

(T)

E. & P. H. (1949) Department.

SERIES.

G.O. NO. 1469 Edn.

Dated 10.5.49.

(2)

1-1-20

XXX on
16/1/50

[Despatch Abstract.]

Provision of Edn. facilities to children of workers
in factories - notes - recorded.

Back Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Further Papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

EDUCATION AND PUBLIC HEALTH DEPARTMENT

NOTE FOR THE INFORMAL MEETING OF THE HON. MINISTERS

Sub:- Provision of educational facilities to children of workers in factories.

A conference was held at Masulipatam in June 1948 to discuss various problems relating to education. One of the suggestions made by the conference was that the factory authorities should be compelled to conduct schools for children of their employees as a condition precedent to licence being given to them for the factories. There is no provision in the Factories Act to compel the management to provide schools for children of workers. Even in the revised Factories Act which provides for certain amenities to workers in factories, education of children of workers has not been provided for. This Department put forward the view that under the Factories Act the Government can impose only terms relating to the conditions of work of employees qua employees, that the education of the workers' children stands on a different footing, that, further it may not be proper to single out one particular type of employers for the imposition on them of the burden of educating the children of their employees and that, besides, the segregation of such children in exclusive schools would also be an undesirable measure.

2. The views of the Development Department are extracted below:--

"Education is primarily the responsibility of the Government and it would be improper to compel the owners of factories to provide schools for the workers' children. Many owners may not also be in a position to bear this burden. The employers have already to meet the obligations under the Employees' State Insurance Act and contribute towards that fund. Any additional burden on the owners of factories might adversely affect production."

xxx

xxx

xxx

Before trying compulsion, if we put a proposition to managements that expenditure on education will get income tax exemption or rebate, the more prosperous employers may react favourably. We have provided by legislation this year for many new items of expenditure by employers and further compulsion may retard industrialisation and the normal development of existing industries."

3. The orders passed in circulation on the question of provision of educational facilities to the children of employees in factories are extracted below:--

" H.M. Industries may consider the suggestion and decide".

T.S.A(vinashilingam Chettiar)
9-8-48

"I do not agree to the use of compulsion"

H.S(itarama) R(eddi)
11-8-1948.

"The proposal here is that all factories and industrial establishments should be made to provide compulsorily for the

education of the children of their workers. This expenditure will also be allowed under the Income-tax Act. This will effectively spread elementary education among the labourers. The question is whether we shall bring in any amendment to this effect. ~~in~~ I think now when industrial workers are demanding a great deal of wages, this provision will be beneficial to them as it will improve the quality of the labour and also reduce the burden of the State on elementary education to that extent. And so this suggestion may be accepted. H.Pr. may kindly see and decide."

T.S.A.(vinashilingam Chettiar)
17-8-48.

"I still hold the same view."

H.S(itarama) (Paddi)
29-8-48

"This should be discussed in the informal meeting of Ministers"

O.P.R(amaswamy Reddiar)
4-10-48

4. Orders are solicited as to whether legislation should be undertaken to compel the factory authorities to provide educational facilities to the children of employees in factories.

M.V.Subramanian,
Secretary to Government.

NOTE FOR THE INFORMAL MEETING OF MINISTERS

Provision of educational facilities to children of workers in factories.

A conference was held at Masulipatam in June 1948 to discuss various problems relating to education. One of the suggestions made by the conference was that the factory authorities should be compelled to conduct schools for ~~the~~ children of their employees as a condition precedent to ~~the~~ licence being given to them for the factories. There is no provision in the Factories Act to compel the management to provide schools for ~~the~~ children of workers. Even in the revised Factories Act which provides for certain amenities to workers in factories, education of ~~the~~ children of ~~the~~ workers has not been provided for. This Department put forward the view that under the Factories Act the Govt. can impose only ^{terms} conditions relating to the conditions of work ~~of~~ ~~the~~ employees ^{qua} employees, that the education of ~~the~~ workers' children stands on a different footing, that, further it may not be proper to single out one particular type of employers for the imposition on them of the burden of educating the children of their employees and that, besides, the segregation of such children in exclusive schools would also be an undesirable measure.

2. The views of the Dev. Department are extracted below:--

" Education is primarily the responsibility of the Government and ~~that~~ it would be improper to compel the owners of factories to provide schools for the workers' children. Many owners may not also be in a position to bear this burden. The employers have already to meet the obligations under the Employees' State Insurance Act and contribute towards that fund. Any additional burden on the owners of factories might adversely affect production.

Before trying compulsion, if we put a proposition to management, that expenditure on education will get income tax exemption or rebate, the more prosperous employers may react favourably. We have provided by legislation this year for many new items of expenditure by employers and further compulsion may retard industrialisation and the normal development of existing industries."

3. The orders passed in circulation on the question of provision of educational facilities to the children

Plse take
30/8/48

3

H.S.R.
2-11-48

employees in factories are extracted below:--

"H.M. Industries may consider the suggestion and decide."

T.S.A.
9-8-48

"I do not agree to the use of compulsion"

H.S.R.
11-8-48

"The proposal here is that all factories and industrial establishments should be made to provide compulsorily for the education of the children of their workers. This expenditure will also be allowed under the Income Tax Act. This will effectively spread elementary education among the labourers. The question is whether we shall bring in any amendment to this effect. I think now when industrial workers are demanding a great deal of wages, this provision will be beneficial to them as it will improve the quality of the labour and also reduce the burden of the State on elementary education to that extent. And so this suggestion may be accepted. H.Pr. may kindly see and decide."

T.S.A.
17-8-48

"I still hold the same view."

H.S.R.
29-8-48

"This should be discussed in the informal meeting of Ministers"

O.P.R.
4-10-48.

4. Orders are solicited as to whether legislation should be undertaken to compel the factory authorities to provide educational facilities to the children of employees in factories.

8-11-48

1/8/48

Secretary, E. & P.H.

In the educational conference consisting of the representatives of local boards and educational officers held in Masulipatan, a suggestion was made that for the spread of elementary education, all factories should be compelled to conduct schools for the children of their employees as a condition precedent to the license being given to them for the factories.

I believe that the expenses that they incur for education of their workmen as well as children is allowed under the Income Tax Act as a legitimate expense of the factory. In these circumstances, I believe we can do that. The Industries Dept. may be consulted in the matter.



45069

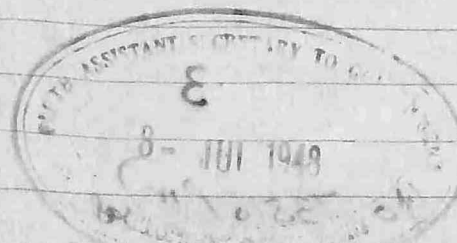


H.M. Education.

E.D. & P.H. Dept

B2

It appears that further action to implement the orders of HM (Edu.) should be taken up by the P.W.D. The roll may be sent to that dept for necessary action.



E.D. & P.H. DEPT.
45069/48-1 B2 Edu.
2-7-48.

21/6/48.

22/6/48

220/48

5/1/48

73816

Dept. Dept.

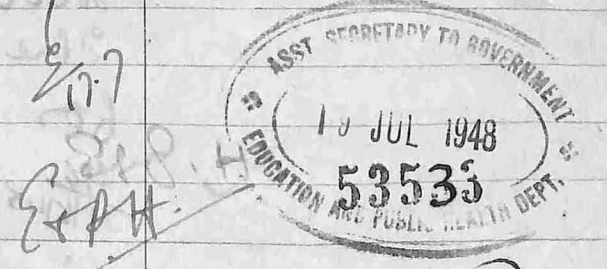
Please see the orders of HM (Edu.) and the notes of E & P.H. above. No provision in the Factories Act compels the management to

schools for the children of workers. According to the revised Factories Bill under the consideration of the Govt of India employers have to provide for workers amenities like canteens, shelters, rest rooms, creches etc. They are not however required to maintain schools for the education of workers' children. Legislation will be necessary to give effect to the suggestion at P. on page 1 above. Education is considered to be primarily the responsibility of Govt and many employers may not also be in a position to undertake it. In this reason this suggestion does ^{not seem} practicable.

2. The question of education of workers' children in plantations and plantation factories was considered at the tripartite meeting held in Delhi in 1947. Papers in this regard were sent to E.H.M. with Des U.O. No. 94528 P.W. 46-9 dated 25.2.47. E.H.M. may refer to the conclusion reached in this as regards the responsibility of employers to provide education for the children of workers. With this remark, this may be returned to E.H.M.

To 10/4/48 L.H.M.

16/7/48 S



Des U.O. 73816 P.W. 48-1
19.7.48.

E.H.M. Delhi
B2

Please see the notes of the Dev. Sec. above. The points raised in favour of their note is under consideration in the L.F. A detailed

CNO. 16719/47

report is awaited from the D.P.I. may be circulated to H.M. (Edn.). For order whether legislation should be undertaken for compelling employers to maintain schools for the children of workers. Under the Factories Act we can impose conditions relating to the education of workers' children. The education of the workers' children stands on a different footing - cf. P. on p. 2 above. We cannot single out one particular type of employers for the imposition of the burden of educating their employees' children. And the segregation of such children in exclusive schools would also be an undesirable measure. I suggest therefore that the proposal may be dropped.

11 m. Khosla may consider the suggestion + decide

15A
9.8.48

~~It is not necessary to take any further action on this matter.~~
I do not agree to the need for compulsion.



The file may be re-circulated to H.M. (Edn.)

11/8/48 S
14/8/48 H.M. (Edn.)

The proposal here is that all factories and industrial establishments should be made to provide

4

pulsorily for the education of the ~~xx~~ children of their workers. This expenditure will also be allowed under the Incometax Act. This will ~~also~~ effectively spread elementary education. ^{Amoy Mahommed} The question is whether we shall bring in any amendment to this effect. I think now when industrial workers are demanding a great deal of wages, this provision will be beneficial to them as ^{it} will ~~so~~ improve the quality of the labour and also reduce the burden of the State in elementary education to that extent. And so this suggestion may be accepted. The opinion of H.M. (Industries) is ~~at~~ on p.3 ante. H.Pr. may kindly see and decide.

TSA
17-8-48

The file may be circulated to H.M. (Industries) & H.Pr. (Industries).

MM
24/8/48

by
H.Pr.

I state with same view as at p.3.

This should be discussed in the informal meeting of Ministers.

C.P.R.
4/10

H.M. (Industries) may see first the minute of H.Pr.

MM
4/10/48

by
H.Pr.

TSA
15-10-48



Edn. Dept. (Ind.)

A draft note is submitted. Devt. Dept.

Edn. No. 535332/48-2
26.10.48

may see.

MM
18/10/48

MM
20/10/48

by
H.Pr.

113537

Devel.

Previous notes of this department are at pp.1-2 ante. Further notes and orders may be perused.

This department may adhere to the views expressed (at (P' on page 2 ante) that education is primarily the responsibility of the Government and that it would be improper to compel the owners of factories to provide schools for the workers' children. Many owners may not also be in a position to bear this burden. The employers have already to meet the obligations under the Employees' State Insurance Act and contribute towards that fund. Any additional burden on the owners of factories might adversely affect production. E. & P.H. may be requested to indicate in the note for the informal meeting of Ministers the views of this department. The revised Factories Bill mentioned in the draft note below has since become an Act, though its provisions have not been brought into force. The note has been suitably amended in pencil.

This may be returned to E. & P.H.

MM
28/10/48

30/10/48 To

Before trying compulsory, if we put a provision in management that expenditure on education will get income tax exemption or rebate, the non-prosperous employers may react favourably. We have provided by legislation this year for many new items of expenditure by employers. Further compulsion may retard industrialisation & the normal development of existing industries.



Dev. No. 113537 P. 11/48
2.11.48

132

25-24-48

Cm. 53533 P. 1/11

the note has been amplified
and retype. for order as to circulation or whether
copy may be taken and circulated to H.M.
H.M. (Edn) and H.M. (Ind) near
see

OSM
9/11/48 S

TSA
16-11-48

18/11

H. (Ind) ✓
H. (Ind) ✓

9/11



Copies of the note have been despatched to
all H.M.s. The file may then be sent to the
Principal Private Secretary for use at the meeting.

RSN
22-11-48
22/11/48

OSM
23/11/48 Principal Private
Secy to H.Pr.



The subject has been included among those awaiting discussion
at the informal meeting of the council of Ministers. I will
call for the file when the subject is included in the Agenda.

P.P.S. to H.Pr.

L.O. until called for.

OSM
23/11/48

XXX

At the informal meeting of the council of ministers
held on 4-5-1949 the following resolution was passed:
" There is no need to undertake legislation to compel
factory authorities to provide educational facilities
to the children of employees in the factories."

P.P.S. to H.Pr., 6-5-49

Education
Provision of
facilities to children
of workers in
factories
not to be
made

CS 1469
MS
Edn. dt 10-5-49
Recorded
OSM 7/5/49