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INTERNATIONAL LABOUR OFFICE  
INDIAN BRANCH

With:  
on:

Industrial and Labour Development in November 1951.

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

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CHAPTER 1. INTERNATIONAL LABOUR ORGANISATION.

INDIA - NOVEMBER 1951.

12. Activities of External Services.

Talk on ILO at Indian Labour Inspectors Seminar,  
New Delhi, 15 to 30 November 1951.

The Ministry of Labour, Government of India, organised a seminar from 15 November to 30 November, 1951, for Indian labour inspectors.

Mr. S.P. Saksena of this Office, addressed the seminar on 27 November 1951, on the activities of the I.L.O. A copy of Mr. Saksena's address has been sent as annexure to this report. (Annexure No.12.1).

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14. Conventions and Recommendations.

India - November 1951.

Conventions No.87 concerning Freedom of Association and Protection of the Right to Organise and No.98 concerning the Right to Organise and to Bargain Collectively: Reasons for Non-Ratification by India.

~~ANSWER~~ Answering a question in the recent session of Parliament on the reasons for the non-ratification of Conventions No.87 concerning Freedom of Association and Protection of the Right to Organise and No.98 concerning the Right to Organise and Bargain Collectively, Mr. Jagjivan Ram, Minister of Labour, Government of India, stated that the Government of India had sought clarification from the I.L.O. regarding the implications of a certain provision of Convention No.87 and no decision could be taken pending the receipt of the I.L.O.'s reply. The question of ratification of Convention No.98 was linked with that of Convention No.87.

(Indian Labour Gazette, Vol.IX, No.3, September 1951, pp.204-205 ).

CHAPTER 2. INTERNATIONAL AND NATIONAL ORGANISATIONS.

INDIA - NOVEMBER 1951.

21. United Nations and Specialised Agencies.

U.N. Youth Welfare Seminar, Simla, 1-21 November 1951: Central Office for Youth Welfare recommended.

A United Nations Seminar on Youth Welfare was held at Simla from 1 to 21 November 1951. The Seminar was attended by delegates representing Burma, Ceylon, India, Indonesia, Nepal, the Philippines, and Thailand. Observers from ILO, WHO, FAO, UNESCO, ECAFE and UNICEF were also present; Mr. S.S. Dhami attended the meeting on behalf of the ILO. Mr. Chandulal Trivedi, Governor of the Punjab, inaugurated the Seminar.

Setting up of Central Office recommended.- The Seminar recommended the setting up of a representative committee, and establishment of a Central Office with permanent staff, to be financed by the participating Governments and the international organisations, to take stock of youth welfare activities in the countries represented and advise further measures for the promotion of youth welfare.

The Seminar further recommended the calling together by the United Nations in 1953 of an ad hoc working party of one or two representatives of each of the countries of the region in order to evaluate the work done in each country in pursuance of the recommendations of the Seminar.

The Seminar also suggested the establishment of a bureau for collecting factual and statistical data and urged the United Nations to arrange the publication of a bulletin of information on the methods of building up youth movements. Full use of publicity media like the radio, film and the press was recommended for informing the public of the needs of youth.

The Seminar recommended to Governments concerned the enactment of appropriate legislation and the allocation of funds for promoting youth welfare.

Closer co-operation between National Employment Service Organisations, vocational and technical guidance training services, educational institutions and youth organisations was recommended for the proper training and placement of youth, in order to ensure fuller employment.

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More facilities were demanded for the recruitment and training of qualified personnel to man the services in various fields of youth activities and allocation of a larger number of U.N.E.S.C.O. and such other scholarships, for training personnel, was also urged.

(The Tribune, 2, 22 and 23 November, 1951 ).

South East Asia Teachers' Seminar on U.N. Teaching, New Delhi, 25 to 30 November, 1951.

The Indian Federation of United Nations Associations, in co-operation with the Indian National Commission for U.N.E.S.C.O. (Ministry of Education, Government of India), organised a South East Asia Teachers' Seminar on 'United Nations Teaching in Schools' in New Delhi from 25 to 30 November 1951. The object of the Seminar, which was sponsored by the U.N.E.S.C.O. and the World Federation of U.N. Associations, was to devise practical ways and means by which instructions on the U.N. ~~kw~~ could be introduced in the school curriculum as part of the different courses of study.

The Seminar was inaugurated by Rajkumari Amrit Kaur, Health Minister, Government of India.

Work of U.N. Agencies.- Mr. K.G. Saiyidain, Dr. S.F. Chellappah and Mr. S.P. Saksena of this Office addressed the Seminar on the work of the UNESCO, WHO and the ILO respectively. Mr. Saiyidain said U.N.E.S.C.O. was one of the U.N. organs which had played the largest part in promoting international understanding and fellowship. In India UNESCO had established a public library project and opened a Janata College near Delhi to promote the objective of fundamental education. The Central Education Ministry would be shortly organising an East-West conference to discuss the concept of man and the philosophy of life.

Dr. Chellappah dwelt on the work of W.H.O. in India. V.D. centres had been established in Himachal Pradesh, the B.C.G. campaign had been launched in different parts of the country and a centre had been set up at Simla for ~~the~~ diagnosis of ~~the~~ diseases in accordance with the latest methods. Besides W.H.O. officials were rendering valuable help at T.B. clinics and child and maternity welfare centres in the country.

Mr. S.P. Saksena traced the work of I.L.O. since its inception in 1919. It had laid down standards of labour policy on a variety of questions and had so far passed 100 Conventions. In the post-war period the Organisation had made special efforts to cater to the needs of the Asian labour and had convened a number of regional conferences to deal with its problems. (A copy of Mr. Saksena's address has been sent as annexure to this report).

After the opening session the Seminar divided itself into various study groups.

(The Hindustan Times, 27-11-1951 ).

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25. Wage-Earners' Organisations.

India - November 1951.

A.I.R.F.'s Agreement with Railway Ministry:  
Permanent Body to settle Disputes.

On 8th and 9th November 1951, the All-India Railwaymen's Federation held a series of talks with the Railway administration. In these talks, the Federation was represented by Mr. J.P. Narain, President and Mr. S. Das Gupta and the Railway administration by Mr. N. Gopala-swami Ayyangar, Minister for Transport and Railways, Mr. K. Santhanam, Minister of State for Transport and Railways and Mr. V. Nilakantan.

Permanent body to settle disputes.- Agreement was reached on the question of setting up of a three-tier permanent negotiating machinery for dealing with disputes between railway labour and the administration. At the railway level the unions will have access to district and divisional officers and subsequently to officers at headquarters, including the General Managers. Matters not settled at these levels will be taken up by the Federation with the Railway Board. In cases in which agreement is not reached between the Federation and the Railway Board and the matters are of sufficient importance, reference will be made to a Railway Staff Tribunal composed of representatives of the administration and labour with a neutral chairman.

Where the Government accepts the recommendations of the Tribunal without modifications or in matters in which there has been agreement, the Federation will not raise the same issue for a period of two years. If in case the recommendation of the Tribunal is not accepted in toto by the Government or is rejected, the subject can be raised again by the Federation after a lapse of one year.

Disciplinary procedure.- In respect of disciplinary procedure it was agreed that, both at the initial inquiry and at the time the officer to whom an appeal lies disposes of the appeal, the employee concerned would be permitted to be assisted by a trade union official, if he so chooses, to plead his case. It was further agreed that, in respect of Class III staff, the General Manager would have revisionary powers in respect of dismissals and removals on application by the employee concerned and that before disposing of the case he would, if the employee so desired, refer the matter to the Railway Staff Tribunal.

Dearness allowance.- As regards increase in dearness allowance, the Government proposes to set up suitable machinery to investigate whether a portion of the dearness allowance now given should be merged in the

basic pay and, if so, what other adjustments are  
necessary.

(The Hindustan Times, 11-11-1951 ).



28. Employers' Organisations.

India - November 1951.

Eighteenth Annual General Meeting of the All-India Organisation of Industrial Employers, Bombay, 10 November 1951: Presidential Address.

The Eighteenth Annual General Meeting of the All-India Organisation of Industrial Employers was held at Bombay on 10 November 1951. Mr. S.P. Jain, President of the Organisation presided.

Presidential address: Plea for a realistic official policy.- Mr. S.P. Jain, in his presidential address, appealed to the Government of India to lay down a realistic economic and industrial policy with a view to increasing production and developing industries. In his opinion, the economic and industrial policies of Government had been varying and uncertain. Government appeared to be mainly engaged in chasing out an imaginary foe conjured up in the background of ideological confusion. The marked feature of the Government's policy had been steadily increasing interference in the field of industry and trade, deliberate effort to ~~circumscribe~~ circumscribe the freedom and initiative of private enterprise.

Social insurance legislation.- This amending Act sought to impose a special levy involving a few million rupees on all the employers in the country for the implementation of the insurance scheme in certain specific areas alone. The official justification for this kind of levy was that it would avoid competitive disadvantages to the industries in the areas where the Act was to be implemented. According to Mr. Jain, it was manifestly unfair to ask an employer to make financial contribution, while ~~xxx~~ he was not operating in the region where the scheme is implemented. He maintained further that the expenses already being incurred for the existing statutory and voluntary benefits, together with the new special levy, would ~~be~~ in some cases exceed what these employers would have to pay, had the Act been implemented throughout the ~~country~~ country. The fact that some of the benefits contemplated under the Act were being voluntarily given by some employers, showed the employers' willingness to pay. Their feeling was, however, emphatic that the provision of such benefits should be conditioned by the capacity of the industries to pay.

Industries (Development and Regulation) Act.- Continuing his address, Mr. Jain deplored provisions in the Industries (Development and Regulation) Act such as those which provided for the Government's taking over of concerns deemed to be working unsatisfactorily and also the levy of a cess to promote scientific and

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industrial research etc. He alleged that the cess collected for the development of sugarcane research and cultivation had been included in the general revenues by the State Governments of the Uttar Pradesh and Bihar and it was only a percentage of the total collections amounting to several millions so far that was devoted each year to cane cultivation.

The Five-year Plan criticised.- Mr. Jain appealed to the Government not to take any short-sighted action such as preventing inter-locking of capital altogether and breaking the free enterprise and enthusiasm of managing agents. If existing industrial undertakings were statutorily prohibited from utilising their resources for the establishment of new industries, the desired development as contemplated under the Five-year Plan could not be realised.

Expert Committee on Companies' Act.- He hoped that the Expert Committee that had been constituted to recommend amendments to the Companies' Act would have the vision and practical wisdom to see that the methods by which industrial development had been achieved in the country were not adversely affected in any way.

Wage, efficiency, and discipline.- As a result of the awards of the industrial tribunals and of collective bargaining, said Mr. Jain, the wages of labour have reached a fair wage level. Although the employers did not grudge this advancement, they had to express themselves against one-sided improvements. Representatives of industry pointed out to Government that wages had to be pegged at a level, so as to keep the production costs in check and the prices at a reasonable level. The vicious circle would have to be broken at some point so that it might be possible to keep down the costs of production and bring down the price level. Unfortunately, in this country, the increase in wages and emoluments had been without any bearing on productive efficiency, what the employers received, in return for increased wages and various other facilities, were but declining labour productivity, a greater tendency for the workmen to loiter, absent or waste time, and a perceptible increase in indiscipline. Legislative action gave a further fillip to this growing indiscipline in industry. Under the existing laws, ~~was~~ no action could be taken against a worker even for misconduct, during the pendency of industrial adjudication proceedings.

Bonus and profits.- The labour agitation for share in profits had made industrial tribunals award indiscriminate and fantastic bonus payments in addition to wages making their own fanciful allocations towards return for capital, replacement reserves etc. Bonus which had hitherto been considered an ex-gratia

payment at the discretion of the employer having regard to the financial condition and production level of the Company had come to be reckoned as deferred wages or as payment to eliminate the margin between the current wages and the living wage of the worker. The latest proposal was that labour should get a share in profits.

The general attitude of labour on this point showed a radical misconception regarding the nature of profits. Profits were purely reward for current service.

Mr. S.P. Jain was re-elected President for the year 1951-52.

(Text of Presidential Address of Mr. S.P. Jain, received in this Office; The Times of India, 12 November 1951 )

## 29. International Co-operation.

India - November 1951.

### ILO Asian Seminar on Labour Statistics, New Delhi, 21 November 1951.

The ILO Seminar on Labour Statistics began in New Delhi on 21 November 1951. It was attended by delegates from nine Asian countries, viz., Burma, Ceylon, Hong Kong, India, Indonesia, Malaya, the Philippines, Singapore and Viet-Nam. This is the first seminar to be organised in Asia by I.L.O. under its Technical Assistance Programme. The request for the seminar was made by India. Mr. K.N. Subramanian, Joint Secretary, Ministry of Labour inaugurated the Seminar; Dr. P.P. Pillai, ILO Representative in India, presided.

Dr. Pillai's address: ILO's interest in Asia stressed. - Dr. P.P. Pillai, in his opening address said that the I.L.O. had shown increased concern during recent years for the peoples of Asia as was evidenced by the series of Asian regional conferences followed by a number of technical meetings. An even more striking manifestation of I.L.O.'s anxiety to do justice to Asia's problems was the setting up of its Asian Advisory Committee whose special function it was, to study regional problems. I.L.O. now stood for the universalisation of prosperity and had launched a scheme of operational activities by which it rendered direct aid to those countries which were trying to help themselves. It had thus demonstrated both its readiness and its capacity to help the workers to produce more, by teaching him to improve his skills and creating for him suitable environments. The best indication of this new outlook was the vastly increased scope of its programme of technical assistance under the U.N. and Specialised Agencies Expanded Co-operative Programme for the economically backward regions of the world. However, he said, so far as the I.L.O. was concerned, the expanded programme of technical assistance did not by any means mark a new departure. For the last 30 years or so, the I.L.O. had been giving to all the countries which had asked for it all advice and assistance in labour matters, such as industrial relations, recruitment and training, legislation, social insurance, etc. The new co-operative plan of technical assistance of the U.N. and the Specialised Agencies was now just over two years old, but already it had begun to bear its first fruits. Referring to the large number of requests received from sixtyfour countries and territories, under the programme, he pointed out that the number of requests received by the I.L.O., as on 30 September 1951 was 173; and they covered almost every aspect of the labour problem. Of these, 122 had been received by the ILO directly, while the remainder had come through one or more of the other international organisations.

Among the Asian countries or territories which had sought or received assistance from the I.L.O. were Afghanistan, Burma, Ceylon, India, Indonesia, Pakistan, the Philippines, Singapore, Thailand and Viet-Nam. As an illustration of the ~~scope~~ scope and amplitude of the ILO's technical assistance scheme, Dr. Pillai gave details of the recent agreement between the ILO and Yugoslavia.

In conclusion Dr. Pillai expressed the ILO's gratitude to the Government of India for its invitation to hold the Seminar in Delhi, ~~and~~ and requested Mr. Subramanian to inaugurate it.

Mr. Subramanian's inaugural address.- Mr. Subramanian, in his inaugural address, referred to the wide gaps in information on Indian labour problems. He pointed ~~out~~ out that the Labour Ministry in the Government of India in its present form was of recent origin, with the result that "there are wide gaps in our knowledge of existing conditions and factual data". Mr. Subramanian mentioned the Government's positive efforts to gather adequate information which could be relied upon for formulating a sound labour policy.

A few years ago a committee of inquiry consisting of experts examined the problems of a large number of industries and produced factual reports of a very considerable value. In no field had they, however, been so greatly handicapped by lack of factual information as in that of agricultural labour. Extensive survey of certain aspects of agricultural labour was now being made. Much, ~~however~~ however, remained to be done. Substantial improvements in respect of coverage, scope, frequency and quality had to be made. From the administrative point of view improvements in three main directions were called for: reliability, reduction of the time lag between the period to which the statistics relate and the time of publication, ~~accuracy~~ and uniformity in the compilation and publication of statistics. He was sure the Seminar would be going deep into these problems and deciding to what extent, and subject to what adaptations the conclusions of the various conferences of experts could be applied to the ~~conditions~~ conditions prevalent in the region.

Object.- The object of the Seminar is to give the participants a general outline of questions concerning labour statistics and of the manner in which they might be dealt with by the countries of the region. The courses comprising the Seminar embrace cost of living statistics, family living studies, employment and unemployment and the economically active population, the organisation of labour statistics programme, labour productivity statistics, and the international aspect of labour statistics. One series of lectures will draw special attention to the particular problems of India and the Far East.

The experts participating in the Seminar include Prof. Walter Kull, Director, Statistical Office of the City of Basle; Mr. Thomas I. Mosimann, U.S. Bureau of Labour Statistics, Washington, D.C.; Mr. E.H. Harry, Commonwealth Bureau of Census and Statistics, Canberra; Prof. G. Parenti, I.L.O. Migration Field Office, Rome; Mr. Kenneth J. Penniment, Mr. Robert Mose Woodbury, of the Statistical Division of I.L.O., Geneva and two officials of the Government of India, Mr. Deshpande, Director of Labour Bureau, and Dr. B. Ramamurti of the Central Statistical Bureau.

(The Hindustan Times 21 and 22-11-1951).

Technical Aid to India; 32 Experts and 247 Fellowships.

Under the various schemes of technical assistance from foreign countries India has so far obtained 32 experts and trainee facilities for 247 persons. The experts and the facilities have been made available to India under (a) the Point-4 agreement with the U.S.A., (b) the technical co-operation scheme of the Colombo Plan and (c) by the specialised agencies of the U.N. Fifteen experts from the U.S.A. have come under the Point-4 agreement, four from the various Commonwealth countries under the Colombo Plan and 13 from the specialised agencies of the U.N. Of the training facilities already offered to 247 Indians, 44 offers came from U.S.A. under Point-4, 112 from various Commonwealth countries under the Colombo Plan and 91 from the U.N. specialised agencies.

Point-Four aid.— The experts who have so far arrived from the U.S.A. under the Point-4 agreement are working in the Central Ministries of Food and Agriculture, Natural Resources and Scientific Research, Education, Health and Labour. One expert is working for the Uttar Pradesh Government as an extension service specialist. The sphere assigned to these experts include agricultural extension service, geology, agronomy and plant breeding, social education, industrial hygiene and manufacture of agricultural implements, biological products and sulphuric acid. One expert has been appointed as the Principal of the Lady Hardinge Medical College, New Delhi, for a period of two years.

Six more experts under Point-4, one each on cellulose and paper, small-scale industry and foundries are expected to arrive very shortly.

Training facilities already availed of cover a large number of subjects, including improvements in agricultural production, exploitation of natural resources, construction of dams and hydro-electric power stations, advanced methods of vocational training, development of overseas tele-communications services,

developments of civil ~~and~~ aviation, manufacture and repair of aircraft, etc.

U.N. Specialised Agencies.- From the U.N. specialised agencies 13 experts and 91 fellowships have been received by India. Of the experts, three are from the U.N., one from the I.L.O., three from the F.A.O., and six from the U.N.E.S.C.O. Of the Fellowships, 81 are from the U.N., two from the F.A.O., and eight from the U.N.E.S.C.O. The special spheres in which these experts are working include soil conservation, State insurance of employees, statistics, housing, forestry including saw mill technology, pulp engineering and wood technology. The six experts sent by U.N.E.S.C.O. relate to scientific and educational subjects.

Training facilities offered under the U.N. programme include field studies of railways, improved technique in livestock management, breeding and artificial insemination, power plant construction and operation, telephone and telegraph system, port and harbour facilities, statistics, metallurgical techniques and budget planning. Thirty-four U.N. fellowships on various subjects have also been offered to the State Governments and the Council of Scientific and Industrial Research.

Colombo Plan.- Under the Colombo Plan four experts have been received of whom three are nursing sister tutors from New Zealand and one from the U.K. who is a ~~specialist~~ specialist in training personnel for tractor work.

The number of trainees for whom facilities have been obtained from Commonwealth countries under the Colombo Plan have been selected from the Central and State Governments as well as from the private sector. Almost all the State Governments including the Governments of Uttar Pradesh, Bihar, Bombay, Punjab, Assam, Madras, Mysore, Kashmir, Hyderabad, West Bengal, Madhya Pradesh, Orissa and P.E.P.S.U., have sent trainees.

Non-official organizations receiving training facilities include the Universities of Gujerat, Andh<sup>er</sup>a, Mysore, Calcutta, Delhi, the Viswa Bharati, the Delhi School of Social Work and the Indian Jute Mills Association.

The Central organisations which have sent students for training include the Ministries of Communications, Natural Resources and Scientific Research, Transport and Labour, the Planning Commission and the Audit Department.

The subjects of training include textile chemistry and textile industries, mechanical cultivation of wheat, soil erosion, dairy chemistry, advanced courses in bacteriology, wool ~~technology~~ technology, ~~and~~ social sciences, matallurgy, geo-physics, etc. Post-graduate courses for which training facilities have been offered



include ~~knawse~~ those on agriculture, veterinary science, horticulture, animal husbandry, agronomy, plant nutrients, plant breeding, ecology, mechanical engineering and production engineering.

Grant of facilities by India.- While India has thus received experts and training facilities she has also sent, in fulfilment of her obligation as a member country of the Colombo Plan, some of her own experts to foreign countries. Special training facilities have also been offered to them. An Indian expert on sericulture is working in Ceylon. Offers of training facilities have been made to Ceylon, Nepal and Pakistan. Training facilities offered to Ceylon include training of personnel in paper mill projects, land and sea customs, rice breeding, etc. Two students from Nepal and eight students from Pakistan are expected to take training in India on statistics. More requests from other countries are being considered.

(The Hindustan Times, 3-11-1951).

Industrial Medicine Expert for India:  
Nuffield Foundation to sponsor Visit.

It is understood that the Nuffield Foundation has agreed to sponson the visit to India of Prof. R.E.LANE of the Manchester University, a leading authority on industrial medicine, early in 1952.

Prof. Lane is expected to be in India during January and February and will visit important industrial centres such as Bombay, Ahmedabad, Delhi, Kanpur, ~~&\*~~ Calcutta, Jamshedpur, Madras and Bhadravati.

(The Statesman, 23-11-1951 ).



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Chapter 3. Economic Questions.

34. Economic Planning Control and Development.

India - November 1951.

Industries (Development and Regulation) Act, 1951  
(No. LXV of 1951): Measure for the Development  
and Regulation of Certain Industries.

The Industries (Development and Regulation) Bill (vide page 25 of the report of this Office for October 1951) as passed by Parliament received the assent of the President on 31 October 1951 and has been gazetted as Act No. LXV of 1951. The main provisions of the Act are summarised below.

The main features of the Act are the setting up of development councils and a central advisory board for the development and regulation of certain industries mentioned in the first schedule to the Act. These are: (1) aircraft, (2) arms and ammunition, (3) coal, including coke and other derivatives, (4) iron and steel, (5) mathematical and scientific instruments, (6) motor and aviation fuel, kerosene, crude oils and synthetic oils, (7) ships and other vessels propelled by the agency of steam, or by electricity or other mechanical power, (8) sugar, (9) telephones, telegraph apparatus and wireless communication apparatus, (10) textiles made wholly or in part of cotton or jute, (11) automobiles, including tractors, (12) cement, (13) electric lamps and fans, (14) electric motors, (15) heavy chemicals including fertilizers, (16) heavy machinery used in industry including ball and roller bearing and gear wheels and parts thereof, boilers and steam generating equipment, (17) locomotives and rolling stock, (18) machine tools, (19) machinery and equipment for the generation, transmission and distribution of electric energy, (20) non-ferrous metals including alloys, (21) paper including newsprint and paper board, (22) pharmaceuticals and ~~drugs~~ drugs, (23) power and industrial alcohol, (24) rubber goods, (25) leather and leather goods, (26) textiles made of wool, (27) vanaspati and vegetable oils, (28) agricultural implements, (29) batteries, dry cells and storage, (30) bicycles, and parts thereof, (31) hurricane lanterns, (32) internal combustion engines, (33) power-driven pumps, (34) radio receivers, (35) sewing and knitting machines, (36) small and hand tools, and (37) glass and ceramics.

Central Advisory Council and Development Councils.— For the purpose of advising it on matters concerning the development and regulation of scheduled industries, the Central Government may, by notified order, establish a Central Advisory ~~Council~~ Council. The Council shall consist of a Chairman and such other members, not exceeding thirty in number, all appointed by the Central Government representing the interests of owners of industrial undertakings in scheduled industries, persons

employed in industrial undertakings in scheduled industries, consumers of goods manufactured or produced by scheduled industries, and such other class of persons including primary producers, as in the opinion of the Central Government, ought to be represented on the Advisory Council. It has been made obligatory that whenever any directive is to be issued or control is to be exercised on management of the industrial undertaking, the advisory council should be consulted.

Development councils will consist of persons capable of representing the interests of owners of industries, persons having special knowledge of matters relating to technical aspects, persons capable of representing the employees and consumer interests. The work of the development councils will be to help the industries and increase their social utility. The council has to perform such functions of a kind specified in the second schedule to the Act as may be assigned to it by the Central Government in order to increase the efficiency or productivity in the scheduled industry for which the council is established or to improve or ~~develop~~ develop the service that the industry renders to the community or to enable such industry to render such service more economically. Provision is made for the imposition of a cess on all goods manufactured or produced in any scheduled industry, provided that no such rate shall exceed two annas per cent of the value of the manufactured goods. The Central Government may hand over the proceeds of the cess collected in respect of the goods manufactured by any scheduled industry to the Development Council established for that industry. The Development Council shall utilise the proceeds (a) to promote scientific and industrial research with reference to the scheduled industry in respect of which the Development Council is established; (b) to promote improvements in design and quality with reference to the products of such industry; (c) to provide for the training of technicians and labour in such industry; and (d) to meet such expenses in the exercise of ~~the~~ its functions and its administrative expenses as may be prescribed.

Regulations of Scheduled Industries.- Provision is made for the registration of existing industrial undertakings. New industrial undertakings should not be started except under a licence issued by the Central Government. The licence may contain conditions as to the location of the undertaking, minimum standard in respect of size, etc. The Central Government is empowered to make a full and complete investigation into any scheduled industry or an industrial undertaking under certain circumstances, viz., if in respect of the industry or undertaking there has been or is likely to be a substantial fall in the volume of production, or there has been or is likely to be a marked deterioration in the quality of manufactured articles, or there has been or is likely to be a rise in the price of any manufactured article, etc. After making any such investigation the Central Government may, if necessary, issue such directions to

the industrial undertaking as may be appropriate to regulate the production of articles by the industrial undertaking or to require the undertaking to take steps to stimulate the development of industry or to prohibit the undertaking from resorting to any act or practice which might reduce its production, capacity or economic value. If the directions given to a management are not carried out, the Central Government ~~may by order authorise~~ ~~any person or a Development Council or any other body of persons~~ may by order authorise for a period not exceeding five years any person or a Development Council or any other body of persons either to take over the management of the whole or any part of the undertaking in supersession of any other person or body of persons in charge thereof or to exercise with respect to the whole or any part of such undertaking such functions of control as may be provided by that order. The authorised person shall exercise his functions in accordance with instructions given to him by the Central Government and if at any time it appears to the Central Government that the purpose of the order has been fulfilled, the Government may cancel the order. On such cancellation the management of the undertaking shall vest in the owner of the undertaking.

Other provisions of the Act relate to revocation of licences, procedure for the grant of licences, powers of inspection, general prohibition of taking over management or control of industrial undertakings by any State Government or a local authority, powers of the Central Government to issue directions to development councils, penalties and power to make rules for carrying out the purposes ~~of the Act~~ of the Act.

(The Gazette of India, Extraordinary,  
Part II, Section 1, 1 November 1951,  
pages 437-450 ).

State Financial Corporations Act, 1951  
(No. LXIII of 1951): Measure to provide  
for the Establishment of State Financial  
Corporations.

The State Financial Corporations Bill (vide page 26 of the report of this Office for October 1951) as passed by Parliament received the assent of the President on 31 October 1951 and has been gazetted as Act No. LXIII of 1951.

The Act empowers the State Government to establish a financial corporation for the State, under such name as may be specified in this behalf. The authorised capital of the corporation shall be such sum as may be fixed by the State Government but it shall in no case be less than 5 million rupees or more than 50 million rupees. The general superintendence, direction and management of the affairs and business of the financial corporation

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shall vest in a board of directors which, with the assistance of an Executive Committee and a managing director may exercise all the powers and discharge all the functions which may be exercised or discharged by the financial corporation.

The financial corporation may, subject to the provisions of this Act, carry on and transact any of the following kinds of business, namely: (a) the guaranteeing on such terms and conditions as may be agreed upon of loans raised by industrial concerns which are repayable within a period not exceeding twenty years and are floated in the public market; (b) the underwriting of the issue of stocks, shares, bonds, or debentures by industrial concerns; (c) the receipt of in consideration of the services mentioned above of such commission as may be agreed upon; (d) the retention as part of its assets of any stocks, shares, bonds, or debentures, which it may have to take up in fulfilment of its underwriting liabilities: provided that it disposes of the stocks, shares, bonds or debentures so acquired as early as practicable and in any case within a period of seven years from the date of such acquisition; (e) the granting of loans or advances to, or the subscribing to debentures, of industrial concerns, repayable within a period not exceeding twenty years from the date on which they are granted or subscribed to, as the case may be; and (f) generally, the doing of all such acts and things as may be incidental to or consequential upon the exercise of its powers or the ~~discharge~~ discharge of its duties under this Act.

Other provisions of the Act deal with the ~~procedure~~ procedure to be followed at meetings of the Board and Committee, special provisions for enforcement of claims by financial corporation, investment of funds, accounts and audit, power of Board to make regulations, power of State Government to make rules, etc.

(The Gazette of India, Extraordinary, Part II, Section 1, 1 November 1951, pages 414-428 ).

Measures to check Inflation: Increase in Bank  
Rate announced.

The Reserve Bank of India announced on 14 November 1951, that as an anti-inflationary measure, the bank rate will be raised from 3 per cent to 3 1/2 per cent from 15 November 1951.

A press note issued by the Reserve Bank pointed out that during 1950-51 busy season, the volume of advances by commercial banks had reached the peak of 5860 million rupees, the highest that had ever been reached in any year during or after the war. The Reserve Bank therefore considered the question of raising the bank rate as an anti-inflationary measure and a decision was taken, with the full agreement of the

the Finance Minister, in August 1951, to raise the bank rate at the beginning of the busy season.

Open market operations suspended.- The Reserve Bank also announced that during the ensuing busy season it will, save in exceptional cases, refrain from buying Government securities to meet the requirements of scheduled banks. It would, however, make loans and advances at the prevailing bank rate against the securities specified under the Reserve Bank of India Act.

The sale of Government securities to the Reserve Bank has been the normal method by which scheduled banks have frequently provided themselves with funds during period of stringency in the busy season.

(The Statesman, 15-11-1951 ).

Reorganisation of Indian Railways: Central and Western Railways inaugurated.

Mr. N. Gopalaswamy Ayyangar, Minister for Transport and Railways, inaugurated two new railways - the Central Railway and the Western Railway - on 5 November 1951, under the Government of India's scheme for the regrouping and reorganising of Indian Railways (vide pp.23-24 of the report of this Office for June 1950). Reference to the launching of the Southern Railway, the first regrouping under this scheme was made at page 21 of the report of this Office for April 1951.

The Central Railway represents the grouping of the G.I.P., Nizam's State, Scindia State and Dholpur State Railways into a single system. The total route mileage of the Central Railway will be nearly 5,400, of which, 4,091.23 miles are broad-gauge, 744.34 miles are metre-gauge, and 563.98 miles narrow-gauge.

The Western Railway will comprise the present B.B. and C.I., Saurashtra, Rajasthan and Jaipur Railways. Its total route mileage will be 5,953 miles, (excluding the Kandla-Decca Link).

The Central Railway will cover an expanse of 210,000 square miles of territory, connecting the principal cities of the States of Bombay, Hyderabad, Madhya Pradesh, Madhya Bharat, Vindhya Pradesh, and Uttar Pradesh - namely, Bombay, Poona, Hyderabad, Secunderabad, Nagpur, Jubbulpore, Gwalior, Patna, Allahabad, Jhansi, Kanpur and Delhi.

The Western Railway will serve directly the major transport needs of 150,000 square miles in the States of Bombay, Saurashtra, Rajasthan, and Madhya Bharat, and indirectly form the link serving the transport requirements of the Punjab and the north-western part of Uttar Pradesh.

(The Times of India, 6-11-1951).

36. Wages.

India - November 1951.

Madhya Pradesh: Madhya Pradesh Minimum Wages Rules, 1951.

The draft Madhya Pradesh Minimum Wages Rules, 1951 (vide page 23 of the report of this Office for January 1951) have been approved and gazetted on 26 October 1951. These rules deal, inter alia, with the term of office of the Advisory Committee and the Advisory Board, procedure concerning meeting of the Board and the Committee, summoning of witnesses and production of documents, computation and payment of wages, hours of work and holidays, claims under the Act, scale of costs in proceedings under the Act, etc.

(The Madhya Pradesh Gazette, Part IV-C, 26 October 1951, pages 335-350 ).

Mysore: Mysore Minimum Wages Rules, 1951.

The draft Mysore Minimum Wages Rules, 1951 (vide page 31 of the report of this Office for July 1951) have been approved and gazetted on 15 November 1951.

(The Mysore Gazette, Part IV-Section 2-C, 15 November 1951, pages 237-259 ).

West Bengal: Minimum Wages fixed for Employees employed under Local Authorities.

In exercise of the power conferred by the Minimum Wages Act, 1948 and by an Order dated 1 October 1951 the Government of West Bengal has fixed minimum rates of wages, dearness allowance and other allowances payable to the employees employed under Local Authorities (Municipalities) in the State of West Bengal, as specified in a schedule annexed to the Order. (Employees under the Corporation of Calcutta and under the Howrah Municipality are governed by separate Orders published earlier).

(The Calcutta Gazette, Part I, 25 October 1951, pages 2799-2800).

38. Housing.

India - November 1951.

Mysore: Mysore Labour Housing Rules, 1951.

The draft Mysore Labour Housing Rules, 1951 (vide page 32 of the report of this Office for July 1951) have been approved and gazetted on 18 October 1951.

(The Mysore Gazette, Part IV-Section 2-C, 18 October 1951, pages 153-171 ).



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

INDIA - NOVEMBER 1951.

41. Agriculture.

Plantations Labour Act, 1951 (No.LXIX of 1951): Measures to provide for the Welfare of Labour, and to regulate the Conditions of Work, in Plantations.

The Plantations Labour Bill, 1951 (vide page 37 of the report of this Office for October 1951), as passed by Parliament, received the assent of the President on 2 November 1951 and has been gazetted as Act No.LXIX of 1951. The enactment for the first time regulates the conditions of work and employment of plantation workers and its provisions are largely based on the Factories Act, 1948. The main provisions of the Act are summarised below.

Scope.- The Act extends to the whole of India except the State of Jammu and Kashmir, and comes into force on such date as the Central Government may, by notification in the Official Gazette, appoint. It applies in the first instance to all tea, coffee, rubber and cinchona plantations, but any State Government may, subject to the previous approval of the Central Government, by notification in the Official Gazette, apply it to any other class of plantations within that State. The word 'plantation' has been defined to mean any land used or intended to be used for growing tea, coffee, rubber, or cinchona which measures twenty-five acres or more and whereon thirty or more persons, are employed, or were employed on any day of the preceding twelve months.

Inspecting Staff.- Provision is made for the appointment of a Chief Inspector and Inspectors of Plantations and certifying surgeons for the purpose of carrying out the purposes of the Act. The powers and functions of inspectors include inspection, examination and inquiry in order to ascertain whether the provisions of the Act and rules made thereunder are being observed in the case of any plantation. The duties of certifying surgeons include the examination and certification of workers and the exercise of medical supervision in any plantation where adolescents and children are, or are to be, employed in any work which is likely to cause injury to their health.

Health and welfare.- i) Health.- In every plantation effective arrangements should be made for the provision and maintenance at convenient places of a sufficient supply of wholesome drinking water for all

workers and the provision of separate urinals and latrines of prescribed types ~~for~~ for men and women workers. There shall be provided and maintained in every plantation such medical facilities for the workers as may be prescribed by the State Government.

ii) Welfare: Canteens.- State Governments may make rules requiring that in every plantation where 150 workers are ordinarily employed, one or more canteens shall be provided. Such rules might provide for the date by which the canteen shall be provided, the standards in respect of construction, accommodation, furniture and other equipment, the foodstuffs to be served and the prices charged and the representation of workers in the management of the canteen.

Creches.- In every plantation employing 50 or more women workers there ~~will~~ shall be provided and maintained by the employer suitable rooms for the use of children of such women who are below the age of six years. The rooms must be adequately lighted and ventilated and maintained in a clean and sanitary condition and under the charge of a woman trained in the care of children and infants.

Recreational and educational facilities.- Rules may be made by State Governments requiring every employer to make provision in his plantation for recreational facilities of the workers and educational facilities of prescribed standards for children between the ages of six and twelve of workers employed in the plantation, if the number of such children exceeds 25.

Housing.- Every employer shall provide and maintain necessary housing accommodation for every worker and his family residing in the plantation. The State Governments may make rules providing for the standard and specification of accommodation to be provided for, the selection and preparation of sites for the construction of houses and size of such plot, the constitution of advisory boards consisting of representatives of the Government, the employer and workers, for consultation in regard to matters connected with housing, the fixing of rent, if any, for the housing accommodation, and the allotment of vacant land adjoining housing accommodation to workers for the purpose of maintaining kitchen gardens.

Hours of work.- No adult worker may work on any plantation in excess of 54 hours a week. The period of work after which a rest interval of at least half an hour must be allowed is fixed at five hours and the period of work inclusive of intervals for rest and the time spent for waiting for work on any day shall not spread over more than 12 hours. The State Government may by rules provide for a day of rest in every period of seven days which shall be allowed to all workers and provide for payment ~~for~~ for work done on a day of rest at

a rate not less than the overtime rate prevailing in the area, and where there is no such rate, at such rate as may be fixed by the State Government in this behalf.

Employment of women and children.- The Act prohibits the employment of children under 12 years of age on any plantation. The working hours of children under 15 years of age and of adolescents between 15 and 18 years ~~are~~ are fixed at 40 hours a week. No woman or child worker shall be employed in any plantation otherwise than between the hours of 6.a.m. and 7 p.m. except with the permission of the State Government. The prohibition does not apply to midwives and nurses employed as such in any plantation.

Leave with wages.- The annual leave is calculated at the rate of one day for every 20 days work for an adult and of one day for every 15 days of work for a young person, these days being inclusive of any holiday which may occur during the leave period. If a worker does not, in any one period of twelve months, take the whole of the leave due to him, any leave not taken by him may be added to the leave to be allowed to him in the succeeding period of twelve months, provided that the worker shall cease to earn any leave if the leave due to him amounts to 30 days. Payment for the annual leave will be at a rate equal to the daily average of his total full-time wages, exclusive of any overtime earnings and bonus, if any, but inclusive of dearness allowance and the cash equivalent of any advantage accruing by the concessional supply by the employer of foodgrains for the day on which he worked. A worker who has been allowed leave for any period less than four days in the case of an adult and five days in the case of a young person shall, before his leave begins, be paid his wages for the period of the leave allowed. These provisions do not operate to the prejudice of any rights to which a worker may be entitled under any other law or under the terms of any award, agreement, or contract of service, provided that where such award, agreement or contract of service provides for a longer leave with wages than provided in the Act the worker will be entitled only to such longer leave.

Sickness and Maternity Benefits.- Subject to any rules that may be made in this behalf, every worker will be entitled to obtain from his employer (a) in the case of sickness certified by a qualified medical practitioner, sickness allowance, and (b) if a woman, in the case of confinement or expected confinement, maternity allowance, at such rate, for such period and at such intervals as may be prescribed. Rules may be made by State Governments regulating the payment of sickness or maternity allowance and specifying the circumstances in which such allowance shall not be payable or shall cease to be payable, due regard being given to the medical facilities that may be provided by the employer in any plantation.

Other provisions of the Act relate to penalties, exemption from the provisions of the Act, general power to make rules, etc.

(The Gazette of India, Extraordinary, Part II, Section 1, 3 November 1951, pages 457-467 ).

Promotion of Agricultural Education: All-India Council to be set up.

A decision to set up an all-India Council of Agricultural Education, as part of the Indian Council of Agricultural Research, to advise on agricultural education in the country, was taken at a conference held at Delhi on 3 and 4 November 1951. Mr. K. M. Munshi, Minister for Food and Agriculture, Government of India, will be the chairman of the first provisional council and other members include Vice-Chancellors and the Deans of the Faculty of Agriculture in various universities. The conference was convened to consider the modifications necessary in the present policy of agricultural education, so as to strike a balance between purely academic knowledge and its practical application. The meeting was attended by the Ministers of Agriculture of various States and the Vice-Chancellors and the Deans of the Faculty of Agriculture of the universities. It was inaugurated by Maulana Azad, Education Minister, and presided over by Mr. K. M. Munshi, Minister for Food and Agriculture.

The conference also decided on a mutual exchange of professors and students engaged on agricultural research between Indian and certain U.S. universities.

By another resolution the conference resolved to reorient agricultural, veterinary and forestry education in view of the urgent necessity of effectively carrying out the programme of land transformation, so essential to the country. Students of agricultural colleges should, the resolution said, be required to undergo training in practical land transformation under actual village conditions, as recommended by the University Education Commission. For that purpose, necessary changes should be made in the curricula and a sufficient number of villages allocated to each college by the State for conducting such training.

The conference further resolved that a similar provision should also be made for agricultural schools and that in planning agricultural, veterinary and forestry ~~education~~ education, in future, institutes, colleges and schools should be located in rural areas to create the necessary atmosphere in which such training would yield the best results. (The Statesman, 5-11-1951 ).

44. Merchant Marine and Fisheries.

India - November 1951.

Calcutta Dock Workers (Regulation of Employment) Scheme, 1951: Measure to ensure Regularities of Employment for Dock Workers. 0

The draft Calcutta Dock Workers (Regulation of Employment) Scheme (vide pages 81-83 of the report of this Office for January 1950) has been approved with certain changes and gazetted on 13 October 1951. The main provisions of the scheme are summarised below.

Scope.- The scheme relates to the port of Calcutta and applies to workers engaged in stevedoring work other than coal or salt work, deck foremen, hatch-foremen or gunners, winchmen, sirdars, mats, senior kamalias, junior kamalias, senior rollias and clerks. The ~~primary~~ objects of the scheme are to ensure greater regularity of employment for dock workers and to secure that an adequate number of dock workers is available for the efficient performance of dock work.

Calcutta Dock Labour Board.- The Central Government shall constitute a Board to be called the "Calcutta Dock Labour Board" which shall be responsible for the administration of the Scheme. The Board shall consist of twelve members to be appointed by the Central Government and shall include an equal number of members representing the Central Government, the dock workers, and the employers of dock workers and shipping companies. The members of the Board shall hold office for three years and shall be eligible for reappointment. The Central Government may take such measures as it may consider desirable for furthering the objectives of the Scheme, including measures for ensuring the full and proper utilisation of dock labour for the purpose of facilitating the rapid and economic turnaround of vessels and the speedy transit of goods through the port for regulating the recruitment and entry into and the discharge under the Scheme of dock workers, and the allocation of registered dock workers to registered employers; for grouping or regrouping of all registered dock workers into such groups as may be determined by the Board after consultation with the Administrative Body and thereafter reviewing the grouping of any registered dock worker on the application of the Administrative Body or of the registered dock worker; for making satisfactory provision for the training and welfare of registered dock workers including medical services, in so far as such provision does not exist apart from the Scheme; and for ~~levying~~ levying and recovering from registered employers contributions in respect of the expenses of the Scheme.

Administrative Body.- The Central Government may constitute a body consisting of such employers of dock workers as the Central Government may nominate in this behalf or appoint any other authority for the purpose of carrying on the day-to-day administration of the Scheme. The Administrative Body is responsible for the administration of the Scheme and in particular for the maintenance of various registers, grouping of registered dock workers, allocation of workers to registered employers, ~~and~~ etc.

Registration of stevedore labour.- An employers' register, a monthly register of workers and a reserve pool register of workers are required to be maintained under the Scheme. Existing workers are eligible for registration and new workers will be selected for registration by the Registration Committee which shall arrange for the classification of workers by categories in the registers. Every worker will be supplied with an identity card and an attendance and wage card. A vacancy in any category of workers in a register will ordinarily be filled by promotion of a worker from the next lower category. A vacancy in any category of monthly workers may be filled only by promotion from lower categories of monthly workers or, if no person is suitable for promotion from lower categories of monthly workers, by transfer of a senior worker in the same or a superior category of the reserve pool workers.

Workers on the monthly register attached to a registered employer are entitled to be employed by that employer in preference to any worker in the reserve ~~and~~ pool register. For work which cannot be done by those on the monthly register, workers on the Reserve Pool Register shall be employed. Workers will be employed in shifts and will not ordinarily be employed in two consecutive shifts in a day.

Guaranteed minimum wages.- A worker on the reserve pool register will be paid wages at least for twelve days in a month at the wage rate, inclusive of dearness allowance, appropriate to the category to which he belongs, even though no work is found for him for the minimum number of twelve days in a month. A worker on the reserve pool register who is available for work but for whom no work is found shall be paid attendance wages at the rate of one rupee per day for the days on which no work was found for him during a calendar month. When a worker in the reserve pool presents himself for work and for any reason beyond the control of the employer, the work for which he has attended cannot proceed and no alternative work can be found for him and he is relieved within 2 hours of his attending for work, he will be entitled to disappointment money equal to half the wage rate, inclusive of dearness allowance, appropriate to the category to which he belongs. A worker detained for more than 2 hours shall be paid full wages inclusive of dearness allowance.

Conditions of service.- It is an implied condition of the contract between a registered dock worker (~~whether~~ whether monthly or daily), and a registered employer: (a) that the rates of wages, allowances, and overtime, hours of work, rest intervals, holidays and pay in respect thereof and other conditions of service ~~is~~ shall be such as may be prescribed by the Board for each category of workers, and (b) that the fixation of wage periods, time for payment of wages and deductions from wages shall be in accordance with the provisions of the Payment of Wages Act, 1936. The employment of a registered dock worker in the reserve pool who is available for work shall not be terminated except: (a) by dismissal in the case of misconduct; or (b) by giving him fourteen days' notice in writing for any justifiable cause; or (c) so as to enable the worker to be employed in accordance with the provisions of the Scheme. A registered dock worker in the reserve pool who is available for work shall not leave his employment with the Board except by giving fourteen days' notice in writing to the Board or except where he is to be employed in accordance with the provisions of the Scheme.

Other provisions of the Scheme deal, inter alia, with obligations of registered dock workers and registered employers, appeals to board or appeal tribunal, disciplinary procedure, and penalties.

(The Gazette of India, Part II, Section 3, 13 October 1951, pages 1845-1856 ).

Bihar: Inland Steam-Vessels Registration Rules, 1951.

The draft (Bihar) Inland Steam-Vessels Registration Rules, 1951 (vide page 42 of the report of this Office for August 1951) have been approved and gazetted on 15 October 1951.

(The Bihar Gazette, Extraordinary, 15 October 1951, pages 1-15 ).



CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

INDIA - NOVEMBER 1951.

50. General.

Bilaspur: Bilaspur Factories Rules, 1951.

The draft Bilaspur Factories Rules, 1951 (vide page 37 of the report of this Office for June 1951) have been approved and gazetted on 24 November 1951.

(The Gazette of India, Part III,  
Section 3, 24 November 1951,  
pages 1105-1143 ).



51. Hours of Work.

India - November 1951.

West Bengal Jute Mills to revert to 48-Hour Week:  
Sequel to improved Supply Position.

On 10 November 1951 the Indian Jute Mills Association decided to extend the working period in West Bengal jute mills from the present rate of 42 1/2 hours to 48 hours a week. The change is to take ~~px~~ effect from 10 December 1951. Jute mills in West Bengal have been working a 42 1/2 hours week since 5 December 1949, due to "inadequate and irregular supplies of raw jute".

The Association said that since supplies of raw jute from India and Pakistan were available in larger quantities, the Association had decided to recommend to its members the longer working week. The decision had been taken in consultation with the Government of India.

(The Hindustan Times, 11-11-1951).

52. Workers' Welfare and Recreation.

India - November 1951.

Ajmer: Ajmer State Welfare Officers (Recruitment and Conditions of Service) Rules, 1951.

The Chief Commissioner, Ajmer, published on 17 November 1951 the Ajmer State Welfare Officers (Recruitment and Conditions of Service) Rules, 1951, made in exercise of the powers conferred by the Factories Act, 1948. These Rules prescribe, inter alia, the number of welfare officers to be appointed, and their duties, qualifications and conditions of service.

(The Gazette of India, Part III, Section 3, 17 November 1951, page 1090 ).

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

The Government of Mysore has published on 15 November 1951, the Welfare Officers (Recruitment and Conditions of Service) Rules, 1951, made in exercise of the power conferred by the Factories Act, 1948. The rules prescribe, inter alia, the duties, qualifications and conditions of service of welfare officers to be appointed under the rules.

(The Mysore Gazette, Part IV, Section 2-C, 15 November 1951, pages 267-270 ).

58. Social Conditions.

India - November 1951.

Madras: Effects of Prohibition: ~~XXXXXX~~ Inquiry Report.

The saving of 600 million rupees which former addicts should have effected following the introduction of prohibition has been to a large extent neutralized by the rising spiral of inflation and cost of living, according to the report on an inquiry conducted by the Government of Madras into the socio-economic effects of prohibition in the State.

The inquiry covered, 8,363 families comprising 6,814 rural families, 1,049 families ~~XXXXXXXXXX~~ in urban centres and 500 in Madras City. In the rural areas families of both former addicts and non-addicts were questioned, while in the other areas the investigation was confined to families of former addicts.

The report said that introduction of prohibition had helped the former addict to feed and clothe himself and his family better as a result of the saving of a substantial portion of his income previously frittered away on drink, the relative expenditure on food and clothing rising by 7.36 per cent and 1.33 per cent respectively. There was a marked shift in the expenditure of families of former addicts from unproductive items in the pre-prohibition period to productive items of a capital nature such as sinking of wells, improvements to land and houses during the prohibition years.

General increase in assets was in evidence, particularly in rural areas. Debts had increased correspondingly. The indebtedness of the families of former addicts in the inquiry increased from about 400,000 rupees to about 675,000 rupees or by 65.37 per cent. This increase in indebtedness was attributed largely to the cumulative effect of the failure of the monsoon in the State for four years in succession and also the abnormal rise in the cost of living.

The number of grave ~~six~~ crimes in general had also gradually dropped. Cases of illicit distillation, and allied offences had increased from 27,981 in 1947-48 to 28,885 in 1949-50.

The report adds that while the economic effects of prohibition depended upon a variety of causes and could be expected to reveal themselves only in due course, the marked improvement observed in the social and moral outlook of the former addicts was again positive and undisputed. "Family quarrels and drunken brawls are things of the past and the former addicts in general have acquired a new personality".

(The Hindustan Times, 12-11-51)

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Chapter 6. General Rights of Workers.

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

India - November 1951.

Mysore: Payment of Wages (Mysore Amendment)  
Bill, 1951.

The Government of Mysore published on 1 November 1951 the Payment of Wages (Mysore Amendment) Bill, 1951, to be introduced in the Mysore Legislative Assembly.

The Statement of Objects and Reasons appended to the Bill declares that Section 7 of the Mysore Payment of Wages Act, 1948 (now replaced by the Central Payment of Wages Act, 1936), specifies the deductions and reductions in the wages of persons employed, which alone can be made in accordance with the several provisions of the Act. It contains provisions for making certain deductions and reductions which are not at present provided in the Central Act. These are: deductions to recover the amount of provident fund or gratuity paid to a person on his re-employment, deductions specially authorised by the Government for a purpose beneficial to ~~any~~ employed person, and stoppage of increment and reduction in the incremental scale for disciplinary reasons. Furthermore, provision has also been made to make it clear that a diminution of wages by reason of requirement to perform work involving a standard of skill or responsibility lower than that in the previous work is not a 'deduction'. ~~This~~

This Bill has been proposed to secure the continuance of these benefits.

(The Mysore Gazette, Extraordinary,  
Part IV, Section 2-A, dated  
1 November 1951, pages 1-2 ).

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Mysore: Draft Mysore Payment of Wages Rules,  
1951.

The Government of Mysore published on 1 November 1951 the draft of Mysore Payment of Wages Rules, 1951, proposed to be made in exercise of the powers conferred by section 26 of the ~~Payment~~ Payment of Wages Act, 1936 (Central Act IV of 1936) and in supersession of the Mysore Payment of Wages Rules, 1948. The draft rules provide, inter alia, for the regular inspection of the weights, measures, and weighing machines used by employers in checking or ascertaining the wages of persons employed in any factory, and prescribe the registers to be maintained by the employer, the authority empowered to impose fines on employees, the procedure for the imposition of fines and the conditions subject to which deductions from wages may be made and the extent to which advance of wages may be made. The draft rules will be taken into consideration by the Government after 1 February, 1952.

(The Mysore Gazette, Part IV, Section 2-C,  
1 November 1951, pages 206-220 ).

Mysore: Draft Mysore Payment of Wages  
(Procedure) Rules, 1951.

The Government of Mysore published on 1 November 1951 the draft of Mysore Payment of Wages (Procedure) Rules, 1951, proposed to be made in exercise of the powers conferred by section 26 of the Payment of Wages Act, 1936 (Central Act IV of 1936) and in supersession of the Mysore Payment of Wages (Procedure) Rules, 1948. The draft rules prescribe the form of application and procedure for claims arising out of deductions from wages or delay in payment of wages. The draft rules will be taken into consideration by the Government after 1 February, 1952.

(The Mysore Gazette, Part IV, Section 2-C,  
1 November 1951, pages 197-205 ).

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Payment of Wages for Period of Suspension Ordered:  
Bombay High Court's Judgment.

The question whether wages were payable to an employee who was placed under suspension was considered by the Bombay High Court (Sri M.C.Chagla, Chief Justice and Justice Sri Bhagwati) in the case B.B. and C.I. Railway Vs. B.C. Patil and another (Misc. Application 178 and 179 of 1951). In its decision dated 24 August 1951 the High Court held that where an employee was placed under suspension and was directed to remain at hand for enquiry, the right of the master was exercised by calling on the employee to remain for enquiry, and that wages were due to the employee. A brief account of the judgment is given below.

Two petitioners (No. 178 and 179 of 1951) filed in the High Court by the B.B. and C.I. Railway challenged certain orders passed by the authority under the Payment of Wages Act. The second respondent who was an employee of the railway was detained under the Prevention Detention Act on 19 February 1949, and the railway authorities passed an order on 23 February 1949 suspending the second respondent from service. On 1 June 1949, the second respondent was released from detention, and the period of suspension ended on 15 April 1950. Under certain rules, the employee was compelled to go on leave from 16 April 1950 to 11 June 1950 on full pay, from 12 June 1950 to 7 October 1950 on half pay, and from 8 October 1950 without any pay at all. The employee went before the authority under the Payment of Wages Act claiming that he was entitled to his full wages throughout the period as he was in the service of the railway authorities. With regard to the suspension period, he was paid a certain allowance which is described as a subsistence allowance but which is less than the wages to which he was entitled, and he claimed for that period full wages.

The authority under the Payment of Wages Act ordered the railway authorities to pay to the employee his full wages without any deduction. The view taken by the authority was that, to the extent that any of the rules framed by the railway ~~authorities~~ authorities are inconsistent with the provisions of the Payment of Wages Act, the provisions of the Payment of Wages Act must prevail over the rules framed by the railway authorities. Therefore, if an employer fails to pay wages at the time indicated in the Act, then he would be guilty of delay in payment and the authority can compel him to pay the wages. If, on the other hand, he pays the wages but he deducts from the wages any unauthorised deduction, then also the authority would have jurisdiction to compel the employer to pay the full wages.

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On behalf of the railway it was contended that, when the employee was suspended, the contract of employment itself was suspended and no wages were due by the employer to the employee; and, further, that the question of deduction can only arise when there are any wages payable by the employer to the employee, and if no wages at all are due ~~to~~ or payable then no question of deduction can arise which can be adjudicated upon by the authority.

The High Court pointed out that notwithstanding the order of suspension, the railway authorities directed the second respondent to remain at headquarters and to report himself to the railway officer every day till his case was finally decided. Therefore, the second respondent continued to remain the servant of the employer and the employer had the power, and in fact and in deed exercised the power, of issuing directions and orders to his employee, and the respective obligations of the master and the ~~servant~~ servant continued under the contract. The employee was under an obligation to serve; and if the employee was under an obligation to serve, the employer was under an obligation to pay wages. Therefore, the real nature of the suspension ~~was~~ order and the subsistence allowance was that the employer imposed a fine upon the employee and deducted it from his wages: instead of paying the employee full wages, the employer ~~paid~~ paid him only a part of the wages, deducting the balance as a fine. The only fine which can be imposed by the employer under the Payment of Wages Act is under section 8 of the Act. And it is common ground that if what the employer has deducted is a deduction, it is not a deduction that is covered by any of the sections 7 to 13 of the Payment of Wages Act. Therefore, the employee was entitled to wages during the period of suspension as the deduction made from the wages was an unauthorised deduction.

(Labour Law Journal, November 1951,  
pages 584-591 ).

66. Strike and Lockout Rights.

India - November 1951.

Madras: Electric Tramway Services, Motor  
Transport Services and Cotton Textile  
Industry declared as Public Utility Services.

By a notification dated 24 September 1951 and in exercise of the powers conferred by the Industrial Disputes Act, 1947, the Government of Madras has declared electric tramway services, motor transport services and cotton textile industry in the State to be public utility services for the purposes of the Industrial Disputes Act, 1947, for a further period of six months commencing on 5 October 1951.

(G.O.Ms. No.4232 Development dated  
24 September, 1951; The Fort St. George  
Gazette, Part I, 16 October 1951,  
page 1446 ).



67. Conciliation and Arbitration.

India - November 1951.

Industrial Disputes (Central) Rules, 1947  
amended.

By a notification dated 3 November 1951 and in exercise of the powers conferred by the Industrial Disputes Act, 1947, the Central Government has amended the Industrial Disputes (Central) Rules, 1947. The amendment which inserts a new Rule 5A provides that where an Industrial Tribunal consists of two or more members every such member (other than the Chairman) shall be a person who - (1) is qualified for appointment as the Chairman of the Tribunal under the Act; or (2) is a Chartered Accountant; or (3) has been a presiding officer for not less than three years of any court or tribunal set up under any law providing for the settlement or adjudication of industrial disputes; or (4) in the opinion of the Central Government has had experience of problems relating to labour or industry for not less than five years; or has special knowledge of economics, finance, banking or insurance.

(The Gazette of India, Extraordinary,  
Part II, Section 3, 3 November 1951,  
page 1285 ).

Mysore: Industrial Disputes (Mysore) Rules, 1951.

The Government of Mysore published on 25 October 1951 the Industrial Disputes (Mysore) Rules, 1951, made in exercise of the powers conferred by section 38 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947). The rules prescribe, inter alia, the procedure for reference of industrial disputes to boards of conciliation, courts of inquiry, or industrial tribunals, powers procedure and duties of conciliation officers, boards, courts and tribunals, the allowances admissible to members of courts, boards and tribunals and to assessors and witnesses, the constitution, functions and procedure to be followed by works committees, etc.

(The Mysore Gazette, Part IV, Section 2-C,  
25 October 1951, pages 179-193 ).

Uttar Pradesh: Industrial Disputes  
(Uttar Pradesh Amendment) Act, 1951  
(No. XXV of 1951).

The Industrial Disputes (Uttar Pradesh Amendment) Bill, 1951 (vide page 71 of the report of this Office for September 1951) as passed by the Uttar Pradesh Legislature received the assent of the President on 13 October 1951 and has been gazetted as Act No. XXV of 1951. The amendments made are of a minor character and prescribes the qualifications of members of industrial tribunals.

(Government Gazette of the Uttar Pradesh,  
 Extraordinary, 19 October 1951, pp.1-2).

West Bengal: Dispute in Jute Textile Industry:  
Tribunal's Award.

The Government of West Bengal published on 12 November 1951 the award of the Industrial Tribunal which was called upon to adjudicate upon certain industrial disputes between 89 jute mills in West Bengal and their workmen. Some of the issues covered by the present adjudication had already been dealt with in the first jute Textile Award (vide pages 46-47 of the report of this Office for October 1948) either wholly or in part. The present Tribunal was called upon to adjudicate upon matters which were not specifically raised before the First Tribunal, matters which were raised but were not or could not be decided by the First Tribunal, matters which have arisen out of changed circumstances, like an increase in the cost of living, and matters in respect of which the provisions of the First Award ~~are~~ not been given effect to by the employers after that award ceased to be operative, or in respect of which a revision was demanded by the employees in the light of their experience about the inadequacy of the provisions of the First Award. The more important points of the award are summarised below.

Standardisation of jobs and workload.- The Tribunal found that there were very wide divergences from mill to mill in respect of clock-lengths, drafts, dollop weights, types of machinery used and the age thereof, quality of raw jute consumed, lay-out, general conditions of work, proportions of hessian and sacking manufactures and power used for running the machinery. In view of the above differences, the Tribunal, thought that from the practicable point of view the question of standardisation of jobs and workload was incapable of being adjudicated upon at the present stage and, therefore, refrained from deciding this issue.

Guaranteed minimum wage rate for piece-workers.- Except for two categories of workers, viz., cutting bales openers and selectors in the batching department, piece-rate workers were to be found in only the winding, beaming, weaving, finishing, sewing, and packing departments, the workers in these departments being ordinarily known as factory department workers, while the workers in the batching, preparing, and spinning departments were ordinarily known as mill department workers. The problem of piece-rate workers was therefore mainly concentrated in the departments from the winding department onwards. After giving careful thought to all aspects of the problem, the Tribunal found itself unable to devise any scheme of a guaranteed minimum basic wages for piece-rated workers, which would successfully overcome the human tendency of avoiding work where a minimum wage is guaranteed without any conditions.

Grades and Scales of wages of clerks, maistries and durwans.- The Tribunal directed that while special grades above 260 rupees would be left to the discretion of the individual employers, the following grades ~~would~~ should be adopted in all the jute mills concerned in the present references subject to the provisos laid down below:

Higher or Special Grades.

- SA- Rs. 190-10-260.
- SB- Rs. 150-6-190.
- SC- Rs. 110-5-170.
- SD- Rs. 90-5-150.

Lower Grades.

- I - Rs. 70-4-130.
- II - Rs. 55-3-85(E.B.)-4-105.

Any existing scales of wages for clerks, if more advantageous were to be maintained. The Tribunal found itself unable to devise any scheme of standardised ~~marki nome~~ nomenclature for clerical jobs or to assign particular jobs to particular grades and left the question of assigning particular clerical employees to particular jobs under particular grades to the discretion and fair judgment of the employer.

A scheme of wage rates of maistries including journeymen were laid down by the Tribunal. Their wages vary from 3 annas to 12 annas per hour. Any existing scales for mistries, if more advantageous, were to be maintained.

The Tribunal held that Durwans were "Workmen" under the Industrial Disputes Act. It laid down the following scheme of minimum basic wages for the three ~~xxxxxxx~~ categories of Durwans:

Jamadars - Rs. 65/-  
 Havildars - Rs. 50/-  
 Durwans - Rs. 36/-

Existing scales for durwans, if more advantageous, were to be maintained, and where timescale grades were in existence such timescale grades on similar lines were to be maintained up to the existing maximum in the grade where such maximum exceeded Rs.36/-. Employers were directed to determine scales of wages applicable to special types of durwans on a reasonable basis in the light of the existing differentials in each mill and other factories.

Procedure for retrenchment.- In prescribing certain procedure for retrenchment the Tribunal directed, inter alia, that employees who are at or above the age of superannuation should be ordinarily made to retire, and those nearing such age should be encouraged to retire.

Dearness allowance.- The Tribunal decided that all the mills should adopt the system of cash value of food concessions and should consolidate the two elements of dearness allowance, viz., dearness allowance proper and cash value of food concessions, into one total dearness allowance, which should be linked with the hours of work. The dearness allowance applicable to all categories of workmen was fixed at Rs.37-6-0 per month of 208 hours corresponding to a rate of 2 annas 10 1/2 pies per hour. More advantageous existing privileges, if any, in respect of dearness allowance were to be maintained.

Leave and holidays.- The Tribunal directed that all manual and clerical workers within the meaning of the Factories Act would get annual leave in accordance with the provisions of the Factories Act, 1948, but subject to a minimum of 14 days. They would be entitled in addition to casual leave with pay for 10 days in a year and leave without pay for 15 days in a year cumulative for 2 years. Clerical employees would get privilege leave on full pay for 21 days in a year cumulative for three years, casual leave on full pay for 10 days in a year and weekly holidays or substituted holidays on the lines of the provisions of the Factories Act, 1948. With regard to other manual and clerical employees the Tribunal directed that this class of employees should get weekly holidays or substituted holidays, privilege leave on full pay for 15 days in a year cumulative for 2 years and casual leave without pay for 10 days in a year. The Tribunal ~~got~~ directed also that all categories of employees should get sick leave on half pay for 15 days in a year on the basis of a medical certificate and festival holidays for 9 days on full pay in a year.

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Maternity Benefit and leave.- Maternity leave or benefit should be allowed as under the Bengal Maternity Benefit Act of 1939 for the time being or in accordance with the Employees' State Insurance Act when the latter Act comes into operation. Sickness leave on full pay should be allowed to a woman worker up to a maximum of 2 months after the date of miscarriage on the basis of a medical certificate as laid down in the Award. The direction should continue to have effect only till the provisions of the Employees' State Insurance Act 1948 with regard to the sickness benefit come into operation. More favourable existing privileges of leave and holidays, if any, should be maintained.

Gratuity.- The Tribunal directed that the provisions of the system of gratuity shall be as follows:

(1) On retirement or resignation or on termination of service by the employer by way of retrenchment after continuous service for not less than fifteen years - Gratuity at the rate of half a month's basic wages for each completed year of service subject to maximum of fifteen months' basic wages.

(2) On retirement before completing fifteen years' service, by reason of superannuation or on medical grounds or on termination of service by the employer by way of retrenchment or owing to any other sufficient cause approved by the employer - Gratuity at the rate of half a month's basic wages for each completed year of service.

(3) On death - Gratuity at the rate of half month's basic wages for each completed year of service (payable to the employee's nominee or nominees or heirs), subject to a maximum of fifteen months' basic wages.

(4) The basis of calculating gratuity shall be the average basic wages, not including overtime wages or any allowances, bonuses or other benefits, during the last twelve months of service, inclusive of authorised leave, on full wages.

(5) For the period for which the Provident Fund has been in operation in respect of an employee he or his nominee or nominees or heirs will receive the whole amount at his credit in the Fund, including the amount of the employer's contribution, subject to the operation of rule 13 of the Provident Fund Rules as regards deductions, or of any corresponding rule which may have since been introduced; but in calculating the number of years of service for which gratuity will be payable, the period for which the Provident Fund has been in operation in respect of the particular employee shall be deducted from the total period of service.

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Involuntary unemployment.- Every worker will be allowed during any period of involuntary unemployment due to ~~an~~ stoppage of work owing to fire, breakdown of machinery, epidemics, etc., benefits to the extent of 50 per cent of basic wages and of dearness allowance under conditions as laid down in the award.

(The Calcutta Gazette, Extraordinary,  
12 November 1951, pp. 1631-1717 ).

68. Labour Courts.

India - November 1951.

Labour Appellate Tribunal's Jurisdiction to entertain Appeals involving Substantial Questions of Law : Bombay High Court's Judgement.

Section 7 of the Industrial Disputes (Appellate Tribunal) Act, 1950, provides that an appeal shall lie to the Appellate Tribunal from any award or decision of the industrial tribunal if the appeal involves any substantial question of law or if the award is in respect of certain matters mentioned in the section (e.g. wages, bonus, gratuity, retrenchment of workmen, etc.). The Bombay High Court (Mr. Justice Shah) in its decision dated 17 September 1951 in M.K. Ranganathan Vs. The Labour Appellate Tribunal of India and another held, inter alia, that the jurisdiction of the Appellate Tribunal to entertain, hear and dispose of an appeal arises only if the appeal involves a substantial question of law, and not merely if the appeal 'seems to raise such a question'. A question of law which cannot be raised except by disregarding the findings of act of the court of first instance cannot be ~~regarded as~~ regarded as involved in the appeal. An issue of law which does not form the basis of the judgement, but is merely incidental cannot also be regarded as involved in the appeal. Again, where the court of first instance has a discretion in a matter left to its adjudication, and that tribunal has exercised that discretion, the Appellate Tribunal is not entitled to correct the exercise of that discretion, except where the exercise is arbitrary.

By an order dated 20 September 1950 the Government of Madras referred an industrial dispute between the workers and management of the Madras Electric Tramways Ltd., Madras, to the Industrial Tribunal, Madras, for adjudication. The dispute related to the reinstatement of 62 workmen. The Tribunal in its order dated 9 December 1950 declined to reinstate 5 workmen and directed the reinstatement of 5 workers with back pay and allowances and the remaining 52 workers without any back pay and allowances. The Madras Electric Tramways Ltd., appealed to the Appellate Tribunal. The Appellate Tribunal allowed the appeal in respect of 46 workmen who were ordered to be reinstated by the industrial tribunal, on the ground that the industrial tribunal should have viewed the matter objectively from the point of view of the interest of discipline and good management, and should have regarded that the management with its knowledge and experience of the problems

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which confronted it in the daily work of the concern was well qualified to judge what the punishment should be and that punishment should not have been interfered with. One M.K. Ranganathan, one of those 46 workmen in respect of whom the order was passed by the Appellate Tribunal, filed a petition in the High Court, Bombay, for the issue of a writ of certiorari against the Labour Appellate Tribunal on the ground that the Labour Appellate Tribunal had usurped jurisdiction which was not vested in it by law and had thereby reversed in appeal an order of the second industrial tribunal, Madras, directing reinstatement of 46 workmen of the Madras Electric Tramways Limited, which it was not competent to do.

It was contended on behalf of the company that the employer occupied the position of a domestic tribunal and his decision was final and was not liable to be reviewed by an industrial tribunal, except on the ground of malafides or unfairness, and that the industrial tribunal having held that the workmen were guilty of having gone on an illegal strike, the penalty imposed by the management could not be interfered with by the tribunal.

The High Court pointed out that the function of an adjudication under the Industrial Disputes Act is to resolve the dispute relating to an industrial matter after taking into consideration the contention of the parties so as to adjust their rights and obligations even by imposing fresh contractual rights and obligations which in the context of the larger interest of the public and the State and the industrial peace are ~~right~~ either expedient or necessary. It is therefore impossible to regard the decision of the employer, who is a party to an adjudication, as a decision of a dispute to arise in future or to recognise any obligation on the part of workmen to accept that decision, except on proof of malafides or unfairness. The Court refused therefore to accept the view either that the decision of the management is that of a domestic tribunal or that it is liable to be interfered with only on the ground of malafides or unfairness, or on the ground that it is arbitrary.

The Court held further that the jurisdiction of the Appellate Tribunal depends upon an appeal involving a substantial question of law. If on true principle the industrial tribunal had jurisdiction on a review of the entire evidence and the conduct of the parties to arrive at a conclusion whether in a given set of circumstances a dismissed employee ~~xxx~~ should be directed to be reinstated, the decision of the tribunal was essentially one on a question of fact. The Appellate Tribunal was not entitled to interfere with the decision by stating that the appeal raised questions of general importance as to



the ground on which the industrial tribunal can interfere with the internal management of the employer. The jurisdiction to interfere with the internal management being granted, in what circumstances it could be interfered with is a question of discretion having regard to the predominant object intended to be served by the legislature.

In the present case the Appellate Tribunal assumed jurisdiction which was not vested in it by law and entertained an appeal which did not involve any question of law and erroneously set aside the decision of industrial tribunal which it had no jurisdiction to do. In the circumstances a writ of certiorari would issue setting aside the order passed by the Labour Appellate Tribunal in so far as it seeks to reverse the order of the industrial tribunal relating to the petitioner.

(Labour Law Journal, November 1951, pages 592-602 ).

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CHAPTER 8. MANPOWER PROBLEMS.

INDIA - NOVEMBER 1951.

81. Employment Situation.

Delhi: Criminal Tribes Act to be abrogated.

The Government of India has decided to abrogate the application of the Criminal Tribes Act, 1924, to the State of Delhi and replace it by a measure applicable to all habitual offenders without any distinction based on caste, creed or birth.

This is in accordance with the main recommendation of the Criminal Tribes Act Inquiry Committee set up by the Government of India in 1949 under the chairmanship of Mr. M. Ananthasayanam Ayyangar (vide pages 59-63 of the report of this Office for May 1951).

There are about 600 members of the Criminal Tribes in a settlement in Delhi in addition to an equal number of refugee members who are scattered in the capital and its suburbs.

(The Statesman, 17-11-1951).

Employment Exchanges: Working during September 1951.

Employment situation.— According to the Report on the work done by the Directorate of Employment Exchanges for September 1951, exchanges reported a slight improvement in the overall employment situation but for the second month in succession this was due to an increase in the number of vacancies occurring in Central and State Government establishments rather than in the ~~private~~ private sector. For over six months employment opportunities in private establishments have had a downward trend. Exchanges continued to fill approximately 85 per cent of the vacancies notified to them but the number of employers using the Exchange remained more or less static. The total number of job opportunities made available to the Exchanges declined a little during September. Employment opportunities for certain groups of registrants showed slight variations. A high percentage of Scheduled Caste registrants were, as usual, found more jobs than any other special group, though the total for September declined a little.

Ex-Servicemen were in very heavy demand, but the employment of displaced persons fell slightly. On the other hand, the number of women who were employed increased in number. The number of discharged Central Government employees who were re-employed during September was the highest for over a year but there was a recession in the number of discharged State Government servants who were re-employed.

Shortage of doctors, heavy vehicle drivers, weavers, electroplaters, comptometer operators, refrigerator engineers, millwrights and motor mechanics were widely reported. Clerks, unskilled office workers, untrained teachers, motor drivers, chemists, motor cleaners and midwives, were surplus in most places.

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

	September 1951	August 1951
Total number of registrations.	115,491	126,320
Total number of placings.	34,271	36,563

Of these registered 9,945 were displaced persons, 10,666 were ex-service personnel and 3,210 discharged Government employees. There was a fall of 10,829 in registrations as compared with August 1951. All the regions except Bihar, Hyderabad and Madhya Pradesh recorded a decrease. The decrease in registrations was comparatively large in Madras (2,937), West Bengal (2,017), Bombay (2,004), Delhi, Ajmer and Rajasthan (1,644), Uttar Pradesh (1,412), and Orissa (896). In Madras region, the fall was marked in Vellore (494), Madras (430), Eluru (283), Visakhapatnam (272), Saidapet (218) and Coimbatore (184).

Of those placed 1,910 were displaced persons, 3,477 were ex-service personnel and 1,190 discharged Government employees. 16,910 were placed with private employers and 17,361 in Central and State Government establishments.

Placings during the month showed a fall of 2,292 as compared with the previous month. A decrease in placings was recorded in Delhi, Ajmer and Rajasthan (1,413), Madras (855), Bombay (223) and Orissa (165). Madhya Pradesh and Bihar, however, showed an increase of 164 and 160 respectively. In Delhi, Ajmer and Rajasthan Region an appreciable fall in placings was recorded at Delhi (1,075) and Ajmer (330).

Placings by wage groups.- Of the total number of placings effected 663 were in posts carrying a basic pay of 101 rupees per month and above; 3,624 in posts carrying a pay of 61 rupees and above but less than 101 rupees per month; 25,721 in posts carrying a pay of 30 rupees and above but less than 61 rupees per month; and 4,263 in posts carrying a pay less than 30 rupees per mensem.

Vacancies notified and submissions.- The number of vacancies notified by employers during September 1951 was 39,527 as compared with 40,473 during August, that is, a fall of 946. Of the vacancies notified 21,012 were by Central and State Government establishments and 18,515 by private employers. There was a decrease of 634 ~~and~~ and 312 respectively in the Government and private sectors as compared with the previous month. The fall in vacancies was noticeable in the regions of Assam (232), Delhi (2,176), Madras (500) and Orissa (918). On the other hand there was an increase in notifications in the regions of Bihar (1,041), Bombay (423), Hyderabad (305), Madhya Pradesh (460), Uttar Pradesh (443) and West Bengal (213). The number of persons submitted to employers during September was 84,983 as compared with 94,964 during the previous month.

Employment of highly qualified persons.- 728 applicants of the Appointment's Branch Standard (persons possessing high technical, scientific or professional qualifications and supervisory or administrative experience) were registered and 114 placed during the month under review against the figures of 953 and 145 respectively during August. It was reported by the Regional Employment Exchange, Madras, that most of the highly qualified applicants registered at that Exchange were unwilling to undertake long journeys for interviews at their own costs. The Regional Employment Officer, Kanpur, reported that he was experiencing difficulty in locating suitable experienced and qualified draftsmen and also persons with high technical qualification and experience in the Textile and Timber trades.

Employment assistance to women.- The registration of women applicants showed a slight fall during the month under review, being 3,823 as compared to 4,038 registered during August 1951. Placings, on the other hand, showed an improvement being 1,827 against the figure of 1,667 relating to the previous month.

Assistance to scheduled caste candidates.- The number of Scheduled Caste applicants registered by the Employment Exchanges during September was 12,703 as against 13,230 in August 1951. 4,325 such applicants were placed in employment during the month under report. Among those placed, 1,665 were in Central Government vacancies, 573 in State Government

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vacancies and 2,087 in other vacancies. The number of Scheduled Caste applicants submitted to employers during the month was 8,748. 150 vacancies meant specifically for Scheduled Caste applicants were notified to Employment Exchanges during September. At the end of September 30,015 Scheduled Caste applicants remained on the Live Registers of Exchanges of whom 1,171 were women.

Vacancy and labour clearing.- During the month under report the Vacancy Clearing Machinery was utilised to fill 825 vacancies by applicants from other Exchange areas as against 733 vacancies filled in this manner during August 1951.

Mobile exchange work.- Mobile registrations recorded a further drop during the month under review, being 5,646 against 7,386 effected in August 1951. The placings effected by Mobile Sections were 5,164 against 5,928 persons placed by the Mobile Sections during the previous month.

The Live Register.- The number of persons seeking employment assistance on the last day of September was 354,136 which was 4,678 less than the figure for August. Of these 42,343 were displaced persons, 37,453 ex-service personnel and 12,200 discharged Government employees. Among discharged Government employees 8,804 were Central Government and 3,396 State Government employees.

Re-employment of retrenched and discharged Central Government employees.- The total number of applicants on the Special Register on the last day of September was 201 including 114 ex-Commissioned Officers of the Defence Services. Of the total, 115 were Class I officers and the remaining 86 ex-class II officers. 49 vacancies, recruitment to which is normally made through or in consultation with the U.P.S.C., were notified by the various Ministries during the month. Most of these related to Mechanical, Electrical and Civil Engineers, Professors, Chemists, Doctors and other technical Officers who were in short supply. 135 submissions were made against notified vacancies while non-availability certificates were issued in respect of 19 vacancies.

The registration figures relating to discharged Government employees did not show any marked change during the month under review, being 3,210 as compared to 3,158 relating to August 1951. Of those registered in September, 2,485 had been discharged from Central Government establishments and 725 from State Government offices.

Employment Exchanges Sub-Committee.- The 8th meeting of the Employment Exchanges Sub-Committee of the Central Employment Advisory Committee was held on 10 September 1951. Dr. N. Das, I.C.S., Director General of Resettlement and Employment was in the chair. Among other subjects, the Committee considered the handicaps suffered by the Employment Exchanges as a result of economy measures in 1949-50 and 1950-51.

The recommendations of the Committee include, inter alia, the <sup>reversal</sup> ~~reversal~~ of the cut effected in staff in certain exchanges, recruitment of labour for M.E.S. work through employment exchanges, abolition of kangani system of recruitment of labour in South India and application and extension of decentralisation schemes in industries considered suitable by State Governments.

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

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85. Migration and Colonisation.

India - November 1951.

Indian Workers in Ceylon allege Discrimination  
By Government: I.L.O.'s Intervention urged.

Mr. K. Rajalingam, President of the Ceylon Indian Congress, has appealed to the International Labour Organisation to intervene on behalf of the "stateless and disenfranchised" Indian plantation workers in Ceylon who are contributing so largely to the economic stability of the Island.

In a memorandum presented to the Governing Body of the I.L.O. at its meeting this month in Geneva, Mr. Rajalingam urged the ILO to send a mission of investigation and conciliation to Ceylon to report on discrimination by the Ceylon Government against these workers, in the economic and political fields, and, its ultimate effect on their economic status.

Pointing out that workers of Indian origin form about one-ninth of Ceylon's seven million population and that the tea and rubber plantations depended entirely for their existence on them, the memorandum said that the enactment of a series of Acts by the Ceylon Government following Independence affected directly and indirectly their very existence in the Island.

Qualifications under these Acts were so framed as to exclude these workers rather than include them, the memorandum said; Ceylon Indian workers numbering 196,000 who enjoyed voting rights in the last elections were now disfranchised. An attempt was being made to squeeze them out economically and politically; in fact the memorandum said the intention seemed to be to create conditions which will make it impossible for them to live in the Island. It was in this context that the intervention of an independent and authoritative body like the I.L.O. became essential. It expressed the belief that a study of the situation by representatives of the I.L.O. would go a long way towards an equitable solution of the problem.

*Jeffers*

On 20 November 1951, Mr. Rajalingam, in an interview with a representative of ~~the Hindu~~ "The Hindu" said at Madras that his mission was successful in the sense that he was able to place before Mr. David A. Morse, Director-General of the I.L.O., the Ceylon Indian Case. He was assured that the matter would be taken up by that body for early action. The question of 'infringement of trade union rights' would be closely examined by the Governing Body of the I.L.O., and a reply would be sent to him in the near future.

Mr. Rajalingam added that he had every hope that the I.L.O. ~~was~~ which was an impartial and independent body, would take up this matter as of urgent importance.

(The Hindu, 20 and 21-11-1951).



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CHAPTER 9. INCOME SECURITY.

INDIA - NOVEMBER 1951.

92. Legislation.

Employees' Provident Fund Ordinance, 1951 (No. VIII of 1951),  
Promulgated: Compulsory Provident Fund  
Scheme for Employees in Industrial Establishments.

In exercise of the powers conferred by Article 123(1) of the Constitution, the President promulgated on 15 November 1951 an Ordinance to provide for the institution of provident funds for employees in factories and other establishments.

The Ordinance extending to the whole of India except the State of Jammu and Kashmir, came into force on 15 November 1951. It applies, in the first instance, to all factories engaged in the following industries: cement, cigarettes, electrical, ~~iron~~ mechanical or general engineering products, iron and steel, paper, and textiles (made wholly or in part of cotton, or jute, or silk whether natural or artificial), provided 50 or more persons are employed in the factory. The Central Government may, however, after giving not less than two months' notice, apply the provisions of the Ordinance to all factories employing less than 50 persons. The Central Government may also bring any other industry within the scope of the Ordinance.

The Ordinance will not apply to factories unless they have been in existence for three years. Also, factories which already offer to their employees provident fund or old age pension benefits, which are not less ~~than~~ favourable to the employees than the benefits provided under the Ordinance, will be exempted from the operation of the Ordinance.

The ~~and~~ Central Government will frame a scheme, to be called the employees' provident fund scheme, for the establishment of provident funds under the Ordinance, and the scheme may later be modified at the discretion of the Government. The employer's contribution should be 6 1/4 per cent of the basic wage and the dearness allowance of the employee who should ordinarily subscribe an equal amount. He may be given the option to contribute up to a maximum of 8 1/3 per cent of his basic wage and dearness allowance under the detailed scheme to be framed later. Any amount due from an employer in respect of contribution to the provident fund or towards the cost of administering the fund, if in arrears, may be recovered in

the same manner as an arrear of land revenue. The amount standing to the credit of any member in the Fund shall not in any way be capable of being assigned or charged and shall not be liable to attachment under any decree or order of any Court in respect of any debt or liability incurred by the member. No employer shall, ~~an~~ by reason only of his liability for any contribution payable under the Ordinance, reduce the wages of any employee or except as provided by any scheme, discontinue or reduce any benefit to which the employee is entitled under the terms of his employment.

Other provisions of the Ordinance deal with priority of payment of contributions over other debts, appointment of inspectors, penalties and matters for which provision may be made in a scheme.

(Gazette of India, Extraordinary,  
Part II, Section 1, 15 November 1951,  
pages 495-502 ).

Employees' State Insurance (Amendment) Act, 1951  
(No. LIII of 1951): Provision made for equitable  
Distribution of Employers' Contributions when  
the Act is enforced in certain Areas.

The Employees' State Insurance (Amendment) Bill, 1951 (vide page 81 of the report of this Office for September 1951), as passed by Parliament, received the assent of the President on 6 October 1951 and has been gazetted as Act No. LIII of 1951. The amendments made by the Act are primarily to effect an equitable distribution of the employers' contributions, even where the insurance scheme is implemented only in certain areas, among the employers in the whole country - employers in regions where the scheme is implemented paying slightly higher contributions. The provisions of the amendments sought to be made were summarised at pages 92-93 of the report of this Office for March 1951.

(The Gazette of India, Extraordinary,  
Part II, Section 1, 6 October 1951,  
pages 361-372 ).

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

The draft Delhi Employees' State Insurance (Medical Benefit) Rules (vide page 75 of the report of this Office for May 1950) has been approved and gazetted on 24 November 1951.

(The Gazette of India, Part III, Section 3, 24 November 1951, pages 1151-1153 ).

Himachal Pradesh: Himachal Pradesh Workmen's  
Compensation Rules, 1951.

The draft Himachal Pradesh Workmen's Compensation Rules (vide page 73 of the report of this Office for December 1950) have been approved and gazetted on 24 November 1951. The rules deal, inter alia, with review of half-monthly payments and commutation of such payments, deposits of compensation by employer, reports of accidents and medical examination and the procedure to be followed by the commissioners in the disposal of cases.

(The Gazette of India, Part III, Section 3, 24 November 1951, pages 1093-1100).

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

The draft Vindhya Pradesh Employees' State Insurance (Medical Benefit) Rules, 1951 (vide page 65 of the report of this Office for June 1951) have been approved and gazetted on 17 November 1951.

(The Gazette of India, Part III, Section 3 17 November 1951, pages 1083-1085 ).

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CHAPTER 11. INDUSTRIAL SAFETY.

INDIA - NOVEMBER 1951.

111. Prevention of Accidents.

Coal Mines Stowing Board: Report of  
Activities during 1950-51.

To ensure safety in coal mines, the Coal Mines Stowing Board gave assistance of the order of Rs. 4,056,000 to 53 collieries for compulsory and voluntary stowing during 1950-51, according to the report on the working of the Coal Mines Stowing Board for the year 1950-51. In addition to this amount, a sum of Rs. 560,000 was spent on protective works, including blanketing of dangerous areas in mines with sand or other materials, flushing of earth with water through bore holes, isolating and controlling underground and surface fires and maintenance work. On research a sum of Rs. 50,000 was spent. About 4,153,000 tons of materials were stowed during the year.

The Coal Mines Safety (Stowing) Act, 1939, was amended during the period under report with a view to enhancing by three times the maximum rates of stowing excise duty. As a result, the excise duty was doubled, for the time being, on 10 May 1951. This is expected to raise the income of the Board from 4.5 million rupees a year to 9 million rupees. The rate of assistance for voluntary stowing during the year remained the same as in 1949-50 - 75 per cent of the actual cost of stowing, both surface and underground, subject to a maximum of 1 rupee 4 annas per ton for hydraulic stowing; and 85 per cent of the actual cost of stowing, subject to a maximum of 1 rupee 9 annas per ton, for dry stowing. Applications for assistance towards voluntary stowing in 1951-52 were invited during the period under report, and out of the 83 applications received, 62 were accepted by the Board as eligible for assistance and placed on a priority list.

To prevent existing fires from spreading and to protect mines from fresh outbreaks of fire, protective works were undertaken or sponsored by the Board at eight places. These included the Jharia fire area, Karijora fire area (Kusunda), Kalithan Jeenagora fire areas, New Suratand fire area, Bagdigi fire area (Jealgora Property), Standard Benehir fire area, North Angarpathra colliery and Sendra Bansjora colliery. At the two last named areas,

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new works were begun. Protective works carried out by owners were also granted assistance.

(The Hindustan Times, 24-11-1951).

Marking

MARKING of Heavy Packages Rules, 1951.

The Central Government gazetted on 29 October 1951, the Marking of Heavy Packages Rules, 1951, made in exercise of the powers conferred by section 5 of the Marking of Heavy Packages Act, 1951 (vide page 58 of the report of this Office for July 1951). The rules which came into force on 1 November 1951 require that the gross weight of a heavy package shall be marked thereon in metric tons, kilogrammes, standard pounds or standard maunds, in the English and the regional language with a kind of paint which is not easily effaceable. Where a heavy package is of a light colour, black paint shall be used and where the package is of a dark colour, white or yellow paint shall be used. The gross weight shall be marked on two sides of a heavy package so that in whatever position the package is placed, the marking is easily visible and every letter or figure used to mark the weight shall be at least three inches in length and one-quarter of an inch in breadth. Other provisions of the rules deal with the manner of packing the packages and the marking of approximate weight on packages in certain circumstances.

(Notification No.SRO 1670 dated 29 October 1951, Gazette of India, Extraordinary, Part II, Section 3, 29 October 1951, pages 1255-1256 ).

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CHAPTER 12. INDUSTRIAL COMMITTEES.

INDIA - NOVEMBER 1951.

121. Special Information.

Labour Conditions in the Jute Mill Industry  
in India.

The Labour Bureau of the Government of India, issued a questionnaire in July 1950 to individual jute mills and the Indian Jute Mills Association, with a view to collect information on labour conditions in the jute mill industry in India. An article based on the replies received has been published in the Indian Labour Gazette, Vol. IX, No. 3, September 1951. The information relates to 76 units: 70 units in West Bengal, 3 in Uttar Pradesh, 2 in Bihar and 1 in Madras.

General.- The jute mill industry occupies an important place in Indian economy. Apart from the fact that it is the largest foreign exchange earner, it is also one of the largest industries from the point of view of the number of persons employed and the amount of capital invested. Out of a total of 4,604 million rupees worth of goods exported to other countries in 1949-50, jute manufactures accounted for 1,266 million rupees. Next to the cotton mill industry, the jute mill industry employs the largest number of workers. During the year 1949, on an average 322,159 persons were employed in this industry. The capital invested in the industry is reported to be approximately 500 million rupees.

With the exception of a few units in Madras, U.P., Bihar and Madhya Pradesh the rest of the mills are situated in West Bengal. Proximity of the source of raw material has largely been responsible for the concentration of the industry in West Bengal. The following table shows the regional distribution of jute mills as in 1949.

State	No. of mills	Average daily number of workers employed	No. of looms installed
Bihar	3	6,232	926
Madhya Pradesh	1	920	220
Madras	4	7,108	1,042
U.P.	3	6,852	821
West Bengal	94	301,047	69,152
Total	105	322,159	72,161

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Labour force.- According to the returns under the Factories Act, 1948, for the year 1949, the 105 jute mills employed a total of 322,159 persons. The bulk of the labour force, in jute mills consists of men. In 1949, out of a total of 322,159 workers, only 41,494 or 12.88 per cent were women. The percentage of adolescent boys and girls was only 0.35 and 0.02 respectively. The tendency among the mills appears to be to eliminate the employment of children. From the latest information supplied by the Indian Jute Mills Association and individual mills in response to the Labour Bureau's questionnaire, it would appear that none of the mills now employ children. The following tabular statement based on the information received in response to the Labour Bureau's questionnaire shows the composition of the labour force in the industry in the various States as in April 1950.

State	Super- visory staff	Clerks	Workers			Total
			Men	Women	Children	
1. Bihar -						
(a) Unit No.1	4	43	1,855	-	-	1,902
(b) Unit No.2	15	33	1,539	86	-	1,673
2. Madras (1 unit)	9	55	1,672	293	-	2,029
3. U.P.-						
(a) Unit No.1	8	51	1,268	14	-	1,341
(b) Unit No.2	28	73	3,631	176	-	3,908
(c) Unit No.3	10	37	1,317	34	-	1,398
4. West Bengal- (70 units)	1,176	6,470	213,000	33,000	-	253,646
<b>Total</b>	<b>1,250</b>	<b>6,762</b>	<b>224,282</b>	<b>33,603</b>	<b>-</b>	<b>265,897</b>

All the units have classified their workers into various categories, e.g., permanent, temporary, badli, casual and apprentice. From the information supplied by the units it would appear that the bulk of the labour force in different units is permanent. In West Bengal and Madras nearly 85 per cent of the workers are permanent and the rest are temporary. One unit each in U.P. and Bihar has supplied information regarding workers in different categories. In both the units less than 2 per cent of the the workers are temporary and the rest are permanent. From the standing orders adopted by different units it would appear that persons employed on a permanent post and who complete satisfactorily a probationary period of two to three months were regarded as permanent. The services of permanent employees cannot be terminated unless they are served with a proper notice of 14 days as prescribed in the standing orders.

Recruitment and training.- At the time the Labour Investigation Committee conducted its survey, 1.67 per cent of the labour force in Bengal and 1.32 to 4.70 per cent in Madras were employed through contractors. None of the U.P. mills at that time employed contract labour. The question of abolishing the system of employing workers through contractors was examined by the Industrial Tribunal appointed by the Government of West Bengal to settle an industrial dispute between workers and employers in the jute mill industry in the State. The Tribunal recommended its total abolition in all the mills. As a result of this recommendation the system was abolished in all the jute mills in West Bengal with effect from 1 April 1948. In other States, however, the system still exists although to a very small extent.

Recruitment in jute mills in West Bengal is now done through labour Bureau. Labour officers of the mills or members of the supervisory staff are usually in charge of the bureaux. Registers of badlies are maintained at labour bureaux and (long term or short term) employment is given to registered badlies in strict rotation. Any worker willing to get his name registered as a badli worker has to apply for it and, if necessary, has to undergo a trade test before registration. Registered badlis are required to attend the bureau twice a day. To encourage regular attendance at the Bureau they are given food-stuffs at concession rates or 2 rupees in lieu per week.

In U.P., the workers are still being recruited directly either by the Manager or by different departmental officers. In one unit in Bihar a labour bureau has been established. The system of recruitment in this unit is similar to that in force in West Bengal mills. In ~~some other~~ other units workers are recruited through the labour office of the mill. Recruitment of workers in Madras is the responsibility of the welfare officer appointed by the mill.

Excepting the U.P. mills and one mill in Bihar all other mills have some system of apprenticeship and training. Among the member mills of the Indian Jute Mills Association workers in the mechanical department are generally required to undergo a period of apprenticeship before they are promoted to the rank of journeymen. The Indian Jute Mills Association also grants scholarships to nominees of mills for the purpose of undergoing technical training for suitable appointments in jute mills. Ten such scholarships are granted annually. The value of the scholarship for each trainee is 200 rupees per year. In the Madras mill, apprentices are trained for a period of four to five years. During the first year of training they are paid at the rate of twelve pies per hour. They get an increment of two pies every year. After completing the training they may be required to work as 'improvers' for another year. The 'improvers' get pay at the rate of 21 pies per hour.



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In one unit in Bihar, workers are trained for employment in workshops. The period of training is four years. During the first year of training, apprentices are paid 3 rupees 8 annas per week as wages and 7 rupees 6 pies as dearness allowance. Thereafter they get an annual increment of 8 annas per year. Usually persons below 20 years of age alone are taken as apprentices.

Hours of work and shifts.— The hours of work of the member mills of the Indian Jute Mills Association are ~~regulated~~ regulated by their working time agreements. The Working Time Agreement signed by the member mills on 12 June 1944 permitted those with over 220 looms to work 54 hours a week and those with 220 or less looms to 72 hours a week. In 1946, as a result of the enactment of the Factories (Amendment) Act, 1946, it became necessary for the mills to reduce the hours of work to 48 per week. In July that year, therefore, the Agreement was revised and the working hours of mills with over 220 looms were reduced to 48 per week. The mills with 220 or less, continued to work 72 hours per week. To meet the situation created by the abnormal demand for goods, the Indian Jute Mills Association recommended the adoption of a multiple shift system up to 60 hours weekly to all member mills. Owing to certain technical and practical difficulties the response to this suggestion was not good. As a result of a serious situation created by the deterioration of the position of raw jute stocks in mills in 1949, the Association recommended the sealing up of 12 1/2 percent of looms. This recommendation was enforced with effect from 2 May 1949. Since, however, the position regarding the availability of raw jute continued to deteriorate, the Working Time Agreement was again revised and from 1 July 1949, the mills in West Bengal were requested to close down for one week every month. In order to help the Government of India in their barter deal with Argentina and to facilitate production of hessian required by the U.S.A., the Indian Jute Mills Association announced by the end of November 1949 a new scheme of 42 1/2 hours a week without any closure. The West Bengal mills were asked to implement the new scheme with effect from 5 December 1950. To increase hessian production the mills were requested to unseal hessian looms and to seal sacking looms instead.

In April 1950, West Bengal mills with over 220 looms were working 42 1/2 hours per week, while others were working 48 hours per week. The single shift mills generally worked 8 1/2 hours a day with a recess period varying from 1 1/2 to 2 hours in the middle of the day. The double shift mills worked 16 hours i.e., two shifts of 8 hours each. In these mills the hours of work were so arranged that workers got a recess period of 4 hours after working for four hours. Only two mills worked three shifts. The ~~first~~ shift hours were so arranged that from Monday to Friday workers in each shift worked for 8 hours a day and on Saturday only for

~~2x12xhww~~  
2 1/2 hours.

The hours of work in jute mills in other States are 8 per day and 48 per week. The duration of rest interval or recess given to workers in different units varies from half an hour to 4 hours. Excepting the Madras mill, all ~~units~~ other units work two or more shifts. Wherever two or more shifts are worked the practice generally is to transfer workers from one shift to another after a week or a fortnight. None of the units in any of the States pay any special allowance for the night shift work.

Working conditions.- From the information supplied by the various units it would appear that there has been no material change in the working conditions in the mills since the Labour Investigation Committee reported. Only one mill (in U.P.) has made cooling arrangements, this mill being air conditioned. Three units (two in U.P. and one in Madras) have installed exhaust fans. Dust extractors have been installed only in two units - one in U.P. and one in Madras.

In West Bengal 50 per cent of the units have provided rest shelters for their employees. None of the units in Bihar have built rest shelters. ~~Information~~ ~~known~~ In U.P. two out of the three units have built rest shelters. Information is available in respect of one unit in Madras. In this unit two rest shelters have been built.

Almost all the units have stated that they have provided taps for purposes of drinking water. Two units in U.P. have, however, stated in their replies that they have made arrangements for supply of cool drinking water during summer. From the information supplied by the Indian Jute Mills Association it would appear that units in West Bengal have increased the number of taps since the Labour Investigation Committee submitted their report. The West Bengal mills are reported to be making arrangements for the supply of cool drinking water. With the exception of two units in U.P. none of the mills has provided bathing facilities for their employees.

Except for those whose nature of work requires seating arrangements, seats have not been provided by the mills to the workers.

Standing orders have been framed by all the units for regulating the conditions of service of the workers.

Leave and holidays with pay.- In addition to the leave and holidays with pay, provided under the Factories Act some of the units voluntarily grant other holidays and leave with pay to their employees. The member mills of the Indian Jute Mills Association usually grant 8 festival holidays with pay to their employees every year.

In Madras the workers are entitled to 10 days' sick leave with half pay during the year. They also get 10 festival holidays with full pay every year. In Bihar one unit allows sick leave for 15 days with half pay and full dearness allowance and privilege leave for five days with full pay and dearness allowance during the year. The other unit allows sick leave for 15 days during a year with half pay. Sick leave is usually granted on the production of a medical certificate. In U.P. none of the mills grant leave or holidays in addition to what has been prescribed under the Factories Act.

Wages and earnings.- Since 1944-45, when the Labour Investigation Committee conducted its survey, there has been an appreciable improvement in the wages and earnings of workers employed in almost all the centres of the industry. In West Bengal, which accounts for over 90 per cent of the labour force employed in the industry, the minimum basic wage in 1945 was 2 rupees 8 annas per week. During the year 1946, however, increases up to 15 per cent of the basic wages were granted to the workers. In 1948, as a result of an award of an Industrial Tribunal appointed by the Government of West Bengal the entire wage structure was revised and the workers got substantial relief. The Tribunal fixed 26 rupees as the minimum basic wage. In Madras also as a result of an award of an Industrial Tribunal in March 1950 the minimum basic wages of workers were increased considerably. The least paid worker in Nellimarla and Chittivalsah in 1944 was getting approximately 7 annas per day as basic wages. In March 1950 the Tribunal fixed the minimum daily basic wage of workers at 12 annas. Although the wages of workers in U.P. mills have not been subject to revision by Adjudicators since the Labour Investigation Committee reported, the available information shows that during recent years there has been some improvement. In none of the mills is there a system of graded or time scale promotions for workers.

All the units which have sent their replies pay dearness allowance to their employees. However, it is only in U.P. that dearness allowance is linked to the cost of living index. In U.P. the units pay a fixed sum of 5 annas per day if the Kanpur index figure is below 200. If the cost of living index rises above 200 they pay an additional sum calculated at the rate of one pie per point when the Kanpur cost of living index is between 201 ~~up to~~ 300 and 1.2 pies per point when the index rises above 300. In April 1950 all the three units in U.P. paid approximately 1 rupee 10 annas per day as dearness allowance to their employees.

Till September 1948, no dearness allowance was being paid in jute mills in West Bengal. Instead of dearness allowance the workers were receiving an allowance called the amenity allowance. They were also getting food grains at concession rates. In August 1948 the amenity allowance was paid at the rate of 19 rupees 8 annas per month and the money value of food concessions was calculated to be 8 rupees 10 annas and 9 pies per month. The Industrial Tribunal which was appointed by the Government of West Bengal to settle the dispute between the employers and employees in the industry examined the question of dearness allowance and recommended the payment of dearness allowance instead of amenity allowance at a flat rate of 32 rupees 8 annas per month. Out of this sum, 23 rupees 13 annas and 3 pies represented dearness allowance proper and 8 ~~rupees~~ rupees 10 annas and 9 pies represented the value of food concessions. The workers had demanded the abolition of the mill ration shops. The Tribunal did not favour the abolition of ration shops but in deference to the wishes of the workers it recommended that if in any mill a substantial majority of workers favoured the abolition of ration shops and demanded the cash value of food concessions, the wishes of the workers should be respected. From the latest available information it appears that, with the exception of three mills, ration shops in all the mills in West Bengal have been closed as desired by the workers and the mills are now paying a consolidated dearness allowance at the rate of 32 rupees 8 annas per month.

In Bihar both the units are paying dearness allowance at a flat rate of 30 rupees 7 annas and 6 pies per month. In Madras dearness allowance is being paid at a flat rate of 32 rupees 12 annas per month.

In addition to dearness allowance some of the units pay certain other allowances or bonuses as well. One of the units in U.P. pays grain allowance at the rate of 1 anna and 3 pies per day of attendance. With the exception of West Bengal and Bihar, other centres pay profit bonus (or gratuity as some of them call it) to their employees if there is sufficient profit. There is no fixed rate for the payment of such bonus.

In West Bengal and Bihar workers are paid compensation for periods of temporary unemployment caused by stoppages of work due to breakdown of machinery, shortage of raw material, etc. The standing orders framed by the mills provide that during such periods of involuntary unemployment a worker shall be paid at the rate of 50 per cent of the basic wages and dearness allowance and that each worker shall continue to receive weekly rations at the normal subsidised rates or the cash value of the food concession. The duration of the benefits is one month in each half year from

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January to June and July to December. Certain conditions have been attached to the payment of the benefit. The most important among them are: (1) the workers must answer a muster roll once a day at their usual place of employment, and (2) they must not refuse alternative employment if offered. In U.P. the workers are paid wages if the period of detention exceeds two hours. In Madras payments are made if the period of detention exceeds one hour.

Housing.- There appears to have been no appreciable change in the position regarding housing in West Bengal since the Labour Investigation Committee submitted its report. In U.P. one of the mills (in Kanpur) has now built a colony and has provided accommodation for 171 employees. The colony is pucca built and well laid out. The mill charges rent varying from 1 rupee to 3 rupees per month from workers and 12 rupees to 16 rupees 4 annas per month from clerks. The accommodation varies from one to three rooms in each tenement. The other two units also have provided housing accommodation to 25 to 28 per cent of their employees. One of these units has built 125 pucca quarters consisting of one room and a verandah. The rent charged varies from 2 rupees to 2 rupees 8 annas per month. The other unit has built 99 pucca and 97 kutcha quarters. Each quarter consists of one room and a verandah. The monthly rent for pucca quarters is 1 rupee and for kutcha quarters it is 8 annas twelve. In Bihar one of the units has provided accommodation to 16 per cent of its employees. The quarters have been built of kutcha bricks and have tiled roofs. Each quarter has one room and a verandah and the monthly rent is eight annas. The second unit has provided accommodation to 42 per cent of its employees. Ninety per cent of the houses are pucca and the rent charged generally is 4 annas per room per month. This unit has provided accommodation to 20 per cent of its employees. The rent varies from 1 rupee to 4 rupees 8 annas per month depending upon the type of the quarter.

Welfare.- All the units have appointed labour officers. Some of the units have designated them as personnel officers or welfare officers. These officers are generally responsible for the recruitment of workers, maintenance of their service records and for welfare and recreational activities. They also enquire into the grievances of the workers and, if necessary, take part in the conciliation of disputes. Some of the mills in West Bengal have also appointed women labour officers for the benefit of women workers.

Medical facility is being provided by all the units of the industry. All of them maintain dispensaries in charge of either a full time or a part-time doctor. To provide additional facilities to workers, the Indian Jute Mills Association gives regular donations to

hospitals in the industrial areas and also to various hospitals in West Bengal. The one unit in Madras is maintaining two welfare clinics and a maternity home in addition to a dispensary.

One unit each in U.P., Bihar and Madras and 25 units in West Bengal have opened canteens. In West Bengal, more canteens are under construction. While other canteens serve only tea and snacks, cooked meals are being served in the Madras.

Two units in U.P., one each in Bihar and Madras and more than 30 in West Bengal maintain creches. In order to comply with the provisions of the Factories Act, arrangements are being made by the remaining mills in West Bengal to open creches. According to the annual report of the Indian Jute Mills Association the existing creches in West Bengal are reasonably furnished, properly supervised and are becoming popular.

During the year 1949 there were 30 free schools for children run by individual mills in West Bengal, but their number has recently gone up. In some of the welfare centres opened by the Indian Jute Mills Association arrangements have been made for the education of the workers' children.

In West Bengal during the year 1949 there were 10 Welfare centres run by individual mills. Recently, some more centres have been opened. Besides, 6 welfare centres have been opened by the Indian Jute Mills Association. These centres provided indoor and outdoor games, and newspapers. Some centres have organised their own libraries. The Indian Jute Mills Association ~~for different zones~~ organises sports and games for different zones. Welfare activities specially for women are also organised by the lady labour officer appointed by the Association. With the exception of one unit (in U.P.) all units in U.P., Bihar and Madras provide recreational facilities for their employees.

Provision for the future.- In January 1949 a provident fund scheme was introduced in all the member mills of the Indian Jute Mills Association in West Bengal. Under this scheme every permanent employee with 12 months' continuous service is entitled to become a member of the fund. Both the employers and employees make equal contributions to the fund. The rate of contribution is 6 1/4 per cent of salary or wages. No details regarding the number of workers who are members of the fund are available. By virtue of an award of an Industrial Tribunal a similar scheme was introduced in one of the units in Bihar with effect from 1 April 1950. A Provident Fund scheme has been introduced in two of the units in Madras as a result of a recommendation made by the Industrial Tribunal in March 1950. The scheme recommended by the Tribunal

is similar to the one in force in jute mills in West Bengal. In U.P., only one unit has introduced a provident fund scheme. The membership of the fund is open to all permanent employees who get at least 37 rupees per month as basic wage or salary. The rate of contribution is 1/16 of the basic wage.

In U.P., with the exception of one, all units which have provident fund schemes pay also a gratuity on retirement or death of an employee. The system of paying gratuity in these mills has been started as a result of recommendations of Industrial Tribunals. In all the units in West Bengal and in two units in Madras gratuity is being paid at the following rates: (a) On retirement after at least 15 ~~years~~ ~~basic~~ years' continuous service - at the rate of half a month's basic wages for each completed year of service subject to a maximum of 15 months' basic wages. (b) On retirement before completing 15 years' service by reason of superannuation or medical grounds or owing to any other sufficient cause approved by the employer in this behalf - at the rate of half a month's basic wages for each completed year of service. (c) On death - at the rate of half a month's basic wages for each completed year of service subject to a maximum of 15 months' basic wages.

In Bihar, the mill pays gratuity at the rate of half a month's wages for each completed year of service. The gratuity scheme is of a complementary character and is designed to meet the needs of old employees who would not derive much benefit from the Provident Fund which was introduced in April 1950.

Industrial relations.- With the exception of one, all units in Madras have set up works committees. From the report of the Indian Jute Mills Association for the year 1948 it appears that these committees are proving useful.

Compared to other organised industries, jute mill industry has been comparatively free from industrial unrest. However, although there have been no general strikes since 1946, there have been a number of sporadic strikes. The following table shows the number of stoppages and man-days lost ~~during~~ owing to strikes and lockouts during 1939, 1946 and subsequent years.

please see table on the next page.

Year	No. of stoppages	Man-days lost
1939	51	991,676
1946	95	1,877,710
1947	68	1,395,716
1948	46	1,107,917
1949	20	563,341
1950	27	434,050

Since the general strike of 1938, the industry suffered its biggest time loss in 1946 when, as a result of a cut in rations, about 40 per cent of the jute mill workers in Bengal went on a strike causing a loss of nearly 1.9 million man-days. Since 1948 the position has improved considerably, and during 1950 the time loss suffered by the industry was only 0.43 million mandays.

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LIST OF THE PRINCIPAL LAWS PROMULGATED DURING  
THE PERIOD COVERED BY THE REPORT FOR NOVEMBER  
1951.

INDIA - NOVEMBER 1951.

Chapter 3. Economic Questions

- a) The Industries (Development and Regulations) Act, 1951 (No. LXV of 1951); The Gazette of India, Extraordinary, Part II, Section 1, 1 November 1951, pages 437-450.
- b) The State Financial Corporation Act, 1951 (No. LXIII of 1951); The Gazette of India, Extraordinary, Part II, Section 1, 1 November 1951, pages 414-428.

Chapter 4. Problems peculiar to Certain Branches  
of the National Economy

The Plantations Labour Act, 1951 (No. LXIX of 1951); The Gazette of India, Extraordinary, Part II, Section 1, 3 November 1951, pages 457-467.

Chapter 6. General Rights of Workers

The Industrial Disputes (Uttar Pradesh Amendment) Act, 1951 (U.P. Act No. XXV of 1951); Government Gazette of the Uttar Pradesh, Extraordinary, 19 October 1951, pages 1-2.

Chapter 9. Income Security

- a) The Employees' Provident Fund Ordinance, 1951 (No. VIII of 1951); The Gazette of India, Extraordinary, Part II, Section 1, 15 November 1951, pages 495-502.
- b) The Employees' State Insurance (Amendment) Act, 1951 (No. LIII of 1951); The Gazette of India, Extraordinary, Part II, Section 1, 6 October 1951, pages 361-372.

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

INDIA - NOVEMBER 1951.

International and National Organisations

Annual Report of the Indian Chamber of Commerce, Mattancherry, Cochin, presented to the Annual General Meeting of the Chamber held on 17th April 1951; pp.59.

Problems Peculiar to Certain Branches of the  
National Economy.

- a) Madhya Pradesh Abolition of Proprietary Rights (Estates, Mahals, Abinabad Lands) Act, 1950 (No.1 of 1951), ~~Government~~ Nagpur, Government Printing, Madhya Pradesh, 1951. Price 5 annas; pp.44.
- b) The Commissioners of the Port of Calcutta: Administration Report and Annual Accounts for the year 1950-51. pp.71.

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