

Public Works (1893) Department.

RAILWAY BRANCH.

G.O., No. 180. R

DATED 25th January

[Despatch Abstract.]

Sunday labour - Proceedings, Judicial
Dept., regarding exemption from the rules
relating to — of the engine changing
stations on the Madras & South Indian
Railways, recorded.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	1895	W	29-6-92				
	1777	R	21-7-92				
	3725	C	2-8-92				
	416	D	17-9-92				
	2575	R	30-11-92				
	183	B	17-1-93				
	140	G	21-1-93				

FURTHER PAPERS.

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

8TH JUNE 1892, No. 1077, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following papers:—

From F. C. PARSONS, Esq., Inspector of Factories and Acting Head Assistant Magistrate, to the District Magistrate, Kistna, dated Bezvada, 7th January 1892, No. 35.

I have the honour to submit my report under the Factories Act XV of 1881 for the calendar year 1891.

2. There is only one factory in this division, viz., the Department of Public Works shop, Bezvada, which is under the charge of the Executive Engineer, Eastern Delta.

3. This factory was thrice inspected—on 21st March 1891, 16th July 1891, and 16th December 1891.

4. The registers prescribed by the rules were properly kept. A copy of the rules in English and Telugu and a table of working hours and holidays are posted up.

5. The hours fixed are from 6 A.M. to 6 P.M., with two hours' interval, that is, ten hours in all.

6. No prosecutions were ordered under the Act during the year.

7. No accidents were reported in the year.

8. There are four and two children employed at the time of the first and second inspections, who were duly mustered under Rule VII at each inspection.

9. The tabular statement is enclosed in the form prescribed by Government in its Order, No. 1246, dated 25th June 1891.

[Statement.]

ENCLOSURE.

1	2	3	4	5	6	7	8	9	10	11	12
Name and description of factory.	Name of resident manager.	Date of inspection.	Number of persons at work on the date of inspection.	Number of children mustered.	Whether Registers D and E, and the file of certificates in Form C are kept.	Whether (1) Form F and Rule XVI, (2) a copy of the rules issued under the Act, and (3) the notice required by section 7 of the Act, are put up in a conspicuous place.	Whether machinery is fenced or not.	State of ventilation and sanitation.	Number of persons employed at the end of the year under report.	Maximum number of hands employed on any day during the year.	Number of accidents during the year.
			Adults.	Children.	Male.	Female.			Adults.	Children.	
Government Public Works Department Workshop, Bellary.	W. Jopp, Esq., Executive Engineer, Eastern Division.	21st Mar. 1891.	262	204	4	2	Yes	Yes	Yes	Yes	Yes
		16th July 1891.	204	2	4	2	Yes	Yes	Yes	Yes	Yes
		16th Dec. 1891.	164	164	Yes	Yes	Fenced	Good	Good	Good	Good

No. 141.

- Submitted to the Chief Secretary to Government, Judicial Department.
 2. A copy of the tabular statement is enclosed.
 3. This is the only factory in the district.

MASULIPATAM,
 1st February 1892.

(Signed) K. NARASIMHAM,
 For District Magistrate.

From the District Magistrate of Bellary, to the Chief Secretary to Government,
 dated Bellary, 3rd February 1892, M.P.R. No. 23.

I have the honour to send copies, with copies of enclosures, of reports received from the marginally-noted Divisional Magistrates on the working of the factories during the year 1891, and to state that there are no factories in Hospet division.

ENCLOSURES.

From M.R.Ry. C. RAMASESHAYYA, Garu, Deputy Magistrate, Bellary, to the District Magistrate, Bellary, dated 12th January 1892, No. 51.

I have the honour to submit the report on the factories in the Bellary division for the year 1891. There were only three factories under inspection as in the previous year. Having taken charge of the division in the latter part of the year, I was able to make only one inspection of each. Children are employed only in the Spinning and Weaving Mill. All at work on the day of inspection were mustered and were in a healthy condition. There were no complaints of over-work. There were no children under 7 years of age in employ in the mills. The requisite notices were not put up in conspicuous places, but I saw the file of certificates relating to children in the mills. The arrangements for sanitation and ventilation were good in all the factories and there was nothing to find fault with the water-supply arrangements both to provide against accidents and for daily use of labourers. There were no prosecutions during the year, but there were accidents as stated in the enclosed Statement "A."

Full wages were paid for the time the labourers concerned were under treatment in the dispensary. One case proved fatal. The accidents were all due to the carelessness of the labourers.

[Statement.]

STATEMENT A.

Number.	Name.	Nature of injury.	Date when injured.	Date when returned to duty.
1	Konjee Row	In Spinning and Weaving Mill. The thumb of left hand got torn off whilst cleaning machinery. Fractured the skull between the two tin-rollers of the flyer machine and died. Got jammed in the mill carriage luffer and sustained deep wound under the left jaw, 22nd Dec. and head.	1st Sept. 1891	21st October 1891
2	Yellappa		29th Nov. "	Died
3	Mahaboolu		22nd Dec. "	Still in hospital.
4	Raja Saib	In Dymes and Co.'s Cotton Press. Was injured by the axle breaking and the plate falling; he sustained a fracture of the left leg. Received a slight flesh wound by the same machine.	8th April "	Not returned.
5	Kudappa		6th "	16th October 1891.

STATEMENT B.

Name and description of factory.	Name of resident manager.	Date of inspection.	Number of persons at work on the date of inspection.		Whether (1) Form F under Rule XVI, (2) a copy of the rules framed under the Act, and (3) the notice required by section 7 of the Act, are put up in a conspicuous place.	Whether State of machinery, ventilation and sanitation is fenced or not.	Number of persons employed at the end of the year under report.		Maximum number of hands employed on any day during the year.		Number of accidents during the year.
			Adults.	Children.			Adults.	Children.	Adults.	Children.	
1. Spinning and Weaving Mill.	T. W. Pattison.	26th Dec. 1891.	360	70	Not kept.	Fenced.	385	92	547	40	3
2. Dymes and Co.'s Cotton Press.	B. Ganapathy	27th "	366	69	Do.	Do.	46	101	147	..	2
3. Bellary Arsenal.	G. Swilling	28th Dec. 1891.	..	..	Do.	Do.	251	..	251	..	..

From M.B.Ry. K. SUBBARAYADU, Pantulu Garu, Sub-Divisional Magistrate and Inspector of Factories, Adóni, to the District Magistrate, Bellary, dated Adóni, 15th January 1892, No. 53.

I have the honour to submit my report on the working of the only factory in this division—viz., Messrs. Dymes and Co.'s Cotton Press at Adóni—for the calendar year 1891.

2. In this factory cotton is pressed into bales with the aid of a steam-engine of twenty-horse power with two cylinders and a boiler. There is a small portable engine of six-horse power which was used during a portion of the year for boring, turning and planing. Besides the above two engines there is within the premises of the factory a third engine of 24 horse power for ginning, but this was not used at all during the year under report.

3. In the year under report the factory was inspected by me four times in all on the following dates since my assuming charge of the division in July 1891:—

- | | |
|--------------------------|------------------------|
| (1) 1st August 1891. | (3) 17th October 1891. |
| (2) 15th September 1891. | (4) 17th November " |

4. The requisite notices were duly exhibited in the factory.

5. The arrangements for sanitation and ventilation were good.

6. There were no prosecutions during the year.

7. The working hours are from 6 A.M. to 6 P.M., with sufficient interval for meals and recreation.

8. The machinery, though not regularly fenced, is secured in a separate room to which none but the persons working it have access.

9. There were no accidents during the year.

10. No children below 12 years being employed in the factory, Registers "D" and "E" have not been maintained.

11. Registers A and B are duly maintained in my office.

12. A return showing the number of persons found employed at each inspection and the state of the factory in regard to sanitation and ventilation is submitted herewith in the form prescribed in Appendix II to G.O., No. 1246, Judicial Department, dated 25th June 1891, and communicated with Index Magisterial No. 81, dated 10th July 1891.

1	2	3	4		5	6	7	8	9	10		11	12
Name and description of factory.	Name of resident manager.	Date of inspection.	Number of persons at work on the date of inspection.		Number of children mustered.	Whether Registers D and E and the file of certificates in Form C are kept.	Whether (1) Form F under Rule XVI, (2) a copy of the rules framed under the Act, and (3) the notices required by section 7 of the Act are put up in a conspicuous place.	Whether machinery is fenced or not.	State of ventilation and sanitation.	Number of persons employed at the end of the year under report.		Maximum number of hands employed on any day during the year.	Number of accidents during the year.
			Adults.	Children.						Adults.	Children.		
Dynes and Coe's Cotton Press.	Mr. E. J. Strahan.	1st Aug. 1891. 15th Sept. " 17th Oct. " 17th Nov. "	49 25 17	..	..	Registers D and E have not been maintained.	The requisite notices were hung up conspicuously.	Thought not fenced in enough being placed in a separate room allocated for the purpose and not accessible to any one else except the person or persons working in it.	Good.	24	64	136	None.
			No work was going on on this occasion.		..	..	..	..	..	..	..	..	..

Number of persons exhibited under column 10 is the number employed on the 10th November 1891, which was the last working day during the year.

From M.R.Ry. V. JAGANNADHA RAO, General Duty Deputy Magistrate, Vizianagrum Division, to the District Magistrate, Vizagapatam, dated Sangam, 27th February 1892, No. 48.

I have the honour to report on the working of the Gunny factory at Chittivalsa for the year 1891 in the form prescribed in Appendix II to G.O., dated 25th June 1891, No. 1246, Judicial. The form prescribed in paragraph 5 of G.O., dated the 19th December last, No. 2568, Judicial, in supersession of this, will, it is presumed, come into force only on the passing of the new rules.

2. The factory belongs to Messrs. Arbuthnot and Co. During the year under report it was inspected thrice by me and once by my *locum tenens* during my absence on leave, and the dates of inspection were as under :—

- (1) On the 12th February 1891, between 7 and 8 A.M.
- (2) " 21st April " " 7 and 8 A.M.
- (3) " 22nd August " " 3 and 4 P.M.
- (4) " 17th November " " 4 and 5 P.M.

On these occasions Mr. Innes, the Manager of the factory, was present with me and my *locum tenens* at the time of inspection.

3. In this factory jute is cleaned, twined and woven, and eventually made into gunny bags. The engine is worked by steam and its moving power is 77 nominal and 220 actual horse power.

4. The factory was closed on 10 English and 8 Native holidays besides Sundays during the year. The working hours are generally from 5-30 A.M. to 6-30 P.M. with a recess of 1½ hour between 12 A.M. and 1-30 P.M. in the months of November to March, and 2 hours from 12 A.M. from April to October. The working hours vary in the different months with reference to the light available, viz., from 6-15 A.M. to 6 P.M. in January and 5-10 A.M. to 6-45 P.M. in June. On Saturdays the engine stops at 4-30 P.M., allowing an interval of half-an-hour at noon.

5. The factory is generally whitewashed and cleaned once a year. The whitewashing for the year 1891 was commenced on the 15th November and completed on the 18th December last.

6. The latrines were kept clean, having been washed every day with the hot water let out from the engine.

7. The ventilation of the building is fair. With reference to paragraph 5 of G.O., dated 25th June 1891, No. 1246, Judicial, the attention of the proprietors has been drawn to the dusty condition of the preparing room, and their agent's reply, dated the 22nd August last, is enclosed. The evil seems to be irremediable. A portion of the top of the large chimney in the factory has come down and the rest is in a dangerous state. Since the date of Mr. Elseworthy's report, a contractor has been secured and the repair of the work has been commenced.

8. The temperature in the working room on the dates of inspection was as follows :—

On the 12th February 1891	..	..	..	..	..	81°
" 21st April "	..	..	..	..	..	85°
" 22nd August "	..	..	..	..	..	90°
" 17th November "	..	..	..	..	..	80°

9. There was only one slight accident during the year. On the 14th December 1891, one Yarusu Yellayya was injured and returned to duty on the 20th January 1892.

10. The machinery has been properly fenced and protected.

11. Certificates of age were granted by the civil apothecary at Bimlipatam in all doubtful cases of adults before their admission into the factory. They were called up and examined by me at each inspection.

12. Registers D and E are not maintained, as no children below 12 years are employed in the factory.

13. A notice of daily working hours and a list of holidays have been set up in an open place in the factory, and printed copies of the rules with Telugu translations have been pasted on the outer walls of the office room.

14. Registers A and B which are required to be kept in my office under rules 2 and 9 have been properly maintained.

No. 355.

Submitted to Government. This is the only factory in the district falling within the scope of the Act.

2. There was but one accident reported during the year under report.

VIZAGAPATAM,
14th March 1892.

(Signed) I. KOTILINGAM,
Deputy for District Magistrate.

From J. T. LEVER, Esq., General Deputy Magistrate and Inspector of Factories, Ganjam, to the District Magistrate, Ganjam, dated Russellkonda, 15th March 1892.

I have the honour to submit my report on the working of the Aska Sugar Factory and Distillery belonging to Mr. F. P. V. Minchen, of Aska, for the calendar year 1891.

2. During the year under review I inspected the factory four times, viz., on 3rd April, 20th July, 10th November and 9th December 1891. On all these occasions Mr. Kollman, the Manager of the Factory, gave me every facility in my work of inspection.

3. No children under the age of 12 years were employed.

4. The work-people are divided into two classes, the first class consisting of mechanics who work by day only from sunrise to sunset with an interval of two hours, while the second class work both by day and night in the sugar manufacture. The latter class is divided into two equal sets, who work alternately for six hours from 8 to 2 and 2 to 8. This is done every day including Sundays.

5. During the cane season the second class is divided into three sets, who work in shifts of four hours from 8 to 12, 12 to 4 and 4 to 8.

6. All dangerous machinery is securely fenced. All the fly-wheels in this factory are surrounded by railings, the fly-wheel of the big beam engine by iron railings, and the diffusion fly-wheel by wooden railings.

7. The requisite notices are hung up conspicuously.

8. The sanitary condition of the factory premises is good and the buildings are well ventilated.

9. Two accidents were reported to me during the year under report, and the injured persons were treated successfully in the Local Fund dispensary at Aska.

A statement showing the details of each case is appended:—

Date of accident.	Name.	Caste.	Sex.	Age.	How the accident occurred.
3rd March 1891 ..	Maliya Naiko.	Danday ..	Male ..	20 years ..	Maliya Naiko, who was then in charge of the cane cutter, intended to put a leather driving belt on a pulley, but by using more force than necessary, the belt slipped over the pulley, throwing him thereby on the top of another horizontal running belt, and caused him the injury.
18th " " ..	Ongotho ..	Bollamy ..	Male ..	26 years ..	While Ongotho was hurriedly unfastening the diffusion cover with a specially constructed hand-wheel, his thumb was caught by a projecting bolt-nut and the tip smashed.

N.B.—The above accidents were caused by their own carelessness.

10. I beg to submit herewith the return in the new form prescribed in Appendix II to G.O., No. 1246, dated 25th June 1891.

ENCLOSURE.

1	2	3	4			5	6	7	8	9	10			11	12	
Name and description of factory.	Name of resident manager.	Date of inspection.	Number of persons at work on the date of inspection.			Number of children mustered.	Whether Registers D and E, and the title of certificates in Form C are kept.	Whether (1) Form F under Rule XVI, (2) a copy of the rules framed under the Act, and (3) the notices required by section 7 of the Act, are put up in a conspicuous place.	Whether machinery is fenced or not.	State of ventilation and sanitation.	Number of persons employed at the end of the year under report.			Maximum number of hands employed on any day during the year.	Number of accidents during the year.	
			Children.								Adults.	Children.	Females.			Males.
			Adults.	Females.	Males.											
Aska Sugar Factory.	Mr. L. Kollman of Aska.	3rd April 1891.	415	..	..	..	No, as no children were employed.	Yes ..	Securely fenced.	Clean and well ventilated.	..	..	..	28th Feb. 1891.	Two.	
		20th July "	387	..	..	..	Do. ..	Do. ..	Do. ..	Do. ..	Do. ..	..	..	492 ..	..	
		10th Nov. "	356	..	..	..	Do. ..	Do. ..	Do. ..	Do. ..	Do. ..	..	..	..	..	
		9th Dec. "	345	2	..	..	Do. ..	Do. ..	Do. ..	Do. ..	Do. ..	..	..	..	..	

No. 56-Mag.

Submitted to Government, with reference to G.O., dated 26th August 1884,
No. 2177, Judicial Department.

CHATTRAPUR,
17th March 1892.

(Signed) B. NARAYANAMURTI,
for District Magistrate.

From J. STURROCK, Esq., District Magistrate of Coimbatore, to the Chief Secretary to Government, dated Coimbatore, 19th March 1892, No. 299.

In enclosing herein a copy of the Assistant Magistrate's report on the working of the Factory Act in his division for the year 1891, I have the honour to state that the Coimbatore Spinning and Weaving Company Factory—the only one in the district registered under the Act—was thrice inspected by the Divisional officers in charge of the division, and their remarks have been duly communicated to the Manager of the factory.

2. No serious accidents were reported and the sanitary arrangements are good.
3. All the provisions of the Act have been complied with.
4. A copy of the statement sent by the Inspector of the Factory is also submitted.

ENCLOSURES.

From C. G. TODHUNTER, Esq., Assistant Magistrate, Coimbatore, to the District Magistrate of Coimbatore, dated 16th February 1892, No. 54.

I have the honour to submit my report on the working of the Spinning and Weaving Company Factory, Coimbatore, for the year 1891.

2. The factory is the only one that has been placed in the register under the Factories Act.
3. The factory was inspected thrice by my predecessors during the year under report. Copies of their remarks are herewith sent for information.
4. There was only one accident during the year, which was due to the carelessness of the person employed. The accident was not of a serious nature, and the man was successfully treated in the Municipal dispensary, Coimbatore.
5. No prosecution during the year has been ordered for the offences under the Factories Act.
6. No children under the age of 7 are employed.
7. The working hours are from 6 A.M. to 12 noon and from 1 to 7-30 P.M., with an interval of one hour for food and rest from 12 to 1 P.M. Children under 12 work half-time only, i.e., from 6 to 12. The sanction of Government for the interval has been obtained as required by paragraph 3, section 7, of the Act.
8. The return, in the form given in Appendix No. 2 of G.O., dated 25th June 1891, No. 1246, Judicial Department, is herewith submitted.

1	2	3	4			6		7	8	10			11		12			
Name and description of factory.	Name of resident manager.	Date of inspection.	Number of persons at work on the date of inspection.			Whether Registers D and E and the file of certificates in Form C are kept.	Whether (1) Form F under Rule XVI, (2) a copy of the rules framed under the Act, and (3) the notice required by section 7 of the Act, are put up in a conspicuous place.	Whether machinery ventilation is in and fenced or not.	Number of persons employed at the end of the year under report.	Maximum number of hands employed on any day during the year.		Number of accidents during the year.						
			Adults.		Children.					Adults.	Children.							
			Males.	Females.							Males.		Females.					
Spinning and Weaving Company (Limited), Coimbatore.	A. T. Wani, Esq.	13th March 1891, by Mr. Gopalrao Nayyar.	136	71	203	56	2	14	2	All put up, with exception of copy of rules framed under the Act.	Fenced.	Good	439	122	47	433	136	One accident of a man's left hand which was hurt on account of his own carelessness by putting it in a moving part of a carding engine.
		16th June 1891, by Mr. Gopalrao Nayyar.	116	68	251	48	2	18	2	Do.	Do.	Do.	Do.	Do.	Do.	Do.	Do.	Do.
		29th September 1891 by Mr. Smith.	319	184	27	..	27	..	..	..	All kept with exception of rules framed under the Act.	Do.	Do.	Do.	Do.	Do.	Do.	Do.

From the Joint Magistrate, Godavari district, to the District Magistrate, Godavari, dated Cocanada, 31st January 1892, No. 138.

I have the honour to submit the following report on the working of the Factories Act XV of 1881 in my division during 1891.

2. The Government Workshop at Dowlaishweram is the only factory coming within the scope of the Act. It was inspected by me once during the year.

3. There was proper ventilation and everything was in good order.

4. All dangerous machinery was properly fenced.

5. On the 29th March an artificer Kulli Muttayya, while taking a portable engine to the Central Jail, Rajahmundry, was injured. The accident was caused by the jolting of the engine on the road, which loosened the key of the fly wheel causing it to come off and the wheel fell on the foot of the man. On the 6th October another accident occurred. Nagumahanti Narayanaswami, an artificer, while working on the Priestman's dredge, accidentally fell into the canal and was drowned. Both the occurrences seem to be accidents.

6. The working hours were as usual from 6 A.M. to 12 noon and from 2 to 5 P.M.

7. The statement prescribed by Government in its Order, dated 19th December 1891, No. 2568, is attached.

ENCLOSURE.

Inspection Report of Factories for the year 1891 in the division of the Joint Magistrate, Godavari district, with reference to G.O., No. 2568, Judicial, dated 19th December 1891.

1	2	3	4	5	6	7	8	9	10	11	12		
Name and description of factory.	Name of Resident Manager.	Date of inspection.	Number of persons at work on the date of inspection.			Whether registers C, D and E and the list of certificates in form B are kept.	Whether (1) form F under rule 17, (2) a copy of the rules as required by rule 23 and (3) the notice required by section 10 of the Act are put up in a conspicuous place.	Whether the machinery is properly fenced or not.	State of water supply, ventilation and accommodation.	Number of persons employed at the end of the year.		Maximum number of hands employed on any day during the year.	Number of accidents during the year.
			Adults.		Children.					Adults.	Children.		
			Males.	Females.									
Government Workshop, Dowlaishweram.	Executive Engineer.	1891. 20th August.	142	2	..	No registers were kept as no children were employed.	(1) Yes; (2) yes; (3) no notice as there were no children employed in the shops.	Fenced ..	Good ..	143	2	200	2
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No. Extra 1.

Submitted to Government with the enclosure.

2. The Workshop at Dowlaishweram is the only factory returned as such in the district. I am making inquiries as to whether any other premises will come under the amended Act.

3. I enclose a copy of my proceedings pointing out to the Joint Magistrate certain defects in the enclosed return.

ELLORE,
22nd March 1892.

(Signed) A. W. B. HIGGENS,
District Magistrate.

Proceedings of the District Magistrate, Godavari, dated 22nd March 1892, No. Extra 1.

Read report of inspection of factories for the year 1891 in the Joint Magistrate's division received with his letter No. 333, dated 23rd February 1892.

In column 6 of the report it is stated that registers C, D and E were not kept as no children were employed. From the entry in column 11 of the report, it appears that two children were employed during the year. The registers C, D and E should have therefore been kept by the Manager of the Factory. Moreover, the register E relates to women and not to children. Again in column 7 it is stated that no notice required by section 10 of the Act is put up in a conspicuous place as there are no children employed in the shop. As the notice required by section 10 relates also to women and as both females and children appear to have been employed in the factory, it is necessary under the section that such notice shall be maintained. The Joint Magistrate is requested to see that the omissions noticed are supplied in future by the Manager of the Factory.

2. Rule 8 of the rules framed under the Act requires that every factory shall be inspected by an Inspector at least three times in every year; but the Joint Magistrate inspected the factory only once on 20th August 1891. He is also requested to see that the instructions of Government are duly complied with in his future inspections.

3. The other Inspectors of Factories except the Cocanada Deputy Magistrate have not submitted any statements. They are requested to send them in future by 1st February.

(Signed) A. W. B. HIGGENS,
District Magistrate.

From Colonel H. W. H. COX, Commissioner of Police, Madras, to the Chief Secretary to Government, dated Madras, 24th March 1892, No. 23.

I have the honour to submit the annual report for the year 1891 of the Deputy Commissioner of Police as Inspector of Factories in the City of Madras.

ENCLOSURE.

From S. D. SIMPSON, Esq., Deputy Commissioner of Police and Inspector of Factories, Madras, to the Commissioner of Police, dated Madras, 22nd March 1892, No. 21.

I have the honour to submit my report under the Factories Act (XV of 1881) for the calendar year 1891.

2. There are now twelve factories in the Madras City falling under the operation of the Act, the last one on my list called the "Paddy Grinding, Cleaning and Oil Manufactory" was brought on my register during the year.

3. The statement, appendix I, gives the names of the factories, the dates on which they were inspected by me, and all such other information as required by Government.

4. *Accidents*.—There were 51 accidents this year against 59 last year. I append a list of them, appendix II. It will be seen from this statement that the injuries sustained in all but 11 cases were trivial and that only one proved fatal. This accident occurred in the Harbour Works. I visited the same and held an inquiry. The deceased met his death by being crushed between two ship-trucks. The one leading went off the line at a curve, and before those who were pushing it could get out of the way, the one behind came up and knocked the deceased down who was caught between them.

5. *Children*.—The factories referred to last year still continue to employ children, who were allowed the usual holidays during the year and all appeared to be well cared for.

APPENDIX I.
Form of Return to be annually submitted by Inspectors of Factories so as to reach Government by the 31st March 1892.

1	2	3	4	5	6	7	8	9	10	11	12
Name and description of factory.	Name of Resident Manager.	Date of inspection.	Number of persons at work on the date of inspection.	Number of children manured.	Whether registers D and E, and the file of certificates in form C are kept.	Whether (1) form F and rule XVI, (2) a copy of the rules framed under the Act and (3) the notice required by section 7 of the Act are put up in a conspicuous place.	Whether machinery is fenced or not.	State of ventilation and sanitation.	Number of persons employed at the end of the year under report.	Maximum number of hands employed on any day during the year.	Number of accidents during the year.
			Adults.	Children.	Males.	Females.	Males.	Females.	Males.	Females.	Children.
Gun Carriage Factory	Captain Townsend	1891. 18th March 16th July 20th November	992 1,004 1,148	2 2 2	..	..	No	..	1,167	2	..
Southern India Spinning and Weaving Mill, Rayaparam.	Cavasjee Jhangheer	6th March 3rd June 10th August	470 727 767	238 13 17	..	..	Do.	..	834	19	..
Harbour Works	J. J. Wilson, Engineer, Harbour Trust Board.	30th September 17th October 6th March 23rd June 16th October	776 767 955 885 795	18 18 147 136 129	..	..	Do.	..	610	47	7
Knipier Works	A. B. Massey A. W. Roeling	8th March 11th July 19th November	185 222 231	..	..	..	Do.	..	192	..	1
Public Works Workshops	L. L. Wickham, General Superintendent	10th March 31st July 27th October	247 263 251	1 2 1	..	..	Do.	..	338	2	9
Madras United Spinning and Weaving Mills, Chuday.	Kallanjee Moonjee	20th March 10th July 11th August 28th October	694 596 802 621	38 45 34 41	..	..	Yes	..	644	41	26

Form of Return to be annually submitted by Inspectors of Factories so as to reach Government by the 31st March 1892—cont.

1	2	3	4	5	6	7	8	9	10				11	12				
									Number of persons employed at the end of the year under report.									
									Adults.	Children.	Adoles.	Children.						
Name and description of factory.	Name of Resident Manager.	Date of inspection.	Number of persons at work on the date of inspection.		Whether registers D and E and the file of certificates in form C are kept.	Whether (1) form F under rule XVI, (2) a copy of the rules framed under the Act and (3) the notices required by section 7 of the Act are put up in a conspicuous place.	Whether machinery is fenced or not.	State of ventilation and sanitation.	Number of persons employed at the end of the year under report.		Maximum number of hands employed on any day during the year.	Number of accidents during the year.						
			Adults.	Children.					Adults.	Children.								
Buthingham Mill	S. Yonge	1891. 19th March 10th July 29th December	882	58	117	17	117	17	Yes	Good	1,014	71	223	17	1,120	243	7	
			997	64	182	29	182	29										
			1,052	68	228	17	228	17										
Carnatic Mill	T. O. Thomas	19th March 10th July 29th December	1,267	42	110	7	110	4	Do.	Do.	1,463	30	89	..	1,737	117	14	
			1,252	228	101	4	101	4										
			1,496	31	68	..	68	..										
Cement Works	J. Peddie	9th March 11th July 19th November	191	77	..	..	..	..	Do.	Do.	231	128	..	..	351	..	..	
			108	36	..	..	..	..										
			143	73	..	..	..	..										
Beehive Foundry	R. D. Folor	6th March 24th June 21st September 29th December	160	..	..	..	..	..	Do.	Do.	146	..	..	..	150	..	..	
			130	..	..	..	..	..										
			137	..	..	..	..	..										
Simpson and Co.	O. U. Cuddan	18th March 16th July 15th December	319	18	18	18	18	18	Yes	Do.	300	23	..	..	326	23	..	
			309	18	18	18	18	18										
			311	26	..	..	..	..										
Paddy Grinding, Cleaning and Oil Manufactory.	P. Ramanjulu Naidu and Sons.	24th February 3rd August 28th October	164	13	..	..	..	..	No	Do.	167	4	..	..	177	..	9	
			150	7	..	..	..	..										
			136	..	..	..	..	..										

APPENDIX II.
List of Accidents.

Name of factory.	Name of persons injured.	Date of accident.	Caste.	Sex.	Age.	Nature of injury.
Southern India Spinning and Weaving Mill, Rayapuram.	Moonosamy	1891. 16th Mar.	Hindu	Male	16	Forefinger of the right hand slightly injured by negligently putting his hand in the throttle wheel while in motion.
	Chinnian	22nd ..	Do	Do	18	Cut in the wrist of the left hand by doffer wheel in the card room by negligently cleaning the machine while in motion.
	Rajagopaul	10th April.	Do	Do	14	Left hand severely cut and neck slightly injured, his hand being caught between the tin-rollers while sweeping when machine was in motion.
	Gooroovappen	14th Aug.	Do	Do	46	Severely scalded by steam water.
Napier Works or Massey's Iron Foundry.	Moonosamy	14th Nov.	Naick	Do	22	Hurt in the chin caused by careless way of putting the belt on to the emery wheel. The man happened to slip and his chin came in contact with the revolving wheel.
Madras United Spinning and Weaving Mill, Chulay.	Vijayaragavulu	21st Mar.	Naidu	Do	14	Twisting of the left arm caused by putting his hand in rim pulley of a mule which he had no business to do.
	Coomaraguruvan	21st ..	Chetty	Do	18	Laceration over the back of the right hand caused by carelessly letting his hand be caught between the cylinder and cover of a card.
	Ruthnasapathy	22nd ..	Vellala	Do	20	Crushing of the right hand thumb caused by carelessly putting his thumb underneath the cover of a card.
	Appasamy	8th July.	Naick	Do	45	Bruising of right jaw by sudden fall of a pole while undoing a scaffold.
Buckingham Mill.	Ruthnan Naidu	23rd ..	Vaunia	Do	30	Slight scalding over hands and legs caused by sudden rush of hot water while working at the drain pipe of the exhaust in the engine.
	Moonosamy	23rd ..	Ooparava	Do	23	Do. do. do.
	Ponrunga Mudali	23rd Dec.	Mudali	Do	20	Cut on top part of left ear caused by putting his head underneath a mule rope while cleaning.
	Govinden	8th Feb.	Pariah	Do	60	Injury to the 3 fingers of right hand by his own carelessness by putting his hand in the licker-in.
Buckingham Mill.	Gopalasamy	8th Mar.	Cavari	Do	18	Lacerated right hand, 1st finger half taken off, caused by picking cotton from licker-in with strap on.
	Chellan	19th ..	Pillay	Do	35	Slight injury to the 3rd and 4th fingers of right hand by his own carelessness after taking the strap off licker-in, putting his hand in same before it had stopped.
	Ragaven	19th May..	Cavari	Do	16	Injury to the 1st and 2nd fingers of left hand caused by his getting his hand in jack motion between cover and wheel.
	Mathurani	18th June.	Naidu	Do	16	Injury to the 1st finger of right hand by his own carelessness by putting his finger in a pinion of rowing frame.
Mahammed Ghouse.	..	8th Aug.	Muham-	Do	19	Burn to right arm caused by its being pressed on shaft accidentally.
Nagapen	..	7th Oct. ..	Mudali	Do	10	Injury to the 1st finger of right hand by his own carelessness by putting his finger in a pinion.

List of Accidents—cont.

Name of factory.	Name of persons injured.	Date of accident.	Caste.	Sex.	Age.	Nature of injury.
Carnatic Mill	Sunjeevi	1891. 4th Jan.	Bulja	Male	14	Hurt on the 1st finger of right-hand by carelessly putting his hand in electric stop motion of the intermediate frame while in motion in which he had no connection whatever.
	Kistnasamy	29th ..	Mudali	Do.	30	Half of his right side (upward) scalded by a rush of steam from the air-pump caused by the water-pump suddenly failing to act.
	Moonesamy	29th ..	Do.	Do.	30	The two hands up to the wrist and mouth scalded by a rush of steam from the air-pump by the water-pump suddenly failing to act.
	Ethernajulu	3th Mar.	Gentoo	Do.	16	Scalded right and left knee by falling down in the steam-water canal.
	Moonnan	11th ..	Pariah	Do.	26	Hurt 2nd, 3rd and 4th fingers of right hand by putting it between 1st and 2nd cylinder of the carding machine while cleaning it.
	Thungavaloo	19th ..	Mudali	Do.	10	Hurt 1st finger of left hand by putting it in a pair of pinion wheels of the throttle machine while working.
	Ramen	22nd ..	Pariah	Do.	15	Hurt 2nd, 3rd and 4th fingers and thumb of right hand by putting his hand between twist while carrier wheel of the throttle machine was in motion.
	Govinden	8th May.	Hindu	Do.	14	Slightly scalded by falling down in the steam-water canal while passing through that way to go to his work.
	Andy	23rd ..	Pariah	Do.	11	Right arm bruised by coming in contact with strap in motion.
	Mathooray	8th July.	Do.	Do.	18	Thumb of right-hand hurt by putting it between the crank shaft and tapet-shaft wheels while the loom was in motion.
	Govinden	24th Aug.	Vania	Do.	30	Wound on right foot and 2nd and 3rd fingers of left-hand caused by lifting a stone with others which slipped and fell on him.
	Gengiah	19th Oct.	Janapa	Do.	18	Hurt on the 4th finger of right hand by carelessly putting it between temple stay of loom.
	Iyavoo	29th ..	Golla	Do.	16	Hurt on the palm of his left hand caused by putting it between end of the roller and moving roller of winding frame.
	Maduray	1st Nov.	Mudali	Do.	12	Hurt in the 2nd finger of right hand by carelessly putting it between 2 stool-roller wheels.
	Chengiaroyen	19th Jan.	Goldsmith.	Do.	15	The left-hand palm has been ripped open by a planing iron while sharpening it on the grinding stone.
Public Works Workshops.	A. D. Richter	23rd Mar.	Eurasian	Do.	21	Right-hand last finger nail smashed by a piece of iron falling on the finger when at work.
	Voerasamy	29th April.	Hindu	Do.	30	Injured in the right foot being caught between two buffers.
	Parthasarathy	25th Aug.	Gentoo	Do.	28	Middle finger of the left hand hurt and a nail split caused by the finger coming in contact with the planing machine.

List of Accidents—cont.

Name of factory.	Name of persons injured.	Date of accident.	Caste.	Sex.	Age.	Nature of injury.
Public Works Workshops—cont.	Rungasamy Naicker	1891. 29th Aug.	Vannia	Male	25	Left-hand palm split by a wheel of the foundry traversing crane coming in contact with the hand when the same was in motion.
	Vencatachellum	29th Sept.	Vellala	Do.	40	Severe hurt under the left eye caused by a projecting piece of wood hitting the cooly when he tripped and fell after laying some wood in the carpenter shop.
	Newman	8th Oct.	Eurasian	Do.	19	Both the left-hand centre finger and fourth finger smashed by the fall of a copper sheet while at mill with it.
	Tanner	13th Nov.	Do.	Do.	24	Left-hand centre finger slightly hurt by drilling machine wheel coming in contact with his hand.
	D. D. Hendrick	9th Dec.	Do.	Do.	34	Right thigh wounded by a chip from the rivetting hammer flying against it while rivetting a Grainger pan machine.
Paddy-grinding, Cleaning and Oil manufactory.	Yellen	10th Sept.	Pully	Do.	14	Three fingers of right hand smashed, being caught in the wheel while throwing oil seeds into the machine.
	Cannoo	30th Dec.	Do.	Do.	20	Wounded his right-foot toes when he was lifting a ram; admitted in General Hospital where they were amputated.
Harbour Works, Madras.	Mooroogappen	25th Feb.	Pariah	Do.	23	Forefinger of right hand hurt while moving some timber.
	Moonoosamy	22nd June.	Hindu	Do.	26	Chest and left arm crushed caused by the man falling between two skip-trucks; died on the way to hospital.
	Ponnoosamy	26th ..	Pariah	Do.	25	Wound in the right-foot caused by a skip-truck passing over it.
	Sunthee Mooroogan.	7th ..	Do.	Do.	25	A wound on the forehead and the loss of two fingers of the left hand by his trying to re-prime the vent of an unsuccessful blast with an iron primer when the charge went off.
	Amavasay	16th July.	Do.	Do.	30	Fractured right arm; amputated above elbow, caused by No. 3 goliath crane passing over his arm.
	Singaram	20th Oct.	Hindu	Do.	20	Great toe of his left foot crushed by a truck wheel passing over his foot.
	Itagaven	17th Nov.	Do.	Do.	25	Left foot bruised by a rail falling over it.

From M.R.Ry. V. CHAPPAN MENON, Deputy Magistrate and Inspector of Factories, Calicut Sub-Division, to the District Magistrate, Malabar, dated Calicut, 29th March 1892.

I have the honour to submit my report on the working of the Factories Act XV of 1881 in the Calicut Sub-division during the last year (1891) together with the statement prescribed in G.O., dated 25th June 1891, No. 1246, Judicial.

2. The only factory in my division falling within the scope of the Act is "The Malabar Spinning and Weaving Company (Limited)" situated in Panniyankara amsam, Calicut taluk.

3. I inspected the factory thrice during the course of the year under report, and at my first inspection I found everything in a satisfactory condition.

4. At my second inspection sundry irregularities and mistakes in connection with the maintenance of the children's certificates in Form C and the Registers in Forms D and E were noticed, but these, which were due to the appointment of a new Manager for the factory in the middle of the year, were removed immediately afterwards, and at my last inspection on the 27th December 1891, everything was found to be in a fair condition.

5. On all my visits, children were mustered and their physical condition appeared to be all that was desirable. They are not worked beyond the prescribed hours and had no complaint of ill-treatment to make against the factory staff. The numbers at work on my last inspection were—

	Adults	Children	Male.	Females.	Total.
Adults	..	..	..	..	..
Children	..	..	..	..	..
			447	36	483
			56	2	58

6. The machinery is properly fenced, and no accidents of a serious nature happened during the year. There were, however, nine cases in which slight injury was caused through carelessness on the part of the recipients themselves and these persons were treated at the hospital.

7. The ventilation and sanitation of the factory are in excellent condition and the factory owners have, at my suggestion, recently erected a latrine for the use of the operatives.

8. The registers prescribed by the Factory Rules have been duly maintained and the present Manager, Mr. A. Ashworth, is paying personal attention to the matter.

No. 223 M.-G1.

True copy, with copy of the annual return, submitted to the Chief Secretary to Government, Madras.

CALICUT,
31st March 1892.

(Signed) W. DUMERGUE,
Acting District Magistrate.

Form of Return to be annually submitted by Inspectors of Factories so as to reach Government by the 31st March.

1	2	3	4				5	6	7	8	9	10				11	12	
Name and description of factory.	Name of Resident Manager.	Date of inspection.	Number of persons at work on the date of inspection.				Number of children mustered.	Whether Registers D and E and the file of certificates in form C are kept.	Whether (1) Form F under Rule XVI, (2) a copy of the rules framed under the Act, and (3) the notice required by section 7 of the Act, are put up in a conspicuous place.	Whether machinery is fenced or not.	State of ventilation and sanitation.	Number of persons employed at the end of the year under report.				Maximum number of hands employed on any day during the year.	Number of accidents during the year.	
			Adults.		Children.							Adults.	Children.	Male.	Female.			
			Male.	Female.	Male.	Female.												
The Malabar Spinning and Weaving Company (Limited).	Mr. Nudham was Manager till 25th June 1891.	16th July 1891.	273	13	22	5	22	5	Are put up in a conspicuous place of the building.	Properly fenced.	Good.	467	29	53	2	506	76	There were 9 accidents during the year, but none proved fatal.
	Mr. Kewas was Acting Manager from 1st July to 31st August 1891.	11th December 1891.	368	13	73	3	73	3										
	Mr. Kewas was Acting Manager from 1st September 1891.	27th December 1891.	447	36	56	2	56	2										

From A. M. JONFS, Esq., Deputy Magistrate, Nalgiris, to the District Magistrate, Nalgiris, dated Ootacamund, 4th April 1892, No. 342.

I have the honour to report on the working of the Factories Act during the year 1891.

2. The only factory working during the year was the Murree Brewery Company which closed in the month of November, and it was not, therefore, possible to complete the required number of inspections for the year. During the time the factory was at work there were no accidents, and all the rules were complied with.

3. The tabular statement prescribed in G.O., No. 1246, dated 26th January 1891, is submitted.

Form of return to be annually submitted by the Inspector of Factories so as to reach Government by 31st March.

1	2	3	4	5	6	7	8	9	10	11	12
Name and description of Factory.	Name of Resident Manager.	Date of inspection.	Number of persons at work on the date of inspection.	Whether Registers D and E are kept.	Whether (1) Form F under Rule XVI, (2) a copy of the rules framed under the Act, and (3) the notices required by section 7 of the Act are put up in a conspicuous place.	Whether machinery is fenced or not.	State of ventilation and sanitation.	Number of persons employed at the year under report.	Maximum number of hands employed on any day during the year.	Number of accidents during the year.	
Murree Brewery Company.	R. F. Springett	23rd June 1891. 19th Sept. 1891.	63 60	Nil registers were kept as there were no children at work.	Yes 7-12 A.M. and 1 to 5-30 P.M.	Good					

Columns 10 and 11 could not be filled as the brewery was closed in November 1891, and there is no means of obtaining this information now.

Form of return to be annually submitted by Inspectors of Factories so as to reach Government by the 31st March.														
1	2	3	4		5	6	7	8	9	10		11	12	
Name and description of Factory.	Name of Resident Manager.	Date of inspection.	Number of persons at work on the date of inspection.		Number of children mustered.	Whether Registers D and E, and the file of certificates in Form C are kept.	Whether (1) Form F under Rule XVI, (2) a copy of the rules framed under the Act, and (3) the notices required by section 7 of the Act are put up in a conspicuous place.	Whether machinery is fenced or not.	State of ventilation and sanitation.	Number of persons employed at the end of the year under report.		Maximum number of hands employed on any day during the year.	Number of accidents during the year.	
			Adults.	Children.						Adults.	Children.			
														Male.
Sugar Manufactory Refinery and Spirit Distillery, Nellikuppam, Cuddalore taluk.	P. N. O. Gull, Esq.	1891. 6th July 16th Oct. 31st Dec.	599 495 557	69 87 52		No.	Yes.	Fenced.	Ventilation good; sanitation fair, as good as it could be in a sugar factory.	674 61	None.	862 None	6	
STATEMENT showing accidents that occurred in the Sugar Manufactory and Refinery and Spirit Distillery at Nellikuppam during the year 1891.														
Date of occurrence.	Name.	Caste.	Sex.	Age.	Nature of injury and how caused.									Remarks.
1891. 26th February ..	Krishnan ..	Nayakan ..	Male ..	22 ..	Not exactly known. Apparently something internal and probably rupture of an internal organ. The accident was caused by the man slipping down while carrying a bucket of sugar on floor level. The bucket was being carried on the shoulder, and when the man fell backwards, it was jolted on to the lower part of the belly. Probably broken back and ruptured chest. The accident was caused by the man getting between two trucks.									This man died on the 1st March 1891 out of factory. At the outset it was not found out to be a fatal injury. The injured man went away to his house of his own accord without exhibiting any symptom of injuries.
13th March ..	Veerna ..	Chekkier ..	Do. ..	36 ..	The accident was caused by the man putting his hand between a revolving friction plate and a drum. Fracture of first phalanx of right little finger. The accident was caused by the man keeping his fingers over the end of a cask of molasses while rolling it and then bringing the end of this cask in violent contact with the end of another cask and with his little finger between the two casks.									Died on the spot. Special report sent to District Magistrate with letter, No. 280, dated 29th August 1891. Discharged cured from New Town hospital on 10th April 1891.
28th ..	Muthumani ..	Vanniya ..	Do. ..	16 ..	The accident was caused by the man putting his hand between a revolving friction plate and a drum. Fracture of first phalanx of right little finger. The accident was caused by the man keeping his fingers over the end of a cask of molasses while rolling it and then bringing the end of this cask in violent contact with the end of another cask and with his little finger between the two casks.									Cured.
1st May ..	Ponnusami ..	Udiyan ..	Do. ..	27 ..	The accident was caused by the man putting his hand between a revolving friction plate and a drum. Fracture of first phalanx of right little finger. The accident was caused by the man keeping his fingers over the end of a cask of molasses while rolling it and then bringing the end of this cask in violent contact with the end of another cask and with his little finger between the two casks.									Do.
4th October ..	Kaseem ..	Muhammadian ..	Do. ..	35 ..	The accident was caused by the man putting his hand between a revolving friction plate and a drum. Fracture of first phalanx of right little finger. The accident was caused by the man keeping his fingers over the end of a cask of molasses while rolling it and then bringing the end of this cask in violent contact with the end of another cask and with his little finger between the two casks.									Do.

From M.R.Ry. P. RAJARATNA MUDALIAR Avargal, B.A., Deputy Magistrate on General Duties, Tirukoilur Division, to the District Magistrate, South Arcot, dated Tiruvannanallur, dated 16th March 1892.

I have the honour to submit my report on the working of the Factories Act in this division for 1891.

2. There is only one factory in this division, viz., that of Messrs. Parry and Co. at Tiruvannanallur. More than 100 coolies generally work in it and they were employed for 65 days during the year under report.

3. Adult males or females work ten hours a day from 7 A.M. to 12 P.M. and again from 2 to 7 P.M. Special arrangements are made for night work during the sugar manufacturing season so as to give 12 hours work per head day and night put together. A cooly is made to work from 7 A.M. to 1 P.M. and then relieved for the rest of the day; he comes back at 7 P.M. and works on until 1 A.M., the relieving cooly working from 1 to 7 P.M. and again from 1 to 7 A.M.

4. The coolies get daily wages which are distributed once in a fortnight. It does not appear that their wages are unnecessarily withheld.

5. Inasmuch as the coolies get daily wages for the days they work, they enjoy holidays at their will and pleasure. The permanent coolies, it is said, enjoy six days for Pongal and three days for Deepavali in the case of Hindus and three days for Moharum, two days for Ramzam and Kutba in the case of the Muhammadans.

6. The sugarcane season begins from the 1st of March and ends by the 15th May. The intervening period is generally the busiest part of the year.

7. I visited the factory only once in December last after I took charge of the division at the end of August as it was not the working season. An extract from the register of inspections is enclosed for information.

8. No accidental deaths were reported during the year under report.

Form of return to be annually submitted by Inspectors of Factories for the year 1891.

1	2	3	4	5	6	7	8	9	10	11	12
Name and description of factory.	Name of Resident Manager.	Date of inspection.	Number of persons at work on date of inspection.	Number of children manured.	Whether Registers D and E and the certificates in Form C are kept.	Whether (1) Form F under Rule XVI, (2) a copy of the rules framed under the Act, and (3) the notices required by section 7 of the Act are put up in a conspicuous place.	Whether machinery is fenced or not.	State of ventilation and sanitation.	Number of persons employed at the end of the year under report.	Maximum number of hands employed on any day during the year.	Number of accidents during the year.
			Adults.	Children.					Adults.	Children.	
			Males.	Females.					Males.	Females.	
Sugar Factory at Tiruvannanallur.	A. S. Paul, Esq., Agent of Messrs. Parry and Co.	15th December 1891.	..	..	..	Yes ..	Properly fenced.	Sanitation bad.	..	246	..

EXTRACT from the register of inspection of Factories during the year 1891.

Number of Factory in Register A.	Name or description of factory.	Name of occupier or Manager.	Date of inspection.	Number of persons at work on date of inspection.				Machinery whether fenced or not.	Ventilation and sanitation.	Remarks.
				Adults.	Children.	Men.	Women.			
1	Sugar Factory, Tiruvannanallur.	A. S. Paul, Esq., Agent of Messrs. Parry and Co.	15th December 1891.	..	..	..	..	Machinery properly fenced; some plant requires replacing.	As this is not the working season, the factory building and the machines are in a neglected condition; sanitation bad.	

From M.R.Ry. P. RAJARATNA MUDALIAR, Avergal, B.A., Acting Deputy Magistrate, G.D., South Arcot, to the District Magistrate, South Arcot, dated Kallakurichi, 27th March 1892, No. 41.

In returning herewith your reference on Register No. 972-Magis., dated 23rd instant, * I have the honour to state that it does not appear that Mr. Subbiah inspected the factory last year. He was engaged in the jamabandi of the Cuddalore taluk away from Tiruvannalore during the whole of the working season from March to June and he was chiefly engaged in inspecting the affected villages and making arrangements to open works and give labour to the poor in the affected parts of the division subsequently.

Nos. 931 and 1038-Mag.

Submitted to the Chief Secretary to Government, Judicial Department.

2. There are only two factories in the district falling under the Factories Act (XV of 1881).

Cuddalore,
7th April 1892.

(Signed) M. HAMMICK,
District Magistrate.

From G. S. FORBES, Esq., District Magistrate, Tinnevely, to the Chief Secretary to Government, dated 11th April 1892, No. 515.

I have the honour to report on the working of the Indian Factories Act (XV of 1881) in this district for the calendar year 1891.

2. The four factories named in the margin were on the registers during the year, the first three being in the Joint Magistrate's and the fourth in the Head Assistant Magistrate's division. The reports of these officers are enclosed.

- (1) Tuticorin Cotton Press Company (Limited).
- (2) The Coral Mills Company, Tuticorin.
- (3) Sugar Factory, Tuticorin.
- (4) Cotton Spinning Factory, Pápanásam.

3. The statement appended shows the number of inspections during the year with the results observed. The inspections were not so frequent as the rules require. No satisfactory reason is given so far as the Coral Mills are concerned. The Tuticorin Press Mill was not at work for a considerable portion of the year and the Sugar Factory in the same town came on the register only in November last. The Pápanásam mills were inspected only twice, but there were so many changes of the Divisional officer that some excuse is admissible.

4. Children were employed only by the Coral Mills Company at Tuticorin and in the factory at Pápanásam. No children under 7 years of age are employed in either of these factories and the four holidays prescribed are allowed every month. In the Pápanásam factory the children are now worked only six hours a day in accordance with the arrangement approved in G.O., dated 29th October 1885, Mis. No. 2896, one batch coming from 6 A.M. to noon and another batch from noon to 6 P.M.

5. No accidents are reported to have occurred in any of the factories nor was there any prosecution during the year under report. The rules under the Act are reported to have been generally well carried out.

ENCLOSURES.

From J. HEWETSON, Esq., Acting Joint Magistrate of Tinnevely, to the District Magistrate, Tinnevely, dated 2nd February 1892, No. 84.

I have the honour to forward my annual report on the working of the Factory Act in 1891.

2. One of the factories mentioned in last year's report, Messrs. Darley, Butler and Co., was removed from the register in accordance with your docket, dated 21st April 1891, No. 421. The Sugar Factory began its work in November last and has been brought on the register.

3. A statement showing the result of inspection of the factories prepared in the form prescribed in G.O., dated 25th June 1891, No. 1246, is herewith forwarded.

4. Ventilation, sanitary arrangements and fencing of machinery appear satisfactory. The necessary rules under the Act have been stuck up in the three factories, except in Sugar Factory.

5. No children are employed in the second and third factories. In the Coral Mills Company children are employed. Certificates of ages were forthcoming for all and the necessary registers are maintained. No children under 7 years of age are employed and the four days' holidays for children are allowed every month.

6. No accidents are reported to have occurred in any of the factories.

7. In the Sugar Factory one half the total number of persons employed work from 6 A.M. to 12 and they are relieved by the other half at 12. Then the first set relieves the second set at 6 P.M., who in turn relieve the first at 12 P.M. Thus the work is carried on continuously. Hence only 59 were present at the time of inspection.

8. On the transfer of Mr. D. O'Leary, the late Apothecary of Tuticorin, who was appointed as the certifying surgeon under the Act, his successor, Mr. James Bartley St. Clair, has not been appointed as a certifying surgeon. Recommendation has been made in this office letter, dated 22nd January 1892, No. 59, for appointing him as a certifying surgeon.

9. I regret that the factories were not inspected the prescribed number of times, but my work was very heavy during the year.

From D. MURDOCH, Esq., Head Assistant Magistrate, Tinnevely, to the District Magistrate, Tinnevely, dated 16th February 1892, No. 26.

I have the honour to submit the annual report under the Factories Act (XV of 1881) for the calendar year 1891 with the prescribed forms A, B and G.

2. There is only one factory in this division, viz., that of the Tinnevely Mills Company (Limited) at Pápanásam.

3. This factory was inspected by Mr. T. Varada Row on 13th February 1891 and by Mr. Bedford on 8th September 1891. For their remarks *vide* form B enclosed. In regard to Mr. Bedford's remark about the children, what is meant is that one batch of them works from 6 to 12 and another from 12 to 6.

4. No prosecutions were ordered under the Act in 1891.

5. It is reported that no accidents occurred during the year under report (*vide* form G).

6. I joined the division only on the 17th December and was therefore unable to inspect the factory before the end of the year. I inspected it, however, in January last; a copy of my remarks is submitted, but they have not been entered in the statement as they relate to 1892.

STATEMENT showing the Inspection of Factories by Inspectors of Factories in the district of Tinnevely for the year 1891.

1	2	3	4				5	6	7	8	9				10	11	12
Name and description of factory.	Name of resident manager.	Date of inspection.	Number of persons at work on the date of inspection.				Whether registers B and E, and the file of certificates in form C are kept.	Whether (1) a copy of the rules framed under the Act, and (2) the notice required by section (7) of the Act are put up in a conspicuous place.	Whether machinery is fenced or not.	State of ventilation and sanitation.	Number of persons employed at the end of the year under report.		Maximum number of hands employed on any day during the year.		Number of accidents during the year.	Remark.	
			Adults.	Children.	Males.	Females.					Males.	Females.	Adults.	Children.			
1. Coral Mills Co. (Limited), Tuticorin.	Mr. F. Harvey.	22nd August 1891. 31st December 1891.	419	210	92	..	Yes	..	Yes	..	Good	..	..	..	..	..	92 out of 118 on books; apothecary not present. Children mustered with apothecary. All marked present were seen, except one boy, said to have gone home with fever. Not at work on the date of inspection. This factory was out of work for a considerable portion of the year. This factory was opened only in November 1891. The prescribed 4 holidays a month are given. The children work from 6 to 12 and from 12 to 6; four absentees in group (2) of half timers and 2 absent from group (1)—150 women. No attendance register kept, because paid by piece work; men paid by the day.
2. Tuticorin Cotton Press Co., Tuticorin.	Mr. G. Almon.	25th August 1891.	..	..	..	..	No children employed.	Do.	Do.	Do.	Do.	91	16	107	..	..	..
3. Sugar Factory, Tuticorin.	Mr. Nisbet.	31st December 1891.	67	2	..	..	Do.	Do.	Do.	Do.	Do.	143	4	174	..	..	..
4. Cotton Spinning Factory, Pampam.	Mr. J. Miller.	13th February 1891. 8th September 1891.	339	119	58	..	Yes	..	Yes	..	Good except that the ground near the latrine might be kept cleaner.	384	126	610	80	..	..

From V. A. BRODIE, Esq., Acting District Magistrate, South Canara, to the Chief Secretary to Government, dated Mangalore, 14th April 1892, No. 1417.

With reference to the official memorandum, dated 1st instant, calling for a report on the working of the Indian Factories Act (XV of 1881) for the year 1891, I have the honour to solicit a reference to the marginally-noted correspondence and to state that, under the interpretation hitherto put upon the term "factory," as defined in the above Act, it was considered that there were no factories in this district coming under the said Act and hence no official inspection of factories was made during the past year 1891. I have consequently no report to submit on the working of the Act for that year.

REPORT on Railway Factories for the year 1891.

The number of railway factories for 1891 remained the same as those of 1890. The dates on which they were inspected are shown below:—

Madras Railway Perambur Works.

2nd February 1891. | 15th August 1891.
4th May 1891.

South Indian Railway Engineering Workshops, Trichinopoly.

6th January 1891. | 10th August 1891.

South Indian Railway Locomotive and Carriage Shops, Negapatam.

8th January 1891. | 6th August 1891.

2. I was unable to make a third inspection as required by the rules of the South Indian Railway Factories in the latter part of the year owing to pressure of work in my office on account of Consulting Engineer's absence on inspection of the East Coast Railway.

3. A detailed statement of accidents reported during the year under review, together with the return prescribed by G.O., dated 25th June 1891, No. 1246, Judicial, is herewith enclosed.

4. None of the accidents were serious.

5. The number of hands ordinarily employed is as follows:—

	Adults.
Perambur Railway Workshops	2,988 to 3,031
South Indian Engineering Workshops, Trichinopoly	588 " 684
Do. Locomotive and Carriage Shops, Negapatam.	2,266 " 2,303

(Signed) W. V. CONSTABLE, Major, R.E.,
Inspector of Railway Factories.

ENCLOSURE NO.

DETAILED Statement of Factory Accidents on the Madras and South Indian Railways for 1891.

Railway.	Factory	Date.		Remarks.
		Month.	Day.	
Madras Railway	Perambur Works	May	11	A fitter was hurt in the left leg by a long loose cloth he was wearing becoming entangled in an emery wheel at which he was working.
		June	9	Several parts of body and both eyes of a fitter were burnt by some sparks flying over his body and face from a cast-iron piston head which burnt while being heated.
		July	14	A striker was injured by a chip striking him in the eye while he was cutting a piece of steel.
		August	16	Two brick-layers and two coolies were injured by the collapse of a rail shed.
		September.	26	A cooly was injured, his hand being caught between the cog wheel and head of head stock of a lathe.
		October	24	Left collar bone of a cooly was fractured owing to the man accidentally pulling over a wheel which was leaning against as a support on to himself.
		November.	2	A striker was injured by getting his hand accidentally caught in the slide rack of a lathe.
South Indian Railway.	Negapatam Work-shops.	February	11	While a smith was working at the 10 cwt. steam-hammer, a pair of tongs which he was holding struck him on the chest.
		March	4	A boilermith was hurt by an iron plate falling on his leg.
		May	11	A painter received a compound fracture of the middle finger and a lacerated wound in index finger of right hand by a tressel which broke falling on his right hand.
		June	18	A carpenter was injured in the right hand by his cloth getting entangled in the shafting while he was sharpening a chisel.
		July	29	A boilermith was hurt by an iron plate dropping on his foot.
		August	11	A boilermith was wounded on the left eyelid by a small piece of iron striking him while he was rivetting.
		November.	4	The right eyelid of a striker, named Soondram, was hurt by a small piece of steel flying from the head of a punch which he was holding.
		December.	11	The left eye of a fitter was injured by a piece of steel striking him while working at the vice.
	Engineering Work-shops, Trichinopoly.	August	1	A fitter was injured by the bolt of the saw-sharpening machine getting detached and catching his arm.
		December	30	While loading iron work for despatch a 40-lb. rail fell on a cooly and caught his middle finger against some other rails, severing the top joint.

RETURN of Factories for the year 1891.

1	2	3	4		5	6	7	8	9	10				11		12			
Name and description of factory.	Name of resident manager.	Date of inspection.	Number of persons at work on date of inspection.				Number of children mastered.	Whether registers D and E, and the fine and the fine of certificate in form C kept.	Whether (1) form F under rule XVI, (2) a copy of the rules framed under the Act, and (3) the notice required by section 7 of the Act are put up in a conspicuous place.	Whether machinery is fenced or not.	State of ventilation and sanitation.	Number of persons employed at the end of the year under report.				Maximum number of bands employed on any day during the year.	Number of accidents during the year.		
			Adults.		Children.							Males.	Females.	Males.	Females.			Males.	Females.
			Males.	Females.	Males.	Females.													
Pernambuco Railway Works, Madras Railway.	C. E. Phipps, Esq., Acting Locomotive Superintendent.	2nd Feb. 1891. 4th May " 15th Aug. "	2,551 2,533 2,903			Nr		Form F (1) and the copy of Factory Act rules (2) are posted in the work-shops.	Sufficiently fenced.	Good ...	2,993			3,089	7 (ride statement attached).				
South Indian Railway Engineering Workshops, Trincomopoly.	W. H. Spalding, Esq., Acting Chief Engineer.	6th Jan. 1891. 10th Aug. "	506 588			Nr		1 and 2 are posted in both the factories.	No	Do.	685		707	2 (do.)					
South Indian Railway Locomotive and Carriage Works, Nizamabad.	G. S. Bruce, Esq., Acting Locomotive and Carriage Superintendent.	8th Jan. 1891. 6th Aug. "	2,017 2,035			Nr		..	No.	Do.	2,362		2,362	8 (do.)					

No. 386.

Submitted to Government with reference to G.O., Nos. 329-30, Judicial, dated 9th February 1883.

MADRAS,
5th May 1892.

(Signed) R. E. TOMLIN, Lieut., R.E.,
for Consulting Engineer for Railways.

To the Chief Secretary to Government.

From the District Magistrate, Chingleput, dated 5th February 1892, No. 48.	
" " Cuddapah " 10th " " 253.	
" " Tanjore " 2nd March " " 287.	
" " Salem " 13th " " 403.	
" " Kurnool " 22nd " " 2125.	
" " North Arcot " 5th April " " 395.	
" " Nellore " 5th " " 362.	
" " Madura " 12th " " 20.	
" " Anantapur " 16th " " 327.	
" " Trichinopoly " 12th May " " 50-52.	

ABSTRACT.—Report that no factories were at work in the districts during the year 1891.

ORDER—dated 8th June 1892, No. 1077, Judicial.

In consequence of the opening of the Sugar Factory at Tuticorin and the Paddy-grinding, Cleaning and Oil Manufactory at Madras, the number of factories falling within the scope of Act XV of 1881 rose to 32 in 1891. The number of children employed declined slightly as compared with 1890, but the total number of factory hands continued to grow and reached 19,369 at the close of the year under report; the figures under this head during the last six years are shown below :—

	No. of factories.	No. of hands.
1886	24	11,850
1887	24	13,332
1888	28	14,993
1889	30	16,890
1890	30	17,843
1891	32	19,369

2. The reports are generally satisfactory and show that the provisions of the Act and Rules have been carefully attended to in most instances; examples to the contrary are the following :—

(1) *Bellary*.—In the Spinning and Weaving Mill, Registers D and E and File C were not kept, and in this factory and in Messrs. Dymes and Company's Cotton Press and in the Bellary Arsenal the rules regarding the posting up of Form F and of a copy of the rules were neglected; the notice required by section 7 of the Act was also not posted up in the first-named factory.

(2) *Coimbatore*.—In the Spinning and Weaving Factory, Register D and File C were not kept and copy of the rules was not posted up.

(3) *Godavari*.—In the Government Workshop, Dowlaishweram, Registers D and E and File C were not kept and the notice required by section 7 was not posted up although two children were employed.

(4) *South Arcot*.—The sanitary condition of the Sugar Factory at Tiruvannanallūr is reported to have been bad.

(5) *Tinnevely*.—The rules regarding the posting up of Form F and of a copy of the rules were neglected in the Tuticorin Sugar Factory.

The attention of the resident managers should be drawn to the above defects by the District Magistrates concerned.

3. The inspection of factories was not conducted in an altogether satisfactory manner; in the following instances the number of inspections during the year was below that required by the rules :—

(1) *Bellary*.—The Spinning and Weaving Mill was inspected only twice, the Bellary Arsenal only once, and Messrs. Dymes and Company's Cotton Press (Bellary) was apparently not inspected at all, although certain particulars in respect of it are furnished.

For the neglect of the Inspectors no explanation is offered by the District Magistrate.

(2) *Godavari*.—The Government Workshop, Dowlaishweram, was inspected only once; no explanation of this has been offered.

(3) *South Arcot*.—The Sugar Factory at Tiruvannanallūr was visited only once; this factory seems to be at work for only a short portion of the year; it has not been explained why an inspection was not made during the busy season.

(4) *Tinnevely*.—Of the four factories in this district, not one was inspected more than twice; in respect of the Coral Mills and the Cotton-spinning Factory, Pápanásam, no satisfactory explanation of the failure to obey the rules has been given.

(5) *Railways*.—The South Indian Railway Engineering Workshops, Trichinopoly, and the South Indian Railway Locomotive and Carriage Shops, Negapatam, were inspected only twice; the explanation offered by the Inspector is accepted.

The Magistrates of the districts specified above will take steps to ensure strict adherence to the rules regarding inspections on the part of their subordinates.

4. Other points in connection with the reports which call for notice are the following :—

(1) *Bellary*.—The Deputy Magistrate, Bellary, reports that he saw the file of certificates relating to children in the Spinning and Weaving Mill, but in the form attached to his letter he reports that the file is not maintained.

(2) *Vizagapatam*.—The General Duty Deputy Magistrate, Vizianagrum, has not submitted his report in the form prescribed in the review on the reports for 1890, and has failed to specify the number of operations in the Chittaválsa Gunny Factory.

(3) *Coimbatore*.—It appears that in the inspection of the Spinning and Weaving Mills, Coimbatore, which took place on the 13th March, only 16 children were mustered out of 259 at work, and that in the inspection of the 16th June, only 20 were mustered out of 299. This should be explained.

In the report on this same factory it is observed that the *maximum* number of employes on any day during the year is shown as 569, while the number of persons employed at the end of the year appears as 607; this discrepancy should also be explained.

(4) *Godavari*.—In his proceedings of the 22nd March 1892, the District Magistrate, Godavari, remarks that Register E relates to women, and not to children, and that the notice required by section 10 of the Act refers both to women and children; the District Magistrate has not observed that the amending Act XI of 1891 and the revised rules did not come into force during the year under report.

(5) *Kutna*.—No particulars have been given as to the *maximum* number of employes in the Government Workshop, Bezváda.

5. Several of the Inspectors have given full details of each of the accidents that occurred during the year; this, however, is unnecessary; detailed descriptions should be confined to really serious accidents.

6. There has been considerable delay in submitting many of these returns. The delay exceeded one month in the case of the reports from the Inspector of Railway Workshops and the District Magistrate of Trichinopoly, the blank return from the latter officer not having been received until the 14th May. The blank returns from the following districts were also received after the 31st March, viz., Anantapur, Madura, Nellore and North Arcot. In all, eleven returns out of twenty-three were received late; this is unsatisfactory and should not occur again. There is no excuse for failure to send up a blank return in time.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To all District Magistrates.
" the Public Works Department.
" the Commissioner of Police, Madras.
" the Inspector-General of Police.
Editors' Table.

Exd. A. Reitt.

APPENDIX.

No.	Situation.		Name of factory.	Number of hands employed at the end of 1891.			Number of Accidents.	Machinery whether fenced or not.	Ventilation and sanitation.	Remarks.
	District.	Town or village.		Men.	Woman.	Children.				
1	South Arcot.	Nellikuppam	Messrs. Parry and Co.'s Sugar Manufactory.	674	61		5	Fenced	Ventilation good and sanitation fair.	• Figures to show the number of hands employed are not available.
2	Do.	Tiruvannamalai.	Messrs. Parry and Co.'s Sugar Factory.	365	92		3	Properly fenced.	Sanitation bad.	
3	Bellary	Do.	The Bellary Spinning and Weaving Mill.	46	101	40	2	Do.	Do.	
4	Do.	Do.	Messrs. Dymos and Co.'s Cotton Press.	231				Do.	Do.	
5	Do.	Adoni	The Bellary Atreval	24	64			Not fenced, but secure enough.	Do.	
6	Do.	Do.	Messrs. Dymos and Co.'s Cotton Press.				1	Fenced	Do.	
7	Coimbatore	Coimbatore	The Spinning and Weaving Company	438	122	47	2	Securely fenced.	Clean and well ventilated.	
8	Channay	Atta	Atta Sugar Factory	464	2		2	Fenced	Good.	
9	Godavari	Dowlaiswaram	Government Workshop	143	2		2	Do.	Do.	
10	Kistna	Devada	Government Workshop	248	2		4	Yes	Do.	
11	Madras	Madras	Gua Carriage Factory	1,167	19			Do.	Do.	
12	Do.	Do.	Southern India Spinning and Weaving Mill	834	47		4	Do.	Do.	
13	Do.	Do.	Harbour Works	610			7	Do.	Do.	
14	Do.	Do.	Napier Works	192			1	Do.	Do.	
15	Do.	Do.	Public Works Workshops	338	2		9	Do.	Do.	
16	Do.	Do.	Madras United Spinning and Weaving Mills	644	41	26	7	Do.	Do.	
17	Do.	Do.	Buckingham Mill	1,014	71	240	7	Do.	Do.	
18	Do.	Do.	Carnatic Mill	1,465	30	89	14	Do.	Do.	
19	Do.	Do.	Cement Works	231	138			Do.	Do.	
20	Do.	Do.	Boe Hive Foundry	146				Do.	Do.	
21	Do.	Do.	Messrs. Simpsen and Co.	300		23		Do.	Do.	
22	Do.	Do.	Paddy grinding, cleaning and oil Manufactory	167	4		2	Do.	Do.	
23	Do.	Ponnabur	Madras Railway Workshops	2,993			7	Sufficiently fenced.	Do.	
24	Malabar	Pannanther	Malabar Spinning and Weaving Company	467	39	60	9	Properly fenced.	Do.	
25	Nigritia	Colacumund	Murree Brewery Company	50	8			Yes	Do.	
26	Tanjore	Negapatam	S.I.R. Locomotive and Carriage Shops	2,362			8	Sufficiently fenced.	Do.	
27	Tinnevely	Tuticoria	Coral Mills Company	480	218	118		Yes	Do.	
28	Do.	Do.	Tuticoria Cotton Press Company	91	16			Do.	Do.	
29	Do.	Do.	Sugar Factory	143	4			Do.	Do.	
30	Do.	Pepantam	Cotton-spinning Factory	384	126	80		Do.	Good, except that the ground near the latrine might be kept clearer.	
31	Trichinopoly.	Trichinopoly	S.I.R. Engineering Workshops	685			2	Sufficiently fenced.	Good.	• Number not given in Inspector's report.
32	Vizagapatam.	Chittiruba	Messrs. Arbutnot and Co.'s Gunny Factory				1	Properly fenced.	Fair	
Total				17,456	1,186	727	93			
Total men				17,456						
" women					1,186					
" children						727				
Total employees						19,369				

Govt. of {1892} Madras.
JUDICIAL.

No. 1836 Wap 20 June '92

20TH MAY 1892, No. 953, JUDICIAL.

Communicated to the
officers concerned

1st J. C.
W.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

Issued

Read.

Encl.

G.O., 8th June 1892, No. 1077.

JUNE.

Indian Factories Act.

Reviewing the reports on the working of the
— in this Presidency during the year 1891.

With order

Shes. I, II & C. G. for C. G.

READ—again the following papers:—

G.O., dated 19th December 1891, Nos. 2568, 2569, Judicial.

ABSTRACT.—Passing orders on the replies of the officers consulted regarding the question of revising the rules at present in force under section 18, clauses (b), (c) and (d), of the Indian Factories Act, 1881, as amended by Act XI of 1891, and addressing the Government of India, Home Department.

G.O., dated 1st April 1892, No. 646, Judicial.

ABSTRACT.—Passing orders on letter from Messrs. Dymes and Co. praying for certain concessions for Cotton-pressing Factories in this Presidency, and directing that the Government of India be addressed regarding the exemption of such factories for four months in the year from the restrictions imposed on Sunday labour by section 5 B (1) of the Indian Factories Act, 1881.

READ—also the following papers:—

From J. P. HEWETT, Esq., C.I.E., Officiating Secretary to the Government of India, Home Department (Judicial), to the Chief Secretary to the Government of Madras, dated Calcutta, the 16th February 1892, No. 220.

I am directed to acknowledge the receipt of your letter, No. 2569, dated the 19th December 1891, and in reply to convey the following remarks and suggestions in connection with the rules framed by the Government of Madras under section 18 (1) of the Indian Factories Act, 1881, as amended by Act XI of 1891.

2. It is noticed that Rule 7 empowers the Inspector to take measures to ensure the proper working of the Act in respect of the matters specified in clauses (b), (c) and (d) of section 18 (1) of the Act, and that Rule 12 authorizes him to issue directions to occupiers of factories in respect of these matters. The Government of India are of opinion that these rules are *ultra vires* and open to objection, inasmuch as in the first place their practical effect is to delegate to the Inspector a power of subordinate legislation which the legislature (section 18 (1), Act XV of 1881) has conferred only on the Local Government; and secondly, because, as the rules at present stand, no obligations in respect of these matters mentioned have been imposed by the Local Government on the occupier of a factory, and he will therefore not be liable to the penalties prescribed in section 15 of the Act on failure to carry out the Inspector's orders. I am accordingly to suggest that the rules should be recast so as to impose positive obligations on employers, and thus bring them within the scope of section 15 of the Act, the Inspector being left to determine merely as a matter of fact whether the rules have been sufficiently complied with.

3. The Government of India are also advised that it is desirable that Rule 7 should, as far as possible, prescribe some definite minimum standard in regard to—

- (1) the supply of water per head to be maintained for the use of operatives;
- (2) space and ventilation; and
- (3) latrine accommodation.

On these points I am to invite attention to the draft rules made by the Governments of Bombay and the North-Western Provinces and Oudh and the Chief Commissioner of the Central Provinces (copies of which have, it is presumed, been forwarded to you by the Local Governments concerned in accordance with the instructions given in this Office Circular No. 1710—15, dated 29th December 1891). Rule 3 of the draft rules for the Bombay Presidency provides for the maintenance of a water-supply comprising at least twice as many gallons of water as there are persons employed in the factory, at least as many gallons as there are persons employed being fit for drinking purposes, and the remainder for purposes of washing. Rule 16 of the Central Provinces rules prescribes that the minimum space ordinarily provided for each person employed in any room of a factory shall be 36 superficial feet and 500 cubic feet, with 10 square feet of lateral ventilating opening, and that in cases in which either lateral or forced ventilation cannot be secured, a minimum of 54 superficial feet and 900 cubic feet shall be provided for each person employed. Rules 7 and 8 of the rules for the North-Western Provinces and Oudh direct that in no case shall there be less latrine accommodation on a factory than one seat for every fifty persons employed, and that separate accommodation shall be provided for female operatives where they are employed.

The Governor-General in Council leaves it to the Madras Government to decide what minimum should in each case be fixed in the rules for the Madras Presidency. In regard to ventilation it would, perhaps, be expedient to fix a minimum for walled-in masonry buildings, discretion being given to the Inspector to make allowances for other edifices receiving more natural ventilation.

4. In conclusion I am to say that possibly the experience gained by Inspectors, after the working of the rules has been watched for some time, may render it desirable for the Local Government to make changes in them. The point will doubtless be kept in view by the Madras Government.

From Surgeon Lieut.-Colonel J. A. LAING, Sanitary Commissioner, to the Chief Secretary to Government, dated Vizianagum, 20th March 1892, No. 987-S.

I have the honour to request that you will be pleased to allow me a perusal of the copies of the draft rules made by the Governments of Bombay and the North-West Provinces and the Chief Commissioner of the Central Provinces under section 18 (1) of the Indian Factories Act of 1881 as amended by Act No. XI of 1891 mentioned in letter, No. 220, dated 16th February 1892, of the Government of India, referred to me under your No. 472, dated 12th March 1892.

2. I will return the copies immediately after perusal.

Notification of the Government of India, Home Department (Judicial), dated Calcutta, 25th March 1892, No. 428.

In exercise of the power conferred by clause (2), section 18, of the Indian Factories Act, 1881, as amended by Act XI of 1891, the Governor-General in Council has been pleased to make the following rule:—

Every occupier of a factory shall furnish to the Magistrate of the district, or, if the factory is situate within the limits of a Presidency town, the Special Inspector of Factories or other officer designated in this behalf by the Local Government, the undermentioned returns on or before the dates specified against each:—

I.—On or before the 15th July and the 15th January, respectively, a half-yearly return relating to the first and second-half of each calendar year in the following form:—

Name and situation of factory.	Name of owner or occupier.	Name of manager.	Nature of industry.	Nature and amount of moving power.	Average daily number of operatives employed.				Whether the factory is worked by shifts or stoppage. If the latter, the hour and extent of daily stoppage.	Whether there is general holiday on Sunday or on varying work days, or whether the factory has been exempted from the rule as to Sunday labour under section 4 B (1), clause (e), of the Act.	Remarks.
					Adults.		Children.				
					Male.	Female.	Male.	Female.			

N.B.—The average daily number of operatives employed is to be taken from the returns for the year 1904.

N.B.—The average daily number of children is to be taken from the register of children kept in the factory.

II.—On or before the 15th January of each year, an annual return in the following form regarding measurements and space:—

Name and situation of factory.	Name of occupier.	Measurements and cubical contents of each room in the factory.	Area of the floor-space of any room shown in the preceding column occupied by machinery or other fixtures.	Remarks.

III.—Before the end of each calendar month, a return giving notice of all the days on which the factory will be closed during the ensuing month.

(Signed) J. P. HEWETT,
Offg. Secy. to the Govt. of India.

Madras.
Bombay.
Bengal.
North-Western Provinces and Oudh.

Punjab.
Central Provinces.
Burma.

Nos. 429—435.

Copy forwarded to the Local Governments and Administrations marginally noted for information and issue of further necessary orders.

Nos. 436—439.

Copy forwarded to the Chief Commissioners of Assam and Coorg, the Resident at Hyderabad, and the Foreign Department for information.

(By order.)

(Signed) J. P. HEWETT,
Offg. Secy. to the Govt. of India.

To the Government of Madras.

Endorsement, in the Public Works Department (Railway Branch), dated 13th April 1892, No. 1992 C.

Read—the following papers:—

From H. R. P. CARTER, Esq., Acting Agent and Manager, Madras Railway Company, to the Consulting Engineer for Railways, dated Madras, 22nd February 1892, No. 6596—154.

I have the honour to acknowledge receipt of your letter, No. 21, dated 11th ultimo, on the subject of the revised rules issued under the Indian Factories Act.

With reference to paragraph 2, the Locomotive Superintendent writes:—

"The following are the several engine stations at which more than 50 persons are employed:—

Madras.	Salem.	Cuddapah.
Jalárpét.	Pódanúr.	Gooty.
Bangalore.	Rénigunta.	Raichur.

"At Jalárpét and Pódanúr, machinery driven by steam power is used; at the other stations no steam power for the actual driving of the machinery exists, the machinery being worked by hand wheels, treadle or other hand labour. The work done at the engine-changing stations consists in cleaning, oiling and repairing locomotive engines, carriages and wagons, such repairs being of a more or less heavy or light character as may, from time to time, be required.

"I presume under the strict letter of the definition given in section 2 (a) of the Act, the only stations which should be considered as factories would be Jalárpét and Pódanúr, as I presume hand wheels, &c., would not be considered to be 'mechanical power.' In any case, it will be necessary to obtain complete exemption from the provisions of section 5-B, as we must be free to carry on Sunday work at each and all of these stations.

"It will, I think, further be necessary to obtain some relaxation of the rule with regard to Sunday work at Perambúr works. It is only on very rare occasions that work is carried on here on Sundays, but, in the exigencies of the service, in the event of a sudden call for engines or wagons or other urgent necessity, we have been, and shall no doubt continue to be, occasionally obliged to work overtime on a Sunday. If this is to be forbidden in future, I am afraid difficulties will arise."

2. It will thus be necessary to obtain exemption from the rule prohibiting Sunday labour at any rate in the cases of Perambúr works and the engine sheds at Jalárpét and Pódanúr. If you agree with Mr. Phipps' view of the meaning of the word "mechanical power," application for exemption in the case of the other stations named would appear to be unnecessary.

3. It is believed that the provisions of paragraph 7 of Notification II are fully complied with at all the factories on this railway.

4. No women are employed in any of the factories. Some boys are employed as bellows-boys in the smithy at the engineering shops at Ráyapuram, and as to these the necessary returns and forms will be maintained and the rules observed.

5. With reference to paragraph 5, I would draw your attention to your letter, No. 308, dated 5th March 1888, in which you stated that Form A need not be submitted. I shall be glad to know whether you now wish it to be reverted to. Forms C, D, E and F are not required at Perambúr works, as no women or children are employed.

6. I request that I may be furnished with 50 copies of the rules and forms in English and Tamil, to enable the provisions of paragraph 23 of Notification II to be complied with.

From W. S. BETTS, Esq., Agent, South Indian Railway, to the Consulting Engineer for Railways, dated Trichinopoly, 25th February 1892, No. 288.

With reference to paragraphs 3 and 7 of your letter, No. 40, of 11th January last, I have the honour to inform you that the Acting Chief Engineer reports as follows:—

"I beg to inform you that, as far as the Trichinopoly Engineering Workshop is concerned, the arrangements already in existence with regard to the fencing of machinery and mill gearing, the supply of water for drinking purposes, the ventilation and sanitation of the factory and the accommodation provided, meet all the requirements as per paragraph 7 of Notification II, and no further steps are therefore necessary in the matter.

"2. Children are employed in the Engineering Workshops, but not women, and the returns and forms relating to the former will be kept up and the rules regarding their employment will be observed."

And the Acting Locomotive Superintendent writes:—

"I beg to state that, with regard to paragraph 3 of the Consulting Engineer's letter, I know of nothing which requires to be done under paragraph 7 of Notification No. II.

"The provisions of the Act mentioned in paragraph 7 of the Consulting Engineer's letter are and have been observed."

From W. S. BETTS, Esq., Agent, South Indian Railway, to the Consulting Engineer for Railways, dated Trichinopoly, 29th March 1892, No. 481.

With reference to your letter, No. 293, of 2nd instant, and in continuation of my letter, No. 288, dated 25th February last, I have the honour to inform you that I do not consider the engine-changing station shops at Madras, Nellore, Villupuram and Trichinopoly should be classed as factories within the meaning of the Act, because the machinery employed therein is not driven by steam or water power.

2. The following are the engine-changing shops at which more than fifty work-people are employed:—

Madras.	Cuddalore.	Madura.
Nellore.	Trichinopoly.	

3. The machinery at Cuddalore and Madura shops is worked by steam power.

4. At Madras, Trichinopoly and Nellore shops, treadle lathes are used.

5. I consider it necessary that the rule regarding Sunday labour should be relaxed in the case of the locomotive workshops at Negapatam, the engineering workshops at Trichinopoly, and the engine-changing shops at Cuddalore and Madura, also as regards the engine-changing shops at Madras, Nellore, Villupuram and Trichinopoly, should the Government decide that these shops are to be classed as factories.

6. No women or children are employed in the Negapatam workshops, nor at any of the engine-changing shops named in the foregoing paragraphs. Children are employed in the engineering workshops at Trichinopoly.

No. 293.

Submitted to Government.

2. The Agents, Madras and South Indian Railways, submit for orders certain points in connection with the revised rules under the Indian Factories Act issued with G.O., No. 2568, Judicial, dated 19th December 1891.

3. With reference to paragraph 4 (a) of the above order, the Agent and Manager, Madras Railway, reports that the work done at the engine-changing stations consists in cleaning, oiling and repairing locomotive engines, carriages and wagons, such repairs being of a more or less heavy or light character as may, from time to time, be necessary.

4. The engine stations on the Madras Railway at which more than 50 persons are employed are—

Madras.	Salem.	Cuddapah.
Jalárpét.	Pódanúr.	Gooty.
Bangalore.	Rénigunta.	Raichur.

5. At Jalárpét and Pódanúr and at the Perambúr workshops, the machinery is worked by steam power, but at the other stations no steam power is employed, hand-wheels, treadle or other methods of transmitting power being used.

6. The Agent and Manager, Madras Railway, presumes that, under the strict letter of the definition given in section 2 (a), hand-wheels, &c., are properly not "mechanical power." If this meaning of the word is accepted—and it appears sound—only the three stations referred to in paragraph 5 above should, in his opinion, be considered as "factories," and application for exemption from the rules regarding Sunday labour will, in the case of the others, be unnecessary. If however, this view be not held, exemption from the provisions of section 5-B will be required in the case of all the engine-changing stations named above, as well as for the Perambúr workshops.

7. On the South Indian Railway the machinery at the engine station shops of Cuddalore and Madura and the locomotive workshops at Negapatam is worked by steam power, and these the Agent, South Indian Railway, considers should be classed as "factories."

8. The engine shops at which more than 50 people are employed are Trichinopoly, Madura and Nellore, but at these shops treadle lathes are employed, and for this reason they are not considered to be "factories."

9. The Agent, South Indian Railway, requires the provisions of section 5-B to be relaxed in the case of the stations referred to in paragraphs 7 and 8, as also in the case of the engine-changing shop at Villupuram, which, however, does not appear to fall under the definition of "factory," as it employs less than 50 work-people and does not use mechanical power.

10. No women are employed in any of the factories on the Madras or South Indian Railways, but the services of children are utilised in the engineering shops at Rayapuram and Trichinopoly. The necessary returns and forms relating to them will be maintained in the case of those classed as "Factories."

11. It is observed that in Appendix I, Notification I, of the draft revised Factory rules issued with G.O., No. 2568, Judicial, dated 19th December 1891, the Local Government has proposed to appoint the Deputy Consulting Engineer for Railways to be the "Inspector of Factories" for all Railway workshops. In Rule 2, Notification II, of the same Appendix, the Deputy Consulting Engineer for Railways has also been appointed as the "Registering Inspector" for all Railway workshops. Government of India Notification, No. 428, dated 26th March 1892, however, requires occupiers of factories to furnish certain returns to the "Special Inspector of Factories" if the factory is situated within the limits of a Presidency town, and to the Magistrate of the district in other cases. As these rules are apparently conflicting, some modification of them may be necessary. Further, it may be pointed out that according to the Local Government's draft rules the Inspector must maintain a register in Form A and submit an annual return in form of Appendix II, whilst in Government of India Gazette notification quoted above, the occupiers of a factory must submit certain returns in certain shapes. As these do not give quite the same information, it is suggested for consideration whether the return to be furnished by occupiers and Inspectors may not be made more alike.

MADRAS,
7th April 1892.

(Signed) W. V. CONSTABLE, Major, R.E.,
for Consulting Engineer for Railways.

Endorsement—dated 13th April 1892, No. 1992-C. Public Works (Railway).

Transferred to the Judicial Department, with reference to its G.O., No. 2568, dated 19th December 1891.

(Signed) W. H. COAKER, Lieut.-Col., R.E.,
Joint Secy. to Govt., P.W.D.,
Railway Branch.

From Surgeon Lieut.-Colonel J. A. LAING, Sanitary Commissioner, Madras, to the Chief Secretary to Government, dated Fort St. George, 21st April 1892, No. 1207-S.

With reference to No. 472, dated 12th March 1892, and endorsement,* dated 1st April 1892 (both herewith returned with enclosures), I have the honour to make the following remarks

* On this office letter, No. 987-S., dated 20th March 1892.

2. 1st, *The supply of water which should be maintained for the use of operatives.*—The quantity of water required for drinking purposes is found to bear a relation to the weight of the individual, being nearly half-an-ounce for every pound weight. Thus a man weighing 150 lb. would require 3½ pints; of this water about one-third is taken in the food, the remainder, averaging 2½ pints, being required as drink. There are, however, wide ranges from the averages. In hot climates and during great exertion a man will, of course, drink much more. As it is necessary, in estimating the

quantity of water required daily for each person, to allow a liberal supply and that any error in supply had far better be on the side of excess, I am of opinion that the quantity of water which should be available at factories for the use of the persons employed therein should be at least 2 gallons per head. Of this supply one gallon should be wholesome potable water and the remainder should be fit for purposes of washing.

3. 2nd, *Space and Ventilation.*—The space which is required for each individual in a factory is regulated by the ventilation. It is usual to fix a limit within which it is not safe to pass, but the cubic space of a room is really of less importance than the capacity for frequent interchanges of air. In deciding, therefore, as to whether the space is sufficient or not, I think that each factory should be judged on its own merits on inspection—particular attention being given as to whether the size of each room is sufficient to admit of free perfusion of air by numerous doors and windows and also that the apertures are so placed and capable of such control as to ensure abundance of uncontaminated air. With regard to walled-in masonry buildings it is necessary to have some guide as to the space which must be provided, and the minimum space in such cases should be as prescribed in Rule 16 of the Central Provinces rules, viz., 36 superficial feet, 500 cubic feet and 10 square feet of lateral ventilating opening.

4. 3rd, *Latrine Accommodation.*—Latrine and urinal accommodation should be provided for every factory, and there should be at least one latrine seat for every fifty persons employed.

From P. G. MELITUS, Esq., Officiating Deputy Secretary to the Government of India, Home Department (Judicial), to the Chief Secretary to the Government of Madras, dated Simla, 25th April 1892, No. 7 Judl.—524.

With reference to the correspondence ending with the letter from this department, No. 220, dated the 16th February 1892, I am directed to forward a copy of a despatch from Her Majesty's Secretary of State, and to request that, with the permission of the Governor in Council, thirty-five copies of the rules as finally issued under section 18 (1) of the Indian Factories Act, 1881, as amended by Act XI of 1891, may be furnished to the Government of India as early as possible.

ENCLOSURE.

Despatch from the Right Honorable Lord CROSS, Her Majesty's Secretary of State for India, to His Excellency the Most Honorable the Governor-General of India in Council, dated India Office, London, 10th March 1892, No. 13 (Statistics).

With reference to the enclosed copy of a question and answer in the House of Commons regarding rules under the Indian Factory Act, I request that copies of any rules issued by your Excellency's Government or by the local Governments under section 18 of the Indian Factory Act may be furnished to me as soon as such rules receive the force of law under clause (3) of section 18 of that Act.

Question—by Mr. Provand.

No. 23, dated Friday, 19th February 1892.

To ask the Under Secretary of State for India, if he will obtain and lay upon the table a copy of the Regulations which were to be prepared by the Government of India relating to the Factory Act, which became law in India on the 1st January last.

Answer.

Yes, Sir, the regulations when received will be laid on the table.

ORDER—dated 20th May 1892, No. 953, Judicial.

The papers read above relate to the rules to be issued under the Indian Factories Act, 1881, as amended by Act XI of 1891.

2. With reference to the Government of India's letter, dated 16th February 1892, No. 220, the following will be substituted for Rule 7 of the draft rules contained in Appendix I, Notification II, appended to G.O., dated 19th December 1891, No. 2568, Judicial:—

"7. It shall be the duty of every occupier of a factory—

- "(1) to fence all machinery and mill-gearing in such a manner as to provide for the safety of the operatives;
- "(2) to provide a supply of not less than two gallons of water *per diem* for each operative; of this one half at least must be suitable for drinking and the remainder for washing purposes;
- "(3) to arrange for the proper ventilation of the factory so that each operative shall have a sufficient quantity of air; in the case of walled-in masonry buildings the minimum space provided for each person shall be 36 superficial feet, 500 cubic feet and 10 square feet of lateral ventilating opening, and in cases in which lateral ventilation cannot be contrived, sufficient supply of fresh air shall be ensured by forced ventilation or such other means as are considered suitable by the Inspector, or, if this cannot be effected, a minimum of 54 superficial feet and 900 cubic feet shall be provided for each person;
- "(4) to provide suitable and sufficient latrines and urinals, the former containing at least one seat for every 50 operatives, separate accommodation of this nature being provided for female operatives when any are employed;
- "(5) to ensure that the factory is generally in a clean and wholesome condition."

3. With reference to G.O., dated 1st April 1892, No. 646, Judicial, the following will be substituted for the first sentence of Rule 8 of the draft rules above referred to:—

"Every factory shall be inspected by an Inspector as often as may be deemed sufficient, but it shall be inspected at least three times in every calendar year if the factory is open for more than eight months in the year, at least twice if it is open for not more than eight months in the year, and at least once if it is open for not more than four months in the year."

4. In Appendix I, Notifications I and II, appended to G.O., dated 19th December 1891, No. 2568, Judicial, the words "Railway factories" shall be substituted for the words "Railway workshops," throughout.

5. In paragraph 4 (a) of G.O., dated 19th December 1891, No. 2568, Judicial, the question was raised whether "engine-changing stations" are factories within the meaning of the Act, and the Government observed that if they are so, the Government of India would be moved to exempt them from the restrictions upon Sunday labour. It now appears that steam power is employed at the "engine-changing stations" at Jalárpét, Pódanúr, Perambúr, Cuddalore, Madura and Negapatam, and that in other respects these stations fall under the definition of "factories;" the Government of India will therefore be moved to exempt these stations from the rules against Sunday labour.

In nine other "engine-changing stations" the machinery used is worked by hand, and, this being so, the Consulting Engineer doubts whether the term "factory" as used in the Act covers them. The Government concurs with the view taken by the Consulting Engineer on this point.

6. In paragraph 11 of the Consulting Engineer's note, he observes that occupiers of factories are required by the Government of India notification, dated 25th March 1892, No. 428, Judicial, to submit returns in the mofussil to the District Magistrate,

while under the draft rules framed by this Government, the Deputy Consulting Engineer is Inspector of Factories and "registering Inspector" for all Railway workshops throughout the Presidency, and he suggests that the two sets of rules are so far contradictory. The Government sees no such contradiction, but, in order to meet the apparent wishes of the Consulting Engineer, is pleased to direct that the returns in question, when they relate to Railway factories, shall be forwarded on receipt by the District Magistrate to the Deputy Consulting Engineer for Railways.

7. The Consulting Engineer further suggests that the "Register of Factories" and the "Form of annual report" prescribed in G.O., dated 19th December 1891, No. 2568, Judicial, should be amended so as to correspond with the forms of returns now prescribed by the Government of India. The Government, however, sees no reason for any change.

8. With an endorsement, Nos. 429—435, the Government of India has forwarded a copy of a notification prescribing three sets of returns to be furnished by occupiers of factories to the District Magistrate in the mofussil and to the special Inspector of Factories or other officer designated in this behalf by the Local Government in the Presidency town. With reference to this last provision the Government is pleased, there being no special Inspector in this Presidency, to designate the Deputy Commissioner of Police, Madras, as the officer to whom the returns shall be submitted in the City of Madras; this officer shall send on the returns to the Commissioner of Police for information. The attention of all occupiers of factories should be drawn to the Government of India notification in question, which will be printed as Appendix II, Notification A, to this Proceedings.

9. The amended rules framed under sections 3 and 18 of the Indian Factories Act, 1881, as amended by Act XI of 1891, will now be finally published in the *Fort St. George Gazette* as rules having the force of law, and thirty-five copies of the rules will be furnished to the Government of India in conformity with Home Department letter, dated 25th April 1892, No. 7-524, Judicial.

(True Extract.)

Edmund Lister

Chief Secretary.

To all District Magistrates.
 „ the Public Department.
 „ the Public Works Department.
 „ the Revenue Department.
 „ the Consulting Engineer for Railways.
 „ the Commissioner of Police.
 „ the Inspector-General of Police.
 „ the Sanitary Commissioner.
 Gazette.

Ed. A. Ittitt.

[Appendix.

APPENDIX I.

NOTIFICATION I.

In supersession of the notification, dated the 9th February 1882, published at page 199 of the *Fort St. George Gazette* of the 1st April 1882, the Governor in Council is pleased, under section 3 of the Indian Factories Act, 1881, as amended by Act XI of 1891—

(1) to appoint the following officers to be Inspectors of Factories:—

(a) The District Medical officer and the Assistant Magistrate or Magistrates for all factories, not being railway factories, situated within the districts in which they are employed and all sub-divisional Magistrates within the meaning of the Code of Criminal Procedure for all factories, not being railway factories, situated within their respective sub-divisions;

(b) The Deputy Commissioner of Police for all factories situated within the Presidency town; and

(c) the Deputy Consulting Engineer for Railways for all railway factories.

(2) to declare that—

(a) Every Inspector, other than the *ex-officio* Inspector, whose jurisdiction is limited to a district or part of a district, shall be officially subordinate to the Magistrate of the district to which he is appointed;

(b) in the Presidency Town the Deputy Commissioner of Police shall be officially subordinate to the Commissioner of Police;

(c) the Deputy Consulting Engineer for Railways shall be officially subordinate to the Consulting Engineer for Railways.

NOTIFICATION II.

In exercise of the powers conferred upon him by section 18 of the Indian Factories Act, 1881, as amended by Act XI of 1891, the Governor in Council is pleased to prescribe the following rules in supersession of those published upon page 429 of the *Fort St. George Gazette*, dated the 15th August 1882, and upon page 700 of the *Fort St. George Gazette*, dated the 28th November 1882:—

1. All references to "the Act" or "the Factories Act" in these rules are to be understood as referring to the Indian Factories Act, 1881, as amended by Act XI of 1891.

2. A register of Factories in Form A annexed to these rules shall be maintained by each Sub-divisional Magistrate for all factories other than railway factories within his Sub-division, by the Deputy Commissioner of Police for all factories within the Presidency Town and by the Deputy Consulting Engineer for Railways for all railway factories. In these rules the words "registering Inspectors" mean and include these Inspectors only.

3. On the publication of these rules the registering Inspector shall give notice to the manager or occupier of every factory within his jurisdiction intimating his intention of placing such factory upon his Register of Factories (Form A).

4. Any person served with a notice under rule 3 whose premises do not fall within the definition of a factory given in the Act may, within fifteen days of the receipt of such notice, forward to the registering Inspector a statement setting forth his objections to the registration of his premises as a factory. The registering Inspector shall consider and dispose of such objections after making such inquiry as he may deem necessary, and shall make up his register of factories in accordance with the provisions of the Act.

5. The registering Inspector may at any time serve a notice, as provided in rule 3, upon the occupier of any factory which is not already entered in his register of factories, and the provisions of rule 4 shall apply to the subsequent proceedings in all such cases.

6. When any premises cease to be occupied as a factory, the occupier may give notice of the fact to the registering Inspector, who shall, if satisfied that the Act is no longer applicable to such premises, remove them from his register of factories.

7. It shall be the duty of every occupier of a factory—

(1) to fence all machinery and mill-gearing in such a manner as to provide for the safety of the operatives;

- (2) to provide a supply of not less than two gallons of water *per diem* for each operative; of this one half at least must be suitable for drinking and the remainder for washing purposes;
- (3) to arrange for the proper ventilation of the factory so that each operative shall have a sufficient quantity of air; in the case of walled-in masonry buildings the minimum space provided for each person shall be 36 superficial feet, 500 cubic feet and 10 square feet of lateral ventilating opening, and in cases in which lateral ventilation cannot be contrived, sufficient supply of fresh air shall be ensured by forced ventilation or such other means as are considered suitable by the Inspector, or, if this cannot be effected, a minimum of 54 superficial feet and 900 cubic feet shall be provided for each person;
- (4) to provide suitable and sufficient latrines and urinals, the former containing at least one seat for every 50 operatives, separate accommodation of this nature being provided for female operatives when any are employed;
- (5) to ensure that the factory is generally in a clean and wholesome condition.

8. Every factory shall be inspected by an Inspector as often as may be deemed sufficient, but it shall be inspected at least three times in every calendar year if the factory is open for more than eight months in the year, at least twice if it is open for not more than eight months in the year, and at least once if it is not open for more than four months in the year. At the inspection the Inspector shall muster all children employed on the premises, examine all registers required to be kept under the Act or these rules and see that all orders respecting the secure fencing of machinery and mill-gearing and respecting the water-supply, the ventilation and the sanitation of the factory and the accommodation provided therein are observed and generally that the provisions of the Act and the rules made thereunder are being duly carried out.

9. An Inspector may enter a factory for the purpose of section 4 of the Act at any time during the day or night according as work is being carried on therein by day or night, but he shall not examine the children employed therein for the purpose of verifying the registers kept under section 9 of the Act except during working hours.

10. The result of each inspection and all orders and remarks made by the Inspector on the occasion of inspection shall be recorded in the Register of Factories (Form A). When the inspecting officer is not the registering officer, a copy of the record of inspection shall be sent to that officer in view to the insertion of the necessary particulars in the Register of Factories.

11. A copy of every order passed by an Inspector under section 4 (c) or section 12 (c) of the Act or under these rules in respect of the matters referred to in clauses (b), (c) and (d) of section 18 (1) of the Act and of any remarks made by him on the occasion of each inspection, shall be transmitted to the occupier of the factory, or in his absence to the principal agent in charge of the factory, within twenty-four hours of the same being passed. The despatch through the post, under registered cover, of a copy of such orders and remarks shall be deemed to be sufficient service on the occupier of the factory of any directions contained therein. When the inspection is not performed by the registering Inspector, a copy of any orders or remarks passed should be sent to that officer.

12. Every order for the fencing of any part of the machinery or mill-gearing of a factory which an Inspector may pass under section 12 (c) of the Act and any direction given under these rules with reference to clauses (b), (c) and (d) of section 18 (1) of the Act shall state clearly what is required and shall specify a reasonable time within which what is required to be done shall be completed and shall further give notice that, if it shall not be so completed, the person responsible for the breach of the order will be prosecuted under section 15 of the Act.

13. The occupier of a factory shall, if required by an Inspector, bring before him, on the occasion of inspection, all children employed in the factory and any other persons employed in the factory whom the Inspector may wish to see.

14. Certifying Surgeons under section 5 of the Act shall grant certificates in the Form B appended. Forms of certificate in counterfoil will be supplied to certifying Surgeons.

15. Every occupier of a factory shall keep a file of all certifying Surgeons' certificates relating to persons in his employ and shall produce it when required by an Inspector. Every such certificate shall be returned by such occupier on demand to the parent or guardian of the person to whom it relates on his leaving the factory for other employ.

16. Every occupier of a factory shall keep registers in Forms C, D and E attached to these rules and no such register shall be destroyed or removed from the factory without the written permission of an Inspector.

17. In addition to the notice required by section 10 (1) of the Act, every occupier of a factory shall set up and maintain in a conspicuous place in the factory a printed or written notice, in English and the Vernacular, in Form F appended, of the daily working hours of the factory. An alternative form is provided to meet the case of factories working on the shift system in which the hours of the shifts are substituted for those of opening and closing work. In factories where the shift system is adopted for a part of the year only, the register will be maintained in either of the alternative forms as may be necessary.

18. Any occupier of a factory on whom an Inspector serves an order under section 12 (c) of the Act may, within seven days after receipt of such order, appeal—

- (1) in the mofussil to the Magistrate of the district;
- (2) in the Presidency Town to the Commissioner of Police; and
- (3) in the case of railway factories to the Consulting Engineer for Railways.

Appeals from orders passed by District Magistrates in their capacity as *ex-officio* Inspectors shall lie direct to Government. There shall be no further appeal from an order passed by the aforesaid appellate authorities, but Government may review any order mentioned in this rule either of an Inspector or of an appellate authority and may issue any orders thereon which may seem proper. In order that effect may be given to the latter part of this rule, copies of all the orders referred to herein shall be transmitted to Government as soon as they are passed.

19. An appeal under the preceding rule 18 shall be made in the form of a memorandum of appeal in Form G bearing a stamp fee as regulated by article 11 of schedule II of the Court Fees Act and shall be accompanied by a copy of the order appealed against.

20. The appeal shall be heard at as early a date as may be convenient and due notice of the date of hearing shall be given to the appellant and the Inspector.

21. If the order of an Inspector under section 12 (c) of the Act is set aside or modified in appeal, the Inspector shall, as early as possible, deliver to the occupier of the factory such amended order as may seem to him to be required.

22. Notice of all accidents resulting in death or from which the injury is evidently so severe that there is no reasonable hope that the injured person will be able to return to his work within 48 hours shall be given on the same day on which they occur. Notice of accidents of a less severe character, but which nevertheless prevent the person injured from returning to his work within 48 hours of the occurrence, shall be given immediately on the expiry of the 48 hours' interval allowed by section 13 of the Act. Such notices shall be sent both to the Sub-Magistrate and to the Divisional Magistrate within whose jurisdiction the factory is situated and also to the registering Inspector. Notice of fatal injuries shall at the same time be given at the nearest police station as required by section 45 of the Code of Criminal Procedure, 1882. All such notices shall contain full particulars of the accident and shall be sent by special messenger except in the case of the copy to the Inspector which may be sent by post. This notice shall be in Form H appended.

In the case of accidents occurring within the Presidency Town, notice of the same will be given to the Commissioner of Police or his Deputy.

23. A copy of these rules and of the forms appended, with a translation thereof in the vernacular of the district in which the factory is situated, shall be kept hanging in a conspicuous place in each factory.

Form A.
(*Under rules 2 and 10 of the rules framed under the Factories Act.*)

1	2	3	4	5	6	7		8	9	10
Serial number.	Name and description of factory.	Village and taluk wherein situated.	Name of resident manager.	Name of proprietor.	Date of inspection.	Number of persons at work at date of inspection.		Number of children employed at inspection.	Whether registers C, D and E, and the file of certificates in Form B are kept.	Whether (1) Form F under rule 17, (2) a copy of the rules as required by rule 23, and (3) the notices required by section 10 of the Act are put up in a conspicuous place.
						Adults.	Children.			
						Male.	Female.	Male.	Female.	
11	Whether the machinery is properly fenced or not.	12	13	14	15	16	17	18	19	Remarks.
			Number of persons employed at the end of the year under report.							
			Adults.	Children.						
			Male.	Female.	Male.	Female.				

• NOTE.—[In column 19 will be entered particulars of accidents, &c.]

Form B.

(*Vide* rule 14 of the rules framed under the Factories Act.)

CERTIFICATE UNDER SECTION 5 OF THE INDIAN FACTORIES ACT.

No.
Dated the ____ day of ____ 18 ____

No.
Dated the _____ day of _____ 18 _____

Name of person examined

I hereby certify that I have this day examined—

Son of _____
Daughter of _____

(Name) _____

Reading at _____

Name and locality of Factory at which to be employed_____

who is employed in the state name and locality of Factory

Age certified _____

and I consider ^{him} ~~her~~ to be $\frac{\text{above 9 or 14}}{\text{below 9 or 14}}$, *i.e.*, about - years of age.

(Signed) _____

(Signed) _____

Certifying Surgeon.

Certifying Surplus.

Factory Register of Children admitted to Employment in _____

Name and Locality of Factory —————

* NOTE.—The purport of any order passed by the Inspector regarding the child should be here entered.

Form D.

Weekly muster register for children—
Name of factory
Department of factory.

Time of opening and closing work on each day.

Work.—[Hours should be given for each child on each day.]

FORM E.

Weekly muster register for women—
Name of factory
Name of department

* *NOTE*.—[In column 7 should be entered such particulars (among others) as these: whether the shift system is in force; whether Sunday labour is allowed; whether the factory has been exempted from the effect of clauses (1), (2) and (3) of section 6 of the Act under clause (4) of the same section.]

FORM F.

Form of register of hours of employment.

Alternative form for use where the shift system is in force.

FORM G.

Memorandum of Appeal.

(NAME) Appellant, Owner (occupier or manager) of
 Factory, situated at in Taluk of District of
 The said above named, appeals to the District Magistrate of
 [Commissioner of Police, or Consulting Engineer for Railways, as the case may be] against the
 order of Esq., Inspector of Factories, dated the day of
 for the following reasons, namely [here state the grounds of objection].

FORM H.

Form of Notice of Accident occurring in a Factory.

To _____
Sir,
I _____ beg hereby to give notice under section 13 of the Indian Factories Act that an accident occurred in the Factory of _____ at _____ o'clock this day causing _____ to the persons mentioned below :—

2. The accident was caused by _____.

3. The injured persons are under treatment by _____ (or have been removed to the hospital at _____).

I have, &c.,

Dated

Manger.

APPENDIX II.

NOTIFICATION A.

The following notification is published for general information :—

Notification of the Government of India, Home Department (Judicial), dated Calcutta, 25th March 1892, No. 428.

In exercise of the power conferred by clause (2), section 18, of the Indian Factories Act, 1881, as amended by Act XI of 1891, the Governor-General in Council has been pleased to make the following rule :—

Every occupier of a factory shall furnish to the Magistrate of the district, or, if the factory is situate within the limits of a Presidency town, the Special Inspector of Factories or other officer designated in this behalf by the Local Government, the undermentioned returns on or before the dates specified against each :—

I.—On or before the 15th July and the 15th January, respectively, a half-yearly return relating to the first and second-half of each calendar year in the following form :—

Name and situation of factory.	Name of owner or occupier.	Name of manager.	Nature of industry.	Nature and amount of moving power.	Average daily number of operatives employed.				Whether the factory is worked by shifts or stoppages. If the latter, the hour and extent of daily stoppage.	Whether there is a general holiday on Sunday or on varying week days, or whether the factory has been exempted from the rule as to Sunday labour under section 5 B (1), clause (c), of the Act.	Remarks.
					Adults.		Children.				
					Male.	Female.	Male.	Female.			

N.B.—The average daily number of children is to be taken from the register of children kept in the factory.

II.—On or before the 15th January of each year, an annual return in the following form regarding measurements and space :—

Name and situation of factory.	Name of occupier.	Measurements and cubical contents of each room in the factory.	Area of the floorspace of any room shown in the preceding column occupied by machinery or other fixtures.	Remarks.

III.—Before the end of each calendar month, a return giving notice of all the days on which the factory will be closed during the ensuing month.

NOTIFICATION B.

With reference to the above Notification A, the Governor in Council is pleased to designate the Deputy Commissioner of Police, Madras, as the officer to whom the returns in question shall be furnished by occupiers of factories in the City of Madras.

P. W. CURRENT No. 6651

Gobt. of {1892} Madras.
JUDICIAL.

Issued

Recd. 28. 11. 92 Encl.

G.O., 20th May 1892, No. 953.

MAY.

Indian Factories Act, 1881.

Directing, with remarks, that the amended rules framed under sections 3 and 18 of the —, as amended by Act XI of 1891, be now finally published in the Fort St. George Gazette; that copies be forwarded to the Government of India; and that Government be requested to exempt certain engine-changing stations from the rules against Sunday labour.

to 49. 11. 92
1357/11 29-4-92
1836 11. 20-6-92

No. 1895 Wd 29 June 1892

Communicated to
the offices concerned
in continuation of
G.O. 49 Wd 5 Jan'y 92

8043
24/6

8043

✓ ✓ ✓
S. I. II. X. V. C. 1892

730/6

2 for copy 31/7
J.C. 1/7

20TH MAY 1892, No. 951, JUDICIAL.

JUDICIAL DEPARTMENT.

LETTER—from

THE CHIEF SECRETARY TO THE GOVERNMENT OF
FORT ST. GEORGE,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
HOME DEPARTMENT.

SIR,

Adverting to Home Department letters, dated 16th February and 25th April 1892, Nos. 220 and 7 Judl.—524, I am directed to forward 35 copies of the rules finally issued by this Government under the Factories Act, together with a copy of its Proceedings of this date, No. 953, Judicial.

2. I am further directed to request that the Government of India may be moved to exempt from the rules against Sunday labour contained in section 5 B (1) of the Indian Factories Act, 1881, as amended by Act XI of 1891, the "Engine-changing stations" at Jalárpét, Pódanúr, Perambúr, Cuddalore, Madura and Negapatam, in this Presidency. The concession is essential to the working of the railways concerned.

I have the honour to be,

Sir,

Your most obedient servant,

FORT ST. GEORGE,
20th May 1892.

J. F. PRICE,
Chief Secretary.

Exd. A. Raitt.

Ref. No.

HOME 1892 DEPT.

[]

From the Government of
Fort St. George.

Issued

Recd.

Encl.

G.O., 20th May 1892, No. 954.

8.2
847813/92
MAY.

Indian Factories Act, 1881.

Forwarding 35 copies of the rules finally issued by this Government under the — with copies of the Proceedings of this date, and requesting the exemption of certain engine-changing stations from the rules against Sunday labour.

8th APRIL 1892, No. 697, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper :—

Resolution of the Government of India, Finance and Commerce Department (Accounts and Finance—Printing), dated Calcutta, the 2nd February 1892, No. 449.

Section 5 B of the Indian Factories Act, XI of 1891, which came into force on the 1st January 1892, provides that no person shall be employed in any factory on a Sunday unless such person is allowed a holiday on one of the three days preceding or succeeding the Sunday.

2. His Excellency the Governor-General in Council understands that the definition of "Factory" in section 3 of the Act includes a printing press. It is often found necessary in the Government Central Press in Calcutta and its branch at Simla, and probably also in the Foreign Department Press and the Private Secretary's Press, to require some of the employés to attend on Sundays for the disposal of urgent work. The proviso contained in sub-section (2) (b) of the section quoted, however, permits any person to be employed in a factory on a Sunday if he has had, or will have, a holiday on one of the three days preceding or succeeding the Sunday. This proviso should enable the Superintendents of Government Presses to arrange for the carrying out of any work which in the interests of the public service must be done on a Sunday; and His Excellency in Council is not prepared to entertain the suggestion for the issue of a notification under sub-section 2 (d) exempting the printing presses attached to the Government of India from the operation of the section.

3. The attention of the Superintendents of Presses under the Government of India is specially invited to the provisions of the Act mentioned above.

4. The Governor-General in Council desires that work in Government Presses on Sundays should be reduced as much as is consistent with the requirements of the public service; and he requests that all officers who send work to a Government

A Member of the Council of the Governor-General.

A Secretary to the Government of India.

The Comptroller-General.

The Private Secretary to His Excellency the Governor-General (or, in cases of absence or emergency, the Assistant Private Secretary).

The Adjutant-General in India.

The Quartermaster-General in India.

Press will be careful not to send work for execution on a Sunday unless it is exceptionally urgent. The Superintendents of the printing presses under the Government of India are hereby authorised to use their discretion, with reference to the circumstances of each case, as to whether work should be taken up on Sunday or not, unless one of the authorities noted in the margin certifies that the work is

so urgent that it must be undertaken on Sunday.

Order.—Ordered, that the foregoing Resolution be communicated to the several Departments of the Government of India; to the Private Secretary to His Excellency the Viceroy; to the Superintendent of Government Printing, India; to the Superintendent of the Government Central Branch Press, Simla; to the Director-General of the Post Office of India; to the Comptroller and Auditor-General, and the Comptroller of India Treasuries, for information and guidance.

(Signed) J. E. O'CONOR,
Asst. Secy. to the Govt. of India.

No. 4 Judicial—274.

Copy of Department of Finance and Commerce Resolution, No. 449, dated the 2nd February 1892, forwarded to the Government of Madras for information.

(By order.)

HOME DEPT. (JUDICIAL),
CALCUTTA, 27th February 1892.

(Signed) P. G. MELITUS,
Offg. Dy. Secy. to the Govt. of India.

ORDER—dated 8th April 1892, No. 697, Judicial.

The attention of all Inspectors of Factories will be drawn to the fact that steam printing presses are factories within the meaning of the Factories Act, 1881, and they should therefore be noticed in the annual reports.

2. The other questions referred to in the Resolution of the Government of India will be dealt with in the Public Department.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To all District Magistrates.
„ the Surgeon-General.
„ the Commissioner of Police.
„ the Public Works Department.
„ the Public Department.

Gobt. of {1892} Madras.
JUDICIAL.

Issued

Recd.

Encl

G.O., 8th April 1892, No. 697.

APRIL.

Factories.

Drawing the attention of all Inspectors of — to the fact that steam printing presses are — within the meaning of the Factories Act, 1881, and directing that they should therefore be noticed in the annual reports, and that the questions referred to in the Government of India Resolution regarding work in Government Presses on Sundays be dealt with in the Public Department.

No. 1357 Wd/29 April 1892

Recorded

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See I, II & IV circles

8TH FEBRUARY 1892, No. 246, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper:—

From J. P. HEWETT, Esq., C.I.E., Officiating Secretary to the Government of India, Home Department (Judicial), to the Chief Secretary to the Government of Madras, dated Calcutta, 27th January 1892, No. 123—3 Judicial.

With reference to paragraphs 5 and 6 of the letter from the Madras Government, dated 19th ultimo, No. 2569, I am directed to forward a copy of a notification issued by the Government of India under section 5 of the Indian Factories Act, 1881, as amended by Act XI of 1891, prescribing 4 annas as the rate of fee for certifying Surgeons for each examination held under the said section. The Governor-General in Council is of opinion that the fee should be retained by all certifying Surgeons whether they are private practitioners or medical officers in the service of Government. The sanction of Her Majesty's Secretary of State will be solicited to its retention by Government medical officers in cases in which this would have the effect of raising the officer's salary above Rs. 5,000 per annum.

2. I am to add that a reference will also be made to the Secretary of State on the subject of the remuneration to be given to gentlemen of the medical profession who may be appointed Inspectors or Joint Inspectors of Factories, and that a further communication on this subject will be addressed to you on receipt of a reply.

ENCLOSURE.

NOTIFICATION from the Government of India, Home Department (Judicial), dated Calcutta, 27th January 1892, No. 122.

In exercise of the power conferred by section 5 of the Indian Factories Act (XV of 1881), as amended by Act XI of 1891, the Governor-General in Council is pleased to prescribe a fee of 4 annas as the fee payable to a certifying Surgeon by a person employed, or desirous of being employed, in a factory, for examining him and granting him a certificate in accordance with the provisions of that section.

(Signed) J. P. HEWETT,
Offg. Secy. to the Govt. of India.

ORDER—dated 8th February 1892, No. 246, Judicial.

The foregoing letter from the Government of India will be communicated to all District Magistrates, the Public and Public Works Departments, the Consulting Engineer for Railways, and the Commissioner of Police, Madras, for information, and the notification therewith received will be published in the Fort St. George Gazette.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To all District Magistrates.
„ the Public Department.
„ the Public Works Department.
„ the Consulting Engineer for Railways.
„ the Commissioner of Police, Madras.
Gazette.

Exd. A. Raitt.

Govt. of {1892} Madras.
JUDICIAL.

Issued

Recd.

Encl.

G.O., 8th February 1892, No. 246.

FEBRUARY.

Indian Factories Act, 1881.

Communicating to all District Magistrates and to certain officers letter from the Government of India, forwarding copy of notification prescribing a fee for certifying Surgeons for each examination under section 5 of the —, as amended by Act XI of 1891, and directing its publication in the Fort St. George Gazette.

Communicated to officers in continuation of G.O. No. 49 w dt 5th Jan'y 1892

P. V. B.

S. Es. I, II, V circles

19TH DECEMBER 1891, No. 2568, JUDICIAL.

GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.

READ—again the following paper:—

G.O., dated 7th July 1891, No. 1339, Judicial:—

ABSTRACT.—Communicating to officers and departments concerned letter from the Government of India on the subject of amendments made in the Indian Factories Act, 1881, by Act XI of 1891, in view to obtaining an early expression of opinion with regard to the rules to be framed under revised section 18 of the Indian Factories Act; and referring paragraphs 7 and 8 of the letter regarding fees to medical officers to the Surgeon-General for remarks.

READ—also the following papers:—

From W. F. deFABECK, Esq., M.D., Surgeon-General with the Government of Madras, to the Chief Secretary to Government; dated Ootacamund, 24th July 1891, No. 444.

With reference to paragraph 2 of G.O., dated the 7th July 1891, No. 1339, Judicial, I have the honour to observe that the rate of remuneration proposed in paragraph 7 of the Government of India letter appears to be disproportionate to the work required. Rs. 10 per mensem can hardly be considered a sufficient allowance for an Inspector of a factory in which over 200 hands are employed. I would therefore suggest for consideration that the allowance be at least increased to Rs. 15 per mensem if not more. The minimum and maximum may remain as they are.

2. As regards the amount of fees payable to certifying Surgeons, I beg to remark that As. 4 per certificate is a very insignificant amount. The lowest possible fee to be charged for each certificate should be As. 8, and this amount, I am strongly of opinion, should be retained by the certifying officer.

From the District Magistrate, Salem, dated 29th July 1891, No. 1360-M.

From the District Magistrate, North Arcot, dated Chittoor, 29th July 1891, No. 876-M.

From the District Magistrate, Kurnool, dated 29th July 1891, No. 3547.

From M. HAMMICK, Esq., Acting District Magistrate of South Arcot, to the Chief Secretary to Government, dated Tiruvannamalai, 5th August 1891.

With reference to G.O., dated 7th July 1891, Judicial, No. 1339, I have the honour to say that I am of opinion that, as far as this district is concerned, it will be sufficient under the rules under the Factories Act to provide in the first place that the Inspector shall have power to order the manager of a factory to provide the necessary water-supply, leaving it to the manager to decide how and where such supply shall be afforded. Section 15, 1 (f) seems only to make it necessary to supply water, neither the quantity nor the quality being referred to. It is not even said for what use it is to be supplied, and if a manager supplied water in vessels for drinking use, he would presumably be doing all the Act requires him to do, though in some factories it must be very expedient that the Inspector should be able to insist on water being available in sufficient quantities for washing.

2. As regards 18, 1 (c), it would, in my opinion, be inadvisable to give more power under the rules to the Inspector than a general power of insisting that factories under his charge shall be properly ventilated. The method of such ventilation should be left to the managers. It seems to me important that in the

country where our inspecting agency must in almost all cases be amateur, not more power than is absolutely necessary should be given to the inspecting officers. I can imagine, if the rules are framed otherwise, that much unnecessary friction might arise between the factory managers and the Inspectors. The final court to decide these questions will be the Magistrate's court trying the manager for offences under section 15 of the Act; and as the District Magistrate will probably in all such cases try the matter himself, it may be left to him to say whether the provisions of the Act have been followed or not, and a dangerous power of interference in details not given to the local Inspector.

3. As regards whitewashing, a general rule might be laid down that the whitewashing of all inside walls of factories should be done once in every two years where the Inspectors thought it necessary to order such work to be done.

4. As regards sanitation, the rules should, I think, empower the Inspectors first of all to insist that sufficient latrine accommodation is afforded in all factories under his charge at such distances from the factory as to prevent any danger from obnoxious effluvia. He should also be empowered to order the refuse matter of any factory to be so dealt with as to prevent any nuisance, leaving the method of dealing with it to the manager of the factory, and only satisfying himself that its disposal is carried out with due regard to the health of the occupants of the factory. He should also be empowered to insist on the factory premises being kept, as far as possible, clean. But here again considerable caution is necessary, as some employments cannot be carried out with cleanliness. To take a sugar factory, for instance, it is, I imagine, impossible to prevent, in some of the processes, the products making the factory dirty; and it will lead to difficulty if the Inspector (often a person of very little judgment) is allowed to raise objections on the score. The dirt should be avoidable dirt and such dirt as is dangerous to health. Ordinary "matter out of place" need hardly be taken objection to.

5. As regards over-crowding, it will be possible to fix a minimum of cubic space and superficial area for each individual in a factory, and that, I think, should be done. But here again considerable care will be necessary as what may be over-crowding in one room will not necessarily be so in another. It much depends on what is going on in the room and what are its means of ventilation. However, it would, I imagine, be easy to prescribe a minimum of space for each person and to lay down that accommodation above that minimum should always be provided. In the mofussil, at all events, the question is not likely to cause difficulty.

6. I regret I have not yet had time to visit the only big factory in this district, that at Nellikuppam, where I might perhaps have learnt something in connection with this subject. But I have been strongly impressed with one point in my short experience here, viz., that it is very important that the framer of the new rules should bear in mind the fact that, in dealing with factories in this country, we have on the one side Inspectors who are generally absolutely ignorant of all technical details of the manufacture carried on in the factories they inspect and men of very little judgment, while on the other side we have highly trained managers who are working against difficulties which do not come in the way of the manufactories in western countries and who are often difficult to deal with from their tendency to think that they do not receive sufficient encouragement. In such a state of things it seems to me very important to reduce the Inspectors' powers of detailed interference to a minimum.

From Colonel T. WELDON, C.I.E., Commissioner of Police, to the Chief Secretary to Government, dated Madras, 11th August 1891, No. 57.

Referring to G.O., dated 7th July 1891, No. 1339, Judicial, calling for an expression of opinion with regard to rules to be framed under section 18 of the Factory Act as revised by Act XI of 1891, I have the honour to state that the rules at present in force might well be re-enacted with any necessary additions to meet clauses (b), (c) and (d) providing for the water-supply, ventilation and cleanliness and the prevention of over-crowding.

2. On these subjects I feel somewhat diffident in offering an opinion as to the terms in which rules should be framed, as this requires special knowledge. As to the water-supply, I would urge that, if possible, when the factory is built in several stories water should be laid on to each floor. The proper steps to be taken to secure sufficient ventilation and to decide when the premises should be whitewashed and painted would come, with the maximum number which should be employed in a given space, within the province of the engineers and sanitary officers. The Act itself provides for the most material protection of the employes.

From O. WOLFE-MURRAY, Esq., Acting District Magistrate of Cuddapah, to the Chief Secretary to Government, dated 23rd August 1891, No. 1068, Magl.

With reference to G.O. No. 1339, dated 7th July 1891, I have the honour to state that there are no factories in this district and that as I have hardly any experience of factories in this country, I cannot offer any useful suggestion.

From C. F. MacCARTIE, Esq., Acting District Magistrate, Nilgiris, to the Chief Secretary to Government, dated Ootacamund, 11th September 1891, No. 924.

With reference to G.O., dated 7th July 1891, No. 1339, Judicial, I have the honour to submit a rough draft of rules under revised section 18, Indian Factories Act.

This draft is based with modifications to suit local conditions on a draft set of rules which have been more or less approved by the Bombay Mill Owners Association Committee.

ENCLOSURE.

Rules under section 18 (1) of Act XV of 1891 as amended Act XI of 1891.

Under clause (a).

(1) The Inspector may order any part of the machinery or mill-gearing of a factory to which section 12 (c) of the Act applies, and which may, in his opinion, be dangerous if left unenclosed, to be securely fenced.

Under clause (b).

(2) Every occupier of a factory shall, on every day on which work is carried on in the factory he occupies, have available at the said factory for the use of the persons employed in the factory free of cost to them a water-supply consisting of not less than two gallons per head of operatives therein employed, half the aforesaid quantity to be potable.

(2-A) In order to determine whether the water-supply referred to in Rule (2) is fit for the purposes therein mentioned, the Inspector may take free of cost such samples of it as he may require for analysis.

Under clause (c).

(3) Every factory shall, when any work is carried on therein, be kept ventilated by the occupier in such a manner as to render harmless, so far as is practicable, all the gases, vapours, dust or other impurities generated in the course of the manufacturing process or handicraft carried on therein that may be injurious to health.

(4) If, in a factory where cotton pressing, ginning, carding or any other process is carried on by which dust is generated and caused to be inhaled by the workers to an injurious extent, it appears to the Inspector that such inhalation could be to a great extent prevented by the use of a fan or other mechanical means, the Inspector may order a fan or other mechanical means of a proper construction for preventing such inhalation to be provided by the occupier.

(4-A) All the inside walls of the rooms of every factory and all the ceilings or tops of such rooms (whether such walls, ceilings or tops be plastered or not) and all the passages and staircases of every factory, if they have not been painted with oil or varnished once at least within seven years, shall be lime-washed by the occupier once at least within every twelve months, to date from the period when last lime-washed; and if they have been so painted or varnished shall be washed by the occupier with hot water and soap once at least within every twelve months, to date from the period when last washed.

Where it appears to the Governor in Council that the foregoing provisions of this rule are not required to insure the cleanliness of any class of factories or parts thereof, or are by reason of special circumstances inapplicable to them, he may, by notification in the *Fort St. George Gazette*, exclude the said class of factories or parts thereof from the operation of the said provisions.

(5) Every factory shall be kept by the occupier in as cleanly a state as the work carried on will permit of and free from effluvia arising from any drain, privy or other nuisance.

Under clause (d).

(6) No factory shall be allowed by the occupier to be so over-crowded while work is carried on therein as to be injurious to the health of the persons employed therein.

Under clauses (a) and (c).

(7) Every order passed by an Inspector under rule (1) or (4) shall be recorded by him in writing, and a copy thereof signed by the Inspector shall be delivered by him to the occupier of the factory to which the order relates, or, in his absence, to his principal agent in charge of the factory. The Inspector shall state clearly in the order what is required to be done, and shall specify a reasonable time within which what is required to be done shall be completed, and shall further give notice that if the thing required to be done shall not be so completed, the person responsible for the breach of the order will be prosecuted under section 15 of the Act.

Under clause (a).

(8) Every Inspector of factories under the Act shall inspect under section (4) every factory within the local limits for which he is appointed at least once in every three months. The Inspector shall examine during their working hours only the children employed in order to verify the register kept under section (9) of the Act; but for the purpose of seeing that the children are allowed the fixed intervals for food and rest, the Inspector may examine the children with the register during any such interval.

(9) Every order passed by an Inspector under section (4) (c) of the Act shall be in writing, and a copy thereof signed by the Inspector shall be delivered by him to the occupier of the factory, or, in his absence, to the principal agent in charge of the factory.

Under clause (F).

(10) Any occupier of a factory on whom or on whose agent an Inspector under the Act serves an order made under rule (1) or (4) may, within seven days after receipt of such order, appeal, if the factory is in the town of Madras, to the Government of Fort St. George in the Judicial Department, and if the factory is in the mofussil, to the District Magistrate of the district in which it is situated. There shall be no appeal from an order by a District Magistrate in appeal, but Government may, on application within one month, review any order under rule (1) or (4) either of an Inspector or of a District Magistrate in appeal and may pass any order thereon which may seem proper.

(11) An appeal against an order passed under rule (1) or (4) shall be made in the form of a memorandum of appeal similar to that prescribed in the fourth schedule to the Civil Procedure Code, No. 173, and bearing a court-fee stamp in accordance with Article XI, Schedule 2, of the Court-fees Act.

Under clause (f).

(12) The appeal shall be heard at as early a date as may be convenient, due notice of which shall be given to the appellant and the Inspector. The appellate authority shall make or cause to be made in such manner as he may see fit such inquiry as may appear to him to be necessary for the purpose of deciding the appeal.

Under clause (g).

(13) At the end of every quarter, every Inspector under the Act shall forward to Government a full report of the results of each inspection made during the past quarter and of his examination of the premises and machinery and of the registers of the children employed, together with a statement of all orders passed by him under section (4) (c) of the Act and numbers (1) and (4) of these rules, and of all prosecutions instituted by him or with his sanction under section (15) of the Act and their result.

Under clause (g).

14. If an order of an Inspector under No. (1) or (4) of these rules is set aside or altered in appeal, the Inspector shall, as early as possible, deliver to the occupier of the factory an intimation of the result of the appeal and such amended order (if any) as the decision of the appellate authority warrants.

Rule under section 13 of the Act.

A notice as required by section (13) shall be sent to the following authorities:—

(a) if the accident occurs in the Town of Madras to the Inspector appointed under the Act;

(b) if elsewhere in the mofussil to the District Magistrate;
(c) within one hour of the accident if death has been caused or is known to be likely to be caused, or a limb is broken; and
(d) in any other case within 12 hours of the time when it is known that the injuries caused are such as to require the sending of a notice under section (13).

From H. M. WINTERBOTHAM, Esq., Acting District Magistrate, Tanjore,
to the Chief Secretary to Government, dated Negapatam, 12th September
1891, No. 167-M.C.

With reference to G.O., dated 7th July 1891, No. 1339, Judicial, I have the honour to state that, as the only factory in this district is the Railway Workshop at Negapatam, of which the Deputy Consulting Engineer for Railways is Inspector, I am not favorably placed for forming an opinion as to what rules under revised section 18 of the Indian Factories Act are requisite.

2. The existing rules were framed under clauses (a), (e), (f) and (g) of subsection (1) of section 18. Rule XVII is no longer required. Rule XVI—for section 7, clause 4, read section 10 (1). I do not see that any other amendments are necessary.

3. As regards the rules to be framed under clauses (b) water-supply, (c) ventilation and (d) prevention of over-crowding, I would, with much diffidence, venture the opinion that it is impracticable, except in the most general terms, to frame rules which will apply to all factories.

The rules should, I think, merely declare the obligation of the occupier of the factory or other responsible person.

(b) to maintain a supply of water for the use of persons employed in the factory;

(c) to ventilate the factory and keep it in a cleanly state, free from any effluvia arising from any drain, privy or nuisance;

(d) to prevent the factory from being so over-crowded while work is carried on therein as to be injurious to the health of the persons employed therein;

Breach of the rules so worded would be punishable under section 15 (1) (f), (g), (h), of the Act, and the sanction of this section would sufficiently secure the benefits which the legislature desires in the way of water-supply, air and space.

4. I do not see that the forms appended to the rules require alteration.

From W. F. DEFAECK, Esq., M.D., Surgeon-General with the Government
of Madras, to the Chief Secretary to Government, dated Ootacamund,
12th September 1891, No. 518.

With reference to your endorsement, dated the 28th July 1891, on G.O. No. 1339, Judicial, of the 7th idem, I have the honour to state that the Sanitary Commissioner was requested to favour this office with a copy of the set of rules drawn up by him for the approval of Government in order that further suggestions may be made to Government if necessary.

A copy of these rules is herewith forwarded. I consider that they meet all requirements.

ENCLOSURE.

PROPOSED sanitary rules for factories with reference to section 18 of the Factories Act.

1. A factory shall be kept in a cleanly state and free from effluvia arising from any drain, privy or other nuisance.

2. A factory shall not be so over-crowded while work is carried on therein as to be injurious to the health of the persons employed therein, and shall be ventilated in such a manner as to render harmless, so far as is practicable, all the gases, vapours, dust or other impurities generated in the course of the manufacturing process or handicraft carried on therein that may be injurious to health.

3. For the purpose of securing the observance of the requirements as to cleanliness in every factory, all the inside walls of the rooms of a factory and all the ceilings or tops of such rooms (whether such walls, ceilings or tops be plastered or not) and all the passages and stair-cases of a factory, if they have not been painted or varnished once at least within seven years,

shall be lime-washed once at least within every fourteen months, to date from the period when last lime-washed, and if they have been so painted or varnished, shall be washed with hot water and soap once at least within every fourteen months, to date from the period when last washed.

4. When it appears to Government that in any class of factories or parts thereof the regulations in the above paragraph are not required for the purpose of securing therein the observance of the requirements of the Act as to cleanliness, or are, by reason of special circumstances inapplicable, Government may by order made under this part of the Act grant to such class of factories or parts thereof a special exception that the regulations in this section shall not apply thereto.

5. It shall be the duty of owners of factories to provide within a reasonable distance an available supply of wholesome water sufficient for the use of the persons employed in their factories, and also to take such steps as may be necessary from time to time to ascertain the condition of the water-supplies.

6. If the water-supply in any factory used or likely to be used by man for drinking or domestic purposes, or for manufacturing drinks for the use of man is found to be so polluted as to be injurious to health, then measures must be taken to remedy the same by permanently or temporarily closing the polluted supply, or ordering the water to be used for certain purposes only, or such other measures as may be necessary to prevent injury to the health of persons drinking the water.

7. When any factory has not such a supply within a reasonable distance, and where the "authority" are of opinion that such supply can be provided at a reasonable cost, a notice shall be served on the owner of the factory requiring him within a time specified in the notice to provide such a supply and to do all such works as may be necessary for that purpose.

8. If at the expiration of the time so specified the notice is not complied with, the "authority" shall serve on the owner a second notice informing him that if the requirements of the Act are not complied with within one month from the date of the service of the second notice, the "authority" will provide such supply and that the expense of providing the supply will in that case be payable by the owner.

9. Any building used or intended to be used as a factory in which persons are employed or intended to be employed at one time in any manufacture, trade or business, the owner of such factory shall, within a specified time, construct a sufficient number of privies and urinals for the separate use of each sex.

10. Any owner of a factory who neglects or refuses to comply with any such notice shall be liable for each default to a penalty not exceeding for every day during which the default is continued and to a further penalty not exceeding for every day during which the default is continued.

11. The latrines and urinals must be kept in a proper and cleanly condition by making arrangements for cleansing and removal at such intervals as thought fit. All manure or filth or other offensive or noxious matter ought to be removed periodically from the premises, and if this is not done, a notice should be served on the owner of the factory requiring him to do so. If after such notice has been given the owner fails to remove the manure or other refuse matters and permits a further accumulation and does not continue such periodical removal at such intervals as Government direct, he shall be liable without further notice to a penalty exceeding for each day during which such manure or other refuse matter is permitted to accumulate.

12. A penalty shall not be imposed on any person in respect of any accumulation or deposit necessary for the effectual carrying on of any business or manufacture if it be proved to the satisfaction of Government that the accumulation or deposit has not been kept longer than is necessary for the purposes of the business or manufacture, and that the best available means have been taken for preventing injury thereby to the public health.

No. 3581 S.

True copy forwarded to the Surgeon-General with the Government with reference to this office letter No. 3495 S, dated 28th August 1891.

(By Order.)

MADRAS
10th September 1891.

(Signed.) G. DIQUE, Manager and Assistant,
Office of Sanitary Commissioner.

From V. A. BRODIE, Esq., Acting District Magistrate of South Canara, to the Chief Secretary to Government, dated Mangalore, 19th September 1891, No. 3732.

With reference to para. 1 of G.O., dated 7th July 1891, No. 1339, Judicial, I have the honour to state that the recent amendment of the Indian Factories Act No. XV of 1881 by Act XI of 1891 which reduces the minimum number of working

hands in a factory required to bring such factory under the operation of the Act from 100 to 50 persons, appears to render the factories in this district enumerated in the accompanying statement (some of which are engaged in manufacturing an improved quality of machine-made tiles and bricks, and others in curing coffee for exportation) amenable to the provisions of the Act.

2. With regard to the rules to be framed under section 18 of the Act, I am of opinion that those issued by Government in 1882 under its Notification, dated 9th February 1882, No. 121 (G. O., dated 9th February 1882, No. 193, Judicial Department), and modified by the subsequent Notification, dated 31st July 1882, No. 328, are ample to meet requirements, except that additions to those rules under the following heads are now rendered necessary by the amendment of the section in question—

(b) the water-supply to be maintained for the use of persons employed in factories;

(c) the ventilation of factories and their cleanliness (including lime-washing, painting, varnishing and washing) and freedom from effluvia arising from any drain, privy or other nuisance;

(d) the prevention of such over-crowding of factories while work is carried on therein, as is likely to be injurious to the health of the persons employed therein.

3. As regards (b), all that is apparently needed is a rule to the effect that a quantity of good drinking water which may be fixed at a pint for each working hand in the factory should always be maintained on the factory premises.

(c) and (d) appear to be matters more properly falling within the province of the Sanitary Commissioner, and I presume Government will prefer to call upon that officer for his more authoritative suggestions in order to secure the objects aimed at.

4. I am, however, in some doubt regarding the construction to be put upon the word "premises" on which the definition of the word "factory" depends, and take advantage of this opportunity to refer the same to Government. Is it to be considered limited to buildings within the four walls of which some mechanical power is employed, or does it include all the buildings and land occupied by the same proprietor, comprised within the same enclosure and used for the purposes of the same industry, although mechanical power may be employed in only one building out of many? For example, in the case of coffee-curing works there is not much machinery, and it is confined in all works I am acquainted with to one building, but such works have attached to them numerous godowns for the storage, &c., of coffee, barbecues for drying it and "garbling" sheds, as they are called, for the sorting of the coffee after it has been peeled, winnowed and sized by machinery, preliminary to its being packed, in which no mechanical power is of course used. For security against "theft" all these buildings and barbecues are included within a high ring wall. Is the whole space within this wall to be considered a "factory" on the ground that the "premises" contain one building in which mechanical power is employed, or is the term "factory" to be limited only to that part of the premises, i.e., the building within which mechanical agency is employed? And are those persons employed in drying the coffee and garbling it to be considered "factory" operatives, or not, notwithstanding the fact that their operations are carried on in sheds or in open spaces quite distinct from the building or buildings in which the machinery is located and which they have no occasion whatever to enter? In the case of tile works we have the same distinction between persons employed in connection with machinery and in buildings in which machinery is located, and persons employed in ordinary cooly work outside the buildings containing machinery altogether, but within the enclosure devoted to the business.

5. I have, in preparing the accompanying list, taken the word "premises" in its widest sense to mean the whole space whether covered with buildings or not, devoted to one and the same business—coffee curing and packing for shipment or tile-making,—as the drying of coffee, for instance, is a necessary preliminary to the

peeling of it which is done by machinery and the garbling of coffee, though hardly a "process for, or incidental to, making, altering, repairing, ornamenting, finishing or otherwise adapting for use, transport or sale any article, or part of an article," is undoubtedly a work incidental to the packing, i.e., preparation of coffee for sale, and the persons engaged in it appear to be included in the definition in section 2 of the word "employed," but I am not very sure that this construction is correct having regard to the provisions of limitation (a) appended to the definition of the word "factory," which would appear to limit the term to that part of the premises in which machinery of some kind is located, and should be glad to find I am wrong, for the drying of coffee and the preliminary mixing of clay preparatory to its being put through the puddling mill are both works carried on in the open air and far less laborious in character than the transplanting of paddy and beating out of coir yarn on which in this country women are exclusively employed, so that it is scarcely reasonable to apply the provisions of the Act to them. Again, the application of the Act to all parts of coffee-curing works in which machinery is employed in comparison with those in which these processes are effected by manual labour, although more consideration is generally shown to the labourers in the former. In these women do no labour as a rule save garbling, whilst where no machinery is employed, they do the peeling by pounding the coffee in wooden mortars which is labour of a very severe kind.

6. The application of the Act to garbling women, though no children under 9 are employed in this work, is also calculated to cause much hardship to children between that age and 14, and inconvenience to their parents and coffee-curers. Many girls between 9 and 14 now earn something by sitting at their ease on a floor garbling coffee at their own pace as they are paid by results, and many boys of the same age do the same by drying coffee which is even lighter work, consisting as it does in carrying the coffee out of the godowns to the barbecues in the morning, turning it over by drawing wooden rakes through it during the day at intervals, and carrying it back in the afternoon. At present the women and girls work 8½ hours at the outside, viz., 7-30 A.M. to noon and 2 P.M. till 6 P.M., coffee being issued at 7-30 A.M., and they shut out at 6 P.M. whether their tasks are completed or not, but the usual daily task can be completed by many women under 7 hours, so that few or none remain at 6 P.M., when the doors are shut. The girls between 12 and 14 are decidedly nimbler workers than grown-up women, but such young girls only go out for this work and return home in the care of their mothers or friends or relations, and so have nothing to gain by finishing sooner than their care-taker. If the Act is applied to garblers, the first direct consequence will be not that fewer girls will be employed, but that such girls instead of being allowed to work at their own pace and merely required to keep up with their mother or friend, will be driven by the latter to get through the work they now do in 7½ or 8 hours in 7, and then as they cannot go home alone, they will be turned out to wait outside by the road-side for an hour or so till the woman they are in charge of joins them, i.e., their lot will be made harder instead of easier. Again, mothers now often take their children with them, and these frequently while away part of the time by helping, or trying to help, their mothers with their work even when they are 6 or 7 years' old only. If the Act applies, I am afraid curers will put a stop to this practice; with the result that mothers will have to stay at home themselves where they cannot find people to take charge of their children in their absence.

7. Under these circumstances, I should be glad to know how I am to construe the term "factory" in the case of works consisting of various buildings in only some of which machinery is to be found. Does the term include every building and all the land occupied in connection with the business, or only land and buildings on which or in which machinery has been erected? In the latter case, some of the works mentioned in the accompanying list will have to be excluded from it, and in all there are a good many hands employed on work which has no connection with machinery and which cannot be with any accuracy described as "mill" or "factory" work as these terms are understood at home.

List of factories in South Canara.

1	2	3	4	5	6	7	8
Name and description of the factory and name of the place where located.	Description of the mechanical power used in such factory.	Number of persons on any day simultaneously employed in such factory on any unusual labour in or incidental, &c.	Length of time or period for which such process is carried on in the course of a year.	Number of operatives or persons employed, distinguishing males from females, and adults from children.	Intervals of rest allowed to persons so employed.	Whether the system of employment in shifts or sets is in force.	Whether any work is done on Sundays, and if so, under what circumstances.
1. Beet Mission—Tie works at Jeppa.	1 Steam engine of 10 horse-power. 1 Pug mill. 3 Double-action tile presses. 1 Single do. 1 Press for draining pipes.	800 Persons on the average.	More or less 10 months in the course of a year.	230 Males. 30 Females. 40 Children between 12 and 14 years of age. 9½ Working hours during the day-time and 2 firemen during night. 38½ Males. 60 Females. 9½ Working hours during the day-time and 6 firemen during night.	One hour at noon.	Firemen of the kiln work in day and night shifts.	No work on Sundays.
2. Tie works at Kauloli.	1 Steam engine, 25 horse-power. 1 Pug mill. 7 Double-action tile presses.	450 Persons on the average.	Do.	All above 14 years of age. 9½ Working hours during the day-time and 6 firemen during night.	Do.	Do.	Do.
3. Tie works at Malpe.	1 Steam engine, 14 horse-power. 1 Pug mill. 1 Double-action tile press. 1 Single do.	200 Persons on the average.	Do.	154 Males. 34 Females. 12 Children between 12 and 14 years of age. 9½ Working hours during day-time and 2 firemen during night.	Do.	Do.	Do.
4. Messrs. Morgan & Sons—Jeppa Coffee works.	Steam power.	70 Coolies. 600 Women and children.	From 2 to 6 months.	30 Men. 40 Boys above 14 years. 600 Women and Children (none under 9 years). From 6 A.M. to 11-30 A.M. and 2 to 6 P.M. 40 Men. 20 Boys. From 7½ to 12 noon and 1 to 6 P.M. About 30 male adults. 15 to 20 boys. 300 to 350 female adults. 60 to 60 girls. None under the age of 9 years is remembered to have been employed.	2½ Hours for women and children. One hour for men and boys. One hour.	...	Drying coffee when necessary for following day's work.
5. Jeppa Tile works.	Do.	60 Coolies including boys.	Whole year.	...	Two hours from 12 to 2 P.M. One hour in the middle of the day for men employed at the machinery.	The system of work in shifts or sets is not in force.	The works are kept open on Sunday occasionally when necessary.
6. Messrs. Alston, Low and Co.'s Mangalore Coffee works.	Portable steam engine, 10 horse-power. Semi-portable steam engine, 14 horse-power. 2 Peckers. 1 Winnowing. 4 Sifters.	400 to 450 Persons.	5 to 6 months.	...	...	...	...

List of factories in South Canara—cont.

1	2	3	4	5	6	7	8
Name and description of the factory and name of the place where located.	Description of the mechanical power used in such factory.	Number of persons on any day actually employed in such factory on any manual labour in or incidental, &c.	Length of time or period for which such process is carried on in the course of a year.	Number of operations or persons employed, distinguishing males from females, and adults from children.	Intervals of rest allowed to persons so employed.	Whether the system of employment in shifts or sets is in force.	Whether any work is done on Sundays, and if so, under what circumstances.
7 Messrs Falianda and Sons' Roller Coffee works.	1 Steam engine for driving coffee-cleaning machinery of 15 horse-power. 1 Steam engine for driving bone-crushing machinery of 5 horse-power.	About 600	Coffee-curing business about 6 months and bone-crushing about 2 months.	40 Males and the rest females. Ages cannot be ascertained as they are not at work now. 7 A.M. to 12 noon and 1½ to 6 P.M. For a few days on emergent occasions, 2 or 3 hours after 6 P.M. Fair Mon. season. 19 Males ... 35 Females ... 12 Boys ... 6 9 Hours during day-time; night work is rare. Fair Mon. season. 25 Males ... 45 Females ... 20 Boys ... 12 9 Hours during day-time; night work is rare. Fair Mon. season. 50 Males ... 100 Females ... 50 Working hours 9 during day-time; night work is exceptional.	1½ hour rest. 1½ hour. Three hours' time is allowed during the day. Three hours' rest is allowed.	The system of work in shifts is not in force. The system of the work is permanent. Do. Do.	Only pecking and shipping of coffee in case of a steamer coming on Sundays. No work is done on Sundays.
8 Messrs. Lobo and Sons' Roller Tile works.	1 Steam engine. 1 Mud crusher. 1 Pug mill. 1 Pug press.	About 75 persons during fair season and about 60 during monsoon.	Throughout the year.	Males ... Females ... Boys ... 9 Hours during day-time; night work is rare. Fair Mon. season. 19 Males ... 35 Females ... 12 Boys ... 6 9 Hours during day-time; night work is rare. Fair Mon. season. 25 Males ... 45 Females ... 20 Boys ... 12 9 Hours during day-time; night work is rare. Fair Mon. season. 50 Males ... 100 Females ... 50 Working hours 9 during day-time; night work is exceptional.	1½ hour rest. 1½ hour. Three hours' time is allowed during the day. Three hours' rest is allowed.	The system of work in shifts is not in force. The system of the work is permanent. Do. Do.	Only pecking and shipping of coffee in case of a steamer coming on Sundays. No work is done on Sundays.
9 Messrs A. Albuquerque and Sons' Tile Factory at Bolar.	1 Steam engine. 1 Mud crusher. 1 Pug mill. 1 Pug press.	About 100 during fair season and about 60 during monsoon.	Do.	Males ... Females ... Boys ... 9 Hours during day-time; night work is rare. Fair Mon. season. 25 Males ... 45 Females ... 20 Boys ... 12 9 Hours during day-time; night work is rare. Fair Mon. season. 50 Males ... 100 Females ... 50 Working hours 9 during day-time; night work is exceptional.	Three hours' time is allowed during the day. Three hours' rest is allowed.	Do. Do.	Do. Do.
10 Bolar Kodair Tile works.	1 Steam engine of 6 horse-power. 1 Crusher. 1 Pug mill.	About 70 coolies during fair season and 60 during the monsoon.	Do.	Males ... Females ... Boys above 9 years age ... Working hours 9 during day-time; night work is exceptional.	Three hours' rest is allowed.	Do. Do.	Do. Do.

11	12	13
D. J. Rego and Sons' Tile works.	Coelho Brothers' Tile and Brick works.	P. G. Abreo's Tile factory at the Jeppa ferry.
No mechanical power is used.	Do.	Do.
About 40 coolies from November to June and 28 from June to November.	About 45 coolies from November to June and about 30 from June to November.	About 48 coolies from November to June and about 40 coolies from June to November.
9 Hours during day-time. Nov. to June June to Nov.	9 Hours during day-time. Nov. to June June to Nov.	Working hours 9 during day-time. No work is done at night. Nov. to June June to Nov.
Males ... 20 Females ... 15 Children under 15 years ... 2 15 18 11	Males ... 20 Females ... 10 Boys above 10 years ... 15 45 30	Males ... 30 Women ... 6 Boys above 14 years ... 12 48 40
Two hours rest is allowed.	Do.	Do.
The system of work is in sets and rarely in shifts.	Do.	Do.

MANGALORE,
19th September 1891.(Signed) V. A. BRODIE,
Ag. District Magistrate.

From the Surgeon-General with the Government of Madras, Ootacamund, dated 22nd September 1891, No. 532.

From the District Magistrate, Anantapur, dated 22nd September 1891, M.D. No. 655.

From the District Magistrate, Ganjam, dated 24th September 1891, R.C. No. 1361-Mag.

From the District Magistrate of Nellore, dated 26th September 1891, No. 1881-Tour.

From the Agent, South Indian Railway, to the Consulting Engineer for Railways, dated Trichinopoly, 14th August 1891, No. 1301.

Referring to your docket, No. 1061, dated 30th July 1891, on the subject of the Factory Act, I beg to say that I have no remarks to offer in regard to the rules to be framed under revised section 18 of the Indian Factories Act. Having consulted the Acting Chief Engineer on this point, I have received his reply as follows:—

"I have read through the complete amended Act as published in the *Gazette of India*, Part IV, page 26, dated 21st March 1891, and I do not consider that for the purpose of carrying out the provision of the Act in the Engineering workshop at Trichinopoly (which is the only establishment in charge of the Engineering Department which comes under the Factory Act) any further rules are necessary."

I have also written to the Acting Locomotive Superintendent, who has replied:—

"I have no suggestions to make with reference to revised section 18 of the Factory Act."

From the Agent, South Indian Railway, to the Consulting Engineer for Railways, dated Trichinopoly, 23rd September 1891, No. 1510.

In reply to your letter, No. 1343, dated 17th September 1891, on the subject of the Factory Act, I have to state that exemption from the requirements of the Act will be necessary at the undermentioned stations:—

Madras.	Trichinopoly.
Villupuram.	Madura.
Cuddalore Old Town.	Nellore.
Negapatam.	

From the Agent, South Indian Railway, to the Consulting Engineer for Railways, dated Trichinopoly, 7th October 1891, No. 1575.

Referring to paragraph 3 of your letter, No. 1343, dated 17th September 1891, on the subject of the Factory Act, I beg to inform you that the Acting Chief Engineer reports as under:—

"It is not customary or necessary to work often on Sundays in the Engineering shop at Trichinopoly, but on occasion, when urgent work has to be done, a proportion of the men are employed."

"It is therefore desirable that the shops here should be exempted from clause 5-B, sub-section (1), section 6 of the Act."

The Acting Locomotive Superintendent reports:—

"The only clause we ask exemption from is '5-B (1)—no person shall be employed in any factory on a Sunday.'"

From F. B. HANNA, Agent and Manager, Madras Railway Company, to the Consulting Engineer for Railways, dated Madras, 11th September 1891, No. 6596-B—992.

I have the honour to inform you that with reference to your endorsement, No. 676, of 30th July 1891, the Locomotive Superintendent writes as follows:—

"The rules in question appear, so far as I see, to be framed more for the guidance of the Inspectors, Judicial and other Government officers, and we do not seem to have any voice with reference to them."

"The only alterations in the revised Act which would seem to affect us in any way are the following:—

Old Act.	New Act
"1. Section 3—100 Persons constitute a factory."	50 Persons constitute a factory.
"2. Section 5—Age of child fixed at 12 years."	Age of child fixed at 14 years.
	Section 5-B—Sunday work forbidden.

"No question need perhaps be raised as regards sections 3 and 5, but with regard to Section 5-B, it might be well to point out that the revision of section 3 will probably bring nearly all of our engine changing stations under the operation of the Act, and if this is so, it will be necessary to obtain special exemption for the continuance of work on Sundays."

2. I shall be glad to receive authority to have necessary work carried on at engine changing stations on Sundays.

No. 887.

Submitted to Government with reference to G.O., No. 1339, Judicial, dated 7th July 1891.

2. No extension of the application of Act No. XI of 1891 under revised section 18 appears necessary in connection with the Railway Department.

3. By the amendments now introduced, the operation of the Act is extended to probably all the engine changing stations on the Madras Railway and to the stations at Madras, Villupuram, Cuddalore Old Town, Negapatam, Trichinopoly, Madura and Nellore, on the South Indian Railway. As under section 5-B (1) no Sunday work can be consequently carried on at these stations, it will be necessary for exemptions to be made under section 5-B (2) (d) of the Act as (c) does not appear to apply to the work done at an engine changing station, and it is requested that necessary action may be taken with the Government of India.

4. The Acting Chief Engineer, South Indian Railway, desires that the Engineering workshops at Trichinopoly should be exempted from clause 5-B (1), but although the exemption would be a convenience, it is not a necessity and is not recommended.

MADRAS, 9th October 1891. (Signed) W. CAREW SMYTH, Lieut., R.E.,
for Consulting Engineer for Railways.
To the Chief Secretary to Government, Judicial Department.

From the District Magistrate of Nellore, dated 9th October 1891, No. 1098-Mag.

From A. W. B. HIGGENS, Esq., Acting District Magistrate, Vizagapatam District, to the Chief Secretary to Government, dated Vizagapatam, 9th October 1891, No. 2316.

With reference to G.O., No. 1339, dated the 7th July last, Judicial, I have the honour to submit herewith a note from the Inspector of the Gunny Factory at Chittivalsa, the only factory hitherto falling within the scope of the Factories Act in this district.

2. I have had no personal experience of the working of the existing rules, and I am therefore not in a position to offer any further remarks except that I see no need for releasing the Divisional officers from responsibility in the matter of bringing factories under the operation of the rules, and that rule VIII might be

modified so as to make it clear that an Inspector may enter at night any factory in which work goes on at night.

ENCLOSURE.

NOTE on the rules to be framed by the Local Government under section 18 of the Indian Factories Act, 1881, as amended by Act No. XI of 1891.

1. The reference in the preamble of the old rules should be to section 18, clause (1) as amended by Act XI of 1891.

2. Rule I has to be modified with reference to section 6 of the new Act.

3. The register to be maintained under rule II should be in the form prescribed in Appendix II, G.O., dated 25th June 1891, No. 1246, the only column wanting in it being "nature and amount of moving power therein." The omission may be supplied.

No reason is given, and I see no sufficient cause for the change.

(Initd.) A. W. U. H.

4. The power of bringing a factory as now defined under the operation of the Act should, I think, be confined to the ex-officio Inspector, i.e., the District Magistrate, and not

to the Inspector as provided in rule III.

5. If this suggestion be approved, a corresponding alteration will be necessary in rules IV, V and VI.

6. Rules VII and VIII seem to call for no alteration.

7. Form B prescribed in rule IX is superfluous, as form A has necessarily to be filled up at each inspection and as it contains all necessary information. The Inspector can record his orders and remarks in it as required by rules X and XI.

8. In the medical certificate (form C) prescribed in rule XIII, the ages 7 and 12 should be altered into 9 and 14 with reference to the new Act.

9. Rules XII, XIV and XV seem to call for no remark, except that forms C, D and E, will have to be marked B, C and D, respectively, if my suggestion in para. 7 be approved.

10. The allusion to section 7, clause 4, in rule XVI and to section 8 in rule XVII are obsolete, and these rules have to be recast in accordance with the express provisions of sections 5 A to 11 of the new Act, as explained in para. 3 of the Government of India's letter. The clauses alluded to in the last-named document as enabling the Government of India or the local Government to exempt certain factories from the operation of the general rules in certain respects will have simply to be omitted in framing the new rules under sections 5 A to 11, section 9 being omitted. The new rules will then consist of:—

Section 5 A (1); 5 B (1), 5 B (2) (a) and (b); 6 (1), (2) and (3); 7 (1), (2), (3) and 4); 8; 10 (1) and (2); and 11 as now amended.

11. Registers D and E to be kept under rule XV meet the purposes of section 9 of the new Act.

12. If my suggestion in para. 4 *supra* be adopted, the appellate authority for purposes of rule XVIII should be the (local Government *vide* section 12 C) or some other authority as it may appoint in this behalf so far as the orders of the District Magistrate are concerned.

13. The words "on stamp paper of the value of one rupee" in rule XIX seem to be out of place and may be omitted. The question of stamp-duty is beyond the province of these rules. If the Stamp Law already provides for it, the present provision would be superfluous. If it does not, it would be illegal.

14. Rules XX to XXIII seem to call for no remark except that the reference to section 90, Civil Procedure Code in Rule XXII should be altered into section 45, Civil Procedure Code (Act X of 1882.)

15. This brings me to the end of the old rules. New rules are required to give effect to clauses (b), (c) and (d) of section 18 (1), and they relate to questions of sanitation and drinking water-supply. Any suggestions which I may make on the subject cannot be of much value, and the proper authority to whom a reference might be made on the subject is, in my humble opinion, the Sanitary Commissioner, Madras, just as the Surgeon-General for purposes of paras. 7 and 8 of the Government of India letter under consideration.

From G. S. FORBES, Esq., District Magistrate, Tinnevely, to the Chief Secretary to Government, dated 17th October 1891, No. 1197.

I have the honour to reply to G.O. No. 1339, dated the 7th July 1891, regarding the rules to be framed under section 18 of the Indian Factories Act, 1881, as amended by Act XI of 1891.

2. Before passing to the particular modifications which the new law will introduce into the existing set of rules, it is desirable first to consider more in

detail the substantial additions for which under the Act of 1891 fresh rules have to be framed. These fall into two main categories (1) the subjects of the water-supply, the ventilation and the over-crowding of factories, clauses (b), (c) and (d) of section 18 (1); and (2) the returns which occupiers of factories shall be required to furnish under sub-section (2) of the same section.

3. As regards the former class of subjects, the Government will doubtless resort to professional opinion, and I can only suggest certain points to which attention may advantageously be directed. In respect of the *water-supply*, rules are needed prescribing the minimum quantity available per head of those employed; that it shall be always freely accessible; that it shall be a pure or good filtered drinking water; and shall be so stored and served as not to be liable to contamination.

As to the ventilation and cleanliness of the premises.—Provision is required for the necessary currents to secure a sufficiently oxygenized atmosphere. The occupier should also be bound to provide for the removal or prevention of dust, exhalations, gases or impurities generated in the course of the processes of the factory to an extent injurious to health, or the protection of the operatives from the same in some other way, as, for example, by respirators should be secured. In the cotton ginning factories the air is laden with dust in suffocating quantities, and the laborers find it necessary to protect nose and mouth with a covering of cloth. How far this may be remedied by better ventilation or how far special means are needed it is for professional men to decide, but the matter requires attention. As to the cleanliness of the premises, lime-washing of the inside walls should, I think, be enforced once every two months. Where this would be detrimental to the processes of the factory an equivalent mode of cleansing or disinfecting should be laid down. If the operatives are housed on the premises or within the factory curtilage, it would be desirable to bring their quarters under special sanitary regulation, but from the definition of the word "factory" (section 2), I fear that such regulation cannot be enforced under this enactment, and must be left to the ordinary law. Regarding unwholesome effluvia, the rules may simply direct that every drain, privy or other nuisance within the factory premises shall, to the satisfaction of the local Inspector, be kept in a sanitary state and free from such effluvia, and that the privies shall also be placed at such distance from the premises or in such situation as the Inspector may approve. A rule is also required for the provision by the occupier of sufficient latrine accommodation with three separate buildings or apartments having separate entrances for men, women and children respectively. Finally, as to *over-crowding* clause (d), the minimum number of cubic feet per head of persons employed in each separate room of the premises during the hours of work must be prescribed. Perhaps under this clause a rule may be imposed requiring that to meet the case of fire the premises shall be provided with adequate means of exit from the building with fire-escapes for the upper stories—*vide* G.O., dated 10th May 1888, No. 1090, Judicial. Whether such a rule would be *ultra vires* of the clause or not is however a point open to question. It certainly aims at the prevention of dangerous over-crowding in special circumstances and may be deemed to fall legitimately within the intention of the clause.

The rules made under these clauses may perhaps at first be mainly confined to directions of a more or less general character, the Inspector being empowered, on the analogy of section 12 (c), to issue orders in enforcement of the rules.

The issue of more specific rules would then be left to await further experience of the practical working of the Act.

4. Next, with regard to the returns which under sub-section (2) of section 18 occupiers of factories should furnish, the following may be prescribed:—

(1) the occupier may be required to give notice of the existence of a factory as defined in the Act and to which the Act applies: such notice to be given within two (say) months of the date on which the factory becomes subject to the Act but if the factory is already on the register, further notice need not be given.

Under the present rules the local Inspector must discover for himself the existence of every factory. Now that the qualification of a factory in respect of the number of operatives employed is reduced to 50, or, where a notification under section 20 has issued, to less than that number, the matter of discovery may be difficult, and it seems desirable therefore to throw on the occupier the duty of informing the Inspector. Where an occupier has neglected to give notice, it will, of course, be still open to the Inspector to take action under Rule III of the old rules (as proposed to be amended below).

(II) With the said notice the occupier should be required to transmit to the Inspector in a form to be prescribed a return giving particulars as to (1) the local situation of the premises, (2) name and description of factory, (3) nature of business, (4) name of proprietor, (5) name of resident occupier, (6) number of persons employed—adults, male and female, and children, (7) whether proposed to be worked on the shifts system, (8) the number of cubic feet of free air space in each apartment of the factory, with the number of operatives to be employed in each and (9) the nature and amount of motive power. This return will furnish substantially the particulars contained in Form A of the old rules and will give the Inspector the preliminary information necessary for his register.

(III) A periodical return in the same form with additional columns for information as to the nature of the water-supply, of the ventilation and sanitary arrangements, and the rules enforced as to the over-crowding of the factory should be furnished by the occupier at the end of each half of the calendar year. This return will be a useful check on the inspection and at the same time make the occupier more careful in his observance of the requirements of the law.

5. Turning now to the existing set of rules, the following are some of the modifications required: In the *title* add after "Factories Act, 1881," the words "as amended by Act XI of 1891;" and before the word "Factories," the word "Indian." In the *preamble* after the words "Factories Act" add the words "as amended by Act XI of 1891." In the *forms* appended to the rules some similar alteration is needed.

In *rule I* before the word "Inspector" insert "local." The same alteration is required throughout the rules in order to distinguish the Magistrate of the district who, though *ex-officio* Inspector at all district factories, is the appellate authority from the local Inspectors. The term is used throughout the new amending Act. For the words "every" and "each" at the commencement of rules I and II, it may be an improvement to substitute the word "the."

Between *rules II and III*, I would insert a rule giving effect to the proposal explained in para. 4 (I) *supra* regarding the occupier's duty to give notice of the existence or opening of a factory with a statement of certain particulars; and there should be a clause requiring the occupier to furnish to the local Inspector such information as at any time he may demand to enable him to make up his register of factories or otherwise, to carry out the provisions of the Act and the rules.

Rule III would then run "the local Inspector shall give to the occupier of any premises within his jurisdiction which have not been registered under these rules and which he has reason to believe to be a factory within the meaning of the Act notice of his intention of placing the said premises upon his register of factories."

Rule V will, in view of the above alterations, become unnecessary.

Rule VII.—At the end of the rule after the word "machinery" insert "and mill-gearing and respecting the water-supply, the ventilation and cleanliness, and the over-crowding of the factory are observed, and generally that the provisions of the Act and the rules made thereunder are being duly carried out."

Rule VIII.—For "section 11" read "section 9" and for the words "as to the secure fencing of machinery and mill-gearing" substitute the words "in respect of the matters provided for under clauses (a), (b), (c) and (d) of section 18 sub-section 1 of the Act."

Rule X.—After the words "section 12 (c) of the Act" insert "or under these rules in respect of the matters referred to in clause (b), (c) and (d) of sub-section

(1) of section 18 and." This assumes that rules will be made with reference to the clauses quoted and that certain powers of approval or of direction will be conferred on the local Inspector.

Rule XI.—After the words "section 12 (c) of the Act" insert "and every direction given under these rules with reference to clauses (b), (c) and (d) of section 18, sub-section (1) of the Act." Omit the words "so that the said machinery or gearing may be securely fenced."

Rule XVI.—For "section 7, clause 4," read "section 10, clause 1."

Rule XVII is now unnecessary and should be removed with reference to section 5 B of the new Act.

Rule XVIII.—After the words "section 12 (c)" of the Act insert "or an order in respect of the water-supply, ventilation, cleanliness or over-crowding of the factory." While making this suggestion, I would, however, explain that its validity requires consideration. Section 18 (1), clause (f) empowers the making of rules consistent with the Act to provide for the manner in which appeals under the Act are to be presented and heard. The only section of the Act which specifically relates to an appeal is section 12 (c), orders as to fencing machinery. The question is whether the Government may by rule make orders passed by an Inspector relative to water-supply, ventilation and over-crowding similarly subject to appeal, and under section 18 (1), clause (f) prescribe the manner in which such appeal is to be presented and heard. If it be held that the Government has this power, and if Government propose to place orders as to ventilation and the like on the same footing as orders regarding machinery, then an amendment in the direction suggested is required. The omissions enumerated in section 15 constitute offences, and evidently the procedure in respect of an appeal on conviction for any such offence must be governed by the Criminal Procedure Code.

Before the second clause of *rule XVIII*, I would insert a provision empowering the appellate authority, on the hearing of the appeal, not merely to reverse or affirm the Inspector's order, but to modify the same and pass such other orders as the circumstances of the case may seem to require.

After *rule XVIII*.—I would also insert a rule empowering the District Magistrate of his own motion or on application to suspend any order passed by a local Inspector pending an appeal from the said order or a reference to Government for its revision. It seems desirable to have a local authority who may give immediate relief from the order of an Inspector which is *prima facie* improper or vexatious. The new law appoints the District Magistrate an Inspector of all the factories in his district, and apparently, therefore, the constituting him a reviewing authority to this extent would, I think, be within the contemplation of the section.

Rule XXI.—This rule seems to be unnecessary. If any rule is required, it should simply be a direction requiring the Inspector to carry out as early as practicable the orders passed under *rule XVIII* by the appellate or reviewing authority.

Rule XXII.—For "section 90, Civil Procedure Code," read "section 45, Civil Procedure Code."

In *form A, Register of factories*.—I would add a column showing "whether a factory in which a system of employment by shifts is in force, and, if so, date of order approving same," with a column giving the periods of the shifts or sets, and also a column showing whether it is a factory exempted under section 5 B (2) (c) with date of the order, as this may be a specific and not a class exemption.

In *form B, Register of inspections*.—To the heading of column (2) add "and if a factory on the shifts system are exempted under section 5 B (2) (c) to be so stated with date of orders approving same." This form may also advantageously include columns showing separately the result of the inspection as regards (a) the fencing of the machinery, (b) the water-supply, (c) the cleanliness and ventilation of the premises and (d) the rules as to over-crowding.

In *form C*, the figures for minimum and maximum age have to be corrected to 9 and 14, respectively.

Form F.—If the factory is on the shifts system, the hours of the shifts should be substituted for those of opening and closing work.

Telegram from the Secretary to the Government of India, Home Department, Simla, dated 19th October 1891.

From C. J. WEIR, Esq., Acting District Magistrate of Trichinopoly, to the Chief Secretary to Government, Judicial Department, dated 21st October 1891, No. 89—2.

With reference to G.O., No. 1339, dated 7th July 1891, I have the honour to forward, herewith, copies of letters from the General Charge Deputy Collector, Ariyalūr and the Deputy Collector, Trichinopoly. There is only one factory in this district, viz., Messrs. Binny and Co.'s Cotton Press in Ariyalūr employing 40 hands.

2. As regards the rules to be framed under section 18 (b), Act XV of 1881, the only suggestions I have to offer are that the source of supply should be approved by the certifying Surgeon. That all the water, before being used, should be passed through filters similarly approved. That separate vessels be kept for caste and non-caste labourers, and lastly that powers should be taken to compel the occupier of the factory to provide by the sinking of wells or otherwise as much water as may be determined to be necessary for the use of the persons employed.

3. The rules to be framed under section 18 (c and d) as well as the supply of water necessary for each person employed seem to be matters to be decided upon by experts, and I do not feel competent to offer any suggestions on the subject.

4. Some of the suggestions of the Deputy Collector, Ariyalūr, especially those regarding privies, seem to me to merit consideration. The suggestions were made in consultation with Messrs. Binny and Co.'s manager at Ariyalūr.

ENCLOSURES.

(a) The fencing of machinery and mill-gearing in factories.

(1) The fence should be of a moderate height, such as would admit of the people working inside the fence jumping out in cases of accident.

(2) The fence should be sufficiently strong to withstand, in cases of accident, the force of any disengaged or broken part of the machinery that may come in violent contact with it.

(b) The water-supply to be maintained for the use of persons employed in factories.

(1) A sufficient stock of drinking water-supply must be maintained in the factory.

(2) It must be kept in a room which has glass windows to let in light and to keep out dust.

(3) The supply kept must be of filtered water.

(4) The vessels, in which water is kept should be emptied every morning, cleaned and refilled with new filtered water. The small vessels in which water is given to each workman should also be cleaned every day.

(5) Hotwater should be maintained for the use of such of the workmen as may suddenly get fever, &c., and also for fomentation purposes in cases of accident rendering fomentation necessary to the injured persons.

(6) When there are no tanks within the compound of a factory, one or more wells should be sunk to enable workmen to wash their persons and clothes. A separate supply of water for caste workmen should be maintained in factories in the compound of which there are no wells containing drinkable water.

(c) The ventilation of factories and their cleanliness (including lime-washing, painting, varnishing and walling) and freedom from effluvia arising from any drain, privy or other nuisance.

(1) No window should be left unprovided with doors, so that the latter may be kept closed or open according to necessity. The height of windows should not be less than half that of the roof from the floor.

(2) The width of all the windows put together must be equal to half the length of the wall in which they are set. But if the existing number is insufficient to meet the above requirement, fresh windows must be opened to the extent necessary.

(3) *Cleanliness, lime-washing.*—Walls must be lime-washed twice in the year, once in January and again in July months, in which cholera generally makes its appearance. The floor should be bricked or slabbed so as to admit of being swept properly every day.

(4) *Painting.*—The doors, windows and frames of the machinery should be painted and varnished once a year. They should be cleaned with water once a week.

(5) *Drains.*—The drains close to the factory should be covered with masonry work so that the effluvia may remain confined within the drain. Water must be flushed into these drains once a week to clean their interior.

(6) The privy walls should be tarred inside for half their height. The floor of the privies should be asphalted. The tarring of the privy walls should be repeated once a month.

(7) A sufficient supply of disinfectant powder should be maintained in factories to be sprinkled in the various rooms once a day during the prevalence of cholera and fever.

(8) The drains carrying away refuse water from factory premises into the compound should terminate in a cesspool, and the liquid matter collecting in it should be baled out daily and carried in covered carts out of the factory compound.

(9) The privies should be cleaned thrice a day and the filth removed in a covered cart. The privies for females should be distinct from those for males; and there should be an interval of at least ten yards between them.

(10) The privy accommodation provided must be sufficient to admit of a certain proportion of the number of workmen in the factory easing themselves at one and the same time. This proportion will be fixed and modified from time to time by the Inspector.

(11) There must be a small out-house in the factory compound to afford temporary accommodation to workmen suddenly falling ill, pending their removal to their own houses or to a hospital.

(12) Workmen attacked by cholera should be removed to hospital forthwith.

(13) Dhoolies should be maintained in the factory for the removal of sick and wounded workmen unable to walk to their respective quarters from the factory premises. One dhooly should be maintained for the above purpose for every 100 workmen or part thereof.

(d) The prevention of such overcrowding of factories, while work is carried on therein, as is likely to be injurious to the health of the persons employed therein.

(1) In every room in which the same people have to work incessantly from morning to evening without relief the number to be locked in it should be fixed by the Inspector with reference to the space available. The number so fixed should be painted over the entrance into the room.

(2) The number of spectators allowed into a factory should not exceed six at a time.

(Signed) A. KRISHNASWAMIER,
Deputy Magistrate.

From SYED KHADER PADSHAH SAHIB, Bahadur, Deputy Magistrate, Trichinopoly, to the District Magistrate, Trichinopoly, dated 18th September 1891, No. 1119.

In reply to your communication No. 207, Mis., dated 28th July 1891, on G.O., No. 1339, dated 7th July 1891, I have the honour to report that clauses (b), (c) and (d) are provisions newly introduced under the revised section 18 of the Factories Act. The rules already published (*vide* page 429 of the *Fort St. George Gazette* of 1882, Part I) relate to the old clauses which also appear under the revised section. These rules do not therefore, in my opinion, require alteration. The new provisions of clauses (b), (c) and (d) are of considerable importance. They solely treat of the sanitation of the factory and the health and convenience of the working classes. In connection with these provisions, the following rules, which appear to be of some practical value, may be adopted, if approved.

(1) (b) *Water-supply.*—Supply of water should be drawn from a well or stream approved of by the certifying Surgeon.

(2) Supply ought to be sufficient.

(3) Supply for drinking purposes should be kept apart undisturbed from that intended for mechanical and other requirements of the factory.

(c) *Ventilation.*—The instructions of the Medical officer in this respect should be carried out.

(d) *Overcrowding.*—Overcrowding of factories should be regulated in accordance with the rules in force in jails subject to the supervision of the Inspector.

2. The introduction of the new provision relating to the furnishing of returns is useful for statistical purposes. This provision apparently does not require any rule to be framed thereunder.

From A. KRISHNASWAMIER, Avergal, Deputy Magistrate, Ariyalūr, to the District Magistrate, Trichinopoly, dated 13th October 1891, No. 560.

With reference to your letter, No. 33, dated 3rd October 1891, I have the honour to report that this morning I inspected the Ariyalūr Cotton Press belonging to Messrs. Binny and Co., Madras, in which the average number of workmen is about 40 per diem. The presses in it are not worked by steam but by the mechanical power of a screw. It is not a good specimen of a factory and its inspection did not make me much wiser, but still I have, in consultation with its manager, drawn up a few rough rules under the heads (a), (b), (c) and (d) of section 18 of the Indian Factories Act.

2. Several of the rules relate to very common matters which factory authorities themselves provide for, but it seems to me that, unless those requirements are enforceable by law, the workmen in the factories will not be sufficiently protected.

From the District Magistrate of Kistna, dated 20th October 1891, No. 1118.

From the District Magistrate of Madura, dated 22nd October 1891, No. 67.

From J. W. F. DUMERGUE, Esq., Acting District Magistrate, Malabar, to the Chief Secretary to Government, Judicial Department, dated Calicut, 27th October 1891, No. 626-M.—G1.

With reference to paragraph 1 of G.O., dated 7th July 1891, No. 1339, Judicial, I have the honour to submit my opinion on the question of rules to be framed under clauses (b), (c) and (d) of section 18 of Act XV of 1881, as amended by Act XI of 1891.

2. (1) *Clause (b).*—I am of opinion that the manager or occupier of a factory should provide daily not less than a quart bottle of drinking water for every person employed in the factory.

(2) *Clause (c).*—Every factory should be washed or swept *daily*, lime-washed at least *half-yearly* and painted or varnished *yearly*. The manager should see that no effluvia arises from any drain, privy or other nuisance, and that the latrines attached to the factory are kept scrupulously clean. As regards ventilation, the Inspector's orders on the occasion of his inspection should be carried out.

(3) *Clause (d).*—While work is carried on in a factory, every person employed therein should have at least 600 cubic feet of space.

Any violation of the rules framed under the above clauses will be punishable under section 15, clauses (f), (g) or (h).

3. I beg also to suggest that a register for women in form E, similar to the "weekly muster register for children," be opened in every factory in which women are also employed with a view to ascertaining the number of hours each woman works in a day.

4. Occupiers of factories may be directed to furnish quarterly returns showing—

(a) The number of hands employed in the factory on the last day of the quarter.

1. Men.
2. Women.
3. Children.

(b) Machinery whether fenced or not.

(c) The source from which water is supplied for the use of persons employed in the factory.

(d) Dates of last lime-washing and painting of factory and measures adopted for keeping the latrines clean.

(e) The daily average number of persons employed within the building, the cubic contents of which are to be specified.

(f) Number and nature of accidents and whether notice was sent in each case to the Sub-Magistrate, Divisional Magistrate and Inspector.

(g) Whether the prescribed registers are maintained.

(h) Date of last inspection of the factory and whether the orders of the Inspector on the occasion of his inspection have been carried out.

From the Collector of the Chingleput District, dated 2nd November 1891, Reference on No. 169-G and B.

From R. SEWELL, Esq., District Magistrate of Bellary, to the Chief Secretary to Government, dated 7th November 1891, Index No. 153.

I have the honour to submit draft rules under section 18 of the Factories Act called for in G.O., dated 7th July 1891, No. 1339, Judicial.

2. I regret that I have had no experience of much factory work in India and can be of little assistance.

The old rules for—

(a) the fencing of machinery and mill-gearing in factories;

(e) the inspection of factories;

(f) the manner in which appeals under this Act shall be presented and heard; and

(g) otherwise carrying out the provision of this Act may stand, new rules being added under the new clauses of section 18 (as amended).

3. In reply to the last clause of para. 5 of the Government Order, I think that a return of children employed in each factory, showing the number at work of each age and the work they all employed on and a return of accidents submitted monthly to the Inspector of factories is all that is necessary.

ENCLOSURE.

DRAFT rules framed under clauses (b), (c) and (d) of section 18 of the Indian Factories Act (XV of 1881) as modified up to 1st April 1891.

Water-supply.

Sufficient quantity of water should always be kept (a) for drinking purposes, (b) for other purposes and a fire-engine must always be at hand.

(a) Drinking water must be obtained from the best sources available in the locality and must be well protected. In all cases, where caste prejudices do not prevent it, it must be filtered, must be kept free from contamination by sub-soil drainage and the neighbourhood for at least 50 yards all round it must be kept scrupulously clean; where possible, draw wells should be resorted to.

(b) The water for other purposes must be as free from impurities as possible. A supply sufficiently large in proportion to the requirements of the building must be maintained in tanks or cisterns at all times for use in cases of accidents by fire.

Ventilation and cleanliness.

(1) The working rooms should be provided with sufficient ventilation on all sides. Both roofs as well as lateral or side ventilation should be ensured.

(2) The building should be thoroughly swept every day before the work people are admitted. Floors should be washed or flushed at least once in a week.

(3) Walls must be lime-washed once in every six months.

(4) No rubbish or filth of any kind must be allowed to accumulate or deposited within the premises. The surroundings should be kept always clean and care must be taken to keep the premises and surroundings free from bad smell. In times of cholera or other epidemics disinfectants should be used freely.

Latrines and urinals, with sign-boards at each, must be provided separately for men and women within reasonable distance from working rooms, worked on the dry-earth system, a supply of the earth being maintained for each. Walls and floors of latrines and urinals should

be tarred. They should be cleaned out twice a day. Sufficient quantity of water must be provided for flushing and washing. All the premises should be properly drained and all sources of effluvia prevented.

Prevention against overcrowding.

The building should be spacious enough to give not less than 500 cubic feet of air for each workman. In the vicinity of furnaces, &c., an addition of 100 cubic feet is desirable. A sign-board, showing the cubical contents of each room and number of people it can accommodate, must be posted in every room and the scale given must be adhered to.

From the District Magistrate of Coimbatore, dated 20th November 1891, No. 1061-Mag.

From W. A. HAPPELL, Esq., District Magistrate of Godavari, to the Chief Secretary to Government, dated Cocanada, 30th November 1891, No. 63.

In reference to G.O., No. 1339, dated the 7th July last, communicating letter No. 858, dated 18th June 1891, from the Government of India *anent* certain proposed amendments in the Indian Factories Act, 1881, I have the honour to report that the Joint Magistrate, Mr. Hamnett, makes the following suggestions:—

(a) Form A (Register of the Factories) should have additional columns opened in it to show—

- (i) The nature of the water-supply maintained for the use of persons employed in the factory.
- (ii) The cubical contents of each room in the factory; the size and number of the windows, doors and ventilators and the maximum number of persons employed in each room at any one time.
- (iii) The number of privies provided for the hands in the factory and the number of times they are cleaned.
- (iv) The dates on which the factory is lime-washed, painted, varnished or cleaned.

(b) Register B (Register of Inspections) should have columns opened for the Inspector's remarks as regards the water-supply and sanitary arrangements in the factory.

(c) Rules should be prescribed, in consultation with competent Medical officers, for—

- (i) Fixing the cubical air capacity to be allowed for each person in a factory.
- (ii) Making the up-keep of separate latrines of sufficient size for females and males employed and their regular cleaning.
- (iii) The supply of sufficient pure water for drinking purposes for the employes.

(d) Inspectors should be empowered to issue orders for the improvement of the ventilation, water-supply, accommodation or the latrines provided, for the cleaning or disinfecting of any part of the factory, premises or compound, for white-washing, painting or washing the premises, and the breach of such orders should be made punishable under section 15 of the amended Act, unless such order is reversed on appeal.

(e) Appeals from orders passed by the Inspector should go to the District Magistrate as heretofore and the time for appeal against orders of the kind referred to in paragraph (e) may be extended to 15 days.

2. There are no large factories in this district, and I have not had the practical experience of factories necessary to enable me to make suggestions which would be of any practical utility.

ORDER, dated 19th December 1891, No. 2568, Judicial.

In its letter, dated the 18th June 1891, No. 858, Judicial, the Government of India desired this Government to consider the advisability of revising the rules at

present in force under section 18 of the Indian Factories Act, 1881, in view of the amendments introduced into that section by Act XI of 1891. These amendments consist of the insertion of three clauses giving the Local Government power, subject to the control of the Governor-General in Council, to make rules to provide for the water-supply, ventilation and sanitation of factories and the prevention of overcrowding therein. The Government has now considered the replies of the officers who have been consulted upon the subject and has resolved to revise entirely the existing rules and to prescribe fresh forms in lieu of those at present in force. His Excellency in Council agrees with those officers who consider that the rules should be of the most general description and considers that detailed rules such as those suggested by the District Magistrates of Trichinopoly and the Nilgiris and by the Sanitary Commissioner would be entirely out of place.

2. The revised rules are printed in Appendix I, Notification II, attached to these Proceedings. Of these rules, numbers 7, 8, 9, 11 and 12 have been modified with reference to clauses (b), (c) and (d) of sec. 18 (1) of the Act as amended, and it is therefore necessary that they should be published in draft for criticism before being finally issued as rules having the force of law. Accordingly these rules 7, 8, 9, 11 and 12 will be published in the *Fort St. George Gazette* with the notification printed as Appendix I, Notification III, to this Proceedings, and after the lapse of the period specified in that Notification, all the rules will be finally issued as rules having the force of law.

3. The Government further resolves to appoint the District Medical officer of each district under section 3 of the Act as amended, to be an Inspector of all factories within the district and a notification in the form appearing in Appendix I Notification I, will accordingly be published when the rules are finally issued after the lapse of the period specified in Notification III.

4. A few points raised in the replies received from the various officers consulted require special notice—

(a) The Consulting Engineer for Railways observes that it will be necessary to exempt engine-changing stations from the rules forbidding Sunday labour. It has first to be shown that such stations are factories within the meaning of section 2 of the Act; the mere fact that engines are cleaned and oiled therein will not make them so. If, however, these stations are factories, then the Government of India will be moved to declare that section 5 B (1) does not apply to them.

(b) Mr. Brodie enters upon a discussion of the meaning of the term "factory" and asks whether it includes every building and all lands occupied in connection with the business or only land and buildings on or in which machinery has been erected. The point is a difficult one, but the Government inclines to the opinion that the word "premises" used in section 2 should be taken to include all the buildings or enclosures constituting a block in which processes of the kind described are carried on if any of the processes in any of the buildings is aided by mechanical power. If any other views were taken, the object of the Act might be defeated by the employment of persons admitted to the premises for processes not aided by machinery upon processes which are so aided in contravention of the provisions of the Act. It must be a question of fact in each case whether the premises in which the processes unaided by mechanical power are carried on are separate premises or not.

(c) Mr. Forbes suggests that the rules should make provision for suitable means of escape from factories in case of fire. The matter is important, but the Government considers that any rules to this effect would be *ultra vires*. The purpose of the Act is declared in the preamble to be the regulation of labour and rules providing generally for the safety of the labourer could not, therefore, be framed under clause (g) of section 18.

(d) The Government is also of opinion, with reference to Mr. Forbes' remarks, that section 18 (1) (f) of the Act as amended does not give power to go beyond the provisions of section 12 (c) and that rules giving the privilege of appeal against orders relating to ventilation, &c., would be invalid. This view was

adopted by the Government of India also in its letter read in G.O., dated 31st July 1882, No. 842, Judicial.

5. The form appearing in appendix II will in future be adopted as the form of annual return to be submitted to Government by each Inspector. It is prescribed in lieu of that appended to G.O., dated 25th June 1891, No. 1246, Judicial, and will be compiled from the register of factories in form A given in Appendix I, Notification II.

6. The Government of India will now be addressed on the subject of the other matters upon which the opinion of this Government was sought in Mr. Lyall's letter of the 18th June last, No. 858, Judicial, and the views of His Excellency in Council upon the question of the returns to be required of the occupiers of factories in future will be communicated to the Government of India by telegram.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To all District Magistrates.
„ the Public Department.
„ the Public Works Department.
„ the Revenue Department.
„ the Consulting Engineer for Railways.
„ the Commissioner of Police, Madras.
„ the Inspector-General of Police.
Gazette (Notification III, Appendix I).

Exd. P. L. Pereira.

Appendix.

APPENDIX I.

NOTIFICATION I.

In supersession of the notification, dated the 9th February 1882, published at page 199 of the *Fort St. George Gazette* of the 1st April 1882, the Governor in Council is pleased, under section 3 of the Indian Factories Act, 1881, as amended by Act XI of 1891—

(1) to appoint the following officers to be Inspectors of Factories:—

(a) The District Medical officer and the Assistant Magistrate or Magistrates for all factories, not being railway workshops, situated within the districts in which they are employed and all Sub-divisional Magistrates within the meaning of the Code of Criminal Procedure for all factories, not being railway workshops, situated within their respective sub-divisions;

(b) The Deputy Commissioner of Police for all factories situated within the Presidency town; and

(c) the Deputy Consulting Engineer for Railways for all railway workshops.

(2) to declare that—

(a) Every Inspector, other than the *ex-officio* Inspector, whose jurisdiction is limited to a district or part of a district, shall be officially subordinate to the Magistrate of the district to which he is appointed;

(b) in the Presidency Town the Deputy Commissioner of Police shall be officially subordinate to the Commissioner of Police;

(c) the Deputy Consulting Engineer for Railways shall be officially subordinate to the Consulting Engineer for Railways.

NOTIFICATION II.

In exercise of the powers conferred upon him by section 18 of the Indian Factories Act, 1881, as amended by Act XI of 1891, the Governor in Council is pleased to prescribe the following rules in supersession of those published upon page 429 of the *Fort St. George Gazette*, dated the 15th August 1882, and upon page 700 of the *Fort St. George Gazette*, dated the 28th November 1882:—

1. All references to "the Act" or "the Factories Act" in these rules are to be understood as referring to the Indian Factories Act, 1881, as amended by Act XI of 1891.

2. A register of Factories in Form A annexed to these rules shall be maintained by each Sub-divisional Magistrate for all factories other than railway workshops within his Sub-division, by the Deputy Commissioner of Police for all factories within the City of Madras, and by the Deputy Consulting Engineer for Railways for all railway workshops. In these rules the words "registering Inspectors" mean and include these Inspectors only.

3. On the publication of these rules the registering Inspector shall give notice to the manager or occupier of every factory within his jurisdiction intimating his intention of placing such factory upon his Register of Factories (Form A).

4. Any person served with a notice under rule 3 whose premises do not fall within the definition of a factory given in the Act may, within fifteen days of the receipt of such definition of a factory given in the Act may, within fifteen days of the receipt of such notice, forward to the registering Inspector a statement setting forth his objections to the registration of his premises as a factory. The registering Inspector shall consider and dispose of such objections after making such enquiry as he may deem necessary, and shall make up his register of factories in accordance with the provisions of the Act.

5. The registering Inspector may at any time serve a notice, as provided in rule 3, upon the occupier of any factory which is not already entered in his register of factories, and the provisions of rule 4 shall apply to the subsequent proceedings in all such cases.

6. When any premises cease to be occupied as a factory, the occupier may give notice of the fact to the registering Inspector, who shall, if satisfied that the Act is no longer applicable to such premises, remove them from his register of factories.

7. It shall be the duty of every Inspector to take measures to ensure in the case of every factory within his jurisdiction—

(1) that all machinery and mill-gearing is properly fenced;

(2) that the water-supply is sufficient and suitable for drinking purposes or, if need be, for purposes of cleanliness also;

(3) that the factory is properly ventilated and that its sanitary condition is otherwise satisfactory;

- (4) that there is suitable and sufficient accommodation in the way of privies and urinals and that they are kept in a cleanly condition ;
- (5) that there is no overcrowding of the factory ; and
- (6) generally that the provisions of the Act are enforced.

8. Every factory shall be inspected by an Inspector as often as may be deemed sufficient, but shall be inspected at least three times in every calendar year. At the inspection the Inspector shall muster all children employed on the premises, examine all registers required to be kept under the Act or these rules and see that all orders respecting the secure fencing of machinery and mill-gearing and respecting the water-supply, the ventilation and the sanitation of the factory and the accommodation provided therein are observed and generally that the provisions of the Act and the rules made thereunder are being duly carried out.

9. An Inspector may enter a factory for the purpose of section 4 of the Act at any time during the day or night according as work is being carried on therein by day or night, but he shall not examine the children employed therein for the purpose of verifying the registers kept under section 9 of the Act except during working hours.

10. The result of each inspection and all orders and remarks made by the Inspector on the occasion of inspection shall be recorded in the Register of Factories (Form A). When the inspecting officer is not the registering officer, a copy of the record of inspection shall be sent to that officer in view to the insertion of the necessary particulars in the Register of Factories.

11. A copy of every order passed by an Inspector under section 4 (c) or section 12 (c) of the Act or under these rules in respect of the matters referred to in clauses (b), (c) and (d) of section 18 (1) of the Act and of any remarks made by him on the occasion of each inspection, shall be transmitted to the occupier of the factory, or in his absence to the principal agent in charge of the factory, within twenty-four hours of the same being passed. The despatch through the post, under registered cover, of a copy of such orders and remarks shall be deemed to be sufficient service on the occupier of the factory of any directions contained therein. When the inspection is not performed by the registering Inspector, a copy of any orders or remarks passed should be sent to that officer.

12. Every order for the fencing of any part of the machinery or mill-gearing of a factory which an Inspector may pass under section 12 (c) of the Act and any direction given under these rules with reference to clauses (b), (c) and (d) of section 18 (1) of the Act shall state clearly what is required and shall specify a reasonable time within which what is required to be done shall be completed and shall further give notice that, if it shall not be so completed, the person responsible for the breach of the order will be prosecuted under section 15 of the Act.

13. The occupier of a factory shall, if required by an Inspector, bring before him, on the occasion of inspection, all children employed in the factory and any other persons employed in the factory whom the Inspector may wish to see.

14. Certifying Surgeons under section 5 of the Act shall grant certificates in the Form B appended. Forms of certificate in counterfoil will be supplied to certifying Surgeons.

15. Every occupier of a factory shall keep a file of all certifying Surgeons' certificates relating to persons in his employ and shall produce it when required by an Inspector. Every such certificate shall be returned by such occupier on demand to the parent or guardian of the person to whom it relates on his leaving the factory for other employ.

16. Every occupier of a factory shall keep registers in Forms C, D and E attached to these rules and no such register shall be destroyed or removed from the factory without the written permission of an Inspector.

17. In addition to the notice required by section 10 (1) of the Act, every occupier of a factory shall set up and maintain in a conspicuous place in the factory a printed or written notice, in English and the Vernacular, in Form F appended, of the daily working hours of the factory. An alternative form is provided to meet the case of factories working on the shift system in which the hours of the shifts are substituted for those of opening and closing work. In factories where the shift system is adopted for a part of the year only, the register will be maintained in either of the alternative forms as may be necessary.

18. Any occupier of a factory on whom an Inspector serves an order under section 12 (c) of the Act may, within seven days after receipt of such order, appeal—

- (1) in the mofussil to the Magistrate of the district ;
- (2) in Madras to the Commissioner of Police ; and
- (3) in the case of railway workshops to the Consulting Engineer for Railways.

Appeals from orders passed by District Magistrates in their capacity as *ex-officio* Inspectors shall lie direct to Government. There shall be no further appeal from an order passed by the aforesaid appellate authorities, but Government may review any order mentioned in this rule either of an Inspector or of an appellate authority and may issue any orders thereon which may seem proper. In order that effect may be given to the latter part of this rule, copies of all the orders referred to herein shall be transmitted to Government as soon as they are passed.

19. An appeal under the preceding rule 18 shall be made in the form of a memorandum of appeal in Form G bearing a stamp fee as regulated by article 11 of schedule II of the Court Fees Act and shall be accompanied by a copy of the order appealed against.

20. The appeal shall be heard at as early a date as may be convenient and due notice of the date of hearing shall be given to the appellant and the Inspector.

21. If the order of an Inspector under section 12 (c) of the Act is set aside or modified in appeal, the Inspector shall, as early as possible, deliver to the occupier of the factory such amended order as may seem to him to be required.

22. Notice of all accidents resulting in death or from which the injury is evidently so severe that there is no reasonable hope that the injured person will be able to return to his work within 48 hours shall be given on the same day on which they occur. Notice of accidents of a less severe character, but which nevertheless prevent the person injured from returning to his work within 48 hours of the occurrence, shall be given immediately on the expiry of the 48 hours' interval allowed by section 13 of the Act. Such notices shall be sent both to the Sub-Magistrate and to the Divisional Magistrate within whose jurisdiction the factory is situated and also to the registering Inspector. Notice of fatal injuries shall at the same time be given at the nearest police station as required by section 45 of the Code of Criminal Procedure, 1882. All such notices shall contain full particulars of the accident and shall be sent by special messenger except in the case of the copy to the Inspector which may be sent by post. This notice shall be in Form H appended.

In the case of accidents occurring within the Town of Madras, notice of the same will be given to the Commissioner of Police or his Deputy.

23. A copy of these rules and of the forms appended, with a translation thereof in the vernacular of the district in which the factory is situated, shall be kept hanging in a conspicuous place in each factory.

Form A.

1	2	3	4	5	6	7			8	9	10				
Serial number.	Name and description of factory.	Village and taluk wherein situated.	Name of resident manager.	Name of proprietor.	Date of inspection.	Number of persons at work at date of inspection.			Number of children mastered at inspection.	Whether registers C, D and E and the file of certificates in Form B are kept.	Whether (1) Form F under rule 17, (2) a copy of the rules as required by rule 23, and (3) the notice required by section 10 of the Act are put up in a conspicuous place.				
						Adults.	Male.	Female.				Children.	Male.	Female.	
11	Whether the machinery is properly fenced or not.	State of water-supply, ventilation, sanitation and accommodation.	Number of persons employed at the end of the year under report.			13			14	15	16	17	18	19	
			Adults.	Children.	Maximum number of hands employed on any day during the year.	Nature and amount of moving power employed.			Whether the shift system is in force; if so, the date of the order establishing it.	Periods of shifts where the system is in force.	Whether the factory has been exempted from the rules against Sunday labour; if so, the date of the notification exempting it.	Remarks.			
			Male.	Female.	Male.	Female.	Adults.	Children.							

• NOTE.—[In column 19 will be entered particulars of accidents, &c.]

Form B.

(Vide rule 14 of the rules framed under the Factories Act.)

CERTIFICATE UNDER SECTION 5 OF THE INDIAN FACTORIES ACT.

No. _____	_____
Dated the _____ day of _____ 18 ____	_____
I hereby certify that I have this day examined—	
(Name) _____	_____
Son of _____	_____
Daughter of _____	_____
Residing at _____	_____
who is _____ employed _____ in the _____	_____ state name and locality of Factory
and I consider _____ him to be _____ above 9 or 14 _____ years of age.	_____
_____ her _____ below 9 or 14 _____	_____
(Signed) _____	_____
Certifying Surgeon.	

Form F.

(Vide rule 17 of the rules framed under the Factories Act.)
Form of register of hours of employment.

Form of register of hours of employment.

Hours of commencing and closing work daily.	
Commencing.	Closing.

Alternative form for use when the shift system is in force.

Form G.

(Vile rule 19 of the rules framed under the Factories Act.)
MEMORANDUM OF APPEAL.

(NAME) _____ Appellant, Owner (occupier or manager) of _____
 Factory, situated at _____, in Taluk of _____, District of _____
 The said _____ above named, appeals to the District Magistrate of _____
 [Commissioner of Police, or Consulting Engineer for Railways, *as the case may be*] against the
 order of _____ Esq., Inspector of Factories, dated the _____ day of _____
 for the following reasons, namely [here state the grounds of objection].

Form II.

(Vide rule 22 of the rules framed under the Factories Act.)
FORM OF NOTICE OF ACCIDENT OCCURRING IN A FACTORY.

Form II.

To _____
 Sir, _____
 I _____ beg hereby to give notice under section 13 of the Indian Factories Act
 that an accident occurred in the Factory of _____ at _____ o'clock this day
 causing _____ to the persons mentioned below :—

causing _____ to the person _____				
Name.	Caste.	Sex.	Age.	Nature of injury.

2. The accident was caused by _____.

3. The injured persons are under treatment by _____ (or have been removed to the hospital at _____).

I have, &c.,

Manager.

(6) generally that the provisions of the Act are enforced.

5. Every order for the fencing of any part of the machinery or mill-gearing of a factory which an Inspector may pass under section 12 (c) of the Act and any direction given under these rules with reference to clauses (b), (c) and (d) of section 18 (1) of the Act shall state clearly what is required and shall specify a reasonable time within which what is required to be done shall be completed and shall further give notice that, if it shall not be so completed, the person responsible for the breach of the order will be prosecuted under section 15 of the Act.

•

APPENDIX II.

Form of return to be annually submitted by Inspectors of Factories so as to reach Government by the 31st March.

[illegible]

Gobt. of {1891} Madras.
JUDICIAL.

Issued

Recd.

Encl.

G.O., 19th Dec. 1891, No. 2568.

DECEMBER.

Indian Factories Act, 1881.

Passing orders on the replies of the officers consulted regarding the question of revising the rules at present in force under section 18, clauses (b), (c) and (d), of the —, as amended by Act XI of 1891, and addressing the Government of India, Home Department.

No. 49 Wd 5 - Jan'y /92

*Communicated to
the officers concerned
in continuation of
G.O. 2232 W dated 17th
August 1891.*

*[507 out B
DW]*

20

*The S & I write
" " II write
" " I write*

9TH JANUARY 1893, No. 23, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again the following papers:—

G.O., dated 19th Dec. 1891, No. 2568, Judicial.

" " 20th May 1892 " 953 "

G.O., dated 11th October 1892, No. 1924, Judicial.

ABSTRACT.—Forwarding to the Government of India, with an expression of concurrence, the opinions of the Agents of the Madras and South Indian Railways on the question of exempting certain engine-changing stations from rules against Sunday labour contained in Factories Act.

READ—also the following paper:—

From C. J. LYALL, Esq., C.I.E., Secretary to the Government of India, Home Department (Judicial), to the Chief Secretary to the Government of Madras, dated Calcutta, 7th December 1892, No. 1450.

I am directed to reply to your letters, No. 954, Judicial, dated the 20th May 1892, and No. 1925, Judicial, dated the 11th October 1892, on the subject of the proposal that the engine-changing stations at Jalärpet, Podanür, Perambür, Cuddalore, Madura and Negapatam, in the Madras Presidency, should be exempted from the operation of the law (section 5 B (1) of the Indian Factories Act, 1881, as amended by Act XI of 1891) regarding Sunday labour.

2. The Governor-General in Council regrets that he is unable to sanction the recommendation of the Government of Madras. The Factories Act, it will be observed, does not absolutely forbid Sunday labour in factories, but merely requires * that any person employed on a

Sunday shall have a whole holiday on one of the three preceding or following days. It appears from the papers forwarded with your letter of the 11th October that it is practicable to make arrangements, as authorized by section 5 B (2) (b) of the Act, under which cleaners and others who are called upon to work on Sundays in engine-changing stations can be relieved on one of the three days immediately preceding or following the Sunday; and, this being so, it seems to His Excellency in Council that no difficulties exist in connection with the working of these particular factories sufficient to justify an exemption, which, as stated in paragraph 4 of this department's letter, No. 858, dated the 18th June 1891, it is the intention of the Government of India to grant only in rare and exceptional cases.

3. I am to invite a reference to clause (d) of section 5 B (2) (d) of the Act, and to explain that this clause only empowers the Governor-General in Council to exempt any class of factories from the operation of the law regarding Sunday labour. It conveys no authority to grant exemptions in respect of particular factories; any exemption which may be granted under it must hold good in respect of all factories of the class described throughout the country.

4. I am to add, with reference to paragraph 5 of the Madras Government's Order, No. 953, Judicial, dated the 20th May 1892, that the Government of India are of opinion that engine-changing stations in which mechanical power is worked by hand—if the other conditions of the definition are fulfilled—fall within the definition of a "factory," as given in section 2 of the Act, equally with stations in which machinery is worked by steam.

ORDER—dated 9th January 1893, No. 23, Judicial.

Communicated to the Public Works Department (Railway Branch).

(True Extract.)

Chellam
Ag. Chief Secretary.

To the Public Works Department (Railway Branch). ✓

Copy to the Commissioner of Police, Madras.

" to all District Magistrates.

Exd. A Raiff.

P. W. CURRENT No. 470

Govt. of {1893} Madras.
JUDICIAL.

No. 140 R 21 Jan 1893.

Communicated
to the Consulting Engineer
for Railways with reference
to correspondence ending
with his memorandum No.
10 dated 11th January 1893.

606197/5-1-92
1992-27/13-6-92
1354/27/14-4-92
1836-27/10-8-92
1845-27/19-6-92
1777-27/21-7-92
3725-27/2-8-92
416-27/17-9-92
2875/27/30-11-92
187-27/17-1-93
Issued

Recd. 19.1.93 Encl.

G.O., 9th January 1893, No. 23.

No. 140 R 21 Jan 1893.

JANUARY.

Indian Factories Act, 1881.

Communicating to the Public Works Department (Railway Branch) letter from the Government of India declining, with remarks, to exempt certain engine-changing stations from the operation of the law regarding Sunday labour.

By the Consulting Engineer
for Railways
- E. B. R. -

[28]

Judicial Department.



PROCEEDINGS OF THE MADRAS GOVERNMENT.

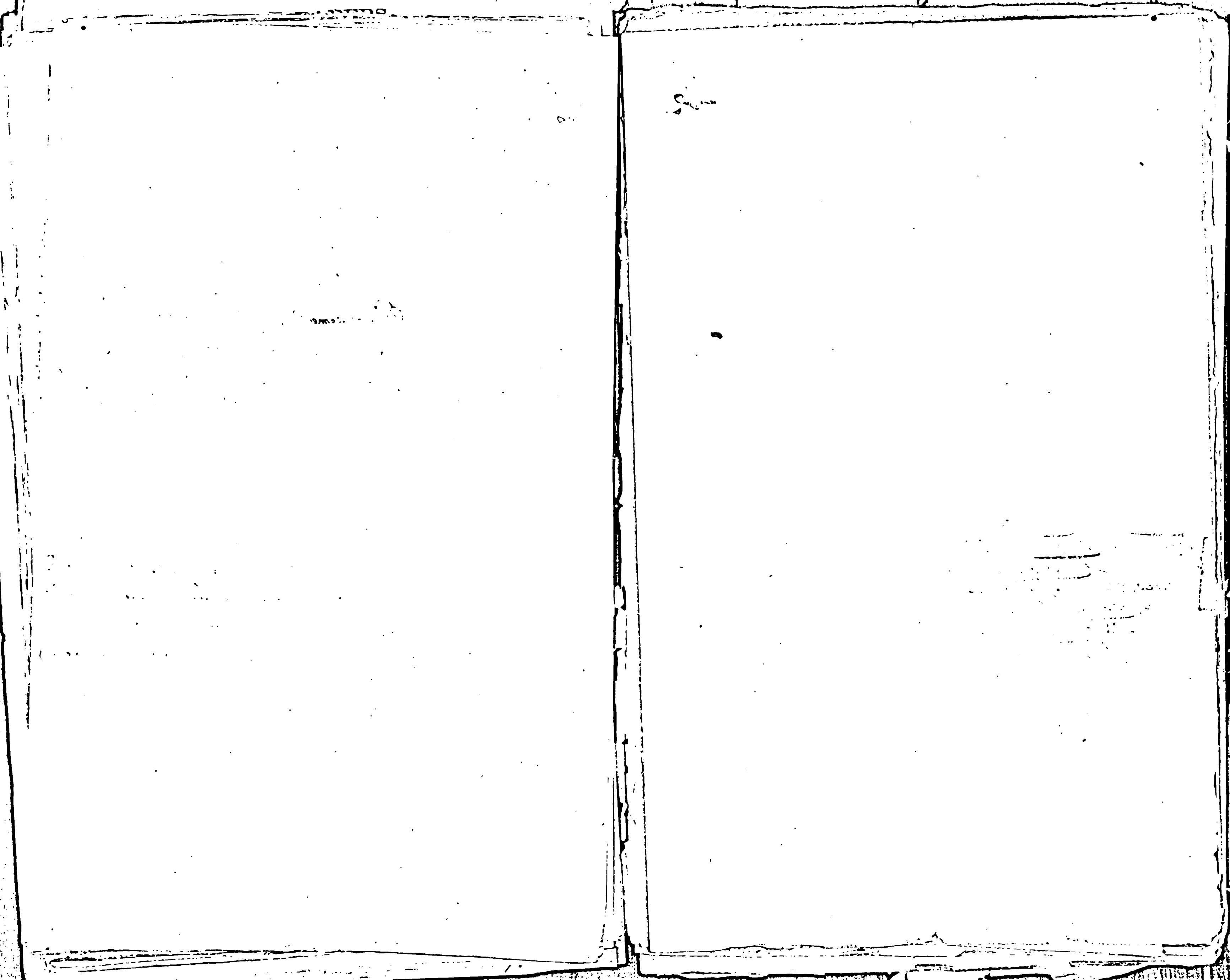
Read the following paper

Endorsement of the Public Works
Department, dated 17th January 1893
No. 1030, transferring memo from the
Consulting Engineer for Railways requesting
early orders regarding the exemption from
the rules relating to Sunday labour of the
Engine Changing stations on the Madras
and South Indian Railways.

Order 20th January 1893 No. 152.
Recorded with reference to
G.O. dated 9th January 1893 No. 23.
(True Extract)

W. H. Buttworth,
Asst. Under Secretary

To The Public Works Department (Railway Branch)



E. W. CURRENT No. 657

Gobt. of 18 | Madras.

B

No 180 R dt 25-1-93.

To

The Public Works Dept
Railway Branch

Recorded with
reference to Prop. No.
140 R, dated 21st January
1893.

G

HR

B Dec 24. 1. 93

No 180 R dt 25-1-93

Proceedings, dated 20 January 1893
No. 152

Subject.

Recording endorsement
of the P.W. Dept Railway
Branch, being
rems: from the Council
engine for Railways
requesting early orders
regarding the exemption
from the rules relating
to Sunday Labor of the
Engine Chasing Sta.
tions on the Madras
and South Indian
Railways.

8.1.92 dt 5.1.92
1791.2 dt 13.4.92
1357.70 dt 29.4.92
1836.8 dt 10.6.92
1881.8 dt 29.6.92
1777.12 dt 21.7.92
3725.6 dt 2.8.92
1116.8 dt 14.9.92
2875.12 dt 30.11.92
183.8 dt 17.1.93
140.2 dt 21.1.93

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to
be