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INTERNATIONAL LABOUR OFFICE  
INDIA BRANCH.

Industrial and Labour Developments in August 1959.

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

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C O N T E N T S

Pages

CHAPTER 1. INTERNATIONAL LABOUR ORGANISATION

11. Political Situation and Administrative Action:
- (a) President Takes Over Administration of Kerala State 1
  - (b) Changes in Cabinet: New Minister of Communications Appointed 2
  - (c) New Opposition Party Launched: Swatantra Party Against Congress Policy of "Stateism" 3-6
  - (d) Seventeenth Session of Indian Labour Conference, Madras, 24 and 25 July 1959: Arbitration in Settlement of Disputes Favoured: Statutory Provisions Proposed to Provide Membership Fee for Trade Unions 7-23
12. Activities of External Services 24  
Conferences

CHAPTER 2. INTERNATIONAL AND NATIONAL ORGANISATIONS

25. Wage-Earners' Organisations:
- Amendment to the Trade Union Act Proposed: Union Labour Minister's Announcement at Informal Consultative Committee of Parliament 25

CHAPTER 3. ECONOMIC QUESTIONS

34. Economic Planning, Control and Development:
- (a) Recommendations of Economy Committee: Government Advised to Stop Recruitment 26-27
  - (b) First Atom Power Plant in India to be set up in 1964 28
  - (c) Modernisation of Textile Industry: Working Group Set Up 28-29
36. Wages:
- (a) West Bengal: Revised Minimum Rates of Wages Fixed for Employment in Flour Mills 30-#2
  - (b) Minimum Wages (Bombay Amendment) Bill, 1959: Non-Official Bill to Extend the Act to Contract Labour in Bidi Industry Introduced in Assembly 33

(b) West Bengal: revised minimum rates of wages fixed for employment in public Motor Transport. 31-32

37. Salaries:  
U.P. New Scale for Teachers Introduced 34
38. Housing:  
LIC to Give Loans for Housing 35
39. International Economic Relations:  
Indo-Afghan Trade Agreement Signed 36

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

41. Agriculture:  
(a) Economic Conditions of Plantation Labour: Findings  
of Tea Board Pilot Survey 37-40  
(b) Bombay Agricultural Lands Ceiling Bill, 1959 41-43
42. Co-operation:  
(a) Punjab: 20,000 Service Co-operatives by 1962:  
Programme Outline 44  
(b) Conference of Cooperative Banks: Credit Facilities  
to Small Farmers Urged 45

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS

50. General:  
Domestic Workers (Conditions of Employment) Bill, 1959:  
Non-Official Bill Introduced in Parliament. 46
52. Workers' Welfare, Recreation and Workers' Education  
Coal Mines Pithead Bath Rules, 1959 47-48
55. Protection of Minors:  
(a) Report on the Working of the Employment of Children  
Act, 1938, on Railways and Major Ports during the  
year 1956-1957 49  
(b) First Conference of Working Women: Part-Time Employ-  
ment Facilities Urged 50
56. Labour Administration:  
Inspection of Mines in India: Report of the Chief  
Inspector of Mines for 1956 51-60

CHAPTER 6: GENERAL RIGHTS OF WORKERS

63. Individual Contracts of Employment:  
Madhya Pradesh Industrial Workmen (Standing Orders)  
Act, 1959 (Madhya Pradesh Act No.19 of 1959). 61-62
64. Wage Protection and Labour Clauses in Employment  
Contracts with the Public Authorities:  
Payment of Wages (Madras Amendment) Act, 1951 (Madras  
Act No.9 of 1959) 63

66. <u>Strikes and Lockout Rights:</u> (West Bengal) The Welfare Institutions Bill, 1959 Strikes and Lockouts in Welfare Institutions to be Prohibited	64-65
67. <u>Conciliation and Arbitration:</u> (a) Orissa Industrial Disputes Rules, 1959	66
(b) Industrial Disputes (West Bengal Amendment) Bill, 1959	67
(c) Mysore Industrial Disputes (Amendment and Repeal- ing) Bill, 1959	68
69. <u>Co-operation and Participation of Industrial Organi- sation in the Social and Economic Organisation:</u> Labour Management Relations at the Indian Aluminium Works, Belur: Results of a Case Study Published	69-71
<u>CHAPTER 7 PROBLEMS PECULIAR TO CERTAIN CATEGORIES OF WORKERS.</u>	
71. <u>Employees and Salaried Intellectual Workers:</u> (a) U.P. New Scale of Teachers Introduced	72.
73. <u>Officials and Public Employees of National, Regional and Local Administrations, of Nationalised Undertak- ings or Undertakings Managed with the Participation of the Public Authorities:</u> Recommendations of Economy Committee: Government Advised to Stop Recruitment.	73
<u>CHAPTER 8. MANPOWER PROBLEMS</u>	
81. <u>Employment Situation:</u> (a) Employment Exchanges: Working During May 1959	74-77
(b) Employment Exchanges (Compulsory Notification of Vacancies) Bill, 1959, Passed by Parliament	78-79
(c) Gorakhpur Labour Recruiting Centre Abolished: Employment Exchange to Take Over	80
83. <u>Vocational Training:</u> (a) Labour Ministry's Training Scheme: Working During 1959	81-82
(b) Canadian Aid for Development of Technical Educa- tion: Agreement Reached with India	83
(c) Education Council Suggests Vocational Guidance for Farmers	84

CHAPTER 9: SOCIAL SECURITY

93. Application:

Annual Report on the Working of the Assam Tea Plantations Provident Fund Scheme for the Year ended 30 September 1958

85-86

CHAPTER 11: OCCUPATIONAL SAFETY AND HEALTH

112. Legislation, Regulations, Official Safety and Health Codes:

(a) Draft Bihar Boiler Operation Engineers' Rules 1959

87

(b) Andra Pradesh Economics <sup>ser</sup> Rules, 1959

88

LIST OF PRINCIPAL LAWS PROMULGATED DURING THE PERIOD COVERED BY THE REPORT FOR AUGUST 1959

89

BIBLIOGRAPHY

90

CHAPTER 1. INTERNATIONAL LABOUR ORGANISATION

INDIA - AUGUST 1959.

11. Political Situation and Administrative Action.

President Takes Over Administration of Kerala State.

On 31 July 1959, the President of India, Dr. Rajendra Prasad, signed a Proclamation under Article 356 of the Constitution taking over the Administration in the State of Kerala.

The President declared in the Proclamation that after considering the report from the Governor of Kerala and "other information received by me, I am satisfied that the Government of the State cannot be carried on in accordance with the provisions of the Constitution of India".

The Proclamation adds that general elections for constituting a new Legislative Assembly "shall be held as soon as possible".

By an Order issued with the Proclamation, the Governor will continue to exercise all the functions of the State Government, subject to the superintendence, direction and control of the President.

(The Hindustan Times,  
1 August 1959.)

Dns:

Changes in Cabinet: New Minister of Communications  
Appointed.

Consequent upon the resignation of Shri A.P. Jain as Minister of Food and Agriculture, Shri S.K. Patel, who was in charge of transport and communication has taken over these portfolios.

A new Cabinet Minister, Dr. P. Subbarayan has been appointed and will be in charge of transport and communications.

Dns :

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New Opposition Party Launched: Swatantra Party Against  
Congress Policy of "Stateism"

A 21-point Statement of Principles of a new political party, the Swatantra Party, was adopted at a Convention of the party's leaders held at Bombay on 1 and 2 August 1959. The Convention was inaugurated by Shri C. Rajagopalachari, a former Governor-General of India; among those who participated were Shri N.G. Ranga, Shri K.M. Munshi, Shri M.R. Masani, Shri A.D. Shroff and Shri H.P. Mody.

Explaining the objectives of the party, Shri Rajagopalachari stated that the Swatantra Party was pledged to social justice and equality of opportunity for all people without distinction not only of religion or occupation, but even of political affiliations.

He said he was not inaugurating merely a party; he was inaugurating a movement of freedom. Forty years ago, at the age of 40, he said, he had joined the non-cooperation movement that was being led by Mahatma Gandhi. "Now when I am twice that age, I am leading the revolt against what I have come to believe to be a fatally wrong direction taken by the Indian National Congress in the governance of this great country. I have come to the conclusion that the movement for freedom as important and as serious as the movement for independence against British rule, has now to be inaugurated against this misconceived progress of the Congress forwards what will finally end in the suppression of individual liberty and the development of the State into a true leviathan."

The State, he said, was becoming "a giant entity, itself menacingly poised against the citizen, interfering with his life at all points, mistrusting the people, imposing restrictions, introducing a series of controls and regulations" in almost every walk of life.

In his presidential address, Prof. N.G. Ranga, Chairman of the party, said that all lovers of India's traditional family economy, which had withstood many challenge, should mobilize their forces to "arrest Congressmen from taking this country towards Sovietism and destruction of every kind of freedom and independence.

Statement of Principles.— The Convention adopted a 21-point statement of principles on the objectives of the party. According to this statement, the Party is pledged to social justice and equality of opportunity for all people without distinction of religion, caste, occupation or political affiliation. Party holds that the progress, welfare and happiness of the people depend on individual incentive, enterprise, and energy. The Party stands for the principle of maximum freedom for the individual and minimum interference by the State, consistent with the obligation to prevent and punish anti-social activities, to protect the weaker elements

of the society, and to create the conditions in which individual initiative will thrive and be fruitful. The party is, therefore, opposed to the increasing State interference of the kind now being pursued.

The Party holds that the State should foster and utilise the sense of moral obligation, the pride, satisfaction and fulfilment felt by individuals in serving others, which are inherent in Indian tradition, instead of adopting legislative or other forms of compulsion which commence with want of faith in the people and are consummated in the serfdom of the governed under the official machine, in an omnipotent State controlled by a political party voted to power. The Party, therefore, adheres to the principle of trusteeship adumbrated by Mahatma Gandhi.

On economic matters, the Party holds that steps should be taken to remove the pervading sense of uncertainty that has been created by the present policies of the Government and its varying forecasts of future plans, leading to the drying up of initiative and enterprise in land, shop and factory alike. The Party holds that a sense of stability and incentive for individual effort can be restored only by strict adherence to the Fundamental Rights and Guarantees specified in the Constitution as originally adopted in respect of freedom of property, trade and occupation and just compensation for any property compulsorily acquired by the State for public purposes.

In the policies adopted for national development, priority must be assigned to the basic needs of the people, namely food, water, housing and clothing.

The party holds that the paramount need is for increased food production and that this is best attained through the self-employed peasant-proprietor who is interested in obtaining the highest yield from his land.

The Party believes in an intensive programme of agricultural improvement by promoting the material and psychological inducement for greater production without disturbing the harmony of rural life. The Party holds that there should be no disturbance of ownership, management, and cultivation of land, but believes in a more effective programme than is being followed at present in respect of irrigation, and the supply of material, implements, credit and marketing facilities.



The Party believes in the need for giving every kind of help to agriculture, but is opposed to cultivation through organisations which reduce private ownership to empty paper-title and which bring into being a loose kind of multiple ownership which is certain to sap the incentive of the farmer and his family, reduce output, and take us to a collective economy with official management. It is firmly opposed to collectivisation and bureaucratic management of the rural economy.

The Party takes note of the dissatisfaction amongst the rural population that adequate attention has not been paid to their needs. It holds that the level of life of the rural people should be improved by taking all steps necessary for the purpose, and in particular for maintaining a reasonable and steady price for agricultural produce which is in parity with other prices.

In industry, the Party believes in the incentives for higher production and expansion inherent in competitive enterprise, with adequate safeguards for the protection of labour and against unreasonable profits, prices and dividends, where there is no competition or where competition does not secure the necessary corrective.

The Party stands for the restriction of the State enterprise to heavy industries such as are necessary to supplement private enterprises in that field such as national services as Railways and the starting of new enterprises which are difficult for private initiative.

The Party is opposed to the State entering the field of trade and disturbing free distribution and introducing controls and official management with all its wastefulness and inefficiency.

The Party believes that in the field of production, the free choice of the producer and the consumer must be given basic place and importance.

The Party stands for greater thrift in public expenditure and is opposed to a programme of development based on crippling taxation, abnormal deficit financing and foreign loans which are beyond the capacity of the country to repay.

The Party stands for the creation of opportunities for full and lasting employment in all sectors of life. It stands for a programme of allround industrialisation with a view to developing national resources and reducing unemployment. It believes in a balanced development of capital goods industries, organised consumer-goods industries, and rural industries that afford supplementary employment in the small-scale processing of the products of agriculture.

4.

The Party stands for a fair deal for labour, and for correlating wages to increased productivity and for the workers' right to organise for the purpose of collective bargaining. It stands for harmonising the interests of capital and labour when they get into conflict.

The Convention appointed a Central Committee of the Party with Shri N.G. Ranga as chairman.

(The Times of India, 2 and 3 August 1959).

Dns:

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Seventeenth Session of Indian Labour Conference, Madras,  
24 and 25 July 1959: Arbitration in Settlement of Dis-  
putes Favoured: Statutory Provisions Proposed to Provide  
Membership Fee for Trade Unions.

The seventeenth session of the tripartite Indian Labour Conference was held at Madras on 24 and 25 July 1959. It was attended by Ministers and officials from all the States and representatives of employers and workers. The Governor of Madras inaugurated the Conference and Shri V.K.R. Menon, Director of this Office was present by special invitation.

The Conference, among other matters, decided that statutory provisions should be made to make it obligatory for trade unions to prescribe a minimum membership fee of 25 naya Paisa. The Conference agreed that there should be greater recourse to mediation and arbitration for settlement of industrial disputes and felt that "recourse to adjudication should be avoided as far as possible".

Agenda.— The following were the items of the agenda before the Conference: (1) Action taken on the decisions of the 16th Session of the Indian Labour Conference; (2) Industrial Relations; (3) Service conditions of domestic servants; (4) Introduction of a Pay Roll Scheme in the industrial establishments; (5) Proposal to revise the rates of compensation in the Workmen's Compensation Act, 1923; and (6) Delinking of provident fund benefits from gratuity for the purpose of granting exemption to establishments or employees covered under the Employees Provident Funds Act, 1952 from the operation of the provisions of Employees' Provident Funds Scheme, 1952.

The memoranda on the more important items of the agenda, prepared by the Ministry of Labour and Employment, are briefly reviewed.

1. Industrial Relations.— The problem of industrial relations was considered by the Conference at its last session and certain conclusions in respect of suspension of adjudication, works committees, recognition of trade unions, etc., were reached. A number of proposals for the amendment of the Industrial Disputes Act were placed before the 17th Session of the Standing Labour Committee held at Bombay in October 1958. These proposals were, as desired by the Standing Labour Committee, thoroughly discussed by a special committee in January 1959. The recommendations of the special committee are being looked into. In the meantime, the Ministry of Labour and Employment have been receiving numerous suggestions for changes

or modifications in the existing law and procedure governing the settlement of industrial disputes, recognition of trade unions and allied matters, with a view to strengthening the basis of labour-management relations in the country. The suggestions have emanated not only from the employers' and workers' organisations but also from the State Governments as well as the employing Ministries at the Centre.

The memorandum says that it would be worthwhile to take note of certain significant developments that have taken place since the last session of the Conference and which provide the necessary climate for a dispassionate discussion of this question. In the first place, the unreserved acceptance of the Code for Discipline in Industry by the employers and workers has had a perceptible influence on the trend of industrial relations as revealed by the statistics of industrial disputes for 1958. While there was a very minor increase in the number of disputes during the second half of the year as compared to the first half (from 781 to 783) the number of workers involved and the number of man-days lost recorded an appreciable decline from 5,11,237 to 4,31,183 and from 45,19,087 to 30,73,516 respectively. Secondly, the evaluation and implementation machinery at the Centre and in the States has been, generally speaking, functioning effectively, thus leading to the elimination of a number of misunderstandings between employers and workers and also to a better appreciation of the difficulties of one party by the other. Thirdly, the faithful observance of the Inter-union Code of Conduct by the four all-India Organisations of workers should, if it has not done so already, result in a better atmosphere in which the employers would find it easier to carry on negotiations. Government also stand to gain by this in as much as the process of verification of trade union membership will not be complicated by extravagant claims of strength.

The memorandum discusses the subject under two broad headlines, viz., (a) machinery for collective bargaining and the settlement of industrial disputes and (b) problems relating to trade union organisation.

Machinery for Collective Bargaining and the Settlement of Industrial Disputes.— The memorandum points out that the general consensus of opinion, as confirmed by the discussions at the last session of the Indian Labour Conference, is that time is not ripe for introducing any element of compulsion and that emphasis should be placed on the evolution of certain conventions for the voluntary recognition of unions by employers. With this end in view,

5.

the Conference recommended at its last session, the following criteria:

- (i) Where there was more than one union, a union claiming recognition should have been functioning for at least one year after registration. Where there was only one union, this condition would not apply.
- (ii) The membership of the union should cover at least 15 per cent of the workers in the establishment concerned. Membership would be counted only of those who had paid their subscriptions for at least three months during the period of six months immediately preceding the reckoning.
- (iii) A union might claim to be recognised as a representative union for an industry in a local area if it had a membership of at least 25 per cent. of the workers of that industry in that area.
- (iv) When a union has been recognised, there should be no change in its position for a period of two years.
- (v) Where there were several unions in an industry or establishment, the one with the largest membership should be recognised.
- (vi) A representative union for an industry in an area should have the right to represent the workers in all the establishments in the industry, but if a union of workers in a particular establishment had a membership of 50 per cent. or more of the workers of that establishment, it should have the right to deal with matters of purely local interest such as, for instance, the handling of grievances pertaining to its own members. All other workers who were not members of that union might either operate through the representative union for the industry or seek redress directly.
- (vii) Only unions which observed the Code of Discipline would be entitled to recognition and the procedure for recognition should form a part of the Code of Discipline.

While not attempting to estimate the impact of this recommendation on the problem of recognition and the extent to which the criteria referred to above are being adhered to, the memorandum points out that All-India Trade Union Congress feels that where the claims of rival unions for recognition cannot be settled otherwise, the most simple method of determining the representative character is to hold a ballot of the workers in the plant/area/industry concerned.

It adds that provision on these lines has been made in the Kerala Industrial Relations Bill, 1959, which confers a statutory right on trade unions fulfilling certain conditions to be recognised by the employers or failing that through certification by the registering authority.

The memorandum suggests that the Conference may consider the merits of the procedure proposed in the Kerala Bill for the certification of the negotiating agent.

Works Committees.- The memorandum reviews and analyses the procedure of works committee in other countries and suggests to the conference to discuss the problems relating to works committees and try to lay down at least some broad principles. The function of the Works Committees as defined in Section 3 of the Industrial Disputes Act is too wide. The Conference may like to specify the type of subjects that might usefully be discussed by these Committees. Certain points may be borne in mind in this connection. Firstly, any mixing up of the functions of the Works Committees and the Joint Management Councils under the 'Worker Participation in Management' scheme has to be avoided. Secondly, the different roles of the Works Committees on the one side and the trade unions on the other need to be clearly demarcated. Matters, like wages, for instance, which are generally conceded to fall within the purview of trade unions, may not be discussed by the Works Committees. It adds that recently, the International Labour Office had called for detailed information from Member States regarding the extent to which the principle of co-operation at the level of the undertaking is being followed. This information the memorandum suggests may be utilised in drawing up the guiding principles for the formation and functioning of Works Committees.

Settlement of Disputes through Arbitration.- On this point the memorandum says that both employers and workers have bound themselves, through the Code for Discipline to settle differences through voluntary arbitration before it becomes necessary to refer disputes to the Industrial Relations Machinery. Sub-section (1) of Section 10A of the Industrial Disputes Act provides that where an employer and his workmen agree to refer a dispute to arbitration, the reference may be to such person or persons as may be specified in the agreement between the parties. With a view to helping the parties, instructions have been issued to the officers of the Central and State Industrial Relations Machinery to ensure that in every case where conciliation was likely to fail or had failed the conciliation officer should suggest settlement through arbitration. Panels of

arbitrators have also been drawn up. It is, however, found that not much use is being made of the facilities provided by Government. The reasons for the hesitancy on the part of the employers and workers to have recourse to arbitration is not clear. Nor is it Government's intention to exert any pressure in this matter. A State Government has suggested the substitution of the Labour Courts and Industrial Tribunals by Arbitration Boards, consisting of representatives of employers and workers selected out of panels maintained by Government, the Chairmen being independent persons with a judicial background. The suggestion amounts in effect to the substitution of adjudication by compulsory arbitration. The system of Labour Courts and Industrial <sup>Tribunals</sup> was introduced only in 1956 and perhaps needs to be given a fair trial before a changeover is thought of.

However, the memorandum suggests the Conference might discuss the implications of the proposal.

Principles for reference of disputes to adjudication:

On this point the memorandum says that it has been unanimously recognised that adjudication should normally be ordered only when all other avenues have been fully explored. In consultation with the State Governments the following draft principles for reference of disputes to adjudication have been drawn up:

A. Individual disputes.

Industrial disputes raised in regard to individual cases, i.e., cases of dismissal, discharge or any action of management on disciplinary grounds, may be referred for adjudication if there is a prima facie case of: (1) victimisation or unfair labour practice, (2) that the standing orders in force have not been properly followed or that the principles of natural justice have not been followed, and (3) the conciliation machinery reports that injustice has been done to the workmen. In all the aforesaid cases, however, if there is prima facie evidence to show that the workmen concerned have resorted to violence or otherwise committed a serious breach of the Code of Discipline, then adjudication may ordinarily be refused.

B. Collective disputes.

No dispute may, ordinarily be referred for adjudication -  
 (1) Unless efforts at conciliation have failed and there is no further scope for conciliation and the parties are not agreeable for arbitration. (2) If there is an illegal strike

or lockout or a strike or lockout resorted to without seeking settlement by constitutional means and without proper notice, unless such strike (or direct action) or lockout, as the case may be, is called off. (3) If the demand relates to a claim for wages for the period of a strike, or the demand is such, which following judicial decisions the Tribunals have consistently refused to concede, e.g. the demand about recognition of union. (4) If in respect of demands other legal remedies are available, i.e. matters covered by the Factories Act, Workmens' Compensation Act, Minimum Wages Act, etc. (5) If the matters in dispute are pending before a committee appointed by Government.

In ordering adjudication the following factors will be taken into account: (1) The reasonableness of demands and their justiciability. (2) The repercussion on the other units of the same industry or allied industry. (3) The capacity of the industry to pay or accede to demands like increased wages, etc. (4) the standing of the union raising the dispute and the strength behind the demands.

The memorandum goes on to say that Professor Richardson, an I.L.O. expert on industrial relations, who worked with the Ministry of Labour and Employment, has opined that the draft principles seem generally adequate and practicable. However, he has made the following observations:

- (i) A useful distinction may be drawn between (a) disputes arising out of the implementation of existing legislation, awards, etc. (implementation disputes) and, (b) disputes arising from demands for new conditions.
- (ii) "Implementation disputes", which usually affect only individual or small groups of workers should rarely be sent up for adjudication. The Labour Commissioners may be empowered to give binding decisions in such cases.
- (iii) In the case of the second category of disputes, often involving large numbers of workers, wider use may be made of Courts of Enquiry, provided for in Section 6 of the Industrial Disputes Act, to investigate the facts and make impartial recommendations which would provide an authoritative basis for settlement by agreement and further conciliation.
- (iv) Disputes which could not initially be settled through conciliation should, instead of straight-away being referred for adjudication, be sent back for further conciliation even if this process involved the risk of a strike or lockout.



The memorandum suggests that the Conference may examine the Draft Model Principles with a view to their adoption.

Revival of Labour Appellate Tribunal: The memorandum points out that under the Industrial Disputes (Appellate Tribunal) Act of 1950, an Appellate Tribunal, with four Benches functioning at Calcutta, Bombay, Madras and Lucknow, were constituted to review the decisions of Industrial Tribunals. However, owing to the unduly long time and a great deal of expenditure that resulted in disposing of appeals the Government repealed the 1950 Act, and substituted the then system of tribunals by the present three-tier system of Labour Courts, Industrial Tribunals and National Tribunals.

The abolition of the Appellate Tribunal has apparently resulted in a large increase in the number of cases going up in appeal to the Supreme Court.

Quoting figures in support of this statement, the Law Commission has observed as follows:

"The situation created by these large number of appeals causes concern in two respects. It has the natural effect of clogging the work of the Supreme Court .... The graver aspect, however, of the matter is that labour matters are being thrust upon a Court which has not the means or materials for adequately informing itself about the different aspects of the questions which arise in these appeals and therefore finds it difficult to do adequate justice.... Equally grave are the delays caused by these appeals in the disposal of industrial matters which essentially need speedy disposal".

According to the Law Commission the remedy lies in providing for an adequate right of appeal in industrial matters. "Such a right of appeal could be provided either by constituting tribunals of appeal under the labour legislation itself or by conferring a right of appeal to the High Court in suitable cases".

The memorandum suggests that the observation made by the Law Commission needs careful study and the Conference may discuss the desirability of reviving the Labour Appellate Tribunal even though the observance of the Code of Discipline is likely to lead to a reduction in the number of cases going up to the High Courts and the Supreme Court.

B. Problems relating to trade union organisation: Discussing the need for making changes in the Trade Union Act of 1926 to make the trade union movement stronger, the memorandum suggests the following points for consideration by the Conference..

(i) Alteration of the present statutory limit (50 per cent), on the number of outsiders on the executives of trade unions. (ii) Insertion of a provision in the Trade Unions Act regarding membership fees. (iii) Decentralisation of the work of Registrars of Trade Unions. (iv) Empowering Registrars to look into the records of trade unions. (v) Cancellation of registration for failure to observe the rules of the union. (vi) Cancellation of registration for failure to submit annual returns, and (vii) Placing a restriction on the number of unions that may be registered.

2. Service Conditions of domestic servants: The memorandum on this subject says that the All India Domestic Workers' Union has represented to the Government that there is no law to protect domestic workers against injustices done by employers with regard to employment, payment, leave, etc. The Union's demands include:

(1) Maximum working hours should be restricted to eight hours a day.

(2) There should be weekly holidays.

(3) Free medical treatment with pay.

(4) Provision for servants quarters.

(5) One month's prior notice to termination of service or one month's salary in lieu thereof.

(6) One month's annual leave with pay.

(7) Holidays on festivals with pay.

(8) At the time of transfer, both ways railway fare should be given along with pay prior to termination of service in out-stations.

(9) Payment of salary on the first day of each month.

(10) Bonus according to service during the year.

(11) Aged and under-age servants should not be given hard work beyond their capacity.

(12) No deductions from the pay.

The Union Government consulted State Governments and in the light of the opinion expressed by various States, the question was very carefully considered and it was decided not to pursue it for the following reasons:

- (1) Possibility of large scale retrenchment and of shrinkage of employment opportunities as a result of the enforcement of any law.
- (2) The problem of inspection and enforcement will be particularly difficult. It would be very difficult to administer any legislation in the case of domestic workers as it would involve the maintenance by individual householders, of records, submission of periodical returns etc., which are so essential for the enforcement of any law.
- (3) The time for undertaking legislation would be when a substantial volume of employment can be created and domestic workers if thrown out of employment, absorbed.

The matter was also discussed in the Informal Consultative Committee of Parliament. The consensus of opinion among the Committee members was that it would not be desirable to have any rigid law to regulate the domestic workers' working conditions. It was, however, felt that the demands of domestic workers for weekly holidays, termination notice by either side of say 15 days or salary in lieu thereof, annual leave and payment of salary within 15 days of the beginning of the month should be sympathetically considered. It was further felt that any legislation to cover the above on all-India basis may not be practicable. The Committee also suggested that Government might consider the appointment of a Committee to enquire into the condition of domestic workers.

3. Proposal to revise the rates of compensation in the Workmen's Compensation Act: The memorandum on this item after giving a brief account of the history of the Workmen's Compensation Act, states that the Act at present provides for payment of compensation in lump sum except in the case of temporary disablement. Lump sums are generally frittered away and the workman is left without resources very soon. The rates of compensation are also considered to be disproportionately low, considering the considerable rise in prices since the last War. Taking these facts into consideration Government proposed in a circular letter to the State Governments in September 1955 that provision might be made in the Act for payment of compensation in the form of periodic payments in all cases, as follows:

- (i) For death: At the rate of 40% of wages for a period of 15 years from the date of death.
- (ii) For permanent total disablement: At the rate of 50% of wages for a period of 15 years or till the date of death of the workman, whichever is later.

- (iii) For temporary disablement: At the rate of 50% of wages from the date of disablement till the date of recovery, if disablement lasts for more than 2\* days.

\*N.B. It was originally proposed to reduce the waiting period from 7 days to 2 days. But by the Amendment Act (No.8 of 1959), the waiting period has been reduced to 3 days.

The comments received were of a varied nature. A suggestion was made that an assessment should be made of the cumulative effect of the revised rates of industry. This matter was considered by an inter-departmental Committee in July-August 1957 and by an Actuarial Committee.

In August 1957 a Study Group consisting of 6 members was constituted under the Chairmanship of Shri V.K.R. Menon, Director, I.L.O. (India Branch), inter alia, to study how the existing social security scheme and any other privilege given to workers could be combined in a comprehensive social security scheme. The Group has recommended integration of the Employees' State Insurance and the Provident Fund Schemes. In regard to the Workmen's Compensation Act, the Group has recommended -

"..... Under conditions as exist today, the Group feels that the Schedule can be revised so that the maximum liability on the employer can, in each case, be doubled. This is recommended and, thereafter, actuarial calculations should be made as to what scale of recurring pensions may be provided from the lump sum payments of these amounts received by the Corporation. It is desirable, however, to ensure a simple form of pensionary benefits as the amounts, in any case, will not be as great as those provided in the E.S.I. Act. We have suggested the E.S.I. Corporation as the agency for distributing these pensions as it is already doing this type of work in regard to pensions under the E.S.I. Act. It is understood that the Corporation can make suitable arrangements for remitting sums due to persons or dependants living in outlying areas where the Corporation may not have its own offices".

The memorandum adds that actuarial calculations have been made and suggests the Conference consider the following alternatives in connection with the question of revising the rates of compensation in the Workmen's Compensation Act -

- (i) Payment of compensation on the scale provided for in the E.S.I. Act;
- (ii) Payment of compensation as proposed in Government's circular letter of September 1955 mentioned earlier; and
- (iii) Payment of compensation as per recommendations of

the study group on social security.

The table below compares the monthly payments that will be admissible under the existing lump payments and the three alternatives:

Comparative statement showing the employment injury benefits available under the various alternatives

Injury resulting in	Monthly payments that can be made under the W.C.Act		Under the Government's proposals of September 1955	Under the Employees State Insurance Act, 1948.
	If the liability remains unchanged	If the liability is doubled as recommended by the Study Group		
(1) Death	Minimum Rs.3.50	Rs.7.00	At the rate of 40% of wages for a period of 15 years from date of death.	60% of the 'full rate' to the widow or widows of the deceased worker till remarriage or death, whichever is earlier, 40% of the 'full rate' to each child up to the age of 15, or 18, if receiving education, the pension being terminated on the marriage of a daughter, whichever is earlier. All shares of the dependant are reduced prorata so that the total does not exceed the full rate at any time. The 'full rate' is roughly equal to half of the average daily wages.
	Maximum Rs.31.48 (These payments will be for 15 years)			
(2) Permanent total disablement.	Minimum Rs.4.90	Rs.9.80	At the rate of 50% of wages for a period of 15 years or till date of death of workman, whichever is later	Life pension at 'full rate' multiplied by the extent of disability.
	Maximum Rs.44.08 (These payments will be for 15 years)	Rs.88.14		
(3) Permanent partial disablement	Payment will be proportionate to the loss of earning capacity, i.e. equal to the amount payable for permanent total disablement multiplied by the extent of disablement			Life pension at 'full rate' for the duration of the disability.

(4) Temporary disablement	Minimum Rs.10 or full wages, whichever is less	Rs.20 or full wages whichever is less	At the rate of 50% of wages from date of disablement till date of recovery if disablement lasts for more than 3 days	At 'full rate' for the duration of the disability
	Maximum Rs.60	Rs.120		

The memorandum says that another suggestion made was that it would be more practicable to have a uniform rate of contribution, subject to the following:

(i) Each employer covered should be required to pay each month a contribution equal to a uniform specified percentage of the wages distributed by him in cash or in kind in the previous month to his workmen.

(ii) The claims in respect of the workmen of each employer should be entered at the Centres in individual accounts of the employers. The claims should include the payments for temporary disablements as well as the actuarial equivalents of any pensions which become payable by a death or assessment to permanent disablement.

(iii) At the close of the year the accounts of the Corporation at the Headquarters will show the excess of the contributions received over the amounts disbursed in (1) Cash benefits for temporary disablement (2) actuarial reserves in respect of death or permanent disablement claims (3) cost of providing medical care and administration including investigation expenses for claims.

The excess should first be used for making any necessary transfer to reserve and for making provision for outstanding claims and debts.

(iv) The surplus left should be divided among employers, in whose case the value of the claims as calculated under (ii) above was less than the contributions paid, in proportion to such excess, subject to no refund being admissible to small employers paying contributions below a specified limit of say Rs.200 and subject to provision being made for marginal cases so as to provide no sudden difference in treatment between employers paying higher amounts near the minimum limit.

The scheme, according to the memorandum, has the following advantages - (a) All but the smallest employers get the benefit of any good claim experience to a substantial extent and this will keep them alert regarding the safety measures, first aid and medical care of workmen. (b) Employers whose risk is low get the benefit of their good experience to a considerable extent. (c) Employers with a heavy risk or bad claims experience pay relatively larger amounts, but even their final contribution is limited to the percentage originally charged.

After a few years' working when the experience furnishes necessary statistics, either merit rating or a flat just adequate rate can be adopted if considered preferable.

This matter has also been considered by the Actuarial Committee, which has prepared a system of contributions graduated according to risk.

Labour Minister's Presidential Address: In the course of his presidential address, Shri Gulgarilal Nanda, said that the Indian Labour Conference had played a worthy role and had enriched the tripartite tradition of the I.L.O.

Industrial relations.- Reviewing the problem of industrial relations against the background of the Second Five Year Plan. Shri Nanda said that it had been reckoned that the Second Five-Year Plan with an investment of 45,000 million rupees and with all its strains will mean new employment opportunities outside agriculture to the extent of 6.5 million against 8 million as against an estimate of 10 million of new entrants to the labour force. The increase of nearly 0.4 million in the live register during the period of the last three years is another rough measure of the deterioration in the employment situation. One must not lose sight of the fact, however, that fresh investments are creating new employment opportunities and more and more places were being found for the job seekers than before. But the stark reality was that new employment was not sufficient in the face of the expanding needs of an increasing population. Production, both industrial and agricultural, had been increasing. They had, however, witnessed a period of falling of agricultural production and an appreciable decline in the rate of increase of industrial production.

Referring to the problem of industrial relations, Shri Nanda said that new thinking on this problem was directed in three directions, namely, (i) positive measures to ensure that legal, contractual and moral obligations of all sides are observed and adhered to; (ii) mutual recognition by the parties concerned of what they owe to one another and to the community and translating this into a set of do's and don'ts for the guidance of the conduct from day to-day. This has taken the form of a Code of Discipline in the industry. A Code of Conduct has also been framed to assist trade unions belonging to different sections of the labour movement in the country in arranging their mutual relations on a more satisfactory basis;

14.

(iii) Laying down of norms and yard-sticks for settlement of various claims of the parties which should facilitate internal settlement and might furnish a well considered basis for the authorities who may have to give decisions.

Quoting figures of industrial disputes during 1958 and 1959, Shri Nanda said that he was prepared to draw the conclusion that the improvement which had occurred was directly traceable to the Code of Discipline. Shri Nanda emphasised that in industrial relations one could follow way of peace or of conflict. "In our conditions", he continued, "it cannot be both. The two approaches are quite distinct. We may have a system in which the State let the parties settle their disputes by trial of strength, the issue being determined in favour of the party which has the greater staying power. While the State may render its good offices in suitable cases, it will not make any provision for imposing on either party a compulsory acceptance of any particular terms of settlement. In the other case, the community becomes the arbiter and assumes the power to compel the party to accept the judgment of an impartial and competent authority.

"It is a matter of great good fortune for us that we have succeeded in developing a common approach in the country in this respect which is shared by representatives of both the employers and the workers and the State. This approach is based on the realisation that we cannot afford to follow the path of conflict for economic as well as political reasons. We have, therefore, evolved a system which aims at eliminating the strikes and lock-outs and makes provisions for conciliation and adjudication if all efforts to bring about an amicable and mutual settlement have failed. A mutually agreed arrangement is always better than an imposed decision. This is well known. But in view of the risks of leaving industrial relations to be settled by a trial of strength in the conditions in which we are functioning in this country, all of us find that the present system has the balance of advantage in its favour. Last year I made the offer that if a substantial section of the participants in the Conference - workers, employers and States - expressed their preference for unregulated industrial relations in the country, I would personally agree to suspension of the method of adjudication for a period. This course was rejected unanimously and the current policy of the country in this matter met with decisive approval and confirmation.

"While all of us have accepted this policy, I have a feeling that we have not realised its full implications and therefore in its working we expose ourselves to risks and contradictions which could have been kept out. If, for example, recourse to tribunals and courts becomes the rule rather than exception, the conflict really shifts to the arena of the courts and the skill of lawyers takes the place of trial of strength between the parties. Then only negative results can follow."



Stressing the importance of negotiated settlements, Shri Nanda said that the Government was undertaking a very great and serious responsibility when it assumes the power to ban direct action and compel reference of a dispute to judicial authority. It must make arrangements for the discharge of this function, which was adequate in quality and strength both for arriving at decisions and for their enforcement.

Workers' participation in management.- Referring to the scheme of workers' participation in management, Shri Nanda said that he was quite content with the scheme which had been introduced on the basis of consent of all parties. Continuing, Shri Nanda said, "Reports so far received from the establishments which have introduced the scheme are on the whole encouraging. There should, however, be no question now for making any further ad hoc selection of establishments for the application of the scheme. Our approach now should be that any unit where the conditions are favourable and ripe for it, should bring it into effect without any loss of time. I am still of the opinion that we should not introduce compulsion in the working of the scheme. I hope, there will be a rapid extension of workers' participation on a purely voluntary basis.

"Meanwhile, let us not forget that the institution of Works Committees has an essential place of its own and it must be put on a sound footing as early as possible. Certain investigations which have been made recently reveal that in the past we have taken a rather unduly pessimistic view of the actual value of the Works Councils, as they are functioning. However, I hope that the question of Works Committees will be examined closely and some useful conclusions will emerge in this Conference.

"Finally I have to point out that we must create a strong foundation for the successful operation of all these ideas and schemes by measures for the education and enlightenment of the workers as well as the managerial personnel. I believe, the Government's own programmes of workers' education will have to be expanded and strengthened. The trade unions and the employers have also an important contribution to make in the field."

Decisions.- The Conference agreed that there should be greater recourse to mediation and arbitration for settlement of industrial disputes and felt that "recourse to adjudication should be avoided as far as possible". The Conference expressed the view that matters of local interest not having wider repercussions should, as a general rule, be settled through arbitration.

On the question of mediation and arbitration, the employers agreed to extend their full co-operation in developing the new approach to settlement of disputes. There would, however, be no compulsion from Government in this matter, it was stated at the meeting. But, it was pointed out that the cases of refusal to have recourse to arbitration even in minor matters should be reported to the implementation and evaluation machinery in the State or at the Centre as the case might be.

The Conference favoured maintenance of a panel of arbitrators by the Government in order to help the parties to choose suitable arbitrators. But it was felt that the parties, however, would be at liberty to choose arbitration from outside the panel. The principles and norms enunciated in awards and judicial decisions on important issues relating to industrial relations should be compiled, codified, published and made available for the guidance of the arbitrators. The Central Government was requested to examine afresh how far the provisions of the Indian Arbitration Act could be usefully made applicable to the arbitration procedure laid down in the Industrial Disputes Act.

Problems of Trade Unions.- The Conference discussed at length various problems relating to trade unions and accepted the proposal to make it obligatory for unions to prescribe a minimum membership fee of four annas a month. It was also decided that a statutory provision should be made for this purpose.

The Conference agreed that Registrars of Trade Unions should be empowered to inspect accounts books, membership registers, etc., so that they could verify the correctness of annual returns submitted by various trade unions.

On the question of recognition of trade unions, the Conference felt that where there was only one union, the employers might recognise that union even if it did not fulfil the condition of 15 per cent. membership or of one year's standing. Where there were more than one union and none of them ~~qualified~~ fulfilled the membership condition, it felt that none would be entitled to recognition. The Conference disapproved of the suggestion that a union having the largest membership, even if it was less than 15 per cent. should be recognised.

The Conference was of the view that a union would be entitled to recognition if it had not committed any breach of the "code of discipline", for one year after claiming such recognition. Failure to observe the code by a union, after it had agreed to abide by it, would entail withdrawal of recognition normally for a period of one year, it said. In the latter case, it felt that it was open to the employer

17.

to recognise another union during this period provided it fulfilled all conditions for recognition.

The question of reviving the Labour Appellate Tribunal was also discussed by the delegates and it was agreed that the matter should be considered further in the light of the views expressed by various representatives at the meeting.

As regards the Works Committee in establishments, the Conference decided to set up a Committee to suggest measures to improve the working of these Committees.

Domestic Workers.- On the question of regulating the service conditions of domestic workers, the Conference decided that any legislative measure for this purpose would not be feasible at present. It however approved of the pilot scheme drawn up by the Union Government for setting up a special employment office at Delhi for the purpose of registration and placement of domestic workers.

(Memoranda on items of Agenda received  
from the Ministry of Labour.  
The Hindu, 28 and 30 July 1959.)

## 12. Activities of External Services.

### India - August 1959.

#### Conferences

The Director of this Office, Shri V.K.R. Menon represented the I.L.O. at a meeting of the Working Party on Earth Moving Operations which was organised by the Economic Commission for Asia and the Far East and held at New Delhi from 7 to 14 September 1959.

Chapter 2: International and National Organisations

25. Wage-Earners' Organisations.

India - August 1959.

Amendment to the Trade Union Act Proposed: Union Labour Minister's Announcement at Informal Consultative Committee of Parliament.

Addressing the Informal Consultative Committee of Parliament on Labour in Delhi on 25 August 1959, Shri G.L. Nanda, Union Minister for Labour stated that it was proposed to amend the Trade Unions Act with a view to making it obligatory for unions to prescribe a minimum membership fee of four annas a month. This, he said, would improve the finances of trade unions and also put them on a proper footing.

As regards recognition of trade unions by managements, he said he did not favour compulsion through legislation. On the other hand voluntary methods should be allowed to assert themselves through processes of education and persuasion.

Shri Nanda told the committee that the scheme of workers' participation was in force in 36 units in the country at present. Further extension of the scheme would have to be considered in view of the satisfactory results achieved by joint councils of management set up in many of these units.

Shri Nanda informed the committee that in view of the greater stress that was now being placed on mediation and arbitration for settling industrial disputes, officers of the Central and State industrial relations machinery had been instructed to help bring about settlement through arbitration where conciliation failed. A panel of arbitrators was being drawn up for this purpose.

Shri Nanda also mentioned that the Government was contemplating a scheme for training of conciliators as also a refresher course for existing conciliation officers so that they might be properly equipped to carry out their duties.

(The Hindustan Times,  
26 August 1959).

Dns:

## Chapter 3 : Economic Questions

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

India - August 1959.

#### Recommendations of Economy Committee: Government Advised to Stop Recruitment.

The Congress Parliamentary Party appointed at the last budget session of Parliament an Economy Committee to suggest ways to bring about a reduction in expenditure on administration. In its report submitted to the Prime Minister the Committee has recommended the stoppage of recruitment for a year to administrative and executive, ministerial, skilled and unskilled posts under the Union Government.

According to the committee, the total number of regular employees of the Union Government has increased from 6,50,000 in 1955 to 7,10,000 in 1958 excluding embassies and missions abroad. The increase in administrative and executive posts in the period rose by 20,000 and ministerial posts by 40,000.

The Government is the largest single employer in the country. The budgetary position (Revenue) of the Union Government has moved from 3,500 million rupees in 1949-50 to 8,400 million rupees in 1959-60. The civilian personnel, excluding the administrative services (ICS, IAS etc.) and the Missions abroad, have increased appreciably in addition, there is more or less a permanent non-regular establishment of 63,000 employees.

The wages and salaries paid by Government administrative departments, excluding the departmental commercial undertakings but including defence, have risen from 1,690 million in 1956-57 to 2,370 million rupees in 1959-60. Excluding the Armed Forces and the civilian personnel attached to the Defence Ministry, the wages and salaries of the Government administrative departments have increased from 754 million to 1,077 million rupees in 1959-60. The wages and salaries of the Posts and Telegraphs Department have risen from 330 million rupees in 1956-57 to 420.4 million rupees in 1959-60. The staff of the Railways has moved from 7,73,368 in 1948-49 to 11,11,026 in 1957-58.

Over the same period the cost of staff in Railways has risen from 928 million to 1,730 million rupees. The rise in the cost of the Railways in 1957-58 against 1956-58 amounted to 162.2 million rupees.

2.

The wages and salaries paid by the Ministry of Works Housing and Supply on account of "Repairs and Maintenance" has increased from 112 million in 1956-57 to 187 million rupees in 1959-60 against 63.1 million rupees in 1956-57. House rent and compensatory allowances of staff will touch 150 million rupees in 1959-60.

The committee has suggested that, with the exception of technical personnel, all posts lying vacant and not filled for six months and more should be abolished. In no case should the Ministries be allowed to carry forward estimates of such posts to the revised budget.

The committee has recommended that no extension should be given to civil servants who have reached the age of superannuation, except in special circumstances.

The committee has suggested that a central pool of employees be created and the Ministries asked to scrutinize closely their staff position and hand over the surplus to the pool.

The committee indicates that its recommendations do not involve any problem of retrenchment because about 25,000 people retire every year and their place need not be filled.

(The Hindustan Times,  
10 August 1959).

Dns:

2.

First Atom Power Plant in India to be set up  
in 1964.

The Chairman of the Atomic Energy Commission, Dr. H.J. Bhabha, said at a press conference on 4 August 1959 in Bombay that the first nuclear power station in India would be commissioned in 1964.

The station with a capacity of 250,000 kw will be located on the western coast line between Ahmedabad and Bombay - the biggest power consuming region in the country - and it is estimated to cost 550 million rupees.

Dr. Bhabha said that the cost per unit of electricity produced by the proposed nuclear power station would be about 4 naye Paisa. After five to ten years of experience with nuclear power production the cost might be brought down to 2.6 nP per unit.

(The Statesman 5 August 1959).

Modernisation of Textile Industry: Working Group  
Set Up.

According to the Special Correspondent of the Hindustan Times, New Delhi, the Government of India is considering a comprehensive programme to modernize the entire textile industry by the end of the third Plan. Under this proposal, a modernisation fund of about 850 million rupees may be created to give loans to various textile mills to finance their renovation and renewal programmes.

A working group has been set up by the National Industrial Development Corporation to suggest measures for an early and thorough modernisation of the cotton textile industry in India, with Shri D.S. Joshi, Textile Commissioner, as its Chairman. Shri K.R. Aravamudan will be the Secretary of the Group which consists of eight other members.

The group will examine the extent of finances necessary the portion of foreign exchange required, the extent of finances which will be forthcoming from the industry itself, and how the balance of the needs may be met from public or private financing agencies. The question of increasing the resources of public financing agencies, like the NIDC, will also be considered.



3.

The group may send out some of its members to visit foreign countries - the UK, Japan, the USA and Switzerland - where modernization of the cotton textile industry has made remarkable progress.

The Group is expected to complete its work by 30 November 1959.

(The Hindustan Times, 10 August,  
6 September 1959.).

36. Wages.

India - August 1959

West Bengal: Revised Minimum Rates of Wages Fixed for  
Employment in Flour Mills.

In exercise of the powers conferred under the Minimum Wages Act, 1948, the Government of West Bengal has revised the minimum rates of wages payable to the employees employed in flour mills in the State of West Bengal as specified below:

The following shall be the minimum rate of wage and dearness allowance payable to the employees in flour mills:

	<u>Basic wage</u> Rs.	<u>Dearness allowance</u> Rs.	<u>Total</u> Rs.
A. Unskilled Workers -			
Monthly rate	30.00	25.00	55.00
Daily rate	1.08	00.89	1.97
B. Semi-skilled Workers -			
Monthly rate	37.00	27.50	64.50
Daily rate	1.32	00.98	2.30
C. Skilled Workers -			
Monthly rate	55.00	27.50	82.50
Daily rate	1.97	00.98	2.95
D. Clerks -			
Monthly rate	60.00	27.50	87.50
Daily rate	2.14	00.98	3.12
E. Apprentices shall be paid at two thirds of daily rates plus full dearness allowance.			

The rate of dearness allowance shall correspond to the average consumers' price index number for the year 1957 as published by the competent authority appointed under section 2(c) of the Act.

Dearness allowance shall vary only when there will be a change in the cost of living index by 10 points. The rate of variation will be to the extent of one rupee only per ten points.

All other benefits at present enjoyed will be continued.

(Notification No. 4292 L.W./L.W./2W-36/59  
dated 24 July 1959, the Calcutta Gazette,  
Part I, 13 August 1959, p. 2889.)

Dns:

West Bengal: Revised Minimum Rate of Wages Fixed for  
Employment in Public Motor Transport.

In exercise of the powers conferred under the Minimum Wages Act, 1948, the Government of West Bengal has revised the minimum rates of wages payable to the employees working in public motor transport in the State of West Bengal. The following are the minimum rates of wages and dearness allowance per month payable to the employees working in public motor transport in the State:

Zones	Drivers with licences for 5 years or more		Total	Conductors with licences for 5 years or more		Total
	Basic Wage	Dearness allowance		Basic Wage	Dearness Allowance	
	Rs	Rs	Rs	Rs	Rs	Rs
I	90.00	45.00	135.00	50.00	45.00	95.00
II	90.00	45.00	135.00	50.00	45.00	95.00
III	75.00	42.00	117.00	48.00	42.00	90.00
IV	75.00	42.00	117.00	48.00	42.00	90.00
V	80.00	42.00	122.00	50.00	42.00	92.00
VI	75.00	42.00	117.00	48.00	42.00	90.00
VII	80.00	42.00	122.00	50.00	42.00	92.00
VIII	85.00	45.00	130.00	50.00	45.00	95.00

Zones	Cleaners		Total
	Basic Wage	Dearness Allowance	
	Rs	Rs	Rs
I	35.00	35.00	70.00
II	35.00	35.00	70.00
III	32.00	32.00	64.00
IV	32.00	32.00	64.00
V	33.00	32.00	65.00
VI	32.00	32.00	64.00
VII	33.00	32.00	65.00
VIII	35.00	35.00	70.00

"Zone I" means Calcutta; "Zone II" means districts of 24 Parganas, Howrah, Hooghly and the Asansol subdivision of the district of Burdwan; "Zone III" means district of Burdwan except the Asansol subdivision and the district of Birbhum; "Zone IV" means districts of Bankura, Midnapore and Purulia; "Zone V" means districts of Nadia and Murshidabad; "Zone VI" means districts of Maldah, West Dinajpur and Cooch Behar and the Sadar subdivision of the district of Jalpaiguri; "Zone VII" means the Siliguri subdivision of the district Darjeeling and the Ali-pur Duar subdivision of the district of Jalpaiguri; and "Zone VIII" means the district Darjeeling except the subdivision of Siliguri.

3.

Drivers with licences for less than 5 years shall get 5 rupees less in basic wages than those having licences for 5 years or more in all the zones;

Conductors having licences for less than 5 years shall get 3 rupees less in basic wages than those having licences for 5 years or more in all the zones;

Drivers on lorries in different zones shall get the same basic wages and dearness allowance as drivers on buses;

Lorry coolies shall get the same rate as cleaners on buses in different zones;

Time-keepers shall get 5 rupees more in basic wages than conductors with licences for 5 years or more in different zones;

Fitters shall get 55 rupees as basic wages in Zones I and II and 45 rupees as dearness allowance per month. In other zones, they shall get a basic wage of 50 rupees and the same dearness allowance as drivers with licences for 5 years or more; and

Mechanics shall get the same rate of basic wage and dearness allowance as drivers with licences for 5 years or more in different zones.

The rate of dearness allowance shall correspond to the average consumers' price index number for the year 1958, as ascertained and declared by notification published by the competent authority appointed under clause (c) of section 2 of the Act.

Dearness allowance shall be adjusted to accord as nearly as practicable both upward and downward with the variation in the consumers' price index number. No change shall be effected unless there has been a variation of clear 10 points and also before the expiry of one year from the date of publication of this notification;

The amount of variation in the rate of dearness allowance per 10 points of the consumers' price index number shall be 1.87 rupees in all the zones and for all the categories of employees.

(Notification No. 4068 LW/LW/2W-57/58 dated 14 July 1959, the Calcutta Gazette, Part I, 6 August 1959, pp, 2775-2776).

Dns:

4.

Minimum Wages (Bombay Amendment) Bill, 1959: Non-Official  
Bill to Extend the Act to Contract Labour in Bidi Industry  
Introduced in Assembly.

Shri A.B. Bardhan, Member, Bombay Legislative Assembly, introduced on 13 August 1959 in the Assembly a Bill to amend the Minimum Wages Act, 1948, in its application to the State of Bombay.

According to the State<sup>ment</sup> of Objects and Reasons of the Bill, the working of the Minimum Wages Act, 1948, has revealed that many employers particularly the bidi manufacturers, in this State manage to escape liability for payment of minimum wages to employees by engaging petty contractors who are supplied raw materials for the purpose of manufacture. This method is being increasingly resorted to, especially in the Vidarbha Region, after the latest notification fixing the rates of minimum wages in the bidi industry in Vidarbha Region. As the bidi makers are employed by the contractor and there is no privity of contract between them and the manufacturer, the Authority under the Minimum Wages Act, finds it difficult to hold that the manufacturer is an employer within the meaning of the said Act, and is as such liable thereunder. Thousands of workers are thereby denied the protection and privileges under the provisions of the Act. Since the principal beneficiary in such transactions is the manufacturer who reaps the benefits of the labour, it is but proper that the responsibility for the payment of minimum wages should also rest on him and he should not be allowed to escape criminal liability for the contravention of the provisions of the Act.

The Bill inserts a new section 18A providing that wherein any scheduled employment in respect of which the minimum rates of wages have been fixed under this Act, any person (hereinafter in this section referred to as the Principal) contracts with any other persons (hereinafter in this section referred to as the Contractor) for having any goods made for sale for purposes of the trade, or business of the Principal, either wholly or partly out of materials supplied to the contractor by such Principal, then notwithstanding that the employees for making such goods are employed by the contractor, the Principal shall also in addition to the contractor be deemed for all purposes of this Act to be the employer in relation to such employees.

(Bombay Government Gazette, Part V,  
27 August 1959, pp. 621-622.)

Dns:

37. Salaries.

India - August 1959.

U.P.: New Scale for Teachers Introduced.

The Uttar Pradesh Government issued orders on 8 August 1959 to all aided secondary schools in the State to implement the revised scales of pay for teachers. The new scales will be enforced with retrospective effect from 1 July 1959. The revised scales for the teachers of non-Government aided higher secondary schools for boys and girls are as follows:

Principals of higher secondary schools: Rs.250-675.  
Headmasters and headmistresses of high schools: Rs.225-425,  
Assistant masters and mistresses, including vice-principals:  
Rs.175-350; Trained under-graduate teachers: Rs75-200; Teachers: Rs.60-120.

(The Hindustan Times,  
10 August 1959).

Dns :

38. Housing.

India - August 1959.

LIC to give loans for Housing.

The Life Insurance Corporation, at its board meeting held in Madras on 23 August 1959 has taken a policy decision to grant loans on mortgages of lands and buildings for housing purposes.

It is expected that in the beginning, the loans would be given cautiously, but later when experience is gained, the Corporation is likely to launch a bigger programme on the lines of some of the big insurance companies abroad like the Metropolitan Insurance Company in the United States.

The Corporation is also thinking of a scheme of grant of loans to policy-holders at privileged rates for housing purposes.

(The Hindustan Times,  
27 August 1959).

Dns:

26

39. International Economic Relations.

India - August 1959.

Indo-Afghan Trade Agreement Signed.

A new trade agreement was concluded at New Delhi on 11 August 1959 between India and Afghanistan for balancing of trade between the two countries and for facilities for the export of Afghan goods through India to other countries. The new agreement takes effect from 21 July 1959, the date on which the old one expired.

It has been agreed that facilities will be afforded to registered importers for import into India of dried and fresh fruits, asafoetida, cumin seeds, inedible animal fats and medicinal herbs from Afghanistan.

Afghanistan will, on its part, afford facilities for import from India of goods such as cotton and woollen textiles, tea, coffee, dried fish, vegetable products, agricultural products, chemical products, soaps, engineering goods, electrical goods, household and building requirements, hardware, rubber manufacturers, leather manufactures and products of handicrafts and cottage industries.

(The Tribune, 12 August 1959).

Dns :



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

INDIA - AUGUST 1959

41. Agriculture

Economic Conditions of Plantation Labour: Findings of Tea Board Pilot Survey

The Tea Board of India conducted recently a pilot survey of the economic life of the tea garden workers to study the pattern of living of plantation labour, and explore the need and prepare the ground for a more comprehensive inquiry into the economic and sociological behaviour of plantation workers. The survey which covered 10 gardens round the town of Dibrugarh in Assam, was undertaken during the period January to April 1958. The following is a brief review of the salient features of the inquiry.

The inquiry revealed that the proportion of residing labour to the total labour force was all throughout high, being no where less than 80 per cent. In two gardens, it was 100 per cent., the gardens employing no outside labour. The smallest garden, which relied more on outside labour, employed 63.00 per cent. of outside labour, as against 36.94 per cent. of resident labour, obviously for reasons of economy.

Employment.- The extent of employment amongst the resident population in the gardens varied from 7.43 per cent. to 57.85 per cent., the overall percentage being 43.49, leaving 56.51 per cent. as apparently unemployed. Out of a total garden population of 21,474, only 10,146 were on the gardens rolls. On the basis of the age distribution of the eight gardens for which data were available, the number of children up to the age of fourteen in all the ten gardens was estimated at 10,258, while the number above that age was 11,216. Since the number on the garden rolls were 10,146 (that is, 90.46 per cent.), it appeared that unemployment among tea garden population was not very acute. It was also found that 91.83 per cent. of men, 88.97 per cent. of women, 68.24 per cent. of adolescents and 2.20 per cent. of children were actually employed at the time of the survey. Employment in busy periods would naturally be much higher. This pointed to the conclusion that unemployment as such was a problem deserving consideration only in so far as adolescents were concerned.

35

Education.— The bulk of the families investigated - 135 out of 255, that is 52.94 per cent. - was found to be natives of Assam. Out of the remaining 120 families, 66 families or 25.83 per cent. hailed from Bihar, 21 per cent. from Orissa and 6.67 per cent. from West Bengal. Families from M.P., Bombay and U.P. were comparatively small in number. Out of the 120 immigrant families, only 32 had some sort of family or property ties with their native places. The overall literacy percentage stood at 11.55, the literacy percentage being the lowest among women, at 1.10. Among children, the literacy percentage was 10.46. If, out of the total number of children, those of ages less than six are excluded, the literacy percentage among children of what may be called the school-going age comes to 17.92 per cent. Thus, it was seen that the overall literacy position among plantation workers was quite low and needed considerable improvement. It was also found that only about 14 per cent. of the children of school-going age were actually attending school at the time of the inquiry. This depressing situation existed, despite the fact that nine out of the ten gardens had schools within the garden. It would thus appear that parents or guardians, do not fully realise the importance of providing education to their wards. This underlines the need for making primary education compulsory in tea plantations.

Information collected through the inquiry revealed that smoking was quite popular among men, 61.67 per cent. of them being addicted to it. Among women, smoking was confined only to 5.51 per cent. and among adolescents 29.41 per cent. Among children, 2.78 per cent. were smokers, the overall percentage for the whole of the plantation population being 19.79. As compared with smoking addiction to liquor was found to be alarmingly high. Almost every adult man and woman was given to this habit, the actual proportion of liquor addicts was as high as 92.81 per cent. and 90.07 per cent. respectively. Even among adolescents and children, it was as high as 67.00 and 49.04 per cent. respectively, the overall proportion being 70.06 per cent. Another interesting revelation was that the family's economic status had little influence over the incidence of this habit.

Analysis of the composition of families showed that the average size of the family was 4.85, of which 2.53 or 47.98 per cent., were earners. The average number of earners per family also revealed a rising trend throughout, increasing from 1.19 to 5.43 between the lowest and the highest expenditure levels.

3.

Earnings.- The regular income of plantation labour is generally derived from two sources: (1) cash income from the garden as wages, and (2) subsidiary income from land, poultry, livestock, etc. Besides, there are non-cash concessions from the garden in the form of subsidised food-stuffs, free medical aid, etc. The value of these concessions has not been computed due to the difficulties involved in finding out their exact money equivalents. But it has been taken into account in an indirect manner. For the average family, considering all the expenditure levels, the total fortnightly income was 46.87 rupees, of which 42.53 rupees was derived from the garden as cash wages and the remaining 5.33 rupees from other sources such as land, poultry, livestock, etc. A comparison of the contributions of different members of the family to the fortnightly income showed that the major portion of the cash income was earned by men. But women did not fall far behind, their contribution having been a little less than that of men. Thus, concludes the survey, though the wage rate cannot be considered high in the present circumstances, the combined earnings of different members of the family place tea plantation labour in a comparatively better position than labour employed in many other industries.

The average per capita monthly cash earnings of tea plantation workers were 7.88 rupees for men and 6.23 rupees for women in the year 1939-40. The monthly income for men and women obtained from the present survey were 39.90 rupees and 35.06 rupees. Thus during the period earnings have increased by 406 per cent. in the case of men and 477 per cent. in the case of women. Considering that the earnings at the period of the survey were rather low and that the actual average fortnightly expenditure per family was 50.21 rupees which is about 18 per cent. higher than the average fortnightly cash earnings of 42.53 rupees per family, it would be reasonable to assume that the per capita cash earnings now are 597 per cent. higher in the case of men and 681 per cent. in the case of women than those in 1939-40.

Expenditure.- There was no significant variation in the expenditure patterns among different expenditure levels. The combined pattern, taken as the pattern of expenditure among tea plantation workers, revealed that an average plantation worker's family spent about 65 per cent. of its budget on food, 11 per cent. on clothing, 9 per cent. on conventional necessities (tobacco, betel leaf, toilet and cinema) and about 8 per cent. on liquor alone. The smallest expenditure was on household purchases and equally small was the expenditure on education which stood at a little over one-third of one per cent.

4.

An assessment of the standard of living of plantation workers, as measured by the extent of expenditure per adult unit, showed that the standard rose slowly but steadily with the rise in total expenditure. Expenditure on food, clothing and miscellaneous items mainly followed this rising trend, the rate of spending on other items remaining more or less steady. Expenditure on liquor was found to be disproportionately high, namely Re 1.39 per fortnight per adult consumptional unit in the lowest expenditure level but exhibited no inclination to rise as the standard of living rose, the overall value being 1.10 rupee.

(The Commerce, Vol. XCIX, No. 2526  
22nd August 1959, page 302.)

Dns:

41

Bombay Agricultural Lands Ceiling Bill, 1959.

The Government of Bombay published on 6 August 1959 a Bill to fix a ceiling on holding agricultural land and to provide for the acquisition and disposal of surplus agricultural lands.

According to the Statement of Objects and Reasons of the Bill, the existing tenancy laws in force in the different regions of this State contain provisions for imposition of ceiling on agricultural holdings. These provisions are, however, different in the different laws in their application to the existing holdings and on future acquisition of agricultural lands. Consequent upon the passing of the resolution on Land Reforms in the Nagpur Session of the All India Congress Committee, it has become expedient to have a unified law for imposing ceiling on agricultural holdings in the whole State. The Bill accordingly contains provisions for imposition of ceilings on existing holdings and on future acquisition of lands which would be applicable uniformly throughout the State.

The ceiling area will be notified by the State Government for each local area. It will represent the extent of land which will ordinarily yield a net income of 3,600 rupees per annum. The yield of the land and its price will be determined with reference to the average of these quantities during a period of 5 years preceding the date of notification constituting the local areas. From a date to be notified by Government no person shall be entitled to hold land whether as owner or tenant in excess of the ceiling area. In order to ensure that the provisions of the Bill are not circumvented by transfers and partitions made in anticipation of this law before the notified date or before the commencement of this law provision has been made in clauses 6 and 7 for ignoring \* transfers or partitions which are likely to defeat the object of the Act. Retrospective effect has been given to these provisions from 16th January 1959 since the Nagpur Resolution of the All India Congress Committee was passed thereabout and since then the landholders might have been prompted to effect partitions and transfers in anticipations of this law.

42

Every person holding land in excess of the ceiling area is required under clause 10 to furnish to the Mamlatdar concerned particulars of all lands held by him. On the basis of these particulars and also from other records the Tribunal will prepare a list of persons holding lands in excess of the ceiling area and will specify in such list the extent of which the surplus land held by each person. The holder of the land has, however, been given the choice to select the lands which he wants to retain; but the choice has to be exercised by him having regard to the order of preference given in sub-clause (3) of clause 20.

As a measure of relief to landlords under disability and also poor landlords, who have leased their lands to persons holding land in excess of the ceiling area, it has been provided in clause 19 that where land held by a person from such landlords is surplus land, it shall be restored to the landlord who shall hold it subject to the provisions of the relevant tenancy law in respect of fresh tenants.

Certain categories of lands like lands belonging to Government, lands reserved for non-agricultural and industrial development under the relevant tenancy law, lands belonging to public trusts for educational purposes, hospitals, etc., lands held by industrial or commercial undertakings approved by Government, lands used for coffee plantations or growing of fruits, flowers, etc., have been exempted from the operation of the Ceiling Law; but the extent of these lands held by a person would be taken into account in deciding the extent of other land which he would be entitled to retain within the ceiling limit.

The lands declared to be surplus by the Tribunal will vest in Government free from all encumbrances. For this the State Government will pay compensation equal to 100 times the assessment of the land plus the depreciated value of permanent ~~land~~ structures and wells constructed by the holder on the land. Where the surplus land is held on lease from Government, the compensation will be 12 times the full assessment of the land in addition to the value of structures, etc. The compensation shall be payable in cash or in transferable bonds or partly in cash or partly in bonds as may be decided by the State Government. The bonds will carry interest at the rate of 3 per cent. per annum from the date of their issue and shall be repayable during a period not exceeding 20 years by equal annual instalments of principal and interest. Where the surplus land is a tenanted land, 2/3rds of the compensation will be paid to the landlord while the tenant will be paid 1/3rd of the compensation. Provision has been made for filing an appeal to the Bombay Revenue Tribunal against the award of compensation by the Tribunal.

3.

The surplus land vesting in Government will be allotted on payment of occupancy price in accordance with the rules to be framed by Government to persons and co-operative farming societies in the order of priority given in clause 32. Such lands after they are granted shall not be alienated or partitioned without the previous sanction of the Collector. In order that a compact block of land can be given to a co-operative farming society, power has been given to the Collector to acquire land to enable the formation of a compact block of surplus land. Compensation in respect of such acquired land shall be given in accordance with the provisions of the Land Acquisition Act.

Pending final disposal of the surplus land according to the provisions of the Act, power has been given to the Mamlatdar to temporarily lease such lands for cultivation so that the lands may not remain uncultivated in the intervening period.

(Bombay Government Gazette, Part V,  
6 August 1959, pp. 552-579).

Dns:

42. Co-operation.

India - August 1959.

Punjab: 20,000 Service Co-operatives by 1962:  
Programme Outline.

According to a report published in the Tribune dated 10 July 1959 a phased programme for the introduction of service co-operative societies has been drawn up. The phased programme envisages the establishment of 20,000 service co-operatives in the Punjab by June 1962, with the clear aim that every family in the course of next three years is eventually represented in a village co-operative.

Provision of short and medium credit, supply of agricultural and other production requirements, and marketing of agricultural produce are listed as the primary functions of a service co-operative.

Targets relating to the organisation of new service co-operatives and a phased programme of the conversion of the existing societies have been fixed for the next three years.

As regards the conversion of existing societies into service co-operatives, the Government has considered 640 agricultural multi-purpose societies, 410 large-sized societies and 16,500 agricultural thrift and credit societies suitable for the purpose. Of these, 80%, i.e., about 14,000 are sufficiently active for transformation into full-fledged service co-operatives in three years.

(The Tribune, 10 July 1959).



45

Conference of Cooperative Banks: Credit Facilities  
to Small Farmers Urged.

A Conference of representatives of co-operative banks, held under the auspices of the Indian Co-operative Union at New De-lhi on 25 August 1959, recommended, among other things, rehabilitation of small ~~farmers~~ <sup>farmers</sup> by providing them more finances from the National Plan resources and by giving the scheme top priority.

The conference, which considered the requirements of finances for providing credit facilities to the marginal and submarginal farmers endorsed the estimate of requirement of finances recently adopted at the State Co-operative Ministers' conference in Mysore. The estimate suggested that about 4,000 million rupees may be required at the end of the second Plan and Rs 10,000 million rupees by the end of the third Plan.

As regards granting of loans to agriculturist workers who do not own land or other property, the conference was convinced that small farmers were "trustworthy" and on that account much risks were not anticipated.

The conference also considered the scheme for planned production credit recently sponsored by the Government of India and expressed its appreciation of the scheme. The scheme with a provision of 80 million rupees envisages credit to small farmers based on their production plan and potential through the co-operative banks.

(The Hindustan Times,  
26 August 1959).

Dns:

10

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS

INDIA - AUGUST 1959.

50. General.

Domestic Workers (Conditions of Employment) Bill, 1959: Non-Official Bill Introduced in Parliament.

Shri P.N. Rajabhoj, Member of Parliament, introduced in the Rajya Sabha on 21 August 1959, a Bill to provide for better conditions of employment of persons engaged in household duties and to regulate hours of work, payment of wages, leave, etc.

According to the provisions of the Bill, every domestic workers shall be allowed at least one full day's rest every week and no deduction shall be made from the wages of any domestic worker on account of such weekly holidays. Wages of every domestic worker shall be paid within the first seven days of the next succeeding month and where the employment of a domestic worker is terminated by the employer, the wages earned by the domestic worker shall be paid within three days of the termination of employment. The minimum wage of a domestic worker under eighteen years of age shall be thirty rupees per month and over eighteen years of age forty rupees per month. No domestic worker shall be made to work for more than ten hours a day.

Every domestic worker shall be entitled after twelve months' continuous employment to privilege leave with full wages for a total period of not less than fifteen days.

A domestic worker shall be entitled to casual leave with wages for a total period of not less than twelve days every year provided that where a domestic worker has completed a continuous period of four months' service, he shall be entitled to privilege leave of not less than five days for every such completed period provided further that the domestic worker may if the employer so desires, agree to receive payment in lieu of privilege leave. Other provisions of the rules relate to default and penalties, power to make rules and proceedings against the employer.

(The Gazette of India, Extraordinary, Part II,  
Sec 2, 21 August 1959, pp. 839-844.)

67

52. Workers' Welfare, Recreation and Workers' Education

India - August 1959.

Coal Mines Pithead Bath Rules, 1959.

The Government of India gazetted on 1 August 1959 the text of the Coal Mines Pithead Bath Rules, 1959, made in exercise of the powers conferred under the Mines Act, 1952. The rules require the owner, agent or manager of every coal mine falling under any of the specified categories to construct a pithead bath in accordance with plans prepared in conformity with the rules. Every such pithead bath shall be provided with shower baths and sanitary latrines on the following scale:

Category of Mine	Number of Shower Bath		Number of sanitary latrines	
	Men	Women	Men	Women
A	10	4	4	2
B	20	8	6	3
C	24	10	8	4
D	40	16	14	5

"Category 'A' mine" means a coal mine, the average monthly output of which exceeds 600 tons but does not exceed 2,500 tons;

"Category 'B' mine" means a coal mine, the average monthly output of which exceeds, 2,500 tons but does not exceed 10,000 tons;

"Category 'C' mine" means a coal mine, the average monthly output of which exceeds 10,000 tons, but does not exceed 20,000 tons;

"Category 'D' mine" means a coal mine, the average monthly output of which exceeds 20,000 tons. ~~but does not~~

Explanation.- The average monthly output of a mine shall be calculated on the basis of the figures of coal raising for the previous calendar year.

2.

Separate locker rooms for clean and pit clothes shall be provided at each pithead with the prescribed type of locker installed for the use of each man and woman entitled to use the bath.

The rules repeal the Coal Mines Pithead Bath Rules, 1946.

(Notification No. 80 1711 dated 24 July 1959, the Gazettee of India, Part II, Sec 3, Sub-section II, 1 August 1959, pp. 1899-1901.)

Dns:

69

55. Protection of Minors.

India - August 1959.

Report on the Working of the Employment of Children  
Act, 1938, on Railways and Major Ports during the year  
1956-1957.

The Employment of Children Act, 1938 prohibits the employment of children under 15 years of age in any occupation connected with the transport of passengers, goods or mails by Railways and in any occupation involving handling of goods within the limits of any Port. Its contravention is required an offence liable for punishment by simple imprisonment extending upto one month or a fine upto Rs.500 or both.

The Report of the Chief Labour Commissioner (Central) for the year 1956-57 shows that during the year 4,933 establishments were inspected and 853 irregularities were detected. The corresponding figures for the preceding year were 3,762 and 564 respectively. The number of cases of employment of under-aged children was 118 in 1956-57 as compared to 116 in 1955-56.

The irregularities detected were brought to the notice of the authorities concerned and a number of them were rectified. There was no occasion during 1956-57 to resort to the penal provisions of the Act.

(Indian Labour Gazette, Vol.XVII, No.1,  
July 1959, pp.11-12 ).

50

55. Protection of Minors

India - August 1959.

First Conference of Working Women: Part-Time Employment  
Facilities Urged.

The first conference of working women held recently at Patna adopted a resolution demanding provision for part-time employment as teachers, nurses, telephone operators etc. in order to utilise the services of women who are unable to undertake full-time employment.

The conference suggested that wherever a number of married women were employed, provision should be made for day-care of their pre-schooling age children. It also demanded proper accommodation for women workers near their places of work.

It urged the Government to take immediate steps for improving the service conditions of hospital nurses and to guarantee security of service, provident fund or pension and fixed duty hours. It felt these aims could be best promoted by the establishment of State nursing service.

The conference also passed resolutions demanding the framing of rules to provide for maternity leave with full pay, casual leave to all the "contingent" maids in schools, college and other departments. It also wanted women candidates to be treated on equal terms with men for medical appointments.

Shrimathi Lakshmi Menon, Union Deputy Minister for External Affairs, addressing the conference said that the services of women with university education should be utilised for the benefit of the society. She said that it would be a national wastage if a woman, who had received university education did not take up service. She said that in the Soviet Union and China it was compulsory for women to take up jobs.

Shrimathi Menon suggested that such educated women who could not take up full-time employment, should be provided with part-time jobs. She said that it was necessary to utilise their services in nation-building activities.

(The Indian Worker, Vol. VII,  
No. 43, 27 July 1959).

51

56. Labour Administration.

India - August 1959.

Inspection of Mines in India: Report of the Chief  
Inspector of Mines for 1956.\*

The following information relating to the working of the Mines Act, 1952, is taken from the annual report of the Chief Inspector of Mines for 1956.

Application.- Generally speaking, mines of kankar, murrum, boulder, shingle, ordinary sand, ordinary clay (not including kaolin, China-clay, white clay or fire-clay) building stone, road metal, earth, fuller's earth and limestone continued to remain exempted from all the provisions of the Mines Act, excepting Sections 44, 45 and 46, so long as the depth of excavations did not exceed 20 feet, employment did not exceed 50 and no explosives were used. Small prospecting excavations were also outside the purview of the Act, excepting Sections 44, 45 and 46, so long as they did not employ more than 20 persons, no part of them extended below ground and the depth of the excavation did not exceed 50 feet in the case of coal and 20 feet in the case of non-coal. Borings and oil wells, in the making and operation of which no person was employed below ground were exempted from all the provisions of the Act. The statistics given in the Report relate only to Mines governed by the Act. The number of such mines which worked during the year, was 3,377 consisting of 856 coal mines and 2,521 non-coal mines. The corresponding figures for the preceding year were 853 and 2,174 respectively.

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\* Annual Report of the Chief Inspector of Mines in India, 1956; (Manager of Publications, Delhi), pages 328. Price Rs.35.00 or 53 sh.6d.

Employment.- The average daily number of persons working in and about the mines regulated by the Mines Act, 1952, in 1956 totalled 628,581. Compared to the preceding year, employment in mines increased by about 6.4 per cent. The employment level reached a new peak, registering an increase of about 14.5 per cent in 1956 as compared to 1951. The following table shows the corresponding figures of employment of the last six years classified by sex and place of work.

Year	Underground	Open-Workings		Surface		Total	Index
	Men	Men	Women	Men	Women		
1951 ...	220,312	89,467	54,107	129,662	55,500	549,048	100.0
1952 ...	221,297	98,087	57,351	127,734	54,727	559,196	101.8
1953 ...	219,266	117,839	72,013	130,097	54,653	593,868	108.2
1954 ...	214,620	110,948	63,760	128,264	50,662	568,254	103.5
1955 ...	221,956	120,922	65,284	131,222	51,392	590,776	107.6
1956 ...	229,049	138,241	74,436	135,522	51,333	628,581	114.5

Increased employment has been reported both underground and in open-workings as well as on surface. The underground employment increased by 3.2 per cent, open-workings employment by 14.2 per cent and surface employment increased by about 2.3 per cent.

Women formed 20.0 per cent of the labour employed in 1956 as against 19.7 per cent in 1955 and 20.1 per cent in 1954. The increase in employment has thus been relatively less among women than among men.

Coal mines employed a little over four thousand four hundred workers more in 1956 than in the preceding year, the increase being roughly about 1.3 per cent. The increase was mostly in underground labour and in open cast workings. The rise in surface employment was almost negligible. Among the various occupational groups increases were more marked among loaders and skilled labour underground and unskilled labour in open workings. Miners and loaders both underground and in open workings numbered 118,329 in 1956 as against 117,991 in 1955. In other words the increase in employment was chiefly in productivity labour. Sexwise, the increase in employment was, entirely among men, the number of women having further dropped from 47,654 in 1955 to 45,950 in 1956.



57

All the major Coalfields except Raniganj recorded increase in employment. The Raniganj Coalfield recorded an average daily employment of 112,894 workers in 1956 as against 114,077 in 1955. The increase in the Jharia field was small, the average daily employment in the field being 125,705 in 1956 as against 124,852 in 1955. Employment in the Bokaro field increased from 19,032 in 1955 to 21,320 in 1956. Most of the other fields recorded more or less stationary levels of employment while Hyderabad and Vindhya Pradesh witnessed considerable increases.

The distribution of persons employed in coal and other mines is given in the table below:-

Name of Minerals.	Average Daily Number of Persons employed					Total
	Under-ground		Open-Working		Surface	
	Males.	Males	Females	Males	Females	
Coal .....	191,708	24,495	11,355	90,276	34,595	352,429
Apatite .....	-	127	8	16	40	191
Asbestos.....	565	244	631	54	35	1,529
Barytes.....	229	256	303	79	54	921
Bauxite.....	-	638	276	149	91	1,154
Beryl .....	567	542	-	216	4	1,329
Calcite.....	-	70	9	5	6	90
Chinaclay...	39	1,341	1,408	1,084	617	4,489
Clay .....	6	70	10	5	-	91
White Clay..	176	169	505	259	113	1,222
Chromite.....	227	780	547	361	322	2,237
Copper .....	2,489	-	-	1,389	192	4,070
Corrundum...	-	23	3	-	10	36
Diamond.....	53	527	267	52	12	911
Dokomite.....	-	313	261	296	263	1,133
Emerald.....	-	92	8	20	-	120
Felspar.....	-	117	27	23	34	201
Fireclay....	-	720	333	161	93	1,307
Fuller's earth..	64	-	-	-	-	64
Gold.....	11,070	-	-	5,948	872	17,890
Galena-Sphalerite.	399	-	-	515	19	933
Garnet.....	-	6	-	1	-	7
Graphite.....	3	177	95	65	25	363
Gravel.....	-	116	56	-	-	172
Gypsum.....	112	2,180	731	998	228	4,249
Ilmenite.....	-	1,223	-	1,195	-	2,418
Iron Ore.....	-	18,403	8,136	8,155	2,577	37,301
Iron-Pyrites..	-	7	-	4	-	11
Red-oxide of iron.	-	102	59	45	25	231
Kynite.....	-	1,273	363	551	298	2,485
Latenite...	-	31	20	2	7	60
Limestone...	-	16,012	8,869	4,791	1,029	30,701
Magnesite...	-	3,130	1,079	12	2	4,223
Manganese...	2,037	53,233	37,192	10,367	7,119	109,948
Mica.....	18,861	5,970	785	6,459	1,898	33,973
Ochre.....	307	70	72	166	88	703
Quartz.....	-	186	96	9	-	291

Table continued:

1	2	3	4	5	6	7
Salt .....	63	-	-	50	18	131
Sand Stone..	-	81	-	-	-	81
Selenite.....	-	21	6	13	6	46
Silica.....	-	256	22	52	28	358
Sillimanite..	-	69	7	64	-	140
Silver.....	Labour Figures included in Gold.					
Slate.....	34	297	105	11	5	452
Steatite.....	40	1,183	407	245	130	1,999
Stone.....	-	3,583	465	1,360	478	5,886
Tin.....	-	3	1	1	-	5
Total Non-coal.	57,341	113,746	63,081	45,246	16,758	276,152
Total All Minerals.	229,049	139,241	74,436	155,522	51,333	628,581

Labour-management relations.- Labour-management relations in the coalfields recorded a mixed trend during the year under report. While there was a general improvement in the situation in the fields of Bihar and Hyderabad, there was some deterioration in the other fields, especially in West Bengal and Madhya Pradesh. In comparison with the previous year there was an increase in the number of man-days lost due to strikes. The relevant figures are given below:-

	Number of man-days lost	
	1955	1956
Assam	-	25,988
Raniganj	29,726	779,855
Jharia	34,640	27,389
Other Bihar fields	50,852	11,570
Orissa	8,520	-
Madhya Pradesh	52,410	124,683
Hyderabad	122,307	9,576
Vindhya Pradesh(now Madhya Pradesh)	-	14,136
	298,455	993,197

The percentage of absenteeism among colliery workers recorded a slight drop in 1956 as compared to the preceding year. The figures for the major fields are shown below:-

Year	Assam	Raniganj	Jharia	Orissa	Vindhya Pradesh	Madhya Pradesh	Hyderabad	All Fields.
1951 ..	18.52	13.50	11.20	15.04	..	14.61	14.52	13.31
1952 ..	16.34	13.54	11.14	14.60	15.55	15.26	12.68	13.12
1953 ..	16.73	13.71	12.28	13.43	16.05	13.36	12.68	13.46
1954 ..	18.51	12.57	12.70	13.79	15.86	13.08	10.10	13.30
1955 ..	20.36	12.33	13.43	15.41	17.01	14.05	15.98	14.03
1956 ..	21.07	12.79	13.07	14.42	18.31	13.18	14.73	13.83

Out put.- The aggregate pit head value of minerals produced from the mines regulated by the Mines Act, 1952, amounted to 1,010 million rupees in 1956 as compared to 873.3 million rupees in 1955 and 740 million rupees in 1951.

The output of coal reached a new peak during the year under review registering about 2.8 per cent increase over the year 1955 and was 14.1 per cent higher than in 1951. Increased output was reported in all the States excepting, West Bengal, Assam and Rajasthan. The Jharia field produced 13,999,353 tons accounting for about 35.6 per cent of the total output as against 35 per cent during the preceding year. Raniganj produced 12,788,465 tons accounting for about 32.6 per cent of the total output as against 34 per cent in the preceding year. Among smaller fields, Bokaro produced 2,505,996 tons, Pench Valley 2,111,659 tons and Korea 1,575,235 tons. Despatches of coal, excluding coke, amounted to 34,860,387 tons as against 32,940,658 tons in 1955. Of the total output 2,835,612 tons i.e., about 7 per cent of the coal was utilised for coke making on the collieries. In addition 2,241,313 tons or 5.7 per cent was consumed with the collieries for use in boilers, attached power houses, domestic requirements and brick making on colliery premises. Wastages due to rain or fire are also included in this amount.

The aggregate pit-head value of coal produced during the year amounted to 650,792,699 rupees. The average value of coal per ton was thus approximately 16-9 rupees against 14-11 rupees in 1955.

The aggregate value of hard and soft cokes produced at the collieries during the year were 9,653,415 rupees and 37,594,800 rupees respectively. The average value per ton in 1956 thus works out to 34-15 rupees for hard coke and 23.6 rupees for soft coke as against 31-6 rupees and 20-7 rupees respectively in 1955. Output of coal per worker employed which had already increased from 98 tons in 1951 to 110 tons in 1954 advanced further to 111 tons in 1956.

Production of Iron-ore recorded a 2.1 per cent increase in 1956 as compared to the preceding year. Compared to 1951, production in 1956 was about 29 per cent higher. Among the bigger companies, the Tata Iron and Steel Company Ltd., produced about 1.9 million tons, the Indian Iron and Steel Co. Ltd., about little over 700,000 tons and the Orissa Mineral and Development Co., a little over 300,000 tons. Most of the Iron-ore produced in the country goes into the internal production of Iron and Steel and the rest is exported. The pit-head value of the Iron

ore produced during the year was 37,819,326 rupees. The average value of ore per ton thus worked out at 7-15 rupees in 1956 as against 7-0 rupees in 1955.

Production of Mica recorded about 7.7 per cent increase in 1956 as compared to the preceding year in continuation of the upward trend noticed during the year 1955. The output however continued to be about 27 per cent below the 1951 level. Consignments of dressed mica amounted to 141,061 cwts. valued at 26.4 million rupees. Crude mica sold as such amounted to 124,41 cwts. valued at 425,825 rupees. A sum of 126,971 rupees was also realised by the sale of 9,394 cwts. of waste mica.

Output of manganese ore increased during the year by 12.5 percent over the preceding year. Its value was 132,741,212 rupees. Output in 1956 was however still considerably below the record of 1953. The average pit-head value of manganese ore raised during the year was 74 rupees as against 69 rupees per ton in 1955. The average f.o.b. price of all grades of ore was 62.84 rupees per unit in 1956 in comparison to 43 rupees per unit in 1955. Prices were however stated to have firmed up towards the end of the year largely owing to inadequacy of supply in ~~the~~ relation to the demand.

The output of copper reached a new peak during the year under review, registering about 10 per cent increase over the year 1955 and about 5.5 per cent higher than in 1951 level.

Almost the whole output was from the mines of the Indian Copper Corporation in the Singhbhum District of Bihar. Excavation work for sinking a new sub-incline at their Mosabani mine was in progress throughout the year. Development work at Badia however continued to yield disappointing ~~results~~ <sup>results</sup>. The Corporation produced during the year at their own works 7,628 tons of copper valued at 33,173,332 rupees as against 7,281 tons valued at 28,413,195 rupees in 1955. The average value of the metal per ton thus works out to 4,340 rupees as against 3,902 rupees in 1955. The ore was valued at 75 rupees in 1956 as against 73 rupees in 1955.

Output of gold recorded a fall from 210,880 ozs. valued at 53,015,649 rupees in 1955 to 209,247 ozs. valued at 57,544,892 rupees in 1956. Output of silver produced in the mines also dropped from 15,425 ozs. valued at 60,768 rupees in 1955 to 15,098 ozs. valued at 61,996 rupees in 1956.

Accidents.— The year under report recorded an appreciable reduction in the number of accidents in mines and the number of persons killed and injured. There were in all 262 fatal accidents and 4,138 serious accidents during the year involving 335 deaths and serious injuries to 4,281 persons. The incidence of fatal accidents during the year has been the lowest on record for the past six years. In spite of the occurrence of the Burradhem Colliery disaster involving 28 deaths in the Raniganj Coalfield in 1956, the death roll during the year has been low. The number of persons seriously injured also recorded a drop during the year under report ~~was~~ as compared to the preceding year.

57

Of the 335 persons killed, 259 were working underground, 45 in opencast workings and 31 on surface. They included 7 women in open workings and 5 on surface. Among the injured 3,039 were underground, 305 including 80 women were in open workings and 937 including 94 women were on surface.

The coal mining industry which accounts for about two-thirds of the labour employed in all mines witnessed a continued improvement with a record of only 199 fatal accidents during the year as compared with 215 in 1955, 221 in 1954, 257 in 1953 and 295 in 1952. The number of deaths in the industry steadily declined from 353 in 1952 to 330 in 1953, 329 in 1954, 309 in 1955 and 239 in 1956. The incidence of fatal accidents in coal mining in 1956 was thus the lowest recorded during the recent past. But for the Burradhamo Colliery disaster in September 1956 which alone accounted for 28 deaths, the death roll in 1956 would have been appreciably low. The number of non-fatal injuries in coal mines had however recorded an insignificant decrease from 2,880 in 1955, to 2,843 in 1956.

Among the major coalfields, the Jharia field recorded an appreciable decrease in the number of accidental deaths from 138 in 1955 to 80 in 1956. The number of persons seriously injured also decreased slightly from 670 in 1955 to 655 in 1956. In the Raniganj field inspite of the Burradhamo colliery disaster in September 1956, the number of accidental deaths decreased from 97 in 1955 to 89 in 1956, accompanied by an appreciable drop in the number of serious injuries from 802 in 1955 to 702 in 1956. Madhya Pradesh reported further improvement as the number of deaths, dropped from 51 in 1955 to 28 in 1956. Hyderabad also recorded a decrease in the number of accidental deaths from 15 in 1955 to 15 in 1956.

The number of fatal accidents in gold mines decreased considerably from 15 in 1955 to 6 in 1956, the number of accidental deaths decreased from 24 to 3. Serious accidents, however, registered a welcome drop from 789 in 1955 to 610 in 1956. The number of persons seriously injured declined correspondingly from 824 to 625.

Copper mines, which normally have a high accident rate, reported a considerable decrease in the number of fatal accidents while the number of non-fatal serious accidents recorded a slight increase. The number of persons killed in the copper mines decreased from 4 to 1 and the number of persons injured increased from 270 to 303 respectively as compared to the preceding year. Iron ore mines also reported a drop in the number of fatal accidents, but there was an increase in the number of non-fatal accidents during the year. Mica mines, as also manganese mines reported an increase in the number of fatal and decrease in the number of non-fatal accidents. On the other hand, an increase in the number of fatal accidents was accompanied by an increase in the number of serious accidents in limestone quarries. Other mines and quarries showed a decrease in fatal and increase in serious accidents.

As usual, all fatal accidents have been investigated by the officers of the Department and the responsibility in each case has been fixed. The following table classified the fatal accidents which occurred during the year according to the responsibility as determined.

	Number of fatal accidents.	Percentage to total
Misadventure -----	152	58.0
Fault of management -----	41	15.6
Fault of subordinate Supervisory Staff.	39	14.9
Fault of deceased -----	17	6.5
Fault of co-worker -----	13	5.0
Total.	262	100.0

A classification of the fatal and serious accidents in 1956 according to causes is given below:-

Cause	Fatal accidents			Serious accidents	
	Number of accidents.	Number of persons killed.	Number of persons injured.	Number of accidents.	Number of persons injured.
Falls of roof -----	92	111	32	275	285
*Falls of Sides W.....	29	31	5	134	139
F.....	15	25	5	32	39
Rockbursts -----	2	4	-	26	30
Irruption of water -----	4	38	2	1	3
Explosions, ignitions etc. -----	2	3	1	-	-
Explosives -----	11	13	8	46	64
Electricity -----	10	10	1	11	12
Suffocation by gases -----	1	1	-	-	-
In shafts -----	12	12	6	53	60
*Haulage.....A.....	3	3	1	85	85
B.....	29	32	-	519	322
Underground machinery -----	3	3	-	61	61
Surface machinery -----	3	3	-	58	59
At railway sidings belonging to the mine -----	5	5	-	91	91
Miscellaneous underground -----	15	15	3	1,973	1,981
Miscellaneous Surface -----	26	26	4	972	980
Premature collapse of working -----	-	-	-	1	2
Total.	262	335	68	4,138	4,213

\*W - Wall. F-Face. A- Above ground. B-Below ground.

59

Welfare measures and medical facilities.- The report gives an account of the welfare facilities and activities connected with health, sanitation, and medical relief, primarily in coal and mica mines. These activities have already been reviewed in monthly Reports of this Office, references to which are given below:-

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**Welfare activities in Coal Mines:**

during 1955 - 1956 -----	pp.60-69 of the Report of this Office for May 1957.
during 1957 - 1958 -----	pp.48-50 of the Report of this Office for February 1959.

**Welfare activities in Mica Mines:**

during 1955 - 1956 -----	pp.58-64 of the Report of this Office for May 1957.
during 1957 - 1958 -----	pp.51-56 of the Report of this Office for February 1959.

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Inspections.- During the year 2,248 mines governed by the Mines Act, 1952, and 127 mines not covered by the Act, were inspected by the officers of the Department of Mines as against 2,126 Act mines and 83 non-Act mines in 1955. The number of inspection made in 1956 totalled as follows:-

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	<u>No. of Mines Inspected.</u>	<u>Total No. of inspections.</u>
Coal -----	822	3,806
Non-Coal -----	1,426	2,601
Non-Act -----	127	158
Total.	<u>2,375</u>	<u>6,545</u>

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About 1200 mines mostly small and including those since closed, could not be inspected during the year on account of the shortage of inspecting staff.

The causes and circumstances of almost all the fatal accidents which occurred during the year and of a few of the preceding year which remained to be investigated, were all investigated. Some of the serious accidents of importance were also enquired into. Many inspections were made at the invitations of mines owners, superintendents and managers of mines desirous of obtaining advice on safety matters. A large part of the time of the Inspectors was spent in investigating cases of actual or threatened damages to roads and dwellings arising from underground working of mines, in dealing with underground fires in coal mines and in examining protective works against the risk of inundation.

During the year 543 prosecutions were instituted as compared with 301 prosecutions in 1955.



## Chapter 6 : General Rights of Workers.

### 63. Individual Contracts of Employment.

India - August 1959.

#### Madhya Pradesh Industrial Workmen (Standing Orders) Act, 1959 (Madhya Pradesh Act No. 19 of 1959).

The Madhya Pradesh Industrial Workmen (Standing Orders) Bill (vide pages 86-87 of the report of this Office for April 1958) as passed by the Madhya Pradesh Legislature received the assent of the President on 29 July 1959 and has been gazetted as Madhya Pradesh Act No. 19 of 1959.

The Act extends to the whole of the State and applies to every industrial establishment wherein twenty or more workmen are employed, or were employed on any day of the preceding twelve months, and to such class or classes of other industrial establishments in any local area as the State Government may, from time to time, by notification, specify in this behalf.

Where this Act applies to an industrial establishment, the standard standing orders for every matter set out in the First Schedule applicable to such establishment shall apply to such establishment from such date as the Government may, by notification, appoint in this behalf. Where immediately before the commencement of this Act standing orders are in force in respect of any industrial establishment, such standing orders shall continue in force and be subject to the provisions of this Act.

The employer or any prescribed representative of workmen in an industrial establishment to which standing orders are applicable may submit to the Certifying Officer in the prescribed manner draft amendments for adoption in such industrial establishment.

After giving both the parties an opportunity of being heard, the Certifying Officer shall decide whether or not any modification of or addition to, the draft amendments is necessary to render the draft amendments certifiable under this Act and shall make an order in writing accordingly. It shall be the function of the Certifying Officer or the appellate authority to adjudicate upon the reasonableness or fairness of the provisions of the amendments.

Any person aggrieved by the order of the Certifying Officer may within thirty days from the date on which copies are sent appeal to the appellate authority and the appellate authority, whose decision shall be final, shall by order in writing confirm the amendments either in the form certified by the Certifying Officer or after further modifying the same as the appellate authority thinks necessary.

Standing orders shall not, except on agreement between the parties be liable to be amended until expiry of one year from the date on which they were applied or as the case may be, on the date on which the last amendments were certified.

The matters to be provided in the standard standing orders under the Act are (1) classification of workmen, e.g., whether permanent, temporary, apprentices, probationers, badlis; (2) manner of intimating to workmen periods and hours of work, holidays, pay days and wage rates; (3) shift working; (4) attendance and late coming; (5) conditions of procedure in applying for, and the authority which may grant leave and holidays; (6) requirement to enter premises by certain gates and liability to search; (7) closing and reopening of sections of the industrial establishment and temporary stoppages of work including laying off and the rights and liabilities of the employer and workmen arising therefrom; (8) termination for employment, and the notice thereof to be given to employer and workmen; (9) suspension or dismissal for misconduct, and acts or omissions which constitute misconduct; (10) means of redress for workmen against unfair treatment or wrongful exactions by the employer or his agents or servants; (11) age for retirement or superannuation; (12) fines and deductions under the Payment of Wages Act, 1936 (IV of 1936); (13) punishment involving warning, censure and fine; (14) any other matter which may be prescribed.

The Act repeals and recommends certain sections of the Central Provinces and Berar Industrial Disputes Settlement Act 1947, and the Bombay Industrial Relations Act, 1946, as adopted in Madhya Pradesh region by the Madhya Bharat Industrial Relations (Adaptation) Act, Sammat 2006.

(The Madhya Pradesh Gazette, Extraordinary, Part IV B, 14 August 1958, pp. 261-270).

Dns:

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

India - August 1959.

Payment of Wages (Madras Amendment) Act, 1959 (Madras Act  
No. 9 of 1959).

The Payment of Wages (Madras Amendment) Bill (vide page 100 of the report of this Office for March 1959) as passed by the Madras Legislature received the assent of the President on 9 August 1959 and has been gazetted as Madras Act No. 9 of 1959. The Act, among other things, inserts a new section 11A to the Payment of Wages Act, 1936, authorising the employer to make deductions from the wages of employed persons in respect of house accommodation and to remit the amount so deducted in such manner as the State Government may specify.

(Port St. George Gazette, Part IV B,  
19 August 1959, pp. 225-226).

Dns:

64

66. Strikes and Lockout Rights.

India - August 1959.

(West Bengal) The Welfare Institutions Bill, 1959: Strikes and Lock-outs in Welfare Institutions to be Published prohibited

The Government of West Bengal published on 10 July 1959 the Welfare Institutions Bill, 1959, to be introduced in the Legislative Assembly of the State. The object of the Bill is to prohibit strikes and lock-outs in welfare institutions such as educational institutions, hospitals, etc., to provide for settlement of disputes in such institutions and to permit employers and employees connected with such institutions to form associations for their common benefit.

The term 'welfare institution' has been defined to mean (i) a hospital, nursing home, infirmary, sanatorium or other institution for the treatment or care of the sick or the invalid or the infirm, or (ii) a university, college, school or other educational institution, or (iii) any institution engaged in humanitarian work, notified in the Official Gazettee in this behalf by the State Government, run for public benefit and not for making profit and which employs more than ten employees.

The Bill provides that no employees employed in a welfare institution shall go on strike and no employer of a welfare institution shall lock-out the employees or a section of the employees of such institution. No person shall instigate or incite any other person to take part in or otherwise act in furtherance of a strike or lock-out in a welfare institution, and no person shall expend or apply any money in furtherance or support of any strike or lock-out in a welfare institution. Contravention of these provisions is made punishable with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.

The Indian Trade Unions Act, 1926, shall ~~be~~ not apply to welfare institutions or the employers or the employees thereof. The employers or the employees or any section of the employees of one or more welfare institutions may form associations for their common benefit and for redressing their grievances in accordance with the provisions of law. Every such association shall be registered and shall maintain a list of its members.

The Industrial Disputes Act, 1947, shall not apply to welfare institutions. Whenever any dispute arises, the employer or employers or the employees concerned may apply in the prescribed manner to the State Government for constituting a Tribunal to adjudicate on the dispute and the State Government shall thereupon constitute a Tribunal and refer the dispute to such Tribunal. The Tribunal shall consist of a Presiding Officer of an Industrial Tribunal constituted under the Industrial Disputes Act of 1947, appointed by the State Government, who shall be the Chairman and two members, one being a representative of the employer or employers and the other being a representative of the employees, elected in the manner prescribed, by the employer or employers, as the case may be, and the employees respectively of the welfare institution or institutions concerned in the dispute.

The decision of the Tribunal shall be in the form of an award and shall be binding on all the parties to the dispute and shall be final and conclusive.

Any person, who, within two months, of the decision or within such time as may be mentioned by a Tribunal in its decision, fails to give effect to any terms of the award or commits a breach thereof, shall be punishable with imprisonment for a term which may extend to six months or with fine or with both and the Court trying the offence may, if it fines the offender, direct that the whole or a part of the fine realised from him shall be paid by way of compensation to any person who, in its opinion, has been injured by such failure or breach.

The provisions of the Bill are to have effect notwithstanding anything to the contrary in any other law or in any instrument.

(The Calcutta Gazette, Extraordinary,  
Part IV A, 10 July 1959, pp.1409-1412).

Dns:

67. Conciliation and Arbitration.

India - August 1959.

Orissa Industrial Disputes Rules, 1959.

The Government of Orissa published on 28 August 1959 the Orissa Industrial Disputes Rules, 1959, made in exercise of the powers conferred the Industrial Disputes Act, 1947. The rules deal inter alia with the procedure for reference of industrial disputes to boards of conciliation, courts of enquiry, labour courts or industrial tribunals, powers, procedure and duties of conciliation officers, boards, courts, labour courts, tribunals and arbitrators, procedure for notice of change in conditions of service applicable to workmen, constitution of works committees, procedure for retrenchment and re-employment of workmen and penalties. The rules repeal the Orissa Industrial Disputes Rules, 1948.

(Notification No. 7238 - II - 133/58-Lab dated 5 August 1959, the Orissa Gazette Part II, 28 August 1959, pp. 819-850.).

Dns:

Industrial Disputes (West Bengal Amendment) Bill, 1959.

The Government of West Bengal published on 14 July 1959 the Industrial Disputes (West Bengal Amendment) Bill proposed to be introduced in the Legislative Assembly of the State. The Bill inserts a new provision to clause (b) of section 7C of the Industrial Disputes Act, 1947, providing that the presiding officer of an industrial tribunal on his attaining the age of 65 years may be retained in office, if necessary in the public interest, for a period not exceeding six months for the purpose of completing any proceedings pending before him at that time. The Bill seeks to repeal the Industrial Disputes (West Bengal Amendment) Ordinance (No.1 of 1959).

(The Calcutta Gazette, Extraordinary,  
Part IV A, 14 July 1959, pp. 1437-38.)

Dns :

Mysore Industrial Disputes (Amendment and Repealing)  
Bill, 1959.

The Government of Mysore published on 30 July 1959 the text of the Mysore Industrial Disputes (Amendment and Repealing) Bill, 1959, proposed to be introduced in the Legislature of the State. According to the Statement of Objects and Reasons of the Bill, with a view to have uniformity in the law relating to industrial disputes in the State it is proposed to repeal the Bombay Industrial Relations Act, 1946, as in force in Bombay area namely Bijapur, Belgaum, Dharwar and North Kanara Districts, and also to repeal certain local amendments to the Industrial Disputes Act, 1947 made by the erstwhile Governments of Mysore and Madras prior to November 1956 which are still in force in the Mysore area and the Madras area respectively. The effects of the legislation will be that the Industrial Disputes Act will be uniformly applicable to all the industries in the entire State.

The Bill seeks to repeal the Bombay Industrial Relations Act, 1946, the Industrial Disputes (Madras Amendment) Act, 1949, and the Industrial Disputes (Mysore Amendment Act), 1953, which are applicable to certain areas in the State.

(The Mysore Gazette Part IV, sec 2A,  
30 July 1959, pp. 203-205.)

Dns:



69

69. Co-operation and Participation of Industrial  
Organisations in the Social and Economics  
Organisation.

India - August 1959.

Labour Management Relations at the Indian Aluminium  
Works, Belur Results of a Case Study published.

The Industrial Relations Research Department of the Xavier Institute of Labour Relations, Jamshedpur recently undertook, with the financial assistance from the Government of India, a case study of labour-management relations at the Indian Aluminium Works, Belur, West Bengal. A report on the same has been published by the Ministry of Labour and Employment, Government of India.

Because of the omnibus meaning of the term "Labour-Management relations", the scope of the study was limited; its focus <sup>was</sup> this ~~is~~ union-management relations. To be more precise, an attempt was made to understand the union and the management as institutions, their approaches and attitudes towards one another, and the resulting interaction.

The following is a brief ~~of~~ review of this report:

Methodology.- At the initial stages of the enquiry the relevant literatures (i.e., Standing Orders of the undertaking, collective agreements, Union-management correspondence, minutes of some Committees set up under the agreements and certain confidential papers, etc.) was studied and field interviews were held, with the concurrence of the parties concerned. The subsequent stages of the enquiry consisted of (i) extensive study of the literature collected, (ii) select interviews with key informants along with patterns of enquiry and questions previously settled, and (iii) observations on the spot. Important among the key informants were the management personnel seconded to Belur (including visiting personnel), personnel officers and engineers outside the Belur managerial circle and finally the President of Workers' Union. The spot observations, inter alia, related to; workers in action; a joint study in process; informal exchange of views of representatives of management and union in causus, or a more formal

76

union-management negotiating session; the role of union officer in the status system of the plant, etc. In fact every type of incident or relationship that would throw light not only on the specific items in the collective bargaining contract, but even more, on its essential quality, was observed. The more formalised techniques of social research, such as questionnaires, schedules, fixed interviews were avoided throughout the enquiry for a variety of reasons.

**Conclusions.-** The conclusions of the enquiry relate to: (i) some features of collective bargaining, (ii) information sharing, (iii) joint committees, (iv) some limitations in the relationship, (v) the approaches of the management, and (vi) the approaches of the union. Some of the important features of collective bargaining are the highly purposeful, problem-solving attitude of the parties; gradual and pragmatic widening of the area of collective bargaining; minimum 'outside' intervention; 'give-and-take' approach of the parties; and the use of facts, jointly developed, as the basis of negotiations. In actual practice a fair amount of information is passed across to the union and the employees in formal negotiating sessions and joint committees meetings, through announcements of a routine nature, and by informal exchanges. The joint Committees, like the collective bargaining, have been evolved pragmatically and on an evolutionary basis and they comprise three types: (i) committees specifically provided for in the agreement and dealing with major issues, (ii) ad hoc Committees to carry forward the discussions at the union-management level, and (iii) Welfare Committees. The joint Committees are usually either fact-finding or problem-solving. The limitations in the union-management relationship observed were basically three-fold: The first was in perception of the economic basis of the relationship and respective goals. The second was over specific issues and the third in ensuring continuity in spirit as well as in detail in the application of the contract. The management's approach to its relations with the union is based not only on a fair deal for labour but also on a genuine conviction that in organised modern industry a fair deal for labour can work smoothly only if it is made through the representative union of work people.

The management also rules out appeasement as a basis of settlement and instead, believes that any settlement must be on the basis of principles to which both agree. The union, on its part, has always been willing to set its goals within the limits of the managements' bargaining ability. The Union's approach, both in the fact of their behaviour and the words they use to describe it, clearly point to a desire to develop militant trade union movement, that would be at the same time fully organised and informed. From an analysis of the development of collective bargaining the study lists some basic causes of industrial peace. These are grouped into two categories, viz., environmental and internal. Amongst the former are: a relatively new industry, with little hangover of past traditional industrial relations problems; a newer type of management, with a progressive outlook; a literate labour force; expanding nature of the unit coupled with limited competition; and a permissive governmental approach. The internal factors are: understanding of the respective institutional roles of union and management, mutual acceptance of the policy of negotiations based on facts; prompt and informal settlement of grievances; representative and democratic nature of the union; realistic approach of the union leadership; working of the union on a non-political basis and without outside interference.

(Indian Labour Gazette, Vol. XVII, No. 1,  
July 1959, pp. 12-14 ).

CHAPTER 7. PROBLEMS PECULIAR TO CERTAIN CATEGORIES  
OF WORKERS.

71. Employees and Salaried Intellectual  
Workers.

India - August 1959.

U.P.: New Scale for Teachers Introduced

The Uttar Pradesh Government issued orders on 8 August 1959 to all aided secondary schools in the State to implement the revised scales of pay for teachers. (for details, please see Section 37, p. 34 of this Report).

72

73. Officials and Public Employees of National, Regional and Local Administrations, of Nationalised Undertakings or Undertakings Managed with the Participation of the Public Authorities.

India - August 1959

Recommendations of Economy Committee: Government Advised to Stop Recruitment.

The Economy Committee of the Congress Parliamentary Party which was set up at the last budget session of Parliament has, in its report, recommended the stoppage of recruitment for a year to administrative and executive, ministerial, skilled and unskilled posts, under the Union Government. (For details see section 34, pp26-27 of this Report.)

(The Hindustan Times,  
10 August 1959).

Dns :

CHAPTER 8. MANPOWER PROBLEMS

INDIA - AUGUST 1959.

81. Employment Situation.

Employment Exchanges: Working During May 1959.

General Employment Situation.- According to the review of work done by the Directorate-General of Resettlement and Employment, during the month of May, 1959, there was a decline in registrations but there was further rise of 15,226 in the Live Register which stood at 12,52,214 at the end of the month under report. A total of 1,94,396 employment seekers were registered for employment assistance during the month as compared to 1,97,538 during the last month - showing a fall of 3,142. 7,888 employers made use of employment services as against 7,335 during the last month - showing a rise of 543. The number of vacancies notified was 41,122 which was 2,226 more than the figures for the last month. The number of placements secured was 25,537 during the month as against 22,575 in the previous month.

Widespread shortages continued to persist in respect of experienced stenographers, fast typists, trained teachers, compounders, midwives and nurses. Shortage in respect of draughtsmen (civil), overseers, librarians, accountants, skilled turners, fitters (general), electricians, and civil engineers was also fairly widespread. A good number of exchanges experienced shortage in respect of doctors, sanitary inspectors, Hindi typists and cooks.

Widespread surpluses continued to exist in respect of clerks, untrained teachers, freshers from schools and colleges, motor drivers, unskilled office workers and unskilled labourers. A fairly large number of exchanges reported an excess of supply in respect of carpenters, chowkidars and sweepers.

Registrations and Placings.- The following table compares registrations and placings during the month of April and May 1959:

<u>Registrations</u>	<u>April 1959</u>	<u>May 1959</u>
Registrations	1,97,538	1,94,396
Placings	22,575	25,537

Register of Unemployed.- A total of 12,52,214 applicants remained on the Live Register of the employment exchanges at the end of May 1959, which was 15,226 more than the figure at the close of the previous month. The increase in the Live Register was prominent in the State of Assam (6,004), West Bengal (5,087), Rajasthan (4,350), Bombay (3,011), Andhra Pradesh (1,553), Punjab (1,476), Orissa (1,415) and Madhya Pradesh (1,347). On the other hand, a sizeable decrease was recorded in the State of Kerala (6,459) and Madras (3,583). In all, 25,053 employed and self-employed persons of whom 723 were women remained on the Live Register at the end of the month under report.

The following table shows the occupation-wise position of the Live Register:

<u>Occupation</u>	<u>No. on Live Register as on 31 May 1959</u>
1. Industrial supervisory	9,942
2. Skilled and semi-skilled	98,107
3. Clerical	317,085
4. Educational	63,555
5. Domestic service	46,705
6. Unskilled	657,218
7. Others	59,602
Total:	<u>1,252,214</u>

Employment Position of Special Categories of Workers.- The following table shows the employment position of special categories of applicants during the month under report:

<u>Category</u>	<u>Registrations</u>	<u>Placings</u>	<u>No. on Live Register</u>
1. Displaced persons	3,846	679	44,915
2. Ex-service personnel	4,943	930	28,747
3. Scheduled castes	22,132	4,357	141,205
4. Scheduled tribes	3,250	534	22,777
*5. Surplus and discharged Central and State Government employees	3,074	1,024	1,197
6. Women	12,775	1,464	91,816

\* Figures relate to the quarter Feb-April 1959.

3.

Collection of Employment Market Information.— The Technical Working Group at the Centre on employment market information has been expanded by the inclusion of the Director, Labour Bureau, Simla.

The Central Committee on Employment at its first meeting in May 1959, recommended that the scope of the Employment Market Information programme should be extended to cover also the working population in agriculture and to bring within its purview persons who are employed in smaller establishments as well as independent workers.

Youth Employment Service and Employment Counselling.— Notes on the employment pattern survey of Delhi University Alumni were prepared in respect of (i) place of residence of the alumni during college/university education, and (ii) survey of employers.

The second part of the report on Employment Pattern Survey of Delhi University Alumni was under preparation.

Central Co-ordinating Section - Damodar Valley Corporation.— Out of 4,703 workers declared surplus in the D.V.C. up to the end of May 1959, 4,043 have been secured alternative employment. About 800 workers have been declared surplus due to the completion of certain projects with the Panchet Hill Dam. Another batch of about 1,000 workers will be released during July-December 1959. The Officer on Special Duty has contacted the Eastern and South Eastern Railways and other national projects for the absorption of these workers.

Central Tractor Organisation.— 34 surplus employees (clerical) have been reported to the Officer on Special Duty and arrangements have been made to offer them certain subordinate offices of the Central Government located in Delhi.

Brunie Oil Company.— As a Special drive to get experienced workers for the Oil and Natural Gas Commission for Oil Drilling, 17 workers of Brunie Oil Co., Kanla Lampur who have returned to their home towns in India were recruited.

The Heavy Electricals (P) Ltd., Bhopal - Demand for Technical Personnel.— The Heavy Electricals (P) Ltd., Bhopal are in need of large numbers of technical personnel in different categories. All employment exchanges have been mobilised to sponsor suitable candidates. Exchanges were also requested to give wide publicity to these vacancies and to meet industrial establishments and other institutions in their areas with a view to obtaining as many candidates for submission as possible.



4.

Occupational Information Unit.- A pilot study of occupations in textile industry to determine (a) the general educational and vocational training requirements for minimum proficiency in each trade, and (b) the marginal training required for shifting of one occupations to another, was undertaken during the month. The data collected is being analysed.

Opening of additional employment exchanges.- One new employment exchange was sanctioned during the month. Out of 104 exchanges which have been sanctioned so far during the Second Five Year Plan, 97 employment exchanges have started functioning, bringing the number of employment exchanges functioning in the country at the end of May to 231.

(Review of Work Done by the Directorate General of Resettlement and Employment during May 1959, Issued by the DGR&E, Ministry of Labour and Employment, Government of India, New Delhi.)

Dns:

Employment Exchanges (Compulsory Notification of Vacancies) Bill, 1959, passed by Parliament.

The Employment Exchanges (Compulsory Notification of Vacancies) Bill, 1959, (vide pages 77-78 of the report of this Office for May 1959) was passed by the Lok Sabha on 4 August 1959 with few minor amendments and by the Rajya Sabha on 19 August 1959.

During the discussion in the Lok Sabha members suggested that the principle of compulsion should not apply not only to notification but also recruitment. They demanded that the scope of the Bill should be extended to cover the unskilled categories.

The employment exchanges again came in for criticism. It had become difficult for job seekers to secure employment through these exchanges unless they could give bribe, some members charged.

Complaints of general corruption in these exchanges brought an assurance from Mr. Gulzari Lal Nanda, Labour Minister, that he would undertake a personal inquiry into their working to ascertain how far various allegations made on the floor of the House were true. He might also make sample checks from people who secured jobs through the employment exchanges by asking them to furnish him anonymous information.

Regular Checks.- Mr. Nanda said he agreed that all was not well with the employment exchanges. The Government, however, were taking steps to improve their working. While he did not rule out corruption, there was no evidence of large-scale corruption. There were regular checks and it was not easy for people employed in these exchanges to get bribe from job-seekers.

Referring to the demand for compulsory recruitment through the exchanges, Mr. Nanda said that his answer was that the Government were proceeding on the basis of the recommendations of the Shiva Rao Committee which had fully gone into this question. The committee was against such compulsion. It had expressed itself, however, in favour of compulsion in the public sector industries. That recommendation had already been accepted and was being implemented.

2.

Since this measure placed a limited obligations on the employers, he was confident there would be no difficulties in its implementation. Their purpose could not be served by compulsion but by other means. His entire approach to employer-employee relations had been one of "minimum compulsion", and he was not disappointed about the results achieved. In fact many new ideas had been accepted by both employers and employees through persuasion. This might not have been achieved if there had been compulsion.

He denied that the Government had put the report of the Shiva Rao Committee in cold storage. Most of the recommendations of the committees were in the process of implementation, he said.

Mr. Nanda said that unskilled categories had not been brought within the purview of the Bill because they wanted to make a start in a limited way. The object was to get the maximum co-operation of the employers. He believed that a person wanting an unskilled job was not put to the same disadvantage as the one seeking the other employment.

Earlier during the debate, except Mr. Kashi Nath Pandey (C-U.P.) all those who took part, gave their general support to the Bill. Almost every member asked for extending the scope of the measure to include unskilled persons. It was also urged that the Bill should apply to all those establishments which were covered by the Factories Act.

While a few members asked for opening of more employment exchanges, even at taluk level, one member said that the recruitment of seamen should be regularized.

Mr. Pandey said that instead of creating a good atmosphere to provide more jobs for employment seekers the Bill might "put them nowhere".

Those who took part in the debate were: Mr. Ramsingh Bhai Verma and Mr. Doda Thimayya (C), Mr. K.T.K. Tangamani and Mr. Prabhat Kar (Com), Mr. S.M. Banerjee (Ind) and Mr. L. Achaw Singh (Soc.).

(The Hindustan Times, 5-8-1959  
The Statesman, 5-8-59.  
The Statesman 20-8-1959).

Dns:

80

Gorakhpur Labour Recruiting Centre Abolished:  
Employment Exchange to take over

At a tripartite meeting held in New Delhi on 9 August 1959 under the chairmanship of Shri Gulzarilal Nanda, Union Minister of Labour and Employment, it was decided to abolish the Gorakhpur Labour Organisation which has been functioning as an agency for recruitment of labour for coalfields. The existing system of recruitment however will continue but this function will be taken over by the Employment Exchange.

(The Statesman, 11 August 1959).

Dns:

81

### 83. Vocational Training

India - August 1959

Labour Ministry's Training Scheme: Working During  
May 1959.

According to the Review of Work Done by the Directorate General of Resettlement and Employment during May 1959, the number of craftsmen trainees on the roll of various training institutes on 31 May 1959 was 24,416. There were 22,897 trainees (including) 49 women in engineering trades and 1719 (including) women 787 in non-engineering trades.

Training of displaced Persons.- The total number of displaced persons undergoing training in engineering/non-engineering trades at the end of May 1959 was 2948 of whom 2,173 were undergoing training in engineering trades and 775 (including 132 women) in non-engineering trades.

Training of Supervisors and Instructors.- A total of 386 instructors/supervisors were receiving training at the Central Training Institute for Instructors, Koni-Bilaspur and Central Training Institute at Aundh at the end of the month.

Training of women craft Instructors.- Under the scheme for the training of women craft instructors at the Industrial Training Institute for Women, New Delhi, 35 women instructors trainees were receiving training at the end of month under review.

National Apprenticeship Training Scheme.- A total of 553 apprentice trainees were undergoing training under the National Apprenticeship Training Scheme at the end of the month under review.

Evening Classes for Industrial Worker's Scheme.- A total of 583 persons were undergoing training under the Evening Classes for Industrial Workers' Scheme at the end of month under review.

National Apprenticeship Training Scheme.- Sanctions for 100 seats in Delhi, 25 seats in Himachal Pradesh and 60 seats in West Bengal have been issued. The total number of seats so far sanctioned is 1,696.

2.

The following table gives the total number of training institutes and centres and the number of persons (including displaced persons) undergoing training as on 31 May 1959:

<u>Number of Training Institutes &amp; Centres</u>	<u>Number of seats sanctioned</u>	<u>Number of persons undergoing training</u>
133	33,320	27,364

Stores and Equipment.- T.C.M. equipment worth approximately 1978.82 rupees was reported to have been received at the various training centres/institutes during the month of May 1959, raising the total value of aid received up to 31 May 1959 to ~~2,9210~~ <sup>29,210</sup> million rupees.

Russian equipment worth approximately 15,40,38 rupees was reported to have been received at the various training centres/institutes during the month of May 1959. Total amount of aid so far received under this aid comes to 8,39,264.20 rupees approximately.

Supply order worth 9,445.71 rupees were placed on various firms for the supply of tools and equipment for Central Training Institute, Aundh/Poona, and Central Training Institute, Koni-Bilaspur during the month under review.

(A Review of Work Done by the Directorate-General of Resettlement and Employment during the month of May 1959, issued by the D.G.R.&.E., Ministry of Labour and Employment, Government of India, New Delhi).

Dns:

83

Canadian Aid for Development of Technical Education:  
Agreement Reached with India.

An agreement in principle between Canada and India was announced at Oxford on 24 July 1959 for the use of funds worth up to £3,750,000 to develop technical education in India.

Final approval of the proposal will be subject to detailed agreement being reached between the two countries on individual projects in this field which are being put forward by the Indian authorities.

The counterpart funds were generated through the disposal by the Central Government of India of gifts of Canadian wheat to India.

(The Tribune, 25 July 1959).

Dns:

84

Education Council Suggests Vocational Guidance  
for Farmers.

The National Council for Rural Higher Education, which met under the chairmanship of Shri K.L. Shrimali, Union Minister of Education has suggested that facilities should be provided for short-term courses for vocational guidance to farmers and others in the rural areas. The meeting also hoped that more rural institutes would be started in other States where such institutes did not exist, but proper facilities, manpower and resources were available.

(The Times of India,  
31 July 1959).

Dns :



85

## Chapter 9: Social Security

### 93. Application.

India - August 1959.

Annual Report on the Working of the Assam Tea Plantations  
Provident Fund Scheme for the Year ended 30 September,  
1958.

According to an article in the Indian Labour Gazette, July 1959, on the annual report on the working of the Assam Tea Plantations Provident Fund Scheme for the year ended 30 September 1958, a total of 697 plantations were covered by the scheme leaving only 92 small estates out of its scope. Of the total acreage of 386,097 in the Assam State, about 384,692 acres were covered by the Act as amended. The number of workers covered by the scheme at the end of September 1958, was 482,672 or about 95 per cent of the total working population. The membership registered an increase of 37,449 during the year under report. The total collections made upto the end of September 1958 since the inception of the scheme (12 September 1955) was about 89 million rupees - 71 million rupees from provident fund contributions and 18 million rupees as bonus contributions. The latter are from the annual bonus paid to plantation workers for 1956-57 and 1957-58 and credited to the Provident Fund by a special arrangement.

The total number of claims settled during the year was 17,688 and a sum of 4,655,423 rupees was re-paid to the members or paid to nominees of deceased members. During the year, a sum of 153,905 rupees was paid to members as advance from provident fund balances and a sum of 75,523 rupees was recovered from loanees within the year under report. Advances were restricted to a maximum of 25 per cent of the provident fund balance and for purposes of death or marriage ceremony in a member's family and payment of insurance premium.

86

It was decided that one third of the bonus payable to plantation workers for the year 1956 should be paid in the National Savings Certificates - excluding the plantation workers of Cachar where the bonus paid was low. On account of the administrative difficulties involved in purchasing the certificates for small amounts by individual managers, the Board of Trustees for the Provident Fund Scheme offered to collect the bonus money and invest the same in the National Savings Certificates in bulk. The Board also undertook the responsibility of returning the bonus money to members on cessation of their membership.

The Assam Tea Plantations Provident Fund Scheme constituted under the Assam Tea Plantations Provident Fund Scheme Act, 1955 completed the third year of its working on 30 September 1958. It provides for a compulsory provident fund scheme for adult labourers employed and residing in the tea plantations of Assam. Under the scheme, employers as well as employees are required to contribute towards the fund 6-1/4 per cent of the basic wages and dearness allowance payable to each member employee. Employees may make a greater contribution, if they so wish, subject to a maximum of 8-1/3 per cent of wages and dearness allowance. During the year under review, the scope of the scheme was enlarged, by an amending Act, to certain classes of gardens and categories of workers hitherto exempted. The scheme now is applicable to employees whose monthly income does not exceed 500 rupees. The plantations covered are those whose area under tea is not less than 50 acres as also those whose area is not less than 25 acres with a production of more than 456 lbs. per acre.

(Indian Labour Gazette, Vol. XVII, No. 1,  
July 1959, pp. 14-15).

CHAPTER 11. OCCUPATIONAL SAFETY AND HEALTH

INDIA - AUGUST 1959.

112. Legislation, Regulations, Official Safety and Health Codes.

Draft Bihar Boiler Operation Engineers' Rules 1959.

The Government of Bihar published on 29 July 1959 the draft Bihar Boiler Operation Engineers' Rules, 1959, proposed to be made in exercise of the powers conferred under the Indian Boilers Act, 1923. The rules require that the owner of a single boiler or two or more boilers connected in a battery or of so many separate individual boilers situated within a radius of 75 feet, having a total heating surface exceeding 7500 square feet in any of the cases, shall not use the same or permit the same to be used, unless the boiler or boilers are placed in direct charge of a competent person possessing a certificate of proficiency as a boiler operation engineer under the rules, in addition to such number of boiler attendants as may be specified by the Chief Inspector of Boilers. The rules deal with the constitution of board of examiners, mode of examination for the grant of certificate of proficiency as a boiler operation engineer, age and training of candidates, and grant of certificates of proficiency as a boiler operation engineer. The rules are in addition to and not in derogation of the Bihar Boilers Attendants Rules, 1948. The rules will be taken into consideration by the Government after 29 August 1959.

(The Bihar Gazette, Part II,  
29 July 1959, pp. 2139-2149.)

Dns:

85

112. Legislation, Regulations, Official Safety and Health Codes.

India - August 1959.

Andhra Pradesh Economiser Rules, 1959.

The Government of Andhra Pradesh published on 6 August 1959 the Andhra Pradesh Economiser Rules, 1959, made in exercise of the powers conferred under the Indian Boilers Act, 1923. The rules deal, inter alia, with procedure for registration of economisers, investigation of accidents to economisers, and procedure for appeals. The rules repeal the Andhra Pradesh Economiser Rules, 1956.

<sup>Mg.</sup>  
(G.O. ~~Madras~~ No. 1562 Home (Labour IV) dated 9 July 1959, Rules Supplemented to Part I of the Andhra Pradesh Gazette, 6 August 1959 pp. 678-683.

Dns:

89

LIST OF PRINCIPAL LAWS PROMULGATED DURING THE  
PERIOD COVERED BY THE REPORT FOR AUGUST 1959.

INDIA - AUGUST 1959.

CHAPTER 6. GENERAL RIGHTS OF WORKERS

- (i) Madhya Pradesh Industrial Workmen (Standing Orders) Act, 1959 (Madhya Pradesh Act No.19 of 1959) (Madhya Pradesh Gazette, Extraordinary, Part IVB, 14 August 1958, pp. 261-270.)
  - (ii) Payment of Wages (Madras Amendment) Act (Madras Act No. 9 of 1959) (Port St. George Gazette, Part IVB, 19 August 1959, pp. 225-226.).
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Dns:

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- 2) "Shadow Machine Tool Factories in the Private Sectors." The Engineering Association of India, Calcutta.

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

"Warning of History: Trends in Modern India" By K.M. Munish. "Enlist Cooperation of Private Enterprise", by Rama Rau; Forum of Free Enterprise, Bombay.

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- 2. "The Story of the Cultural Empire of India" by P.Thomas. Thompsons & Co., Ernakulam, Rs.11.50.

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"Manual for Conciliation Officers". Government of Bombay, Labour and Social Welfare Department, pp.76.