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SPECIAL ARTICLES

HUMAN RESOURCES AND MANPOWER PLANNING IN ECONOMIC DEVELOPMENT

by

Prof. EVERETT M. KASSALOW

Until recent years econmists and planners have made capital, the accumulation of capital, and the application of capital all important to the process of economic development. As a recent U.S. text, Economic Development, by Professor Kindleberger of the Massachusetts Institute of Technology puts it:

"In the view of many economists, capital occupies the central position in the theory of economic development. Development brings with it—an increase in population and the labour force. Since land is fixed, barring discovery of a frontier, the land/labour ratio must decline. An increase in output per worker, therefore, would appear to call for an increase in the capital/labour ratio. In this view, the process of economic development is one of replacing shovels with bulldozers, scythes with reapers, three horsepower of machinery per worker with ten horsepower... Capital is regarded not only as central to the process of development, but also as strategic."

In the same vein, the labour factor in the development process is quite incidental for most development economists. Here, as regards the newly developing countries of the world, the assumption is generally one of large-scale unemployment or disguised unemployment in the traditional sector of the economy. So long as capital is available, this labour can be drawn into the modern sector and the process of development can go forward.

These assumptions about the all central role of capital and labour in economic development tended to dominate U.S. thinking and policy in the years before and immediately after World War II. They were reinforced by American experience under the Marshall Plan, which aided European economic recovery following World War II.

Confronted with a nearly total economic collapse on the part of Western Europe, the United States, beginning in 1948-49, agreed to assist these countries in rebuilding their economies. This assistance took the form of several billions of dollars per year in capital grants.

The results went beyond anything the U.S. or its Western European allies had expected. By the early 1950's Western Europe had regained its prewar economic position and was pushing forward to new economic heights. In succession the German economic miracle, the French economic miracle and the Italian economic miracle made their appearance. Indeed, so spectacular was the success of the Marshall Plan, that within a few years of its launching the United States found itself being uncomfortably pressed by its Western allied in practically every world trade market.

In the early and mid 1950's the newly liberated ex-colonial nations of the world also began to put forward their claims to economic development. Flushed with the success of the Marshall Plan, U.S. aid administrators confidently turned to the new battle-fields of economic development. They were confident that while the pace might be somewhat slower, there was no reason why a programme of large-scale loans and grants directed toward the newly-emerging nations could not achieve some of the same results as the Marshall Plan had in Western Europe.

Substantial loans and grants for capital investment were made to a number of the developing countries in the latter 1950's, but to the consternation of U.S. officials, very little development was forthcoming. Even more puzzling was the fact that although poverty in the new countries was widespread, often the ability of these countries to absorb and constructively employ the capital made available was severely limited.

Clearly some hard reconsiderations about U.S. aid and the nature of the development process were in order.

During this same period a number of American scholars were seriously studying the growth process in the American economy. Several of them came upon curious gaps in this process. Solomon Fabricant of the National Bureau of Economic Research, for example, found in his Basic Facts on Productivity Change that although he could measure U.S. economic growth between 1919 and 1957 at 2.1 per cent per year, by computing the conventional inputs of added labour and capital he could only account for 1 per cent, or less than half of this growth. Added capital alone would account for slightly less than onefourth of the total growth increase.

The distinguished British economist, A. K. Caimcross, came to a similar conclusion as regards the British economy. Added capital inputs could account for only a small part of the long term growth rate of the British economy.

Somewhat related to these findings was the work of Wassily Leontieff on the structure of U.S. foreign trade. Contrary to what was popularly believed, he discovered that, on balance, U.S. exports were not concentrated upon capital intensive industries—Industries which placed a premium on expensive plant and equipment; rather, such export advantages stemmed from more labour intensive industries, suggesting that American competition world trade advantages lay relatively more in the skills of human resources than in superior capital resources.

Also during this period, a distinguished American economist, Theodore Schultz of Chicago University, set forth a striking new thesis. The so-called gaps in accounting for the economic growth rate were not real gaps, he said, the trouble was that in measuring conventional inputs, and in concentrating on classical concepts of capital investment, economists were ignoring other inputs or investments which would help account for the economic growth rate.

In particular, Schultz called attention to the great investments which had been made in human resources, in education and public health, which were vastly raising the skills and physical well-being of the population. If account were taken of these investments, he said, the U.S. could begin to match the output side of the economy with all the inputs which were producing it.

A number of Schultz's students proceeded to test the human resource theory by demonstrating quantitatively how investment in human resources paid off in higher income and economic development. Improved health of the population, brought about by investment in medical research, hospital construction and the like, had greatly added to the longevity and vitality of the American population. One of these studies revealed that of the 66.6 million workers in the U. S. labour force in 1960, some 13.2 million would not have been there on the basis of health and longevity conditions prevailing in 1900. The added labour force was the payoff of investment in public health services and related fields.

Another of Schultz's collaborators demonstrated a close correlation between investment in education and the income producing power of different groups in the population. His work showed a close relationship between the levels of income earned by the work population and the levels of educational attaiment. Allowing for the money spent on books, tuition, as well as income foregone as a result of remaining in school and going to work at a later age, this study suggested a return of 11 per cent, in the form of higher income over a lifetime, for every dollar invested in education by the individual or his family as well as by the state.

More recently two economists, Walter Galenson and Graham Pyatt, working on behalf of the International Labour Organization, have shown that there is a very high correlation between increasing investment in health, housing and social security on the one hand, and the rate of economic growth for a given country on the other hand. In other words, a close positive relationship exists between the investment in human resources as measured by these three considerations and the rate of economic growth.

Aside from these quantitative types of study and measurement of investment in human resources and their relation to rates of economic growth, Schultz has made a number of interesting observations on different countries' experience with some of the problems of development. He has, for example, criticized the oversimplified notion that newly industrialized nations can repeat the sequence of early industrialization in Great Britain in which industrialization came first and welfare expenditures followed with a long lag.

The conditions under which industrialization is progressing today are vastly different and new countries cannot repeat this experience. And it should be added that one cannot be at all certain that neglect of human resources in that earlier era necessarily provided the most economic pattern of development.

The need for sophisticated skills and work attitudes to run modern plants and machinery is obvious. Investments in education and training are indispensable to produce the needed modern work force.

Again the simple exploitative approach of the early industrial revolution is also impossible on social grounds in the modern era or rising expectations, International Labour Organization standards, the widespread extension of universal suffrage, etc.

The low rate at which many "poor countries" can put capital to use is a telling argument in support of the thesis that neglect of investment in human factor tends to cripple development.

The specific postwar agricultural experience of a number of countries provides empirical evidence of the importance of human resource investment. China and India, dispite great efforts to increase food production, show little progress. Japan, with greater population density and poorer soil, expanded food production rapidly and became self-sufficient in rice, Mexico, with poor soil, greatly outstripped such Latin American countries with superior soil as Argentina, Chile and Uruguay. The plausible explanation both cases is the superior application of skills and techniques resulting from greater literacy, investment in skill training, the conscious application of superior human techniques through the use of agricultural experiment stations—all aspects of the application of human capital.

The greatest gaps between the superior resources in the advanced countries as opposed to the poorer countries often lie in the skills and knowledge available in the former. Of course, equipment, seeds and fertilizer are important, but the truly great breakthroughs open to the less developed countries are to be made by closing the skill-knowledge gap.

The study of human resources as a factor in development is, for the most part, still a new one for economists. One of the few areas within it which is attracting some fair attention is education. Frederick Harbison of Princeton and Charles Meyers have done some pioneering work here. They have tried to construct an index of human resources and apply it to various countries and, in turn, to see how it correlates with the level of economic development in the country.

One index they constructed, based on the number of teachers per 10,000 population, showed a very high correlation between it and the level of per capita income in a given country. The best correlations were obtained when they constructed an index based upon the ratio of ellpibles, by age group, in the population engaged in secondary and higher education, as well as the proportion of the population which had already completed these levels of education. The correlations between this index and the per capital income of various countries was extremely high.

From this and other research, Harbison and Meyers concluded that the less developed countries often invest too much of their education resources in primary education. The real educational bottlenecks in the early stages of economic development are likely to be a shortage of people with secondary and higher education.

Harbison and Meyers have raised some interesting ideas about the relative importance of secondary and higher education; but I would be extremely hesitant about advising any new country to slow down its investment in primary education.

Development is a social and a political process as well as an economic affair. Even if it were clearly proved that primary education could not merit first rank in a developing country's economic needs, I would not forego it. In the process of national building, and particularly if the process is to be democratic, continued illiteracy among the masses of the population is apt to be a dangerous condition. Part of the alienation-revolutionary syndicalist history and philosophy of the Italian and Spanish working classes can be partially attributed to the persistence of illiteracy in those countries, well into the twentieth century.

In any event, whatever educational policy is pursued it must be linked with other factors. Especially in developing countries mere general investment in secondary education or in higher education may not necessarily enhance economic development. As many students have observed, the presence of substantial numbers of unemployed "intellectuals" in some countries attest to the fallacy of unplanned educational investment.

The new countries must take steps to see that greater emphasis is placed upon training doctors, engineers, technicians, chemists, teachers and other specialists. Correspondingly, the "investment" in training lawyers and arts graduates should be reduced.

Even this will not suffice. The new countries must also influence pay systems so that students who complete engineering, technician or teacher training are rewarded with better wage scales, so that others will be encouraged to follow these same pursuits.

The view of educational investment as an aspect of economic development requires elaboration. Truthfully, the education policy should be seen as one aspect of total manpower policy which must be an integral part of the future development process.

It will make little sense for development planners to set aside large sums of scarce resources to construct a major chemical-fertilizer plant or plants, if the chemists, engineers, technicians and skilled mechanics will not to be there to man the new posts when the construction is completed. Being there, it should be noted, involves enough vision to see that the investment in education is going forward in a way in which human resources and capital resources will complement each other. Not only education is involved here, but manpower allocating institutions such as an employment service will also be required.

These occupation need not be planned to the last job, but certainly manpower and educational factors should be put into an integrated development plan.

Very few countries have even begun to tackle this problem. Positive manpower policy programmes are only a few years old in the U.S. The new countries with more pressing needs and fewer resources cannot afford to ignore this area of economics.

Under most development plans, investment policy has only sporadically taken into account the employment aspects of capital decisions. Occasionally some respect may be paid by the economic planner to manpower (unemployment) needs in the form of a decision to invest in a labour intensive industry, to maximize the employment effects. Even this kind of decision needs careful analysis. Often the secondary and tertiary employment effects may outweigh the primary employment effects of an investment decision. Aside from giving a greater boost to the gross national product, a decision to invest in a less labour intensive industry may, because of its secondary and tertiary effects, actually yield a larger net employment increase in the economy than would investment in the more labour intensive enterprise.

The real point is that to maximize development opportunities, the emerging nations must integrate manpower factors into their planning. Close co-ordination between labour ministry, education ministry, the ministry for industries, the treasury and the planners is essential if human resources are to be permitted to make their contribution in economic development.

Development will also be enhanced as a sense of social and economic justice comes to pervade the society. Workers must have a conviction that they are sharing in the benefits as well as the hardships and strains of development. The creation of effective, conservative channels of protest and participation, trade unions and a viable industrial relations system are an essential part of a long run development programme. No really stable, democratic industrial order has been built without the presence of an effective continuing union movement. It, too, is a vitally necessary human institution in development.

[This article is based on a talk given at the Madras Productivity Council on 5th July 1965].

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தொழில் துறையில் அமைதி

திரு. கோ. செங்கோடன், மண்டல இயக்குநர், தொழிலாள
கல்வி அகம், சென்னை-5

நமது நாடு 1947-ம் வருடத்தில் சுதந்திரமடைந்தது. அதற்கு முன்பு அன்னியர் ஆட்சியின் கீழ் இருந்தது. நம்மை ஆண்ட ஆங்கிலேயர்கள் நம் நாட்டை தங்கள் நாட்டில் உற்பத்தியாகும் பொருள்களுக்கு தந்தையாக உபயோகித்து வந்தார்கள். நமது நாட்டில் இயற்கைவளம், கனி வளம் எல்லாம் இருந்தும் நம் நாடு ஒரு விவசாய நாடாகவே இருந்து வந்தது. தொழில் வளர்ச்சியில் பின் தங்கியே இருந்தது.

நாம் 1947-ம் வருடம் அரசியல் சுதந்திரம் அடைந்த போதிலும் தொழில் துறையில் சுதந்திரமும் தன் நிறைவும் அடையவில்லை. நாம் நமது அன்றாட தேவைக்கான அத்தியாவசியமான பொருள்களுக்கும் அன்னியர் கையை எதிர்பார்க்க வேணடியதாயிருந்தது. இந்த நிலையை போக்கி நாம் சுயதேவையை பூர்த்தி செய்யவும், விவசாய நாட்டை தொழில் வளம் நிறைந்த நாடாக செய்யவும் நம்முடைய ஜனநாயக அரசாங்கம் ஐந்தாண்டு திட்டங்களின் மூலம் நம் நாட்டில் தொழில் புரட்சி செய்து கொண்டு வருகின்றது. அதன் பயனாக நம் நாட்டில் பல பாகங்களிலும் ஆயிரக்கணக்கான தொழிற்சாலைகள் தோன்றின. அதில் நமக்குத் தேவையான பொருள்களை உற்பத்தி செய்ய எல்லா முயற்சிகளும் செய்யப்பட்டு வருகின்றன. உற்பத்தியை பெருக்குவதற்கு இன்றியமையாத சில தேவைகள் பூர்த்தி செய்யப்படவேண்டும். அதில் தொழிலாளர்களின் பங்கு தலையாயது. மூலப்பொருளும், செல்வமும், நிர்வாகமும் எவ்வளவு தேவையோ அதைவிட தொழிலாளர்களின் சேவை பன்மடங்கு உற்பத்திப் பெருக்குக்கு தேவைப்படுகிறது. அவ்வாறு உற்பத்திப்பெருக்குக் தொழிலாளர்கள் தங்களுடைய முழு கவனத்தையும் செலுத்த தொழில் அமைதி தேவை.

"தொழில் அமைதி" என்பது ஒரு தொழிற்சாலையின் நிர்வாகத்திற்கும் அதில் பங்கு கொண்டு பணிபுரியும் தொழிலாளர்களுக்கும் ஏற்படும் பரஸ்பர சவுஜன்ய நிலையாகும். விரோதங்களையும் எதிர்ப்புகளையும் நீக்கி தத்தம் நலன்களுக்காக போராட்டப்போக்கை நீக்கி அலமதியாகவும், சட்டரீதியான வழிகளிலும் தங்கள் குறைகளை தீர்த்துக் கொள்ள தொழிலாளர்களும் தொழில் அதிபர்களும் பாடுபடவேண்டும்.

தொழில் அமைதியினால் ஏற்படும் நன்மைகள் பல. தொழில் அமைதியின் முக்கிய நோக்கம் உற்பத்தி பெருக்கேயாகும் உற்பத்தி பெருகுவதற்கு தொழிலாள நிர்வாக உறவு நேர்மையாக இருப்பது இன்றியமையாததாகும். இந்த உறவை ஏற்படுத்துவதற்கும் நிரந்தர மாக்குவதற்கும் அதற்கு பொறுப்புள்ளவர்களான தொழிலாளர்களும் நிர்வாகத்தினர்களும் தங்களுடைய பொறுப்புகளையும் கடமைகளையும் சரியாக புரிந்துகொண்டு பணியாற்ற வேண்டும். பொதுவாக பார்க்கும்பொழுது நாடும், நாட்டு மக்களும் முன்னேற்ற பாதையில் செல்ல தொழில் அமைதி தேவைப்படுகின்றது நாட்டு மக்களுக்கு தேவையான பொருள்கள் தடைபடாது உற்பத்தி செய்தால்தான் சுயதேவை பூர்த்தியாகும். விலைவாசி குறையும்;

பற்றாக்குறை நீங்கும். மக்களின் வாழ்க்கைத்தரம் உயரும். இதைக் கருத்தில் கொண்டு தொழில் அதிபர்களும், தொழிலாளர்களும் நாட்டுப் பற்றுடனும் தேசிய கோட்பாடுகளுடனும் பாடுபடவேண்டும்.

1962-ம் ஆண்டு *சீன* ஆக்கிரமிப்பின்போது தொழிலாளர்களும், தொழில் நிர்வாக பிரதிநிதிகளும் தாங்களாகவே முன்வந்து நிறைவேற்றிய தொழில் அமைதி தீர்மானம், நாட்டுப்பற்றை அடிப்படையாகக் கொண்டதுதான். குறுகிய நோக்கில் கூட தொழிலாளர்கள் தொழில் அதிபர்களின் நன்மைக்காக தொழில் அமைதி ஏற்படுத்துவது மிகவும் அவசியம். தொழில் அமைதி ஏற்பட்டால் குறிப்பிட்ட தொழிற்சாலையின் உற்பத்தி பெருகும். அதனால் அதைச்சார்ந்த தொழிலாளர்களின் கூலி உயர்வு, மற்ற வசதிகள் பெருகுவதற்கு சாதகமாக இருக்கும். அது போன்று நிர்வாகத்தினருக்கும் உற்பத்தி அதிகரிப்பதினால் இலாபம் அதிகம் கிடைக்கும். அன்றியும் இன்று நாட்டின் நெருக்கடி நிலையில் உற்பத்தி பெருக்கின் முக்கியத்துவத்தை வலியுறுத்த தேவை இல்லை. நாம் அடைந்த சுதந்திரத்தைக் காக்கவும், நம் நாடும், நாட்டு மக்களும் பொருளாதார பாதையில் தடையில்லாது முன்னேறவும் உற்பத்தி பெருக்கு மிகவும் அவசியம். அதற்கு தொழில் அமைதி மிக மிக அத்தியாவசியமாகும்.

தொழில் அமைதிக்குத் தேவையான ஏற்பாடுகளை சற்று ஆராய்வோம். குடும்பத்தை எடுத்துக் கொள்வோம். அதில் பெற்றோர்கள், தாய், தகப்பன், குழந்தைகள் இருக்கின்றார்கள். குடும்பம் அமைதியாக இருக்க பரஸ்பர விசுவாசமும், நம்பிக்கையும் தேவை. ஒருவருடைய நிலைமையும், தேவையையும் புரிந்து கொண்டு மற்றவர்கள் நடந்து கொண்டால்தான் குடும்பம் அமைதியாகவும், நிம்மதியாகவும் இருந்து வரும். விட்டு கொடுக்கும் மனப்பான்மையின்றி சுயநலத்தோடும், பிரிவு மனப்பான்மையோடும் ஒவ்வொரு நபரும் நடந்து வந்தால் குடும்பத்தை உருப்படியாக நடத்த முடியுமா? அம்மாதிரிதான் தொழிலாளர் நிர்வாகத்தினர் உறவும், அதுவும் ஒரு குடும்பந்தான். அதில் ஒவ்வொரு வருக்கும் ஏற்படும் குறைகளையும், குற்றங்களையும் நீக்கினால்தான் அமைதி ஏற்படும். குற்றங்களும், குறைகளும் உண்மையாகவும் இருக்கலாம் அல்லது ஆதாரமற்றதாகவும் இருக்கலாம். அவ்வாறு ஏற்படும் குறைகளை நீக்க இரு சாரார்களும் மனம்விட்டு பேசுவதற்கு சந்தர்ப்பமும் சமயமும் ஏற்படுத்திக்கொள்ள வேண்டும். சிறிய குறைகளை தக்க காலத்தில் நிவர்த்தி செய்யாவிட்டால் அவைகளே கட்டுக்கடங்கா எரிமலைகள் போன்ற பெரிய தகராறாய் முற்றி பலதரப்பட்ட சங்கடங்களுக்கு ஆளாக்கிவிடும். தொழில் துறையில் பொதுவாக தொழிலாளர்களுக்குத்தான் குறைகள் இருப்பது சகஜம். இந்த குறைகளை சரியா என்று தொழிலாளர்கள் முன்பு தங்கள் தொழிற்சங்கத்தின் மூலமாகவோ அல்லது வேறு எந்த கூட்டு அமைப்பின் மூலமாகவோ ஆராயவேண்டும். அந்த ஆராய்ச்சியில் தொழிலாளர்கள் யாவரும் பங்குகொண்டு தங்களுடைய அபிப்பிராயத்தைத் தக்க ஆதாரத்துடனும் அடிப்படையிலும் வெளியிட வேண்டும். அங்கு தலைவர்களின் விருப்பத்திற்கோ அல்லது மற்ற எந்த நிர்ப்பந்தத்திற்கோ கட்டுப்படாமல் தொழிலாளர்கள் தங்கள் தங்களின் அபிப்பிராயத்தை வெளியிடவேண்டும். நிர்வாகத்தினர் நிலையையும் திறந்த மனப்பான்மையோடு ஆராயவேண்டும். பிறகு அன்றாடம் எழும் குறைகளுக்கும் தொழில் தகராறுகளுக்குமுள்ள வித்தியாசத்தை உணர்ந்து அவைகளை தீர்க்க ஏற்பாடு செய்யவேண்டும்.

தொழிற்சாலையில் எழும் குறைகளையும் தீர்ப்பதற்கு குறை தீர்க்கும் முறை பயன்படுத்தப்படவேண்டும். அன்றாட பிரச்சனைகளை வேலைக்குழு போன்ற சட்ட ரீதியாக ஏற்பட்ட மார்க்கங்களின் மூலமாக தீர்த்துக் கொள்ளவேண்டும். பெரும் பிரச்னைகளையும் தொழிற்தகராறுகளையும் தொழிற்சங்கங்களின் மூலம், நேரடி பேச்சு, சமரசம், மத்தியஸ்தம், நடுவர் தீர்ப்புபோன்ற முறைகளை கையாண்டு தீர்த்துக்கொள்ளவேண்டும். அதற்கு நல்ல முறையில் வெற்றிகாண தொழிற்சங்கம், வலிமையுடையதாகவும், நியாயத்திற்குக் கட்டுப்பட்டதாகவும் இயங்க வேண்டும். எந்த பிரச்னையாக இருந்தாலும் வேலை நிறுத்தம், மெதுவாக வேலை செய்தல் போன்ற விரும்பத்தகாத நேரடி நடவடிக்கைகளை கூடியமான வரை தவிர்க்க முயலவேண்டும். அவ்வாறு வேலை நிறுத்தம் செய்யும் நிர்ப்பந்தம் ஏற்பட்டால் அதை கடைசி ஆயுதமாக கொள்ளவேண்டும். அப்பொழுதுதான் பொதுஜன அனுதாபமும் அரசாங்கத்தின் ஆதரவும் கிடைக்கும். தற்போதுள்ள நெருக்கடி நிலையில் தவிர்க்க முடியாத நிர்ப்பந்தம் ஏற்பட்டாலும் வேலை நிறுத்தம் செய்ய தேவையில்லை. ‘‘வேலை நிறுத்தம் செய்வோம்’’ என்ற எச்சரிக்கை கொடுத்தாலே போதும். தொழிலாளர்கள் வேலை நிறுத்தம் செய்கின்றார்கள் என்ற அடிப்படையில் தொழிலாளர்கள் நல இலாகா எல்லாவித நடவடிக்கையும் எடுக்கும். வேலை நிறுத்தம் செய்தால் ஏற்படும் நன்மை தீமைகளையும் வேலை நிறுத்தம் நீடித்து நடத்துவதற்கு தொழிலாளர்களுக்கு போதிய வசதியும், பலமும் இருக்கின்றதா என்பதை ஆலோசிக்க வேண்டும். வேகமாக வேலை நிறுத்தம் தொடங்கி அது பிசுபிசுத்து போய்விட்டால் அதனால் தொழிலாளர்களுக்கு எண்ணற்ற இன்னல்கள் ஏற்படும் என்பதில் சந்தேகமில்லை. சண்டைபோட்டு அதிகளவு வெற்றி அடைந்தாலும், அதில் பரஸ்பர உறவு இருக்காது. எப்பொழுதும் இரு சாராரிடத்திலும் வேற்றுமையும் சந்தேக மனப்பான்மையும்தான் இருக்கும். நீண்டகால வேலை நிறுத்தங்கள் செய்தால் தொழிலாளர்கள் ஊதியத்தில் மிகவும் பாதிக்கப்படுவதுடன் இன்று நாட்டுக்கு தேவையான உற்பத்தியும் பாதிக்கப்படுகின்றன. அதனால் தொழிலாளர்களுக்கு கிடைக்கும் சலுகைகளும் பாதிக்கப்படும்.

இப்பொழுது தொழில் அமைதியில் நிர்வாகத்தின் பங்கு என்ன என்பதை ஆராய்வோம். நிர்வாகத்தில் உள்ளவர்கள் தொழிலாளர்களைப் பற்றிய தற்கால கருத்துக்களை உள்ளவர்களாக இருக்கவேண்டும். தொழிலாளர்கள் என்றால் ‘‘கூலிக்கு மார் அடிப்பவர்கள்’’, ‘‘சொல்வதைக் கேட்டுக்கொண்டிருப்பவர்கள்’’, ‘‘விலை கொடுத்து வாங்கும் பொருள்கள்’’, ‘‘நம் இஷ்டம்போல் வேலையில் வைக்கலாம். நீக்கலாம்’’ என்ற பிற்போக்கான எண்ணங்களுக்கு இடங்கொடுக்கக்கூடாது. தொழிலாளர்களும் மனிதர்கள்தான். அவர்களுக்கும் உணர்ச்சிகளும், மானம் மரியாதைகளும் உண்டு. தொழிலாளர்கள் பணத்திற்கு மட்டும் உழைப்பதில்லை. தொழிலாளர்களும் தொழிற்சாலைகளை நடத்துவதற்கும், உற்பத்தியைப் பெருக்குவதற்கும் பொறுப்புள்ளவர்கள் என்ற அடிப்படையில் அவர்களுக்கும் தொழிற்சாலை நிர்வாகத்தில் பங்கு உண்டு என்ற மனப்பான்மை வேண்டும். அன்றியும் வேலைக்கும் திறமைக்கும் தகுந்த ஊதியம்பெற தொழிலாளர்களுக்கு உரிமை உண்டு என்ற உண்மையை உணரவேண்டும். வேலைக்கு அமர்த்தப்பட்ட தொழிலாளர்களுக்கு நியாயமானதும், நேர்மையானதுமான ஊதியம் கொடுக்கவேண்டும். அவ்வாறு கொடுக்க சக்தியற்ற தொழில்கள் தோன்றலில் தோன்றாமல் இருப்பது நன்று, என்ற கருத்தை உணர வேண்டும்.

தொழில் உறவு நல்ல முறையில் இயங்க நிர்வாகத்தினர் சுயநலத்தோடு இல்லாமல் நாட்டு நன்மைக்காகவும், முன்னேற்றத்திற்காகவும் உற்பத்தி பெருக்கின் தேவையை உணர்ந்து தொழில் அமைதிக்கு வேண்டிய சூழ் நிலைகளை ஏற்படுத்த வேண்டும். தொழிலாளர்களுக்கும் நிர்வாகத்தினருக்கும் ஏற்படும் பிரச்னைகளை அவ்வப்பொழுது ஆராய்ந்து துரிதமாகவும் இரு சாராருக்கும் திருப்தி ஏற்படும் முறையில் தீர்த்து வைக்க ஏற்பாடு செய்யவேண்டும் அன்றாடம் ஏற்படும் பிரச்சனைகளை தொழில் குழு, குறை தீர்க்கும் முறைகள் மூலம் தீர்த்துக்கொள்ள அவ்வகையில் உண்மையான நம்பிக்கைகொண்டு அவ்வழிகள் செம்மையாக செயல்படுவதற்கு மனப்பூர்வமாகவும் பெரு நோக்கோடும் பாடுபட வேண்டும். வெளிப்படையாக இந்த முறைகளை ஏற்படுத்திவிட்டு அவைகள் நல்லமுறையில் நடப்பதற்கு நேர்முகமாகவும், மறைமுகமாகவும் முட்டுக்கட்டைகள் போட்டு வந்தால் அதனுடைய விளைவுகள் பயங்கரமான முடிவுகளில் கொண்டுபோய்விடும். சிறிய குறையும் உடனுக்குடனே தீர்க்கப்படாவிட்டால் அது பெரிதாகி எரிமலைபோல் பல இன்னல்களை விளைவிக்கும். கூடுமானவரை தொழிலாளர்களின் குறைகளை அனுதாபத்துடன் கவனித்து ஆவன செய்யவேண்டும். நிர்வாகத்தினருக்கு இருக்கும் வசதிகளை கொண்டு தொழிலாள பிரச்னைகளை பாராமுகமாகவும் அல்லது வேண்டுமென்றே காலதாமதம் செய்தாலும் அது விரும்பத்தகாத விளைவுகளில் விட்டுவிடும். அதிருப்தி கொண்ட தொழிலாளர்கள் உற்பத்தித் திறனோடு வேலை செய்யமாட்டார்கள். ஒழுங்கு முறைகளுக்கும் கட்டுப்பாடுகளுக்கும் கட்டுப்பட்டு நடக்க மாட்டார்கள். தங்கள் நியாயமான கோரிக்கைகள் தீர்க்கப்படாவிட்டாலும் அல்லது தாமத மேற்பட்டாலும் தொழிலாளர்கள் நேரடி நடவடிக்கையில் ஈடுபட ஏதுவாகும். அப்பொழுது அவர்களுக்கு பொதுஜன அனுதாபமும் கிடைக்கும், பெரிய தகராறுகளையும் போனஸ், கூலி உயர்வு, போன்ற பிரச்சனைகளையும் நேரடி பேச்சு, சமரசம், நடுவர் தீர்ப்பு போன்ற முறையில் தீர்த்துக்கொள்ள முயலவேண்டும். தவிர்க்க முடியாத நிலைமையில்தான் நியாய ஸ்தலங்களை நாடவேண்டும். தொழிலாளர்களுக்கு சட்டபூர்வமாக ஏற்படுத்தப்பட்ட நலப்பணிகளை பெருந்தன்மையோடு தொழிலாளர்கள் எதிர்பார்த்த பலன் அடையும் முறையில் அமுல் செய்யவேண்டும். சட்டத்தை சரி செய்வதற்கு என்று நடவடிக்கை எடுத்தால் தொழிலாளர்களுக்கு திருப்தி ஏற்படாது. அதனால் தொழில் உறவு சீரான நிலையில் இருக்காது. அதனால் உற்பத்தி பாதிக்கப்படும். உற்பத்தி பாதித்தால் விலைவாசி ஏறும். சமூகத்தின் வாழ்க்கைத் தரம் பாதிக்கும். அதனால் தனக்குமட்டுமின்றி நாட்டுக்கும் நல்ல பணி செய்தவராகக் கருதப்படமாட்டார்கள்.

சுருக்கமாக கூறுங்கால், தொழிலாளர்களும் நிர்வாகத்தினரும் தங்கள் நலத்தோடு நாட்டின் நல்வாழ்வையும் கருத்தில்கொண்டு தங்கள் தங்களுடைய உரிமைகளையும் பொறுப்புகளையும் உணர்ந்து தொழிலாள நிர்வாக பிரச்சனைகளையும் குறைகளையும் சுமுகமாக தீர்த்துக்கொள்ள பரஸ்பர எண்ணத்துடன் சட்டப் பூர்வமான நேர்வழிகளைக் கையாண்டு தொழில் அமைதி ஏற்படுத்துவதற்கு முயலவேண்டும். அப்பொழுதுதான் நாட்டுக்கும் நாட்டு மக்களுக்கும் இன்றைய நெருக்கடி நிலையில் தேவையான உற்பத்தியைப் பெருக்கி நம் நாடு இப்பொழுது நடக்கும் போரில் உலகம் வியக்க வெற்றி கண்டு தொழில் துறையில் என்று போலும் ஏறு போட்டு நடக்க முடியும் என்பது நம் நாட்டு தலைவர்களின் முடிவாகும்.

INDUSTRIAL SATETY

INSECURITY PLACED GUARD CAUSES INJURY

In a textile mill, the twist wheel and the gear wheel of a machine were meshed with each other forming a nip. The wheels had been encased by a sheet metal cover which had been kept in position by means of a catch. While a worker was cleaning the cover with cotton waste, the catch got released and the cover came off the wheels. The worker's hand fell on the nip of the two wheels and as a result the fingers got trapped. The accident clearly points out the importance of securely fencing the dangerous parts by safeguards of substantial construction as required by Section 21 of the Factories Act, which shall be kept in position while the machinery is in motion. The cover provided on the wheels should have been screwed or bolted to the body of the machine so that it could not have come off merely by cleaning by hands.

(Information sent by Chief Inspector of Factories, Madras)

A FALLING STEEL PLATE KILLS A MAN

In a sheet metal factory, a bundle of 15 mild steel plates each measuring 574 cm × 97 cm × 4 mm (thickness) was being lowered by means of an overhead crane on a platform near a shearing machine where the plates were to be cut into smaller sizes. The operator of the shearing machine was standing near the machine and watching the operation when one of the two plate lifting clamps attached to the chain sling came out and some of the plates from the bundle sprung up violently and struck the operator in his chest. The worker was removed to the hospital where he succumbed to his injuries on the same day.

For efficient and safe handling of mild steel plates, four plate lifting clamps and not two should have been used and to obtain safe positioning of the load for heaving the logs of the chain siling should have been held apart by hard wood adjustable spreader bars and so adjusted that the distance between the logs is equal to half the size of the bundle being handled. To ensure secure grip of the clamps on the plates it is advisable to adjust the clamps in such a way that they are fully loaded and if necessary are provided with suitable packing.

(Information sent by Chief Inspector of Factories, West Bengal)

NIP GUARD NOT MAINTAINED

A tube 1½ inch in diameter and 8½ ft. long was fitted as a nip guard on the inrunning side of two steel rollers. It was situated about 1 inch from the nip on the underside and had a deflection of about another inch at mid span. It was in fact possible to reach right round the bar and grip it in the palm of the hand. The bar had been fixed in its end brackets by means of crimping. After much use, however, the crimping had become ineffectual and the bar was free to revolve, so creating an inrunning nip of its own.

When a worker was smoothing out the material going through the rollers, he allowed his fingers to go a little too far towards the danger area and they were trapped between the guard and the lower roll.

Where nip bar guards are employed they must (i) be properly secured in their end supports so they do not themselves become a trapping hazard; (ii) be kept closely adjusted to the nip; and (iii) be of sufficient strength to resist excessive deflection.

With regard to (iii) tube bar guards between 100 inch and 125 inch long should have a diameter of at least 2 inch with a 1/4 inch wall thickness. These sizes give deflections not exceeding 3/32 inch. If angle bar guards are used they should be 2 inch × 2 inch × ½ inch with either the heel or toe of the angle in the nip according to preference. The "heel in the nip" type is preferred.

(Industrial Accident Prevention Bulletin, July 1963)

TRUCK DRIVER'S HEAD CRUSHED IN ARCHWAY

A man driving a small petrol-driven truck reversed the bogie part of his machine through the sloping archway of a wicket entrance which led to a brick kiln where he was to deposit his load. The driver's part of the truck remained just clear of the archway. Having deposited his load, the driver inadvertently engaged the reverse gear instead of the forward gear and the truck lurched back towards the kiln chamber. At the innermost part of the arched entrance the clearance between the highest point of the truck's controls and the arch was only 4 inch. The driver was crushed to death between the controls of his truck and the archway.

It was suggested that this accident could have been avoided by fixing a substantial metal bar immediately behind the driver and of sufficient height to ensure that it would strike the arch, thus preventing the entry of the driver's part of the truck into the danger zone.

(Industrial Accident Prevention Bulletin, January 1964)

LABOUR NEWS

INDUSTRIAL RELATIONS, SEPTEMBER, 1965

The Labour situatiou in the State was satisfactory. There were 3 strikes in Textile Mills and 8 strikes in other industries (including 3 strikes that were continuing at the end of the last month during the month of September 1965). Out of 8 strikes in other industries, 2 strikes were continuing at the end of the month. Number of workers affected by the strikes in Textile Mills was 384 and in other industries it was 835. 353 mandays were lost due to strikes in Textile mills and 9965 mandays were lost due to strikes in other industries. The details of the work stoppages are as follows.

Textile Mills

About 10 out of 800 workers of Lotus Mills, Sundarapuram, Podanur struck work on 7-9-1965 at 4 p.m. in order to press the management for early action to redress their grievances. The workers resumed work voluntarily on 8-9-1965 at 12 noon.

About 215 out of 1208 workers of Rajalakshmi Mills Ltd., Uppilipalayam, Coimbatore, struck work on 25-9-1965 at 1 a.m., agitating over the change of work allotted to workers in Fly Frame department. The workers resumed duty voluntarily on the same day at 7 a.m.

About 249 out of 2166 workers of Madura Mills Co. Ltd., Tuticorin, struck work on 4-9-1965 at 10 a.m. protesting against the decision of the management to grant an extra holiday in lieu of 15-8-1965 and demanding one day's extra wages. They resumed duty voluntarily on the same day at 11-05 a.m.

Others

All the 2,500 workers of the beedi industrial establishments under Maharaja Beedi Factories, Ranipet, Vishram, Timiri, Kaveripauk and Vellore, struck work on 25-8-1965, protesting against the deduction of wages by 13 paise for rolling Jadi Beedies. The workers resumed duty on 3-9-1965 on the mediation by the Deputy Commissioner of Labour, Coimbatore.

The strike by the workers of Samiullah Sahib & Co., Tannery, Tiruvalam, which began on 31-8-65 ended on that day itself.

The strike by the workers of Kumarpalkulam Estate, Thandikkarankonam which began on 2-7-1965 due to non-employment of Marudayee and non-implementation of Plantations Labour Act and Rules was fizzled out.

All the 30 workers of the Premier Printers, Raja Street, Coimbatore, struck work on 27-9-1965 at 8-30 a.m. The strike was continuing at the end of the month.

All the 40 workers of the Amaravathy Dyeing (P) Ltd., Amaravathy-nagar, Udumalpet struck work on 15-9-1965 at 9 a.m., agitating over the suspension of 11 workers. On the intervention of the Labour Officer, Pollachi, the workers resumed work on 11-9-1965 at 10 a.m.

About 617 out of 734 workers in the Salem Co-operative Sugar Mills Ltd., Mohanur, Salem District, struck work on 8-9-1965 at 7 p.m. protesting against the suspension of a worker for seven days. On the mediation of the Commissioner of Labour, Madras, the workers called on the strike on 11-9-1965 at 2 p.m.

All the 43 workers of the Revathi Machinery Traders, Podanur, went on strike from 31-8-1965 A. N. due to the retrenchment of 18 workers. Following the strike, the management declared lockout on 3-9-65 at 8 a.m. Both the strike and lockout ended on 9-9-1965 on the advice of the Labour Officer.

All the 105 workers of the Dyeing Works, Kumbakonam went on strike on 30-9-65 at 9 a.m. protesting against non-consideration of demands. The strike was continuing at the end of the month.

Central Sphere

1. **Conciliation:**

(a) Assistant Labour Commissioner, Madras held conciliation proceedings in the following disputes and brought about settlements:

(i) Between M/s. South India Corporation (A) Ltd., Madras and Transport & Dock Workers Union, Madras over implementation of the recommendations of the Wage Board.

(ii) Between M/s. Express Carriers Ltd., Madras and the Transport & Dock Workers Union, Madras over implementation of recommendations of the Wage Board.

(iii) Between M/s. South India Corporation, Madras and Madras Port & Dock Workers Congress, Madras regarding under payment and arrears to watchmen and tally clerks.

(iv) Between M/s. C. M. K. Viswanatha Mudaliar & Son, Stevedores and the Madras Port & Dock Workers Congress over non-implemention of the recommendations of the Wage Board.

(v) Between the Madras Port Coal Employers Association, Madras and the Madras Harbour Workers' Union, Madras over implementation of the recommendations of the Central Wage Board for Port & Dock Workers.

(vi) Between M/s. South India Corporation (Agencies) Private Ltd., Madras and the Port & Dock Workers Congress, Madras over re-employment of retrenched workers.

(b) The conciliation held by the Asst. Labour Commissioner, Madras in the dispute between M/s. N. Selvarajulu Chetty and Co. (India), Madras and Madras Port & Dock Workers Union, Madras over charter of demands like fixation of pay scales, D.A., overtime payment, Provident Fund, Gratuity, etc. ended in failure.

(c) Two disputes were settled/disposed off at the intervention of the Officers of this machinery without holding any formal conciliation proceedings.

2.	Number of strikes/lockouts	Nil
3.	Number of threatened strikes/lockouts	One
4.	Particulars regarding disputes:	
	(a) Number of Industrial disputes pending at the beginning of the month	8
	(b) Number of industrial disputes received during the month	3
	(c) Number of industrial disputes settled/disposed of during the month	9
	(d) Number of threatened strikes	One
	(e) Number of which materialised	Nil
	(f) Number of Draft Standing Orders certified	4

State Sphere

The Conciliation Officers enquired into and settled 549 disputes during the month of September, 1965. Of these 79 (including 3 settlements reached before the Deputy Commissioners of Labour) 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 Government referred 17 industrial disputes in which settlements could not be brought about by conciliation for adjudication by the Industrial Tribunal, Madras and Labour Courts, Coimbatore, Madurai and Madras. The details of disputes referred for adjudication are published in the Statistical part of the journal. 17 awards given by the Industrial Tribunal, Madras and Labour Courts are published in the Fort St. George Gazette in the month of September, 1965.

Code of Discipline

The Madras State Electricity Board has decided to accept the code of discipline in principle.

Welfare

The General employment situation showed a better balance during the month compared to August 1965.

More vacancy notification, fewer registrations, reduced live register and fewer placings were the main features of the activities of Employment Offices during September, 1965. The ratio of vacancy notification to registrations effected declined to 1 : 3.2 during September, 1965 compared to 1 : 48 in August, 1965.

The total registrations made during the month and the number of placements effected were 26,385 (—8588) and 5,823 (—487) respectively. The number of vacancies notified stood at 8,245 an increase of 964 over the previous month. The live registers of all the Employment Offices stood at 211,942 a decrease of 1,055 over the previous month.

The shortage of manpower was reported in the following occupations:

Engineer with experience (Degree and Diploma holders), Doctor, Nurse with experience, Sanitary Inspector/Health Assistant Maternity Assistant, Pharmacist, Graduate Asst. Secondary Grade Teacher (Urdu/Telugu medium), Tamil Pandit, Hindi Pandit, Tailoring Instructor-Instructress, Laboratory Technician, Librarian, Steno-typist, Typist (Tamil), Typist Tamil and English) Craft Instructor (Fitter), Craft Instructor (Instrument Mechanic), Mechanic (Refrigeration and Air Condition Equipment, Radio Mechanic, Electrician and Physical Education Teacher (Male and Female).

Surplus applicants related to graduates in Economics, Botony, Zoology, Geology and Law, Matriculates and unskilled occupations.

The Professional and Executive Employment Office, Madras registered and placed in employment 246 and 32 applicants respectively during the month. At the end of the month the live register of the office stood at 1.413.

The University Employment Information and Guidance Bureau, Annamalainagar registered 9 applicants and placed one in employment during the month. At the end of the month, 112 applicants remained on the live register.

The Employment Office for the physically Handicapped Madras registered 145 applicants (1 blind, 10 deaf and dumb and 134 orthopaedics) and placed in employment 14 (1 blind and 13 orthopaedics) during the month. The number of applicants remained on the register at the end of the month was 500.

The Vocational Guidance Units at Arcot North at Katpadi Cuddalore N.T., Chingleput at Guindy, Coimbatore, Madras-14, Madurai, Ramanathapuram at Madurai, Salem, Thanjavur, Tiruchirapalli and Tirunelveli rendered group guidance to 8,883 applicants and individual information to 5,107 persons during the month. The number of individually guided applicants placed in employment and the number of youths given individual guidance during the month were 26 and 75 respectively. A conference of all the Vocational Guidance Officers in the State was held during the month at Madras for discussing on the administration of aptitude tests for the selection of applicants for Craftsmen Training during October, 1965.

The Occupational Information Officer visited 9 Institution in Madras City and identified 10 new occupations under the "Special Project for the search of new occupations." Verifications work in respect of 12 occupations in five families was completed during the month.

The Employment Information and Assistance Bureau in the Districts of Coimbatore, Ramanathapuram, Salem and Tirunelveli registered 582 applicants and renewed 37 registrations besides interviewing and counselling 597 applicants during the month.

The Mobile Registration Unit attached to the District Employment Office, Ramanathapuram and Salem registered 274 applicants and effected renewals during the month.

Employees' Provident Fund Act, 1952

A brief working of the Employees' Provident Fund and the Scheme framed thereunder for the month of September '65 is given below:

(i) During the month of September, 1965 the Employees' Provident Funds Act '52 was extended to coir industry with effect from 30-9-65.

(ii) 42 establishments/factories were brought under the Employees' Provident Funds Act '52 during the month of September, 1965 thus bringing the total No. of covered establishments/factories to 3,619.

(iii) A total sum of Rs. 53,42,409.22 (excluding the refund of loan, previous accumulations and administration charges etc. amounting to Rs. 1,58,070.56) was received as employee's and employer's contributions during August 1965.

(iv) The total No. of employees/subscribers covered under the Employees' Provident Funds Act, in the Madras State at the end of August, 1965 was 4,73,039/4,15,012 respectively.

Workers' Education during October, 1965

A valedictory function of the 5th Worker-Teacher's Course conducted by the Worker's Education Centre, Madurai was held at Madurai on 1-10-1965. Sri C. R. Pattabhiraman, Deputy Minister for information and broadcasting. Government of India distributed the certificates to the trainees. In his speech he pointed out that collective and individual responsibility of workers can grow and flourish only through Workers'

Education Scheme. He also added that during the National Emergency the fight should be carried on not only in the war fronts but also in all firms, farms and factories.

Srimathi T. S. Soundaram Ramachandran, Union Deputy Minister for Education, visited the Madras Regional Centre on 26-10-65 and delivered a lecture in Tamil on "Role of Workers in National Emergency" and "Family Planning" for the benefit of the Worker-Teacher Trainees of the 15th Batch.

In the examination conducted for the 15th Worker-Teacher Training Course, Sri S. A. Muthu, Seshasayee Paper & Boards Limited Pallipalayam, Sri R. Madhavachari, Madras Electricity System, Madras, Sri Sivanandam, E.I.D. Parry Limited, Ranipet secured the first three ranks.

Functions were arranged at D.P.F. Textiles, Coimbatore, Madras Rubber Factory, Madras and Ananda Vikatan, Madras for the distribution of certificates to the successful worker-trainees.

During the month of October, Unit Level Classes were started in the Reserve Bank of India, Madras Southern Railway Employees' Sangh, Coimbatore, D.P.F. Textiles, Coimbatore. Thirumagal Mills, Gudiyatham, Neyveli Lignite Corporation Limited, Neyveli, Madras Rubber Factory, Madras, Resa Radio Company, Madras and AMCO Engineering Corporation, Madras. The number of Unit Level Classes in session during the last month in Madras region was 79 and in the Madurai region it was 42, The number of worker-teachers trained 347 and 159 in the Madras and Madurai Region respectively. Number of workers trained was 13,576 and 8,455 in Madras and Madurai Region Respectively.

CURRENT NOTES

SEMINAR ON GRIEVANCE PROCEDURE

A Seminar on Grievance procedure was organised by the Madras Productivity Council and the Indian Institute of Personnel Management (Madras Branch) on 22nd October, 1965 at Hotel Ashoka, Madras. About 50 representatives of the Managements, Welfare Officers and Trade Union Leaders attended the Seminar. It was presided over by Sri K. Gurumurthi, President, Madras Productivity Council, Sri G. V. Subba Rao, Personnel Officer, WIMCO and Sri K. Eswaran, Director, Easun Group Companies, representing the employers and Sri Mohan S. Kumaramangalam, President, Petroleum Workers' Union and Sri R. Gopal, Member-in-charge T.N.C.C. Labour Section representing the employees and Sri M. G. Balasubramanian, I.A.S., Commissioner of Labour, participated in the Seminar. Subjects such as the measures adopted for handling and redressal of grievances, improvements to the existing grievance procedure, the need for some statutory compulsion for setting up grievance procedure in establishments were discussed. The Seminar concluded after the closing remarks by the President.

PLANTATION WORKERS

The Government have approved the construction of a 10 bedded ward in the Government Hospital, Kotagiri for providing medical facilities to the workers of Kodanad Estate, Warwick Estate, Rob Roy Estate, Kairbetta Estate and Kilmelfort Group Estate, Forest Hill Division at a cost of Rs. 78,000. The managements of the five estates will contribute Rs. 60,000 and the balance will be met by the State Government.

The Government have sanctioned an interim increase of 8 paise in the wages of children employed in Cinchona Plantations in the Nilgiris and Anamallais with effect from 1-4-64 pending revision of wages fixed under the Minimum Wages Act, 1948. According to this the children will now get 80 paise per day as wages.

MINUTES OF THE SIXTH MEETING OF THE STATE EVALUATION AND IMPLEMENTATION COMMITTEE HELD ON 6-10-65 AT THE OFFICE OF THE COMMISSIONER OF LABOUR, MADRAS

ITEM I: **Action taken on the conclusions of the Fifth Meeting held on 28-1-65.**

Recorded.

ITEM II: **Complaint of breach of code of discipline against the Binny and Buckingham and Carnatic Company Employees' Union, Madras.**

The Chairman's finding was recorded and it was resolved that further action may await the results of the appeal by the Binny, Buckingham and Carnatic Company Employees' Union to the Supreme Court.

ITEM III: Objection raised by the Neelamalai Plantation Workers' Union, Coonoor to the recognition of the Nilgiris District Estate Workers' Union, Coonoor.

Recorded.

No action was considered necessary on the union's representation.

ITEM IV: Alleged breach of code of discipline by Neelamalai Plantation Workers' Union on the Tuttapullum Estate.

Recorded.

Incidentally the Chairman referred to certain recent instances of violence in the plantations and the conference of the representatives of planters and plantation labour union, convened by the Deputy Commissioner of Labour, Coimbatore on 31-3-65 at Coonoor. Certain guiding principles were evolved at that conference for avoiding similar incidents in future and Government had also endorsed those principles. But subsequently some of the unions were trying to go back upon those conclusions. The Association of Planters of Madras and the recognised union viz. the Nilgiris District Estate Workers Union had however no quarrel with those conclusions and would be abiding by them.

ITEM V: Alleged breach of code of discipline by 3 unions in Nadumalai Estate.

Recorded.

The committee felt that both parties could have appreciated their mutual difficulties and avoided the unfortunate incident.

ITEM VI: Alleged breach of code of discipline in Radhika Mills, Coimbatore by the Workers' Unions on 9-1-65.

It was decided that a warning should be issued to the Coimbatore District Textile Workers' Union (Hind Mazdoor Sabha), Coimbatore.

ITEM VII: Application for recognition of Madurai Motor Labourers Union by the management of Chokkan Transports, Madurai.

Objection of the Management of Chokkan Transport, Madurai to recognise the Madurai Motor Labourers Union, Madurai, was recorded.

ITEM VIII: Application for recognition of Madurai Motor Labourers Union by the management of S. V. A. Transports, Madurai.

Objection of the Management of S. V. A. Transports, Madurai to recognise the Madurai Motor Labourers Union. Madurai. was recorded.

ITEM IX: Application for recognition of Madurai Motor Labourers Union by the management of Nadar Transports, Melur.

Objection of the Management of Nadar Transports, Melur to recognise the Madurai Motor Labourers' Union, was recorded. The Committee took note of the difficulties in the way of persuading employers not affiliated to any Central Organisation to accord recognition to unions under the Code of Discipline (items 7, 8 and 9).

ITEM X: Certain observations of the Chairman of Spencer & Co., Madras (Published in Mail) consideration of.

Recorded.

ITEM XI: Monthly letter from the Union Minister for Labour and Employment on Labour Situation-extract of Para 2 placed for information.

Recorded.

ITEM XII: Strike in tanneries at North Arcot District by the North Arcot District Tannery Workers' Union-action-reg.

It was decided that a warning should be issued to the union. .....

ITEM XIII: Alleged breach of code of discipline by the Coimbatore District Mill Workers Union on 13-11-64 in Sivananda Mills Limited, Coimbatore.

The peculiar position obtaining was taken note of by the Committee.

ITEM XIV: Alleged breach of code of discipline by the Coimbatore District Textile Workers Union (Hind Mazdoor Sabha) on 1-12-64 in Sivananda Mills, Coimbatore.

It was decided that a warning should be issued to the union.

ITEM XV: Seminar on the working of the code of discipline held on 21-8-65—Conclusions of—for record.

Recorded.

ITEM XVI: Promotion of out of Court Settlements:

Sri K. Gurumoorthi raised this as an additional subject and suggested that in view of the Emergency, this Committee should endeavour to promote out of Court settlement of cases pending before the High Court and the Supreme Court. It was agreed that efforts should be made in this direction. On the suggestion of Sri C. G. Reddi, it was decided that a list of pending cases before High Court and Supreme Court should be prepared and circulated among the members of the committee, so that they could pursue the matter with their affiliaties and see how far such out of court settlements could be brought about.

AWARDS AND AGREEMENTS

BEFORE THE APPELLATE AUTHORITY UNDER THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT OF 1946

Saturday, the 16th day of October 1965

Present :

Sri M. ABDUL AZEEZ, B.A., B.L.,

Presiding Officer, Labour Court, Madras and the **Appellate Authority**

Appeal No. 1 of 1965

The Madras State Electricity Board, represented by the Secretary, 157, Mount Road, Madras-2. **Appellant**

vs.

1. Madras Electricity Workers' Union, No. 5, Ritchie Street, Madras-2.
2. South Arcot District Electricity Workers' Union, 20, M. R. K. Street, Villupuram, S.A. District.
3. Madras State Electricity Board's Employees' Union, Vellore System, Shembakkam P.O., Vellore.
4. Madras State Electricity Board's Employees' Union 4, Ranganatham Road, Villupuram, S.A.
5. Tamilnad Electricity Board last Grade Govt. Servants' Union, opposite Pykara Electricity Office, Tatabad, Coimbatore-12.
6. Tamilnad Electricity Board Accounts Subordinate Union, opposite Pykara Electricity Office, Tatabad, Coimbatore-12.
7. Tamilnad Electricity Board (Trichy System) National Employees' Union, 1, Congress Labour Section, R. V. Nagar, Dindigul.
8. Madras Electricity Board Employees' Union, (Mettur System), Mettur Dam.

9. The Electricity Dept. Civil Workers' Union, Mettur Dam.
10. Madras State Electricity Board Collection Staff Association, 90, Bazaar Street, Rasipuram Post.
11. Hydro Electric Workshops Workers' Union, Mettur Dam.
12. Govt. Electricity Watch & Ward Staff Association, Mettur Workshop, Mettur Dam.
13. Madras Govt. Electricity Employees' Union Papanasam System, Pasumalai P.O., Madurai Dist.
14. Tamilnad Electricity Employees' Union, 100 Feet Road, Gandhipuram, Coimbatore.
15. Tamilnad Electricity Workers' Federation, 5, Ritchie Street, Madras-2. **Respondents**

ORDER

The Madras State Electricity Board represented by its Secretary has preferred this Appeal under Sec. 6 of the Industrial Employment (Standing Orders) Act, against the decision of the Certifying officer with reference to the fixation of the age of superannuation of the skilled employees as 58. The strenuous argument of the learned counsel for the Board Mr. Ramanujam is that the Certifying Officer had exceeded his powers by introducing into the Standing Orders a provision which the employer did not contemplate and therefore the certification in that respect will have to be annulled or cancelled. In other words the gravaman of his charge is that a provision with regard to the age of superannuation has been thrust on the employer who has got the right to decide as to till what age an employee could be made to serve. According to the learned counsel's contention, if in the draft Standing Orders submitted by the Electricity Board there is no provision as regards the age of retirement the Certifying Officer cannot consider that question of his own accord. He would argue that so long as the Standing Orders are in conformity with the Schedule and the Model Standing Orders prescribed under the Act, the Certifying Officer has no right to interfere with the same by adding any more provision. Under the schedule to the Act, item 8 relates to termination of employment by issue of notice by both the employer and workmen and under the Model Standing Orders (clause 17 & 18), no age of superannuation is contained and therefore the draft standing orders submitted by the Board was quite in conformity with law and the Certifying Officer was not competent to make any more addition to it. He can only consider under Sec. 4 of the Act, whether any provision in the Standing Orders was fair or reasonable and should adjudicate on the same but not in a case where a provision itself has not been in the draft. Further it is argued that there is no obligation on the part of the employer to provide any clause in the draft order as regards the age of superannuation. On these technical grounds the decision of the Certifying Officer is attached.

2. Even on merits it is contended that there is no case or justification for raising the age of retirement from 55 to 58, that the Government, being the major and biggest employer in the State has fixed the age of superannuation except in a very few and small number of cases as 55 and that following the same the Board had also adopted the same age. The examples of other industries which have raised the age cannot be compared to the appellant Board as they are small establishments whereas the Madras State Electricity Board's main business is producing Electricity and it is a very large industry employing a considerable number of worker.

3. I shall, first of all deal with the question of the jurisdiction of the Certifying Officer to introduce a provision in the draft and giving a decision on the matter when actually the draft did not contain any reference to it. At the outset it has to be observed that the Certifying Officer had not adjudicated on the question of the age of retirement without the knowledge of either the Board or the several unions who represented the employees. When the matter came up for discussion no objection was raised as regards the jurisdiction of the certifying officer to adjudicate on this matter on the ground that there was no provision in the Draft Standing Orders. From the report of the officer it appears to be quite evident that both the parties took in the discussion and without demur the matter was discussed. No doubt on behalf of the Board it was contended that the age of superannuation should be retained at 55 whereas on the other hand on behalf of the workmen it was urged that it should be raised. Therefore the objection having not been raised before the Certifying Officer as regards his jurisdiction, it cannot now be raised in the appeal before me. It is contended that consent or waiver would not confer jurisdiction if the Court does not possess it. It will be noticed that the Government in G.O. Ms. No. 7126, dated 24-12-1961 on the report of the Commissioner of Labour, had stated that the question of raising the age of superannuation would be taken up by the Certifying Officer when the Standing Orders come up for his decision. Therefore, I do not think this contention is tenable. Both the parties submitted to the adjudication and it is not now open to an aggrieved party to dispute its jurisdiction. There is nothing under the Act which diverts the Certifying Officer of his jurisdiction from considering this question.

4. Apart from the technical objection as regards the want of jurisdiction mainly on the ground that there is no provision in the draft standing orders, it will have to be seen whether the Standing Orders Act does not contemplate any provision in this respect and if the Certifying Officer had exceeded his powers. Section 3(ii) lays down that provision shall be made in that draft for every matter and where model standing orders are prescribed, so far as is practicable, it shall be in conformity with such model. Item 8 of the Schedule is the only relevant provision dealing with termination of employment by giving notice. Clauses 17 and 18 of the model standing orders also deal with termination of service by giving notice thereof. Since retirement is one of the modes of termination of service, the consideration of the question of age of superannuation by the Certifying Authority cannot be held to be beyond his powers. Section 5 (2) contemplates modification or addition to the draft by the Certifying Officer to render the draft standing orders certifiable under the Act. Therefore the power of the officer to make the addition cannot be disputed. The adjudication as regards the age of superannuation obviously has become necessary in view of the provision in the draft standing orders under clause 25(a) (vi) (a) for compulsory retirement among other grounds on attaining the age of superannuation. Therefore the contention that the Certifying Officer had no jurisdiction because there were no provision in the draft Standing Orders as regards the age of superannuation and because there is no obligation on the employer to make any such provision, the officer was not competent to deal with the matter falls to the ground.

5. The next question that has to be considered is whether fairness and reasonableness require the age of retirement being raised from 55 to 58. On the basis of industry-cum-region a decision by the Certifying Officer has been taken in this matter. According to him in the industry which is engaged in generation and distribution of electricity, the age of retirement of workmen has been fixed at 58 as in the case of Salem Electricity Distribution Co., the Tinnevely-Tuticorin Electric Supply Co., the Kumbakonam Electric Supply Co., The South Madras Electric Supply Corporation, and in the Neyveli Lignite Corporation. Mr. V. G. Rao, learned counsel for the union contended that recently the Maharashtra Electricity Board constituted under the same Act as the Madras Electricity Board has fixed the age of superannuation at 58 in the public sector, that the Neyveli Lignite Corporation which is also in the public sector, though not exclusively engaged in the production of electricity, had fixed the age at 58 and that in almost all the private electric undertakings, the age of retirement has been fixed at 58 and that the Government had referred the question of fixing the age to a Negotiation Committee (Electricity Disputes) presided over by a District Judge in 1958 and that he had in his report recommended the age of superannuation for skilled workers of the Electricity Board as 58.

6. On the other hand, the contention raised by the Board is that under Section 79 of the Electricity Act transitory regulation of Government Service conditions have been adopted, that the Government as the biggest employer in the State had not raised the age of retirement to 58 and that small undertakings cannot be compared to this Board and that there is no special ground for raising the age limit only of the employees under the Board. No doubt the Government is the biggest employer in the State but, however, so far as the establishments in which a major portion of the employees are employed are concerned, they cannot be brought under the definition of industry whose conditions of service are quite different altogether. The Electricity Board is an industry with an autonomous Board to which Industrial Employment (Standing Orders) Act, Industrial Disputes Act, Shops and Establishments Act apply and it cannot be equated to the other establishments of the Government which do not fall within the said definition. Merely because the Government has not raised the age of superannuation for its employees in other establishments, it is no ground to deprive this benefit to the skilled employees

in the Electricity Board as employees similarly placed in like industries are enjoying this benefit. To my mind it appears the age of retirement at 55 is a little early as there is longevity in life and by raising it by three years more it should be to the advantage of both the employer and the employee. Therefore the fixation of the age of superannuation at 58 in accordance with the recommendation of the Central Pay Commission and the recommendation of the Negotiations Committee, Electricity Dispute, and in conformity with the service conditions prevalent in the other industries in the region should be held to be justified. Therefore, I hold that there are no merits in the appeal and consequently it is dismissed.

Dated at Madras, this the 16th day of October, 1965.

BEFORE THE INDUSTRAL TRIBUNAL, MADRAS

Wednesday, the 22nd day of September, one thousand nine hundred and sixty-five (31st day of Bhadra, 1887—Saka)

Present:

Sri S. GANAPATIA PILLAI, B.A., B.L.,

Industrial Tribunal, Madras

Industrial Dispute No. 42 of 1964

(Workmen and the Management of Everest Engineering Works, Coimbatore)

Between

The General Secretary, Coimbatore District General Engineering and Mechanical Workers' Union, Ganapathy Post, Coimbatore.

and

The Management of Everest Engineering Works, Cross Cut Road, Coimbatore-12.

(**Reference**—G.O. Ms. No. 4893 (Labour), dated 21st October 1964, Department of Industries, Labour and Co-operation, Government of Madras).

Issues—

(1) Classification of workers as unskilled and skilled A, B, C, etc., and fixation of wages to various categories.

(2) Confirmation of temporary workers and fitment into the appropriate grade fixed.

(3) Fixation of dearness allowance.

(4) Supply of uniform and footwear.

(5) Revision of daily allowance.

(6) Grant of casual leave.

(7) Revision of wages to supervisory staff.

(8) Formation of gratuity scheme.

This dispute coming on for final hearing on Friday, the 17th September 1965 upon perusing the claim and counter-statements and other material papers on record and upon hearing the arguments of Mr. N. G. R. Prasad, Advocate for the Union, and Messrs. M. R. Narayanaswami and D. Meenakshisundaram, advocates for the management and having stood over for consideration till this day, the Tribunal passed the following:

Award

Eight demands made on behalf of the workmen of the Everst Engineering Works, Coimbatore, are the subject matter of the reference in this case.

2. The Everest Engineering Works is a firm of steel (structural) fabricators doing work for customers. It is a small-scale industry employing a capital of less than rupees five lakhs. There is competition in Coimbatore from other established engineering works. Regarding the demand for increased wages referred for adjudication the management have stated that there is no case for upward revision of wages or for fixation of any separate dearness allowance. The other demands made by the labour including the demand for formulation of a gratuity scheme are resisted by the management on various grounds which it will be pertinent to refer to in the course of discussion relating to those demands. As regards the demand for confirmation of temporary workers, the management have denied that there are any temporary workers, although it is admitted that owing to exigencies of business temporary workers would be employed for a month or two and then discharged.

3. Sri K. P. Giri Naidu, Professor and Head of the Department of Mechanical Engineering, Coimbatore Institute of Technology was appointed expert assessor to assit the Tribunal in the work of classification of workers. He has suggested in his report the following classifications, viz., Highly skilled, Skilled 'A', Skilled "B", Semi-skilled and unskilled. He also conducted a test with reference to all the workers available and allotted each worker to a particular classification on the basis of the result of the test. Objection was taken to this allotment by the counsel for the union only in the case of one worker, Sri V. Raman. It is said that people having similar qualifications like Sri V. Raman, a fitter, have been taken into the category of 'Highly skilled' while this man alone was left in the classification of " Skilled 'A' ". The assessor has given good reason why he did not find this worker good enough for 'Highly skilled' category. I have no reason to disregard the assessor's opinion. I, therefore, accept the assessor's classification of the workers into five categories and fitment of each worker into one or the other of these categories. A

list has been filed by the management showing the classification of each worker as allotted by the assessor, in his report. The same classification will be followed by the management.

4. Now, as regard scale of pay for each category, the demand of labour must be dealt with separately. For unskilled workmen the labour demands a basic pay of Rs. 45—3—50 Rs. 69 which works out to Rs. 1.50 per day to start with and leading up to Rs. 2.30. For skilled 'A' the union demands a scale of Rs. 52—4—80; for skilled 'B' Rs. 72—5—107 and for skilled 'C' Rs. 95—6—137. In addition the labour demands dearness allowance linked to cost of living index. As this firm has just now established itself and as would be seen from the profit and loss account for the past five years (marked as confidential exhibit) the firm had not yet built up any appreciable depreciation reserve or general reserve at all and as the industry in question is mainly depending upon orders from customers and is not assured of a ready and regular market for its services, this is not a case where separate dearness allowance should be given to the workmen. For the sake of comparison the parties have also referred to the report of the assessor in Industrial Dispute Nos. 11 and 12 of 1963 on the file of this Tribunal where two contractors engaged skilled labour in Neyveli for similar steel construction works. The award passed in those disputes is also referred to by both parties. I have taken note of the fact that certain wage rates have become standard in the engineering industry for the workers who do work like welders, fitters, turners, blacksmiths, carpenters, etc. In those two cases, viz., Industrial Disputes Nos. 11 and 12 of 1963 the assessor had made elaborate enquiries and submitted a report indicating what was the level of wages obtaining in this class of industry. Having regard to these factors and the increased cost of living applicable to the workers in this case living in Coimbatore, I am satisfied that the following scales of pay would be the proper scales to the workers employed under the present management:

As regards unskilled workers, the scale of pay I award will be Rs. 2.50—5 Paise—Rs. 3.50.

As regards semi-skilled workers, the present wages paid by the company provide for a minimum of Rs. 2.50 and a maximum of Rs. 4.50. The suitable scale for them would be Rs. 2.80—10 Paise Rs. 4.50.

Coming now to skilled 'B' the present minimum is Rs. 3 and maximum is Rs. 4.50. The scale I would introduce will be Rs. 3.40—10 Paise—Rs. 5.

As regards skilled 'A' the present minimum is Rs. 3.87 and the maximum is Rs. 8. I would introduce a scale of Rs. 5—20 Paise—Rs. 8.

As regards highly skilled, the present minimum is Rs. 5 and the maximum is Rs. 8. The proper scale for this class would be Rs. 6—25 Paise—Rs. 9.

5. Regarding fitment, a list has been filed by the management in accordance with the classification allotted by the assessor in his report. That classification must be accepted for the reasons already given. Every workers drawing less than the minimum now fixed will be fixed at the minimum scale to which he is entitled. If there is a corresponding stage in the revised scale, corresponding to the pay now drawn by a worker, he will be fixed in that stage and if there is no such stage, he will be fitted into the next higher stage. In addition, every worker will be entitled to one increment for every three years of service subject to a maximum of three increments. In no case would the introduction of new scales entail reduction in the present emoluments of any worker, in any of the classifications.

6. One this issue, the labour union araises a demand that no worker who has been classified according to the trade in the assessor's report should be asked to do work of an allied trade, for example, no welder should be asked to do the work of a turner, a blacksmith or a fitter. This demand is really a misconceived demand because the apprehension of all labourers is that if they are asked to do an allied trade which they are conversant with, they might suffer reduction in wages. There is no basic for that fear. The workers belonging to every trade has been classified according to their skills in that trade and therefore if a worker who is already classified in a particular trade is asked to do work of a different kind he could not be paid a salary lesser than what he would be entitled to if he had been asked to do the work of the trade to which he is assigned by the assessor's report. This demand is also impracticable in an industry of this kind because industry is not producing any standard article for consumption but is an industry which lives by rendering service. That means the nature of the work will differ according to the nature of orders received from particular customers. The management should therefore have the opportunity to allot workers to particular trades according to exigencies of business from time to time. I, therefore, reject his claim of the labourers.

7. **Issue No. 2.** At the time when the assessor inspected the factory and made his investigation, there were no temporary workers because they had all been discharged. This issue does not therefore arise for consideration.

8. **Issue No. 3.** I have already indicated how in an industry of this kind no separate dearness allowance is now possible. If this establishment creates and builds up reserves it will then be time enough for labourers to agitate this demand.

9. **Issue No. 4.** This demand also cannot be granted at this stage.

10. **Issue No. 5.** The existing practice is that each worker irrespective of the category to which he belongs is paid a daily allowance of Rs. 2 whenever he is asked to work outside headquarters. This allowance is intended to cover out of pocket expenses like food, pan and other incidental expenses. Having regard to the increased cost of living and the cost of materials there is justification for some increase. I,

therefore, fix a sum of Rs. 2.50 as daily allowance instead of Rs. 2. This will take effect from the date of this award. This demand does not relate to daily allowance paid to supervisory staff.

11. **Issue No. 6.** Even in textile mills grant of casual leave has not been introduced in Coimbatore area. The workers in this establishment are entitled to the leave admissible under the Factory Rules. Therefore, the demand for casual leave is rejected.

12. **Issue No. 7.** The management have filed a list of supervisory staff employed by them. Of the total number of 18 persons, six draw salaries of Rs. 500 and above. Others are all diploma holders in mechanical engineering or civil engineering or people without technical qualifications but experienced in the engineering industry. The wages fixed for these people do not call for any revision except that the minimum pay of Rs. 185 should be raised to Rs. 200. This means, every one drawing Rs. 185 now will draw Rs. 200 from the date of this award. This union, it was said did not represent any of the 18 employees belonging to this category, but that does not prevent them from raising a demand on behalf of these employees drawing wages less than Rs. 500 per mensem.

13. The Union want that the benefits of this award should take effect from 1st April 1964 the date of demand. But there is no jurisdiction to this tribunal to give retrospective effect from any date prior to the date of the reference which is 21st October, 1964. Considering all aspects of the matter, I direct that the new scales will come into effect from 1st January 1965 except in the case of supervisory staff.

14. **Issue No. 8.** During the last five years the profit has ranged from Rs. 7,000 to Rs. 20,000. This is a proprietary concern in which no special reserves have been built up till now, except depreciation reserve and development rebate. The capital invested is about Rs. 40,000. The depreciation reserve built up till now is only about 1,00,000. The financial position of the company is not stable as mainly the firm is doing business on borrowed working capital amounting to Rs. 8,00,000. Under the circumstances it will be too early to throw an additional burden of a gratuity scheme upon this proprietory concern now, though the firm has been in existence for 16 years of which only during the past 10 years the firm has been fairly prosperous. I do not therefore uphold the claim for the introduction of a gratuity scheme now. Labour will be free to agitate this demand later.

15. There will be an award accordingly. There will be no order as to costs.

MEMORANDUM OF SETTLEMENT UNDER SECTION 18(1) OF THE INDUSTRIAL DISPUTES ACT 1947 AND RULE 25(1) OF THE MADRAS INDUSTRIAL DISPUTES RULES 1958

Names of the Parties

Representing Employer: The Metal Box Company of India Limited, having its Registered Office at 59-C, Chowringhee, Calcutta-20, represented by Mr. A. Ray, Manager, Madras Branch, hereinafter called of '**Company**'.

and

Representing Monthly-rated Employees: The Metal Box Staff Association, Registered No. 3802, having its Registered Office at 11, Phillips Street, Madras-1, being representatives of the Company's Monthly-rated Employees, employed by the Company at Madras hereinafter called the '**Union**'.

No. of workmen covered by the Settlement, 249—(All Monthly-rated Employees.

Short recital of the Case

Whereas the Agreement dated 7th June, 1960 concerning Basic Pay, Dearness Allowance, etc., had expired by 31st March, 1965 and whereas the Company and the Union have been in direct negotiation in the matter of revision of basic pay, revision of rate of dearness allowance etc., and have come to an understanding as expressed in the company's letter Ref. PL. 7C. AR. HH, dated 11th August, 1965, and the Union's reply dated 20th August, 1965.

And whereas in further consideration of the mutual benefits and advantages to be derived therefrom and pursuant to such understanding the parties have arrived at a settlement, the parties execute these presents by their duly accredited and authorised representatives.

Now it is agreed by and between the parties hereto as follows:

Terms of Settlement

Article I: This memorandum of settlement shall be deemed to be a 'Settlement' as defined in Section 2 (p) of the Industrial Disputes Act, 1947.

Article II: 1. It was agreed between the parties that the following nomenclatures existing in the present Grading Scheme shall be omitted:

Nomenclature.	*Grade Code.*
Junior Clerk.	MB 1
Clerk.	MB 2

Section Head	MB 5
Divisional Head	MB 6
Special	MB 7

and the following nomenclatures shall be included in the Revised Grading Scheme.

Nomenclature	*Grade Code*	*Nomenclature*	*Grade Code*
Canteen helpers	MA 1	Section Assistant Camera Operator	MB 4
Tea makers.	MA 2		
Head cooks.	MA 3	Section Head II	MB 5
Clerk II	MB 1	Section Head I	MB 6
Clerk I and Varnisher. Assistant Chemists	MB 2	Sales Assistant Administrative Asst. Superintendent.	MB 7
Specialist Technician	MB 3		

and that the other nomenclatures shall be regrouped, as per the schedule annexed hereto.

Provided however, that there shall be no new recruitment into Clerk I Grade during the period of the agreement, with a view to its final elimination and in order that in the future Grading Scheme there will be only two clerical grades under the nomenclatures: clerk (in place of Clerk II) and Senior Clerk.

2. Where existing employees are classified by nomenclatures omitted in the New Grading Scheme, they will be placed in the new grades bearing the same Grade Code under the new nomenclatures of the Revised Grading Scheme as follows:

EXISTING.		REVISED.	
Grade Code.	*Nomenclature*	*Grade Code*	*Nomenclature*
MB 1	Junior Clerk.	MB 1	Clerk II
MB 2	Clerk	MB 2	Clerk I
MB 5	Section Head	MB 5	Section Head II
MB 6	Divisional Head.	MB 6	Section Head I
MB 7	Special	MB 7	Sales Assistant Administrative Asst. Superintendent.

Article III: The pay scales of all the various categories of monthly-rated employees shall be revised with retrospective effect from 1st April, 1965 as per schedule annexed hereto in the following manner:

(1) All those employees whose present basic salaries are less than the minimum of the revised scales of pay of their respective grades, shall get the minimum of their revised scales of pay.

(2) All those employees whose present basic salaries are more than the minimum of the revised scales of pay and are not in step in the revised scales shall be adjusted to the next Higher (increment) step of their respective revised, scales, at the time of their next anniversary.

Article IV: The dearness allowance, linked to the Madras Working Class Cost of Living Index, shall be paid to the Monthly rated employees at the following rates:

(a) Dearness Allowance for any particular month will be paid according to the ten point slab within which the Madras Working Class of Living Index for the previous month falls;

(b) For the purpose of calculating dearness allowance the single unit figures, i.e. the digits of the Madras Working Class Cost of Living Index shall be disregarded so that dearness allowance shall be paid according to ten points slabs e.g.;

500-509—Slab 50;	550-559—Slab 55
600-609—Slab 60;	650-659—Slab 65
700-709—Slab 70;	750-759—Slab 75 and so on.

(c) The rates applicable to Slab 60, i.e. 600-609 points in the Madras Working Class Cost of Living Index (obtaining in April 1965) are;

1. 175% on the first Rs. 100 or part thereof of their basic salary subject to a minimum of Rs. 131.

2. 87.50% on the second Rs. 100 or part thereof of their basic salary.

3. 43.75% on the reminder of their basic salary.

(d) The rates applicable to other slabs will be calculated by increasing or decreasing the rates applicable to slab 60 i.e. 600-609 points in the Madras Working Class Cost of Living Index for each higher or lower slab as defined in (b) above as follows:

1. On the first Rs. 100 basic salary or part thereof the percentage shall be adjusted by 5% and the minimum rupee figure by Rs. 3.

2. 2½% on the second Rs. 100/- or part thereof of their basic salary.

3. 1¼% on the remainder of their basic salary.

5

Article V: This agreement shall come into effect from 1st April 1965 and be valid and binding on both the parties for a period of three years i.e., until 31st March, 1968, and shall continue to be binding thereafter until amended by mutual agreement or terminated by either party by written notice of atleast two months to be given after the expiry of the said three year period.

Dated 25th August 1965

SCHEDULE

Revised Grades and Sclaes of Pay

Grade Code 1	Nomenclature 2	Pay Scales 3
MA 1	Peons	
	Canteen Helpers.	Rs. 35-2. 5-60-3-75.
	Tea boys.	
MA 2	Cooks	
	Watchman	Rs. 40-3-70-3.5-87-5
	Teamakers.	
MA 3	Head Watchmen.	
	Bank Peons.	Rs. 50-3. 5-85-4 105.
	Head Cooks.	
MA 4	Drivens (Car.	
	Lorry and Fork	Rs. 65-4-105-6-135.
	Lift.	
MB 1	Clerks II	
	Timekeepers	
	Storekeepers.	Rs. 90-5. 5-145-7. 5-182.5
	Compounders	
	Typists.	
MB 2	Clerks I	
	Varnishers	Rs. 100-8-180-10-230
	Inspectors.	
MB 3	Senior Clerks	
	Senior Storekeepers	
	Stenographers	
	Cashiers	
	Comptists	
	Telephone Operators	

1	2	3
	Draughtsmln.	
	Platemakers	
	Asst. Chemists	
	Supervisors	
	Specialists-	
	Technicians.	Rs. 130-10-230-12.5-292.5
MB 4	Secretaries	
	Section Assistants	
	Improvers	
	Artists	
	Camera Operators.	Rs. 170-12.5-295-15-370
MB 5	Section Head II	
	Salesmen.	
	Asst. Foremen.	
	Tin Printers.	Rs. 225-15-375-20-475
MB 6	Section Head I	
	Senior Salesmen	
	P. A. to Manager.	
	Foremen.	Rs. 300-20-500-25-625
MB 7	Sales Assistant	
	Administrative-	
	Assistant.	
	Superintendent.	Rs. 500-25-875.

CURRENT LABOUR LITERATURE

SOME OF THE BOOKS AND ARTICLES PUBLISHED

BOOKS

1. GADGIL (D. R.).
   Women in working force in India.
   Asia publishing house. Rs. 3/-.

2. ARYA (V. P.).
   Guide to settlement of industrial disputes.
   London. Oxford & I. B. H. publishing co. Rs. 15/-.

3. CALHOON (Richard. P.).
   Managing personnel.
   Harper & Row, 1963. pp. 399. 58.s.

4. JAFFEE (A. J.), LINCOLN (Day, H.) etc.
   Disabled workers in the labor market.
   Totowa. Bedminster press, 1964. pp. xiv + 191.

5. JOSEPH (Becker, M.).
   In aid of the unemployed.
   Baltimore. Johns hopkins press, 1965. pp. xiii + 317. $. 8.95.

ARTICLES

1. SEN GUPTA (N.K.).
   Leadership in trade unions.
   Industrial relations. Vol. 17. No. 4. July-August, 1965.

2. VERMA (B.R.).
   Piece work system and its practical problems.
   Industrial relations. Vol. 17. No. 4. July-August, 1965.

3. SANJIVAYYA (D).
   Human relations in industry.
   Kerala labour gazette. Vol. 7. No. 10. October, 1965.

4. SANJIVAYYA (D).
   Employment opportunities.
   Bombay labour gazette. Vol. 44. No. 12. August, 1965.

5. JAGANNATHA SINHA.
   Industrial truce resolution and maintaining peace.
   Indian worker. Vol. 14. No. 5. November 1, 1965.

6. SEETHAPATHI RAU.
   Employment during the fourth plan.
   Indian worker. Vol. 14. No. 5. November 1, 1965.

7. MENON (Panampilli Govinda).
   Public enterprises and their role in self reliance.
   Yojana. Vol. 9. No. 20. October 10, 1965.

8. FARNUM (Billie. S.).
   Job corps brings hope to youth.
   American labour review. Vol. 18. No. 11. November, 1965.

9. KASSALOW (Everett. M.).
   Unsonsation of the while collar worker.
   American labour review. Vol. 18. No. 11.
   November, 1965.

Notification No. F. 1/54/65 LRI, dated 25-9-65 of the Government of India, Ministry of Labour and Employment

S. O. in pursuance of sub-section (3) of section 22 of the industrial Disputes Act, 1947 (14 of 1947), and in supersession of the notification of the Government of India in the Ministry of Labour and Employment No. S. O. 1289, dated the 2nd April, 1964, the Central Government hereby specifies each of the officers mentioned in column 2 of the Table hereto annexed as the authority for the respective area mentioned in the corresponding entries in column 3 thereof to whom intimation by the employer of any lock-out or strike referred to in the said sub-section shall be sent.

THE TABLE

Sl. No. 1	*Designation of Officer* 2	*Territorial jurisdiction* 3
1.	Assistant Labour Commissioner, Kanpur.	The State of Uttar Pradesh.
2.	Assistant Labour Commissioner, Delhi-1.	The State of Punjab and the Union Territories of Delhi and Himachal Pradesh and the State of Jammu and Kashmir in relation to industrial disputes concerning workmen employed under the Government of India.
3.	Assistant Labour Commissioner, Delhi-2.	
4.	Assistant Labour Commissioner, Jabalpur.	The State of Madhya Prdesh.
5.	Assistant Labour Commissioner, Ajmer.	The State of Rajasthan.
6.	Assistant Labour Commissioner, Bombay-1.	The State of Maharashtra and Gujarat.
7.	Assistant Labour Commissioner, Nagpur.	The State of Maharashtra.
8.	Assistant Labour Commissioner, Vasco-da-Cama.	The Union territory of Goa, Daman and Diu.
9.	Assistant Labour Commissioner, Madras-1.	The State of Madras and the Union Territory of Pondicherry.
10.	Assistant Labour Commissioner, Ernakulam.	The State of Kerala.
11.	Assistant Labour Commissioner, Hyderabad.	The State of Andhra Pradesh.
12.	Assistant Labour Commissioner, Visakhapatnam.	
13.	Assistant Labour Commissioner, Bangalore.	The State of Mysore.
14.	Assistant Labour Commissioner, Calcutta-1.	The State of West Bengal.
15.	Assistant Labour Commissioner, Asansol.	
16.	Assistant Labour Commissioner, Shillong.	The States of Assam and Nagaland and Union Territories of Tripura and Manipur.
17.	Assistant Labour Commissioner, Jharsuguda.	The State of Orrisa.
18.	Assistant Labour Commissioner, Dhanbad.	The State of Bihar.
12.	Assistant Labour Commissioner, Hazaribagh.	

Appointment of Industrial Tribunul, Madras.

(G. O. Ms. No. 4761, Industries, Labour and Co-operation (Labour) 8th October 1965)

II-I No. 4778 of 1965.

In exercise of the powers conferred by sub-section (2) of section 7-A read with section 8 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Governor of Madras hereby appoints Sri O. V. Balaswami, retired District Judge, as Industrial Tribunal, Madras, with effect from the date of taking charge.

Appointment of Presiding officer of the Labour Court, Coimbatore, under Industrial Disputes Act.

II-I No. 4710 of 1965.

In exercise of the powers conferred by sub-section (2) of section 7 read with section 8 of the Industrial Disputes Act, 1947 (Central Act XIV of 19 7), the Governor of Madras hereby appoints Sri M. Kumaraswami Pillai, Additional District and Sessions Judge, Salem, as Presiding Officer of the Labour Court, Coimbatore, with effect from and on the date on which he joins duty as Presiding Officer of the said Court.

Ministry of Labour and Employement.
Constitution of an Additional Labour Court at Madras.

(G. O. Ms. No. 4767, Industries, Labour and Co-operation (Labour) 11th October 1965)

II-I No. 4664 of 1965.

In exercise of the powers conferred by sub-section (1) of section 7 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947) the Governor of Madras hereby consitutes an additional Labour Court at Madras. The Labour Court shall have jurisdiction over the districts of Madras, Chingleput, South Arcot, North Arcot and Thanjavur.

Appointment of Certain Public Officers as Additional Inspector under Factories Act.

(G. O. Ms. No. 4495, Industries, Labour and Co-operation (Labour), 21st September 1965).

II-1 No. 4601 of 1965.

In exercise of the powers conferred by sub-sections (5) and (6) of section 8 of the Factories Act, 1948 (Central Act LXIII of 1948), and in supersession of all previous notifications on the subject, the Governor of Madras hereby appoints the public officers specified in column (1) of the schedule below to be Additional Inspectors for the purpose of inspection of factories in respect of the Sections of the said Act specified in the corresponding entry in column (2) thereof within the local limits of their respective jurisdictions.

SCHEDULE

Designtaion of public officers (1)	Sections of the Act (2)
1. Director of Public Health, Madras.	
2. Deputy Director of Public Health, Madras.	
3. Assistant Director of Public Health, Madras	
4. Assistant to Assistant Director of Public Health, III, Central Nutrition Bureau, Madras.	
5. District Health Officers	

(1)	(2)
6. Assistant District Health Officers	
7. Municipal Health Officers	
8. Assistant Municipal Health Officers	
9. Women Medical Officers of the Municipal Councils who are working as Medical Officrs (Maternity and Child Health) and the Women Medical Officer working in the Poonamallee Medical Health Unit area (The said Women Medical Officers shall perform the duties of an Additional Inspector in respect of women and children employees.)	
10. Health Officers and Assistant Health Officers of the Corporation of Madras.	9, 11 to 20, 32 to 38, 42 to 48 51 to 63, 66 to 75, 87, 91 and 108
11. Health Officer, Health Unit, Poonamallee	
12. Regional Nutrition Health Officer, Madurai.	
13. Health Officer, Rameswaram.	
14. Commissioner of Municipalities where there are no Health Officers.	
15. Commissioner of Police, Madras	9, 11 to 20, 23, 27, 32 to 40, 42 to 48, 51 to 63, 66 to 75, 78 to 82, 91 and 108.
16. Statistical Inspectors	
17. Chief Fire Officers, District Fire Officers, Station Officers and Sub Officers of the Madras Fire Service.	38 only.

Certain Industries Added to Part I of Schedule of Minimum Wages Act

TIMBER INDUSTRY

(G. O. Ms. No. 4391, Industries' Labour and Co-operation (Labour) 13th September 1965).

II-I No. 4602 of 1965.

Whereas the Government of Madras are of opinion in respect of the employment in timber industry that minimum rates of wages should be fixed under the minimum Wages Act, 1948 (Central Act XI of 1948) :

Now, therefore, in exarcise of the powers conferred by section 27 of the said Act the Government of Madras hereby adds to Part I of the Schedule of the said Act, the employment aforesaid, notice of the intension so to do having been previously published as required by the said section.

SAGO INDUSTRY

(G. O. Ms. No. 4392, Industries, Labour and Co-operation (Labour) 13th October 1965).

II-I No. 4603 of 1965.

Whereas the Government of Madras are of opinion in respect of the employment in sago industry that minimum rates of wages should be fixed under the Minimum wages Act, 1948 (Central Act XI of 1948) :

Now, therefore, in exercise of the powers conferred by section 27 of the said Act, the Governor of Madras hereby adds to Part I of the Schedule of the said Act, the employment aforesaid, notice of the intention so to do having been previously published as required by the said section.

Exemption of Plantation Estates From Provision of Cectain Sections of Minimum Wages Act.

(G. O. Ms. No. 4750, Industries. Labour and Co-operation (Labour) 8th September 1965).

II-I No. 4606 of 1965.

In exercise of the powers conferred by sub-section (2) of section 26 of the Minimum Wages Act, 1948 (Central Act XI of 1948) the Governor of Madras hereby directs that subject to the conditions specified in the schedule below, and for a further period of one year on and from 10th October, 1965, the provisions of sections 13 and 14 of the said Act shall not apply to all classes of employees employed in any plantation, that is to say, any estate which is maintained for the purpose of growing cinchona, rubber, tea or coffee.

SCHEDULE

1. The consent in writing of the employees shall be obtained agreeing to work on any weekly holiday and to contribute the wages for that day to the National Defence Fund or to any Defence Savings Scheme, approved by the State Government.
2. A notice shall be sent in advance to the Chief Inspector of Plantation in regard to Sunday work.

Date of Coming Into Force of Certain Provisions of Employees' State Insurance Act in Perur Chettipalayam Village in Coimbatore District.

(G. O. Ms. No. 4654, Industries, Labour and Co-operation (Labour) 29th September 1965).

II-I No. 4607 of 1965.

The following notification of the Government of India, Department of Social Security, dated New Delhi, the 8th July 1965, is republished :—

S. O. 2063.—In exercise of the powers conferred by sub-section (3) of section I of the Employees' State Insurance Act. 1948 (34 of 1948), the Central Government hereby appoints the 1st day of August 1965, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following area of the State of Madras, namely :—

The revenue village of Perur Chettipalayam in the Coimbatore Taluk of Coimbatore District.

19583

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 for the month of September, 1965.

Sl. No. (1)	Name of the Establishment. (2)	Date of settlement. (3)	Points of Disputes. (4)	Terms of Settlement. (5)
1.	Sri Sankara Allam (P) Limitted Nagercoil	4—9—65	Demad for increase in Wages.	Management agreed to increase the pay of the monthly paid staff at 15% with effect from 1—9—65.
2.	Christhuraja Estate, Kaliyal	20—9—65	Non-employment of a worker.	The Mangement agreed to reinstate him with effect from 21—9—65
3.	Narasimha 'B' Mills Limited, Perianaickenpalayam, Coimbatore	3—9—65	Non-employment of a worker.	The Management and the union agreed to the informal arbitration of the Dispute by the Deputy Commissioner of Labour, Coimbatore.
4.	Lakshmi Mills Co., Limited Pappanaickenpalayam, Coimbatore	14—9—65	Charter of Demands.	The Management agreed to pay Bonus advance to all the workers who are in service as per the terms of the settlement and also agreed to settle the demands as detailed in the settlement.
5.	Anandakumar Mills Limited, Coimbatore	17—9—65	Promotion of worker	The Management agreed to promote the worker with effect from 1—10—65 as Oiler in the Spinning Department
6.	Radhika Mills Limited, Uppilipalayam, Coimbatore	21—9—65	Charter of demands	The Management agreed to give permanent tickets to certain workers with effect from 1—9—1965. It is also agreedthat all eligible workers shall be given earned leave for the year 1964, and to settle other demands as per the settlenent

(1)	(2)	(3)	(4)	(5)
7.	Revathi Machinery Traders, Kuruchi, Coimbatore	7—9—65	Retrenchment of 18 workers	The Management agreed to pay 15 days wages as exgratia compensation to the workers who have put in six and more than six months service, and 7 days wages as exgratia compensation to the persons who have put in less than six months service. It is also agreed that 43 workers on the Muster Roll shall be given tickets and continued as on Regular Service.
8.	Seva Private Limitted, Coimbatore	30—9—65	Wages and Dearness Allowances etc.	The Management agreed to pay an increment to 68 workers and to pay Dearness Allowance to the workers who have been put in appropriate grades as detailed in settlement.
9.	Muthu Vilas Oil Mills, Virudhungar.	1—9—65	Demand of Bonus for the year 1964-65	The Management agreed to pay bonus at 33 1/3% of the consolidated wages of the workers earned during the year (16—8—1964-16—8—1965)
10.	Visalakshi Oil Mills and Muthuvilas Oil Mills, Virudhunagar	1—9—65	Increase in wages	The Management agreed to revise the wages for the daily and piece rated workers as detailed in settelment with effect from 1—9—1965.
11.	Virudhunagar Steel Rolling Mills Limited, Virudhunagar	6—9—65	Non-employment of 5 workers.	The Management agréed to reinstate the workers with continuity of service with effect from 7—9—65
12.	Selaliparai Estate, Valparai	21—2—65	Suspension of a worker for 4 days.	The Management agreed to convert the suspension as warning since the worker agreed to tender apology to the Management.
13.	The Amaravathi Co-operative Sugar Mills Limited, Madathukulam	24—9—65	Charter of demands.	The Management agreed to pay the arrears of Dearness Allowance due to the workers on account of enhancement of Dearness Allowance with effect from 1—10—65. Further it is agreed to classify the workers as seasonal and permanants and issue tickets to them accordingly before the end of the financial year 30-6-1966

(1)	(2)	(3)	(4)	(5)
14.	The Amaravathi Dyeing Private Limitted, Amaravathi Nagar	17—9—65	Dispute arisen over the strike by the workers	The Management agreed to reinstate all the workers concerned without backwages but with continuity of service. It is also agreed to drop all the other deciplinary action pending against the concerned workers on the assurance that they will attend to all the work.
15.	Athur Glass Industries (P) Limited, Athur.	18—9—65	Revision of wages and Dearness Allowance etc.	The Management agreed to revise the scales of wages and to pay Dearness allowance to the workers as detailed in the settlement.
16.	M. A. S. Transports Harur	29—9—65	Non-employment of a worker.	The Management agreed to reinstate the worker with continuity of service but without back wages with efiect from 1—10—65.
17.	Farmer Motor Service, (P) Limited, Coimbatore	28—9—65	Certain demands	The Management agreed to declare Holidays with wages as per settlement to pay the arrears of leave with wages for the year 1964-65, to make permanent 5 conductors and a cleaner and also agreed to give 8 hours work to cleaners at Mettupalayam.
18.	Loyal Textile Mills Limited. Kovilpatti	6—9—65	Charter of demands.	The Management agreed to reduce the period of suspension to two workers to two-days and pay the wages for the remaining period of Seven days. It is also agreed to reemploy three masalchi with a consolidated pay of Rs 3/- per day in the weaving Department. It is further agreed to revise the wages and designation to certain categories of workers and also to settle the other demands as detailed in settlement.
19.	Loyal Textile Mills Limitted Koilpatti.	6—9—65	Payment of proportionate wages for lesser efficiency	The Management agreed to give full wages (i. e. basic wages, Wage Board increase and Dearness Allowance) to those who give efficiency indicated in the settlement against each department and to pay proportionate wages for lesser efficiency
20.	Kerala Hotel Tirunelveli	28—9—65	Increase in wages and dearness allowance	The Management agreed to pay an annual increment of Rs. 2/- to three (3) workers with effect from 1—12—1965.

(1)	(2)	(3)	(4)	(5)
21.	Pioneer Motors, Tirunelveli	28—9—65	Bonus for 1963-64 increase in wages etc.	The Management agreed to pay 25% of the annual earned basic wages as bonus for the year 1963-64 and also agreed to give effect to the special service Wage increase for 1 month of September 1964 as in Pioneer Motors, Nagarcoil
22.	Tirunagar Motor Service, Wandivash	24—9—65	Non-employment of certain workers etc.	The Management agreed to take back Ajeekhan and Natesan with effect from 1—10—1955 Both the parties agreed to refer the issue of non-employment of Kanniappan for informal arbitration before the Deputy Commissioner of Labour, Coimbatore. The parties agreed to revise 1 wages and to pay annual increment to the workers as detailed in the settlement.
23.	Power Light Soap Factory Kumbakonam	13—9—65	Retrenchment ofcertain workers	Both the parties agreed that the workers mentioned in the annexure will receive service compensation wages for the period of non-employment, Deepavali, Bonus for the year 1965-'6 in full and final settlement of the above claims as detailed in the settlement.
24.	Rajaji T. B. Sanitorium, Trichy	16—9—65	No-employment of a Worker. Certain Demands	The Management agreed to reinstate Palani 1 Sweeper with continuity of service from 29-1-64 and to treat the period of non-employment as leave without wage.
25.	Chidambaram Co-operative Milk Supply Union, Chidambaram	18—9—65	Payment of increment Bonus for 1963-64, Dearness Allowance etc. to Sri S. Govindaraju	The Management have paid the increment and special allowance is also being paid since the demands are not pressed.
26.	Sri Subramania Vilas Hotel Trichy	20—9—65	General demands	The management agreed to pay 7% (as monthly wages) bonus to the workers who have put in 240 days in a year and proportionate bonus to all the other workers for the year 1964-55.

(1)	(2)	(3)	(4)	(5)
27.	G. D. Bus Transports (P) Limited, Trichy	17—9—65	Bonus, revision of scales of pay	The management agreed to give 5% of wages as Bonus for the year 1964-65 out of the total wages earned by the present workers during the financial year 1964-65 and also agreed to revise the scales of wages and to settle the other demands as detailed in the settlement.
28.	M/s. Thomson and Company, Madras-1.	6—9—65	Revision of wages Dearness allowance etc.	The management agreed to give usual annual increment to workers in their respective time scale and also to give one increment to workers who have reached maximum in the time scale in their respective time scale, also agreed to give dearness Allowance at 13nP per point over and above 100 points for 1965-66 and 14nP. for 1966-67 and 1967-68 as per the settlement.
29.	Grandsmithy Works, Madras-21.	8—9—65	Non employment of a worker.	The managemeent agreed to pay Rs. 50/- as exgratia to the worker in full and final settlement of all the claims of the worker.
30.	M/s. P. A. A. Mohamed Sheriff, Hardware Merchant, Madras-1.	9—9—65	-do-	The management agreed to pay Rs. 50/- to the worker as compensation in full and final settlement of all his claims.
31.	M/s. Raj Bhaudhu Industrial, Company Madras-1.	9—9—65	-do-	The management agreed to reinstate the worker and to pay Rs 80/- towards backwages and Rs. 24/- due to him as earned wages.
32.	M/s. R. Balasubramania and Bros., Madras-12.	16—9—65	Lay-off of all the workers and consequent non-employment	The Management agreed to pay Rs. 5080/- as compensation which would include arrear wages leave wages bonus etc. to the workers in full and final settlement of all their claims.
33.	The South India Engineering Works, Madras-1.	16—9—65	Non-employment of a worker.	The Management agreed to pay Rs. 150/- to the worker as compensation in full and final settlement of all his claims.

(1)	(2)	(3)	(4)	(5)
34.	The Brilliant Trading Corporation (P) Limited, Madras-1.	20—9—65	Certain demands	The management agreed to pay to the workers mentioned in annexure 'A' the sum of money noted against their names in full and final settlement of all their past claims in respect of the terms of settlement reached on 9-12-1964.
35.	M/s. M. S. K. Duraiswamy Nadar and Company, Madras-1.	20—9—65	-do-	—do—
36.	The Commercial Printing and Publishing house, Madras.	17—9—65	Enhancement of Dearness Allowance installation of ceiling fans in the binding department etc.	The management agreed to provide a ceiling fan in the binding department within a month and both the parties agreed that in respect of enhancement Dearness Allowance to make a joint reference to the Industrial Tribunal for adjudication.
37.	M/s. Arora Rubber Company, Madras-1	20—9—65	Non-employment of a worker.	The management agreed to pay sum of Rs. 140/- to the worker in full and final settlement of all his claims.
38.	M/s. Ambi's Cafe, Madras-1.	22—9—65	Introduction of gratuity	The Management agreed to introduce a gratuity scheme from 1-4-66 as detailed in the settlement.
39.	Sri Amir Jan, Taxi Owner, Madras.	29—9—65	Non-employment of a worker.	The management agreed to pay a sum of Rs. 150/- to the worker in full and final settlement of all his claims.
40.	Shimada Glass & Flask, Factory (P) Ltd, Madras-23.	30—9—65	Lay off and consequent Reternchment of 106 workers.	The management agreed to pay compensation and other arrears to the workers asper the terms of the settlement.
41.	M/s. Gopal Chetty and Bros. Madras-1	30—9—65	Non-employment of a worker.	The managemet agreed to pay Rs. 175/- to the worker in full and final settlement of all his claims including reinstatement.
42.	M/s. Best and Company (P) Limited, Madras-1	30—9—65	Increment in wages Dearness Allowance etc. certain demands	The management agreed to pay special increments and to raise the Dearness Allowance as per the terms of settlement and to settle other demands as detailed in the settlement.

(1)	(2)	(3)	(4)	(5)
43.	Oriental Press, Coonoor	6—9—65	Fixation of wages	The mangement agreed to re-fix the wages of the workers as detailed in the settlement.
44.	Ferndale Estate, Kotagiri	14—9—65	Non-employment of 5 workers.	The management agreed to take back three workers with continuity of service but without back wages and also agreed to provide work to two temporary workers as detailed in the settlement.
45.	Victory Motor Transport, Ootacamund	14—9—65	Reinstartment of a worker.	The mangement agreed to reappoint the worker with effect from 15-9-65 with continuity of service but without back wages. On the other hand (Union agreed to the continuance of the practice of checking by the Inspectors of other company.
46.	Belmadis Estate, New Hope Post	9—9—65	Dismissal of a worker	The management agreed to reinstate the worker with effect from 13-9-65 with continuity of service but without back wages
47.	Kil Kotagiri Tea and Coffee Estates, Kotagiri	16—9—65	Non-employment of 3 workers.	The management agreed to pay gratuity fifteen days' wages for every year of service put in by the workers in full and final settlement of all their claims.
48.	United Nilgiri Service (P) Limited, Kotagiri	27—9—65	Charter of demands.	The management agreed to pay Rs. 4/- every month along with the wages of the workers as uniform allowance in lieu of supply of uniforms.
49.	India Type Foundry, Madras-7	3—9—65	Non-employment of a Worker.	The mangement agreed to pay a sum of Rs. 485/- to the worker in full and final settlement of all his claims.
50.	Southern Conducts, Madras-32	4—9—65	Non-employment of workers and payment of bonus to workers	The Management agreed to pay Rs. 300/- to the worker in full and final settlement of all his claims exclusive of bonus for 1964-65 and also agreed to pay bonus to another as already declared by them for 1963-64 on or before 15-965.

(1)	(2)	(3)	(4)	(5)
51.	Kwality Restaurant, Madras.	6—9—65	Introduction of a gratuity scheme Dearness Allowance and House Rent Allowance	The management agreed to pay Rs. 10/- to the worker towards city and house rent allowance and also agreed to introduce gratuity scheme with effect from 1—7—65 as per the settlement.
52.	Triplex Dry Cleaners, Madras	7—9—65	Dearness Allowance, Bonus for 1963-64	The management agreed to increase the existing Dearness Allowance by Rs. 6-25 with effect from 1—9—65 and also agreed to pay 4% or Rs. 40/- whichever is higher in full and final settlement of their bonus claims for 1963-64
53.	Swadesamitran Limited, Madras.	7—9—65	Certain demands.	The management agreed to supply uniforms to the attenders and delivery peons who have completed one year of service and also agreed to regularise the services of certain workers as detailed in the settlement.
54.	Central Co-operative Printing Works, Madras.	16—9—55	Revision of scales of wages and bonus for 1964-65 etc.	The Management agreed to revise the scales of wages of certain workers and also agreed to pay bonus for 1964-65 and to settle other demands as detailed in the settlement.
55.	Vaidyalingam Merchant and Pandal Contractor, Madras.	15—9—65	Non-employment of a worker.	The Management agreed to pay Rs 125/- to the worker in full and final settlement of all his claims.
56.	Cogans Dyecasting, Madras-32	16—9—65	Non-employment of a worker.	The management agreed to pay Rs. 230/- to the worker in full and final settlement of all his claims, excluding bonus for 1964-65.
57.	Vijaya Combines, Madras.	18—9—65	Charter of demands	The management agreed to supply four sets of Uniforms to the workers every year. An additional allowance of Rs 10/- to add a flat sum of Rs. 250/- to the existing annual increment and also to modify the gratuity scheme as detailed in the settlement.

(1)	(2)	(3)	(4)	(5)
58.	Deluxe Plastic Products, Madras-3.	20—9—65	Fixation of wages, Bonus for 1962-63 to 64-65 etc.	The Management agreed to supply two sets of Kaki dresses for every year and also agreed to give bonus as per the payment of Bonus Ordinance 1965 and to revise the pay scales and also to formulate a gratuity scheme as detailed in the settlement.
59.	Elmech Engineers, (P) Limited. Madras	22—9—65	Non employment of 9 workers.	The Management agreed to pay compensation to all the workers as detailed in the settlement and also to issue service certificate.
60	A. V. M. Limited, Madras	18—9—65	Bonus for 1963-64.	The Management agreed to pay one full month's salary to all the employees receiving Rs. 100 and less as on 31—10—1964 and to those employees getting salaries excess of Rs. 100/- a sum of Rs. 100/- and 50% of their salary over and above Rs. 100/- as exgratia payment in view of the loss during the year.
61.	Sivarama Iyer, Taxi Owner, Madras	23—9—65	Non-employment of a worker	The Management agreed to pay Rs. 400/- to the worker in full and final settlement of all his claims
62.	Justice and Company, Madras-3.	25—9—65	—do—	The Management agreed to pay a sum of Rs. 545/- to worker in full and final settlement of all his claims
63.	Dr. U. Mohan Rao, Nursing Home Madras-7	28—9—65	Increase in wages, bonus etc.	The Management agreed to give a flat rate increase of Rs. 10/- to all workers with effect from 1—9—65 and also agreed to pay an advance of 4% of the total earnings or Rs. 40/- whichever is higher as bonus advance for the year 1964-65 and also to formulate a gratuity scheme as detailed in the settlement.
64.	Associated Electrical Industries, (P) Limited, Madras-2.	30—9—65	Bonus for 1963-64	The management agreed to pay bonus for 1963-64 as per the order of the Head Office at Calcutta
65.	City Cafe, Tiruchy	14—9—65	Transfer of the Management	TheManagemenr agreed to pay Rs. 1,150/- as compensation to the workers in full and final settlement of all their claims and also agreed to pay wages from 1—9—65 to 14—9—65 and a cash value to the balance of leave not availed of by the workers.

(1)	(2)	(3)	(4)	(5)
66.	Nagammai Cotton Mills, Vikravandi	18—9—65	Certain demands	The Management agreed to reinstate Sri D Raman and Sri S. Ramalingam with continuity of service from 1—8—65 without back wages and also agreed to revise the seniority of P. Lakshmanan and to settle the other demands as per the terms of settlement.
67.	Gopald Textiles, (P) Limited Tirupur	6—9—65	Dispute over the appointment of certain workers.	Parties agreed to the informal arbitration of the issue by the Deputy Commissioner of Labour, Coimbatore.
68.	Sri Sambandamoorthy Bus Service, Madras-35	3—9—65	— —	Correction to the settlement effected on 30-6-65.
69.	Bharat Pulversing Mills. (P) Ltd., Madras-19.	1—9—65	Permanency of the workers.	In Modification of the settlement dated 18-1-64 the Management agreed to confirm and designate as permanent w.e.f. 1-10-65 6 senior most of the workmen in the list appended to the settlement and 10 more of the senior most w.e.f. 1-6-65 and also to give the retrenched workers on re-employment the same wages drawn at the time of retranchment and to settle the other demands as per settlement.
70.	Arunachalam Studios, Arunachalam Road, Madras-26.	23—9—6	Bonus for 1963-64 and payment of House Rent Allowance.	The mangement agreed to pay five Rupees permonth as House Rent Allowance to all the workers from 1-1-65 Regarding the Bonus the Union may claim Bonus for the year 1963-64 under the provisions of the payment of Bonus ordinance 1965, after Deepavali 1965.
71.	Saraswathi Industries, 7/115, Razar Road, Pallavaram.	9—9—65	Closure of the Establishment	The management agreed to pay 3 months wages to the workers mentioned in the settlement in full and final settlement of at their claims excluding leave with wrges and arrears of wages etc. and also agreed to give first preferrence for employment to the above workers as and when the management start business.

(1)	(2)	(3)	(4)	(5)
72.	Mariamman Oil Flour Mills, GNT Roads Moolakarai, Madras-51	14—9—65	Non-employmnt of two workers	The management agreed to pay a sum of Rs. 80/- (Rupees eightyonly) to the worker in full and final settlement of all his claims including re-instatement.
73.	Vadapalani Press, Madras-26	15—9—65	Non—employment of a worker and enhancement of Pay etc.	The management agreed to pay 3 months salary to the worker in full and final settlement of all claims including reinstatement exculding arrears of wages. The Management also agreed to pay a flat rate increase of Rs 30 and Rs. 20/- to the workers who are drawing consolidated salary of Rs. 100/- and less and Rs. 10/- and above respectively and also to formulate a gratuity scheme as detailed in the settlement.
74.	Ennore Foundries, Limited, Ennore	17—9—65	Non-employment of a worker.	Both parties agreed to refer the issue to the informal arbitration of the Commissioner of Labour or his nominee and agreed to abide by the decision of the said arbitrator.
75.	Marshall Sons & Company, Ambattur Industrial Estate Madras 58	18—9—65	Lockout declared by the management on 25-8-65	It is agreed that the workman shall stop all demonstrations of the kind held before and shall not interfere with the domestic enquiry relating to the worker Subramani in a way prejudicial to the normal. Conduct of the proceedings and also that the management shall not take any action against any other workers except disciplinary action against Sri S. Nagarajan, in the context of lockout.
76.	Madras Rubber Factory Limited, Madras	29—9—65	Modification of certain clauses in the existing agreement dated 18-3-64.	The Management agreed to effect certain modifications in respect of Dearness Allowance and gratuity as detailed in the settlement and also to modify certain other clauses as detailed in the settlement.

(1)	(2)	(3)	(4)	(5)
		SETTLEMENTS EFFECTED BY THE DEPUUTY COMMISSIONERS OF LABOUR		
77.	Maharaja Beedi Factory, Ranipet (other branches in North Arcot District)	2—9—65	Regarding Wages in Junior Jadi Beedies	It is agreed that Lauanchar Jadi beedies for the work actually done upto the date of settlement payment will be made at the rate of Rs. 2.25 per 1000 beedies rolled and that pending fixation of wages for the same the workers shall be paid Rs. 2/- per 1000 beedies as on interim measure.
78.	Chamraj Estate, Chamraj P. O.	16—9—65	Dismissal of a worker	It is agreed that the worker shall be paid an exgratia sum of Rs. 150/- in full and final settlement.
79.	M/s. Kalai Timbers, Madras-3	29—9—65	Non-emplyment of a worker	It is agreed that a sum of Rs. 535/- shall be deposited with the Additional Commissioner of Workmen's Compensation Madras for payment to the applicant in full and final settlement of all his claims.

2. Particulars of voluntary and collective agreements made between employers and employees during the month of September, 1965.

Serial No. (1)	Name of the concern. (2)	Date of Agreement. (3)	No. of workers involved. (4)	Issues (5)
1.	P. S. G Industrial Institute Peelamedu.	2—9—65	850	Wages, D. A. leave with wages workload etc.
	Coimbatore Disttict			
	1. General Engineering and Machanical workers' Union.			
	2. National Engineering and allied Trades workers' Union.			
	3. United Engineering workers' Union.			
2.	Rukmani Mills Limited, Sellaiman and National Textile Workers' Union, Sellaiman Branch.	9—9—65	6	Revision of wages and D. A.
3.	Modoplast (P) Limited, Coimbatore Vs. Coimbatore District Button Factory workers' Union, Coimbatore.	19—8—65	—	Manufacture of roof sheet.
4.	Pragu Button Industries (P) Limitted, Coimbatore Vs. Coimbatore District Button Factory workers' Union, Coimbatore.	31—7—65	—	Wages.
5.	India Cements Ltd., Sankar Nagar Vs. India Cements Workers' Union Sangarnagar.	21—9—65	—	Bonus for 1964-65.
6.	Soundararaja Mills, Ltd, Dindigul Vs. Soundaraja Mill Workers' Union, Dindigul.	20—7—65	500	Bonus for the year ended 31-12-1964.
7.	Sivakami Mills Limited, Thenur Vs. National Textile Workers' Union, Madurai.	26—8—65	3 workers	Revision of Wages of Canteen workers.
8.	Sree Meenakshi Mills. Ltd., Madurai and Paravai and Thiakesar Alai, Manapparai.	27—9—65	5,5000 (in all Mills)	Bouns for the year ending 31-3-1965.

(1)	(2)	(3)	(4)	(5)
9.	Sri Mappillai Vinagar Soda Company, Madurai Vs. Sri Mappillai Vinayagar Workers' Union Madurai.	30—9—65	120	Demand for increase in Wages, bouns for 1964-65 etc.
10.	The Management of Mohan Brothers Proprietors, K. R. M. S. Dharmapuri	25—9—65	—	Payment of Bonus for 1964-65.
	Mettupalayam Nilgiris Motors Workers' Union, Mettupalayam.			
11.	The Management of S. D U. M. S. (P) Limited, Dharmapuri. Mettupalayam Nilgiris Motor Workers' Union, Mettupalayam.	-do-	—	-do-
12.	The Management of (i) Sri A. Vimalan, Bus propr. K. R. M. S. Dharmapuri. (ii) K. Ratna Workshop, Dharmapuri.	-do-	—	-do-
	Mettupalayam Nilgiris Motor Workers' Union, Mettupalayam.			
13.	The Management of (i) Sri A. Janathilakan, Propr. K R. M. S. Dharmapuri. (ii) S. D U. M. S. Workshop, Dharmapuri.	-do-	—	-do-
	Mettupalayam Nilgiris Motor Workers' Union Mettupalayam.			
14.	The Management of M. S. M. P. Salamath Transports (P) Ltd, Salem-7. 5 workmen duly authorised.	27—9—65	—	-do-

3 **Statement showing the Industrial Disputes referred for adjudication to the Industrial Tribunal, Madras and the Labour Courts, published in Part II, Section I, of the *Fort St. George Gazette* during the month of September 1965.**

Sl. No. (1)	Name of the concern in which the dispute has arisen. (2)	Issues (3)	G. O. No and Date of reference (4)
		Industrial Tribunal, Madras	
		Madras District	
1.	Spencer and Company, Madras.	1. Whether the non-employment of the worker Nagappan is justified and if not to what relief he is entitled. 2. Whether the demand for the additional wages for the 28th May 1964 and 8th June 1964 is justified and if so to what relief the workers are entitled. 3. To compute the relief if any awarded in terms of money if it can be so computed.	G. O. R. No. 1753, Industries, Labour & Co-operation, (Lab), dated 20-8-65.
2.	M/s Ebrahim Currim and Sons Madras.	Whether the closure is justified and to what relief the workers are entitled.	G. O. R. No. 1793, Industries, Labour & Co-operation dated 25-8-65.
3.	Shaw Wallace and Company, Ltd., Madras.	1. Dearness Allowance. 2. Scales of pay reclassification, adjustment and fixation. 3. Lunch allowance and mid-day meals. 4. Leave - Annual sick and casual. 5. Medical facilities. 6. Promotion of attenders. 7. Conditions of service of bearers. 8. Batta for drivers and allowance for Roneo operator. 9. Special allowance. 10. Advance for festivals. 11. Officiating Allowance. 12. Travelling Allowance for employees and families during Annual leave. 13. Festival holidays 14. Retirement age.	G. O. R. No. 1794, Industries, Labour & Co-operation dated 26-8-65.
4.	Messrs. Vavilla Ramaswamy Sastrulu and sons, Madras.	1. Whether the demand for revision of wages Scale in justified, if so to fix the scale. 2. Whether the demad for enhanced dearness Allowance is justified, if so to fix the quantnm.	G. O. R. No. 1831, Industries, Labour & Co-operation, dated 1-9-65
5.	Crompton Engineering Company, Madras Ltd., Madras.	Whether the demand for house rent allowance, lunch allowance, conveyance allowance and holiday travelling allowance are justified and if so to fix the quantum of each of them.	G. O. R. No. 184?, Industries, Labour & Co-operation, dated 6-9-65.
6.	Thiakesar Alai, Manapparai.	Whether the demand for full rates of dearness Allowance for the workers in the 6½ hour shift is justified and to fix the effective date for the revision of dearness allowance.	G. O. Ms. No. 4052, Industries, Labour & Co-operation, (Lab) dated 16-8-65
		Chingleput District	
7.	Ashok Leyland Ltd., Ennor.	Whether the demand for abolition of contract system in the sphere of chassis delivery work and absorption of the Abdul Rahaman and 61 others convoy Leader-drivers as regular workers is justified; if so, to what relief they would be entitled.	G. O. R. No. 1906, Industries, Labour & Co-operation dated 17-9-65.
		Labour Court, Madras.	
		Madras District	
8.	Messrs. P. Moorthi Naicker Carting Contractor, Madras-	1. Whether the workers are eligible for any revision in wages, if so, to fix the scales of wages. 2. Whether any gratuity scheme is necessary for the workers, if so, to formulate a gratuity scheme.	G. O. R. No. 1727, Industries, Labour & Co-operation dateo 17-8-65.
9.	Khadi Gramodhyog Bhavan, Madras.	1. Whether the demand for payment of separate dearness allowance is justified and if so to fix the rate.	G. O. R. No. 1885, Industries, Labour & Co-operation, dated 14-9-65.

(1)	(2)	(3)	(4)
		2. Whether the demand for introduction of a gratuity scheme is justified and if so, to formulate a scheme of gratuity.	
10.	Messrs. P. Kuppuswamy Mudaliar and sons, Madras.	Whether the non-employment of Sri T. Perumal and two others is justified and if not to what relief they would be entitled.	G. O. R. No. 1887, Industries, Labour & Co-operation, dated 14-9-65.
		To compute the relief if any awarded in terms of money if it can be so computed.	
		North Arcot District	
11.	P. Rangaswamy Motor Service, Chetpet.	1. Whether the demand for the introduction of scales of wages with increments is justified and if so to fix the scales and fit the existing incumbents in the scales so fixed.	G. O. R. No. 1728, Industries Labour & Co-operation, dated 17-8-65.
		2. Whether the demand for enhanced batta is justified and if so, to fix the quantum and the date from which it will have to be given effect to:	
		3. Whether the demand for the introduction of a gratuity scheme is justified and if so to formulate a scheme.	
12.	Sri Balavinayagar Motor Service, Vellore.	1. Whether the demand for the introduction of incremental scales wages is justified and if so to fix such scales and fit the existing incumbents in those scales.	G. O. R. No. 1783, Industries, Labour & Co-operation, dated 24-8-65.
		2. Whether the demand for enhanced batta is justified and if so to fix the quantum.	
		3. Whether the demand for the introduction of a gratuity scheme is justified and if so to formulate a scheme.	

(1)	(2)	(3)	(4)
		Labour Court, Coimbatore	
		Coimbatore District	
13.	Textool Company Ltd, Coimbatore.	"Whether the transfer of Sri D. Bagianathan to co-operative stores is justified and if not to what relief he would be entitled.	G. O. Ms. No. 1215, Industries, Labour & Co-operation, dated 27-8-65.
		To compute the relief, if any, awarded in terms of money if it can be so computed".	
14.	Sri Sundaram Dyeing Works, Coimbatore.	"1. Whether the non-employment of Sri Chinna Nachimuthu Chettiar and six others is justified and if not to what relief each would be entitled.	G. O. Ms. No. 1856, Industries Labour & Co-operation, dated 10-9-65.
		2. To compute the relief, if any awarded in terms of money, if it can be so computed for each."	
15.	Kaleeswarar Mills Ltd., Coimbatore.	Whether the demand for payment of wages for the period from 5th to 24th July 1963 to the eighteen workers of the Spinning Department is justified.	G. O. Ms. No. 4374, Industries, Labour & Co-operation, dated 10-9-65.
		Whether the superannuation of the thirty nine workers by the management is justified and if not to what relief each would be entitled.	
		To compute the relief, if any, awarded in terms of money if it can be so computed.	
		Nilgiris District	
16.	Abiramavalli Bus Transport (P) Ltd, Coonoor.	Whether the non-empolyment of Sri Belevantharan Conductor is justified and if not to what relief he would be entitled.	G. O. Ms. No. 4531, Industries, Labour & Co-operation dated 21-9-65.
		To compute the relief, if any awarded in terms of money, if it can be so computed.	

(1)	(2)	(3)	(4)
		Labour Court, Madurai.	
		Madurai District	
17.	Rajeswari Mills, Madurai	Whether the refusal of employment of Sri S. S. Krishnamoorthi and T. K. Ramamoorthy is justified or not. If so to what relief they are entitled.	G. O. R. No. 1703, Industries, Labour & Co-operation, (Lab), dated 13-8-65.
		To compute the relief if any in terms of money.	

4. Statement showing the list of awards of the Industrial Tribunal, Madras and the Labour Courts, published in the Supplement to Part II, Section I of the *Fort St. George Gazette*, during the month of September, 1965.

S. No. (1)	*Name of the concern in which the dispute has raisen* (2)	*Page No. and date of the Gazette in which the notification is given* (3)	*G.O. No. and date of the references.* (4)
	Industrial Tribunal, Madras		
	Madras District		
1.	Spencer & Co., Madras.	14-15 8—9—65	G. O. R. No. 1815, I. L. & C. dt. 20-8-65
2.	—do—	15-17 8—9—65	G. O. Ms. No. 1816, I. L. & C. dated 28-8-65.
	Coimbatore District:		
3.	Mettupalayam, Coonoor Service (P) Ltd., Coimbatore.	13-14 8—9—65	G. O. R. No. 1805, Industries, Labour & Co-operation, dated 27-8-65.
4.	Coimbatore Coffee Curing Works, Coimbatore.	8-11 29 9—65	G. O. Ms. No. 4519, Industries, Labour & Co-operation, (Lab) dated, 21-9-65.
	Tirnnelveli District		
5.	Sankar Sizing Mills and five others, Talaivuthu.	17-19 8—9—65	G. O. R. No. 1843 Industries, Labour & Co-operation dated 4—9—65.
	Labour Court, Madars		
	Madras District		
6.	Sarathy Theatres, Madras.	1-2 1—9—65	G. O. R. No. 1766, Industries Labour & Co-operation dated 21-8-65
7.	The Hindu, Madras.	2-3 1—9—65	G. O. R. No. 1767, Industries, Labour & Co-operation dated 21-8-65.
8.	Dhakshinamoorthy and Co., Madras	3-4 1—9—65	G. O. R. No. 1777, Industries, Labour & Co-operation, dated 23-8-65.
9.	Daleoram Jayanarayan, Madras.	1-2 8—9—65	G. O. R. No. 1807, Industries, Labour & Co-operation, dated, 27-8-65.

(1)	(2)	(3)	(4)
10.	Sri Ramavilas Bus Service, Madras.	2-4 8—9—65	G. O. R. No. 1817 Industries, Labour Co-operation, (Lab), dated 28-8-65.
11.	N. V. Shanmugam & Co., P. B. No. 555, Madras-21.	P. 1/ 22—9—65	G. O. R. No. 1896, Industries on Labour Co-operation (Lab), dated 15—9—65.
12.	M. C. Appasamy Chetty & Co., Madras.	3-7 29—9—65	G. O. Ms. No. 4514, (Lab)Industries, Labour Co-operation dated 21—9—65.
	Labour Court, Coimbotore		
	Coimbatore District		
13.	Navamany & Co., Coimbatore.	5-13 8—9—65	G. O. Ms. No. 4207, I. L. & C. dated 27—8—65
14.	Salaliparai Estate, Valparai.	1-3 15—9—65	G. O. Ms. No. 4314 I. L. C (Lab) dated 4—9—65.
	Salem District		
15.	M. K. N. Bus Service, Krishnagiri.	4-5 8—9—65	G. O. R. No. 1819 I. L C. dt. 1—9—65
	Labour Court, Madurai		
	Tiruchirapalli District:		
16.	M/s. Raja Industrials Palakarai.	7-8 29—9—65	G. O. Ms. No. 4568 (Lab) I. L. C. dt. 23—9—65.
	Ramanathapuram District		
17.	Rukmani Mills, Silaiman.	1-3 29—9—65	G. O. R. No. 1929 I. L. & C. dt. 21-9-65

6. **Statement showing the closures and stoppages of work in factories and mills for reasons other than strikes and lockouts in the State of Madras, for the month of September 1965.**

Sl. No.	Name of the concern	Industry.	No. of workers involved.	Closures, Began.	Closures, Ended.	Causes	Amount of Compensation paid to workers
1	2	3	4	5	6	7	8
1.	Coimbatore Spinning and Weaving Mills Ltd., Coimbatore.	23/231(a) Cotton Textiles	950	18-9-65	...	The closure is due to want of cotton and financial difficulties.	...
2.	Virudunagar Industrial Works, Virudunagar.	Foundry	40	17-9-65	27-9-65	Difference of opinions between the brothers of the Proprietors of the factory.	...
3,	Woodlands Tea Factory Kulakamby	20/209C	45	1-7-65	15-9-65	Maintenance of Machineries.	Alternative work has been given.
4.	Cairpetta Tea Factory Kothagiri	-do-	42	5-8-65	14-9-65	• -do-	-do-
5.	Kundah Hydro Electric Scheme, Kundah Bridge	-do-	9	9-9-65	Permanent	Project works have been completed.	...
6.	Kundah Auto repairs and Servicing Station Kundah Bride	-do-	7	31-8-65	Permanent	-do-	-do-
7.	Madura Sugars Ltd.. Pandirajapuram, Nilakottai Taluk	0/207a	220	30-9-65	-do-	Due to non availability of sugar cane	-do-
8.	Bojraj Textiles Ltd., Palanichetti patti Post, Theni.	23/231a	...	16-9-65	19-5-65	Due to repair of the Transformer L. T. under cables feeding the main oil circuit breather in the power house.	-do-

7. Particulars of complaints received, investigated and settled by the Labour Officers in the State of Madras for the month of September, 1965.

Sl. No.	Labour Officers.	No. of complaints pending at the beginning of the month	No. of complaints received. Wages and allowances	Bonus	Personnel (dismissal and suspension etc.)	Retrenchment.	Leave facilities and hours of work.	Others (Not classified.)	Cause not known	Total.	No. of complaints investigated and otherwise disposed of including those previously pending.	No. of complaints pending at the end of the month.
1	2	3	4	5	6	7	8	9	10	11	12	13
1.	Coimbatore-I.	229	22	55	46	1	18	66	—	208	113	324
2.	Coimbatore-II.	104	2	66	7	—	—	11	—	86	27	163
3.	Coonoor.	39	12	27	19	2	1	7	—	68	57	50
4.	Madras-I.	65	6	4	9	—	—	13	—	32	33	64
5.	Madras-II.	117	4	13	18	6	—	40	—	81	81	117
6.	Madras-III.	59	5	6	8	2	—	13	—	34	30	63
7.	Madurai.	165	1	49	19	—	—	17	—	86	22	229
8.	Nagercoil.	20	2	1	3	1	—	5	—	12	12	20
9.	Pollachi.	19	2	1	7	—	—	10	—	20	17	22
10.	Virudhunagar.	47	4	6	7	—	—	6	—	23	23	47
11.	Salem.	70	3	5	24	—		29	—	61	44	87
12.	Tiruchirapalli.	80	8	6	10	4	—	4	—	32	34	78
13.	Tirunelveli.	60	10	2	14	—	2	8	—	36	40	56
14.	Vellore.	34	3	1	10	—	—	11	—	25	16	43
	TOTAL	1,108	84	242	201	16	21	240	—	804	549	1,363

8. Industrial Employment (Standing Orders) Act 1946:—

Statement showing the number of Standing Orders, certified during the month of September, 1965.

1.	Number of Standing Orders certified as on 1—9—1965.	...	4,300
2.	Number of Standing Orders certified during the month.	...	1
3.	Total	...	4,301
4.	Number of amendments to Standing orders certified.		1

9 Workmen's Compensation Act 1923. :—

Statement showing the number of accidents reported and amount of compensation paid for the month of September, 1965.

	Number of accidents.	Amount of compensation.*
		Rs. nP.
(a) Death	12	* 1,20,357.00
(b) Permanent disablement	36	2,474.03
(c) Temporary disablement	68	11,247.39
Total	116	1,34,078.42

* Represents the amounts deposited under sec. 8 (1) and 8 (2) of the Workmen's Compensation Act. 1923.

10. Workmen's Compensation Act, 1923.

Statement showing the number of cases filed and Disposed of under the workmen's compensation Act, for September, 1965.

Sl. No. (1)	Nature of claims (2)	Number previously pending. (3)	Number received. (4)	Total. (5)	Disposed of (6)	Balance. (7)
1.	*Application under Section* 10:					
	(a) Fatal ...	105	10	115	3	112
	(b) Non-fatal:-					
	(i) Permanent ...	124	14	138	2	136
	(ii) Temporary ...	32	1	33	...	33
2.	*Deposits under Section* 8 (1)					
	(a) Fatal ...	115	35	150	20	130
	(b) Persons under legal disability...	4	5	9	...	9
3.	*Deposits under Section* 8 (2) ...	1	...	1	...	1
4	*Memorandum of Agreement:—*					
	(i) Permanent disablement ...	94	32	126	42	84
	(ii) Temporary disablement ...	7	7	14	10	4

(1)	(2)	(3)	(4)	(5)	(6)	(7)
5. *Recovery under Section* 31.	...	14	...	14	..	14
6. *Indenmification application under Section* 12	...	8	...	8	...	8
Total	...	504	104	608	77	531

11. Cases Under The Payment of Wages Act, 1936 :—

1. Pending as on 1-9-'65	...	553
2. Received during the month	...	288
3. Disposed of during the month	...	48
4. Pending as on 30-9-'65	...	793

THE MADRAS SHOPS AND ESTABLISHMENTS ACT, 1947.

Statement showing the number of applications received and disposed of etc., under Sections 41 and 51 of the Act for the month of September, 1965.

12. (a) Appeals under Section 41 of Madras Shops and Establishments Act, 1947.

Pending as on 1—9—1965	...	372
Received during the month	...	39
Disposed of during the month	...	22
Pending as on 30—9—1965	...	389

12. (b) Appeals under Section 51 :—

Pending as on 1—9—1965	...	3
Received during the month	...	Nil
Disposed of during the month	...	Nil
Pending as on 30—9—1965	...	3

12. (c) Appeals under the Madras Catering Establishments Act, 1958.

Pending as on 1—9—1965	...	67
Received during the month	...	30
Disposed of during the month	...	25
Pending as on 30—9—1965	...	72

13. (a) List of Trade Unions registered under Trade Unions Act, 1926 and cancelled during the month of September 1965.

Sl. No. (1)	*R. No.* (2)	*Date of Registration* (3)	*Industry* (4)	*Name and address of the Union* (5)
1.	3929	1—9—65	Aerated water Industries.	Sri Mappillai Vinayagar Workers Union, 163, Dindigul Road, Maduri.
2.	3930	,,	Miscellaneous	Sweet Shop Workers Union, 34/E1, East Car Street, Tuticorin.
3.	3931	,,	—do—	Thanjavur District saw Mill Workers Union, 2, Sannadhi Stree , Pappanasam, Thanjavur District.
4.	3932	,,	Tobacco	Tiruvannamalai Taluka Suruttu Thoshilalar Sangam, 18, Vadaothavadai Street, Tiruvannamalai North Arcot District.
5.	3933	,,	Metals	Madras Metal Can Manufacturers Employees Union, 9/111, Devaraja Mudali St. Madras-3.
6.	3934	,,	Rubber and Rubber Products	Madras Rubber Factory Staff Union, 11, Philips Street, Madras-1.

13. (b) List of Trade Unions cancelled, dissolved and amalgamated Under the Trade Unions Act, 1926 During the Month of September 1965.

Sl. No.	*R. No.*		*Industry*	*Name of the Union amalgamated.*
1.	3461	22—9—65	Textiles	Salem Pattern Weaving Factory Handloom Weavers Union, Salem.

ABSTRACT

1.	Total No. of registered Trade Unions as on 1-9-65	1,380
2.	Total No. of trade Unions registered during September 1965	6
3.	Total No. of Trade Unions Cancelled during the September 1965	1
4.	Total No. of Trade Unions amalgamated, dissolved etc. during the September 1965	Nil
5.	Total No. of registered Trade Unions as on 30-9-65.	1,385

14. Labour Administration and Statistics for the month of September 1965.

Sl. No.	Particulars.	Factories Act, 1948.	Payment of Wages Act. 1936	Madras Maternity Benefit Act. 1934	Madras Shops and Establishments Act. 1947.	Madras Catering Establishments Act. 1958.	Madras Beedi Industrial Premises (Regulations of Conditions of Work) Act. 1958.	Minimum Wages Act. 1948	Madras Industrial Establishments (National and Festival Holidays) Act, 1958.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	No. of establishments inspected.	1101	5,223	514	54,671	6,704	748	2,654	6,064
2.	No. of irregularities noticed.	312	545	69	2,023	1,374	86	378	448
3.	No. of cases warned.	36	114	—	510	349	30	49	56
4.	No. of prosecutions launched.	41	17	1	70	100	18	3	2
5.	No. of convictions obtained.	41	22	1	49	74	3	2	2
6.	Amount of fine imposed (in Rupees.)	2255/-	260/-	25/-	687/-	1,557/-	140/-	130/-	30/-

Note:—The common irregularities noticed were non-maintenance of registers and non-exhibition of notices.

15 (*a*) Numerical List of Factories for the month of September, 1965.

District.	At the Beginning.			Registered.			Removed.			Total.			Remarks.
	Section 2 (*m*) (*i*)	Section 2 (*m*) (*ii*)	Notified	Section 2 (*m*) (*i*)	Section 2 (*m*) (*ii*)	Notified	Section 2 (*m*) (*i*)	Section 2 (*m*) (*ii*)	Notified	Section 2 (*m*) (*i*)	Section 2 (*m*) (*ii*)	Notified	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
1. North Arcot	209	109	170	5	2	...	2	3	...	212	108	170	490
2. South Arcot	131	7	45	1	...	...	1	...	...	131	7	45	183
3. Chingleput	338	22	58	7	...	...	...	...	...	345	22	58	425
4. Coimbatore	1,089	10	92	2	...	...	6	1	5	1085	9	87	1181
5. Kanyakumari	68	8	24	2	...	...	...	...	2	70	8	22	100
6. Madras	833	30	113	1	1	...	2	...	...	832	31	113	976
7. Madurai	466	36	46	1	...	...	3	1	1	464	35	45	544
8. The Nilgiris	131	...	8	...	...	...	...	...	...	131	...	8	139
9. Ramanathapuram	267	68	154	...	...	...	4	1	...	263	67	154	484
10. Salem	575	12	147	4	...	...	8	3	...	571	9	147	727
11. Thanjavur	309	12	178	...	...	...	4	2	...	305	10	178	493
12. Tiruchirappalli	291	9	172	1	...	...	5	...	...	287	9	172	468
13. Tirunelveli	309	109	218	2	1	...	1	...	5	310	110	213	633
Total	5,016	432	1,425	26	4	...	36	11	13	5006	425	1,412	6,843

15. (*b*) Numerical List of Plantations covered by the Plantations Labour Act, 1951 for the month of September, 1965.

Sl. No.	Category of Plantations.	At the beginning of the month.		Registered.		Removed.		At the end of the month	
		A.	B.	A.	B.	A.	B.	A.	B.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	Coffee ...	127	26,867.54	...	...	7	4,062.20	120	22,805.34
2.	Tea ...	134	62,421.78	7	4,062.20	...	...	141	66,483.98
3.	Rubber ...	17	9,003.12	1	150.00	...	...	18	9,153.12
4.	Cinchona ...	2	9,406.00	...	...	...	...	2	9,406.00
5.	Cardamom ...	5	3,186.00	...	...	...	...	5	3,186.20
	Total ...	285	1,10,884.64	8	4,212.20	7	4,062.20	286	1,11,034.64

Note : A. Number of Plantations
B. Acreage under cultivation.

16. (a) Statement of Accidents for the month of September 1965.

No. of Industries (1)	Name of Industry (2)	Number of Accidents: Fatal. (3)	Number of Accidents: Non-fatal. (4)
01.	Processes allied to agriculture (Gins and Presses).	...	1
20.	Food Except Beverages ...	1	35
21.	Beverages ...	...	...
22.	Tobacco ...	...	1
23.	Textiles ...	1	242
24.	Foot-wear, other wearing apparel and made-up textile goods.	...	4
25.	Wood and cork except furniture ...	...	...
26.	Furniture and fixtures ...	...	3
27.	Paper and paper products ...	...	3
28	Printing, Publishing and allied industries ...	...	21
29.	Leather and Leather products (except foot-wear).	...	6
30.	Rubber and rubber products ...	...	41
31.	Chemicals and Chemical products ...	...	134
32.	Products of petroleum and coal ...	...	4
33.	Non-metallic Mineral Products (except Products of Petroleum and coal).	...	87
34.	Basic Metal Industries ...	...	90
35.	Metal Products (except machinery and transport equipments).	...	137
36.	Machinery (except electrical machinery) ..	1	223
37.	Electrical Machinery, apparatus, appliances and supplies.	...	110
38.	Transport equipment ...	1	480
39.	Miscellaneous Industries ...	...	27
51.	Electricity, Gas and Steam ...	...	8
52.	Water and Sanitary Services ...	...	1
83.	Recreation Services (Cinema Studios) ..	...	6
84.	Personal Services (Laundries, dyeing and cleaning).	...	1
	Total	4	1,665

16. (b) Statement of Accidents in Cotton and Jute Mills for the month of September, 1965

Sl. No. (1)	Name of Industry (2)	Adults. Men. (3) A.	B.	Adults. Women. (4) A.	B.	Adolescents. Male (5) A.	B.	Adolescents. Female. (6) A.	B.	Children. Boys. (7) A.	B.	Children. Girls. (8) A	B.
	COTTON MACHINERY:—												
1.	Opening and Blow Room Machinery.	...	2	...	..	...	...	...	...	...	...	...	...
2.	Card Room Machinery	...	16	...	...	...	...	...	...	...	...	...	...
3.	Drawing Frames	...	13	...	...	...	...	...	...	...	...	...	...
4.	Speed Frames	...	5	...	...	...	...	...	...	...	...	...	...
5.	Spinning Machinery	...	61	...	...	...	...	...	...	...	...	...	...
6.	Weaving Machinery	...	20	...	1	...	...	...	...	...	...	...	...
7.	Finishing Machinery	...	2	...	...	...	...	...	...	...	...	...	...
8.	Flying Shuttles	...	1	...	1	...	...	...	...	...	...	...	...
9.	Other Miscellaneous Textile Machinery.	...	33	...	1	...	...	...	...	...	...	...	...
10.	Miscellaneous non-machinery Accidents.	1	80	...	6	...	...	...	...	...	...	...	...
	Total	1	233	...	9	...	...	...	...	...	...	...	...
	JUTE MACHINERY ...	...	...	...	Nil	...	...	...	...	...	...	...	...

'A'—Fatal

'B'—Non-Fatal

17. **Exemption to the following factories and establishments from the provisions of the Acts and Rules indicated below were granted during the month of September, 1965.**

Sl. No. (1)	*Name of the establishment* (2)	*Section from which exempted* (3)	*Duration of exemption* (4)	*Authority* (5)
	EMPLOYEES STATE INSURANCE ACT			
1.	Exemption of officers of Co-operative Department deputed to work on foreign service terms in Factories by Co-operative Societies.	All provisions of the Act except Chapter V-A.	Permanent	G. O. Ms. No. 4221 (Lab) I. L. C. dated 28—8—65
2.	Transport Section, Madras-2 and Korattur Sub-Station, Madras-30 belonging to Madras State Electricity Board.	,,	One year from 28—10—65	G. O. Ms. No. 4405 (Lab) I. L. C. dated 13—9—65.
3.	The reinforced cement concrete Polls Manufacturing centre Udumalpet road, Pollachi belonging to Madras State Electricity Board.	,,	One year from 29—9—65	G. O. Ms. No. 4440 (Lab) I. L. C. dated 15—9—65.
	FACTORIES ACT,			
4.	Standard Motor Products of India Ltd., Madras.	51 of the said Act.	Three months from 16—6—65.	G. O. Ms. No. 4060 (Lab) I. L. C. dated 17—8—65.
5.	Ashok Leyland Ltd., Ennore, Madras.	51, 52, 54, 55 and 56 of the said Act.	Three months from 16—8—65	G. O. Ms. No. 4149 I. L. C. & (Lab), dated 23—8—65.

18. **Consolidated Statement of Prices of Cotton and Yarn for the month of September, 1965.**

For the Week ending.	Prices of Cotton per quintal of 100 Kilograms.	
	Cambodia. Rs.	Karunganny. Rs.
4—9—'65	Rs. 230 / 310	Rs. 295 / 310.
11—9—'65	-do-	-do-
18—9—'65	-do-	-do-
25—9—'65	-do-	-do-

For the Week ending	Prices of Yarn per bundle of 10. lbs.	20 lbs.
		Rs. P.
4—9—'65	—	22. 75
11—9—'65	...	-do-
18—9—'65	...	-do-
25—9—'65	...	-do-

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 different moffussil urban centres for the month of September, 1965, as ascertained and declared by the Director of Statistics under Section 2 (d) of that Act.

Sl. No. (1)	Centre (2)	Food. (3)	Fuel and Lighting. (4)	Cloth-ing. (5)	House Rent. (6)	Miscel-laneous. (7)	Cost of Living Index (8)
		(*Base:* Year ended June, 1936: 100).					
1.	Madras City ...	678.8	709.6	504.3	412.8	555.1	616.3
2.	Cuddalore ...	606.0	705.0	401.0	378.0	717.0	582.0
3.	Tiruchirapalli ...	621.0	528.0	547.0	350.0	471.0	557.0
4.	Madurai ...	657.0	527.0	542.0	349.0	438.0	563.0
5.	Coimbatore ...	674.0	676.0	658.0	577.0	402.0	643.0
		Food.	Housing.	Clothing.	Miscel-laneous.	Cost of Living Index.	
		(*Base:* August, 1939: 100).					
5.	Nagercoil ...	788.0	535.0	754.0	389.0	683.0	

Comparative statement of the cost of living index numbers for the months of August, and September, 1965.

Sl. No. (1)	Zone. (2)	Centre. (3)	Cost of living index numbers for the months of August, 1965. (4)	September, 1965. (5)	Variation. (6)
		(*Base:* Year ended June, 1936: 100).			
1.	Madras City and Chingleput Dist.	Madras City ...	610.9	616.3	+ 5.4
2.	North Arcot and South Arcot Dists.	Cuddalore ...	577.0	582.0	+ 5
3.	Tiruchirapalli & Thanjavur Dists.	Tiruchirapalli ...	561.0	557.0	— 4
4.	Madurai, Ramanatha-puram and Tirunelveli Dists.	Madurai ...	559.0	563.0	+ 4
5.	Coimbatore and Salem Dists.	Coimbatore ...	641.0	643.0	+ 2
		(*Base:* August 1939: 100)			
6.	Kanyakumari Dist.	Nagercoil. ...	674.0	683.0	+ 9

MADRAS

The cost of living index numbers for working classes in Madras City for the month of September 1965 rose by five points to 616.

The index for the food group rose by six point to 679 due mainly to an increase in the prices of milk, chillies, gingelly oil and ghee.

The index for fuel and lighting group rose by twenty four points to 710 due to an increase in the prices of firwood, charcoal and kerosene oil.

The index for the miscellaneous group rose by one point to 555 due to an increase in shaving charges.

The group index numbers in respect of clothing and house rent remained unchanged at 504 and 413 points respectively.

(* The Cost of living index numbers are now called consumer price index numbers).

Sl. No. (1)	Group. (2)	Weight proportional to the total expenditure. (3)	Group Index Numbers. August, 1965. (4)	September, 1965 (5)
1.	Food ...	58·23	673·2	678·8
2.	Fuel and Lighting ...	8·42	685·8	709·6
3.	Clothing ...	6·10	504·4	504·3
4.	House-rent ...	14·57	412·8	412·8
5.	Miscellaneous ...	12·68	559·9	555·1
	Total ...	100·00		
	Cost of living Index Number.		610.9	616.3

CUDDALORE

The cost of living index number for Cuddalore rose by five points to 582.

The index for the food group rose by six points to 606 due mainly to an increase in the prices of vegetables, groundnut oil gingelly oil and ghee.

The index for the fuel and lighting group rose by ten points to 706 due to an increase in the price of kerosene oil.

The index for the miscellaneous group rose by one point to 717 due to a rise in the price of betel leaves.

The group index numbers in respect of clothing and house-rent remained unchanged at 401 and 378 points respectively.

TIRUCHIRAPALLI

The cost of living index numbers for Tiruchirapalli fell by four points to 557.

The index for the food group fell by four points to 621 due to a fall in the prices of rice, vegetables, mustard and garlic.

The index for the fuel and lighting group fell by thirteen points to 528 due to a fall in the prices of firewood.

The index for the house-rent group rose by one point to 350 due to the revision of house-rent figure.

The group index numbers in respect of clothing, and miscellaneous remained unchanged at 547 and 471 points respectively.

MADURAI

The cost of living index number for Madurai rose by four points to 563.

The index for the food group rose by six points to 657 due mainly to an increase in the prices of vegetables, tamarind and ghee.

The index for the fuel and lighting group rose by nine points to 527 due to an increase in the prices of kerosene oil.

The index for the house-rent group rose by one point to 319 due to the revision of house-rent figure.

The index for the miscellaneous group rose by two points to 438 due to an increase in the prices of betel leaves.

The index for the clothing group remained unchanged at 542 points.

COIMBATORE

The cost of living index number for Coimbatore rose by two points to 643.

The index for the food group rose by three points to 674 due mainly to an increase in the prices of dhall coconut, coconut oil and palm jaggery.

The index for the fuel and lighting group rose by four points to 676 due to a rise in the price of kerosene oil.

The index for the clothing group fell by one point to 658 due to a fall in the price of shirting cloth.

The index for the miscellaneous group rose by one point to 402 due to a rise in the price of beedies.

The index for the house-rent group remained unchanged at 577 points.

NAGERCOIL

(Base: August 1939=100)

The cost of living index number for Nagercoil rose by nine point to 683

The index for the food group rose by twenty one points to 782 due mainly to an increase in the prices of rice, milk, coconut oil and coconuts.

The index for the housing group rose by twelve points to 535 due to an increase in the prices of firewood, kerosene oil and domestic utensils and the revision of house-rent figure.

The index for the miscellaneous group fell by forty-three points to 389 due to a fall in the price of arecanuts.

The Index for the clothing group remained unchanged at 754 points.

(*The cost of Living Index numbers are now called Consumer Price Index Numbers).

OTHER CONSUMER PRICE INDEX NUMBERS

19. (a) Interim Series of All-India Average Consumer Price Index Numbers for Working Class along with Consumer Price Index numbers for certain other countries.

(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
1961	...	126	126
1962	...	130	130
1963	...	134	135
1964	...	152	155
1964:-			
July	...	154	158
August	...	156	161
September	...	159	165
October	...	163	170
November	...	163	170
December	...	164	171
1965:-			
January	...	165	172
February	...	162	167
March	...	159	162
April	...	160	163
May	...	161	164
June	...	163	168
July	...	168	173
August	...	170	177

* 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 All-India index on base 1944=100 during the month of August, 1965 was 235.60.

Source —(1) I.L.O. except for All-India. (2) Labour Bureau for All-India.

20 (a) Monthly Press Report for the Month of September, 1965

The Employees' State Insurance Scheme applies to 29 Centres in the State of Madras and provided protection to 2,95,569 industrial workers in the event of Employment Injury, Sickness and Maternity Benefit. This protection is made available in two ways viz., by provision of Cash Benefits and by providing Medical Care when needed. There are 52 Offices of the Corporation in the Madras State for disbursement of Cash Benefits.

During the month of September, 1965, 1,726 insured persons received Rs. 74,093–31. by way of Cash Benefits due to Employment Injury. This includes 275 persons who are in receipt of pensions for Permanent Disablement Benefit and also 121 dependants of deceased Persons.

In the month of September, 1965, 1,764 accidents were reported. Comparatively few persons need the Employment Injury benefits but fairly large number need Cash Benefits in the event of Sickness. During the month 25,044 claims were received and an amount of Rs. 4,87,549–15. was paid out as sickness benefit involving abstention for 1,65,370.

During the month of September, '65, 300 Insured Women claimed Rs. 53,806–40 by way of Maternity Benefit.

For recovery of arrears of contribution under the Scheme legal proceedings had to be initiated in 28 cases against defaulting employers for recovery of Rs. 21,843–15.

20 (b) Employees State Insurance Scheme, Medical Benefits for the month of September, 1965.

Sl. No.	Particulars		For the month of September '65
1.	Total number of Attendance: New 69,680, Old 2,10,476	...	2,80,156
2.	No. of Medical certificates issued	...	76,340
3.	No. of Domiciliary visits made	—	240
4.	No. of Injections administered	...	90,904
5.	No. of X-Ray examinations	...	1,291
6.	No. of Laboratory examinations	...	3,803
7.	No. of Specialist Investigations	...	4,337
8.	No. of Persons admitted to Hospitals	...	1,902
9.	No. of bed days occupied during the month	—	13,771

Additional data for Panel System.

1.	No. of attendance: New 16,787, Old 27,139	—	43,926
	Diagnostic Centres	—	—
2.	No. of Prescriptions issued	...	12,616
3.	Payments made to :—		
	1. Chemists	—	—
	2. Insurance Medical Practitioners	...	Rs. 57,483–90 (Coimbatore area.)

21 (a) Employment Exchange Statistics for September, 1965.

Sl No	Districts	Total No. of registrations made during September 1965.	Total No. of applicants placed in employment during September 1965.	Total No. of applicants on the Live Register at the end of September 1965.	No. of employers used the Exchange during September 1965.	No. of vacancies notified during September 1965.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Arcot, North	1,872	495	17,166	153	520
2.	Arcot, South	2,011	483	16,925	174	670
3.	Chingleput.	1,968	261	16,695	93	1,398
4.	Coimbatore.	2,301	651	15,449	156	662
5	Kanyakumari.	976	217	15,199	63	215
6.	Madras.	4,771	990	32,953	415*	1,147
7.	Madurai.	2,412	418	18,018	154	492
8.	The Nilgiris.	685	155	7,015	44	197
9.	Ramanathapuram.	1,143	224	8,774	102	297
10.	Salem.	2,381	874	17,254	132	1,043
11.	Thanjavur.	1,910	458	14,611	148	944
12.	Tiruchirapalli.	2,353	390	17,372	107	486
13.	Tirunelveli.	1,592	207	14,511	103	264
	Total: for September 1965	26,385	5,823	2,11,942	1,844	8,245
	,, for August 1965	34,973	6,310	2,12,997	1,781	7,281
	,, for September 1964	22,934	6,178	2,14,863	1,785	8,[illegible]37

* Excluding Employment Office for Physically Handicapped, Madras.

PAYMENT OF BONUS ORDINANCE

The Commissioner of Labour has granted extension of time under the proviso to Section 19 of the ordinance to the following establishment beyond August 1965, during the month of October 1965.

NANE OF ESTABLISHMENT	PERIOD	
1. The Management of Mc. Dowell and Company Limited, 1-6, Second Line Beach, Post Box No. 36, Madras-1.	Upto	31—12—65
2. The Management of India Tyre and Rubber Company, (India) Private Limited, Madras Branch, at 24, Whites Road, Madras-14.	Upto	—do—
3. The Management of Esso Standard Eastern Inc., Nethaji Subhas Chandra Bose Road, P. B. No. 115, Madras-1.	Upto	—do—
4. Enfield India Limited Madras-19.	Upto	31—10—65
5. The Management of Hindustan Levers Limited, L. I. C. Building, Mount Road, Madras-2.	Upto	31—12—65

LABOUR LAWS AND ADMINISTRATION

THE PAYMENT OF BONUS ACT, 1965

Act No. 21 of 1965

An Act to provide for the payment of bonus to persons employed in certain establishments and for matters connected therewith.

Be it enacted by Parliament in the Sixteenth Year of the Republic of India as follows:—

1. **Short title, extent and application.**—(1) This Act may be called the Payment of Bonus Act, 1965.

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

(3) Save as otherwise provided in this Act, it shall apply to—

(a) every factory; and

(b) every other establishment in which twenty or more persons are employed on any day during an accounting year.

(4) Save as otherwise provided in this Act, the provisions of this Act shall, in relation to a factory or other establishment to which this Act applies; have effect in respect of the accounting year commencing on any day in the year 1964 and in respect of every subsequent accounting year.

(5) An establishment to which this Act applies under clause (b) of sub-section (3) shall continue to be governed by this Act notwithstanding that the number of persons employed therein falls below twenty.

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

(1) "accounting year" means—

(i) in relation to a corporation, the year, ending on the day on which the books and accounts of the corporation are to be closed and balanced;

(ii) in relation to a company, the period in respect of which any profit and loss account of the company laid before it in annual general meeting is made up, whether that period is a year or not;

(iii) in any other case—

(a) the year commencing on the 1st day of April; or

(b) if the accounts of an establishment maintained by the employer thereof are closed and balanced on any day other than the 31st day of March, then, at the option of the employer, the year ending on the day on which its accounts are so closed and balanced:

Provided that an option once exercised by the employer under paragraph (b) of this sub-clause shall not again be exercised except with the previous permission in writing of the prescribed authority and upon such conditions as that authority may think fit;

(2) "agricultural income" shall have the same meaning as in the Income-tax Act;

(3) "agricultural income-tax law" means any law for the time being in force relating to the levy of tax on agricultural income;

(4) "allocable surplus" means—

(a) in relation to an employer, being a company (other than a banking company) which has not made the arrangements prescribed under the Income-tax Act for the declaration and payment within India of the dividends payable out of its profits in accordance with the provisions of section 194 of that Act, sixty-seven percent of the available surplus in an accounting year;

(b) in any other case, sixty per cent of such available surplus, and includes any amount treated as such under sub-section (2) of section 34;

(5) "appropriate Government" means—

(i) in relation to an establishment in respect of which the appropriate Government under the Industrial Disputes Act, 1947, is the Central Government, the Central Government;

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

(6) "available surplus" means the available surplus computed under section 5;

(7) "award" means an interim or a final determination of any industrial dispute or of any question relating thereto by any Labour Court, Industrial Tribunal or National Tribunal constituted under the Industrial Disputes Act, 1947, or by any other authority constituted under any corresponding law relating to investigation and settlement of industrial disputes in force in a State and includes an arbitration award made under section 10-A of that Act or under that law;

(8) "banking company" means a banking company as defined in section 5 of the Banking Companies Act, 1949, and includes the State Bank of India, any subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act, 1959, and any other banking institution which may be notified in this behalf by the Central Government.

(9) "company" means any company as defined in section 3 of the Companies Act, 1956, and includes a foreign company within the meaning of section 591 of that Act;

(10) "co-operative society" means a society registered or deemed to be registered under the Co-operative Societies Act, 1912, or any other law for the time being in force in any State relating to co-operative societies;

(11) "corporation" means any body corporate established by or under any Central, Provincial or State Act but does not include a company or a co-operative society;

(12) "direct tax" means—

(a) any tax chargeable under—

(i) the Income-tax Act;

(ii) the Super Profits Tax Act, 1963;

(iii) the Companies (Profits) Surtax Act 1964;

(iv) the agricultural income-tax Law; and

(b) any other tax which, having regard to its nature or incidence, may be declared by the Central Government, by notification in the Official Gazette, to be a direct tax for the purposes of this Act;

(13) "employee" means any person (other than an apprentice) employed on a salary or wage not exceeding one thousand and six hundred rupees per mensem in any industry to do any skilled or unskilled manual, supervisory, managerial, administrative, technical or clerical work for hire or reward, whether the terms of employment be express or implied;

(14) "employer" includes—

(i) in relation to an establishment which is a factory, the owner or occupier of the factory, including the agent of such owner or occupier, the legal representative of a deceased owner or occupier and where a person has been named as a manager of the factory under clause (f) of sub-section (1) of section 7 of the Factories Act, 1948, the person so named; and

(ii) in relation to any other establishment, the person who, or the authority which, has the ultimate control over the affairs of the establishment and where the said affairs are entrusted to a manager, managing director or managing agent, such manager, managing director or managing agent;

(15) "establishment in private sector" means any establishment other than an establishment in public sector;

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

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

(b) a corporation in which not less than forty per cent of its capital is held (whether singly or taken together) by—

(i) the Government; or

(ii) the Reserve Bank of India; or

(iii) a corporation owned by the Government or the Reserve Bank of India;

(17) "factory" shall have the same meaning as in clause (m) of section 2 of the Factories Act, 1948;

(18) "gross profits" means the gross profits calculated under section 4;

(19) "Income-tax Act" means the Income-tax Act, 1961;

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

(21) "salary or wage" means all remuneration (other than remuneration in respect of overtime work) capable of being expressed in terms of money, which would, if the terms of employment, express or implied, were fulfilled, be payable to an employee in respect of his employment or of work done in such employment and includes dearness allowance (that is to say, all cash payments, by whatever name called, paid to an employee on account of a rise in the cost of living), but does not include—

(i) any other allowance which the employee is for the time being entitled to;

(ii) the value of any house accommodation or of supply of light, water, medical attendance or other amenity or of any service or of any concessional supply of foodgrains or other articles;

(iii) any travelling concession;

(iv) any bonus (including incentive, production and attendance bonus);

(v) any contribution paid or payable by the employer to any pension fund or provident fund or for the benefit of the employee under any law for the time being in force;

(vi) any retrenchment compensation or any gratuity or other retirement benefit payable to the employee or any **ex gratia** payment made to him;

(vii) any commission payable to the employee.

Explanation.—Where an employee is given in lieu of the whole or part of the salary or wage payable to him, free food allowance or free food by his employer, such food allowance or the value of such food shall, for the purpose of this clause, be deemed to form part of the salary or wage of such employee;

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

3. **Establishments to include departments, undertakings and branches.**—Where an establishment consists of different departments or undertakings or has branches, whether situated in the same place or in different places, all such departments or undertakings or branches shall be treated as parts of the same establishment for the purpose of computation of bonus under this Act:

Provided that where for any accounting year a separate balance-sheet and profit and loss account are prepared and maintained in respect of any such department or undertaking or branch, then, such department or undertaking or branch shall be treated as a separate establishment for the purpose of computation of bonus under this Act for that year, unless such department or undertaking or branch was, immediately before the commencement of that accounting year treated as part of the establishment for the purpose of computation of bonus.

4. **Computation of gross profits.**—The gross profits derived by an employer from an establishment in respect of any accounting year shall—

(a) in the case of a banking company, be calculated in the manner specified in the First Schedule;

(b) in any other case, be calculated in the manner specified in the Second Schedule.

5. **Computation of available surplus.**—The available surplus in respect of any accounting year shall be the gross profits for that year after deducting therefrom the sums referred to in section 6.

6. **Sums deductible from gross profits.**—The following sums shall be deducted from the gross profits as prior charges, namely:—

(a) any amount by way of depreciation admissible in accordance with the provisions of sub-section (1) of section 32 of the Income-tax Act, or in accordance with the provisions of the agricultural income-tax law, as the case may be:

Provided that where an employer has been paying bonus to his employees under a settlement or an award or agreement made before the 29th May 1965, and subsisting on that date after deducting from the gross profits notional normal depreciation, then, the amount of depreciation to be deducted under this clause shall, at the option of such employer (such option to be exercised once and within one year from that date) continue to be such notional normal depreciation;

(b) any amount by way of development rebate or development allowance which the employer is entitled to deduct from his income under the Income-tax Act;

(c) subject to the provisions of section 7, any direct tax which the employer is liable to pay for the accounting year in respect of his income, profits and gains during that year;

(d) such further sums as are specified in respect of the employer in the Third Sschedule.

7. **Calculation of direct tax payable by the employer.**—For the purpose of clause (c) of section 6, any direct tax payable by the employer for any accounting year shall, subject to the following provisions, be calculated at the rates applicable to the income of the employer for that year, namely:—

(a) in calculating such tax no account shall be taken of—

(i) any loss incurrd by the employer in respect of any previous accounting year and carried forward under any law for the time being in force relating to direct taxes;

(ii) any arrears of depreciation which the employer is entitled to add to the amount of the allowance for depreciation for any following accounting year or years under sub-section (2) of section 32 of the Income-tax Act.

(iii) any exemption conferred on the employer under section 84 of the Income-tax Act or of any deduction to which he is entitled under sub-section (1) of section 101 of that Act, as in force immediately before the commencement of the Finance Act, 1965;

(b) where the employer is a religious or a charitable institution to which the provisions of section 32 do not apply and the whole or any part of its income is exempt from tax under the Income-tax Act, then, with respect to the income so exempted, such institution shall be treated as if it were a company in which the public are substantially interested within the meaning of that Act;

(c) where the employer is an individual or a Hindu undivided family, the tax payable by such employer under the Income-tax Act shall be calculated on the basis that the income derived by him from the establishment is his only income;

(d) where the income of any employer includes any profits and gains derived from the export of any goods or merchandise out of India and any rebate on such income is allowed under any law for the time being in force relating to direct taxes, then, no account shall be taken of such rebate;

(e) no account shall be taken of any rebate (other than development rebate or development allowance) or credit or relief or deduction (not hereinbefore mentioned in this section) in the payment of any direct tax allowed under any law for the time being in force relating to direct taxes or under the relevant annual Finance Act, for the development of any industry.

8. **Eligibility for bonus.**—Every employee shall be entitled to be paid by his employer in an accounting year, bonus, in accordance with the provisions of this Act, provided he has worked in the establishment for not less than thirty working days in that year.

9. **Disqualification for bonus.**—Notwithstanding anything contained in this Act, an employee shall be disqualified from receiving bonus under this Act, if he is dismissed from service for—

(a) fraud; or

(b) riotous or violent behaviour while on the premises of the establishment; or

(c) theft, misappropriation or sabotage of any property of the establishment.

10. **Payment of minimum bonus.**—Subject to the provisions of sections 8 and 13, every employer shall be bound to pay to every employee in an accounting year a minimum bonus which shall be four per cent of the salary or wage earned by the employee during the accounting year or forty rupees, whichever is higher, whether there are profits in the accounting year or not:

Provided that where such employee has not completed fifteen years of age at the beginning of the accounting year, the provisions of this section shall have effect in relation to such employee as if or the words "forty rupees", the words "twenty-five rupees" were substituted.

11. **Payment of maximum bonus.**—(1) Where in respect of any accounting year the allocable surplus exceeds the amount of minimum bonus payable to the employees under the section 10, the employer shall, in lieu of such minimum bonus, be bound to pay to every employee in the accounting year bonus which shall be an amount in proportion to the salary or wage earned by the employee during the accounting year subject to a maximum of twenty per cent of such salary or wage.

(2) In computing the allocable surplus under this section, the amount set on or the amount set off under the provisions of section 15 shall be taken into account in accordance with the provisions of that section.

12. **Calculation of bonus with respect to certain employees.**—Where the salary or wage of an employee exceeds seven hundred and fifty rupees per mensem, the bonus payable to such employee under section 10 or, as the case may be, under section 11, shall be calculated as if his salary or wage were seven hundred and fifty rupees per mensem.

13. **Proportionate reduction in bonus in certain cases.**—Where an employee has not worked for all the working days in any accounting year, the minimum bonus of forty rupees or, as the case may be, of twenty-five rupees, if such bonus is higher than four per cent of his salary or wage for the days he has worked in that accounting year, shall be proportionately reduced.

14. **Computation of number of working days.**—For the purposes of section 13, an employee shall be deemed to have worked in an establishment in any accounting year also on the days on which—

(a) he has been laid off under an agreement or as permitted by standing orders under the Industrial Employment (Standing Orders) Act, 1946, or under the Industrial Disputes Act, 1947, or under any other law applicable to the establishment;

(b) he has been on leave with salary or wage;

(c) he has been absent due to temporary disablement caused by accident arising out of and in the course of his employment; and

((d) the employee has been on maternity leave with salary or wage,

during the accounting year.

15. **Set on and set off of allocable surplus.**—(1) Where for any accounting year the allocable surplus exceeds the amount of maximum bonus payable to the employees in the establishment under section 11, then, the excess shall, subject to a limit of twenty per cent of the total salary or wage of the employees employed in the establishment in that accounting year, be carried forward for being set on in the succeeding accounting year and so on up to and inclusive of the fourth accounting year to be utilised for the purpose of payment of bonus in the manner illustrated in the Fourth Schedule.

(2) Where for any accounting year, there is no available surplus or the allocable surplus in respect of that year falls short of the amount of minimum bonus payable to the employees in the establishment under section 10, and there is no amount or sufficient amount carried forward and set on under sub-section (1) which could be utilised for the purpose of payment of the minimum bonus, then, such minimum amount or the deficiency, as the case may be, shall be carried forward for being set off in the succeeding accounting year and so on up to and inclusive of the fourth accounting year in the manner illustrated in the Fourth Schedule.

(3) The principle of set on and set off as illustrated in the Fourth Schedule shall apply to all other cases not covered by sub-section (1) or sub-section (2) for the purpose of payment of bonus under this Act.

(4) Where in any accounting year any amount has been carried forward and set on or set off under this section, then, in calculating bonus for the suceeding accounting year, the amount of set on or set off carried forward from the earliest accounting year shall first be taken into account.

16. **Special provisions with respect to certain establishments.**—(1) Where an establishment is newly set up, whether before or after the commencement of this Act, the employees of such establishment shall be entitled to be paid bonus under this Act only—

(a) from the accounting year in which the employer derives profit from such establishment; or

(b) from the sixth accounting year following the accounting year in which the employer sells the goods produced or manufactured by him or renders services, as the case may be, from such establishment, whichever is earlier:

Provided that in the case of any such establishment the employees thereof shall not, save as otherwise provided in section 33, be entitled to be paid bonus under this Act in respect of any accounting year prior to the accounting year commencing on any day in the year 1964.

Explanation I.—For the purpose of this section, an establishment shall not be deemed to be newly set up merely by reason of a change in its location, management, name or ownership.

Explanation II.—For the purpose of this section, an employer shall not be deemed to have derived profit in any accounting year unless—

(a) he has made provision for that year's depreciation to which he is entitled under the Income-tax Act or, as the case may be, under the agricultural income-tax law; and

(b) the arrears of such depreciation and losses incurred by him in respect of the establishment for the previous accounting years have been fully set off against his profits.

Explanation III.—For the purpose of clause (b), sale of the goods produced or manufactured during the course of the trial run of any factory or of the prospecting stage of any mine or an oil-field shall not be taken into consideration and where any question arises with regard to such production or manufacture, the decision of the appropriate Government, made after giving the parties a reasonable opportunity of representing the case, shall be final and shall not be called in question by any court or other authority.

(2) The provisions of sub-section (1) shall, so far as may be, apply to new departments or undertakings or branches set up by existing establishments:

Provided that if an employer in relation to an existing establishment consisting of different departments or undertakings or branches (whether or not in the same industry) set up at different periods has, before the 29th May 1965, been paying bonus to the employees of all such departments or undertakings or branches irrespective of the date on which such departments or undertakings or branches were set up, on the basis of the consolidated profits computed in respect of all such departments or undertakings or branches, then, such employer shall be liable to pay bonus in accordance with the provisions of this Act to the employees of all such departments or undertakings or branches (whether set up before or after that date) on the basis of the consolidated profits computed as aforesaid.

17. **Adjustment of customary or interim bonus against bonus payable under the Act.**—Where in any accounting year—

(a) an employer has paid any puja bonus or other customary bonus to an employee; or

(b) an employer has paid a part of the bonus payable under this Act to an employee before the date on which such bonus becomes payable, then, the employer shall be entitled to deduct the amount of bonus so paid from the amount of bonus payable by him to the employee under this Act in respect of that accounting year and the employees shall be entitled to receive only the balance.

18. **Deduction of certain amounts from bonus payable under the Act.**—Where in any accounting year, an employee is found guilty of misconduct causing financial loss to the employer, then, it shall be lawful for the employer to deduct the amount of loss from the amount of bonus payable by him to the employee under this Act in respect of that accounting year only and the employee shall be entitled to receive the balance, if any.

19. **Time-limit for payment of bonus.**—All amounts payable to an employee by way of bonus under this Act shall be paid in cash by his employer—

(a) where there is a dispute regarding payment of bonus pending before any authority under section 22, within a month from the date on which the award becomes enforceable or the settlement comes into operation, in respect of such dispute.

(b) in any other case, within a period of eight months from the close of the accounting year:

Provided that the appropriate Government or such authority as the appropriate Government may specify in this behalf may, upon an application made to it by the employer and for sufficient reasons, by order, extend the said period of eight months to such further period or period as it thinks fit; so, however, that the total period so extended shall not in any case exceed two years.

20. **Application of Act to establishments in public sector in certain cases.**—(1) If in any accounting year an establishment in public sector sells any goods produced or manufactured by it or renders any services, in competition with an establishment in private sector, and the income from such sale or services or both is not less than twenty per cent of the gross income of the establishment in public sector for that year, then, the provisions of this Act shall apply in relation to such establishment in public sector as they apply in relation to a like establishment in private sector.

(2) An establishment in public sector to which this Act applies shall continue to be governed by this Act notwithstanding that in any subsequent accounting year its income from the sale of goods produced or manufactured by it or from services rendered or from both, in competition with an establishment in private sector, falls below twenty per cent of its gross income for that accounting year.

21. **Recovery of bonus due from an employer.**—Where any money is due to an employee by way of bonus from his employer under a settlement or an award or agreement, the employee himself or any other person authorised by him in writing in this behalf, or in the case of the death of the employee, his assignee or heirs may, without prejudice to any other mode of recovery, make an application to the appropriate Government for the recovery of the money due to him, and if the appropriate Government or such authority as the appropriate Government may specify in this behalf is satisfied that any money is so due, it shall issue a certificate for that amount to the Collector who shall proceed to recover the same in the same manner as an arrear of land revenue:

Provided that every such application shall be made within one year from the date on which the money became due to the employee from the employer:

Provided further that any such application may be entertained after the expiry of the said period of one year, if the appropriate Government is satisfied that the applicant had sufficient cause for not making the application within the said period.

Explanation.—In this section and in sections 22, 23, 24 and 25, "employee" includes a person who is entitled to the payment of bonus under this Act but who is no longer in employment.

22. **Reference of disputes under the Act.**—Where any dispute arises between an employer and his employees with respect to the bonus payable under this Act or with respect to the application of this Act to an establishment in public sector, then, such dispute shall be deemed to be an industrial dispute within the meaning of the Industrial Disputes Act, 1947, or of any corresponding law relating to investigation and settlement of industrial disputes in force in a State and the provisions of that Act or, as the case may be, such law, shall, save as otherwise expressly provided, apply accordingly.

23. **Presumption about accuracy of balance-sheet and profit and loss account of corporations and companies.**—(1) Where, during the course of proceedings before any arbitrator or Tribunal under the Industrial Disputes Act, 1947, or under any corresponding law relating to investigation and settlement of industrial disputes in force in a State (hereinafter in this section and in sections 24 and 25 referred to as the "said authority") to which any dispute of the nature specified in section 22 has been referred, the balancesheet and the profit and loss account of an employer, being a corporation or a company (other than a banking company), duly audited by the Comptroller and Auditor-General of India or by auditors duly qualified to act as auditors of companies under sub-section (1) of section 226 of the Companies Act, 1956, are produced before it, then, the said authority may presume the statements and particulars contained in such balance-sheet and profit and loss account to be accurate and it shall not be necessary for the corporation or the company to prove the accuracy of such statements and particulars by the filing of an affidavit or by any other mode:

Provided that where the said authority is satisfied that the statements and particulars contained in the balance-sheet or the profit and loss account of the corporation or the company are not accurate, it may take such steps as it thinks necessary to find out the accuracy of such statements and particulars.

(2) When an application is made to the said authority by any trade union being a party to the dispute or where there is no trade union, by the employees being a party to the dispute, requiring any clarification relating to any item in the balance-sheet or the profit and loss account, it may, after satisfying itself that such clarification is necessary, by order, direct the corporation or, as the case may be, the company, to furnish to the trade union or the employees such clarification within such time as may be specified in the direction and the corporation or, as the case may be, the company, shall comply with such direction.

24. **Audited accounts of banking companies not to be questioned.**—(1) Where any dispute of the nature specified in section 22 between an employer, being a banking company, and its employees has been referred to the said authority under that section and during the course of proceedings the accounts of the banking company duly audited are produced before it, the said authority shall not permit any trade union or employees to question the correctness of such accounts, but the trade union or the employees may be permitted to obtain from the banking company such information as is necessary for verifying the amount of bonus due under this Act.

(2) Nothing contained in sub-section (1) shall enable the trade union or the employees to obtain any information which the banking company is not compelled to furnish under the provisions of section 34A of the Banking Companies Act, 1949.

25. **Audit of accounts of employers, not being corporations or companies.**—(1) Where any dispute of the nature specified in section 22 between an employer, not being a corporation or a company, and his employees has been referred to the said authority under that section and the accounts of such employer audited by any auditor duly qualified to act as auditor of companies under sub-section (1) of section 226 of the Companies Act, 1956, are produced before the said authority, the provisions of section 23, shall, so far as may be, apply to the accounts so audited.

(2) When the said authority finds that the accounts of such employer have not been audited by any such auditor and it is of opinion that an audit of the accounts of such employer is necessary for deciding the question referred to it, then, it may, by order, direct the employer to get his accounts audited within such time as may be specified in the direction or within such further time as it may allow by such auditor or auditors as it thinks fit and thereupon the employer shall comply with such direction.

(3) Where an employer fails to get the accounts audited under sub-section (2) the said authority may, without prejudice to the provisions of section 28, get the accounts audited by such auditor or auditors as it thinks fit.

(4) When the accounts are audited under sub-section (2) or sub-section (3) the provisions of section 23 shall, so far as may be, apply to the accounts so auditd.

(5) The expenses of, and incidental to, any audit under sub-section (3) (including the remuneration of the auditor or auditors) shall be determined by the said authority (which determination shall be final) and paid by the employer and in default of such payment shall be recoverable from the employer in the manner provided in section 21.

26. **Maintenance of registers, records, etc.**—Every employer shall prepare and maintain such registers, records and other documents in such form and in such manner as may be prescribed.

27. **Inspectors.**—(1) The appropriate Government may, by notification in the Official Gazette, appoint such persons as it thinks fit to be Inspectors for the purposes, of this Act and may define the limits within which they shall exercise jurisdiction.

(2) An Inspector appointed under sub-section (1) may, for the purpose of ascertaining whether any of the provisions of this Act has been complied with—

(a) require an employer to furnish such information as he may consider necessary;

(b) at any reasonable time and with such assistance, if any, as he thinks fit, enter any establishment or any premises connected therewith and require any one found in charge thereof to produce before him for examination any accounts, books, registers and other documents relating to the employment of persons or the payment of salary or wage or bonus in the establishment;

(c) examine with respect to any matter relevant to any of the purposes aforesaid, the employer, his agent or servant or any other person found in charge of the establishment or any premises connected therewith or any person whom the Inspector has reasonable cause to believe to be or to have been an employee in the establishment;

(d) make copies of, or take extracts from, any book, register or other document maintained in relation to the establishment;

(e) exercise such other powers as may be prescribed.

(3) Every Inspector shall be deemed to be a public servant within the meaning of the Indian Penal Code.

(4) Any person required to produce any accounts, book, register or other document or to give information by an Inspector under sub-section (1) shall be legally bound to do so.

(5) Nothing contained in this section shall enable an Inspector to require a banking company to furnish or disclose any statement or information or to produce, or give inspection of, any of its books of account or other documents which a banking company cannot be compelled to furnish, disclose, produce or give inspection of, under the provisions of section 34-A of the Banking Companies Act, 1949.

28. **Penalty.**—If any person—

(a) contravenes any of the provisions of this Act or any rule made thereunder; or

(b) to whom a direction is given or a requisition is made under this Act fails to comply with the direction on requisition,
he shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

29. **Offences by companies.**—(1) If the person committing an offence under this Act is a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section—

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

30. **Cognizance of offences.**—(1) No court shall take cognizance of any offence punishable under this Act, save on complaint made by or under the authority of the appropriate Government.

(2) No court inferior to that of a presidency magistrate or a magistrate of the first class shall try any offence punishable under this Act.

31. **Protection of action taken under the Act.**—No suit, prosecution or other legal proceeding shall lie against the Government or any officer of the Government for anything which is in good faith done or intended to be done in pursuance of this Act or any rule made thereunder.

32. **Act not to apply to certain classes of employees.**—Nothing in this Act shall apply to—

(i) employees employed by any insurer carrying on general insurance business and the employees employed by the Life Insurance Corporation of India;

(ii) seamen as defined in clause (42) of section 3 of the Merchant Shipping Act, 1958;

(iii) employees registered or listed under any scheme made under the Dock Workers (Regulation of Employment) Act, 1948, and employed by registered or listed employers;

(iv) employees employed by an establishment engaged in any industry carried on by or under the authority of any department of the Central Government or a State Government or a local authority;

(v) employees employed by—

(a) the Indian Red Cross Society or any other institution of a like nature (including its branches);

(b) universities and other educational institutions;

(c) institutions (including hospitals, chambers of commerce and social welfare institutions) established not for purposes of profit;

(vi) employees employed through contractors on building operations;

(vii) employees—

(a) who have entered before the 29th May 1965, into any agreement or settlement with their employers for payment of an annual bonus linked with production or productivity in lieu of bonus based on profits; or

(b) who have entered or may enter after that date into any agreement or settlement with their employers for payment of such annual bonus in lieu of the bonus payable under this Act.

for the period for which such agreement or settlement is in operation;

(viii) employees employed by the Reserve Bank of India;

(ix) employees employed by—

(a) the Industrial Finance Corporation of India.

(b) any Financial Corporation established under section 3, or any Joint Financial Corporation established under section 3A, of the State Financial Corporations Act, 1951;

(c) the Deposit Insurance Corporation;

(d) the Agricultural Refinance Corporation;

(e) the Unit Trust of India;

(f) the Industrial Development Bank of India;

(g) any other financial institution (other than a banking company), being an establishment in public sector, which the Central Government may, by notification in the Official Gazette specify, having regard to—

(i) its capital structure;

(ii) its objectives and the nature of its activities;

(iii) the nature and extent of financial assistance or any concession given to it by the Government; and

(iv) any other relevant factor.

(x) employees employed by any establishment in public sector, save as otherwise provided under this Act;

(xi) employees employed by inland water transport establishments operating on routes passing through any other country.

33. **Act to apply to certain pending disputes regarding payment of bonus.**—Where, immediately before the 29th May 1965, any industrial dispute regarding payment of bonus relating to any accounting year, not being an accounting year earlier than the accounting year ending on any day in the year 1962, was pending before the appropriate Government or before any Tribunal or other authority under the Industrial Disputes Act, 1947, or under any corresponding law relating to investigation and settlement of industrial disputes in a State, then, the bonus shall be payable in accordance with the provisions of this Act in relation to the accounting year to which the dispute relates and any subsequent accounting year, notwithstanding that in respect of that subsequent accounting year no such dispute was pending.

Explanation.—A dispute shall be deemed to be pending before the appropriate Government where no decision of that Government on any application made to it under the said Act or such corresponding law for reference of that dispute to adjudication has been made or where having received the report of the Conciliation Officer (by whatever designation known) under the said Act or law, the appropriate Government has not passed any order refusing to make such reference.

34. **Effect of laws and agreements inconsistent with the Act.**—(1) Save as otherwise provided in this section, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in the terms of any award, agreement, settlement or contract of service made before the 29th May 1965.

(2) If in respect of any accounting year the total bonus payable to all the employees in any establishment under this Act is less than the total bonus paid or payable to all the employees in that establishment in respect of the base year under any award, agreement, settlement or contract of service, then, the employees in the establishment shall be paid bonus in respect of that accounting year as if the allocable surplus for that accounting year were an amount which bears the same ratio to the gross profits of the said accounting year as the total bonus paid or payable in respect of the base year bears to the gross profits of the base year:

Provided that nothing contained in this sub-section shall entitle any employee to be paid bonus exceeding twenty per cent of the salary or wage earned by him during the accounting year:

Provided further that if in any accounting year the allocable surplus computed as aforesaid exceeds the amount of maximum bonus payable to the employees in the establishment under the first proviso, then, the provisions of section 15 shall, so far as may be, apply to such excess.

Explanation I.—For the purpose of this sub-section, the total bonus in respect of any accounting year shall be deemed to be less than the total bonus paid or payable in respect of the base year if the ratio of bonus payable in respect of the accounting year to the gross profits of that year is less than the ratio of bonus paid or payable in respect of the base year to the gross profits of that year.

Explanation II.—In this sub-section,—

(a) "base year" means—

(i) in a case where immediately before the 29th May 1965, any dispute of that nature specified in section 33 was pending before the appropriate Government or before any Tribunal or other authority under the Industrial Disputes Act, 1947, or under any corresponding law relating to investigation and settlement of industrial disputes in a State, the accounting year immediately preceding the accounting year to which the dispute relates;

(ii) in any other case, the period of twelves months immediately preceding the accounting year in respect of which this Act becomes applicable to the establishment;

(b) "gross profits" in relation to the base year or, as the case may be, to the accounting year, means gross profits as reduced by the direct taxes payable by the employer in respect of that year.

(3) Nothing contained in this Act shall be construed to preclude employees employed in any establishment or class of establishments from entering into agreement with their employer for granting them an amount of bonus under a formula which is different from that under this Act:

Provided that any such agreement whereby the employees relinquish their right to receive the minimum bonus under section 10 shall be null and void in so far as it purports to deprive them of such right.

35. **Saving.**—Nothing contained in this Act shall be deemed to affect the provisions of the Coal Mines Provident Fund and Bonus Schemes Act, 1948, or of any scheme made thereunder.

36. **Power of exemption.**—If the appropriate Government, having regard to the financial position and other relevant circumstances of any establishment or class of establishments, is of opinion that it will not be in public interest to apply all or any of the provisions of this Act thereto, it may, by notification in the Official Gazette, exempt for such period as may be specified therein and subject to such conditions as it may think fit to impose, such establishment or class of establishments from all or any of the provisions of this Act.

37. **Power to remove difficulties.**—If any difficulty or doubt arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provision, not inconsistent with the purposes of this Act as appears to it to be necessary or expedient for the removal of the difficulty or doubt; and the order of the Central Government, in such cases, shall be final.

38. **Power to make rules.**—(1) The Central Government may make rules for the purpose of carrying into effect the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the authority for granting permission under the proviso to sub-clause (iii) of clause (1) of section 2;

(b) the preparation of registers, records and other documents and the form and manner in which such registers, records and documents may be maintained under section 26;

(c) the powers which may be exercised by an Inspector under clause (e) of sub-section (2) of section 27;

(d) any other matter which is to be, or may be, prescribed.

(3) Every rule made under this section shall be laid as soon as as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days, which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

39. **Application of certain laws not barred.**—Save as otherwise expressly provided, the provisions of this Act shall be in addition to and not in derogation of the Industrial Disputes Act, 1947, or any corresponding law relating to investigation and settlement of industrial disputes in force in a State.

40. **Repeal and saving.**—(1) The payment of Bonus Ordinance, 1965, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had commenced on the 29th May 1965.

THE FIRST SCHEDULE

[*See section 4 (a).*]

COMPUTATION OF GROSS PROFITS

Accounting year ending.. ....

Item No.	*Particulars.*	*Amount of sub-items*	*Amount of main items.*	*Remarks.*
		Rs.	Rs.	
*1.	*Net Profit* as shown in the Profit and Loss Account after making usual and necessary provisions.			
2.	*Add back* provision for :			
	(*a*) Bonus to employees.			
	(*b*) Depreciation.			
	(*c*) Development Rebate Reserve.			*See* foot-note (1)
	(*d*) Any other reserves.			*See* foot-note (1)
	Total of Item No. 2	Rs.		
3.	*Add back* also :			
	(*a*) Bonus paid to employees in respect of previous accounting years.			*See* foot-note (1)
	(*b*) Donations in excess of the amount admissible for income-tax.			
	(*c*) Capital expenditure (other than capital expenditure on scientific research which is allowed as a deduction under any law for the time being in force relating to direct taxes) and capital losses (other than losses on sale of capital assets on which depreciation has allowed for income-tax).			*See* foot-note (1)
	(*d*) Any amount certified by the Reserve Bank of India in terms of sub-section (2) of section 34-A of the Banking Companies Act, 1949.			10 of 1949.

* Where the profit subject to taxation is shown in the Profit and Loss Account and the provision made for taxes on income is shown, the actual provision for taxes on income shall be deducted from the profit.

Item No.	*Particulars.*	*Amount of sub-items.*	*Amount of mainitems.*	*Remarks.*
		Rs.	Rs.	
	(*e*) Losses of, or expenditure relating to any business situated outside India.			
	Total of Item No. 3 ...	Rs.		
4.	*Add also* Income, profits or gains (if any) credited directly to published or disclosed reserves. *other than*—			
	(*i*) capital receipts and capital profits (including profits on the sale of capital assets on which depreciation has not been allowed for income-tax);			
	(*ii*) profits of, and receipts relating to any business situated outside India;			
	(*iii*) income of foreign banking companies from investments outside India.			
	Net total of Item No. 4	Rs.		
5.	Total of Item Nos. 1, 2, 3 and 4.		Rs.	
6.	*Deduct* :			
	(*a*) Capital receipts and capital profits (other than profits on the sale of assets on which depreciation has been allowed for income-tax).			*See* foot-note (2)
	(*b*) Profits of, and receipts relating to, any business situated outside India.			*See* foot-note (2)
	(*c*) Income of foreign banking companies from investments out-side India,			*See* foot-note (2)
	(*d*) Expenditure or losses (if any) debited directly to published or disclosed reserves, *other than*—			

Item No.	Particulars.	Amount of sub items.	Amount of main items.	Remarks.
		Rs.	Rs.	
	(i) Capital expenditure and capital losses (other than losses on sale of capital accets on which depreciation has not been allowed for income-tax);			
	(ii) losses of any business situated outside India.			
	(e) In the case of foreign banking companies proportionate administrative (overhead) expenses of Head Office allocable to Indian business.			See foot-note (3)
	(f) Refund of any excess direct tax paid for previous accounting years and excess, provision, if any, of previous accounting years, relating to bonus, depreciation, or development rebate, if written back.			See foot-note (2)
	(g) Subsidy, if any, received from Government or from any body corporate established by any law for the time being in force.			See foot-note (2)
	Total of Item No. 6 ...	Rs.		
7.	Gross Profits for purposes of bonus (Item No. 5 minus Item No. 6).		Rs.	

Foot-notes.—

(1) If, and to the extent, charged to Profit and Loss Account.

(2) If, and to the extent, charged to Profit and Loss Account.

(3) In the proportion of Indian Gross Profit (Item No. 7) to Total World Gross Profit (as per consolidated Profit and Loss Account, adjusted as in Item No. 2 above only.

THE SECOND SCHEDULE

[*See* section 4 (*b*).]

COMPUTATION OF GROSS PROFITS

Accountink Year ending..................

Item No.	Particulars.	Amount of sub-items.	Amount of main items.	Remarks
		Rs.	Rs.	
1.	*Net profit* as per Profit and Loss Account.			
2.	*Add back* provision for :			
	(a) Bonus to employees.			
	(b) Depreciation.			
	(c) Direct taxes, including the provision (if any) for previous accounting years.			
	(d) Development rebate/Development allowance reserve.			See foot-note (1)
	(e) Any other reserves.			See foot-note (1)
	Total of Item No. 2. ...	Rs.		
3.	*Add back* also :			
	(a) Bonus paid to employees in respect of previous accounting years.			See foot-note (1)
	(b) Donations in excess of the amount admissible for income-tax.			
	(c) Any annuity due, or commuted value of any annuity paid, under the provisions of seetion 28OD of the Income-tax Act during the accounting year.			
	(d) capital expenditure (other than cadital expenditure on scientific research which is allowed as a deduction under any law for the time being in force relating to direct taxes) and capital losses (other than losses on sale of capital assets on which depreciation has been allowed for incom-tax or agricultural income-tax)			See foot-note (1)
	(e) Losses of, or expenditure relating to, any business situated outside India.			
	Total of Item No. 3 ...	Rs.		

Item No.	Particulars.	Amount of sub-items.	Amount of mainitems.	Remarks
		Rs.	Rs.	
4.	*Add also* income, profits or gains (if any) credited directly to reserves, *other than*—			
	(*i*) capital receipts and capital profits (including profits on the sale of capital assets on which depreciation has not been allowed for income-tax or agricultural income-tax);			
	(*ii*) profits of, and recdipts releting to any business situated outside India ;			
	(*iii*) income of foreign concerns from investments outside India.			
	Net total of Item No. 4 ...	Rs.		
5.	Tstal of Item Nos. 1, 2, 3 and 4.			
6.	*Deduct*.			*See* foot-note (2)
	(*a*) Capital receipts and capital profits (other than profits on the sale of assets on which depreciation has been allowed for income-tax or agricultural income-tax).			
	(*b*) Profits of, and receipts relating to any business situated outside India.			*See* foot-note (2
	(*c*) Income of foreign concerns from investments outside India.			*See* foot-note (2)
	(*d*) Expenditure or losses (if any) debited directly to reserves, *other than*—			
	(*i*) capital expenditure and capital losses (other than losses on sale of capital assets on which depreciation has not been allowed for income-tax of agricultural income-tax);			
	(*ii*) losses of any business situated outside India.			
	(*e*) In the case of foreign concerns proportionate administrative (over-head expenses of Head Office allocable to Indian business.			*See* foot-note (3)

Item No.	Particulars.	Amount of sub-items.	Amount of mainitems	Remarks.
		Rs.	Rs.	
	(*f*) Rufund of any direct tax paid for previous accounting years and excess provision, if any, of previous accounting years relating to bonus, depreciation, taxation or development rebate or development allowance, if written back.			*See* foot-note (2)
	(*g*) Subsidy; if any, received from Government or from any body corparate established by any law for the time being in force.			*See* foot-note (2)
	Total of Item No. 6.	Rs.		
7.	Gross Profits for purposes of bonus (Item No.5 minus Item No. 6)			

THE THIRD SCHEDULE

[*See* section 6 (*b*). [

Item No. (1)	*Category of employer.* (2)	*Further sums to be deducted.* (3)
1.	Company, other than a banking company.	(i) The dividends payable on its preference share capital for the accounting year calculyted at the actual rate at whic such dividends are payable ;
		(ii) 8.5 per cent of its paid up equity share capital as at the commencement of the accounting year ;
		(iii) 6 per cent of its reserves shown its balance-sheet as at the commencement of the accounting year, including any profits carried forward from the previous accounting year :
		Provided that where the employee is a foreign company within thr meaning of section 591 of the Companies Act, 1956, the total amount to be deducted under this Item shall be 8.5 per cent

Foot notes—

(1) If, and to the extent, charged to Profit and Loss Account.

(2) If, and to the extent, credited to Profit and Loss Account.

(3) In the proportion of Indian Gross Profit (Item No. 7) to Total World Gross Profit (as per consolidated Profit and Loss Account adjusted as in Item No. 2 above only.

Item No. (1)	Category of employer. (2)	Further sums to be deducted. (3)
1.	Company other than a banking compahy—*cont.*	on the aggregate of the value of the net fixed assets and the current assets of the company in India after deducting the amount of its current liabilities (other than any amount shown as payable by the company to its Head Office whether towards any advance made by the Head Office or any interest paid by the company to its Head Office) in India.
2.	**Banking company**	(i) The dividends payable on its preference share capital for the accounting year calculated at the rate at which such dividends are payable ; (ii) 7.5 per cent of its paid up equity share capital as at the commencement of the accounting year ; (iii) 5 per cent of its reserves shown in its balance-sheet as at the commencement of the accounting year, including any profits carried forward from the previous accouning year ; (iv) any sum which, in respect of the accounting year, is transferred by it— (*a*) to a reserve fund under sub-section (1) of section 17 of the Banking Companies Act, 1949 ; or (*b*) to any reserves in India in pursuance of any direction or advice given by the Reserve Bank of India. whichever is higher : Provided that where the banking company is a foreign company within the meaning of section 591 of the Companies Act 1956, the amount to be deducted under this Item shall be the aggregate of— (i) the dividends payable to its preference share-holders for the accounting year at the rate at which such dividends are payable on such amount as beare the same proportion to its total preference share capital as its total working funds in India bear to its total world working funds ;

Item No. (1)	Category of employer. (2)	Further sums to be deducted. (3)
		(ii) 7.5 per cent of such amount as bears the same proportion to its total paid-up equity share capital as its total working funds in India bear to its total (d) world working founds ; (iii) 5 per cent of such amount as bears the same proportion to its total disclosed reserves as its total working funds in India bear to its total world working funds : (iv) any sum which, in respect of the accounting year, is deposited by it with the Reserve Bank of India, under sub-clause (*ii*) of clause (*b*) of sub-section (2) of section 11 of the Banking Companies Act, 1949, not exceeding the amount required under the aforesaid provision to be so depofited.
3.	Corporation	(i) 8.5 per cent of its paid-up capital as at the commencement of the accounting year ; (ii) 6 per cent of its reserves, if any, shown in its balance sheet as at the commencement of the accounting year, including any profits carried forward from the previous accounting year.
4.	Co-operative society	(i) 8.5 per cent of the capital invested by such society in its establishment as evidenced from its books of accounts at the commencement of the accounting year ; (ii) such sum as has been carried forward in respect of the accounting year to a reserve fund under any law relating to co-operative societies for the time being in force.
5.	**Any other employer not falling under any of the aforesaid categories.**	8.5 per cent of the capital invested by him in his establishment as evidenced from his books of accounts at the commencement of the accounting year : Provided that where such employer is a person to whom Chapter XXIIA of the Income tax Act

Item No. (1)	*Category of employer.* (2)	*Further sums to be deducted.* (3)
		applies, the annuity deposit payable by him under the provisions of that Chapter during the accounting year shall also be deducted : Provided further that where such employer is a firm, an amount equal to 25 per cent of the gross profits derived by it from the establishment in respect of the accounting year after deducting depreciation in accordance with the provisions of clause (*a*) of section 6 by way of remuneration to all the partners taking part in the conduct of busidess of the establishment shall also be deducted but where the partnership agreement, whether oral or written, provides for the payment of remuneration to any snch partner, and— (i) the total remuneration payable to all such partners is lessthan the said 25 per cent, the amount payable, subject to a maximum of forty-eight thou sand rupees to each such partner ; or (ii) the total remuneration payable to all such partners is higher than the said 25 per cent, such percentage, or a sum calculated at the rate of forty-eiget thousand ruyees to each such partner, whichever is less, shall be deducted under this proviso:— Provided also that where such employer is an individual or a Hindu undivided family,— (i) an amount equal to 25 per cent of the gross profits derived by such employer from the establishment in respect of the accounting year after deducting depreciation in accordance with the provision of clause (*a*) of section 6 ; or (ii) forty-eight thousand rupees; whiehever is less, by way of remuneration to such employer, shall also be deducted.

Item No. (1)	*Category of employer.* (2)	*Further sums to be deducted.* (3)
6.	Any employer falling under Item No. 1 or Item No. 3 or Item No. 4 or Item No. 5 and being a licensee within the meaning of the Electricity Supply Act, 1948.	In addition the sums deductable under any of the aforesaid Items, such sums as are required to be appropriated by the licensee in respect of the accounting year to a reserve under the Sixth Schedule to that Act shall also be deducted.

Explanation.—The expression "reserves" occurring in column (3) against Item Nos. 1 (iii), 2 (iii) and 3 (ii) shall not include any amount set apart for the purpose of—

(i) payment of any direct tax which, according to the balance-sheet, would be payable;

(ii) meeting any depreciation admissible in accordance with the Provisions of clause (a) of section 6.

(iii) payment of dividends which have been declared.

but shall include—

(a) any amount, over and above the amount referred to in clause (i) of this **Explanation,** set apart as specific reserve for the purpose of payment of any direct tax; and

(b) any amount set apart for meeting any depreciation in excess of the amount admissible in accordance with the provisions of clause (a) of section 6.

THE FOURTH SCHEDULE

(See section 15)

In this schedule, the total amount of bonus equal to four per cent of the annual salary or wage payable to all the employees is assumed to be Rs. 50,000. Accordingly, the maximum bonus to which all the employees are entitled to be paid (twenty per cent of the annual salary or wage of all the employees) would be Rs. 2,50,000.

Year. (1)	Amount equal to sixty percent, or sixty seven per-cent, as the case may be, of avail-able surplus alloc-able as bonous. (2)	Amount payable as bonus. (3)	Set on or set off the carried forward. (4)	Total set on or set off carried for-ward. (5)	
	Rs	Rs.	Rs.	Rs.	of (year)
1	70,000	70,000	Nil	Nil	
2	6,35,000	2,50,000*	Set on 2,50,000*	Set on 2,50,000	(2)
3	2,20,000	2,50,000* inclusive of 30 000 from year (2)	Nil	Set on 2,20,000	(2)
4	3,75,000	2,50,000*	Set on 1,25 000	Set on 2,20,000 1,25,000	(2) (4)
5	1,40,000	2,50,000* inclusive of 1,10,000 from year (2)	Nil	Set on 1,10,000 1,25,000	(2) (4)
6	3,10,000	2,50,000*	Set on 60,000	Set on Nil † 1,25,000 60,000	(2) (4) (6)
7	1,00,000	2,50,000* inclusive of 1,25,000 from year (4 and 25,000 from year (6)	Nil	Set on 35,000	(6)
8	Nil (due to loss)	50,000** inclusive of 35,000 from year (6)	Set off 15,000	Set off 15,000	(8)
9	10,000	50,000**	Set off 40,000	Set off 15,000 40,000	(8) (9)
10	2,15,000	1,60 000 (after setting off 16,000 from year 8 and 40,000 from year 9).	Nil	Nil	

NOTE.—
* Maximum.
† The balance of Rs. 1,10,000 set on from year 2 lapes.
** Minimnm.

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