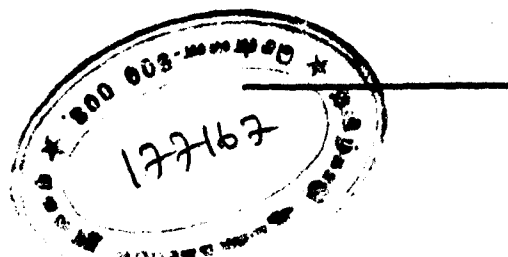


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MADRAS LABOUR GAZETTE

The "Madras Labour Gazette" is a monthly publication aiming to give a brief review of the progress made by the State in the field of Industrial relations. It caters to the needs of the employers as well as Labour by supplying statistical and other information on work stoppages, industrial disputes, trade unions, consumer price index number for working class, (cost of living index No.) summaries of awards of Industrial Tribunals and Labour Courts, agreements, etc. The publication also includes articles from specialists in the various subjects relating to industrial relations.



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THE MADRAS LABOUR GAZETTE

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[No. 12]

ARTICLES

INDUSTRIAL RELATIONS IN THE WEST.

BY

Sri T. N. Lakshminarayanan, I.A.S.,
(Commissioner of Labour, Madras).

I had the privilege of visiting the United Kingdom, the United States of America, Canada and some of the West European countries under a Fellowship awarded by the Indian Institute of Public Administration, New Delhi, to study labour problems in nationalised industries or public enterprises for a period of six months. Since the United Kingdom has considerable experience in the field of nationalised industries and since we in this country have to a great extent drawn on their experiences in the set up and administration of our own nationalised industries, I naturally did the major part of my study in the United Kingdom.

2. Among the more important nationalised industries in England may be mentioned the National Coal Board, the British Electricity Authority, the British Transport Commission and autonomous Corporations like the London Dock Labour Board etc. The demand for nationalisation of industries in England might be traced to the Syndicalist Movement in the early years of this century which was very much in evidence particularly in the railways and the Post Office. Even before the nationalisation of the railways a very large number of railway companies in the British Islands gravitated into four large systems by 1921 and there was considerable public control though not actual ownership for a long time thereafter in so much so when public ownership did come the transition was smooth and easy. In 1915, the Trade Union Congress in England adopted its resolution on nationalisation and increasing democratic control of industry and the next landmark in the field might be said to be Mr. Herbert Morrison's London Transport Passenger Bill of 1931. The idea of autonomous Corporation for the control of nationalised industry could be traced to the administrative set up of the London transport system. The General Council of the Trade Union Congress appointed a committee to go into the question of what form nationalisation and administration of nationalised industries should take and among the principal suggestions which the Committee made was the setting up of autonomous boards which is by and large the present pattern.

3. Soon after Labour came into power in 1945, the nationalisation of the coal industry took place. It could be said that one of the main reasons for the nationalisation of coal industry was the very bad labour relations that then prevailed in the industry and there was a considerable volume of public opinion that without nationalisation the situation could not be improved at all. There were almost a thousand coal mines, big and small, with hundreds of employers, and the extractive nature of the industry meant that with the passage of time things were getting more and more difficult as easily workable seams were getting rapidly exhausted and the extraction of the coal was getting more and more difficult and unremunerative. On top of it was the keen competition from other sources of power like oil and electricity. The result was more and more coal mines were driven to the necessity of closing down with the consequent problem of unemployment in the mining districts. Whatever the argument for and against nationalisation might be, there is hardly any significant section of people in the United Kingdom at present who would not admit that things have considerably improved in the industry since nationalisation. Of course this need not be taken to mean that there had not been industrial disputes with consequent strikes and holding up of production in the industry. But from the point of view of reorganisation of the industry into a more rational set up, improvement in productivity, substantial gains for labour by way of wages and working conditions and other similar matters there have been undisputed improvement. For one thing, the wages of the mining workers which on the eve of nationalisation was about the 80th among the industries in the United Kingdom, rose up to the second place in recent times. The Nationalisation Act also made it the duty of the National Coal Board to enter into joint consultations with the workers' organisations in regard to settlement of terms of conditions of service, in considering questions of safety, health and welfare of workers and also made it compulsory to have differences settled by arbitration if direct negotiations were to fail.

4. The large number of coal pits have been reorganised after nationalisation into 700 units now and because of rationalisation and mechanisation the labour force too has been reduced from 8 lakhs to 7 lakhs. Since there is practically full employment in the United Kingdom for some years now, this sort of reduction in labour force has not created any serious problems of unemployment. In fact the industry has its own problems of retaining its labour force and recruiting fresh entrants to make up for wastages. The Coal Board has at present an annual output worth £900,000,000 and it was able to make a profit of £20,000,000 in 1960.

5. The other great nationalised industry in the country is the transport system which has a labour force of 8 lakhs of which 5 lakhs are in the railways. As I already referred to earlier, the nationalisation of railways had an easy transition because for quite some appreciable interval the railway systems had been grouped into four large units and there was considerable public control even prior to the date of formal nationalisation. In the field of industrial relations, the set up has by and large continued to be what was prevailing even before the nationalisation date. The autonomous nature of working of the transport system is fairly well preserved but in view of the great importance of the transport system vis-a-vis the national economy and public convenience, Government have always taken close interest in its working. In fact it is well realised that in conducting wage negotiations and other kindred problems an organisation like railways is not

wholly a free agent because matters like the railway rates and fares and closing of uneconomic lines cannot entirely follow purely economic considerations. Factors like the effect on the general cost of living, the requirements of national defence etc., do play a part in determining railway expansion and contraction, rate structure etc. The principle of joint consultation which is one of the main features of labour-management relations in the United Kingdom is also very much in evidence in this nationalised industry.

6. My study in some of the other nationalised enterprises like the Electricity Board, the London Dock Labour Board etc., also led me to the impression that though nationalisation might not have led to dramatic results in the field of industrial relations, the principles of joint consultation, negotiations across the bargaining table and the idea of arbitration in the case of unresolved disputes which are some of the cardinal principles enunciated in nationalisation laws, have gone a long way in ensuring industrial peace. The workers' organisations too which have been strongly advocating nationalisation of industries and demanding a share for labour in the management of industries have, in their turn, found that though nationalisation has not solved all their problems as they had been prone to think, it had considerably helped to engender a healthy approach on the part of labour when putting forth their demands. Very often prominent representatives of the Trade Union movement sit in the Boards of Managements of nationalised industries and thereby help to maintain a happy and healthy liaison between the top management on the one side and the union leadership on the other. It will be of interest to know in this connection that the Chairman of the British Electricity Authority was till very recently Lord Citrine who was for a very long time the General Secretary of the British Trade Union Congress. There are a number of other instances also of top trade union leaders occupying top executive jobs in the nationalised industries.

7. United States as we all very well know is a land of private enterprise. It is therefore to be expected that governmental activity by way of running nationalised industries would be rather limited in this country. However, there is one important exception in the case of the Tennessee Valley Authority. The Tennessee Valley Authority is an autonomous Corporation set up under federal law for the purpose of integrated development of the Valley of the Tennessee river which in the days prior to the coming into existence of this mighty Corporation was causing untold destruction by floods. The Tennessee Valley Corporation has built no less than 49 dams and 11 steam electricity generating plants all along the Tennessee Valley. No less than 12 million kilo watts of electricity is being generated to feed American industry and several hundred miles of inland canal systems have been provided for cheap water transport. The wages and working conditions of the employees of this autonomous Corporation are the subject of collective bargaining between the management and the unions of workers and employees. There is a very good apprentice scheme run under the joint auspices of the management and the unions, and the principle of check off is also extended to such of the unions as ask for it. Under the federal law there is no right to strike for federal employees but in view of the ample machinery for redress of grievances it could be gathered that there were very few occasions when the need for such a right was ever felt. Though the philosophy of Tennessee Valley has perhaps as many ardent supporters as vehement detractors in the country, there was very little difference in opinion that this great visionary scheme of the late President

Roosevelt has more than amply demonstrated its capacity for immense good to the people.

8. Another significant subject which I would like to refer to in this talk relates to the labour-management relations in the Scandinavian countries and Netherlands. The Federation of Trade Unions in Sweden is one of the strongest central organisations of labour anywhere in the world. It is organised on very up to date lines and is fortunate to have very able leadership. The employers too on their side are very well organised. In so much so much of the labour management relations are conducted by means of negotiations at national level between the Federation of Trade Unions and the Confederation of Swedish employers. For instance, wage revisions are carefully studied by joint consultations between these two national organisations and as a result of protracted and very carefully conducted negotiations they decide the percentage of increase in wages that could be granted to labour with reference to overall national economic and productive potential, requirements of foreign trade and competitive business, and such other relevant factors. Having decided the ceilings within which variations may be permissible, the matter is then left to the national industrial unions to work out in turn with their employers, organisations the wage structures in their respective industries. In this process there is very little for governmental interference or mediation. In the Netherlands too wage negotiations are conducted at national level between the Confederation of Employers and the Foundation of Labour. During the days of the German occupation when the Dutch Resistance Movement was very strong, representatives of employers and unions came into very close contact both in Hitler's prisons as also in the underground movement. Strong relations were then forged between these groups to work for the liberation of the Motherland and towards its reconstruction after liberation. As a result of this, healthy traditions have developed between the management organisations and the Foundation of Labour even after the war when the Dutch industry was once again set on its feet. The setting up of the Socio-Economic Council is a further development in this field, and these organisations actively and continuously examine wage policies, rationalisation of industry, improvement in productivity and other vital matters. Though till now these have been largely voluntary organisations, the Dutch government are actively considering the setting up of statutory socio-economic bodies with powers and responsibilities. On the whole the scheme has worked exceedingly well and the experiment is apparently being followed with great interest in many other countries.

9. Nationalised industries have also made great strides in France in the postwar years. The French railways are a nationalised enterprise and I can say from personal experience that they are one of the most efficiently run systems in Europe. Though there are a number of trade unions operating in the railway field as in other industries in France with different political ideologies, the wages and working conditions in the railways in France are fixed by Government. There are however various machineries for joint consultation and processing of grievances and representations. The French railways also have a very efficient and thorough system for recruitment and training of its personnel and the staff have also ample opportunities of specialising in different fields and improving their prospects within the industry. Another great nationalised enterprise in France is the Renault Car factory which till the end of the second World War was a private industry. Even after nationalisation the labour-management relationships

are conducted as in the earlier days and the industry does not enjoy any special rights or privileges when compared to the other non-nationalised motor car factories in the country. Wages and working conditions continue to be subject matters of collective bargaining. Up to date production methods are very much in evidence as shown by the fact that in one of their new factories on the outskirts of Paris, they turn out as much as 700 to 800 cars during a production period of 8 hours.

10. The postwar period in the western Europe and in the United States can by and large be termed as a full employment era. Most of these countries have only marginal unemployment. The figure of unemployment in England has been in the region of 1% and it was more or less the same in many other west European countries. In fact West Germany has been facing an acute shortage of labour for its industry. In the United States however the unemployment problem is somewhat greater in magnitude, the national figure being in the region of 6 to 7% with anything upto 11 or 12% in certain quarters, but with all that the problem is certainly not of the magnitude that we have in our own country. And this climate in respect of employment has had considerable influence in labour-management relations in all these countries. Managements have been consistently compelled to devise ways and means of recruiting and retaining labour to run their industries and to expand them. Labour too has ample opportunities of improving its own productive efficiency and living standards. In fact much of the argument goes on about augmentation of fringe benefits particularly in industries like the Automobile industry in the United States. Labour is on the whole progressive and daring in its approach and though there is no doubt occasional argument with resultant heat, I generally found a readiness to settle down to efficient work when an understanding has been reached. Labour is very well conscious that to maintain the high standards of living which they have already achieved and to improve upon them, they in turn will have to improve their own equipment and productive efficiency to survive in this competitive world. This in brief would be a lesson that we in this country will have to imbibe and practise in our own case, engaged as we are in the mighty task of industrialisation. I can very confidently say that man to man our labour, line management and top management are second to none in this world but the path of wisdom lies in profiting and improving upon the experiences of others. The various technical and other cooperative schemes under which individual and study teams visit other countries are expected to offer opportunities in this regard and I sincerely hope that we would amply benefit by such outside contact.

(The above talk given at Madras on the All India Radio on 20 December 1961 is reproduced with the approval of the All India Radio, Madras.)

INDUSTRIAL SAFETY

STRUCK BY REVOLVING ARMS

In a steel factory, iron ore is being brought in by railway dump cars. The emptying mechanism consisted of levers which raise up the sides and the ore slides out along the sloping surface of the bottom. The levers were raised by rotating a wheel which had protruding arms. The locking mechanism comes in operation at the end of the travel when the sides are fully raised. At any intermediate position, the levers are free to collapse back bringing the sides down and thereby revolving back the operating wheel and its arms. On one such occasion, the operating wheel reversed back and its arms struck forcibly on the head of an operative who fell down unconscious. He was removed to hospital where his injuries proved fatal.

Improvement in the mechanism to make the wheel non-reversing by introducing a ratchet or a worm wheel in its gear will avoid the danger.

(Information sent by the Chief Inspector of Factories, Madhya Pradesh).

UNFENCED SHAFT ON A MOBILE CRANE

In a structural workshop, a 6-ton fabricated girder was being lifted for the purpose of moving it in the yard by means of a 30-ton mobile crane. As it was a chilly morning and the driver's cabin was situated at a height of about 85 ft. from the ground, he had wrapped round the upper part of his body with a woollen wrapper having loose ends. As he was operating the control handle which was close to a 2-inch diameter vertical shaft revolving at a speed of about 425 R.P.M., the loose end of his wrapper got caught in the moving shaft. As a result, he was dragged by the moving shaft and received such serious injuries that he died on the spot.

This accident could have been averted if the shaft had been securely fenced by safeguards of substantial construction as required under Section 21 of the Factories Act, 1948.

(Information sent by the Chief Inspector of Factories, U.P.)

BURIED UNDER BAGASSE HEAP

In a glass factory, the furnaces installed were fired by bagasse and loose bagasse was stacked in the yards. Two workers were employed in bringing bagasse from the yard to the furnaces. These workers cut the heap at the root, as a result of which part of the heap collapsed and fell over them. One of them was completely buried and the other partially. As nobody noticed the accident, they remained buried for some time. When they were located, they were immediately taken out but one of them, who was buried deep, was found dead.

The accident could have been averted if the workers were fully cautioned against the danger involved in undercutting bagasse heap and a proper supervision was exercised over them.

(Information sent by the Chief Inspector of Factories, U.P.)

FATALITY DUE TO UNFENCED ROPE DRIVE

In a flour mill, an oilman was lubricating the bearings of the second motion shaft which was driving an electric generator. When crossing over the rope drive to go on the other side, after lubricating the bearing on his side, it appeared, he lost his balance and was caught in between the ropes and the pulley in motion. He was thrown 12 ft. away in the rope alley. He was found dead with both his legs and skull fractured.

Investigation showed that the rope drive was not fenced at all. This fatal accident and other accidents of the like nature illustrate the danger which may arise if the transmission machinery is not securely fenced. Attention is, therefore, drawn to the strict observance of the requirements of Section 21 of the Factories Act, 1948 which requires that every part of a transmission machinery shall be securely fenced by safeguards of substantial construction which shall be kept in position while the parts of machinery they are fencing are in motion or in use.

(Information sent by the Chief Inspector of Factories, Delhi.)

HAND CAUGHT IN THE NIP OF ROLLERS

In a rayon factory, a filament rope after spinning bath passed through a set of three rollers each 18" in diameter and made of acid-resistant granite. These three rollers formed in-running nip at two points. For the purpose of washing these rollers occasionally, a hose was directed on them and the water was drawn from an overhead pipeline. While directing this hose pipe on the rollers, the hand of an operator got caught in the nip of the rollers. As a result of the injuries received by him, the operator died before reaching the hospital.

Investigation revealed that the rollers did not have any protective device. It was not possible to provide nip guards for the rollers as the filament rope needed frequent attention because when the filament broke it had a tendency to roll round and gather on the nip bar thus chocking the clearance. In such cases, a tripping device should be provided so that the rollers could be stopped immediately in an emergency.

(Information sent by the Chief Inspector of Factories, Madhya Pradesh).

FATAL ACCIDENT IN A PAPER MILL

In a paper mill, a novel method was being used to arrest telescoping of paper layers from the paper collecting rolls. The paper collecting roll consisted of a shafting core on which hard paper sleeve was forced on it. Whenever telescoping occurred in the gathering paper, the end of a rope was secured on the core sleeve and the other end of the rope was held tight by an operator. This action of the sleeve had the effect of arresting telescoping of the paper. The operator had to run towards the machine with a rope end held by him as the rope got wound on the sleeve and he had to release and let go the rope end when he was near the machine. To prevent the rope slipping from the hand, the end of the rope was looped round the hands of the operator. While he was engaged in this work, on one occasion

the operator could not let go the rope due to the loop on his hand and as a result he struck violently against the machine. He died instantaneously.

After this accident, the management has stopped this dangerous practice and the quantity of telescoping layers are allowed to go as scrap.

(Information sent by the Chief Inspector of Factories, Madhya Pradesh).

(By courtesy—Industrial Safety and Health Bulletin, July—September 1961.)

LABOUR NEWS

INDUSTRIAL RELATIONS

November, 1961.

The labour situation in the state was satisfactory. There were twelve strikes during the month of November 1961. Of these, five related to textile mills and seven related to other industries affecting 1768 workers and 639 workers respectively. The mandays lost as a result of the stoppages were 6089 and 4140 respectively.

Textiles

About 11 workers of Sri Karthikeya Spinning and Weaving Mills Ltd., Singanallur, Coimbatore District, struck work from 5-11-61 to 6-11-61 as a protest against recruitment of 2 new workers. The strike was called off on the mediation of the Labour Officer.

About 490 workers of the Jothi Mills (P) Ltd., Perianaickenpalayam, Coimbatore, struck work from 2-11-61 to 4-11-61 demanding bonus for 1960-61. The strike was called off on the mediation of the Labour Officer.

About 43 workers of the Selvaraj Mills (P) Ltd., Coimbatore, struck work from 17-11-61 to 20-11-61 as a protest against the removal of 4 workers reported to be idle. The strike was called off on the mediation of the Labour Officer.

About 1083 workers of the Cambodia Mills Ltd., Coimbatore struck work from 17-11-61 to 21-11-61 as a protest against promotion of certain workers. The strike was called off on the mediation of the Labour Officer.

About 141 workers of the Anandakumar Mills Ltd., Siravanampatti, Coimbatore, struck work from 12-30 p. m. to 8-30 p. m. on 23-11-61 demanding temporary promotion. The workers resumed work after direct negotiations.

Other Industries.

About 305 workers of Sri Ramakrishna Mission Vidyalaya, Industrial Section, Perianaickenpalayam, Coimbatore struck work from 1-11-61 to 10-11-61 demanding bonus for 1960-61. The strike was called off on the mediation of the Labour Officer.

About 117 workers of the Blue Mount Switch Gear Association (P) Ltd., Coimbatore struck work from 8 A. M. to 1 P. M. on 4-11-61 demanding bonus for 1960-61. The strike was called off on the mediation of the Labour Officer.

About 67 workers of the Southern and Rajamani Transports (P) Ltd., Pudukottai struck work from 7-11-61 to 15-11-61 demanding wage increase, increment etc. The strike was called off on the intervention by the Collector of Tiruchirapalli.

About 35 workers of the General Metal Trading Co., Kovilpatti struck work from 31-10-61 to 1-11-61 demanding bonus. The strike was called off on the mediation of the Labour Officer.

About 20 workers of Sri Sivasankara Flour and Rice Mills, Madras-12 struck work from 30-10-61 to 28-11-61 as a protest against the employment of new workers. The strike was called off on the mediation of the Labour Officer.

About 60 workers of E. S. Hajee Abdul Karim & Sons., Tanneries and exporters, Salem struck work from 18-11-61 to 21-11-61 as a protest against retrenchment of workers. The strike was called off on the mediation of the Labour Officer.

About 35 workers of A. S. Abdul Khader & Co. Tannery, Salem, struck from 20-11-61 as a protest against the increase in work load. The strike still continues.

CENTRAL SPHERE

1. Conciliation:

(a) Regional Labour Commissioner (C), Madras held conciliation proceedings in the dispute between the Madras Port Trust, Madras and the Madras Port Trust Employees Union, Madras over reinstatement of Shri G. Srinivasan. As the parties could not come to an agreement no settlement could be arrived at in the dispute.

(b) The Conciliation Officer (C), Madras held conciliation proceedings in the dispute between the Co-operative Fire and General Insurance Society Ltd., Madras and Co-operative Fire and General Insurance Employees Union, Madras over restoration of privilege leave and brought about an amicable settlement.

The Conciliation Officer (C), Madras held conciliation proceeding in the dispute between the Madras Port Trust and the Madras Port United Labour Union over the issue of promotion of Diesel Loco Driver. The dispute ended in failure.

(c) The Conciliation Officer (C) Verification, Madras held conciliation proceedings in the dispute between M/S. Krishna & Co., Madras and Madras Port and Dock Workers Federation, Madras over certain demands and brought about an amicable settlement.

2. STRIKES AND LOCKOUTS

— Nil.

3. Threatened Strikes and lockouts

— Nil.

Particulars regarding disputes received:

(a) No. of industrial disputes received	—	6
(b) No. of industrial disputes settled	—	4
(c) No. of threatened strikes.	—	Nil.
(d) No. of strikes which materialised	—	Nil.
(e) No. of Draft Standing Orders certified	—	Nil.

STATE SPHERE

Conciliation under the Industrial Disputes Act, 1947.

The Conciliation Officers enquired into and settled 703 disputes during the month of November 1961. Of these, 118 were industrial disputes in which settlements were recorded under Section 12(3) of the Industrial Disputes Act 1947.

Adjudication under the Industrial Disputes Act, 1947.

The state government referred 17 industrial disputes in which settlements could not be brought about by conciliation for adjudication by the Industrial Tribunal, Madras and to the Labour Courts, Madras, Coimbatore and Madurai. The details of the disputes referred for adjudication are published in the Gazette under the statistical portion.

Thirty eight awards given by the Industrial Tribunal Madras and the Labour Courts, Madras, Coimbatore and Madurai on industrial disputes referred to them for adjudication were published in the Fort St., George Gazette during the month of November 1961.

WELFARE

The employment situation in general in the Madras State showed an improvement during the month of November 61 as compared with the position in the previous month.

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

Automobile Foremen, Draughtsmen (Civil and Mechanical), Diploma holders (L.M.F./L.C.E./L.A.E.), Librarians, Engineering graduates (Mechanical and Electrical), High School assistants (B.A.L.T/B. Ed in Mathematics and Science), Physical Training Instructors and Instructresses, Pharmacists, Stenographers, Language Pandits (Hindi, Tamil and Malayalam) Drivers with Heavy Endorsement Licence, Electricians, Electrical Supervisors, Surveyor, Mechanists, Instructors in Carpentry and Weaving, Medical Officers and Sanitary Inspectors.

Surpluses continued to exist in the electrical and unskilled categories.

The following manpower schemes, launched under the Second Five year Plan, were in Progress:—

(a) Employment Market Information Scheme:—

The enquiry for the quarter ended 30-9-61 was in progress. For this enquiry, 3067 establishments in the Public Sector and 21,930 esta-

establishments in Private Sector were addressed and the percentage of response from the Public and Private Sector is 74.1 and 47.8 respectively. During the month the Employment Market Reports relating to Coimbatore for the quarter ended 30-9-60 and the Nilgiris for the quarter 31-12-60 were issued.

(b) Occupational Research and Analysis Scheme:

Under this Scheme, the final reports together with Comments of employers on the definitions of 2 occupations under the Family 000 'Architect' were sent to the Government for onward transmission to Directorate General Employment and Training after verification of definitions with reference to local conditions. The detailed definitions together with the work schedules in respect of 27 occupations under Family 853 'Tanners, Fellmongers, Pelt Dressers and related workers' were also sent to the Government.

(c) Youth Employment Service and Employment Counselling Scheme.—

The Youth Employment Service and Employment Counselling Units attached to the District Employment Officers, Madras, Madurai and Tiruchirapalli gave group guidance to 1149 youths and individual guidance to 41 youths during the month. Further these three units provided guidance information to 499 youths.

(d) General:

The two employment Information and Assistance Bureaux functioning at Sankarankoil Block in Tirunelveli and at Paramakudi Block in Ramanathapuram Districts interviewed 224 applicants and renewed the registrations of 115 applicants. The two Registration Units functioning at Salem and Ramanathapuram Districts registered 191 applicants and effected 100 renewals during the month.

HOUSING

During the IInd Five Year Plan, the Government have sanctioned 23 Schemes for the construction of 1700 houses. Out of these, the construction of 1296 houses has been completed and the construction of 28 houses has reached the roof level. 72 houses have been constructed upto Plinth level. The construction of 304 houses has not yet been started.

In addition, during the IIIrd Five Year Plan, The State Housing Board have approved a scheme for the construction of additional 100 houses at Singanailur (Phase II Scheme). Out of 100 tenements for 4 tenements R. R. has been raised to basement level, for 12 tenements foundation concrete has been laid and for 54 tenements excavation has been completed.

The Director of Industries and Commerce, Madras has also taken up construction of 100 houses (which are since sanctioned by Government), i.e., Guindy Phase IV (40 tenements), Madurai Phase IV (40 tenements) and Pettai Phase III (20 tenements). All the 100 houses have reached roof level.

EMPLOYEES PROVIDENT FUND SCHEME

During the month of November 1961, 36 establishments, were brought under the Act, bringing the total number of covered establishments to 2034.

A sum of Rs. 28,47,887-28 was received as employers and employees contributions to the Fund. The total number of covered employees in the Madras State at the end of the month was 3,36,031.

CURRENT NOTES

CONFERENCES, COMMITTEES ETC.

The eighth meeting of the Local Committee, Workers' Education was held on 10 November 1961. The Commissioner of Labour presided over the meeting as the Chairman of the Local Committee.

A meeting of the State Development Committee was held on 4 November 1961 at the Secretariat to review the progress of plan schemes for the period ending 30 September 1961. The Commissioner of Labour attended the meeting.

The twelfth meeting of the State Housing Board was held on 2 November 1961 and the thirteenth meeting on 21 November 1961.

The meeting of the Public Accounts Committee to discuss the appropriation accounts for 1959 and 1960 and audit report for 1961 relating to the subsidised Industrial Housing Scheme was held on 30 November 1961. The Commissioner of Labour attended the meeting.

CONFERENCE OF CHIEF INSPECTORS OF FACTORIES.

The fifteenth All India Conference of Chief Inspectors of Factories was held from 20 December to 23 December 1961. Welcoming the Chief Inspectors of Factories of other States and the Chief Adviser, Factories, New Delhi, and his officers, Sri P. V. Viswanathan, the Chief Inspector of Factories, Madras, observed that since the last 4 or 5 years the conference of Chief Inspectors was being held at headquarters of State Governments as it gave an opportunity to Chief Inspectors to visit factories and industrial undertakings in different parts of India and understand their problems. He observed that with the rapid development of industry the role played by the Factories Inspectorate in advising managements and workers on industrial safety became increasingly important.

Sri R. Venkatraman, the Minister for Industries and Labour, who inaugurated the conference expressed the hope that the Chief Inspectors would discuss matters without any reservation, understand one another's problems and come out with useful suggestions which may be adopted for the good of the workers and managements. He indicated that State Governments will watch with interest the useful decisions that will be taken at the conference and adopt them with suitable modifications wherever necessary. He stated that while there should be no laxity in the enforcement of the Factories Act and the rules thereunder and really intransigent employers proceeded against, Inspectors of Factories should consider themselves as a band of social workers and not as policemen and should always be prepared to help the managements and workers in solving their problems with the technical knowledge they possessed and the wide experience gained over a long period of service.

He observed that in India quite a large proportion of the capital investment, say 25% to 30% was spent on the construction of buildings to house

factories whereas in foreign countries which he had visited he found industries spend hardly 8 to 10% of the capital outlay for the construction of factory buildings. Reduction of such disparity in the expenditure on construction of factory buildings was a matter which required careful thought and study. He observed in this connection that the Government had constituted a committee some time ago to go into the question of factory buildings and on the recommendations of that committee had formulated reduced standards for buildings in respect of small, medium and large factories. There was a sharp increase in the incidence of accidents; rapid industrialisation, dearth of skilled and semi-skilled personnel and better reporting of accidents by the workers and managements after the introduction of the Employees' State Insurance Scheme might be contributive factors. Nevertheless, it was depressing to see unnecessary and wholly avoidable human suffering in industry caused through accidents and so concerted action was called for. He commended in this connection the intensive work done by the Inspectorate of Factories to diffuse safety consciousness and mentioned the appointment of an Inspector of Factories (Accidents, Statistics and Research) to specially devote himself to the study of accidents.

The agenda of the Conference included the amendment of sections relating to ventilation and temperature, casing of new machinery and framing of new rules under section 26(3), registration of electric supply undertakings, calculation of overtime wages, scheme for the training of creche attendants etc.

EMPLOYMENT.

First National Seminar on the Training and Employment of the Physically Handicapped.

The first National Seminar on the Training of Physically Handicapped was held at Bangalore from 16 December to 22 December 1961. Inaugurating the Seminar Dr. K. L. Shrimali, the Union Minister for Education, observed that this was the first seminar convened to consider all aspects of training and employment of the three major categories of physically handicapped persons. He observed that the aim of the modern system of rehabilitation is to restore the disabled as early as possible to the economic and social position which they would have occupied but for their disability. In the past emphasis had been upon the disabilities of the handicapped persons rather than on their capacity to contribute to the common good of the community. A more scientific and constructive outlook had since developed in the people towards this problem. Government had increased the number of scholarships offered to physically handicapped persons, increasing the sanction in the third plan for such scholarships to Rs. 27 lakhs whereas expenditure in the second five year plan period was 6.72 lakhs. The Ministry for Education had set up an employment office at Madras in 1954 for placing the ex-trainees in the training centre for the adult blind at Dehra Dun. Pilot special employment exchanges established at Bombay, Delhi and Madras had succeeded in placing 166 blind, 61 deaf and 111 crippled persons in industrial and commercial establishments as well as in public services. A group of 25 blind and 5 deaf persons were working in the Indian Telephone Industries, Bangalore. The Government of India were hoping to establish during the third plan period at least one special employment exchange in each of the remaining 13 states to meet the needs of the physically handicapped persons. The Government of India were giving serious consideration to the question of facilitating the entry of physically

handicapped persons in public services and to this end all central departments have been requested to consider the applications of handicapped persons with sympathy. During the third plan period the Government of India had liberalised the pattern of assistance to voluntary organisations and institutions increasing the percentage of government contribution of the estimated cost over developmental projects from 60 to 75%. Government had allocated Rs. 26 lakhs in the third five years plan for this purpose.

Working papers were submitted at the seminar on the training of the blind, the deaf and the orthopaedically handicapped, their employment, teaching services and the absorption of handicapped workers in employment.

The seminar recommended that a special unit should be set up by the central and state governments to deal with aspects of education, training and rehabilitation of the handicapped persons so that this would function as a research wing, pooling experience, gathering data and evolving methodologies. It was also suggested that a special advisory council be set up as a National Advisory Council of Education for the physically handicapped. Another recommendation was for the establishment of a central institute which will prepare a compendium of occupations for the handicapped persons. The desirability of imparting vocational training so far as possible in institutions for normal persons was suggested. Stress was laid on the need for evolving uniform standards in the imparting of education and training for handicapped persons.

Sri N. V. Raman, District Employment Officer, Coimbatore, was deputed by the Madras Government to attend the conference.

CENTRAL GOVERNMENT EMPLOYEES.

The Government of India have decided to grant certain facilities to recognised trade unions to carry on their activities, in line with the Pay Commission's recommendations that reasonable facilities should be provided by Government for trade union activities of their employees. These facilities include the permission to the recognised staff associations to hold meetings on open land of the office or factory premises, display of notices relating to union affairs in the office premises, and the grant of leave to office bearers up to a maximum of 10 days in a year for participation in the activities of the association.

INTERNATIONAL LABOUR ORGANISATION.

Asian Regional Seminar on Industrial Disputes.

An I.L.O. Asian Regional Seminar on the Prevention and Settlement of Industrial Disputes was held in Kuala Lumpur from 7 to 19 December 1961. The purpose of the Seminar—the first of its kind to be organised by the I.L.O.—is to provide an opportunity to Government officials concerned with the prevention and settlement of industrial disputes to discuss their experience and the different practices and problems in this field. The following questions will be discussed in the course of the Seminar. (1) Methods of settlement of industrial disputes (a) Voluntary and compulsory arbitration. (2) Role of Government industrial relations services: (a) in settling industrial disputes, (b) in preventing industrial disputes and promoting better labour-management relations.

INDUSTRIAL OUTPUT.

Taking the period July 1960 to June 1961, industrial production has reflected a rise of 15.55 points in the general index for the year standing at 177.48, as compared to 161.88 for the previous year. However, the month by month index numbers for 1961 reveal that the pace of development in industry has slowed down.

According to statistical figures available so far, the overall output during the first seven months of 1961 was higher by nine per cent, compared to the output in the corresponding period of the previous year. There were substantial increases in the production of iron and steel (29 per cent), sugar (24 per cent), automobiles (19 per cent), electricity (16 per cent), tea, cigarettes and coal (11 to 12 per cent). Among other major industries, which recorded increases, mention may be made of cotton yarn, tyres, soap, paper and paper-boards, and cement (4 to 7 per cent). Production of cotton cloth, however, declined by 2 per cent and that of jute textiles by 13 per cent).

Agricultural Output.

In 1960-61, according to provisional estimates, agricultural production is estimated to show a substantial improvement. Foodgrains output is likely to be over 78 million tons, exceeding the earlier record of 75.5 million tons in 1958-59. A feature of the year has been a moderate fall in foodgrain prices. The decline occurred under the sub-group cereals, the index (monthly average) for which declined by five per cent, reflecting the impact of the large imports of foodgrains under P.L. 480 and the anticipated record output of foodgrains in 1960-61 season. Other food articles, on the other hand, rose, especially edible oils and tea.

In the monetary sphere, reflecting the continuing high tempo of economic activity, both money supply with the public and scheduled bank credit showed a larger expansion in the year ending June 1961 as compared to the corresponding period in June 1959 to June 1960. Money supply with the public rose by Rs. 204 crores or 7.5 per cent, as compared to Rs. 171 crores or 6.8 per cent in 1959-60.

Progress during the second plan period.

The achievement of the Second Five-Year Plan, which has ended remains impressive, despite the foreign exchange crisis early in its course, the vicissitudes of nature's bounty and a steady rise in prices throughout the period. It is true that not all targets have been fulfilled, but a commendable advance on a wide front has been attained in production and standards of living and welfare services and in preparing the ground-work for further advance in the Third Plan. In spite of the vagaries of monsoon and the inadequacies of organisation, agricultural production went up by 16 per cent over the Plan period and the output of 1960-61 is expected to fall short of the target of 80 million tons by two million tons. Industrial production made an impressive advance of 40 per cent. National income at constant prices is estimated to have risen by 19.6 per cent, as against a rise of 18.4 per cent over the First Plan period.

NATIONAL INCOME.

6.5 per cent rise in National Income: "Quick" Estimates for 1960-61.

According to an official press release, the national income of India in real terms recorded a rise of 6.5 per cent in 1960-61 over 1959-60 according to the 'quick' estimates prepared by the Central Statistical Organisation on the basis of trends disclosed by the current available data. Of this overall rise as much as 2.7 per cent was contributed by agriculture (proper) alone whereas the remaining sectors contributed the rest, i.e. 3.8 per cent. As these estimates are based on partial data, they are provisional and likely to undergo revisions in the annual paper on national income.

PRODUCTIVITY

Second Southern Regional Productivity Conference.

Inaugurating the three day Second Southern Regional Productivity Conference at Madras, Sri K. C. Reddy, Union Minister for Commerce and Industry, emphasised the importance Government attached to the productivity movement and the vital role assigned to productivity in the third plan and observed that technicians had a major part to play in stepping up production. He observed in this connection that 25% of the outlay on education in the third five year plan was set apart for furtherance of technical education in view of the need to increase in a big way the facilities for technical training at all levels.

Sri S. Anantharamakrishnan, President of the Madras Council, who had earlier welcomed the gathering pointed to the momentum gathered by the productivity movement and observed that the conference would highlight the importance of technicians in the productivity movement and also devote itself to the study of various productivity techniques, their application and the results.

Dr. P. S. Loganathan, Chairman of the National Productivity Council, observed that technicians and industrial consultants were the real carriers of productivity techniques; but technicians were not at present playing their proper role partly because managements were not wholly prepared to accept the advice of the technicians and spend money on productivity techniques and partly because they had yet to enjoy the confidence of the workers. The technicians were the most neutral and at the same time a really dynamic element and should be regarded as friends and guides of all the parties concerned so that they could play their proper role in enhancing productivity. He observed that there was justification for an All India Association of industrial consultants and technicians supported partly by industry itself and it was desirable to consider preparing a list of industrial consultants in each centre on an agreed basis by the representatives of the trade unions and employers so that when particular studies are undertaken the selection out of the list might be made without difficulty or suspicion. In this connection he suggested that it may be worthwhile to consider whether payments to industrial consultants may be made out of funds subscribed by the various industrial units so that the link is broken between the direct payment by the management and the consultants' findings and recommendations. He emphasised in this connection the desirability of trade union associations having among their ranks competent productivity technicians who can help to

evaluate and judge the value of reports made by the industrial consultants when called upon to make work studies and job evaluation.

Sri R. Venkataraman, the State Minister for Industries and Labour observed that the productivity movement had so far touched comparatively large undertakings but that it was desirable that it should reach small scale industries which accounted for a considerable proportion of industrial production and employment in the country. He suggested that it is desirable that pilot work studies should be conducted in a few select small scale units and the results published. He commended the work of the local productivity councils as well as of the Madras centre of the National Productivity Council in organising systematic training courses in specific productivity techniques for persons drawn from industries for such subjects as work study, management practices, personnel management etc., and noted with satisfaction that the training imparted in productivity techniques had been followed up by the participants undertaking specific projects based on the training and that the project reports submitted by them had been very encouraging in regard to the enhanced productivity accruing from such work. He cited the financial assistance granted by the Government to the productivity councils, the appointment of a factory inspector for assisting in the productivity movement, the appointment of another factory inspector for accident research as indicators of government's active interest in the matter. He observed that good industrial relations were the *sine quo non* for raising industrial productivity. Industrial relations could not remain the exclusive concern of the worker and management as the community and the state were also directly interested in the field. He suggested that the working of industrial relations and the fulfilment of the clear cut obligations of the employers and employees as set out in the code of discipline forged through tripartite negotiation were matters for study. He also suggested that the study of principles that should govern the formulation of wage structure consistent with a climate for acquisition of higher skills, greater productivity etc., were also matters on which studies could be fruitfully conducted. The devising of incentive schemes on a group basis would help to promote team work and so such matters as also schemes for raising national productivity through non-material incentives such as a sense of pride in the work done and the quality thereof, social responsibility etc., were also matters for study.

Foundry Industry in India

Productivity Team's recommendations.

The importance of ensuring adequate supplies of basic raw materials, need for stepping up the indigenous production of plant and equipment, introduction of well-planned incentives and establishment of foundry regional stations are some of the basic recommendations of the 10 member Foundry Productivity Team for increasing the productivity in the foundry industry in India.

The members of the team led by Sri N. G. Chakrabarti, visited in September last important foundries in Sweden, U. S. A. and Japan to study the key factors contributing to increased productivity. Before leaving India, the team toured the country visiting 60 foundries to study their problems. In the light of their observations, the members have recommended that the existing grades of foundry pig-iron have to be revised to provide the foundry industry a wide range of foundry grades of pig-iron including special irons

to meet the demands of foundries producing malleable iron and high duty iron. The team stressed that the existing ~~use~~ of the pig-iron should be reduced and emphasised the need for large-scale production of foundry coke and its speedy transportation to the different regions. It has recommended that due emphasis should be given for providing small-scale foundries with adequate technical know-how for improving the practice, plant lay-out, melting, and moulding etc. They also suggested the utmost use of co-operative associations for collective handling of raw materials, transportation and common consultation facilities for technical guidance and development.

Sri Chakrabarti, leader of the team said that the very low rate of productivity in most of the small foundries in India has been attributed to the lack of simple mechanical aids and there was considerable scope for stepping up productivity by adopting simple mechanical aids, as in Japan.

The Team have stressed the importance of standardisation and simplification to reduce variety and operational costs in material and production. The team have also recommended the necessity of sponsoring domestic productivity teams so that the foundrymen might meet and discuss problems of mutual interest to achieve high output and improvement in quality of product.

The team have recommended comprehensive apprentice training schemes as well as high technological education in the foundry field to provide enough personnel for consulting service.

SMALL SCALE INDUSTRY

Salem Conference

While inaugurating the fourth Madras State Small Industrialists Conference, Sri R. Venkataraman, Minister for Industries and Labour observed that in order to expand small scale industries and secure wide-spread ruralisation of industries, it was necessary to persuade persons without an industrial back-ground to start new industries on a small scale. He observed that the employment value of small industries was about ten times more than that of heavy industry, for the same capital outlay. Also unlike heavy and basic industries which demand very heavy outlay often requiring foreign aid and providing slow returns, small industries could be started with entirely Indian medium outlay. He observed that a provision of Rs. 15/- crores had been made for the small industries in the third plan, Industrial estates were the best means to start small and medium industries. It was proposed to start workshops in carpentry and blacksmithy, for instance, in 100 small towns with a population of five to ten thousand people. He also observed that the Government proposed to extend the Developed Industrial Plot Schemes providing medium and small Industrialists with suitable sites, power and water supply and that 400 acres had been laid in Ambattur for this purpose. He also urged that the Reserve Bank should undertake to provide industrial credit to small industries on the same basis as the present rural credit scheme of the bank.

WORKERS, EDUCATION SCHEME

Teacher Training Course at Coimbatore

The Worker Teachers' Training Course conducted by the Central Board for Workers' Education and the first to be organised in Coimbatore

was inaugurated on December 20 are 1961 at SITRA by Sri T. N. Lakshminarayanan, I. A. S., Commissioner of Labour, Government of Madras, and Chairman, Local Committee for Workers' Education.

Presiding over the inauguration, Sri K. Sreenivasan, Director, SITRA emphasised the indispensability of increasing production through introduction of modern machinery and techniques and the value of education in constructive appreciation of such techniques.

Sri Lakshminarayanan observed that the scheme of worker teacher training was introduced in Madras City in September 1960 and that since then the worker teachers who had come out of the three courses conducted so far, had trained about three thousand workers in the Madras City and neighbourhood. Workers and managements had realised that such training was fruitful and that money spent on education would always give them good dividends.

The Government of India had sanctioned two crores of rupees to train three lakhs of workers in thirteen regions in India during the Third Plan period to create a well informed and disciplined labour force. Though initially the training had been undertaken by the Government, ultimately it is for the trade unions to shoulder the responsibility of conducting such courses. However, this has to be a gradual process.

The course is being attended by over 30 participants drawn from textile, plantation, engineering and the cement industries. The training will last for three months and will cover subjects such as industrial relations, productivity, discipline in industry, trade unionism, labour legislation, etc. Periodical visits to factories in the neighbourhood, film shows, educational tours and special lectures by guest speakers drawn from management, academic and trade union interests will form part of the course.

AWARDS AND AGREEMENTS

IN THE COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction, Wednesday, the Twenty Second day of November One thousand nine hundred and Sixty one.

(1st day of Agrahayana. 1883-Saka)

Present :

The Honourable Mr. Justice VEERASWAMI

WRIT PETITION NO. 273 of 1960.

The Management of the Lakshmi Mills Co., Ltd,
Pappanaickenpalayan, Coimbatore. } Petitioner

vs

1. Presiding Officer, Labour Court, Coimbatore }
2. R. Natarajan, } Respondents

PETITION under Article 226 of the Constitution of India, praying that in the circumstances stated therein, and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Certiorari calling for the record in C. P. No. 212 of 1959 on the file of the Presiding Officer, Labour Court, Coimbatore, and quash the order therein dated 8-12-1959.

ORDER: This Writ Petition coming on for hearing on Wednesday 8th Thursday the 9th and Tuesday the 14th days of November, 1961 upon perusing the petition and the affidavit filed in support thereof, the order of the High Court, dated 22-3-1960 and made herein in C. P. No. 212 of 1959 date 8-12-1959 on the file of the Presiding Officer, Labour Court, Coimbatore and comprised in the return of the 1st Respondent to the writ made by the High Court, and upon hearing the arguments of Mr. G. Ramanujam, Advocate for the Petitioner and of Mr. R. G. Rajan for the Additional Government Pleader on behalf of the State, and the 2nd Respondent not appearing in person or by Advocate and having stood over for consideration till this day, the Court made the following Order :—

On the application of the 2nd Respondent under Section 33 (C)(2) of the Industrial Disputes Act, 1947, the Labour Court, Coimbatore found that he was a fitter from January, 1956, among the staff of the petitioner, and that, as much, he was entitled to salary on the scales of Rs. 44-11-0, Rs. 64-11-0 and to his first increment on October 1, 1958, and computed his total benefit upto September 30, 1959 at Rs. 316-8-0. This petition by the Management under section 226 of the Constitution is to quash that order. The main contention of the petitioner, which appears to be one of its objections before the Labour Court but not particularly decided by that Court, is that the question, whether the 2nd respondent was a fitter, as claimed by him or only a fitter-helper, as the Management would have it,

was not within the purview of the application under section 33 (C) (2) of the Act. Apparently, the Labour Court proceeded on the view that it had jurisdiction to decide the issue.

The 2nd respondent was entertained by the petitioner, which in a textile mill at Coimbatore, as a temporary worker on January 17, 1954 and was made permanent from January 1, 1956 in the Mechanical Shop Department. Before that time he was in the lowest category of workers classified as unskilled workers and was drawing a basic wage of Rs. 26 per month. In above January, 1956, he was directed to work in the reeling-section, where the conversion of hand-reels into power reels was going on, was designated as power reel-fitter. After the process of conversion was completed, he was transferred on April 1, 1957 back to the Mechanical Shop Department. His basic wage was enhanced to Rs. 32-8-0 with effect from February 1, 1957 and he continued to receive wages on that scale until October 3, 1959 when he made the present claim as a fitter under section 33 (C) (2) claiming wages at Rs. 50-11-0 per month on the basis of an award in I. D. No. 65 of 1958. Prior to that award, some of the textile mills of which the petitioner was one, and there workmen had, in relation to certain disputes, reached a settlement on September, 25, 1956, the terms of which appear in a memorandum signed by the parties. Clause 15 of this memorandum stated that the wages and workloads with regard to workers in the Electrical and Mechanical shop departments and automatic looms' sections of the relative mills would be discussed between parties and the determination would be added to and form part of the settlement. Failing to reach an agreement, this question was referred to for adjudication which ended in the said award published in the Gazette dated February 18, 1959. This award fixed the scale of pay for a fitter at Rs. 44-11-0 with effect from October 1, 1957. There is no dispute that if the 2nd respondent were a fitter, he would be entitled to wages at that rate. But according to the Management, the 2nd Respondent was never a fitter but only a fitter-helper, even during the time of the conversion of the hand-reels into power-reels, and notwithstanding his designation as a power-reel-fitter, the nature of work, he did, continued to be the same and his designation was altered into a fitter-helper even from April 1, 1957. The Management further stated that the mere fact that the 2nd respondent was called a power-reel-fitter during the short period between January 1, 1956 and April 1, 1957 did not in itself entitle him to claim to be a fitter and that his status, in relation to the scale of salary he was entitled to draw, should be determined out merely with reference to the designation but to the nature of the work he did. It was, in such circumstances, the petitioner questioned the jurisdiction of the Labour Court under section 33 (C) (2) to decide whether the 2nd respondent was a fitter or a fitter-helper.

The Petitioner contends that what was decided by the Industrial Tribunal in I. D. No. 65 of 1958 was the fixation of the scale of wages for a fitter and not whether the 2nd respondent belonged to that category or not. That question, according to the petitioner, not being covered by the award, the 2nd Respondent could have it independently raised as an industrial dispute and decided, and could not apply under section 33 (C) (2), as if he was a fitter which was disputed. There is no controversy that the award never went into the question and decided whether the 2nd respondent was a fitter. But what is urged on behalf of the 2nd Respondent is that whenever he is entitled to a benefit under the terms and conditions of his employment,

he could invoke section 33 (C) (2) to have that benefit computed in terms of money value and that, in any case, the scale of wages applicable to a fitter having been fixed in the award, the question whether he is a fitter or not is incidental to his claim to the benefit of that scale.

In W. P. No. 195 of 1960, I considered the scope of section 33 (C) (2) and held:

"In my opinion, 'any benefit' under sub-section (2) means only that which flows from the settlement or an award under the provisions of Chapter V-A of the Industrial Disputes Act."

That, of course, was a case where, in an application under that section, the Labour Court was called upon to compute the benefit namely, the good attendance bonus embodied in an award, made not under the provisions of the Industrial Disputes Act but the Indian Arbitration Act, 1940, and the Labour Court dismissed the application as not maintainable in the view which I have upheld. The principle of this decision, namely, that a benefit not comprehended by or included in any settlement or award under the provisions of the Industrial Disputes Act, or not within the purview of the provisions of Chapter V-A of the same Act, does not fall within the ambit of sub-section (2) of section 33 (C), is equally applicable to the instant case. In support of this view of the sub-section, the learned Advocate General, who, in the course of the hearing of the petition, intervened to assist the Court, submits, I think, very rightly, that having regard to the entire purpose of section 33 (C), in the context of the scheme of the Industrial Disputes Act, sub-section (2) cannot be read as of a wider scope than that of sub-section (1) of section 35 (C). The purpose of the section, which in 1956 replaced section 20 of the Industrial Disputes (Appellate Tribunal) Act, 1950, is to provide for a speedy, effective and inexpensive remedy for a workman to recover, in a summary proceeding, from his employer any money which by an adjudication under an award or an agreement under a settlement, or by virtue of the provisions of Chapter V-A, he is entitled to. But if what he is entitled to is not expressed in terms of money, as for instance Deepavali Bonus, or good attendance bonus, sick leave allowances and the like it becomes necessary to have the benefit translated into terms of money for the purpose of enabling a workman to realise the same by levying execution. It is to give effect to this purpose that sub-section (2) has been enacted.

While sub-section (1) comprehends and includes a present claim for money embodied in an award or settlement of an order under Chapter V-A which is readily executable, sub-section (2) contemplates case or claims which are embodied in an award or a settlement or become due under Chapter V-A but which for the purpose of recovery under the machinery provided by sub-section (1), require to be first computed in terms of a definite sum of money. In respect of claims of money or benefit computable in terms of money which fall outside the purview of an award, settlement or the provisions of Chapter V-A of the Industrial Disputes Act, there are remedies provided for the workmen under the provisions of the appropriate and related enactments, like the Payment and Wages Act, 1936. The Workmen's Compensation Act, 1923, and the Minimum Wages Act, 1948. So far as the Industrial Disputes Act is concerned, the scope of the remedies

provided thereunder to the workmen should in my view be read and understood in the context of and as limited by the provisions themselves, and in such a way as not to lead to the overlapping or tranching upon the special jurisdictions under the particular related legislations. For example, a claim, arising out of deduction from wages or delay in payment of wages, which is not the subject matter of the settlement or an award under the provisions of the Industrial Disputes Act, will not fall within the purview of section 33 (C) (2) of that Act but within section 15 of the Payment of Wages Act, 1936 and such a claim will have to be considered by the authority specially constituted therefor. What is, therefore, enforceable under section 33 (C), be it under sub-section (1) or sub-section (2), is what is covered by a settlement or award or a claim under Chapter V-A of the Industrial Disputes Act. While this is one mode of enforcement, section 36-A empowers the Government to interpret an award or a settlement for the purpose of removing any difficulty or doubt therein, and section 29 provides for another mode of enforcement by prescribing a penalty for breach of a settlement or an award. The word "benefit" in sub-section (2) of section 32 (C), therefore, is of no wider amplitude than a benefit which is due under a settlement or an award or under Chapter V-A of the Industrial Disputes Act.

As to the next contention, that the question whether the 2nd respondent was a fitter or a fitter-helper is incidental to his claim in his application under section 33 (C)(2) and the labour Court was, therefore, competent to decide the question, the fallacy underlining it, is the assumption that the question is ancillary or incidental to anything embodied in the award. It may be conceded that if any benefit is due under a settlement or an award or under the provisions of Chapter V-A any matter incidental or ancillary to its computation in terms of money may be enquired into as within the competence of the labour Court. But in this case though the award fixed the scale of pay applicable to a fitter, it stated nothing on the question whether the 2nd respondent was a fitter or a fitter-helper. That question was never raised as a dispute and did not form part of the award. That is the only question which has to be determined before the 2nd respondent can claim wages applicable to a fitter and cannot, therefore, be regarded as an incidental or ancillary question. In *Sri Ambica Mills Company V. B. B. Bhatt* (1) which arose out of an application under section 15 of the Payment of Wages Act, 1936, the problem was of a quite different nature. There, the nature of the work done by the claimant workman, not being in dispute, the only question was whether, on a proper interpretation of the relevant clauses applicable to certain category of employees within the purview of one of the clauses in the agreement. The question of interpretation of the relevant clauses with reference to the particular work done by the claimant was held to be incidental to the claim of delayed wages under section 15 of the Payment of Wages Act. The question in this case is different, namely, what was the work done by the 2nd respondent during the relevant period so as to entitle him to be called as a fitter? Apart from that, the decision of the Supreme Court proceeded in relation to the particular definition of "Wages" in the Payment of Wages Act, the object and scheme of its provisions, especially section 15. *Kasturi & Sons (Private) Ltd. V. Saltvateswaren and another*. (2) arose under the working Journalists (Condition of Service and Miscellaneous Provisions) Act, 1955. It was held in that case that section 17 of that act was confined to an investigation of the narrow point as to what amount was actually due to be paid to an employee under a decree or award or other valid order obtained by him after establishing his claim in

that behalf, and that an enquiry into the dispute liability under the claim was not within its purview. Though there is a reference in this decision to section 33 (C)(1) and (2) of the Industrial Disputes Act, it was only in the context of elucidating the scope of section 17 of the working Journalists (Conditions of Service and Miscellaneous Provisions) Act, 1955. I can find nothing in this case in support of the 2nd Respondent's case that he was entitled to have the question whether he was a fitter or a fitter-helper adjudicated under section 33 (C) (2) of the Industrial Disputes Act. I hold that the application in the instant case under section 33 (C) (2) of that Act was not maintainable and the order of the Labour Court under that section is without jurisdiction. It is, therefore, hereby quashed.

Two further points on behalf of the petitioner were urged, which, in the view I have expressed above, it will be unnecessary to decide. Nevertheless, I may briefly record my opinion on these points as well. The first of them is that in view of clause 15 in the memorandum of settlement, dated September 25, 1956, the 2nd Respondent's remedy was, as provided by clause 20 therein, to ask for arbitration. But it is obvious that as no agreement was reached and there was no settlement in regard to the scale of wages for workers in Electrical and Mechanical Shop Departments and automatic loom sections of the mills, neither of the two clauses will have application. The other point urged for the petitioner is that there was no evidence before the Labour Court to justify the finding that the 2nd respondent was a fitter from January 1, 1956. Assuming that it is within the purview of certiorari to impugn a finding of fact on the ground of there being no evidence as such to support it, it cannot be said in this case that the Labour Court entirely acted without material. The sufficiency of the material this Court will not assess in a petition under Article 226 of the Constitution.

The petition is allowed and the rule nisi is made absolute. There will, however, be no order as to costs.

CURRENT LABOUR LITERATURE

List of important books received and articles published.

BOOKS.

1. Labour Literature: A Bibliography V. 6. By the Library of the Ministry of Labour and Employment, Delhi.
2. The Trade Union Situation in Sweden.
By the International Labour Office, Geneva.

ARTICLES OF INTEREST.

1. Worker Participation in Management: An assessment
By George C. M.
'The Indian Worker' December 25, 1961.
2. Human Relations in Industry.
By Moorthy M. V.
'Andhra Pradesh Labour Bulletin' November, 1961.
3. Multiple Unions and Problems of Negotiation
By Silkin A.
'Industrial Relations' September—October, 1961.
4. British Trade Unionism.
By Lord Morrison.
'The Indian Journal of Social Work' June, 1961.
5. Evolution of Wage Policy in India by Dr. V. Agnihotri
Indian Labour Journal, December, 1961.

NOTIFICATIONS

Amendment to notification relating to constitution of Central Advisory Board under Minimum Wages Act.

Fort St. George, 27th November 1961.

II—1. No. 501 of 1961.

The following notification of Government of India (Ministry of Labour and Employment), dated, New Delhi, the 4th October 1961, is republished:—

S.O. 2464—In exercise of the powers conferred by section 8 of the Minimum Wages Act, 1948 (11 of 1948) read with clause (ii) of rule 3 of the Minimum Wages (Central Advisory Board) Rules, 1949, the Central Government hereby nominates the following officers from among the States included in each of the Northern, Central, Eastern, Western and Southern Zones referred to in section 15 of the States Reorganisation Act, 1956 (37 of 1956) as independent members of the Central Advisory Board constituted by the notification of the Government of India in the Ministry of Labour and Employment Number LWI (1) 6 (15)/58 dated the 17 November 1959, for its next meeting and direct that the following amendment shall be made in the said notification, namely:—

In the said notification, under the heading "Independent Members" for the items 2 to 6, the following shall be substituted namely:—

- " 2. Shri Surya Swarup Mathur, Labour Commissioner, Rajasthan, Jaipur.
3. Shri Birbal, Labour Commissioner, Madhya Pradesh, Bhopal.
4. Shri D. Chatterjee, Labour Commissioner, West Bengal, Calcutta.
5. Shri B. K. Badheka, Labour Commissioner, Ahmedabad.

6. Shri R. Thirumalai, Additional Secretary to the Government of Madras, Department of Industries, Labour and Co-operation, Madras."

Exemption of Caltex (India) Limited at Madras from provisions of certain sections of Madras Industrial Establishments (National and Festival Holidays) Act.

(G.O. Ms. No. 6825, Industries, Labour and Co-operation (Labour), 6th December, 1961.)

II—1 No. 5725 of 1961.

In exercise of the powers conferred by sub-section (2) of section 10 of the Madras Industrial Establishments (National and Festival Holidays) Act, 1958 (Madras Act XXXIII of 1958), the Governor of Madras hereby exempts permanently the Caltex (India) Limited at Madras and its branches situated in the State of Madras from the provisions of sections 3 and 4 of the said Act subject to the following conditions, namely:—

(1) that the holidays which the employees are entitled to and their method of fixation under the Company's rules on the date of the publication of this Notification in the FORT ST. GEORGE GAZETTE, shall not be altered or varied by the employer to the disadvantage of the employees and approval of the State Government.

(2) that where an employer is required to work on any holiday allowed under the Company's rules then the provisions of section 5 of the said Act shall apply and he shall be paid wages for each of such holidays as laid down in the said section 5; and

(3) that the employer shall send in Form V appended to the Madras Industrial Establishments (National and Festival Holidays) Rules, 1959, a list of holidays to be allowed to the employees, every year to the Inspector having jurisdiction over the area in which the industrial establishment is situated.

Exemption of factories exclusively engaged in wool pressing from certain provisions of Employee's State Insurance Act, except Chapter V-A.

Fort St. George, 9th December 1961.

II—1 No. 5726 of 1961.

In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (Central Act XXXIV of 1948), the Governor of Madras hereby exempts the

factories which are exclusively engaged in wool pressing either with or without cotton pressing and ginning and are situated in any area in which Chapters IV and V of the said Act are in force from the operation of the said Act, except Chapter V-A thereof for the period commencing on the 1st January 1962 and ending with 31st December 1962.

Date of coming into force of the provisions of Madras Beedi Industrial Premises (Regulation of Conditions of Work) Act:

(G. O. Ms. No. 6875, Industries, Labour and Co-operation (Labour), 9th December, 1961.)

II—I No. 5727 of 1961.

Under Sub-section (3) of section 1 of the Madras Beedi Industrial Premises (Regulation of Conditions of work) Act, 1958 (Madras Act XXXII of 1958), the Governor of Madras hereby appoints the 1st January 1962 as the date on which all the provisions of the said Act shall come into force in the territories specified in the Second Schedule to the Andhra Pradesh and Madras (Alteration of Boundaries) Act 1959 (Central Act 56 of 1959).

Specification of date on which no place or premises be used as Beedi Industrial premises without a licence.

II—I No. 5728 of 1961.

Under section 3 of the Madras Beedi Industrial Premises (Regulation of Conditions of Work) Act, 1958 (Madras Act XXXII of 1958), the Governor of Madras hereby specifies the 1st January 1962 as the date on and after which on place or premises in the territories specified in the Second Schedule to the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959 (Central Act 56 of 1959), shall, save as otherwise provided in the first mentioned Act, be used as a beedi industrial premises without a licence obtained from the competent authority and except in accordance with the terms and conditions specified in such licence.

Exemption of all Beedi Industrial premises in the State of Madras under Madras Beedi Industrial premises (Regulation of Conditions of Work) Act.

II—I No. 5729 of 1961.

In exercise of the powers conferred by section 40 of the Madras Beedi Industrial Premises (Regulation of Conditions of Work) Act, 1958 (Madras Act XXXII of 1958) and in supersession of the Industries, Labour and Co-operation Department Notification No. 2828 of 1961, dated the 30th June 1961, published in Part II-Section I of the FORT ST. GEORGE GAZETTE, Extraordinary dated the 1st July 1961, the Governor of Madras hereby exempts all the beedi industrial premises in the State of Madras including the territories specified in the Second Schedule to the Andhra Pradesh and Madras (Alteration of Boundaries) Act, 1959 (Central Act 56 of 1959) and the employees employed therein from the provisions of sections 18, 21, 26, 27 and 31 of the first mentioned Act.

2. This notification shall remain in force upto and inclusive of the 30th June 1962.

Exemption of certain establishments from operation of all provisions of Employees Provident Fund Scheme under Employees Provident Funds Act.

Fort St. George, November 20, 1961.

II—I No. 5413 of 1961.

The following notification of the Government of India, Ministry of Labour Employment, dated New Delhi, the 28th October 1961, is republished.—

S.O. No. 2546. Whereas, in the opinion of the Central Government:—

(1) the rules of the provident fund of the establishments mentioned in Schedule I hereto (hereinafter referred to as the said establishments), with respect to the rates of contribution are not less favourable to the employees therein than those specified in section 6 of the Employees Provident Funds Act, 1952 (XIX of 1952); and

(2) the employees in the said establishments are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the employees than the benefits provided under the Employees' Provident Funds Act, 1952, or the Employees' Provident Funds Scheme 1952, (hereinafter referred to as the said scheme), in relation to the employees in any other establishment of a similar character;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 17 of the Employees Provident Funds Act, 1952 (XIX of 1952), the Central Government hereby exempts each of the said establishments with effect from the date mentioned against from the operation of all the provisions of the said scheme subject to the conditions specified in Schedule II, hereto, which are in addition to the conditions mentioned in sub-section (1) of the said section.

Schedule I

Name of Establishments (1)	Date of exemption under section 17 (1) of the Employees Provident Funds Act, 1952. (2)
1. The Mettur Chemical and Industrial Corporation Limited, Mettur Dam R. S., Salem District.	1st August 1956.
2. The East Asiatic Co. (India) Private Ltd., Tondiarpet, Madras (Main Factory only).	- do -
3. The Indian Medical Practitioners' Co-operative Pharmacy and Stores Ltd., Lattice Bridge Road, Adyar, Madras-20 (Main Factory only).	1st October 1956.
4. The East India Distilleries and Sugar Factories Ltd., Nellikuppam.	1st August 1956.
5. The East India Distilleries and Sugar Factories Ltd., Cuddalore O.T.	1st October 1956.
6. The East India Distilleries and Sugar Factories Ltd., Ranipet.	1st August 1956.
7. The East India Distilleries and Sugar Factories Ltd., Mettupalayam.	1st October 1956.
8. The Deccan Sugar and Abkari Company Ltd., Pugalur (Via) Erode, Trichy District.	1st August 1956.

Schedule II

1. Every establishment shall have a provident fund scheme in force the rules of which with respect to the rates in contribution shall not be less favourable than those specified in Section 6 of the Act and the employees shall also be in enjoyment of other provident fund benefits which on the whole shall not be less favourable to the employees than the benefits provided under the Act or any Scheme in relation to the employees in any other establishment of similar character and these rules shall be followed in all respects.

2. The employer in relation to each establishment (hereinafter referred to as the "employer") shall within three months of the date of publication of this notification amend the constitution of the provident fund maintain in respect of the establishment in regard to the following matters, namely:

(a) the Provident Fund shall vest in a Board of Trustees and there shall be a valid instrument in writing which adequately safeguards the interests of the employees and such instrument shall be duly registered under section 5 of the Indian Trusts Act, 1882.

(b) the Board of Trustees shall consist of an equal number of representatives of the employees and the employer, and all questions before the Board shall be decided by a majority of votes;

(c) the employer shall nominate one of his representatives on the Board as the Chairman who may exercise a casting vote if so provided under the rules of the establishment. Where a casting vote is exercised or where no casting vote is exercised but the opinion of the representatives is equally divided, the matter shall be referred to the Regional Provident Fund Commissioner or the State Provident Fund Commissioner.

appointed under the said scheme (hereinafter referred to as Regional/State Commissioner) within whose jurisdiction the establishment to which the matter relates is situated and whose decision in the matter shall be final.

3. The Provident Fund Rules of any establishment shall not be amended except with the previous approval of the Regional/State Commissioner. Where any amendment affects the interests of the employees, before giving his approval, the Regional/State Commissioner shall give a reasonable opportunity to the employees to explain their point of view.

4. (a) The employers shall maintain accounts of the provident fund in such manner and submit such returns to the Regional/State Commissioner as the Central Provident Fund Commissioner may, from time to time direct.

(b) The employer shall furnish to the Regional/State Commissioner such accounts relating to the Provident Fund of the establishment as the Central Provident Fund Commissioner may prescribe from time to time. He shall also furnish an annual statement of account or a pass book, in such form as may be approved, to each subscriber who, but for the exemption, would have been member of the fund established under the Employee's Provident Funds Scheme, 1952.

(c) The employer shall make all investment of accumulations accruing after the date of exemption in securities of the Central Government. The reinvestment or conversion of securities on maturity shall also be in the Securities of the Central Government. The employer shall formulate a procedure for prompt investment of provident fund moneys and shall get it approved from the concerned Regional/State Commissioner.

5. The employer shall afford such facilities for inspection of the accounts of the Provident Fund as the Central Provident Fund Commissioner may from time to time specify.

6. All expenses involved in the administration of the Provident Fund Scheme including the maintenance of accounts, submission of accounts, and returns, transfer of accumulations and payment of inspection charges shall be borne by the employer.

7. The employer shall display on the notice board of his establishment in English, a copy of the approved rules and the translation of salient points of the rules in the language of the majority of workers respectively.

8. The employer shall within three months of the date of publication of this notification transfer to the Board of Trustees the accumulation standing to the credit of the employees who but for the exemption would have been members of the Statutory Fund.

9. When the fund is wound up or exemption of the establishment is cancelled, accumulations standing to the credit of the employees who, but for the exemption, would have been members of the statutory fund shall be transferred to that fund as soon as possible and, in any case not later than thirty days in the case of securities and not later than ten days in the case of cash in hand or bank, together with a statement or statements as may be required by the Regional/State Commissioner or Commissioner concerned.

10. The employer shall accept the past provident fund accumulations of an employee who is already a member of the Establishments Provident Fund or an exempted fund and who obtains employment in his establishment. Such an employee shall immediately be admitted as a member of the establishments provident fund. His accumulations which shall be transferred within the three months of his joining the establishment shall be credited to his account.

11. The employer shall provide for nomination in his provident fund rules in accordance with the provisions contained in paragraph 61 of the Employees Provident Funds Scheme, 1952.

12. The amount of contributions shall be calculated to the nearest quarter of a rupee; that is 12.4 naya Paise or more shall be counted as the next higher quarter of a rupee and fractions of a rupee less than 12.5 naya paise shall be ignored. The amounts of inspection charges and damages shall be calculated to the nearest 5 naya Paise; that is 2.5 naya Paise or more shall be counted as 5 naya Paise and any amount less than 2.5 naya paise shall be ignored.

13. On all repayable loans granted by establishment interest shall be charged at the rate of 4½ per cent or one per cent above the rate allowed on the balance to the credit of the members whichever is higher.

14. The employer shall pay to the Regional/State Commissioner inspection charges payable, failing which damages shall be paid, at a rate fixed by the Central Government from time to time.

15. Exemption granted by this notification is liable to be withdrawn by the Central Provident Fund Commissioner for breach of any of the aforesaid conditions or for any other sufficient cause which may be considered appropriate.

16. The Central Government reserve the right to impose such further conditions as may be deemed necessary in the interests of the employees in the establishment:

Exemption of Life Insurance Corporation of India from certain provisions of Madras Shops and establishments Act

(G.O. Ms. No. 6626, Industries, Labour and Co-operation (Labour),
21st November 1961.

II-1 No. 5414 of 1961.

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 all the establishments under the Life Insurance Corporation of India in the State of Madras from the provisions of Chapters II to VI of the said Act.

Amendment to notification under Working Journalists (Conditions of Service) and Miscellaneous Provisions Act.

(G.O. Ms. No. 6637, Industries, Labour and Co-operation (Labour)
23rd November, 1961.

II-1 No. 5415 of 1961.

In exercise of the powers conferred by section 4 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) read with section 3 of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act 1955 (Central Act XLV of 1955) the Governor of Madras hereby makes the following amendment to the Industries, Labour and Co-operation Department Notification S.R. O. No. 651, dated the 26th May 1956, published at page 795 of Part I of the Fort St. George Gazette, dated the 13th June 1956.

Amendments

In the said notification for items 1, 2 and 3, the following shall be substituted, namely:

- | | |
|--|--|
| " 1. Commissioner of Labour
2. Assistant Commissioner of Labour II.
3. Assistant Commissioner of Labour (Administration) | } The whole of the
State of Madras. |
|--|--|

Exemption of Cordite Factory Aravancadu from Certain Provisions of Factories Act.

G.O. Ms. No. 6659, Industries, Labour & Co-operation (Labour)
23rd November, 1961).

II-1. of No. 5416 of 1961.

In exercise of the powers conferred by section 5 of the Factories Act, 1948 (Central Act LXIII of 1948), the Governor of Madras hereby exempts the Cordite Factory, Aravancadu, from the provisions of Sections 51, 52, 54, 55 and 56 of the said Act for the period commencing on the 1st October 1961, and ending with the 31st December 1961, subject to the following conditions, namely:

1. Double Wages for overtime work done beyond 9 hours per day or 48 hours per week shall be paid in respect of all the workers in accordance with the provisions of section 59 of the Act.

2. Compensatory holiday shall be granted to all the workers as per the provisions of section 53 of the Act;

3. Sufficient time, though not fixed, shall be allowed to all workers for their meals, etc., to the satisfaction of the Inspector concerned; and

4. A complete running record of the hours worked shall be maintained in form No. 1—A, F.O. 1367—A.

2. The order hereby made shall be deemed to have come into force on the 1st October 1961.

Amendments to Madras Plantations Labour Rules.

(G.O. Ms. No. 6606, Industries, Labour and Co-operation (Labour),
20th November 1961.

S.R.O. No. A-1177 of 1961.

In exercise of the powers conferred by section 10 and sub-section (1) of section 43 of the Plantation Labour Act, 1951 (Central Act LXIX of 1951), the Governor of Madras hereby makes the following amendments to the Madras Plantations Labour Rules, 1955 published with the Industries, Labour and Co-operation Department Notification, dated the 28th December 1955, at pages 1-30 of the Rules Supplement to Part I of the Fort St. George Gazette, dated the 4th January 1956, as subsequently amended, the same having been previously published as required by sub-section (1) of the said section 43:

Amendments.

In the said rules:—

1. in sub-rule (a) of rule 12 for the words "fifty acres", the words "twenty hectares" shall be substituted;

2. in rule 17, for the figures and word "50 acres", the figures and word "20 hectares", shall be substituted;

3. in sub-rule (7) of rule 22—

(i) in clause (a) for the figures and words "60 square feet" the figure and words "6 square metres", shall be substituted;

(ii) in clause (b), for the figure and word "5 feet", the figures and word "1.5 metres", shall be substituted;

4. in sub-rule (3) of rule 22, for the figures and words "80 square feet", the figures and words "7.5 square metres", shall be substituted;

5. in sub-rule (3) of rule 31, for the figures and words "15 square feet", the figures and words "1.5 square metres" shall be substituted;

6. in rule 33, for the words "half a pint", the figures and word "0.3 litres", shall be substituted;

7. in in the first proviso to rule 37 and in sub-rule (1) of rule 38, for the words "one mile", the figures and words "1.6 kilo metres", shall be substituted.

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, the code lays down norms of behaviour both for employers and workers. The code was ratified by the representative 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 managements not affiliated to any central organisations which have ratified the code during the month of October, 1961 as observed from the reports of the Labour Officers of this State is given below.

A List of Trade Unions which have ratified the Code of Discipline during the month of November, 1961.

1. Karisalkulam Salavai Thozhilalar Sangam, Perunkottur, Sathirankondan Post, Sankaranaiyoor Koll Taluk.
2. Thiruvettunallur Viseva Bramma Thozhilalar Sangam, Thiruvettunallur.
3. Port and Port Trust Employees Union, Tuticorin.
4. Tuticorin Lorry and Pleasure Car Workers' Union, Tuticorin.
5. Mill Thozhilalar Sanga Maistrice Pithers Sangam, Tuticorin.
6. Reserve Bank Class IV Employees Union, Madras-1.
7. Integral Coach Factory Staff Union, Madras-1.
8. Government foot-wear Workers Union, Madras-12.
9. Hosur Taluk Beedi Labour Union, Denkanikota.
10. Nool Salavai Sava Thozhilalar Sangam, Ayyampet.
11. Kanyakumari Medical Mission Employees' Association, Neyoor.
12. The Coimbatore District Engineering Workers Union, Peelamedu.
13. Periakulam Vatta Thotta Thozhilalar Munnetra Sangam, Highways Post.
14. Erode Taluk Rice and Oil Mill Workers' Union, Erode.
15. The Western India Match Factory Workers Union, Thiruvodhiyur.

List of Managements who have ratified the Code of Discipline during the month of November, 1961.

1. Southern India Hosiery Manufacturers Association, Tiruppur.
2. The Southern India Federation of Association of Employers, 10th Street, Gandhipuram, Coimbatore.

Standing Orders Certified upto 31-12-1960 in North Arcot District 9-12-1960 in Chingleput District, 10-5-1958 in Kanyakumari District, 15-12-1960 in Thanjavur District and 7-7-1960 in Tirunelveli District.

It is proposed to publish a list of Industrial Establishments in respect of which the standing orders have been certified so far. In November, 1961 issue a list of Standing Orders certified upto 31-12-1960 in Salem District, and upto 15-7-1960 in Ramnad District and 30-11-1960 in South Arcot District were published. The list of Standing Orders certified since will be published in batches in successive issues of the Madras Labour Gazette.

S. No. (1)	Name of the Establishment. (2)	Date of Certification. (3)
NORTH ARCOT DISTRICT		
905.	East India Distilleries and Sugar Factories Ltd., Ranipet.	24-9-1949
906.	Sri Lakshmi Saraswathi Motor Service, Gudiyatham.	31-10-1949
907.	M. B. D. Motor Service, Arcot.	5-11-1949
908.	The South Indian Silks Ltd., Gudiyatham.	5-11-1949
909.	Kishinchand Chellaram Carpet Factory, Wallajapet, North Arcot District.	10-11-1949
910.	Thirumagal Mills Ltd., Gudiyatham.	21-12-1949
911.	Karthikeyan Motor Service, Arni.	26-6-1950
912.	Naivasal Mohammed Hussain and Company, Tannery, Vaniyambadi.	23-4-1951
913.	The Murugappa Sugar Co., Ltd., Mailpatti.	1-5-1951
914.	P. Hajee Abdul Wahab Sahib and Brothers, Tanery, Pernambut, North Arcot District.	14-6-1951
915.	M. Hajee Mohammed Ismail Sahib and Co., Tannery, Pernambut, North Arcot District.	14-6-1951
916.	M. Hajee Abdul Rahiman Sahib and Co., Tannery, Gudiyatham.	11-2-1952
917.	M/s. Rajeswari Mills Ltd., Gudiyatham.	5-8-1953
918.	Service Industrial Works, Vellore.	18-5-1957
919.	B. K. A. and Co., Engineering Works, Katpadi North Arcot District.	3-6-1958
920.	Bharathi Bus Service, Sholingar.	26-6-1958
921.	Modern Match Industries, Gudiyatham.	30-11-1958
922.	Mahalakshmi General Engineering Works, Vellore.	20-12-1958
923.	Sri Murugan Engineering Works, Ambur.	23-12-1958
924.	V. D. S. Bus Service, Tiruvannamalai.	9-1-1959
925.	M. M. All Motore Service (Workshop), Vellore.	21-2-1959
926.	Sri Lakshmi Engineering Works, Tirupattur.	16-4-1959
927.	Hermes Industrial Works, Vellore	20-4-1959
928.	LA Ahamed Bhasha Tannery, Gudiyatham.	31-12-1959
929.	The North Arcot District Ex-Servicemen Co-operative Motor Transport Society Ltd., Officers' Line, Vellore.	30-11-1960
930.	The Indian Hume Pipe Co. Ltd. Arkonam.	31-12-1960
931.	Sakar Rice and Decorticating Mill, Tiruvannamalai.	31-12-1960
932.	Pavalakunru Rice Mills, Tiruvannamalai.	31-12-1960
933.	Sri Krishna Rice Mill and Decorticating Factory, Tiruvannamalai.	31-12-1960
934.	Sri Narayan Gopal Ram Rice and Oil Mill, Tiruvannamalai.	31-12-1960
935.	Shanmughanada Rice Mill and Decorticating Factory, Tiruvannamalai.	31-12-1960

(1)	(2)	(3)
936.	Star Oil Mills, Katpadi.	31-12-1960
937.	M. Chockalinga Naidu Cigar Factory, Vellore.	31-12-1960
938.	Sri Shanmughanada Oil Rice and Decorticating Mills, Tirupattur.	31-12-1960
CHINGLEPUT DISTRICT		
939.	Gorden Woodroffe Leather Manufacturing Company Ltd., Pallavaram.	27-2-1950
940.	The Western India Match Co., Limited, Thiruvottiyur.	17-4-1950
941.	The Stoneware Pipes (India) Ltd., Trivellore.	25-4-1950
942.	The Naicker Shop Tannery, Mathuavaram.	23-6-1950
943.	Sri Krishna Tile and Potteries (Madras) Ltd. Thirumangalam.	30-6-1950
944.	The Chrome Leather Co., Ltd., Chromepet.	14-10-1950
945.	Ajax Products Ltd., Factory, Thiruvottiyur.	5-2-1951
946.	The Imperial Tobacco Company of (India) Ltd., Thiruvottiyur.	22-3-1951
947.	Standard Motor Products of India Ltd., Vandalur.	28-3-1951
948.	Indo Agricultural Ltd., Fertilizers Factory Avadi.	6-4-1951
949.	T. I. Cycle of India Ltd., Ambattur.	18-5-1955
950.	Ashok Motors, Ennore.	6-6-1951
951.	The Palar Mills Limited, Walajabad.	7-6-1952
952.	Central Scientific Supplies Co. Tambaram.	8-7-1957
953.	Indra Cotton Mills Private Ltd., Chromepet.	5-9-1958
954.	The Pilot Pen Company (India) Private Ltd., Kathirvedu Village, Polai P. O. Red Hills.	19-9-1958
955.	Tube Products of India Ltd., Avadi.	24-9-1958
956.	Shaw Wallace and Co., Glue Factory, Kaduvatti (Near) Poonamallee.	30-9-1958
957.	Hackbridge Hewitric and Easun Private Ltd., Thiruvottiyur.	30-9-1958
958.	Southern Industrial Corporation Private Ltd., Thiruvottiyur.	27-10-1958
959.	Madras Institute of Technology, Chromepet.	27-10-1958
960.	Madras Rubber Factory, Thiruvottiyur.	27-10-1958
961.	T. V. Kandasamisah Lace Factory, Kancheepuram.	8-11-1958
962.	Sri Venkatesh Mills Ltd., Red Hills, Madras.	6-2-1959
963.	Madura South India Corporation Private Ltd., Polai Village, Red Hills.	16-3-1959
964.	Nutan Bharat Engineering Services, Villivakkam.	20-4-1959
965.	Dunlop Rubber Co., (India) Ltd., Ambattur.	25-8-1959
966.	Zip Industries, (Private) Ltd., Chingleput.	29-12-1959
967.	Krishna Engineering Works, Kancheepuram.	31-12-1959
968.	Sri Ramakrishna Foundry, Thirumazhisai.	11-2-1960
969.	Arupudha Press, Chingleput.	20-3-1960
970.	English Electricals (Private) Ltd., Pallavaram, Chingleput District.	23-3-1960
971.	Rapid Industries, Kovoor Post.	21-4-1960
972.	Noor Class Silicate Industries, Madras-19.	12-5-1960

(1)	(2)	(3)
973. Sri Rama Machinery Corporation, Madras-19.		22— 5—1960
974. Lakshmi Silk Products, Kancheepuram.		22— 5—1960
975. Imco Power Laundry, Madras-19.		5— 8—1960
976. Southern Structural, Madras.		5— 8—1960
977. Madras Oils and Fertilizers (Private) Ltd., Villuvakkam.		5— 8—1960
978. Sri Venkateswara Rice Mill, Trivellore.		20— 8—1960
979. K. Arunnachala Mudaliar Rice Mill, Kancheepuram.		20— 8—1960
980. Tiruvallur Oil Mills, Tiruvallur.		26— 8—1960
981. The Enfield India Ltd., Thiruvettiyur Madras-19.		9—12—1960

KANYAKUMARI DISTRICT

982. Travancore Minerals Concern, Manavalakurishi	23— 5—1950
983. Hopkin and Williams Ltd., Manavalakurichi.	23— 5—1950
984. Aspinwall and Co. (Travancore) Ltd., Colachel.	27— 5—1950
985. M/s. Krishna and Co. Ltd., Mathicode, Colachel.	26— 9—1950
986. M/s. Ramalingam and Company, Colachel.	26— 9—1950
987. Black-Rock Estate, Nagercoil.	30—12—1950
988. Sivalokam Estate, Kuzhithurai.	30—12—1950
989. Corramony Estate, Nagercoil.	30—12—1950
990. Pollali Estate, Marthandam.	30—12—1950
991. Vailamullay Estate, Thukalai.	30—12—1950
992. Balamore Estate, Thukalai.	30—12—1950
993. Mahendragiri Estate, Nagercoil.	30—12—1950
994. Muckampala Estate, Thukalai.	30—12—1950
995. New Ambadi Estate, Kulasekaram	30—12—1950
996. Vaikundam Estates.	30—12—1950
997. Grenham Estate.	30—12—1950
998. Kanthimathi Estate.	30—12—1950
999. Sri Sankar Allom Salt Factory, Agastheeswaram.	31— 3—1951
1000. Salt Extn. Factory No. II, Thamara Colam.	4—10—1951
1001. Balaramavarma Textiles Ltd., Shencottah.	25— 5—1952
1002. The Palakulam Estates Ltd., Nagercoil	6— 5—1958
1003. Sri Ganapathi Motor Service, Nagercoil.	10— 5—1958

TANJORE DISTRICT.

1004. Raman and Raman Limited, Kumbakonam.	24— 9—1949
1005. Sathi Vilas Bus Service, Poraiyar.	31—10—1949
1006. Sri Rama Vilas Service Ltd., Kumbakonam.	5— 2—1951
1007. A. A. Ponniah Konar Rice Mill, Shiyali.	7— 2—1951
1008. Swastic Tobacco Factory, Vedaraniyam.	19— 2—1951
1009. The Indian Steel Rolling Mills, Nagapattinam.	21— 2—1951
1010. Swami Motor Transport Ltd., Karuthattangudi.	10— 7—1951
1011. Sree Lakshmana Plastic Works, Tanjore.	2— 7—1953
1012. Madanagopal Copper Works, Shiyali.	21— 6—1957
1013. Mithila Metallic Industries, Kumbakonam.	21— 6—1957
1014. Thiru Arooran Sugars Ltd., Vadapathimangalam.	21— 6—1957

(1)	(2)	(3)
1015. Solomon Foundry, Nagapattinam.		1— 8—1937
1016. Sri Rama Vilas Service Ltd., Branches, Tiruthuraiipoondi, Mayuram and Mannargudi.		22— 9—1957
1017. Kasi and Sethu, Tanjore, Raman and Raman Workshop.		20— 3—1958
1018. Sri Nataraja Foundry, Vijayapuram, Tiruvarur.		15—12—1960

TIRUNELVELI DISTRICT.

1019. M/s. Volkar Brothers, Tuticorin.	8— 2—1949
1020. Sankar Mills, Tirunelveli.	8— 2—1949
1021. Loyal Textile Mills, Kollpatti.	7— 2—1949
1022. Sri K. Balasubramaniam Motor Service, Kollpatti.	8— 2—1949
1023. Madura Mills and Company Ginning and Pressing Factory, Nallatupudur.	12— 1—1950
1024. Madura Mills Company Ginning and Pressing Factory, Kadambur.	12— 1—1950
1025. Madura Mills Company Ginning and Pressing Factory, Tuticorin.	12— 1—1950
1026. Madura Mills Company Ltd., Ambasamudram.	13— 3—1950
1027. Madura Mills Company Ltd., Tuticorin.	13— 3—1950
1028. The Lakshmi Mills Co., Ltd., Kollpatti.	13— 3—1950
1029. Meenakshi Match Factory, Kollpatti.	13— 3—1950
1030. Singampatti Group Estate, Kallidaikurichi.	27—11—1950
1031. Pope the King Match Works, Kalugumalai.	28—11—1950
1032. M/s. India Cements Limited, Thalayuthu.	28—11—1950
1033. Tirunelveli Motor Bus Service Company Ltd., Tirunelveli Junction.	28—11—1950
1034. Syed Beedi Factory, Sindupoondurai.	28—11—1950
1035. T. V. Sundaram Iyengar and Sons Limited, Vannarpet, Tirunelveli.	28—11—1950
1036. Sri Siddhi Vinayagar Ginning Factory, Karivalamvandanallur.	8— 2—1951
1037. Kadiria Match Factory, Kollpatti.	5— 5—1951
1038. Karmegam Match Works, Elairamarmai.	21— 5—1951
1039. The Tuticorin Spinning Mills Ltd., Tuticorin.	28—10—1952
1040. Sri Ram Popular Service, Ltd., Palamcottah.	29—10—1952
1041. Aspinwall and Company Ltd., Tuticorin.	7—11—1952
1042. Sree Ganapathi Mills Company Ltd., 36, East Car Street, Tirunelveli.	6— 6—1953
1043. A. P. K. Pikar Mohideen and Brothers, Scented Tobacco, Kadayannallur.	26— 8—1954
1044. The Tuticorin Salt Refineries Ltd., Tuticorin.	2— 4—1955
1045. East India Corporation Limited, Ginning Factory, Nallathiputhur.	2— 4—1955
1046. St. Joseph Match Factory, Kalugumalai.	22— 3—1956
1047. Machade Salt Factory.	
1048. K. S. P. S. Natarajan Nadar & Co., Veppalodai Salt Factory, Tuticorin.	22— 3—1956
1049. Sri Arasan & Co., Tirunelveli.	6—12—1956
1050. Sri Ganapathy Motor Service, Tirunelveli.	6—12—1956

(1)	(2)	(3)
1051.	Sri Dhanalakshmi Motor Works, Kallasapuram, Tirunelveli Junction.	6-12-1956
1052.	Murugan Motor Works, Tirunelveli Junction.	10-10-1957
1053.	A. R. A. Shenbaganadar and P. V. P. Valasundara Nadar and Company, Automobile Workshop, Palayamkottai.	12-11-1957
1054.	M. V. S. Sundaravel Salt Factory, Tuticorin.	12-11-1957
1055.	General Metal Trading Company Kovilpatti.	14-11-1957
1056.	Tirunelveli Tuticorin Electric Supply and Company, Tuticorin.	14-11-1957
1057.	Bravi Engineering Works, Tuticorin.	14-11-1957
1058.	Sri Balasaraswathi Transport (Workshop), Palamcottah.	3-5-1958
1059.	Seetha Motor Works, Tirunelveli Junction.	30-5-1958
1060.	Gomathi Mills, Viravanallur.	3-9-1958
1061.	Sri Balasaraswathi Motor Works, Tirunelveli Junction.	11-12-1958
1062.	Lion Automobile Service Co., Tirunelveli.	17-12-1958
1063.	East India Match Factory, Kovilpatti.	16-2-1959
1064.	Prabhat Match Factory, Ettaiyapuram.	16-2-1959
1065.	The Star Match Factory, Kalugumalai.	16-2-1959
1066.	G. N. Chakrapani & Sons, (P) Ltd., Tirunelveli.	16-2-1959
1067.	Nellai Cotton Mills, Tirunelveli.	21-2-1959
1068.	St. Joseph Technical Institute, Tuticorin.	24-11-1959
1069.	Tamilnad Sarvodaya Sangh Charka Works, Koilpatti.	7-7-1960

STATISTICAL SUPPLEMENT

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 November, 1961.

S. No.	Name of the Establishment.	Date of agreement.	Point in dispute.	Nature of settlement.
(1)	(2)	(3)	(4)	(5)
1.	Carborandum Universal Limited, Madras-19.	29-11-61	Working hours Dearness Allowance.	Agreed that workers on continuous shift work will work at 8 hours a day for 6 days a week. All the other workers will work for 9 hours a day for 5 days a week. Working hours and weekly offs for all workers will be in accordance with law. Dearness Allowance will be calculated per month at 18½ nP. per month over 100 points of the Madras city working class cost of living index of the earlier months. The dearness allowance so calculated for a month shall apply on a standard of 208 hours a month for continuous shift workers and 195 hours a month for other workers.
2.	Madras Pencil Factory, Madras-21.	13-11-61	Provident Fund Gratuity, etc.	Agreed that the dearness Allowance would also be taken into account for the purpose of computing Provident Fund contributions. The question of formulation of a gratuity scheme would be taken up after the expiry of two years.
3.	Aravind Knitting Co., Tiruppur.	30-11-61	Non-employment of 4 workers.	Agreed to pay Rs. 7/- to each of the 4 workers in full settlement.
4.	Rajeswari Mills Ltd., Gudiyatham.	5-11-61	Bonus for 1960.	Agreed to pay a bonus equivalent to 43% of the annual total basic earnings of the workers for the year 1960.

(1)	(2)	(3)	(4)	(5)
5. P. M. Bus Service, Kuzhithurai.	1-11-61	Daily batta.		Agreed to enhance the daily batta of Rs. 1/- now being paid to the workers to Rs. 1.37 nP. from 5-11-61.
6. M. V. Industries (P) Ltd., Kuzhithurai.	1-11-61	do.		do
7. Vaikuntam Rubber Co., Ltd., Marthandam,	8-11-61	Exhibition of notice board at Peramalai Division.		Agreed to provide a notice board to exhibit the notices relating to trade Union and Labour matters.
8. Madan Hosiery Mills, Coimbatore.	1-11-61	Bonus for 1959-60 and 1960-61.		Agreed to treat the advance paid for 1959-60 as bonus and to pay six weeks wages as bonus for 1960-61.
9. Textool Company Ltd., Coimbatore.	1-11-61	Bonus for 1959-60 and 1960-61.		Agreed that the advance paid on 15-10-60 shall be treated as bonus for 1959-60. Agreed to pay bonus for 1960-61 also.
10. Nirmala Engineering Works, Coimbatore.	2-11-61	Bonus for 1960-61.		Agreed to pay the permanent workers who were in service of establishment during the year 1960-61, 6½ weeks' average earnings as bonus and to temporary workers who had put in more than 6 months since more than 3 months service, less than 3 months service 10 days average wages, 7 days average wages, and Rs. 8/- respectively as bonus for 1960-61.
11. Srevates Engineering & Trading Company, Coimbatore.	2-11-61	Bonus for 1960-61.		Agreed to pay, 45 days' wages calculated on the daily wage rate as bonus for the year 1960-61.
12. Murugan Dyeing Works Tirupur.	3-11-61	Bonus for 1960-61.		Agreed to pay 1½ weeks' wages as bonus for 1960-61.
13. Kumaran Dyeing Works, Tiruppur.	3-11-61	do.		Agreed to pay four weeks' wages as bonus for 1960-61.

(1)	(2)	(3)	(4)	(5)
14. Sri Venkatesa Colour Works, Tirupur.	3-11-61	do.		do.
15. Sarojini Dyeing Works, Tirupur.	3-11-61	do.		do.
16. Renganatha Dyeing Factory, Tirupur.	3-11-61	do.		Agreed to pay 3 weeks' wages as bonus for 1960-61.
17. K. R. G. & Company, Karuvampalayam, Tirupur.	3-11-61	Bonus for 1960-61.		Agreed to pay to each worker Rs. 25/- in full settlement as bonus for 1960-61.
18. Lakshmi Bleaching Co., Tirupur.	3-11-61	do.		do.
19. K. Samiappa Gounder Bleaching, Tirupur.	3-11-61	do.		do.
20. Vasantha Bleaching Co., Tirupur.	3-11-61	do.		do.
21. V. Govindasamy Gounder Bleaching, Tirupur.	3-11-61	do.		do.
22. Shanmuga Bleaching Tirupur.	3-11-61	do.		do.
23. Murugan Bleaching Co., Tirupur.	3-11-61	do.		do.
24. M. Muthusamy Gounder Bleaching, Tirupur.	3-11-61	do.		do.
25. Narain spinning and Knitting Mills, Coimbatore.	3-11-61	do.		Agreed to pay an advance of four week's wages to the workers who have worked during 1960-61 and to deduct a week's advance of wages in easy instalments from 1-12-61 the balance of advance amount to be re-adjusted against bonus is payable; if not, it is to be recovered in easy instalments.
26. V. R. Textiles (Private) Ltd., Pullampatti.	3-11-61	Bonus for 1960.		Agreed to pay the workers in manufacturing pro-

(1)	(2)	(3)	(4)	(5)
				cess 1/8th of the total basic wages earned during the year 1960 as bonus and 1/24th of the total basic wages earned in the year as ex-gratia payment.
27. V. R. T. Transport, Coimbatore.	4-11-61	Bonus for 1960 -61.	Agreed to pay an interim bonus of three months' basic wages for the year 1960-61.	
28. Balasubramania Foundry, Patel Road, Coimbatore.	4-11-61	Bonus for 1960 -61.	Agreed to pay the workers who were in service of the establishment during the year 1960-61, 1 1/2 months' average earnings as bonus and to the workers who have not completed one year of continuous service proportionate bonus.	
29. Blue Mount Switchgears Associate, Coimbatore.	4-11-61	Bonus for	Agreed to pay an advance of one months wages to each worker.	
30. Eastern Electrical Co., (Private) Ltd., Coimbatore.	4-11-61	do.	do.	
31. Anandakumar Mills, Ltd., Coimbatore.	18-11-61	Non-employment to 3 Workers, payment of occupational wages etc.	Agreed to reinstate the 3 workers on or before 15-12-61 and to pay each occupational wages to workers.	
32. Om Parasakthi Mills, Ltd., Coimbatore.	25-11-61	Designation of workers, promotion etc.	Agreed to suitably designate the workers and to give promotion on the basis of seniority.	
33. Mettupalayam, Conoor Service (P) Ltd., Mettupalayam.	21-11-61	Bonus for 1960.	Agreed to pay 5 month's basic wages as bonus for 1960.	
34. Sri Ram Industrials, Thudailur, Coimbatore.	23-11-61	Non-employment of 2 Workers.	Agreed to pay compensation to the workers, and settle the matter.	
35. The General Engineering Company, Coimbatore.	18-11-61	Non-employment of a worker	Agreed to reinstate the worker without back	

(1)	(2)	(3)	(4)	(5)
				wages for the period of un-employment, but with continuity of service.
36. Sri Padma Mills, Coimbatore.	1-11-61	Bonus for 1960 -61.	Agreed that 1/6th of the total earnings of the workers for the year ending 31st March 1961 shall be paid as bonus.	
37. Sathappa Textiles Ltd., Tirupur.	1-11-61	Bonus for 1960 -61.	Agreed to pay an advance of Rs. 30/- and exgratia amount of Rs. 35/- as bonus for 1960-61 to each worker.	
38. Ramu Foundry, Coimbatore.	1-11-61	Bonus for 1961 -62.	Agreed to pay 1 5/8 months' wages including dearness allowance as bonus for 1961-62.	
39. Raja Industrials, Trichy.	1-11-61	do.	Agreed to pay sixty per cent of the wages normally due for each worker for August 1961 as bonus for 1960-61.	
40. Dalmia Cement. (Bharat) Ltd., Dalmiapuram.	3-11-61	Bonus.	Agreed that for the accounting year 1960, bonus will be paid at the rate of 5/24 of the basic wages to those workers who were extended the benefit of the wage Board grades with effect from 1-1-60 and to all other workers at the rate of 1/4th of the basic wages earned during the year. For the accounting year 1961 bonus will be paid to all the workers at the rate of 1/4th of the basic wages earned by each worker during the year. They agreed to pay bonus for the four accounting years 1962, 1963, 1964, & 1965.	
41. M. S. Maniam Transports, Pattukottai.	24-11-61	Non-employment of a worker.	Agreed to pay the worker Rs. 700/- in full settlement.	
42. Baug-e-garib Estate, Aravenu, P.O.	1-11-61	Bonus for 1960.	Agreed to pay an exgratia amount equivalent to	

(1)	(2)	(3)	(4)	(5)
				11 per cent of the total earnings of the workers during 1960 as bonus for that year.
43. Kodanad Estate, Kotagiri.	14-11-61	Dismissal of a worker.	Agreed to pay an ex-gratia amount of Rs. 2250/- to the worker in full settlement.	
44. Sutton Estate, Kulakamby P.O.	15-11-61	Dismissal of 2 Workers.	Agreed to convert the dismissal of two workers into discharge and to pay them gratuity.	
45. Neelamalai Tea & Coffee Estates, Ltd., Katary Estate, Katary P.O.	22-11-61	Absenteeism of workers on account of the death of a fellow worker.	Agreed that the workers will not absent themselves from work in future on the pretext of the death of a fellow worker and that they would avail only 2 hours for such a purpose after obtaining previous permission. The workers will compensate the loss of 2 hours by adjustment of their hours of work in the six days following on which they availed of such leave.	
46. Katary Estate, Katary P.O.	22-11-61	Dismissal of 2 Workers.	Agreed to convert the dismissal of 2 workers into discharge and to pay them gratuity.	
47. Sree Shanmugam Tailoring Housing, Coimbatore.	26-10-61	Increase in wages.	Agreed to pay wages at the rates of wages mentioned in the annexure attached to the settlement.	
48. Udipti Arya Bhavan, Coimbatore.	16-11-61	Closure.	Agreed to pay the amount noted against each name in the settlement in full settlement.	
49. Vijayakumar Cotton Press, Coimbatore.	2-11-61	Bonus for 1960-61.	Agreed to pay Rs. 42½ to each male worker, Rs. 32½ to each female worker and 1½ months' full wages to the monthly paid workers as bonus for 1960-61 in full and final settlement.	

(1)	(2)	(3)	(4)	(5)
50. Indra Bhavan, Coimbatore.	16-11-61	Closure.	Agreed to pay compensation to each worker.	
51. Champakalal Brothers Waste Cotton Merchants, Coimbatore.	2-11-61	Bonus for 1960-61.	Agreed that the workers shall be paid at the rate of 10½ nP. per day for number of days worked in the factory as bonus for the year 1960-61.	
52. Sarada Trading Co., Waste Cotton Merchants, Coimbatore.	2-11-61	do.	do.	
53. U. M. P. Metals and Alloys Co., Salem.	1-11-61	Bonus for 1960-61.	Agreed to pay the workers 1/12th of their total earnings as bonus for 1960-61.	
54. Madras Sri Krishna Cafe, Salem.	3-11-61	do.	Agreed to pay the workers a lump amount of Rs. 265 for distribution among workers.	
55. Mani's Cafe, Salem.	3-11-61	do.	Agreed to pay 1½ month's basic wages as bonus for 1960-61.	
56. Bhuvaneswari Bhavanam, Salem.	3-11-61	Bonus for 1960-61.	Agreed to pay 1½ month's basic wages as bonus for 1960-61.	
57. Ambal Cafe, Salem.	do	do	do	
58. Sarada Vilas, Salem.	do	do	Agreed to pay one month's wages as bonus for 1960-61.	
59. Suthanthira Bhavan, Salem.	do	do	do	
60. P. K. Chandrasekaran, N. K. V. K. Nallayyan, Kumaran Dyeing Factory, Salem.	[do	do	Agreed that the workers who have put in a complete year of service during 1960-61 will be paid a bonus of ½th of their average earnings in a month subject to a minimum of Rs. 30/- and those who have put in lesser service, will be paid Pro-rata.	

(1)	(2)	(3)	(4)	(5)
61.	S. Palaniswamy Chettiar and sons. Gugal Salem.	do	do	do
62.	P. N. C. Ganapathy Chettiar & Sons, Dyeing Factory, Salem.	do	do	do
63.	O. K. Desappa Chettiar and Sons, R. Krishna-swamy Chettiar Dyeing Factory, Salem.	do	do	Agreed that the workers who have put in a complete year of service during 1960-61 will be paid one month's average earnings as bonus subject to a minimum of Rs. 60/- and those who have put in lesser service during the year will be paid Pro-rata.
64.	S. M. Sambalinga Chettiar Dyeing Factory, Salem.	do	do	do
65.	P. K. Desappa Chettiar & Co., Dyeing. Factory. Salem.	do	do	do
66.	O. S. Subramania Chettiar & Bros., Dyeing Factory, Salem.	do	do	do
67.	K. Venkatarama Chetty and Company, Sri Subaramaniam Dyeing Factory, Salem.	do	do	Agreed that the workers who have put in a complete year of service during 1960-61 will be paid 1½ months' average earnings as bonus subject to a minimum of Rs. 90/- and those with lesser service will be paid Pro-rata.
68.	P. S. S. Bommarina Chettiar & Sons, Sri Balarama-krishna Dyeing Factory, Salem.	do	do	do
69.	R. K. K. Nagaraju Chetty R. K. R. Ardhanerisamy Chetty, Sri Ranganather Dyeing Factory, Salem.	do	do	do
70.	V. K. R. Ramalingam Chetty & Bros. Dyeing Factory, Salem.	do	do	do

(1)	(2)	(3)	(4)	(5)
71.	K. Reghunatha Chetty and Sons; Dyeing Factory - Salem,	4-11-61	do	Agreed that the workers who have put in one complete year of service during 1960-61 will be paid bonus at 3/4th months average earnings subject to a minimum of Rs. 30/- and that those who have put in lesser service will be paid Pro-rata for the said year.
72.	K. Jagadeesh Chettiar sons. Dyeing Factory Salem.	do	do	do
73.	Sri. K. B. Seetharama Chettiar, Dyeing Factory, Salem.	do	do	do
74.	Girija Dyeing Factory, Salem.	do	do	do
75.	R. C. Rengasamy Chettiar and Bros., Dyeing Factory, Salem.	do	do	do
76.	Saraswathi Dyeing Factory, Salem.	do	do	do
77.	Mahatma Dyeing Factory, Salem.	4-11-61	Bonus for 1960-61.	Agreed to pay the workers as bonus one month's average earnings subject to a minimum of Rs. 60/- and to the workers with less than a year service bonus on Pro-rata basis
78.	Attur Glass Industries (P) Ltd., Attur.	4-11-61	Bonus non-employment of workers.	Agreed to pay workers 16 days basic wages plus 50% of dearness allowance as bonus for 1961-62. Also agreed to pay compensation to the 3 workers in lieu of non-employment.
79.	Venugopala Krishna Cigar Factory, Attur.	5-11-61	Bonus for 1960-61.	Agreed to pay Rs. 3/- as an ex-gratia payment and Rs. 7/- as advance to be recovered from daily wages at As. 4 per day.

(1)	(2)	(3)	(4)	(5)
80. Sri Lakshmi Sava Salai, Salem.	5-11-61	do	Agreed that the workers who have put in a complete year of service during 1960-61 will be paid the bonus of one month's average earnings subject to a minimum of Rs. 60/- and those with lesser service will be paid Pro-rata.	
81. Ganesa Lodge, Salem.	do	do	Agreed to pay 1½ month's basic wages as bonus for 1960-61.	
82. Salem Cafe, Salem	do	do	Agreed to pay 1½ month's basic wages as bonus for 1960-61.	
83. New Jaya Cafe Salem.	do	do	do	
84. T. K. Ramalinga Chetty T. B. S. Thangavel Chetty Dyeing Factory Salem.	6-11-61	Bonus for 1960-61.	Agreed that the workers who have put in a complete year of service during the year 1960-61 will be paid a bonus of ½ month's average earnings subject to a minimum of Rs. 30/- and those with lesser Service will be paid Pro-rata bonus.	
85. Viswanathan Dyeing Factory Salem.	do	do	do	
86. A. G. Varadarajan P. Siddhalingam Dyeing Factory, Salem.	do	do	do	
87. K. C. Kullappa Chettiar and Bros., Dyeing Factory, Salem.	do	do	do	
88. K. P. Arumuga Chetty and Sons, Shanmuga Dyeing Factory, Salem.	do	Bonus for 1961-62.	do	
89. Victoria Vermicallies works, Salem.	do	do	Agreed to pay half a month's average earnings as bonus subject to a minimum of Rs. 5/ as bonus for the year 1960-61.	

(1)	(2)	(3)	(4)	(5)
90. Saradha Dyeing Factory Salem.	do	do	Agreed to pay the workers Rs. 510/- for distribution among themselves as bonus for 1960-61.	
91. V. P. R. Mari Chettiar sons Dyeing Factory Salem.	do	do	Agreed to pay the workers Rs. 83/- for distribution among themselves as bonus for 1960-61.	
92. S. B. Sri Rangavilas Motors (P) Limited, Krishnagiri.	10-11-61	do	Agreed to pay one months' basic wages plus half a month dearness allowance as advance towards bonus 1960-61. The advance shall be set off against bonus for 1960-61 that will be declared in due course.	
93. Thiagaraja Dyeing Factory, Salem.	13-11-61	Bonus for 1961-62.	Agreed that the workers who have put in a complete year of service during the year 1960-61 will be paid a bonus of ½ months' average earnings, subject to a minimum of Rs. 30/- and those with lesser service will be paid bonus on Pro-rata basis.	
94. E. S. Hajee Abdul Karim & Sons., Tanners and Exporters, Salem.	21-11-61	Retrenchment of workers stay-in strike etc.	Agreed that 18 out of 28 workers will be taken back in service with effect from 22-11-61. The workers agreed to resume duty with effect from 22-11-61.	
95. Mohan Silk Factory, Salem.	do	Lay-Off of workers.	Agreed to pay full lay off compensation to the workers till 20-11-61 whenever the workers are laid off. Also agreed to pay the workers with effect from 22-11-61, 50% of the usual lay off compensation whenever the workers are laid off.	
96. Mohan Silk Factory, Salem.	do	Non-employment of 3 workers.	Agreed to pay retrenchment compensation to all the 3 workers.	

(1)	(2)	(3)	(4)	(5)
97. E. S. Majee Abdul Karim & Sons. Tanners and Exporters. Salem.	23-11-61	Settlement of claim of 10 workers.	of	Agreed to pay a lump sum amount to each of the 10 workers in full settlement.
28. Goyals Dresses, Mount Road, Madras-2.	2-11-61	Bonus for the year.		Agreed to pay 15 days wages as bonus for 1960-61 pending final audit of accounts as was done last year.
99. Tamiland Cine Laboratory, Madras-10.	do	Demand for reinstatement of 2 retrenched workers.		Agreed to pay a sum of Rs. 710/- and Rs. 620/- as final settlement to the two workers respectively before 15-12-61 and 20-12-61 respectively.
100. The Modern Agencies, Madras-15.	3-11-61	Demand for Deepavali advance.		Agreed to pay the 105 workers the sums shown against them in the list given and also to pay Rs. 5/- each to the others who had put in a service of 6 months in the concern.
101. B. N. Press, Mount Road, Madras-2.	do	Bonus for the year 1960-61.		Agreed to pay one month's basic wages as bonus advance for the year 1960-61 on 5-11-61 the issue of bonus for the year 1960-61 is to be discussed latter.
102. Mc. Rennet & Co. Bakers and Confectioners, Mount Road, Madras-6.	23-11-61	Revision of scales of pay, gratuity, Bonus for 1959-60 and 1960-61 and reinstatement of a worker.		Agreed to revise the scales of pay as detailed in the agreement, and fix the pay as per the annexure. Also agreed to pay 1 month and 10 days wages to all workers as bonus for the year 1959-60 and a like sum for 1960-61. Amounts already paid towards bonus will be deducted from the above amount. Agreed to pay as gratuity $7\frac{1}{2}$ days wages for every year of service on termination of service or on resignation after 5 years continuous service.

(1)	(2)	(3)	(4)	(5)
				Elumalai who has been reinstated will be eligible to the wages he received at the time of his leaving the service.
103. Hotel Airlines Mount Road, Madras, 2.	24-11-61	Contravention of section 33 of the Industrial Disputes Act in respect of 3 workers.		Agreed to reinstate the 3 workers with back wages with effect from 25-11-61 with back wages and continuity of service.
104. Madras Enamel Works Ltd., Madras.	27-11-61	Increment, dearness allowance, night shift, allowance etc. and lifting the 'lockout'. Bonus for 1960-61.		The management agreed to lift the lockout on receipt of an apology letter from the union on behalf of the workers and also agreed to grant increment, dearness allowance, bonus for 1960-61 etc. as per annexure to the settlement.
105. Sethuram and Thilagaj & Co., Madras-1.	28-11-61	Non-Employment of 2 workers.		Agreed to reinstate both the workers and pay an exgratia amount of Rs. 100/- and Rs. 80/- respectively to the 2 workers for the period of non employment.
106. Hotel Airlines. Mount Road, Madras, 2.	30-11-61	Revision of scales of wages, gratuity, dearness allowances reinstatement of 5 workers.		The management agreed to reinstate the 5 workers and to pay them exgratia amounts as shown against them in the list. Also agreed to pay an additional sum of Rs. 5/- each to the workers over the existing emoluments and provide them with 2 meals and 2 coffees per day. The other issues are to be taken up after a month or two if found necessary.
107. Kohinur Confectionary (P) Ltd., Vadapaini, Madras, 26.	4-11-61	Bonus for the year ending 1960.		Agreed to pay 21% of the total wages earned in 1960 as bonus for the year 1960 to all the

(1)	(2)	(3)	(4)	(5)
				permanent workers. This will be included the 1½ months' advance bonus already paid. An additional advance of 15 days wages will be paid to be set off against bonus for 1961. All temporary workers will be paid proportionately.
108. Radio and Electricals Ltd., Madras, 19.	6-11-61	Bonus for the year ending, 1960, up-grading of workers, overtime wages for chamber workers and changing of welders and turners.	Agreed to pay 7 weeks' basic wages as bonus for the year ending 1960. This will include the bonus of 30 days already paid other demands are not pressed.	
109. G. Govindarajulu Naidu & Co., Chromepet.	24-11-61	Discharge of a worker.	Agreed to reinstate the worker, with continuity of service but without back wages.	
110. Radhakrishna Bus Service, Red Hills.	25-11-61	Retrenchment of 2 checking inspectors.	The new owner agreed to take back into service the 2 workers with continuity of service and to pay wages for October 61 on the withdrawal of the stay petition filed by the union before the Road Transport Authority Vellore.	
111. General Metal Trading Co., Kovilpatti.	1-11-61	Bonus for the year 1960-61.	Agreed to pay one month's wages as advance of pay which will be adjusted against bonus, if any, that may be declared for the year 1960-61. The advance or the balance of it will be recovered after the bonus question is settled.	
112. Nellore Metal Rolling Mills (P) Ltd., Thachanallur.	2-11-61	Bonus for 1960 and Revision of rates of wages.	Agreed to pay each worker who was in service for whole or part of 1960 and was working on 31-12-60 a sum of one month's wages as on 31-12-60 and Rs. 5/- in full and final settlement of claims for bonus for 1960. Also agreed to	

(1)	(2)	(3)	(4)	(5)
				grant each workmen an increase in wages at Rs. 3/- p.m. or 12 nP. per day as the case may be with effect from 1961 on condition that the workers do not ask for any further revision till the end of March 62.
113. Koka Indian Foundry, Thiruthangal.	5-11-61	Bonus for 1960-61.	Already paid 30 days wages as bonus for 1960-61. They agreed to pay bonus for 1960-61 at the time of Deepavali.	
114. Iyanar Coffee and Tea Co., Tuticorin.	10-11-61	Revision of wages, increment, Bonus etc.	Agreed to revise the wages. Also to grant all permanent workers an annual increment of Rs. 2/- in February each year for 4 years commencing from 1962. Bonus will be paid at 5/12 of the earned wages for 1960-61 and at 33 1/3% of the wages earned for each of the years 1962-63, 1963-64, 1964-65 and 1965-66.	
115. Iyanar Soap Works, Tuticorin Sri Ram Textile Melachaval.	do 15-11-61	do Proposed discharge of 5 workers.	do. Agreed to retain all the 5 workers in service on this assurance of good behaviour.	
116. Madura Mills Co., Ltd., Ambasamudram.	23-11-61	Reduction of office staff in certain sections.	Agreed to restore the reduction and agreed not to retrench any workman (any in mill staff) on account of introduction of ACBI's recommendations.	
117. Siva Industrial Works, Kovilpatti.	27-11-61	Revision of wages.	Agreed to increase the rate of wages by 5% from 25-11-61.	
118. Udipi Srikrishna Bhavan Hotel, Sivakasi.	29-11-61	Non-employment of a worker and payment of leave wages to another.	Agreed to pay Rs. 50/- to a worker in full settlement and pay the other worker arrears of leave wages in full quit.	

2. Statement showing the Bipartite settlements under section 18 (1) of the Industrial Disputes Act, 1947, for the month of November, 1961.

Serial No.	Name of the concern	Date of agreement	No. of workers involved	Important terms of Settlement.
(1)	(2)	(3)	(4)	(5)
1-	Dhrangadhara Chemical Works Ltd., Arumuganeri.	1-11-61	...	Payment of advance for Deepavali.
2.	Sudarsanam Spinning Mills, Rajapalayam.	24-10-61	154	Payment of bonus for the year ending 30-9-61.
3.	Sri Gunamalai Vilas Power Tin Factory, Virudhunagar.	31-10-61	25	Payment of bonus.
4.	Palaniappa Oil Mills and Meenakshi Oil Mills, Virudhunagar.	24-11-61	7	do
5.	Jawahar Mills Ltd., Chettinad.	1-11-61	...	Bonus for 1960.
6.	P. S. S. Transport, Madurai.	...	...	do

3. Statement showing the list of Industrial disputes referred for adjudication to the Industrial Tribunal, Madras and the Labour Courts published in Fort St. George Gazette during the month of November, 1961.

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.

- | | | |
|--|---|---|
| <p>1. Burmah Shell Oil Storage and Distributing Co., of India Limited, Madras.</p> | <p>1. Whether the demand that the management of Burmah Shell Oil Storage and Distributing Co., of India Ltd., Madras should abolish the contract system in respect of any items of work now being carried out by contract labourers is justified and if so to what extent.</p> <p>2. Whether any, and if so who among the casual labourers employed by the Co., should be made permanent or provided with regular employment on any of the items of work in respect of which the contract system may be directed to be abolished with reference to issue (1) above.</p> | <p>G. O. Ms. No. 6606, I. L. & C. (Lab) dated 11-10-61.</p> |
| <p>2. A. L. S. Productions (Lessees of Bhavani Studio), Madras.</p> | <p>1. Whether the demand of the workers for fixation of incremental scale of consolidated wages for the various categories of workers is justified and if so to fix the scales and fit the existing incumbents into these scales.</p> <p>2. Whether the demand of the workers for the payment of additional bonus for 1959-60 is justified and if so to fix the quantum.</p> <p>3. Whether the demand of the workers for additional leave facilities is justified and if so to what extent.</p> | <p>G.O. Ms. No. 6303, I. L. & C. (Lab) dated 31-10-61.</p> |
| <p>3. Gokulesh Bhavan, Madras.</p> | <p>1. Whether the demand of the workers for revision of rates of wages and fixation of wage scales is justified and if so to fix the scales of wages of different categories of workers and fit the present incumbents in the scales so fixed.</p> | <p>G. O. Ms. No. 6551, I. L. & C. (Lab) dated 16-11-61.</p> |

(1)	(2)	(3)
	2. Whether the demand of the workers for payment of additional bonus for 1959-60 is justified and if so to fix the quantum. 3. Whether the demand of the workers for the introduction of a gratuity scheme is justified and if so to formulate the scheme.	
	<i>Coimbatore District.</i>	
4. Mettupalayam Coonoor Service (Private) Ltd., Mettupalayam.	Whether the demands of the workers for revision of rates of batta and House Rent Allowance is justified and if so, to fix the revised rate.	G. O. Ms. No. 6298, I. L. & C. (Lab) dated 31-10-61.
	<i>Nilgiris District.</i>	
5. Emerald Valley Estate, Ithaler P.O.	Whether the staff employed in the Emerald Valley Estate are eligible for any additional bonus for the years 1955, 1956 and 1959 and if so to fix the quantum of such additional bonus.	G. O. Ms. No. 6302, I.L. & C. (Lab) dated 31-10-61.
	<i>Ramnad District.</i>	
6. Madura Mills & Co., Ltd. Ginning and Pressing Factories, Virudhunagar and Sathur.	Whether the demand for the institution of a Provident Fund Scheme is justified and if so to formulate a scheme.	G. O. Ms. No. 6011, I. L. & C. (Lab) dated 12-10-61.
	<i>Labour Court, Madras</i>	
	<i>Madras District.</i>	
7. Spad Clover Beedi Factory, Madras.	1. Whether the non-employment of Thameesa 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. 3. Whether the eleven workers mentioned in the annexure to the G.O. are entitled to all or any of the benefits extended to the permanent workers in the factory, and if so to what extent and from what date.	G. O. Ms. No. 6168, I. L. & C. (Lab) dated 24-10-61.

(1)	(2)	(3)
8. Sadasivam Hair Cutting Saloon, Madras.	1. Whether the non-employment of Sri G. Manickam 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. 6169, I. L. & C. (Lab) dated 24-10-61.
9. Indian Cable and Wire Industries, Madras.	Whether the non-employment of Sri Venugopal and three others referred to in the Annexure to the G.O. is justified and to what relief they are entitled.	G. O. Ms. No. 6163, I.L. & C. (Lab), dated 24-10-61.
10. The Mysore Insecticides Co., Madras.	1. Whether the non-employment of M/s. V. Venkateson K. N. Munuswamy and K. Doraisami is justified or not and to what relief, if any 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. 6161, I. L. & C. (Lab) dated 24-10-61.
11. Essor Engineering Works, Madras.	Whether the demand for the revision of the basic wages of watchmen employed in Essor Engineering Works, Madras is justified and if so to fix the revised rates of wages.	G. O. Ms. No. 6034, I. L. & C. (Lab) dated 12-10-61.
	<i>Labour Court, Coimbatore</i>	
	<i>Salem District.</i>	
12. Jeevajothi Bus Service, Krishnagiri, Salem.	1. Whether the non-employment of Sri K. Dorairaj with effect from 26th March 1961 is justified and if so 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. 6177, I. L. & C. (Lab) dated 24-10-61.
13. Salem-Erode Electricity Distribution Co., Ltd., Salem.	1. Whether the demotion of Sri B. R. Muthiah, from 1st April 1961 from the post of clerk to that of an attender is justified and to what relief he is entitled.	G. O. Ms. No. 6290, I. L. & C. (Lab) dated 30-10-61.

(1)	(2)	(3)
	2. To compute the relief if any awarded in terms of money if it can be so computed.	
14. Pullicar Mills Ltd., Tiruchengode.	1. Whether the action of the management in reducing the worker Arumugam T. No. 61 from his permanent post of Spinning sider into Badli is justified and if not to what relief he is entitled to. 2. To compute the relief, if any awarded in terms of money if it can be so computed.	G. O. Ms. No. 6305, I. L. & C. (Lab) dated 31-10-61.
<i>Coimbatore District</i>		
15. Anglo American District Tea Trading Co., Ltd., Valparai Post.	1. Whether the non-employment of Sri Muthuswamy, Supervisor (No. 11) 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. 6544, I. L. & C. (Lab) dated 16-11-61.
16. Kareem Beedi Factory, Madras.	1. Whether the non-employment of workers Sri Fasal Mohideen and S. Mahaboob is justified and to what relief each is entitled. 2. Whether the transfer of workers Govindaswamy, Pakiri and Sowrinathan to Hyderabad, Bangalore and to the Tobacco Processing Section of the Factory respectively and their subsequent non-employment if justified and to what relief each is entitled. 3. To compute the relief if any awarded, in terms of money if it can be so computed. 4. Whether the 32 workers referred to in the annexure to the G. O. are entitled to the benefits extended to the permanent workers in the Kareem Beedi Factory and if so to what extent and from what date.	G. O. Ms. No. 6451, I. L. & C. (Lab) dated, 16-11-61.

(1)	(2)	(3)
<i>Labour Court, Madurai</i>		
<i>Trichy District</i>		
17. Sri Krishna Transports. Jayankondam,	1. Whether the non-employment of T. S. Kandasamy, Khader Batcha and R. Venkataraman is justified and to what relief each is entitled. 2. To compute the relief if any awarded in terms of money if it can be so computed.	G. O. Ms. No. 6029, I. L. & C. (Labour) dated 12-10-61.

4. Statement showing the list of awards of the Industrial Tribunal, and the Labour Courts, and published in the Supplement to Part II. Section I of the *Fort St. George Gazette*, during the month of November, 1961.

S. No.	Name of the concern.	Page and date of Gazette.	G.O. No. and date in which the award was Published.
(1)	(2)	(3)	(4)
Industrial Tribunal, Madras.			
Madras District.			
1.	Hoogly Ink Co. Ltd., Madras	8-9 1-11-61	G. O. R. No. 1436, I.L.C., (Labour) dated 19-10-61.
2.	Certain Cinoma Theatres in Madras City.	9-12 1-11-61	G. O. Ms No. 6164, I.L.C., (Lab), dated 24-10-61.
Salem District			
3.	Mettur Industries, Mettur Dam.	12-13 1-11-61	G. O. Ms. No. 6086, I.L.C., (Lab), dated 16-10-61.
4.	Sreedharan Motor Service, Attur.	1-3 1-11-61	G. O. Ms. No. 6083, I. L. C., (Lab), dated 16-10-61.
Labour Courts			
Coimbatore District.			
5.	Sri Ramalinga Chpodambigai Mills, Ltd., Tiruppur.	2-3 15-11-61	G. O. Ms. No. 6354, I. L. C. (Lab), dated 3-11-61.
6.	Praga Industries (Private) Ltd., Coimbatore.	3-4 15-11-61	G. O. Ms. No. 6355, I.L.C., (Lab), dated 3-11-61.
7.	The Coimbatore Murugan Mills, Ltd., Coimbatore.	5-6 15-11-61	G. O. Ms. No. 1547, I. L. C., (Lab), dated 3-11-61.
8.	New Theatres Carnatic Talkies (Private) Ltd., Coimbatore.	9-13 22-11-61	G. O. Ms. No. 6488, I.L.C., (Lab), dated 13-11-61.
9.	Stanes Transports Ltd., Coimbatore.	8-9 22-11-61	G. O. Ms. No. 1598, I. L. C., (Lab), dated 14-11-61.
Madras District			
10.	Ravindra Industries Madras-6.	1 1-11-61	*G. O. R. No. 1397, I. L. C., dated 11-10-61.

(1)	(2)	(3)	(4)
11.	Sivasankar Press, Madras.	7-8 1-11-61	*G. O. R. No. 6158, I. L. C., (Lab), dated 23-10-61.
12.	Remington Rand of India Ltd., Madras.	1 8-11-61	G. O. R. No. 1511, I. L. C. (Lab), dated 27-10-61.
13.	Photo Litho Press, Madras.	2 8-11-61	G. O. R. No. 1514, I. L. C. dated 27-10-61.
14.	Parry & Co. Ltd., Madras.	2-3 8-11-61	G. O. R. No. 1519, I. L. C., dated 28-10-61.
15.	Vickram Studios and Laboratories (Private) Ltd., Madras.	2-3 29-11-61	G. O. R. No. 1639, I. L. C., (Labour), dated 22-11-61.
16.	Sridhar & Co., Madras.	1-2 22-11-61	G. O. R. No. 1573, I. L. C., dated 10-11-61.
17.	Indian Metal and Metallurgical Corporation, Madras.	2 22-11-61	*G. O. R. No. 1574, I. L. C., dated 10-11-61.
18.	do	3-4 22-11-61	*G. O. R. No. 1576, I. L. C., dated 10-11-61.
19.	do	5 22-11-61	G. O. R. No. 1578, I. L. C., dated 10-11-61.
20.	do	6-7 2-11-61	*G. O. R. No. 1580, I. L. C., dated 10-11-61.
21.	East India Industries, Madras.	2-3 22-11-61	G. O. R. No. 1575, I. L. C., dated 10-11-61.
22.	Orient Industries Ltd., Madras.	4-5 22-11-61	G. O. R. No. 1577, I. L. C., (Labour), dated 10-11-61.
23.	do	8 22-11-61	G. O. R. No. 1597, I. L. C., dated 10-11-61.
24.	T. N. K. Govindharajulu Chetty & Co., Madras-21.	6 22-11-61	G. O. R. No. 1579, I. L. C., dated 10-11-61.
25.	Paragon Talkies, Madras.	7 22-11-61	G. O. R. No. 1581, I. L. C., dated 10-11-61.

(1)	(2)	(3)	(4)
26. Bombay Prakash Bhavan, Madras.	7-8 22-11-61	G. O. R. No. 1583, I. L. C., dated 10-11-61.	
<i>Madurai District</i>			
27. Raja Vilas Scented Betelnut and Tobacco Factory, Dindigul.	5-7 1-11-61	G. O. Ms. No. 6156, I. L. C., (Labour), 23-10-61)	
28. Gopalasami Ribbon & Cloth Merchant, Madurai.	3-4 8-11-61	G. O. Ms. No. 6286, I. L. C., (Labour), dated 8-10-61.	
<i>Salem District.</i>			
29. Mettur Spinning Mills, Mettur Dam.	4-6 8-11-61	G. O. Ms. No. 6307, I. L. C., (Labour), dated 31-10-61.]	
30. Dalmia Magnesite Corporation, Salem.	1-2 15-11-61	G. O. R. No. 1548, I. L. C., (Labour), dated 3-11-61.	
31. R. B. David & Co., Salem & N. S. Motor Service, Salem.	4-5 15-11-61	G. O. Ms. No. 6340, I. L. C., (Labour), dated 4-11-61.	
<i>Trichy District</i>			
32. B. N. B. V. Rice Mills, Poovalur, Lalgudi.	1-2 1-11-61	G. O. R. No. 1460, I. L. C., dated 31-10-61.	
33. Nizam Tobacco., Pudukkottai.	2-5 1-11-61	G. O. Ms. No. 6155, I. L. C., (Labour), dated 23-10-61.	
34. Central Cafe, Trichy.	1 29-11-61	G. O. Ms. No. 1619, I. L. C., dated 20-11-61.	
35. Kumkumambigai Rice Mills, Puvalur Lalgudi.	2 29-11-61	G. O. Ms. No. 1620, I. L. C., dated 20-11-61.	
<i>Tirunelveli District</i>			
36. Sriyapushpam Match Works, Kalugumalai.	6-8 15-11-61	G. O. Ms. No. 6416, I. L. C., (Labour), dated 9-11-61.	
37. Star Match Factory, Kalugumalai	13-15 22-11-61	G. O. Ms. No. 6500, I. L. C., (Labour), dated 14-11-61.	
38. Pope the King Match Factory, Kalugumalai.	15-16 22-11-61	G. O. Ms. No. 6501, I. L. C., dated 14-11-61.	
<i>Arbitration Agreement.</i>			
39. Sri Jayajothi & Co., Lessee Shri Shanmugar Mills, Rajapalayam.	3 22-11-61	G. O. R. No. 6705 I. L. C., (Labour) dated 27-11-61.	

NOTE: * 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 November 1961.

Sl. No.	Name of the Concern.	Industry.	No. of workers involved.	Closures.		Cause.	Compensation paid to workers.
				Began.	Ended.		
1	2	3	4	5	6	7	8
1.	Bharat Sandal Oil Distilleries, Salem.	Oil Extrac- tion.	20	22-11-61	Temporary.	Non-availability of new material.	...
2.	India Silicite Industries (Private) Ltd., Mettupalayam, (Moulding & Foundry section).	Class.	M. 9 F. 9	24-11-61 } 18-12-61 }	do	do	...
3.	National Bhavan, Madras-1.	Hotel.	11	8-11-61	Permanent.	Due to loss in business.	Agreed to pay Compensation.
4.	Mahendra Stores, Madras-17.	Miscellaneous	...	15-11-61	do	Slack in business.	...
5.	Various Appalam Companies in Triplicane and Royapettah area of Madras.	Miscellaneous	...	30-11-61	do	Non - Co-operation of the workers.	...

7. Statement showing the number of complaints received and investigated by the Labour Officers' during the month of November 1961.

Sl. No.	Labour Officers	Wages and allowances.	Bonus.	Bonus suspensions (dismissals etc.)	Retrenchment.	Leave and hours of work.	Not classifiable.)	Causes not known.	Total.	Complaints investigated and settled. (including those pending previously).
1		3	4	5	6	7	8	9	10	11
1.	Labour Officer, Coimbatore I	19	27	33	...	6	44	...	129	129
2.	do Coimbatore II	...	25	10	...	1	17	...	53	53
3.	do Coonoor	6	3	32	...	2	7	...	50	50
4.	do Madras-I	11	8	14	3	...	7	...	43	68
5.	do Madras-II	13	21	6	2	...	1	...	43	43
6.	do Madras-III	14	5	33	...	3	...	...	55	55
7.	do Madurai	4	...	20	...	4	9	...	37	37
8.	do Nagercoil	7	...	8	...	3	3	...	21	26
9.	do Pollachi	12	2	20	...	...	16	...	50	50
10.	do Salem	10	36	27	...	1	7	...	81	61
11.	do Tiruchirapalli	13	5	11	2	...	12	...	43	43
12.	do Tirunelveli	14	11	33	...	2	16	...	76	64
13.	do Vellore	4	1	11	10	2	7	...	35	24
	Total	127	144	258	17	24	146	...	716	703

8. Statement showing the number of Standing Orders certified during the month of November 1961.

Number of Standing Orders certified as on 1-11-1961. ... 2026
 Number of standing orders certified during the month of November 1961 ... 91

Total ... 2,117

Number of amendments to the Standing Orders certified during the month of November 1961. ... Nil

The draft standing orders applicable to working journalist of Anandavikatan, Madras-2 were also certified during the month of November, 1961.

9. Workmen's Compensation Act 1923.

Statement of accidents reported and amount of compensation paid for the month of November 1961.

Number of accidents	* Amount of compensation paid under each head.	
	Rs.	nP.
(a) Death	32 ...	36,906.33
(b) Temporary disablement	41	1,417.58
(c) Permanent disablement		
Total		38,323.91

* Represents only the amounts deposited under section 8 (1) and 8 (2) of the Act.

10. Workmen's Compensation Act.

Statement showing the number of cases filed and disposed of during the period from 1-11-61 to 30-11-61.

Nature of the claim (1)	Number previously pending. (2)	Number received. (3)	Total. (4)	Number disposed (5)	Balance. (6)
1. Application under Section 10 :					
(a) Fatal ...	59	...	59	2	57
(b) Non-fatal.					
(i) Permanent disablement ...	59	1	60	7	53
(ii) Temporary disablement ...	4	1	5	...	5
2. Deposit under Section 8 (1)					
(a) Fatal ...	74	22	96	15	81
(b) Persons under legal disability...	10	2	12	...	12
3. Deposit under Section 8 (2)					
...	5	3	8	1	7

	(1)	(2)	(3)	(4)	(5)	(6)
4. Memorandum of Agreement.						
(a) Permanent disablement ...	5	10	15	1	14	
(b) Temporary disablement ...	1	2	3	2	1	
5. Recovery under Section 31 ...	1	...	1	...	1	
6. Indemnification under Section 12 ...	2	1	3	...	3	
Total ...	<u>220</u>	<u>42</u>	<u>262</u>	<u>28</u>	<u>234</u>	

11. Payment of Wages Act, 1936.

Statement for the month of November 1961.

(1) No. of cases pending at the beginning of the month ...	245
(2) No. of cases filed during the month ...	63
(3) No. of cases disposed of during the month ...	54
(4) No. of cases pending at the end of the month ...	254

12. (a) Madras shops and Establishments Act, 1947. Applications under section 51.

Pending as on 1-11-1961 ...	8
Received during the month of November 1961 ...	Nil
Disposed of during the month of November 1961 ...	6
Pending as on 1-12-61 ...	2

(b) Madras shops and Establishments Act, 1947. Appeals under section 41.

Pending as on 1-11-1961 ...	175
Received during the month of November 1961 ...	27
Disposed of during the month of November 1961 ...	42
Pending as on 1-12-1961 ...	160

(c) Madras Catering Establishments Act, 1958. Appeals under section 19.

Pending as on 1-11-1961 ...	162
Received during the month of November 1961 ...	66
Disposed of during the month of November 1961 ...	31
Pending as on 1-12-1961 ...	197

13. (a) List of Trade Unions Registered under the Indian Trade Unions Act, 1926, during the month of November, 1961.

S. No.	R. No.	Date of registration.	Industry.	Name and address of the the Unions.
(1)	(2)	(3)	(4)	(5)
1.	3224	3-11-61	Food, Beverage ... & Tobacco.	The New Bharat Confectionery Employees (Workers and Staff) Union, Thiruthalamudayar Koil North Street, Sirkali.
2.	3225	do	do	The Buhari Hotel Employees Union, 136, Strahans Road, Madras-12.
3.	3226	do	Sugar	Kothari Sugar Factory Workers' Union, Katur Sirumayangudi Village, Lalgudi Taluk, Tiruchirapalli District.
4.	3227	do	Engineering	The Richardson and Cruddas Limited, Workers' Union, 34, Ramaswamy Street, Mannady, Madras-1.
5.	3228	10-11-61	do	Vikrama and Saganla Group Workers' Union, 24, Bajana Koil Street, Arunachalapuram, Adayar, Madras-20.
6.	3229	do	Leather and Leather Products.	Madras Leather Factory Workers Union, 136, Strahans Road, Madras-12.
7.	3230	do	Miscellaneous	Oriental Mercantile Agency Madras Employee's Union, 104, Coral Merchant St., Madras-1.
8.	3231	do	Construction	Mettur Public Works Department Workers' Union, Mettur Dam.
9.	3232	13-11-61	Textiles	Kuppampatti National Handloom Silk Weavers Congress, Kuppampatti, Jala-kantapuram P.O., Ormalur Taluk, Salem District.
10.	3233	16-11-61	Banking	Bank of Madura Employees' Union, Malabar House, Railway Station Road, Coimbatore-1.

(1)	(2)	(3)	(4)	(5)
11.	3234	do	Food Beverages & Tobacco.	... The Coimbatore Rice Mill and General Workers' Union, 12/3, S. Ramaswamy Road, R. S. Puram P.O., Coimbatore.
12.	3235	17-11-61	do	... Erode Rice and Oil Mill Workers, Union, 29, Sait Colony Ahilmedu Street, Erode.
13.	3236	22-11-61	Textiles	... Madurai National Labour Union, 279-A, Goods Shed Street, Madurai-1.
14.	3237	do	Miscellaneous	... National Tiles Workers Union, Keela Tile Factory Compound, Mangalapuram, Manamadurai.
15.	3238	do	Textiles	... The South India Viscose Company Workers' Union, Elakapalayam, Sirumugai Post (Via), Mettupalayam Coimbatore.
16.	3239	23-11-61	Transport	... The Tuticorin Lorry and Pleasure Car Workers' Union, 275, Ettayapuram Road, Tuticorin.
17.	3240	28-11-61	Miscellaneous	... Madras State General Industrial and Commercial Employees Union, 10, Eswardass Lala Street, Madras-5.
18.	3241	do	Ports and Docks	... Port and Port Trust Employees Union, 110, North Raja Street, Tuticorin.
19.	3242	do	Miscellaneous	... Viswa Brama Thozhilalar Sangam, Thiruvettanallur P.O. (Via) Puttugudi, Sankaranainar Koil Taluk, Tirunelveli District.
20.	3243	do	do	... Karisalkulam Salavai Thozhilalar Sangam, Perunkettur, Chathirankondam P.O., Sankaranainar Koil Taluk, Tirunelveli Dist.
21.	3244	29-11-61	Service	... Kanayakumari Medical Mission Employees' Association, Neyyur, Neyoor P.O., Kanyakumari Dist.

13. (b) List of Trade Unions cancelled during the month of November 1961—Nil.

ABSTRACT

1.	Total No. of Trade Unions as on 1-11-61	...	1120
2.	-do- Registered during the month	...	21
3.	-do- Cancelled dissolved or amalgamated during the month.	...	Nil
4.	Total No. of Trade Unions as on 30-11-61	...	1,141

14. Labour administration and Statistics for the month of November 1961.

S. No.	Particulars.	Factories Act.	Payment of Wages Act.	Madras Maternity Benefit Act.	Madras Shops and Establishments Act.	Madras Catering Establishments Act.	Minimum Wages Act.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	No. of establishments inspected.	1009	2,899	292	49,856	3,931	1232
2	*Nature of irregularities noticed	99	356	76	654	665	37
3	No. of cases warned	49	98	...	771	408	56
4	No. of prosecutions launched.	28	...	...	53	120	1
5	No. of convictions obtained.	49	...	...	27	82	...
6	Amount of fine levied in Rupees.	1051	...	...	405	1443	15

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

1200

MADRAS LABOUR GAZETTE

16. (a) Statement of Accidents for the month of November, 1961.

No. of Industries (1)	Name of Industry (2)	Number of accidents.	
		Fatal. (3)	Non-fatal. (4)
01.	Processes allied to agriculture (Gins and Presses).	...	2
20.	Food except beverages	...	53
21.	Beverages	...	1
22.	Tobacco	...	1
23.	Textiles	1	270
24.	Foot-wear, other wearing apparel and made-up textile goods.	...	1
25.	Wood and cork except furniture	...	2
26.	Furniture and fixtures	...	8
27.	Paper and paper products	...	...
28.	Printing, publishing and allied industries	...	15
29.	Leather and leather products (except foot-wear).	...	2
30.	Rubber and rubber products	...	18
31.	Chemicals and Chemical products	...	225
32.	Products of petroleum and coal	...	19
33.	Non-metallic Mineral Products (except Products of Petroleum and coal).	1	36
34.	Basic Metal industries	...	16
35.	Metal products (except machinery and transport equipments).	...	58
36.	Machinery (except electrical machinery)	...	145
37.	Electrical Machinery, apparatus, appliances and supplies.	...	32
38.	Transport equipment	...	524
39.	Miscellaneous industries	...	22
51.	Electricity, Gas and Steam	...	4
52.	Water and Sanitary Services	...	...
83.	Recreation services (Cinema Studios)	...	9
84.	Personal Services (laundries, dyeing and cleaning).	...	...
Total		2	1,463

16. (b) Statement of Accidents in Cotton and Jute Mills for the Month of November, 1961.

Name of Industry. (1)	Adults.		Adolescents		Children	
	Men. (2)	Women. (3)	Male. (4)	Female. (5)	Boys. (6)	Girls. (7)
Cotton Machinery:—						
1. Opening and Blowing room Machinery.	6	...	...	...	...	...
2. Card room Machinery	11	...	...	...	...	...
3. Drawing Frames	6	...	...	...	...	...
4. Speed Frames	21	...	...	...	...	...
5. Spinning Machinery	49	3	...	...	...	...
6. Weaving Machinery	8	...	...	...	...	...
7. Finishing Machinery	2	3	...	...	...	...
8. Flying Shuttles	7	...	...	...	...	...
9. Other Miscellaneous Textile Machinery	16	...	...	...	...	...
10. Miscellaneous Non-Machinery Accidents.	135	4	...	...	...	...
Total	261	10	...	...	...	...
Jute Machinery	...	...	Nil	...	...	...

17. The Government of Madras granted exemption to the following factories and establishments from the provisions of the Acts and Rules as indicated below during the month of November, 1961.

Name of the factory or establishments	Sections from which exempted	Duration of exemption	Authority
(1)	(2)	(3)	(4)

EMPLOYEES' STATE INSURANCE ACT, 1948.

1. Central Asphalt Plant, Egmore,	All provisions except Chapter V-A.	For 1 year from 20-11-61.	Notification II-1 No. 4749 of 1961 at page 1654 of Part II-Sec. 1 of the Fort St. George Gazette dt. 1-11-61.
2. Certain factories in Tirunelveli District exclusively engaged in wool pressing either with or without cotton pressing and ginning.	do	From 26-11-61 to 31-12-61.	G.O. Ms. No. 6507, I.L. & C. (Lab) dated 14-11-61 published in notification No. II-1 No. 5128 of 1961 at page 1771 of Part II Sec. 1 of the Fort St. George Gazette dated 22-11-61.
3. Certain factories in Tirunelveli District employing less than 10 persons but in which 20 or more persons are working or were working.	do	From 26-11-61 to 21-1-62	G. O. Ms. No. 6508. I. L. C. (Lab) dated 14-11-61 published in notification II-1 No. 5129 of 1961 at page 1771 of Part II Sec. 1 of the Fort St George Gazette dt. 22-11-61.
4. Certain factories in Tirunelveli District which are seasonal in nature though not seasonal under Act.	do	From 26-11-61 to 30-9-62.	G O. Ms. No. 6509 I. L. C. (Lab) dated 14-12-61 published in notification II-1 No. 5130 of 1961 at page 1771 of Part II Sec. I of the Fort St. George Gazette dated 22-11-61.

EMPLOYEES' PROVIDENT FUNDS ACT, 1952.

1. I. S. S. D. Press of Mac Millan & Co., Madras, 2.	From all the provisions of the Employees Provident Fund Scheme subject to certain conditions.	From 1-8-56.	G.O. Ms. No. 5987, I. L. C. (Lab) dated 10-10-61 published in notification II-1 No. 498 of 1961 at page 1698 of Part II section I of the Fort St. George Gazette dt. 8-11-61.
2. Geofferrey Manners & Co., Ltd., Madras Branch.	From all the provisions of the Employees Provident Fund Scheme subject to certain conditions.	From 1-6-59.	G.O. Ms. No. 6125, I. L. C. (Lab) dated 20-10-61 published in notification II-1 No. 4909 of 1961 at page 1699-1700 of Part I-Sec. 1 of the Fort St. George Gazette dt. 8-11-61.

(1)	(2)	(3)	(4)	(5)
3.	Kumbakonam Electric Supply Corporation Ltd. Kumbakonam and its 22 branche establishments.	do	From 1-9-56 & 1-5-60,	G.O. Ms. No. 6126, I. L. C. (Lab) dated 20-10-61 published in notification II-1 No. 4910 of 1961 at page 1700-1701 of Part II-Sec. 1 of the Fort St. George Gazette dated 8-11-61.
4.	Ramnath Publication and Ramnath Press, Vadapalani, Madras.	do	From 1-1-57 in respect of publication and from 1-1-60 in respect of the press	G. O. Ms. No. 6380, I. L. C. (Lab) dated 6-11-61 published in notification II-1 No. 5221 of 1961 at pages 1796-97 of Part II-Sec. of the Fort St. George Gazette dt. 29-11-61.

MADRAS SHOPS AND ESTABLISHMENTS ACT, 1947.

1. Khadi Bhandars in Madras State run by Ghandi Ashram, Tiruchengode.	11 provisions of the Act,	Permanent.	G.O. Ms. No. 6127, I.L. C. (Lab) dt. 20-10-61 published in notification II-1 No. 5030 of 1961 at page 1737 of Part II section 1 of the Fort St. George Gazette dt. 15-7-61.
2. Kasi and Sethu, Kumbakonam. Head Office at Kumbakonam Branch office at Thanjavur Branch office at Trichy	From Sub-section (1) of section 32,	For one year from the date of publication	G.O. Ms. No. 6379, I. L. C. (Lab) dt 6-11-61 published in notification II-1 No. 5218 of 1961 at page 1796 of Part II section 1 of the Fort St. George Gazette dt. 29-11-61.

18. Consolidated Statement of Price of Cotton and Yarn for the month of November, 1961.

For the Week ending.	Price of Cotton per quintal or 100 Kilograms.	
	Cambodia.	Karunganny.
4-11-'61	Rs. 240/275	Rs. 210/245
11-11-'61	-do-	-do-
18-11-'61	-do-	-do-
25-11-'61	-do-	-do-

For the Week ending	Price of Yarn per Bundle of 10 lbs.	
	202s.	
4-11-'61	Rs. 20.75	
11-11-'61	20.75	
18-11-'61	20.75	
25-11-'61	20.75	

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 mofussil urban centres for the month of November 1961, as ascertained and declared by the Director of Statistics under section 2 (d) of that Act.

Centre.	Food.	Fuel and Lighting.	Cloth- ing.	House Rent.	Miscel- laneous.	Cost of Living index
(1)	(2)	(3)	(4)	(5)	(6)	(7)
(Base : Year ended June, 1936 : 100).						
1. Madras City ...	536.3	613.4	468.9	293.5**	363.6	481.4
2. Cuddalore ...	520.0	514.0	386.0	354.0	492.0	488.0
3. Tiruchirapalli ...	521.0	494.0	429.0	287.0	338.0	461.0
4. Madurai ...	545.0	417.0	504.0	301.0	309.0	468.0
5. Coimbatore ...	531.0	526.0	481.0	485.0	291.0	505.0
	Food.	Housing.	Clothing.	Miscel- laneous.	Cost of Living Index.	
(Base : August, 1939 : 100).						
6. Nagercoil ...	560.0	425.0	540.0	290.0	497.0	

** 293.47 to two decimal places.

* The cost of living index numbers are now called consumer price index numbers.

Comparative statement of the cost of living index numbers for the months of October, 1961 and November, 1961.

Zone.	Centre.	Cost of living index numbers for the months of		Variation.
		October, 1961.	November, 1961.	
(1)	(2)	(3)	(4)	(5)
(Base: Year ended June, 1936: 100).				
1. Madras City and Chingleput Dts.	Madras City	480.4	481.4	+1.0
2. North Arcot and South Arcot Dts.	Cuddalore	488.0	488.0	—
3. Tiruchirapalli & Tanjavor Dts.	Tiruchirapalli	465.0	461.0	+1.0
4. Madurai, Ramanathapuram and Tirunelveli Dts.	Madurai	470.0	468.0	—2.0
5. Coimbatore and Salem Dts.	Coimbatore	507.0	505.0	—2.0
(Base: August, 1939: 100)				
6. Kanyakumari Dt.	Nagercoil	491.0	497.0	+6.0

MADRAS CITY. INDEX-481.

A rise of one point.

The index for the food group rose by two points to 536 due mainly to a rise in the prices of vegetables and meat.

The index for the fuel and lighting group fell by four points to 613 due to a fall in the price of firewood and charcoal.

The index for the miscellaneous group rose by one point to 364 due to a rise in the price of tobacco for chewing.

The group index numbers in respect of clothing and house-rent remained unchanged at 469, and 293 points respectively.

Group.	Weight proportional to the total expenditure.	Group Index number.	
		October, 1961.	November, 1961.
(1)	(2)	(3)	(4)
Food	58.23	530.0	536.3
Fuel and lighting	8.42	617.1	613.4
Clothing	6.10	468.8	468.9
House-rent	14.57	293.5*	293.5*
Miscellaneous	12.68	363.5@	363.6
Total	100.00		
Cost of living index numbers		480.4	481.4

* 293.47 to two decimal places.

@ 363.49 to two decimal places.

CUDDALORE INDEX-488.

A slight rise.

The index for the food group rose by one point to 520 due mainly to a rise in the price of vegetables.

The index for the fuel and lighting group fell by three points to 514 due to a fall in the price of firewood.

The group index numbers in respect of clothing, house-rent and miscellaneous remained unchanged at 386, 354 and 492 points respectively.

TIRUCHIRAPALLI INDEX-461.

A rise of one point.

The index for the food group rose by two points to 521 due to a rise in the price of vegetables.

The index for the fuel and lighting group fell by one point to 494 due to a fall in the price of charcoal.

The group index numbers in respect of clothing, house-rent and miscellaneous remained unchanged at 229, 287 and 338 points respectively.

MADURAI INDEX-468.

A fall of two points.

The index for the food group fell by four points to 545 due mainly to a fall in the prices of vegetables and gingelly oil.

The group index numbers in respect of fuel and lighting, clothing, house-rent and miscellaneous remained unchanged at 417, 504, 301 and 309 points respectively.

COIMBATORE INDEX-505.

A fall of two points.

The index for the food group fell by two points to 531 due mainly to a fall in the prices of tamarind and coconut oil.

The group index numbers in respect of fuel and lighting, clothing, house rent and miscellaneous remained unchanged at 526, 481, 485 and 291 points respectively.

(Base: August, 1939: 100)

NAGERCOIL INDEX-497.

A rise of six points.

The index for the food group rose by ten points to 560 due to a rise in the prices of vegetables, fish and coconut.

The index for the housing group rose by eight points to 425 due to a rise in the prices of firewood.

The index for the miscellaneous group fell by nine points to 290 due to a fall in the prices of betel leaves and arecanuts.

The index for the clothing group remained unchanged at 540.

CONSUMER PRICE INDEX NUMBERS

19. (a) Interim Series of All-India Average Consumer Price Index Numbers for Working Class.

(Base : Shifted to 1949=100)

Year. (1)	All India* Original base 1949.	
	General Index. (2)	Food Index. (3)
1950.	101	101
1951.	105	104
1952.	103	102
1953.	106	109
1954.	101	101
1955.	96	92
1956.	105	105
1957.	111	112
1958.	116	118
1959.	121	125
1960.	124	126
1960 :—		
August.	126	129
September.	125	128
October.	125	127
November.	124	126
December.	124	124
1961 :—		
January.	123	123
February.	123	122
March.	124	123
April.	124	123
May.	124	123
June.	125	125
July.	126p	126p
August.	128p	129p
September	128p	129p

*To obtain the index number with 1944 as base year the figures given here need be multiplied by 1.42 in the case of Food Index and 1.38 in the case of General Index. This implies that for this purpose the series with base 1944=100 that used to be published, simultaneously, but has since been discontinued is linked to the above series at the year 1949. Thus the provisional all-India index on base 1944=100 during the month of Sept. 1961 was 176.64.

(Source : Labour Bureau for all-India Index.)

20 (a) Monthly Press Report for the month of November, 1961 of the Madras Region.

Sl. No.	Particulars	During the Month	Since 1-4-61.
A. Registration.			
1.	No. of workers registered	7,413	38,952
2.	Net No. of insured persons entitled to medical care at the end of month.	...	2,28,157
B. Employment Injury Benefits.			
1.	No. of Accident Reports received.	1,427	11,673
2.	No. of Temporary Disablement Benefit payments.	1,144	8,673
3.	Amount of Temporary Disablement Benefit paid.	Rs. 26,792-04	Rs. 2,08,804-45
4.	No. of cases referred to Medical Board.	24	159
5.	No. of cases decided for: (a) Partial Permanent Disablement. (b) Total Permanent Disablement.	8 ...	84 ...
6.	Amount of Permanent Disablement Benefit paid.	Rs. 5,389-63	Rs. 35,181-89
7.	No. of insured persons got fitted with Artificial limbs.	...	4
8.	No. of dependants admitted to dependants' Benefit.	...	4
9.	Amount of Dependants' Benefit.	Rs. 2,329-42	Rs. 15,449-32
C. Sickness Benefit.			
1.	No. of sickness benefit payments.	81,929	1,94,877
2.	No. of sickness benefit days.	1,38,092	13,48,086
3.	Amount of sickness benefit paid.	Rs. 3,24,675-53	Rs. 29,44,580-95
4.	No. of insured persons found eligible to extended sickness benefit.	82	498
5.	Amount of extended sickness benefit.	Rs. 14,479-28	Rs. 85,900-36
D. Maternity Benefit.			
1.	No. of fresh maternity benefit cases admitted.	115	1,019
2.	No. of Maternity Benefit days.	10,962	97,441
3.	Amount of Maternity Benefit paid.	Rs. 46,016-30	Rs. 3,88,372-60

Legal Action	During the Month of November, 1961	
	No. of cases	Amount
1. No. of cases where recovery of E.S.C. has been effected under Sec. 73-D of the Act and the amount so recovered.	10	Rs. 4,361-08
2. No. of cases where recovery of Employees' contribution has been effected under Sec. 75 (2) of the Act and the amount so recovered.	1	Rs. 1,639 61
3. No. of convictions under Sec. 86 of the Act indicating, in brief the grounds for prosecution and the punishment awarded:—		
No. of Insured persons Employers convicted.	Grounds	Punishment
(1)	(2)	(3)
1. One insured person	Received Sickness Benefit improperly by giving false declarations.	Fined Rs. 25/-
2. (a) Two Employers	Non-payment of contributions and non-submission of returns.	Convicted & admonished.
(b) One employer	do	Fine Rs. 30/-
(c) One employer	do	Compounded after full compliance and payment of legal expenses.
(d) Two employers	do	Fined Rs. 10/- each.
(e) One employer	do	Fined Rs. 50/-

20. (b) Employees State Insurance Scheme, Medical Benefit, for the month of November, 1961.

Sl. No.	Particulars.	for the month of November 1961
1.	Total number of Attendance :	
	New 61,848 } Old 1,82,372 }	... 2,44,220
2.	No. of Medical certificates issued	... 87,166
3.	No. of Domiciliary visits made	... 253
4.	No. of Injections administered	... 69,433
5.	No. of x-ray examinations	... 1,483
6.	No. of Laboratory Examinations	... 3,314
7.	No. of Specialist Investigations	... 3,555
8.	No. of Persons admitted to Hospitals	... 1,095
9.	Bed Days occupied during the month	... 9,240
<i>Additional data for panel system.</i>		
1.	No. of attendance. New. 13,698 } Old. 24,814 }	... 38,512
	Diagnostic Centres	...
2.	No. of Prescriptions issued	... 11 570 (excluding S. I. dispensaries Sembium and Pallavaram).
3.	Payments made to :—	
	1. Chemists	
	2. Insurance Medical Practitioners.	... Rs. 8,211/- (Coimbatore area only)

NOTE : The above figures exclude those of one Utilisation dispensary and one Panel Doctor.

LABOUR LAWS AND ADMINISTRATION

THE WORKMEN'S COMPENSATION ACT, 1923.

(Act No. VIII of 1923).

(5th March, 1923).

An Act to provide for the payment by certain classes of employers to their workmen of compensation for injury by accident.

WHEREAS it is expedient to provide for the payment by certain classes of employers to their workmen of compensation for injury by accident. It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY

1. (1) This Act may be called the Workmen's Compensation Act, 1923,

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

Short title, extent and Commencement. (3) It shall come into force on the first day of July, 1924.

2. (1) In this Act, unless there is anything repugnant in the subject or context,—

Definitions.

(a) **

(b) "Commissioner" means a Commissioner for Workmen's Compensation appointed under section 20;

(c) "Compensation" means compensation as provided for by this Act;

(d) "dependent" means any of the following relatives of a deceased workman, namely:

(i) a widow, a minor legitimate son, and unmarried legitimate daughter, or a widowed mother; and

(ii) if wholly dependent on the earnings of the workman at the time of his death a son or a daughter who has attained the age of 18 years and who is infirm;

(iii) wholly or in part dependent on the earnings of the workman at the time of his death,

(a) widower,

(b) a parent other than a widowed mother,

(c) a minor illegitimate son, an unmarried illegitimate daughter or a daughter legitimate or illegitimate if married and a minor or if widowed and a minor,

(d) a minor brother or an unmarried sister or a widowed sister if a minor,

(e) a widowed daughter-in-law,

(f) a minor child of pre-deceased son,

(g) a minor child of a pre-deceased daughter where no parent of the child is alive, or

(h) a paternal grand-parent if no parent of the workman is alive.

(e) "employer" includes any body of persons whether incorporated or not and any managing agent of an employer, and the legal representative of a deceased employer, and, when the services of a workman are temporarily lent or let on hire to another person by the person with whom the workman has entered into a contract of service or apprenticeship, means such other person while the workman is working for him;

(f) "managing agent" means any person appointed or acting as the representative of another person for the purpose of carrying on such other person's trade or business, but does not include an individual manager subordinate to an employer;

(ff) "minor" means a person who has not attained the age of 18 years;

(g) "partial disablement" means, where the disablement is of a temporary nature, such disablement as reduces the earning capacity of a workman in any employment in which he was engaged at the time of the accident resulting in the disablement, and where the disablement is of a permanent nature, such disablement as reduces his earning capacity in every employment which he was capable of undertaking at that time;

Provided that every injury specified in Schedule I shall be deemed to result in permanent partial disablement;

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

(i) "qualified medical practitioner" means any person registered under any (Central Act, State Act or an Act of the Legislature of a State) providing for the maintenance of a register of medical practitioners, or in any areas where no such lastmentioned Act is in force, any person declared by the (State Government), by notification in (Official Gazette), to be a Qualified medical practitioner for the purposes of this Act;

(j) ***

(k) "seaman" means any person forming part of the crew of any ship, but does not include the master of the ship;

(l) "total disablement" means such disablement, whether of a temporary or permanent nature, as incapacitates a workman for all work which he was capable of performing at the time of the accident resulting in such disablement:

Provided that permanent total disablement shall be deemed to result from the permanent total loss of the sight of both eyes or from any combination of injuries specified in Schedule T, where the aggregate percentage of the loss of earning capacity, as specified in that Schedule against those injuries, amounts to one hundred per cent;

(m) "wages" includes any privilege or benefit which is capable of being estimated in money, other than a travelling allowance or the value of any travelling concession or a contribution paid by the employer of a workman towards any pension or provident fund or a sum paid to a workman to cover any special expenses entailed on him by the nature of his employment;

(n) "workman" means any person (other than a person whose employment is of a casual nature and who is employed otherwise than for the purposes of the employer's trade or business) who is

(i) a railway servant as defined in section 3 of the Indian Railways Act, 1890 (IX of 1890) not permanently employed in any administrative, district or sub-divisional office of a railway and not employed in any such capacity as is specified in schedule II, or

(ii) employed on monthly wages not exceeding four hundred rupees in any such capacity as is specified in Schedule II, whether the contract of employment was made before or after the passing of this Act and whether such contract is expressed or implied, oral or in writing; but does not include any person working in the capacity of a member of the Armed Forces of the Union; and any reference to a workman who has been injured shall, where the workman is dead; include a reference to his dependants or any of them.

2. The exercise and performance of the powers and duties of a local authority or of any department acting on behalf of the Government shall, for the purposes of this act, unless a contrary intention appears, be deemed to be the trade or business of such authority or department.

3. The State Government, after giving, by notification in the Official Gazette, not less than three months' notice of its intention so to do, may, by a like notification, add to Schedule II any class of persons employed in any occupation which it is satisfied is a hazardous occupation, and the provisions of this Act shall thereupon apply within the State to such classes of persons:

Provided that in making such addition the State Government may direct that the provisions of this Act shall apply to such classes of person in respect of specified injuries only.

CHAPTER II.

WORKMEN'S COMPENSATION

3. (f) If personal injury is caused to a workman by accident arising out of and in the course of his employment, his employer shall be liable to pay compensation in accordance with the provisions of this Chapter:

Employers' liability for compensation.

Provided that the employer shall not be so liable:—

(a) in respect of any injury which does not result in the total or partial disablement of the workman for a period exceeding five days;

(b) in respect of any injury, not resulting in death, caused by an accident which is directly attributable to:—

(i) the workman having been at the time thereof under the influence of drink or drugs, or

(ii) the wilful disobedience of the workman to an order expressly given, or to a rule expressly framed, for the purpose of securing the safety of workman, or

(iii) the wilful removal or disregard by the workman of any safety guard or other device which he knew to have been provided for the purpose of securing the safety of workman.

2. If a workman employed in any employment specified in Part A of Schedule III contracts any disease specified therein as an occupational disease peculiar to that employment, or if a workman, whilst in the service of an employer in whose service he has been employed for a continuous period of not less than six months (which period shall not include a period of service under any other employer in the same kind of employment) in any employment specified in Part B of Schedule III, contracts any disease specified therein as an occupational disease peculiar to that employment, or if a workman whilst in the service of one or more employers in any employment specified in Part C of Schedule III for such continuous period as the Central Government may specify in respect of each such employment, contracts any diseases specified therein as an occupational disease peculiar to that employment, the

contracting of the disease shall be deemed to be an injury by accident within the meaning of this section and, unless the contrary is proved, the accident shall be deemed to have arisen out of and in the course of the employment.

(2A) If any disease specified in Part C of an occupational disease peculiar to that employment has been contracted by any workman during the continuous period specified under sub-section (2) in respect of that employment and the workman has during such period been employed in such employment under more than one employer, all such employers shall be liable for the payment of compensation under this Act in such proportion as the Commissioner may, in the circumstances, deem just.

3. The State Government in the case of employments specified in Part A and Part B of Schedule III, and the Central Government in the case of employments specified in Part C of that Schedule, after giving, by notification in the Official Gazette, not less than three months' notice of its intention so to do, may, by a like notification add any description of employment to the employments specified in Schedule III, and shall specify in the case of employments so added the diseases which shall be deemed for the purposes of this section to be occupational diseases peculiar to those employments respectively, and thereupon the provisions of sub-section (2) shall apply within the State or the territories to which this Act extends, as the case may be, as if such diseases had been declared by this Act to be occupational diseases peculiar to those employments.

4. Save as provided by sub-sections (2), (2A), (3), no compensation shall be payable to a workman in respect of any disease unless the disease is directly attributable to a specific injury by accident arising out of and in the course of his employment.

5. Nothing herein contained shall be deemed to confer any right to compensation on a workman in respect of any injury if he has instituted in Civil Court a suit for damages in respect of the injury against the employer or any other person and no suit for damages shall be maintainable by a workman in any Court of law in respect of any injury—

(a) if he has instituted a claim to compensation in respect of the injury before a Commissioner; or

(b) if an agreement has been come to between the workman and his employer providing for the payment of compensation in respect of the injury in accordance with the provisions of this act.

4. (1) Subject to the provisions of this Act, the amount of compensation shall be as follows, namely:—

(a) Where death results from the injury and deceased workman has been in receipt of monthly wages falling within limits shown in the first column of Schedule IV—the amount shown against such limits in the second column thereof;	Amount of Compensation.
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(b) Where permanent total disablement results from the injury and the injured workman has been in receipt of monthly wages falling within limits shown in the first column of Schedule IV—the amount shown against such limits in the third column thereof;

(c) Where permanent partial disablement results from the injury—

(i) in the case of an injury in Schedule I, such percentage of the compensation which would have been payable in the case of permanent total disablement as is specified therein as being the percentage of the loss of earning capacity caused by that injury; and

(ii) in the case of an injury not specified in the Schedule I, such percentage of the compensation payable in the case of permanent total disablement as is proportionate to the loss of earning capacity permanently caused by the injury;

Explanation.—Where more injuries than one are caused by the same accident, the amount of the compensation payable under this head shall be aggregated but not so in any case as to exceed the amount which would have been payable if permanent total disablement had resulted from the injuries;

(d) Where temporary disablement, whether total or partial, results from the injury and the injured workman has been in receipt of monthly wages falling within limits shown in the first column of Schedule IV—a half-monthly payment of the sum shown against such limits in the fourth column thereof, payable on the sixteenth day—

(i) from the date of the disablement, where such disablement lasts for a period of twenty-eight days or more, or

(ii) after the expiry of a waiting period of three days from the date of the disablement, where such disablement lasts for a period of less than twenty-eight days, and thereafter half-monthly during the disablement or during a period of five years, whichever period is shorter. Provided that—

(a) there shall be deducted from any lump sum or half-monthly payments to which the workman is entitled the amount of any payment or allowance which the workman has received from the employer by way of compensation during the period of disablement prior to the receipt of such lump sum or of the first half-monthly payment, as the case may be; and

(b) no half-monthly payment shall in any case exceed the amount, if any, by which half the amount of the monthly wages of the workman before the accident exceeds half the amount of such wages which he is earning after the accident.

Explanation.—Any payment or allowance which the workman has received from the employer towards his medical treatment shall not be deemed to be a payment or allowance received by him by way of compensation within the meaning of clause (a) of the proviso.

(2) On the ceasing of the disablement before the date on which any half-monthly payment falls due, there shall be payable in respect of that half-month a sum proportionate to the duration of the disablement in that half-month.

4A. (1) Compensation under section 4 shall be paid as soon as it falls due.

(2) In cases where the employer does not accept the liability for compensation to the extent claimed, he shall be bound to make provisional payment based on the extent of liability which he accepts, and, such payment shall be deposited with the Commissioner or made to the workman, as the case may be, without prejudice to the right of the workman to make any further claim.

(3) Where any employer is in default in paying the compensation due under this Act within one month from the date it fell due, the Commissioner may direct that, in addition to the amount of the arrears, simple interest at the rate of six per cent per annum on the amount due together with, if in the opinion of the Commissioner there is no justification for the delay, a further sum not exceeding fifty per cent of such amount, shall be recovered from the employer by way of penalty.

5. In this Act and for the purposes thereof the expression “monthly wages” means the amount of wages deemed to be payable for a month’s service (whether the wages are payable by the month or by whatever other period or at piece rates), and calculated as follows, namely:—

(a) where the workman has, during a continuous period of not less than twelve months immediately preceding the accident, been in the service of the employer who is liable to pay compensation, the monthly wages of the workman shall be one-twelfth of the total wages which have fallen due for payment to him by the employer in the last twelve months of that period;

(b) where the whole of the continuous period of service immediately preceding the accident during which the workman was in the service of the employer who is liable to pay the compensation was less than one month, the monthly wages of the workman shall be the average monthly amount which, during the twelve months immediately preceding the accident, was being earned by a workman employed on the same work by the same employer or, if there was no workman so employed, by a workman employed on similar work in the same locality;

(c) in other cases (including cases in which it is not possible for want of necessary information to calculate the monthly wages under clause (b)) the monthly wages shall be thirty times the total wages earned in respect of the last continuous period of service immediately preceding the accident from the employer who is liable to pay compensation, divided by the number of days comprising such period.

Explanation.—A period of service shall, for the purposes of this section be deemed to be continuous which has not been interrupted by a period of absence from work exceeding fourteen days.

6. (1) Any half-monthly payment payable under this Act, either under an agreement between the parties or under the order of a Commissioner, may be reviewed by the Commissioner, on the application either of the employer or of the workman accompanied by the certificate of a qualified medical practitioner that there has been a change in the condition of the workman or, subject to rules made under this Act, on application made without such certificate.

(2) Any half-monthly payment may, on review under this section, subject to the provisions of this Act, be continued, increased, decreased or ended, or if the accident is found to have resulted in permanent disablement, be converted to the lump sum to which the workman is entitled less any amount which he has already received by way of half-monthly payments.

7. Any right to receive half-monthly payments, may by agreement between the parties, or if the parties cannot agree and the payments have been continued for not less than six months on the application of either party to the commissioner be deemed by the payment of a lump sum of such amount as may be agreed to by the parties or determined by the commissioner as the case may be.

8. (1) No payment of compensation in respect of a workman whose injury has resulted in death, and no payment, of a lump sum as compensation to a woman or a person under a legal disability, shall be made otherwise than by deposit with the commissioner, and no such payment made directly by an employer shall be deemed to be a payment of compensation:

Provided that in the case of a deceased workman, an employer may make to any dependant advances on account of compensation not exceeding an aggregate of one hundred rupees, and so much of such aggregate as does not exceed the compensation payable to that dependant shall be deducted by the commissioner from such compensation and repaid to the employer.

2. Any other sum amounting to not less than ten rupees which is payable as compensation may be deposited with the Commissioner on behalf of the person entitled thereto.

3. The receipt of the commissioner shall be sufficient discharge in respect of any compensation deposited with him.

4. On the deposit of any money under sub-section (1) as compensation in respect of a deceased workman the Commissioner shall deduct there from the actual cost of the workman's funeral expenses, to an amount not exceeding fifty rupees and pay the same to the person by whom such expenses were

incurred, and shall, if he thinks necessary, cause notice to be published or to be served on each dependants in such manner as he thinks fit, calling upon the dependants to appear before him on such date as he may fix for determining the distribution of the compensation. If the Commissioner satisfied after any inquiry which he may deem necessary that no dependant exists, he shall repay the balance of the money to the employer by whom it was paid. The Commissioner shall, on application by the employer, furnish a statement showing in detail all disbursement made.

5. Compensation deposited in respect of a deceased workman shall subject to any deduction made under sub-section. (4) be apportioned among the dependents of the deceased workman or any of them in such proportion as the Commissioner thinks fit, or may, in discretion of the commissioner, be allotted to any one dependant.

6. Where any compensation deposited with the Commissioner is payable to any person, the Commissioner shall, if the person to whom the compensation is payable is not a woman or a person under a legal disability, and may, in other cases, pay the money to the person entitled thereto.

7. Where any lump deposited with the Commissioner is payable of a woman or a person under a legal disability, such sum may be invested, applied or otherwise dealt with for the benefit of the woman, or of such person during his disability, in such manner as the Commissioner may direct; and where a half monthly payment is payable to any person under a legal disability, the Commissioner may, of his own motion or on an application made to him in this behalf, order that the payment be made during the disability to any dependant of the workman or to any other person, whom the Commissioner thinks best fitted to provide for the welfare of the workman.

8. Where, on application made to him in this behalf or otherwise, the Commissioner is satisfied that on account of neglect of children on the part of a parent or on account of variation of the circumstances of any dependant or for any other sufficient cause, an order of the Commissioner as to the distribution of any sum paid as compensation or as to the manner in which any sum payable to any such dependant is to be invested, applied or otherwise dealt with, ought to be varied, the Commissioner may make such orders for the variation of the former order as he thinks just in the circumstances of the case:

Provided that no such order prejudicial to any person shall be made unless such person has been given an opportunity of showing cause why the order should not be made; or shall be made in any case in which it would involve the repayment by a dependant of any sum already paid to him.

9. Where the Commissioner varies any order under sub-section (8) by reason of the fact that payment of compensation to any person has been obtained by fraud, impersonation or other improper means, any amount so paid to or on behalf of such person may be recovered in the manner hereinafter provided in section 31.

9. Save as provided by this Act, no lump sum or half-monthly payment payable under this Act, shall in any way be capable of being assigned or charged or be liable to attachment or pass to any person other than the workman by operation of law, nor shall any claim be set off against the same.

10. (1) No claim for compensation shall be entertained by a commissioner unless notice of the accident has been given in the manner hereinafter provided as soon as practicable after the happening thereof and unless the claim is preferred before him within two years of the occurrence of the accident or, in case of death, within two years from the date of death:

Provided that, where the accident is the contracting of a disease in respect of which the provisions of sub-section (2) of section 3 are applicable the accident shall be deemed to have occurred on the first of the days during which the workman was continuously absent from work in consequence of the disablement caused by the disease:

Provided further that the want of or any defect or irregularity in a notice shall not be a bar to the entertainment of a claim:

(a) If the claim is preferred in respect of the death of a workman resulting from an accident which occurred on the premises of the employer, or at any place where the workman at the time of the accident was working under the control of the employer or of any person employed by him and the workman died on such premises or at such place, or any premises belonging to the employer, or died without having left the vicinity of the premises or place where the accident occurred, or

(b) If the employer or any one of several employers or any person responsible to the employer for the management of any branch of the trade or business in which the injured workman was employed had knowledge of the accident from any other source at or about the time when it occurred:

Provided, further that the Commissioner may entertain and decide any claim to compensation in any case notwithstanding that the notice has not been given or the claim has not been preferred in due time as provided in this sub-section, if he is satisfied that the failure so to give the notice or prefer the claim, the case may be, was due to sufficient cause.

2. Every such notice shall give the name and address of the person injured and shall state in ordinary language the cause of the injury and the date on which the accident happened, and shall be served on the employer or upon any one of several employers, or upon any person responsible to the employer for the management of any branch of the trade or business in which the injured workman was employed.

3. The State Government may require that any prescribed class of employers shall maintain at their premises at which workman are employed a notice book, in the prescribed form, which shall be readily accessible at all

reasonable times to any injured workman employed on the premises and to any person acting *bona fide* on his behalf.

4. A notice under this section may be served by delivering it at, or sending it by registered post addressed to the residence or any office of place of business of the person on whom it is to be served, or, where a notice-book is maintained, by entry in the notice-book.

10-A. (1) Where a Commissioner received information from any source that a workman has died as a result of an accident arising out of and in the course of his employment, he may send by registered post a notice to the workman's employer requiring him to submit, within thirty days of the service of the notice, a statement, in the prescribed form, giving the circumstances attending the death of the workman, and indicating whether, in the opinion of the employer, he is or is not liable to deposit compensation on account of the death.

(2) If the employer is of opinion that he is liable to deposit compensation, he shall make the deposit within thirty days of the service of the notice.

(3) If the employer is of opinion that he is not liable to deposit compensation, he shall in his statement indicate the grounds on which he disclaims liability.

(4) Where the employer has no disclaimed liability, the Commissioner after such inquiry as he may think fit, may inform any of the dependants of the deceased workman that it is open to the dependants to prefer a claim for compensation, and may give them such other further information as he may think fit.

10-B. (1) Where, by any law for the time being in force, notice is required to be given to any authority, by or on behalf of an employer, of any accident occurring on his premises which results in death, or serious bodily injury, the person required to give the notice shall within seven days of the death, or serious bodily injury, send a report to the Commissioner giving the circumstances attending the death or serious bodily injury:

Provided that where the state Government has so prescribed the person required to give the notice may instead of sending such report to the Commissioner send it to the authority to whom he is required to give the notice.

Explanation.—“Serious bodily injury” means an injury which involves, or in all probability will involve, the permanent loss of the use of, or permanent injury to, any limb, or permanent loss of or injury to the sight or hearing, or the fracture of any limb, or the enforced absence of the injured person from work for a period exceeding twenty days.

(2) The State Government may, by notification in the Official Gazette, extend the provisions of sub-section (1) to any class of premises

other than those coming within the scope of that sub-section, and may, by such notification specify the persons who shall send the report to the Commissioner.

(3) Nothing in this section shall apply to factories to which the Employees' State Insurance Act, 1948 (34 of 1948) applied.

11. (1) Where a workman has given notice of an accident, he shall if the employer, before the expiry of three days from the time at which service of the notice has been effected, offers to have him examined free of charge by a qualified medical practitioner submit himself for such examination, and any workman who is in receipt of a half-monthly payment under this Act shall, if so required, submit himself for such examination from time to time:

Provided that a workman shall not be required to submit himself for examination by a medical practitioner otherwise than in accordance with rules made under this Act, or at more frequent intervals than may be prescribed.

(2) If a workman, on being required to do so by the employer under sub-section (1) or by the Commissioner at any time, refused to submit himself for examination by a qualified medical practitioner or in any way obstructs the same, his right to compensation shall be suspended during the continuance of such refusal or obstruction unless, in the case of refusal, he was prevented by any sufficient cause from so submitting himself.

(3) If a workman, before the expiry of the period within which he is liable under sub-section (1) to be required to submit himself for medical examination, voluntarily leaves without having been so examined the vicinity of the place in which he was employed, his right to compensation shall be suspended until he returns and offers himself for such examination.

(4) Where a workman, whose right to compensation has been suspended under sub-section (2) or sub-section (3), dies without having submitted himself for medical examination as required by either of those sub-sections, the Commissioner may, if he thinks fit, direct the payment of compensation to the dependants of the deceased workman.

(5) When under sub-section (2) or sub-section (3) a right to compensation is suspended no compensation shall be payable in respect of the period of suspension, and, if the period of suspension commences before the expiry of the waiting period referred to in clause D of sub-section (1) of section 4, the waiting period shall be increased by the period during which the suspension continues.

(6) Where an injured workman has refused to be attended by a qualified medical practitioner whose services have been offered to him by the employer free of charge or have accepted such offer has deliberately disregarded the instructions of such medical practitioner, then, it is proved that the workman has not thereafter been regularly attended by a qualified medical practitioner or having been so attended has deliberately failed to

follow his instructions and that such refusal, disregard or failure was unreasonably, in the circumstances of the case and that the injury has been aggravated thereby, the injury and resulting disablement shall be deemed to be of the same nature and duration as they might reasonably have been expected to be if the workman had been regularly attended by a qualified medical practitioner, whose instructions he had followed, and compensation, if any shall be payable accordingly.

12. (1) Where any person (hereinafter in this section referred to as the principal) in the course of or for the purpose of his trade or business contracts with any other person (hereinafter in this section referred to as the contractor) for the execution by or under the contractor of the whole or any part of any work which is ordinarily part of the trade or business of the principal, the principal shall be liable to pay to any workman employed in the execution of the work any compensation which he would have been liable to pay if that workman had been immediately employed by him, and, where compensation is claimed from the principal, this Act shall apply as if references to the principal were substituted for references to the employer except that the amount of compensation shall be calculated with reference to the wages of the workman under the employer by whom he is immediately employed.

(2) Where the principal is liable to pay compensation under this section, he shall be entitled to be indemnified by the contractor, or any other person from whom the workman could have recovered compensation and where a contractor who is himself a principal is liable to pay compensation or to indemnify a principal under this section he shall be entitled to be indemnified by any person standing to him in the relation of a contractor from whom the workman could have recovered compensation and all questions as to the right to and the amount of any such indemnity shall, in default of agreement, be settled by the Commissioner.

(3) Nothing in this section be construed as preventing a workman from recovering compensation from the contractor instead of the principal.

(4) This section shall not apply in any case where the accident occurred elsewhere there on, in or about the premises on which the principal has undertaken or usually undertakes, as the case may be, to execute the work or which are otherwise under his control or management.

13. Where a workman has recovered compensation in respect of any injury caused under circumstances creating a legal liability of some person other than the person by whom the compensation was paid to pay damages in respect thereof, the person by whom the compensation was paid and any person who has been called on to pay an indemnity under section 12 shall be entitled to be indemnified by the person so liable to pay damages as aforesaid.

14. (1) Where any employer has entered into a contract with any insurers in respect of any liability under this Act to any workman, then in the event of the employer becoming insolvent or making a composition or scheme of arrangement with his creditors or, if the employer is a company, in the event of the company having commenced to

be wound up, the rights of the employer against the insurers as respects that liability shall, notwithstanding anything in any law for the time being in force relating to insolvency of the winding up of companies, be transferred to and vest in the workman, and upon any such transfer the insurers shall have the same rights and remedies and be subject to the same liabilities as if they were the employer, so, however, that the insurers shall not be under any greater liability to the workman than they would have been under the employer.

(2) If the liability of the insurers to the workman is less than the liability of the employer to the workman, the workman may prove for the balance in the insolvency proceedings or liquidation.

(3) Where in any case such as is referred to in sub-section (1) the contract of the employer with the insurers is void or voidable by reason of non-compliance on the part of the employer with any terms or conditions of the contract (other than a stipulation of the payment of premium), the provisions of that sub-section shall apply as if the contract were not void or voidable, and the insurers shall be entitled to prove in the insolvency proceedings or liquidation for the amount paid to the workman:

Provided that the provisions of this sub-section shall not apply in any case in which the workman fails to give notice to the insurers of the happening of the accident and of any resulting disablement as soon as practicable after he becomes aware of the institution of the insolvency or liquidation proceedings.

(4) There shall be deemed to be included among the debts which under section 49 of the Presidency Towns Insolvency Act, 1909, (III of 1909), or under section 61 of the Provincial Insolvency Act, 1920 (V of 1920), or under section 230 of the Indian Companies Act, 1913 (VII of 1913), are in the distribution of the property of an insolvent or in the distribution of the assets of a company being wound up to be paid in priority to all other debts the amount due in respect of any compensation the liability whereof accrued before the date of the order of adjudication of the insolvent or the date of the commencement of the winding up, as the case may be, and those Acts shall have effect accordingly,

(5) Where the compensation is a half-monthly payment, the amount due in respect thereof shall, for the purposes of this section, be taken to be the amount of the lump sum for which the half-monthly payment could, if redeemable, be redeemed, if application were made for the purpose under section 7, and a certificate of the Commissioner as to the amount of such sum shall be conclusive proof thereof.

(6) The provisions of sub-section (4) shall apply in the case of any amount for which an insurer is entitled to prove under sub-section (3) but otherwise those provisions shall not apply where the insolvent or the company being wound up has entered into such a contract with insurers as is referred to in sub-section (1).

(7) This section shall not apply where a company is wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company.

14. A. Where an employer transfers his assets before any amount due in respect of any compensation, the liability whereof accrued before the date of the transfer, has been paid, Compensation to be first charge on assets transferred by employer. such amount shall, notwithstanding anything contained in any other law for the time being in force, be a first charge on that part of the assets so transferred as consists of property.

15. This Act shall apply in the case of workmen who are masters of ships or seamen subject to the following modifications, namely:—

(1) The notice of the accident and the claim for compensation may, excepts where the person injured is the master of the ship, be served on the master of the ship as if he were the employer the accident happened and the disablement commenced on board the ship, it shall not be necessary for any seaman to give any notice of the accident.

(2) In the case of the death of a master or seaman, the claim for compensation shall be made within one year after the news of the death has been received by the claimant or, where the ship has been or is deemed to have been lost with all hands, within eighteen months of the date on which the ship was, or is deemed to have been, so lost.

Provided that the Commissioner may entertain any claim to compensation in any case notwithstanding that the claim has not been preferred, in due time as provided in this sub-section, if he is satisfied that the failure so to prefer to claim was due to sufficient cause.

(3) Where an injured master or seaman is discharged or left behind in any part of India or His Majesty's dominions or in any other foreign country any depositions taken by Judge or Magistrate in that part or by any Consular Officer in the foreign country and transmitted by the person by whom they are taken to the Central Government or any State Government shall, in any proceedings for enforcing the claim, be admissible in evidence;—

(a) if the deposition is authenticated by the signature of the Judge, Magistrate or Consular officer before whom it is made;

(b) if the defendant or the person accused, as the case may be, had an opportunity by himself or his agent to cross-examine the witness; and

(c) if the deposition was made in the course of a criminal proceeding, on proof that the deposition was made in the presence of the person accused:

and it shall not be necessary in any case to prove the signature or Official character of the person appearing to have signed any such deposition and certificate by such person that the defendant or the person accused had an opportunity of cross-examining the witness and that the deposition if made in a criminal proceeding was made in the presence of the person accused shall, unless the contrary is proved, by sufficient evidence that he had that opportunity and that it was so made.

(4) No half-monthly payment shall be payable in respect of the period during which the owner of the ship is, under any law in force for the time being relating to merchant shipping, liable to defray the expenses of maintenance of the injured master or seaman.

(5) No compensation shall be payable under this Act in respect of any injury in respect of which provision is made for payment of a gratuity, allowance or pension under the war Pensions and Detention Allowances (Mercantile Marine, etc.) Scheme, 1939, or the War Pension and Detention Allowances (Indian Seamen etc.) Scheme, 1941, made under the Pensions (Navy, Army, Air Force and Mercantile Marine) Act, 1939, (2 & 3 Geo. 6c. 83), or under the War Pensions and Detention Allowances (Indian Seamen) Scheme, 1942, made by the Central Government.

(6) Failure to give a notice or made a claim or commence proceedings within the time required by this Act shall not be a bar to the maintenance of proceedings under this Act in respect of any personal injury, if:—

(a) an application has been made for payment in respect of that injury under any of the schemes referred to in the preceding clause, and

(b) the state Government certifies that the said application was made in the reasonable belief that the injury was one in respect of which the scheme under which the application was made makes provision for payments and that the application was rejected or that payments made in pursuance of the application were discontinued on the ground that the injury was not such an injury, and

(c) the proceedings under this Act are commenced within one month from the date on which the said certificate of the State Government was furnished to the person commencing the proceedings.

16. The State Government may by notification in the Official Gazette direct that every person employing workman, or that any specified class of such persons, shall send at such time and in such form and to such authority, as may be specified in the notification, a correct return specifying the number of injuries in respect of which compensation has been paid by the employer during the previous year and the amount of such compensation, together with such other particulars as to the compensation as the State Government may direct.

17. Any contract or agreement whether made before or after the commencement of this Act, whereby a workman relinquishes any right of compensation from the employer for personal injury arising out of or in the course of the employment, shall be null void in so far as it purports to remove or reduce the liability of any person to pay compensation under this Act.

18.

18. A. (1) Whoever —

Penalties.

(a) fails to maintain a notice-book which he is required to maintain under sub-section (2) of section 10, or

(b) fails to send to the Commissioner a statement which he is required to send under sub-section (1) of section 10A, or

(c) fails to send a report which he is required to send under section 10B, or

(d) fails to make a return which he is required to make under section 16 shall be punishable with fine which may extend to five hundred rupees.

(3) No prosecution under this section shall be instituted except by or with the previous sanction of Commissioner, and no Court shall take cognizance of any offence under this section, unless complaint thereof is made within six months of the date on which the offence is alleged to have been committed.

CHAPTER III.

COMMISSIONERS

19. (1) If any question arises in any proceedings under this Act as to the liability of any person to pay compensation (including any question as to whether a person injured is or is not a workman) or as to the amount or duration of compensation (including any question as to the nature or extent of disablement), the question shall, in default of agreement, be settled by a Commissioner.

(2) No Civil Court shall have jurisdiction to settle, decide or deal with any question which is by or under this Act required to be settled, decided or dealt with by a Commissioner or to enforce any liability incurred under this Act.

20. (1) The State Government may, by notification in the Official Gazette, appoint any person to be a Commissioner for workmen's Compensation for such local area as may be specified in the notification.

(2) Where more than one Commissioner has been appointed for any local area, the State Government may, by general or special order, regulate the distribution of business between them.

(3) Any Commissioner may, for the purpose of deciding any matter referred to him for decision under this Act, choose one or more persons possessing special knowledge of any matter relevant to the matter under inquiry to assist him in holding the enquiry.

(4) Every commissioner shall be deemed to be a public servant within the meaning of the Indian Penal Code (XLV of 1860).

21. (1) Where any matter is under this Act to be done by or before a Commissioner, the same shall subject to the provisions of this Act and to any rules made hereunder, be done by or before a Commissioner for the local area in which the accident took place which resulted in the injury:

Venue of Proceeding and transfer.

Provided that, where the workman is the master of a ship or a seaman, any such matter may be done by or before a Commissioner for the local area in which the owner or agent of the ship resides or carries on business.

(2) If a Commissioner is satisfied that any matter arising out of any proceedings pending before him can be more conveniently dealt with by any other Commissioner, whether in the same state or not, he may, subject to rules made under this Act, order such matter to be transferred to such other commissioner either for report or for disposal, and, if he does so, shall forthwith transmit to such other Commissioner all documents relevant for the decision of such matter, and where the matter is transferred for disposal, shall also transmit in the prescribed manner any money remaining in his hands or invested by him for the benefit of any party to the proceedings:

Provided that the Commissioner shall not, where, any party to the proceedings has appeared before him, make any order of transfer relating to the distribution among dependants of a lump sum without giving such party an opportunity of being heard.

Provided further that no matter other than a matter relating to the actual payment to a workman or the distribution among dependants of a lump sum shall be transferred for disposal under this sub-section to a Commissioner in the same State save with the previous sanction of the State Government or to a Commissioner in another State save with the previous sanction of the state Government of that State, unless all the parties to the proceedings agree to the transfer.

(3) The Commissioner to whom any matter is so transferred shall, subject to rules made under this Act, inquire thereinto and, if the matter was transferred report, for his report thereon, or, if the matter was transferred for disposal, continue the proceedings as if they had originally commenced before him.

(4) On receipt of a report from a Commissioner to whom any matter has been transferred for report under sub section (2) the Commissioner by whom it was referred shall decide the matter referred in conformity with such report.

(5) The State Government may transfer any matter from any Commissioner appointed by it to any other Commissioner appointed by it.

22. (1) No application for the settlement of any matter by a Commissioner, other than an application by a dependant or dependants for compensation, shall be made unless and until some question had arisen between the parties in connection therewith which they have been unable to settle by agreement.

Form of application.

(2) An application to a Commissioner may be made in such form and shall be accompanied by such fee, if any, as may be prescribed, and shall contain, in addition to any particulars which may be prescribed, the following particulars, namely:—

(a) a concise statement of the circumstances in which the application is made and the relief or order which the applicant claims:

(b) in the case of a claim for compensation against an employer, the date of service of notice of the accident on the employer and, if such notice has not been served or has not been served in due time, the reason for such omission;

(c) the names and addresses of the parties, and

(d) except in the case of an application by dependants for compensation a concise statement of the matters on which agreement has and of those on which agreement has not been come to

(3) If the applicant is illiterate or for any other reason is unable to furnish the required information in writing, the application shall, if the applicant so desires, be prepared under the direction of the Commissioner.

22. A. (1) Where any sum has been deposited by an employer compensation payable in respect of a workman whose injury has resulted in death, and in the opinion of the Commissioner such sum is insufficient, the Commissioner may, by notice in writing stating his reasons, call upon the employer to show cause why he should not make a further deposit within such time as may be stated in the notice.

Power of Commissioner to require further deposit in cases of fatal accident.

(2) If the employer fails to show cause to the satisfaction of the Commissioner, the Commissioner may make an award determining the total amount payable, and requiring the employer to deposit the deficiency.

23. The Commissioner shall have all the powers of a civil Court under the Code of Civil Procedure, 1908, (V of 1903), for the purpose of taking evidence on oath (which such Commissioner is hereby empowered to impose) and of enforcing the attendance of witnesses and compelling the production of documents and material objects and the Commissioner shall be deemed to be a Civil Court for all the purposes of section 195 and of Chapter XXXV of the Code Criminal Procedure, 1898 (V of 1898).

Powers and procedure of commissioners.

24. Any appearance, application or act required to be made or done
Appearance of Parties. by any person before or to a Commissioner (other than an appearance of a party which is required for the purpose of his examination as a witness) may be made or done on behalf of such person by a legal practitioner or by an official of an Insurance company or a registered Trade Union or by an Inspector appointed under sub-section (1) of section 8 of the Factories Act, 1948, (63 of 1948) or under sub-section (1) of section 5 of the Mines Act, 1952 (35 of 1952), or by any other officer specified by the State Government in this behalf, authorised in writing by such person, or, with the permission of the Commissioner, by any other person so authorised.

25. The Commissioner shall make a brief memorandum of the
Method of recording evidence. substance of the evidence of every witness as the examination of the witness proceeds, and such memorandum shall be written signed by the Commissioner with his own hand and shall form part of the record :

Provided that, if the commissioner is prevented from making such memorandum, he shall record the reason of his inability to do so and shall cause such memorandum to be made in writing from his dictation and shall sign the same, and such memorandum shall form part of the record.

Provided further that the evidence of any medical witness shall be taken down as nearly as may be word for word.

26. All costs, incidental to any proceedings before a Commissioner,
Costs. shall, subject to rules made under this Act, be in the discretion of the Commissioner.

27. A Commissioner may, if he thinks fit, submit any question of law
Power to submit cases. for the decision of the High Court, and if he does so, shall decide the question in conformity with such decision.

28. (1) Where the amount of any lump sum payable as compensation
Registration of agreements. has been settled by agreement, whether by way of redemption of a half-monthly payment or otherwise, or where any compensation has been so settled as being payable to a woman or a person under a legal disability a memorandum thereof shall be sent by the employer to the Commissioner, who shall, on being satisfied as to its genuineness, record the memorandum in a register in the prescribed manner :

Provided that—

(a) no such memorandum shall be recorded before seven days after communication by the Commissioner of notice to the parties concerned ;

(b)

(c) the Commissioner may at any time rectify the register ;

(d) where it appears to the Commissioner that an agreement as to the payment of a lump sum whether by way of redemption of a half-monthly payment or otherwise, or an agreement as to the amount of compensation payable to a woman or a person under a legal disability ought not to be registered by reason of the inadequacy of the sum or amount, or by reason of the agreement having been obtained by fraud or undue influence or other improper means, he may refuse to record the memorandum of the agreement and may make such order including an order as to any sum already paid under the agreement, as he thinks just in the circumstances.

(2) An agreement for the payment of compensation which has been registered under sub-section (1) shall be enforceable under this Act notwithstanding anything contained in the Indian Contract Act, 1972 (IX of 1872), or in any other law for the time being in force.

29. Where a memorandum of any agreement the registration of which
Effect of failure to register agreement. is required by section 28, is not sent to the Commissioner as required by that section, the employer shall be liable to pay the full amount of compensation which he is able to pay the full amount of compensation which he is liable to pay under the provisions of this Act, and notwithstanding anything contained in the provision to sub-section (1) of Section 4, shall not, unless the Commissioner otherwise directs be entitled to deduct more than half of any amount paid to the workman by way of compensation whether under the agreement or otherwise.

30. (1) An appeal shall lie to the High Court from the following orders of a Commissioner namely :—

Appeals.

(a) an order awarding as compensation a lump sum whether by way of redemption of a half-monthly payment or otherwise or disallowing a claim in full or in part for a lump sum ;

an order awarding interest or penalty under section 4-A ;

(b) an order refusing to allow redemption of a half-monthly payment ;

(c) an order providing for the distribution of compensation among the dependants of a deceased workman, or disallowing any claim of a person alleging himself to be such dependant ;

(d) an order allowing or disallowing any claim for the amount of an indemnity under the provisions of sub-section (2) of section 12 ; or

(e) an order refusing to register a memorandum of agreement or registering the same or providing for the registration of the same subject to conditions.

Provided that no appeal shall lie against any order unless a substantial question of law is involved in the appeal and, in the case of an order other than an order such as is referred to in clause (b), unless the amount in dispute in the appeal is not less than three hundred rupees:

Provided further, than no appeal shall lie in any case in which the parties have agreed to abide by the decision of the Commissioner, or in which the order of the Commissioner gives effect to an agreement come to by the parties; Provided further that no appeal by an employer under clause (a) shall lie unless the memorandum of appeal is accompanied by a certificate by the Commissioner to the effect that the appellant has deposited with him the amount payable under the order appealed against.

(2) The period of limitation for an appeal under this section shall be sixty days.

(3) The provisions of section 5 of the Indian Limitation Act, 1908 (IX of 1908) shall be payable applicable to appeals under this section.

30-A. Where an employer makes an appeal under clause (a) of sub-section (1) of section 30, the Commissioner may, and if so directed by the High Court shall pending the decision of the appeal, withhold payment of any sum in deposit with him.

Withholding of
certain payments
pending decisions
of appeal.

31. The Commissioner may recover as an arrear of land-revenue any amount payable by any person under this act, whether under an agreement for the payment of Compensation or otherwise, and the Commissioner shall be deemed to be a public officer within the meaning of section 5 of the Revenue Recovery Act, 1890 (1 of 1890).

CHAPTER IV.

Rules.

32. (1) The State Government may make rules to carry out the purposes of this Act.

Power of the
State Government
to make rules.

(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) for prescribing the interval at which and the conditions subject to which an application for review may be made under section 6 when not accompanied by a medical certificate:

(b) for prescribing the intervals at which and the conditions subject to which a workman may be required to submit himself for medical examination under sub-section (1) of section 11;

(c) for prescribing the procedure to be followed by Commissioners in the disposal of cases under this Act and by the parties in such cases;

(d) for regulating the transfer of matters and cases from one Commissioner to another and the transfer of money in such cases;

(e) for prescribing the manner in which money in the hands of a Commissioner may be invested for the benefit of dependants of a deceased workman and for the transfer of money so invested from one Commissioner to another;

(f) for the representation in proceedings before Commissioners of parties who are minors or are unable to make an appearance.

(g) for prescribing the form and manners in which memoranda of agreements shall be presented and registered;

(h) for the withholding by Commissioners, whether in whole or in part of half-monthly payments pending decision on applications for review of the same.

(i) for regulating the scales of costs which may be allowed in proceedings under this Act;

(j) for prescribing and determining the amount of the fees payable in respect of any proceedings before a Commissioner under this Act;

(k) for the maintenance by Commissioners of registers and records of proceedings before them;

(l) for prescribing the classes of employers who shall maintain notice-books under sub-section (3) of section 10, and the form of such notice-books;

(m) for prescribing the form of statement to be submitted by employers under section 10-A; and

(n) for prescribing the cases in which the report referred to in section 10-B may be sent to an authority other than the Commissioner.

(o) for prescribing abstracts of this Act and requiring the employers to display notice containing such abstracts:

(p) for prescribing the manner in which diseases specified as occupational diseases may be diagnosed;

(q) for prescribing the manner in which diseases may be certified for any of the purposes of this Act;

(r) for prescribing the manner in which, and the standards by which in capacity may be assessed.

33.

34. (1) The power to make rules conferred by section 32 shall be subject to the condition of the rules being made after previous publication.

Publication
of rules.

(2) The date to be specified in accordance with clause (3) of section 23 of the General Clauses Act, 1897 (X of 1897), as that after which a draft of rules proposed to be made under section 32 will be taken into consideration shall not be less than three months from the date on which the draft of the proposed rules was published for general information.

(3) Rules so made shall be published in the Official Gazette, and, on such publication, shall have effect as if enacted in this Act.

35. (1) The Central Government may, by notification in the Official Gazette, make rules for the transfer to any part of His Majesty's Dominions or to any other country of money deposited with a Commissioner under this Act which has been awarded to or may be due to, any person residing or about to reside in such part of country and for the receipt, distribution and administration in any State of any money deposited under the law relating to workmen's compensation or in any part of His Majesty's Dominions or in any other country, which has been awarded to, or may be due to, any person residing or about to reside in any State.

Rules to give effect to arrangements with other countries for the transfer of money paid as compensation.

Provided that no sum deposited under this Act in respect of fatal accidents shall be so transferred without the consent of the employer concerned until the Commissioner receiving the sum has passed orders determining its distribution and apportionment under the provisions of sub-sections (-) and (5) of section 8.

(2) Where money deposited with a Commissioner has been so transferred in accordance with the rules made under this section, the provisions of compensation deposited with him shall cease to apply in respect of any such money.

SCHEDULE—I.

(See section 2(1) and (4).)

List of injuries deemed to result in Permanent Partial Disablement.

Serial No. (1)	Description of injury (2)	Percentage of loss of earning capacity. (3)
1.	Loss of both hands or amputation at higher sites.	100
2.	Loss of a hand and a foot.	100
3.	Double amputation through leg or thigh, or amputation through leg or thigh on one side and loss of other foot.	100

(1)	(2)	(3)
4.	Loss of sight to such an extent as to render the claimant unable to perform any work for which eye sight is essential.	100
5.	Very severe facial disfigurement.	100
6.	Absolute deafness.	100

Amputation cases—Upper Limbs (either arms)

7.	Amputation through shoulder joint.	90
8.	Amputation below shoulder with stump less than 8 from tip of acromion.	80
9.	Amputation from 8" from tip of acromion to less than 4 ½" below tip of olecranon.	70
10.	Loss of a hand or of the thumb and four fingers of one hand of amputation from 4 ½" below tip of olecranon.	60
11.	Loss of thumb.	30
12.	Loss of thumb and its metacarpal bone.	40
13.	Loss of four fingers of one hand.	50
14.	Loss of three fingers of one hand.	30
15.	Loss of two fingers of one hand.	20
16.	Loss of terminal phalanx of thumb.	20

Amputation cases—Lower limbs.

17.	Amputation of both feet resulting in endbearing stumps.	90
18.	Amputation through both feet proximal to the metatarsophalangeal joint.	80
19.	Loss of all toes of both feet through the metatarsophalangeal joint.	40
20.	Loss of all toes of both feet proximal to the proximal interphalangeal joint.	30
21.	Loss of all toes of both feet distal to the proximal interphalangeal joint.	20
22.	Amputation at hip.	90
23.	Amputation below hip with stump not exceeding 5" in length measured from tip of great trochanter.	80
24.	Amputation below hip with stump exceeding 5" in length measured from tip of great trochanter but not beyond middle thigh.	70

(1)	(2)	(3)
25.	Amputation below middle thigh to $3\frac{1}{2}$ " below knee.	60
26.	Amputation below knee with stump exceeding $3\frac{1}{2}$ " but not exceeding 5".	50
27.	Amputation below knee with stump exceeding 5".	40
28.	Amputation of one foot resulting in end-bearing.	30
29.	Amputation through one foot proximal to the metatarsophalangeal joint.	20
30.	Loss of all toes of one foot through the metatarsophalangeal joint.	
Other injuries.		
31.	Loss of one eye, without complications, the other being normal.	40
32.	Loss of vision of one eye, without complications or disfigurement of eye ball, the other being normal.	30
Loss of—		
A.—Fingers of right or left hand Index-finger.		
33.	Whole.	14
34.	Two phalanges.	11
35.	One phalanx.	9
36.	Guillotine amputation of tip without loss of bone	5
Middle fingers.		
37.	Whole.	12
38.	Two phalanges.	9
39.	One phalanx.	7
40.	Guillotine amputation of tip without loss of bone.	4
Ring or little finger.		
41.	Whole.	7
42.	Two phalanges.	6
43.	One phalanx.	5
44.	Guillotine amputation of tip without loss of bone.	2

(1)	(2)	(3)
B.—Toes of right or left foot Great toe.		
45.	Through metatarso-phalangeal joint.	14
46.	Part, with some loss of bone.	3
Any other toe.		
47.	Through metatarso-phalangeal joint.	3
48.	Part, with some loss of bone.	1
Two toes of one foot, excluding great toe.		
49.	Through metatarso-phalangeal joint	5
50.	Part, with some loss of bone.	2
Three toes of one foot, excluding great toe.		
51.	Through metatarso-phalangeal joint	6
52.	Part, with some loss of bone.	3
Four toes of one foot, excluding great toe.		
53.	Through metatarso-phalangeal joint.	9
54.	Part, with some loss of bone.	3

SCHEDULE II.

(See Section 2(1) (n))

List of persons who, subject to the Provision of section 2(1) (n), are included in the definition of workmen

The following persons are workmen within the meaning of section 2(1) (n) and subject to the provisions of that section that is to say, any person who is—

(i) employerd, otherwise than in a clerical capacity or on a railway, in connection with the operation or maintenance of a left or a vehicle propelled by steam or other mechanical power or by electricity or in connection with the loading or unloading of any such Vehicle; or

(ii) employed, otherwise than in a clerical capacity, in any premises wherein or within the precincts whereof a manufacturing process as defined in clause (k) of section 2 of the Factories Act, 1948 (63 of 1948), is being carried on, or in any kind of work whatsoever incidental to or connected

with any such manufacturing process or with the article made, and steam, water or other mechanical power or electrical power is used; or

(iii) employed for the purpose of making, repairing, ornamenting finishing or otherwise adapting for use transport or sale any article or part of an article in any premises wherein or within the precincts whereof twenty or more persons are so employed; or

(iv) employed in the manufacture or handling of explosives in connection with the employers trade or business; or

(v) employed, in any mine as defined in clause (j) of section 2 of the Mines Act, 1952, (35 of 1952) in any mining operation or in any kind of work, other than clerical work, incidental to or connected with any mining operation or with the mineral obtained, or in any kind of work whatsoever below ground; or

(vi) employed as the master or as a seaman of—

(a) any ship which is propelled wholly or in part by steam or other mechanical power or by electricity or which is towed or intended to be towed by a ship so propelled; or.

(b) any ship not included in sub-clause (a), or twenty-five tons net tonnage or over, or

(c) any sea-going ship not included in sub-clause (a) or sub-clause (b) provided with sufficient area for navigation under sails alone; or

(vii) employed for the purpose of—

(a) loading, unloading, fuelling, constructing, repairing, demolishing, cleaning or painting any ship of which he is not the master or a member of the crew, or handling or transport within the limits of any port subject to the Indian Ports Act, 1908, (15 of 1908), of goods which have been discharged from or are to be loaded into any vessel; or

(b) warping a ship through the lock; or

(c) mooring and unmooring ships at harbour wall berths or in pier; or

(d) removing or replacing dry dock caissons when vessels are entering or leaving dry docks; or

(e) the docking or undocking of any vessel during an emergency; or

(f) preparing splicing coir springs and check wires, painting depth marks on lock-sides, removing or replacing fenders whenever necessary, landing of gangways, maintaining life-buoys up to standard or any other maintenance work of a like nature; or

(g) any work on jolly-boats for bringing a ship's line to the wharf; or

(viii) employed in the construction, maintenance, repair or demolition of—

(a) any building which is designed to be or is or has been more than one storey in height above the ground or twelve feet or more from the ground level to the apex of the roof; or

(b) any dam or embankment which is twelve feet or more in height from its lowest to its highest point; or

(c) any road, bridge, tunnel or canal; or

(d) any wharf, quay, sea-wall or other marine work including any moorings of ships; or

(ix) employed in setting up maintaining, repairing or taking down any telegraph or telephone line or post or any overhead electric line or cable or post or standard or fittings and fixtures for the same; or

(x) employed, otherwise than in a clerical capacity, in the construction, working, repair or demolition of any aerial ropeway, canal pipe-line, or sewer; or

(xi) employed in the service of any fire brigade; or

(xii) employed upon a railway as defined in clause (4) of section 3, and sub section (1) of section 148 of the Indian Railways Act, 1890 (X of 1890) either directly or through a sub-contractors, by a person fulfilling a contract with the railway administration; or

(xiii) employed as an Inspector, mail guard, sorter or van peon in the Railway Mail Service or as a telegraphist or as a postal or railway signaller, or employed in any occupation ordinarily involving outdoor work in the Indian Posts and Telegraphs Department; or

(xiv) employed, otherwise than in a clerical capacity, in connection with operations for winning natural petroleum or natural gas; or

(xv) employed in any occupation involving blasting operations; gas or

(xvi) employed in the making of any excavation in which on any one day of the preceding twelve months more than twenty-five persons have been employed or explosives have been used, or whose depth from its highest to its lowest point exceeds twelve feet; or

(xvii) employed in the operation of any ferry boat capable of carrying more than ten persons; or

(xviii) employed, otherwise than in a clerical capacity, on any estate, which is maintained for the purpose of growing cinchona, coffee, rubber or

tea, and on which on any one day in the preceding twelve months twenty-five or more persons have been so employed; or

(xix) employed, otherwise than in a clerical capacity, in the generating, transforming or supplying of electrical energy or in the generating or supplying of gas; or

(xx) employed in a lighthouse as defined in clause (d) of section 2 of the Indian lighthouse Act, 1927 (XVII of 1927); or

(xxi) employed in producing cinematograph pictures intended for public exhibition or in exhibiting such pictures; or

(xxii) employed in the training, keeping or working of elephants or wild animals; or

(xxiii) employed in the tapping of palm-trees or the felling or logging of trees, or the transport of timber by inland waters, or the control or extinguishing of forest fires; or

(xxiv) employed in operations for the catching or hunting of elephants or other wild animals; or

(xxv) employed as a driver; or

(xxvi) employed in the handling of transport of goods, in or within the precincts of—

(a) any warehouse or other place in which goods, are stored, and in which on any one day of the preceding twelve months ten or more persons have been so employed; or

(b) any market in which on any one day of the preceding twelve months fifty or more persons have been so employed; or

(xxvii) employed in any occupation involving the handling and manipulation of radium or X-rays apparatus, or contact with radioactive substances.

Explanation.—In this Schedule, “the preceding twelve months” relates in any particular case to be twelve months ending with the day on which the accident in such case occurred; or

(xxviii) employed in or in connection with the construction, erection, dismantling, operation or maintenance of an aircraft as defined in section 2 of the Indian Aircraft Act, 1934; (22 of 1934); or

(xxix) employed in farming by tractors or other contrivances driven by steam or other mechanical power or by electricity; or

(xxx) employed, otherwise than in a clerical capacity, in the construction, working, repair or maintenance of a tube-well; or

(xxxi) employed in the maintenance, repair or renewal of electric fittings in any building; or

(xxxii) employed in a circus.

SCHEDULE III

(see section 3)

List of Occupational Diseases

<i>Occupational Disease</i> (1)	<i>Employment</i> (2)
Part A.	
<i>Anthrax</i>	<i>Any Employment</i> (a) involving the handling of wool, hair, bristles or animal carcasses or parts of such carcasses, including hides, hoofs and horns; or (b) in connection with animals infected with anthrax; or (c) involving the loading, unloading, or transport of any merchandise.
Compressed air illness or its sequelae.	Any process carried on in compressed air.
Poisoning by lead tetra ethyl.	Any process involving the use of lead tetra-ethyl.
Poisoning by nitrous fumes.	Any process involving exposure to nitrous fumes.
Part B	
Poisoning by lead, its alloys or compounds or its sequelae excluding poisoning by lead tetra-ethyl.	Any process involving the handling or use of lead or any of its preparations or compound except lead tetra-ethyl.
Poisoning by phosphorus or its compounds, or its sequelae.	Any process involving the use phosphorus or its preparations or compounds.
Poisoning by mercury, its amalgams and compounds, of its sequelae.	Any process involving the use of mercury or its preparations or compounds.

(1)	(2)
Poisoning by benzene, or its homologues, their amido and nitro derivatives or its sequelae.	Any process involving the manufacture, distillation, or use of benzene, benzo, benzene homologues and amido and nitroderivatives.
Chrome ulceration or its sequelae.	Any process involving the use of chromic acid on bichromate of ammonium, potassium or sodium, or their preparations.
Poisoning by arsenic or its compounds, or its sequelae.	Any process involving the production, liberation or utilisation of arsenic or its compounds.
Pathological manifestations due to—	
(a) radium and other radioactive substances; (b) X-rays.	Any process involving exposure to the action of radium, radio-active substances, or X-Rays,
Primary epitheliomatous cancer of the skin.	Any process involving the handling or use of tar, pitch bitumen, mineral oil, paraffin or the compounds, products or residues or these substances.
Poisoning by halogenated hydrocarbons of the aliphatic series and their halogen derivatives.	Any process involving the manufacture, distillation and use of hydrocarbons of the aliphatic series and their halogen derivatives.
Poisoning by carbon disulphide or its sequelae.	Any employment in (a) the manufacture of carbon disulphide; or (b) the manufacture of artificial silk by viscose process; or (c) rubber industry; or (d) any other industry involving the production or use of products containing carbon disulphide or exposure to emanations from carbon disulphide.

(1)	(2)
Occupational cataract due to infrared radiations.	Any manufacturing process involving exposure to glare from molten material or to any other sources of infrared radiations.
Telegraphist's Cramp.	Any employment involving the use of telegraphic instruments.
Part C.	
Silicosis.	Any employment involving exposure to the inhalation of dust containing silica.
Coal Miners' Pneumoconiosis.	Any employment in coal mining.
Asbestosis.	Any employment in—
(1) the production of—	(1) the Production of— (i) fibro cement materials; or (ii) asbestos mill board; or
	(2) the processing of ores containing asbestos.
Bagassosis.	Any employment in the production of bagasse mill board or other articles from bagasse.

SCHEDULE IV

(See section 4)

Compensation Payable in Certain Cases

Monthly wage of the workman in	Amount of compensation for	Half-monthly Payment as compensation
(1)		
More than		
Rs.		
0	தமிழ்நாடு ஆவணக்காப்பக நூலகம், எழும்பூர், சென்னை-600 008.	
10	தவணைத்தாள்.	
15	சே. எண் : 172167 ப. எண் :	
18	வழங்கிய நாள். (1)	திரும்பிய நாள். (2)
21		
24	19/5/93	31/5
27		
30		
35		
40		
45		
50		
60		
70		
80		
100		
200		
300		

S.F. 259A-6-1,00,000-20-1-24.

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SCHEDULE IV

(See section 4)

Compensation Payable in Certain Cases

Monthly wage of the workman injured.		Amount of compensation for		Half-monthly Payment as compensation for Temporary Disablement.
(1)		Death	Permanent Total Disablement.	
(1)		(2)	(3)	(4)
More than	But not more than			
Rs.	Rs.	Rs.	Rs.	Rs. as.
0	10	500	700	half his monthly wages.
10	15	550	770	5 0
15	18	600	840	6 0
18	21	630	882	7 0
21	24	720	1,008	8
24	27	810	1,134	8
27	30	900	1,260	9
30	35	1,050	1,470	9 8
35	40	1,200	1,680	10 0
40	45	1,350	1,890	11 4
45	50	1,500	2,100	12 8
50	60	1,800	2,520	15 0
60	70	2,100	2,940	17 8
70	80	2,400	3,360	20 0
80	100	3,000	4,200	25 0
100	200	3,500	4,900	30 0
200	300	4,000	5,600	30 0
300	...	4,500	6,300	30 0

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