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INTERNATIONAL LABOUR OFFICE  
INDIA BRANCH

Industrial and Labour Development in  
October-November 1964.

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Contents.

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# Chapter 1. International Labour Organisation

## 12. Activities of External Services.

### India - October-November 1964.

#### Conferences:

The Director represented the I.L.O. at the 12th Annual Convention of the Hind Mazdoor Sabha held at Hyderabad from 13-15 November 1964.

#### Meetings:

- (a) On 21 November 1964, the Director attended a meeting of the Technical Sub-Committee of the Planning Commission on 'Studies of Selected Labour Problems'.
- (b) On 25 November 1964, the Director presided over a lecture delivered on 25 November 1964 by Prof. Van D. Kennedy, Professor of Industrial Relations at the University of California. The lecture which was organised by the Indian Academy of Labour Arbitrators was on 'Implications for India of American Arbitration experience'.

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13. Press and Opinion.

India - October-November 1964.

In addition to the attached clippings the following references to the work of the ILO appeared in Indian Journals received in the Office during the period under review:

1) The 'Conference' number of the Indian Journal of Labour Economics, (Vol.V, No.4, January 1963) is devoted to the Sixth All-India Labour Economics Conference held at Gujarat University during December 1962. There are incidental reference to the ILO in the addresses of various speakers.

2) The May-June 1964 issue of 'Social Action' publishes an article on 'The ILO and Social Security' by the Director of this Office.

Another article published in the same issue of the Journal entitled 'experience and reflection on social insurance by Dr. Col. V.M. Albuquerque, till recently the Director-General of the Employees State Insurance Corporation, contains incidental references to the ILO.

3) The September 1964 issue of the 'The Indian ~~India~~ Textile Journal' summarises the address of Mr. D.C. Kothari, Employers' Delegate to the 48th Session of the I.L. Conference.

4) The September 1964 issue of 'Social Action', summarises with due acknowledgement the article on 'Women in the United States' by Esthere Peterson which appeared in the May 1964 issue of I.L.R. The summarised version appears under the heading "Status of Women in U.S."

5) An article on 'Human Relations in Administration' by A.N. Jha, appearing in the September 1964 issue of 'Kurukshetra' refers to ILO publication to emphasise that dissatisfaction with working conditions leads to more stoppages than dissatisfaction with pay.

6) Commenting on the twenty-second session of the Indian Labour Conference, held at Bangalore, during 1964 July 1964, the September 1964 issue of 'Asian Labour' observes: "... perhaps the Indian Labour Conference, based as it is on the pattern of the I.L.O. could follow more closely the procedure of the ILO and through its session attempt to build up a Code of Industrial Relations for India ....."

7) The same issue of the Journal publishes a note on labour legislation and labour relations in Pakistan and IOFTU's views in this regard. Reference is made to I.L. Conference Convention Nos. 87 and 98.

8) The 14 October 1964, issue of 'Commerce and Industry', publishes a summary of an address by Mr. Naval H. Tata, President Employers' Federation of India to a Seminar jointly organised by the Federation and the All-India Organisation of Industrial Employers. Speaking on 'Manpower Utilisation', Mr. Tata referred to work of the ILO and observed: "Thanks to the impact of international organisations and India's active participation in ILO, our country has become alive to the necessity of a more scientific approach in this matter .....".

9) The 10 October 1964, issue of "The Economic Weekly", Bombay, publishes an analysis of 'Strikes in India'. At the end of the article under 'Notes' reference is made to various ILO publications.

10) The 17 October 1964, issue of the same journal reports on the a seminar on Manpower utilisation jointly organised by the Employers' Federation of India and the All-India Organisation of Industrial Employers. The report makes incidental references to the ILO.

11) An account of an international F.U. Seminar on Social Security held at U.S.S.R. during August 1964, is given in the 20 October and 5 November issues of 'Trade Union Record'. Mention is made of ILO's role in the field of social security.

12) A 'News Item' published in the October 1964 issue of 'The Journal of Rehabilitation in Asia', mentions ILO's participation in an international seminar on Sheltered Employment held at Stockholm during September 1964.

13) The October 1964 issue of the news bulletin issued by the Indian Council for Child Welfare, under its 'Do You Know' column refers to the various U.N. Specialised Agencies by their commonly used abbreviations and explains what they stand for. The I.L.O's is included in the list.

15) The 24 October 1964 issue of 'Commerce', Bombay, under its personal column refers to the appointment of the Regional Director of the Bombay Branch of the National Productivity Council to an ILO staff post in Geneva.

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15) The October 23, 1964, issue of 'United Nations Weekly Newsletter' gives a Direct Account of the U.N. Special Fund's assistance to India. Mention is made of the ILO's assistance in the establishment of Instructor Training Institutes.

16) The 19 October 1964, issue of 'The Indian Worker', publishes an India's economic progress under the heading 'Seventeenth Year of Independence'. Discussing world labour situation mention is to the ILO's review for 1963.

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Chapter 2 International and National Organisations

24. Non-Governmental Organisations (International, Regional and National) Other than Employers' and Workers' Trade Organisations.

India - October-November 1964.

13th Convention of the International Federation of Women Lawyers held at New Delhi, 22 November, 1964.

The 13th Convention of the International Federation of Women Lawyers was held at New Delhi on 22 November 1964. The Convention was inaugurated by Dr. Zakar Hussain, the Vice-President of India and presided over by Mrs. Violet Alva, President of the Federation. About 200 women lawyers and judges, including about 70 from abroad, attended the four-day Convention. The main theme for discussion at the Convention was "Human Rights in the United Nations Development Decade."

† The first plenary session was devoted to a discussion on 'Social Conscience and the Law, ". Papers on the subject were read by the woman judge of the High Court of Kerala, Mrs. Justice Anna Chandy, and Lady Gladys Chatterjee of the U.K., who is the liaison representative of the Federation to the U.N. A paper prepared by Dr. Maria Josella Savedra of Spain was also read out in her absence by Lady Chatterjee.

Mrs. Justice Anna Chandy said the touchstone of a good law in the present day was social justice. This had been accepted and given clear expression to in the Indian Constitution. The role of the lawyer, therefore, she said, should be to interpret the laws in harmony with the spirit of the times.

Mrs Justice Chandy assured the Convention that India's Supreme Court had always followed a course of liberal and purposeful interpretation of the law and its analysis of "living wage", "minimum wage", "fair wage", its view of bonus, dearness allowance, and gratuity, its understanding of the wide import of "industry" and even its acceptance of sit-down strike as nothing criminal, illustrated that outlook.

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At the same time as a vigilant protector of fundamental rights the Supreme Court had also been construing broadly and liberally these articles in favour of those on whom the rights had been conferred, thus playing a key role in checking parliamentary and executive encroachments on civil liberties and individual freedom.

Economic questions, such as monopoly, competition, labour disputes, co-operatives, companies and their management would have to be tackled from an angle of the new philosophy which saw the law as a driving living force for carrying the society forward, she said.

Lady Chatterjee described how various specialised agencies of the U.N. like UNESCO, ILO, ~~WHO~~ and ~~FAO~~ WHO and FAO were helping to promote international co-operation in social and economic development of the society throughout the world. She referred to the words of the UN Charter - "to promote and encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion - and said: "There must come into being a world-wide social conscience based on these principles, to translate these ideals into law, both national and international, so that they become the accepted standards throughout the world."

(The Hindustan Times, 23 November 1964).

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25. Wage-Earners' Organisations.

India - October-November 1964.

Twelfth Annual Convention of Hind Mazdoor Sabha, Hyderabad, 13-15 November 1964:  
Rise in Real Wages and Better Housing  
demanded.

The twelfth Annual Convention of the Hind Mazdoor Sabha was held at Hyderabad from 13 to 15 November 1964. About 500 delegates from all over the country attended the Convention. The ILO was represented by the Director of this Office.

The Convention declared its firm faith in planning and demanded a rise in 'real' wages and better housing facilities for the working class in the fourth Plan.

Shri Giri's address.- Shri V.V. Giri, Governor of Kerala, who was chairman of the Reception Committee, in his welcome address expressed concern over the Central Government's policies which had resulted in widening disparity of incomes, increasing poverty and rising prices. Shri Giri said that in the post-independent era trade union movement in India had laid greater stress on the economic betterment of the workers and could claim to have achieved satisfying results, in the sense that wages had gone up periodically. But then, it appeared to be an endless chase to meet the swifter rising prices. It was therefore time to give put greater pressure on the government in order to make them change their policies basically to remedy the present day economic life ills.

Shri Giri advocated widening of public sector and nationalisation of key industries. This was essential for a socialist state. But it was time that all those who advocated this policy made a study as to how it operated in the country. That most of the public establishments, particularly government managed were in a mess, needs no proof. In spite of monopoly, they were supposed to be running in loss. Mere nationalisation of industries would not achieve the object of socialism unless the working class was made the partner of the industry in planning production and administration. Hind Mazdoor Sabha, therefore, had to play an important role to achieve

this object.

General Secretary's Report.- The General Secretary's Report was presented by Shri H. Kotwal. The Report among other matters, refers to the following:

Trade Union Unity.- "The problem of Trade Union unity has always remained a very controversial issue. Hind Mazdoor Sabha has never been averse to Trade Union unity provided it was brought about on the sound foundation of free and democratic trade unionism. In fact some years back Hind Mazdoor Sabha had taken an initiative in exploring the possibility of bringing about unity between all Central Trade Union Organisations. Unfortunately the basis for unification suggested by the Hind Mazdoor Sabha, namely, the acceptance of principles of freedom from external influence, full internal democracy and workers verdict in the field of existing rivalries, did not appeal to the Indian National Trade Union Congress and ultimately what was left was to take the appearance of Hind Mazdoor Sabha, ALL India Trade Union Congress alliance." "The Hind Mazdoor Sabha while recognising the distinction between the All India Trade Union Congress and the Indian National Trade Union Congress with regard to the political objectives and the extra territorial loyalties of the All India Trade Union Congress, had in the past shown its willingness to have a sort of 'NO RAID PACT' with the Indian National Trade Union Congress, as a first step towards bringing about better understanding between the two organisations. In Maharashtra the State Council of Hind Mazdoor Sabha took initiative and organised Workers' Committee for National Defence. Most of the non-Communist Trade Union organisations were brought on one platform. It was expected that this forum would help reducing trade union rivalries. The expectations were belied due to disruptive tactics of the Indian National Trade Union Congress. "

"With regard to the Indian National Trade Union Congress probably the relationship has become more strained than before, mainly, for two reasons:-

(a) The disruptive tactics adopted by its affiliates all over the country with the assistance and patronage by both the Government as well as the employers.

(b) Absence of independent thinking and decisions by the Indian National Trade Union Congress on most vital issues like the rising prices, C.D.S., Bonus Commissions recommendations, etc., on this background it is rather difficult to convince ourselves that the Indian Trade Union Congress represents free and democratic trade union movement, in our country."

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Relations with ICFTU-ARO.— With the visit of the General Secretary of the ICFTU, Comrade Beou and a thorough discussion with him on various organisational problems, there has been a marked improvement and understanding in our relationship with the ICFTU. With regard to the financial aid from the ICFTU a decision was taken by the Working Committee at Ahmedabad in 1962, according to which the Hind Mazdoor Sabha could receive financial aid maximum to the extent of 5 per cent. of what Hind Mazdoor Sabha could collect from the affiliates. This aid was to be utilised for a specific purpose. Accordingly the programme of expansion under different projects was submitted along with the programme of education for the training of Trade Union Executives. The General Secretary was happy to report that the ICFTU readily undertook the liability of financing certain projects and also the educational activities. The account of the aid received so far is already shown in the General Fund Account whereas the aid for training of the Trade Union Executives will be received in due course when the actual training begins this month. There has always been difference of opinion on the question of receiving aid from ICFTU. The via media decided upon by the Working Committee may not satisfy all though it was highly appreciated by the ICFTU. If aid is sought to a limited extent with and for a specific purpose and properly accounted for with a clear understanding of not making it a regular feature probably it would serve a useful purpose and help Hind Mazdoor Sabha in expanding its activities. It was revealed for the first time to the Hind Mazdoor Sabha that the Indian National Trade Union Congress was being given financial aid by the ICFTU to the tune of millions of rupees since 1961, although it was never mentioned by the Indian National Trade Union Congress so far in their reports. The General Secretary believes in the larger interest of the ICFTU and in fairness to Hind Mazdoor Sabha it would be proper to have prior consultations with the affiliates where they are more than one in one country. This would avoid the workers' money being misused for fighting out trade union rivalries against the affiliates of the ICFTU itself.

As regards the functioning of the ARO office in Delhi, it was pointed out to the Executive Board of the ICFTU that it failed in its duty to mobilise the opinion of the working class in Afro-Asian countries, particularly so in India against the aggression of Communist China. It was also pointed out that the ARO office always tried to undermine the importance of the activities of Hind Mazdoor Sabha and submitted perverse reports of various struggles launched by the Hind Mazdoor Sabha to ICFTU Head Quarters. The ICFTU Executive Board took prompt action and deputed a three member

Committee to enquire into the working of the ARO Office in Delhi. There are reasons to believe that the findings of the said Committee proved these allegations to be well founded, the report hopes that the new set up of ARO office will prove to be worthy of high ideals of the ICFTU and will be useful in strengthening the free and democratic trade union movement in Asian countries.

Trade Union Education.- The Hind Mazdoor Sabha have been able to continue the trade union education programme on a moderate scale. During the period under reference ten courses were held.

In addition the Mill Mazdoor Sabha conducted two 10 days' residential courses for its members at Lonavala in August 1963 and October 1964. The Western Railway Employees' Union also conducted a course of a weeks duration from August 28th to September 4, 1963 at Bombay. Apart from these short courses, the General Secretary was happy to report that our affiliates are taking more and more interest in the field of Trade Union Education. The Mill Mazdoor Sabha, Bombay has already drawn a programme of education for the current year. Similarly the Chemical Mazdoor Sabha and the Engineering Mazdoor Sabha together with the Steel Mazdoor Sabha Bombay have also drawn a programme for trade union education. In fact the Chemical Mazdoor Sabha hold each month a class for its active workers on matters of vital importance.

In addition to these courses the Hind Mazdoor Sabha were able to send quite a number of students to the Workers Education Centres conducted by Government of India and to the international and national courses of the ICFTU-Asian Trade Union College.

A workshop organised by Hind Mazdoor Sabha at Madras for training Trade Union leadership in conducting trade union publicity and propoganda was the first of its kind in the country. Thirty participants nominated by the Working Committee were benefitted by the workshop which was a great success. The USA Agency for International Development provided equipment for the workshop.

Membership.- Membership figures as on 31 March 1964 rose to 659,709. During the year under review 68 unions with a total membership of 45,715 were affiliated to the Hind Mazdoor Sabha.

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Resolutions.- The Convention in a resolution, demanded the fixing of statutory minimum wages for all wage-earners not protected at present.

Listing real wage increase and better housing facilities as two most urgent demands of labour, the resolution said they should get the highest priority in the fourth Plan since in many industrial cities housing conditions were so bad that even higher wages were not helping to raise the standard of living of workers.

The resolution urged the Government to follow a policy of price control to ensure that essential commodities were available to workers at reasonable prices.

It also demanded protection of real wages at all levels and a statutory provision requiring wage fixing authorities to give due weight to minimum wage decision of 15th Indian Labour Conference.

In its resolution on economic perspective, the Convention emphasised that agriculture was the Achilles heel of Indian economy and lift Indian agriculture out of stagnation, it called for assignment of land to the tiller and nationalisation of banking and reorientation of banking in favour of the agricultural sector.

The resolution also suggested effective Government control in procurement and distribution of essential commodities through State trading and rationing, augmentation of financial resources by higher corporate taxes, capital levy, ceilings on personal incomes and imposition of agricultural income tax, demonetization of currency notes and nationalisation of auditing services to root out the evil of black money, sustained and broad-based efforts for family planning, and provision of gainful employment to the unemployed.

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By another resolution the Convention expressed its "deepest concern at the whittling down of the recommendations of the Bonus Commission by the Government of India" and said the Hind Mazdoor Sabha had no alternative but to reject them.

The resolution demanded the withdrawal of the modification made by the Government in the recommendations and protection of the quantum of bonus wherever it was higher and appealed to the members of Parliament "who will soon be asked for approval of the Government decision not to accept the modifications made by the Government and thereby protect the rights and interests of the working class."

The Convention felt that since the traditional form of social security like the joint family system had been eroded and since the present retirement benefits were inadequate, employers should be required by legislation to introduce family pension scheme.

The resolution on "rising prices and food crisis" said the food crisis was the result of "imbalanced planning accompanied with improper implementation". It called for drastic action against hoarders, profiteers, and blackmarketeers, policy of integration of industrial sector and agricultural sector in restrie the fourth Plan, removal of all restrictions on inter-State movement of foodgrains, and opening of fair price shops and the formulation of a price plan for the fourth Plan.

Office bearers.- Shri Deven Sen was elected President for the ensuing year and Shri M. Kotwal was re-elected General Secretary.

(Texts of General Secretary's Report and Reception Chairman's address, received in this Office;  
The Hindustan Times, 17 November 1964).



26. Organisations of Foremen and of Manager  
of Undertakings.

India - October-November 1964.

Indian Trade Unions (Amendment) Bill, 1964.

Shri D. Sanjivayya, Union Minister of Labour and Employment, introduced in the Rajya Sabha on 18 November 1964 a Bill further to amend the Indian Trade Unions Act, 1926. According to the Statement of Objects and Reasons of the Bill, the Indian Trade Unions Act, 1926 does not debar even persons convicted of offences involving moral turpitude, from being office-bearers in registered Trade Unions. Consequently persons convicted in criminal courts for such offences under the Indian Penal Code have been appearing before the courts of the Commissioners for Workmen's Compensation, the authorities under the Payment of Wages Act, 1936 and other allied Acts, as office-bearers of registered Trade Unions, taking advantage of the special provisions under those Acts which permit officials of registered Trade Unions to appear on behalf of the applicants. In order to stop this abuse, it is proposed to amend the Indian Trade Unions Act, 1926 so as to disqualify any person who has been convicted by a Court in India of any offence involving moral turpitude, from becoming or continuing as a member of the executive or any other office-bearer of a registered Trade Union unless a period ~~of~~ of five years has elapsed from the date of his release. This proposal was also approved by the Standing Labour Committee.

As almost all the labour statistics relate generally to the calendar year, section 28 of the Indian Trade Unions Act, 1926 is also being amended so as to provide for submission of all annual returns by registered Trade Unions on a calendar year basis.

The word "officer" is not considered appropriate in the case of Trade Unions and is, therefore, proposed to be substituted by the word "office-bearer".

The Bill seeks to give effect to the above proposals.

A new section 21A to be added to the Act provides:

"21A. (1) A person shall be disqualified for being chosen as, and for being, a member of the executive or any other office-bearer of a registered Trade Union if -

(i) he has not attained the age of eighteen years;

(ii) he has been convicted by a Court in India of any offence involving moral turpitude and sentenced to imprisonment, unless a period of five years has elapsed since his release.

(2) Any member of the executive or other office-bearer of a registered Trade Union who, before the commencement of the Indian Trade Unions (Amendment) Act, 1964, has been convicted of any offence involving moral turpitude and sentenced to imprisonment, shall on the date of such commencement cease to be such member or office-bearer unless a period of five years has elapsed since his release before that date."

(The Gazette of India, Extraordinary,  
Part II, Sec. 2, 18 November 1964,  
pp. 791-793 ).

CHAPTER 3. ECONOMIC QUESTIONS.

INDIA - OCTOBER-NOVEMBER 1964.

31. General Economic Situation.

Anti-profiteering Ordinance Promulgated:  
Summary Trial of Offenders.

To ensure sale of essential commodities at prices fixed by the Government, the President promulgated on 5 November 1964 an Ordinance for summary trial of unscrupulous traders and abetting public servants. The Ordinance provides for deterrent punishment to traders indulging in anti-social practices like hoarding and profiteering by amending the Essential Commodities Act of 1955 and the Criminal Law Amendment Act of 1952. It comes into force with immediate effect.

Under the Ordinance, first class magistrates specially empowered by the State Governments for the purpose, or any presidency magistrate will hold summary trials for contravention of the Essential Commodities Act. It will be lawful for the magistrate to pass a sentence of imprisonment for a term exceeding one year.

The convicted person sentenced under summary proceedings will have no right of appeal in a case where the imprisonment does not exceed one month, or the fine imposed is not more than 2,000 rupees.

(The Hindustan Times, 6 November 1964).

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34. Economic Planning, Control and Development.

India - October-November 1964.

Results of a Survey on Attitudes Towards  
and Motivation for Saving published.

The National Council of Applied Economic Research has published its latest study on "attitudes towards and Motivation for Saving". In this survey, a scientifically selected sample of 4,650 million urban households, spread over 30 urban centres, was interviewed by the investigators of the council. From each of the sample households contacted, comprehensive data were collected on the magnitude and sources of household income, on the different types of household savings and on the attitude of urban households on a number of topics.

Although many of the findings confirm the general beliefs and a priori conceptions of the saving behaviour, some contradict the widely-held impressions, particularly those on the Five-Year Plans and National Saving Certificates. Some of the major findings of the study are as follows:

Income expectations seem to be influenced by past income changes. Those population groups which had favourable income changes in the past seemed to have more optimistic expectations of income for the future than the others.

In general, it appears that households with continuous improvement in income (or financial status) save a higher proportion of their income than other groups (the groups experiencing no change in income or the groups facing a decline in income).

The important motives for saving in the urban household sector seem to be protection against emergencies, provision for old age and children's education.

The most highly regarded form of saving appears to be investment in business. Other important savings outlets, according to urban households, are bank accounts, houses and real estate, and to some extent small savings.

Almost everybody, regardless of education or income, thinks that saving for the future is desirable and can give several reasons why saving is important in their own cases. Yet, it is significant to note that only less than a third of the urban households could effect some positive saving.

An inquiry into the opinion whether it is better to keep money in the bank or in cash at home shows that an overwhelming majority of heads of urban households prefer the former.

Questioned about the effect of the Five-Year Plans on their welfare, only the groups with high-income occupation and high education replied and described the Plans as having left a favourable effect on their own economic welfare. The low-income and occupations groups were totally ignorant.

Some households felt that the Plans created more job opportunities. Inflation and higher taxes were found to be the two reasons why other households regarded the Five-Year Plans as having had a detrimental effect on their financial situation.

It appears from this survey that a significant proportion of even the urban households in 1960 had little knowledge of the National Savings Certificates. Again this was irrespective of income, occupation, education and age, though the proportion of people having some knowledge of the certificates showed a tendency to rise with income and in level of education.

Opinions of urban households were divided about investment in gold in 1960 (prior to the promulgation of the Gold Control Rules). There were as many in favour of purchasing gold as there were against.

(The Times of India, 19 October 1964).

Rupees 215,000 Million Outlay for Fourth Plan  
approved: Provision made for extra Outlay:  
No scope for deficit Finance.

The Union Cabinet approved on 14 October 1964, for consideration of the National Development Council, the preliminary memorandum on the fourth Plan which envisages a total outlay of 215,000 million rupees - with provision to add another 10,000 million rupees depending on favourable resources position. This would mean an overall growth rate of 6.5 per cent. per annum. Of this outlay, 155,000 million rupees will be in the public sector, equally divided between the States and the Centre and 70,000 million rupees in the private sector. The foreign exchange component of the Plan has been estimated at 25,000 million rupees. There is no provision for deficit finance.

The distribution pattern of the Plan outlay indicates an increase in the percentage allocation for agriculture, education and health as compared with the third Plan. As against the 13.3 per cent. in the third Plan, agriculture will account for 15.4 per cent. of the public sector outlay in the fourth Plan. The provision on education and health is being raised from 11 per cent to 16 per cent. As against this there will be some drop in the relative provisions for industry, power and transport, although no imbalance is envisaged.

An increase in the outlay for small industries is another notable feature. Additional resources to the tune of about 30,000 million rupees will be called for to implement a programme of this magnitude.

The Commission would soon study which projects should be covered under the additional 10,000 million rupees. Tentatively, it is estimated that half the amount would be on account of projects in power, industry and transport and the other half would be distributed over the remaining sectors.

The memorandum is understood to have included under outlay for power programmes, in the Central sector, Damodar Valley Corporation, Heiveli expansion, Badarpur power station and atomic power stations.

Unlike the third Plan period when the Centre undertook the responsibility of raising the major share of resources by way of additional taxation and the States as a whole lagged behind the target, a bigger tax effort would have to be made by the States in the next Plan period. It is understood the fourth Plan outlay figure is also based on the assumption that there would be no large increase in defence expenditure over the present levels.

The National Development Council, at a meeting held at New Delhi on 28 October 1964, accepted the size of the Fourth Plan as proposed in the memorandum prepared by the Planning Commission. The total outlay in the Fourth Plan will range between 215,000 million rupees and 225,000 million rupees. The outlay in the public sector will be between 145,000 million rupees and 155,000 million rupees.

Top priority for agriculture.— The Council agreed that top priority should be given to agriculture and a concerted programme for family planning started immediately on as extensive a scale as possible. The Council felt that whereas there had been a substantial increase in agriculture and in social services, the provisions in the memorandum for power, major irrigation, transport and industries had not been stepped up adequately. The Council agreed that agricultural development should be given the highest priority in the Fourth Plan and a rate of growth of not less than five per cent. per annum should be achieved. The financial allocation indicated in the memorandum on the Fourth Plan, it was agreed, should be treated as tentative. The physical targets to be achieved in agriculture should be built up from below, through detailed work in the States, on the basis of the block and district plans and their implication in the terms of financial resources and material inputs worked out in detail, and provision made in full before providing for other sectors.

Some of the items, which were high-lighted, are the adoption of a project approach for planning and implementation of agricultural programmes area by area, in a selective and integrated manner; emphasis on quick maturing schemes; and development of local manurial resources side by side with the use of fertilisers, pesticides, etc.

The Council decided to set up sub-committees for agriculture and irrigation; industries; and power and transport; social services; resources and hill areas. These sub-committees would also look into the needs of the backward areas and the provision of basic amenities.

(The Hindustan Times, 15 October 1964;  
The Hindu, 29 October 1964 ).



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Iron Ore Export (Project) Committee  
constituted.

A Resolution dated 3 October 1964 of the Ministry of Commerce says that in pursuance of the programme to develop exports of Iron Ore, the Government of India had appointed a Committee under the Chairmanship of Secretary, Ministry of Commerce who prepared a comprehensive coordinated project for development of mining, transport, port handling and export/sales of Iron Ore.

In order to implement this programme which is to be executed now under the overall charge of the Ministry of Commerce, a Central Committee has been set up. The Committee will be called the Iron Ore Export(Project) Committee. The Committee consists of nine members with Shri Govind Narain as Chairman.

The functions of the Committee are:

(i) The Committee will coordinate all the activities of the Iron Ore Project relating to development of mining, rail, road and ports and will be responsible for implementing the long term export programme of Iron Ore. The Committee will make regular monthly reports to the Ministry of Commerce.

(ii) The Committee will also be assisted by necessary experts to implement this project and the Committee would be responsible for ensuring implementation of this project for which purpose it will have the authority to act on behalf of the Government of India.

(iii) The Committee would be competent to undertake in pursuance of its objectives, any necessary research in any relevant field or market studies or the study of any trends in the steel industry or iron ore programmes of the world.

(iv) The Committee will also enlist the cooperation and necessary active participation of the various State Governments concerned in the various Iron Ore Programmes.

(v) The Committee may, from time to time, appoint one or more Advisory Committees for the efficient discharge of its functions.

(vi) The Committee would be competent to create suitable posts of competent experts, such as Mining Engineering Engineers, Mechanical Engineers, Port Engineers, Market Research Officers, Costing and Finance Officers, etc. to assist the 'Project' in its important task of examination, deliberations and supervision over implementation of the various programmes.

(The Gazette of India, Extraordinary,  
Part I, Sec.1, 3 October 1964, pp.1387-1388).

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Scientific Management of Public Sector  
Projects suggested: Recommendations  
of Management Group.

A series of new techniques in the development of scientific management of public sector projects has been recommended by the management group of the committee on plan project attached to the Planning Commission. The group has said that while the tasks entrusted to the managements of public-sector enterprises had been enormous in scale, the tools at their disposal had been "frequently inadequate". In a country committed to a policy of achieving a considerable part of industrial and economic development by means of public-sector corporations, it said, these corporations should earn a profit on investment.

High Standards.- The role of management had hitherto been somewhat "implicitly assumed" and thought of as a routine. "Management is essentially a dynamic and creative function and at the present time, both in socialist and private economies, much new ground is being broken". High standards of management, more specially in the Government's own undertakings, were expected to set the pace for the rest.

In making its recommendations aimed at getting better results and returns from investment on public-sector ~~turns from~~ projects, the group has identified some of the directions in which management planning could be developed at the pre-construction, construction and production or operation phases of the projects. On the planning or pre-construction phase of a project, the group said that by a thorough use of advanced project analysis and planning procedures, "costly mistakes" could be avoided not only in the construction and operation of the project but even in the decision to go ahead with a project. Such careful planning became essential with the larger investment plans envisaged in the Fourth Plan.

The group also expects to develop "a standard outline for feasibility studies" for projects which have been initially approved. Lack of such detailed planning in the past contributed to "schedule slippages, cost overruns and contractual difficulties", the report noted.

In the second phase of construction, the group has proposed that all the work to be performed should be put down in a "work break-down structure" and that a plan of work for achieving each item of work in the most desirable manner must be developed. They must all be put in some sequence and scheduled accordingly.

The group has emphasised that skilled and experienced technical personnel should be utilised continuously in new industrial project constructions instead of finding them jobs in the project once the construction phase was completed. It was also recommended a good reporting system in public enterprise, responsive to changes in project schedules, to establish a sound financial plan for the project.

In the third phase of production the group has said that there should be an integrated system of production planning against decentralised handling by individual departments, improved labour productivity and better communication between management and labour.

It has urged a careful re-examination of costing procedures and a systematic exchange of experience between various public enterprises though each enterprise has to identify its own problems and solve them.

(The Times of India, 29 October, 1964).

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36. Wages.

India - October-November 1964.

Wage Board for Port and Dock Workers at  
Major Ports set up.

A Resolution dated 13 November 1964 of the Ministry of Labour and Employment says that in pursuance of the recommendations made in para 25 of Chapter XXVII of the Second Five Year Plan, and in para 20 of Chapter XV in the Third Five Year Plan, the Government of India has decided to set up a Wage Board for the Port and dock workers at major ports.

The Board consists of two members each representing employers, workers and independent members with Shri L.P. Dave as Chairman. The following are the terms of reference of the Board.

(a) To determine the categories of employees (manual, clerical, supervisory, etc.) who should be brought within the scope of the proposed wage fixation;

Note: The term "employees" will exclude Class I & II Officers and cover the following:

- (i) persons employed by the major port authorities;
- (ii) dock workers as defined under the Dock workers (Regulation of Employment) Act, 1948;
- (iii) the employees engaged by the Dock Labour Boards and their administrative bodies; and
- (iv) employees engaged by the listed employers.

(b) To work out a wage structure based on the principles of fair wages as set forth in the Report of the Committee of Fair Wages;

Explanation: In evolving a wage structure, the Board should in addition to the considerations relating to fair wages, also take into account:-

- (i) the character of the port undertakings and their obligations to provide adequate port facilities necessary in a developing economy;
  - (ii) the need for uniformity in the rates of emoluments and benefits of employees doing similar jobs at various major ports;
  - (iii) the requirements of social justice;
  - (iv) the need for adjusting wage differentials in such a manner as to provide incentives to workers for advancing their skill; and
  - (v) the effect of the wage structure so evolved on the cost of port services.
- (c) To bear in mind the desirability of extending the system of payment by results;

Explanation: In applying the system of payment by results the Board shall keep in view the need for fixing a minimum (fall-back) wage and also to safeguard against overwork and undue speed.

(d) Within three months from the date the Board starts its work, it will submit its recommendations regarding the demands of labour in respect of interim relief, pending submission of the final report.

(The Gazette of India, Part I, Sec.1, 28 November 1964, page 405 ).

Assam: Minimum Wages fixed for Employment  
on Maintenance of Roads or in Building  
Operations.

In exercise of the powers conferred under the Minimum Wages Act, 1948, the Government of Assam has fixed the following minimum rates of wages for skilled and unskilled labourers engaged in employment on maintenance of roads or building operations in Assam.

- Skilled worker - Rs.4.50 per day
- Unskilled worker - Rs.3.25 per day.

The rates are inclusive of dearness allowance but exclusive of other concessions, if any, ~~and~~ engaged by the workers.

(Notification GLR 169/63/P/2 dated  
9 October 1964, Assam Gazette, Part IIA,  
14 October 1964, page 2767 ).

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Kerala: Revised Minimum Wages fixed for  
Employees engaged in Manufacture of Coir.

In exercise of the powers conferred under the Minimum Wages Act, 1948, the Government of Kerala has fixed the following:

1. Counting of husks:
  - (a) Raw husks - Rs. 46 per 1000
  - (b) Retted husks - Rs. 56 per 1000.
2. Retting:
  - (a) Putting husks into pits - Rs.2 per thousand. But special rates shall be paid for digging new Pits or renovating old ones.
  - (b) Taking retted husks out of the pits - Rs. 2 per thousand.
3. Beating husks:
  - (a) Fine beating - Rs.1.40 per 100 husks
  - (b) Coarse beating - Rs.1.15 per 100 husks.
4. Cleaning:
  - (a) ~~Cleaning~~ Cleaning fibre with the help of Pitchu vandi or similar mechanical contrivances -
    - (i) For anjengo yarn - Ps.65 per 100 husks. In centres where the beating is of coarse type an extra payment of Ps.15 may be given.
    - (ii) For Mangadan, Aratory, Vaikon and similar types of yarn - Ps.55 per 100 husks.
  - (b) For cleaning fibres by hand and without the help of any mechanical contrivances, the rate shall be Ps.15 more than the rates fixed for cleaning with the help of Pitchu Vandii.
5. Spinning by ratta:

The rates fixed for spinning coir yarn is related to the work turned out. The work load is fixed for spinning coir yarn in terms of the 'runnage' covered by the spinner. Runnage may be defined as the length of the spinning yard multiplied by the number of vallis made. For this purpose, the length of the spinning yard should be taken to be distance from hook to hook. The work load for each variety has been fixed on the basis of the spinning yard length, which is most common in the respective area. Where the actual length of a spinning yard is different the number of vandies which will constitute the work load will be given by the total runnage divided by the length of the spinning yard.



I. The rate of spinning coir yarn shall be Rs.3 for the work loads specified below, of which Rs.1.20 shall be given to each of the two spinners and Ps.60 to the boy or girl rotating the wheel. Where the spinners do the rotating also, the whole amount shall be divided between them.

The above mentioned rates of Rs.3 shall apply to the following work loads for spinning the different varieties of coir:

- (i) Anjengo Yarn:
  - (a) 13-14 Score  
Runnag 2807.81 metres (i.e. 96 vallies spun in a spinning yard of 29.25 metres).
  - (b) 15-16 Score  
Runnag 2632.32 metres (i.e., 90 vallies in a spinning yard of 29.25 metres).
- (ii) Mangadan:
  - (a) 13-14 Score  
Runnag 3071.04 metres (i.e., 140 vallies in a spinning yard of 21.94 metres).
  - (b) 14-15 Score  
Runnag 2961.36 metres (i.e., 135 vallies in a spinning yard of 21.94 metres).
- (iii) Ashtamudi:
  - (a) Thick quality  
Runnag 3473.20 metres (i.e., 95 vallies in a spinning yard of 36.56 metres).
  - (b) Thin quality (Imitation Alappadan)  
Runnag 3299.40 metres (i.e., 90 vallies in a spinning yard of 36.56 metres).
- (iv) Aratory:
  - (a) Ordinary 12-13 Scores  
Runnag 3290.40 metres (i.e., 50 mudies of 6 vallies each spun in a spinning yard of 10.97 metres).
  - (b) Superior 14-15 Scores  
Runnag 3158.78 metres (i.e., 48 mudies of 6 vallies each spun in a spinning yard of 10.97 metres).
  - (c) Mahadevikadu Special 15-16 Scores  
Runnag 2961.36 metres (i.e., 45 mudies of 6 vallies each spun in a spinning yard of 10.97 metres).
- (v) Vailon Yarn (weaving):
  - (a) Medium (including Kumbalanji Yarn)  
Runnag 3279.43 metres (i.e., 138 mudies of 2 vallies each spun in a spinning yard of 11.88 metres).
  - (b) Fine  
Runnag 3089.05 metres (i.e., 130 mudies of 2 vallies each spun in a spinning yard of 11.88 metres).

(vi) M.K. Yarn:  
Runnage 3039.05 metres (i.e., 175 mudies of  
2 vallies each spun in a spinning yard of  
8.68 metres).

(vii) Parur Yarn:  
Thick Quality (ParurVannan)  
Runnage 2970.50 metres (i.e., 125 mudies of  
2 vallies each spun in a spinning yard of  
11.88 metres).

II. The rate of spinning rope yarn shall be  
as follows:

For Edavannan (medium rope, hand-spun Ps.4  
for each mudi measureing 31.08 metres).

6. Bundling:

Ps.19 for bundling of 1 munda of coir yarn  
weighing 14.51 kilograms. Where bundling has to be  
done more artistically and with greater care special  
rates shall be paid in accordance with the extra  
effort and time required.

N.B.--(1) The term 'husk' as used in the above  
schedule refers to the husk obtained  
from one cocconut.

(2) Special rates shall be paid for spinning  
superior types of yarn such as Vettoor  
special, Aroor special etc., for  
which the scorage is above 16.

(Kerala Gazette, No.40, Part I,  
13 October 1964, pp. 2-4 ).

Minimum guaranteed Wage of Rs.75 for  
Bombay Port Labour: Agreement reached  
between Stevedore Association and Dock  
Workers' Federation.

According to an agreement reached at Bombay on 18 October 1964, between the Bombay Stevedore Association Limited and the All-India Port and Dock Workers' Federation, about 71,000 daily-rated sweeping gang workers and carpenters of Bombay port will now get a minimum guaranteed wage of 75 rupees per month, ~~attendance allowance~~.

The agreement will be effective from 1 October 1964.

(The Economic Times, 19 October 1964).

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

INDIA - OCTOBER-NOVEMBER 1964.

41. Agriculture.

Recommendations of Plantations Industrial Committee: Appointment of a Committee to enquire into employment position suggested.

The Plantation Industrial Committee at its meeting held at New Delhi on 30 October 1964 under the chairmanship of Shri D. Sanjivayya, Union Minister for Labour and Employment, has recommended, among other things that a one-man fact finding committee be constituted to enquire into all aspects of the employment position in plantations and report to the Government within six months.

The Committee also agreed with a proposal for registration of plantations under the Plantation Labour Act. It recommended that the definition of "plantation" should include both grant and leased area.

Another recommendation of the Committee is that the Union Ministry of Labour and Employment should request State Governments to exercise action in the matter of fixation of wages in minor plantations. The Committee also recommended that the Government should give subsidy to employers for building houses for plantation workers as suggested by a working group.

Adoption of Gratuity Scheme.- The workers' representatives are understood to have pressed for the adoption of a gratuity scheme and the introduction of a uniform rate of provident fund contribution. The Committee agreed that the views expressed at the meeting would be conveyed to the Department of Social Security and the question taken up with the Department by the Labour Ministry.

A proposal for opening subsidised fair price shops in all plantations employing more than 300 workers also came up and it was noted that the matter would be discussed at the forthcoming meeting of the standing tripartite committee on the industrial truce resolution.

The Committee also agreed to a proposal for State Governments appointing such public officers as they deem fit as inspectors for all or any purposes of the Act.

~~They~~ The Committee also agreed to the grant of relaxation to small plantations in the matter of provision of medical facilities as prescribed in the Madras Plantation Labour Rules. It further agreed to make this applicable to Mysore and Kerala.

It recommended that 14 days sick leave should be available to workers with wages at the rate of two-thirds of their earnings subject to a minimum of Re. 1 per day.

(The Hindu, 2 November 1964).

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

INDIA - OCTOBER-NOVEMBER 1964.

50. General.

Mysore Beedi Industrial Premises (Regulation of Conditions of Work) Act, 1964 (Mysore Act No.41 of 1964).

The Mysore Beedi (indigenous cigarette) Industrial Premises (Regulation of Conditions of Work) Bill (vide pp.26-27 of the report of this Office for March 1963) as passed by the Mysore Legislature received the assent of the President on 14 October 1964 and has been gazetted as Mysore Act No.41 of 1964.

The Act provides that save as otherwise provided in this Act, no place or premises shall, on and after such date as the Government may, by notification, specify in this behalf, be used as a beedi industrial premises without a licence obtained from the competent authority and except in accordance with the terms and conditions specified therein. Any person who intends to use any place or premises as a beedi industrial premises shall make an application in writing to the competent authority for a licence therefor, together with such particulars as may be prescribed.

Any person aggrieved by the decision of the competent authority refusing to grant or renew a licence or cancelling a licence may, within such time as may be prescribed, appeal to the prescribed authority and the prescribed authority may make such order in the case as it may think fit.

Inspecting Staff.- The Government may, by notification, appoint such officers of Government or of any local authority as it thinks fit to be Inspectors for the purposes of this Act, within such local limits as the Government may assign to them. An Inspector may for the purposes of the enforcement of this Act, within the local limits for which he is appointed make such examination and hold such inquiry as may be necessary for ascertaining whether the provisions of this Act have been and are being complied with in any place or premises.

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Health.- The provisions regarding health deal inter alia with cleanliness of the premises, ventilation, measures to prevent overcrowding, provision of drinking water, latrines and urinals.

Welfare.- In every beedi industrial premises the employer shall provide working facilities, creches in premises employing more than 50 women employees, first aid boxes, precautions against fire and canteens.

Working Hours.- No employee shall be required or allowed to work in a beedi industrial premises for more than nine hours in any day or more than forty-eight hours in any week. Any adult employee may be allowed to work in such beedi industrial premises for any period in excess of the limit fixed under this section subject to payment of overtime wages, but the period of work including overtime work shall not exceed ten hours in any day and in the aggregate fifty-four hours in any week.

Where any employee employed in any beedi industrial premises is required to work overtime he shall be entitled in respect of such overtime work, to wages at the twice the ordinary rate of wages.

Where the employees in a beedi industrial premises are paid on a piece rate basis, the Government shall, in consultation with the employer concerned and the representatives of the employees, fix for the purposes of this section, time rates as nearly as possible equivalent to the average rate of earnings of those employees, and the rates so fixed shall be deemed to be the ordinary rates of wages of those employees.

The periods of work for employees in a beedi industrial premises each day shall be so fixed that no period shall exceed five hours and that no employee shall work for more than five hours before he has had an interval for rest of at least half an hour. The period of work of an employee in a beedi industrial premises shall be so arranged that along with his interval for rest they shall not spread over more than ten hours in any day.

Weekly Holidays.- Every beedi industrial premises shall remain entirely closed except for wetting of wrapping leaves on one day in the week which day shall be specified by the employer in a notice permanently exhibited in a conspicuous place in the premises and the day so specified shall not be altered by the employer more often than once in three months and except with the previous written permission of the Inspector. Notwithstanding any contract to the contrary, no deduction shall be made from the wages of any employee on account of any holiday allowed to him.

Employment of Women and Children.- No child below 14 years of age shall be required to work or allowed to work in any beedi industrial premises and no woman or young person, between 14-18 years of age shall be required or allowed to work in any beedi industrial premises except between 6 a.m. and 7 p.m.

Leave with Wages.- Every employee in a beedi industrial premises shall be allowed in a calendar year, leave with wages for a number of days calculated at the rate of one day for every twenty days of work performed by him during the previous calendar year. For the leave allowed to him, an employee shall be paid at a rate equal to the daily average of his total full time earnings for the days on which he worked during the month immediately preceding his leave exclusive of any overtime and bonus, but inclusive of dearness allowance.

Notice of Dismissal.- No employer shall ~~dismiss with~~ dispense with the services of an employee employed continuously for a period of not less than six months, except for a reasonable cause and without giving such employee at least one month's notice or wages in lieu of such notice, provided however that such notice shall not be necessary where the services of such employee are dispensed with on a charge of misconduct supported by satisfactory evidence recorded at an enquiry held for the purpose.

Application of Labour Acts.- The provisions of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), shall apply to matters arising in respect of all beedi industrial premises. The provisions of the Industrial Employment (Standing Orders) Act, 1946 (Central Act 20 of 1946), as in force for the time being shall apply to every beedi industrial premises wherein fifty or more employees are employed or were employed on any one day of the preceding twelve months as if such industrial premises were an industrial establishment to which the aforesaid Act has been applied by a notification under sub-section(3) of section 1 thereof, and as if the employee in the said premises were a workman within the meaning of that Act. The Government may by notification, direct that the provisions of the Payment of Wages Act, 1936, shall apply to all or any class of employees in beedi industrial premises.



On and from the date on which this Act comes into force, the Factories Act, 1948 (Central Act 63 of 1948) and the Mysore Shops and Commercial Establishments Act, 1961, and any law corresponding to that Act as in force in any area of the State shall cease to apply to beedi industrial premises.

(The Mysore Gazette, Part IV, Sec. 2B,  
29 October 1964, pp. 1041-1064 ).

52. Workers' Welfare, Recreation and Workers' Education.

India - October-November 1964.

Report of the Activities Financed from Iron Ore Mines Labour Welfare Fund during the Year ended 31 March 1964.

The Ministry of Labour and Employment published on 28 November 1964 the report of the activities financed from the Iron Ore Mines Labour Welfare Fund during the year ending 31 March 1964. According to the report the Iron Ore Mines Labour Welfare Fund Cess Fund is constituted under the Iron Ore Mines Labour Welfare Cess Act, 1961, which provides for the levy and collection of a cess on iron ore for the financing of activities to promote the welfare of labour employed in the iron ore mining industry.

The Act provides for the levy of a cess at a rate not exceeding 50 paise per metric tonne of iron ore produced and the present rate of levy is 25 paise per metric tonne. The Act is applicable to the whole of India except Jammu and Kashmir and Goa, Daman and Diu. The Act has been enforced with effect from 1 October 1963.

Under section 8 of the Act, the Iron Ore Mines Labour Welfare Cess Rules, 1963 have been framed. Separate Advisory Committees are envisaged as indicated below. One for Andhra Pradesh and Mysore, one for Madhya Pradesh and Maharashtra, one for Bihar and one for Orissa. The Advisory Committees except that for Orissa have been constituted and welfare activities will be initiated in due course.

The welfare activities for which the proceeds of cess are to be utilised under the Act relate to improvement of public health and sanitation, the prevention of disease and the provision and improvement of medical facilities, water supply and facilities for washing the provision and improvement of educational facilities, the improvement of standards of living including housing and nutrition, the amelioration of social conditions and the provision of recreational facilities and the provision of transport to and from work. The Act was in force only for a period of 6 months during the year under report. With the Cess so far collected, a programme for welfare amenities is being worked out.

For the assessment and collection of cess levied under the Act, Iron Ore Mines Cess Commissioners have been appointed in each of the iron ore producing States of Andhra Pradesh, Mysore, Madhya Pradesh, Maharashtra, Bihar, Orissa, Punjab and Rajasthan.

The Statement of accounts for the year shows 806,179 rupees as receipts during the year 1-10-63 to 31-3-64 which includes an opening balance of 1,700 rupees.

(The Gazette of India, Part II, Sec.3, sub-sec.(ii), 28 November 1964, pp. 4525-2526).

56. Labour Administration.

India - October-November 1964.

Working of the Madras Shops and Establishments Act, 1947 for the Year 1963\*.

Extent and Application.- According to the annual report on the Working of the Madras Shops and Establishments Act, 1947, for the year 1963, the Act, which applies to all shops and commercial establishments, theatres and places of public amusements continued to be in force in the City of Madras, in all the Municipalities and Class I Panchayats (in the State) and also in some special areas notified by the Government.

Number of Shops and Establishments.- At the beginning of the year 170,553 establishments were covered by the Act, of which 163,196 were shops, 6,686 commercial establishments, and 471 theatres. At the end of the year there were 178,671 establishments covered by the Act out of which 171,746 were shops, 6,446 commercial establishments, 476 theatres and 3 places of public amusements. ~~Details are furnished in Statement 'B'.~~ Out of the 163,196 shops at the beginning of the year 114,886 were run by owners themselves without employees. At the end of the year 123,838 shops were run by owners without employees out of 171,746 shops.

Employment.- The total number of employees employed in the establishments covered by the Act at the beginning of the year was 205,814 and the number of employees employed at the end of the year was 206,302.

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\* Administration Report on the Working of the Madras Shops and Establishments Act for the year 1963: Government of Madras 1964: Printed by the Director of Stationery and Printing, Madras, on behalf of the Government of Madras, 1964: Price Rupees 2 only: pp. 17 + 1.

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Hours of Work.- The Act restricts the maximum daily and weekly hours of work of the employees in shops and establishments to 8 and 48 hours respectively. There is also a limit to the extent of over-time work that can be extracted from the employees. The daily and weekly hours of work including over-time shall not exceed 10 and 54 respectively. In the case of young persons they shall not be required to work for more than 7 hours a day or 42 hours a week and they shall not also be required to work over-time. The employment of young persons between the hours of 7 p.m. and 6 a.m. and the employment of children in any shop or establishment are also prohibited.

Compliance with the above provisions was fairly satisfactory. Surprise Inspections by the Inspectors had some effect in checking the contraventions in this regard. Fifty employers were prosecuted for contraventions of the above provisions, and all of them were convicted. The Inspectors have been instructed to make frequent surprise inspections particularly at nights and on holidays.

Rest Intervals.- The Act prohibits the employment of any employee continuously for more than 4 hours without an interval of rest for more at least one hour. Government have granted permanent exemption from the above provisions on condition that no employee shall be required to or allowed to work for more than 5 hours on any day without an interval for rest of half-an-hour if he is employed in a clerical capacity and of one hour if he is employed otherwise.

Weekly Holiday.- All the shops in the State were required to remain entirely closed on one day in every week, and the employees in establishments other than shops were to be allowed a holiday of one whole day in each week. But later in deference to the representations from the employers of small shops, the Government exempted, all shops employing 3 and less than 3 employees from the provisions relating to weekly closure subject to the conditions that the employees in such shops are not allowed to work for more than 6 days in a week and this exemption has been renewed from year to year. Ninety-five employers were prosecuted during the year for contraventions of the above provisions and all of them have been convicted.

Leave.- The Act provides for the grant of 12 days casual leave and 12 days sick leave to every employee during every calendar year besides 12 days privilege leave for 12 months continuous service. Privilege leave alone

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can be accumulated for 24 days. This has generally been allowed by most of the employers.

Appeals against discharge or dismissal of employees in shops and establishments.- The Act provides sufficient safeguards to avoid indiscriminate discharge or dismissal of employees. No employer shall dispense with the services of an employee with not less than 6 months continuous service, except for a reasonable cause and without giving him one month's notice or wages in lieu of such notice.

During the year 1963, 400 appeals were filed under Section 41 of the Madras Shops and Establishments Act, 1947, before the appellate authority besides 120 appeals pending with him at the beginning of the year. Out of this, 360 cases were disposed of and 160 cases were pending at the end of the year.

Applications before the Commissioner of Labour.- The Act provides for a reference being made to the Commissioner of Labour for decision regarding the applicability of the provisions of the Act to an establishment or to a person employed therein or regarding protection of the existing privileges in any case as being more favourable than the provisions of the Act and in all such cases, the decision of the Commissioner of Labour is final.

During the year 1963, three such applications were filed before the Commissioner of Labour besides two applications pending at the beginning of the year. The Commissioner of Labour gave his decision in 3 cases and 2 applications were pending disposal at the end of the year.

Inspections.- The Inspectors appointed under the Act have made 620,560 regular, 4,296 surprise and 14,102 holiday inspections under the Act during the year. They had also made 4,812 special visits during the year.

Prosecutions.- At the beginning of the year, there were 14 complaints pending disposal in Courts and 15 prosecutions sanctioned during 1962 were pending with the Assistant Inspectors of Labour.

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Four hundred and four prosecutions were sanctioned by the Deputy Commissioner of Labour during the year 1963, as against 305 during the previous year, for contraventions of the provisions of the Madras Shops and Establishments Act, 1947. Out of 433 prosecutions, 381 ended in conviction, 3 cases ended in acquittal and one case was withdrawn. There were 33 cases pending disposal in Courts at the close of the year, and complaints were not filed by the Assistant Inspectors of Labour in respect of the remaining 15 cases for which prosecutions were sanctioned during the year. A sum of 6,436 rupees was realised as fines by the Courts during the year as against 3,910 rupees during the previous year.

Notices and Registers etc.- The prescribed registers and notices under the Act and Rules were generally maintained and exhibited, except in a very few shops.

Complaints.- The Inspectors investigated as many as 911 complaints during the year under report, as shown in St

Exemptions.- The Government granted during the year permanent exemptions under the Madras Shops and Establishments Act, 1947 in four cases and temporary exemptions in 18 cases. In exercise of the powers delegated to him by the Government, the Commissioner of Labour, Madras, granted exemptions under the said Act, to shops and establishments situated in the respective areas in respect of 21 important fairs and festivals celebrated in various parts of the State and also ordered the suspension of the operation of the Act in respect of all the stalls situated within the exhibition grounds in 6 cases.

General.- The Madras Shops and Establishments Act, 1947 which has been in force in this State for over 15 years has been working fairly satisfactorily.

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CHAPTER 6. GENERAL RIGHTS OF WORKERS.

INDIA - OCTOBER-NOVEMBER 1964.

61. Civil and Political Rights of Workers.

Report on State of Scheduled Castes during  
1962-63 placed before Parliament.

The Commissioner for Scheduled Castes and Tribes placed his report for the year 1962-63 before the Parliament on 24 November 1964. According to this report although forced labour as such had practically gone out of existence after its abolition by the Constitution, yet it still prevailed in certain parts of the country in the form of "bonded labour". The Commissioner has drawn attention to his previous reports for information about the extent of bonded labour in Kashmir, Kerala, Madras, Madhya Pradesh, Mysore, Maharashtra, Orissa, Rajasthan and Uttar Pradesh, and has in the current report given more details about the "unwholesome" system as practised in Madhya Pradesh, Orissa and Dadra and Nagar Haveli.

The Commissioner has suggested that the Orissa Government should make the employment of "gothis" (bonded tribal men) a cognizable offence and should strive, through strict and penalties and vigilant enforcement, to abolish the system altogether. He says in Rajasthan the 1961 law, meant to abolish the Sagri system of bonded labour, has so far had only a symbolic value.

The Commissioner has expressed dissatisfaction over the non-reservation of seats for Scheduled Castes and Tribes in the Gram Panchayats of some States. He has recommended that district magistrates and collectors be given supervisory authority over panchayat bodies, and powers to veto decisions governing welfare schemes and allotment of wastelands if those decisions were detrimental to the interests of these backward people.

(The Hindustan Times, 25 November, 1964).



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67. Conciliation and Arbitration.

India - October-November 1964.

Industrial Disputes in India during 1963.

The table below compares the time loss per 1,000 workers on account of industrial unrest for the years 1961, 1962 and 1963:

Year	No. of Mandays lost (in 1000)	Employment (in 000)	Time loss per 1,000 workers
1	2	3	4
<b>Manufacturing Sector:-</b>			
1961	— 3,706	3,716(R)(E)	1,022(R)
1962	— 4,735	3,902(P)(E)	1,213(P)
1963	— 2,525	N.A.	N.A.
<b>Plantations:-</b>			
1961	— 210	N.A.	N.A.
1962	— 145	N.A.	N.A.
1963	— 110	N.A.	N.A.
<b>Coal Mines:-</b>			
1961	— 201	411	489
1962	— 301	433(R)	695(R)
1963	— 42	N.A.	N.A.

P = Provisional.

R = Revised.

N.A. = Not Available.

(E) = Estimated.

The table reveals that in the 'Manufacturing' Sector, time-loss per 1,000 workers showed an appreciable decline from 1960 to 1961. In the case of Coal Mines, however, a sizeable rise in this figure was recorded in 1962. The sector-wise ~~dat~~ employment data are not available for 1963.

Analysis by States.- The following table shows details regarding industrial disputes for all sectors State-wise during 1963 and 1962:-

State	1963			1962		
	No. of dis-putes	No. of workers involved.	No. of mandays lost.	No. of dis-putes.	No. of workers involved.	No. of mandays lost.
1	2	3	4	5	6	7
Andhra Pradesh.	92	31,061	144,629	81	44,733	169,612
Assam.	18	8,448	10,603	25	15,777	29,214
Bihar.	62	23,191	80,289	69	31,010	177,532
Gujarat.	65	25,792	169,900	38	12,297	86,627
Goa.	5	3,545	17,530	-	-	-
Jammu & Kashmir.	1	65	195	4	1,267	1,482
Kerala.	145	34,421	171,961	201	99,053	2,138,491
Madhya Pradesh.	48	11,691	103,286	57	20,409	257,206
Madras.	191	52,015	434,756	128	23,909	157,675
Maharashtra.	443	210,731	918,364	386	266,232	1,081,042
Mysore.	68	25,644	74,703	78	32,128	67,928
Orissa.	6	4,570	18,209	4	1,340	4,280
Punjab.	13	3,527	29,849	17	4,147	28,114
Rajasthan.	12	2,451	18,691	13	10,388	123,856
Uttar Pradesh.	95	41,144	123,623	91	35,748	376,450
West Bengal.	172	81,326	930,822	234	94,117	1,356,260
Andaman & Nicobar Islands.	2	98	430	16	7,106	30,728
Delhi.	26	2,739	13,754	49	5,398	34,089
Himachal Pradesh.	-	-	-	-	-	-
Tripura.	7	662	6,930	-	-	-
<b>TOTAL.</b>	<b>1,471</b>	<b>563,121</b>	<b>3,268,524</b>	<b>1,491</b>	<b>705,059</b>	<b>6,120,576</b>

It may be noted from the above table that in 1963 West Bengal, Maharashtra and Madras together accounted for 54.8 per cent. of the total number of disputes, 61.1 per cent. of the total number of workers involved and 69.9 per cent. of the total number of mandays lost (time-loss). As compared, to 1962 the time-loss decreased in all the States except Gujarat, Madras, Mysore, Orissa, Punjab and Tripura during the year 1963.

The following table statement gives the average time-loss, number of workers involved and duration per dispute for 1963 and 1962:-

Item	1963				1962			
	All Sect-ors.	Manu-fac-turing Indus-tries.	Mines.	Planta-tions.	All Sec-tors.	Manu-fac-turing Indus-tries.	Mines.	Planta-tions.
1	2	3	4	5	6	7	8	9
Average Time-Loss per dispute (Mandays).	2,222	2,411	945	1,749	4,105	4,922	3,576	1,527
Average No. of Workers involved per dispute.	383	389	361	384	473	393	650	434
Average dura-tion of disputes (Days).	5.8	6.2	2.6	4.5	8.7	12.5	5.5	3.5

Analysis by Lockouts.— Out of 1,471 disputes reported during the year, lockouts were declared at some stage or the other, in 107 cases involving 72,420 workers with a time-loss of 1,039,597 mandays. The disputes in which lockouts were declared at some stage, - accounted for 31.8 per cent. of the total time-loss in all industrial disputes during the year 1963, although by number they formed only 7.3 per cent. The average time loss per lockout was 9,716 mandays as against the average time loss of 1,634 mandays for strikes. The highest number of lockouts was reported from West Bengal which accounted for 53.1 per cent. of the total time-loss due to lockouts. In 1963, there was no lockout in Gujarat, Jammu and Kashmir, Orissa, Punjab, Rajasthan, Andaman & Nicobar Islands, Himachal Pradesh and Tripura.

The 'manufacturing industries' were responsible for as many as 89 of the 107 lockouts involving a time-loss of 979,576 out of the total of 1,039,597 mandays. In 57 cases involving 45,001 workers and time-loss of 464,072 mandays the lockouts were declared by employers subsequent to strikes. In the remaining 50 disputes lockouts were not preceded by strikes.

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Analysis by Industries.- The manufacturing sector accounted for 77.2 per cent. of the total time-loss during the year 1963. Among other sectors, 'Electricity, Gas, Water and Sanitary Services' accounted for 7.2 per cent., of the total time-loss, 'Agriculture, Forestry, Fishing, etc.', for 4.1 per cent., 'Mining, and Quarrying' for 3.0 per cent., 'Transport, and Communications (other than workshops)', for 2.5 per cent., 'Services' for 2.5 per cent., 'Activities not adequately described' for 1.6 per cent., 'Construction' for 1.4 per cent., and 'Commerce' for 0.5 per cent. In the Manufacturing sector, the highest time-loss was recorded by the group 'Textiles' (51.3 per cent.). As compared to the preceding year, the time-loss decreased in all the Groups except 'Electricity, Gas, Water and Sanitary Services', 'Construction' and 'Commerce'.

Important Industrial Disputes.- During the year under review, there were 13 disputes involving a time-loss of more than 50,000 man-days. West Bengal accounted for most of the important disputes, - involving amongst them alone, a time-loss of about 517,000 during the year 1963.

Analysis by Causes.- For classifying the work-stoppages involving a number of causes and demands according to the specified categories of causes, the immediate cause leading to the work-stoppage is taken into account. If there are more than one immediate causes, the most important among them is taken into account. The statistics of industrial disputes classified by causes, following into some specified groups of causes, for the years 1963 and 1962 are presented in the following table:-

Cause-Group

Cause-Group	1963					
	No. of disputes.		No. of workers involved.		No. of Mandays lost.	
	Number.	Percent- age to total.	Number.	Percentage- to total.	Number.	Percentage to total.
1	2	3	4	5	6	7
Wages and Allowances.	408	27.8	158,334	28.1	1,076,689	33.0
Bonus.	147	10.0	98,221	17.5	353,366	10.8
Personnel.	369	25.2	102,054	18.1	456,790	14.0
Retrenchment.	11	0.7	3,393	0.6	9,589	0.3
Leave and Hours of Work.	67	4.6	38,227	6.8	53,031	1.6
Others.	464	31.7	162,555	28.9	1,318,516	40.3
Not Known.	5	-	337	-	543	-
<b>TOTAL.</b>	<b>1,471</b>	<b>100.0</b>	<b>563,121</b>	<b>100.0</b>	<b>3,268,524</b>	<b>100.0</b>

In 1963 among the disputes classified by these groups of causes, except for "Others", "Wages and Allowances" accounted for the highest number (408) of disputes, followed by "Personnel" which accounted for 369 cases. Disputes relating to "Wages and Allowances" and "Personnel" constituted together 53.0 per cent. of the total number of disputes and accounted for 46.2 per cent. of the total number of workers involved and 47.0 per cent. of the total time-loss. The corresponding percentages for 1962 were 53.0, 49.6, and 39.8 respectively. It will be seen that there was an increase in the percentages to the total number of the numbers of disputes, workers involved and mandays lost due to "Leave and Hours of Work" while there was a marked decrease in the case of "Retrenchment".

Analysis of work-stoppages due to Non-Implementation of Labour Enactments, Labour Awards and Labour Agreements.- Such cases accounted for 69 disputes involving 12,726 workers and a time-loss of 177,000 mandays only.

Analysis by Results.- Of the total number of terminated disputes in 1963 for which relevant information was available 23.4 per cent. were 'successful', 17.9 per cent. were 'partially successful' and 41.0 per cent. were 'unsuccessful'. In 17.7 per cent. of the disputes work was resumed without any final decision having been reached. In such cases the matter might have been under further negotiation or under reference to an Industrial Tribunal, etc. As compared to the previous year, the percentages of disputes which were 'successful', 'partially successful', and 'indefinite' decreased and that for 'unsuccessful' increased.

Analysis by duration.- Of the work-stoppages which terminated in 1963, and for which relevant information was available, 71.7 per cent. lasted up to 5 days. The disputes continuing for a month or more accounted for only 4.7 per cent., of all the disputes for which relevant information was available. The percentages of disputes with duration 'more than 10 days up to 20 days', 'more than 20 days up to 30 days' and 'more than 30 days' decreased as compared to 1962 and increased in respect of disputes of shorter duration.

Analysis of Terminated Disputes Classified by Normal Employment-size of unit affected.- The number of workers normally employed is taken to be the number of workers employed on the last regular working day of the month preceding the one in which the work-stoppage took place, - excluding workers employed on special items of work not normally carried on by the employer. 30.0 per cent. of the disputes involved units employing '100 or more but less than 500' workers. However, the units employing '1,000 or more' workers were responsible for 60.2 per cent. of the total time-loss.

Analysis of Terminated Disputes by Method of Settlement and Results.- The disputes which terminated as a result of 'Government intervention', formed 43.4 per cent. of the total for which relevant information was available. Another 20.4 per cent. of the total number of disputes terminated through mutual negotiations and 32.1 per cent. for the workers resumed their duties voluntarily. Most of the cases of 'voluntary resumption of work by the employees', were 'unsuccessful' or 'indefinite' from the point of view of the workers, whereas a large proportion of disputes terminating through 'conciliation and mediation by Government', was 'successful' or 'partially successful'. In cases of disputes terminating through 'mutual settlement' also, a large proportion was 'successful' from the workers' point of view.

Analysis of Terminated Disputes Classified by Workers Involved and Time-loss.- A large number of disputes constituting 81.5 per cent. of the total disputes, for which relevant information was available, involved less than 500 workers. Only 7.5 per cent. of these work-stoppages involved 1,000 or more workers. Most of such work-stoppages, however, accounted for larger time-loss, as can be normally expected. of the total work-stoppages, 96.9 per cent, accounted for a time-loss of less than 10,000 workers mandays. Only 0.7 per cent. of the total disputes resulted in a time-loss of 50,000 or more mandays.

Analysis of Disputes in Central Sphere Undertakings.- The Industrial Relations Machinery of the Central Government is the Competent Authority for intervention in the event of industrial unrest in this sphere. The Central Sphere includes all Central Government Establishments, Ports and Docks, Banks and Insurance Companies, Mines and Oil-fields, Disputes in this sphere accounted for 12.4 per cent. of the total number of disputes, 12.2 per cent. of the total number of workers involved, and 9.0 per cent. of the total number of mandays lost. During the preceding year, these percentages were 10.7(R), 13.2 and 7.6 respectively. During the year under review 54.9 per cent. of the total number of disputes in the Central Sphere occurred in the Mining Sector involving 54.6 per cent. of the total number of workers involved and 32.2 per cent. of the total mandays lost. The highest time-loss (42.3 per cent.) was recorded by the group 'Factories' including 'workshops'.

Analysis of Disputes according to the Affiliation of the Workers' Unions to the Central Organisation of Workers.- Nearly 35.9 per cent. of the total disputes, 56.1 per cent. of the workers involved and 45.2 per cent. of total mandays lost were accounted for by the affiliates of the Indian National Trade Union Congress. Time-loss relating to the All-India Trade Union Congress and the Hind Mazdoor Sabha both, was considerably less. The disputes sponsored by more than one Central Organisation, accounted for only 12.4 per cent. of the total time-loss involved in these disputes.

Analysis of Disputes by wages and Value of Production Lost.- The information regarding wages and value of production lost is incomplete as out of 1,471 disputes, the information was reported for 1,226 cases for 'wages lost' and 661 for 'production lost'. In these cases, there was a wage-loss of 9.6 million rupees and a loss of production worth 52.5 million rupees.

Public Sector Undertakings.- The public sector plays an important role in providing employment in the country. However, it should be borne in mind while interpreting the figures for industrial unrest in this sector that there is a sharp difference between the basic coverage and also reporting of the sectors, as the private sector covers a considerable number of unorganised workmen who seldom demonstrate effectively for redress of their grievances. The total time-loss in the undertakings which were reported to be in the public sector, in 1963 was 277,269 mandays. The time-loss was the highest in the month of August followed by that in the month of May.

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Amongst the States, Maharashtra accounted for the highest time-loss in this Sector.

(A review of the Industrial Disputes during 1962 was reported vide pp.63-70, section 67 of the Report of this Office for the month of December 1963 ).

( Indian Labour Journal, Vol.V, No.10, October 1964, pp.839-877 ).



Punjab: Improvement in Industrial Relations reported.

The Labour Department of the Government of the Punjab has claimed that industrial relations in the State were improving and there had been 154 less industrial disputes during 1963-64 compared to the preceding year. And a large number of these were settled outside the Court. The total number of industrial disputes during 1963-64 was 1,200 out of which only 145 cases had to be referred for adjudication. The rest were either settled through Conciliation Officers, or withdrawn by the concerned party. Compulsory arbitration was accepted by the parties in 31 cases. The number of strikes decreased by about 25 per cent. during the year 1963-64 but the number of man-days lost due to these strikes increased slightly from 28,124 during 1962-63 to 29,848 in 1963-64 because two of these strikes were in big factories.

During 1963-64, 206 awards of the Industrial Tribunal and Labour Courts were published in the Gazette. Of these only 107 required implementation. Out of these 82 were implemented by the management while only 25 remained unimplemented at the close of the year. The number of such unimplemented awards at the close of the last year was 29.

(The Tribune, 6 November, 1964).

Maharashtra: Bombay Industrial Relations  
(Extension and Amendment) Bill, 1964.

The Government of Maharashtra published on 26 November 1964 a Bill to extend the Bombay Industrial Relations Act, 1946, throughout the State and to amend the Act for certain other purposes and to repeal corresponding laws in force in any part of the State. According to the Statement of Objects and Reasons of the Bill, at present there are different laws in force in different areas of the State relating to the regulation of relations of employers and employees and settlement of industrial disputes. The Bombay Industrial Relations Act, 1946, is in force in the Bombay area of the State of Maharashtra, and applies to certain specified industries such as textiles, sugar, textile processing, etc.; and the Industrial Disputes Act, 1947, applies to other industries. The Central Provinces and Berar Industrial Disputes Settlement Act, 1947, is in force in the Vidarbha area of the State and applies to all industries falling within the State sphere, except saw-mills. The Industrial Disputes Act, 1947, applies to all industries in the Marathwada area of the State. The question of having a uniform State law applicable to certain specified industries throughout the State has been engaging the attention of Government for sometime past. During the last session of the Legislature, the Minister for Labour, Maharashtra, gave an assurance on the floor of the House that Government would, shortly take steps to introduce legislation in this behalf after ascertaining the views of the representatives of employers and employees. Accordingly, the Minister for Labour invited suggestions from the representatives of employers and employees and also gave them a hearing. The suggestions made by the various parties have been taken into consideration in the present Bill. The Bill seeks to extend the Bombay Industrial Relations Act, 1946, throughout the State of Maharashtra, to repeal the corresponding laws in force in any part of the State and to make certain amendments therein.

The following notes on clauses explain the important provisions of the Bill.

Clause 3: Sub-clauses (c) and (d).- Provision is made for the application of the Bombay Industrial Relations Act, 1946, to those industries in the Vidarbha area of the State to which the Central Provinces and Berar Industrial Disputes Settlement Act, 1947, applied. Power is also taken to the State Government to withdraw the application of the Act in relation to any specified industry; and provision is made for application of section 7 of

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the Bombay General Clauses Act, 1904, to provide for usual savings in any such contingency.

Clause 4: Sub-clause(a).- It is proposed to amend the definition of "employee" in section 2 (23) of the principal Act so as to include within its cope -

(i) any persons who have been retrenched on account of any dispute relating to a change, and

(ii) persons employed primarily in a managerial, administrative, supervisory or technical capacity and drawing wages not more than seven hundred and fifty rupees per month. At present, such persons drawing not more than three hundred and fifty rupees basic pay (excluding allowances) are covered by the Act.

Sub-clause(b).- Power is taken to declare the entire State as a local area for any industry for the purposes of the Act and to fix different local areas for different industries.

Clause 7: Sub-clause (a).- Under section 13 a Union having a membership of not less than 15 per cent. of the employees employed in an industry in a local area is eligible to become a Representative Union. It is considered that the existing percentage is too low. It is, therefore, proposed to raise the percentage to twentyfive.

Sub-clause (b).- In order to discourage repeated applications by unions for registration, provision is made to prohibit fresh application by a union unless its previous application for registration is finally disposed by the Registrar.

Clause 8.- The Bombay High Court in B.E.S.F. Workers Union vs. State of Bombay (Appeal No.2 of 1959) has held that the third proviso to section 14 applies, even if more than one union apply for registration in different calendar months. This interpretation leads to considerable practical difficulties. The amendment, therefore, provides that applications made in the same calendar month for registration of unions shall first be disposed of; and any applications received in subsequent calendar months shall not be considered until applications received in the same calendar month are disposed of.

Clause 9.- Section 16 does not bar applications being made repeatedly for registration of another union in place of any existing registered union. It is considered that when a Union has been once recognised, it should continue to be so at least for a period of two years, from the date of its registration. This is also in keeping with the provisions of the Code of Discipline. It is also considered, that unless a period of one year has elapsed from the date of disposal by the Registrar

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of the previous application made by any union, no fresh application by that union should be entertained.

Clause 11.- For the reasons given in clauses 7, 8 and 9, it is proposed to make similar amendments in section 23 of the principal Act.

Clauses 12 and 13.- The conditions prescribed for registration under the Central Provinces and Berar Industrial Disputes Settlement Act, 1947, are on the whole similar to those prescribed for approved unions under the principal Act. It is, therefore, considered that any union so recognised should be deemed to be entered in the list of approved unions, provided that these unions make rules providing for matters specified in section 23 within six months from the commencement of the Bombay Industrial Relations (Extension and Amendment) Act, 1964. These clauses, therefore, make the necessary amendments in sections 23 and 24 for the purpose.

Clauses 19 and 20.- The Supreme Court in *Girjashankar Kashiram vs. Gujarat Spinning and Weaving Co. Ltd.* (1962(1)L.L.J.369) has held that under the scheme of sections 27A, 32 and 33, no person can appear in any proceedings under the Act in which a representative union appears. It is considered that an employee should be permitted to appear in a proceeding before a Labour Court or an Industrial Court in which the legality or propriety of an order of dismissal, discharge, removal or suspension is under consideration, although the representative Union has appeared in any such proceeding.

At present there is no provision empowering a Labour or Industrial Court to stop any undesirable person from appearing before it. It is noticed that unscrupulous persons sometimes take undue advantage of this position. It is, therefore, provided that no person (other than the Representative Union or legal practitioner) shall be permitted to appear on behalf of employees except with the permission of the Court.

Clause 21.- It is noticed that in disputes between employees and employers referred to a Labour Court or the Industrial Court under section 72, the representative union avoids to appear, and the Court is confronted with the difficulty of getting proper appearance. To overcome this difficulty in such disputes, the amendment provides that all such persons who are parties and where the number of either side exceeds five, their elected representatives should be entitled to appear and act in the proceedings before the Court. Provision is made for the Representative Union also to be heard.

Clause 22.- Under the proviso (b) to sub-section (6) of section 34, the Labour Officer shall not investigate the grievances of employees where there is an approved union for an industry, except at the request of that union. It has been noticed that the grievances of employees in some cases wherein the approved union is not interested, remain uninvestigated. The amendment empowers the Labour Officer to take up such cases on his own after consulting the approved union.

Clause 26.- Under this clause, it will not be possible for an employer to make any change in any industrial matter where no settlement is arrived at, before the date on which the award of the Arbitrator or Industrial Court or decision of the Wage Board comes into operation. This provision is made on the lines of section 37(10) of the Central Provinces and Berar Industrial Disputes Settlement Act, 1947.

Clause 29.- This clause makes provision for empowering an employer also to refer an industrial dispute for arbitration under section 73A on the lines of section 38A of the Central Provinces and Berar Industrial Disputes Settlement Act, 1947.

Clause 31.- This clause enlarges the powers of the Labour Court under section 78. The Labour Court is empowered to direct temporary withdrawal of any change the legality of which is a matter of issue in any proceedings before it, pending its final decision.

The Labour Court is further empowered to require an employer to reinstate an employee with full back wages or pay him wages and compensation not exceeding Rs. 2,500/- (regard being had to loss of employment and possibility of getting suitable employment), if the employee was dismissed, discharged, removed for fault or misconduct which came to the notice of the employer more than six months prior to such action or if such action was taken in contravention of any of the provisions of the Act or of any standing order applicable to the employee.

Clause 32.- Under the new section 82, cognizance of an offence can now be taken by the Labour Court in the case of employees on a complaint made by the representative union.

Clause 36.- Provision is made in section 86CC for empowering an employer also to refer an industrial dispute to a Wage Board for decision.

Clauses 41 and 42.- In order to encourage settlement of industrial disputes through voluntary arbitration, it is proposed that if the employer does not agree to submit the industrial dispute to arbitration under section 58(6) during the conciliation proceedings, a strike, if any, resorted to by the workers during the pendency of arbitration proceedings before the Industrial Court under section 73A should not be illegal. Corresponding provision in similar circumstances has been made in respect of lockouts by employers.

Clause 44.- As a further measure of protection afforded to employees ~~should~~ under section 101, provision is being made requiring an employer to obtain prior permission of the Labour Court before dismissal, discharge or reduction of recognised office bearers of a union.

Clause 47.- It is proposed to amend section 116A so as to enable the Industrial Court, Labour Court and the Wage Board, to modify the award also retrospectively, but such retrospective effect is not to be given from a date earlier than the date of application for such modification.

Clause 48.- New section 118B is intended to empower the Industrial Court or Labour Court to decide matters ex parte.

(Maharashtra Gazette, Part V, 26 November 1964, pp. 410-428 ).

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CHAPTER 7. PROBLEMS PECULIAR TO CERTAIN  
CATEGORIES OF WORKERS.

INDIA - OCTOBER-NOVEMBER 1964.

71. Employees and Salaried Intellectual Workers.

Madras: Dearness Allowance for State  
Government Employees Increased.

The Government of Madras issued orders on 30 September 1964, enhancing the dearness allowance of its employees with immediate effect. About 185,000 employees throughout the State will benefit. The Government has also decided to simultaneously increase the basic pay and dearness allowance of the 75,000 village officers in the State. According to the revision, those getting pay below 90 rupees will get Rs. 25.50 20.50 rupees Dearness Allowance; the 90 rupees and above but below 150 rupees group will get Rs. 25.50 Dearness Allowance; the 150 rupees and above but below 210 rupees group will get 42 rupees Dearness Allowance; the 210 rupees and above but below 300 rupees slab will get 50 rupees Dearness Allowance; the 300 rupees and upto 315 rupees will get the amount by which pay falls short of 350 rupees as Dearness Allowance; the 316 rupees and upto 384 rupees group will get 35 rupees Dearness Allowance; the 385 rupees and upto 400 rupees group will get the amount by which pay falls short of 420 rupees as Dearness Allowance; the 401 rupees and upto 580 rupees group will get 20 rupees Dearness Allowance; the slab above 581 rupees will get the amount by which pay falls short of 600 rupees as Dearness Allowance.

Similar increase will be allowed in the rates of dearness allowance admissible to the employees of municipal councils, panchayat union councils and also panchayats and the concerned local bodies will be given financial assistance to the extent necessary. Teachers employed in the above local inst~~t~~ bodies, as also in the aided institutions, will also be given the enhanced rates.

(The Hindu, 1 October 1964 )

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Interim Wage Increase for Working Journalists  
sanctioned.

A notification dated 23 November 1964 of the Ministry of Labour and Employment says that whereas the Central Government has, in exercise of the powers conferred by section 9 of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955), constituted a Wage Board for the purpose of fixing or revising the rates of wages in respect of working journalists in accordance with the provisions of the said Act. And whereas the said Board continues to function under section 9 of the said Act. And whereas the Central Government is of opinion that pending receipt of the final recommendations of the Board it is necessary to fix interim rates of wages in accordance with respect of working journalists as stated hereunder. Now therefore, in exercise of the powers conferred by sub-section(1) of section 13A of the said Act, the Central Government, after consultation with the Board, hereby fixes with effect from 1 May 1964, the interim rates of wages in accordance with the resolution of the said Board set out in the Schedule hereto annexed.

THE SCHEDULE

- "(i) The Board also resolved that interim relief equal to 8 per cent. of the basic pay which a working journalist was drawing on 30 April 1964 subject to a minimum of 15 rupees p.m. and a maximum of 25 rupees p.m. be paid to the working journalists.
- (ii) This interim relief should be granted to working journalists drawing a basic pay upto 750 rupees per month. This is subject to marginal adjustments in cases of those working journalists who draw basic pay of more than 750 rupees per month and less than 775 rupees per month in whose case an interim relief of the amount by which their basic pay falls short of 775 rupees shall be granted.
- (iii) This interim relief shall be payable to working journalists with effect from the 1 May, 1964.
- (iv) This ~~same~~ interim relief shall be payable to those working journalists to whom the Working Journalists(Conditions of Service) and Miscellaneous Provisions Act apply.
- (v) This amount of interim relief shall be in addition to the Dearness Allowance payable to working journalists.



- (vi) The emoluments of working journalists consisting of basic pay plus dearness allowance and ~~interim~~ relief, if any, already granted voluntarily or by way of mutual agreement, on or after the consultation of the Wage Board i.e. the 12 November 1963 exceeds the emoluments which a working journalist shall be entitled to after adding the interim relief granted by the above recommendations to the basic pay and dearness allowance, in that case his emoluments shall not be affected by these recommendations. If, however, it falls short, then in that case, the working journalist shall be entitled to a rise of an amount equal to the difference."

(The Gazette of India, Extraordinary,  
Part II, Sec. 3, sub-sec. (ii),  
23 November 1964, pp. 1115-1116).

CHAPTER 8. MANPOWER PROBLEMS.

INDIA - OCTOBER -NOVEMBER 1964.

81. Employment Situation.

Meeting of the Working Group of National  
Employment Service held at New Delhi,  
5-6 October 1964.

A meeting of the Working Group of National Employment Service was held at New Delhi on 5 October 1964. It was inaugurated by Shri R.K. Malaviya, Deputy Minister for Labour and Employment.

Inaugural address.- In his inaugural speech, the Deputy Minister for Labour and Employment, Shri R.K. Malaviya, suggested a more positive role for employment exchanges in meeting the industries' requirements of skilled manpower. He did not hide the fact that while employment exchanges were informed about "a very large number of vacancies" in different establishments, they could not meet the employers' requirements for want of properly trained people. One remedy he suggested was that special efforts should be made to get on the registers people with experience and, wherever necessary, arrange training programmes for them so that the shortage could be met adequately.

But the point on which he laid great emphasis was that there should be far more contact with employers than hitherto, so that a scheme to assist employers in formulating their manpower plans and laying down qualifications for different jobs could be drawn up. At the same time, he stressed the need for greater contact with job-seekers and improvement in the quality of registration, so that they could be guided effectively.

The meeting of the Working Group considered the establishment of research cells in the State Employment Directorates to study trends in employment, and an agency to conduct surveys to estimate the proportion of employed persons on the live registers of employment exchanges.

The meeting is also took note of a recent decision to have a survey of urban employment in the country - at national, State and regional levels - and the occupational and industry-wise distribution of people employed. The survey which will begin in January is being undertaken in view of the fact that lack of adequate information regarding the extent of employment and un-employment makes it difficult to prepare firm estimates for manpower requirements.

(The Statesman, 6 October 1964).

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Seminar on Employment Information and Manpower  
Utilisation held at New Delhi 3 October 1964.

A two-day Seminar on Employment Information and Manpower Utilisation was organised jointly on 3 October 1964 by the Employers' Federation of India and the All-India Organisation of Industrial Employers. The Seminar was inaugurated by Shri D. Sanjivayya, Union Minister for Labour and Employment. Among others the Seminar was addressed by Shri Naval H. Tata, President of the Employers' Federation of India and Dr. V.K.R.V. Rao, Member of the Planning Commission. The Seminar was attended by nearly 100 high-level Central Government officials, 33 representatives of the Employers' Federation, 35 representatives of the All India Organisation of Industrial Employers, 32 representatives of the public sector enterprise, 22 labour officers from the States and 25 representatives of various institutions.

Inaugural Speech.— Inaugurating the Seminar, Shri D. Sanjivayya, Union Minister for Labour and Employment said that the total number of persons entering the labour market during the Fourth Plan period would be of the order of 23 million in addition to the carry-over of 12 million unemployed persons from the Third Plan period. The magnitude of this problem, Shri Sanjivayya emphasised, required advance action in the building up of technical and managerial personnel. The Minister was critical of the fact that too much emphasis was being placed on the financial aspect in the formulation of plans to the neglect of physical resources, particularly the utilisation of manpower.

It was not realised that the development of high-level manpower should proceed at a faster rate than the national income. Explaining that manpower meant the skills, aptitudes and knowledge of the people which formed the social infra-structure for economic development. Shri Sanjivayya said that the skilled manpower being a scarce resource its utilisation had to be organised with greater care than other factors of production.

Shri Sanjivayya emphasised the need to undertake continuous studies of the size and distribution of the labour force, the volume of productive employment currently available and likely to be available in the future and to promote the collection and analysis of current indicators of economic activity and make short-term forecasts of employment for a proper planning.

Addressing the Seminar, Shri Naval H. Tata, President of the Employers' Federation of India said that no vocational bias was given to school and college studies. Such a vocational bias would prepare the students for technical jobs in preference to the white-collared variety, where there was a growing frustration. A vocational bias would also encourage self-employment of persons which, in a situation of chronic under-employment, would be a desirable objective.

Shri Tata said that manpower planning was of recent origin in India and proper attention was not paid to assess the labour market and the availability of skilled and unskilled workers. The basic handicap was a lack of skill which was so essential for progress. Because of this efficient use of human resources and the evolution of a general policy of manpower planning and utilisation was not possible.

In starting an industry a good deal of attention had to be paid to the availability of the requisite capital, natural resources and marketing raw materials, transport and marketing facilities, while the availability of skilled labour was not taken into account, as it was taken for granted that there would be no dearth of labour potential to start any new enterprise. No methods had been worked out so far for the purpose of forecasting accurately the trained manpower requirements of the country, Shri Tata added.

The Seminar was split into three Committees to discuss employment information, manpower planning in industry and requirement of trained personnel respectively.

(The Economic Times, 4 October 1964 ).

Employment Exchanges: Working during August, 1964.

According to the Review of the Principal activities of the Directorate-General of Employment and Training for the month of August 1964, the following was the position of registration, recruitment, live register, vacancies notified and employers using employment exchanges:

Item	July 1964	August 1964	Increase (+) or Decrease (-)
Registrations.	426,531	349,545	- 76,986
Placements.	46,481	47,312	+ 831
Live Register.	2,636,974	2,680,805	+ 43,831
Vacancies			
Notified.	82,800	77,906	- 4,894
Employers using Exchanges.	14,630	14,652	+ 22

Shortages and Surpluses.- Shortages were experienced during the month in respect of engineers, doctors, stenographers, fast typists, nurses, compounders, midwives, fitters, turners, and trained teachers, while surpluses continued to persist in respect of clerks, untrained teachers, unskilled office workers and unskilled labourers.

Employment Market Information.- All India Report on Employment in the Public Sector, Quarterly Employment Review and Report on Shortage Occupations for the quarter ended March 1964, were issued during the month.

Report on Occupational Pattern of employees in the Public Sector-India-1962 was also brought out during this month.

Vocational Guidance.- Six more Vocational Guidance Sections, one each at Employment Exchange, Nasik, Saharanpur, Balia, Mirzapur, Bilaspur (Madhya Pradesh) and Saugar were set up during the month under report bringing the total to 130.

Bulletin on Job Opportunities in India.- The 3rd issue of the quarterly Bulletin for Job Opportunities in India for the quarter ending 30 June, 1964 was issued.

Gorakhpur Labour Organisation.- During the month of August the Gorakhpur Labour Depot. despatched 1,134 workers to various work sites.

Deployment of Surplus and Retrenched Personnel.- During the month under review 24 persons were retrenched from various River Valley Projects, 24 were registered and 1 was placed in employment. Detailed statement showing the number of persons retrenched, number registered, placed and the number of persons awaiting employment assistance is given below:-

Name of Project.	No. awaiting assistance at the end of July, 1964.	No. retrenched during the month.	No. of retrenched (including those left voluntarily registered during the month for employment assistance.	No. placed during the month.	No. left indicating no desire for assistance.	No. awaiting assistance at the end of the month.
1	2	3	4	5	6	7
1. Damodar Valley Corporation.	172	20	20	-	2	190
2. Bhakra Nangal Project.	16	4	4	-	3	17
*3. Bhilai Steel Project.	824	-	-	-	<del>2</del>	824
4. Durgapur Steel Project.	63	-	-	-	2	61
5. Special Cell of Ministry of Home Affairs.	319	-	-	1	21	297**
<b>Total.</b>	<b>1,394</b>	<b>24</b>	<b>24</b>	<b>1</b>	<b>28</b>	<b>1,389</b>

\* Reports for August, 1964 not received.

\*\* Class II = 51, Class III & IV = 246.

Note: Total of Columns 2 and 4 is equal to the total of Columns 5, 6 and 7.

Opening of additional Employment Exchanges.- Two Employment Exchanges were opened in the States of Gujarat and West Bengal. The total number of Employment Exchanges including University Employment Information and Guidance Bureaux in the country comes to 388 at the end of August, 1964.

(Review of the Principal Activities of the Directorate-General of Employment and Training for the Month of August 1964: Issued by the Directorate-General of Employment and Training, Ministry of Labour and Employment, Government of India, New Delhi ).



Employment Exchanges: Working during  
September, 1964.

According to the Review on the Principal activities of the Directorate-General of Employment and Training for the month of September 1964, the following was the position of registration, recruitment, live register, vacancies notified and employers using employment exchanges:

Item	August 1964	September 1964	Increase(+) Decrease(-)
Registrations.	349,545	334,815	- 14,730
Placements.	47,312	50,573	+ 3,261
Live Register.	2,680,805	2,671,633	- 9,172
Vacancies Notified.	77,906	77,372*	- 534
Employers using Exchanges.	14,652	14,234	- 418

\*Includes 1,720 vacancies notified by private employers falling within the purview of the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 against which submission action was not required.

Shortages and Surpluses.- Shortages were experienced during the month in respect of engineers, doctors, stenographers, fast typists, draughtsmen, overseers, compounders, midwives, nurses, accountants, trained teachers and electricians, while surpluses continued to persist in respect of clerks, untrained teachers, unskilled office workers and unskilled labourers.

Employment Market Information.- At the end of September 1964, employment market studies were in progress in 256 areas in different States.

Vocational Guidance and Employment Counselling.- Three more Vocational Guidance Sections - one each at Employment Exchanges, Sangli, Kapurthala and Bhatinda were set up, bringing the total to 133, during the month.

Gorakhpur Labour Organisation.- During the month of September 1964 the Labour Depot Gorakhpur recruited 1,076 workers.

Deployment of Surplus and Retrenched Personnel.- During the month under review 16 persons were retrenched from various River Valley Projects, 279 were registered and 128 were placed in employment. Detailed statement showing the number of persons retrenched, number registered, placed and the number of persons awaiting employment assistance is given below:-

Name of Project	No. awaiting assistance at the end of August, 1964.	No. retrenched during the month.	No. of retrenched persons (including those left voluntarily) registered during the month for employment assistance.	No. placed during the month.	No. left indicating no desire for assistance.	No. awaiting assistance at the end of the month.
1	2	3	4	5	6	7
1. Damodar Valley Corporation.	190	3	3	1	-	192
2. Bhakra Nangal Project.	17	-	-	-	2	15
3. Bhilai Steel Project.	551	-	263	120	-	694
4. Durgapur Steel Project.	61	-	-	1	6	54
5. Special Cell of the Ministry of Home Affairs.	297	13	13	6	-	304*
<b>TOTAL.</b>	<b>1,116</b>	<b>16</b>	<b>279</b>	<b>128</b>	<b>8</b>	<b>1,259</b>

\* Class II = 51, Class III & IV = 253.

Note: Total of columns 2 and 4 is equal to the total of columns 5, 6 and 7.

Opening of additional Employment Exchanges, etc.- Two University Employment Information and Guidance Bureaux one each at Muzaffarpur and Patna in Bihar State were opened during the month. The total number of Employment Exchanges including University Employment Information and Guidance Bureaux in the country comes to 390 at the end of the September 1964.

(Monthly Review of the Principal Activities of the Directorate-General of Employment and Training for the Month of September 1964: Issued by the Directorate-General of Employment and Training, Ministry of Labour and Employment, Government of India, New Delhi).

83. Vocational Training.

India - October-November 1964.

Labour Ministry's Training Schemes:  
Working during August 1964.

According to the Review on the Principal activities of the Directorate-General of Employment and Training for the month of August 1964, there were 298 institutes for training craftsmen and 22 centres holding part-time classes for industrial workers. The total number of seats introduced was 84,000 and the total number of persons undergoing training was 80,906.

Central Training Institute for Instructors.-  
~~Session which commenced on 1 May, 1964 at all the Central Training Institute for Instructors is in progress.~~ The present admission position in each Central Training Institute for Instructors is as under:

C.T.I., Calcutta	416
C.T.I., Bombay	283
C.T.I., Kanpur	258
C.T.I., Madras	203
C.T.I., Hyderabad	104
C.T.I., Ludhiana	143
C.T.I., Curzon Road, New Delhi.	105

Sanction of seats under the Training Schemes.- During the month of August, 1964, only 280 seats were sanctioned under the Craftsmen Training Scheme during the Third Five Year Plan. The progressive total number of seats sanctioned so far during the current Plan period is given below:-

	July	August	Increase(+) or Decrease(-)
a) Craftsmen Training Scheme.	64,682	65,266	+ 584
b) National Apprenticeship Scheme.	4,387	4,387	-
c) Part-time Classes for Industrial Workers.	3,695	4,195	+ 500
d) No. of New I.T.I.s. sanctioned.	154	155	+ 1

Joint meeting of the Working Committee and the Trade Committees Experts.- On the recommendations of the National Council for Training in Vocational Trades, a Joint meeting of the Working Committee of the National Council for Training in Vocational Trades and the Trade Committee Experts was held at Howrah on 10 - 12 August 1964. The question of changes in the existing duration of the courses under the Craftsmen Training Scheme during the Fourth Five Year Plan and some other important items were discussed at the meeting.

Equipment.- Central Training Institute for Instructors at Calcutta, Kanpur, Madras, Hyderabad, Ludhiana and Bombay are being assisted by foreign aid programmes. These projects are being aided by Special Project Fund of the U.N.O. except the one at Bombay, which is being assisted by the AID Agency of the United States. The Progressive receipt position of the equipment upto August 1964 is tabulated below:

Name of Centre	Value of aid (in Millions)	Receipt upto July 1964.	Received during August 1964	Total receipts upto August 1964.
1	2	3	4	5
C.T.I., Kanpur.	1.390	1.311	nil	1.311
C.T.I., Madras.	1.390	1.368	nil	1.368
C.T.I., Hyderabad.	1.390	1.370	nil	1.370
C.T.I., Ludhiana.	1.390	1.306	nil	1.306
C.T.I., Bombay.	1.704	1.495	nil	1.495

It may be mentioned that Central Training Institute for Instructors, Calcutta has ~~received~~ received all the equipment indented for. Out of the saving of previous P.I.Os. two fresh P.I.Os. amounting to \$ 28,000 have been issued but the equipment are still awaited.

Supervisory Development Programme.- As a pilot project, a supervisory development programme for the benefit of small scale industrialists is being conducted by Directorate General of Employment and Training at the Small Industry Service Institute, Okhla, New Delhi, at the request of Small Industries Service Institute. Sixteen Participants selected are attending this course. The programme is in progress.

Apprentices Act 1961.- The number of apprentices undergoing training under the Apprentices Act was 10,033 at the end of June, 1964 of which 7,519 were full-time apprentices and 2,514 short-term apprentices.

(Monthly Review of the Principal Activities of the Directorate-General of Employment and Training, for the Month of August 1964: Issued by the Directorate-General of Employment and Training, Ministry of Labour and Employment, Government of India, New Delhi ).

Labour Ministry's Training Schemes:  
Working during September 1964.

According to the Review of the Principal Activities of the Directorate-General of Employment and Training for the month of September 1964, there were 298 institutes for training craftsmen and 30 centres holding part-time classes for industrial workers. The total number of seats introduced was 90,495 and the total number of persons undergoing training was 81,574.

Central Training Institute for Instructors.-  
Session which commenced on 1 May 1964 at all the Central Training Institute for Instructors is in progress. The present admission position in each C.T.I. is as under:-

C.T.I., Calcutta	-	416
C.T.I., Bombay	-	283
C.T.I., Kanpur	-	255
C.T.I., Madras	-	208
C.T.I., Hyderabad	-	104
C.T.I., Ludhiana.	-	143
C.T.I., Curzon Road, New Delhi.	-	105

Sanction of seats under the Training Schemes.-  
During the month of September 1964, 328 additional seats were sanctioned under the Craftsmen Training Scheme during the Third Five Year Plan. The progressive total number of seats sanctioned so far during the current Plan period is given below:-

	<u>Seating capacity as at the end of</u>		
	<u>August</u> <u>1964</u>	<u>September</u> <u>1964</u>	<u>Increase(+)</u> <u>Decrease(-)</u>
a) Craftsmen Training Scheme.	65,266	65,594	+ 328
b) National Apprenticeship Scheme.	4,387	4,387	-
c) Part-time Classes for Industrial Workers.	4,195	4,195	-
d) Number of New I.T.Is sanctioned.	155	155	-

Equipment.- The progressive receipt position of equipment under United Nations Special Project Fund upto September 1964 is tabulated below:

Name of Centre	Value of Aid (In Millions)	Receipt upto August, 1964.	Received during September, 1964.	Total receipts upto September 1964.
1	2	3	4	5
C.T.I., Kanpur.	1.390	1.311	nil	1.311
C.T.I., Madras.	1.390	1.368	nil	1.368
C.T.I., Hyderabad.	1.390	1.370	nil	1.370
C.T.I., Ludhiana.	1.390	1.306	0.006	1.312
C.T.I., Bonbay.	1.704	1.495	nil	1.495

It may be mentioned that C.T.I., Calcutta have received all the equipment indented for. Out of the saving of previous Project Indent Orders, two fresh Project Indent Orders amounting to \$ 28,000 have been issued but the equipment are still awaited.

(Monthly Review of the Principal Activities of the Directorate-General of Employment and Training for the Month of September 1964: Issued by the Directorate-General of Employment and Training, Ministry of Labour and Employment Government of India, New Delhi ).



85. Migration and Colonisation.

India - October-November 1964.

Repatriation of 525,000 Indians from Ceylon:  
Agreement reached between India and Ceylon.

Under an agreement signed by the Prime Ministers of India and Ceylon at New Delhi on 29 October 1964, out of 975,000 immigrants of Indian origin, 525,000 would be granted Indian citizenship. Ceylon has agreed to absorb 300,000 of the immigrants as Ceylonese citizens. The status of the remaining 150,000 immigrants will be decided early next year when the two Prime Ministers meet again to discuss the problem. The 525,000 immigrants who are being conferred Indian citizenship will be repatriated under a phased programme, presumably over a period of 15 years.

The status of the Indian immigrants in Ceylon has been a subject of dispute between the two countries since 1922 when the Indian Government enacted an emigration law to regulate the conditions of service and the rights and privileges of the Indian workers migrating to Ceylon. The Indian law, however, left the political status of the emigrants somewhat unclear.

By far the great majority of Ceylon's immigrants became 'stateless' following the two citizenship laws enacted by the Ceylonese Parliament in 1948 and 1949. The dispute over the issue assumed an acrimonious character as the two laws deprived these immigrants of the franchise rights which they had exercised between 1931 and 1949.

It is understood that the total number of people of Indian origin is about 1,140,000 out of which 140,000 have secured Ceylonese citizenship. Indian passport-holders number 29,000.

Indian citizenship had been given since 1949 to 240,000 had people of whom all but 29,000 had left Ceylon.

India has in the past rejected only 12 per cent. of applications for Indian citizenship. Ceylon had rejected 85 per cent. of the applications.

(The Hindustan Times, 30 October 1964).

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Chapter 9. Social Security

92. Legislation.

India - October-November 1964.

Punjab: Family Pension Scheme Introduced.

The Government of Punjab has decided to introduce, with effect from 1 July 1964, Family Pension Scheme, 1964, for the families of deceased Government servants. Its benefits will be available to the families of those employees, temporary or permanent, who hold pensionable ~~and~~ posts and who have completed five years of continuous service. Under the Scheme, family pension will be paid in case of the death of an employee, while in service or after retirement, on or after 1 July 1964. In the case of retired officials, the pension will be payable if the deceased was receiving compensatory, invalid, or any other pension at the time of his death.

The rates of pension payable are: (1) 30 per cent. of the pay of an employee drawing a salary of below 200 rupees, subject to a minimum of 25 rupees; (2) 15 per cent. of the pay subject to a maximum of 96 rupees and a minimum of 60 rupees in case of those drawing salary between 200 and 800 rupees; and (3) 12 per cent. of the pay subject to a maximum of 150 rupees in case of those whose pay is more than 800 rupees.

Every employee eligible for the scheme, will be required to surrender part of his gratuity, where admissible, equal to two months' emoluments or pay as the case may be, subject to a maximum of 3,600 rupees. In the case of a bachelor no deduction will be made from the gratuity payable to him.

For the purposes of the scheme, the definition of family will include wife or husband, minor sons and unmarried minor daughters. The pension will be payable to the widow/widower up to the date of death or remarriage. In cases where there are two or more widows, the pension will be available to the elder widow. If both husband and wife are Government servants, the scheme will not debar the Government servant/pensioner from drawing family pension in addition to his/her pay or pension.

(The Statesman, 23 November 1964).

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Maharashtra: Bombay Maternity Benefit,  
Hyderabad Maternity Benefit and Central  
Provinces and Berar Maternity Benefit  
(Repeal) Act, 1964 (Maharashtra Act No. XL  
of 1964).

The Bombay Maternity Benefit, Hyderabad Maternity Benefit and Central Provinces and Berar Maternity Benefit (Repeal) Bill (vide page 101 of the report of this Office for July-August 1964) as passed by the Maharashtra Legislature received the assent of the President on 21 October 1964 and has been gazetted as Maharashtra Act No. XL of 1964. The Act provides that on the application of the Maternity Benefit Act, 1961, to factories in the State, the Bombay Maternity Benefit Act, 1929, the Hyderabad Maternity Benefit Act and the Central Provinces and Berar Maternity Benefit Act, 1930, as applicable to factories shall, subject to the provisions of section 27 of the Maternity Benefit Act, 1961, ~~stand~~ stand repealed.

(Maharashtra Government Gazette,  
Part IV, 20 October 1964, pp. 207-208).

Madras: Employees' State Insurance Scheme  
extended to certain Areas in the State.

In exercise of the powers conferred under the Employees' State Insurance Act, 1948, the Central Government has appointed 29 November 1964 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force) of the said Act, shall come into force in the following areas of the State of Madras, namely:-

- I. The areas comprised within the revenue villages of Vedapatti and Othakkalmandapam situated in Coimbatore taluk of Coimbatore District.
- II. The areas comprised within the revenue villages of Tanakkankulam, Pudukulam Bit II, Vilacheri and Tirupparankundram situated in Madurai taluk of Madurai District.

(Notification S.O.4073 dated 28 November 1964, the Gazette of India, Part II, Sec.3, sub-sec.(ii), 28 November 1964, page 4527).

Madras Maternity Benefit (Repeal) Act, 1964  
(Madras Act No.23 of 1964).

The Madras Maternity Benefit (Repeal) Bill (vide pages 103-104 of the report of this Office for July-August 1964) has passed by the Madras Legislature received the assent of the President on 28 September 1964 and has been gazetted as Madras Act No.23 of 1964. The Act provides that on and from the date notified in that behalf in the Official Gazette by the State Government under clause (b) of sub-section(3) of Section 1 of the Maternity Benefit Act, 1961, as the date on which that Act shall come into force in relation to establishments (other than mines), in the State, the Madras Maternity Benefit Act, 1934 (Madras Act VI of 1935), shall stand repealed. The repeal of the Madras Maternity Benefit Act, shall not affect, -

(a) the previous operation of the said Madras Act or anything duly done or suffered thereunder; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the said Madras Act; or

(c) any fine, penalty, forfeiture or punishment incurred in respect of any offence committed against the said Madras Act; or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, fine, penalty, forfeiture or punishment as aforesaid; and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such fine, penalty, forfeiture or punishment may be imposed, as if this Act had not been passed.

(Fort St. George Gazette, Part IV-Sec.4,  
7 October 1964, page 267 ).

93. Application.

India - October-November 1964.

Employees' State Insurance Scheme to be extended to Shops and Commercial Establishments.

The Employees' State Insurance Corporation has approved a tentative programme expanding the scheme further during the Fourth Plan. It is proposed to extend the Employees' State Insurance Scheme to shops and commercial establishments employing 200 or more people in selected areas. The scheme will cover factories, employing 10 or more people if they use power, and those employing 200 or more persons if power is not used.

The pace of hospital construction under the scheme is to be extended so as to provide 11 beds for every 1,000 insured family units. It has also been decided that Employees' State Insurance dispensaries which are at present functioning primarily as curative services should be provided with more staff in order to provide preventive services and function as health centres. Initially Employees' State Insurance centres in Delhi and Kanpur will have three health centres.

(The Hindustan Times, 24 November 1964).



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Punjab: Annual Report on the Working of  
Punjab Maternity Benefit Act, 1943 during  
the Year 1963.

According to the annual report on the working of Punjab Maternity Benefit Act, 1943, in the State during the year 1963, out of 4,735 factories registered under the Factories Act, 1948, 368 factories were covered under the Punjab Maternity Benefit Act as against 338 factories during the preceding year. Out of these, 314 factories with 3,141 women workers submitted their returns during the year under review.

The Cotton ginning and Pressing Factory has the highest percentage of women workers while Textile Factory had 16.6 per cent. of the total employment. The number of young women employed in the above factories was insignificant and majority of them were either widows or aged ladies as the trend of the employers is to employ older women as far as possible with a view to avoiding payment of any benefits under the Act. Moreover, many women workers were employed in the seasonal factories for short periods against occasional temporary jobs on contract basis or daily wages, such as picking of yellow cotton, sorting of wool and tea plucking, etc.

No prosecution was launched under this Act in any Court of law.

Nine claims were preferred under the Act during this year and a total sum of Rs.2,214.19P. was paid by the managements concerned against 13 claims involving payment of Rs.1,978.47nP. during the preceding year.

(Supplement II to Punjab Government Gazette,  
9 October 1964, page 487 ).

LIST OF THE PRINCIPAL LAWS PROMULGATED  
DURING THE PERIOD COVERED BY THE REPORT  
FOR OCTOBER-NOVEMBER 1964.

INDIA - OCTOBER-NOVEMBER 1964.

CHAPTER 5. WORKING CONDITIONS AND LIVING  
STANDARDS.

Mysore Beedi Industrial Premises  
(Regulation of Conditions of Work)  
Act, 1964 (Mysore Act No.41 of 1964).  
(The Mysore Gazette, Part IV, Sec.2B,  
29 October 1964, pp. 1041-1064 ).

CHAPTER 9. SOCIAL SECURITY.

- (a) Maharashtra: Bombay Maternity Benefit,  
Hyderabad Maternity Benefit and Central  
Provinces and Berar Maternity Benefit  
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