

COPY NO. 2.

INTERNATIONAL LABOUR OFFICE
INDIA BRANCH

2-686

Industrial and Labour Developments in January 1961.

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

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CHAPTER 1. INTERNATIONAL LABOUR ORGANISATION.

INDIA - JANUARY 1961.

11. Political Situation and Administrative Action.

Government of India (Allocation of Business) Rules, 1961.

The Government of India published on 18 January 1961 an Order made by the President of India regarding allocation of the business of the Government of India. The Order containing rules has been made in exercise of the powers conferred under the Constitution and in supersession of all previous rules and orders on the subject. The Order provides that the distribution of subjects among the departments of the Government shall be as specified in the second schedule to the rules. The subjects allocated to the Ministry of Labour and Employment are set out below.

MINISTRY OF LABOUR AND EMPLOYMENT

Part I - Union Subjects.-

1. In respect of Union Railways - payment of wages, trade disputes, hours of work from employees not covered by the Factories Act, and regulation of employment of children.
2. In respect of docks - dockyard labour.
3. Regulation of labour and safety in mines and oilfields.

Part II - Concurrent Subjects.-

4. Factories.
5. Welfare of labour - industrial, commercial and agricultural - conditions of labour; provident funds; employers' liability and workmen's compensation; health and sickness insurance, including invalidity pensions, old age pensions; improvement of working conditions in factories; canteens in industrial undertakings.
6. Unemployment insurance.
7. Trade Unions; industrial and labour disputes.
8. Labour statistics.

9. Employment and unemployment.

10. Vocational and technical training of craftsmen.

Part III- Additional Business for Union Territories of Himachal Pradesh, Manipur, Tripura and Delhi.

11. Items mentioned in Part II above.

Part IV- Incidental Business with Respect to any of the Matters mentioned in Parts I, II and III above.

12. The implementing of treaties and agreements with other countries.

13. Offences against laws.

14. Inquiries and statistics.

15. Fees but not fees taken in any court.

16. Jurisdiction of powers of all courts (except the Supreme Court).

Part V- Miscellaneous Business.

17. Employment Exchanges.

18. Schemes for Training of Instructors, Craftsmen, technicians at foreman and supervisory level, both in India and abroad, Apprentice Training.

19. International Labour Organisation.

20. Tripartite Labour Conferences.

21. War Injuries (Compensation Insurance) Act, 1943 and Scheme.

22. Administration of Essential Service (Maintenance) Ordinance.

23. Administration of Laws connected with safety and welfare in mines and of the organisations of the Chief Inspector of Mines, Coal and Mica Mines Welfare.

24. Administration of Dock Workers (Regulation of Employment) Act, 1948, Indian Dock Labourers Act, 1934 and the Schemes and Regulations framed thereunder.

25. Administration of the Tea Districts Emigrant Labour Act and the Organisation of the Controller of Emigrant Labour.

26. Social Security measures, including the administration of the Employees' State Insurance Act, the Employees' Provident Funds Act, the Minimum Wages Act; and Coal Mines Provident Fund Act.

27. Administration of labour laws in Central Sphere undertakings.

28. Labour Statistics; Organisation of Director, Labour Bureau.

29. Organisation of Chief Labour Commissioner and constitution and administration of Central Government Industrial Tribunals, Central Government Labour Courts, National Industrial Tribunals.

30. Organisation of Chief Adviser Factories, including Central Labour Institute, Productivity and TWI Centres and Regional Museums of Safety, Health and Welfare.

31. Plantation Labour and administration of Plantations Labour Act.

32. Recruitment, posting, transfer and training of Government Labour Officers.

33. Administration of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act.

34. Schemes regarding workers' education.

35. Schemes regarding workers' participation in management.

36. Discipline in Industry.

37. Constitution of Wage Boards for individual Industries.

38. Regulation of working conditions of motor transport workers.

39. Evaluation of the implementation of labour laws in the country.

(The Gazette of India, Extraordinary,
Part II, Sec. 3, Sub-section (ii),
18 January 1961, pp. 51-85).

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Sixty-Sixth Session of Indian National Congress,
Sardarnagar, January 6-7, 1961: Establishment of
Socialist Economy re-iterated.

The 66th annual session of the Indian National Congress was held at Sardarnagar (Gujarat) on 6 and 7 January 1961. Shri Sanjiva Reddy, President of the Congress presided. The meeting, as usual, was ^{attended} ~~addressed~~ by Central and State Ministers and delegates from all over India. The meeting, among others, passed a resolution reiterating that the objective of planning was the establishment of a socialist economy and pattern of society. By another resolution the meeting emphasised the importance of the development of village panchayats.

Presidential address.- Shri Sanjiva Reddy in ^{his} presidential address spoke of the factors that tended to disrupt national unity and offered suggestions for their ^{elimination} ~~adimination~~.

Referring to planning, the Congress President said that the Government was shortly to launch the Third Five-Year Plan. The Third Plan grew out of the past two five year plans and was a continuation of them. The Second Plan was based on a strategy of development with a view to attaining long-range economic goals. Real and rapid progress could be achieved only by a self-generating and self-sustaining economy. India in her five year plans had launched upon an immense programme of economic growth of a backward nation by the democratic process, and the success that she achieved in the two Five-Year Plans was a measure of the success of the policy of the Prime Minister who had been responsible, more than any one else, for this idea of planned economy to take root in this country.

Shri Reddy added that it had to be remembered that in a predominantly agricultural country like India, the success of any plan depended mainly on holding the price-level and on solving the food problem. We have to a large extent succeeded in the food problem and he hoped that this recurring trouble would not follow during the course of the Third Five-Year Plan.

Resolutions:- Moving the resolution on the Third Five-Year Plan, Shri U.N. Dhebar said that Congressmen should change their motivation and instead of being moved by the "little urges" like profit, caste and language they must work for the larger national cause and interests of the country. He said the resolution laid down certain targets which were the minimum required for adequate progress to be made in the country during the period.

Seconding the resolution Shri K.P. Tripathi (Assam) said that the resolution represented a big step towards the establishment of a socialistic pattern of society.

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The resolution endorses the resolution of the All India Congress Committee passed at its Raipur session on the draft outline of the third Five-Year Plan. The objective aimed at in planning is to establish a Socialist economy and pattern of society in the country.

In order to achieve this end, a substantial advance has to be made in the third Plan towards a self-sustaining and self-generating economy and at the same time the disparities that exist in various strata of society should be progressively lessened. As stated in the directive principles of the Constitution, the operation of the economic system should not result in the concentration of wealth and means of production to the common detriment.

In order to achieve higher standards for the people and to remove the curse of poverty, rapid increase in production is essential and traditional methods of production and distribution have to be replaced by modern and more effective techniques. Every effort should, therefore, be made to introduce a modern and scientific outlook among the people. Trained and properly qualified personnel are essential in large numbers. The administrative machinery should be geared up for this great task and made to realize the objectives for which the country is working.

The targets mentioned in the draft outline are the minimum required for adequate progress to be made during this period. Every effort must be made to fulfil these targets and to raise the necessary resources. In order to add to the resources for investment, due restraint should be exercised in the matter of consumption. For this purpose it is necessary to create a climate of saving in the country, and thus also help in stabilizing prices, particularly of essential commodities.

Agriculture and industry are closely associated, and rapid progress has to be made on both fronts. More particularly, it is necessary to increase agricultural production by intensive cultivation and stepping up the yields per acre. It is on the basis of self-sufficiency in food grains and in raw materials for industrial use that industry can progress rapidly. Progress in industrialisation, which is so necessary, is dependent on building up basic industries like steel, power, fuel and machine building.

Unemployment is a social evil and human tragedy. This can only be remedied by industrialisation, urban and rural, on a large scale, both in the sphere of big industry and small and village industries. Meanwhile, every step should be taken to increase opportunities for employment on projects of national utility, such as, afforestation, contour bunding and land drainage.

The progress of any country depends on the quality of its people and this quality is dependent on proper and widespread education and training. The educational process has to begin at the earliest stage and thus the care and development of the child should be an essential part of it.

While primary education is spreading rapidly in the country, facilities for training are still limited and many able and deserving students have not the financial resources to continue their studies, more especially in the scientific and technical fields. To such students, who are already in their school career and have shown marked ability, the State should provide full opportunities, by way of scholarships or otherwise, so that they can continue their studies.

In the rural areas, some of the essential amenities of life are still often lacking. Therefore, provision for good drinking water, sanitation, proper housing and roads should be provided to the maximum extent.

The development of a Socialist society requires a progressive change in the way of life of the people. This necessitates the growth of co-operative organisations in agriculture, trades and industry throughout the country.

The achievement of the objectives of the Plan demands hard and ~~united~~ disciplined work at all levels and unity and harmony between various sections of the people. The Congress calls upon the people, and more especially Congressmen, to put forth their best efforts to advance the country towards the goal of economic and social wellbeing.

Panchayati Raj.- Moving the resolution on Panchayat Raj, Shri Balwantrai Mehta said that the conception of a welfare State could not be achieved in reality as long as local self-government did not prevail at the district, taluk and village-levels.

Shri Mehta said that for their day-to-day needs the people should not be made to look to the Central or State Governments. They should run their own affairs. This was the only way by which democracy could be made to flourish in the country.

The panchayats and the co-operatives were two institutions through which the people could be trained for leadership. The experiment of democratic decentralisation undertaken in the country had not been tried anywhere in the world, he pointed out.

Shri S.K. Dey, Union Minister for Community Development, seconding the resolution, explained the steps taken by the Government in the last five years to lay the foundations for the success of the rural development programme. He said that people in rural areas were no more afraid of Government officials as was the case in the past and were coming to realise and shoulder their responsibilities in shaping the New India.

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Speaking on the resolution, Shri Nehru, said that Panchayat Raj would bring about a revolution in the entire rural life of the country.

Millions of people would become self-reliant and shoulder administrative and other responsibilities themselves. It would end the era when rural and other people had to run to officials and other authorities, petition in hand, begging for this or that to be done. They would now have the opportunity to do these things themselves.

Shri Nehru added that the panchayats should be given full powers at one stroke and not in dribblets. The fear that this power might not be used properly had no meaning. Even if the panches and sarpanches broke their heads at times, they would learn from experience and rectify their mistakes. Shri Nehru said that the fear that without guidance all the time, panches and sarpanches would not be able to pull on reminded him of the zeal of some parents to protect their children from catching cold. "I sometimes see some parents wrapping three to four mufflers round their children's necks to protect them from cold. This attitude is harmful to the children themselves. A child who is over-protected in this way would catch a cold easily for the rest of his life," said Shri Nehru.

The resolution states that it has been the settled policy of the Congress for many years, even before the coming of independence, to develop village panchayats. This policy found expression in one of the directive principles of the Indian Constitution which affirms that:

The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.

Village panchayats are not only the foundation of democracy in the country, but also secure the effective participation of the people in the government and the planned development of the ~~government~~ country, so that the vast numbers of our people living in the rural areas are intimately associated in these vital functions.

The effect of foreign rule in India was largely to deprive the people of initiative, and of participation in and responsibility for the manifold activities for their own advancement. Independence brought in some measure the sense of self-help and responsibility, but this did not spread to the extent desired among the mass of the rural population.

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The community development movement, which now covers over two-thirds of rural India, represented an effort to develop a new outlook and release new initiatives among the people who inhabit the 550,000 of villages in India. This movement brought new life to the villages but, even so, a great deal of dependence on governmental agencies continued.

The recent development of panchayat raj, bringing with it the transfer of authority, responsibility and resources to the village panchayat samitis, is bringing about a major change in this aspect and revolutionising the outlook of our rural masses. There is an increasing realisation among them that it is through their own initiative, hard work and co-operation with the resources under their control that they can achieve rapid progress in various developmental activities, more especially in agriculture, animal husbandry, education, health and sanitation communications, co-operation, village industries, housing and welfare work among backward classes.

A new outlook on life has opened and a new vitality is pulsating in the areas where panchayati raj has been established.

The Congress welcomes this movement and congratulates the States which have already adopted it. It trusts that the remaining States in India will also establish panchayati raj in the course of this year and transfer responsibility to the panchayats in as large a measure as possible.

Recent elections have shown that the tendency has been for young men and women of energy and ability to be chosen, overriding considerations of caste and community. With the new responsibilities and opportunities of effective service, there have been instances of young men going back to their villages.

These panchayats are becoming solid foundations for democracy in the country and powerful instruments not only in the political but also in the social and economic fields. Panchayats as well as co-operatives are fit organs for implementing the objectives of our Five-Year Plans in the vast rural areas of India.

The Congress has noted with appreciation that in many places the panchayat elections have not been run on party lines, and Congressmen who offered themselves as candidates did so on the strength of their own individual merits and the broad policies they represent. Political parties are inevitable in democracy, but it is not necessary to extend their activities to these units of village self-government.

(The Times of India, 3, 4, 5 and 6 January 1961).

12. Activities of External Services.

India - January 1961.

Meetings:

During January the ILO was represented by the Director of this Office at the following meetings:

- (a) The 26th annual session of the All-India Trade Union Congress, held at Coimbatore from 5 -12 January 1961.
- (b) The 27th session of the Executive Board of W.H.O. held at New Delhi from 30 January to 2 February 1961.

Chapter 2. International and National Organisations

25. Wage-Earners' Organisations.

India - January 1961.

Twenty-sixth Annual Session of the All-India Trade Union Congress, Coimbatore, 5 - 10 January 1961.

The 26th annual session of the All-India Trade Union Congress was held at Coimbatore from 5 to 10 January 1961. The meeting was attended by about 1300 delegates coming from over 800 trade unions representing about 950,000 workers. Besides 300 observers, the meeting was also attended by fraternal delegates from the U.S.S.R., Poland, Rumania, Mongolia, Indonesia, Ceylon, Hungary, German Democratic Republic and from the World Federation of Trade Unions. Shri V.K.R. Menon, Director of this Office, attended the session on behalf of the International Labour Office.

The session adopted the report of the General Secretary and a number of resolutions concerning, among others, social security, reinstatement of Central Government employees following their strike in July 1960, workers in engineering industry, trade union and democratic rights, labour in management, etc.

General Secretary's Report.- Shri S.A. Dange, the General Secretary, in his report referred to the world political situation laying special emphasis on Congo, Cuba, and Nepal. He said that the trade unions had a role to play in protecting and further developing "this parliamentary democracy so that it is not either overthrown by military and personal dictators or used by the monopoly profiteers for their narrow class interests".

Shri Dange said: "Today, the imperialist chain has been broken all along the line. They may be holding a broken link here and there and trying to restore it by military bases, dictatorship and coups, but it is futile. The all-embracing chain is finished and cannot come back. Such is the world in which we step in, in the year 1961. That should give us, of the working class and toiling people, a new confidence, a new sense of unity and solidarity and greater zeal to fulfil our tasks". The report added: "India stands in the vast peace camp and as such, is on the side of the Socialist camp for purposes of peace and opposing war."

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Referring to inflow of foreign capital into India, he said India would not be able to resist "the onslaught on its political and economic independence, once it opens its flood-gates to foreign capital and destroys its public sector and surrenders to the dictates of foreign and Indian reactionaries on the policies of India's industrialisation. In every public sector undertaking, in every large-scale concern, the trade unions must rouse the workers to the consciousness of this danger to our country and our economy."

The failure to raise agricultural production to the required levels, Shri Dange said, was one arising from Government's refusal to carry out fundamental land reforms in favour of the peasantry. All the "heroic resolutions" on land ceilings, co-operative farming and state trading in foodgrains had remained a dead letter. Shri Dange also touched on the Third Plan and said the Planning Commission had given an outline of the progress achieved by the country in the Second Plan and also during the period from 1950 to 1960. In the last 10 years, the Indian economy had been growing despite its ups and downs.

Resolutions.- Some of the resolutions adopted are briefly noted below:

Extension of Social Security.- The meeting adopted resolutions on Employees' State Insurance Scheme, provident fund, gratuity, maternity benefits and workmen's compensation.

It demanded the immediate extension of the Employees' State Insurance Scheme to all registered factories, including seasonal factories and to families of insured workers with provision for full medical benefits including hospitalisation, construction of hospitals in all major centres and adequate reservation of beds in places where there were no such hospitals.

Extension of the State Insurance Scheme to employees drawing 500 rupees per mensem instead of the present level of 400 rupees and adequate representation to the AITUC in the Employees' State Insurance Corporation, its standing committee, regional boards and local committees were also demanded.

The conference urged the extension of the Employees' Provident Funds Act to all registered factories, transport undertakings, shops and establishments, cinemas, hospitals and also the raising of the rate of contribution to 8-1/3 per cent. It also wanted extension of the scheme to seasonal factories and the work-charged staff.

On the Maternity Benefit Bill 1960, now referred to a Select Committee of Parliament, it said that though it had "some good provisions" it did not go far enough. At the same time, the Bill had "certain retrograde features". The qualifying period in the Bill making one eligible for benefits should be reduced to 150 days as in the existing provisions of the Kerala Act.

The conference wanted legislation to be brought fixing gratuity at the rate of one month's wages for every year of service and a statutory provision for an unemployment relief scheme to be drawn up after full consultation with the workers' organisations.

On Workmen's Compensation, the conference said, it was necessary to have a suitable and long-overdue amendment to the Act in order to dispense with the waiting period of three days, to enlarge the schedule of occupational diseases and to double the present rate of compensation.

Central Government Employees.- Referring to the strike of Central Government employees the meeting by a resolution deplored that thousands of employees have not been taken back to their jobs as yet and many who have been taken back have either lost continuity of service or have suffered demotion and degradation causing monetary loss. The resolution demanded the immediate withdrawal of all cases and remission of sentences where awarded in connection with the strike; immediate reinstatement of all employees; forthwith stoppage to all harassment and punitive measures which are being meted out to employees by various departmental heads; adoption of specific and effective steps by the Government to hold the price-line and restoration of recognition of those unions which have been de-recognised.

Engineering Industry.- The conference in a resolution demanded immediate rise in the wages of the workers in the engineering industry and their dearness allowance to be linked up with the cost of living index. The resolution said that increase in production with consequent increase in profits achieved by the engineering industry during the Second Plan period had enriched few employers but has not helped to increase the standard of living of better the working conditions of the workers.

It called upon the workers of the engineering industry to foster unity in order to achieve better living standards and working conditions.

The session welcomed the proposal for establishing new and bigger metal and engineering industries in the public sector during the Third Plan period and said that the engineering industry which had already provided employment to a million workers, had a vital role to play in building and developing the national economy.

Trade Union and democratic rights.- The conference by a resolution said that victimisation of trade unionists had become a common practice. The right to peacefully picket has been made non-existent by misusing various provisions of the criminal law. But at the same time full protection was given to balcklegs and strikes-breakers.

Thus, the State machinery was being utilised to deny the working class democratic and trade union rights and to obstruct the growth of an independent and militant trade union movement. The resolution therefore, made the following demands:

(1) Repeal of Sec. 107, 151 and other preventive sections of the Cr.P.C. as well as the Preventive Detention, M.P. Essential Service and Public Security Acts.

(2) The amendment of the City Police Act and the Police Code.

(3) Repeal of the Sec. 4(a) and 4(b) of the Central Government Employees' Conduct Rules and similar provisions of the Railway Establishments Code and the Standing Orders; repeal of the Safeguarding of National Security Rules.

(4) All Government employees who fall in the category of "workman" under the Industrial Disputes Act should have the right to form trade unions.

(5) Right to hold meetings and access to workers for trade unionists in all colonies of workers and townships.

(6) Recognition of trade unions on the basis of Secret ballot of all workers of the undertaking concerned.

(7) An end to discrimination against the AITUC and its affiliates.

The resolution called upon all trade unions and workers, irrespective of their family affiliation, to mobilise their ranks and all democrats against these attacks on democratic and trade union rights.

Labour in Management. The conference adopted a resolution on the scheme for labour participation in management.

The resolution said the "scheme is meant more to get the co-operation of workers for increased production and increased profits, and as such there cannot be real participation in management".

The session expressed the opinion that the situation "in our country is such that whatever machinery is available and can be utilised for the defense of workers' interests, the AITUC should participate in it".

It also called upon trade unions to pay special attention to the problems of young workers.

Code of Discipline.- A resolution on tripartite committee and the code of discipline said workers had been able to get some advantages from tripartite and various other industrial committees. The session, however, viewed with concern the repudiation and non-implementation by the Government of India and various State Governments, of the conventions and decisions arrived at tripartite committees, particularly on minimum wages.

The resolution stated that though AITUC union had tried their best to adhere to the code of discipline, employers had been violating it. Some State Governments were conniving at these violations. The Government was also unable to impose effective sanctions against defaulting employers.

In the public sector, the Government had not only not been able to get the code implemented, but the employing Ministries had not yet ratified the code. This attitude of the Government and employers towards the code, the resolution said, had to be taken serious note of. "If not checked in time, it will defeat the very purpose of the code and will force trade unions to reconsider their attitude."

Office bearers.- Shri S.S. Mirajkar was elected President for the following year, and Shri S.A. Dange, re-elected General-Secretary.

(Note: The Director of this Office who attended the Session on behalf of the ILO has forwarded his observations to Headquarters along with copies of various papers in minute No. F.6/203/61 dated 1-2-1961).

(Trade Union Record , dated 5 and 20
February 1961;
Deccan Herald, 6 January, 1961;
Times of India, 12 January 1961;
Hindustan Times, 14 January 1961).

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Chapter 3. Economic Questions

36. Wages.

India - January 1961.

Working of the Minimum Wages Act, 1948 during 1957*.

Legislation.- As some of the State Governments could not fix wages before that date in respect of certain employments, particularly agriculture, it became necessary to extend the time limit for the fixation of wages in those employments. The Minimum Wages (Amendment) Act, 1957 extended the time-limit for fixation of minimum rates of wages by the appropriate Governments up to the last day of December 1959. It also empowered the appropriate Governments to review the wage-rates notified earlier under the Act in case where it had not been possible to do so within the stipulated period of five years provided in the original Act. As a result of other noteworthy amendments made in the Act, house rent was defined as one of the components of the term "wages" as used in the Act.

Employments covered.- Available information on employment in 1957 in some of the industries covered by the Act is given below:-

* Report on the Working of the Minimum Wages Act, 1948, for the Year 1958. (Labour Bureau, Ministry of Labour and Employment, Government of India. Publication No.49). Price Rs.6.75 nP. pp.95.

Employments

State	Carpet Making or Shawl Weaving Establishments.	Rice or Dal Mills.	Tobacco (including Bidi) Manufactory.	Plantations.	Oil Mills.	Local Authorities.	Road Construction or Building Operations.	Stone Breaking or Stone Crushing.	Lac Manufactory.	Mica Works and Leather Manufactory.	Tanneries and other factories.	Public Motor Transport.
Andhra --	81	16050	18423	-	8291	45	-	13	-	2218	700	3489
Assam --	-	2272 ⁿ	-	506306	-	-	N.A.	-	-	-	-	140
Bihar* --	-	10507	8742	-	2130	-	-	519	2522	12122	976	-
Bombay** --	-	359	3812	-	2215	120	71	-	-	-	-	870
Madhya Pradesh --	-	1756	17987	-	1483	3997	21020 ^{&}	-	127	-	25	8949
Madras --	143	12320	9644	147027	3084	7708	200 ^{&}	215	-	-	7477	3275
Mysore --	-	3416	5679	105544	2710	3227	2500 (E)	4000 (E)	-	-	40	3923
Punjab --	24	1258	-	2126	579	5678	91	25	-	-	41	1162
Rajasthan ^{&} --	-	-	39248	-	-	440	-	-	-	-	-	95
Uttar Pradesh --	-	3116	1550	-	763	701	1188	875	59	-	866	656
West Bengal --	-	1276 [@]	2100	171645	-	7891	N.A.	N.A.	-	-	6512(A)	N.A.
Delhi --	-	2500 (E)	-	-	-	11000 (E)	60000 (E)	7500 (E)	-	-	-	4900 (E)
Tripura --	-	-	112	7832	-	-	-	-	-	-	-	-

N.A.- Not Available. (A) Figures relate to 1956. (E) Estimated.
 * The Bihar Government furnished the figures as collected under the Factories Act, 1948.
ⁿ Includes figures for Oil Mills also.
^{**} Figures relate to Vidarbha Region only.
[&] Includes figures for Stone Breaking and Stone Crushing.
[&] Figures relate to the erstwhile State of Ajmer only.
[@] Represents Flour Mills only.

The following statement shows employments to which the Act was extended during the years 1956 and 1957:-

State	Employments added during the years 1956 and 1957
Ajmer ----	1. Gota Kinari Industry. 2. Printing Presses.
Assam ----	Commercial Handling.
Bihar ----	1. Printing Presses. 2. Automobile Engineering Shops. 3. Brick Laying. 4. Dam construction and irrigation works.
Bombay ----	--
Coorg ----	--
Delhi -----	--
Hyderabad----	--
Kerala ----	1. Printing Presses. 2. Tiles Manufactory. 3. Toddy Tapping Industry. 4. Match Industry. 5. Shops and Establishments (including Hotels and Restaurants). 6. Timber Industry. *7. Water transport other than motor boat transport. *8. Coir Industry. *9. Cashew Industry. *10. Cardamom Plantations.
Madhya Pradesh	*1. Cotton Ginning and Pressing. **2. Printing Presses.
Mysore -----	--
Orissa -----	--
P.E.P.S.U.--	--
Punjab -----	1. Foundries with or without machine shops. 2. Private Presses. 3. Agricultural Implements, Machine Tools, General Engineering including Cycle Parts.
Saurashtra--	--
Travancore-Cochin.	--

N.B.- Information for 1956 and 1957 relates to the re-organised States.

* Previously, these employments were applicable to Travancore-Cochin area only but now these are made applicable to Malabar area also.

** Relates to Mahakoshal Region only.

Fixation of minimum wages.- The report contains an appendix giving the minimum rates of wages fixed for the employments covered in the various States, including the rates fixed and revised during 1957. The position as at the end of the year under review was that the appropriate Governments concerned had fixed minimum rates of wages for almost all the employments mentioned ~~was~~ in Part I of the Act employing 1,000 or more workers. The exceptions were employment under local authority in Assam, woollen carpet and shawlweaving establishments in Uttar Pradesh and tobacco (including bid making) manufactory in the State of Madras. In some cases, units of scheduled employments located in particular areas only were covered. The Himachal Pradesh administration has been taking steps to fix minimum rates of wages in the scheduled employments in their territory. The fact that different wage-rates exist for one and the same employment in various regions of certain States deserves special mention. Re-organisation of States in 1956 aggravated this position as it resulted in the abolition of some States and merger of certain parts of some States with others. The dates fixed under the Act by the erstwhile States continue to be in force in the different areas of the re-organised States. In respect of fixation of wage-rates in agriculture, the position as described in the Report for 1956 held good with the only addition that the Kerala Government fixed wages for this employment in the Travancore-Cochin area during 1957. In most of the States, wages in agriculture had been fixed for a part of the State only or for farms above a certain size.

Principles evolved.- The Minimum Wages Committees appointed by the various State Governments for the purpose of advising them in regard to the fixation of minimum rates of wages under the Act have considered the factors like the needs of workers, prevailing wage rates, cost of living, nature of work, size of family, paying capacity of the industry, etc. Available details are given below.

The Minimum Wages Committees appointed by the Government of Bombay adopted the cost of minimum subsistence as a guide for fixing the minimum rates of wages for scheduled employments. The size of the family for fixing minimum wage-rates was taken at three consumption units, viz., worker, his wife and two children. In the absence of direct, adequate and accurate data regarding the financial position of most of the establishments, large and small, as also the cost of living in large parts of the State, evidence recorded in the comprehensive deliberations of the Industrial Court, Bombay (specially in the cotton textile industry) were utilised. Existing rates of wages, not only in the industry under reference, but also in allied industries, were considered. The State was divided into various zones on the basis, partly of population and partly of industrial development. It was felt that the purpose of the minimum wage legislation would be served to the best possible extent, if an amount which was double that of the calculated cost of living for August 1939 was prescribed as the 'minimum wage' under the Act, for certain employments. In the case of other employments, however, it was felt that the minimum basic wages awarded by the industrial Court for the cotton textile workers plus an equal amount as the cost of living allowance would be fair both to employers and employees, and would serve the purpose of the Act as well. After taking into

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consideration the skill, hazard, arduousness, responsibility and other factors attendant on different occupations, these were classified as skilled, semi-skilled and un-skilled and minimum wages fixed for these broad categories.

In Punjab, a few family budgets were examined for fixing the minimum wages. The Advisory Committee for Local Authorities in this State decided that "the subsistence plus level" should be adopted as the basis of the "minimum living wage" in Punjab. The Advisory Committee for Agricultural Implements, Machine Tools and General Engineering including Cycle Industry took the norms adopted by the Indian Labour Conference, 1957 as a guide for the purpose of fixing minimum rates of wages in the industry. Due weightage was also given to the paying capacity of the industry, the competitive capacity in relation to the industry in other States and general efficiency of the workers.

The Minimum Wages (Tea Plantations) Committee, West Bengal agreed with the Fair Wages Committee that the 'minimum wage' must provide not merely for the bare sustenance of life, but also for the preservation of efficiency of the worker by providing for some measures of education, medical requirements and other such amenities. It conducted family budget enquiries amongst workers employed in tea plantations in the State, examined the size of the family, number of earners, expenditure on various consumption items like food, fuel and lighting, clothing, house-hold requisites, conventional necessities, etc., and recommended minimum rates of wages for this employment.

The Advisory Committees in Travancore-Cochin also conducted family budget enquiries for the purpose of recommending minimum wage-rates.

In Rajasthan, the Advisory Committee for Gota Kinari Establishments in the erstwhile States of Ajmer recommended the minimum wages after giving due weight to the various considerations of output, cost of living, problems of the labour employed, etc.

The Advisory Committee for Mica works in Bihar decided to hold a wage census in the industry with a view to fixing minimum wages on more scientific lines.

Enforcement.— The effective enforcement of an Act like the Minimum Wages Act, which applied mainly to small-scale and un-organised industries, depends to a very large extent on the availability of adequate inspection staff. Section 19 of the Act empowers the appropriate Governments to appoint Inspectors for carrying out the provisions of the Act. With the exception of a few States such as Bihar, Bombay, Madhya Pradesh, Rajasthan, Uttar Pradesh and Delhi where a small number of whole-time Inspectors have been appointed exclusively for the enforcement of the Act, the authority to secure compliance with the provisions of the Act has been vested with the existing inspection officials appointed under other labour Acts, viz., Factories Act, 1948, Shops and Commercial Establishments Act, etc. In some States, conciliation officers, labour officers and other personnel of the labour department have also been notified as inspectors for the purposes of the Act.

As on 31 December 1957, there were 6 Regional Labour Commissioners (Central), 21 Conciliation Officers (Central) and 72 Labour Inspectors (Central) functioning under the over-all supervision of the Chief Labour Commissioner (Central). The following table gives information regarding inspection visits made by these officers and the number of irregularities detected by them during 1957.

Regions	No. of Inspections made during 1957.	No. of Irregularities detected during 1957.
Bombay	182	2,942
Calcutta	139	2,163
Dhanbad	658	7,168
Jabalpur	240	2,654
Kanpur	254	2,102
Madras	402	4,262
Total.	1,875	21,291

It will be seen from the above table that there was a slight increase both in the number of inspections made and irregularities detected during 1957 as compared to 1956. The number of inspections made during 1957 were higher than those carried out in the preceding year in all the regions except Jabalpur region. In the Dhanbad Region, the number of irregularities detected during 1957 declined by about 43 per cent, i.e., from 12,573 in 1956 to 7,168 in 1957, although there was an increase in the number of inspections. This decline in irregularities was due to a greater measure of compliance with the provisions of the Act achieved in the mica mines of Bihar. As in the preceding year, the number of irregularities were the highest in the Dhanbad region during 1957 also.

These inspections revealed ~~the~~ 21,291 irregularities as against 19,551 in the preceding year. The largest number of contraventions (7,736) forming 36.3 per cent of the total detected in 1957 related to non-grant of paid weekly holiday followed by 2,650 about non-issue of wage slips which constituted 12.4 per cent of the total. The irregularities about the non-maintenance of registers and improper maintenance of registers together accounted for 12.8 per cent of the total. The other irregularities in order of importance during 1957 were short payment of wages (8.7 per cent), ~~and~~ non-display of notices showing minimum rates of wages etc. (8.6 per cent) and non-payment of ~~wages~~ wages (6.2 per cent). In 1956, 45.4 per cent of the irregularities related to non-grant of weekly paid holiday and 16.8 per cent to non-payment of wages. As in the preceding year, during 1957 also the largest number of irregularities i.e. 33.7 per cent of the total, was noticed in the Dhanbad region. No doubt, the number of irregularities detected in 1957 was considerable, yet endeavours were made to have them rectified through persuasive measures. It was only in extreme cases of habitual offenders or where an employer was found to be very unreasonable that recourse to penal provisions of the Act was taken and prosecutions against such employers were launched.

There were 54 prosecutions and convictions during 1957 as against 55 in the previous year. The largest number related to non-display of notices, non-maintenance of registers and non-submission of returns, which when combined formed 94 per cent of the total as against 98 per cent in the preceding year. During 1957 an amount of 2,208 rupees was imposed as fine in 29 cases compared to a fine of 2,502 rupees in the 40 cases during the previous year.

The number of inspections made in the States during 1957 is shown below:-

State/Territory.	No. of Inspections made during 1957.
Andhra	3,268
Assam	N.A.
Bihar	9,676
Bombay	11,152
Kerala	8,385*
Madhya Pradesh	2,856
Madras	5,960*
Mysore	702**
Orissa	523
Punjab	1,598
Rajasthan	790 (Ajmer Area only)
Uttar Pradesh	11,668
West Bengal	128
Delhi	3,866
Tripura	127
TOTAL.	60,699

N.A.- NOT AVAILABLE.

* Denotes number of establishments inspected.

** Information not furnished by some of the Inspectors.

A total of 1,037 prosecutions were launched in 1957 in the various States for contravention of the provisions of the Act. A good majority of the contraventions related to non-display of notices, non-maintenance of registers and records in the prescribed proforma and non-submission of returns. During the year under review, an amount of 6,851 rupees was imposed as fine in 190 cases, compared to a fine of 2,466 rupees in 83 cases during the preceding year.

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Difficulties of enforcement in Agriculture and in other employments.— Implementation of the Minimum Wages Act in Agricultural employment is beset with difficulties because of the vastness of the ~~primary~~ industry, fragmentation of holdings, payment of wages in kind, natural vagaries, mobile character of labour, ignorance and illiteracy of both employer and employees, etc. As mentioned earlier, minimum wages for agricultural employees have been fixed by the State Governments of Andhra, Assam, Bihar, Bombay, Kerala, Madhya Pradesh, Mysore, Uttar Pradesh, West Bengal, Rajasthan, Orissa, Punjab, Delhi and Tripura. Even in these States, wages have been fixed in certain districts or big farms only. Some of the problems encountered by certain State Governments, who have fixed minimum wages for this employment till 1957, are enumerated below.

The Bihar Government stated that the employment in agriculture is seasonal in character and workers obtain gainful employment for only about 6 months in a year, with the result that for the remaining 6 months they are at the mercy of the employer and have to incur debts in order to make their both ends meet during the idle period. When they demand statutory rates of wages, the employers claim immediate refund of the loans advanced to them and eviction from house-sites provided by them to the workers. At the same time the workers do not dare lodge complaints against the land owners for fear of being thrown out of employment as the supply of labour is greater than its demand. Trade unionism has not yet developed amongst this class of workers and they are not conversant with the utility of collective bargaining to place their legitimate demands before the employers. Prevalence of old customs in the social and economic life of rural population is another problem. Records and registers are also not properly maintained by employers. For the solution of these problems, the following suggestions were brought forth by this Government:—

- (i) Small-scale and cottage industries should be developed to provide alternative avenues of employment during the off-season.
- (ii) The Agricultural workers should be organised through the formation of co-operative societies.
- (iii) There should be a general redemption in the debts of attached workers, if necessary, by legislation.
- (iv) Provision should be made in the Act for leasing out the retaining land (Halwahi land) to attached workers.
- (v) Waste lands should be brought under the plough and landless workers settled thereon.

For want of adequate inspection staff, proper compliance with the provisions of the Act in the Agricultural employments could not be secured in Mysore. The State Government has since augmented the inspection staff by sanctioning 14 posts of Inspectors exclusively for this sector. The appointment of personnel on these posts was under consideration of the Authorities concerned. The illiteracy of the agricultural land holders and the labourers and the absence of adequate organisation among the agricultural labour were the main drawbacks coming in the way of effective enforcement of the Act.

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In the Ajmer area of Rajasthan, it was found difficult to enforce provisions contained in Section 18 (i.e., maintenance of records and registers) of the Act as an overwhelming majority of land holders were illiterate, nor could they afford to employ staff for the purpose. In view of this, it was suggested that Agriculturists holding 40 acres of land or more only may be required to maintain the registers and records prescribed under Section 18 of the Act.

The West Bengal Government reported that during the paddy harvesting season when there is a greater demand for competent hands, the workers are offered higher rates of wages than those fixed under the Act for harvesting operations. Otherwise, the workers are generally denied the benefits admissible to them under the Act, though no specific complaint to this effect was received by the Inspectors during the year under review. The owners of small holdings did not maintain the prescribed registers.

The Andhra Government observed that the minimum rates of wages fixed under the Act, on an experimental basis, for Agricultural workers in selected units worked satisfactorily. Extension of the Act to other areas on an extensive scale was engaging the attention of the State Government.

Conditions obtaining in the employments covered by the Act, other than Agriculture, also manifest a number of difficulties which hamper the effective enforcement of the Act. The difficulties experienced and remedial measures suggested to overcome them by the Authorities administering the Act in the central sphere undertakings and in the various States are discussed briefly in the following paragraphs.

In the case of central sphere undertakings, the main difficulty experienced in enforcing the Act was about the payment of wages for the weekly day of rest. It was reported that employers could evade payments for the weekly off by clever manipulation of attendance registers. Being afraid of losing their employment, the workers were found reluctant to give evidence against their employers. Work-sites of certain employments were located in remote places and in the absence of conveyance facilities, Inspectors could not have an access to them. Thus, they were obliged to depend on the employers for supply of relevant information for the purposes of inspection. In the case of works allotted to contractors, it was found in many cases that the main contractor engaged sub-contractors or workers on a piece-rate basis and did not maintain proper records. A great majority of the workers were not aware of their rights and privileges under the Act and the employers could take advantage of this position. Lack of adequate number of inspectors also stood in the way of effective enforcement of the Act. A proposal to increase the number of Inspectors was reported to be under consideration of the Central Government.

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In Andhra, the inspectors found it difficult to enforce the provision of the Act regarding observance of working hours and grant of weekly off to workmen employed in motor transport undertakings. Inadequacy of inspection staff and location of work-sites at inaccessible places obstructed implementation of the Act in building operations and road construction and stone breaking and stone crushing employments. The Public Works Department was accordingly directed by the State Government to make it a clause in the agreements, as and when executed with the private contractors for leasing out works, that statutory rates in force would be paid to the employees. To some extent it ensured compliance with the provisions of the Act.

The Bihar Government reported that it was rather difficult for the enforcement machinery to assess the number of units and to locate actual work-sites of the employments which were spread all over the State and carried on in far-off places. Lack of co-operation on the part of employers added further to these difficulties. In some cases, defaulters could not be proceeded against for want of adequate evidence. The strength of the existing enforcement staff was also reported to be inadequate to cope with the magnitude of the work.

In the Bombay State, difficulties such as leasing out of work to sub-contractors by the main contractors in the building industry, disparity in the minimum rates of wages fixed for male and female workers and observance of working hours, etc. in the Public Motor Transport undertakings continued to exist during 1957. The enforcement of the Act in the Vidharbha region of the State presented some difficulty due to discrepancy in the Rules framed under the Act by the previous Madhya Pradesh Government. The Bombay Government to whom this area was transferred after re-organisation was consequently considering the question of unification of Minimum Wages Rules in force in the different areas of the re-organised State. In addition, it was noticed that absence of employers from the work-sites hampered implementation of the Act in the establishments engaged in cleaning and picking of cotton in Sholapur District. Similarly, the tests prescribed by the State Government for compositors, etc., in the printing industry enabled the employers to evade payment of minimum wages by declaring the examinees un-successful in the test. Office persons employed in some Grampanchayats in Ahmedabad area were generally paid less than the minimum rates of wages fixed under the Act. The Grampanchayats, when directed to pay the difference in wages with retrospective effect, pleaded their inability to do so under the plea of lack of finances.

In Kerala, some difficulty was experienced to enforce the wage-rates fixed for bidi workers in Malabar area as the same were higher than those fixed for such workers in the neighbouring States.

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In Madhya Pradesh, a judgement of the State High Court created some administrative difficulties in the proper enforcement of the provisions of the Act as it helped the principal employers to escape liabilities under the Act. The High Court held that when a person contracts with another person giving all his rights to employ workers in a scheduled employment, the contractor becomes the employer and not the person who contracts with him, even though the former has ultimate control over the manufactured goods. The Madhya Pradesh Government was contemplating to amend the Act suitably in this regard. The employers found it difficult to comply with the provisions regarding payment for weekly offs and overtime work in respect of daily-rated and piece-rated employees in certain employments like bidi making and public motor transport. The State Government took a note of these difficulties and the latest rates were so proposed as to include such payments also.

In Madras, establishments covered by the Minimum Wages Act, but not by any other labour legislation, could not be frequently inspected to secure a strict compliance with the provisions of the Act primarily due to inadequacy of the inspection staff. Provisions regarding hours of work also could not be effectively enforced due to the fact that the Act does not require the employers to fix and record such hours. To remove this difficulty, suitable amendments were suggested in the Madras Minimum Wages Rules. The enforcement of the Act in respect of the running staff of the Public Motor Transport also presented certain difficulties.

It was reported by the Mysore Government that the enforcement of the Act in the road construction and building operations and the stone breaking and stone crushing operations was rather difficult as it was not possible to locate the work-sites and the contractors also did not present registers and other relevant records at the work-sites for inspection. It was suggested that there should be some provision in the Rules requiring the employer to produce the registers at the office of the inspector, when required, to make the inspection effective. Augmentation of the enforcement machinery was also pleaded for the effective implementation of the Act.

The Orissa Government re-iterated that enforcement staff in that State faced handicaps in giving effect to the provision of the Act so far as road construction or building operations and stone breaking or stone crushing operations were concerned because the work-sites are widely scattered at far-off places.

The Punjab Government observed that inspectors charged with the enforcement of the Minimum Wages Act were not on this job all the time as they were inspectors under other Acts also. Thus, some establishments covered under the Minimum Wages Act remained un-inspected throughout the year as no separate staff has been sanctioned for this Act. It was also pointed out that most of the employers were not conversant with the requirements of law and considerable difficulty was experienced by them for maintenance of records and submission of returns.

The West Bengal Government experienced considerable difficulty in enforcing the minimum rates of wages fixed for workers employed in bidi factories. In some cases it was noticed that whenever the bidi workers asked for payment of minimum wages, the employers closed down their factories and issued tobacco and leaves to individual workers to prepare bidis in their homes. Sometimes the employees resorted to strikes on this score and some establishments were reported to have been wound up.

Conclusion.- In the concluding portion, the report states that considering the administrative and other difficulties encountered by the Central and various State Governments, progress made in the implementation of the Act may be said to be satisfactory. Implementation of the Act has benefited the working population engaged in the scheduled employments both by way of enhancement of their wages and by creating better working conditions for them. Provisions regulating hours of work, rest intervals and weekly-off have ameliorated their lot to a considerable extent. The enactment of the Amendment Act in 1957 eradicated most of the legal flaws associated with the effective administration of the Act. In spite of all this, there was apathy of employers, ignorance of workers and inadequacy of the enforcement staff which are proving handicaps in the proper working of the Act. These were being met by appointing whole-time minimum wages inspectors and by the educative measures resorted to on the part of the Inspectorate staff at the Centre as well as in the States.

The contention that assessment of the effects brought about by statutory ameliorative measures renders invaluable insight into the administration of the Act hardly needs any emphasis and the Minimum Wages Act is no exception to it. With a view to studying the effects of minimum wage fixation under the Act, information was called for from the various States under the following heads:-

- (i) Effect on the occupations in the Scheduled employments;
- (ii) Effect on other occupations in the same industry;
- (iii) Effect on other occupations in other industries and
- (iv) Inter-regional effect.

Only a few State Governments have furnished information on the above points. However, an analysis of the available information bore out that it was quite enlightening.

The scope of the study being very wide, covering not only scheduled employments but also other industries to which Inspectors under the Act had no access, the following may be deemed to be observations and not conclusions:-

(1)-Effect on the occupations in the scheduled employments.-

The Minimum Wages Act has helped in standardising and stabilising wage-rates in various occupations in the scheduled employments and has also arrested, to some extent, migration of labour from one Establishment to another in the same scheduled employment. The most benefited category was the unskilled labour as wages payable to this class were invariably raised and possibilities of exploitation reduced to the minimum. In some cases, guarantee of a minimum wage told adversely upon incentive to work and efficiency of time-rated workers. It also contracted avenues of employment for the comparatively less efficient workers, as also the fresh hands, as the employers exercised greater care in the matter of recruitment. The employers were also tempted to reduce the strength of skilled labour in occupations where the statutory rates were higher than the prevailing rates. In some cases, workers with lesser skill have been treated as belonging to the unskilled category. Indirectly, it has led to greater mechanisation in occupations where the cost per unit under mechanisation was found to be less than that under manual labour conditions.

(ii)-Effect on other occupations in the same Industry.-

Fixation of minimum wages for certain occupations in an employment leaving out the others aroused a feeling of discriminatory treatment in the minds of workers engaged in the occupations not covered by such wage fixation. For instance, stone breakers and stone crushers employed in mines were in receipt of statutory rates of wages and other privileges admissible under the Act whereas those engaged on other occupations such as digging, mucking, etc., who were ~~excluded~~ excluded from the purview of the Act felt envious of their lot. Similarly was the case in the vanaspati factories in Bombay where only oil milling sections was covered under the Act. This resulted in the creation of minimum rates of wages for their class of employment also. It was, however, noticed that fixation of minimum rates of wages for most of the occupations in the scheduled employments generally resulted in raising the level of wages in the remaining occupations.

(iii)-Effect on other occupations in other Industries.-

Fixation of minimum wages-rates in the scheduled employments has provided a basis for settlement of wages disputes in other industries. It has, to some extent, helped in raising the general level of wages in the country as migration of labour from low-paid occupation to those paying higher wages fixed under the Act, has ~~generally~~ naturally compelled the employers in the low-paid industries to bring their wage-rates at par with the minimum rates. There was a tendency on the part of labour to migrate to the scheduled employments where their interests are protected. In order to meet such a situation and also considering the conditions obtaining in other industries, the appropriate Governments brought them within the purview of the Act. The introduction of minimum rate of wages in un-organised industries has, at least, arrested further decline or deterioration in wages in organised industries.

(iv)-Inter-regional effect.- The fixation of different rates of wages in respect of the same employment by the neighbouring States has had some adverse effect on the Industry in some States. For example, the rates fixed by the former Hyderabad and Madhya Pradesh Governments in regard to the employment in Bidi Industry are much lower than those fixed by the Bombay Government. According to the Bombay Government, many employers of such factories in Bombay State have shifted their establishments to the areas of neighbouring States where lower rates prevail. Further, some employers in the urban areas find it beneficial to shift their factories to the surrounding rural areas as the rates in rural areas are generally lower than those fixed in the urban areas. Labour moves freely from place to place in order to get better wages and favourable conditions of work. There is a natural tendency among the workers to migrate to areas where higher rates have been fixed for the same employment. For instance, in the stone quarries which are located in the border areas of Bihar and West Bengal, the Bihar Government had fixed minimum wages whereas the West Bengal Government has not brought this employment within the purview of the Act. Workers have, therefore, shown a tendency to migrate to Bihar. But local conditions such as the market value of products and level of living which formed the basis of this inter-regional disparity, have ~~consistently~~ considerably checked these temptations on the part of the employers and the employees.

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

INDIA - JANUARY 1961.

41. Agriculture.

Maharashtra Agricultural Lands(Ceiling on Holdings)Bill,1961.

The Government of Maharashtra published on 12 January 1961 the text of the Maharashtra Agricultural Lands(Ceiling on Holdings) Bill,1961, to be introduced in the Legislative Assembly of the State.

According to the Statement of Objects and Reasons of the Bill, the necessity for limiting the size of agricultural holdings so as to reduce inequality in the present distribution of agricultural land, which still forms the main livelihood of the majority of the people in this country, and for distributing the surplus to persons in need of land for their livelihood as a measure of social justice, is now widely recognised. Recommendations for legislation to achieve this object have been made by the Planning Commission in the Second Five Year Plan, and also by the All India Congress Committee in their resolution on land reforms passed at Nagpur. No doubt, existing tenancy laws in force in the State do contain provisions for the limitation of holdings; but they are not uniform. In Vidarbha and Marathwada, certain enabling provisions ~~existing~~ exist, but they ~~have not yet taken effect~~ have not yet taken effect. In the rest of the State, there is the Bombay Tenancy and Agricultural Lands Act which has limited the size of a holding, except where it is in a compact block and within a certain distance. But it is now considered necessary to have a uniform law throughout the State, imposing a ceiling on the possession of agricultural lands, and providing for distribution of the surplus to landless persons, small holders, co-operative farming societies made up of such persons, etc. The Bill seeks to achieve this purpose.

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The ceiling is fixed for different classes of lands in different local areas, and they are set out in the First Schedule. In fixing these ceiling areas, variations in soil, climatic conditions, crop-patterns, crop yield, prices of crop and other commodities and relevant factors obtaining in different parts of the State, have been taken into account. Again, the ceiling areas have been determined, keeping in view the needs of an average family of five. To avoid hardship to larger families, additional land to the extent of one-sixth of the ceiling area for every member in excess of five is allowed by clause 6 but subject to an over-all limit of two times the ceiling area. In order that the advantage of this is not abused, "member of a family" has been defined in clause 2(19). The manner of calculating the ceiling area has also been provided, and illustrations explain the mechanics of the process.

Clause 3 of the Bill imposes a maximum limit (or ceiling) on holding of agricultural land throughout the State.

Clause 4 prohibits the holding of land in excess of the ceiling area after the coming in to force of the law.

Clauses 7 and 47.— Certain categories of lands like lands belonging to or held on lease from a local authority or University, lands belonging to public trusts for purpose of education or medical relief which satisfy certain conditions have been exempted from the operation of this law.

Clauses 8, 9 and 10.— In order to ensure that all the surplus land held by a person on the appointed day becomes available for distribution, clause 8 prohibits a person holding surplus land from transferring or partitioning any part of his holding. Similarly, clause 9 prohibits acquisition of any land in excess of the ceiling area after that day. If any transfer or partitions of land are made after 15 January 1959 (the date on which the Nagpur Resolution of the All India Congress Committee was passed) but before the appointed day, they will be ignored for determining surplus land, if they are made in order to avoid or defeat the object of this law.

Clause 11.— This clause provides that when the holding of a person exceeds the ceiling area after the appointed day as a result of the conversion of his holding, or a part thereof, into land irrigated seasonally or perennially from a source constructed by Government or both, the land in excess of the ceiling area will be surplus land.

Clauses 12 and 13.— Persons who held excess land on 15 January 1959 or who come into possession of excess land after the appointed day will submit particulars of their holding to the Collectors concerned. These returns will be the starting point for holding enquiries for deciding the extent of surplus land and for taking it over for distribution.

Clause 19.- Certain landlords have subsisting rights of resumption of land for personal cultivation in respect of any land which is surplus with their tenants. In order to provide that such landlords are not deprived of the exercise of this right, the clause provides that the surplus land with the tenant shall be restored to the landlord to the extent he would be entitled to resume under the relevant tenancy law.

Clauses 21, 23, 25 and 26.- Surplus land which remains after the claims of persons are settled will vest in the State Government and the holder will be paid compensation which will consist of (a) the price of the land for dry crop land calculated at the price per acre given in column 8 of the First Schedule, (b) the price per acre of land calculated as aforesaid increased by 50, 25 and 10 per cent if the land falls in columns 4, 5 and 6, respectively of that Schedule, plus (c) the value of the structures, wells, etc., constructed and trees planted by the holder. Where there are tenants on the land, two-thirds of the compensation will be payable to the landlord, and one-third to the tenant. The amount of compensation will be payable in transferable bonds carrying interest at three per cent per annum. The bonds will be of two classes, one repayable during a period of twenty years from the date of issue by equated annual instalments of principal and interest, and the other redeemable at par at the end of twenty years. The bonds will be of denominations specified in clause 26. The amount of compensation which cannot be paid in the aforesaid denominations, will be paid in cash.

Clause 27.- This clause provides for the disposal of surplus land in the order of priority mentioned therein. Where the surplus land belonged to a landlord who had resumed land for personal cultivation from a tenant and thereby rendered the tenant landless, such tenant will get the first priority in respect of the land. Where the surplus land has become available as a result of conversion of land into irrigated land, persons rendered landless or whose holdings are reduced to less than one-sixth of the ceiling area, by reason of acquisition of their lands for the irrigation project will get the priority in respect of such land. In all other cases, priorities are as provided in sub-clause (4) of this clause. The extent of the land allotted will be so much only as will make the holding of the allottee after allotment not to exceed one-sixth of the ceiling area. The occupancy price to be charged to allottees will be equal to the amount of compensation payable for the land and will be recovered either in lump sum within one year or in annual instalments not exceeding 15 with simple interest at three per cent per annum.

Clause 28.- With a view to ensuring the full and continued supply of raw material at a fair price for manufacture by industrial or commercial undertaking the lands of which have been acquired by Government under the Act, it is proposed to take power to maintain such lands as State farms or grant such lands to joint farming societies.

Clause 29.- All surplus land allotted or granted to a joint co-operative society cannot be transferred or partitioned without the previous sanction of the Collector. Such sanction will, however, not be necessary for raising a loan from a Land Mortgage Bank for effecting improvement of such land.

Clauses 30, to 36.- These are procedural and appeal provisions. They provide for the powers of the Collector in making enquiries, require that the Collector shall give a reasoned order for his decision and prescribe the manner of serving notices. Clause 33 gives the right of appeal to the Maharashtra Revenue Tribunal. Clause 35 provides a limitation period of sixty days for appeals; and Clause 36 provides a court-fee to be charged on appeals to the Maharashtra Revenue Tribunal.

Clauses 37 to 46.- This is the miscellaneous Chapter and gives power to Collector to correct clerical mistakes; provides that sums due to Government should be recovered as arrears of land-revenue; lays down the method of putting persons in possession, and provides for summary evictions. It also gives power to Government to frame rules.

(Maharashtra Government Gazette, Part V,
12 January 1961, pp. 1-108.)



Uttar Pradesh Imposition of Ceiling on Land Holdings Act,
1960 (U.P. Act No. 1 of 1961).

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The Uttar Pradesh Imposition of Ceiling on Land Holdings Bill (vide page 29 of the report of this Office for September 1959) as passed by the Uttar Pradesh Legislature received the assent of the President on 24 December 1960 and has been gazetted as Uttar Pradesh Act No. 1 of 1961.

The Act prescribes that the ceiling area of a tenure-holder shall be forty acres of fair quality land. The term 'fair quality land' has been defined to mean land the hereditary rate whereof is above rupees six per acre.

Where the tenure-holder has, or consists of, a family having more than five members, the ceiling area of such tenure-holder shall be the area mentioned above together with eight acres of fair quality land for every additional member of the family, subject to a maximum of twenty-four such acres. If at any time the family comes to consist of not more than five members, all land held by the tenure-holder in excess of the ceiling area shall become liable to be treated as surplus land.

As and from the date of enforcement of the Act no tenure-holder shall, except as otherwise provided by the Act, be entitled to hold an area in excess of the ceiling area applicable to him, anything contained in any other law, custom, or usage for the time being in force, or agreement, to the contrary notwithstanding. In determining the ceiling area applicable to a tenure-holder at the commencement of this Act any transfer or partition of land made after the twentieth day of August, 1959, which but for the transfer or partition would have been declared surplus land under the provisions of this Act, shall be ignored and not taken into account. Certain categories of land such as grove land, residential houses, land used for industrial purposes, etc., are not taken into consideration for the purposes of determining the ceiling area.

Other provisions of the Act deal inter alia with submission of statements by land holders regarding surplus land, determination of surplus land by the prescribed authority, acquisition by the State of surplus land, determination and payment of compensation, manner of payment of compensation, disposal and settlement of surplus land, etc.

(Government Gazette of the Uttar Pradesh,
Extraordinary, 3 January 1961, pp. 1-19).

44. Merchant Marine and Fisheries.

India - January 1961.

Merchant Shipping (Continuous Discharge Certificates) Rules, 1960.

The Government of India published on 31 December 1960 the text of the Merchant Shipping (Continuous Discharge Certificates) Rules, 1960, made in exercise of the powers conferred under the Merchant Shipping Act, 1958. The rules provide ~~under~~ that any person desiring to be employed as a seaman from a port in India at which a shipping office has been established or a port where the business of shipping office is conducted may apply to the shipping master of the port for the issue of a continuous discharge certificate. The Shipping Master in cases where he decides to issue a Continuous Discharge Certificate shall, after the descriptive particulars of the applicant have been entered in and the photograph affixed to the Continuous Discharge Certificate affix his signature and official seal on the photograph and issue the same to the applicant.

At the time of discharge, the seaman shall, if he so desires, be granted by the Master of the ship on which he has been serving as entry in the Continuous Discharge Certificate ~~specifically~~ specifying the particulars referred to in sub-section (2) of the section 120 of the Act. The entries made in the Continuous Discharge Certificate shall be attested by the Shipping Master of the port of discharge, and thereafter the Continuous Discharge Certificate shall be returned to the seaman concerned.

A Continuous Discharge Certificate granted under these rules shall be valid till it is withdrawn, cancelled or suspended under these rules.

Other provisions of the rules deal with cancellation or suspension of a Continuous Discharge Certificate, maintenance of registers of Continuous Discharge Certificates and Continuous Discharge Certificates cancelled, furnishing of returns of Continuous Discharge Certificates, and ~~annexed~~ forms of Certificates.

(Notification No. G.S.R. 1557 dated 17 December 1960, the Gazette of India, Part II, Sec. 3, sub-section (1), 31 December 1961, pp. 2087-2113).

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

INDIA - JANUARY 1961.

50 General.

Labour Conditions in Rice Mills.

The Indian Labour Journal, Vol.II, No.1, January 1961, contains the results of a survey of labour conditions in rice mills, conducted in October-November 1958. The information is based on replies to a questionnaire received in respect of 218 sampled units.

The survey states that taking into account the varying response in different groups and regions as also partial information furnished by quite a large number of responding units, it has not been possible to give regional and all-India estimates for the industry. The statistical data in the tables have, therefore, been presented in respect of actual number of responding sampled units by groups and by regions.

Employment.- One of the main features of the industry is fluctuations in employment. Employment in the industry is affected by the availability of paddy and is generally high during the period, following the harvest whereas, the slack/off season generally extends from June to October depending on the rainy season. During the rainy season, rice mills are not in a position to dry parboiled rice and hence, the rice milling operations are discontinued. However, many a rice mill engaged in other operations, such as, flour milling, oil extraction etc., during the slack season when paddy is not available for milling. Thus, the present enquiry has revealed that most of the mills were working perennially. According to the Annual Census of Indian Manufactures, the average number of days worked in the industry in 1957, the latest year for which the data are available, was 208. The average number of days worked by the rice mills during 1957 in the various States was as follows:- Andhra 173; Kerala 251; Madras 266; Mysore 254; Assam 235; Bihar 148; Orissa 177; West Bengal 222; Bombay 229; Madhya Pradesh 226; Punjab 182 and Uttar Pradesh 235.

The data regarding employment as on 30 September 1958 as collected during the enquiry are given below:-

Size Groups	No. of responding units.	Permanent Labour.	Temporary Labour.	Casual Labour.	Direct Labour.	Contract Labour	Total Labour.
I							
Southern Region.	71	420	372	341	1,133	201	1,334
Eastern Region.	27	98	182	119	399	50	449
Western Region.	27	113	91	76	280	-	280
Northern Region.	7	46	43	7	96	46	142
II							
Southern Region.	9	108	20	241	369	15	384
Eastern Region.	28	284	247	482	1,013	388	1,401
Western Region.	4	6	72	-	78	-	78
Northern Region.	-	-	-	-	-	-	-
III							
Southern Region.	3	7	-	216	223	-	223
Eastern Region.	10	142	269	130	541	189	730
Western Region.	3	8	5	69	82	8	90
Northern Region.	-	-	-	-	-	-	-

- Size Group I - Employment upto 50
- Size Group II - Employment of 51-99
- Size Group III - Employment of 100 and above.

The distribution of direct and contract labour in different regions for various groups as on 30 September 1958 shows that contract labour was generally not employed in western region. However, one unit falling in Group III reported that a gang of 8 workers was working on contract basis. These workers were, however, employed directly and not through a contractor. The percentage of contract labour to total labour varied from 15.1 in Southern to 32.4 in Northern region in Group I; it was 4.00 and 27.7 in Southern and Eastern Regions respectively in Group II; and 8.9 and 25.9 in Western and Eastern Regions respectively in Group III. Female labour, on a very small scale, was employed by the contractors only in Southern (Group I) and Eastern (Groups I and II) regions. Contract labour was mainly employed on the work of bagging rice, weighing paddy and rice, loading and un-loading, and stitching the rice bags. Most of these jobs were given on contract basis. Generally, contract was given to an intermediary or a contractor who was responsible for completion of the job for a fixed amount. The employer did not exercise any control over the work of contract labour. The main reason for employment of contract labour was the peculiar nature of work which necessitated employment of workers in gangs.

The percentage of female labour to total direct labour was quite low in responding units falling in Group I of Northern region. As regards other regions, it varied from 29.3 per cent in Western region to 43.3 per cent in Southern region in Group I; from 19.3 per cent in Western region to 43.4 per cent in Southern region in Group II; and from 34.2 per cent in Western region to 47.1 per cent in Southern region in Group III. Women were generally employed on unskilled work such as, carrying of paddy, drying paddy, separating the husks and broken rice and cleaning for grading purposes.

Permanent, Temporary and Casual Labour.- Although most of the rice mills were being worked directly by the owners, there were quite a few which were let out on lease from year to year. This system, however, did not normally affect employment of monthly-rated permanent workers, such as, hullerman, machinemen or engine driver, shellerman, fireman, mistry and watchman. As will be seen from Table 2 the percentage of permanent workers to total direct labour varied from 24.0 per cent in Eastern region to 47.9 per cent in Northern Region in Group I; from 7.7 per cent in Western region to 29.3 per cent in Southern region in Group II; and from 3.2 per cent in Southern region to 26.3 per cent in Eastern region in Group III. The percentage of temporary workers to total direct labour was exceptionally high in Western region (Group II) viz., 92.3 per cent. This percentage was, however, quite low in Southern region (Group II) viz., 5.4 per cent, and in Western region (Group III) viz., 6.1 per cent. Temporary labourers, as such, was not employed in any of the responding units falling in Group III in the Southern region. No casual labour was employed in responding units falling in Group II in Western region. The percentage of casual labour varied from 7.3 per cent in Northern region to 30.1 per cent in Southern region in Group I; from 47.6 per cent in Eastern region to 65.3 per cent in Southern region in Group II; and from 24.4 per cent in Eastern region to as high as 96.8 per cent in Southern region in Group III.

Piece-rated and Time-rated workers.- The percentage of time-rated workers to total direct labour varied from 77.1 in Northern region to 98.0 in Eastern region in Group I; from 44.8 per cent in Western region to 90.1 per cent in Eastern region in Group II; and from 54.9 per cent in Eastern region to 98.8 per cent in Western region in Group III.

Recruitment and Training.- Workers in all the responding units were recruited directly by the management at the factory gates. Employers did not find any difficulty in recruiting labour, specially un-skilled labourers, who generally presented themselves at the factory gates almost daily. However, labourers on contact basis were recruited through an intermediary or a contractor. None of the responding units had provided training facilities or had any apprenticeship scheme for their workers.

Length of Service.- Data regarding length of service of permanent and temporary workers furnished by 166 sampled units (113 in Group I, 39 in Group II and 14 in Group III) shows that the percentage of workers having service of less than one year was particularly high in the Eastern region in Groups I and III and the Western region in Group II. There was no worker having service of more than 5 years in any of the responding units in Groups II and III in Western region and in Group I in Northern region. In Southern and Eastern regions, the percentage of workers having more than 5 years' service was 19.7 per cent and 12.2 respectively in group I; 47.6 and 20.2 respectively in group II, and 85.7 and 8.2 respectively in Group III.

Absenteeism.- The data regarding the monthly rate of absenteeism were available in respect of 121 units (70 in Group I; 32 in Group II and 19 in Group III). In Group I, the annual rate of absenteeism varied from 11.36 in Western region to 19.96 in Northern region. It varied from 11.32 in Western region to 16.15 in Eastern region in Group II and from 10.57 in Southern region to 18.56 in Eastern region in Group III. The rate of absenteeism, however, varied from month to month in different regions. The rate of absences, as revealed by the statistics collected during the enquiry, is not very high. This is due to the fact that average number of working days in a year is quite low and thus very few workers absent themselves on days when work is available in the rice mills.

Wages and Earnings.- The rice mill industry is covered by the Minimum Wages Act, 1948 and accordingly the minimum rates of wages payable to workers employed in the industry have been fixed in most of the States. The minimum rates fixed under the Act in various States are given in the table below. It was, however, found during the course of the present enquiry that the wages and earnings of workers of different categories as prevalent during September, 1958 were generally higher than the minimum rates fixed by the State Governments.

Please see the Table on Next Page

State	Minimum Wages fixed for					
	Men			Women		
	Rs.	A.	P.	Rs.	A.	P.
Andhra -----	0	12	0 to	-		
	1	2	0 p.d.			
Assam -----	1	8	0 to	-		
	1	11	9 p.d.			
	Rs.40		to Rs.60 p.m.			
Bihar -----	1	8	9 p.d.	-		
Bombay-						
(i) Bombay(former State)--	1	8	9 to	-		
	2	5	0 p.d.			
	Rs.40		to Rs.60 p.m.			
(ii) Saurasthra area -----	1	4	0 to	-		
	2	0	0 p.d.			
	Rs.32	8	0 to Rs.52 p.m.			
Madhya Pradesh-						
(i) Former Madhya Pradesh--	1	0	0 to	0	12	0 to
	1	4	0 p.d.	1	0	0 p.d.
(ii) Madhya Bharat area --	26	0	0 to	-		
	30	0	0 p.m.			
Madras -----	0	12	0 to	-		
	1	2	0 p.d.			
Orissa -----	1	0	0 p.d.	-		
Punjab -----	1	12	0 p.d.	-		
Uttar Pradesh -----	1	0	0 p.d.	-		
	26	0	0 p.m.			
West Bengal -----	Rs. 1.12nP.		to	Re.0.97nP.		to
	Rs. 1.49nP.		p.d.	Re.1.00nP.		p.d.
erst-while Hyderabad State--	1	0	0 to	1	0	0 to
	1	8	0 p.d.	1	2	0 p.d.
	Rs.26		to Rs.39 p.m.	Rs.26		to Rs.
				29-4-0		p.m.
Mysore(excluding Coorg area)--	1	0	0 p.d.	0	12	0 p.d.
Kerala - -----						
Travancore-Cochin-----	1	8	0 p.d.	1	0	0 p.d.
Delhi -----	60	0	0 to	-		
	75	0	0 p.m.			
	Rs.2		to Rs.2.50 p.d.			
			for casual workers.			

* The minimum wages fixed include dearness allowance, cost of living allowance, etc. The rates are the same for men and women workers unless otherwise mentioned.

Source: Report on the working of the Minimum Wages Act, 1948 for the year, 1958.

The data regarding occupational wage rate/range and average earnings per day as prevalent during September 1958 were furnished by 58 units (35 in Group I, 17 in Group II and 6 in Group III). It may, however, be noted that the same category of workers were known by different designations in the various regions. For example, paddy driers were not classified separately and instead were grouped with mazdoors in certain units. Broadly, workers can be classified into skilled and unskilled categories. The unskilled category of workers generally includes mazdoors, paddy driers and sweepers. Other categories of workers were more or less skilled. As will be seen from the table, the wage rate/range of the 12 occupations given in the table varied widely from one Group to another and within a Group between different regions. A brief analysis of average daily earnings of these occupations is given below:-

(1) Mazdoor/Collie/Labourer/Chatal/Dhan Daliya/Chal Kaiya/Dhan Ropia/Floorman/Polisher/Palladar/Weighman/Paddy Cleaner/Paddy Separator/Husk-man/Bran Remover/Hamal/Katta Collie.- In Group I, the average daily earnings of mazdoors were Rs.1.17, Rs.1.28, Rs.1.17 and Rs.1.37 in Western, Southern, Northern and Eastern regions respectively. In Group II, the figures were Rs.1.19 and Rs.1.72 in Southern and Eastern regions respectively. Such earnings stood at Rs.1.09 and Rs.1.23 in Southern and Eastern regions respectively of Group III.

(2) Paddy Drier.- Paddy driers were employed in Southern and Eastern regions only; this work being done by mazdoors in Western and Northern regions. In Group I, the average daily earnings of paddy driers were Rs.1.17 and Rs.1.4 in Southern and Eastern regions respectively. In Group II, these were Rs.1.17 and Rs.1.84 in Southern and Eastern regions respectively, whereas in Group III, these were Re.0.89 and Rs.2.23 in Southern and Eastern regions respectively.

(3) Sweeper.- Sweepers were mainly employed in Southern region only (Groups I and II) and their daily average earnings were Rs.1.08 and Rs.1.15 in Groups I and II respectively.

(4) Huller-man/Huller mistry.- Huller-men were not employed in Northern region. In Group I, the average daily earnings of huller-man were Rs.1.44, Rs.1.75 and Rs.1.33 in Southern, Eastern and Western regions respectively. In Group II, the average daily earnings of huller-men were Rs.1.64 and Rs.2.01 in Southern and Eastern regions respectively. In Group III, these were Re.0.96 and Rs.2.17 in Southern and Eastern regions respectively.

(5) Paddy Boiler.- In Group I, the average daily earning of paddy boilers varied from Rs.1.85 in Eastern region to Rs.4.29 in Western region; there being no employment of paddy boilers in Northern region. In Group II, average daily earnings were Rs.1.25 and Rs.2.90 in Southern and Eastern regions respectively. In Group III, paddy boilers were employed in Southern region only and received daily earnings, on an average, of Rs.1.96.

(6) Engine Driver/Machineman.- In Group I, the average daily earnings of engine drivers varied from Rs.2.29 in Eastern region to Rs.4.62 in Northern region. In Group II, these were Rs.2.54 and 2.00 in Southern and Eastern regions respectively; and in Group III, Rs.2.17 and Rs.1.50 in Southern and Eastern regions respectively.

(7) Watch-man.- In Group I, the average daily earnings of watch-men varied from Rs.1.11 in Southern region to Rs.1.92 in Western region; there being no employment of such workers in Northern region. In Group II, the average daily earnings were Rs.1.11 and Rs.1.58 in Southern and Eastern regions respectively. In Group III, watchmen were employed in Southern region only and received Rs.1.10 as daily earnings, on an average, during September 1958.

(8) Fire-man.- In Group I, the average daily earnings of firemen varied from Rs.1.57 in Southern region to Rs.1.96 in Western region; no such workers having been employed in any of the units falling in Group I of the Northern region. In Group II, the average daily earnings were Rs.1.40 in Southern region and Rs.1.66 in Eastern region. In Group III, firemen were employed in Eastern region only and received average daily earnings of Rs.2.17.

(9) Oil-man/Engine Cleaner.- In Group I, the average daily earnings of oilmen varied from Rs.1.57 in Southern region to Rs.1.79 in Eastern region; there being no worker in this category in Northern region. In Group II, the average daily earnings were Rs.1.20 and Rs.1.47 in Southern and Eastern regions respectively. In Group III, oilmen were employed in Eastern region only and received average daily earnings of Rs.1.27 during September 1958.

(10) Mistry/Mate.- In Group I, the average daily earnings of mistries varied from Rs.2.04 in Eastern region to Rs.9.62 in Western region. In Group II, mistries were employed in Eastern region only and received average daily earnings of Rs.1.48. No worker was employed as mistry in any of the responding units which furnished information in this regard in Group III.

(11) Sheller-man/Sheller Mistry.- Sheller men were employed in Group I only and received average daily earnings of Rs.1.68, Rs.2.63 and Rs.1.72 in Southern, Eastern and Western regions respectively.

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(12) Fitter/Tindal.- In Group I, the average daily earnings of fitters were Rs.5.65 and Rs.1.75 in Eastern and Western regions respectively. In Group II, fitters were employed in Southern and Eastern regions and received average daily earnings of Rs.1.50 and Rs.3.94 respectively.

Bonus.- Bonus of various kinds, such as, Diwali bonus, Pongal bonus, Incentive bonus and yearly bonus was being paid to workers in 51 units (37 in Group I, 10 in Group II and 4 in Group III). The rates of bonus, however, varied from one region to another in the various Groups. Generally, bonus was paid to permanent workers although certain categories of temporary and other workers were also paid bonus at ad hoc rates in some of the units.

Dearness Allowance.- Dearness allowance was being paid to driver and hullerman in one unit in Madras State (Group I) at the ~~rate~~ flat rate of 0.25 p and 0.08 p respectively. One unit each in Assam (Group I) and Bihar (Group II) was paying dearness allowance to their workers; the actual rates were, however, not furnished by the units.

Other Allowances and Concessions, in Kind.- Cash allowances were being paid to certain categories of workers in 2 units of Southern region (Group I) and 2 units in Eastern region (one each in Groups I and II). The amount of cash allowance was, however, not known. One unit each in Andhra Pradesh, Assam and West Bengal was reported to have provided rice at subsidised rates to their workers. The value of rice concession was, however, not specified by the units.

Working Conditions.- Twelve units (11 in Group I and one in Group II) had formulated Standing Orders for regulating the conditions of service of their employees. These Standing Orders had been certified by the certifying officers of the States concerned.

Hours of work, Shifts, etc.- Workers in most of the ~~units~~ mills worked for 48 hours a week. In certain mills, however, the hours of work varied from 33 to 46 a week. More than one shifts were worked in 14 responding units. Some of these mills even worked a third shift depending upon the volume of work. Night shifts were worked only occasionally especially in busy season depending on the volume of work. No special allowances were paid to workers working in the night shifts.

Weekly off.- Weekly off with pay was granted by 42 responding units to all workers. Besides, 48 units were giving weekly off with pay to only permanent workers. Weekly off without pay was granted to workers in rest of the units.

Leave and Holidays with pay.- Besides weekly off, leave with pay on varying scale was granted by 118 units to their employees. The monthly rated permanent workers in these units were eligible for casual leave ranging between 5 to 25 days in a year. A few units granted casual leave to temporary time-rated workers as well. Sick leave was allowed to all the permanent and temporary workers. The number of days allowed as sick leave, however, varied from 4 to 13 in a year in different units. A few units reported that sick leave was granted for the full period of sickness to their employees provided they produced medical certificate from a medical practitioner. The number of days allowed as earned (privilege) leave varied from 10 to 30 in a year in different units. In certain other units the employees were entitled to earned leave at the rate varying from 1/11th to 1/22nd of the period spent on duty.

Monthly rated permanent workers in 78 units were granted holidays with pay at rates varying from 2 to 21 in a year. The festival and other public holidays were generally not granted as paid holidays to daily-rated employees. A few units were granting Independence Day and Republic Day as paid holidays to all employees.

Latrines and Urinals.- One hundred and two units were reported to have made adequate arrangements for latrines and urinals for their workers. Separate arrangements for males and females existed in almost all the units.

Provision for Future.- Generally speaking, there did not exist any scheme of Provident Fund, Gratuity or Pension in the Rice Mill industry. One unit in Southern Region (Group I) reported that workers leaving the mill after long service were paid gratuity. The rate of gratuity was, however, not furnished by the unit. Another unit in Kerala (Group II) had a Provident Fund Scheme for all workers under the Employees' Provident Funds Act, 1952. All employees who had completed one year's service were eligible to contribute at the rate of 6-1/4 per cent of their wages. An equal amount was contributed by the management. There also existed a gratuity scheme for workers who had attained the age of sixty years and were incapacitated for work. Gratuity was paid at the rate of 15 days' wages per year of service.

Welfare.- Housing facilities were provided by 19 out of 218 responding units. Generally, the permanent staff such as engine driver, watchman, etc., were provided this facility. The percentage of workers housed varied from 5 to as high as cent per cent in the various units. Some arrangements regarding sanitation and water supply existed in the houses provided to workers.

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Medical facilities in the form of First Aid boxes were being provided in 108 units. A few mills, however, reported that they had made arrangements for the treatment of their employees with private medical practitioners. Medical facilities were being provided to workers of one unit in Kerala (Group II) under the Employees' State Insurance Scheme.

Industrial Relations.- Works/Production/Joint Committees did not exist in any of the responding units. Only one mill in Group I in the Eastern region reported that a Personnel Officer had been appointed for maintaining cordial relations between the management and the workers as also for promoting welfare of workers.

No industrial dispute occurred in any of the responding units during the year ended 30 September 1958. On e mill each in Andhra and West Bengal (Group I) had registered trade unions duly recognised by the management. In Group II, ~~however~~ workers in two units in Madras and one unit each in Kerala and Bihar were reported to have organised themselves in trade union.

(Indian Labour Journal, Vol.II, No.1,
January 1961, pp. 1-17)

Bihar Collection of Statistics (Labour) Rules, 1960.

The Government of Bihar published on 27 December 1960 the Bihar Collection of Statistics (Labour) Rules, 1960, made in exercise of the powers conferred under the Collection of Statistics Act, 1953. The rules deal, inter alia, service of notice on the owner by the Statistics Authority, furnishing of returns by owners, methods of service of notice and furnishing of returns, and forms of returns.

(Notification No. VI B/S 3-B2024/60 L & E - 7844 dated 22 November 1960, the Bihar Government Gazette, Extraordinary, 27 December 1960, pp. 1-40).

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Orissa Shops and Commercial Establishments Act, 1956,
extended to 28 Areas.

In exercise of the powers conferred under the Orissa Shops and Commercial Establishments Act, 1956, the Government of Orissa has, with effect from 15 January 1961, brought into force the remaining provisions of the said Act, namely, section 2 to 43 (both inclusive) in the areas specified below.

(1) Areas comprised within the municipal limit of -

- (a) Jajpur
- (b) Kendrapara
- (c) Deogarh
- (d) Bhawanipatna
- (e) Keonjhar
- (f) Sonapur
- (g) Dhenkanal and

(2) Areas comprised within the notified areas of -

- (a) Chaudwar
- (b) Nayagarh
- (c) Bhubaneswar
- (d) Bhadrak
- (e) Chhatrapur
- (f) Bhanjanagar
- (g) Boirani
- (h) Aska
- (i) Koraput
- (j) Kotpad
- (k) Gunupur
- (l) Rayagada
- (m) Nowrangpur
- (n) Raipur
- (o) Barbil
- (p) Kantabanjhi
- (q) Titilagarh
- (r) Angul
- (s) Talcher
- (t) Rajangpur
- (u) Biramitrapur.

(The Orissa Gazette, Part III, 13 January 1961,
page 78)

CHAPTER 8. MANPOWER PROBLEMS.

INDIA - JANUARY 1961.

81. Employment Situation.

Employment Exchanges: Working during October 1960.

General employment situation.- According to the Review of the activities of the Directorate-General of Employment and Training, the number of registrations effected by the employment exchanges during October 1960 was 227,802 which was 5,606 more than September 1960. The number of employers utilising the services of employment exchanges was 9,499 in October as compared to 9,111 in September 1960. The number of vacancies notified marked a decrease of 1,332 and was 45,315 during the month under review. The number of placements effected was 25,536 which was more by 818 than the last month. The number of applicants on the Live Register recorded a rise of 9,479 and stood at 1,594,347 at the end of October 1960.

The employment situation was reported to have shown a marked improvement in the States of Andhra Pradesh, Bihar, Maharashtra and West Bengal during the month of October 1960 as compared to the previous month, while a setback was observed in the States of Assam, Himachal Pradesh, Madhya Pradesh and Kerala. It remained static in the States of Madras, Punjab, Uttar Pradesh and Rajasthan during the month under review.

Shortages and Surpluses.- Shortages was experienced in respect of accountants, stenographers, medical personnel such as doctors, nurses, midwives and compounders, trained teachers, skilled craftsmen such as turners, fitters and electricians. On the other hand, surpluses persisted in respect of untrained teachers, motor drivers, unskilled office workers, clerks and labourers.

Collection of Employment Market Information.- Employment Market reports relating to Vijyawada, Warrangal, Jabalpur, Indore, Lucknow and Delhi were issued during the month. Reports in the public sector in Kerala State for the quarter ended September 1959 and Madhya Pradesh for the quarter ended March 1960 were issued during the month.

Deployment of retrenched workers.- During the month the Central Coordinating Unit rendered employment assistance to retrenched workers in various Projects/Establishments as below:-

	No. retrench- ed.	No. placed.	No. awaiting assistance.
Damodar Valley Corporation	32	67	436
Bhakra Nangal Project	-	-	12
Bhilai Steel Project	310	149	1,321
Special Cell of Ministry of Home Affairs			Class I 16 Class II 229 Class III 5 Total 250

Employment Assistance to physically handicapped.- During the quarter July - September 1960 the special employment exchange for physically handicapped at Bombay registered 40 and placed 11 candidates. The total number on the Live Register at the end of the quarter was 209 while the number of vacancies notified during the quarter was 8.

Employment exchange procedure.- Following instructions on employment exchange policy and procedure were issued during October 1960:-

Annual Census of Central Government Employees.- The annual Census of Central Government employees classified by pay-ranges carried out in the past by the Central Statistical Organisation was transferred to the Directorate General of Employment and Training with effect from 1960. The Directorate had already addressed all Ministries of Government of India in this direction.

Ex-trainees of the Craftmen Training Scheme of the D.G.E. & T.- The Estimates Committee in their 88th Report had recommended that the employment position of the ex-trainees under the Craftmen Training Scheme of the Directorate General of Employment and Training should be examined. At the IV meeting of the Working Group of the National Employment Service held in August 1960 also, it was agreed that some suitable scheme should be evolved for follow-up of ex-trainees. For this purpose it was decided that as a first step, information should be collected in regard to ex-trainees on the Live Register of Employment Exchanges.

Period of which ex-Service Personnel remain on the Live Register.- The Ministry of Defence desired to have information regarding the period for which ex-service personnel remain on the Live Register of employment exchanges. All exchanges were addressed requesting for furnishing this information in a proforma that was specially designed for this purpose.

The Employment Exchanges (Compulsory Notification of Vacancies) Act 1959 - position in regard to recruitment through employment exchanges.- The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 which has come into operation throughout the country does not in itself envisage compulsion in the matter of recruitment through the exchanges. Employing authorities in the public sector are, however, required under administrative orders issued by appropriate authorities to canalise recruitment through exchanges. As regards the private sector, Labour Minister had made it clear in Parliament while the Bill was debated that we would be able to achieve success in the matter of recruitment through exchanges gradually by persuasion. This aspect was made clear to all Employment Officers through an E.E. Minute wherein clear guidance were given to them as to how they should meet employers in the private sector and discuss with them with a view to ensuring that exchange candidates are accepted by the employers. It was also made clear that success in this direction would largely depend upon the efficiency with which exchanges handled vacancies that are received from employers in the private sector.

Issue of non-availability certificates.- A tendency was observed on the part of certain employment exchanges to release vacancies by issuing non-availability certificates rather in a hurry. It was made clear that through an instruction issued on this subject that while it was essential that non-availability certificates should be promptly issued in appropriate cases, the issue of such a certificate should be done after exploring all ways and means by which the required types of workers are made available to the ~~employment~~ employing authority who has notified the demand to the employment exchanges.

Opening of new employment exchanges.- Three more employment exchanges were opened in Andhra Pradesh. The total number ~~was~~ was 283 at the end of October 1960.

(Review of the activities of the Directorate-General of Employment and Training during the month of October 1960; Ministry of Labour and Employment, Government of India, New Delhi).

83. Vocational Training.India - January 1961.Labour Ministry's Training Scheme: Working during October 1960.

According to the Review of the activities of the Directorate General of Employment and Training during the month of October 1960, there were 160 institutes for training of craftsmen, 12 orientation centres for educated unemployed, 71 undertakings imparting apprenticeship training, and 13 centres holding evening classes for industrial workers. The total number of seats in all these centres and undertakings was 45,380 whereas the total number of persons undergoing training stood at 39,002.

Central Training Institute, Calcutta. - As the Central Training Institute Calcutta will commence functioning with effect from 1 January 1961 a nucleus office with the Principal Central Training Institute Koni and some staff has been set up from November 1960 for completing the necessary preliminaries. The Principal shall however, be overall incharge of the administration at Koni and Calcutta both the day-to-day administration at Central Training Institute Koni will be carried on by the Vice-Principal there till it is completely shifted to Calcutta in May 1961.

Stores and Equipment. - Russian equipment/machinery worth 232,981 rupees was reported as received under the U.N.T.A.A. (I.L.O) Aid Programme during October 1960. Total aid at the end of October 1960 was 1,864,211 rupees.

(Review of the activities of the Directorate-General of Employment and Training during the month of October 1961; Ministry of Labour and Employment, Government of India, New Delhi).

CHAPTER 9. SOCIAL SECURITY.

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92. Legislation.

Employees' State Insurance Scheme extended to certain Areas in Punjab, Mysore and Madras States.

In exercise of the powers conferred under the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government has appointed 8 January 1961, ~~the~~ as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force), and Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas of Hissar in the State of Punjab, namely:-

Name of the Place	Had Bast No.
Hissar	146
Bir Hissar	145

in tehsil and district Hissar.

(Notification SO 59 dated 2 January 1961).

The scheme was similarly extended with effect from 8 January 1961 to the following areas in the State of Mysore:-

The areas within the limits of the Dandeli town covered by the following boundaries with special reference to the Revenue Survey Numbers in which the area is covered:-

- (a) East: Forest Survey Nos. 15 and 14 of Kerwad and Forest Survey No. 21 of Birampalli (part).
- (b) West: Kali River and Forest Survey No. 21 of Ambewadi.
- (c) South: Southern boundary of Indian Plywood Company in Forest Survey No. 21 of Birampalli and Forest Survey No. 21 Birampalli; and
- (d) North: Forest Survey No. 21 of Ambewadi.

(Notification SO 60 dated 2 January 1961, the Gazette of India, Part II, Sec. 3, Sub-sec. (ii), 7 January 1961, pp. 133-134).

By another notification dated 23 January 1961 the scheme was similarly extended with effect from 29 January 1961 to the following areas in Madras State:-

I. (A) Areas comprised within the limits of the revenue villages in Tiruchirapalli town.

(B) The Areas within the limits of the revenue villages of:-

- (a) Abishekapuram;
- (b) Inam Sengulam;
- (c) Inam Tennur;
- (d) Dhamalavarupayam;
- (e) Edamalaipatti Pudur;
- (f) Sempattu hamlet of Kottapettu Village;
- (g) Inam Jambukeswaram;
- (h) Vellithirumutham;
- (i) Kallikudi;
- (j) Ariyamangalam;
- (k) Tennur;
- (l) Inam Periavadavur; and
- (m) Tharanallur

in Tiruchirapalli taluk, Tiruchirapalli district.

II. The area comprised within the limits of revenue village of Thudaiyur in Kolathur taluk in Tiruchirapalli district.

III. The areas within the limits of revenue villages of:-

- (a) Karai;
- (b) Manthangal; and
- (c) Thandalam

in Wallajapat taluk in North Arcot district.

(Notification S O 247 dated 23 January 1961, the Gazette of India, Part II, Sec.3, sub-section(ii), 28 January 1961, page 319).

Annual Report on the Working of the Employees' Provident
Funds Scheme for the Year 1959-1960.

According to the annual report on the working of the Employees' Provident Funds Scheme for the year ending 31 March 1960, the Employees' Provident Funds Act, 1952, had covered by November 1960 forty-four industries, the recent additions being the Road Motor Transport establishments, Mica factories, Mica mines, Plywood industry and Automobile Servicing and Repairing industry and Cane Farm owned by a Sugar Factory. A list of the industries so far covered is given below:-

- Electrical*
- (1) Cement; (2) Cigarettes; (3) ^{Electrical} Electrical, mechanical or general engineering products; (4) Iron and Steel; (5) Paper; (6) Textiles; (7) Edible oils and fats; (8) Sugar; (9) Rubber and rubber products; (10) Electricity, including the generation, transmission and distribution thereof; (11) Tea (except in the State of Assam where the Government of Assam have instituted a separate provident funds scheme for the Industry including plantations); (12) Tea Plantations (other than the tea plantations in the State of Assam); (13) Printing, including the process of composing types for printing, printing by letter press, lithography, photogravure or other similar process of bookbinding but excluding printing, presses, covered under 'newspaper establishments' to which the Employees' Provident Funds Act has separately been extended under Section 15 of the Working Journalists (conditions of Service) and Miscellaneous Provisions Act, 1955; (14) Stoneware Pipes; (15) Sanitary Wares; (16) Electrical porcelain insulators of high and low tension; (17) Refractories; (18) Tiles; (19) Match factories having a production of over 5 lakh gross boxes of matches a year; (20) Sheet glass factories, glass shell factories and other glass factories having an installed capacity over 600 tons per month; (21) Heavy and fine chemicals, including; (i) Fertilizers; (ii) Turpentine; (iii) Rosin; (iv) Medical and Pharmaceutical preparations; (v) Toilet preparation; (vi) Soaps; (vii) Inks; (viii) Intermediates, dyes, colour lakes and toners; (ix) Fatty ~~acid~~ acids; (x) Oxygen, acetylene and carbon-dioxide gases industry (The act was actually enforced in this industry with effect from 21 July 1957); (22) Indigo; (23) Lac including shellac; (24) Non-edible vegetable and animal oils and fats; (25) Newspaper establishments; (26) Mineral oil refining industry; (27) Coffee Plantations; (28) Rubber Plantations; (29) Cardamom Plantations; (30) Pepper Plantations; (31) Iron Ore Mines; (32) Lime-stone Mines; (33) Manganese Mines; (34) Gold Mines; (35) Industrial and Power Alcohol Industry; (36) Asbestos Cement Sheets Industry; (37) Coffee Curing Establishments; (38) Biscuit making industry including composite units making biscuits and products such as bread, confectionery and milk and milk powder; (39) Road Motor Transport establishments; (Voluntary Coverage) (40) Mica factories; (41) Mica Mines; (42) Plywood industry; (43) Automobile Servicing and Repairing industry; (44) Cane farm owned by a Sugar Factory.

The Act applies to all establishments engaged in any of the covered industries employing 50 or more persons (20 or more in the case of newspaper establishments), and having existed for more than three years. The number of these establishments went up from 7,024 as at the beginning of the year to 7,921 by the end of the September 1960. A proposal to reduce the employment strength from "50 or more persons" to "20 or more persons" for covering an establishment under the Act with a view to extending provident fund benefits to the workers employed in smaller units, is likely to materialise very soon as a bill to amend the Act for this purpose has since been passed by both the Houses of Parliament.

An employee in a covered establishment, other than an 'excluded employee' is eligible for membership of the Fund provided his basic wages including dearness allowance and cash value of food concession, if any, do not exceed 500 rupees per month.

The scope of the Scheme was widened to bring the following classes of workers within its ambit:-

- (i) employees working outside the precincts of a covered establishment in connection with its work;
- (ii) Such individuals with emoluments exceeding 500 rupees per month, as apply for membership of the Fund, with the consent of their employers.

The number of subscribers increased steadily from 2.544 millions, as in the ~~year~~ last year, to over 2.7 millions.

Contributions.- The members of the Fund contribute every month at the rate of 6-1/4 per cent of basic wages and dearness allowance including cash value of any food concession. An equivalent amount is added by the employer. A member can also voluntarily contribute, as his own share, upto 8-1/3 per cent of basic wages and dearness allowance including the cash value of food concession.

Total contributions received during the year ending 31 March 1960 inclusive of past accumulations received in cash, amounted to 163.6 million rupees as against 145.9 million rupees received during the previous year.

Increase in Rate of Contributions.- The proposal to increase the rate of provident fund contribution from 6-1/4 per cent to 8-1/3 per cent in respect of the initially covered six industries has been referred to a specially constituted Technical Committee for holding an investigation as to which of these industries are unable to bear the additional financial burden. The Committee issued a questionnaire and is examining replies received from the interests concerned.

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Special Reserve Fund.- A problem that attracted major attention and was the subject matter of discussion at the meetings of the Central Board was how to assist the out-going members or their nominees or heirs, in cases where the employers had not paid in full the amount of provident fund contributions. The Central Commissioner had suggested the constitution of a Special Reserve Fund for the purpose. The Board agreed with the suggestion and recommended to Government that a Special Reserve Fund be constituted for this purpose, by an initial transfer of some funds from the Reserve and Forfeiture Account of the Fund. The workers' representatives on the Board were firmly opposed to any reduction in the rate of interest for financing this Fund.

Very recently, Government issued instructions that the Special Reserve Fund be created by an initial transfer of 2 Million rupees from the Reserve and Forfeiture Account of the Employees' Provident Fund and payments from the Special Reserve Fund, for the time being, be restricted to the following cases only:-

- (a) on retirement on superannuation of a subscriber at or after 55 years;
- (b) on the death of the subscriber; and
- (c) in the case of total and permanent disability of a subscriber certified by a Medical Board set up by the Board of Trustees or by an authority decided upon by the Board of Trustees.

The Special Reserve Fund shall be operated upon as an imprest and as soon as the arrears, against which payment has been made from the said Fund, have been recovered from the employers, such amounts shall be paid back into the Special Reserve Fund.

Administration.- The Organisation operates through a Central Office at New Delhi with fifteen Regional Offices, one in each State (except in the State of Jammu and Kashmir). The major functions of the Central Office which works directly under the Central Commissioner, include general control and superintendence of the Organisation, policy, investment, consolidation of accounts, laying down the accounting procedure, interpretation, etc. The Central Commissioner also functions as a link between the Central Board of Trustees, the beneficiaries of the Fund, the Employers' and Employees' Organisations and general public on the one hand and the Central Government on the other. Full-time Regional Provident Fund Commissioners function in the States, viz., Bombay (now Maharashtra), West Bengal, Madras, Kerala and Mysore. The Central Government have decided to appoint full-time Regional Provident Fund Commissioners in the States of Uttar Pradesh and Bihar also. The Labour Commissioners of the respective States in the remaining regions are performing the duties of Regional Provident Fund Commissioners.

Inspections.- The inspectorate staff constitute the eyes and ears of the Organisation. They are entrusted with the enforcement of the provisions of the Scheme and recovery of the correct dues from the employers. By the end of the March 1960 as many as 61 Inspectors (grade I & II) were in position in the various regions, and 1,392 and 12,721 inspections were carried out in exempted and unexempted establishments respectively during the year, besides special visits to various establishments.

Investments.- The Fund continued to be invested exclusively in the Central Government Securities four or five times in a month through the Reserve Bank of India who are also entrusted with the safe custody of these Securities.

Refunds and Claims.- During the year, over 104,000 claims involving about 41.6 million rupees were paid.

From inception till the closing of the year, the Organisation had paid out about 103.3 million rupees by way of total refunds to members on final payment involving about 228000 claims.

Forfeitures.- Where the employer's contribution is not payable to the subscriber in full, the unpaid part together with interest is credited to the Forfeiture Account of the Fund. During the year 1959-60, a sum of 1,398,000 rupees was received by the Fund on this account. The Forfeitures were utilized for the following two purposes:-

- (i) Payment of money order commission on remittance of provident fund to out-going members or to their nominees 435,000 rupees.
- (ii) Grant of some financial assistance to out-going members of the Fund or their heirs where inadequate deposits have been made by the employers..... 7,000 rupees.

Coverage.- The number of unexempted establishments covered under the Scheme and the subscribers working in such establishments recorded a further increase during the year, as shown below:-

Year ending	No. of unexempted establishments covered.	No. of Subscribers
31-3-1959	6,260	1,521,000*
31-3-1960	6,551	1,666,000 *

*They constitute 85 per cent of the employees in these establishments.

The Scheme is gaining popularity among the employers also. Quite a few of them recognised the benefits of the Scheme and volunteered with the consent of their employees for coverage of their establishments under the Act. The number of establishments covered on voluntary basis rose from last year's 53 to 95.

Coverage of Public Undertakings.- The Employees' Provident Funds Act was extended to establishments belonging to Government or Local Authorities with effect from 18 May 1958. The number of Public Undertakings covered under the Act at the close of the year was about 330. About 100 undertakings out of these were fully complying with the statutory provisions. Majority of the remaining establishments have their own provident fund rules etc., with benefits comparable with those under the Scheme, and the question of granting exemption to these units, on lines similar to exemptions in the private sector, is under consideration.

Advances and Loans.- Loans aggregating 10.5 million rupees have been sanctioned during the year to defray expenses in 66,119 such cases as against 1.265 million rupees sanctioned by the Central Government in 6,855 cases in 1958-59. In view of the misuse of this concession, the matter is being re-examined to see how best to curb this tendency.

Advances within the limit of their contribution were also sanctioned in a few special cases to the workers rendered unemployed without any compensation as a result of factories closing down.

Financing of one's life insurance policy out of the provident fund amount is also permitted under the Scheme. About 31,000 members availed of this facility and a sum of 1.874 million rupees was withdrawn by the members for the purpose during the year.

Towards the close of the year, long-awaited proposals for which there had been a persistent demand both from the workers and the employers, were finalised enabling grant of non-recoverable advances to members from their provident fund for purchasing a dwelling site or a dwelling house or for constructing a dwelling house and for diverting members' accumulations towards the allotment of a tenement constructed under the Subsidised Housing Scheme for Industrial Workers.

Exempted establishments.- The table given below shows the extent of coverage, number of employees and subscribers in exempted establishments:-

Year ending	No. of exempted establishments.	No. of employees.	No. of subscribers.	Percentage of membership.
31-3-1959 ---	764	1,182,000	1,022,000	86
31-3-1960 ---	822	1,196,000	1,035,000	87

Prosecutions.- The position as regards the prosecutions cases ~~filed~~ filed, disposed, pending, etc., till the 31 March 1960 is shown below:-

Launched	Disposed of	Pending in Courts	Pending with State Governments for Sanction.
	Convicted 793 Acquitted 71 *Withdrawn 491 Dismissed/ Discharged 17		
1,839	1,372	467	151

*Withdrawn mainly on payment of dues along with incidental expenses in case of first offense of an employer or due to non-applicability of the Act in view of the decisions of certain High Courts.

Income and Expenditure.- Cost of running the administration and other allied expenditure is met with from the administrative and inspection charges collected from the employers of non-exempted and exempted establishments at the rate of 3 per cent and 3/4 per cent respectively on the total amount of monthly provident fund contributions. Yield from the investments of the provident fund is not charged with such costs.

Data regarding total income from administrative and inspection charges, interest on investment of surplus amount and penal damages realised on delayed remittance of Administrative and Inspection charges for the year 1959-60 is given below:-

	<u>Income</u> Rs.	<u>Expenditure</u> Rs.
(a) Administrative & Inspection charges.....	5,990,000	
(b) Interest on investments....	375,000	
(c) Damages realised on delayed remittance of Administrative and Inspection charges.....	5,000	
	6,370,000	4,341,000

(Report on the Working of the Employees' Provident Funds Scheme 1959-1960, Government of India, Ministry of Labour and Employment; Issued by the Central Board of Trustees, Employees' Provident Fund. pp.24.)

LIST OF PRINCIPAL LAWS PROMULGATED DURING THE
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CHAPTER 4. PROBLEMS PECULIAR TO CERTAIN BRANCHES OF THE
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