

THE WORK MEN'S
COMPENSATION ACT - 1923
FOR THE YEAR - 1951

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DEVELOPMENT DEPARTMENT

**REPORT ON THE
WORKING OF THE WORKMEN'S
COMPENSATION ACT, 1923
FOR THE YEAR
1951**

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1952

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DEVELOPMENT DEPARTMENT

G.O. No. 2387, 3rd June 1952.

Acts—Workmen's Compensation Act, 1923—Working—Report for the year 1951—Recorded.

READ—the following paper :—

Letter from Sri C. G. REDDI, I.A.S., Commissioner for Workmen's Compensation, Madras, to the Secretary to Government, Development Department, dated the 19th May 1952, Pdl. No. W.C. 74/52.

[Workmen's Compensation Act, 1923—Working—Report for the year 1951.]

I submit in duplicate the report on the working of the Workmen's Compensation Act, 1923, for the year 1951.

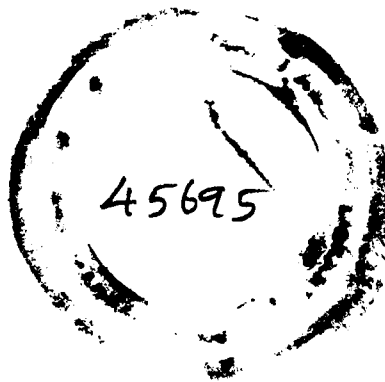
There was no change in the personnel of the Commissioner for Workmen's Compensation. Sri K. Srinivasan, B.A., continued to hold the post of Additional Commissioner for Workmen's Compensation. The other Additional Commissioner for Workmen's Compensation, Sri Henry Peter, B.A., held the post up to 9th February 1951 when he was reverted to the Revenue Department. Sri K. Srinivasan, B.A., held full additional charge of the post till 20th March 1951. Sri J. Viswanatha Reddy, B.A., B.L., was appointed to the post from 21st March 1951.

Summary of Proceedings.—There were 233 cases pending at the commencement of the year under review. Six hundred and seventy-five cases were filed and eight were received from Commissioners of other States for disposal, making a total of 683 cases as against 595 cases filed and transferred during the previous year. Of these 916 cases, 606 were disposed of during the year. One hundred and forty-eight of the 310 pending cases have since been disposed of.

Details of Proceedings.—(1) *Award of compensation under section 10.*—There were 61 cases pending at the commencement of the year. Fifty-eight cases relating to death and 96 cases relating to permanent disablement were filed during the year. Of these 215 cases, 112 were disposed of during the year. Thirty-four out of the 103 pending cases have since been disposed of.

(2) *Distribution of compensation under section 8 (1).*—There were 83 cases pending at the beginning of the year. One hundred and fifty-eight cases were filed and 8 were received for disposal from Commissioners of other States. Of these 249 cases, 139 were disposed of during the year. Forty-five of the 110 pending cases have since been disposed of. The compensation deposited was distributed to dependants of deceased workmen in 132 cases and was refunded to depositors in 7 cases.

(3) *Deposit in favour of women and persons under legal disability.*—There were 9 cases pending at the beginning and 20 were filed during the year. Eighteen of these 29 cases were disposed of during the year and the 11 pending cases have since been disposed of.



(4) *Deposit under section 8 (2).*—Twenty-one cases were pending at the commencement of the year and 39 were filed during the year. One case relating to temporary disablement was received from another Commissioner for disposal. Of these 61 cases, 39 cases were disposed of during the year. Seventeen of the 22 pending cases have since been disposed of.

(5) *Application for indemnification under section 12 (2).*—Six cases were filed during the year. Three cases were disposed and 3 were pending at the close of the year.

(6) *Registration of agreements under section 28.*—Forty-three agreements were pending registration at the beginning of the year. Two hundred and forty-nine agreements relating to permanent disablement and 45 relating to temporary disablement were filed during the year. Two hundred and eighty-four agreements were registered during the year and 45 of the 53 pending agreements have since been registered. The total amount of compensation paid in respect of the 233 agreements relating to permanent disablement registered during the year was Rs. 1,28,916-15-8 as against Rs. 1,28,342-4-5 paid in respect of 227 agreements registered during the previous year.

(7) *Recovery under section 31.*—Sixteen cases were pending at the commencement of the year. Three applications were received during the year. Eleven cases were disposed of during the year and of these, the compensation awarded in one case could not be recovered on account of the insolvency of the employer. Three of the eight pending cases have since been disposed of.

There were in addition to the above, 25 cases pending at the commencement of the year in which the Commissioner himself took action for recovery under section 31. Similar recovery proceedings were taken in 20 cases during the year. Of these 45 cases, 22 cases relate to one item as all the 22 workmen died in one accident. Recovery was effected in 8 cases during the year.

(8) *Inquiry under the Workmen's Compensation (Transfer of Money) Rules, 1935.*—Sixteen cases of enquiry were pending at the commencement of the year and 60 were received during the year. Thirty-four enquiries were completed during the year. Of the 22 pending enquiries, 10 have since been disposed of. The total number of cases of transfer of money to this Court for disposal during the year was 21 and the total amount so transferred was Rs. 55,296-2-11.

(9) *Return under section 16.*—Returns were called for from 18,685 factories and establishments and were received from 9,738 factories and establishments. The corresponding figures for the previous year were 10,575 and 7,506, respectively. Fifty-nine cases of death, 242 accidents resulting in permanent disablement and 3,659 resulting in temporary disablement were reported in these returns as against 71 cases of death, 189 accidents resulting in permanent disablement and 3,659 in temporary disablement reported during the previous year. The total amount of compensation paid during the year was Rs. 88,488-0-0 for death, Rs. 1,07,707-3-10 for permanent disablement and Rs. 84,782-15-3 for temporary disablement, the figures for the previous year being Rs. 1,03,887-7-0 for death, Rs. 81,083-1-5 for permanent disablement and Rs. 74,021-6-9 for temporary disablement.

A consolidated statement showing the total number of cases of accidents reported and the compensation paid is enclosed.

Two prosecutions for the non-submission of the returns were pending at the commencement of the year and 29 were launched during the year. Of these 19 ended in conviction, 2 were acquitted and 10 were pending at the close of the year. The total amount of fines realized was Rs. 323.

(10) *Reference under section 19.*—Twenty-three references were received from employers for the Commissioner's opinion as to their liability to pay compensation under the Act. All these references were answered during the year.

(11) *Accidents reported (Fatal).*—One hundred and fifty-six reports and petitions were pending at the beginning of the year. Two hundred and five reports were received from employers under section 10-B (i) of the Act. Eighty-seven

petitions were received from the dependants of deceased workmen during the year. Of these 450 reports and petitions, compensation was paid in 125 cases 87 were lodged and 238 were pending at the close of the year of which 143 have since been disposed of.

(12) *Accidents reported (Non-fatal).*—One hundred and forty-eight reports and petitions were pending at the beginning of the year. One thousand and eighty-eight reports and 148 petitions were received during the year. Of these, compensation was paid in 340 cases. Nine hundred and fifty-six reports were lodged and 88 were pending at the close of the year of which 39 have since been disposed of.

(13) *Accounts.*—The total amount of compensation deposited with this Court during the year was Rs. 2,98,697-1-5 as against Rs. 2,53,255-1-10 deposited during the previous year. The statement below shows the opening and closing balances, receipts and payments during the year:—

	RS.	A.	P.
Opening balance including miscellaneous receipts ..	1,79,248	9	3
Deposits during the year ..	2,98,697	1	5
Receipts under the Workmen's Compensation (Transfer of Money) Rules ..	55,296	2	11
Miscellaneous Receipts ..	3,791	5	4
Total ..	5,37,033	2	11
Disbursements including Miscellaneous payments ..	3,24,541	0	4
Deduct—			
Deposits received on 29th and 31st December 1951 and credited to account in January 1952 ..	4,198	9	0
Closing balance ..	2,08,293	9	7

The closing balance agrees with the Bank balance of Rs. 2,08,129-6-10 after deducting Rs. 164-2-9 being deposits made under the Payment of Wages Act and wrongly credited by the Bank to Workmen's Compensation Account.

The compensation allotted to women and persons under legal disability was as usual invested on their behalf in the Post Office Savings Bank for payment to them in instalments. There were 491 Post Office Savings Bank accounts at the beginning of the year and 147 were opened during the year of which 132 were closed during the year. The total value of the securities held by this Court in respect of the 506 accounts remaining open at the close of the year was Rs. 5,25,074-12-4. Of the 132 accounts closed during the year, 66 were closed for investment of the amounts in immovable properties. The total amount so invested was Rs. 84,548-13-8.

The accounts for the year 1950 were audited by the Examiner of Local Fund Accounts, Madras. No irregularity was pointed out. The accounts for the year 1951 have not yet been taken up for audit.

(14) There were 27 appeals pending in the High Court of Judicature at Madras at the beginning of the year. Eight appeals were filed during the year. Three appeals were disposed of during the year and 33 appeals were pending at the close of the year.

Return A.—Proceedings before the Commissioner for Workmen's Compensation, Madras, for the year ending 31st December 1951.

1. Application for the registration of agreement should not be entered in this statement.

2. A separate case should be entered for proceeding under section 8 or section 10 in respect of each person killed or injured, as the case may be.

Cases of	Cases disposed of without notice to the other party.				Cases disposed of with notice to the other party.				Total disposed of.	Pending at conclusion.	Court-fee paid.		
	Received for disposal from other Commissioners.	Transferred to other Commissions.	Withdrawn.	Dismissed for non-appearance.	Summarily dismissed under rule 24.	Dismissed under rule 25.	Admitted by opposite party.	Admitted ex-parte.				Total.	Allowed.
(1) Award of compensation (under section 10)—													
(1) Fatal accident	29	58	7	7	19	19	14	9	12	35	42	45 (a)	151 0 0
(2) Permanent disablement	32	96	19	19	26	26	7	31	13	51	70	58 (b)	220 7 0
(3) Temporary disablement	..	..	..	..	..	..	..	..	..	..	..	..	..
Total	61	154	26	26	..	..	21	40	25	86	112	103	371 7 0
(1) Commutation (under section 7)	..	..	..	..	..	..	..	..	..	..	..	..	..
(2) Review (under section 6)	..	..	..	..	..	..	..	..	..	..	..	..	..
(3) Recovery of compensation (under section 31).	16	3	..	..	..	..	..	..	1*	1	11	8 (e)	5 8 0
(4) Proceedings other than those mentioned above and not included below under "Deposit under section 8."	..	6	..	..	..	..	..	..	3	3	3	3 (d)	9 0 0
Total	16	9	..	..	..	..	..	..	4	4	14	11	14 8 0

R. A. P.

Deposit (under section 8)—									
(1) Fatal accident's [sub-section (1)]									
(2) Disablement of women and persons under legal disability [sub-section (1)]									
(3) Others [sub-section (2)]									
Total									
83	158	9	20	21	39	113	217	139	110(d)
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(2)

Return B.—Registration of agreements by the Commissioner for Workmen Compensation, Madras, for the year ending 31st December 1951.

Application for registration of agreement relating to	Pending at commencement.	Filed.	Registered as filed.	Registered after modification.	Not registered due to.		Total disposed of.	Pending.	Remarks.
					Inadequacy of the amount.	Other causes.			
(1) Payment of compensation for permanent disablement.	37	249	233	..	..	1	234	52	44 since disposed.
(2) Payment of compensation for temporary disablement.	6	45	50	..	..	..	50	1	1 do.
(3) Commutation of half-monthly payments.	..	..	..	..	..	..	..	..	..
Total	43	294	283	..	..	1	284	53	45 since disposed.

(3)

Return C.—Proceedings before the Commissioner for Workmen's Compensation, Madras, for the year ending 31st December 1951.

Number of adults in each wage class to whom or in respect of whose death compensation was awarded or disbursed (cases of review and commutation and cases relating to minors excluded).

Monthly wages of the workmen injured.	Number of workmen.						Total.	
	Temporary disablement.		Permanent disablement.		Fatal accidents.		Men.	Women.
More than Rs. 300	..	..	..	..	..	..	..	..
200	..	..	..	..	..	..	..	..
100	..	..	..	..	..	..	..	..
80	..	..	..	..	..	..	..	..
70	..	..	..	..	..	..	..	..
60	..	..	..	..	..	..	..	..
50	..	..	..	..	..	..	..	..
40	..	..	..	..	..	..	..	..
35	..	..	..	..	..	..	..	..
30	..	..	..	..	..	..	..	..
27	..	..	..	..	..	..	..	..
24	..	..	..	..	..	..	..	..
21	..	..	..	..	..	..	..	..
18	..	..	..	..	..	..	..	..
15	..	..	..	..	..	..	..	..
10	..	..	..	..	..	..	..	..
..	..	..	..	..	..	..	..	..
Total	50	308	21	143	4	451	75	..

(4)

Consolidated statement showing the number of accidents and compensation paid as reported by employers.

Establishments.	(1)	Number employed.	Number resulting in			Compensation paid for		
			Death.	Permanent disablement.	Temporary disablement.	Death.	Permanent disablement.	Temporary disablement.
		(2)	(3)	(4)	(5)	(6)	(7)	(8)
						RS. A. P.	RS. A. P.	RS. A. P.
1. Factories	..	395,883	24	192	2,671	32,435 0 0	75,467 9 0	51,027 8 5
	{ Adults	4,993	..	..	1	..	..	82 0 0
	{ Minors	..	..	..	..	..	..	..
2. Mines	..	48,130	4	1	170	4,653 0 0	1,680 0 0	1,666 4 3
	{ Adults	710	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
3. Tramways	..	1,711	..	..	34	..	..	7-2 3 9
	{ Adults	..	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
4. Posts and Docks	..	5,528	3	16	319	6,000 0 0	8,400 7 6	13,829 10 2
	{ Adults	..	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
5. Buildings and constructions	..	19,874	6	4*	12*	10,810 0 0	1,004 12 0	166 13 0
	{ Adults	2,376	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
6. Plantations	..	82,184	1	21	243	4,140 0 0	12,451 1 4	3,408 5 8
	{ Adults	3,534	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
7. Local Boards and Municipalities	..	2,080	..	..	..	..	..	..
	{ Adults	531	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
8. Miscellaneous—								
(i) Fire Brigades	..	1,022	..	1	..	..	..	..†
	{ Adults†	..	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
(ii) Manufacturing and handling of explosives.	..	2,597	..	2	41	..	190 9 0	9,876 8 0
	{ Adults	245	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
(iii) Generation, Transformation and Distribution of electricity.	..	19,823	18	2	65	24,650 0 0	7,300 0 0	1,870 3 0
	{ Adults	1,007	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
(iv) Cinematography	..	1,196	..	..	2	..	..	99 13 0
	{ Adults	24	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
(v) Lighthouses	..	403	..	..	1	..	..	40 0 0
	{ Adults	..	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
(vi) Motor transport	..	7,705	2	..	6	5,600 0 0	..	41 10 0
	{ Adults	2	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
(vii) Others	..	1,903	..	3	94	..	2,352 0 0	1,889 0 0
	{ Adults	..	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
Miscellaneous total	..	34,619	20	8	209	30,250 0 0	9,902 9 0	13,817 2 0
	{ Adults	1,278	..	..	..	..	..	..
	{ Minors	..	..	..	..	..	..	..
Grand total	..	590,339	59	242	3,658	88,488 0 0	1,08,907 3 10	84,697 15 3
	{ Adults	13,422	..	..	1	..	..	82 0 0
	{ Minors	..	..	..	..	..	..	..

* 1. Permanent disablement.

† 2. Temporary disablement: are still under correspondence.

‡ Compensation not paid.

Order—No. 2387, Development, dated 3rd June 1952.

Recorded.

(By order of the Governor)

J. M. LOBO PRABHU,
Secretary to Government.

To the Commissioner for Workmen's Compensation, Madras.

- „ Hon'ble the Chief Justice (with enclosures).
- „ Examiner of Local Fund Accounts.
- „ Government of India, Ministry of Labour, New Delhi.
- „ Superintendent, Government Press, for printing and distribution as per G.O. No. 270
Development, dated 10th July 1950.



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