terminated.

Minimum work load.- The Tribunal held that so long as the minimum basic wage is fixed, the minimum workload in a double die press should be 3000 tiles per day. Applying the same formula ~~the workload in a~~ single die press should manufacture 2400 tiles per day.

(Travancore-Cochin Gazette, Part I, 23 June 1953, pp. 1274-1280).

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39. International Economic Relations.

India - July 1953.

Indo-Burmese Trade Pact modified: More Commodities to be exchanged.

The range of Indian exports to Burma was widened under an exchange of letters signed between the two countries in New Delhi on 3 July 1953, codifying the five-year Indo-Burmese trade agreement ~~1951~~ of 1951.

Additions have now been made to the list of commodities to be exported from India to Burma, and India has agreed to make increased supplies of a number of commodities during the next six months, notably iron and steel.

An understanding has also been reached about future purchase of rice by India from Burma.

The existing trade agreement between India and Burma was signed in September 1951. It consists of three parts, under the first part, which was valid from 1 May to 31 December 1951, the Government of Burma agreed to supply ~~2.45 million tons of rice to India~~ 0.245 million tons of rice to India, and the Government of India in turn fixed certain quantities of gunny bags, groundnut oil, cotton yarn and galvanized iron sheets to Burma.

Part two of the agreement, covering the period from 1 January 1952, to 31 December 1955, provided for an annual export from Burma of 350,000 tons of rice to India, 230,000 tons of it on a Government-to-Government basis. It also provided for Indian exports to Burma of gunny bags, groundnut oil, cotton yarn and iron and steel products.

Under part three, the two Governments agreed to hold periodical consultations with each other in respect of any trade matter during the currency of the agreement. Under the schedule of the agreement, Burma has undertaken to permit, during the five-year period, the export to India of gram and pulses, seed potatoes, lead and teak-wood. India has similarly undertaken to permit the export to Burma of cotton piecegoods, hosieries, rayon piecegoods manufactures of coir, leather and of rubber, electric goods, chemicals, coal and coke, paper and paper manufactures, tea, spices and toilet requisites, fish, fruit and vegetables provisions and oilman's stores, tobacco and miscellaneous items.

India Unfavourable balance.- India has generally had an unfavourable balance of trade with Burma, except for the years 1949-50 and 1950-51 when the balance was favourable to India to the extent of 18.0 million rupees and 35.6 million rupees respectively. In the three years preceding the second world war India's

unfavourable balance was more than 140 million rupees a year, and in 1948-49 it was 250 million rupees. This was due to the predominant position occupied by India as a consumer of rice, mineral oils, teak and other Burmese exports.

In the two years 1951-52 and 1952-53, which followed the signing of the existing Trade Agreement, the volume of trade between the two countries has increased to 428.9 million rupees and 484.6 million rupees respectively, from about 300 million rupees before the agreement.

In the first year India's imports from Burma were valued at 233.4 million rupees and exports to that country at 195.5 million rupees leaving a favourable balance for Burma of 37.9 million rupees. In 1952-53, India's exports to Burma were valued at 220.3 million rupees and imports from Burma at 264.3 million rupees, the balance of 44.0 million rupees being in Burma's favour.

The pattern of trade between India and Burma has changed during the post-war years. Indian exports of butter, glue, coconuts, sugar and salt, which were among the main items in the pre-war Indo-Burmese trade, have completely disappeared in the post-war years. Supplies of cotton piecegoods and cotton twist and yarn to Burma have also dwindled. The entire needs of the Burmese in handloom loongis were being imported from India but this item has also disappeared from 1949, as has sugar, in supplying which Formosa has taken India's place. Burma used to import most of the salt she needed from India, but has now become self-sufficient in it.

As far as Burmese exports to India are concerned, in the pre-war years India used to import on an average 2 million tons of rice from Burma and this has fallen now to less than 350,000 tons. India now hardly imports any rubber or lead from Burma, which she imported in large quantities before the war. In respect of teakwood, however, the trade has more or less been maintained.

(The Statesman, 4 July 1953).

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Import Relations On Tobacco: Indian Trade Agreement with Ceylon.

A trade agreement between India and Ceylon was concluded on 15 July 1953 at New Delhi.

Under the agreement India will facilitate the import of 2,500 candies (1,500,000 lbs) of Jaffna tobacco a year for the next four years, with import duty at 12 annas per lb. or 450 rupees per candy. At present certain quantities of Jaffna tobacco on a progressively declining scale are being allowed to be imported into India at a concessional rate of duty of 8 annas per lb. while the standard duty on the rest is over 9 rupees per lb.

During the four-year period Ceylon has agreed to allow the import of beedies (indigenous cigarettes) into Ceylon on the Open General Licence and there will be no increase in the effective rate of import duty. Ceylon has also agreed to reduce the import duty on handloom towels and towelling to the lowest rates applicable for mill-made towels and towelling and to facilitate increased import of Indian tobacco into Ceylon.

(The Statesman, 16 July 1953).

Indo-Swedish Trade Pact extended.

THE Indo-Swedish trade agreement which expired on 31 December 1952, has been extended for a further period of two years ending 31 December 1954, by exchange of letters between the two Governments.

According to the agreement the ~~principal~~ principal items of export from India are spices, manganese ore, jute manufactures, coir manufactures, vegetable oils, lac, mica, tobacco and hides and skins.

The chief items of import from Sweden are newsprint paper and its products, staple fibre, machinery, metals and ores, hardware, pulp of wood, wood and chemicals.

The letters exchanged provide that Sweden will continue to be treated as a soft currency country unless it is necessary to alter that position for general balance of payments reasons and that the trade between the two countries will be governed by the normal import and export regulations. They also provide for technical assistance to India.

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The Swedish Government has confirmed that the import liberalization granted to members of the organisation for European Economic Co-operation will continue to be extended to imports from India.

Imports from Sweden during the year ended 31 March 1953, amounted to 56.6 million rupees and exports to Sweden 18.0 million rupees.

(The Statesman, 1 July 1953).

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

INDIA - JULY 1953.

41. Agriculture.

The Madhya Pradesh Bhudan Yagna Act, 1953
(Act No. XV of 1953).

The Madhya Pradesh Bhudan Yagna Bill (vide page 37 of the report of this Office for March 1953) as passed by the Madhya Pradesh Legislature received the assent of the President on 29 June 1953 and has been gazetted as Madhya Pradesh Act No. XV of 1953. The Act simplifies the mode of transfer of lands denoted under bhudan scheme (land gift movement) initiated by Acharya Vinobha Bhave, provides for the constitution of a bhudan yagna board and prescribes the procedure for the donation of lands to the Board and the distribution of lands received in donation to landless persons.

(The Madhya Pradesh Gazette, Part IVB,
3 July 1953, pp. 202-210).

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CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

INDIA - JULY 1953.

50. General.

Coorg: Employment, Wages and Hours of Work of Industrial Labour in Coorg.

Under the provisions of the Industrial Statistics (Labour) Rules, the Government of Coorg has collected statistics relating to employment, wages, hours, etc., of labour employed in factories and plantations situated in the State for the quarters ending 30 June and 30 September, 1952. Certain statistical data compiled in the Labour Bureau on the basis of the consolidated statements furnished by the State Government are given below.

Factories.- The Industrial Statistics (Labour) Rules cover all factories subject to Section 2(m) of the Factories Act, 1948. There were in the State 10 such factories working during the quarter ending 30 June 1952. Of these 9 submitted the prescribed returns. The registration of one of the factories was subsequently cancelled and returns were due only from 9 factories for the quarter ending 30 September 1952. Of these 7 submitted the prescribed returns. Most of the factories were engaged in rice and flour milling. The rest of them were tea, coffee and rubber factories. The following table shows the average daily number of men, women and children employed in factories during the second and third quarters of 1952. The figures include the latest available information on employment in respect of factories not submitting returns.

| | Quarter ending 30 June 1952. | Quarter ending 30 September, 1952. |
|---------------|---------------------------------|--|
| Men ----- | 116 | 114 |
| Women ----- | 109 | 82 |
| Children----- | - | - |
| Total. | 225 | 196 |

Earnings and Hours of Work.- The following table shows the average earnings and hours of work of workers employed in factories in June 1952 and September 1952:-

| | Average monthly cash earnings. | | | Average daily cash earnings. | | | Average hourly cash earnings. | | | Average daily number of hours worked. |
|-----------------|--------------------------------|----|----|------------------------------|----|----|-------------------------------|----|----|---------------------------------------|
| | Rs. | A. | P. | Rs. | A. | P. | Rs. | A. | P. | |
| Men | | | | | | | | | | |
| June 1952.... | 59 | 11 | 10 | 2 | 14 | 11 | 0 | 5 | 9 | 8.1 |
| September 1952. | 71 | 3 | 8 | 3 | 5 | 3 | 0 | 6 | 8 | 8.0 |
| Women | | | | | | | | | | |
| June 1952.... | 24 | 9 | 1 | 1 | 0 | 4 | 0 | 2 | 1 | 7.9 |
| September 1952. | 34 | 7 | 11 | 1 | 8 | 9 | 0 | 3 | 2 | 7.9 |
| All workers | | | | | | | | | | |
| June 1952.... | 42 | 4 | 5 | 1 | 14 | 5 | 0 | 3 | 9 | 8.0 |
| September 1952. | 60 | 2 | 8 | 2 | 12 | 5 | 0 | 5 | 7 | 8.0 |

The average monthly cash earnings of 42 rupees 4 annas and 5 pies received by the workers in June 1952, were composed of 24 rupees 11 annas and 10 pies or 58.5 per cent received as basic wages, 13 rupees 10 annas or 32.2 per cent as dearness allowance, 7 annas and 7 pies or 1.1 per cent as overtime payments and 3 rupees 7 annas or 8.2 per cent by way of other cash allowances. In September 1952, basic wages accounted for 34 rupees 14 annas and 3 pies or 58.0 per cent of the cash earnings, dearness allowance for 19 rupees 9 annas and 6 pies or 32.6 per cent, overtime payments for 1 anna and 3 pies or 0.1 per cent and other payments for 5 rupees 9 annas and 8 pies or 9.3 per cent. No concessions in kind were reported.

No factory worked more than one shift. The duration of the normal working day was less than 8 hours in every case.

Absenteeism and involuntary unemployment.- The following table shows the percentages of absenteeism and involuntary unemployment among factory labour in Coorg:-

| Month | Percentage of absenteeism | | | | Percentage of involuntary unemployment. |
|----------------|---------------------------|----------|---------------|-------|---|
| | Sickness | Accident | Other causes. | Total | |
| April 1952.... | 0.3 | - | 3.7 | 4.0 | 1.0 |
| May " | 1.2 | - | 3.3 | 4.5 | 5.7 |
| June " | 0.5 | - | 1.6 | 2.1 | 6.8 |
| July " | 1.1 | - | 1.6 | 2.7 | 6.6 |
| August " | 0.8 | - | 1.8 | 2.6 | 6.8 |
| September "... | 1.6 | - | 4.4 | 6.0 | 9.2 |

The percentage of absenteeism has been calculated by expressing the number of man-shifts lost on account of absence as a percentage of the total ~~man~~ number of man-shifts worked plus the number of man-shifts lost on account of absence. The percentage of involuntary unemployment is similarly obtained by expressing the number of man-shifts lost on account of involuntary unemployment as a percentage of the total number of man-shifts worked plus the number of man-shifts lost on account of involuntary unemployment.

Plantations.— The Industrial Statistics (Labour) Rules cover all plantations growing tea, coffee, rubber or cinchona and employing 20 workers or more. In Coorg there were 261 such plantations during the quarter ending 30 June 1952. The number of such estates came down to 238 during the subsequent quarter. Returns prescribed under the Rules were received from 228 estates for the quarter ending 30 June and from 212 estates for the quarter ending 30 September.

The plantations in Coorg were mostly coffee plantations. There were also a few tea and rubber plantations. It has been reported that some of the plantations in Coorg grow, besides tea, coffee or rubber, other crops such as oranges, cardamom, etc., not covered by the Rules. The labour employed on these crops could not, however, be separated out. Hence the figures of employment given below include to a certain extent labour employed on crops such as oranges, etc. grown in mixed estates. The following table shows the average daily employment in plantations in the tea, coffee and rubber plantations in Coorg. The figures include the latest available information relating to plantations not submitting returns.

| | Quarter ending 30 June 1952. | Quarter ending 30 September 1952. |
|----------------|---------------------------------|--------------------------------------|
| Garden Labour | | |
| Men ----- | 8,402 | 10,424 |
| Women----- | 6,674 | 8,141 |
| Minors----- | 1,642 | 2,045 |
| Outside Labour | | |
| Men ----- | 314 | 268 |
| Women----- | 174 | 270 |
| Minors----- | 5 | 8 |
| Total. | <u>17,211</u> | <u>21,156</u> |

The increase in employment in the quarter ending 30 September 1952 as compared with the previous quarter despite a decrease in the number of plantations working is presumably due to the seasonal nature of the occupations in plantations.

Earnings.- The following table shows the average earnings of workers employed in plantations in June 1952 and September 1952.

| | Average monthly cash earnings | | | | | | Average daily cash earnings | | | | | |
|----------------------|-------------------------------|----|----|----------------|----|----|-----------------------------|----|----|----------------|----|----|
| | Garden labour | | | Outside labour | | | Garden labour | | | Outside labour | | |
| | Rs. | A. | P. | Rs. | A. | P. | Rs. | A. | P. | Rs. | A. | P. |
| Men | | | | | | | | | | | | |
| June 1952 ----- | 29 | 10 | 7 | 50 | 7 | 7 | 1 | 3 | 6 | 1 | 12 | 1 |
| September 1952----- | 31 | 1 | 10 | 39 | 11 | 8 | 1 | 4 | 0 | 1 | 11 | 0 |
| Women | | | | | | | | | | | | |
| June 1952 ----- | 22 | 5 | 1 | 24 | 11 | 1 | 0 | 15 | 0 | 0 | 14 | 4 |
| September 1952 ----- | 23 | 0 | 2 | 23 | 5 | 6 | 0 | 14 | 5 | 0 | 14 | 7 |
| Minors | | | | | | | | | | | | |
| June 1952 ----- | 15 | 2 | 0 | 19 | 5 | 4 | 0 | 10 | 2 | 0 | 9 | 4 |
| September 1952----- | 15 | 11 | 6 | 14 | 6 | 4 | 0 | 9 | 9 | 0 | 8 | 11 |
| All workers | | | | | | | | | | | | |
| June 1952 ----- | 25 | 5 | 3 | 43 | 15 | 7 | 1 | 0 | 10 | 1 | 8 | 11 |
| September 1952----- | 26 | 5 | 4 | 32 | 6 | 11 | 1 | 0 | 8 | 1 | 5 | 3 |

In June 1952 basic wages and dearness allowance accounted for 12 rupees 3 annas and 5 pies and 12 rupees 13 annas and 4 pies respectively in the case of garden labour and for 41 rupees 10 annas and 11 pies and 2 rupees 3 annas and 1 pie respectively in the case of outside labour. The rest of the earnings were accounted for by over-time and other payments. In September 1952 basic wages and dearness allowance accounted for 12 rupees 9 annas and 11 pies and 13 rupees 4 annas and 10 pies respectively in the garden case of garden labour and for 27 rupees 13 annas and 3 pies and 4 rupees 8 annas and 7 pies respectively in the case of outside labour.

In addition to the cash earnings a few garden labourers were in receipt of concessions in kind, the average money value of which per worker per month was negligible.

Hours of work.- The normal daily hours of work in most of the estates varied from 8 to 10. In June 1952, 44 estates employing 1,778 workers were reported to be working 6 to 8 hours a day while 183 estates employing 17,382 workers were working 8 to 10 hours a day. In September 1952, 33 estates employing 1,568 workers were reported to be working 6 to 8 hours a day while 179 estates employing 18,974 workers were working 8 to 10 hours a day.

Absenteeism.- The table given below shows the percentage of absenteeism among plantation workers in Coorg.

| | Sickness | Accident | Other causes | Total |
|------------------------|----------|----------|--------------|-------|
| Garden Labour- | | | | |
| 1952 | | | | |
| April ----- | 2.4 | 0.4 | 38.0 | 40.8 |
| May ----- | 2.1 | 0.02 | 23.3 | 25.4 |
| June ----- | 2.0 | 0.01 | 20.1 | 22.1 |
| July ----- | 1.9 | 0.003 | 19.5 | 21.4 |
| August ----- | 1.9 | 0.002 | 19.9 | 21.8 |
| September ----- | 1.5 | 0.01 | 17.7 | 19.2 |
| Outside Labour- | | | | |
| 1952 | | | | |
| April ----- | 1.5 | - | 20.3 | 21.8 |
| May ----- | 0.5 | - | 18.7 | 19.2 |
| June ----- | 0.3 | - | 21.7 | 22.0 |
| July ----- | 0.1 | - | 15.4 | 15.5 |
| August ----- | 0.1 | - | 15.2 | 15.3 |
| September ----- | 0.1 | - | 9.3 | 9.4 |

The percentages of absenteeism have been calculated in the same way as in the case of factories.

(Indian Labour Gazette, May 1953, pp.937-941).

Workload Fixed for Textile Labour in Madhya Bharat.

After a long controversy ranging over several years, standardization of workload for textile workers has now been introduced in Madhya Bharat. This has been done under the award of what is known as the Textile Mill Enquiry Committee, to which the dispute was referred under private submission by both the parties. The work-load, as well as the duties of the workers in different occupations, has been determined by this Committee, for the spinning and weaving departments.

The award has laid down the manner in which surplus labour so determined will be dealt with. In brief, it is as follows:-

- (1) Vacant places will not be filled up.
- (2) If a worker is desirous of leaving service, or if he is 55 years of age or over, or if he is unfit for work, his services would be dispensed with by payment of compensation equal to one month's basic wage for each year of service, upto a maximum of 20 months' basic wages.
- (3) In the case of women workers, the work would be arranged under a pali system, so that females who have no other sources of support, will get full-time work.

(4) New badlis enrolled after a certain period will be retired and their places will be given to such of the labour as may have been made permanent after the said period, but so that they would get daily work.

(5) Workers could be transferred to any other occupation of a similar nature.

(6) Training facilities would be allowed to workers desiring to work in other departments and for a certain fixed period, they would be paid while under training.

The award allows running of double sides in the ring department on counts above 18s at an increased wage of 50 per cent of the usual wage.

The award also provides for increases in wages in certain other occupations on account of increased work-load, and it has further provided for the appointment of a committee of three persons to decide any disputes arising out of the enforcement of the award.

(The Indian Textile Journal, June 1953, p.601).

Bombay: Factories Act extended to 119 Bidi Manufacturing Establishments.

In exercise of the powers conferred under the Factories Act, 1948, and by a notification dated 3 July 1953, the Government of Bombay has extended the provisions of ~~Bombay~~ the Act to 119 establishments in the State wherein the process of manufacturing bidis (indigenous cigarettes) is carried on with or without power, notwithstanding that the persons working therein are not employed by the owner but are working with the permission of or under agreement with such owner.

(Notification No.44/48 dated 3 July 1953; the Bombay Government Gazette, Part IVA, 16 July 1953, pp. 494-498).

Madhya Pradesh: Industrial Statistics(Labour) Rules, 1953.

The Government of Madhya Pradesh published on 7 July 1953 the Industrial Statistics(Labour) Rules, 1953, made in exercise of the ~~powers~~ powers conferred under the Industrial Statistics Act, 1942. The rules prescribe, inter alia, the procedure for the service of the notice on the employer by the Statistics Authority, the furnishing of returns by the employer and the forms of the returns.

(The Madhya Pradesh Gazette, Extraordinary, 7 July 1953, pp. 573-578).

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Rajasthan: Draft Industrial Statistics(Labour)
Rules, 1953.

The Government of Rajasthan published on 20 June 1953 the draft of the Industrial Statistics(Labour)Rules, 1953, proposed to be made in exercise of the powers conferred under the Industrial Statistics Act, 1942. The draft rules prescribe, inter alia, the procedure for the service of notice on the employer by the Statistics Authority, the furnishing of returns by the employer and the forms of the returns. The draft rules will be taken into consideration by the Government after 1 August 1953.

(Rajasthan Gazette, Part III, 20 June 1953,
pp. 95-102).

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52. Workers' Welfare and Recreation.

India - July 1953.

Bombay: Board constituted to administer
Labour Welfare Fund Act, 1953.

In exercise of the powers conferred under the Bombay Labour Welfare Fund Act, 1953 (vide page 42 of the report of this Office for June 1953) and by a notification dated 1 July 1953 the Government of Bombay has constituted a Board for the purpose of administering the Welfare Fund and to carry on the functions assigned to the Board by the Act. The 14-member Board consists of 4 representatives each of employers, employees and independent persons and two members representing women.

In inaugurating the first session of the Board, on 1 July 1953, Mr. Shantilal Shah, Labour Minister, Government of Bombay, traced the development of labour welfare department since its inception in 1939 and requested trade unions to advise their members to participate wholeheartedly in the welfare activities to be conducted under the auspices of the Board. The 54 labour welfare centres run by the Government were formally handed over to the Board at the meeting.

(Notification No. 2412/48 dated 1 July 1953;
the Bombay Government Gazette, Part IVB,
9 July 1953, ~~pp. 1343~~ page 1344;
The Times of India, 3 July, 1953).

Bombay Labour Welfare Fund Rules, 1953, published.

The draft Bombay Labour Welfare Fund Rules, 1953 (vide page 43 of the report of this Office for June 1953) have been approved and gazetted on 9 July 1953. ~~XXXXXXXX~~ The rules prescribe inter alia, the manner of collection of fines realised from the employees and all unpaid accumulations held by the employer, the manner in which the accounts of the fund shall be maintained and audited, the procedure for making grants from the fund, the allowances of members of the board to be set up under the Act, the manner in which the board shall conduct its business and the duties and powers of the inspectors.

(Notification No. 1313/46 dated 30 June 1953;
the Bombay Government Gazette, Part IVB,
9 July 1953, pp. 1338-1343).

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56. Labour Administration.

India - July 1953.

Working of Legislation relating to Shop and Commercial Employees during 1951.

Legislative measures for the protection of persons employed in shops and commercial establishments have so far been adopted by eighteen States. In this sphere the lead was taken by Bombay when it passed the Bombay Shops and Establishments Act in 1939. This was followed by the Governments of Bengal and the Punjab and they passed similar Acts in 1940. The Punjab Act was applied to Delhi State in 1942. The question of affording protection to employees in shops and commercial establishments was examined by several State Governments after the end of the Second World War and Acts on the subject were passed by U.P., Madras and Madhya Pradesh in 1947, Mysore and Assam in 1948, Travancore-Cochin in 1949, and ~~The~~ Hyderabad in 1951. In Bombay the law was revised in 1949. The Government of Saurashtra adapted the Bombay Act of 1939 and enforced it in the State with effect from 7 June 1949. The Patiala and the East Punjab States Union (PEPSU) Government has applied the Patiala Trade Employees Act, 1947 to the State. By a notification issued in January 1951 the Central Government extended the Punjab Trade Employees Act, 1940, with necessary modifications, to Himachal Pradesh. By a similar notification issued in April 1953, the Government of India extended the Bengal Shops and Establishments Act to Tripura. In 1952 the Government of Madhya Bharat also passed an Act on the subject.

Besides the State Acts mentioned above there is also a Central Act known as the Weekly Holidays Act which was passed in 1942. This Act is permissive in character. So far seven States, viz., Bihar, Ajmer, Coorg, Orissa, Mysore, Rajasthan and Vindhya Pradesh have notified its application to their States. The Act provides for a weekly closure of shops and for the grant of a weekly holiday to employees. It authorises the State Governments to fix an additional half day on which persons employed in restaurants or theatres may be granted a holiday or on which shops may be closed. Such holidays are to be treated as paid holidays.

The provisions of the State Acts vary considerably. While some of them are simple measures regulating hours of work, overtime, payment of wages and leave and holidays with pay, others provide for various other matters as well such as workmen's compensation (e.g., U.P.), Health and safety (e.g., Madras, Bombay, and Mysore), procedure for dismissal or discharge (e.g., U.P., Madras, Madhya Pradesh, Bombay and the Punjab) and payment of gratuity on discharge (e.g., Hyderabad). The hours of work fixed by the different State Acts vary from 8 to 10 per day and 48 to 56 per week. Some of the Acts prescribe

different daily and weekly hours for persons employed in shops, commercial establishments and restaurants, theatres and places of amusement. Persons covered by the Acts are entitled to a weekly paid holiday. In West Bengal, however, the duration of weekly holidays is one and a half days. In Assam persons, other than those employed in shops, are entitled to 1 and a half days' leave in a week. The Acts also provide for the grant of 12 to 15 days' privilege leave on full pay after a year's continuous service. The Assam, Madras, U.P., West Bengal and Hyderabad Acts provide for the grant of casual leave ranging from 10 to 12 days on full or half pay. Provision for ~~tax~~ sick leave ranging from 10 to 15 days on full or half pay exists in the Madras, U.P., West Bengal and Hyderabad Acts. The Assam Act provides for the grant of a maximum sick leave of one month on half pay after 12 months' ~~continuous~~ continuous service. Assam, U.P. and Hyderabad are the only three States which have made provision for the grant of festival holidays.

Areas of operation.- To avoid administrative difficulties the Acts authorise the State Governments to apply the law to only such areas as may be decided upon from time to time. The State Governments have, therefore, extended the Acts to various areas in their States gradually. The number of cities, towns, etc., in which the Acts have been put into force in the States for which information is available is shown in the following statement.

| State | Areas to which the Act has been applied | State | Areas to which the Act has been applied |
|-----------------|---|------------------------|---|
| Ajmer..... | 5 towns and cantonements. | Mysore .. | 7 towns, etc. |
| Assam..... | All municipal towns in the State. | PEPSU.... | 26 towns. |
| Bihar..... | 74 towns. | Punjab... | 99 towns. |
| Bombay..... | 76 Municipal areas. | U.P. | 24 towns, 5 notified areas and sugar factories. |
| Coorg..... | 16 towns. | Saurashtra. | 15 cities and towns. |
| Delhi..... | 7 Municipal and notified areas and 1 cantonment. | Travancore- Cochin. | Trivandrum and all municipal areas. |
| Madhya Pradesh. | 21 Municipal and cantonment areas. | Orissa. | 5 Municipal areas. |
| Madras..... | Madras City, all municipalities constituted under the Madras District Municipalities Act, 1920, and all Panchayats constituted under the Madras Local Boards Act, 1920, which are classified as major Panchayats and 17 industrial areas. | West Bengal | 19 Municipal areas. |

*Information relates to 1950.

Number of shops and persons covered.-Provision for the registration of establishments exists only in the ~~gaz~~ Bombay and Madhya Pradesh Acts. Consequently information in regard to the number of establishments covered and the number of persons employed therein is not available in respect of all States. Some of the States have, however, collected this information by special arrangement. The following statement shows the number of shops, commercial establishments, theatres, etc., covered by the Acts in some of the States during 1951, and the number of persons employed in them.

| State | Shops | | Commercial establishments | |
|-----------------|----------|----------------------------|---------------------------|----------------------------|
| | Number | Number of persons employed | Number | Number of persons employed |
| Ajmer..... | 10,619 | 4,813 | 343 | 1,196 |
| Assam..... | 4,553 | 5,004 | 217 | 1,359 |
| Bombay*..... | 184,749 | 238,026 | 33,850 | 146,273 |
| Delhi**..... | 25,581 | 20,106 | 1,977 | 11,799 |
| Madhya Pradesh. | 6,434 | 14,752 | 941 | 5,820 |
| Madras..... | 222,160 | 183,144 | 7,266 | 38,002 |
| Mysore..... | - | - | - | - |
| PEPSU..... | 10,690 | 4,100 | 345 | 2,602 |
| Punjab..... | 59,734 | 14,729 | 13,346 | 16,906 |
| Saurashtra!... | 11,537 | 9,648 | 697 | 2,530 |
| Total... | 536,057" | 494,322" | 58,982" | 226,487" |

| State | Theatres, restaurants, etc. | | Total number of | |
|-----------------|-----------------------------|----------------------------|-----------------|------------------|
| | Number | Number of persons employed | Establishments. | Persons employed |
| Ajmer..... | 646 | 613 | 11,608 | 6,622 |
| Assam..... | 131 | 931 | 4,901 | 7,294 |
| Bombay..... | 16,161 | 97,657 | 234,760 | 481,956 |
| Delhi**..... | 5,228 | 3,840 | 28,076 | 35,745 |
| Madhya Pradesh. | 1,245 | 8,831 | 8,620 | 29,403 |
| Madras..... | 21,030 | 51,488 | 250,456 | 272,634 |
| Mysore..... | - | - | 17,683 | 35,750 |
| PEPSU..... | 162 | 623 | 11,197 | 7,325 |
| Punjab..... | 1,265 | 2,896 | 74,345 | 34,531 |
| Saurashtra!.... | 1,089 | 4,731 | 13,323 | 16,909 |
| Total... | 42,247" | 171,610" | 654,969 | 928,169 |

*Information relates to the year 1950-51.

** Information relates to 1948.

! Information relates to 12 municipalities only.

" Excluding Mysore.

It will be seen from the above table that the largest number of establishments covered by the Act is in Madras. This is probably due to the fact that the number of cities, towns, etc., to which the Act has been applied is the largest in this State. However, the number of persons who receive protection is largest in Bombay State. The average size of establishments is largest in

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Madhya Pradesh consisting of 3.41 employees and smallest in the Punjab, being only .46. The average number of persons employed in establishments in other States is as follows: Bombay 2.05, Mysore 2.02, Delhi 1.27, Saurashtra 1.27, Assam 1.24, Madras 1.09, PEPSU .68, and Ajmer .57.

Administration and enforcement.- In West Bengal, the Punjab, U.P., and Hyderabad the Acts are administered by the Chief Inspectors of Shops and Establishments. In Delhi, the Director of Industries and Labour is responsible for the administration of the Act. The Act in Assam is being administered by the State Labour Department. In Madras the Deputy Chief Inspector of Factories, the Deputy Commissioner of Labour, the Assistant Commissioner of Labour, Inspectors and Inspectress of Factories, Labour Officers, District Health Officers, Health Officers and Assistant Health Officers of the Corporation of Madras are responsible for the enforcement of the Act. In Bombay, the administration of the Act is the responsibility of the local authorities, in those areas which are not subject to the jurisdiction of any local authority, the Act is enforced by the State Government. In Madhya Pradesh, the Act is enforced by the Inspectors of Factories. The Government of Bihar have declared 4 Assistant Labour Commissioners and 4 Labour Officers as Inspectors under the Act. In PEPSU, the Director of Industries administers the Act with the assistance of the Deputy Director of Industries, Assistant Director of Industries, the Senior Inspector of Factories and Labour Welfare Officers. In the remaining States separate Inspectors have been appointed under the Acts.

From the annual reports received from the States, it would appear that the Acts have been very popular among employees. In several States employees are pressing State Governments to extend the Acts to areas where they have so far not been applied. But the State Governments have not been able to extend the Acts to more areas due to administrative difficulties. Even in the areas where the Acts are in force some of the State Governments have not been able to enforce the law effectively due to the shortage of ~~the~~ staff. The following statement shows the number of establishments inspected by the Inspectors, the number of prosecutions launched and the amount of fines realised during 1951 in some of the States in respect of which the information is available.

| State | No. of Inspections made or establishments inspected. | No. of prosecutions launched. | No. of cases disposed of by courts. | Amount realised as fines. |
|--------------------|--|-------------------------------|-------------------------------------|---------------------------|
| | | | | Rs. |
| Ajmer..... | 2,020 | 552 | 518* | *** |
| Assam..... | 1,411 | 6 | *** | *** |
| Bihar..... | 3,503 | 19 | *** | *** |
| Delhi..... | 43,445 | 3,536 | 3,577 | 76,519 |
| Madras..... | *** | 7,206 | 5,561* | 55,529 |
| Madhya Pradesh. | 9,780 | 1,335 | 583 | *** |
| Mysore..... | 639** | 102 | 87* | 950 |
| Punjab..... | 143,823 | 3,363 | 2,993 | 38,576 |
| Uttar Pradesh. | 41,657 | 380 | 445* | 7,931 |
| Travancore-Cochin. | 8,500 | 78 | 54* | - |

* Cases convicted. ** Relates to Mysore City. *** Not Available.

It will be seen from the above table that the number of prosecutions launched is comparatively low in some of the States. This is especially so in States where the Act was passed only recently. In these States, the Governments concerned have preferred the educative and persuasive methods to secure compliance, prosecutions being launched only against habitual defaulters or in extreme cases. Most of the irregularities detected related to non-payment of wages, wrongful dismissals, etc. From the reports received from States it would ~~appear~~ appear that it is usually small employers who violate the law. The Inspectors often do not get the co-operation of the employees for fear of being dismissed by their employers. The Inspectors have also ~~difficulty~~ difficulty in getting proper witnesses against defaulters. The amount of fines imposed by the courts are also generally too low to act as a deterrent.

(Indian Labour Gazette, May 1953,
pp. 919-923).

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Bombay: Working of the Factories Act, 1948
during 1951.

Number of factories and employment.- At the end of ~~the~~ 1951, the number of factories registered under the Factories Act, 1948, in Bombay was 8,387 as against 7,927 at the beginning of the year. The total number of working factories increased during the year from 7,083 to 7,825. According to the information furnished by 6,206 factories, the average daily number of workers employed in all industries was 767,704.

There were 94 factories in the State carrying on operations declared as "dangerous". The average daily number of workers employed in these factories was 1,024.

According to the returns submitted by 5,900 working factories as defined under both section 2(m)(i) and 2(m)(ii), the total number of workers employed during the year under review was 763,943, comprising 676,855 male adults, 82,108 ~~males~~ female adults, 3,941 male adolescents, 683 female adolescents and 356 children of whom 108 were girls. The total number of man-days worked during the year was 211,095,411. The following table shows the employment of workers during the year in different industrial groups:-

| Industry | Total No. of working factories. | Total No. of working factories submitt- ing returns. | Total No. of man-days worked during the year. | Total No. of man-days worked during the year. |
|---|--|---|--|--|
| 1. Processes allied ⁶ agriculture. | 675 | 613 | 2,750,602 | 40,833 |
| 2. Food except beverages..... | 1,207 | 946 | 6,792,255 | 86,768 |
| 3. Beverages..... | 46 | 40 | 386,658 | 1,248 |
| 4. Tobacco..... | 520 | 407 | 6,746,177 | 24,478 |
| 5. Textiles..... | 1,116 | 935 | 134,036,373 | 451,836 |
| 6. Footwear, other weaving apparel and made up textile goods.... | 49 | 42 | 486,044 | 1,690 |
| 7. Wood and Cork except furniture. | 181 | 152 | 1,851,251 | 6,290 |
| 8. Furniture and Fixture..... | 56 | 42 | 641,238 | 2,112 |
| 9. Paper and paper products..... | 45 | 40 | 1,326,698 | 3,545 |
| 10. Printing, publishing and allied industries..... | 530 | 452 | 6,805,920 | 22,695 |
| 11. Leather and leather products (except footwear)..... | 43 | 36 | 480,590 | 1,721 |
| 12. Rubber and rubber products.... | 41 | 35 | 1,013,020 | 3,451 |
| 13. Chemicals and chemical products. | 280 | 253 | 6,354,119 | 23,326 |
| 14. Products of petroleum and coal.. | 2 | 1 | 1,960 | 20 |
| 15. Non-metallic mineral products (except products of petroleum and coal)..... | 350 | 253 | 5,266,542 | 21,068 |
| 16. Basic metal industries..... | 205 | 184 | 2,999,985 | 10,192 |
| 17. Manufacture of metal products (except machinery and transport equipment)..... | 459 | 409 | 5,128,249 | 17,190 |
| 18. Manufacture of machinery (except electrical machinery). | 484 | 427 | 6,140,293 | 20,983 |

(Table continued):-

| | 1 | 2 | 3 | 4 | 5 |
|---|--------------|--------------|--------------------|----------------|---|
| 19. Electrical machinery, apparatus, appliances and supplies..... | 70 | 64 | 1,945,780 | 6,624 | |
| 20. Transport and transport equipment..... | 212 | 183 | 13,265,013 | 45,287 | |
| 21. Miscellaneous industries... | 308 | 252 | 4,207,529 | 15,071 | |
| 22. Electricity, gas and steam.. | 89 | 81 | 1,387,008 | 4,059 | |
| 23. Water and Sanitary services. | 23 | 22 | 297,015 | 887 | |
| 24. Recreation services..... | 30 | 23 | 642,598 | 2,196 | |
| 25. Personal services..... | 9 | 8 | 112,494 | 373 | |
| Total. | 7,039 | 5,900 | 211,095,411 | 763,943 | |

Of the male workers employed during the year under review, 61.16 per cent were in textiles, 6.64 per cent in transport and transport equipment, 4.62 per cent in food except beverages, 3.51 per cent in processes allied to agriculture, while the remaining 24.07 per cent were distributed among the other 21 industrial groups.

The total number of female workers employed in all the industries was 82,899 representing 10.8 per cent of all the workers. About 43 per cent of all the female workers were employed in textiles while processes allied to agriculture accounted for 20.41 per cent and tobacco 14.99 per cent. Tobacco and products of petroleum and coal were the two industries which employed more female than male workers, the corresponding figures for the former were 12,427 and 12,051, while those for the latter were 17 and 3.

Of the total number of man-days worked during the year under review, textiles accounted for about 63.49 per cent, the other industries that followed were transport and transport equipment 6.28 per cent, printing, publishing and allied industries, food except beverages and tobacco each about 3.2 per cent.

A general review of the employment of women in factories during the year under review showed an increase of 1,258 over that of the previous year. The trend in the textile factories has been to reduce further the number of women employed as, owing to the introduction of automatic machines and high speed winding machine, it was found more convenient, in dealing with change of two shifts, to employ men instead. On the whole the textile factories in the State employed 29,228 women during the year under review.

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The number of adolescents employed in factories decreased from 5,563 to 4,624 during the year under review while the number of children decreased from 655 to 356. The considerable decrease in the number of young persons employed was attributed to the reluctance on the part of the Managements to employ them when adult workers were available without much difficulty and to the insistence on certification by the Certifying Surgeon.

Hours of work.- For men, the normal weekly hours of work were between 45 and 48 in 5,669 factories, between 42 and 45 in 113 factories and below 42 in 65 factories.

For women, the normal weekly hours of work were between 45 and 48 in 2,630 factories, between 42 and 45 in 88 factories and below 42 in 160 factories.

Accidents.- While the number of non-fatal accidents increased by 1,967 during the year under review, the fatal accidents registered a fall of two. In all, there were 28,939 accidents and out of which 58 were fatal and 28,881 non-fatal. The total number of man-days lost on account of non-fatal accidents was 306,277.

An analysis of the fatal accidents according to causes showed that falls accounted for 12, while eight were due to electricity, six due to falling objects, five due to explosions and hot substances, two due to transmission machinery, lifting machinery, wood working machinery, transport and gassing, one due to fire and handling of tools, and ten due to miscellaneous causes.

Among the industries, Textiles accounted for 19 fatal accidents, while eight occurred in Food, six in ~~Transport~~ Transport, and Transport Equipment, five in Chemicals and Chemical Products, two each in Processes allied to agriculture, manufacture of non-electrical machinery, electrical machinery, and electricity, gas and steam, one each in manufacture of metal products, water and sanitary services and recreation services, and seven in miscellaneous industries.

In the case of non-fatal accidents also, the textiles group topped the list with 12,314 accidents, followed by transport and transport equipment with 10,026, and chemicals and chemical products with 1,058.

Diseases.- The total number of cases of notifiable diseases during the year under review was 92 as against 71 in the preceding year. There was only one case of lead poisoning during the year as against 38 in the previous year, while there were 91 cases of chrome ulceration as against 33 in 1950.

Sanitation and health.- The general condition of the textile mill compounds, both in Ahmedabad and in Bombay, was on the whole moderately satisfactory. The painting of the internal iron and wood structures in the textile mills received special attention; this was found to be overdue in several mills in Ahmedabad. A number of mills and factories either converted their latrines or erected better types of them. Sanitary accommodation was found insufficient in the Bombay Suburban District, but considerable improvement was taking place after the Bombay Municipal Corporation extended its limits. The general sanitary conditions in some of the smaller factories were not satisfactory owing to some difficulties; urinal accommodation could not be provided in some of them for want of space. The premises of some of the factories are such that if the urinals were provided, they would communicate with the work rooms. However, possible improvements were being followed up by the factory department. Due attention was still not paid to the cleaning of floors. Dirt collecting on doors of weaving sheds in many of the mills was not scraped off regularly.

Very few mills were regular in cleaning their skylight roof and ~~gx~~ glazed windows and doors. Where the work of cleaning was not done regularly, natural light was obstructed, and the appearance of workrooms was untidy. The report points out that the usual system of cleaning the weaving sheds twice a year - during Holi and Diwali Holidays - does not have the desired effect.

^{One} Due ~~to~~ of the grievances of workers in the textile mills was that the conditions of work in some of the departments were not comfortable and even unendurable during certain periods. The individual mills could not be pressed in the matter, largely owing to the fact that the requisite standards of tolerance in four important matters - of temperature, humidity, rate of air movement and radiation - had not been authoritatively formulated, for the prevailing climatic conditions. It was observed that no recommendations were possible nor could definite opinions be expressed as to the adequacy or otherwise and as to the ways and means of improving the atmospheric conditions in workrooms unless minimum standards were set up by ~~proper~~ proper investigations. The matter, however, was receiving very close attention of the factory department.

During the year under review, further progress was made by the installation of ventilating and humidification plants in a number of factories. Electric bulbs were gradually being replaced with fluorescent tubes and there was a marked improvement in lighting, wherever such changes were made.

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Creches.- During the year under review, there were 206 factories required to provide creches, and the number of creches provided was 175 out of which 139 submitted reports. Factories were not required to send their reports for the creches so far, but this is being regularised. The average monthly number of children on the muster of the 139 reporting creches was 4,207 while the average daily attendance was 2,872. Plans for providing either new creches, or for alterations and extensions to the existing ones were received from several factories and a large number of them were approved. On the whole, the existing creches were of a good standard.

While the standard of the creches as a welfare unit, with the provision of equipment and feeding arrangements, had definitely risen, the number of children attending the creches and taking advantage of the facilities provided was less. Ever since the starting time for women was fixed at 7 a.m. the mothers find it inconvenient to bring in all children up to the age of 6 years - the creche admission age. There were fewer mothers with children under the age of 6 years, and there was a tendency of employing unmarried women and reducing the number of women to the bare minimum.

Prosecutions.- During the year under review, 684 cases were instituted against 236 factories. Convictions were secured in 358 cases against 124 factories. The fines imposed totalled 15,849 rupees. The number of cases pending at the end of the year was 317 against 111 factories.

The number of cases instituted during the year for failure to fence machinery was 79 against 58 factories, out of which convictions were secured in 29 cases while 50 cases remained pending. Out of 26 cases instituted for failure to provide adequate sanitary accommodation, 13 remained pending.

Six cases were instituted for failure to submit notice of occupation resulting in convictions in two cases and the rest were pending. For failure to provide first-aid appliances, 15 cases were instituted resulting in convictions in seven cases, the remaining were pending.

Out of the cases pending at the beginning of the year under review, 124 cases were decided during the year resulting in convictions against 39 persons and realising the fine of 4,660 rupees.

(Labour Gazette, June 1953, pp.1083-1089).

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Punjab: Annual Report on the Working of the
Factories Act, 1948, for the Year 1951.

The Government of Punjab published on 10 July 1953 its review on the annual report on the working of the Factories Act, 1948, in the State, for the year 1951. According to the review the number of registered factories in the State rose from 1,270 to 1,486 during the year 1951. Two hundred and nineteen factories were registered, while 3 factories were removed from the register during this year. The average number of workers employed in the factories was 48,175, against 30,413 in the previous year. Of these, 47,527 were adults, 278 adolescents and 370 children.

Four hundred and ninety-seven factories were inspected once, 171 twice, 72 thrice, and 46 more than three times during the year under report, while 700 factories remained uninspected.

The health of the workers was generally reported to be normal and no epidemic or occupational disease was reported from any factory during the year. Sanitary arrangements and other working conditions in the factories were not as satisfactory as required under the rules. Public health officers were asked to pay more frequent visits to the factories with a view to improving sanitation and other arrangements for the supply of water for drinking and other purposes. Strict measures, however, could not be adopted as the factories were not properly established and were faced with trade slump and other difficulties.

Very few employers extended welfare facilities like supply of free medical aid, canteens on no profit and no loss basis and primary education to the children, etc., to their workers. Safety provisions of the Act were generally observed.

Nine hundred and twelve accidents were reported during the year, against 131 in the previous year. Of these, 6 proved fatal. A large number of accidents was reported from Railway workshops and textile mills. There were five cases of fire, resulting in a loss of 64,000 rupees. No loss of human life and due to fire was reported from any place.

Six hundred and twenty-five prosecutions were instituted against managements for failure to comply with the provisions of the Factories Act, 1948, resulting in 416 convictions. In eight cases, accused were acquitted and in four the defaulters were warned. The remaining 197 cases remained pending in courts.

(Supplement to Part II of the Punjab Government Gazette, No. 28, 10 July 1953, pp. 79-80).

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Rajasthan: Working of the Department of Labour
during 1952-1953.

The annual report of the Rajasthan Department of Labour for the year 1952-53 shows that a full fledged department is now working in the State. The State Government has not passed any Labour Act but all the Central Labour Acts which were applied to Part B States by the Part B States (Laws) Act, 1951, are now in force in the State. During the year under review rules under the Factories Act, 1948 were framed and put into force.

Factories.- The total number of factories covered by the Factories Act in the State is 475 employing 32,357 workers. One hundred and fifty-two factories were inspected during the year as compared to 254 inspected during the previous year. The fall in number was due to the additional work assigned to inspectors of factories posted at some centres.

Accidents.- As many as 180 accidents occurred in the factories during the year, the majority of them in the textile mills, cement factories and Railway workshops. All cases of serious accidents and most cases of a minor nature were properly investigated by the Inspectors of Factories. A sum of 8,630 rupees 3 annas was paid as compensation under the Workmen's Compensation Act.

Industrial relations.- But for a few sporadic disturbances the labour situation in the State remained peaceful. At the beginning of the year 29 industrial disputes were pending settlement. During the year 68 disputes were recorded. Out of these 28 were completely settled by the efforts of the Labour Department, 11 were partially settled by the State and 13 were referred to the Industrial Tribunal. The total number of complaints pending at the beginning of the year was 120 and the number received during the year was 220. Of these 107 related to wages and bonus, 28 to employment and unemployment, 6 to working conditions, 27 to industrial relations and 52 to personal matters. The officers of the Department investigated the complaints and settled 185 of them.

Provident Fund Scheme.- The Provident Fund Scheme framed under the Employees' Provident Fund Act, 1952 was put into force in the State on 1 November 1952. The Labour Commissioner of Rajasthan was appointed as the part-time Regional Provident Fund Commissioner and the Special Labour Officer of the State was appointed as the whole time Regional Provident Fund Inspector. About a dozen textile mills, cement factories and engineering concerns are at present covered by the Scheme. The number of workers employed in these units is 6,218.

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So far 4,911 employees have been registered as members of the Fund and a sum of 81,086 rupees 6 annas and 6 pies has been realised as contributions and administrative charges for the months of November and December 1952 and January 1953.

Women welfare.- A separate section for the welfare of women workers has been started by the Department. The Section is under the charge of a Lady Welfare Officer. This section collected statistics regarding the economic condition of women workers and organised women's welfare days at various centres.

(Indian Labour Gazette, May 1953, pp.923-924).

Conditions of Work in Ceylon during 1952:
Administration Report of the Commissioner.

The following information about the principal aspects of labour administration in Ceylon during the year 1952 is taken from the Administration Report of the Commissioner of Labour*.

Wage Boards.- An Ordinance to amend the Wages Boards Ordinance, No.27 of 1941, was introduced in Parliament at the beginning of the year but was not disposed of when Parliament was dissolved in April. The Bill was re-introduced in September and at the close of the year it had already been considered by a Select Committee of the House of Representatives. It is expected that the Bill will finally become law in the early part of 1953. When this Bill is placed on the Statute Book, it will remove many difficulties now experienced by this Department in the enforcement of decisions of Wages Boards and the other provisions of the Ordinance by closing loopholes, advantage of which is now frequently taken by unscrupulous employers.

The Wages Boards for the Tea Growing and Manufacturing Trade and the Rubber Growing and Manufacturing Trade were considerably preoccupied with wage proposals during the course of the year and each of the Boards met on as many as eight occasions. The Wages Boards for the other trades to which Part II of the Ordinance has been applied did not, however, find it necessary to meet frequently.

* Ceylon: Part I-Civil (F): Administration Report of the Commissioner of Labour for 1952: Government Publications Bureau, Colombo. Price Rs.2/-; pp.100.

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The Wages Boards for the Tea Growing and Manufacturing Trade and the Rubber Growing and Manufacturing Trade introduced an amendment to their decisions as regards the granting of holidays and holiday remuneration. Under the existing decisions it was not clear how the holidays due to a worker in respect of the year in which his employment was terminated should be computed. The new decision laid down the basis of computation in respect of holidays earned by the worker during the year in which the termination of his employment occurred. This decision was also made applicable to the Cocoa, Cardamom and Pepper Growing and Manufacturing Trade and came into effect on 1 August 1952, in respect of ~~the~~ all three trades.

The Wages Board for the Printing Trade also adopted a similar decision. The Board also decided to up-grade platen-machine minders and to increase their basic wage by 5 rupees. Its decision specifying the computation of the amount which could be deducted from the wages of a worker in respect of each day of unauthorised absence from work were revised. All these decisions became effective from 1 August 1952.

The rates of wages payable to workers in the Arrack and Vinegar sections of the Toddy, Arrack and Vinegar Trade were revised by the Wages Board for that trade and became effective from 1 February 1952.

Inspecting Officers of the Department inspected 4,150 work places during the course of the year. These ~~xxx~~ visits comprised of 1,956 routine inspections of estates, 1,322 routine inspections of other establishments, 415 inspection visits to estates as a result of complaints and 457 such visits to other establishments. Some establishments had to be visited more than once in the course of the year in order to ascertain that corrective instructions which had been given were being complied with. The wages of 391,362 estate workers and 34,507 workers in other establishments were checked in the course of these visits. The estate workers comprised 183,765 men, 162,867 women and 44,730 children. In the case of other establishments the numbers ~~of~~ were 26,665 men, 5,106 women and 2,736 ~~xxxxxxxx~~ young persons. The visits revealed that while the maintenance of wage records had improved, violations were detected as regards under-payments to the extent of 488,562.74 rupees involving 21,199 workers, fines without prior approval, unauthorised deductions and failure to grant annual and weekly holidays. It was also found that certain estates adopted the expedient of employing workers on a cash work basis in order to circumvent the minimum wage and holiday regulations. The practice was to employ these workers on work such as plucking outside normal hours, on weekly holidays and during their annual holidays and to pay them in cash for such work, no record being kept of the time worked nor of the amount paid to each individual worker. On certain estates it was found that workers attend muster but are not required to start work till some time after the muster hour. The working hours of these workers, for purposes

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of record as well as for payment, are computed from the time that they actually commence working. All these irregularities were being looked into by the Department. Worker welfare funds to which fines inflicted on the workers may be credited which had been approved up to the end of last year numbered 38. The number of permits issued under section 34 of the Ordinance to non-able-bodied workers and which were in force at the beginning of 1952 was 1,518. The number of Permits issued during the year was 342 and the number of Permits withdrawn was nil making a total of 1,860 for the year.

Twenty-one cases filed under the Wages Boards Ordinance were pending at the beginning of the year. Seventy-six cases were filed during the course of the year. Convictions were obtained in forty-nine cases whilst there were acquittals in five cases. Ten cases were withdrawn on satisfactory adjustment by the accused persons and a total of thirty-three cases were pending at the end of the year. Fines imposed in the cases amounted to ₹,765.88 rupees and the arrear recovered for workers through court during the year was 5,240.27 rupees.

During the year action was taken on three occasions under section 44 of the Ordinance which prevents victimization against a worker for the reason that -

- (a) he is or becomes a member of a Wages Board; or
- (b) he has given information to any authority with regard to matters under this Ordinance; or
- (c) he has after giving reasonable notice to his employer of his intention, absented himself from work through being engaged in duties as a member of a Wage Board; or
- (d) he is entitled to any benefit under any decision of a Wages Board.

In one case the employer was acquitted after trial, another was still pending at the end of the year whilst in the third case the employer was convicted, and fined a sum of 400 rupees.

Industrial Relations: Legislation.- No fresh legislation was enacted during the year.

Conciliation and arbitration.- At the end of 1951, there were two cases pending before Boards of Conciliator set up under the Industrial Disputes (Conciliation) Ordinance before its repeal. The report of the Board in ~~XXXX~~ one case was received during the year and published. An agreement was reached between the parties on one issue during the course of the proceedings while another issue could not be proceeded with in the absence of the Superintendent who was ill and the application was subsequently withdrawn by the workers Union. In regard to the remaining two issues the Board made its recommendations. The Union accepted the recommendations of the Board as a whole while the Superintendent accepted the recommendations which were favourable to him and rejected

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the others. The report of the Board in the other case had not been received at the end of the year.

Conciliation under Industrial Disputes Act No.43 of 1950.- The following is an analysis of cases considered for action under section 3(i) of the Act:-

| | | |
|---|--------|--------------------------------|
| No. of cases pending consideration at the end of 1951. | -- | 15 |
| No. of notices of disputes received during the year. | -- | 45 |
| | Total. | <u>60</u> |
| No. of cases referred for settlement by conciliation under section 3(i) of the Industrial Disputes Act. | -- | 14 |
| No. of cases settled without being so referred for settlement by conciliation. | -- | 12 |
| No. of cases not so referred for settlement by conciliation. | -- | 21 |
| No. of cases pending consideration at the end of the year. | -- | <u>13</u> |
| | | <u>60</u> |
| No. of cases referred for settlement by conciliation pending before Authorised Officers etc., at the end of 1951. | -- | 1 |
| No. of cases referred for settlement by conciliation during the year. | -- | <u>14</u> |
| | | <u>15</u> |
| No. of cases settled by conciliation under the Act during the year. | -- | 3 |
| No. of cases in which reports were made under section 12(4) of the Act. | -- | 5 |
| No. of cases pending before Authorised Officers etc., at the end of the year. | -- | <u>7</u> |
| | | <u>15</u> |
| * No. of cases in which recommendations made by Authorised Officer, etc., were | | |
| | | (i) Accepted by the workers. 3 |
| | | (ii) Accepted by employers. 1 |
| | | (iii) Rejected by workers. Nil |
| | | (iv) Rejected by employers. 2 |

*At the time of writing this report no communication had been received from the parties in respect of the other two cases.

The arbitration proceedings in the dispute between the Ceylon Match Co. Ltd., and the All-Ceylon Match Workers' Welfare Union which commenced in December 1951, had not been concluded at the end of the year. During the year two disputes were referred for settlement by arbitration.

No collective agreement was published in the Gazette in terms of section 6 of the Act during the year.

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Strikes and lockouts.- Seventy-five strikes were reported during the year as against 102 in 1951. The total number of workers involved and man-days lost was 11,523 and 56,404 in 1952 as against 312,817 and 538,524 respectively in 1951.

The approximate amount of wages lost by workers as a result of strikes was 170,815.65 rupees in 1952 as against 1,098,926.76 rupees in 1951.

As regards the number of man-days lost the year 1952 was a comparatively peaceful year. The number of man-days lost, viz., 56,404, was approximately 10 per cent of the ~~xxx~~ figure for 1951 and is the second lowest figure during the recent past, the lowest being 82,431 in 1948.

As regards plantations there were 36 strikes on estates as against 67 strikes in 1951. The number of workers involved and man-days lost were 5,355 and 9,414 as against 306,091 and 521,040 respectively in 1951. Taken as a percentage the number of man-days lost in 1952 is only .18 of the figure ~~for~~ for the previous year. The approximate amount of wages lost by workers on plantations as a result of strikes ~~was~~ was 20,078.57 rupees in 1952 as against 1,054,255.78 rupees in 1951.

There were two lockouts during the year.

The following table shows the number of strikes in 1951 and 1952 analysed according to causes:-

| Causes | 1951 | | | | 1952 | | | |
|--|-------------------|--------|--------------|-----------------------|-------------------|--------|--------------|------------------|
| | Planta- tions. | Others | Total No. | Per- cent- age. | Planta- tions. | Others | Total No. | Per- centage. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| Dismissal or loss of employment in any way, Failure to provide work. | 12 | 10 | 22 | 21.57 | 8 | 5 | 13 | 17.33 |
| Wage increases. Higher rates for piece work, etc. | 6 | 8 | 14 | 13.73 | 5 | 9 | 14 | 18.67 |
| Other wage disputes (e.g., delay in payment, cash advances, etc.). | 6 | 4 | 10 | 9.81 | 8 | 18 | 26 | 34.67 |
| Estate rules, working arrangements, discipline, with sub-staff, etc. | 22 | 7 | 29 | 28.43 | 9 | 3 | 12 | 16.00 |
| Food matters, Welfare. | 4 | 0 | 4 | 3.92 | 2 | 1 | 3 | 4.00 |
| Right of association and meeting. | 2 | 0 | 2 | 1.96 | 1 | 0 | 1 | 1.33 |
| Factional disputes and domestic matters. | 4 | 0 | 4 | 3.92 | 1 | 0 | 1 | 1.33 |
| External matters (e.g., arrest by Police, immorality, etc.). | 0 | 0 | 0 | 0 | 0 | 2 | 2 | 2.67 |

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(Table continued):-

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
|--|----|----|-----|--------|----|----|----|--------|
| Assaults by employer or agent or others. | 6 | 2 | 8 | 7.84 | 2 | 1 | 3 | 4.00 |
| General demands. | 3 | 4 | 7 | 6.86 | 0 | 0 | 0 | 0 |
| Sympathetic strikes. | 2 | 0 | 2 | 1.96 | 0 | 0 | 0 | 0 |
| Total. | 67 | 35 | 102 | 100.00 | 36 | 39 | 75 | 100.00 |

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Trade unions.- During the year unions applied for registration under the Trade Unions Ordinance. Fifty-five unions were registered in the same period, comprising 28 unions which had applied for registration previously and 27 which had applied during 1952. At the end of the year 42 applications for registration were still under consideration. At the end of 1951, 237 trade unions were functioning. ~~55~~ Fifty-five new unions were registered during the year whilst the registration of 35 unions was cancelled for a variety of reasons. The number of registered unions functioning at the end of ~~the~~ 1952 was, therefore, 257, including trade unions, of public servants. The total number of unions of public servants functioning at the end of 1951 was 129. Twenty-three applications for registration from such unions were received during the year and 35 unions were registered, inclusive of certain unions which had applied for registration during 1951 and registration of which had not been completed in that year. Sixteen unions had their registrations cancelled which brought the total number of unions of public servants functioning at the end of 1952 to 148.

A classification of unions and their membership according to trade during 1952 is given in the table below:-

| | |
|--|-----|
| Number of Trade Unions at the end of 1951 ----- | 237 |
| Number of Trade Unions registered in 1952 ----- | 55 |
| Number of Trade Unions whose registrations were cancelled in 1952 ----- | 35 |
| Total number of Trade Unions at the end of 1952 ----- | 257 |

| | No. of Unions Federated. | Total Membership |
|---|--------------------------------|---------------------|
| Federations: | | |
| Employers- | | |
| (1) Employers' Federation of Ceylon ----- | 7 | 167 |
| Employees- | | |
| (1) Ceylon Trade Union Federation ----- | 14 | 18,150 |
| (2) All Ceylon Trade Union Congress ----- | 12 | 31,474 |
| (3) Ceylon Federation of Labour ----- | 5* | 25,962 |
| Total.. | <u>38</u> | <u>75,586</u> |

* General statement of one Union is not due.

(Table continued):-

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| | No. of Unions Federated | Total Membership |
|---------------------------------------|-------------------------------|---------------------|
| Unions: | | |
| Employers' ----- | 13 | 1,733 |
| Employees'- | | |
| (1) Central Government ----- | 107 | 41,510 |
| (2) Imperial Government ----- | - | - |
| (3) Local Government ----- | 7 | 3,616 |
| (4) Non-Government ----- | 60 | 252,244 |
| Total. | <u>174</u> | <u>297,370</u> |
| Workers' Unions- | | |
| (1) Plantations and Agricultural----- | 14 | 201,492 |
| (2) Industrial ----- | 19 | 9,867 |
| (3) Transportation----- | 25 | 12,574 |
| (4) Clerical ----- | 22 | 13,648 |
| (5) Professional----- | 44 | 10,278 |
| (6) General ----- | 50 | 49,511 |
| Total. | <u>174</u> | <u>297,370</u> |

The total membership of workers' unions at the end of 1952 was 297,370 as against a membership of 233,653 at the end of the previous year. On the assumption that the organisable workers in the country number approximately 1,500,000, the present membership of workers' unions gives a density percentage of 19.8. The report points out that in the present state of development of trade unions ~~in Ceylon~~ in Ceylon, this ~~may~~ must be considered as sufficiently high when account is taken of the fact that in the United Kingdom, where trade unionism has been in existence for over a century, the density was 40.47 per cent in 1951. The largest concentration of membership was in the unions covering the plantation industries. These unions had 162,742 members at the close of the year which means that 54.7 per cent of worker-union membership was drawn from among employees in the plantation industries.

At the close of the year, two unions had political funds, namely, the Ceylon Estates Staffs' Union and the Ceylon Labour Union. No contributions were made during the last two years to the political fund of the Ceylon Labour Union. The Bank Clerks' Union which had a political fund in the past closed the fund.

The report states that the worker-unions concentrate their attention on industrial disputes affecting the terms and conditions of employment of their members to the complete exclusion of welfare directed towards the improvement of the general lot of their members.

Employment service.- Employment opportunities remained at a satisfactory level during the year, as export commodities fetched reasonable prices. A threat of retrenchment of surplus labour from rubber estates seemed imminent when rubber prices declined, but this

was averted when the long-term trade agreement with China was concluded. Retrenchment on tea estates also did not materialize as the question of reducing the wages applicable to workers in the Tea Growing Trade was under active consideration of the Wages Board for that trade. In the coconut manufacturing industry, a tendency towards instability of employment was counteracted by a reduction in the number of working days each week.

A total of 53,023 persons, classified as below, remained on the registers of the Employment Exchanges at the end of the year, as against 52,707 at the end of 1951:-

| | | |
|------------------------|--------|---------------|
| Technical and clerical | ----- | 6,883 |
| Skilled | ----- | 7,522 |
| Semi-skilled | ----- | 13,795 |
| Unskilled | ----- | 24,823 |
| | Total. | <u>53,023</u> |

Employment was found for 12,453 persons by employment exchanges during the year. The corresponding figure for 1951 was 11,306. The largest number of placements were effected in Government departments, as usual. Large orders for skilled labour, particularly masons and carpenters, were received from the various agricultural schemes. However, owing to the marked disinclination which was still evident among unemployed persons to accept work on these schemes which were situated away from their home areas, the employment exchanges experienced difficulty in meeting these orders in full.

New registrations during the year were 78,371 as against 72,906 during the previous year.

The report mentions that Mr. H.A. Bulpitt, An I.L.O. Expert on Employment Service Organisation, arrived in August 1952, to assist the Government in the reorganisation and development of its employment services. He completed his survey about the end of the year and his report was awaited.

Relief schemes.- Relief schemes continued to be undertaken during the year in and near Colombo as well as in the outstations. These schemes provided employment to 5,299 persons. The corresponding figure for the previous year was 6,271.

Manpower survey.- The field work in connection with the Manpower Survey conducted by Dr. John I. Saks, the I.L.O. Expert, was completed in 1951, but the clerical and other work connected with the Survey continued in 1952 and the report had not been received by the end of the year.

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Training schemes: (a) Garden labourers.- No persons were trained as garden labourers during the year as the necessity did not arise.

(b) Conservancy labourers.- Twenty-three persons were trained in conservancy work at the General Hospital, Colombo, during the year. Of these, 10 were placed in employment and the names of the others submitted to employers for consideration.

Training-Within-Industry.- The "trainers" who were selected from a few Government departments and trained in T.W.I. in August 1950, by Mr. Sven Grabe, the I.L.O. Expert on T.W.I. did not conduct any classes in 1952 as they could not be released from their normal duties owing to the general shortage of staff in their departments. As a large number of persons, both from Government departments and from private establishments had expressed their willingness to follow these classes, it was decided at a meeting of representatives of the departments concerned to obtain the services of an expert from the I.L.O. to conduct classes in T.W.I. for these persons. Accordingly, steps were taken, in consultation with Mr. Grabe who visited Ceylon again in March to discuss the whole matter of T.W.I. to secure the services of an I.L.O. Expert for six months to conduct these classes. An agreement was entered into with the I.L.O. at Geneva, and an expert is expected to arrive in the second half of 1953.

Technical training and trades testing.- The proposed scheme for Technical Training and Trade Testing of suitable unemployed persons received active consideration during the year and it is expected that the schemes will receive sanction early.

Finance.- A sum of 6,720,000 rupees was provided in the Estimates 1951-52 under "Measures for Increasing Employment", out of which a sum of 5,581,091 rupees was spent during the year.

Advantage continued to be taken of the availability of training facilities under the various International Schemes. Two Assistant Commissioners of Labour commenced a period of training with the United Kingdom Ministry of Labour and National Services in September and were still in the United Kingdom at the end of the year. One of the officers was sent on a Fellowship awarded by the I.L.O. and the other on a scholarship awarded under the Colombo Plan. A third Assistant Commissioner of Labour participated in an Institute on Apprenticeship Training organised by the I.L.O. in four countries in Europe whilst a fourth was the recipient ~~by the I.L.O.~~ of an Internship to study the set-up and organisation of the I.L.O. at Geneva. The Government was able to offer study facilities to an I.L.O. Fellow from Pakistan, who made a special study of Industrial Relations and Wage Machinery in Ceylon.

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Shops Ordinance.- The draft of a new Ordinance which is intended to replace the existing Shops Ordinance (No.66 of 1938) had been almost completed at the close of the year and it is hoped that it will be possible to bring the Bill before Parliament in the early part of 1953. The present Ordinance has been in force since 1938 and its working has revealed many deficiencies which have militated against successful enforcement of its provisions. The new Ordinance will remove these deficiencies as well as make new provisions which will facilitate ~~the enforcement of~~ ~~the provisions of the Ordinance~~ the achievement of the objects of the legislation. Among the several difficulties that enforcement officers encounter in their work are the apathy of the public towards the objects which this piece of social legislation seeks to achieve and the poor state of organisation among shop workers. The proposed law contains provisions which it is hoped will help to surmount these difficulties.

Inspections of shops were carried out as vigorously as in the past for enforcement of the provisions of the Ordinance. The total number of shops inspected during the year was 9,684 which was an improvement on the previous year when the number inspected was 8,258. Shops inspected for the first time numbered 1,364 whereas those reinspected were 8,320. The inspections revealed varying degrees of compliance with the statutory requirements as regards maintenance of records. Failure to grant weekly and annual holidays and to pay overtime wages were among the breaches detected and these detections resulted in a sum of 17,286.24 rupees being recovered and paid to workers on account of arrears of overtime wages and holiday wages.

Maternity benefits.- The provision of Maternity Benefits to women workers in shops, mines, estates and factories by their employers continued to be governed by the provisions of the Maternity Benefits Ordinance No.32 of 1939, as amended by No.35 of 1946. In the latter part of the year the Act was further amended by Ordinance No.26 of 1952. The object of the amendment is two-fold-

- (i) In the event of a change of employer in any establishment, the intention is to pass on to the new employer liability for the accrued and accruing rights of a woman worker under the provisions of the Ordinance. The specific provision is to the effect that any period of service under the old employer falling within the qualifying period for Maternity Benefits will be regarded as service performed under the new employer for the purpose of reckoning the number of days of work put in by the worker during the qualifying period. The effect of this amendment is to obviate the loss of claims to Maternity Benefits in cases where establishments change ownership.
- (ii) It is also intended to make any sum of money due as Maternity Benefits a first charge on the assets of the trade.

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These amendments considerably improve the position of women workers in the establishments covered.

The report says that inspections carried out under the Ordinance revealed that compliance with the provisions of the Ordinance may be regarded as very satisfactory.

Infractions were detected mainly in the small establishments and small estates, particularly those which were inspected for the first time. As a general rule employers were quite willing to respond to corrective advice; so much so, that punitive action under the provisions of the Ordinance was necessitated in only two cases. Two hundred and seventy-eight establishments were in possession of certificates authorising the provision of Alternative Maternity Benefits at the close of 1951. During the course of the year, 13 certificates were issued whilst 3 certificates were withdrawn and cancelled. The total number of certificates in force at the close of 1952 was 288.

Health, safety and welfare in factories.- The number of factories registered at the end of 1952 was 2,896, showing an increase of 1,077 over the number recorded under the Mines and Machinery Ordinance. Owing to the shortage of staff, only 510 factories were visited during the year. Three hundred and seven contravention notices were issued. Arrangements made for carrying out examination of steam boilers and testing air receivers were working satisfactorily and many boilers and receivers are now being examined for the first time since their installation.

Stress was laid on improving the standards of guarding. The report says that there was a surprisingly large number of unguarded or incompletely guarded prime-movers. The occupiers appeared to be more concerned with trying to keep persons off the dangerous machines rather than making them safe for every person. The engine driver was rarely taken into account. The installation and maintenance of machinery in most of the tea and rubber factories were generally in the hands of experienced engineers and it was usual to find a high standard of compliance with the safety requirements. The report however, mentions that much work has yet to be done in the older and smaller factories.

The total number of accidents reported during the year was 1,131 of which 4 were fatal. These figures show a slight decrease compared with the figures for the previous year but there was reason to believe that ~~the~~ many accidents, particularly in outstation factories, were not reported as required by the Ordinance. Of the fatal accidents reported, only one was caused by machinery.

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A few cases of excessive temperature ~~max~~ were noted but only during spells of very hot weather. Increased natural or mechanical ventilation and shorter spells of work afforded relief to the workers during these times. Ventilation and lighting were generally found to be satisfactory, though in most of the grinding mills in the city it was not ~~unusual~~ unusual to find persons employed in inadequately ventilated rooms.

The report says that cleanliness is not given the importance it deserves, particularly in the smaller factories. Drinking water and washing facilities in areas with pipe-borne water supplies generally did not provide problems. A few of the larger factories provided stand-pipes with upward jets, thus eliminating the easily contaminable drinking vessel. Washing facilities and accommodation for clothing were generally found lacking. First Aid requisites were often found mixed up with miscellaneous matter. Sometimes they were housed in dusty boxes or stored in a bungalow close ~~by~~ by. There were also instances where while work was in progress in the First Aid boxes were found locked up, while the only ~~key~~ key provided was with some person away from the factory at the time. Generally speaking, the ~~position~~ position in regard to First Aid boxes was encouraging. Occupiers showed a definite interest in providing the necessary equipment.

Mines.- According to the report of the Acting Inspector of Mines, owing to the increase in demand of plumbago, a large number of new mines were opened in the early part of the year 1952, but the high rate of wages and the food difficulty were responsible for the closure of many of them. The large mines worked throughout the year. The small mines worked at irregular intervals and a number of these were being maintained. The total quantity of plumbago exported during the year 1952 was 7,659 tons valued at 6,199,606.71 rupees as compared with 12,621 tons valued at 8,145,523.75 rupees in 1951. At the end of the year 1952, as many as 58 mines employing 1,223 men were reported working as compared with 67 mines employing 1,601 the previous year.

Indian immigrant labour.- Conditions and requirements governing travel between India and Ceylon by Indian immigrant labour employed on Ceylon estates remained unchanged from the previous year. The ebb and flow of migrating Indian labour remained consistent in volume and character, 57,247 labourers being given assisted passages to Ceylon in comparison with 54,721 during 1951. Those returning to India numbered approximately 58,132 against 58,591 for the previous year.

Membership of the I.L.O.- The report mentions the participation by Ceylon delegations in the various meetings of the ILO during the year, such as the Regional Seminar in Labour Inspection, the 35th session of the International Labour Conference, the fourth session of the Asian Advisory Committee, and the Technical meeting on the Protection of Young workers in Asian countries.

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The report also mentions that four of ILO officials visited Ceylon during the course of the year.

Ratifications of International Labour Conventions.-

Three I.L. Conventions were ratified by Ceylon during the year, bringing the total number of Conventions ratified by the country to 14. The Conventions ratified in 1952 were the following: -

Convention(No.11)concerning the Rights of Association and Combination of Agricultural Workers,1931.

Convention(No.18)concerning Workmen's Compensation in Occupational Diseases.

Convention(No.63)concerning Statistics of Wages and Hours of Work in the Principal Mining and Manufacturing Industries including Building and Construction, and in Agriculture (Excluding Part IV of the Convention).

(The Administration Report of the Commissioner of Labour for the year 1951 was reviewed at pages 44-53 of the report of this Office for June 1952).

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58. Social Conditions.

India - July 1953.

Co-ordination of Social Welfare Work in India:
Central Board set up.

In accordance with the recommendations of the Planning Commission, the Central Government has set up a Social Welfare Board which will function under the administrative control of the Ministry of Education.

The main function of the Board, will be to advise and help voluntary social welfare organisations throughout the country in maintaining and developing their existing programmes and to integrate them in the general pattern of the first Five-Year Plan.

The membership of the Board will consist of members nominated by the Central Government to represent existing social welfare agencies, representatives of the Parliament and representatives of the various ministries of the Government of India.

(The Hindustan Times, 26 July, 1953).

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Chapter 6. General Rights of Workers.

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

India - July 1953.

Uttar Pradesh: Working of Payment of Wages Act during 1950*.

Extent and application.- During 1950 the Act was extended to all the factories covered by the Factories Act, 1948, and also to the printing presses. The total number of factories subject to the Act during the year was 1,692. Of these, 1,482 factories worked during the year and 1,316 factories submitted returns.

Number of workers and total amount of wages paid.- ~~During~~ The average daily number of workers covered by the Act during the year, in the 1,316 factories which submitted returns was 216,740 as against 214,813 in 1,174 factories during the previous year. The report says that the increase in the total number of workers is due to the increase in number of factories amenable to the ~~workers including deductions~~ Act. The total amount of wages paid to the workers including deductions was 190,807,059 rupees amounting to an average of 73 rupees approximately per worker per month against an average of 77 rupees for the year 1949.

There was a decrease in the average annual earnings in certain industries mainly due to a fall in the cost of living index figures for the year 1950. This was inevitable as the average earnings of workers included dear food allowance which is closely linked with the cost of living index figures. As a result of the present trade depression prevailing in the country, the general tendency of the employers to ~~pay~~ play off the workers very often and replacing of old employees with new ones, was also another factor for the decrease in the average earnings of workers.

The table below gives a comparative study of total average number of workers, total amount paid and average wages paid per worker per month.

| Class of factories | Total average No. of persons employed daily. | Total amount of wages paid in deductions. | | | Average wages paid per worker per month. | | |
|----------------------------------|--|---|----|----|--|----|----|
| | | Rs. | A. | P. | Rs. | A. | P. |
| 2(m)(i) | 208,242 | 182,816,180 | 9 | 6 | 73 | 2 | 6 |
| 2(m)(ii) | 8,039 | 7,575,855 | 7 | 10 | 78 | 8 | 6 |
| Printing Presses without power.. | 459 | 415,022 | 9 | 10 | 75 | 5 | 4 |

* Annual Report on the working of the Payment of Wages Act, 1936 in Uttar Pradesh for the year 1950: Superintendent, Printing and Stationery, Allahabad: 1952. pp.72; price Rs.1-8-0.

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Movement of wages.— The average monthly earnings of a worker in factories thus decreased in 1950 by 343 rupees 5 annas i.e. 4.9 per cent over the earnings of 1949. The following table shows the annual average earnings, their percentage rise as compared with 1939 and the average cost of living index at Kanpur:

| Years | Average annual earnings. | | | Percentage increase as compared with 1939. | Average general cost of living index at Kanpur. |
|-----------|--------------------------|----|----|--|---|
| | Rs. | A. | P. | | |
| 1939----- | 175 | 4 | 2 | - | 107 |
| 1940----- | 223 | 2 | 11 | 127.3 | 111 |
| 1941----- | 241 | 13 | 6 | 137.9 | 123 |
| 1942----- | 303 | 1 | 0 | 172.9 | 181 |
| 1943----- | 411 | 6 | 2 | 234.7 | 306 |
| 1944----- | 453 | 8 | 3 | 258.9 | 314 |
| 1945----- | 493 | 1 | 2 | 281.3 | 308 |
| 1946----- | 518 | 1 | 11 | 295.6 | 329 |
| 1947----- | 570 | 12 | 0 | 325.8 | 378 |
| 1948----- | 798 | 6 | 9 | 355.5 | 471 |
| 1949----- | 926 | 4 | 9 | 428.5 | 478 |
| 1950----- | 880 | 5 | 7 | 402.3 | 454 |

- Notes:—(1) The figures given up to the year 1947 are the "wages index".
 (2) The figures given after the year 1947 are the "percentage increase".

Deductions from wages.— No permission for deductions from wages under section 7(2)(i), i.e. deductions for subscription to the Provident Fund, was given during the year under report. The table below shows comparatively details of deductions for fines or loss of goods during the year 1949 and 1950 in the factories registered under section 2(m)(i) and 2(m)(ii) of the Factories Act, 1948. Deductions for breach of contract were, however, reported in the printing presses which were amenable to the Payment of Wages Act:—

| Details of deductions. | No. of factories | | No. of cases | | Total amount | | Average per case | | | | | |
|--|------------------|------|--------------|--------|--------------|------|------------------|------|------|------|-----|------|
| | 1949 | 1950 | 1949 | 1950 | 1949 | 1950 | 1949 | 1949 | 1950 | 1950 | | |
| | | | | | Rs. | A.P. | Rs. | A.P. | Rs. | A.P. | Rs. | A.P. |
| 1. Fines.... | 73 | 72 | 44,262 | 18,058 | 7569 | 7 0 | 3170 | 12 6 | 0 | 2 8 | 0 2 | 10 |
| 2. Deductions for damage or loss of goods. | 48 | 41 | 4,967 | 1,884 | 3245 | 1 3 | 12375 | 3 9 | 0 10 | 5 6 | 9 1 | |
| 3. Deductions for breach of contract | 2 | 4 | 29 | 15 | 446 | 6 0 | 767 | 4 9 | 15 6 | 3 52 | 2 5 | |

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Inspections and prosecutions.- Six hundred and eighty-seven inspections were made by the Inspectorate of the Department during the year under report as against 487 in the previous year. The majority of these inspections were as usual, made along with the inspections under the Factories Act. Every factory amenable to the Payment of Wages Act, 1936, is generally inspected at least once by the Inspectors every year as in the case under the Factories Act, but inspectors are required to submit the inspection reports under the Payment of Wages Act only in cases where any particular discrepancy is noticed. In a number of cases, however, special visits were paid to enquire into complaints received for non-payment, delayed payments, or illegal deductions ~~deductions~~ of wages etc., etc. In majority of these cases the irregularities detected were rectified and settled without taking any legal action against the factories concerned.

During the year under report one prosecution was launched for not maintaining the prescribed registers under Payment of Wages Act, 1936. The result of the case is still awaited. Out of six cases pending for the year 1947 one had been decided. Out of 18 pending cases for the year 1948, eight had been decided. Out of 12 pending cases for the year 1949, six had been decided, while the remaining ~~was~~ were still pending.

(The annual report for the year 1949 was reviewed at pages 66-68 of the report of this Office for September 1951).

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Rajasthan Payment of Wages Rules, 1951.

The draft Rajasthan Payment of Wages Rules, 1951 (vide page 10 of the report of this Office for August 1952) have been approved and gazetted on 11 July 1953. The rules prescribe, inter alia, the ~~registers~~ registers to be maintained, the manner of publicising the days on which wages will be paid, the procedure for the imposition of fines and deductions under the Act and the extent to which advances of wages may be made.

(Rajasthan Gazette, Part IV-B, 11 July 1953, pp. 39-58).

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66. Strike and Lockout Rights.

India - July 1953.

Month-old Colliery Strike in Hyderabad State
ends: Settlement reached.

The 28-day old strike at Kothagudam and Yallandu collieries in Hyderabad State, involving 12,000 miners, was called off on 21 July 1953 following an agreement reached between the management and the workers' unions.

The loss in production due to the strike was roughly 118,500 tons of coal.

The terms of settlement was understood to be that the management would pay the workers an "incentive bonus" of $3\frac{1}{2}$ per cent of the wages and dearness allowance linked to coal production this year and a further ~~xx~~ bonus of $1\frac{1}{2}$ per cent if the production exceeded the minimum target.

The other ~~xxx~~ provisions of the agreement were understood to be that the management would refer to the Government of India the workers' view that the determination of wage and dearness allowance and service conditions should be on a regional basis taking into consideration the food situation and other circumstances obtaining ~~xxx~~ in the respective regions.

The management would also refer the question of wages for the strike period to the Regional Labour Commissioner, Nagpur, for ~~xxx~~ his decision.

(The Statesman, 21 July 1953).

Coal Industry declared a Public Utility Service.

In exercise of the powers conferred under the Industrial Disputes Act, 1947, and by a notification dated 1 July 1953, the Central Government has declared the coal industry, so far as it is concerned with the production and supply of coal and coke, to be a public utility service for the purposes of the said Act for a period of six months from 14 July 1953.

(Notification No. SRO 1337 dated 1 July 1953; the Gazette of India, Part II, Section 3, 4 July 1953, page 978).

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67. Conciliation and Arbitration.

India - July 1953.

Industrial Disputes in India during 1952:
Further Fall in Number of Disputes and
Mandays lost.

All-India Statistics of Industrial disputes are compiled by the Labour Bureau on the basis of the weekly reports received from nine Part A and two Part C States. In regard to Central Government undertakings in these States, weekly reports are received from the Regional Labour Commissioners (Central). The statistics are collected through voluntary submission of returns by employers. The statistics relate to industrial disputes (both strikes and lockouts) resulting in work-stoppages involving 10 or more workers in all sectors of employment including mines, plantations, transport, trade, municipal services, etc. Sympathetic strikes and certain other types of stoppages which do not strictly come under the definition of 'industrial disputes' as laid down in the Industrial Disputes Act, 1947, are not covered in the statistics.

The final statistics for the year 1952 show a decrease in the number of disputes resulting in work-stoppages from 1,071 in 1951 to 963 in 1952. The number of workers involved, however, recorded an appreciable rise from 691,321 in 1951 to 809,242 in 1952 and was the highest recorded since 1949. The number of mandays lost, which had considerably declined during the previous year, further decreased from 3,818,928 in 1951 to 3,336,961 in 1952. The average duration of disputes which was 5.5 days in 1951 registered a further fall to 4.1 days in 1952. The following table shows the industrial disputes resulting in work stoppages involving 10 workers or more from 1939 onwards:-

| Year | No. of disputes | | No. of workers involved directly or indirectly in disputes | | Total No. of man-days lost during the period. |
|-----------|-----------------------------|---|--|---|---|
| | Starting during the period. | In progress during a part of the whole of the period. | Starting during the period. | In progress during a part of the whole of the period. | |
| 1939..... | - | 406 | - | 409,189 | 4,992,795 |
| 1940..... | - | 322 | - | 452,539 | 7,577,281 |
| 1941..... | - | 359 | - | 291,054 | 3,330,503 |
| 1942..... | - | 694 | - | 772,653 | 5,779,965 |
| 1943..... | - | 716 | - | 525,088 | 2,342,287 |
| 1944..... | - | 658 | - | 550,015 | 3,447,306 |
| 1945..... | - | 820 | - | 747,530 | 4,054,499 |
| 1946..... | - | 1,629 | - | 1,961,948 | 12,717,762 |
| 1947..... | - | 1,811 | - | 1,840,784 | 16,562,666 |
| 1948..... | - | 1,250 | - | 1,059,120 | 7,837,173 |

(Table continued)

| 1 | 2 | 3 | 4 | 5 | 6 |
|----------|---|-------|---|---------|------------|
| 1949.... | - | 920 | - | 685,457 | 6,600,595 |
| 1950.... | - | 814 | - | 719,883 | 12,806,704 |
| 1951.... | - | 1,071 | - | 691,321 | 3,818,928 |
| 1952.... | - | 963 | - | 809,242 | 3,336,961 |

There was no nation-wide or industry-wide work-stoppages during the year.

Disputes classified State-wise.- The following table shows the disputes classified according to State:-

| State | No. of disputes. | No. of workers involved. | No. of man-days lost. |
|-----------------|------------------|--------------------------|-----------------------|
| Assam..... | 18 | 7,159 | 65,076 |
| Bihar..... | 67 | 25,291 | 186,393 |
| Bombay..... | 269 | 425,457 | 1,207,323 |
| Madhya Pradesh. | 49 | 48,422 | 337,302 |
| Madras..... | 220 | 86,913 | 249,167 |
| Orissa..... | 6 | 5,241 | 117,288 |
| Punjab..... | 45 | 4,593 | 75,048 |
| Uttar Pradesh.. | 110 | 35,495 | 125,868 |
| West Bengal.... | 166 | 159,372 | 905,511 |
| Ajmer..... | 7 | 4,193 | 6,863 |
| Delhi..... | 6 | 7,106 | 60,622 |
| Total.. | 963 | 809,242 | 3,336,961 |

N.B.-The above figures include disputes in Central Sphere Undertakings.

This table shows that Bombay and West Bengal accounted for 63 per cent of the total time-loss during the year. Compared to the previous year, Bombay recorded fewer disputes but the number of workers involved and man-days lost were considerably higher. West Bengal too registered fewer disputes but higher time-loss and larger number of workers involved during the year. Madras recorded 220 disputes, which was higher than in the previous year, but the resultant time-loss was much less. Madhya Pradesh, Bihar and Delhi showed considerable improvement in the labour situation during the year under review. Considerable unrest was, however, noticed in the Punjab where the number of ~~workers involved and the time-loss~~ disputes and man-days lost rose markedly. In Uttar Pradesh, though the number of disputes was slightly higher, the number of workers involved and the time-loss declined sharply. Assam recorded fewer disputes and lesser number of workers involved though the time-loss was much higher. Orissa also recorded a significantly higher time-loss.

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Of these disputes, lockouts ~~accounted~~ accounted for about 16 per cent of the total time-loss during 1952. The largest number of lockouts was reported from West Bengal where the time-loss due to lockouts was also the highest.

Classification according to industries.- The following table gives the classification of industrial disputes according to industries:-

| Industry | No. of disputes. | No. of workers involved. | No. of man-days lost. |
|-----------------------------|------------------|--------------------------|-----------------------|
| Textiles- | | | |
| Cotton..... | 227 | 438,359 | 1,081,198 |
| Jute | 33 | 37,482 | 150,655 |
| Others..... | 62 | 13,065 | 61,920 |
| Engineering..... | 51 | 20,839 | 208,196 |
| Minerals and Metals- | | | |
| Iron and Steel.... | 24 | 20,831 | 27,083 |
| Others..... | 20 | 5,000 | 76,121 |
| Food, Drink and Tobacco. | 88 | 22,085 | 116,008 |
| Chemicals and Dyes.... | 16 | 5,442 | 84,494 |
| Wood, Stone and Glass.. | 55 | 17,449 | 83,250 |
| Paper and Printing.... | 21 | 6,398 | 102,936 |
| Skins and Hides..... | 13 | 2,200 | 22,965 |
| Gins and Presses..... | .. | .. | .. |
| Mines- | | | |
| Coal..... | 42 | 13,569 | 271,185 |
| Others..... | 24 | 19,949 | 102,182 |
| Transport- | | | |
| Railways..... | 25 | 53,669 | 48,859 |
| Others..... | 14 | 37,389 | 145,809 |
| Docks and Ports..... | 31 | 13,210 | 40,843 |
| Plantations..... | 37 | 21,119 | 178,305 |
| Municipalities..... | 52 | 7,470 | 50,054 |
| Miscellaneous..... | 128 | 53,717 | 484,898 |
| Total.... | 963 | 809,242 | 3,336,961 |

About one-third of the total time-loss recorded during the year was suffered by the cotton mill industry which accounted for about 24 per cent of the total number of disputes also. The time-loss suffered by this industry was, however, much less than that in the previous year. Engineering, Minerals and Metals, Food, Drink and Tobacco and Municipalities showed considerable improvement in the labour situation during the year under review. The jute mill industry, the mines and the transport industries and Plantations on the other hand showed considerable deterioration in the labour situation. While Chemicals and Dyes, Paper and Printing, Ports and Miscellaneous industries recorded smaller number of disputes but higher time-loss during the year under review, Wood, Stone and Glass industry recorded higher number of disputes but lower time-loss.

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Classification according to causes and results.-
The following table shows the classification of disputes according to causes:-

| Cause | No. of disputes [†] | Percentage to total | |
|--------------------------|------------------------------|---------------------|------|
| | | 1952 | 1951 |
| Wages and allowances.. | 283 | 30.3 | 29.3 |
| Bonus..... | 94 | 10.1 | 6.8 |
| Personnel..... | 326 | 35.0 | 29.3 |
| Leave and Hours of work. | 72 | 7.7 | 8.2 |
| Others..... | 158 | 16.9 | 26.3 |

*Cause not known in 30 cases.

As usual the issues involved in the disputes mostly centered round wages and allowances, bonus and personnel. As compared to the previous year, there was a considerable increase in the percentage of disputes relating to the above-mentioned issues and a drop in the percentage of disputes relating to leave and hours of work and other causes. Of the disputes for which causes are known, personnel alone accounted for 35 per cent.

The following table shows the industrial disputes according to results:-

| Result | No. of disputes in 1952* | Percentage to total | |
|-------------------------|--------------------------|---------------------|------|
| | | 1952 | 1951 |
| Successful..... | 199 | 23.1 | 17.2 |
| Partially successful... | 118 | 13.7 | 16.7 |
| Unsuccessful..... | 384 | 44.5 | 49.5 |
| Indefinite..... | 161 | 18.7 | 16.6 |

* Thirteen disputes were in progress at the end of the year and results are not known in 88 cases.

A classification of the disputes according to duration shows that as in the previous year, about 70 per cent of the disputes, which ended during the year and of which duration is known, lasted for 5 days or less. Only 5.2 per cent of the disputes lasted for more than a month. The average duration of disputes during the year was 4.1 days. The Bombay, Madras, Uttar Pradesh and Ajmer the average duration of disputes was less than the overall average.

(Indian Labour Gazette, June 1953,
pp. 1039-1043).

Madras: Working of the Industrial Disputes Act, 1947, during the Year 1952.

According to the annual report on the working of the Industrial Disputes Act, 1947, in Madras State for the year 1952, 7,868 complaints and industrial disputes were investigated by the Labour Department during the year 1952 as against 7,461 in 1951. Of these, 2,729 ~~xx~~ related to demands for reinstatement of discharged or retrenched workers, 1,301 to increase in rates of wages and 662 related to bonus, etc.

Strikes and lockouts.- There were 260 strikes and lockouts during the year under review as against 266 strikes during the previous year. The total number of workers involved in the strikes and lockouts and the total number of mandays lost during the year 1952 were 133,392 and 266,838, respectively, as against 99,946 ~~and~~ workers, and 593,096 mandays lost during the previous year. Bonus, increased leave facilities, increased wages, dearness allowance and reinstatement of discharged workers were among the chief causes for the strikes and lockouts. One hundred and thirty-one of the 260 disputes were amicably settled by the Conciliation Officers of Labour Department. In 78 cases, the workers resumed work unconditionally, in 46 cases, settlements were reached by direct negotiations. Three cases were referred for adjudication. The remaining two cases were pending. The following table gives the industrial disputes involving work stoppages, classified by industries:-

| Industries | No. of disputes | No. of workers involved. | Man-days lost |
|---|-----------------|--------------------------|-----------------------|
| Textiles (cotton, woolen and silk mills)..... | 91 | 34,811 | 56,786 |
| Jute..... | 15 | 18,048 | 50,214 $\frac{1}{2}$ |
| Engineering workshops.... | 11 | 6,460 | 14,785 |
| Railways including workshops. | 3 | 9,294 | 9,968 |
| Mines..... | 34 | 32,124 | 58,612 |
| Miscellaneous..... | 106 | 32,655 | 98,472 $\frac{1}{4}$ |
| Total. | 260 | 133,392 | 266,837 $\frac{3}{4}$ |

The following table shows the classification of disputes according to causes and results:-

| Industries | Causes | | | | | Results | | | | |
|---|-----------|-----------|------------|-------------------------|-----------|-------------|-----------------|--------------|------------|-------------|
| | Wages | Bonus | Personal | Leave and hours of work | Others | Successful. | Partial success | Unsuccessful | In-figures | In-progress |
| Textiles (cotton, w ^o llen and silk mills) | 31 | 3 | 32 | 5 | 20 | 28 | 11 | 40 | 12 | .. |
| Jute..... | 1 | .. | 6 | .. | 8 | 1 | 3 | 10 | 1 | .. |
| Engineering workshops.... | 4 | .. | 5 | .. | 2 | .. | 1 | 5 | 5 | .. |
| Railways including workshops.... | .. | .. | 2 | 1 | .. | 2 | .. | 1 | .. | .. |
| Mines..... | 7 | 5 | 13 | 9 | .. | 11 | 5 | 17 | 1 | .. |
| Miscellaneous.. | 28 | 22 | 45 | 2 | 9 | 41 | 8 | 36 | 21 | .. |
| Total..... | 71 | 30 | 103 | 17 | 39 | 83 | 28 | 109 | 40 | .. |

Disputes referred for adjudication.- At the commencement of the year 1952 there were 88 industrial disputes pending adjudication before the Industrial Tribunals. During the year only 126 industrial disputes were referred to the Industrial Tribunals for adjudication as against 172 disputes referred for adjudication during the previous year. Awards were published by Government in respect of 124 disputes under section 17 of the Industrial Disputes Act, thus leaving a balance of 90 disputes in respect of which awards were still awaited. Besides these, 56 awards of the Industrial Tribunal in respect of petitions filed under section 33-A of the Industrial Disputes Act were published during the year. Appeals were filed before the Labour Appellate Tribunal of India, Bombay, against 28 awards of the Industrial Tribunals.

No strikes or lockouts were declared illegal during the year 1952.

Prosecutions.- Five prosecutions were sanctioned during the year.

Declaration as public utility service.- The Government of Madras declared the electric tramways services, motor transport services, cotton textiles, coal, sugar and salt industries and transport by water in minor ports in the State of Madras as public utility services under the Industrial Disputes Act during the year 1952.

Works Committees and Unit Production Committees.-
 During the year certain amendments to the Madras Industrial Disputes Rules relating to works committees were made. Previously, the number of seats for workers' representatives were distributed among the various registered trade unions of which the workers of the establishment were members, according to the strength of each union, at least one seat being allotted to each union. For workers who did not belong to any union, ~~seats~~ seats were allotted separately. Under the revised rules, no distinction is made between members of unions and non-members, ~~members of unions~~. All the workers without reference to their affiliation to trade unions, will have to elect all the workers' representatives.

There were about 810 industrial establishments, in the State of Madras employing one hundred or more workmen coming under the purview of section 3 of the Industrial Disputes Act. Out of the 810 establishments, 560 establishments had formed the works committees so far and the by-laws had been approved by the Commissioner of Labour, Madras, in respect of all of them. The formation of works committees in the other establishments was in progress.

About 200 industrial establishments had also set up Unit Production Committees.

(Government of Madras, Development Department, G.O. No.1567 dated 1 April 1953, relating to the Annual Report on the Working of the Industrial Disputes Act, 1947 during the Year 1952).

Disputes between Railway Board and Workers referred to Ad Hoc Tribunal.

The Governmⁿt of India has appointed Mr. Sankar Saran, Custodian-General of Evacuee Property, as a one-man 'ad hoc' tribunal and five issues on which no agreement could be reached between the Railway Labour Federation and the Railway Board have been referred to him.

The setting^{up} of this tribunal is in pursuance of the provision made by the permanent negotiating machinery that if, after discussions between the Railway Board and the Federation, agreement is not reached between the two sides on any matters of importance, such matters may be referred to an ad hoc railway tribunal consisting of an equal number of representatives of labour and the Railway Board with a neutral chairman.

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The Federation has urged that certain matters in which agreement between it and the Railway Board was not achieved after discussion were of sufficient importance to warrant reference to a tribunal. The Government has accepted this contention. It has further been agreed that the tribunal should consist of one person only, representatives of the Federation and the Board being permitted to present their cases before ~~him~~ him.

Federation's demands.- The following demands made by the Federation have been referred to the tribunal.

(i) The redistribution of grades for various categories of staff, decided upon as a result of the recommendations of the Joint Advisory Committee, should be reviewed.

(ii) The revised scales of pay introduced for certain categories of staff in replacement of the prescribed scales of pay, originally allotted to these categories should apply with retrospective effect from 1 January 1947, and arrears should be paid accordingly.

(iii) The second provision in Rule 203-R of the State Railway Establishment Code, Vol. I, as modified by the orders of 21 August 1951, should be revised.

(iv) The officiating pay should be admissible to staff working in the higher grades without the imposition of any minimum time-limit as to the duration of the period of working in the higher grades.

(v) The orders that in workshops, leave with or without allowances, shall not be for less than half a day, should be reviewed.

(The Hindustan Times, 23 July, 1953).

Closure of Madras Tramways for Financial Reasons does not constitute a Lock-out: Special Tribunal's Decision.

The Special Industrial Tribunal, Madras, ~~was~~ in its decision published on 8 July 1953, in the dispute between the Madras Tramway Employees' Union and the management of the Madras Electric Tramways, has held that the closure of the place of employment by the management on account of its financial position and the refusal to employ the workers ~~has~~ does not constitute a lock-out.

In June 1952 the management proposed to the Union that the company intended to retire all workmen over 55 years of age and those who had put in 30 years of service. The union agreed to the proposal subject, inter alia, to payment of a month's salary as gratuity for each year of service. As there was no agreement between the management and the workers regarding the gratuity the matter was referred in December 1952 for

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the adjudication of the Industrial Tribunal, Madras, Meanwhile as the financial position of the Company was in a precarious state, the company decided in April 1953 to close down its business from 12 April 1953. Without previous notice the company closed down its business on 12 April 1953 and did not provide work for the workmen. The industrial dispute arising out of the situation was referred to a Special Industrial Tribunal for adjudication.

After considering all the points urged before it, the Tribunal held the company's closure of its undertaking could be justified on business reasons of finance and that the company's action did not amount to a lock-out. The Tribunal however, said that the management had contravened Section 39 of the Industrial Disputes Act, as it ceased the tramways without the permission of the tribunal during the pendency of adjudication proceedings.

The tribunal recommended the payment to workers of compensation of 15 days' basic wages for every year of service subject to a maximum of six months' ~~xxxx~~ wages. This compensation will be in addition to that payable under Rule 22 of the Standing Orders, which prescribes notice to be given or compensation paid in lieu thereof by the employer as well as employee.

If the company resumed service, the award said the workers should be notified of it by publication in local papers and all those in service prior to 12 April 1953 shall have priority of employment, according to seniority on the same terms as were prevalent before closure, except those who fail to join service within the time specified.

Another recommendation was that the workers should be allowed to participate in the unused reserve funds of the company ~~xxxxxx~~ earmarked for improvements and extensions, taxation and general purposes. Fifty per cent of the fund should be divided among the workers on the rolls on the date of closure.

In the event of the company being permanently closed down, the award said, each worker shall get the amount due to him from the provident fund as if they have all been retired after a continuous service of ~~th~~ 10 years and more, which enables them to get their own contributions as well as the company's plus the interest thereon.

(The Fort St. George Gazette, Part I, Extraordinary,
8 July 1953, pp. 1-9;
The Hindustan Times, 9 July, 1953).

68. Labour Courts.

India - July 1953.

Bombay: Work of Industrial Court and Tribunals during 1952.

During the year 1952, 1,200 cases were decided by the Industrial Court and Tribunals in Bombay State as against 1,241 cases in the preceding year.

Decisions during 1952 included 521 arbitration cases, 169 adjudications and 510 applications under sections 33 and 33A of the Industrial Disputes Act, 1947, while the total number of cases filed before the Court and Tribunals during the year under review consisted of 503 cases for arbitration, 158 for adjudication and 632 applications under sections 33 and 33A of the Industrial Disputes Act, 1947.

The Industrial Court.- The Industrial Court, on 1 January 1952, had 394 cases pending before it, while during the year 1952, 503 more cases were referred to it. Out of this total of 897 cases, decisions were given in respect of 521 cases during the year under review.

These 897 cases comprised of 493 references from Government and other parties under section 73 and 73A of the Bombay Industrial Relations Act, 1946; 23 submissions, ~~324~~ 324 appeals and 57 miscellaneous applications. Geographical distribution of the 239 references filed during the year 1952 reveals that more than 50 per cent of them were accounted for by Bombay City while centres in Gujarat ranked next with about 31 per cent of the total references. Analysed according to industry, about 96 per cent of them were ~~xxxxx~~ from Textile industry. Details according to industries are given in the following table:-

| Industry | Number of references filed | |
|--------------------|----------------------------|------|
| | 1951 | 1952 |
| Textile..... | 238 | 229 |
| Sugar..... | 2 | 6 |
| Banking..... | 2 | 1 |
| B.E.S. & T. | 11 | 2 |
| Electricity..... | 1 | 1 |
| Miscellaneous..... | 2 | - |
| Total. | 256 | 239 |

Disputes regarding bonus figured prominently among the causes leading to the references and accounted for 43 per cent of the total number of disputes. Retrenchment and reinstatement came next accounting for about 20 per cent of the total disputes. The table below gives details regarding the nature of demands:-

| Demands | No. of references filed | |
|-----------------------------------|-------------------------|------|
| | 1951 | 1952 |
| Wages and dearness allowance..... | 45 | 28 |
| Bonus | 54 | 103 |
| Leave | .. | 3 |
| Provident Fund and Gratuity..... | 26 | .. |
| Retrenchment and Reinstatement.. | 75 | 47 |
| Holidays..... | 3 | 13 |
| Closure..... | 1 | 1 |
| Others..... | 52 | 44 |
| Total. | 256 | 239 |

Industrial Tribunals.- At the beginning of the year the industrial tribunals had pending 108 adjudication cases from the previous year, while 158 cases were referred to them during the year under review. Decisions during the year numbered 169 as against 228 in the preceding year. There were 97 adjudication cases pending before the Tribunals at the end of the year under review. Of the 158 adjudication cases filed during the year, 28 per cent of the cases were from the Engineering Industry, while the Chemicals Industry accounted for about 19 per cent of the cases. The table below sets out the details according to industries for the year 1951 and 1952:-

| Industry | 1951 | 1952 |
|----------------------------------|------|------|
| Engineering | 54 | 45 |
| Metals..... | 22 | 12 |
| Chemicals..... | 40 | 30 |
| Paper and Printing..... | 8 | 13 |
| Food, Drink and Tobacco..... | 7 | 3 |
| Wood, Stone and Glass..... | 8 | 5 |
| Commerce, Finance and Trade..... | 9 | 9 |
| Public Administration..... | 8 | 9 |
| Transport..... | 8 | 6 |
| Leather..... | - | 1 |
| Miscellaneous..... | 41 | 27 |
| Total. | 205 | 158 |

Classified according to districts, Bombay City alone accounted for 83 per cent of the total adjudication cases filed during the year under review. Classified according to issues involved, 36 per cent of the cases arose over demands relating to bonus, while demands for increased wages and dearness allowance ranked next accounting for 34 per cent of the total cases.

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Details for 1951 and 1952 are ~~not~~ set out in the table below:-

| Nature of Demand | 1951 | 1952 |
|-------------------------------------|------|------|
| Wages and Dearness Allowance | 68 | 54 |
| Bonus | 77 | 57 |
| Leave and Hours of Work | 4 | 11 |
| Provident Fund and Gratuity | 14 | 9 |
| Retrenchment and Reinstatement..... | 21 | 11 |
| Miscellaneous | 21 | 16 |
| Total. | 205 | 158 |

(Labour Gazette (Bombay), June, 1953,
pp. 1035-1038).

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Chapter 7. Problems peculiar to certain Categories 81

74. Indigenous Labour.

of Workers.

India - July 1953.

Orissa: Tribal Research Bureau set up.

The Government of Orissa State has set up a Tribal Research Bureau to make a ~~new~~ scientific ~~study~~ study of the different tribal groups in the State.

The aims of the Bureau will be to find out the characteristics and problems; to study the process of culture and change among them and to suggest ~~measures~~ measures to canalize them, if possible, in desired directions. The Bureau will not confine its studies to the tribal groups alone but will extend its activities to the evaluation of diffusion of tribal cultural traits into the non-tribal population of the State.

Inaugurating the Bureau on 18 July 1953, Mr. Fazl Ali, Governor of Orissa, stated that whatever had been done till now to implement the statutory provisions of the Constitution, advancement of the tribal people had been based so far on a trial-and-error method and not on scientific investigations. The Tribal Research Bureau, he pointed out, was not only to study the causes of decline among primitive tribes like Juangs of Keonjhar, but it was also to analyse the reasons why many of the tribes of Orissa, though not declining in numbers as a result of contact with alien culture, had been living in a stage of economy which was far behind that of the rest of India.

The Governor added that besides undertaking a scientific study of the specific problems, the Bureau was also expected to make comprehensive studies of various tribal and non-tribal cultures of Orissa. "The results of such studies might not be of immediate practical applicability but the store of theoretical knowledge gained will give a greater insight into the conditions and inter-relationships of different cultures", he said.

Such insight, he pointed out was indispensable in tackling different practical problems of administration and social welfare.

(The Statesman, 20 July 1953).

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CHAPTER 8. MANPOWER PROBLEMS.

INDIA - JULY 1953.

81. Employment Situation.

Employment Exchanges: Working during May 1953.

According to the review of the work done by the Directorate General of Resettlement and Employment during the month of May 1953, there was a very slight increase in the number of vacancies notified to exchanges, but the total number of persons still seeking employment assistance through the exchanges, increased by over 10,000. The employment situation was thus unsatisfactory.

A shortage of stenographers, trained teachers, overseers and nurses was fairly widespread. Many exchanges also reported a shortage of fitters, boiler makers, mechanical foreman, and steam engine drivers. Most of the exchanges reported a surplus of untrained teachers, carpenters and semi-skilled fitters and mechanics.

Registrations and placings.- The following table shows registrations for employment and placings during the month as compared to the previous month.

| | May 1953 | April 1953 |
|---------------------|-------------|---------------|
| Registrations ----- | 120,174 | 126,708 |
| Placings ----- | 16,925 | 16,233 |

There was an overall decline of 6,534 in registrations as compared to the preceding month. The fall was comparatively ~~xx~~ large in Uttar Pradesh (5,818), Madras (2,890), Madhya Pradesh (613) and Bombay (507). An increase in registrations, on the other hand, was recorded by the exchanges in Bihar (1,377), Hyderabad (1,255) and West Bengal (955).

Of the total number of placements effected 5,068 were placed with private employers and 11,857 in central and state government establishments. There was an overall increase of 692 in placings as compared to the preceding month. Increased placings were recorded in Bihar (980), Hyderabad (476) and Delhi (262). Employment exchanges in Uttar Pradesh, Orissa and Madras on the other hand, showed a fall of 306, 297 and 224 respectively.

Placings by wage groups.- The following table shows the placings by wage groups:-

| <u>Wages groups</u> | <u>Number placed</u> |
|-------------------------------|----------------------|
| 101 rupees and above ----- | 1,235 |
| 61 rupees to 100 rupees ----- | 6,653 |
| 30 rupees to 60 rupees ----- | 8,185 |
| Below 30 rupees ----- | 852 |

Vacancies notified and submissions.- The number of employers who used the exchanges during the month was 4,633 as compared to 4,614 during April 1953. The number of vacancies notified by them was 25,658 as against 23,120 during the previous month, i.e., an increase of 2,538. Of the vacancies notified during the month 18,141 were by central and state government establishments and 7,517 by private employers. There was an increase in the number of vacancies notified in the regions of Bombay (1,728), Bihar (711), Hyderabad (511) and Orissa (396). The Uttar Pradesh and Madras regions on the other hand showed a fall of 700 and 352 respectively as compared with the figures for April 1953.

The number of persons submitted to employers during May 1953, was 76,155 as against 70,636 during the previous month.

Employment of displaced persons and ex-servicemen.- During the month, 9,321 displaced persons were registered, and 1,045 placed in employment as against 8,830 and 1,016 respectively during the previous month. Of those placed in employment, 366 were migrants from East Pakistan and 679 migrants from West Pakistan. The number of displaced persons still requiring employment assistance at the end of the month was 43,324.

A total of 7,301 ex-service personnel were registered during May and 1,102 were placed in employment. The number still requiring employment assistance at the end of the month was 27,359.

Placement of scheduled caste and tribal applicants.- A total of 12,730 scheduled caste applicants registered at the employment exchanges during May 1953; 2,691 such applicants were placed in employment. One thousand and forty-six were placed in central government vacancies, 675 in state government vacancies and 970 in other vacancies. One hundred and ninetyseven vacancies specifically reserved for scheduled caste applicants were notified to the exchanges during May 1953. A total of 40,898 such applicants remained on the live register at the end of the month, of whom 2,295 were women.

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The number of scheduled tribe applicants registered by the employment exchanges during the month was 1,463, as against 1,107 during the previous month. Seven hundred and ten such applicants were placed in employment as compared with 218 during the preceding month. The number of vacancies notified specifically for this type of applicants was 48. At the end of the month 3,009 scheduled tribe applicants remained on the live register of the employment exchanges.

Re-employment of surplus and retrenched Government employees.- A total of 1825 surplus and discharged central and state government employees were registered during the month, as against 2,119 during the previous month, and 631 were placed in employment as against 595 during the previous month. Of those who were found employment, 380 were surplus or discharged central government employees and 251 were ex-State government employees. At the end of May, the number of such persons still requiring employment assistance was 8,058 of whom 4,824 were ex-central government employees and 3,234 ex-state government employees.

During the month, 4 surplus/retrenched central government gazetted and commissioned officers were included in the all-India register. The number of such applicants on the register on the last day of May was 259. Forty-eight Class I or Class II vacancies were notified by the various Ministries during the month. Seven submissions were made against them and non-availability certificates were issued in respect of 40 vacancies. Fifty-two submissions were made against vacancies advertised by the Union Public Service Commission.

Employment ~~assistance~~ ~~to~~ ~~women~~ of highly qualified applicants.- Seven hundred and seventy-four applicants possessing high technical, scientific, professional or administrative qualifications and experience were registered during the month, as against 735 during the previous month, and 68 were placed in employment as compared to 87 during the previous month. The number of such applicants still requiring employment assistance as at the end of the month was 4,549 representing an increase of 119 over the figure at the end of the previous month.

Employment assistance to women.- A total of 4,425 women were registered for employment assistance during the month and 1,197 placed in employment as against 4,711 and 1,169 respectively during the previous month. The number of women on the live registers of employment exchanges at the end of the month was 15,562 as compared to 14,962 at the end of the previous month.

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The live register.- The number of persons still seeking employment assistance through the exchanges on the last day of May 1953, was 466,228 which was 10,811 more than the figures on the last day of the previous month. Of those on the live register 2,228 were known to be employed but desired further employment assistance.

(Review of work done by the Directorate General of Resettlement and Employment Exchanges during the month of May 1953, issued by the Ministry of Labour, Government of India).

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83. Vocational Training.

India - July 1953.

Labour Ministry's Training Schemes: Progress during May 1953.

According to the review of work done by the Directorate-General of Resettlement and Employment for the month of May 1953, the number of trainees on the rolls of various training institutes/centres on 31 May 1953, was 7,555. There were 5,900 trainees in the technical trades and the remaining in the vocational trades.

Training of displaced persons.- The total number of displaced trainees on the rolls, at the end of May 1953, was 2,133; of them 1,922 were in technical trades including 5 who were undergoing training in production/professional work. The remaining were undergoing training in vocational training.

Apprenticeship training for displaced persons.- Four thousand and thirty-seven displaced persons were undergoing training as apprentices in industrial undertakings and establishments in West Bengal and Uttar Pradesh against 900 seats sanctioned. They were recruited and posted direct to the undertakings/establishments concerned.

Training of women.- A total of 333 women were undergoing training at the end of the month at the four women's training institutes in New Delhi, Dehra Dun and Madras. In addition one woman at industrial training institute, Digha, 40 women at industrial training institute, Almora, 4 women at industrial training centre, Orissa Poor Cottage Industry, Cuttack, and 20 women at industrial training institute, Virajpet (Coorg) were undergoing training.

Training of supervisors and instructors.- Out of 116 supervisors and instructors who appeared in the examination held for the 10th session, 101 were declared successful.

The 11th regular session at the industrial training institute for instructors, Koni-Bilaspur commenced from 15 May and the total number of supervisors and instructors under training on 31 May 1953 was 95.

(Review of work done by the Directorate General of Resettlement and Employment during the month of May 1953, issued by the Ministry of Labour, Government of India).

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85. Migration and Colonisation.

India - July 1953.

Entry into India from Ceylon: Government of India enforces Passport Regulations.

The Government of India, has issued instructions that the passport regulations governing the entry of persons into India from Ceylon should ~~be~~ in future be strictly enforced. This rule will apply also to persons alleged to be Indian citizens who are deported ~~xxxx~~ from Ceylon by the Ceylon Government.

According to the Indian passport rules, all persons entering India are required to have valid passports and Indian visas with the general exception of Commonwealth citizens who require passports but not visas for entering India. However, these regulations have not so far been strictly enforced with regard to persons claiming or alleged to be Indian nationals arriving in India from Ceylon.

Until a few years ago persons domiciled in India and Ceylon were not required to carry any travel documents when travelling between the two countries. In 1949, the Ceylon Government imposed regulations which required Indian citizens travelling to Ceylon to possess both Indian passports as well as visas or residence permits granted by the Ceylon passport authorities. Nevertheless, persons claiming or alleged to be Indian nationals coming from Ceylon to India were being allowed to land in India without any travel document.

It has been brought to the notice of the Government of India, it is stated, that under this procedure even persons who have no valid claim to be deemed Indian citizens could land in India. To regulate this, the Government of India has now decided to enforce strictly the provisions of the passport regulations for persons entering India from Ceylon in the same way as they are applied to persons coming to India from other countries. All such persons will be required to have travel documents issued by the appropriate authority and in case of persons claiming Indian citizenship, the travel documents will have to be ~~xxxx~~ issued by an Indian passport authority either in India or in Ceylon.

No change, however, is contemplated with regard to Indian estate labourers employed ~~xxxx~~ on Ceylon estates, who will continue to travel between India and Ceylon on identity certificates issued by the Ceylon estate superintendents according to existing arrangements.

(The Statesman, 21 July 1953).

Chapter 9. Income Security.

92. Legislation.

India - July 1953.

Employees' State Insurance Act, 1948: Exemption
granted for Certain Government Establishments.

In exercise of the powers conferred under the Employees' State Insurance Act, 1948, and by a notification dated 2 July 1953 the Central Government has exempted 14 Government factories from all the provisions of the Act for a period of one year as the Government is satisfied that the employees in the factories are in receipt of benefits substantially similar or superior to the benefits provided under the Act. The exempted factories include telegraph workshops belonging to the Posts and Telegraphs department, wireless stations belonging to the Overseas Communication service and factories belonging to the meteorological department.

(Notification No. SRO 1378 dated 2 July 1953, the Gazette of India, Part II, Section 3, 11 July 1953, p.991).

Madhya Pradesh Employees' Insurance Courts Rules,
1953 and Madhya Pradesh Employees' State Insurance
(Medical Benefit) Rules, 1953.

The draft Madhya Pradesh Employees' Insurance Courts Rules, 1953 and the draft Madhya Pradesh Employees' State Insurance (Medical Benefit) Rules, 1953 (vide pages 64-65 of the report of this Office for June 1953) have been approved and published on 17 July 1953.

(The Madhya Pradesh Gazette, Part IV-C, 17 July 1953, pp. 119-136 and 113-119).

Travancore-Cochin Employees' Insurance Courts Rules,
1953.

The draft Travancore-Cochin Employees' Insurance Courts Rules (vide page 69 of the report of this Office for October 1952) have been approved and published on 23 June 1953. The Rules deal, *inter alia*, with the constitution of employees' insurance courts, the conditions of service of judges of the court, the procedure to be followed in proceedings before the courts and the execution of orders made by such courts, and the fees payable in respect of applications made to the courts and costs incidental to the proceedings.

(Travancore-Cochin Gazette No. 25 dated 23 June 1953, Part I, Section IV, pp. 1-20).

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94. Application.

India - July 1953.

Uttar Pradesh: Working of the Workmen's Compensation Act, 1923, during 1951*.

The annual report on the working of the Workmen's Compensation Act, 1923, in Uttar Pradesh for 1951, is based on information received from district magistrates who are the commissioners under the Act within their respective jurisdictions. The report does not include statistics of cases relating to railways, posts and telegraphs and central public works departments, the returns in respect of which are to be furnished by central ministries. During 1951 also, most of the returns were received very late and a large number of these contained omissions and inaccuracies.

Total number of accidents.- The total number of accidents in the year under review, as reported under Factories Act, 1948, was 5,999 as compared to 7,113 in 1950. This shows a fall of 1,114 accidents or 15.67 per cent as compared with the preceding year. The reason for the decrease is due to better enforcement of the safety provisions of the Factories Act, and adoption of educational measures in the factories and making the workers accident conscious. The following table shows the number of factories submitting returns, average daily number of workers employed therein, number of accidents and the incidence of accidents per 100 workers during the last 10 years:-

| Year | No. of factories submitting returns. | Average daily No. of workers employed. | No. of accidents. | Incidence of accidents per 100 workers. |
|---------|--------------------------------------|--|-------------------|---|
| 1941 -- | 811 | 224,316 | 3,591 | 1.60 |
| 1942 -- | 840 | 232,524 | 3,774 | 1.62 |
| 1943 -- | 856 | 254,830 | 4,700 | 1.85 |
| 1944 -- | 943 | 278,238 | 5,348 | 1.92 |
| 1945 -- | 969 | 276,468 | 5,519 | 1.99 |
| 1946 -- | 971 | 257,140 | 4,595 | 1.78 |
| 1947 -- | 967 | 240,396 | 5,395 | 2.24 |
| 1948 -- | 1,040 | 242,083 | 6,326 | 2.61 |
| 1949 -- | 1,178 | 233,837 | 6,782 | 2.90 |
| 1950 -- | 1,253 | 232,695 | 7,113 | 3.06 |
| 1951 -- | 1,218 | 234,551 | 5,999 | 2.56 |

* Report on the Working of the Workmen's Compensation Act, 1923, for the year 1951. Superintendent, Printing and Stationery, Allahabad. Price Annas 6; pp.22. Figures within brackets relate to the preceding year.

The figures in the table relate to factories registered under the Factories Act, 1948. It does not include accidents that might have occurred in those categories of employments mentioned in schedule II to the Workmen's Compensation Act which are not covered by the Factories Act.

Cases disposed of by Commissioners.- The year opened with 90(9)* cases of workmen's compensation including 33(29) cases of award of compensation under section 10 and 57(62) cases of deposits under section 8 of the Act. One hundred and fifty-eight(113) fresh applications were filed, 54(52) were received from the other Commissioners for disposal, thus making a total of 302(256) applications to be disposed of by the Commissioners. Of these 193(165) were disposed of and 12(4) were transferred to other Commissioners for disposal, leaving a balance of 97(87) cases to be disposed of at the end of the year.

As regards award of compensation, there ~~were~~ 53(29) cases ~~were~~ pending at the commencement of the year. Of these, 13(9) related to fatal accidents, 19(17) to permanent disablement and 1(3) to temporary disablement. Sixty-seven (57) fresh cases were instituted during the year, ~~29(29)~~ 29 (18) relating to fatal, 38(35) to permanent disablement, nil(4) to temporary disablement and two(2) cases relating to fatal accidents were received from other Commissioners for disposal, thus making a total of 102(88) cases to be disposed of during the year under review. Of these, 69(56) cases of awards including 31(17) relating to fatal and 38(33) relating to permanent disablement were disposed of leaving a balance of 31(32) cases at the close of the year. Of these 69(56) cases, 11(15) cases were disposed of without notice to the other party and 58(41) cases after notice to the other party of which 15(13) were uncontested. Out of 11(15) cases disposed of without notice to the other party, 5(11) cases were withdrawn, 5(3) cases dismissed for non-appearance, 1(nil) was summarily dismissed under rule 21 and nil(1) was dismissed under rule 22. Out of 15(13) uncontested cases, all were admitted by the opposite party and in no case an award was made exparte. Of 43(28) contested cases compensation was allowed in 20(9) cases, in part in 5(15) cases and the remaining 18(4) were dismissed.

As regards deposits under section 8 of the Act, at the commencement of the year, 57(62) cases were pending, 91(56) were filed and 52(50) were received from other commissioners for disposal. Out of 200(168) cases of deposits, 124(109) were disposed of, 10(4) were transferred to other commissioners for disposal, thus leaving a balance of 66(55) cases pending at the end of the year. Out of 124(109) cases disposed of disbursement to workmen or their dependents was made in 122(104) cases, and in 2(5) cases the amount of compensation was refunded to the employers for want of genuine claimants.

* Figures within brackets relate to the preceding year.

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Registration of agreements.- At the commencement of the year under report 14(24) memoranda of agreements relating to permanent disablement were pending. One hundred and fifty(134) fresh memoranda were received during the year thus making a total of 164(158) for disposal. Of these 164(158) cases, 158(146) related to permanent disablement, 6(9) to temporary disablement and nil(3) to commutation of half monthly payments. Out of these 126(141) were registered as filed. The number of agreements registered after modification was nil(2). The number not registered on account of other causes was also nil(1). On the whole 126(143) memoranda were disposed of leaving a balance of 37(14) for permanent disablement and 1(nil) for temporary disablement to be dealt with.

The total number of cases in respect of which compensation was paid during the year under report was 162 as against 141 last year. Out of the total number of 193(165) cases disposed of by the Commissioners, 24(8) were dismissed, 5(11) were withdrawn and in 2(5) cases compensation was refunded to the employers. All these cases related to adult male workers. In 102(77) cases injuries resulted in death, in 46(50) in permanent disablement and in 14(14) cases in temporary disablement.

Amount of compensation paid.- During the year under review 184,293 rupees 6 annas and 11 pies(Rs.128,872-15-3), 34,135 rupees and 4 annas (Rs.35,360-3-6) and 4,026 rupees 12 annas and ~~9~~ nine pies (Rs.7,353-6-4) were paid as compensation in 102(77) fatal cases, 46(50) permanent disablement and 14(14) temporary disablement cases respectively after reference to workmen's compensation commissioners. Of the 102 cases resulting in death 38 related to factories, 37 to mines, 2 to docks and ports, 5 to building and construction, one to municipalities and local bodies, 2 to motor transport, 2 to electricity works and 15 to miscellaneous. Of 46 cases of permanent disablement 27 related to factories, 9 to mines and 10 to miscellaneous. Similarly of the 14 cases of temporary disablement 9 related to factories, 4 to mines and one to miscellaneous. The average amount of compensation paid per case was 1,806 rupees 12 annas and 8 pies (Rs.1,673-10-10) in fatal cases, 742 rupees 1 anna and 2 pies(Rs.707-3-3) in cases of permanent disablement and 287 rupees 10 annas (Rs.525-3-11) in cases of temporary disablement).

In addition to 162(141) cases disposed of by workmen's compensation commissioners in which compensation was paid, 1,812(2,092) cases consisting of 194(178) cases of permanent disablement and 1,618(1,914) cases of temporary disablement were settled directly by employers without reference to workmen's compensation commissioners in which compensation amounting to 110,433 rupees 10 annas and 9 pies(Rs.91,547-5-3) and 29,641 rupees 1 anna and 6 pies(Rs.29,094-10-1) respectively was paid. Out of 1,618 cases of temporary disablement and 194 cases of permanent disablement,

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1,569 and 180 related to factories, 2 and nil to tramways, 24 and 4 to electricity works, 8 and 3 to motor transport and 15 and 7 to miscellaneous respectively. The average amount of compensation paid per case was 569 rupees 3 annas and 11 pies (Rs.514-5-0) in cases of permanent disablement and 18 rupees 5 annas and 1 pie (Rs.15-3-3) in case of temporary disablement.

The group 'Factories' accounted for a large number of fatal and non-fatal accidents. The following table shows the number of cases of different types in which compensation was paid together with the total amount of compensation and the average amount per case. The table also shows that the amount of compensation paid per case has been lower in cases of direct payment of compensation than the amount paid after reference to Commissioners. From this it cannot be concluded that employers have paid lesser amounts than are admissible under the Act. It may be due to the fact that cases of minor accidents and injuries involving smaller amounts of compensation are generally settled by the employers.

| Type of cases. | Cases in which compensation was paid directly by the employers. | | | | | | | Cases in which compensation was paid after reference to the Workmen's Compensation Commissioners. | | | | | | | |
|------------------------|---|--------|------------------------------|-----|-----|-----------------|-----|---|--------|------------------------------|----|------|-----------------|----|----|
| | No. of cases | | Amount of compensation paid. | | | Amount per case | | No. of cases | | Amount of compensation paid. | | | Amount per case | | |
| | Rs. | A. | P. | Rs. | A. | P. | Rs. | A. | P. | Rs. | A. | P. | Rs. | A. | P. |
| Death ----- | - | - | - | - | - | - | - | 102 | 184293 | 6 | 11 | 1806 | 12 | 8 | |
| | | | | | | | | (177) | 128872 | 15 | 3 | 1673 | 10 | 10 | |
| Permanent disablement. | 194 | 110433 | 10 | 9 | 569 | 3 | 11 | 46 | 34155 | 4 | 0 | 742 | 1 | 2 | |
| | (178) | 91547 | 5 | 3 | 514 | 5 | 0 | (50) | 35360 | 3 | 6 | 707 | 3 | 3 | |
| Temporary disablement. | 1618 | 29641 | 1 | 6 | 18 | 5 | 1 | 14 | 4026 | 12 | 9 | 287 | 10 | 0 | |
| | (1914) | 29094 | 10 | 1 | 15 | 3 | 3 | (14) | 7353 | 6 | 4 | 525 | 3 | 11 | |

Occupational diseases.- During the year under review no case of occupational disease was reported, though the Act provides for compensation if a worker contracts any occupational disease as specified in the Act.

Appeals.- At the commencement of the year under review four appeals were pending before the High Court at Allahabad, and the number of appeals including three which were filed before the Lucknow Bench of this Court was 9. Of these 13, only 2 were disposed of, leaving a balance of 11 cases pending at the close of the year.

(The Working of the Workmen's Compensation Act, 1923, in Uttar Pradesh during the year 1950 was reviewed at pages 56-62 of the report of this Office for July 1952).

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Ceylon: Administration Report of the Director
of Social Services for 1952.

The Administration Report of the Director of Social Services, Ceylon, reviewing the activities of the Department of Social Services, for the year 1952, has been published recently*. Among other matters the Report deals with public assistance, casual relief, grants-in-aid to voluntary agencies running charitable and welfare institutions, State homes for the aged, social insurance services and workmen's compensation.

General.- During the period under review the Department has been engaged in improving and extending the existing services and in providing certain new services, in particular the establishment of a State home for the aged and infirm at Anuradhapura and the formulation of a scheme for financial assistance to tuberculosis patients and their dependents. A start was also made in implementing the first stage of the scheme to establish a network of creches through the agency of voluntary bodies and local authorities.

During the year certain officials of the department were sent to Australia, New Zealand and the United Kingdom for courses of observation and training in social services provided by the Colombo Plan Technical Co-operation Scheme, and by the Training Division of the U.N. Technical Assistance Administration. The Department obtained the services of an expert on Deaf and Blind Welfare Work, through the United Nations Technical Assistance Administration to make a survey of the work done in the field of education and vocational guidance of the deaf and blind in Ceylon and to advise on the programme of work which should be followed in the future by the School for the Deaf and Blind and on the aftercare of the adult deaf and blind.

Social insurance scheme.- The scheme of national insurance drawn up by the department was considered by Government and it was decided to establish only the national provident fund in the first instance. A Bill will accordingly be introduced in Parliament shortly.

Legislation: Poor Law Ordinance.- The repeal of the Poor Law Ordinance, No.30 of 1939, and the assumption of responsibility by the Central Government for public assistance, including institutional relief and the relief of distress throughout the Island was receiving the active consideration of Government.

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Ceylon: Part I - Civil(Q) - Administration Report of the Director of Social Services for 1952, May 1953. To be purchased at the Government Publications Bureau, Colombo. Price 70 cents Postage 20 cents. pp.36.

The draft ~~xxxx~~ Charity Regulation Bill has been submitted to the Government for approval and the draft of an Ordinance to amend the Workmen's Compensation Ordinance has been finalised and will be submitted to the Government for approval.

Social welfare.- As stated in the previous year's report 25 per cent of the total amount collected in Ceylon in response to the United Nations Appeal for children was credited to the United Nations International Children's Emergency Fund. The balance amount of 153,099.37 rupees is to be handed over to the incorporated board of trustees appointed for the purpose of establishing a convalescent home for children. During the year the board of trustees took possession of a piece of land at Maharagama donated for the convalescent home. The national committee will hold its final meeting shortly to consider the statement of accounts before transferring the money to the board of trustees.

Social surveys.- The money provided for social surveys in the 1951-52 Estimates was partly allocated to the department of census and statistics, to conduct family living surveys in rural areas and partly utilised to collect statistics for determining the need for the establishment of creches in urban and rural areas.

Public assistance.- The system of payment of monthly allowances to the needy through the Revenue Officers continued to be the basic social service and received priority among all other forms of assistance. In the light of working experience, certain amendments were made to the rules governing the payment of these allowances. The rules provide for assistance to women deprived of their husbands' help owing to imprisonment if in order to attend to their children or on account of physical disability they are unable to work to support themselves and their children.

The following table shows the number of persons in receipt of monthly allowances in January and December 1952; the number of persons assisted during the financial year 1951-52 and the total amount paid as allowances during the financial year.

| No. of Persons in receipt of Monthly Allowances. | | No. of Persons assisted during the Financial Year 1951-52. | Total Amount paid as Allowances during the Financial Year 1951-52 | |
|--|-------------------|--|---|----|
| In January, 1952. | In December, 1952 | | Rs. | c. |
| 74,432 | 78,293 | 91,321 | 7,927,457 | 85 |

The total expenditure during the financial year 1951-52 increased by 1,091,152.74 rupees over the previous financial year.

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Casual relief up to a maximum of 300 rupees is given for the repair or the reconstruction of houses and for the replacement of implements of trade damaged by fire, cyclone, rain, storm, sea erosion, or other similar causes in cases where destitution is likely to occur in the absence of State assistance. During the year 1951-52 an amount of 207,754 rupees was spent on casual relief. Compared with last year there was an increase of approximately 28 per cent in the number of cases assisted and about 54 per cent in expenditure.

Financial assistance to tuberculosis patients.- A scheme of financial assistance for indigent tuberculosis patients and their dependants was formulated by the department with the object of compensating for loss of earnings power during treatment and thus encouraging early and complete treatment. Provision in a sum of 3 million rupees was made for this purpose in the estimates for 1952-53.

The maximum assistance payable to a family is 60 rupees per mensem where the patient is receiving institutional treatment and 80 rupees per mensem where out-door treatment is being taken, subject in all cases to a family means test carried out by a social services officer or district revenue officer. Supplements of 40 rupees each per month are also payable in respect of dependants who are themselves afflicted by the disease. Assistance that is granted should be utilized for the purpose for which it is given and primarily for the purchase of medical comforts and good food. Payments will be made as a rule to the spouse or authorised agent of the patient.

Up to December 1952, a total of 1,665 applications were received for assistance under the scheme which will come into operation in January 1953, when the first payments will be made. The scheme will be administered centrally by the department working in close collaboration with the health department.

Relief of distress due to failure of crops, etc.-An amount of 542,672 rupees was spent on relief of widespread distress due to failure of crops, floods and other exceptional causes.

Voluntary organisations.- Voluntary organisations for the running of charitable and welfare institutions continued to play an important part in Ceylon's social services. A scheme to provide creche facilities for the day time care of children between the ages of three months and five years in areas where there are concentrations of working mothers came into force in the course of the year. Under this scheme grants can be given to voluntary organisations or local authorities for erection of buildings, improvements or extensions to buildings, purchase of equipment and furniture and for maintenance of creches. A creche in an urban area should normally have accommodation for 50 children and in a rural area for 25 children. A sum of 750,000 rupees was provided for in the estimates 1952-53 and a sum of 13,550 rupees

was paid to the Ceylon Social Service League towards the end of the year as a maintenance grant in respect of the creche, at Maligakanda. Grants for thirteen other creches were under consideration by the department at the end of the year.

A similar scheme of assistance towards the establishment and running of homes for the aged by local authorities and voluntary agencies was finalised during the year. A sum of 265,166 rupees was paid to 16 voluntary agencies as special grants towards buildings and equipment during the financial year 1951-52.

In addition to the amounts mentioned above a total sum 377,260 rupees was paid to 79 voluntary organisations as grants during the financial year 1951-52 as against 312,570 rupees paid to 63 voluntary organisations during the previous financial year.

State homes for the aged and infirm.- The Government has decided that 10 State homes for the aged and infirm should be established to cover the entire Island and that provision should be made for the accommodation of a minimum number of 240 aged persons in each home. As regards the State home at Koggala opened on 19 March 1951, the Government has approved an estimate amounting to 799,000 rupees for the extension of the home in order to provide accommodation for 500 inmates and quarters for staff. A second State home at Anuradhapura was established on 23 February 1952 and 19 persons were admitted on the first day. At the end of December 1952 there were 95 persons in residence. State homes at Mirigama, Jaffna, and Matale are under construction and steps are being taken to construct State homes at six other centres.

Workmen's compensation.- Total number of accidents.- Nine thousand nine hundred and thirty-seven accidents were reported during the year as against 10,317 in 1951. Of these, 198 were fatal as against 220 in 1951. According to the returns furnished by the employers, the claims paid during the year totalled 765,081.86 rupees in respect of 7,437 cases. The figures for the last three years are as follows:-

| Year | Number of Claims paid | Total Amount paid | |
|------------|-----------------------|-------------------|----|
| | | Rs. | C. |
| 1950 ----- | 7,259 | 536,386 | 90 |
| 1951 ----- | 7,499 | 687,785 | 5 |
| 1952 ----- | 7,437 | 765,081 | 86 |

The following table shows the number of accidents and amount of compensation paid during the year 1952.

(Please see table on the next page)

| Establishments | Accidents resulting in | | | Compensation paid in respect of | | |
|---------------------------------|------------------------|-------------------------------------|-------------------------------------|---------------------------------|-------------------------------------|---------------------------|
| | Deaths | Perma- nent Disable- ment. | Tempo- rary Disable- ment. | Deaths | Perma- nent Disable- ment. | Temporary Disablement. |
| | | | | Rs. c | Rs. c | Rs. c |
| 1. Estates including (Adults..) | 39 | 137 | 3212 | 78509 80 | 94678 37 | 72279 94 |
| State factories (Minors..) | - | 2 | 79 | - | 1545 0 | 2242 61 |
| 2. Government Estab- (Adults..) | 18 | 23 | 1882 | 51900 0 | 33433 95 | 62218 8 |
| lishments includ- (Minors..) | - | - | - | - | - | - |
| ing Railway. | | | | | | |
| 3. Business Estab- (Adults..) | 31 | 137 | 1628 | 103600 0 | 175167 34 | 79105 88 |
| lishments. (Minors..) | - | - | 6 | - | - | 44 95 |
| 4. Mines. (Adults..) | - | - | 91 | - | - | 1918 86 |
| (Minors..) | - | - | - | - | - | - |
| 5. Local Bodies. (Adults..) | - | - | 139 | - | - | 2465 70 |
| (Minors..) | - | - | - | - | - | - |
| 6. Miscellaneous. (Adults..) | - | 1 | 12 | - | 735 0 | 236 38 |
| (Minors..) | - | - | - | - | - | - |
| | 88 | 300 | 7049 | 234009 80 | 305559 66 | 225512 40 |

Total number of Claims .. 7437
 Total Compensation paid.. Rs.765,081.86

Deposits.- Compensation deposited with the Commissioner during the year was 457,048 rupees as against 438,965 rupees in 1951. The opening and closing balances are as follows:-

| | Rs. c. |
|---|-------------------|
| Opening balance ^{on} January 1, 1952 | 90,625 34 |
| Add Deposits made in 1952 | 457,048 8 |
| | <u>547,673 42</u> |
| Deduct payments made during 1952..... | 467,115 32 |
| Closing balance on December 31, 1952.. | <u>80,558 10</u> |

Appeals.- Twelve appeals to the Supreme Court under section 48(1) of the Workmen's Compensation Ordinance were filed during the year. Eight cases were pending at the commencement of the year. Decisions in 11 cases were affirmed and the appeals dismissed. In one case the order of the Commissioner awarding compensation was set aside. Eight cases were pending at the close of the year.

Registration of agreements.- One thousand three hundred and one agreements were registered in 1952. Of these four hundred and four were in respect of permanent disablement and the total amount of compensation paid in these cases was 362,188.37 rupees. The remaining 897 agreements related to cases of temporary disablement.

Industrial diseases.- No application for compensation in respect of industrial diseases was received during the year.

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CHAPTER 10. SOCIAL AND INDUSTRIAL MEDICINE.

INDIA - JULY 1953.

105. Industrial Medicine.

Silicosis in Mica Mines in Bihar: Government of
India Survey.

A survey of the problem of free silica exposure and silicosis in mica mining in Bihar has recently been published by the Ministry of Labour, Government of India*. The report is based upon a comprehensive study covering both the engineering and medical aspects of the problem carried out with the assistance of members of the Industrial Hygiene Unit, now in India under the United States of America Technical Co-operation Administration programme.

India supplies the world with a major portion of all its high grade sheet mica. Before World War II India produced about 75 per cent of the mica needs of that industry, and the bulk of it came from the Bihar mica field. Production has progressively increased, data for recent years showing an advance of from 120,000 cwts. in 1939 to 195,000 cwts. in 1951, the latest year for which such figures are available. Employment in the industry is about 27,000, of which 16,500 work underground. It has been known for some years that mica miners, in the course of their work, are exposed to the inhalation of rock dust that is high in its free silica content, and thus may develop the disease silicosis. Suggestive evidence in this direction was presented to the Mica Enquiry Committee, in 1944-45. Similar data appeared in a later report of another inquiry into the working conditions in the industry. Both reports recognised the need for a careful scientific appraisal of the problem. With this object, the present survey has been undertaken.

Extent of prevalence. - ~~As a result of the exposure of~~
In the survey medical examinations were made of a representative sample of 329 miners, including chest roentgenograms on 11 x 14 inch films. The chemical nature of the rock dust, as well the enumeration of the degree of dustiness of the mining operations, was determined. The following significant observations were made:

1. The rock dust to which the miners were exposed varied in silica content from 11 percent to 67 per cent, with a median of 42 per cent.

* Silicosis in Mica Mining in Bihar. Office of the Chief Adviser of Factories, Ministry of Labour, Government of India. 1953. pp.38.

- 2. The degree of dustiness varied from one occupation to another, and was highest (an average of 800 mppcf) (mppcf - million particles per cubic foot of air) for pneumatic drilling and done with no dust control measures, and lowest for wet drilling (an average of 7 mppcf).
- 3. Nodular and conglomerate silicosis was found in 34.1 per cent of the miners examined, and was directly associated with the degree of dustiness of the occupations as well as the duration of time that they had worked at those occupations.
- 4. Pulmonary tuberculosis was found in 18.6 per cent of the miners.

Recommendations.- The report has made the following recommendations:-

- 1. Only wet drilling be permitted pending an investigation of the reasons for the ineffectiveness of the dust traps. Wet drilling should be done with a minimum flow of water through the drill of 0.6 gallons per minute, the water being turned on before the air to the pneumatic drill.
- 2. Wet drilling in excess of four hours per day per driller should not be permitted unless sufficient mechanical ventilation, either exhaust or forced, is provided to reduce the dust concentration during drilling to below ~~5~~ 5 mppcf.
- 3. After blasting and completing the examination for unfired shots, the face, walls, roof, and floor of the working, and the loose rock at and near the site of blasting should be thoroughly wetted.
- 4. There should be an interval of several hours, between the time of wetting down the section blasted and the ~~xxx~~ loose rock and the time that scalers, mica selectors, and muckers are permitted to enter and begin work in the section.
- 5. Hand drilling should not be done without providing sufficient mechanical ventilation to maintain a dust concentration below 5 mppcf in the breathing zone of the workers.
- 6. A medical control programme should be considered which should include periodic chest X-rays for selected groups of mica miners.

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CHAPTER 11. INDUSTRIAL SAFETY.

INDIA - JULY 1953.

111. Prevention of Accidents.

Working of the Indian Dock Labourers' Act, 1934,
and the Indian Dock Labourers' Regulations, 1948,
during the Year 1951.

According to the annual report on the working of the Indian Dock Labourers' Act, 1934, and the Indian Dock Labourers' Regulations, 1948, for the year 1951*, there was considerable improvement in the compliance with the provisions of the Act and the Regulations by the port authorities, stevedoring firms and shipping agents, who extended full co-operation to the inspectorates in the discharge of their functions.

General.- The volume of cargo that passed through the ports during the year 1951 showed an increase. In Calcutta, the sea-borne trade for ~~the~~ the year was 8.9 million tons, as against 7 million tons last year. There was a similar increase in the trade at the other ports as well. The number of persons employed in the processes of loading and unloading cargo, consequently, registered an increase, though reliable figures in regard to the actual number of persons employed were not available owing to the unregulated nature of their employment.

Amendments to Regulations.- Certain draft amendments to the Regulations, relating to the provision of first-aid facilities at midstreams and moorings and responsibility for reporting of accidents, were published for public comments, along with other minor amendments. These are being examined in the light of the comments received. In the meantime, the instructions already issued by the port authorities to the stevedores and shipping agents, laying down the procedure for directly reporting to the Inspectors accidents involving stevedore labour, are being followed.

Health and welfare.- The question of framing special regulations, regarding precautions to be taken in handling dusty or noxious cargoes, has been under examination. It is felt that, in view of the difficulties in providing adequate ventilation in the holds of ships, the only alternative would seem to be the provision of suitable

* Government of India. Ministry of Labour. Office of the Chief Adviser Factories. Annual Report for the Year 1951 on the working of the Indian Dock Labourers' Act, 1934, and the Indian Dock Labourers' Regulations, 1948. pp.27.

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masks to safeguard against toxic and noxious dusts and fumes. In addition, when corrosive substances are handled, it would be necessary to supply the workers with protective clothing. It is accordingly proposed to modify the existing Regulation 24 suitably.

Regarding welfare amenities to be provided for dock labour, such as the provision of drinking water, rest shelters and canteens, these matters were beyond the scope of the Indian Dock Labourers' Act and the Inspectors could do little beyond drawing attention to the need for the provision of these elementary needs. However, it is proposed to prepare a scheme under the Dock Workers (Regulation of Employment) Act, 1948, covering the health and welfare measures for all dock workers and providing for the safety of such workers as are not already covered by the Indian Dock Labourers' Act and Regulations or any other statute in force.

Safety regulations.- Although there has been general improvement in the provision of fencing of breaks, dangerous corners and other dangerous parts or edges of docks, wharves or quays, the maintenance of floors of wharves and transit sheds at certain Ports cannot be said to be satisfactory. On many quay sides, drains needed to be properly covered. The matter has been taken up with the port authorities. Implementation of certain schemes to improve lighting in the docks has been taken up.

The maintenance of life-buoys and other life-saving appliances was satisfactory at all the ports, except at Calcutta where the port authorities have been advised to house the life-buoys in suitable boxes. Steps are being taken at certain ports to provide iron ladders, chains and other means at the quay walls for enabling any person immersed to support himself or escape from the water. Considerable improvement was noticed in the provision and maintenance of first-aid boxes and stretchers at the ports and also in the training of port staff in first-aid.

The report states that there is still need for further improvement in the matter of provision of washing facilities, particularly at and near the coal berths.

The position with regard to the provision of safe means of access between shore and ship was found to be generally satisfactory.

The regulations regarding beams and hatch coverings were also satisfactorily implemented, except in the case of certain old ships or tramp steamers.

As regards the regulations relating to safety in operations, there were fewer cases of overloading of lifting machinery, gear and ~~strings~~ slings. Similarly, there were a smaller number of accidents due to faulty signalling or faulty operation of cranes and winches.

Accidents.- The total number of accidents for the year was 2,002, as compared with 1,909 during the previous year. The number of fatal accidents was also slightly more this year, viz., 20, as against 18 reported last year. The following table ~~gives~~ shows the accidents occurring in ports, according to causes:-

| Cause | Bombay | Calcutta | Madras | Cochin | Visakha- patnam | Total |
|---------------------------------------|---------------|----------------|---------------|--------------|--------------------|------------------|
| Lifting machinery. | 13 | 4 | 1(1) | - | - | 18(1) |
| Transport. | 21 | 8(1) | 7 | - | - | 36(1) |
| Struck by falling bodies. | 169(2) | 259(1) | 30 | 5 | 6(1) | 469(4) |
| Persons falling. | 30(2) | 196(6) | 49 | 9(3) | 3 | 287(11) |
| Handling goods. | 187 | 309 | 196 | 11 | 14 | 717 |
| Stepping or striking against objects. | 35 | 69 | 24 | - | 2 | 130 |
| Use of hand tools. | 8 | 21 | - | - | - | 29 |
| Miscellaneous. | 44 | 217(1) | 38 | 11(2) | 6 | 316(3) |
| Total. | 507(4) | 1083(9) | 345(1) | 36(5) | 31(1) | 2002(20). |

Note: Figures within brackets indicate fatal accidents.

A comparison of these figures with those of the previous year shows that the figures under each causation hardly vary from those for the last year. The number of accidents under the category "persons falling" was slightly higher than that for the last year; and, although this accounted for less than 15 per cent of the total number of accidents, the fatalities constituted more than 50 per cent of the total fatal accidents during the year, viz., 11 out of 20.

Besides there were 1,586 non-reportable accidents, as compared with 985 for the year 1950. The details of these accidents for the five ports are given below:-

| | |
|----------------|-------------------|
| Calcutta. | 474 |
| Bombay. | 757(6) |
| Madras. | 294(3) |
| Visakhapatnam. | 49 |
| Cochin. | 12(1) |
| Total | 1586(100). |

(Note: Figures within brackets indicate fatal accidents).

The report remarks that out of these 1,586 non-reportable accidents, there have been as many as 10 fatal accidents. It is not unlikely that these non-reportable

accidents also include quite a number of serious accidents. These accidents had to be technically considered as "non-reportable", because the persons involved were not actually engaged in "processes" as defined in the Indian Dock Labourers' Act and Regulations. Such workers are intended to be covered by the proposed scheme under the Dock Workers' (Regulation of Employment) Act, 1948.

Dangerous occurrences.- There were 146 dangerous occurrences during the year. There was a rise in these occurrences as compared to 1950. For example, at Calcutta, the figure was 47, as compared with the previous figure of 14. The number of dangerous occurrences reported from Bombay port is the highest again during 1951. The following table shows the number of dangerous occurrences during the year in the various ports according to causes:-

| Causes | Bombay | Calcutta | Madras | Cochin | Visakha- patnam | Total |
|--|-----------|-----------|----------|----------|--------------------|------------|
| | | | | | | |
| Collapse or failure of accessory gear. | 86 | 40 | 5 | 1 | 3 | 135 |
| Others. | - | 2 | - | - | - | 2 |
| Total. | 86 | 47 | 7 | 2 | 4 | 146 |

Inspections and prosecutions.- The table given below shows the particulars of inspection work done by inspectors during the year 1951:-

| Details of work | Madras | | | Bombay | Calcutta |
|-----------------------|------------|------------|------------------|------------|------------|
| | Madras | Cochin | Vizaga- patam | | |
| Number of visits: | | | | | |
| (a) Ship inspections. | 475 | 74 | 26 | 575 | 400 |
| (b) Dock inspections. | 136 | 26 | 16 | 178 | 136 |
| (c) Other places. | 84 | 67 | 40 | 191 | 96 |
| Total. | 695 | 167 | 82 | 944 | 632 |

It will be seen that the average number of inspections of docks and ships and other visits by each Inspector was 761 during the year, as against 650 during the last year. Besides the routine work in the office and the interviews given to various parties concerned, to discuss matters in connection with the administration ~~with~~ of the Indian Dock Labourers' Act and Regulations, the inspectors spent considerable time in investigating important accidents and dangerous occurrences, as well as in discussions with Port officials and other parties concerned, with a view to suggesting measures for securing higher standards of compliance

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~~compliance~~ with the Regulations.

As difficulties were being experienced by the Inspectors in conducting prosecution cases, the maritime States in which the five ports are situated were requested to appoint the Inspectors as Public Prosecutors under Section ~~492(1)~~ 492(1) of the Criminal Procedure Code, 1898, within their respective jurisdictions. The West Bengal Government has since issued a notification appointing the Inspector, Dock Safety, Calcutta, as Public Prosecutor. During the year two prosecutions in Calcutta and one each in Bombay, Madras and Cochin and Visakhapatnam were instituted. Of these one in Calcutta, and the cases in Cochin and Visakhapatnam were pending at the close of the year.

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LIST OF THE PRINCIPAL LAWS PROMULGATED DURING
THE PERIOD COVERED BY THE REPORT FOR JULY 1953.

INDIA - JULY 1953.

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