

WORKMEN'S COMPENSATION ACT-1923
FOR THE YEAR - 1958



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ADMINISTRATION REPORT FOR THE PERIOD FROM 1st JANUARY
TO 31st DECEMBER 1958 ON THE WORKING OF THE WORKMEN'S
COMPENSATION ACT, 1923.

I. Personnel.—Sri V. Balasundram, I.A.S., continued to be the Commissioner for Workmen's Compensation, during the period under review. Sri K. Srinivasan, B.A., Assistant Commissioner of Labour continued to be the Additional Commissioner for Workmen's Compensation throughout the year. Sri K. V. Parthasarathy, M.A., B.L., Personal Assistant to the Commissioner of Labour, was the Additional Commissioner for Workmen's Compensation from 1st January to 6th March 1958 a.n. and from 27th June 1958 f.n. to 31st December 1958. Sri. C. R. Viswanathan was working as Additional Commissioner for Workmen's Compensation during the period from 7th March to 26th June 1958.

II. Summary of proceedings.—There were 146 cases pending at the commencement of the year 1958. Five hundred and twenty-seven cases were filed and three cases were received from the Commissioners of other States for disposal during the year. Of these 676 cases 491 cases were disposed of during the year. Sixty-seven of the 185 pending cases have since been disposed of.

III. Details of proceedings—(1) *Award of compensation under section 10.*—There were 58 cases pending at the commencement of the year. Sixty-four relating to death, 46 relating to permanent disablement and 2 relating to temporary disablement were filed during the year. Of these 170 cases 116 were disposed of during the year. Twenty-two of the 54 pending cases have since been disposed of.

(2) *Distribution of compensation under section 8 (1).*—Forty-eight cases were pending on 1st January 1958. One hundred and one cases were filed during the year and three cases were transferred by other Commissioners for disposal under section 21 (2). Of these 152 cases, 95 cases were disposed of during the year. Twenty-five of the 57 pending cases have since been disposed of. The compensation deposited was distributed to dependants of deceased workmen in 93 cases, refunded to the depositor in one case and transferred to the Commissioner of an other State in one case.

(3) *Deposit in favour of women and persons under a legal disability.*—Four cases were pending at the beginning of the year. Ten cases were filed during the year. Nine of these 14 cases were disposed of during the year.

(4) *Deposit under section 8 (2).*—Nine cases were pending at the commencement of the year and 26 cases were filed during the year. Of these 35 cases, the compensation deposited was distributed to the injured workmen in 23 cases. Twelve cases were pending at the end of the year.

(5) *Application for indemnification under section 12 (2).*—Two cases were pending at the commencement of the year. Two cases were filed during the year. Three cases were disposed of during the year. One case was pending at the end of the year.

(6) *Registration of agreement under section 28.*—Sixteen agreements were pending registration at the beginning of the year. Two hundred and fifty-seven relating to permanent disablement and seventeen relating to temporary disablement were filed during the year. Two hundred and forty-two agreements were registered during the year. Fifteen of the 48 pending agreements have since been registered.

The total amount of compensation paid in respect of the 229 agreements relating to permanent disablement registered during the year was Rs. 1,36,468.13.

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(7) *Recovery under section 31.*—Nine cases were pending at the commencement of the year. Two applications were received during the year. Of these 11 cases 3 cases were disposed of.

In addition to the above there were 13 cases, in which the Commissioner himself took action for recovery under section 31 of the Act. Recovery was ordered in 6 cases during the year. Amounts were collected in 9 cases.

(8) *Inquiry under the Workmen's Compensation (Transfer of Money) Rules, 1935.*—Ten cases were pending on 1st January 1958. Fifteen cases were received during the year. Inquiries were completed in 18 cases.

The total number of cases in which the money was transferred to this court for disposal during the year was 10 and the total amount so transferred was Rs. 39,593.79.

(9) *Return under section 16.*—Returns were called for from 14,737 factories and establishments and were received from 5,577 factories and establishments. Forty-nine cases of death, 106 accidents resulting in permanent disablement and 8,153 resulting in temporary disablement were reported in these returns as against 65 cases of death, 278 accidents resulting in permanent disablement and 7,926 resulting in temporary disablement reported during the previous year. The total amount of compensation paid during the year was Rs. 71,815.48 for death, Rs. 96,522.60 for permanent disablement, and Rs. 94,360.64 for temporary disablement, the figure for the previous year being Rs. 97,485.00 for death, Rs. 1,60,751.06 for permanent disablement and Rs. 1,11,116.07 for temporary disablement.

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

Eleven prosecutions were launched during the year for non-submission of annual returns against the employers. All the 11 cases were disposed of during the year. A sum of Rs. 165 was realized as fines.

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

(11) *Accidents reported—Fatal.*—One hundred and thirteen reports and petitions were pending at the beginning of the year. One hundred and twenty-two reports were received during the year. One hundred and twenty-five petitions were received from the dependants of deceased workmen. Of these 360 reports and petitions, compensation was awarded or paid in 127 cases, 3 cases were transferred to other Commissioners, no compensation was found payable in 21 cases and 82 cases were lodged. Of the remaining 127 pending cases, 24 have since been disposed of.

(12) *Accidents reported—Non-fatal.*—Five hundred and four reports and petitions were pending at the beginning of the year. Five thousand two hundred and three reports and forty-eight petitions were received during the year. Of these 5,755 cases, compensation was awarded or paid in 43 cases and no compensation was found payable in 17 cases. Five thousand four hundred and twenty-three reports were lodged as the injuries sustained by the workmen concerned were minor. Two hundred and forty-seven reports and twenty-five petitions were pending at the close of the year. Of the 272 pending cases, 27 have since been disposed of.

WORKMEN'S COMPENSATION ACT, 1923, FOR THE YEAR 1958

(13) *Accounts.*—The total amount of compensation deposited with this court during the year was Rs. 1,96,352.88 as against Rs. 2,78,056.88 deposited during the previous year. The statement below shows the opening and closing balances, receipts and payments made during the year:—

	RS.	NP.
Opening balance including miscellaneous receipts ..	2,40,154	23
Deposits during the year	1,96,352	88
Receipts under the Workmen's Compensation (Transfer of Money Rules.)	39,593	79
Miscellaneous receipts	10,223	51
Total ..	4,86,324	41
Disbursements including miscellaneous payments ..	2,96,683	96
	1,89,640	45

	RS.	NP.
Add—Payment order No. 2356, dated 29th May 1958.	100	00
Payment order No. 2375, dated 6th June 1958.	100	00
Payment order No. 2409, dated 12th August 1958.	100	00
Payment order No. 2411, dated 12th August 1958.	100	00
Issued but not presented to Bank during the year—		
Add—Payment of wages item wrongly credited by the Bank in Workmen's Compensation Act Accounts.	176	00

576 00
1,90,216 45

Deduct—Items taken in cash book but not taken into account by the Bank—

Item No. 301 of 1957, dated 4th December 1957.	15	00
Item No. 314 of 1956, dated 25th January 1956.	25	00
Item No. 136 of 1956, dated 1st November 1958.	1,500	00
Payment of wages amount wrongly deducted from the Workmen's Compensation Act by the Bank—		
P.O. No. 78	114	00
P.O. No. 79	71	48
P.O. No. 80	10	00

1,735 48
1,88,480 97

The closing balance agrees with the Bank Balance of Rs. 1,88,480.97.

The compensation allotted to women and persons under a legal disability was as usual invested on their behalf in the Post Office Savings Bank for payment to them in instalments. There were 455 Post Office Savings Bank Accounts at the beginning of the year and 119 were opened and 127 were closed during the year. The total value of the securities held by the Commissioner in respect of 447 accounts remaining open at the close of the year was Rs. 4,90,136.87. The total value of the other 9 securities held by the Commissioner, i.e., National Savings Certificates, $3\frac{1}{2}$ per cent Ten-Year Treasury Savings Deposit Certificates and 3 per cent Conversion Loans of 1946 Treasury Deposit was Rs. 20,760. Of the 127 accounts closed during the year, 59 were for investment of the amounts in immovable properties. The total amount so invested was Rs. 1,09,835.35.

The accounts for the year 1957 were audited by the Examiner of Local Fund Accounts, Madras. No irregularity was pointed out. The accounts for the year 1958 have not yet been taken up for audit.

(14) *Appeals*.—There were eight appeals pending in the High Court of Judicature at Madras at the beginning of the year. Three cases were taken up on appeal to the High Court during the year. Two cases were disposed of during the year.

V. BALASUNDRAM,
Commissioner for Workmen's Compensation.

Return A.—Proceedings before the Commissioner for Workmen's Compensation, Madras, for the period 1st January to 31st December 1958.

1. Application for registration of settlement 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 other party.										Cases disposed of with notice to other party.										Total disposed of.	Pending at com- pletion.	Court fees. Rs. Rs. 22.
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)						
Award of compensation (under section 10)—																							
(1) Fatal accident	..	21	64	..	2	..	..	..	..	..	3	..	3	7	24	20	51	56	29 (a)	255 50			
(2) Permanent disablement	..	36	46	..	..	..	..	..	..	..	..	..	..	17	25	16	53	53	24 (b)	245 55			
(3) Temporary disablement	..	1	..	..	..	..	..	..	..	..	..	..	..	1	..	1	2	2	1	3 00			
Total	..	58	112	..	..	..	..	..	..	..	3	..	3	25	49	37	111	116	54	504 05			
(1) Commutation (under section 7)	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..			
(2) Review (under section 6)	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..			
(3) Recovery of compensation (under section 31).	..	9	2	..	..	..	..	..	..	..	..	..	..	3	..	..	3	3	8	1 50			
(4) Proceedings other than those men- tioned above and not included below under "Deposit under section 8".	..	2	2	..	..	..	..	..	..	..	..	..	..	1	..	1	3	3	1	9 00			
Total	..	11	4	..	..	..	..	..	..	..	..	..	..	5	..	1	6	6	9	16 50			
Deposit (under section 8)—																							
(1) Fatal accident [sub-section (1)]	..	48	101	3	1	..	..	..	93	..	..	..	..	..	1	..	..	95	57 (c)	104 9 0			
(2) Disablement of women and persons under legal disability [sub-section (1)].	..	4	10	..	..	..	..	..	9	..	..	..	..	..	..	..	..	9	5 (d)	..			
(3) Others [sub-section (2)]	..	9	26	..	..	..	..	..	23	..	..	..	..	..	..	..	..	23	13 (e)	11 50			
Total	..	61	137	3	1	..	..	..	125	..	..	..	..	..	1	..	..	137	74	116 50			
(a) Since disposed of 13.																							
(b) Since disposed of 29.																							
(c) Since disposed of 4.																							
(d) Since disposed of 1.																							
(e) Since disposed of 4.																							

Return B.—Registration of agreement by the Commissioner for Workmen's Compensation, Madras, for the year ending 31st December 1958.

Application for registration of agreement relating to	Pending at commencement.	Filed.	Registered as filed.	Not registered.			Total disposed.	Pending.	Remarks.
				Registered after modification.	Inadequacy of the amount.	Other causes.			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
(1) Payment of compensation for permanent disablement.	14	257	228	..	1	..	229	42 (a)	(a) Since disposed of 13.
(2) Payment of compensation for temporary disablement.	2	17	13	..	..	..	13	6 (b)	(b) Since disposed of 2.
(3) Commutation of half-monthly payment.	..	..	..	..	..	..	..	..	..
Total ..	16	274	241	..	1	..	242	48	..

Return C.—Proceedings before the Commissioner for Workmen's Compensation, Madras, for the period from 1st January to 31st December 1958.

Number of adults in each wages 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.							
		Temporary disablement.		Permanent disablement.		Fatal accidents.		Total.	
		Men.	Women.	Men.	Women.	Men.	Women.	Men.	Women.
0	10	..	..	..	..	1	1	1	1
10	15	..	..	..	..	3	2	3	2
15	18	..	..	..	1	2	1	2	2
18	21	..	..	5	1	3	4	8	5
21	24	..	..	1	3	6	..	7	3
24	27	..	..	2	1	1	1	3	2
27	30	..	..	..	..	4	1	4	1
30	35	..	..	2	2	4	..	6	2
35	40	..	..	6	3	10	1	16	4
40	45	..	..	6	..	10	..	16	..
45	50	..	..	2	..	4	1	6	1
50	60	1	..	11	..	15	..	27	..
60	70	..	..	6	..	8	..	14	..
70	80	..	..	5	1	17	..	22	1
80	100	..	..	10	2	17	1	27	3
100	200	..	..	3	..	9	..	12	..
200	300	..	..	..	..	2	..	2	..
300	400	..	..	..	..	..	..	..	..
Total	..	1	..	59	14	116	13	176	27

Return C.—Proceedings before the Commissioner for Workmen's Compensation, Madras, for the year ending 31st December 1958.

Number of adults in each wage class to whom compensation was disbursed by the employers and the memorandum of agreement was registered under section 28 of the Workmen's Compensation Act.

Monthly wages of the workmen injured.		Number of workmen.				Total.	
		Temporary disablement.		Permanent disablement.			
		More than rupees	Not more than rupees	Men.	Women.	Men.	Women.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
0	10	..	..	..	..	..	..
10	15	..	2	..	..	..	2
15	18	..	..	..	..	..	..
18	21	..	..	1	..	1	..
21	24	..	..	1	..	1	..
24	27	..	3	..	..	..	3
27	30	..	..	1	..	1	..
30	35	..	4	6	..	6	..
35	40	..	..	13	..	13	..
40	45	..	..	15	..	15	..
45	50	..	1	19	..	19	..
50	60	..	..	63	..	63	..
60	70	..	..	11	..	11	..
70	80	..	..	23	..	23	..
80	100	..	3	47	..	47	3
100	200	..	..	26	..	26	..
200	300	..	..	1	..	1	..
300	..	..	..	1	..	1	..
Total ..		..	13	228	..	228	13

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

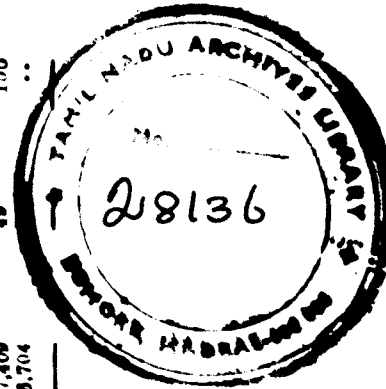
Establishment.	Number employed.	Numbers resulting in			Amount paid for		
		Death.	Permanent disablement.	Temporary disablement.	Death.	Permanent disablement.	Temporary disablement.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1 Factories	280,184 3,371	12	49	6,860	5,776	14,943	32,119
2 Mines	21,984	1	1	353	1,800	735	5,054
3 Ports and docks	6,393	1	7	165	..	2,634	38,504
4 Building and construction	7,725 487	5	7	22	9,245	3,001	3,116
5 Plantations	68,838 1,454	5	12	377	8,493	3,468	4,126
6 Local Boards and Municipalities	1,053 70	..	..	..	..	..	..
Total	386,177 5,382	24	67	7,777	25,315	24,983	83,922

7 Miscellaneous—

(i) Fire brigades	684	..	..	..	..	..	..
(ii) Manufacturing and handling of explosives	2,136 206	1	..	3	900	..	249
(iii) Generation, transformation and distribution of electricity	23,346 982	24	23	189	45,600	61,039	6,758

(iv) Cinematography	38	..	..	..	..	..	..
(v) Light-house	10	..	..	..	..	..	..
(vi) Motor transport	3,710 21	..	5	..	..	5,440	..
(vii) Others	21,110 113	..	11	179	..	5,059	3,429
(viii) Institutions engaged in the process of handling and manipulation of radium or X-ray apparatus or contact with radio active substances.	198	..	..	..	..	..	..
Miscellaneous total	51,232 1,322	26	39	376	46,500	71,539	10,437
Grand total	437,409 6,704	49	106	8,153	71,815	96,522	94,360

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DEPARTMENT OF INDUSTRIES, LABOUR AND CO-OPERATION
(Labour)

G.O. No. 2542, 26th June 1959

Acts—Workmen's Compensation Act, 1923—Annual Report on the working of the Act for the year 1958—Recorded.

READ —the following :—

**From the Commissioner for Workmen's Compensation, dated 20th April 1959,
No. Pdl. 74/59.**

Order—No. 2542, Industries, Labour and Co-operation (Labour) dated 26th June 1959.

Recorded.

(By order of the Governor)

**D. AMALORAVANATHAN,
Deputy Secretary to Government.**

To the Commissioner for Workmen's Compensation, Madras-5.

- „ Controller of Stationery and Printing, Madras-1 (w.o.) Report and Press slip for printing and distribution as per G.O. No. 3408, Industries, Labour and Co-operation, dated 3rd December 1954.**
- „ Secretary to the Government of India, Ministry of Labour and Employment, New Delhi (w.o.).**