CONTENTS

PAGE.

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ARTICLES

LABOUR PROBLEMS OF MODERNISATION IN THE TEXTILE INDUSTRY.

[Plans for modernising the textile industry have recently been introduced in a number of countries. After reviewing some of these, the following article discusses, in the light of technical developments taking place in the industry, the labour problems they entail. Since many of the developing countries start their industrialisation by establishing cotton textile mills, there has been a gradual shift in the location of the textile industry towards these countries accompanied by a contraction of the industry in some of the older manufacturing countries. Some of the resulting problems such as those relating to redundancy, application of work study methods, training, working conditions and labour-Management-relations are, moreover, to be found everywhere. The article describes how far these problems have arisen and gives examples of the solutions found for them.]

The question of modernising the textile industry and the consequences of modernisation for the workers employed in it has come to the forefront in discussions relating to the problems of the industry.

Being an old-established industry, the textile industry has operated for the most part with antiquated machinery and traditional methods in the older manufacturing countries, and hence the need for modernisation is now felt more keenly than in some other industries, *e.g.* chemicals and certain branches of engineering. Another reason for this is the change that is taking place in the world distribution of the textile industry. The development of textiles in new areas has had the effect of converting large consuming countries into producers. The textile industry in industrially advanced countries is specially vulnerable to competition from these countries since it has a relatively high labour content. This has altered the whole pattern of world textile trade and increased the competition for a market that has not grown correspondingly. In the circumstances the older textile manufacturing countries, which are in general industrially advanced, find that modernisation is necessary to make their products competitive in the world market. In the conditions of full employment prevailing in these countries the installation of automatic machinery is also found to be essential to combat increasing labour costs, and, in some cases labour shortages. The developing countries, for most of which the textile industry has been the starting point for industrialisation, also prefer modern machines. Apart from competitive pressure from other countries, modern machinery offers advantages to them in so far as it eliminates outmoded method of production and removes the need for creating some of the traditional skills which they lack. A third reason for the trend towards modernisation is the growing use of man-made fibres in the production of textiles, either alone or along with the older natural fibres. Consumption of these fibres now accounts for about a fifth of all raw materials for the industry. This has accelerated the introduction of more modern machines and methods.

While some of the problems created by modernisation affect the textile industry alone, others have wider repercussions on the economy of the countries concerned. It is proposed in this articles, however, to deal only with labour problems of modernisation as they affect the textile industry.

THE CONCEPT OF MODERNISATION.

Some explanation is first needed to define the concept of modernisation. The term is often used to denote primarily the installation of new machinery and equipment or the modification of old machines. But, although new machinery is necessary to improve conditions of work and productivity in the industry, the term must be broadened to include the adoption of advanced managerial techniques, the employment of adequately trained personnel and the application of improved methods of work, for without these it would be extremely difficult and costly to operate modern machinery. Since improvements in machinery are constantly taking place, modernisation is a dynamic and continuous process and the problems arising from it have therefore to be constantly tackled. However, for practical purposes, some yardstick of modernisation is necessary to measure its extent in a given country and at a particular time. Thus, "shortened processing" in spinning and "automatic looms" in weaving constitute an index of modernised machinery in many countries, although the installation of central production controls and the use of electronic devices have carried modernisation a stage further in others. So far as the age of machinery is concerned, a consensus of opinion (*e.g.*, in India and Mexico) is that machinery manufactured from 1947 onwards should be regarded as "modern".

Modernisation also frequently involves reorganis ation of the industry, for example by the closure of more inefficient mills in order to concentrate production in low-cost units.

IMPORTANCE OF THE PROBLEMS OF MODERNISATION.

The accelerated pace at which modern machines and improved methods of work are being introduced and the changes that are taking place in the international trade affect large numbers of workers. The magnitude of the problem will be appreciated when it is remembered that the proportion of non-automatic looms is high in a number of countries, and that their replacement by automatic looms will in itself cause considerable difficulties in connection with redundancy, wage adjustments, working conditions, training facilities, prior consultation with workers and labour-management relations. However, techniques are constantly evolving and, in view of the close competition in the international trade in the textile goods, no country can keep out of step for long. This emphasises the need for adopting established practices and procedures for bringing about changes smoothly in the industry.

THE NATURE OF TECHNICAL IMPROVEMENTS.

Although there have been no revolutionary changes, several distinct developments have, when viewed as a whole, greately altered the technique and character of the textile industry during the past few years. Broadly speaking the main aim of introducting technical improvements is tos trengthen the yarn and reduce breaks. This improves the quality of the yarn and enables a single worker to handle more machines; it is also a necessary preliminary to the efficient use of more automatic machinery.

The most important improvements may be briefly summarised as "continuous machinery" (Single-process systems) for "opening" the raw cotton and wool, instead of separate machines; wider "cans" and carding machines, which make it possible to process more slivers with less machines; "shot processing" in spinning, by which a number of speed frames are eliminated; further mechanisation in winding operations; automatic looms; new weaving machines; continuous bleaching and dyeing; and new finishing processes. Among new weaving machines, the Sulzer-type loom using a small metal shuttle to pull the weft thread off a large motionless cone from one side of the loom gives an increased output and offers great scope in the saving of labour since the weight of the conventional shuttle is widely regarded as the main obstacle to any great increase in loom speed. A water-jet loom which also dispenses with the shuttle as a means of inserting the weft has been in operation in Czechoslovakia. This also offers great possibility for increasing productivity, especially in the mass production of nylon fabrics. However, these new weaving machines have not so far made any great impact and the automatic loom remains the greatest single widely accepted technical advance in the textile industry.

A crucial problem, in introducing technical improvement arises from the fact that the useful life of textile machinery—leaving aside the possibility of obsolescence—is fairly long (about 30 years). Its efficiency is, however, affected as it grows older and improvements in the quality of the product are achieved by making alterations or replacements. These factors make it difficult for a firm to decide on a policy, particularly since there is no unchallengeable standard of modernisation that can be universally applied. Furthermore, if the full benefits of modernisation are to be achieved systematic planning is needed. For instance the ability of the shortened processing method to produce good quality yarn depends on improved drafting systems, and the efficient use of automatic looms requires the preparation of a high quality warp and weft yarn, strict attention to such preparatory processes as winding and sizing and the training of the necessary staff to adjust and maintain a more complicated machine. In the circumstances, some of the older firms may decide that the best policy for them would be to continue in the industry, investing as little as possible, particularly as their machinery has been entirely written off and does not therefore represent any capital cost. On the other hand, taking a longer view, the advantage of modernisation in improving the quality of the product and in lowering costs are obvious especially in countries where labour costs tend to rise.

The question of embarking on a policy of modernisation is therefore largely a matter for each firm to decide for itself, but is partly governed by the long-term competitive position, which in turn depends on the economic and social factors affecting the textile industry in the country concerned.

THE PROBLEMS OF MODERNISATION IN DEVELOPING COUNTRIES.

Modernisation problems are viewed from very different angles by the industrially advanced countries and by those in the course of industrialisation. The differences are associated with the relative availability of capital and labour, and the extent to which the social and industrial climate is attuned to the adoption of technological change. Similarly, the fact that there is a gradual shift of the industry from industrially advanced countries to those that are less advanced affects the very nature of the problems involved, since the former countries have to face the needs of a contracting industry, while the latter are largely concerned with building up a modern or modernised industry for an expanding local market. However, in some of the industrially less advanced countries the textile industry is old and the problem of adjustment arising out of modernisation is rendered difficult because of the inadequate industrialisation capable of offering alternative employment.

In most of the developing countries capital is scarce and labour abundant. In fact, one of the reasons why many of them have started their industrialisation with the textile industry is that it requires less capital than certain other industries. However, having once launched the textile industry, all countries sooner or later find themselves in a position in which they have either to adopt high protective tariff walls to safeguard the new industry from foreign competition, or introduce more modernised methods of production requiring larger capital investments, unless of course they can compete by means of lower wages.

As already noted, the relative availability of capital and labour in a country affects the way in which the problem of modernisation is viewed. In countries where labour is abundant and capital scarce, maximum utilisation of resources may demand that machinery should be used only where it leads to an increase in output that could not be achieved merely by using more labour; this is a particularly weighty consideration when there is widespread unemployment or underemployment and the installation of modern machines might result in a net reduction of total employment. On the other hand costly (or inefficient) methods of production will imperil the existence of the industry, particularly if it has to compete with other products. The conflict between the advantages of efficient production with capital intensive methods and the need for maximising employment opportunities by labour-intensive methods is exemplified in the case of India. It will be seen from table below that production per worker in India rises from 45 to 650 rupees—more than 14 times—when hand weaving in cottage industry is replaced by a modern large-scale factory. To make this possible, the capital per worker must be increased from 35 to 1,200 rupees. In other words, for the same amount of capital 34 times more workers are employed in a hand-weaving cottage-type industry than in a large modern factory. On the other hand it is recognised that in order to compete with other textile manufacturers, particular in the export market (in terms both of quality and price) efficient methods production are essential. These conflicting factors explain India's cautio[us] approach to modernisation. The pace of the replacement of obsolete and outworn machinery by improved machinery of higher productivity must in the opinion of the Indian Finance Minister be so graduated that the overall growth of employment opportunity more than keeps pace with the temporary consequent displacements occurring at particular points. Similar considerations have impeded the more rapid modernisation in the Mexican cotton textile industry.

TABLE.

CAPITAL AND LABOUR EMPLOYED IN THE PRODUCTION OF COTTON TEXTILE GOODS IN INDIA.

Type of production.	Capital per worker (A).	Production per worker B.	Capital per unit of production (ratio:A/B).	Index of workers employed per unit of capital.	Index of production per worker
	Rs.	Rs.			
Large modern factory	1,200	650	1.9	100	1,440
Small scale mechanical weaving	300	200	1.5	400	440
Automatic weaving in cottage industry	90	80	1.1	1,300	180
Hand weaving in cottage industry	35	45	0.8	3,400	100

In developing countries which have started a textile industry since the Second World War there is no problem, of course, of replacing old machinery by modern. The difficulty is rather one of operating the modern equipment and machinery successfully. To introduce new techniques of production it is not enough merely to instal up-to-date equipment, and countries which, though not industrially advanced, have been able to set up modern textile factories have run into difficulties in connection with the proper maintenance and operation of machinery, as well as with a whole range of problems such as developing a stable labour force, organising efficient methods of work, fixing an equitable system of remuneration and developing satisfactory labour-management relations in the new technological set up.

THE PROBLEMS OF MODERNISATION IN INDUSTRIALLY ADVANCED COUNTRIES.

In industrially advanced countries capital is relatively less scarce and the industrial and social background is favourable to the introduction of modern production methods. Here the problem is frequently one of diverting economic resources from the production of textiles and of transferring textile workers to new industries, partly because of the growth of the textile industry in less advanced countries and partly because as a result of modernisation and technical improvements, the same output can be obtained with fewer workers.

The basic problems in the United Kingdom are excess capacity, out-of-date machinery and a serious loss of confidence about the future prospects of the industry arising from the difficulties which it has had to face.

The experience of the United Kingdom, however shows that if a co-ordinated effort is made excess capacity is no bar to the introduction of a scheme of modernisation. The scrapping of surplus machinery might on the other hand encourage rationalisation and the installation of modern machinery. Shortages of labour and a tendency for wage costs to increase, both arising out of conditions of over-full employment in the industrially advanced countries, should also favour such schemes.

EXTENT AND PACE OF MODERNISATION.

The above discussion has served to emphasise that the problem of modernising the textile industry varies somewhat from country to country depending partly on the stage of industrialisation reached. In the circumstances it is only to be expected that the extent of modernisation so far achieved in the different countries has also varied.

The impact of modernisation schemes on labour problems will depend not only on their extent and pace in individual countries but also on the way in which they are formulated and implemented. An examination of the scope of some typical schemes in industrially advanced and developing countries may therefore be of use to appreciate the nature and importance of the labour problems to be tackled.

SOME MODERNISATION SCHEMES UNITED KINGDOM.

Reference was made above to a scheme launched in 1959 for reorganising the cotton textile industry in the United Kingdom. The essence of the scheme is that excess capacity must be eliminated and confidence in the future of the industry ensured before modernisation and re-equipment are worthwhile. It is estimated that the spinning section will scrap well over 12 million spindles (out of 24 million), and the weaving section 100,000 looms (out of 240,000). Two-thirds of the cost of compensation for eliminating excess machinery will be paid by the Government and the other one-third will be raised by compulsory levies on the industry. The total cost in this respect is estimated to be about £16.6 million. A grant of one-quarter of the expenditure incurred for re-equipping is also to be paid by the Government. Applicants for this grant will, however, have to satisfy the Cotton Board (which administers the grant) that their proposals are part of a scheme and are necessary in order to achieve the highest possible level of competitive efficiency. Grants will be payable to producers who install new equipment usd in the productive processes. Second-hand items will not qualify, but the grant will be available for the modernisation of existing equipment. Re-equipment must be completed within five years. The total cost of re-equipment including the amount that the industry itself would be spending is estimated to be £56 million.

United States.

In common with many other industries, the textile industry is highly mechanised and modern in the United States. In recent years it has devoted large sums of money to research and development and the installation of new plant and equipment, expenditure for the latter averaging $434 million per year during 1947-59. The result has been a series of newer and faster machines. This development is reflected in the increase of textile productivity and in the relatively larger decline in the amount of textile equipment as compared to textile production. Nevertheless, a considerable proportion of equipment was estimated in 1957 to be obsolete, indicating that technological developments are not fully utilised and that further modernisation is needed.

Soviet Union.

It is reported that investiment in the textile industry in the Soviet Union in 1959-65 will be two to eight times larger than the amount invested in 1952-58 and that this allows for the progressive introduction of mechanisation and automation, the replacement of old enquipment with new high-speed machinery and integrated modernisation of existing equipment. In the cotton textile industry it is planned by 1965 to increase the proportion of spinning machines with devices producing a high degree of drawing to 93 per cent., and that of automatic weaving looms to 75 per cent. The respective figures for the woollen and linen fabrics industry are 90 and 69 per cent. and 65 and 96 per cent. respectively It is planned to complete within seven years the mechanisation of auxiliary and labour-consuming work and factory transport, to adopt a largely continuous process in the finishing departments, non-roving spinning of cotton yarn and a simplified system of carded wool spinning and to reduce breakage rates in spinning and weaving by at least one-half or two-thirds.

Japan.

The case of Japan presents some special features. The bulk of the textile industry was destroyed during the Second World War and the industry has been rebuilt with modern machinery. The long term problems of the industry arises from the fact that, as a result of lower export trade in cotton textiles and the lower demand for silk goods (the latter resulting from the growing use of man-made fibres), there is an excess capacity of production.

India.

The need for changing old machinery is felt both in the cotton and jute sections of the Indian textile industry. As pointed out by a committee which reported in 1958, a large majority of the machines in existence were installed more than 40 years ago, a situation which had led to low production, poor quality of products, the engagement of a large number of workers and the high cost of production. Out of about 200,000 looms, only 16,000 are automatic. The typical staffing arrangement is one weaver to two "ordinary" non-automatic looms, and one piecer to two " sides " of a ring spinning frame. The introduction of automatic looms is considered essential for textiles intended for export, since the better quality of goods produced on automatic looms are preferred. The jute industry is predominantly (to the extent of over 80 per cent.) an export industry, and modern techniques must be adopted if Indian mills are to maintain their competitive position in the world markets. An ad hoc committee appointed by the Government of India recommended that, with the commencement of the third five year plan, the industry should take up the modernisation of the weaving section, including possibly the installation of shuttleless looms.

To overcome difficulties of finance the National Industrial Development Corporation has approved a scheme of short-term assistance for the replacement of old and worn-out machinery in the jute and cotton mills by machinery manufactured in India. Over 60 per cent. of the jute mills have been modernised in the spinning section in the last few years. Modernisation is also proceeding in the cotton textile industry. The Government of India announced in 1959 a scheme for replacing 2,500 ordinary looms by automatic looms over a period of three years. A phased programme of installing 3,000 automatic looms to be used only for producing textile goods for export is also in operation. A comprehensive programme to modernise the entire textile industry by the end of the third plan is reported to be under consideration. Under this proposal a modernisation fund of about 800 million rupees may be created to give loans to various textile mills for their research and renewal programmes.

However, as already indicated, the scope of modernisation schemes in India is conditioned by the limitations of a labour surplus economy. This has led, on the one hand, to insistence as a matter of policy that the implementation of such schemes should be regulated so as to cause the least displacement of labour and, on the other, to laying down detailed conditions for the installation of automatic looms or their substitution for ordinary looms. These conditions refer to such matters as security of employment for workers affected by modernisation at wages not lower than the current wages for a stipulated period, payment of compensation, regulation of the recruitment of additional workers, etc.

INTERRELATION OF THE LABOUR PROBLEMS OF MODERNISATION.

The above discussion has shown that in any attempt to modernise the textile industry, the main labour problems encountered in both developing and industrially advanced countries arise from the fact that modernisation, whether in the form of further mechanisation, automation or improved working methods, *results in the need for smaller numbers of workers* to produce the same output. First of all there is the fear of the workers that they will lose their jobs either because production in the particular plant has not expanded to re-absorb redundancy or because of insufficient demand for the skills of particular operatives. Attempts have been made to meet this situation by guaranteeing security of employment, or by regulating the recruiment of additional employees, or in the event of dismissals, by offering compensation. Secondly, there is anxiety about the effect of modernisation on wages and other conditions of employment including the work load, shift working and hours of work. Thirdly, there is the question of ensuring that the changes are introduced smoothly and that the above-mentioned pre-occupations do not affect adversely production and human relations within the factory. This is basically a question of maintaining satisfactory labour-management relations.

The remainder of this article discusses how far these various problems have arisen and how they have been met. It is, however, obvious that they are very closely interrelated; the action taken by management to ensure that redundant labour is speedily re-absorbed into employment affects the relations between labour and management in the factory; likewise, the manner in which modernisation is introduced and the effect it has on conditions of employment also affect relations. Conversely, good labour management relations make it possible to bring about changes associated with modernisation smoothly.

SCOPE OF REDUNDANCY.

It is difficult to assess how far modernisation programmes have affected the manpower employed in textile factories, since other factors—such as a trade depression, the loss of export markets or a change in demand for the products of a particular firm—may also be operating at the same time. Certain tendencies are, however, clear. Some of the innovations which cut down labour requirements are the introduction of shortened processes in spinning; the allocation of more machines, whether in spinning or weaving, to one operative; the mechanisation of transport, handling and cleaning operations; larger packages; automatic winding and automatic looms. The effect of these is diminished or overcome if, as a result of increased demand arising from a reduction in price of the products or other causes, more shifts are operated or the scale of operation of the plant is increased. The introduction of additional processes such as new finishing operations designed to improve the quality of the product, also has the effect of increasing the labour required; this effect is particularly noticeable in economically advanced countries where the demand for high-quality goods involving a great deal of finishing has increased owing to rising real incomes and higher consumer expenditure. A reallocation of duties between skilled and unskilled operatives which may be necessary for a better organisation of work, also results in the creation of new posts, although the effect of this on the total labour requirements cannot be very high.

Another example from India shows that an "old" cotton textile mill, consisting of 2,000 looms with the necessary spinning, bleaching, dyeing, printing, finishing, inspection, folding and packing operations, and producing 40 per cent. grey and 60 per cent. processed non-fancy goods of average 20's count, required 7,000 workers for twoshift working in 1947, but only 3,200 workers in 1957 when it was modernised.

MEASURES TO MEET THE PROBLEMS OF REDUNDANCY

No standard measures can be applied to meet the problem of redundancy, since the policy adopted must depend on the situation in each mill. Those usually taken include regulating the pace of modernisation so as to avoid dismissals, transferring workers to other departments in the undertaking, starting new shifts and extending operations. Where displaced workers cannot be re-absorbed in the same undertaking, actions hould be taken at the level of the industry, or by the State, to provide alternative employment.

REGULATING THE PACE OF MODERNISATION.

Regulating the pace of modernisation is strongly advocated in industrially developing countries with surplus manpower, and is even resorted to in industrially advanced countries in order to avoid excessive displacement of labour.

In India it is estimated that the replacement of all the non-automatic looms by modern automatic looms in the cotton textile industry might make 1,80,000 workers redundant. This is, however, based on the unrealistic supposition that all the looms could be replaced at once and that the present ratio of ordinary looms to operatives will remain unchanged. An increased assignment of ordinary looms to one operative, or partial modernisation of looms (with less looms per operative than is customary in certain industrially advanced countries) would make the change less drastic. A phased programme of modernisation was suggested by a textile inquiry committee which recommended in 1954 the replacement of plain by automatic looms at the rate of 5,000 a year so that one-half of the existing looms would be converted over a period of 20 years with a displacement of 80,000 workers (4,000 per year). The fear of unemployment appears to be the overriding consideration in modernisation schemes of this kind. A tripartite conference convened in 1954 to discuss a scheme of rationalisation in the cotton textile mills in Kanpur decided, for instance, that the introduction of rationalisation should not lead to any unemployment (*i.e.*, any reduction in the number of workers except by retirement and natural wastage). The high labour turnover in the Indian textile mills should, to a certain extent, facilitate modernisation on this basis, although the problem of providing employment to those who seek jobs in the industry will still remain. The principles formulated at the Fifteenth Session of the Indian Labour Conference (New Delhi, July 1957), which govern the modernisation of the textile industry (including the introduction of automatic looms), also provided that there should be no retrenchment. Workers, could, however, be provided with suitable alternatively jobs in the same establishment or under the same employer, subject to agreement between the employer and his workers. An example of detailed statutory regulations embodying the same principles is found in the terms and conditions prescribed by the Government of Bombay in regard to the replacement of plain by automatic looms. For example a notification issued by the Government in August, 1957, provides that suitable working conditions must be arranged and additional workers likely to be employed in back processes like spinning must be recruited from the pool of those already in the industry. In the applicant mill all persons employed on the date on which automatic looms are introduced, including those employed for the purposes of automatic looms and back processes, must be guaranteed employment for three years in other sections of the mill at wages not lower than their current wages and may not be allowed to become unemployed, except by natural separation, including resignation by the person concerned. In case retrenchment occurs within three years of introduction of automatic looms, the dismissed workers are entitled to retrenchment compensation at double the normal rate. These restrictive conditions have the effect of slowing down the pace of modernisation, while protecting the workers from its immediately adverse social consequences.

INTER-DEPARTMENTAL TRANSFERS.

The prohibition of retrenchment does not, as indicated above, preclude the transfer to other sectors of an undertaking of workers whose jobs are abolished as a result of modernisation. But the scope of such transfers is somewhat limited. In a mill in India which as a result of improvements in working conditions, introduced a system of 12 automatic looms (instead of six looms) as a phased programme, it was possible to train battery fillers as assistant weavers, and to give employment to tuners on loom overhauling or similar work. On the other hand it is reported that workers often prefer certain types of work; for example, in the United Kingdom winding work has a higher status than work in the card room. It may also happen that jobs of similar status may not be available, as in the case of mule spinners rendered redundant by the reorganisation scheme in the United Kingdom. However, if transfers are not to cause too great a disturbance they should be planned in advance taking account of all the possibilities afforded by the range of jobs and skills involved in the operations of the undertaking. It is also desirable to have a system of job classification and job analysis, and to evolve a scheme of training which would enable workers to perform a number of different tasks. Transfers should not, if possible, result in downgrading. In fact relevant agreements usually provide that workers transferred as a result of changes should not suffer any loss of wages.

Cessation of Recruitment.

Since modernisation involves, working more costly machinery with less manpower, a policy of "no retrenchment" means that the recruitment will have to be stopped over a fairly long period, so that natural wastage and normal labour turnover will leave the undertaking with fewer workers. This policy has been followed by many firms to facilitate modernisation; but from the point of view of employment in general the cessation of recruitment reduces employment opportunities for those who would otherwise have entered the textile industry. A variation of this policy, which has been proposed in Belgium, is for undertakings with surplus labour to make temporary loans of labour to factories where extensions are taking place.

Transfer to Other Industries.

It is recognised that limiting the pace of modernisation so as to avoid retrenchment may not always be realistic, since it means that modernisation can be effected only over a very long time. For example in Mexico it is reckoned that about 15,000 workers will be displaced by modernisation of the entire cotton textile industry; on the basis of normal turnover this will have to be spread over 20 years to avoid redundancy entirely. But failure to modernise quickly enough may itself result in the closure of the mills concerned and in unemployment, owing to competition from more up-to-date units in the same or other countries. This risk should be set against the disadvantages of redundancy arising from modernisation.

These considerations suggest that workers made redundant by modernisation in the textile industry should be transferred to other industries. Thus the solution to this problem becomes linked with the over all industrialisation of a country. This was specifically recognised by the experts who studied problems of productivity in the textile industry in Latin American countries and recommended that modernisation of the industry should be integrated into national long-term industrial development plans so as to allow a gradual and methodical transfer of surplus textile labour to the sections of industry that were expanding. Similar action may also be necessary in industrially advanced countries where, owing to long terms changes, the textile industry is declining (for example in the new England region in the United States, or in Lancashire). Other industries such as engineering, chemical, and electrical industries have often developed in what used to be predominantly textile centres in these countries. Planned development and co-ordinated efforts are, however, necessary to ensure that these industries expand sufficiently and that displaced textile workers are in fact helped to enter them.

Experience shows that there are limitations on the transfer of workers to other industries. An inquiry into inter-industry labour mobility in Massachusetts during 1951-53 showed that less than half the discharged textile workers had been able to find other employment; that, of these a proportion of five to one found employment in another textile undertaking; that workers displaced from their jobs in a highly diversified non-textile area were less successful in finding employment than those in textile areas; and that two-thirds of those who had found jobs were earning less than before. Lack of mobility is in part connected with the age of the workers concerned. Older workers find it difficult to obtain employment in modernised textile undertakings since, as was brought out in a French survey, active workers under the age of 50 are considered by management to be more suitable to cope with the speed of operations of modern machines. Other surveys have shown that like mine-workers, textile workers in certain countries are born, grow up and live in the same environment, become attached to it and have great difficulty in leaving it.

Despite the lack of mobility of textile workers and their reluctance to change their employment and domicile, transfer to other industries undoubtedly offers the best solution for redundancy in old-established textile industries which are on the decline; but it requires measures to facilitate vocational retraining and, where necessary the estalishment of new industries in declining textile regions. This is a field in which initiative lies primarily with governments. It is significant, however, that in France, under an agreement concluded in 1953 between the Employers' Organisation and the Workers' Unions, a resettlement service for industrial establishments in the cotton textile industry was established to assist discharge textile workers to find jobs. It was the function of this service to draw up a list of textile mills that had ceased, or were about to cease, operations in particular areas, to discover an alternative activity that could be carried on on the premises, to find an entrepreneur to undertake the experiment and to obtain the capital required. Experience in other industries shows that measures to facilitate transfers of workers to other regions should include the refund of the removal expenses of the worker and his family, the payment of installation grants, and a guarantee that proper housing will be available and that the worker's new job affords some security.

Regulating Dismissals.

In cases where redundancy occurs, it has been found by experience that the disturbance can be lessened if mutual confidence has already been established through a sound personnel programme providing for this possibility. Many firms have also found it advisable, as part of their personnel policy, to agree well beforehand on the order of discharge on redundancy, taking into account such factors as length of service, comparative efficiency, and availability of other work. A recent review of dismissal procedures in a number of countries shows the extent to which attention has been paid to redundancy poblems in this field. Although these procedures do not make any distinctions between an excess of man-power resulting either from mechanisation or rationlisation, or from a decrease in business activity, they are designed to eliminate injustice and hardship as far as possible, and to deal with the problem of dismissals in an agreed and orderly manner. In some cases they are laid down in legislation and in others fixed by collective bargaining. What is interesting in the present connection, however, is the emphasis on prior consultation between managements or unions either to avoid or minimise dismissals or on the application of a predetermined policy (France, the United Kingdom), the restriction of any change leading to a reduction in the number of employees without notice to the affected employees (India), the special provisions for staggering mass dismissals (Federal Republic of Germany), and the obligation to explore the possibility of transfer before taking any steps for dismissal (U.S.S.R.). A technical meeting concerning certain aspects of industrial relations inside undertakings held under the auspices of the I.L.O. in December, 1959, came to the conclusion that prior consultation with workers' representatives was particularly useful in collective dismissals resulting from rationalisation measures and was all the more practicable since this type of dismissal arose out of circumstances which were foreseeable An established order of dismissals is usually stipulated, or implicitly recognised, although some relaxation is also allowed.

Compensation for Redundant Workers.

Compensation for termination of employment is a common practice in many countries. From the point of view of labour problems arising out of modernisation what is important, however, is the link between the scale of compensation and modernisation schemes, and the use of compenation payments as a method for accelerating transfers to other industries. In Mexico, for instance, according to rule 8 of the modernisation rules compensation to permanent workers displaced as a result of modernisation measures is payable at the rate of 20 days' wages for each year of service, plus wages for three months. This is greater than the penalty provided for in the Federal Labour Act for failure to submit to arbitration even a case of arbitrary dismissal, and in the opinion of the textile employers in Mexico this high cost of compensation has impeded efforts to modernise the industry. Another example is furnished by the 1951 national collective agreement for the French textile industry, which is supplemented by the textile industry manifesto of 1953, and the series of agreements concluded since then. These lay down that undertakings contemplating a reorganisation of working methods and the improvement of plant should not in principles dismiss staff, but that if dismissals are necessary measures should be be taken through regional or local agreements or agreements for particular undertakings or sectors of production to provide employment or compensation for those discharged.

Although legislative provision exists in some countries for such payment, compensation for workers discharged as a result of modernisation is increasingly tending to be covered by collective agreements at the level of undertaking or industry. Since the object of such compensation is to help the workers affected by modernisation during a transitional period before they obtain alternative employment, care is taken in the collective agreements to specify the circumstances under which the amount becomes payable. Thus in one collective agreement, in the Canadian textile industry, what are called "displacement wages" are payable only in the case of jobs eliminated as a result of technological change (and of changes caused by business conditions, etc.) and no immediate displacement is considered to have occurred if other jobs are avilable in the same department or are to be had in other departments of the same undertaking at comparable rates of pay. Detailed provisions relating to the payment of compensation for redundant operatives who lose their employment as a result of modernisation schemes introduced in the United Kingdom are made in an agreement signed in July, 1959. Recognition of the need to compensate workers who lose employment as a result of modernisation is exemplified in the provision of this agreement that the government grant for new equipment is given only if compensation is paid to displaced operatives. The rates of compensation vary from one week's wages for operatives under 23 years of age to 30 weeks' wages for operatives of 65 and over. One half of the compensation is payale in a lump sum, and the other half in weekly instalments. This method

is more advantageous in that it gives the operative more security while he searches for an alternative job. In Mexico, where the compensation is paid in a lump sum, this object does not appear to have been achieved, since the worker concerned often fritters away the amount received. It is also significant that, according to the agreement in the United Kindom cotton textile industry, redundant operatives who refuse suitable alternative employment prior to expiration of the weekly instalments forfeit all further right to compensation. Compensation is paid from a central fund which has been established for the purpose. The suggestion that a separate fund should be set up to asist displaced workers or to further modernisation generally has been made in other countries also.

The scale of compensation should be adequate to sustain the income of the worker while he searches for alternative employment, but should not be so high as to impede modernisation. Since the adequacy of compensation is related to the period required to find alternative employment, it is neecessarily linked to the industrial development and the overall employment position of the country.

PROBLEMS OF PRODUCTION.

Labour displacement and redundancy, and the associated problems of compensation and transfer of workers to other occupations and industries loom large in discussions of modernisation. However, once these are solved and modernisation is under way the main day-to-day problems centre round methods of organising production efficiently in the new set up, arising chiefly in connection with the application of work study methods, the provision of appropriate working conditions and conditions of employment, and the reorganisation and retraining of personnel to suit the new methods.

Application of Works Study.

Work study methods are being used in the textile industry to an increasing extent. They are often associated with modernisation programmes, since the value of work study when new machines and working arrangements are contemplated or introduced is widely recognised.

In some respects the introduction of work study has been found to be more difficult than the modernisation of machines, since it is often easier to change machinery than accepted methods of work which are sanctified by tradition and practice.

Although work study methods are the same in the textile industry as in any other, there are some special features which give rise to particular problems. The most important is the close relationship between the physical working conditions in textile factories and the work loads of the operatives. This arises mainly because, both in spinning and weaving, the breakage rate of yarn affects the workload, any change in the breakage rate leading to an alteration in workload, may justify a change in work assignment. Breakage rate is directly affected by humidity. Further, the standard of illumination provided—including lighting, contract and colour, can make a considerable difference in the time taken for locating and piecing ends, which also affects the work load of the operatives. These considerations make it necessary first to lay down a standard of physical working conditions, and secondly to ensure that it is maintained. With this end in view the I.L.O. Textiles Committee, at its Sixth Session held in 1958, made a number of recommendations dealing with environmental factors. Many collective agreements contain standards of working conditions and in some cases trade union representatives are given the right to inspect conditions inside the factories. Examples of such agreements are the national collective agreement in the Mexican cotton textile industry which lays down definite standards of humidity, ventilation, temperature and lighting; the agreement in the spinning section of the United Kingdom cotton textile industry which makes a strong recommendation that all future modernisation programmes should be developed on the basis of standards incorporated in it; and the agreement to introduce the system of "four sides" in spinning and "four" looms in weaving in the Indian Cotton textile industry in Ahmedabad, according to which standards of physical working conditions are to be determined by outside experts nominated by the industry's research association.

Another special feature of the industry's is that the main operations have evolved in the light of immense accumulated experience, which reduces the possibilities of further improvement by method study. The scope of improvements therefore seems to lie mostly in ancillary operations (*e.g.*, transport and handling of materials) and in detecting by the use of ration delay techniques the cause of delay in attending to machines, and the points where corrective efforts should be concentrated.

In the circumstances the work study methods can most usefully be applied for the allocation of machines by time study (as against the traditional uniform allocation on the basis of past experience,) and in order to ensure that the new assignment does not result in overloading or underloading of operatives.

It is usually asumed that work study results in increasing machine assignments and in a reduction of manpower. This, however, is not the case, since very often it is found on examination that workers are overloaded in the existing working conditions and that reduction in the number of machines (looms for example) per operative may result in avoiding too many stoppages. The need for maximum utilisation of machines assumes particular importance when costly modern machinery is installed. Another aspect of the question is that, in the absence of a reduction in the breakage rate, a weaver with a large number of looms may find that, in spite of his best efforts, he is unable to earn a bonus. Consequently he loses his interest and his efficiency suffers.

In view of the fact that a substantial-portion of the textile industry is situated in developing countries with surplus manpower, it is also necessary in applying work study methods in these countries to aim at increasing the productivity of the plan and equipment and of raw materials, rather than of labour. This line of approach has been adopted by the I.L.O. in a number of its technical assistance projects. The I.L.O. productivity missions have stressed the productivity of plant and equipment not only because of the need to avoid unemployment but also because modern machines usually have to be imported at the expense of scarce foreign exchange resources.

Training.

The broad effect of modernisation is that, though the number of operatives tends to drop, there is an increase in the supervisory and technical staff. The pattern of skilled occupations is also affected. For instance the need for skilled mechanics has increased with the introduction of automatic looms, while some jobs have been downgraded. There has also been an increase in specialists such as research wokers and chemists. To meet the changes brought about by modernisation a training scheme must be designed to enable the labour force to adjust itself as quickly as possible to new techniques or manufacturing processes and to the reorganisation of training methods themselves, as well as to give the workers the adaptability that will enable them so far as possible, to switch from one type of manufacture or job to another as circumstances may require.

More specifically there are three important aspects of training: (*a*) training workers with no experience; (*b*) imparting new skill, as for example to a weaver who has had years of experience on non-automatic looms, when he is transferred to automatic looms; and (*c*) improving skill, as for example when an experience weaver is given systematic training in new methods deigned to make his work more efficient. In fact, because training is traditionally given on the job and a high proportion of firms are too small to organise systematic training schemes, the problem of training has not received the attention it deserves. Modernisation has brought to the force the need to adapt operatives' skills to new machines and has made it plain that new techniques will call for new skills and practices on the part of management. An associated problem is the training of work study experts in management and in the trade unions to facilitate the introduction of new methods of work.

The operation of certain training schemes throws light both on the value of training in improving the quality of work and on the need to adjust training methods to suit the background of workers. In India a scheme for operative training started by the Ahmedabad Textile Industry Research Association showed a reduction in the percentage of waste and rejected goods in many departments and in the breakage rate in spinning. Different methods were used to train both new workers and those who already had some experience. The job instruction method was found to be effective in training the former, while the conference method of discussion was used for training the latter. In preparing the training scheme considerable importance was attached to workers' participation. The Ahmedabad Textile Industry Research Association also sponsored pilot projects for the training of supervisors in accordance with the accepted principles of training within industry (T.W. I. Experience showed that there was increasing recognition of the value of supervisory training programmes and of the new role assumed by supervisors as a result of social and technological changes.

The question of training work study experts and of allowing them to supervise the intorduction of new methods of work is largely a matter of negotiation between management and labour. A recent agreement in the Belgian textile industry shows that if such experts, are nominated by a joint committee and a definite procedure is laid down in regard to their participation, they are more likely to be accepted by both sides.

Apart from the question of adapting training to the needs of modernisation, the dearth of properly trained operatives and of supervisory staff impedes the pace of modernisation. The problem is particularly actute where, as in some finishing operations, the change-over cannot be introduced in stages. In spinning and weaving, in contrast, where machines are more numerous, although the lack of training facilities may slow down the rate of modernisation, new machines can nevertheless be installed as trained employees become available.

Since the difficulties of training are often beyond the means of individual undertakings, co-operation between employers' and workers' organisation is the most fruitful line of approach, and in many countries the public authorities also participate. All aspects of training should be tackled in this way—the determination of job descriptions, the establishment of standards, programmes and types of vocational training, the organisation and operation of training facilities and finally their constant adjustment to changing operations. Planned selection and recruitment is also necessary to ensure the success of training schemes, particularly in developing countries where labour is not accustomed to industrial occupations. Similarly there can be no doubt of the value of technical co-operation at the international level in this sphere.

CONDITIONS OF EMPLOYMENT.

Mills that are engaged in modernisation will tend to secure increases in productivity, while in mills operating their existing plant as long as possible productivity will tend to remain stationary or even decline. Increases in productivity are in general reflected in better wages and other conditions of employment, including general amenities and welfare. It seems reasonable to suppose that workers move from one mill to another in response to better conditions of work and that efficient management attracts efficient operatives. Since, in general, efficient management also tends to pursue an investment policy designed to increase productivity these two influences support each other. Further, as labour costs rise as a result of higher wages, it will be advantageous to install more labour-saving devices and capital intensive methods of production.

WAGES.

As already noted, work study methods are often associated with the introduction of modern machinery, and are used as a basis for fixing wages. In general, mills with old machinery have traditional systems of job allocation and wage payment, while mills with modern machinery have staffing arrangements and wage structures based on work study methods. The problems posed by modernisation are therefore essentially those connected with the use of work study of establish the basis of wages and of job evaluation to fix the differentials between one occupation and another. In addition there is the question of sharing the benefits arising from the technological progress which modernisation of the industry brings about.

A study of the methods and systems employed in introducing work study techniques in the textile industry shows that difficulties arise mainly in connection with the accuracy of assessment of the time required, the rating for the various elements of operation, and the extent of allowances for rest, relaxation, etc. The question of allowance is particularly important when modern machines are substituted for old. For instance it is recognised that a weaver minding automatic looms is under a greater strain because of the possibility of a break down of a large number of machines, and that a higher relaxation allowance may be justified in view of the psychological strain. The extent of allowances varies from one country to another and is an object of collective bargaining between labour and management. This is a field in which more reserch work is needed, since there is no criterion for measuring the nervous tension involved in tending modern spinning and weaving machinery. The question also arises how far piece-rate systems remain-appropriate when new machines are installed. Piece-work was designed to maximise production by offering more pay for increased output. If, however, the machine is set to work at a prescribed rate, the operative will not longer be able to speed up production at will and it must be necessary to rely more on time-rates linked with agreed periods of attendance upon machines as the basis of payment. This is the system which has been accepted as the basis for wages in the modern mills according to the Mexican rules of modernisation already referred to.

It is often debated whether all the workers in a factory should share the benefits of modernisation or only the workers in the department affected for example weavers by the introduction of (automatic looms). According to the British Productivity Team on Cotton Spinning, if there is no alteration in the skill required or in working conditions, it is hard to justify logically any increase in the wages of the worker concerned. On the other hand it is easy to understand and the reluctance of a worker to accept a change unless he is capable of taking a particularly long view or sees some chance of participating in the

immediate benefit. One way of dealing with this situation is that provided for in a collective agreement in the Belgian cotton spinning section, under which 25 per cent. of savings in wages arising out of productivity are made available for distribution to all the workers, 10 per cent. being given immediately to the workers directly affected.

Among other conditions of employment, shorter hours of work, whether in the form of a shorter standard week or longer vacations and more public holidays, constitutes the most important element. In general, shorter hours of work are regarded as a form of benefit arising from technological improvements. In addition the demand for shorter working hours is made partly in order to combat technogical unemployment. Recent discussions have shown a general desire for a shorter working week. In the textile industry shorter hours are often associated with the extension of shift working.

SHIFT WORKING.

Although the introduction of second or third shifts helps to absorb workers displaced from the first shift by modernisation, it can, of course, have this effect only once. On the other hand the effect of shift working in helping to amortise the capital invested in machinery rapidly is continuous since it reduces the overhead costs by enabling fewer machines to produce the same output. The problems usually encountered are those connected with fixing shift premiums, providing social facilities and transport and arranging the change-over of workers from one shift to another. In addition, since in many countries, a large number of women are engaged in the textile industry, there is also the difficulty of replacing them by male workers on night shifts.

In many countries, though not in all, workers on the night shift in the textile industry receive a premium which varies from 16 to 20 per cent. in the United Kingdom and from 6 to 17 per cent. in many other European countries; in the new England area of the United States it is 5 per cent.

Any extension of shift work is usually accompanied by a reduction in the hours of work of each shift and, to ensure that the earnings of piece-rated workers do not suffer as a result, agreements are concluded giving a proportionate increase in piece-rates.

Night work affects the health and social life of workers, and the system of a rotation from night shifts to day shifts has obvious advantages. But the workers do not favour changing shift too frequently with the sudden alterations in their way of life that this involves. Where there are legislative restrictions on the employment of women at night, shifts can be rotated only for male workers. However, the international labour standard on this subject—the Night Work (Women) Convention (Revised,) 1948—allows women to be employed up to 11 P.M. and under this provision some countries have introduced double-day shift working.

LABOUR-MANAGEMENT RELATIONS.

As already noted, modernisation creates special difficulties in labour-management relations. These arise because the introduction of a new machine, process, method, or material has repercussions on the number of workers employed, on skill requirement and on conditions of employment. Often it also disturbs the equilibrium of a working group—a situation which needs careful handling. On the other hand, satisfactory labour-management relations are necessary if modernisation is to be a success.

It is now increasingly recognised that, where trade unions exist, they should be consulted beforehand. In countries where central trade union federations control general policy in this respect, agreement at the national level must be sought before modernisation can proceed to a substantial extent. This is clearly seen, for instance, in the experience of Mexico, where the rules of modernisation already mentioned can be extended to old mills only if the national collective agreement is revised accordingly, which would be impossible in the absence of harmonious and effective labour-management relations at the national level. But even though collective bargaining on a national scale may not exist, a clearly formulated policy is of value. Trade unions are not highly developed in many areas where the textile industry is located and in some they may not even exist. In such cases consultation in regard to modernisation may be carried on through works councils, or by other means. At the level of the undertaking it has been found to be useful to lay down a definite procedure and establish permanent machinery for the application of modernisation policy. In a textile factory in the Netherlands the following procedure was adopted for any changes in the company's plant or working methods; (1) discussion of the proposed changes in the work council ; (2) discussion with the workers directly concerned ; (3) time and motion studies ; (4) discussion of the changes with each member of the group individually or, if he prefers, in company with two or three of his workmates, and explanation of the way output is recorded and remuneration calculated ; (5) further discussion with the group concerned, and if the fairness of the proposal has been accepted by the workers, announcement that the changes will be introduced; and (6) introduction of the changes. Such a procedure can be successfully applied only if there are a sound personnel policy and good relations among the workers themselves and also between workers and management. Experience of action taken by a rayon weaving mill in Great Britain under a redundancy plan to help the workers find other suitable work showed that, even though the firms efforts failed, they produced goodwill towards the management.

The fact that technological changes, whether in machinery or methods of production, disturb the equilibrium of the working group has also found increasing recognition. The problems involved and the need to reorganise working groups on the basis of a re-examination of the tasks performed by the operatives when there is a change in the system of production such as results from the introduction of automatic looms—were brought out in a series of experiments conducted by the Tavistock Institute of Human Relations in collaboration with a cotton textile mill in India. Such a reorganisation must give scope to the worker to develop his personality to express his points of view on decisions which directly concern him, and to adjust himself to the changes in the working group to which he belongs. The status and motivation of workers and the whole interaction between individuals in a working group give rise to new problems of human relations and must also be taken into account. While certain aspects of the labour problems arising out of moderanisation are regulated by statutory provisions in some countries or by collective agreements in others, good human relations and the existence of confidence and mutual respect between labour and management depend essentially on the way in which day-to-day problems are handled over a long period. These are in turn influenced by the good conditions of employment which modernisation makes it possible to provide.

CONCLUSION.

From the above review it would appear that modernisation of the textile industry is essential both in the older countries and in developing countries. Increasing competition from the developing countries makes it necessary for the older ones to introduce further mechanisation and improved methods of production ; and the failure of the developing countries to follow suit would in turn expose their new industries to competition by more efficient mills. Modernisation also makes it possible to lower the prices of textile goods, improve their quality, and raise the working and living conditions of textile workers.

The introduction of new machines and methods, however, creates some labour problems. It is the responsibility of the industry and of those engaged in it to find solutions for them and to proceed with due regard to the social consequences of modernisation both in the industry itself and in the community as a whole. The main labour problems encountered concern redundancy, the efficient organisation of production, wages and other conditions of employment training and retraining facilities, and the effect of changes on production and human relations in the factory.

A number of measures have been taken to deal with these problems. Steps to avoid or minimise redundancy include regulating the pace of modernisation inter-departmental or inter-factory transfer of workers working additional shifts or extending the operations of the factory. In cases where redundancy was unavoidable, practices and procedures of dismissals have been evolved to avoid injustice and hardship as far as possible. Compensation payments are in some cases made to dismissed workers under legislative provisions or collective agreements ; some compensation schemes provide for the payment of higher initial benefit and instalments spread over a period, with a view to afffording more security to dismissed workers while they are in search of alternative jobs. Suggestions have also been made to set up separate funds to meet the expenses of displacement, thus recognising the principle that society, which benefits from modernisation, should also share in its costs. In this connection, the need to encourage labour mobility and to link modernisation schemes to general plans for industrial development and the location of new industries has also received attention. In the reorgnisation of production which often accompanies modernisation of equipment, work study methods are applied to an increasing extent in the industry and have resulted in a more efficient due of manpower and machines, and in more equitable systems of wage payment. While no general solution has been found to the problem of sharing the benefits resulting from modernisation, there is increasing recognition that changes in skills and responsibilities and working conditions do occur and that these should be reflected in the wages of the workers concerned. Improved training schemes have been introduced and it is generally agreed that older workers need training to adapt them to the new machinery and that retraining should be provided for displaced textile workers in order to help them to obtain new employment. In undertaking the various measures connected with modernisation, close co-opera tion between labour and management is necessary to avoid friction and dislocation, and practices and procedures have been established for consultation between their representatives. In this connection, permanent machinery for consultation has been found to be particularly useful.

Since modernisation schemes have to be planned in advance and are limited by the amount of capital available for investment, the supply of textile machinery and shortages of properly trained personnel, the labour problems involved can be foreseen and measures adopted sufficiently far ahead. This has no doubt helped to solve them in many cases. Experience has shown, however, that the problems of modernisation can be solved and the solutions successfully applied only by agreement between employers and employees and in an atmosphere of good labour-management relations in the industry.

(*Summarised from the article* "Labour Problems of Modernisation in the Textile Industry" *published in June,* 1960, *issue of the International Labour Review*).

EMPLOYMENT MARKET REPORT—FOR COIMBATORE FOR THE QUARTER ENDED DECEMBER, 1959.

I. SUMMARY.

1. In the private sector, during the quarter ended December, 1959, 1,373 establishments were addressed, of which, 1,276 furnished employment information in the prescribed form of questionnaires. They reported that employment under them had decreased from 1,26,391 at the end of September, 1959 to 1,25,242 at the end of December, 1959 representing a decrease of 1,149 over the previous quarter or a fall of 0.9 per cent. The employment index (December 1957=100) relating to the private sector, excluding construction, decreased from 100.2 at the end of September to 99.3 at the end of December, 1959. It is interesting to note that for the corresponding period last year (December, 1958) employment in private sector recorded a fall of 1.1 per cent over September, 1958. An analysis of this change reveals that employment increased, among others, in rice mills, cotton spinning and weaving, cement manufacture, dom-nut button making, production of tin-containers, textile machinery and accessories, mone-blocks and switch gears, pumpsets and oil engines, road transportation, construction and general educational services. This was more than offset by decrease in plantations, cotton ginning, beedi and cigar manufacture, cotton carpet weaving, calico printing, handloom weaving, hosiery production, calendering, production of household utensils, wholesale and retail trading. Forecast of employment for the next quarter is reported to be promising in plantations, gypsum cleaning, rice mills coffee curing, Cotton textiles, handloom and hosiery production, manufacture of plastics, glass-ware engineering goods, electrical goods, textile machinery and general educational services. Printing industry, however, indicates an unfavourable trend.

2. *Public Sector.*—employment increased during this quarter. 222 establishments reported employment increase from 43,615 at the end of Sep-September to 45,025 at the end of December, 1959 an increase of 1,410 over the previous quarter or 3.2%. Consequently the employment index (December 1957=100) over the whole range of the public sector, which stood at 110.8 at the end of September, 1959 increased to 1140. at the end of December, 1959. It may be mentioned that at this time in 1958 public employment in the area was down by 0.4 per cent compared to September, 1958. Analysed by branches of public sector employment increased under state government offices (+746), quasi—government establishments (+468), local bodies(+175) and Central government offices (+21). The increase in employment in State government offices was mainly in plantations, manufacturing, construction, educational (general and technical). The bulk of the employment increase in quasi-government establishments occurred under electricity, gas, water and sanitary services, a substantial contributor being the Electricity Board.

3. Employment conditions, as reflected by the number of applicants registered with the Employment Office, Coimbatore, during the quarter indicated a slight easement. 3,704 persons sought registration during the quarter ended December as against 4,289 at the end of September 1959. The total

number of applicants on the active rolls of the District Employment Office declined from 7,972 at the end of September, 1959 to 7,927 at the end of December, 1959. An increase was noticed in the number of applicants in administrative and managerial occupations and unskilled categories while the number of professional, technical and allied personnel, clerical workers and craftsmen seeking employment assistance decreased.

4. The number of educated unemployed (those who have passed matriculation S.S.L.C. and above seeking employment assistance declined from 2,623 at the end of September to 2,113 at the end of December, 1959.

5. At the end of December 1959, there were 32,473 (18.9%) women employed in the reporting establishments in the area. Relative to the previous quarter, this represented a fall of 4.5% in employment for women. Of this total number of women employees, 27,220(21.7% of the total private sector employees were engaged in the private sector and 5,253 (11.3% of the total public sector employees) in the public sector. A further analysis shows that employment for women in the public sector was up by 5.8 as compared with the previous quarter, but fell by 6.3% in the private sector.

6. The number of vacancies notified to the Coimbatore Employment Office was less than that of the previous quarter. As against 1,080 vacancies at the end of September, there were only 748 at the end of December, 1959. Out of 748 vacancies notified during this quarter, 52.7% was from the State Government offices, 35.6% from the local bodies and quasi-government establishments, 3.1% by the central government office and 3.6% from the private sector establishments. This shows that the state government offices constituted the chief customer of the employment service, closely followed by the local bodies and quasi-government establishments.

7. Some of the employers have reported shortages of workers in the following occupations :

Mathematics and Science B. T. Qualified Stenographer, Physical Training Instructor and Instructress, Draughtsman, Turner, Fitter, Blacksmith, Electrician, Sheet Metal Workers, Hindi Pandit, Pharmacist, Town Planning Officer, Technologist, Statistician, Laboratory Technician and Doctor.

II-A. EMPLOYMENT IN PRIVATE SECTOR.

8. Employment in Private sector which showed improvement during the previous quarter registered a fall, as on the last day of the quarter ended December 1959. This was revealed by the returns received from 1,276 establishments employing 10 or more workers who reported a decrease in employment from 1,26,391 at the end of September to 1,25,242 at the end of December, 1959. representing a fall of 1,149 over the previous quarter or 0.9%. It may be mentioned that in the same quarter last year (December 58) employment level registered a fall of 1.1%. The employment index (December 1957=100) in the private sector, excluding construction, decreased from 100.2 at the end of September to 99.3 at the end of December, 1959. Of the 1,373 establishments addressed during the quarter, returns were received from 1,276, based on which this analysis has been made. Industry-wise analysis of the information collected indicates that employment increased under construction, services, and transport and communication. This was, however, more than offset by decrease under plantations, mines and quarries, manufacturing, and trade and commerce.

9. Employment in tea *plantations* decreased from 31,198 at the end of September to 30,403 at the end of December 1959, or 2.5%. This is mainly

attributable to seasonal factors, to which this industry is susceptible. The forecast of employment for the next quarter is promising.

10. Employment under *mining and quarrying* declined from 1,411 at the end of September to 957 at the end of December, 1959, showing a decrease of 32.2%. This reduction is due to the lay—off of a large number of workers in gypsum cleaning, due to the workschedule being materially affected by heavy rain-fall. This recession, however, is expected to be corrected in the next quarter.

11. Over the whole range of *manufacturing* industries, employment showed a downward trend from 81,537 at the end of September 1959 to 81,290 at the end of December, 1959, a decrease of 0.3% over the previous quarter. A further analysis shows that employment increased under food-stuffs (+390), production of non-electrical machinery (+159), electrical machinery (+71) and production of cement products (+36.) On the other hand employment decreased in the manufacture of cotten textile (—303) cigar and beedi making (—296), manufacture of other textile products, such as hosiery, cotton carpets calendering of cloth etc., (—194 and production of non-matallic mineral products (—97).

12. *Cotton weaving and spinning*—which is the main-stay of Coimbatore's industrial economy, showed an upward trend in employment during the quarter. 75 establishments in this industry reported an increase in employment, from 51,345 at the end of September to 52, 982 at the end of December, 1959. Almost all the increase is due to the reopening of one mill that remained closed for a long time. Otherwise the position in this industry was almost static, excepting for a couple of mills where there was a nominal gain. Forecast of textile employment for the next quarter appears to be favourable.

13. *Cotton ginning and pressing*, an important but a seasonal industry of this area, continued its downward trend in employment during the quarter under report. 102 establishments reported a decrease in employment from 4,138 at the end of September, to 2,267 at the end of December, 59. This is due to seasonal causes. With the onset of the ginning season, employment, is expected to pick-up in the next quarter.

14. *Carpet weaving*, an important handloom industry in this area, and which showed a decline in employment during the last quarter, continued to slump. Employment in 57 establishments engaged in the manufacture of handloom carpets and bedsheets decreased from 1,327 at the end of September, to 1,221 at the end of December, 1959. This is attributed to the non-availability of yarn at economic prices. Employment also decreased in calendering of cloth, calico printing and bleaching and dyeing.

15. *Hosiery manufacture*, concentrated in and around Tiruppur area, continued to show a downward trend in employment, from 1,881 at the end of September to 1,818 at the end of December, 1959. This information was collected from 81 establishments engaged in this industry. The slump, it was reported, was due to the high cost of yarn, the staple of this industry. There are indications, however, that employment in this industry might pick-up in the next quarter.

16. *Manufacture of textile mill stores and machinery*, which is one of the most important and up-and coming industries in this area, continued its upward trend in employment, during this quarter also. This position was revealed by the information gathered from 9 establishments engaged in this industry, who reported an increase in employment from 4,849 at the end of September, to 5,009 at the end of December, 1959. Employment conditions in this industry for the next quarter may continue to be favourable.

17. *Manufacture of electric motors, pumpsets and refrigeration accessories maintained* it upward trend in employment during this quarter also. 18 establishments manufacturing decentrifugal pumps, pumpsets, electrical meters etc., reported an increase in employment, from 2,715 at the end of September to 2,737 at the end of December, 1959. This favourable trend is likely to continue in the next quarter as well.

18. *Auto servicing*, another important industry of this area, which had shown a downward trend in employment during the previous quarter, improved during the quarter. This was revealed from returns received from 23 establishments engaged in this industry, who reported that employment under them increased from 922 at the end of September to 933 at the end of December, 1959.

19. Employment under *manufacturing of foodstuffs* continued to show improvement in this quarter also. 142 establishments engaged in this industry reported an increase in employment from 4,327 at the end of September to 4,717 at the end of December. Employment increased in rice mills (+385) and in sugar manufacture (+49). The increase in employment in sugar manufacture was due to seasonal factors. On the other hand, employment decreased in 8 establishments engaged in coffee curing and garbling (−15) as well as in oil mills (−31).

20. Over the whole range of *miscellaneous* manufactures, consisting of button manufactures, production of synthetic gems, glass-ware, cutlery, sundry hardware, jewellery and diamond cutting, employment remained static. However manufacture of Dom-nut buttons, sodium silicate etc., in the group recorded an increase of employment from 129 at the end of September to 138 in December, 59.

21. The *construction* industry, wherein employment has been showing a downward trend during the last few quarters, improved during this quarter. This is revealed fom the returns received from 26 establishments engaged in construction, who reported that employment under them increased from 1,254 at the end of September to 1,470 at the end of December, 1959. This is chiefly due to added building activities.

22. *Trade and Commerce*, as a whole, recorded a decrease in employment, from 2,803 at the end of September to 2,771 at the end of December, 1959. This was revealed by the returns received from the 132 employers belonging to this industry. The wholesale trade (−48 and retail trade (−19) were chiefly responsible for this trend. However, banking (+22) and motion picture production and distribution (+13) recorded some increase. Forecast for the next quarter is that retail trading may improve.

23. *Transport and Communications*.—Employment in this industry increased from 1,827 at the end of September to 1,872 at the end of December, 1959 as revealed from data collected from 26 establishments engaged in bus and lorry transportation. The forecast for the next quarter, however, is not favourable.

24. *Services*.—As anticipated earlier, employment in 293 establishments increased from 6,361 at the end of September to 6,479 at the end of December, 1959, which is an increase of 1.9% over the previous quarter. General education (+77), personal service (+24) and technical education (+16) reported employment increase. The employment position remained static under health services, business services and recreational services. Indications for the next quarter are, however, are not unfavourable for general education.

25. *Contract (Indirect) Labour*: Information was also collected from private employers regarding labour engaged and paid through contractors. 39 private employers reported the employment of contract labour (indirectly paid) who accounted for 6,449 man-days worked in the last week of December, 1959. This could be regarded as equivalent to the fulltime employment of 1,075 persons, which is less than 1% of the total number of direct employees in the private sector.

26. The practice of contract work appears to be widespread in limestone quarrying, rice mills (boiling, spreading of paddy, drying and breaking of blackgram etc)., oil mills (paddy boiling and hulling) cotton spinning (loading unloading, kapas picking etc), automobile industry (supply of building materials and repairs) and technical education service (construction of building).

27. *Strikes/Lockouts** From the records maintained in the State Labour Department, strikes/lockouts were declared in 34 establishments in the area (21 Tea and Coffee plantation, 12 Cotton mill and one Foundry), entailing a loss of 20,136 mandays, amounting to Rs. 37,285, as wage loss to the workers. The total number of workers involved were 16,397 (15,530 in plantations, 854 in cotton textiles and 13 in foundry).

Strikes/lockouts in 21 plantations entailed a loss of 14,845 mandays involving a wage loss Rs. 20,260 to the workers. In the 12 cotton mills 5,284 mandays were lost due to work-stoppage, entailing Rs. 17,014 as loss of wages to workers.

II-B. EMPLOYMENT IN PUBLIC SECTOR.

28. The level of employment in the public sector continued to rise during this quarter also. 222 establishments reported an increase in employment from 43,615 at the end of September 1959 to 45,025 at the end of December 1959, an increase of 1,410 over the previous quarter or 3.2% The semployment index December (1957=100) over the whole range of public ector which stood at 110 at the end of September, 59 increased to 114 at the end, of December, 1959.

29. The employment increase was 746 persons in the state government offices, 21 in the central government offices, 468 in the quasi—government organization and 175 in the local bodies.

30. *Plantations* The cinchona plantations recorded an appreciable gain in employment, from 1,481 at the end of September to 1,753 at the end of December, 1959 an increase of 272 or 18.4%. This increase is due to seasonal factors.

31. *Manufacturing* Over the whole range of manufacturing industries comprising 8 establishments, there was an overall increase of 56 persons during this quarter. The increase occurred in government charka workshop. (+31).

32. *Construction* Employment under construction showed an increase from 3,084 at the end of September to 4,267 at the end of December 1959. The increase is due to the intake of persons in the Parambikulam Aliyar river-valley Scheme, where work is gaining tempo.

33. *Electricity ,Gas, Water and Sanitary services*.—Employment under this industry division picked up during this quarter. Two establishments in this division reported an increase of employment from 4,028 at the end of September to 4,492 at the end of December, 1959. This is due to the recruitment of additional staff in state electricity Board for their expansion programme.

34. *Trade and Commerce.*—16 establishments in this division reported that employment under them increased from 795 at the end of September to 798 at the end of December, 1959.

35. *Transport and Communications.*—Employment under transport and communications reported that their employment decreased from 1,925 at the end of September to 1,915 at the end of December 1959. This does not, however, give a full picture as only two of the railway establishment located in Coimbatore districts, are included in this study.

36. *Service.*—Under services employment was reported to have increased from 31,015 at the end of September to 31,177 at the end of December, 1959, representing an increase of 0.5% over the previous quarter. The chief contributors to the increase were technical education (+167) and general education (+77), quasi—government organisation and local body administrative services (+101) and central government administrative services (+26). Health services, however, reported a staff reduction (—152), as also the state administrative Services (—55).

II-C. EMPLOYMENT OF WOMEN.

37. Employment of women in the area, as a whole as well as in the private and public sectors severally, declined, from 33,993 at the end of September to 32,473 at the end of December 1959, a fall of 4.5% over the previous quarter. Sectorwise analysis reveals that 27,220 women employees (21.7%) (of private sectors employees) were in the private sector as against 5,253 (11.3%) (of the public sector employees) in the public. While the number of women employees in the private sector fell from 29,029 at the end of September to 27,220 (6.3%) at the end of December 1959, the position was the reverse in public sector where the number of women employee, rose from 4,964 at the end of September to 5,253 (+5.8) at the end of December 1959. The women labour force in the reporting establishments, both private and public, at the end of December 1959 was 18.9% of the total number of all employees covered by this survey.

III. PERSONS SEEKING WORK.

38. *Registration at the Employment Office.*—There was a decrease in the number of persons seeking work in this quarter. 3,704 (including 419 women) registered themselves for work in Coimbatore Office during the quarter ended December, 1959, as compared to 4,289 (including 519 women) during the previous quarter. While 57 per cent of were new entrants to the employment market, 16.4 per cent had their previous livelihood from different, services, 2.0 per cent from manufacturing, 6.0 per cent agriculture, 1.7 per cent construction 0.8% transport and communications and 1.1 per cent from trade and commerce. 15.0 per cent of the registrants were from other industries and services. The total number of unemployed remaining on the active rolls of the Coimbatore Employment Office decreased from 7,972 inclusive of 1,114 women at the end of September to 7,927 inclusive of 1,097 women at the end of December 1959. 10 per cent sought professional, technical, administrative and executive jobs 14 per cent skilled occupations, 23.5 per cent clerical and related work, and 52.5 per cent of the unemployed sought unskilled less jobs.

39. The number of educated unemployed seeking work declined from 2,623 at the end of September, to 2,113 at the end of December, 1959.

IV. DEMAND FOR PERSONNEL.

A Vacancies notified to the Exchange.

40. The number of vacancies notified to the Coimbatore Employment Office for the quarter ended December, 1959 decreased from 1,080 at the end of September to 748 at the end of December 1959. Of the total, 394 vacancies were from state government offices 266 were from quasi and local board establishments and 61 from central government establishments. Hardly 27 vacancies were from the private sector. An analysis of these vacancies according to their industrial origin shows that 82.8 per cent were from services, 8 per cent from construction and 2.7 per cent from manufacturing, transport, storage and communications accounted for 3.5 per cent of the vacancies trade and commerce 2.8 per cent agriculture 0.1% and electricity, gas, water and sanitary services 0.1. per cent.

B. Vacancies pending with Employers.

41. Besides the vacancies notified to the Employment Office, private employers reported that 54 vacancies were outstanding with them to be filled, of which 9 have already been notified to the Employment office. Some of the selected occupations in which vacancies existed on the date of enquiry are as follows :

Draftsman
Craft Instructor.
Turner
Blacksmith
Moulder
Fitter
Compositor
Machineman
Pharmacist
Physical Training
Instructor (Both male and female)
Hindi Pandit

C. Number of workers placed in employment.

42. There has been a decrease in the number of persons placed in employment in the quarter ended 31st December, 1959. 704, persons including 32 women, were placed in employment by the Coimbatore Employment office during this quarter as against 953 persons, including 20 women, in the previous quarter. Of them, 231 were placed in professional, technical administrative and managerial occupations, and 162 in clerical jobs. Skilled occupations absorbed 60 of them. As many as 251 persons were in unskilled positions. Analysed by their industrial origin, 609 persons were placed in service 47 in construction, 22 in transport and communications. Manufacturing and trade accounted for 14 and 10 respectively. Hardly 2 were in agriculture.

V. PERSONS IN SHORT SUPPLY.

43. Reports received from the employers and experience in the Coimbatore Employment office, suggest that shortages existed in the following occupations :

Mathematics & Science B.T.	Sheet metal worker
Qualified Stenographer	Hindi Pandit
Physical Training Instructor (Male and female)	Pharmacist
Draftsman, Turner, Fitter	Town Planning Officer
Blacksmith, Electrician	Technologist
Laboratory Technician	Statistician
	Doctor

INDUSTRIAL RELATIONS.

June, 1960.

The labour situation in the State was generally satisfactory. There were 17 strikes during the month of June, 1960. Of these 7 strikes related to textile mills, 3 to Engineering and 7 to undertakings in other industries affecting about 1546, 1026 and 1781 workers respectively. The mandays lost as a result of the stoppages were 4178, 1081 and 62770 respectively. The details of the more important strikes are furnished below :

TEXTILES.

About 442 workers of Kasturi Mills, Limited, Singanallur, Coimbatore, struck work on 10th June, 1960 on account of the management not conceding their demands for increased wages and allowances. They resumed work on 17th June, 1960 on the mediation of the Labour Officer.

About 143 workers of Sri Vasudeva Industries Limited, Oddarpalayam, Coimbatore, struck work on 27th June, 1960 on account of the management declaring 'no work' to carding and blow room workers. The strike continued at the end of the month.

About 725 workers of the B. & C. Mills, Madras struck work on 26th June, 1960 on account of the management employing contract labour in the place of absentee workers. They resumed work on the same day, as a result of direct negotiation.

ENGINEERING.

About 55 workers of the Binny Beach Engineering Works, Madras-1, struck work on 14th June, 1960 on account of the suspension of a worker. They resumed work on 15th June, 1960 as a result of direct negotiation.

About 892 workers of the Binny Beach Engineering Works, Meenambakkam, struck work on 14th June, 1960 on account of suspension of a worker. They resumed work on 15th June, 1960 as a result of direct negotiation.

OTHER INDUSTRIES.

About 1591 workers of the T. I. Cycles of India (Private) Limited, Ambattur, struck work on 11th May, 1960 on account of the management not conceding their demands for increased wages, allowance, etc. They resumed work on 28th June, 1960 as a result of the good offices of the Minister for Industries and the Commissioner of Labour.

About 32 workers of the Madras Oil and Fertilisers (Private) Limited, Villivakkam, Chingleput District, struck work on 1st June, 1960 on account of the retrenchment of certain workers. They resumed work voluntarily on the same day.

About 58 workers of Rajan Ribbon Factory, Komarapalayam, struck work on 22nd June, 1960 on account of the management not providing work to a worker. They resumed work on 25th June, 1960 on the mediation of the Labour Officer.

CENTRAL SPHERE.

Conciliation.

The Regional Labour Commissioner (Central), Madras held conciliation proceedings in the dispute between the management of the Premier Insurance Company Limited, Madras, and the South India Insurance Employees' Association, Madras, regarding revision of scales of pay, dearness allowance, provident fund, gratuity, etc., and brought about an amicable settlement.

The Conciliation Officer (*c*), Madras, held conciliation proceedings on 13th June, 1960 in the dispute between the management of the United Commercial Bank Limited, Tiruchirapalli and the United Commercial Bank Employee's Union regarding payment of cash allowance to a peon and brought about an amicable settlement.

The Conciliation Officer (*c*), Madras, held Conciliation proceedings on 25th June, 1960 in the dispute between the Bank of Bikaner Limited, Madras Branch and the Bank of Bikaner Employee's Association, Madras, regarding non-payment of over-time wages for extra hours of work done by the employees of the Bank and brought about an amicable settlement.

THREATENED STRIKES AND LOCK-OUTS.

Railways.—The Acting General Secretary of the Dakshin Railway Employees' Union, Camp Tiruchirapally, issued a strike notice on 23rd June, 1960, to the General Manager, Southern Railway, Madras, proposing to call a strike from 11th July, 1960, in respect of the demands of the union relating to payment of D.A. on the basis of the first Pay Commission's recommendations, grant of national minimum wage for Central Government employees, non-curtailment of existing facilities, etc.

The General Secretary of the Southern Railway Labour Union, Golden Rock, Tiruchirapalli, issued a strike notice on 27th June, 1960, to the General Manager, Southern Railway, Madras, proposing to call a strike from 11th July, 1960, in respect of the demands of the union over the implementation of the recommendations of the Pay Commission.

Mines.—The Magnesite Workers Union (*AITUC*), Salem, issued a strike notice to the managements of the Magnesite concerns at Salem of its intention to call a strike of the workers on or after 25th June, 1960, as the managements had failed to concede their demands regarding revision of basic wages, D.A. National and Festival holidays.

Particulars regarding disputes received, etc. :

1.	No. of industrial disputes received	5
2.	No. of industrial disputes settled	2
3.	No. of threatened strikes	3
4.	No. of strikes which materialised	—
5.	No. of draft standing orders certified	—

Disputes referred for adjudication.

The dispute between the Madras Port Trust and their workmen as to whether the interim relief of Rs. 5 *per mensem* should be granted to daily rated labour employed by the Madras Port Trust other than the labour covered by the piece-rate scheme and if so whether it should be given with retrospective effect from 1st July, 1957 " was referred to the Industrial Tribunal, Bombay, for adjudication.

Awards published.—The award of the Industrial Tribunal, Madras, in the dispute between the workmen and the management of the National &

Grindlays Bank Limited, Madras, regarding the claim to special allowance at Rs. 50/- to checking clerks was published during the month under review.

STATE SPHERE.

Conciliation under the Industrial Disputes Act, 1947.

The Conciliation Officers enquired into and settled 535 disputes. 60 of these were industrial disputes in which settlements were recorded under section 12 (3) of the Industrial Disputes Act. Details of the disputes settled by conciliation are given in the statistical supplement.

ADJUDICATION UNDER THE INDUSTRIAL DISPUTES ACT, 1947.

The State Government referred 11 industrial disputes in which settlements could not be brought about by conciliation to the Industrial Tribunal, Madras, and to the Labour Courts, at Madras, Coimbatore and Madurai. The details of the disputes referred for adjudication are published under the statistical portion of this journal.

29 awards given by the Industrial Tribunal, Madras, and the Labour Court, Madras, Coimbatore and Madurai on industrial disputes referred to them were published in the *Fort St. George Gazette* during the month of June, 1960.

WELFARE.

During the month of June, 1960 the Employment Offices in the State registered 21,486 applicants including 3212 women, 2651 scheduled caste/tribe applicants and 412 ex-services personnel, and placed 2843 applicants including 343 women, 289 scheduled caste/tribe applicants and 97 ex-services personnel. 1035 employers made use of the Employment Offices in the State during the month. 4376 vacancies were notified to the Employment Offices and 23760 applicants were submitted to the employers for consideration. 1,33,334 applicants were awaiting employment assistance at the various Employment Offices in the State at the end of the month under review.

There was a dearth of trained personnel in the following occupations during the month under review :

Blacksmiths.
Draughtsmen (Civil and Mechanical).
Drivers with Heavy Endorsement Licence.
Building overseers.
Auto Mechanics with 5 years experience.
High School Assistants (L.T./B.T./B.Ed. in Mathematics, Science and Social studies).
Health Visitors/Assistants.
Maternity Assistants.
Sanitary Inspectors.
Physical Training Instructors/Instructresses.
Pipe Line Fitters.
Senior Mechanics (Automobile).
Instructors (in Blacksmith & Carpentry).
Medical Officers (Men and Women).
Road Roller Drivers.
Engineering Instructors.
Stenographers.
Librarians.
Ephigraphical Assistants (M.A. with Sanskrit).

Agricultural Graduates.
Diploma holders (L.M.E./L.E.E./L.C.E.)
Geological Assistants.
Electricians.
Sheet Metal Workers with 3 years experience.
Language Pandits (Tamil, Hindi and Urudu).

Surpluses continued to exist in the clerical and unskilled categories.

During the month, the District Employment Office, Kanyakumari submitted skilled Artisans against vacancies in the Neiveli Lignite Corporation.

The following manpower schemes under the second Five-Year Plan were in progress during the month.

(a) *The Employment Market Information Scheme.*—Under the scheme on Collection of Employment Market Information, the street survey of the Municipal Towns in the districts of North Arcot, Salem, Thanjavur, Tiruchirapalli and Madurai was conducted during the month. The construction of Employers' Registers in respect of Thanjavur and Tiruchirapalli was completed. The Employment Market Report in the Public sector for the quarter ended 31st December, 1959, was published during the month. Besides the Coimbatore Employment Market Report for the quarter ended 31st December, 1959, was finalised. The enquiry for the quarter ended 31st March, 1960, was completed during the month.

(b) *Occupational Research and Analysis Scheme.*—Under this scheme the Occupational Information Unit verified with reference to local institutions and employment draft definitions in respect of 7 Occupations under Family 825 "Makers of Aerated Water and Brewers and 17 occupations in respect of Family 670 "Telephone Operators, etc." The verification reports were sent to the Directorate General of Resettlement and Employment, New Delhi.

(c) *The Youth Employment Services and Employment Counselling Scheme.*—The Youth Employment Service and Employment Counselling Unit attached to the District Employment Office, Madras, gave group guidance to 813 youths and individual guidance to 25 youths during the month. This unit also provided guidance information to 255 candidates. Further, efforts were also made to collect information on training facilities and details of courses of studies and apprenticeship for dissemination to applicants.

HOUSING.

The Government have so far sanctioned 22 schemes for the construction of 1508 houses. Out of these, the construction of 918 houses has been completed. The construction of 69 houses has reached the roof level and the construction of 100 houses has reached the plinth level. Preliminary work is in progress for the construction of 421 houses.

EMPLOYEES' PROVIDENT FUNDS ACT, 1952.

During the month of June, 1960, five establishments were brought under the Employees' Provident Funds Act bringing the total number of covered establishments to 886.

A sum of Rs. 22,33,790.70 was received as employers' and employees' contribution to the fund.

The total number of covered employees in the Madras State at the end of the month was 2,77,415.

LABOUR LAWS AND ADMINISTRATION

[On request from employers and workers a labour enactment is being published in each issue embodying the latest amendments].

THE WORKING JOURNALISTS (CONDITIONS OF SERVICE AND MISCELLANEOUS PROVISIONS) ACT, 1955.

(*Received the assent of the President on 20th December, 1955.*)

ACT No. XLV OF 1955.

An Act to regulate certain conditions of service of Working Journalists and other persons employed in newspaper establishments.

BE it enacted by Parliament in the Sixth Year of the Republic of India as follows :—

CHAPTER I.

PRELIMINARY.

1. *Short title and extent*.—(1) This Act may be called THE WORKING JOURNALISTS (CONDITIONS OF SERVICE AND MISCELLANEOUS PROVISIONS) ACT, 1955.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

2. *Definitions*.—In this Act, unless the context otherwise requires,—

(*a*) 'Board' means the Wage Board constituted under section 8 ;

(*b*) "Newspaper" means any printed periodical work containing public news or comments on public news and includes such other class of printed periodical work as may, from time to time, be notified in this behalf by the Central Government in the Official Gazette ;

(*c*) "newspaper employee" means any working journalist, and includes any other persons employed to do any work in, or in relation to, any newspaper establishment ;

(*d*) "newspaper establishment" means an establishment under the control of any person or body of persons, whether incorporated or not, for the production or publication of one or more newspapers or for conducting any news agency or syndicate ;

(*e*) "prescribed" means prescribed by rules made under this Act ;

(*f*) "working journalist" means a person whose principal avocation is that of a journalist and who is employed as such in, or in relation to, any newspaper establishment, and includes an editor, a leader-writer, news editor, sub-editor, feature-writer, copy-taster, reporter, correspondent, cartoonist, newsphotographer and proof-reader, but does not include any such person who

(i) is employed mainly in a managerial or administrative capacity, or

(ii) being employed in a supervisory capacity, performs, either by the nature of the duties attached to his office or by reason of the powers vested in him, functions mainly of a managerial nature :

(*g*) all words and expressions used but not defined in this Act and defined in the Industrial Disputes Act, 1947, shall have the meanings respectively assigned to them in that Act

CHAPTER II.

WORKING JOURNALISTS.

3. *Act XIV of 1947 to apply to Working Journalists*.—(1) The provisions of the Industrial Disputes Act, 1947, as in force for the time being shall, subject to the modification specified in sub-section (2), apply to, or in relation to working journalists as they apply to, or in relation to, workmen within the meaning of that Act.

(2) Section 25-F of the aforesaid Act, in its application to working journalists, shall be construed as if in clause (*a*) thereof, for the period of notice referred to therein in relation to the retrenchment of a workman, the following periods of notice in relation to the retrenchment of a working journalist had been substituted, namely :—

(*a*) six months, in the case of an editor, and

(*b*) three months, in the case of any other working journalist.

4. *Special provisions in respect of certain cases of retrenchment*.—Where at any time between the 14th day of July, 1954, and the 12th day of March, 1955, any working journalist had been retrenched, he shall be entitled to receive from the employer.

(*a*) wages for one month at the rate to which he was entitled immediately before his retrenchment, unless he had been given one month's notice in writing before such retrenchment ; and

(*b*) compensation which shall be equivalent to fifteen day's average pay for every completed year of service under that employer or any part thereof in excess of six months.

5. *Payment of gratuity*.—(1) Where—

(*a*) any working journalist has been in continuous service, whether before or after the commencement of this Act, for not less than three years in any newspaper establishment, and

(i) his services are terminated by the employer in relation to that newspaper establishment for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action, or

(ii) he retires from services on reaching the age of superannuation, or

(iii) he voluntarily resigns from service from that newspaper establishment, or

(*b*) any working journalist dies while he is in service in any newspaper establishment, the working journalist or, as the case may be, his heirs shall, without prejudice to any benefits or rights accruing under the Industrial Disputes Act, 1947, be paid, on such termination, retirement, resignation or death, by the employer in relation to that establishment gratuity which shall be equivalent to fifteen days' average pay for every completed year of service or any part thereof in excess of six months.

(2) Notwithstanding anything contained in sub-section (1), where a working journalist is employed in any newspaper establishment [illegible] more than six working journalists were employed on any day of the [illegible]

months immediately preceding the commencement of this Act the gratuity payable to a working journalist employed in any such newspaper establishment for any period of service before such commencement shall be equivalent to—

(a) three days average pay for every completed year of service or any part thereof in excess of six months, if the period of such past service does not exceed five years;

(b) five days' average pay for every completed year of service or any part thereof in excess of six months, if the period of such past service exceeds five years but does not exceed ten years; and

(c) seven days average pay for every completed year of service or any part thereof in excess of six months, if the period of such past service exceeds ten days.

6. *Hours of Work.*—(1) Subject to any rules that may be made under this Act, no working journalist shall be required or allowed to work in any newspaper establishment for more than one hundred and forty four hours during any period of four consecutive weeks, exclusive of the time for meals.

(2) Every working journalist shall be allowed during any period of seven consecutive days rest for a period of not less than twenty-four consecutive hours, the period between 10 P.M. and 6 A.M. being included therein.

Explanation.—For the purposes of this section, 'week' means a period of seven days beginning at mid-night on Saturday.

7. *Leave.*—Without prejudice to such holidays, casual leave or other kinds of leave as may be prescribed, every working journalist shall be entitled to—

(a) earned leave of full wages for not less than one-eleventh of the period spent on duty;

(b) leave on medical certificate on one-half of the wages for not less than one-eighteenth of the period of service.

8. *Constitution of Wages Board.*—(1) The Central Government may, by notification in the Official Gazette, constitute a Wage Board for fixing rates of wages in respect of working journalists in accordance with the provisions of this Act.

(2) The Board shall consist of an equal number of persons nominated by the Central Government to represent employers in relation to newspapers establishments and working journalists, and an independent person shall be appointed by the Central Government as the Chairman thereof.

9. *Fixation of Wages.*—(1) In fixing rates of wages in respect of working journalists, the Board shall have regard to the cost of living, the prevalent rates of wages for comparable employments, the circumstances relating to the newspaper industry in different regions of the country, and to any other circumstances which to the Board may seem relevant.

(2) The Board may fix rates of wages for time work and for piece work.

(3) The decision of the Board fixing rates of wages shall be communicated, as soon as practicable, to the Central Government.

10. *Publication of decision of Board and its commencement.*—(1) The decision of the Board shall, within a period of one month from the date of its receipt by the Central Government, be published in such manner as the Central Government thinks fit.

(2) The decision of the Board published under sub-section (1) shall come into operation with effect from such date as may be specified in the decision and where no date is so specified it shall come into operation on the date of its publication.

11. *Powers and procedure of Board.*—Subject to any rules of procedure which may be prescribed, the Board may, for the purposes of fixing rates of wages, exercise the same powers and follow the same procedure as an Industrial Tribunal constituted under the Industrial Disputes Act, 1947, exercises or follows for the purposes of adjudicating an industrial dispute referred to it.

12. *Decision of Board to be binding on all employers.*—The decision of the Board shall be binding on all employers in relation to newspaper establishments and every working journalist shall be entitled to be paid wages at a rate which shall, in no case, be less than the rate of wages fixed by the Board.

13. *Power of Government to fix interim rates of wages.*—(1) Notwithstanding anything contained in this Act, where the Central Government is of opinion that it is necessary so to do, it may after consultation with the Board, by notification in the Official Gazette, fix interim rates of wages in respect of working journalists.

(2) Any interim rate of wages so fixed shall be binding on all employers in relation to newspaper establishments and every working journalist shall be entitled to be paid wages at a rate which shall, in no case, be less than the interim rate of wages fixed under sub-section (1).

(3) Any interim rates of wages fixed under sub-section (1) shall remain in force until the decision of the Board comes into operation under sub-section (2) of section 10.

CHAPTER III.

APPLICATION OF CERTAIN ACTS TO NEWSPAPER EMPLOYEES.

14. *Act XX of 1946 to apply to newspaper establishments.*—The provisions of the Industrial Employment (Standing Orders) Act, 1946, as in force for the time being, shall apply to every newspaper establishment wherein twenty or more newspaper employees are employed or were employed on any day of the preceding twelve months as if such newspaper establishment 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 a newspaper employee were a workman within the meaning of that Act.

15. *Act XIX of 1952 to apply to neswpaper estalishments.*—The Employees' Provident Funds Act, 1952, as in force for the time being, shall apply to every newspaper establishment in which twenty or more persons are employed on any day, as if such newspaper establishment were a factory to which the aforesaid Act had been applied by a notification of the Central Government under sub-section (3) of section 1 thereof, and as if a newspaper employee were an employee within the meaning of that Act.

CHAPTER IV.

MISCELLANEOUS.

16. *Effect of Laws and Agreements inconsistent with this Act.*—(1) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law or in the terms of any award, agreement or contract of service, whether made before or after the commencement of this Act :

Provided that where under any such award, agreement, contract of service or otherwise, a newspaper employee is entitled to benefits in respect of any matter which are are more favourable to him than those to which he would be entitled under this Act, the newspaper employee shall continue to be entitled to the more favourable benefits in respect of that matter, notwithstanding that he receives benefits in respect of other matter under this Act.

(2) Nothing contained in this Act shall be construed to preclude any newspaper employee from entering into an agreement with an employer for granting him rights or privileges in respect of any matter which are more favourable to him than those to which he would be entitled under this Act.

17. *Recovery of money due from an employer.*—Where any money is due to a newspaper employee from an employer under any of the provisions of this Act, whether by way of compensation, gratuity or wages, the newspaper employee may, without prejudice to any other mode of recovery, make an application to the State Government for the recovery of the money due to him, if the State Government or such authority as the State Government may specify in this behalf is satisfied that any money is so due, it shall issue a certificate for that amount to the Collector and the Collector shall proceed to recover that amount in the same manner as an arrear of land revenue.

18. *Penalty.*—(1) If any employer contravenes the provisions of section 6, he shall be punishable with fine which may extend to two hundred rupees.

(2) No Court inferior to thatof a Presidency Magistrate or a Magistrate of the First Class shall try any offence punishable under this section.

(3) No Court shall take cognizance of an offence under this section, unless the complaint thereof is made within six months of the date on which the offence is alleged to have been committed.

19. *Indemnity.*—No suit, prosecution or other legal proceeding shall lie against the Chairman or any other member of the Board for anything which is in good faith done or intended to be done

20 *Power to make rules*—(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules mayprovide for all or any of the following matters, namely :—

(*a*) payment of gratuity to working journalists ;

(*b*) hours of work of working journalists

(*c*) holidays, earned leave, leave on medical certificate, casual leave, or any other kind of leave admissible to working journalists ;

(*d*) the procedure to be followed by the Board in fixing rates of wages ;

(*e*) the manner in which the decision of the Board may be published ;

(*f*) any other manner which has to be, or may be, prescribed

(3) All rules made under this section shall as soon as practicable after they are made, be laid before both Houses of Parliament

21 *Repeal of Act* 1955—The Working Journalists (Industrial Disputes) Act, 1955, is hereby repealed.

THE EMPLOYMENT EXCHANGES (COMPULSORY NOTIFICATION OF VACANCIES) ACT, 1959.

ACT No. XXXI OF 1959.

2nd September, 1959.

An Act to provide for the compulsory notification of vacancies to employment exchanges.

BE it enacted by Parliament in the Tenth Year of the Republic of India as follows :—

1. *Short title, extent and commencement.*—(1) This Act may be called THE EMPLOYMENT EXCHANGES COMPULSORY NOTIFICATION OF VACANCIES ACT, 1959.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force in a State on such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf for such State and different dates may be appointed for different States or for different areas of a State.

2. *Definitions.*—In this Act, unless the context otherwise requires—

(*a*) " appropriate Government " means—

(1) in relation to—

(a) any establishment of any railway, major port, mine or oilfield or

(b) any establishment owned, controlled or managed by—

(i) the Central Government or a department of the Central Government,

(ii) A company in which not less than fifty one per cent. of the share capital is held by the Central Government or partly by the Central Government and partly by one or more State Governments.

(iii) a corporation (including a co-operative society) established by or under a Central Act which is owned, controlled or managed by the Central Government,

the Central Government ;

(2) in relation to any other establishment, the Government of the State in which that other establishment is situate ;

(*b*) " employee " means any person who is employed in an establishment to do any work for remuneration ;

(*c*) " employer " means any person who employs one or more other persons to do any work in an establishment for remuneration and includes any person entrusted with the supervision and control of employees in such establishment ;

(*d*) "employment exchange" means any office or place established and maintained by the Government for the collection and furnishing of information, either by the keeping of registers or otherwise, respecting—

(i) persons who seek to engage employees,

(ii) persons who seek employment, and

(iii) vacancies to which persons seeking employment may be appointed;

(*e*) " establishment " means—

(a) any office, or

(b) any place where any industry, trade, business, or occupation is carried on;

(f) "establishment in public sector" means an establishment owned, controlled or managed by—

(1) the Government or a department of the Government;

(2) a Government company as defined in section 617 of the Companies Act, 1956;

(3) a corporation (including a co-operative society) established by or under a Central, Provincial or State Act, which is owned, controlled or managed by the Government;

(4) a local authority.

(g) "establishment in private sector" means an establishment which is not an establishment in public sector and where ordinarily twenty-five or more persons are employed to work for rumuneration;

(h) "prescribed" means prescribed by rules made under this Act;

(i) "unskilled office work" means work done in an establishment by any of the following categories of employees, namely:—

(1) daftri;
(2) Jemadar, orderley and peon;
(3) dusting man or farash;
(4) bundle or record lifter;
(5) process-server;
(6) watchman;
(7) sweeper;

(8) any other employee doing any routine or unskilled work which the Central Government may, by notification in the Official Gazette, declare to be unskilled office work.

3. *Act not to apply in relation to certain vacancies.*—(1) This Act shall not apply in relation to vacancies—

(a) in any employment in agriculture (including horticulture) in any establishment in private sector other than employment as agricultural or farm machinery operatives;

(b) in any employment in domestic service;

(c) in any employment the total duration of which is less than three months;

(d) in any employment to do unskilled office work;

(e) in any employment connected with the staff of Parliament;

(2) Unless the Central Government otherwise directs by notification in the Official Gazette in this behalf, this Act shall not also apply in relation to—

(a) vacancies which are proposed to be filled through promotion or by absorption of surplus staff of any branch or department of the same establishment or on the result of any examination conducted or interview held by, or on the recommendation of, any independent agency, such as the Union or a State Public Service Commission and the like;

(b) vacancies in an employment which carries a remuneration of less than sixty rupees in a month.

4. *Notification of vacancies to employment exchanges.*—(1) After the commencement of this Act in any State or area thereof, the employer in every establishment in public sector in that State or area shall, before filling up any vacancy in any employment in that establishement, notify that vacancy to such employment exchange as may be prescribed.

(2) The appropriate Government may, by notification in the Official Gazette, require that from such date as may be specified in thenotification, the employer in every establishment in private sector or every establishment pertaining to any class or category of establishments in private sector shall, before filling up any vacancy in any employment in that establishment, notify that vacancy to such employment exchanges as may be prescribed, and the employer shall thereupon comply with such requisition.

(3) The manner in which the vacancies referred to in sub-section (1) or sub-section (2) shall be notified to the employment exchanges and the particulars of employments in which such vacancies have occurred or are about to occur shall be such as may be prescribed.

(4) Nothing in sub-sections (1) and (2) shall be deemed to impose any obligation upon any employer to recruit any person through the employment exchange to fill any vacancy merely because that vacancy has been notified under any of those sub-sections.

5. *Employers to furnish information and returns in prescribed form.*—(1) After the commencement of this Act in any State or area thereof, the employer in every establishment in public sector in that State or area shall furnish such information or return as may be prescribed in relation to vacancies that have occurred or are about to occur in that establishment, to such employment exchanges as may be prescribed.

(2) The appropriate Government may, by notification in the Official Gazette, require that from such date as may be specified in the notification, the employer in every establishment in private sector or every establishment pertaining to any class or category of establishment in private sector shall furnish such information or return as may be prescribed in relation to vacancies that have occurred or are about to occur in that establishment to such employment exchanges as may be prescribed, and that the employer shall thereupon comply with such requisition.

(3) The form in which, and the intervals of time at which, such information or return shall be furnished and the particulars whichthey shall contain shall be such as may be prescribed.

6. *Right of access to records or documents.*—Such Officer of Government as may be prescribed in this behalf or any person authorised by him in writing, shall have access to any relevant record or document in the possession of any employer required to furnish any information or returns under section 5 and may enter at any reasonable time any premises where he believes such record or document to be and inspect or take copies of relevant records or documents or ask any question necessary for obtaining any information required under that section.

7. *Penalties.*—(1) If any employer fails to notify to the employment exchange prescribed for the purpose any vacancy in contravention of sub-section (1) or sub-section (2) of section 4, he shall be punishable for the first offence with fine which may extend to five hundred rupees and for every subsequent offence with fine which may extend to one thousand rupees.

(2) If any person—

(*a*) required to furnish any information or return—

(i) refuses or neglects to furnish such information or return or

(ii) furnishes or causes to be furnished any information or return which he knows to be false, or

(iii) refusesto answer, or gives a false answer to, any question necessary for obtaining any information required to be furnished under section 5; or

(*b*) impedes the right of access to relevant records or documents or the right of entry conferred by section 6, he shall be punishable for the first offence with fine which may extend to two hundred and fifty rupees and for every subsequent offence with fine which may extend to five hundred rupees.

8. *Cognizance of offences.*—No prosecution for an offence under this Act shall be instituted except by, or with the sanction of, such officer of Government as may be prescribed in this behalf or any person authorised by that officer in writing.

9. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act.

10. *Power to make rule.*—(1) The Central Government may, by notification in the official Gazette and subject to the condition of previous publication make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(*a*) the employment exchange or exchanges to which the form and manner in which, and the time within which, vacancies shall be notified, and the particulars of employments in which such vacancies have occurred or are about to occur;

(*b*) the form and manner in which, and the intervals at which, information and returns required under section 5 shall be furnished, and the particulars which they shall contain;

(*c*) the officers by whom and the manner in which the right of access to documents and the right of entry conferred by section 6 may be exercised;

(*d*) any other matter which is to be, or may be, prescribed under this Act.

(3) All rules made under this Act shall be laid for not less than thirty days before each House of Parliament as soon as may be after they are made and shall be subject to such modifications as Parliament may make during the session in which they are so laid of the session immadiately following.

THE EMPLOYMENT EXCHANGES (COMPULSORY NOTIFICTION OF VACANCIES) RULES, 1960.

(*Fort St. George, May 21, 1960.*)

S.R.O. No. A-3810 of 1960.

The following notification of the Government of India, Ministry of Labour and Employment (Directorate-General of Resettlement and Employment), dated New Delhi, the 26th April, 1960, is republished :—

G. S. R. 477.—In exercise of the powers conferred by section 10 of the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 (XXXI of 1959), the Central Government hereby makes the following Rules, the same having been previously published as required by sub-section (1) of the said section, namely :—

RULES.

1. *Short title and commencement.*—(1) These rules may be called THE EMPLOYMENT EXCHANGES (COMPULSORY NOTIFICATION OF VACANCIES) RULES, 1960.

(2) They shall come into force on the 1st day of May, 1960.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

(1) "Act" means the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 (XXXI of 1959);

(2) "Central Employment Exchange" means the Employment Exchange established by the Government of India, Ministry of Labour and Employment:

(3) "Director" means the officer in charge of the Directorate Administering Employment Exchanges in a State or a Union Territory;

(4) "Form" means a Form appended to these rules;

(5) "Local Employment Exchange" means that Employment Exchange (other than the Central Exmployment Exchange) notified in the Official Gazette by the State Government or the Administration of the Union Territory as having jurisdiction over the area in which the establishment concerned is situated or over specified classes or categories of establishments or vacancies;

(6) "Section" means a section of the Act.

3. *Employment Exchanges to which vacancies are to be notified.*—(1) The following vacancies, namely,—

(*a*) vacancies carrying total monthly emoluments of Rs. 200 or more occurring in establishments in respect of which the Central Government is the appropriate Government under the Act, and

(*b*) vacancies which an employer may desire to be circulated to the Employment Exchanges outside the State or Union Territory in which the establishment is situated,

shall be notified to the Central Employment Exchange.

(2) Vacancies other than those specified in sub-rule (1) shall be notified to the local Employment Exchange concerned.

4. *Form and manner of notification of vacancies.*—The vacancies shall be notified in writing to the appropriate Employment Exchange, and the following particulars shall be furnished, where practicable in respect of each type of vacancy:

1. Name and address of the employer;

2. Telephone number of the employer, if any;

3. Nature of vacancy—

(a) Type of workers required (Designation);

(b) Description of duties;

(c) Qualifications required—

(i) Essential,

(ii) Desirable,

(d) Age limits, if any;

(e) Whether women are eligible?

4. Number of vacancies—

(a) Regular

(b) Temporary

5. Pay and allowances.

6. Place of work (name of town, village and district in which it is situated).

7. Probable date by which the vacancy will be filled.

8. Particulars regarding interview/test of applicants.

(a) Date of Interview/test.

(b) Time of Interview/test.

(c) Place of Interview/test.

(d) Designation and address of the person to whom applicants should report.

9. Whether there is any obligation or arrangement for giving preference to any category of persons in filling up the vacancies.

10. Any other relevant information.

5. *Time limit for the notification of vacancies.*—(1) Vacancies, required to be notified to the local Employment Exchange, shall be notified at least one week before the date on which applicants will be interviewed or tested where interviews or tests are held, or the date on which vacancies are intended to be filled, if no interviews or tests are held.

(2) Vacancies, required to be notified to the Central Employment Exchange, shall be notified at least three weeks before the date on which applicants will be interviewed or tested where interviews or tests are held, or the date on which vacancies are intended to be filled, if no interviews or tests are held.

6. *Submission of returns.*—An employer shall furnish to the Local Employment Exchange quarterly returns in Form I and biennial returns in Form II. Quarterly returns shall be furnished within thirty days of the due dates, namely, 31st March, 30th June, 30th September and 31st December. Biennial returns shall be furnished within thirty days of the due date as notified in the Official Gazette.

7. *Officer for purposes of section* 6.—The Director is hereby prescribed as the officer who shall exercise the rights referred to in section 6, or authorize any person in writing to exercise those rights.

8. *Prosecution under the Act.*—The Collector or the Deputy Commissioner, as the case may be, of the district in which the establishment is located is hereby prescribed as the officer who may institute or sanction the institution of prosecution for an offence under the Act, or authorize any person in writing to institute or sanction the institution of such prosecution.

FORM I.

(*See rule* 6.

*Quarterly returns to be submitted to the Local Employment Exchange within thirty days of the Quarter ending *31st March, 30th June, 30th September and 31st December (year).*

Name and address of the Employer;

Nature of business; (Please describe what the establishment makes or does as its principal activity).

1. Total number of persons employed by the establishment. (The figures should include every person, whether work-charged, or temporary or permanent, whose wage or salary is paid by the establishment);

	At the end of previous quarter. (Date. . .)	At the end of current quarter. (Date. . .)
Males		
Females		
Total		

2. Particulars of vacancies—

(a) Number of vacancies that have occurred.

(b) Number of vacancies notified to—

(i) Local Employment Exchange;

(ii) Central Employment Exchange.

(c) Number of vacancies filled through—

(i) Employment Exchanges;

(ii) Other sources.

(d) Number of vacancies remaining unfilled due to shortage of suitable applicants (Nature of Vacancy).

(i) . . . .

(ii) . . .

3. Reasons, if any, for not notifying all vancies that occurred, *vide* 2 (*a*) above, to Employment Exchanges.

*Delete inapplicable term.

Date   Signature of Employer.

To

The Employment Exchange,

(Please fill in here the address of your local (Employment Exchange)

FORM II.

(*See rule* 6.)

Occupational return to be submitted to the local Employment Exchange once in two years (on a date to be specified by notification in the Official Gazette).

Name and address of the employer :

Nature of business :

(Please describe what the establishment makes or does as its principa activity).

1. Total number of persons employed by the establishment on due date as notified in the Official Gazette.

2. Classification of employees by occupations.

(Please give belo w the number of employees in each occupation separately

Occupation.	Number of employees)			
Use exact terms, such as engineer (mechanical) ; teacher (domestic science); officer on special duty (actuary); assistant director (metallurgist); scientific assistant (chemist); research officer (economic); instructor (carpenter); supervisor (tailor); fitter (internal combustion); engine; inspector (sanitary), superintendent (office) ; apprentice (electrician.)	Men	Women	Total	If possible state how many vacancies you may have to fill during the next twelve months due to retirement, expansion or re-organisation.
(1)	(2)	(3)	(4)	(5)

TOTAL :

To

The Employment Exchange,

(Please fill in here the address of your local Employment Exchange).

NOTE.—Total of item 2 under cloumn (4) should correspond to the figure given against item.

SALIENT FEATURES OF THE REPORT ON THE WORKING OFTHE FACTORIES ACT, 1948, FOR THE YEAR 1959.

FACTORIES AND THEIR INSPECTION.

There were 5,343 factories covered by the Factories Act, 1948, at the beginning of the year 1959. The number of such factories at the end of the year 1959 was 5,843 of which 5,667 factories were in commission as against 5,103 in commission during 1958. There is thus an increase of 564 factories in commission in 1959. The number of workers employed in these factories as the end of the year was 3,17,679 as against 3,19,056 workers at the end of 1958. In the public sector, there were 167 factories employing 41,671 workers as against 150 factories employing 44,129 workers during 1958. There is thus an increase of 17 factories and 2,458 workers in the public sector.

Out of 5,843 factories which were on the registers during the year 2,323 factories were inspected once, 3,031 factories twice, 131 factories thrice and one factory more than 3 times. 357 factories were not inspected because of reclassication and reallotment of small power factories, administrative changes, etc.

The Inspectors also made 7,584 Sunday, surprise, special and night visits to check employment of workers outside the specified hours of work and on their weekly holidays.

INDUSTRIAL POSITION.

The rice mills continued to occupy a dominant position in the industrial structure of the State but they employed only 13,402 workers while 498 cotton mills including Ginning factories employed 1,21,377 workers. The largest number of factories are concentrated in Coimbatore, Madras, Madurai and Tiruchirapalli. The factories in Coimbatore employ the largest number of workers and the District of Madras, Madurai and Tiruchirapalli come next in the order mentioned.

Coimbatore District is the most highly Industrialised District in the State. Cotton mills including Ginning factories and Engineering works predominate in that district. Cotton Mills, Transport, Railways, Printing Press and Engineering works figure prominently in the industrial set up of Madras City. Cotton Mills, Rice Mills and handlooms predominate in Madurai District, Railway workshop, Cotton mills and hand-loom factories in Trichy district and Cotton Mills and Match industries in Tirunelveli District.

PLANS.

1,450 plans were scrutinized during 1959 as against 1961 during 1958, out of which 1271 plans were approved by the Chief Inspector of Factories with reference to the stability, ventilation, light, etc., as against 1,634 plans during 1958.

HEALTH.

As in the previous years, special attention was paid by Inspectors of Factories to the protection of workers against industrial diseases and maintenance of their general health.

CASUAL LABOURERS.

The percentage of employment of temporary labour has been on the decrease. To a certain extent in a seasonal factories such as rice mills, dhall and oil mills, quite a number of workers are non-permanent to the extent they are daily paid. There has been no discrimination in respect of payment of wages and other benefits like leave with wages, etc., between permanent and non-permanent workers.

SAFETY MEASURES.

The Chief Inspector of Factories, Madras, gave talks on 'prevention of accidents in Factories' in thirteen factories in the State during the year. Safety posters were issued free of cost to the management for displaying at conspicuous places in the factory. Arrangements were also made for exhibiting films regarding safety in industries.

A Regional Labour Museum is proposed to be started at Madras for Industrial Safety, Health and Welfare. It is proposed to conduct refresher courses for the benefit of management and workers.

ACCIDENTS.

The number of accidents during the year 1958 registered an increase as against 16,571 in 1958. There were 17,816 accidents in 1959. Of these accidents, 33 proved fatal as against 23 in 1958. But there is a decrease in the number of mandays lost compared to last year. Transport, Textiles and Engineering works contributed to a large number of accidents. Analysis of accidents by causation disclosed that handling goods, struck by falling body, power driven machinery, stepping on or striking against objects, persons falling Molten metal or corrossives use of hand tools were some of the causation groups responsible for a large number of accidents. Inadequate training and lack of job experience, inadequate fencing of dangerous machinery, introduction of new types of machinery and carelessness of the workers to use safety appliances were the main reasons for the fatal accidents.

PROSECUTION.

The occupiers and managers of 360 factories were prosecuted during the year as against 440 factories during 1958. A fine of Rs. 14,265 was realised in the year as against Rs. 24,146 in the year 1958.

MATERNITY BENEFIT ACT.

The average daily No. of women employed in 2,016 factories during the year was 42,999. 1,983 claims were made for the grant of benefits during the year as against 1,872 in 1958. 1,526 claims were paid in 1959 and the total amount of maternity benefit paid exclusive of benefits paid by the Employees' State Insurance Corporation was Rs. 85,301·87 as against 78,253·15 in 1958. The management of two factories were prosecuted during the year for the contravention of the Act. A sum of Rs. 75 was realised as fines.

SALIENT FEATURES OF THE ANNUAL REPORT ON THE WORKING OF THE WORKMEN'S COMPENSATION ACT, 1923, FOR THE YEAR 1959.

The Commissioner of Labour is the Commissioner for Workmen's compensation appointed as statutory authority under the Workmen's Compensation Act, 1924 and the Assistant Commissioner of Labour and the Personal Assistant to the Commissioner of Labour continued to be the Additional Commissioners for Workmen's Compensation.

During the year the Commissioner for Workmen's Compensation awarded or disbursed compensation in 147 cases of workers involved in fatal accidents, 69 cases of workers who had sustained permanent disablement and one case of a worker who had sustained temporary disablement. The corresponding figures for the previous year were 129, 73 and 1 respectively. Out of the total No. of 217 accidents, 63 were in respect of workers earning less than Rs. 50 p.m., 120 in respect of workers earning between Rs. 50-100 and 34 in respect of workers earning above Rs. 100 p.m. 185 claims for compensation were pending at the beginning of the year. 587 cases were filed and 7 cases were transferred to this State by the Commissioners of other States. Of these 779 cases, 534 cases were disposed of during the year. The total amount of compensation deposited with the Comissioner for Workmen's Compensation was Rs. 3,00,109 as against Rs. 1,96,353 during the previous year. The compensation allotted to women and persons under legal disability was invested on their behalf in the Post Office Savings Bank for payments to them in instalents. 124 Post Office Savings Bank Accounts were opened during the year.

The total amount of compensation paid during the year was Rs. 3,00,748 out of which an amount of Rs. 1,13,149 was for deaths Rs. 58,618 for permanent disablement and Rs. 1,28,981 for temporary disablement.

Occupiers of factories and establishments are statutorily required to furnish annual returns to the Commissioner for Workmen's Compensation under the Workmen's Compensation Act giving particulars of accidents, etc. Out of 9,078 factories and establishments from which returns were called for, 6,059 furnished the returns.

CURRENT TOPICS

The meeting of the State Housing Board was held on 2nd June, 1960, to review the progress of the various housing schemes.

* * *

The State Development Committee meeting to review the progress made during the quarter ended 31st March, 1960, was held on 8th and 9th June, 1960. The Commissioner of Labour and the Deputy Commissioner of Labour attended the meeting on 9th June, 1960, when the subjects relating to this Department came up for discussion.

* * *

A special meeting of the State Evaluation and Implementation Committee was convened on the 11th June, 1960, at Madras, todiscuss the question of implementation of the decisions of the Wage Board for Cotton Textile Industry. The Commissioner of Labour having already taken up conciliation in the dispute, it was decided to await the result of his conciliation. Copy of the settlement eventually reached on 30th June, 1960, on this question was subsequently communicated to the members.

* * *

A meeting of the Minimum Wages Advisory Committee for the employment in Match and Fire Works Manufactory was convened on the 21st June, 1960 at 11 A.M. in the Commissioner's room. No discussion was, however, possible as one of the members representing labour resigned from the committee.

* * *

A Conference of the Labour Officers, Inspectors of Factories, Inspectors of Plantations, Inspectors of Labour, Inspector of Newspaper Establishments and the Labour Welfare Officer, Coonoor, was held at the Public Works Department Library Hall, Madras, from the 29th June, 1960 to 2nd July, 1960, to discuss the difficulties experienced in the matter of enforcement of labour laws and other administrative problems. The Minister for Labour inaugurated the conference on 29th June, 1960.

* * *

The Advisory Committee for the Employment Market Information Unit, Madras, met in the Director's room on 22nd July, 1960, to discuss the report on the progress of the Employment Market Information Scheme in the State, measurement of totality of employment of the self-employed in the economy of the State, collection of employment data in the unorganised section of industry, etc.

* * *

SECOND CONFERENCE ON HUMAN RELATIONS IN INDUSTRY ORGANISED BY THE SOUTH INDIA TEXTILE RESEARCH ASSOCIATION, COIMBATORE, ON 2ND AND 3RD JULY, 1960.

Inaugurating the above Conference convened with a view to strengthen the awareness among all those connected with the industry of the importance of human relations, to encourage interest in the study of particular problems of human relations from the point of view of the management, the labour and the community and to suggest lines of action for the promotion of better human relations in industry, Sri R. Venkataraman, Minister for Industries and Labour, emphasised the importance of cordial relations between management and labour in any industry. He added that in the absence of good relations in industry, production would suffer both in quality and quantity. In these days of rapid technological progress, the Minister said, good human relations was of vital importance in reducing or removing resistance to changes in methods of work or workloads. Sri Venkataraman then listed certain broad principles by which one could be guided in the quest for constructive human relationships. He observed that the importance of meeting physical needs no longer required much emphasis. But psychological needs were no less important. Feelings of fear, anxiety, insecurity, subservience, hatred or guilt should go and a sense of self respect and independence, of pride of one's work, of belongingness and common purpose and of willing co-operation should prevail. Such a healthy set up would not follow from any lavish expenditure on welfare amenities or indiscriminate concessions, but only through the conscious adoption of the broad principles of human relations.

Sri K. Sreenivasan, Director of SITRA, welcoming the Minister and delegates, said that their objective of the First Conference held last year was to create an awareness of the importance of human relations in industry and to consider some specific problems relating to it In the present conference they propose to go a step further and strengthen the existing awareness in human relations which was improving. He said good human relations and high productivity could not be divorced from each other.

Sri R. Venkataswamy Naidu, who presided over the Conference stressed the importance of capital-labour-co-operation for increased productivity. Both parties felt that each was the predominant partner in industry and this led sometimes to friction and conflict. In this conflict of interests, the needs of consumers should not be forgotten. Labour should maintain high productivity, otherwise they would have to face periodical crises in industry. He would request the management, technical personnel and also labour to ponder over these problems.

Shri D. Balasundaram, Managing Agent, Textool Company, Limited, Coimbatore, presented the study group report on "Discipline in Industry", Shri N. S. Bhat, Chief Labour Officer, B. & C. Mills, Madras, was in the Chair.

Shri Balasundaram said that the immediate effects of indiscipline in industry felt by the management were loss of production, quality, profits, etc. There was also deterioration in human relations. The workers lost their wages in most of the cases, the trade unions had their share of suffering due to indiscipline in industry and the community was affected by non-supply or short supply of essential articles. Shri Balasundaram said that to bring about good discipline, management, labour and trade unions should identify themselves with the industrial establishment and develop an urge to further the well-being of the industry irrespective of the group to which they belonged. The Standing Orders had to be more elaborate to cover every action of indiscipline and probable punishment to be awarded for any indiscipline should be arrived at by agreement between the Unions and the Managements. Every organisation should have a proper grievance procedure and an impartial machinery for enquiring into all cases of indiscipline.

Shri K. Sreenivasan, Director of SITRA presented the study group report on "Workers Life After Plant Hours". He said that urban workers seemed

to take recreational activities more than the rural workers. Going to cinema seemed to be the more popular form of recreation and 95 per cent. of the rural workers frequented pictures as compared to 90 per cent. in urban areas. Only about 10 per cent. of the workers interviewed took part in games and sports activities. Majority of the workers rendered some help in running the household. Shri Srinivasan said that the study group were of the view that managements, Government and local authorities should provide good housing estates at low rent. A good and adequate water supply was of prime importance in improving workers' life. Provision should be made for suitable parks and playing fields in industrial areas. The role of the unions, the study group stated, should also include measures taken for the improvement of workers' life after working hours. It also suggested the formation of an industrial welfare society on the lines of the societies in Great Britain.

The session was presided over by Shri S.C.C. Anthoni Pillai, President, Madras Labour Union.

The report on "Productivity and Human Relations" was presented by Shri A. K. Gupta, General Manager, Addisons Paints and Chemicals, Madras, Shri H. D. Shouri, Executive Director, National Productivity Council, was in the chair. Shri Gupta said that managements in engineering units were more conscious of the productivity techniques. Workers considered improved wages as the most important factor in increasing productivity. Among the recommendations, the group suggested various personnel practices such as the training of all supervisors in human relations in industry, the habit among supervisors and executives of taking personal interest in the well-being of their subordinates even outside their workspot, a good grievance procedure, a suggestion scheme with attractive financial incentives and a training programme to impart productivity techniques at all levels.

Dr. K. S. Basu, Hindustan Lever Limited, gave a talk on "Motivation and Morale". Dr. Basu, said that at one time it was believed that economic incentive was the natural and the most important motivation for work. But the famous Hawthorne experiment drew attention to the fact that besides economic satisfaction, men and women wanted certain psychological satisfaction from their work. Though the conclusions of the Hawthorne experiment have been questioned by experts in human relations, the fundamental concept that social and psychological satisfactions are necessary for adequate motivation and morale has remained. The psychological satisfaction includes a sense of belongingness to a well-knit work group, confidence in leadership, security both material and social, desire for democratic self expression, etc.

Mr. David S. Burgess, Labour Attache, American Embassy, New Delhi, presented his paper on "Training for Management Personnel" under the Chairmanship of Mr. Robert L. Walkinshaw, Labour Advisor for the U.S. Technical Co-operation Mission in India. Mr. Burgess said that there is a general lack of proper training for Management Personnel in India and that there is an urgent need for such a training. He pointed out that the introduction of enlightened managerial practices and acceptance of the labour movement are necessary for proper functioning of industrial democracy.

Shri P. V. Veeraraghavan, SITRA, spoke on "Employee attitudes". He observed that employee attitude surveys assist employers in not only acquainting themselves with their employees but also in making them understand and appreciate their problems. Continuing Sri Veeraraghavan said that the intensity of attitudes prevailing in any organisation is not a matter of chance. This depends on factors like job satisfaction, inter-personal relations, organisations structure, communication, attitude of management, union, etc. The most important factor responsible for unfavourable attitude development is that the workers are very often neglected by their supervisors.

In addition to the study group reports, and specialist talks, there was a panel discussion on "Are Economic Incentives Adequate means for good Human Relations"? Under the Chairmanship of Prof. B. Krishanan of the Mysore University. The participants at the discussion included Shri N. Ramachandran, Assistant Head Jobber, Somasundaram Mills, Shri P.R. Ramakrishnan, Managing Editor, 'Nava India', Prof. R. Natarajan, Indian Institute of Science, Bangalore and Shri P.S. Chinnadurai, Secretary, Coimbatore District Textile Workers' Union. The speakers emphasised the idea that the fulfilment of psychological needs of workers is essential for good human relations and that economic incentives alone will not satisfy these needs.

The Conference was attended by over 200 delegates representing management, trade unions, Government and academic interests.

THE PRODUCTIVITY COUNCIL MEETS.

Addressing a meeting of the Madras Productivity Council on 'Arbitration as a means of settling industrial disputes', Dr. George H. Hildebrand, Professor of Economics, Industrial and Labour Relations, Cornell University, observed that wage rates, working conditions, etc., were generally determined in industry in the United States through collective bargaining and that agreements were reduced to writing. Disputes generally arose only in the interpretation of some provision or other of the agreements arrived at and these disputes were mostly resolved through arbitration. The arbitration system provided the best opportunity to the parties to get decisions that were responsive to the problems actually facing them. Arbitrators were chosen generally from a list prepared by the Central Government. Most of the arbitrators were not full time arbitrators and some of them were professors or lawyers. The American Arbitration Association also arbitrated on various issues. No judicial review of an arbitrator's decision was possible unless there have been procedural defects. If a management failed to abide by an arbitrator's award, the aggrieved Union could go to Court provided it could prove that the award was a valid and *bona fide* one. Dr. Hildebrand observed that strong and relatively non-political Unions were necessary if the arbitration system was to function effectively.

Sri T. N. Lakshminarayanan, Labour Commissioner, who presided, referred in his introductory speech to the emphasis being laid in India on voluntary arbitration and said that Government had recently published the names of a panel of men who would be available for working as arbitrators. He hoped that industrialists and Unions would make full use of this offer.

In India, he said, the development of industries had taken place over a short period compared to Britain and the workers here had not been able to achieve satisfactory working conditions through resort to collective bargaining. For this reason and owing to the gradual enlargement of the public sector, the State had had to play an increasing role in ensuring industrial harmony and social justice and in creating conditions in which both sides of the industry could be brought together to discuss and settle problem in a spirit of goodwill and co-operation. He also observed that the Government encouraged settlement of disputes, through negotiation, conciliation and arbitration and wanted to minimise the recourse to compulsory adjudication.

AWARDS AND AGREEMENTS

IN THE SUPREME COURT OF INDIA.

(Civil Appeal No. 22 of 1958)

PRESENT :—SRI P. B. GAJENDRAGADKAR AND SRI K. C. DAS GUPTA, JJ.

The Associated Cement Co., Limited .. *Appellant*

v.

P. D. Vyas and others .. *Respondents.*

(*a*) Industrial Employment (Standing Orders) Act (1946), sections 4 (before amendment in 1956), 3, 5, 15—Certifying Officer—Powers of—It is the duty of certifying officer to enquire whether draft standing orders should or should not conform to model standing orders.

The cumulative effect of sections 3 (2), 4 (*a*) and (*b*) (first half), 5 (2), (3), and 15 (2) (*b*) is that the certifying Officer has to be satisfied that the draft standing orders deal with every matter set out in the Schedule and are otherwise in conformity with the provisions of the Act. This latter requirement necessarily imports the consideration specified in section 3, sub-section (2), that the draft standing order must be in conformity with the model standing order which is provided under section 15 (2) (*b*) for the purposes of the Act and, unless it is shown that it would be impracticable to do so, the draft standing order must be in conformity with the model standing order. Though this requirement does not mean that the draft standing order must be in identical words it does mean that in substance it must conform to the model prescribed by the appropriate government. It is not only open to the certifying officer to enquire into the matter whether the draft standing orders should or should not conform to the model standing orders, but it is his duty to do so before holding that the draft standing orders are certifiable under section 4. Such an enquiry necessarily involves the consideration of the question as to whether it would be practicable to insist upon conformity with the model standing order in regard to the matters in dispute. If the certifying officer is satisfied that it would be practicable to insist upon such conformity it would be within his competence to make the suitable modifications in the draft. If, on the other hand, he takes the view that it would not be practicable to insist upon such conformity he would, despite the disparity between the model and the draft, treat the draft as certifiable. It is important to make a distinction between considerations of fairness or reasonableness which are excluded by section 4 from the purview of the enquiry before the Certifying Officer and considerations of practicability which are necessarily imported in such an enquiry. The line separating the one from the other may be thin but nevertheless it is a firm and existing line which is statutorily recognised in the respective provisions of the Act.

(*b*) Constitution of India, Article 226—*Certiorari* in a petition for a writ of *certiorari* it would normally not be open to the employer-petitioner to challenge the merits of the findings made by the authorities under the Industrial Employment (Standing Orders) Act, 1946.

(*c*) Constitution of India, Articles 133, 226—New plea—Plea not raised by appellant in his petition under Article 226 not allowed to be raised for first in appeal

The Judgment of the Court was delivered by

Gajendragadkar, J.—The Associated Cement Companies Ltd., Dwarka Cement Works, Dwarka and the Associated Cement Companies Ltd., Sevalia Cement Works, Sevalia (hereinafter called the the appellants) own and manage several cement works throughout India including *inter alia* cement manufacturing factories at Dwarka and Sevalia called the Dwarka Cement Works and the Sevalia Cement Works, respectively. In 1946, the appellants submitted to respondent 2, the Commissioner of Labour, Bombay, in his capacity as Certifying Officer, draft standing orders for certification under section 3 (1) of the Industrial Employment (Standing Orders) Act, 1946 (XX of 1946) (hereinafter called the Act). Respondent 2 made several alterations in the draft submitted by the appellants. The two important alterations which are the subject-matter of the present appeal were in respect of items Nos. 8 and 16. Under item No. 8 the draft standing orders had required that notice of fourteen days shall be given in the event of discontinuance of a shift. Respondent 2 has modified it by increasing the period of notice from fourteen days to one month. This modification has been made in accordance with the model standing order on this subject. Similarly, item No. 16 (2) in the standing draft orders provided that striking work either singly or with other workers without giving fourteen days' previous notice would be treated as misconduct; whereas item No. 16 (3) provided that inciting while on the premises any worker to strike work shall be treated as misconduct. These two provisions in the draft have been modified by respondent 2 and the order thus modified provides that striking work illegally either singly or with other workers or abetting, inciting, instigating or acting in furtherance of an illegal strike would be treated as misconduct. This modification also is consistent with the relevant provision in the model standing order.

(2) Feeling aggrieved by the modifications made by respondent 2 in the draft submitted by them and the appellants preferred an appeal to the Industrial Court (hereinafter called respondent (1)). Respondent 1 was not impressed by the contentions raised by the appellants with the result that the modifications made by respondent 2 were confirmed and the appeal was dismissed.

(3) Thereupon the appellants filed a writ petition, being Miscellaneous Application No. 267 of 1954, in the Bombay High Court challenging the validity of the action of respondents 2 and 1. Mr. Justice Coyajee, who heard the said application, upheld the contention raised by the appellants and came to the conclusion that in making the impugned modifications respondent 2 and respondent 1 had acted beyond their jurisdiction. The learned Judge, therefore, set aside the modifications made and allowed the appellant's petition.

(4) Aginst this order respondent 2 preferred an appeal, being Appeal No. 122 of 1954, before the Court of Appeal in the Bombay High Court. The appellate Court reversed the decision of Coyajee, J., and held that the action of respondents 2 and 1 in making the modifications in question was justified by the provisions of the Act. In the result the petition filed by the appellants was dismissed. It is against this decision that the present appeal has been preferred by the appellants; and the short question which it raises for our decision is: whether, under the provisions of the Act, it was competent to respondents 2 and 1 to make the impugned modifications in the draft standing orders submitted by the appellants for certification under the Act?

(5) The Act has been passed because it was thought "expedient to require employers in industrial establishments to definite with sufficient precision the conditions of employment under them and to make the said conditions known to workmen employed by them." Standing Orders are defined by section 2 (*g*) of the Act to mean rules re ating to matters set out in the Schedule. The Schedule sets out 11 matters in respect of which standing orders are required to be made by the employers. Mr. Kolah, for the appellants, contends that the main object of the Act is to require the employers to provide for conditions of service in respect of all the matters covered by the Schedule and, according to him, the jurisdiction of respondent 2 under the Act as it then stood is confined only to see that standing orders are made in respect of all the items specified in the Schedule. In this connection, Mr. Kolah has strongly relied on the provision of section 4 which then laid down *inter alia* that "it shall not be the function of the certifying officer or the appellate authority to adjudicate upon the fairness or reasonableness of the provisions of any standing order". The argument is that the Act expressly prohibits respondent 2 or respondent 1 from enquiring whether any of the provisions made in the draft standing orders are fair or reasonable, and it is urged that, in making the modifications in question, in substance respondent 2 has embarked upon an enquiry about the reasonableness or fairness of the relevant conditions included in the draft. Thus presented the argument is no doubt attractive; but there are some other provisions in the Act which show that the argument based on the said provision of section 4 cannot succeed. It is, therefore, necessary to consider the other provisions which are material. Before we do so, we would like to add that by a subsequent amendment made in 1956, section 4 now provides that it shall be the function of the certifying officer or the appellate authority to adjudicate upon the fairness or reasonableness of the provisions of any standing orders. In other words, what was expressly excluded from the jurisdiction of the authorities under the Act has now been clearly made their duty and so the argument based upon the provision as it stood in 1946, is, after the amendment of 1956, purely academic.

(6) Section 3 of the Act requires the employer to submit draft standing orders. Section 3 (2) provides that in the draft thus submitted provision shall be made for every matter set out in the Schedule which may be applicable to the industrial establishment, and where model standing orders have been prescribed, shall be, so far as is practicable, in conformity with such model. It is common ground that model standing orders have been prescribed in the present case, and so it follows that under section 3, sub-section (2) the draft submitted by the appellants had to be in conformity with the model standing orders so far as was practicable. In other words, the effect of section 3, sub-section (2) is that unless it is shown that it is impracticable to do so, the appellants' draft had to conform to the model. This position cannot be disputed. Then, the next relevant provision of the Act is contained in section 4 which provides that standing orders shall be certifiable under this Act if (*a*) provision is made therein for every matter set out in the Schedule which is applicable to the industrial establishment, and (*b*) the standing orders are otherwise in conformity with the provisions of this Act. The rest of the provision of section 4 has already been cited and considered by us. Having thus provided for the tests which have to be satisfied before a draft submitted by the employer can be treated as certifiable, section 5 provides for the procedure of the proceedings which are taken before the certifying officer. Section 5 (2) lays down that after notice is given to the parties concerned the certifying officer shall decide whether or not any modification of, or addition to, the draft submitted by the employer is necessary to render the draft standing orders certifiable under the Act, and shall make an order in writing accordingly. Sub-section (3) of section 5 then provides for certifying the draft after making modifications, if any, under sub-section (2). There is one more section to which reference may be made. Section 15 (2) (*b*) provides that the rules which the appropriate Government may make under the Act may set out model standing orders for the purposes of this Act. The cumulative effect of these provisions is that the certifying officer has to be satisfied that the draft standing orders deal with

every matter set out in the Schedule and are otherwise in conformity with the provisions of the Act. This latter requirement necessarily imports the consideration specified in section 3, sub-section (2), that is to say, the draft standing order must be in conformity with the model standing order which is provided under section 15 (2) (*b*) for the purposes of the Act, and, as we have already seen, unless it is shown that it would be impracticable to do so, the draft standing order must be in conformity with the model standing order. It is quite true that this requirement does not mean that the draft standing order must be in identical words but it does mean that in substance it must conform to the model prescribed by the appropriate Government.

(7) The question which then arises is: was it or was it not open to respondent 2 to consider whether the draft submitted by the appellants should not conform to the model standing order in respect of the topics with which we are concerned in the present appeal? The answer to this question must, obviously be in the affirmative. It was not only open to respondent 2 to enquire into the matter but it was clearly his duty to do so before holding that the draft orders were certifiable under section 4. Now such an enquiry necessarily involves the consideration of the question as to whether it would be practicable to insist upon conformity with the model standing order in regard to the matters in dispute. If respondent 2 was satisfied that it would be practicable to insist upon such conformity it would be within his competence to make the suitable modifications in the draft. If, on the other hand, he took the view that it woud not be practicable, to insist upon such conformity he would, despite the disparity between the model and the draft, treat the draft as certifiable. In the present case respondent 2 as well as respondent 1 have held that it was practicable to insist upon conformity with the model standing order in regard to the matters in dispute; and so they have made suitable modifications. Having regard to the relevant provisions which we have just considered, it seems difficult to accept the plea that in making the modifications in question respondent 2 and respondent 1 have exceeded their jurisdiction. It is important to make a distinction between considerations of fairness or reasonableness which are excluded from the purview of the enquiry before respondent 2 and respondent 1 from considerations of practicability which are necessarily imported in such an enquiry. The line separating the one from the other may be thin but nevertheless it is a firm and existing line which is statutorily recognised in the respective provisions of the Act. The respondent 2 may not modify the draft on the ground that its provisions are unfair or unreasonable but he can and must modify the draft in matters covered by the model standing order if he is satisfied that conformity with such model standing order is practicable in the circumstances of the case. In our opinion, therefore, the High Court was right in holding that the authorities under the Act had acted within their jurisdiction in making the impugned modifications.

(8) We may now refer to the decisions to which our attention was invited by Mr. Kolah. In *Guest, Keen Williams (Private) Ltd* v. *P. J. Sterling*, [(1959) 2 Lab.L.J. 405: A.I.R. 1959 S.C. 1279], this Court had occasion to consider the effect of a part of the provision contained in section 4 of the Act as it stood before its amendment in 1956. It is, however, clear that in that case the point raised for our decision now did not fall to be considered. In *Electric Workers' Union* v. *The U. P. Electric Supply Co.*, [A.I.R. 1949 All. 504], Mr. Justice Wanchoo, who was acting as the appellate authority under the Act, appears to have held that the provision contained in section 3 (2) had nothing to do with the power of the certifying officer to substitute the model for the draft. According to the learned judge the said provision was intended merely to

help and guide the employers as to how they should frame their draft standing orders. This decision apparently supports the argument that the certifying officer cannot make any changes in the provisions of the draft where those provisions are clear on the ground that they are not reasonable and fair and that other provisions which may have been provided in the model standing orders should be substituted for them. If, in making these observations, it was intended to decide that, before certifying the draft standing orders submitted by the employer, the certifying officer cannot enquire and decide whether it would be practicable or not to make the provisions in the draft conform to the model standing orders, with respect, we would hold that the said decision is inconsistent with the true effect of the relevant provisions of the Act. We may incidentally add that the observations made by Wanchoo, J., in that case have not been approved by the Allahabad High Court in *Jiwan Mal and Co.* v. *Secretary, Kanpur Loha Mills Karamachari Union*, [A.I.R. 1955 All. 581]. In *Mysore Kirloskar Employees Association* v. *Industrial Tribunal, Bangalore*, [(1959) 1 Lab.L.J. 531: A.I.R. 1959 Mys. 235], the Mysore High Court has considered this question and it appears to have concurred more with the view expressed by the Bombay High Court which is the subject-matter of the present appeal than with the observations of Wanchoo, J.

(9) There is one more point to which reference must be made. Mr. Kolah attempted to argue before us that, even if the authorities under the Act had jurisdiction to deal with the matter and examine whether or not it was practicable to insist upon conformity with the model standing orders, the modifications made by them on the merits are impracticable. We have not allowed Mr. Kolah to urge this contention before us because such a plea was not raised by the appellants in their petition for a writ before the Bombay High Court and it would not be open to them to raise it for the first time before us. Besides, in a petition for a writ of *certiorari* it would normally not be open to the Appelants to challenge the merits of the findings made by the authorities under the Act.

(10) The result is the appeal fails and is dismissed with costs.

[*Reproduced from All India Reporter, July*, 1960.]

IN THE SUPREME COURT OF INDIA.

(Civil Appeal No. 136 of 1958).

PRESENT:—SRI P. B. GAJENDRAGADKAR, SRI K. SUBBA RAO AND SRI K. C. DAS GUPTA, JJ.

M/s. Kundan Sugar Mills .. *Appellants.*

v.

Ziyauddin and others .. *Respondents.*

(*a*) Industrial Dispute—Conditions of service—Right to transfer employee from one concern to another —Employer starting independent concern subsequent to date of employment—Right of employer to transfer employee to new concern cannot be implied as condition of service.

An employer has no inherent right to transfer his employee to another place where he chooses to start a business subsequent to the date of the employment. Hence, in the absence of an express term of the contract of service between the employer and the employee that the latter should serve in any future concerns which the former might acquire or start, a person employed in a factory cannot be transferred to some other independent concern started by the same employer at another place at a stage subsequent to the date of his employment. In such a case, the right of the employer to transfer the employee to the new concern cannot be implied as a condition of service of the employment.

(*b*) Industrial Disputes (Appellate Tribunal) Act (1950), section 7 (1)—Appeal raising question whether employer has right to transfer employees from one concern to new concern started by him—Question is substantial question of law and it is within powers of Labour Appellate Tribunal to entertain appeal.

The Judgment of the Court was delivered by

Subba Rao, J.—This is an appeal by special leave against the order of the Labour Appellate Tribunal of India setting aside the award of the Industrial Tribunal, Allahabad, and directing the reinstatement of the workers in Kundan Sugar Mills at Amroha. "Kundan Sugar Mills" is a partnership concern and owns a sugar mill at Amroha. The respondents 1 to 4 were employed by the appellant as seasonal masons in the year 1946. In 1951 the partners of the appellant Mills purchased the building machinery and other equipment of another sugar mill at Kiccha in the district of Nainital. They closed the said mill at Kiccha and started it at Bulandshahr. The new factory was named, Pannijee Sugar & General Mills, Bulandshahr. On January, 1955, the General Manager of the appellant Mills ordered the transfer of the respondents 1 to 4 from the appellant Mills to the new mill at Bulandshahr. The said respondents through their representative, the fifth respondent, protested to the General Manager against the said transfer. But the General Manager, by his letter dated January 22-24, 1955, insisted upon their joining the new mill at Bulandshahr. But the said respondents did not accede to his request. On January 28, 1955, the General Manager served a notice on the respondents 1 to 4 stating that they had disobeyed his orders and thereby committed misconduct under Standing Order No. L (*a*). They were asked to submit their explanation as to why action should not be taken against them under the Standing Order. The Labour Union, by its letter dated January 31, 1955, denied the charges. On February 2, 1955, the General Manager made an order dismissing the respondents 1 to 4 from service on the ground that they had disobeyed his order of transfer and thus they were guilty of misconduct under Standing Order No. LI (*a*). The Labour Union thereafter raised an industrial dispute and the Government of U. P. by its notification dated November 7, 1955, referred the following issue for decision to the State Industrial Tribunal for U. P. at Allahabad:

"Whether the employers have wrongfully and/or unjustifiably terminated the services of Sarva Shri Zia Uddin, Raisuddin, Shafiquddin and Ahmed Bux for refusal to obey the orders of transfer to Messrs. Pannijee Sugar and General Mills Company, Bulandshahr. If so, to what relief are the workmen entitled".

The State Industrial Tribunal, by its order dated February 6, 1956, made its award holding that the management was within its rights and that, as the respondents 1 to 4 had disobeyed the order of the management, they were properly dismissed by the management. The said respondents through their Union, respondent No. 5, preferred an appeal to the Labour Appellate Tribunal of India and the said Appellate Tribunal held that the management had no right to transfer the respondents 1 to 4 to the new factory and therefore the order dismissing them was illegal. The management has preferred the present appeal against the said order of the Labour Appellate Tribunal.

(2) Learned counsel for the appellant raised before us the following two two questions: (1) The right to transfer an employee by an employer from one of his concerns to another is implicit in every contract of service; (2) the State Industrial Tribunal having held that both the concerns, *i.e.*, the mills at Amroha and the mills at Bulandshahr, formed one unit, the Appellate

Tribunal had no jurisdiction to set aside that finding under section 7 (1) of the Industrial Disputes (Appellate Tribunal) Act, 1950.

(3) To appreciate the first contention, it is necessary to notice the undisputed facts in this case. It is true that the partners of the Sugar Mills at Amroha own also the Sugar Mills at Bulandshahr, but they were proprietors of the former Mills in 1946 whereas they purchased the latter mills only in the year 1951 and started the same in Bulandshahr in or about 1955. The respondents 1 to 4 were employed by the owners of the appellant Mills at the Sugar Mills at Amroha at a time when they were not proprietors of the Sugar Mills at Bulandshahr. It is conceded that it was not an express term of the contract of service between the appellant and the respondents 1 to 4 that the latter should serve in any future concerns which the appellant might acquire or start. It is also in evidence that though the same persons owned both the Mills they were two different concerns. In the words of the Appellate Tribunal, the only connection between the two is in the identity of ownership and, but for it, one has nothing to do with the other. It is also in evidence that an imported workman at Amroha is entitled to house-rent, fuel, light and travelling expenses both ways, while at Bulandshahr the workmen are not entitled to any of these amenities. The workmen at Amroha are entitled to benefits under the Kaul Award while those at Bulandshahr are not so entitled. The General Manager, E.W. 1 in his evidence stated that "the interim bonus of the Bulandshahr factory as ordered by the Government in November, 1955, was Rs. 11,000 while for Amroha it was nearly 1½ lacs". He also stated that "the bonus for last year at Amroha would be probably equal to 1½ months' wages and at Bulandshahr equal to about 4 or 5 days' wages". It is also in evidence that apart from the disparity in the payment of bonus, the accounts are separately made up for the two mills. It is clear that the two mills are situated at different places with accounts separately maintained and governed by different service conditions, though they happened to be under the common management; therefore, they are treated as two different entities.

(4) The question of law raised in this case must be considered in relation to the said facts. The argument of the learned counsel for the appellant that the right to transfer is implicit in every contract of service is too wide the mark. Apart from any statutory provision, the rights of an employer and an employee are governed by the terms of contracts between them or by the terms necessarily implied therefrom. It is conceded that there is no express agreement between the appellant and the respondents whereunder the appellant has the right to transfer the respondents to any of its concerns in any place and the respondents the duty to join the concerns to which they may be transferred. If so, can it be said that such a term has to be necessarily implied between the parties? When the respondents 1 to 4 were employed by the appellant, the latter was running only one factory at Amroha. There is nothing on record to indicate that at that time it was intended to purchase factories at other places or to extend its activities in the same line at different places. It is also not suggested that even if the appellant had had such an intention the respondents 1 to 4 had knowledge of the same. Under such circumstances, without more, it would not be right to imply any such term between the contracting parties when the idea of starting new factories at different places was not in contemplation. Ordinarily the employees would have agreed only to serve in the factory then in existence and the employer would have employed them only in respect of that factory. The matter does not stop there. In the instant case, as we have indicated, the two factories are distinct entities, situated at different places and, to import a term conferring a right on the employer to transfer respondents 1 to 4 to a different concern is really to make a new contract between them.

(5) The decisions cited at the Bar do not in the least sustain the appellant's broad contention. In *Alxendre Bouzourou* v. *Ottoman Bank*, [A.I.R. 1930 P.C. 118], the appellant was an employee of the respondent bank. The bank transferred him from one branch to another branch of the bank situated in different towns. As he refused to comply with the order of transfer, he was dismissed. Thereafter, he filed a suit to recover damages from the bank for wrongful dismissal. It was argued before the Judicial Committee that the terms of his contract of service, the sphere of his employment, included only the head office and not the branches of the bank. The evidence in that case showed that transfer was one of the ordinary incidents of the bank's employment, being usually concurrent with an increase of salary and responsibility and suggested no more than that the bank considered their officials' convenience where possible. Indeed the appellant therein did not even suggest in his correspondence that the transfer was a breach of his contract. On these circumstances the Judicial Committee observed as follows at page 119:

"From the point of view of proper organization of their staff, it is difficult to assume that the Bank would willingly agree that their employees should not be bound to serve outside the place where the contract was made except with their consent, and, in their Lordships' opinion such a condition of the contract would require to be clearly established".

The essential distinction between that case and the present one is that there the bank with its branches was one unit and the records clearly indicated that transfer was one of the ordinary incidents of service in the Bank. In such circumstances when a person joined such a service, the Privy Council found it easy to imply a term of transfer. That decision is therefore not of any relevancy to the present case. In *Mary (Annamalai Plantation Workers' Union)* v. *Selaliparai Estate*] (1956) 1 Lab. L.J., 343 (LATI-Mad.)] labour was recruited in the plantations without any differentiation being made between factory and field workers and it had been the common practice prevailing for several years to transfer the factory workers to the field and *vice versa*, according to the exigencies of work. A worker who had been appointed in such a plantation was transferred owing to mechanisation in the factory, from the factory to the field. The *Labour Appellate Tribunal* of India held that in the circumstances of the case the liability to be so transferred must be deemed to be an implied condition of service. So too in *Bata Shoe Company Limited* v. *Ali Hasan*, [(1956) 1 Lab. L.J. 278: A.I.R. 1956 Pat. 518] transfer of an employee in the circumstances of that case from one post to another was held not to be an alteration of any service condition within the meaning of section 33 of the Industrial Disputes Act. That was a case of a management employing a worker in one concern and transferring him from one post to another. In such a case it was possible to imply the condition of right of the management to transfer the employee from one post to another. *S. N. Mukherjee* v. *Kemp & Company, Limited*, (1954 Lab. A.C. 908) was a case arising out of section 23 of the Industrial Disputes (Appellate Tribunal) Act, 1950. The complaint there was that an employee was transferred by the management with a view to victimize him and that it amounted to alteration in the conditions of employment. It was held that if an employer employed a person, it was implicit in the appointment that he could be transferred to any place where the business of the employer in the same line was situated, unless there was an express condition to the contrary in the contract of employment. In that case the worker was employed by Kemp & Company Limited, which had branches in different places. The decision assumed that the business was one unit and that the only question raised was that he should not be transferred to a place different from the place where he was actually

discharging his duties. These observations must be limited to the facts of that case.

(6) It is not necessary to multiply the citation for the other decisions relied on by the learned counsel for the appellant pursue the same reasoning followed in the aforesaid cases.

(7) We have referred to the decisions only to distinguish them from the present case, and not to express our opinion as to the correctness of the decisions therein. It would be enough to point out that in all the said decisions the workers had been employed in a business or a concern and the question that arose was whether in the circumstances of each case the transfer from one branch to another was valid or amounted to victimization. None of these decisions deals with a case similar to that presented in this appeal, namely, whether a person employed in a factory can be transferred to some other independent concern started by the same employer at a stage subsequent to the date of his employment. None of these cases holds, as it is suggested by the learned counsel for the appellant, that every employer has the inherent right to transfer his employee to another place where he chooses to start a business subsequent to the date of the employment. We therefore hold that it was not a condition of service of employment of the respondents either express or implied that the employer has the right to transfer them to a new concern started by him subsequent to the date of their employment.

(8) The respondents also relied upon a Government Order No. 6122 (ST XXXVI-A-640 (S)-T-1958 in support of their contention that the order of transfer was bad. By this Order the Government of U. P. had directed that the employment of seasonal workmen in all vacuum pan sugar factories in the Uttar Pradesh should be governed by the rules contained in the annexure thereto. Rule 1 in the said annexure is to the following effect:

"A worker who has worked or but for illness or any other unavoidable cause would have worked in a factory during the whole of the second half of the last preceding season will be employed in this season in such factory".

This rule has no relevancy to the question raised in the present case. This rule only enjoins upon an employer to employ a worker in the circumstances mentioned therein in the same factory in which he was working in the previous season during the next season also. This does not prevent the employer to transfer an employee if he has the right to do so under the contract of service or under any statutory provisions. We have already held that the employer in the present case has no such right.

(9) Lastly it is said that the Appellate Tribunal had no jurisdiction to set aside the finding of the State Industrial Tribunal, as it did not give rise to any substantial question of law within the meaning of section 7 (1) of the Industrial Disputes (Appellate Tribunal) Act, 1950. The question raised was one of law, namely, whether the appellant had the right to transfer the respondents 1 to 4 from one concern to another. A substantial question of law was involved between the parties and that raised also on important principle governing the right of an employer to transfer his employees from one concern to another of his in the circumstances of this case. We therefore hold that a substantial question of law arose in the case and that it was well within the powers of the Labour Appellate Tribunal to entertain the Appeal.

(10) In the result the appeal fails and is dismissed with costs.

[*Reproduced from All-India Reporter, July*, 1960.]

IN THE SUPREME COURT OF INDIA.

(Civil Revn. Case No. 3436 of 1958, dated 30th July, 1959).

PRESENT :—MR. P. B. MUKHARJI, J.

K.C. Das and others .. *Appellants*

v.

State of West Bengal and others .. *Respondents.*

(*a*) Industrial Disputes Act (1947), section 2 (j)—Business of Labour Indentor is industry.

Section 2 (*j*) of the Industrial Disputes Act defines 'Industry' to mean among other things, any business. The Labour Indentor carries on a business. His business is to recruit labour to give them employment, to see that they do the work and, if necessary, to discharge them. This business is conducted by the Labour Indentor not as a benevolent or charitable work but these Labour Indentors as middlemen, make a profit and take a remuneration for this work of collecting labour and canalising such labour for different types of work That is clearly an Industry within the meaning of the Industrial Disputes Act.

(*b*) Industrial Disputes Act (1947), section 2 (*j*) and (*s*)—Workers employed by Labour Indentor are workmen—Test for determining relationship of Master and servant.

The *prima facie* test for the determination of relationship between master and servant is the existence of the right in the master to supervise and control the work done by the servant not only in the matter of directing what work the servant is to do but also the manner in which he is to do the work.

Reading section 2 (*j*) and section 2 (*s*) together 'workman' means any person employed in any business. Therefore, workers employed directly and paid directly by Labour Indentors are workmen within section 2 (*s*) and whether they are casual or intermittent, or whether they are paid by the job or by the time or by the piece is immaterial. The fact that Companies for whom the labour is recruited may have an ultimate voice in the sense that if they do not like the out-turn of the workers, then the Labour Indentors cannot virtually retain them for fear of losing their own labour contract with the Companies, cannot alter the legal relationship of master and servant between the indentors and the labour they recruit.

ORDER.—This is an application by fourteen persons who called themselves Labour Contractors. In fact, they were Labour Indentors. They make this application under Article 226 of the Constitution for the writs of *mandamus* and *certiorari* to set aside an order of reference dated July 24, 1958, made by the Government under section 10 of the Industrial Disputes Act as between them and the workmen employed by them represented by the United Contractors' Workers' Union and the Thikadar Mazdoor Congress.

(2) These Labour Indentors recruited Labour for working in the two Companies, namely, the Indian Iron and Steel Co., Limited, and the Indian Standard Wagon Co., at Burnpore and Kulti. The contract of employment or of service of these workmen is with these Labour Indentors and not with those two Companies. The petitioners employ this labour. They discharge this labour. They pay this labour. They also maintain a register of their employment.

(3) The important ground on which the order of reference is challenged by the petitioners can be stated briefly. It is the case of the petitioners that these labourers are not constant and they vary and are changed according to the exigencies of the work. The petitioners admit that they receive payment from these Companies and the petitioners in their turn pay wages to the workers. The workers have no contract of service with the two Companies nor do the two Companies pay the workers directly. It is therefore contended on those facts by the petitioners that these workers employed by them could not be said to be workmen within the meaning of section 2 (*s*) of the Industrial Disputes Act and that the disputes cannot come within the purview of section 2 (*k*) of the said Act. In paragraph 21 of the petition, the petitioners contend that the 'contract system of work is a purely management function and has nothing to do with any Industry or undertaking.' In paragraph 23 of the petition, however, the petitioners admit that they exercise control over the workers by regulating their time of work and also regulating them during the time of work.

(4) The pith and substance of this contention is that a Labour Indentor does not carry on an Industry. It is argued that he only acts as a conduit pipe to collect labour and divert them to the place where they are required. I am not convinced that this argument is sufficient to prevent the work of a Labour Indentor from being an Industry within the meaning of the Industrial Disputes Act. Section 2 (*j*) of the Industrial Disputes Act defines 'Industry' to mean, among other things, any business. The Labour Indentor carries on a business. His business is to recruit labour, to give them employment, to see that they do the work and, if necessary to discharge them. This business is conducted by the Labour Indentor not as a benevolent or charitable work by these Labour Indentors, as middlemen, make a profit and take a remuneration for this work of collecting labour and canalising such labour for different types of work. I think that is clearly an Industry within the meaning of the Industrial Disputes Act. The workers in this case are employed directly and paid directly by these Labour Indentors. The definition of a 'workman' under section 2 (*s*) of the Industrial Disputes Act means, *inter alia*, any person employed in any Industry. Reading section 2 (*j*) and section 2 (*s*) together, 'workman', therefore, means any person employed in any business. Therefore, these workmen in this case be they casual or intermittent, be they be paid by the job or by the time or by the piece, does not matter. The nature of the work, certainly, will matter when it comes to an actual adjudication of their disputes relating to the kind of wages they should receive or the facilities they should get. That is a matter for the Industrial Tribunal. The definition of an 'industrial dispute' in section 2 (*k*) of the Act means any dispute or difference between employers and workmen which is connected with the employment or non-employment or the terms of employment or with the conditions of labour. The present dispute certainly relates to the terms and conditions of the employment of labour by these applicants. The workers are the workers of these applicant Labour Indentors. The order of reference states the issues like, 1. Increment, 2. Dearness allowance, 3. Medical facilities, 4. Accommodation facilities, 5. General Medical and Festival leave, all with pay and Maternity benefits, 6. Gratuity and 7. Fixation of the minium earning of the piece-rated workers at par with the wages of time-rated workers. They all indicate terms and conditions of employment.

(5) It was at one stage argued on behalf of the petitioners that these workers were really the workers of the Two Companies. The petition itself is against such contention and the facts that the petitioners themselves employ them, pay them and discharge them and maintain their register are all against such contention. The fact that these two Companies may have an ultimate voice in the sense that if they do not like the out-turn of these workers then these labour indentors cannot virtually retain them for fear of losing their own labour contract with these companies, cannot alter the legal relationship of master and servant between these indentors and the labour they recruit. That fact indicates

only this feature that these Companies for whom the petitioners indent this labour can only complain against Labour so recruited to the petitioners with whom the Companies have their labour contract and not with the labour indented and it is then that these indentors will have to discharge them. The learned Advocate for the petitioners drew my attention to the case of the workmen employed in *Gasliton Colliery* v. *Management of Gasliton Colliery*, 1953 Lab. A.C. 525. That case, I find, is against the whole argument of the petitioner because it says that the

"workmen engaged by a contractor could not be considered to be workmen of the management and any claim that may have can be pursued only against Contractor and not against the Management."

(6) The law is sufficiently settled and laid down to-day by the Supreme Court in *Dharangadhra Chemical Works Ltd.* v. *The State of Saurashtra*, (S) A.I.R. 1957 S.C. 264. That is an authority for stating the *prima facie* test for the determination of relationship between master and servant to be the existence of the right in the master to supervise and control the work done by the servant not only in the matter of directing what work the servant is to do but also the manner in which he is to do the work. Applying that "*prima facie* test" the facts here found show that the labour indentors are the master and the workmen are their employees. It was clearly laid down also by the Supreme Court there that the nature or extent of control which is requisite to establish the relationship of employer and employee must necessarily vary from business to business and was by its very nature incapable of any precise definition. It was, however, clearly laid down that a person can be a workman even though he is paid not per day but by the job and that the fact, that Rules regarding hours of work, etc., applicable to other workmen could not conveniently be applied to them and that the nature as well as the manner and method of their work would be such as could not be regulated by any directions given by the Industrial Tribunal, was no deterrent against holding those persons to be workmen within the meaning of the definition, and that it would be for the Industrial Tribunal to consider what relief, if any, may possibly be granted to them having regard to all the special circumstances of the case.

(7) For these reasons, I must hold that the order of reference is valid and legal. The petition, therefore, must fail. I dischrge the Rule. I make no order as to costs. Interim order, if any, is vacated.

[*Reproduced from All-India Reporter, July*, 1960.]

IN THE SUPREME COURT OF INDIA.

(Civil Appeal No. 404 of 1958, dated 3rd March, 1960.)

PRESENT :—MR. P. B. GAJENDERAGADKAR, A. K. SARKAR AND K. C. DAS GUPTA JJ.

Between

Associated Cement Companies, Ltd.

and

Their Workmen.

Industrial Disputes Act, sections 2 (*k*), 10, 18 and 19 (6) meaning and scope of the expression 'any party bound by the award in section 19 (6) if the expression includes within its scope an individual workman and whether a group of workmen, not representing a majority of workers bound by an award, can terminate the award, acting collectively either through a union or otherwise.

In answering the question as to whether a registered trade union, representing a minority of workmen governed by an award, can give notice to the other party, intimating its intention to terminate the award under section 19 (6) of the Industrial Disputes Act, it would be necessary to examine the scheme of the Act and to ascertain the true meaning and effect of section 19 (6) on its fair and reasonable construction.

The expression "any party bound by the award", occurring in section 19 obviously refers to, and includes, all persons bound by the award under section 18. But having regard to the fact that a dispute relating to an individual case assumes the character of an industrial dispute only when it is sponsored by a union or has otherwise been taken up by a group of employees, it must be held that the expression "any party bound by the award" cannot include an individual workman, though speaking literally he is a party bound by the award under the provisions of section 18. That leads us to the question as to whether the expression must mean a union representing a majority of the workmen bound by the award or a group of workmen constituting such majority acting otherwise than through the union. If the majority rule is accepted and section 19 (6) is construed accordingly, it is obvious that very few awards, if any, could be terminated because in the present state of the trade union movement in the country very few unions would be able to claim a majority of workers on their rolls, and in their present stage of organisation in very few cases would a majority of workmen be able to meet, decide and act together otherwise than through their unions.

There is another aspect to the question. It has already been decided than an industrial dispute can be raised by a group of workmen or by a union even though neither of them represent the majority of workmen concerned. If an industrial dispute can be raised by a minority of workmen or by a minority union, there is no reason why it should not be open to a minority of workmen or minority union to terminate the award which is passed on ference made at their instance. It is, accordingly, held that, on a fair and reasonable construction of section 19 (6) the true position is that, though the expression "any party bound by the award" refers to all workmen bound by the award under section 18, notice to terminate the said award can be given not by an individual workman but by a group of workmen acting collectively either through their union or otherwise, and it is not necessary that such a group or the union through which it acts should represent the majority of workmen, bound by the award.

JUDGMENT.

Per *Gajendragadkar, J.*—Can a registered trade union representing a minority of workmen governed by an award give notice to the other party intimating its intention to terminate the award under section 19 (6) of the Industrial Disputes Act XIV of 1947 (hereinafter called the Act)? That is the short question which arises for decision in the present appeal. In answering the said question it would be necessary to examine the scheme of the Act and to ascertain the true meaning and effect of section 19 (6) on its fair and reasonable construction. The controversy thus raised undoubtedly lies within a narrow compass; but before addressing ourselves to the merits of dispute, it is necessary to state the material facts which led to the present proceedings.

The present appeal has been brought before this Court by the Associated Cement Companies Ltd., (hereinafter called the appellant) against their workmen (hereinafter called the respondents), and it arises from an industrial dispute between them which was referred for adjudication to the industrial tribunal for the State of Saurashtra Government under section 10 (1) of the Act. Several items of demand presented by the respondents constituted the subject-matter of the reference. When the tribunal began its proceedings, the appellant raised four preliminary objections against the competence of the reference itself. The tribunal heard parties on these preliminary objections and by its interlocutory judgment delivered on 10th March, 1958, it has found against the appellant on all the points. In the result it set down the reference for further hearing on the merits. It is against this interlocutory judgment and order that the appellant has come to this Court by special leave. Out of the four points urged by the appellant as preliminary objections we are concerned with only one in the present appeal and that relates to the incompetence of the reference on the ground that the award in question by which the parties were bound has not been duly terminated under section 19 (6) of the Act inasmuch as the union which purported to terminate the said award represents only a minority of workmen bound by it.

The circumstances under which this contention was raised must now be stated in some detail. The appellant is a limited company and owns and runs a number of cement factories spread out in different States in India as well as in Pakistan. It has a factory at Porbandar in Saurashtra. The factory is known as the Porbandar Cement Works. An industrial dispute arose between the appellants and the respondents in 1949 and it was referred for adjudication to the industrial tribunal on 22nd March, 1949. This reference ended in an award made on 13th September, 1949. Thereafter the said award was terminated by the appellant; and on disputes arising between it and the respondents another reference was made to the same tribunal for adjudication of the said disputes. A second award was made on 24th July, 1951, by which the earlier award with slight modifications was ordered to continue in operation.

In the proceedings in respect of both the references the appellant's workmen were represented by their union called Kamdar Mandal, Cement Works, Porbandar. It appears that the registration of the said union was cancelled on 2nd July, 1954, and that led to the formation of two unions of the appellant's workmen, the Cement Kamdar Mandal which was registered on 7th July 1954, and the Cement Employees' Union which was registered on 18th September, 1954.

The Cement Kamdar Mandal gave notice to the appellant's manager on 23rd September, 1954, purporting to terminate the first award pronounced on 13th September, 1949, at the expiration of two months' notice from the date of the said communication. By another letter written on 20th December, 1954, the same union purported to terminate the second award pronounced on 24th July, 1951, in a similar manner. On 22nd November, 1954, the said Mandal presented fresh demands most of which were covered by the two previous awards. The said demands were referred to the conciliation officer for conciliation but the efforts at conciliation failed, and on receiving a failure report from the officer the Saurashtra Government made the present reference purporting to exercise its jurisdiction under section 10 (1) (c) of the Act. The appellant's case is that the Cement Kamdar Mandal ws not authorized to terminate either of the two awards under section 19 (6) of the Act, that the second award is thus still in operation, and so the reference is invalid.

Meanwhile it appears that the Cement Employees' Union which represents the majority of the appellant's workmen at Porbandar, instead of giving notice of termination under section 19 (6), raised disputes with the appellant and the same were referred to the conciliation officer. Efforts at conciliation having failed, the conciliation officer made a failure report to the Government of

Saurashtra; the Saurashtra Government, however, did not refer the said dispute for adjudication. In the present proceedings this union has been impleaded and it has supported the demands made by the Cement Kamdar Mandal, in other words, notwithstanding the rivalry between the two unions, the demands made by the minority union were supported by the majority union, and in fact, in the appeal before us, it is the latter union that has appeared to contest the appeal. The tribunal has dealt with the point of law raised by the appellant under section 19 (6) on the assumption that the Cement Kamdar Mandal which purported to terminate the award under the said section represents the minority of the workmen employed at Porbandar, and we propose to deal with the point raised in the appeal on the same assumption.

The main sections which fall to be considered in dealing with the dispute are sections 18 and 19 as they stood in 1954. Section 18 provides, *inter alia*, that an award which has become enforceable shall be binding on

(*a*) all parties to the industrial dispute,

(*b*) all other parties summoned to appear in the proceedings as parties to the dispute unless the board or tribunal, as the case may be, records the opinion that they were so summoned without proper cause,

(*c*) Where a party referred to in clause (*a*) or clause (*b*) is composed of workmen, all persons who were employed in the establishment or part of the establishment, as the case may be, to which the dispute relates on the date of the dispute and all persons who subsequently became employed in that establishment or part.

It is thus clear that though an industrial dispute may be raised by a group of workmen who may not represent all or even the majority of workmen, still if the said dispute is referred to the industrial tribunal for adjudication and an award is made, it binds not only the parties to the dispute or other parties summoned to appear but all persons who were employed in the establishment or who would be employed in future and are also governed by the award; in other words, the effect of section 18 is that an award properly made by an industrial tribunal governs the employer and all those who represent him under section 18 (3) (*c*) and the employees who are parties to the dispute and all those who are included in sections 18 (3) (*b*) and (*d*).

Section 19 presecribes the period of operation of settlements and awards. Section 19 (3) provides that an award, shall, subject to the provisions of this section, remain in operation for a period of one year. This is subject to the provisos to sub-section (3) as well as to sub-section (4) but we are not concerned with the said provisions. Section 19 (6) provides that notwithstanding the expiry of the period of operation under sub-section (3), the award shall continue to be binding on the parties until a period of two months has elapsed from the date on which the notice is given by any party bound by the award to the other party or parties intimating its intention to terminate the award. The effect of this sub-section is that unless the award is duly terminated as provided by it it shall continue to be binding notwithstanding the expiration of the period prescribed by sub-section (3). This position is not in dispute. The dispute between the parties centres round the question as to who can issue the notice terminationg the award on behalf of workmen who are bound by the award as a result of section 18 of the Act. What the sub-section requires is that a notice shall be given by any party bound by the award to the other party or parties. To whom the notice should be given may not present much difficulty. Where the award is sought to be terminated on behalf of the employees the notice has to be given to the employer and that is the party entitled to receive notice. Then, as to "the parties" to whom also notices are required to be given, it may perhaps be that the parties intended are those joined under section 10, sub-section (5), or under section 18, sub-section (2), or are otherwise parties to the dispute; but with that aspect of the question we are not concerned in the present appeal, because notice has been given to the appellant and all the workmen concerned in the dispute have appeared before the tribunal through the two respective unions. The question with which we are concerned and which is not easy to determine is the true interpetation of the word "any party bound by the award". We have already noticed the effect of section 18 and we have seen how wide is the circle of persons who are bound by the award as a result of the said section. Literally construed, any party bound by the award may mean even a single employee who is bound by the award, and on this literal construction even one dissatisfied employee may be entitled to give notice terminating the award. On the other hand, it may be possible to contend that any party in the context must mean a party that represents the majority of the persons bound by the award. Terminating the award is a serious step and such a step can be taken by a party only if it can claim to represent the will of the majority on that point. It is for this construction that the appellant contends before us.

In construing this provision it would be relevant to remember that an industrial dispute as defined by section 2 (*k*) of the Act means any dispute or difference between employers and employees, or between employers and workmen or between workmen and workmen which is connected with the employment or non-employment, or the terms of employment, or with the conditions of labour of any person. This definition emphatically brings out the essential characteristics of the dispute with which the Act purports to deal. The disputes must relate to the terms of employment or with the conditions of labour and they must arise, *inter alia*, between workmen and their employer. Ordinarily, an individual dispute which is not sponsored by the union or is otherwise not supported by any group of workmen is not regarded as an industrial dispute for the purpose of the Act. A provision like that contained in section 33-A is of course an exeception to this rule. The basis of industrial adjudication recognized by the provisions of the Act clearly appears to be that disputes between employers and their employees would be governed by the Act where such disputes have assumed the character of an industrial dispute. An element of collective bargaining which is the essential feature of modern trade union movement is necessarily involved in industrial adjudication. That is why industrial Courts deal with disputes in relation to individual cases only where such disputes assume the character of an industrial dispute by reason of the fact that they are sponsored by the union or have otherwise been taken up by a group or body of employees. In *The Central Provinces Transport Service, Ltd.* v. *Raghunath Gopal Patwardhan*, (1957) 1 L.L.J. 27, this Court has observed that

> " the preponderance of judicial opinion is clearly in favour of the view that an individual dispute cannot per se be an industrial dispute but may become one if taken up by a trade union or a number of persons."

These observations have been cited with approval by this Court in the case of the *Newspapers, Ltd.* v. *State Industrial Tribunal, Uttar Pradesh*, (1957) 2 L.L.J. 1. Having regard to this aspect of the matter it would be difficult to hold that "any party bound by the award" can include an individual workman, though speaking literally he is a party bound by the award. In our opinion, therefore, the said expression cannot include an individual workman. We ought to add that this position is fairly conceded by Mr. Sharma for the respondents.

That take us to the question as to whether the expression "any party bound by the award " must mean a union represnting the majority of the workmen bound by it or a group of workmen constituting such majority acting otherwise than through the union. The expression " any party bound by the award"

obviously refers to, and includes, all persons bound by the award under section 18. The learned Attorney-General has urged before us that we should construe section 19 (6) so as to preclude a minority of workmen bound by the award from disturbing the smooth working of the award and thereby creating and industrial dispute. When an award is made, it binds the parties for the Statutory period under section 19 (3) and even after the expiration of the said period it continues to be binding on the parties under section 19 (6) unless it is duly terminated. The policy of the Act, therefore, appears to be that the smooth working of the award even after the prescribed statutory period should not be disturbed unless the majority of the workmen bound by it feel that it should be terminated and fresh demands should be made. If a minority of workmen or a minority union is allowed to terminate the award it would lead to the anomalous result that, despite the willingness of the majority of workmen to abide by the award, the minority can create disturbance and raise an industrial dispute and that cannot be within the contemplation of the legislature when it enacted section 19 (6) of the Act. That in substance is the argument urged before us ; thus presented the argument no doubt appears *prima facie* attractive ; but in our opinion, it would be unreasonable to accept this construction and impose the limitation of the majority vote in the matter of the termination of the award.

The effect of imposing such a limitation would, in our opinion, seriously prejudice the interests of the employees. It is well known that the trade union movement in this country cannot yet claim to cover all employees engaged in several branches of industry. Membership of the important trade unions no doubt shows an appreciable increase and progress, but the stage when trade unions can claim to have covered all employees or even a majority of them has still not been reached. If the majority rule for which the appellant contends is accepted and section 19 (6) is accordingly construed, termination of the award would, we apprehend, become very difficult, if not impossible, in a very large number of cases. It is in this context that the effect of section 18 has to be borne in mind. As we have already indicated, the class of employees bound by the award under section 18 is very much wider than the parties to the industrial dispute in which the award is made ; the said class includes not only all the persons employed in the establishment at the date of the award but it covers even the subsequent employees in the said establishment. It is therefore obvious that if the majority rule is adopted, very few awards, if any, could be terminated because very few unions would be able to claim a majority of members on their rolls, and in their present stage of organisation in very few cases would a majority of workmen be able to meet, decide and act together otherwise than through their unions. That is why the majority rule would very seriously prejudice the rights of employees to terminate award when they feel that they need to be modified or changed. That is one aspect of the matter which cannot be ignored in construing the material words in section 19 (6).

There is another aspect of the question which is also relevant and which, in our opinion, is a gainst the construction suggested by the appellant. We have already noticed that an industrial dispute can be raised by a group of workmen or by a union even though neither of them represent the majority of the workmen concerned ; in other words, the majority rule on which the appellant's construction of section 19 (6) is based is inapplicable in the matter of the reference of an industrial dispute under section 10 of the Act. Even a minority group of workmen can make a demand and thereby raise an industrial dispute which in a proper case would be referred for adjudication under section 10. It is true that an award pronounced on such reference would bind all the employees under section 18 ; but logically, if an industrial dispute can be raised by a minority of workmen or by minority union, why should it not be open to a minority of workmen or a minority union to terminate the award which is passed on reference made at their instance? The anomaly to which the learned Attorney-General refers has no practical significance. If the majority of workmen bound by the award desire that the award should continue and needs no modification, they may come to an agreement in that behalf with their employer, and adopt such course as may be permissible under the Act to make such agreement effective. However that may be, we are satisfied that both logic and fair play would justify the conclusion that it is open to a minority of workmen or a minority union to terminate the award by which they, along with other employees, are bound just as much as it is open to them to raise an industrial dispute under the Act. That is the view taken by the industrial tribunal in the present case and we see no reason to differ from it.

It appears that when this question was urged before the tribunal the appellant strongly relied on rule 83 framed by the Government of Bombay under section 38 of the Act and it was urged that the said rule is consistent with the construction sought to be placed by the appellant on section 19 (6). It is conceded that at the relevant time this rule was not in force—and so it is strictly not applicable to the present proceedings. That being so, we do not propose to consider the argument based on the said rule and to examine the question as to whether the rule really supports the appellant's construction, and, if yes, whether it would be valid. The question raised before us must obviously be decided on a fair and reasonable construction of section 19 (6) itself, and the rule in question, even if applicable, would not be material in that behalf. We accordingly hold that, on a fair and reasonable construction of section 19 (6), the true position is that though the expression "any party bound by the award" refers to all workmen bound by the award, notice to terminate the said award can be given not by an individual workman but by a group of workmen acting collectively either through their union or otherwise, and it is not necessary that such a group or the union through which it acts should represent the majority of workmen bound by the award.

In the result the appeal fails and is dismissed with costs.

[*Reproduced from West Bengal Labour Gazette, April, 1960 (Issue).*]

SETTLEMENT UNDER SECTION 12 (3) OF THE INDUSTRIAL DISPUTES ACT, 1947.

1

Between

The Workers of B. Radhakrishna Murthy, No. 57, Godown Street, Madras-1

and

The Management of B. Radhakrishna Murthy, No. 57, Godown Street, Madras-1.

TERMS AND SETTLEMENT.

1. It is agreed that all the workers shall be granted an increment of Rs. 5 per mensem with effect from 1st December, 1959.

2. It is hereby agreed to introduce a Gratuity scheme with immediate effect at the rate of half a month's salary for every year of completed service upto a maximum of 15 months salary. Workers will be eligible for payment of

gratuity only after completion of 5 years continuous service. The gratuity amount shall be paid to the workers when he resigns or retrenched or his service terminated by the management for any reason other than dismissal for misconduct. The gratuity to the deceased worker shall be paid to his legal heir or his nominee. The last pay drawn by the worker shall be basic for the calculation of gratuity.

3. The demand for introducing separate Dearness Allowance and introduction of Provident Fund Scheme is not pressed by the Union. The demand for payment of Bonus for the years 1956-1957, 1957-1958, 1958-1959 is not pressed by the Union.

4. It is agreed that a sum of Rs. 498.38 is due to Messrs. B. Radhakrishnamurthy from the worker A. Kannaiah. The worker shall repay the sum of Rs. 400.00 only and the amount will be recovered in monthly instalments of Rs. 10.00 per month and that the management agreed to waive the balance of Rs. 98.38 on the request of the Union.

5. Worker M. Ganapathy shall repay Rs. 136.85 to the management. The amount shall be repaid in monthly instalment of Rs. 10.00 only.

6. It is hereby agreed that the agreement will be in force for two years from the date of settlement and the Union shall not raise any dispute regarding wages, Dearness Allowance and Provident Fund for the period of this settlement.

2

Between

The Workers of the Coromandel Engineering Co. (Private) Ltd., Madras-1.

and

The Management of the Coromandel Engineering Co. (Private), Ltd., Madras-1.

TERMS OF SETTLEMENT.

Term 1:—Identity Cards.

The fifteen daily rated fortnightly paid workers (whose names are given at the end of this settlement) shall be provided with identity cards showing the following:

(*a*) The company's name.
(*b*) The worker's name.
(*c*) The worker's designation.
(*d*) The worker's Photograph.
(*e*) Date of issue.
(*f*) Signature of the company Secretary.

These cards are not to be used except against the company.

Term 2:—*Resignation and re-grading.*—The following shall be observed from 1st January, 1960. Those who do not fit into these scales shall be placed on the next immediate higher level. The increments shall be annual and shall be given to them subject to satisfactory turnover of work and discipline on the part of the workers.

Grade 1 ..	Re. 1 increment $6\frac{1}{4}$ nP.	..	maximum Re. 1-50 nP.
Grade 2 ..	Re. 1-40 nP. increment 10 nP.	..	maximum Rs. 2.
Grade 3 ..	Re. 1-50 nP. increment $12\frac{1}{2}$ nP.	..	maximum Rs. 3-25 nP.

Dealing individually each worker shall be placed as follows from 1st January, 1960 :

S. No.	Name.	Designation.	Grade.	Wages.
1.	R. Thambiah	Carpenter	III	Rs. 3/12½ nP.
2.	P. D. Ramachandran	Carpenter *cum* glass cutter.	III	Rs. 2/87½ nP.
3.	A. Perumal	Carpenter	III	Rs. 1/50 nP.
4.	K. Perumal	Compressor driver *cum* winchman.	III	Rs. 2/12½ nP.
5.	C. Vadivelu	Compressor driver *cum* winchman.	III	Rs. 1/62½ nP.
6.	R. Narayanaswamy	Concrete Mixer driver	II	Rs. 1/50 nP.
7.	K. Elumalai	Compressor *cum* concrete mixer driver.	II	Rs. 1/40 nP.
8.	S. Govindan	Concrete Mixer driver	II	Rs. 1/50 nP.
9.	A. Perumal	Concrete Mixer driver	II	Rs. 1/50 nP.
10.	A. Loganathan	Mazdoor	I	Rs. 1/43¾ nP.
11.	A. Rajagopal	Mazdoor	I	Rs. 1/43¾ nP.
12.	A. Sivasankaran	Mazdoor	I	Rs. 1/43¾ nP.
13.	M. Poongavanam	Mazdoor	I	Rs. 1/43¾ nP.
14.	N. Rangaswamy	Mazdoor	I	Rs. 1/43¾ nP.
15.	C. Rathnam	Mazdoor	I	Rs. 1/43¾ nP.

Term 3:—*Dearness allowance.*—It is agreed that all the said fifteen workers shall be paid a flat rate dearness allowance of Rs. 1-50 nP. per day on the days they work. This shall come into force from 1st January, 1960.

Term 4:—*Bonus.*—

1959	39 days' basic wages.
1960	26 days' basic wages.
1961	26 days' basic wages.

Immaterial wether there is profit or loss in the company.

Term 5:—*Leave.*—The fifteen workers shall be given the following holidays with wages in a year.

(*a*) 9 (nine) days Festival and National holidays.

(*b*) 11 (eleven) days sick leave on the production of a medical certificate from a Government hospital, or a Corporation Hospital or Municipal Hospital.

Term 6:—*Conveyance.*—The fifteen fortnightly paid workers shall be paid actual bus or train fare when they travel on duty from one worksite to another. If the worksite is outside the city limit (around 15 miles radius) they shall be provided withordinary III class Railway Pass from Central Station to the nearest Railway station to the workspot, and they shall be paid a batta of Rs. 0.75 nP. when they are made to work away from the regular workspot for the whole day. If they work in Madras and are asked to go out of their workspot during lunch time and or for the rest of the day they will be paid lunch expenses at Rs. 0.50 nP. The fact that they so worked must be certified by the site chief who authorises his working in that manner.

Term 7:—*Arrears of increment as per union demand No.* 11.—This was paid in February, 1960.

Term 8 : *Arrears of service increments.*—This is agreed to be paid as per the terms of the award of the Industrial Tribunal, Madras, dated 10th February, 1959.

Term 9 : *Provident Fund to Mr. Majeeth.*—He had been allowed to join the Provident fund, from 1st January, 1960.

Demands contained in the Union letter, dated 26th August, 1959, other than those dealt with above are given up and not pressed by the Union.

This settlement shall bind the parties for a period of three years, *i.e.*, till 31st December, 1962.

List of the Fifteen (15) *daily-rated fortnighly paid workers by this settlement.*

1. R. Thambaiah
2. P. D. Ramachandran.
3. A. Perumal.
4. K. Perumal.
5. C. Vadivelu.
6. R. Narayanaswamy.
7. K. Elumalai.
8. S. Govindan.
9. A. Perumal.
10. A. Loganathan.
11. A. Rajagopal.
12. A. Sivasankaran.
13. M. Poongavanam.
14. N. Rangaswamy.
15. G. Rathnam.

3

Between

The Management of Messrs. T. I. Cycles of India, Madras.

and

The Workers of Messrs. T. I. Cycles of India, Madras, represented by the T.I. Cycles Factory Employees' Union, Madras.

TERMS.

Items 1, 2, 5 and 6 of Demands : Wage Scales for time rated and piece rated workers fixation, etc.

Effective 1st January, 1960. The following will be grades and scales of basic wages in nP. per hour : increments being annual.

Grade	I	Sweepers, Cleaners, Conservancy	0.15-1-22
Grade	II	Unskilled workmen	0.19-1-26
Grade	III	(2) Semi-skilled workmen	0.22-1½-32½
Grade	III	(1) do.	0.25-2-39
Grade	IV	(4) skilled workmen	0.30-2-44
Grade	IV	(3) do.	0.35-3-56
Grade	IV	(2) do.	0.40-4-68
Grade	IV	(1) do.	0.50-5-85

All hourly paid time rated workers will be fitted into their respective grade and scale. Those whose existing wages fit into the new scale for that grade will be so fitted ; and failing same, into the next higher step in that scale and grade. All those in service from and before 1st January, 1958, will then be given two increments and those before 1st January, 1959, one increment, subject to the maximum of the said scale.

All increments are normally on 1st January every year. Piece rated workers with completed service of three years and above as on 1st January, 1960 will get a plus to their wages, annual increments at the rate of 1½ nP. per hour for a period of five years. Completion of three years' period under this clause will, in respect of piece rated workers now on the rolls, be as a special case, reckoned every 1st July and 1st January.

Item 4 : *Canteen.*—If the workmen run the Co-operative Canteen, subject to the rights and duties under the statutes, the management will increase their monthly subsidy in cash from Rs. 300 to Rs. 600 per mensem and continuing their present facilities in the matter of equipment, electricity and steam.

Though the affairs of the Co-operative Canteen are now subjudice, the Union agrees to advise the workmen to join as members and run it to success.

Items 8 *and* 9 : *Confirmation and Transfer of workmen.*—The management while minimising transfers involving possible reduction of incentive earnings will have the right on introduction of new machinery or methods of production to effect *bona fide* transfers with option to the workmen affected to accept the transfer and its new wages or to obtain discharge with compensation as on retrenchment.

Item 10 : *Waiting Time or Idle Time.*—Idle time for piece rated workers instead of present fall back of 19 nP. per hour will be paid at 25 nP. per hour.

Item 15 : *Dearness Allowance.*—Dearness allowance will be a monthly amount calculated at the rate of 19 nP. per point rise in the Madras City working class cost of living index over 100. For determining the hourly rate of D.A., the said monthly amount of D.A. so computed will be determined by dividing it by the number of normal working hours, *i.e.*, omitting Saturdays and Sundays based on a 45-hour week in the said concerned month.

Item 17 : *Night Shift Allowance.*—The management agrees to raise the present rate of 12½ per cent. to 15 per cent. with immediate effect.

Item 14 : *Allocation of Clock Numbers.*—Will be done on a departmental-*cum*-seniority basis initially.

Item 25 : *Recognition of Union.*—The parties agree to be bound by and observe the Rules of the Government Labour Department on recognition of Union and Grievance Procedure. The Management agrees to recognise the T. I. Cycles Factory Employees' Union.

Item 29 : *Reinstatement of dismissed workmen.*—Re-employment or compensation to discharged or dismissed personnel will be on the basis of recommendation by the Government on 10th April, 1959, if the concerned workmen reports in person for re-employment or payment on or before 1st August, 1960. The Canteen employees covered by order, dated 10th April, 1959, will be dealt with by the Canteen Co-operative Society as the matter is *sub-judice.*

Bonus and other items : The parties agree that the annual bonus shall be on the following basis, irrespective of profit or loss. For the official year :

1959-1960 it will be 12½ per cent. of the total annual earnings of the workmen, less dearness allowance and overtime premium.

1960-61 it will be 16.2/3 per cent. of the total annual earnings of the workmen, less dearness allowance and overtime premium.

1961-62 it will be 20. 5/6 per cent. of the total annual earnings of the workmen, less dearness allowance and overtime premium.

1962-63 it will be 20. 5/6 per cent. of the total annual earnings of the workmen, less dearness allowance and overtime premium.

1963-64 it will be 25 per cent. of the total annual earnings of the workmen, less dearness allowance and overtime premium.

1964-65 it will be 25 per cent. of the total annual earnings of the workmen, less dearness allowance and overtime premium.

The Union requested that all earned leave accrued and at credit in 1959 of workmen may be set-off to that extent against the period of the strike and such wages be paid therefor ; the management promised to do their best, if the Union withdrew their notice, dated 19th March, 1960, wherein it urged that earned leave should not be adjusted against the annual maintenance closuer holidays. The Union agrees so to withdraw.

Items not referred to herein and all outstanding questions as on this day are dropped and this truce will be in operation—the period ending 1st August, 1965.

I

SETTLEMENT UNDER SECTION 18 (1) OF THE INDUSTRIAL DISPUTES ACT, 1947.

Between

The Management of Messrs. Vijaya Productions (Private) Limited, Madras-26.

and

The Workers of Messrs. Vijaya Productions (Private) Limited, represented by the Madras Cinema Studio Workers' Union.

TERMS.

I. (*a*) Gratuity shall be paid to workmen calculated at the rate of 15 days' wages for each year of service (six months and more will be treated as one year for purpose of calculating the gratuity). This gratuity shall be payable to a workman under the following circumstances :—

1. If he is discharged as medically unfit ;
2. Or if he retires ;
3. Or if he should resign after five years of service ;
4. Or if the company should for any reason terminate his services ;
5. Or if he should die, and
6. Or if he should become insane.

In the last two circumstances the gratuity due to him will be paid to his nominee or his heirs.

(*b*) In the event of dismissal of a worker for serious misconduct the employer may deduct a maximum of two months' wages from the gratuity that will be otherwise payable.

Explanation.—Wages for the purpose of calculation of gratuity one month's wages will be the wages payable for the month when the employer and employee relationship is broken.

(*c*) The above detailed gratuity scheme will stand automatically terminated in the event of the current lease of Vauhini and Vijaya Studio not being renewed. However, if it is renewed it will continue to be in force.

II. To the workers who having already received half-a-month's wages as bonus for the year 1958-59 the management agrees to pay the balance of the two and-a-half-months' wages as balance bonus for the said year 1958-59.

III. The wage rates will be revised with effect from 1st May, 1960, as follows :—

(a) The wages paid to the daily rated men will be increased by 25 nP. (Twenty-five naye Paise) per day.

(b) In the case of monthly rated men the increase in the wage shall be Rs. 5 per mensem over each worker's current monthly rate of pay.

Explanation.—The above wage increase will be applicable to all workers whose current monthly emoluments are less than Rs. 500 per month.

IV. The leave and holiday facilities will be as follows :

(a) 12 days' festival holidays in a year with wages to be selected in consultation with the union.

(b) 15 days' causal leave with pay over and above the leave with wages under the Factories Act.

(c) 10 days' sick leave with pay. The leave salary will be payable in full irrespective of any benefits being paid by the E.S.I. Corporation.

V. The Management recognises the Madras Cinema Studio Workers' Union and will not withdraw the recognition unless the membership falls below by 25 per cent of the workmen. Both parties agree to abide by the Code of discipline.

VI. By this settlement, the dispute raised by the Union by its letter dated 29th January, 1960, is hereby resolved.

2

Between

The K. C. P. Limited, Central Workshops, Madras-19:

and

The Workmen of the K. C. P. Limited, Central Workshops, represented by the K. C. P. Ltd., Central Workshops Labour Union.

TERMS.

1. The basic wages and dearness allowance will be revised as follows:

Category.	*Basic wages.* Rs. nP.			*Dearness allowance.* Rs. nP.
Unskilled ..	1.00	0.06	1.37 per day.	2.06 per day.
Semiskilled ..	1.37	0.09	1.94 „	2.19 „
Skilled II ..	2.00	0.12	2.87 „	2.31 „
Skilled I ..	2.50	0.19	3.82 „	2.44 „

2. The above rates will come into operation from 1st May, 1960. Workers who had reached the maximum in the grades skilled II and I and had missed more than two increments wil be granted one increment with effect from 1st May, 1960 and the next increment on 1st October, 1960, along with other employers

3. The management will pay to all those in receipt of the above rates of D. A. for such months when the cost of living index number for Madras City goes beyond 456, in addition a sum of Rs. 2 (two only) per head on a flat basis as extra D. A. for that month. Similarly for every further rise over 456 by every eleven points in the cost of living index figure for Madras City there will be a further additional sum of Rs. 2 (Rs. two only) payable as extra D. A. for such months only. Payment will be made in the month subsequent to the month in which the C.L.I. figures for the concerned months are published.

4. The management will prevail upon their contractors engaged on normal production work of the factory to pay their men at least the minimum of the emoluments applicable to the concerned category.

5. The current number of paid festival holidays will be increased from nine to eleven and the unpaid five holidays will be abolished.

6. Watchmen who have completed one year's service before May, 1960, will be given two sets of uniforms each set consisting of one bush coat and one pant, each year. Watchmen will also be eligible in fudture for weekly holidays and festival holidays.

7. Sri Narayana, part-time scavenger will be made a full time employee and placed on six months' probation.

8. Messrs. Vanamaliah and Kanakraju, turners, Mani and Venkateswaralu, fitters will be trade tested for the next higher grade within one month from the date of this agreement and on their passing in the test will be placed in the relevant grade with effect from 1st May, 1960, Sri R. Sriramulu, will also be trade tested like wise for the grade of Assistant Fitter.

9. The question of payment of bonus for the year 1959-60 will be examined after the close of the financial year ending with June, 1960.

10. The Union agrees to drop the other demands raised as above by them.

This agreement supersedes the previous agreement dated 30th January, 1959 and will remain in operation till 31st December, 1962.

3

Between

The Management of Vikram Studio, Madras-26.

and

The Workers of the Vikram Studio, Madras-26, represented by Madras Cine Studios, Workers' Union.

TERMS.

1. The management agree to revise the present wages to differet categories as follows :—

Designation.		*Minimum Starting Wages.*		*Annal increment.*		*Maximum wages.*	
		Rs.	NP.	Rs.	NP.	Rs.	NP.
1. Carpenters A.	..	90	00	4	00	130	00
" B.	..	60	00	2	25	85	00
2. Helpers	..	52	50	2	00	72	50
3. Painters A.	..	60	00	3	00	90	00
" B.	..	82	50	3	50	117	50
" Helpers	..	45	00	2	00	65	00
4. Moulders	..	60	00	3	00	90	00
5. Light Boys	..	65	00	3	00	95	00
6. Watchmen	..	45	00	2	00	65	00
7. Gardeners	..	40	00	2	00	60	00
8. Scavengers	..	30	00	2	00	50	00
9. Office boys	..	40	00	2	00	60	00
10. Drivers	..	75	00	3	00	105	00
11. Tailor Assistants	..	50	00	3	00	80	00
12. Make-up Assistants	..	60	00	3	00	90	00
13. Chief Electrician	..	100	00	5	00	150	00
14. Assistant Electrician	..	60	00	3	00	90	00

2. It is agreed by the management to confirm the present daily rated workers who have completed 240 days to be made permanent and their present daily wages shall be multiplied by 30 days and shall be fixed in the appropriate scales, as above mentioned.

3. The management agrees to give the following holidays with wages per year over and above the earned leave with wages as per Factories Act :

12 days' Festival holidays.

7 days' casual leave.

10 days' sick leave, on production of E.S.I. Leave or Medical Certificate.

4. The management agrees to introduce the following gratuity scheme. Every employee shall be entitled to gratuity at the rate of 15 days wages for each year of service on the death of an employee while in the service of the company to his heirs, or legal representatives or assigns, or on his physical or mental disability to continue further in service. On voluntary retirement on termination of the services by the company, or on resignation after five years of service

5. The workers agree to work on Sundays whenever there is urgency and are called upon to do so by the management, and they will be given a substitute holiday within that week and they will not be entitled to overtime wages for the said Sunday work. However, if no substitute holiday is declared double wages over and above their usual wages shall be paid for such Sunday work.

6. The management agrees that if the workers are called upon to work on a festival holiday declared by the Company they shall be paid double wages over and above their usual wages for that day.

7. The workers agree to continue to work over and above their usual eight hours per day when called upon to do so ; the company on their part agrees to pay over time wages as per Factory Act (double wages calculated on hourly basis).

8. The management agrees to make permanent the workers who have completed 240 days' work in a period of twelve months and agrees to pay the wages monthly instead of weekly.

9. The management agrees to reinstate Sri Alex, Light boy, with back wages of 2 months' salary with continuity of service.

10. The production staff such as drivers, office boys shall be paid batta as follows when they work for production call sheets.

Drivers	Meals Batta	at Rupee one.
	Tiffin Batta	at 0.50 nP.
Office Boys	Meals Batta	at 0.87 nP.
	Tiffin batta	at 0.37 nP.

MEMORANDUM OF SETTLEMENT REACHED UNDER SECTION 12 (3) OF THE INDUSTRIAL DISPUTES ACT, 1947, BEFORE THE COMMISSIONER OF LABOUR, MADRAS, ON 11TH JULY, 1960.

Names of the Parties : Employers and workers of Beedi factories in the State.

Representing Employers : 1. Mohammed Yaccob, President, Madras Provincial Beedi Factory Owners' Association, Madras.

2. Sri V. T. Abdul Karim, President, North Arcot District, Beedi and Tobacco Merchants' Association, Vellore.

Representing Employees: 1. Sri T. R. Ganesan, General Secretary, Tamilnad Trade Union Congress, Madras.

2. Sri V. Kannan, General Secretary, North Arcot District Beedi Workers' Union, Vellore.

3. Sri A. V. Kumar, President, Madras State Beedi Labour Union (I.N.T.U.C.)

4. Mr. Richard, Secretary, Madras Beedi Factory Labour Union, Madras.

5 Sri Mohammed Ismail, President, The Karigar Union of South India, Madras.

6. Sri K. S. Janakiraman, President, Madras United Beedi Workers' Union, Madras.

Short Recital.—Consequent on the introduction of the licensing provision with effect from 1st July, 1960, under the Madras Beedi Industrial Premises Regulation of Conditions of Work) Act, 1958, all the Beedi establishments through out the State of Madras were closed. As a result of the discussion held with the parties in the matter, an agreement has been arrived at in the following terms :—

TERMS OF AGREEMENT.

1. All the beedi workers in the State except in Mukkudal are a engaged in wetting, cutting and rolling of beedies will be paid wages at the following rates :

(i) Jadi Beedies (Senior) 3" and above Rs. 1.81 nP. per thousand.

(ii) Jadi Beedies (Junior) Below 3" Rs. 1.69 nP. per thousand.

(iii) Sadha Beedies Rs. 1.62 nP. per thousand.

2. The wages of the workers employed directly by the proprietors in factories shall continue to be paid as fixed in G.O. No. 4846 (Lab.), Industries, Labour and Co-operation dated 15th December, 1959, or in accordance with any agreeent between the parties whichever is more favourable to them.

3. All the manufacturers in the State undertake to obtain a licence immediately for the manufacture of beedies as required under section 3 of the Madras Beedi Industrial Premises (Regulation of Conditions of Work) Act.

4. There will be no victimisation of any kind and all the workers who were employed prior to the closure of the establishments will continue to be employed by the respective employers and given the same quantum of work as before without any reduction.

5. This agreement will be without prejudice to any existing benefits or privileges which are more favourable to the workers directly employed by the proprietors in factotries under any existing agreement or custom.

6. The writ petitions filed by the employers questioning the validity of the Notification fixing minimum wages shall be withdrawn, immediately, in view of the settlement regarding wages in para 1 above.

7. In view of the agreement reached above, all the beedi workers shall be given work on the same scale as was obtaining prior to 1st July, 1960 with effect from 12th July, 1960 and to enable this to be done, leaves will be distributed to the workmen who are available this evening and others who are not immediately available will be given work, if they report within a week of the re-opening of the factories.

Representing employers.

1. (Sd.) Mohammed Yacoob.
2. (Sd.) V. T. Abdul Karim.

Representing workers:

1. (Sd.) T. R. Ganesan,
2. (Sd.) V. Kannan,
3. (Sd.) A. V. Kumar,
4. (Sd.) Richard,
5. (Sd.) Mohammed Ismail.
6. (Sd.) K. S. Janakiraman.

Before me.

(Sd.) T. N. Lakshminarayanan,
Commissioner of Labour, Madras.

CURRENT LABOUR LITERATURE

BOOK REVIEWS.

"*Collective Bargaining*"—International Labour Office, Geneva, 1960, 158 pages, 7 *Sh.* 6 *d.*

This Manual has been prepared by the Office of the I.L.O. with the help of Mr. J. Henry Richardson, Professor of Industrial Relations at the University of Leeds (U.K.)

It consists of 12 lessons on (i) Definition and Origins of Collective Bargaining; (ii) The Recognition of Trade Unions; (iii) Conditions Essential for Successful Collective Bargaining; (iv) How Collective Bargaining Works; (v) Subject-matter of Collective Bargaining and Agreements; (vi) Subject-matter of Collective Bargaining and Agreements (*contd.*); (vii) Implementation of Agreements; (viii) The Non-Union Worker under Collective Bargaining; (ix) Voluntary Procedures for the Settlement of Disputes; (x) Unfair Labour Practices; (xi) Breakdown of Collective Bargaining; (xii) The State and Collective Bargaining. There is a set of useful questions at the end of each chapter which will be a valuable aid for instructors in the field of Workers' Education in whetting the interest of their pupils in the subject and estimating the extent to which their own teaching has been effective.

Of particular appeal to students of industrial relations in this country are the sections dealing with such subjects as company dominated unions, rivalry among trade unions, unfair labour practices, effect of arbitration on collective bargaining, the difference in approach by white collar workers and manual workers, trade union pressure on an employer to dismiss workers, the right to picket, the right to strike in nationalised industry and the ability of industry to pay.

"By describing not only how collective bargaining developed but also how it works in social as well as economic terms" the authors hope "to provide a general framework of knowledge for the millions of workers and the trade unions throughout the world particularly in the industrially less developed countries who are interested in the fundamental process of industrial life".

But this claim is modest indeed; for, with its clear exposition of the concept of collective bargaining and of its application in real life, and the birds eye-view it presents of the development of collective bargaining all over the world (except countries with centrally planned economies like the U.S.S.R.), highlighted by examples drawn from the prevalent practice in varibus countries, this manual is a publication into which jaded veterans in the field of industrial relations could usefully dip and be refreshed by its clarity of expression and abundance of information.

The following books and publications were received during the month of June, 1960.

S.No.	*Books and publications.*
1.	All India Reporter, June, 1960.
2.	Baliga, B.S.: Studies in Madras Administration.
3.	Britain: an official handbook.
4.	Ind-Com. Journal, January-March, 1960.

5. Indian Journal of Social Work, December, 1959 and March, 1960.
6. Indian Labour Journal, May, 1960.
7. Indian Textile Industry—Statistical Bulletin, March, 1960.
8. Industrial Bulletin, June 1st, 1960 and June 15th, 1960.
9. Industrial Information Bulletin (Australia) February, 1960.
10. Industry and Labour, 1st May, 1960.
11. International Labour Conference, 43 Geneva, 1959: Record o proceedings.
12. International Labour Conference, 44 Geneva, 1960: Report on th Committee of Experts on the application of conventions and recommendations
13. International Labour Conference, 44 Geneva, 1960: Workers housing.
14. International Labour office, Geneva: Collective bargaining: Workers' Education Manual.
15. International Labour Office, Geneva: Job evaluation: (Studie and reports—New series No. 56).
16. International Labour Review, May, 1960.
17. Labour Law Journal, June, 1960 and July, 1960.
18. Madras Law Journal, 2nd June, 1960, 9th June, 1960 and 23r June, 1960.
19. Marshal, John: Human relations in Industry.
20. Modern Government: a professional journal for Government official March-April, 1960 and May-June, 1960.
21. National employment service: Employment in the public sector i Madras State for the quarter ended 31st December, 1959.
22. Planters' Chronicle, 1st May, 1960 and 15th May, 1960.
23. Sitra News letter, May-June, 1960.
24. Trade union record, 5th June, 1960 and 20th June, 1960.
25. West Bengal Labour Gazette, January, 1960.

NOTIFICATIONS

Exemption of certain classes of persons employed in Madura Mills Company Limited, Madurai from provisions of sections 13, 14 and 16 of Madras Shops and Establishments Act.

(*G.O. Ms. No.* 3084, *Industries, Labour and Co-operation,* (*Labour*), 23*rd June,* 1960.)

II-1 No. 12, of 1960.—In exercise of the powers conferred by section 6 of the Madras Shops and Establishments Act, 1947 (Madras Act XXXVI of 1947), the Governor of Madras hereby exempts permanently the classes of persons specified in column (1) of the annexure below employed in the Madura Mills Company Limited, Madurai, from the provisions of the said Act specified in the corresponding entries in column (2) of that annexure, for the periods specified in the corresponding entries in column (3) thereof, subject to the following conditions, namely :—

(i) the persons employed shall not be allowed to work for more than 60 hours in a week ;

(ii) overtime wages at the ordinary rate shall be paid to the persons employed for the work done in excess of the normal hours of work of the establishment but not more than 8 hours per day and at twice the ordinary rate of wages for the work done by them in excess of 8 hours per day, and 48 hours per week ;

(iii) compensatory holiday of one whole day shall be allowed to the persons employed duing the subsequent week for the work done on their weekly holidays by virtue of exemption from section 16 of the said Act ;

(iv) the persons employed shall be allowed an interval for rest of at least half-an-hour after every 5 hours of work ; and

(v) the exemption shall ordinarily be operative so long as well-founded complaints are not received.

This order hereby made shall be deemed to have come into force on the 30th day of October, 1959.

THE ANNEXURE.

	Classes of persons.	*Provisions.*	*Periods.*
	(1)	(2)	(3)
I.	All persons employed in the Labour department.	Sections 13 & 14.	For the first seven days and the last two days of each calendar month.
II.	Clerks employed in the Dunlop Section.	Section 13 ..	For all the days.
III.	All persons employed in Power Samas Accounting department.	Sections 13 and 14..	1st to the 15th and from the 26th to the last working day of each calendar month.
IV.	All persons employed in the Cash department.	Sections 13 and 14.	For seven days from the 4th to the 10th of each calendar month.
V.	All persons employed in the Telephones department who have to be on duty in a shift that spreads beyond 8 P.M.	Sections 13, 14 and 16.	For all the days.

Employers in private sector to furnish quarterly returns under Employment Exchanges (Compulsory Notification of Vacancies) Act.

(*G.O. Ms. No.* 3119, *Industries, Labour and Co-operation,* (*Labour*), 23*rd June,* 1960).

II-1 No. 15 of 1960.—In exercise of the powers conferred by sub-section (2) of section 5 of the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 (Central Act XXXI of 1959), the Governor of Madras hereby requires that on and from the 1st June, 1960, the employer in every establishment in private sector shall furnish the quarterly returns prescribed by the Employment Exchanges (Compulsory Notification of Vacancies) Rules, 1960, to the Local Employment Exchange.

Provident Fund Scheme for Employees of Plywood Industry.

Fort St. George, June 27, 1960.

II-1 No. 78 of 1960.—The following notification of the Government of India, Ministry of Labour and Employment, dated 30th May, 1960, is republished :—

G.S.R. 832.—Whereas the Central Government is of opinion that a provident fund scheme should be framed under the Employees' Provident Funds Act, 1952 (XIX of 1952), in respect of the employees of the Plywood Industry ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Central Government hereby directs that with effect from the 30th June, 1960, the said industry shall be added to Schedule I of the said Act.

Amendment to Notification under Madras Catering Establishments Act. Appointment of Inspectors.

(*G.O. Ms. No. 3180, Industries, Labour and Co-operation, 28th June, 1960*).

II-1. No. 80 of 1960.—In exercise of the powers conferred by sub-section (1) of section 20 of the Madras Catering Establishments Act, 1958 (Madras Act XIII of 1958), the Governor of Madras hereby makes the following amendment to Industries, Labour and Co-operation Department Notification S.R.O. No. A-2126 of 1959 dated the 31st March, 1959, published at pages 529-530 of Part I of the *Fort St. George Gazette*, dated the 8th April, 1959.

AMENDMENT.

In the schedule to the said notification, item (6) and the entries relating thereto shall be omitted and item (7) shall be renumbered as item (6).

Reconstitution of Local Committee for Tuticorin Area under Employees' State Insurance (General) Regulations.

Fort St. George, June 26, 1960.

II-1. No. 170 of 1960.—The following notification of the Regional Office (Madras) Employees' State Insurance Corporation (Ministry of Labour and Employment, Government of India), Madras, dated 31st May, 1960 is republished :—

No. MR/Co.-3 (5)/55 (1).—It is hereby notified that the Local Committee set up, *vide* this Office Notification No. MR/Co-3 (13)/57, dated 9th September, 1957 for Tuticorin area under Regulation 10-A of the Employees' State Insurance (General) Regulations, 1950 has been reconstituted with the following members with effect from the 31st May, 1960 :—

CHAIRMAN

Under Regulation 10-A (1) (*a*).

(1) The Labour Officer, Tirunelveli.

MEMBERS.

Under Regulation 10-A (1) (*b*).

(2) Medical Officer-in-charge, Government Hospital, Tuticorin.

Under Regulation 10-A (1) (*c*).

(3) Medical Officer-in-charge, State Insurance Dispensary, Tuticorin.

Under Regulation 10-A (1) (*d*).

(4) Shri T. K. Sivasamban, Manager, Madura Mills Company, Ltd., Tuticorin.

(5) Shri R. Dharmar, Rallis (India) Ltd., 20, Beach Road, Tuticorin.

Under Regulation 10-A (1) (*e*).

(6) Shri G. Sudalaimuthu, Assistant Secretary, Spinning Mill Thozhilalar Sangham, Tuticorin.

(7) Shri M. Venkatakrishnan, General Secretary, Tuticorin Mill Labourers' Union, No. 9, Uchinimagalliamman Koil St., Tuticorin.

Under Regulation 10-A (1) (*f*).

(8) Manager, Local Office, E.S.I. Corporation, Tuticorin.

Amendment to Madras Industrial Disputes Rules.

(*G.O. Ms. No. 3054, Industries, Labour and Co-operation (Labour), 22nd June, 1960*).

S.R.O. No. A-25 of 1960.—In exercise of the powers conferred by section 38 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Governor of Madras hereby makes the following amendments to the Madras Industrial Disputes Rules, 1958, published with the Industries, Labour and Co-operation Department Notification S.R.O. No. A-8258 of 1958, dated the 18th December, 1958, at pages 1-25 of Part I of the *Fort St. George Gazette*, Extraordinary, dated the 27th December, 1958, the same having been previously published as required by sub-section (1) of the said section :—

AMENDMENTS.

In the said rules—

(i) to sub-rule (3) of rule 59, the following shall be added at the end, namely :—

"*The notice in Form P shall be displayed conspicuously by the employer on a notice board at the main entrance to the establishment and in the manager's office :*

Provided that where a registered trade union exists, a copy of the notice shall also be served on the Secretary of the said Union" ;

(ii) in the Schedule—

(*a*) in Form O—

1. In the heading, for the word "EMPLOYEES", the word "WORKMEN" shall be substituted ;

2. For the words "Names of the elected representatives of employees where no trade union exists", the words "Names of five authorised representatives of workmen" shall be substituted ;

3. Under the words "Yours faithfully", the following shall be inserted, namely :—

Signatures of two office bearers of the Union } Duly authorized at a meeting held on the........*vide* resolution attached".

Signatures of five representatives of workmen

(*b*) in Form P, before the words "with effect from", the following shall be inserted, namely :—

"in department(*s*)/*section*(*s*) of my/our establishment(*s*)".

Reconstitution of certain Local Committees under Employees' State Insurance (General) Regulations.

Fort St. George, July 2, 1960.

II-1 No. 188 of 1960.—The following corrigendum of the Regional Director of Employees' State Insurance Corporation (Ministry of Labour and Employment), Madras, dated 8th June, 1960, is republished :—

CORRIGENDUM.

For the words "Shri K. Subbarayalu" appearing at Serial No. 5 below under Regulation 10-A (1) (*d*) of the Notification No. MR/CO-3 (5) 55-1, dated 3rd May, 1960, the words "Shri V. Subbarayalu", shall be substituted.

Member nominated to Local Committee (Employees' State Insurance Corporation) for Madras City and Suburbs under Employees' State Insurance (General) Regulations.

Forgt St. George, July 4, 1960.

II-1 No. 189 of 1960.—The following notification of the Regional Director of Employees' State Insurance Corporation (Ministry of Labour and Employment, Government of India), Madras dated 8th June, 1960 is republished :—

No. MR/CO-3 (5)/55 (1).—It is hereby notified that Shri T. Krishnaswamy, representative of Indian National Trade Union Congress (Tamilnad Branch), Madras, has been nominated as a member of the Local Committee (Employees' State Insurance Corporation) for Madras City and suburbs, under clause 1 (*e*) of Regulation 10-A of the Employees' State Insurance (General) Regulations, 1960, with effect from the 8th June, 1960.

The following amendment shall accordingly be made to this office Notification No. MR/CO-3 (5)/59 (2), dated 21st July, 1959, namely, for the word "vacant" against S. No. 11, the following shall be substituted :—

"*Shri T. Krishnaswamy, Indian National Trade Union Congress* (Tamilnad Branch), No. 10, Eswaradoss Lala Street, Madras-5".

Extension of Jurisdiction to Peelamedu and Perianaickenpalayam area of Local Committee (Employees' State Insurance Corporation), Coimbatore, under Employees' State Insurance (General) Regulations.

Fort St. George, July 4, 1960.

II-1. No. 190 of 1960.—The following notification of the Regional Director of Employees' State Insurance Corporation (Ministry of Labour and Employment, Government of India), Madras, dated 8th June, 1960, is republished :—

No. MR/CO-3 (5)/55 (2).—It is hereby notified that the jurisdiction of the Local Committee (Employees' State Insurance Coroporation), Coimbatore, which was re-constituted with effect from 21st July, 1959, *vide* this office Notification No. MR/CO-3 (5)/59 (1), dated 21st July, 1959, has been extended with effect from 8th June, 1960, to Peelamedu and Perianaickenpalayam areas (where Chapters IV and V of the Employees' State Insurance Act, 1948, are in force).

Provident Fund Scheme for Employees of Automobile Repairing and Servicing Industry.

Fort St. George, July 11, 1960.

II-1. No. 284 of 1960.—The following notification of the Government of India, Ministry of Labour and Employment, dated 9th June, 1960, is republished :—

G.S.R. 683.—Whereas the Central Government is of opinion that a provident fund scheme should be framed under the Employees' Provident Funds Act, 1952 (XIX of 1952), in respect of the employees of the automobile repairing and servicing industry ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act, the Central Government hereby directs that with effect from the 30th June, 1960, the said industry shall be added to Schedule I of the said Act.

Provident Fund Scheme for Employees of Plywood Industry.

Fort St. George, July 11, 1960.

II-1 No. 285 of 1960.—The following notification of the Government of India, Ministry of Labour and Employment, dated 17th June, 1960, is republished—

G.S.R. 718.—In exercise of the powers conferred by sub-section (1) of section 7 of the Employees' Provident Funds Act, 1951 (XIX of 1952), the Central Government hereby makes the following further amendment in the Employees' Provident Funds Scheme, 1952, namely :—

(1) This Scheme may be called THE EMPLOYEES' PROVIDENT FUNDS (AMENDMENT) SCHEME, 1960.

(2) In the Employees' Provident Funds Scheme, 1952, in clause (*b*) of sub-paragraph (3) of paragraph 1, sub-clause (xii), shall be renumbered as sub-clause (xiii) thereof and the following shall be inserted as sub-clause (xii), namely :—

" (xii) as respects factories relating to the plywood industry covered by the notification of the Government of India, Ministry of Labour and Employment, G.S.R. 832, dated the 30th May, 1960, come into force on the 30th day of the June, 1960 ".

Code of Discipline in Industry.

(Ratification by Unions Unaffiliated to any central organisation.)

At the 15th Session of the Indian Labour Conference held in New Delhi in July, 1957, certain basic principles were laid down for adherence by both employers and workers. A sub-committee appointed for this purpose evolved a Code of Discipline in industry which was adopted by the Standing Labour Committee at its 16th Session held in October, 1957. The idea underlying the code is that apart from the provisions contained in labour laws some principles and procedures should be voluntarily accepted by employers and workers in order that discipline may be maintained in industry. To this end in view, the code lays down norms of behaviour both for employers and workers. The code was ratified by the representatives of the central employers' and workers' organisations at this Conference. In consequence, organisations whether of employers or workers affiliated to any of the Central organisations which have ratified the code will therefore be bound by the Code.

A list of the trade unions and employers not affiliated to any Central organisations which have ratified the code as observed from the reports of the Labour Officers of this State received upto June, 1960, is given below :

LIST.

UNIONS.—

1. Pugalur Sugar Factory Workers' Union, Tiruchirapalli.
2. Needle Industrial Workers' Union, Coonoor R.S.
3. Neelamalai Plantation Workers' Union, Coonoor.
4. Kundah Hydel Workcharged and Services Union, Kundah Bridge, Kundah.
5. The Needle Makers' Union, Ketti, Coonoor.
6. Kanyakumari District Rice Oil Flour and Saw Mill Workers' Union, Nagercoil.
7. Kanyakumari District Estate Workers' Union, Thadikarankonam.
8. Nagercoil Private Motor Workers' Union, Nagercoil.
9. Kanyakumari District Gunny Shop Workers' Union, Nagercoil.
10. Kanyakumari District Fishing Workers' Union, Colachal.
11. Kanyakumari District Salavai Thozhilalar Sangam, Nagercoil.
12. Kanyakumari Estate Workers' Union, Nagercoil.
13. Kanyakumari District Mineral Workers' Union, Nagercoil.
14. Vadasery Handloom Workers' Union, Nagercoil.
15. Nellai Kumari District Motor Thozhilalar Sangam, Nagercoil.

16. Salvation Army Catherine Booth Hospital Labour Union, Nagercoil.
17. Kanyakumari District Lorry Workers' Union, Nagercoil.
18. Mineral Employees' Union, Manavalakurichi.
19. Manavalakurichi Mineral Staff Association, Manavalakurichi.
20. Travancore Tamilnad Palmyrah Fibre Workers' Union, Colachal.
21. Kanyakumari District Shop Workers' Union, Monday Market.
22. South Travancore Electrical Workers' Union, Nagercoil.
23. Madras State Transport Thozhilalar Union, Nagercoil.
24. Kanyakumari District Iyen Thozhilalar (Viswa Karma) Union, Monday Market.
25. All Travancore Salt Factory Workers' Union, Puthalam.
26. Vilavancode Taluk Press Workers' Union, Marthandam.
27. Kanyakumari Zilla Motor and Engineering Workers' Union, Marthandam.
28. Vilavancode Taluk Shavara Thozhilalar Union, Marthandam.
29. Kanyakumari District Cinema Operators Union, Nagercoil.
30. Hindustan Lever Mazdoor Sabha, Madras.
31. Voltas and Volkart Employees' Union, Madras-1.
32. Royal and English Cycle Motor Employees' Union, Madras.
33. Polson Limited (Madras Branch) Employees' Union, Madras-1.
34. Kanyakumari District Odu, Chengal, Karungal Thozhilalar Union, Kandavilai.
35. Kanyakumari District Estate Supervisory Staff Association, Kulasekaram.
36. Southern District Estate Workers' Union, Thakalay.
37. Motor and Lorry Workers Union, Thakalay.
38. Kanyakumari District Devaswom Contingent Employees Union, Thakalay.
39. Kanyakumari Jilla Irumbu, Mara Thozhilalar Union, Thakalay.
40. Kalkulam Taluk Municipal and Panchayat Workers' Union, Thuckalay.
41. Kanyakumari Zilla Beedi Thozhilalar Sangam, Monday Market.
42. Kanyakumari District Mill Labourers' Union, Nagercoil.
43. Thesiya Nagara Thupparavu Thozhilalar Sangam, Tirunelveli.
44. Pithalai Pathira Thozhilalar Sangam, Pettai, Tirunelveli.
45. Tirunelveli Pettai Suthuvattara Trunk and Nagavall Ma Arippu Thozhilalar Sangam, Pettai.
46. South Indian Plantation Workers' Union, Valparai.
47. South India Building Workers' Union, Valparai.
48. Beedi Workers' Union, Pollachi.
49. Dravidian Textile Workers' Union, Udumalpet.
50. Madavaram Tannery Workers' Union, Madras-11.
51. Morarji Ranchodas (Waste Cotton) Workers' Union Madras-11.
52. Nagara Suthi Thozhilalar Sangam, Madras-19.
53. Madras Corporation Sewage Farm Workers' Union, Kodungaiyur.
54. Pallavaram Chrompet Tannery Workers' Union, Chrompet.
55. National Motor Workers' Union, Salem.
56. Ruby Rubber Works Labour Union, Madras-19.
57. Hackbridge Hewittic Easun Employees' Union, Madras-19.
58. Pallavaram Chrompet General Industrial Workers' Union, Chrompet.
59. Thozhilalar Munnetra Sangam, Valparai.
60. The National Plantation Supervisors' Union, Valparai.
61. Sakthi Textile Workers' Trade Union, Pollachi.

MANAGEMENTS.—

1. Rajalakshmi Motor Service, Mail and Southern Railway Out Agency, Contractors, Gudalur.
2. Needle Industries (India) Private Limited, Ketti, Coonoor.
3. Glenburn Estate, Tuttapallam Post, Coonoor.
4. Walker and Greig (Coonoor) Private Ltd., Coonoor.
5. Matheson Bosanquet and Company Ltd., Coonoor.
6. United Planters' Association of Southern India, Glenview, Coonoor.
7. Sacred Heart Estate, Kil-Kotagiri.
8. Palkulam Estate (Private) Ltd., Nagercoil.
9. Nagammal Mills Limited, Nagercoil.
10. Pioneer Works Limited, Nagercoil.
11. Palazhi Estate, Kulasekaram Post, Nagercoil.
12. Vailamullay Estate, Thuckalay.
13. Sivalogam Estate, Kulasekaram.
14. Kamadenu Estate, Kulasekaram.
15. Maruthi Estate, Kulasekaram.
16. Gopalakrishna Bus Service, Kallakurichi.
17. Pallavaram Tanners' Association, Madras-3.

Panel of Arbitrators.

With a view to encouraging greater recourse to settlement of industrial disputes by voluntary arbitration, the 17th Session of the Indian Labour Conference held at Madras in July, 1959, recommended that a panel of arbitrators should be maintained by the Central and State Governments in order to assist the parties in the matter of choosing suitable arbitrators. The Government of India are taking action separately in respect of the central sphere. The Government of Madras in pursuance of the above recommendation, have prepared a panel of arbitrators which includes representatives of various professions like Economists, Statisticians and Accountants. The Panel is hereby published for general information of the public. It is hoped that the parties to industrial disputes will find the panel useful in the matter of choosing suitable arbitrators for settlement of disputes by voluntary arbitration under ction 10-A of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

PANEL.

1.	Shri A. K. Ramachandra Ayyar, Retired District Judge, 56, Fourth Cross Road, C.I.T. Colony, Mylapore, Madras-4.	*13th August, 1901. District Munif from June, 1934, Sub-Judge from July, 1947 and District Judge from June, 1953.
2.	Shri P.A. Nazareth, Retired District Judge, Infantry Road, Bangalore.	*20th March, 1901. District Munsif from February, 1934, Sub-Judge from February, 1947 and District Judge from April, 1953.
3.	Shri J. H. Barloza, Retired District Judge, "Lynton", Finger Post, Ootacamund.	*14th July, 1900. Worked as District Munsif from July, 1934, as Sub-Judge from July, 1947 and District Judge from November, 1952.
4.	Shri Nataraja Nadar, Retired District Judge, 19, Besant Road, Chokkikulam, Madurai.	*24th April, 1898. District Munsif from October, 1930, Sub-Judge from February, 1946 and as District Judge from July, 1951.
5.	Shri P. Markandeyulu, M.A., B.L., 59, II Main Road, Gandhinagar, Adayar.	*26th September, 1892. Retired Principal Judge. Industrial Tribunal for over two years.
6.	Shri S. Narasimhalu, 14-A, Kilpauk Gardens Road, Kilpauk, Madras-10.	*26th April, 1896. Retired District and Sessions Judge. Industrial Tribunal for over two years.
7.	Shri T. D. Ramayya Pantulu, M.A., B.L., 26, Gollavar Agraharam Road, Madras-21.	*10th October, 1892. Retired District and Sessions Judge—Industrial Tribunal for over two years.
8.	Shri S. Soundararajan, B.A., B.L., 37/17, Abiramapuram 4th Street, Madras-18.	*15th July, 1897. Retired District and Sessions Judge. Industrial Tribunal for over two years.
9.	Shri C. Bhaktavatsalu Naidu 6, Landon's Road, Kilpauk, Madras-10.	*15th August, 1892. Retired District and Sessions Judge. Industrial Tribunal for over two years.
10.	Shri Kanda Narasimha Chettiar, B.A., B.L., C/o Tamil Nad Trade Union, Congress, 6/157, Broadway, Madras.	Retired District Judge. Special Industrial Tribunal for plantations in Madras State.
11.	Sri K. N. Radhakrishna Mudaliar.	Retired District Judge. 867/1, North Main Street, Pudukkottai.
12.	Sri V. Pattabhiramayya ..	Retired District Judge, 13, Valmiki Street, T. Nagar, Madras-17.
13.	Sri M. V. Harihara Iyer ..	Retired District Judge, 'Parvathi' 4, Thiruvenkataswami Street, Raja Annamalaipuram, Madras-28.
14.	Sri A. H. Bijili ..	Retired District Judge, Nagercoil.

* Date of birth.

15.	Sri T. Sankaranarayana Menon. ..	District and Sessions Judge, Kanyakumari at Nagercoil.
16.	Sri E. Athikesavan ..	Chief Judge, Court of Small Causes, Madras.
17.	Sri M. Mohamed Habib ..	New Tribunal for Estates Abolition work for Ramanathapuram and Tirunelveli at Madurai.
18.	Sri M. S. Abdul Azeez ..	Labour Court, Sitting District Judge, Madras.
19.	Sri M. Ramiah Pillai ..	Labour Court, Sitting District Judge, Madurai.
20.	Sri S. Chinnappan ..	Labour Court, Sitting District Judge, Coimbatore.
21.	Sri K. Ramaswami Gounder ..	Industrial Tribunal, Madras, Retired High Court Judge.
22.	Sri S. Velayudham ..	The Chief Professor of Economics, Presidency College, Madras.
23.	Sri S. R. Jayavelu ..	Statistical Officer, Department of Statistics.
24.	Sri R. N. Rajam Ayyar ..	Chartered Accountant, No. 20, East Mada Street, Mylapore, Madras-4.
25.	Sri D. Rangasamy, ..	F.C.A., of M/s. D. Rangaswamy and Co,. Chartered Accountants, Vanguard House, Second LineBeach, Madras-1.

STANDING LABOUR COMMITTEE (18TH SESSION, THIRD MEETING 26th-27th APRIL, 1960).

I. MAIN CONCLUSIONS/RECOMMENDATIONS.

The Committee adopted the draft conclusions of the last meeting held on the 10th-11th March, 1960, with some modifications. The conclusions as finally approved are given below—

1. **Approach to Industrial Relations.**—The policy as laid down in the Second Five Year Plan for settlement of disputes needs to be modified. The modification should envisage (a) strengthening the current emphasis on reaching bipartite agreements and tripartite conventions like the Code of Discipline on a voluntary basis and extending their coverage to both the public and private sectors; and (b) more intensive efforts at securing agreements for reference of disputes to voluntary arbitration .

The Committee recommended the following measures to secure increased recourse to voluntary arbitration :—

(i) There should be an amendment of existing law in order to provide that the decisions reached in voluntary arbitration should have the same status as awards of the Industrial Tribunals. These decisions should be binding on all employees, irrespective of whether or not they belong to the union which entered into an agreement.

(ii) The restraints placed on parties under the Industrial Disputes Act, 1947 (when a dispute is referred for adjudication) should also apply to the parties if they take recourse to voluntary arbitration.

(iii) The Central and State Governments should prepare in consultation with the employers' and workers' organisations, lists of suitable persons to act as arbitrators.

(iv) The Committee recognized the need to intensify efforts to secure a better working of the existing voluntary arrangements concerning recognition of trade unions.

2. **Industrial Relations Machinery.**—(i) The machinery for Industrial Relations should consist of (a) Conciliation Officers; (b) Arbitrators (voluntary); (c) Industrial Tribunals.

(ii) The Committee felt that (a) the calibre of the Concilation Officers needed improvement; (b) there should be a provision for training on the job as well as refresher training for Conciliation Officers; and (c) adequate strengthening of the Conciliation Machinery was necessary.

(iii) Governments at the Centre and in the States should take measures for evolving by tripartite committees, norms for settling disputes.

(iv) The adjudication machinery should be used sparingly.

(v) The question of creation of a special cadre for industrial Judges should be considered to secure higher status for Judges appointed on Tribunals.

(vi) The Committee felt that there was need to provide for a Mediation Service for dealing with disputes in the early stages.

(3) **Trade Unions.**—It was agreed that strong and healthy organisations of workers and employers were necessary for the success of any industrial society.

(4) **Rationalisation.**—The policy on rationalisation outlined in the Second Plan was reiterated but it was suggested that Technical Committees should be set up at the Centre as well as in the States to ensure that rationalisation schemes were sound and were implemented according to agreed principales.

5. **Wages.**—(i) It was agreed that the question of nutritional requirements for a worker and his family and the composition of the diet which is to provide the requisite nutrition needed further examination at the technical level.

(ii) It was urged that steps should be taken to ensure a more effective enforcement of the Fair Wage Clause to protect the interests of workers concerned in the Construction Industry.

(iii) It was suggested that Government should consider the question of adding to the Schedule of Minimum Wages Act, other employments where working conditions were bad and the workers needed statutory protection.

(iv) It was suggested that productivity studies should be undertaken in some selected industries to evolve techniques for measurement of productivity and norms on the basis of which gains of productivity should be shared. A small Steering Committee, with which workers' and employers' representatives were to be associated should be set up to deal with matters connected with these studies.

(v) Crietria should be evolved for ascertaining an industry's capacity to pay.

(vi) It was agreed that a Bonus Commission should be set up to evolve suitable norms for Bonus.

II. THE MAIN CONCLUSIONS/RECOMMENDATIONS ON OTHER MATTERS ARE SET OUT BELOW:—

1. **Workers' Participation in Management.**—Workers' Participation in Management Scheme should be extended to as many establishments as possible,. The existing arrangements at the Centre should be strengthened and suitable machinery should also be created at the State level.

2. **Workers' Education.**—Although it was agreed that the programme of workers' education should be intensified in the Third Five Year Plan, the Workers reprsentatives felt that there was need for diversifying the workers' education programme and associating workers' representatives with it at various levels.

Some of the workers' representatives pointed out that the question of management training in labour matters should also receive increasing attention.

3. **Social Security.**—(i) The consensus of opinion was that the integrated Social Security Scheme recommended by the Study Group should be implemented during the Third Five-Year Plan subject to necessary modifications as a result of consultations with the workers' and employers' organisations. The workers' representatives suggested that the Government should also examine the question of introducing schemes relating to compulsory life insurance for industrial workers and permitting the workers to finance their policies from the Fund under the Integrated Scheme.

(ii) It was agreed that a Technical Committee should be appointed to recommend the industries where the rate of contribution to the provident fund should be enhanced straightaway from 6 1/4 per cent. to 8 1/3 per cent. To begin with, the Committee should undertake investigation in respect of the following four of the six industries initially covered under the Employees Provident funds Act, 1952 :—

Cigarettes, Paper, Iron and Steel and Electrical, Mechanical or general engineering products.

(iii) It was suggested that 'Family Planning' should be increasingly brought within the scope of the programmes under the Employees State Insurance Scheme.

(iv) The coverage of the Employees' Provident Fund Scheme should be extended to commercial establishments also.

4. **Working Conditions.**—(i) Steps should be taken to ensure effective implementation of the existing statutory provisions concerning working conditions.

The committee observed that there was an increase in the rate of accidents during the last few years and it urged that greater attention should be paid to the problem of safety. It was suggested that relevant data regarding all aspects of safety should be collected and analysed and the whole subject of safety discussed in a Safety Conference which should be convened for the purpose. The proposed Conference should cover all industries/occupations other than mines.

It was urged that steps should be taken to implement the various recommendations made in the Second Five-Year Plan regarding gradual abolition of contract labour, wherever feasible, securing for such labour, conditions and protection enjoyed by other workers, etc. Other suggestions made were (a) the programme of studies being undertaken, pursuant to the recommendation made in the Second Five-Year Plan, to ascertain the extent and nature of the problem of contract labour, should cover coal mines and plantations also, (b) workers' and employers' representatives should as far as possible, be associated with these studies, and (c) agencies like co-operatives should be encouraged to take up functions of contractors.

5. **Industrial Housing.**—With a view to ensuring speedy progress of the Industrial Housing Scheme, the Committee suggested (i) amendment of the existing legislation in different States with a view to eliminating procedural delay in acquisition of land, etc., (ii) Improvement in the administration of the Department of Co-operation in the States with a view to ensuring speedy progress so far as co-operative housing schemes are concerned, and (iii) the need to study the problem of Industrial Housing in detail with a view to formulating steps for ensuring better progress of the Industrial Housing Scheme.

6. Creation of a Special Reserve Fund for meeting claims of outgoing members of the Employees' Provident Fund—The Committee felt that every effort should be made to recover the provident fund dues in default from the employees but recommended the creation of a Special Reserve Fund to ensure payment of provident fund money to workers. The proposed fund may be started by utilising a suitable sum from the Reserve and Forfeiture Account and possibilities should be explored of securing a better yield from the investment of provident funds.

The Committee further recommended that the rate of interest being allowed to workers at present on their provident fund accumulations should not be reduced for the purpose of financing the Fund, but, if necessary some or all of the welfare measures now financed from the Reserve and Forfeiture Account might be discontinued.

CONCLUSIONS OF THE NINTH SESSION OF THE INDUSTRIAL COMMITTEE ON PLANTATIONS.

Constitution of a Wage Board for Plantation Industry.

The question of the compostion of the Wage Board for the Plantation Industry was discussed in the second meeting of the 9th Session of the Industrial Committee on Plantations held at New Delhi on the 27th April, 1960. It was decided to set up three separate Wage Boards, one each for tea, coffee and rubber plantations. The Wage Board for tea will consist of a chairman, two independent members and three representatives each of workers and employers. The coffee and rubber Wage Boards will each have a chairman, two independent members and two representatives of workers and employers. The chairman and the independent members of all the three Wage Boards will be the same.

CENTRAL EVALUATION AND IMPLEMENTATION COMMITTEE.

The third meeting of the Central Implementation and Evaluation Committee was held on the 25th April, 1960. Some of the important decisions taken in the meeting were :—

(1) Workers' and Employers' Organisations should report to the Evaluation and Implementation Division specific cases of industrial disputes which they consider should not have been taken to higher Courts. The Division will examine these cases and, if considered necessary, take them up with the concerned Central Organisation for out-of-Court settlement.

(2) The implications of the principle of 'no-work no-wages' be considered by the Central Organisations of Employers and Workers and their suggestions placed before the Standing Labour Committee for decision.

(3) The sanctions under the Code so far laid down by the Standing Labour Committee should be applied stringently by the Central Organisations against their member-units found guilty of violating the Code.

SEMINAR ON LABOUR-MANAGEMENT CO-OPERATION.

A Seminar on Labour-Management Co-operation was held in New Delhi on 8th and 9th March, 1960. The main recommendations of the Seminar were :

(1) that suitable machinery should be set up at the Central and regional levels to ensure that the Joint Management Councils functions effectively.

(2) the Scheme should be rapidly extended to more units ;

(3) A Tripartite Committee should be constituted at the Centre to review from time to time the progress of the scheme and to sort out difficulties in the functioning of the Councils

(4) an officer should be appointed to secure information from the units which have introduced the scheme and to disseminate such information to other units ; and

(5) legislation for implementing the scheme is not required.

1. Statement showing the details of agreements brought about by the Conciliation Officers under section 12 (3) of the Industrial Disputes Act, 1947 during the month of June, 1960.

Srl. No. (1)	*Name of the establishment.* (2)	*Date of agreement.* (3)	*Points of dispute.* (4)	*Nature of settlement.* (5)
1.	Modern Knitting Factory, Tiruppur.	11—6—60	Non-employment of a worker.	Agreed to take back the worker into service without back wages. The unemployed period will not be counted for service.
2.	Aravinth Knitting Co., Tiruppur.	11—6—60	Do.	Agreed to take back the worker into service. The period of unemployment would not constitute a break in the service of the worker.
3.	Maheen Knitting Co., Tiruppur.	12—6—60	Dismissal of worker.	Agreed to take back the worker into service with continuity of service, but without back wages.
4.	Khader Knitting Co., Tiruppur.	12—6—60	Do.	Agreed to take back the worker into service without any back wages.
5.	Sri Ramachandra Knitting Works, Tiruppur.	12—6—60	Non-employment of a worker.	Agreed to pay the worker a sum of Rs. 60 as compensation for loss of employment, arrears of leave wages, wages etc., in full and final settlement of all his claims.
6.	Rajagopal Knitting Co., Tiruppur.	12—6—60	Do.	Agreed to pay the worker one month's notice pay, retrenchment compensation, arrears of leave wages if any, in full and final settlement of all his claims.
7.	V. R. Textiles (P.) Ltd., Erode.	15—6—60	Non-employment of 10 workers.	Agreed to give preference to the 10 workers in the matter of filling up future vacancies. Also agreed to make permanent the 6 workers.

(1)	(2)	(3)	(4)	(5)
8.	Selvaraja Mills (P.) Ltd., Coimbatore.	17—6—60	Giving designation to workers issue of departmental tickets, occupational wages etc.	Agreed to give designation to individual workers after the complement for new framers are finalised in about 4 months. Agreed to give departmental tickets to certain workers and also to pay the occupational wages to cone winders who work in cone winding for a period of six months prior to the payment of occupational wages. Nine workers will be paid the eight days' wages due to them. Agreed to make permanent the scavenger Papan with effect from 1st July, 1960. Sri Thirumalai Swamy, will be provided work in private construction and his salary will be raised from Rs. 45 to Rs. 55 per month.
9.	The Coimbatore Murugan Mills Ltd., Coimbatore.	22—7—60	Wages for the hours of stoppages.	Agreed that when the looms are stopped for two hours and over for gaiting, all the workers affected would be paid wages for the hours of stoppage in excess of two hours. It is also agreed that in all other circumstances other than gaiting the worker affected would be paid wages for all stoppages of four hours and over four hours. It is also agreed that Sri K. M. Ayyamperumal would be paid the arrears of wages due to him.
10.	Kasthuri Mills Ltd., Coimbatore.	23—6—60	Promotion to C. V. Krishnan, etc.	Agreed to promote C. V. Krishnan, ticket boy as grade V clerk. He will be paid the increment as per the staff agreement applicable to grade V clerk with effect from 1st August, 1960. Also agreed that in the Japanese intermachines

(1)	(2)	(3)	(4)	(5)
				the management would pay three hours' wages for the stoppages during cleaning period. Sri Alagannan would be given the job of doffing boy and he will be placed as the junior-most in the permanent list of doffers.
11.	Southern Textiles Ltd., Sulur.	25—6—60	Redressal of grievances of workers.	Agreed to reinstate the 5 workers with effect from 15th July, 1960 treating the period of un-employment as suspension. The nine reeling workers will also be given work to the extent of availability of work.
12.	Rajalakshmi Mills Ltd., Coimbatore.	25—6—60	Over the basis of seniority.	Agreed that when count is made to higher counts, the over-all seniority of all in the frames so charged would be taken into consideration for retention and the junior-most will accordingly be considered excess.
13.	Sri Kannapiran Mills Ltd., Sowripalayam. Coimbatore.	21—6—60	Non-implementation of award.	Agreed to pay special monthly allowance to elevan workers of electrical department and if this departmental strength is increased, the allowance agreed to be paid shall be withdrawn without notice. It is also agreed that if the spinning department works in full strength with all the framers one of the senior and efficient motor attendants shall be promoted as wireman.
14.	Oil and Fertilisers (P.), Ltd., Villivakkam, Chingleput District.	1—6—60	Stay-in-strike	The workers agreed to resume work from 1st June, 1960. The management agreed to promote any competent mazdoors to the post of plan helpers etc. and pay the acting allowance in the higher post if there is a total qualifying service of 7 days of work in the higher post at any time.

(1)	(2)	(3)	(4)	(5)
15.	Bharat Pulverising Mills Private Ltd., Madras-19	2—6—60	Non-employment of 9 workers.	Agreed to take back the 8 workers from 3rd June, 1960.
16.	Chettiars Tanning Corportation, Madhavaram, Madras-11.	2—6—60	Discharge of a worker.	Agreed to pay the worker compensation if he turns up at the factory on any working day.
17.	Do.	Do.	Do.	Do.
18.	East India Tanning Corporation, Madhavaram, Madras-11.	Do.	Do.	Do.
19.	Fazilbai Dhala and Co., Tannery, Chrompet.	11—6—60	Claim for retrenchment compensation.	The management agreed to pay the 33 workers a lump sum amount of Rs. 10 per worker in lieu of all the claims for retrenchment compensation.
20.	Srinivas and Co., Poonderi Shop, Madhavaram, Madras.	15—6—60	Dismissal of 2 watchmen.	Agreed to pay each work-worker a sum of Rs. 430 in full and final settlement.
21.	Neem and Co., Tannery, Pallavaram.	15—6—60	Non-employment of 20 workers.	The management agreed to restart the soaking and to employ all the workers from 1st July, 1960.
22.	Sri Kamakshi Amman Motor Service, Vridhachalam.	23—6—60	Non-employment of a worker.	The management agreed to pay a lump sum compensation of 5 months' wages and dearness allowance to the worker in full and final settlement.
23.	Ananda Boarding and Lodging, Chidambaram.	24—6—60	Non-employment of 3 workers.	Agreed to reinstate 3 workers with back service.
24.	T. L. K. Rice and Oil Mills, Shevapet, Salem-2.	7—6—60	Demand for additional bonus.	Agreed to pay each of the 6 workers a sum of Rs. 2 as additional bonus for the year 1958-59.
25.	Bhaskara Camphor Works, Shevapet, Salem.	7—6—60	Non-employment of certain workers.	The management agreed to provide employment to all the workers.
26.	S. V. Palani, Handloom Weaving Factory, Salem.	8—6—60	Increase in wages.	The management agreed to increase the rate per pavoo.
27.	Sri Irulappa Mudaliar, Handloom Weaving, Factory, Arisipalayam, Salem.	8—6—60	Do.	The management agreed to increaset he rate to Rs. 3 per pavoo.
28.	National Insulant Company, Gugai, Salem.	24—6—60	Closure of the factory.	The management agreed to provide employment to all the workers with immediate effect.
29.	Sivamayam Pioneer Co., Gugai, Salem.	24—6—60	Stoppage of work.	It is agreed between the parties that the show cause notice issued to a worker should be received and all the workers will be provided work.

(1)	(2)	(3)	(4)	(5)
30.	Rajarajan Ribbon Factory Komarapalayam, Salem.	25— 6—60	Stay-in-strike by the workers.	It is agreed between the parties to call off the strike. The strike period will be treated as leave on loss of pay.
31.	The Southern Cotton Press Co., (Private), Ltd. Virudhunagar.	17— 6—60	Non-employment of 4 workers.	Agreed between parties to re-employ the 4 workers. They will be paid Rs. 6 as *ex-gratia* for the period of unemployment.
32.	Central Cafe, Tirunelveli.	25— 6—60	Bonus for the year ending 31-3-60.	Agreed between the parties that bonus should be paid in the month of Deepavali as in the previous year.
33.	Nadar Press, Ltd., Sivakasi.	8— 6—60	Non-employment of a worker	Agreed between the parties that the discharged worker should be taken into service treating the period of un-employment as leave on loss of pay.
34.	Arasan Press, Tirunelveli.	7— 6—60	Non-employment of a worker.	Agreed between the parties that the balance of loan taken by the worker should be written off in full and final settlement.
35.	Tuticorin Spinning Mills Ltd., Tuticorin.	24— 6—60	Bonus for the year ended 31-3-60.	Agreed between the parties to pay each of the workers bonus for the year ended 31-3-60 at the rate of 39 per cent of the basic wages (excluding allowance).
36.	Rama Vilas Hotel, Tirunelvelli.	7— 6—60	Nom-employment of 7 workmen.	Agreed between the parties that a lump sum compensation as per the agreement should be paid in full and final settlement.
37.	B. Radhakrishna Murthy, Madras-1.	2— 6—60	Demand for wage increase, gratuity. etc., and a gratuity scheme instituted.	Agreed that an increment of Rs. 5 will be paid. The amount due from certain workers will be recovered in monthly instalments of Rs. 10 per month.
38.	Zubeida, Madras-1	3— 6—60	Bonus for 1958-59	Agreed between the parties that an additional bonus of 13 days' wages for the year 1958-59 will be paid and the quantum of bonus payable for the year 1958-59 shall be taken up for conciliation in due course.

(1)	(2)	(3)	(4)	(5)
39.	Annapoorneswari Cafe, Madras-21.	14— 6—60	Retrenchment of 3 grinders.	Agreed between the parties that retrenchment compensation etc. will be paid as per the agreement in full and final settlement.
40.	Visva Military Lunch Home, Madras-1.	20—6 —60	Wage increase, gratuity scheme.	Agreed between the parties that Sri M. Velu Pillai will be taken without back wages, but with continuity of services. The management agreed to re-employ 3 workers as fresh entrants and retrench five workers and that the latter will be paid the compensation due to them. The management also agreed to institute a gratuity scheme at the rate of 15 days' wages without food allowance for every year of service upto a maximum of 12 months' salary. Workers shall be eligible for payment of gratuity only after the completion of 5 years' service. Workers who have put in more than 6 months' service and who are not paid the bonus amount shall be paid a pro-rata bonus according to the length of service.
41.	Sri Ranga Vilas, Madras-1.	20— 6—60	Bonus for 1958-59 increment, etc.	Agreed between the parties that bonus equivalent to ½ month's wages will be paid at the time of Deepavali, 1960. Fixed the minimum wages of cleaners and servers as Rs. 20 and 29 respectively. The Dakshina Paisa shall be added on to the existing wages to every worker, rounded off to the nearest higher rupee and all the workers shall be given a special increment of Re. 1 and the Assistant cook shall be

(1)	(2)	(3)	(4)	(5)
				given an increment of Rs. 2. The management agreed to institute a gratuity scheme at the rate of 15 days' wages without food allowance.
42.	The Coromandel Engineering Co., Ltd., Madras	30— 6—60	Issue of identity card, re-designation, etc.	It was agreed that the management will issue identity card and fix the wages and grades of all the 15 workers. The management agreed to pay a flat rate of D.A. of Rs. 50 nP. per day to each worker on the days they work. Bonus is payable as detailed below :— 1959—39 days' basic wages. 1960—26 days' basic wages. 1961—26 days' basic wages. 9 festival holidays and 11 sick leave shall be granted every year. Conveyance allowance is also payable to all the 15 workers as per the agreement.
43.	Kodanaad Estate, Nilgiris.	23— 6—60	Dismissal of a worker and settlement of accounts of 2 workers.	Agreed between the parties that Sri Manuvel should be taken as fresh check roll worker and 2 other workers permitted to resign the job of their own accord.
44.	V. Abdul Rub & Co., Tannery, Ranipet.	14— 6—60	Non-employment due to non-soaking of hides.	Agreed between the parties that each worker should be paid Rs. 15 or Rs. 22 if he has worked for one year or 2 years respectively in addition to leave wages due in full and final settlement.
45.	Sarathy Cafe, Triplicane, Madras-5.	10— 6—60	Lock-out ..	Agreed between the parties that retrenchment compensation should be paid as per Section 25-F of the Industrial Disputes Act, 1947.

(1)	(2)	(3)	(4)	(5)
46.	Good Year and Rubber Co. of India, Private Ltd., Madras.	21— 6—60	Demand for bonus for 1957.	Agreed between the parties that additional bonus should be paid to the employees on the rolls of the company on the 31st December 1957 and continued on the pay roll on 1st June 1960. The detail are as follows : (a) Eligible employees with two years' service as at 31st December, 1957. 1½ month's salary equivalent to that paid in December 1957. (b) Eligible employees with more than one year but less than 2 years' service on 31st December 1957. ¾ month's salary equivalent to that paid in December 1957. (c) Employees with less than one years's service as on 31st December 1957. No bonus.
47.	Alfred Berg and Co., (India) Private Ltd., Madras-29.	21— 6—60	Closure	Agreed between the parties tnat retrenchment compensation as per Section 25-F of the Industrial disputes Act, 1947 should be paid. The amount due will be paid in 3 equal instalments.
48.	Ajantha Hotel, Madras.	23—6—60	Closure	Management agreed to pay compensation to the workers as detailed below :
			1. Workers who have put in 240 days of service.	One month's notice pay, retrenchment compensation at the rate of 15 days wages for every year of service including food allowance at Rs. 2 per day.
			2. Less than 240 days but more than 6 months.	One month's notice pay including food allowance.
			3. Less than 6 months but more than 2 months.	An *ex-gratia* payment of Rs. 23.
			4. Less than 2 months.	No compensation. The workers will also be paid leave wages due, if any, along with the compensation.

(1)	(2)	(3)	(4)	(5)
49.	Nizam Tobacco Factory, Pudukkottai.	3—6—60	Stoppage of work.	Agreed between the parties that workers who report for duty on 4th June 1960 should be given work.
50.	Tiruppur Cotton, Spinning and Weaving Mills, Ltd., Tiruppur.	13—6—60	Permanency of spinners and dismissal of a carpenter.	Agreed between the parties that the worker should be reinstated into service and that preference should be given to spinners who have put in a continuous service of one year while permanent posts of spinners are filled up.
51.	Palaniappa Mudaliar Cloth merchant, Tiruppur.	16—6—60	Discharge of a worker.	Agreed between the parties that the worker should be paid a sum of Rs. 50 in full and final settlement.
52.	Gobald Motor Services (P), Ltd., Tiruppur.	16—6—60	Do.	Agreed between the parties that the worker will be reinstated with continuity of service but without back wages.
53.	Thulsidas Murarji and Co., Central Studios, Coimbatore.	8—6—60	Non-employment of workers.	Agreed that all the workers will be provided employment for a further period of one month and the settlement of the dispute in question will be attempted by direct negotiations and if no settlement is reached, the matter will be referred to the conciliation officer.
54.	Triple Dry cleaners, Coimbatore.	14—6—60	Strike	The workers agreed to call call off the strike pending concliation of the demands by the Labour Officer.
55.	Palani Andavar Rice Mill, Tiruppur.	15—6—60	Discharge of a worker.	Agreed between the parties that the worker will be paid a sum of Rs. 60 in full and final settlement of all his claims.
56.	Angu Vilas M. V. Muthiah Pillai (Firm) Scented Tobacco and Cigar Factory, Dindigul.	8—6—60	Demand for D.A., bonus etc.	Agreed that the period of suspension of certain workers a shall be reduced and the wages paid. The management will institute gratuity scheme. The management agreed to pay D.A. at the rate of

(1)	(2)	(3)	(4)	(5)
				Rs. 30 and to pay bonus for the years 1960-61, 1961-62 and 1962-63 in three instalments at the rate of one month's basic pay and D.A. for each instalment. The worker Sri Perumal will also be taken back into service from 1-7-60 as a new entrant.
57.	Kannivadi Bank Private Ltd., North Car Street, Dindigul.	9—6—60	Dismissal of a worker.	The management agreed to pay the worker a sum of Rs. 225 in full and final settlement of all his claims.
58.	Kothandaram Iron Works, Madurai.	11—6—60	Increase in wages.	The management agreed to increase the wages of the 17 workers as per the agreement and to pay the difference of wages on or before 18-6-1960.
59.	The Mahalakshmi Textile Mills Ltd., Pasumalai, Madurai.	22—6—60	Dismissal of 2 workers.	It was agreed between the parties that Sri Subbu Servai and Vellai Servai will be paid a sum of Rs. 886 and Rs. 852 respectively in full and final settlement of all their claims.
60.	Do.	Do.	Do.	Agreed between the parties that Sri Virumandi will be paid a sum of Rs. 532 in full and final settlement. The case of the other worker will be dealt with separately.

2. Statement showing Bipartite Settlements under section 18, (1) of the Industrial Disputes Act, 1947.

Sl. No.	*Name of the concern.*	*Date of agreement.*	*Number of workers involved.*	*Important terms of settlement.*
(1)	(2)	(3)	(4)	(5)
1.	Coimbatore Murugan Mills, Coimbatore.	8—6—60	Two workers ..	Fitment of the 2 workers in the appropriate grades and fixation of wage and dearness allowance.
2.	Do.	18—6—60	Two workers ..	Do.
3.	Anandakumar Mills, Coimbatore.	11—6—60	..	Reinstatement of worker Chinnaswamy.
4.	Needle Industries (India) Private Ltd., Ooty.	25—5—60	All workers ..	The management agreed to pay annual increments in place of biennial increments. Agreed to give wages every four weeks instead of every week and to pay a sum of Rs. 3 per week to 3 blind employees of the Company as a special concession with effect from 1st June, 1960.
5.	Madura Mills Co., Ltd. Tuticorin.	15—6—60	Not known ..	The management agreed to revise the wages of certain categories of workers in the Factory department and to fix the workload.

3. Statement showing the list of Industrial Disputes Referred for adjudication to the Industrial Tribunal, Madras, and the Labour Courts published in the Fort St. George Gazette during the month of June, 1960.

Name of the concern in which the dispute has arisen.	*Issues.*	*G.O. No. and date of reference.*
(1)	(2)	(3)
	Industrial Tribunal, Madras.	
Madras District.		
1. Imperial Tobacco Company of India Ltd., Madras and Coimbatore branches.	1. Fixation of scales of wages to various categories of workmen and fitment of the existing workmen in the revised scales of wages, if any, fixed. 2. Fixation of rates of dearness allowance.	G.O. Ms. No. 2548, (Labour), Industries, Labour and Co-operation, dt., 19th May, 1960.

(1)	(2)	(3)
	3. Whether the present scheme of gratuity adopted by the company needs revision, and if so to formulate a revised scheme. 4. Whether the Provident Fund Scheme now being adopted by the company needs revision and if so, to formulate a revised scheme.	
nbatore District.—		
. Praga Industries (Private) Limited, Coimbatore.	Whether any revision of dearness allowance is called for, and if so, to what extent ?	G.O. Ms. No. 2791, I.L. & C., (Labour), dt., 7th June, 1960.
	Labour Court, Madras.	
th Arcot District.		
. Thennamara Mark Cigar Factory, Cuddalore, O.T.	1. Whether the non-employment of seventy-six workmen mentioned in the Annexure to the G.O. is justified; if not, to what relief they are entitled. 2. To compute the relief, if any, awarded in terms of money, if it can be so computed.	G.O. Ms. No. 2736, I.L. & C., (Labour), dt., 2nd June, 1960.
jore District.—		
. Sri Lakshmana Plastic Works, Thanjavur.	1. Fixation of scales of wages to various categories of workmen and fitment of the existing workmen in the scales of wages, if any, fixed. 2. Fixation of dearness allowance. 3. Whether the demand for the payment of wages once a fortnight is justifiable. 4. Whether any special allowance should be paid for night shift work and if so to fix the rate.	G.O. Ms. No. 2549, I.L. & C., (Labour), dt., 19th May, 1950.
	Arbitration Agreement.	
dras District.—		
. Ramnath Press, Madras.	1. Demand for revision of basic wages. 2. Demand for revision of dearness allowance. 3. Demand for introduction of gratuity scheme. 4. Demand for payment of shift allowance.	G.O. Ms. No. 2738, I.L. & C., (Labour), dt., 2nd June, 1960.
. The Mail, Madras..	1. Whether Sri J. C. Jacob is entitled to be redesignated and confirmed as Chief Sub-Editor in the Sports Section, if not, to what relief he is entitled.	G.O. Ms. No. 2824, I.L. & C., (Labour), dt., 9th June, 1960.
7. Saganla Engineeers, Madras.	1. Fixation of scales of wages to the different categories of workmen and fitment of the existing workmen in the revised scales if any, fixed. 2. Fixation of rate of dearness allowance.	G.O. Ms. No. 2848, I.L. & C., (Labour). dt., 10th June, 1960,

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(1)	(2)	(3)
	3. Whether the non-employment of the following 12 workmen is justified and to what relief are they entitled. 1. R. Kannan. 2. D. Ramachandran. 3. Subbarayan. 4. Ramalingam. 5. Mohana Rangam. 6. N. Balakrishnan. 7. Rangaswamy. 8. P. Jagannathan. 9. Narasimhan. 10. Krishna Pillai. 11. S. Kannan. 12. P. Krishnan. 4. To compute the relief if any awarded in terms of money, if it can be so computed.	
	Labour Court, Coimbatore.	
Coimbatore District.—		
8. Abdul Wahab Tannery, Coimbatore.	1. Whether the non-employment of Gopal, a worker is justified and to what relief he is entitled. 2. To compute the relief, if any, awarded in terms of money, if it can be so computed.	G.O. Ms. No. 2766, I.L. & C., (Labour), dt., 3rd June, 1960.
9. Kurjee Dhanjee Waste Cotton Merchant, Coimbatore.	1. Fixtion of bonus for the year 1958-59. 2. Whether the non-employment of Thathamani is justified and to what relief she is entitled ? 3. To compute the relief, if any awarded in terms of money, if it can be so computed.	G.O. Ms. No. 2556, I.L. & C., (Labour), dt., 20th May, 1960.
10. Jayaram Button Manufacturers, Kuniamuthur P.O., Coimtore.	1. Whether the non-employment of Diwakonam is justified and to what relief he is entitled. 2. To compute the relief if any awarded in terms of money if it can be so computed.	G.O. Ms. No. 2784, I.L. & C., (Labour), dt., 7th June, 1960.
Salem District.—		
11. Krishnaveni Lorry Service, Tiruchengode.	1. Fixation of bonus for 1956-57. 2. Whether the non-provision of work to the following workers is justified and to what relief they are entitled. (a) Palaniappan (Driver) (b) Raju (Driver) (c) Kannupaiyan (Cleaner). 3. Whether the dismissal of T. V. Perumal, Cleaner is justified and to what relief he is entitled. 4. To compute the relief, if any, awarded in terms of money if it can be so computed.	G.O. Ms. No. 2808, I.L. & C., (Labour), dt., 8th June, 1960.

4. Statement showing the list of awards of the State Industrial Tribunal and the Labour Courts published in the supplement to Part I of the *Fort St. George Gazette* during the month of June 1960.

Name of the concern.	*Page and date of gazette.*	*G.O. No. and date in which the award is published.*
(1)	(2)	(3)
Coimbatore District.		
1. Chandra Textiles Ltd., Peelamedu, Coimbatore.	5 8—6—60	G.O.R. No. 1022, I.L. & C., (Labour), dt., 30-5-60.
2. Monica Estate Valparai ..	5–6 1—6—60	G.O. Ms. No. 2543, I.L. & C.,(Labour), dt., 19-5-60.
3. Subashini Press, Coimbatore ..	4 15—6—60	G.O. Ms. No. 2043, I.L. & C.,(Labour), dt., 1-6-60.
4. Gobald Textiles (P.) Ltd., Tiruppur.	1–4 15—6—60	G.O. Ms. No. 2716, I.L. & C.. (Labour), dt., 31-5-60.
Chingleput District.		
5. National Carbon Co., (India) Ltd., Tiruvottiyur.	6–7 1—6—60	G.O.R. No. 927, Industries, Labour, and Co-operation, dated 19th May, 1960.
Kanyakumari District.		
6. Seven Rubber Estates, Estates of Kanyakumari District.	7 1—6—60	G.O.R. No. 953, I.L. & C., (Labour), dt., 23-5-60.
7. Crystal Press Marthandam, P.O.	1–2 8—6—60	G.O.R. No. 992, I.L. & C., (Labour), dt., 26-5-60.
8. Corrimoney Estate Kanyakumari District ..	6–7 29—6—60	G.O. Ms. No. 2998, I.L.C., (Labour), dt., 17-6-60.
9. Do.	7–8 29—6—60	G.O. Ms. No. 3059, I.L. & C., (Labour) dt., 22-6-60.
Madras District.		
10. Imperial Tobacco Co., of India Ltd., Madras.	4–6 29—6—60	G.O. Ms. No. 3065, I.L. & C.,(Labour), dt., 22-6-1960.
11. Sri Shumughananda Lorry Service, Madras.	2 8—6—60	G.O.R. No. 1012, I.L. & C., (Labour), dt., 28-5-1960.
12. K. M. S. Press, Madras ..	2–3 8—6—60	G.O.R. No. 1013, I.L. & C., (Labour), dt., 28-5-1960.
Madurai District.		
13. Sri Krishna Rice and Oil Mills, Madurai.	4–5 15—6—60	G.O.R. No. 1060, I.L. & C., (Labour), dt., 2-6-60.
14. Do.	5 15—6—60	G.O.R. No. 1061, I.L. & C., (Labour), dt., 2-6-60.
15. Madurai Mills Co., Ltd., Madurai	2–3 22—6—60	G.O. Ms. No. 2812, I.L. & C., (Labour), dt., 8-6-60.
16. Do.	1–2 29—6—60	G.O. Ms. No. 1161, I.L. & C., (Labour), dt., 16-6-60.
Nilgiris District.		
17. Wentworth Estates, Cherambadi P.O.	4–5 8—6—60	G.O.R. No. 2674, I.L. & C., (Labour), dt., 28-5-1960.

(1)	(2)	(3)
	Salem District.	
18. Namakkal Ramalingam Co., (P.) Ltd., Rasipuram, Salem.	1–2 22—6—60	G.O. Ms. No. 2805, I.L. & C., (Labour), dt., 7-6-60.
19. Sundar Cafe, Cherry Road, Salem.	2–4 1—6—60	G.O. Ms. No. 2535, I.L. & C., (Labour), dt., 18-5-1960.
20. P. V. P. Lorry Service, Tiruchengode.	3–4 8—6—60	G.O. Ms. No. 2672, I.L. & C., (Labour), dt., 28-5-60.
	Trichy District.	
21. New Ganesar Vilas Tea Hotel, Tiruchy.	6–8 22—6—60	G.O. Ms. No. 2930, I.L. & C., (Labour), dt., 14-6-60.
22. M. S. N. S. Transports, Raja Transports and Siva Transports Woraiyur, Trichy.	3–4 22—6—60	* G.O.R. No. 1130, I.L. & C., (Labour), dt., 11-6-60.
23. Do.	4–5 22—6—60	* G.O.R. No. 1131, I.L. & C., (Labour), dt., 11-6-60.
24. Do.	5–6 22—6—60	* G.O.R. No. 1132, I.L. & C., (Labour), dt., 11-6-60.
25. Ganesa Vilas Hotel, Chintamani.	1–2 1—6—60	G.O. Ms. No. 2516, I.L. & C., (Labour), dt., 18-5-60.
26. Cauvery Sugars and Chemicals Ltd., Pettaivathalai.	5–6 15—6—60	G.O. Ms. No. 2786, I.L. & C., (Labour), dt., 7-6-60.
	Tanjore District.	
27. Kumbakonam Electric Supply Corporation, Kumbakonam.	6–9 15—6—60	G.O. Ms. No. 2806, I.L. & C., (Labour), dt., 8-6-60.
	Tirunelveli District.	
28. Sri Balasaraswathi Motor Works, Tirunelveli Junction.	4 29—6—60	G.O.R. No. 3029, I.L. & C., (Labour), dt., 21-6-1960.
29. Madura Mills Co., Ltd., Ambasamudram.	2–4 29—6—60	G.O. Ms. No. 3028, I.L. & C., (Labour), dt., 21-6-60.

N.B.—* Denotes the awards under section 33 (A) of the Industrial Disputes Act, 1947.

6. Statement showing the closures and stoppages of work in Factories and Mills for reasons other than Strikes and Lock-outs in the State of Madras for the month of June, 1960.

Sl. No.	Name of the concern.	Industry.	Number of workers involved.	Closures. Began.	Closures. Ended.	Cause.	Compensation paid to workers
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	Stanmore Estate Tea Factory, Valparai P.O., Pollachi Taluk.	Plantation.	72	24—6—60	..	For completing the Factory extension works.	Alternative employment given to all the workers.
2.	Udipi Lodge, Sukravarpet, Coimbatore.	Hotel	All the workers.	15—6—60	29—6—60	Due to non-co-operation of workers.	Since re-opened the hotel
3.	Lion Brand Umbrella Manufacturing Company, 2, Elukadel Agraharam, Madurai.	Misc.	..	..	..	Shifted to a new premises.	Permanent closure.
4.	P. P. Palanichamy Chettiar Brothers Silk Cotton Works, 2/W/276, Keelaraja Street, Bodinayakanur.	..	..	..	..	Do.	Do.
5.	Pankajam Agencies Ltd., 6/198, West Raja Street, Bodinayakanur.	..	..	..	..	Liquidation.	Do.
6.	T. P. Kadusha Rowther Tannery, S. No. 439, Silhalagundu, Dindigul.	..	..	..	..	..	Do.
7.	V. Guruviah Naidu and Bros., Tannery, S. No. 731, Pallapatti, Madurai Road, Dindigul.	..	..	..	..	..	Do.
8.	Mohideen and Rajamanickam Silk Cotton Factory, 1/93-94, Railway Station Road, Bodinayakanur.	..	..	..	..	No proof of employment	..
9.	A. Palaniandi Nadar Oil Press, 28, Workshop Road, Madurai.	..	..	..	..	Do.	..
10.	M. Vellaichamy Nadar Dhall Factory, 1 & 2, Ponnammal Road, Madurai.	..	..	..	..	..	Permanently closed.
11.	G. M. Appavoo Chettiar Jewellery, South Avani Moola Street, Madurai.	..	..	..	..	No proof of employment	..
12.	Vaigai Reservoir Head Workshop, Vaigai Dam, Andipatti.	..	..	..	..	..	Permanently closed.

7. Particulars of Complaints received and Investigated and Settled by the Labour Officers in the State of Madras, during the month of June, 1960.

Sl. No.	Labour Officers.	Wages and allowances.	Bonus.	Personnel (Dismissal and suspension.)	Retrenchment.	Leave and hours of work.	Others not classifiable.	Causes not known.	Total.	Complaints investigated and settled.
1.	Coimbatore I ..	21	..	25	..	1	40	..	87	87
2.	Coimbatore II ..	3	2	13	1	..	11	..	30	30
3.	Coonoor ..	5	2	4	2	2	7	..	22	22
4.	Madras I ..	19	12	20	12	6	44	5	118	98
5.	Madras II ..	11	3	7	..	..	..	..	21	30
6.	Madras III ..	10	4	14	1	2	5	..	36	32
7.	Madurai ..	1	4	..	..	..	26	..	31	31
8.	Nagercoil ..	3	1	8	..	..	9	..	21	19
9.	Pollachi ..	6	..	21	..	2	10	..	39	39
10.	Salem ..	14	..	38	..	..	25	..	77	59
11.	Tiruchy ..	8	2	3	5	1	14	..	33	33
12.	Tirunelveli ..	13	1	4	24	1	6	..	49	34
13.	Vellore ..	7	3	12	3	..	15	..	30	21
	Total ..	121	34	169	48	15	202	5	594	535

8. Industrial Employment (Standing Orders) Act, 1946.

No. of Standing Orders certified as on 1st June, 1960	..	905
No. of Standing Orders certified during the month of June	..	14
	Total ..	919

No. of amendments to the Standing Orders certified during the month of June, 1960. .. 2

9. Workmen's Compensation Act, 1923.

Statement of Accidents reported and amounts of compensation paid for the month of June, 1960.

No. of accidents resulted on.		* Amounts of compensation paid under each head.
		Rs. nP.
(a) Deaths	..	14,909 06
(b) Permanent disablement	..	1,099 67
(c) Temporary disablement		
Total	..	16,008 73

* Represents only the amount deposited under sections 8 (1) and 8 (2) of the Workmen's Compensation Act.

10. Workmen's Compensation Act, 1923.

(a) Statement showing the number of cases filed and disposed of during the period from 1st June, 1960 from 30th June, 1960.

	Number of petitions pending.	No. received.	Total.	No. disposed of.	Balance.
(1)	(2)	(3)	(4)	(5)	(6)
1. *Application under section* 10 :					
(a) Fatal ..	67	4	71	9	62
(b) Non-fatal.					
(i) Permanent disablement	59	30	89	3	86
(ii) Temporary disablement.	3	3	6	..	6
2. *Deposit under section* 8 (1) :					
(a) Fatal ..	82	9	91	21	70
(b) Persons under legal disability ..	3	..	3	2	1
3. *Deposit under section* 8 (2) ..	8	3	11	2	9
4. *Memorandum of agreement* :					
(a) Permanent disablement.	33	36	69	19	50
(b) Temporary disablement	5	2	7	1	6
5. *Recovery under section* 31 ..	3	..	3	..	3
6. *Indemnification under section* 12	2	..	2	2	..
Total ..	265	87	352	59	293

11. Payment of Wages Act.

Statement for the month of June, 1960.

1.	Number of applications pending at the beginning of the month ..	233
2.	Number of applications filed during the month ..	27
3.	Number of applications disposed of during the month ..	18
4.	Number of applications pending at the end of the month ..	242

12. (a) Appeals under section 51 of the Madras Shops and Establishments Act.

1.	Appeals pending at the beginning of the month ..	Nil
2.	Appeals received during the month ..	Nil
3.	Appeals disposed of during the month ..	Nil
4.	Appeals pending at the end of the month ..	Nil

(b) Appeals under section 41 of the Madras Shops and Establishments Act.

1.	Appeals pending at the beginning of the month ..	267
2.	Appeals received during the month ..	25
3.	Appeals disposed of during the month ..	10
4.	Appeals pending at the end of the month ..	282

(c) Appeal under section 19 of the Madras Catering Establishments Act.

1.	Appeals pending at the beginning of the month ..	140
2.	Appeals received during the month ..	32
3.	Appeals disposed of during the month ..	5
4.	Appeals pending at the end of the month ..	167

13. (a) List of Trade Unions registered under the Indian Trade Unions Act, 1926, during the month of June, 1960.

Serial No. (1)	Registration No. (2)	Date of Registration. (3)	Industry. (4)	Name and address of the Trade Union. (5)
1.	2889	2—6—60	Miscellaneous ..	Madurai Nagar Thachu Thozhilalar Sangam, Sitha Market, Muniyandi Koil Lane, Manjanakara Street, Madurai.
2.	2890	Do.	Do.	Pallavaram Chrompet General Industrial Workers' Union, Nagalkeni, Chrompet.
3.	2891	Do.	Chemical and Chemical Products.	Best Electroplaters Workers' Union 8, Narasingapuram Street, Mount Road, Madras-2.
4.	2892	Do.	Engineering ..	Hack Bridge Hewttic Easun Employees' Union, 13/B, Second Line Beach, Madras-1.
5.	2893	Do.	Metal ..	Metal Box Staff Association, Elaiya Mudali Street, Madras-23.
6.	2894	22—6—60	Rubber ..	Ruby Rubber Works Labour Union, 64, Sannathi Street, Madras-19.
7.	2895	Do.	Miscellaneous ..	Avery Company of India (Private) Limited Employees' Union C/o I.N.T.U.C. Ramanathapuram, Coimbatore.

13 (b) List of Trade Unions Cancelled during the month of June, 1960.

(1)	(2)	(3)	(4)	(5)
1.	2474	2—6—60	Engineering ..	The Transport and Machinery Repair Yard Workers' Association, Guindy.
2.	2544	Do.	Commerce ..	The Commercial Employees' Union, Vellore.
3.	2672	Do.	Motor Transport ..	The Motor Workers' Union, Shencottah.
4.	2692	2—6—60	Textiles ..	The Nellai Textile Workers' Union, Thalaiyuthu
5.	1087	3—6—60	Seamen ..	The Punidha Royappar Fishermen's Union, Punnaikayal.
6.	2139	Do.	Textiles ..	Madurai District Handloom Yarn Pasai Workers' Union, Madurai.
7.	2549	14—6—60	Printing, Publishing and Allied Industries.	Sivakasi Achaga Ooliyar Sangam, Sivakasi.
8.	2182	21—6—60	Transport ..	The North Arcot District Lorry Workers' Union, Vellore.
9.	2184	Do.	Do.	The Auto Engineering and allied IndustriesWorkers' Union, Tambaram.
10.	2383	Do.	Miscellaneous ..	Salem District Sandalwood Oil Factory Workers' Union, Seelanaicken patti.
11.	2571	Do.	Do. ..	Madurai District Co-operative Employees' Union, Madurai.
12.	2616	Do.	Tobacco ..	The Porayar Cigar Workers' Union Porayar.
13.	2639	Do.	Food Beverages and Tobacco ..	The North Arcot District Hotel Workers' Union, Vellore.
14.	2665	Do.	E. G. W. and Sanitary Services. ..	Avanashi Panchayat Board Workers' Union, Avanashi.
15.	2702	Do.	Plantation ..	The Quilon District Estate Workers' Union, Shencottah.

ABSTRACT.

1.	Total number of Trade Unions as on 1st June, 1960 ..	1023
2.	Total number of Trade Unions Registered during the month ..	7
3.	Total number of Trade Unions Cancelled during the month ..	15
4.	Total number of Trade Unions Amalgamated or Dissolved ..	Nil
5.	Total number of Trade Unions as on 30th June, 1960 ..	1015

14. Particulars of inspections made by the Inspectors during the month of June, 1960.

Sl. No.	Particulars.	Factories Act.	Payment of Wages Act.	Madras Maternity Benefit. Act.	Madras Shops and Establishment Act and Madras Catering Establishment Act.	Minimum Wages Act.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Number of establishments inspected. ..	500	2,601	113	4,8390 †4,163	1,081
2.	*Nature of irregularities noticed ..	26	304	18	1,099 †759	19
3.	Number of cases warned ..	47	189	..	1,936 †627	57
4.	Number of prosecution launched ..	21	15	..	13 †40	1
5.	Number of convictions obtained ..	7	1	..	7 †28	1
6.	Amount of fines levied in rupees ..	420	150	..	73 †224	..

N.B.—† Information under Madras Catering Establishments Act, 1958.

* The common irregularities noticed were in respect of maintenance of registers, exhibition of notices upkeeping sanitation, employment of young persons and payment of Wages at rates lower than those fixed under the Minimum Wages Act, 1948.

15. (a) Numerical list of Factories for the month of June, 1960.

District.	At the Beginning. 2 (m) (i). Other than hotels and restaurants.	At the Beginning. 2 (m) (i). Hotels and restaurants.	At the Beginning. Section 2 (m) (ii).	At the Beginning. Section 85 (1).	Registered. 2 (m) (i). Other than hotels and restaurants.	Registered. 2 (m) (i). Hotels and restaurants.	Registered. Section 2 (m) (ii).	Registered. Section 85 (1).	Removed. 2 (m) (i). Other than hotels and restaurants.	Removed. 2 (m) (i). Hotels and restaurants.	Removed. Section 2 (m) (ii).	Removed. Section 85 (1).	Total. 2 (m) (i). Other than hotels and restaurants.	Total. 2 (m) (i). Hotels and restaurants.	Total. Section 2 (m) (ii).	Total. Section 85 (1).	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)
1. Madras ..	*657	..	*76	189	1	..	..	..	3	..	..	..	655	..	76	189	* Correct figures furnished as per revised statements received from the Inspectors of Factories Madras I and II.
2. Chingleput ..	162	..	37	52	1	..	..	..	..	..	..	..	163	..	37	52	
3. South Arcot ..	112	..	16	67	..	..	..	..	..	..	..	..	112	..	16	67	
4. North Arcot ..	134	..	150	113	..	..	..	..	3	..	2	..	131	..	148	113	
5. Thanjavur ..	297	..	30	90	2	..	1	..	1	..	..	..	298	..	31	90	
6. Tiruchirapalli ..	218	..	32	275	1	..	..	..	1	..	..	..	218	..	32	275	
7. Madurai ..	362	..	101	101	2	..	..	..	3	..	8	1	361	..	93	100	
8. Ramnad ..	202	..	80	136	..	..	..	..	..	..	..	..	202	..	80	136	
9. Tirunelveli ..	238	..	66	144	..	..	..	..	..	..	1	..	238	..	65	144	
10. Kanya Kumari ..	36	..	7	30	..	..	..	..	..	..	..	1	36	..	7	29	
11. Salem. ..	355	..	62	126	..	..	..	..	1	..	..	..	354	..	62	126	
12. Coimbatore ..	836	..	86	190	3	..	..	..	2	..	..	..	837	..	86	1090	
13. Nilgiris ..	109	..	1	15	..	..	..	..	..	..	..	..	109	..	1	15	
Total ..	3718	..	744	1528	10	..	1	..	14	..	11	2	3714	..	734	1526	

15. (b) Numerical list of plantations covered by the Plantation Labour Act, 1951 for June, 1960.

S. No.	Category of Plantations.	At the beginning of the month. A.	At the beginning of the month. B.	Registered. A.	Registered. B.	Removed. A.	Removed. B.	At the end of the month. A.	At the end of the month. B.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	Coffee ..	126	28,764.18	..	..	..	..	126	28,764.18
2.	Tea ..	126	62,585.54	1	120	..	..	127	62,705.54
3.	Rubber ..	15	7,525.68	..	..	..	..	15	7,525.68
4.	Cinchona ..	3	9,406.00	..	..	..	..	3	9,406.00
5.	Cardamom ..	2	1,858.20	..	..	..	..	2	1,858.20
	Total ..	272	1,10,139.60	1	120	..	..	273	1,10,259.60

Note.—A : Number of plantations.
B : Total acreage under cultivation.

16. (a) Statement of Accidents for the month of June, 1960.

Number of Industries. (1)	Name of Industry. (2)	Number of Accidents. Fatal. (3)	Number of Accidents. Non-fatal. (4)
01	Processes allied to agriculture (Gins and Presses)	..	1
20	Food Except Beverages ..	..	35
21	Beverages ..	..	..
22	Tobacco ..	..	..
23	Textiles ..	2	405
24	Foot-wear, other wearing apparel and made-up textile goods ..	..	..
25	Wood and cork except furniture ..	..	1
26	Furniture and fixtures ..	..	7
27	Paper and paper products ..	..	..
28	Printing, Publishing and allied industries ..	..	13
29	Leather and Leather products (except foot-wear) ..	..	3
30	Rubber and rubber products ..	..	16
31	Chemicals and Chemical products ..	..	132
32	Products of petroleum and coal ..	..	47
33	Non-metallic Mineral Products (except Products of Petroleum and coal.) ..	..	28
34	Basic Metal industries ..	..	16
35	Metal Products (except machinery and transport equipments) ..	..	53
36	Machinery (except electrical machinery) ..	..	180
37	Electrical Machinery, apparatus, appliances and supplies ..	..	26
38	Transport equipment ..	..	654
39	Miscellaneous Industries ..	..	39
51	Electricity, Gas and Steam ..	..	12
52	Water and Sanitary Services ..	..	6
83	Recreation Services (Cinema Studios) ..	..	1
84	Personal Services (laundries, dyeing and cleaning) ..	..	..
	Total ..	2	1,675

16. (b) Statement of Accidents in Cotton and Jute Mills for the Month of June, 1960.

Name of Industry. (1)	Adults. Men. (2)	Adults. Women. (3)	Adolescents. Male. (4)	Adolescents. Female. (5)	Children. Boys. (6)	Children. Girls. (7)
Cotton Machinery—						
1. Opening and Blow Room Machinery. ..	6	..	..	..	..	..
2. Card Room Machinery	29	..	..	..	..	..
3. Drawing Frames ..	14	..	..	..	..	..
4. Speed Frames ..	17	1	..	..	..	..
5. Spinning Machinery ..	99	3	..	..	..	..
6. Weaving Machinery ..	35	..	..	..	..	..
7. Finishing Machinery ..	..	..	..	..	..	..
8. Flying Shuttles ..	3	..	..	..	..	..
9. Other Miscellaneous Textile Machinery ..	52	5	..	..	..	..
10. Miscellaneous Non-Machinery Accidents.	198	6	..	..	..	..
Total ..	393	15	..	..	..	..
Jute Machinery ..						

17. The Government of Madras granted exemptions to the following factories and Establishments from the provisions of the Acts and Rules as indicated below during the month of June, 1960.

Sl. No. (1)	Name of the Factory or establishment. (2)	Section from which exempted. (3)	Duration of exemption. (4)	Authority. (5)
	Factories Act, 1948.			
1.	Cordite Factory, Aravancadu.	Exempted from the provisions of Sections 51, 52, 54, 55 and 56 of the said Act.	For a period from 1st January to 31st March, 1960.	S.R.O. No. A-3719 of 1960 published at page 941 of the supplement to part I of the *Fort St. George Gazette*, dated 1st June, 1960.
	Madras Shops and Establishments Act, 1947.			
2.	All stalls in Madurai Municipal Chitrai Exhibition, 1960.	Suspension of operation of all provisions of the Madras Shops and Establishments Act, 1947.	For a further period of 7 days from 30th May to 5th June, 1960 (both days inclusive).	S.R.O. No. A-4027 of 1960 published at page 1040 of the supplement to part I of the *Fort St. George Gazette*, dated 15th July, 1960.
3.	All chit fund establishment.	Exempted from the provisions of Sub-section (1) of Section 13 of the said Act.	..	S.R.O. No. A-4028 of 1960 published at page 1041 of the supplement to part I of the *Fort St. George Gazette*, dated 15th July, 1960.
	Madras Catering Establishment Act, 1958.			
4.	All catering establishments, where there are no employees.	Exempted permanently from all the provisions except sections 21 and 22.		S.R.O. No. A-3718 of 1960 published at page 941 of the Supplement to Part I of the *Fort St. George Gazette*, dated 1st June, 1960.
	Employees State Insurance Act, 1948.			
5.	Saranjam Karyalaya, Tiruppur.	From all the provisions of the said Act, except chapter V-A thereof.	For a period of one year from the 8th June, 1960.	S.R.O. No. A-3881 of 1960 published at page 993 of the supplement to Part I of the *Fort St. George Gazette*, dated 8th June, 1960.
6.	Mettur Power House, Mettur Dam Mettur Workshop Mettur Dam.	Do,	For a period of one year from the 10th June, 1960.	S.R.O. No. A-4175 of 1960 published at page 1073 of the supplement to part I of the *Fort St. George Gazette*, dated 15th June, 1960.

(1)	(2)	(3)
Employees' Provident Fund Act.		
All Handloom Factories organised as Industrial co-operatives as a class.	For a further period of five years from 1st January, 1960.	S.R.O. No. A-4214 of 1960, published at page 1090 of supplement to Part I of the *Fort St. George Gazette*, dated 22nd June, 1960.

18. Consolidated Statement of Prices of Cotton and Yarn for June, 1960.

For the Week Ending.		Price of Cotton per Candy of 784 lbs. Cambodia.	Karunganni.
		Rs.	Rs.
3rd June, 1960	..	850/980	750/870
10th June, 1960	..	850/980	750/870
17th June, 1960	..	850/980	750/870
24th June, 1960	..	850/980	750/870
30th June, 1960	..	..	..

For the Week ending.		Prices of Yarn per bundle of 10 lbs. 20s.
		Rs.
3rd June, 1960	..	21–25/22–00
10th June, 1960	..	21–25/22–00
17th June, 1960	..	21–25/22–00
24th June, 1960	..	22–00/23–00
30th June, 1960	..	22–00/23–00

19. The cost of living index numbers* applicable to employees in employments scheduled under the Minimum Wages Act, 1948 (Central Act XI of 1948) in Madras City and the different moffussil urban centres for the month of June, 1960, a ascertained and declared by the Director of Statistics under section 2 (d) of that Act.

(* The cost of living index numbers are now called consumer Price Index Numbers).

Centre. (1)		Food. (2)	Fuel and Lighting. (3)	Clothing. (4)	House Rent. (5)	Miscellaneous. (6)	Cost of Living Index. (7)
		(Base : Year ended June, 1936 : 100).					
1. Madras City	..	522.8	557.4	433.2	279.4	343.1	462.0
2. Cuddalore	..	490.4	428.2	384.5	343.4	442.7	457.09
3. Tiruchirapalli	..	485.7	456.2	418.4	205.0	352.3	427.3
4. Madurai	..	524.6	361.3	503.8	262.8	296.9	444.5
5. Coimbatore	..	551.3	460.9	478.499	451.1	293.5	508.2

	Food.	Housing.	Clothing.	Miscel-laneous.	Cost of Living Index.
	(Base : August, 1939 : 100).				
6. Nagercoil	568.2	339.9	512.9	291.1	487.7

Comparative statement of the cost of living index numbers for the months of May, 1960 and June, 1960.

Zone.	Centre.	Cost of living index numbers for the months of. May, 1960.	June, 1960.	Variation.
	(Base : Year ended June, 1936 : 100).			
1. Madras City and Chingleput Districts.	Madras City ..	451.5	462.0	+10.5
2. North Arcot and South Arcot Districts.	Cuddalore ..	441	458	+17
3. Tiruchirapalli and Tanjore Districts.	Tiruchirapalli.	423	427	+4
4. Madurai, Ramanathapuram and Tirunelveli Districts.	Madurai ..	425	445	+20
5. Coimbatore and Salem Districts.	Coimbatore ..	489	508	+19
	(Base : August, 1939 : 100).			
6. Kanyakumari District ..	Nagercoil ..	483	488	+5

MADRAS CITY. INDEX 462.

A rise of ten points.

The index for the food group rose by twelve points to 523 due mainly to a rise in the prices of rice, fish, meat and gingelly oil.

The index for the fuel and lighting group rose by seven points to 557 due to a rise in the price of firewood.

The index for the clothing group rose by two points to 433 due mainly to a rise in the prices of shirting and sarees.

The index for house rent rose by twentyone points to 279 due to a revision of the house-rent figure.

The index for the miscellaneous group fell by one point to 343 due to fall in the price of betel leaves.

Group. (1)	Weight proportional to the total expenditure. (2)	Group Index numbers. May, 1960. (3)	June, 1960. (4)
Food ..	58.23	511.1	522.8
Fuel and Lighting ..	8.42	550.4	557.4
Clothing ..	6.10	431.1	433.2
House rent ..	14.57	258.3	279.4
Miscellaneous ..	12.68	344.1	343.1
Total ..	100.00		
Cost of living index number		451.5	462.0

CUDDALORE. INDEX 458.

A rise of seventeen points.

The index for the food group rose by twenty points to 490 due mainly to a rise in the prices of rice, dhall, vegetables and tamarind.

The index for the fuel and lighting group rose by thirty one points to 428 due mainly to a rise in the price of firewood.

The index for the clothing group rose by ten points to 385 due to a rise in the prices of dhoties, shirting, uppercloth, sarees and petticoats.

The index for house rent rose by nine points to 343 due to the revision of the house rent figure.

The index for the miscellaneous group remained unchanged at 443 points.

TIRUCHIRAPALLI. INDEX 427.

A rise of four points.

The index for the food group rose by six points to 486 due mainly to a rise in the prices of rice and vegetables.

The index for the clothing group rose by three points to 418 due to a rise in the prices of dhoties and sarees.

The index for house rent rose by one point to 205 due to the revision of the house rent figure.

The group index numbers in respect of fuel and lighting and miscellaneous remained unaltered at 456

MADURAI. INDEX 445.

A rise of twenty points.

The index for the food group rose by eleven points to 525 due mainly to a rise in the prices of rice, vegetables and gingelly oil.

The index for house rent rose by seventy-four points to 263 due to the revision of the house rent figure.

The index for the miscellaneous group rose by nine points to 297 due to a rise in the price of betel leaves.

The group index numbers in respect of fuel and lighting and clothing remained unchanged at 361 and 504 points respectively.

COIMBATORE. INDEX 508.

A rise of nineteen points.

The index for the food group rose by twenty four points to 551 due mainly to a rise in the prices of rice and tamarind.

The index for the clothing group fell by two points to 478 due to all in the prices of shirting and petti-coats.

The index for house rent rose by thirty points to 454 due to the revision of the house rent figure.

The group index numbers in respect of fuel and lighting and miscellaneous remained stationary at 461 and 294 points respectively.

(Base : August, 1939 : 100).

NAGERCOIL. INDEX 488.

A rise of five points.

The index for the food group rose by four points to 568 due mainly to a rise in the prices of condiments, fish and coconuts.

The index for the miscellaneous group rose by eleven points to 291 due to a rise in the price of arecanuts.

The group index numbers in respect of housing and clothing remained unaltered at 340 and 513 points respectively.