	7231/	2-711	
	5) 5) 1) D C		
	LLO CONTRACTORA 33080		
Cop	7 No. 10 APR 1969		
	THERNATIONAL LABOUR OFFICE		• •
	INDIA BRANCH		
Indu	strial and Labour Developments in Janua February 1969	ary_	
<u>N •</u> B	Each Section of the Report may be tal out separately	ken	
Cont	zents	Pages	
Char	ter 1. INTERNATIONAL LABOUR ORGANISAT	ION	
11.	Political Situation and Administrative Action	e	
	Joint Session of Two houses of Parliament addressed by the President of India	l	
	New Governments in States	2	
	New Government formed in Tamil Nadu	3	
	Madras State renamed Tamil Nadu	4	
12.	<u>Activities of External Services</u> <u>Meetings</u>	5	:
13.	Press and Opinion	6-7	
CHAL	TER III. ECONOMIC QUESTIONS		
32.	Public Finance and Fiscal Policy		
	Commission to review Banking System	8	
	Budget Proposals for 1969-70 presented to Parliament	9-17	
	Railway Budget for 1969-70 presented to Parliament	18-19	and the second
34.	Economic Planning Control and Development		
	Economic Survey for 1968-69 Presented to Parliament	20 - 24	
	Automation inevitable to maintain industrial tempo	25	

(ii)

Pages 36. Wages Payment of Bonus (Amendment) 26 Ordinance 1969 Minimum Wages for Woollen 27 Blanket Workers Bill to replace Bonus Ordinance 28 CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS 50. General Conditions of Work of Staff on Indian 29-34 Railways: Railway Board's Annual Report for 1967-68. 35-36 Mysore shops and Commercial Establishments (Amendment) Bill 1969 37-38 Mysore Beedi Industrial Premises (Regulation of Conditions of Work) Repealing Bill 1969. Women's Work 53. 39 Panel to go into status of women in India CHAPTER 6: GENERAL RIGHTS OF WORKERS 63. Individual Contracts of Employment Kerala Industrial Workmen 40-42 (Regulation of discharge, dismissal, and other forms of termination of service) Bill 1968. 64. Wage Projection and Labour Clauses in Employment Contracts with the Public Authorities Payment of Wages (Kerala Amendment) 43-44 Bill 1968 Strike and Lockout Rights 66. Essential Services Maintenance 45-47 Act 1968 (No.59 of 1968)

(iii)



CHAPTER I. INTERNATIONAL LABOUR ORGANISATION

India - January-February 1969

11. Political situation and Administrative Action

Joint Session of Two Houses of Parliament Addressed by the President of India 17 February 1969

The President of India, Dr. Zakir Hussain addressed on 17 February 1969, the Joint sitting of the two Houses of Parliament marking the beginning of its budget session. Among other things the President in his address stressed the need for political stability which he said was essential for rapid and integrated development of the country.

The President's address reflected a general sense of optimism. These he identified as a decisive upward turn in agriculture, a recovery in a large segment of industry, the relative price stability and a striking improvement in the balance of payments. Among the new Bills, Government propose to introduce during the Session, the one providing for a statutory basis for the machinery of Joint Consultation and Compulsory arbitration for Central Government employees.

The HINDUSTAN TIMES 18/2/69

11. Political Situation and Administrative Action

New Governments in States

Consequent upon the mid-term elections in February 1969, new Governments were formed in the States of Punjab, Uttar Pradesh, Bihar, West Bengal and Nagaland.

In Punjab an Akali-Jan Sangh coalition Ministry headed by Mr. Gurnam Singh was sworn in on 18 February 1969. In the five-member Cabinet Mr. Krishan Lal is in charge of the Labour Portfolio.

In Uttar Pradesh a sixteen member congress Ministry with Mr. C.B. Gupta as Chief Minister assumed office on 26 February 1969. Mr. Narain Dutt Tiwari is the new Labour Minister.

In Bihar, Mr. Harihar Prasad Singh leader of the Congress legislative Party was sworn in as Chief Minister on 26 February 1969. He will be leading a Congress led coalition Government. The other constituent parties are Janata, Soshit Dal, B.K.D., Swatantra and some independents.

In West Bengal a thirty member United Front Ministry with Mr. Ajoy Mukherjee as Chief Minister and Mr. Jyoti Basu as Deputy Chief Minister was sworn in on 25 February 1969. Mr. Krishnapada Ghosh is the new Labour Minister.

In Nagaland a sixteen member ministry headed by Mr. Hokishe Sema assumed office on 22 February 1969.

(The Hindustan Times dated 19, 27, 26 and 23 February 1969)

11. Political Situation and Administrative Action

New Government formed in Tamil Nadu

Consequent on the death of Mr. C.N. Annadurai, Chief Minister of Tamil Nadu, Mr. M. Karunanidhi formed a new Ministry. In the 11 member Cabinet Mr. P.U. Shanmugham is the Minister in charge of Labour.

The HINDU, 14 February 1969

11. Political Situation and Administrative Action

Madras State renamed Tamil Nadu

Madras State has been renamed as Tamil Nadu from 14 January 1969.

The Madras State (Alteration of Name) Act, under which this change in name came into force was passed by the two houses of Parliament recently, received the President's assent in the first week of January.

The HINDUSTAN TIMES 15 January 1969

Ś

12. Activities of External Services

Meetings

The Asian Labour Ministers' Conference was held in New Delhi from 28 January 1969 to 1 February 1969. Mr. S.K. Jain, Regional Co-ordinator for Asia and Mr. R. Ramamurthi of this Office represented ILO.

The Second meeting of the Small Standing Committee to give effect to the programme approved by the National Committee for the Celebration of the 50th Anniversary of ILO was held on 26 February 1969 in New Delhi. The Director of this Office, Mr. P.M. Menon attended the meeting.

b

13. Press and Opinion

In addition to the attached clippings, the following references to the work of the ILO appeared in Indian Journals received in this Office.

1) The July/September 1968 issue of "OCEANITE" contains a review of the 20th session of the Joint Maritime Commission of the ILO that met in Geneva towards the end of 1967.

2) The summer 1968 issue of the World in the Class Room" published by the Indian National Commission for Co-operation with UNESCO contains a note on 'The ILO and Human Rights'.

3) The October-December 1968 issue of "Supervisory Development" publishes the full text of a talk delivered by Mr. M.I. Musgrave, ILO Expert on Personnel Management, attached to the NITIE, Bombay, on Researchers in USA and U.K.

4) The December issue of "Asian Trade Unionist" publishes a review of the Sixth ILO Asian Regional Conference.

5) The December issue of AIDIE Labour News contains a question and answer news about International Labour Standards.

6) The January 1969 issue of the AIDIE Labour News publishes a note about the International Centre for Advanced Technical and Vocational Training, Turin.

7) The January 1969 issue of the Industrial Bulletin publishes a summary of the article "Brain Drain" and developing countries" by Prf. Subbiah Kannappan, which appeared in the International Labour Review. 8) The Republic Day issue of the Workers' Education publishes the Working paper presented by the workers Education Board to the ILO Seminar on Trade Union Participation in Developing Countries held in New Delhi.

The same issue contains a telecast panel discussion with ILO representatives on Workers and National Development.

CHAPTER III. ECONOMIC QUESTIONS

India - January-February 1969

32. Public Finance and Fiscal Policy

Commission to Review Banking System

The Union Government has set up a Commission to Review comprehensively the existing structure and organisation of the Commercial banking system in the country and their working methods and procedures. It will be headed by Mr. R.G. Saraiya, a well known Industrialist of Bombay and Mr. V.G. Pandarkar, economic adviser of the Reserve Bank of India will be its member-Secretary The other two members are Mr. Ramanand Rao, Managing Director of the State Bank of India and Dr. Bhabotosh Dutta, a member of the previous finance Commission.

The Commission will start functioning with its headquarters at Bombay from March 1, 1969.

The AMRITABAZAR PATRIKA, 31/1/1969

8

32. Public Finance and Fiscal Policy

Budget Proposals for 1969-70 Presented to
Parliament on 28 February 1969: Sugar, Kerosene
and Cigarette Rates Increased: Levy on Incomes
Above Rs.10,000 raised: Additional Revenue of
Rs.1500 million envisaged: Overall Deficit of
Rs.2,500 million

The Deputy Prime Minister and Minister of Finance, Shri Morarji Desai presented to the Lok Sabha on 28 February Budget proposals for 1969-70. Mr. Desai proposed to raise a total amount of Rs.1500 million through additional taxation which will howeverable reduced to Rs.1270 million because of export duty relief amounting to Rs.230 million, thus still leaving the almost Rs.50,000 million budget with a deficit of Rs.2500 million. The following tables give a summary of Estimates of the Budget:

Receipts

(In million of Rupees)

			(In marmalit of hapboor)				
			1968-69 Budget	1968-69 <u>Revis</u> ed	1969-70 Budget		
Α.	• •	nue 5 on Income and nditure					
	(i)	Corporation Tax	3203.5	3220.0	3300.0 -38.0		
	(ii)	Taxes on Income other than Corpora- tion tax	3196.5	3380.0	3450.0		
			·		+ 173.0		
	(iii)	Expenditure Tax	00.3	00.3	00.1		
	and	es on Property Capital Tran- tions			•		
	(ii) (iii) (iv)	Estate Duty Taxes on Wealth Gift Tax Land Revenue Stamps and	75.0 110.0 17.5 1.8	70.0 110.0 17.5 3.1	75.0 120.0 15.0 2.0		
		Registration	18.1	24.7	27.6		
		es on Commodities Services					
	(i)		5392•7	4450.0	4260.0		

Receipts	(In 1968-69 <u>Budget</u>	millions of 1968-69 <u>Revised</u>	Rupees) 1969-70 <u>Budget</u>
(ii) Union Excise Duties	12860.8	13204.5	14216.3 + 1045.7
(iii) State Excise Duties (iv) Taxes on Vehicles (v) Sales Tax (vi) Other Taxes and	39.7 16.1 210.7	46.6 16.7 232.8	49•4 18•1 259•6
Duties	62.1	80.6	84.9
Total -Gross Tax Revenue	25204.8	24856.8	25878.0 +1272.7
Less Transfers to States (i) Income Tax	1565.0	1945.1	1820.7 +325.0
(ii) Estate Duty [@] (iii) Union Excise Duties	68.1 2743.7	55•4 2909 • 3	71.1 3024.0 +246.2
Total Transfer to states: (i)	4376.8	4909.8	4915.8 +271.2
Net Tax Revenue	20828.0	19947.0	20962.2 +1001.5
Non-Tax Revenue (i) Interest Receipts (a) From State and Union Territory Governments. (b) From others	2050.0 1130.1	2270 . 0 1377 . 3	2490.0 1521.6
 (ii) Dividends (a) From Railways (b) From P & T (c) From other Under-takings 	1520.0 128.2 108.3	1513.4 119.6 121.0	1590.1 131.7 125.4
(iii) Currency and Mint (iv) Other Receipts	860.5 972.6	871.9 1266.6	949.3 1229.4
Total Non-Tax Revenue Total-Revenue Receipts	6769.7	7539.8	8037.5
(Net)	27597.7	27486.8	28999•7 +1001•5
Disbursements:			
A. Developmental Expenditure			
(a) Social Services: (i) Education, Scientific			
Research and Survey	1319.0	1255.7	1413.7

Β.

A

Ί

19

(In millions of Rupees)

Rec	ceipts	1968-69 Budget	1968-69 Revised	1969-70 Budget
H (iii)	Medical and Public Health Labour and Employment Broadcasting	257.4 105.3 92.1	233.7 105.9 99.9	272.6 114.2 107.3
(b) Ec	conomic Services:			
(ii) (iii) (iv) (v)	Agriculture and Allied Services Industries Export Promotion Irrigation and Power Public Works Transport and Communi-	302.1 302.1 400.0 35.5 157.3	266.7 309.7 340.0 29.5 160.0	327.9 309.5 440.0 43.9 170.9
	cations	291.8 227.3	348.7	381.7 221.2
•	Other Services		195.3	221 • 2 ,
Tota	1-Developmental Expenditu	re		
B. Defe	nce Expenditure (Net)	8944.6	9436.3	9857.8
	•			
C. Othe	r Expenditure:		El contra de la co	
	r Expenditure: Tax Collection Administrative	345.6	348.3	393 . 2
(i) (ii) (iii) (iv)	Tax Collection	345.6 1509.9 5503.2 244.5 1468.0	348.3 1629.8 5276.9 249.9 1797.6	393.2 1743.1 5688.2 264.4 1887.9
(i) (ii) (iii) (iv) (v)	Tax Collection Administrative Services Interest Payments Currency and Mint	1509.9 5503.2 244.5	1629.8 5276.9 249.9	1743.1 5688.2 2 6 4.4
(i) (ii) (ii) (iv) (v) Tota II. Ass: Unio (i)	Tax Collection Administrative Services Interest Payments Currency and Mint Other Services	1509.9 5503.2 244.5 1468.0	1629.8 5276.9 249.9 1797.6	1743.1 5688.2 264.4 1887.9
(i) (ii) (ii) (iv) (v) Tota II. Ass: Unio (i)	Tax Collection Administrative Services Interest Payments Currency and Mint Other Services 1 - Other Expenditure istance to State and on Territory Governments: Grants under the Substantive Provision of Art.275(I) Other Grants Total-Assistance to State and Union	1509.9 5503.2 244.5 1468.0 9701.2	1629.8 5276.9 249.9 1797.6 9302.5	1743.1 5688.2 264.4 1887.9 9976.8
(i) (ii) (ii) (iv) (v) Tota II. Ass: Unio (i) (ii)	Tax Collection Administrative Services Interest Payments Currency and Mint Other Services 1 - Other Expenditure istance to State and on Territory Governments: Grants under the Substantive Provision of Art.275(I) Other Grants Total-Assistance to	1509.9 5503.2 244.5 1468.0 9701.2	1629.8 5276.9 249.9 1797.6 9302.5 1406.1	1743.1 5688.2 264.4 1887.9 9976.8

্য

(Items with + and - signs show the effect of Budget Proposals) Includes Rs.0.4 million in 1968-69 B.E. and R.E. and 1969-70 B.E. for Union Territories with Legislature.

BUDGET AT A GLANCE

	(In millions of Rupees)				
	1968-69 1968-69 1969-7 (Budget) (Revised) (Budge				
Revenue Receipts	30270.00	30400.00	33020.00		
Revenue Expenditure	28960.00	30360.00	32620.00		
Revenue Surplus ·	1310.00	40.00	400.00		
Capital Receipts	20970.00	22130.00	23380.00		
Capital Disbursements	25170.00	24770.00	26280.00		
(Less) Revenue Surplus	1310.00	40.00	400.00		
Overall Deficit	2890.00	2600.00	2500.00		

The following are the new tax proposals:

15

INDIRECT TAXES

EXCISE DUTIES

(a) Excise duties are proposed to be levied on the following new commodities:

(1) Fertilizers at the rate of 10% ad valorem (revenue: Rs.2,20 million)

(2) Power-driven pumps at the rate of 20% ad valorem (yield: Rs.20 million)

(3) Prepared or preserved foods at the rate 10% ad valorem (yield: Rs.15 million)

(4) Domestic electrical appliances at the rate of 10% ad valorem (yield: Rs.20 million)

(5) Cinematograph films unexposed (raw film) at the rate of 2P per metre (yield: Rs.lamillion)

(6) Pilferproof caps for packaging at the rate of one paise each (yield: Rs.5 million)

(7) Wool tops at the rate of 10 P per kg. (yield Rs.0.6 million)

(Total yield from the above will be Rs.281.6 million)

(b) Excise duties on the following are proposed to be changed:

On vacuum pan sugar, the existing specific rate of Rs.28.65 a quintal will be converted into an ad valorem rate of 23% (yield: gain of Rs.274.5 million)

On cigarettes the increases range from 6% to 18% ad valorem (yield: Gain of Rs.158.4 million)

On motor spirit, the duty is increased from Rs.550 to Rs.620 per kilolitre (yield: gain of Rs.140 million)

On superior kerosene, the duty is increased from Rs.165.25 to Rs.205.25 per kilolitre, (yield gain of Rs.144 million)

On rayon and synthetic fibres and yarn cellulosic staple fibre, increase from 80 P to Re.l per kg. non-cellulosic staple (polyester) fibre increase from Rs.16 to Rs.28 per kg. (yield: gain of Rs.72 million) On jute hessians, the duty is increased from Rs.495 to Rs.605 a tonne on others, from Rs.275 to Rs.385 a tonne.

These increases will yield a gain of Rs.49.5 million. The changes in excise duties will yield a total gain of Rs.838.4 million)

(c) The excise duty on khandsari sugar, rubber products, vegetable products, soda ash caustic soda, sodium silicate, soap, cement, electric bulbs and fluorescent tubes and electric fans is being modified. These modifications are incidental to other proposals or are in the nature of rationalization on account of conversion of specific rates into ad valorem rates. As a result of these modifications, there will be a gain of Rs.35 million - Rs.3 million from khandsari sugar, Rs. 6 million from rubber products and Rs.26 million from others.

Following are some of the proposed reliefs in excise duties:

The duty on nylon yarn on lower deniers is being reduced by Rs. 5 to Rs.8 per kg. with suitable increases on some of the higher deniers (loss Rs.17.3 million).

Duty on rayon yarn excluding industrial denier yarn in respect of big producers is being raised by about 10% and margin for small producers is being reduced.

Substantial relief is being given in duty on "grey" and "processed" medium_A, medium_B and coarse fabrics. A surcharge is being levied on printed fabrics.

An ad valorem rate of duty is being fixed on nine selected costly varieties of Babrics

Duty on confectionery other than chocolates, is being reduced by 50 P per kg. (loss: Rs. 8 million

On embroidery, the effective rates of duty are being reduced by about 35% (loss: Rs.6,5 million)

Duty on electric valves, tubes, transistors and semi-conductor diodes used by radio manufacturers is being reduced by one half (loss: Rs.60 lakhs).

DIRECT TAXES

(a) Personal incomes: The rates of basic income-tax on incomes over Rs.10,000 will be raised as follows: Slab: Rs.10,001-Rs.15,000-to 17%, against 15% at present. Slab; Rs.15,001 to Rs.20,000-to 23%, against 20% at present.

14

CUSTOM DUTIES

(a) Import duties are being raised as follows:

(i) Lubricating oil by 12½% ad valorem (gain Rs.26 million); (ii) Motor cars by 40% ad valorem (gain Rs.6 million); (iii) Cotton Bagging by Rs.200 a tonne; (iv) Other sacking by Rs.100 a tonne (loss of revenue as a result of these reductions: Rs.117.5 million)

(II) Tearca(id) Backageltea by/10% ad valorem; (ii) Other tea by 5% ad valorem plus 20 P. per kg. (loss of revenue Rs.105.5 million)

(III) Degreased raw wool by 10% ad valorem (loss of revenue: Rs.3 million)

(IV) Mica loose splittings Nos. $5\frac{1}{2}$ and 6 by 20% ad valorem (loss of revenue: Rs.4 million).

MISCELLANEOUS

Telephone rentals in Bombay, Calcutta, Madras and Delhi are proposed to be revised from Rs.300 per annum to Rs.360 per annum. For other exchanges, the rates will be raised from Rs.240 per annum to Rs.300 per annum under the measured rate system and from Rs.300 per annum to Rs.340 per annum for the flat rate system.

The directory inquiry service which has been free will now be charged for.

A uniform additional charge of 50% of the basic charge is proposed to be levied on trunk calls for particular person, fixed time and subscriber fixed time calls instead of the existing additional charge on a slab rate.

The charges for greetings telegrams, multiple telegrams, telex services and a few other services will be raised(yield:6460 million in a full year)

Finance Minister's Speech .- Reviewing the state of the economy, Mr. Morarji Desai said that the year now drawing to a close had been a good one for the Indian economy The expectation in his last Budget speech that, given the right policies, 1968-69 could become a year of revival had been largely fulfilled. For the second year in succession it should be possible to reap a satisfactory harvest. There were distinct signs of an industrial revival and industrial production should register an increase of almost 6 per cent. Transport activity and trade had revived and had been no serious shortages of power or raw materials. The general price level now was somewhat lower than last year. 'There had been remarkable Imports were now increase in exports. being replaced by domestic production over a wide front as a result of the efforts made over successive Plan periods. Despite heavier repayment obligations and somewhat lower utilisation of foreign aid than 1967-68, it should be possible to close the current year without any material variation in our foreign exchange reserves. Against this background of a new dynamism in agriculture, industrial revival, restoration of price stability and progress towards self-reliance, it was possible now to approach the next Plan period with a measure of confidence. All the same, there were a number of factors which limited considerably the area of choice before us in the immediate future.

While food production had increased, we had still a long way to go before we could assure satisfactory levels of consumption for our growing population. Imports of agricultural raw materials and foodgrains were still sizeable. Investments in agriculture, including those in research, inputs such as fertilizers and water and provision of credit and storage facilities must, therefore, have a prior claim on our limited resources matched only by the attention to family planning.

14

The substantial development of capital Th. goods industries that had already taken place made it necessary as well feasible to step up investment outlays. But rising levels of investment could be achieved without inflation But rising levels of investment could be achieved without inflation only on the basis of growing volume of production of essential consumer goods. This required not only a steady improvement in agricultural productivity but also a greater efficiency and expansion of capacity in consumer goods industries. Attention to these industries was all the more important as they helped stimulate the motivation for higher productivity and contributed to growth of public revenue.

The STATESMAN, 1 March 1969

18

32. Public Finance and Fiscal Policy

Railway Budget for 1969-70 presented to Parliament on 19 February 1969: No Increase in Rail fare and freight

Mr. Ram Subhag Singh, Railway Minister presented to Parliament on 19 February 1969 the Railway budget for 1969-70. He announced that there will be no increase in passenger fares and freight rates. There were no fresh burden on rail users for the first time in many years.

The Minister said that the Railways would have a nominal surplus of 19.1 million rupees in the comming financial year, after four consecutive years of deficit. This, however, depended on cost not going up for reasons beyond the control of the Railway administration. The following table summarises the estimated figures of the budget under various heads:

	(In ActualsBud 1967-68	millions o Budget estim- ate 1968-69	f Rupees) Revised esti- mate <u>1968-69</u>	Budget esti- mate 1969-70
Gross traffic receipts Ordinary revenue working expenses (net) after taking	8181.4	8925.0	9021.5	9468.0
Appropriation to depri- ciation reserve fund from	5882,2	6140.1	6400.0	6653.5
Appropriation to pension fund Net miscellaneous expen-	950.0 100.0	1000.0 100.0	950.0 100.0	950.0 100.0
diture (including cost of works charged to revenue)	149.2	154.9	158.3	155.3
TOTAL -	7081.4	7395.0	7608.3	7858.8
Net railway revenue	1100.0	1530.0	1413.2	1609.2
Dividend to general revenues	1415.3	1520 . 0	1513.3	1590.1
Net surplus (+)/deficit (-)	315.3 (±)	10.0(+)	100.1(±)	19.1(+)

Speaking about the relations between Labour and administration, the Minister said that the relations were generally cordial during the year under review and the permanent Negotiating Machinery continued to function usefully.

The HINDUSTAN TIMES 20 February 1969

34. Economic Pkanning Control and Development

Economic Survey for 1968-69 Presented to Parliament on 21 February 1969

Mr. Morarji Desai Deputy Prime Minister and Minister for Finance placed before Parliament the Economic Survey for 1968-69 which gives the Government's assessment of the Economic climate of India.

The survey says having recovered considerably from the shocks of famine and recession, the economy is now poised for another major effort towards development but this will necessarily need higher tax revenue, larger domestic savings and more non-project assistance.

It expresses satisfaction that the pace of recovery in the economy has been continued for the second year in succession. A heartening feature seemed to be that for the first time since 1955 prices had shown a decline in relation to the preceding year.

During the year the national income should rise by 3% with industrial production up by 5.6% and agriculture output remaining around last year's peak level of 96 million tonnes. The balance of payments position has continued to improve intrinsically though this may not be reflected significantly in the reserves owing to various adverse factors such as reduced aid withdrawals, increased debt_repayments, lower prices fetched by Indian exports and the need to make larger payments to the IMF. Z১

But though the reserves have not improved, there has been "a striking growth in exports" and fall in imports. Most encouraging were the strides made in the export of iron and steel that may touch \$100 million and of engineering goods expected to be \$90 million during the year.

The need for a bigger tax effort is highlighted in the survey. The securing of an adequate buoyancy of tax revenues in relation to national income growth will be a major task of public finance policy in the coming years. More generally, it will be necessary to correct the decline in the ratio of total domestic savings to national income from about 10% in 1965-66 to around 8% in 1967-68; and an increase in public savings is a necessary part of this process in our conditions".

The survey express concern that in spite of substantial recourse to additional taxation "the proportion of tax revenue of the Central and State Governments to national income had declined from 14.2% in 1965-66 to 12.3% in 1967-68. The ratio of public savings to national income, which had been in the range of 2.5% to 3% during the Third Plan is likely to have declined in 1967-68".

Loans will need to play a major role in financing the Fourth Plan, says the Survey "The will need to take the form not only of more intensive use of the traditional savings instruments but also the development of new media which will facilitate investments by those with larger income to finance schemes in which they may be interested. These would include deposits and loans for expansion of facilities such as power and irrigation.

Crisis in Jute Industry .-

The review makes pointed reference to the crisis faced by the jute industry in the current year which affected both the industry and exports. It hopes that the production of jute will be stepped up and an adequate buffer stock of raw jute will be created and at the same time the farmer will be assured a remunerative price.

Reference is also made to the healthy effect of the liberal policies followed by the Government in regard to industrial licences, import liberalization, export incentives and bank credits. It lists the various steps taken to stimulate industry and exports and indicates that the process of liberalization will be continued in the coming year.

The review calls for significant changes in the pattern of foreign aid. It points out that unlike in the past when project aid was synonymous with the creation of new assets, imports under non-project assistance will now contribute more effectively to capital formation "in the sense that considerably more capital formation is possible with any given quantum of external assistance in nonproject than in project form".

This is because of the large utilized capacity built up in the capital goods industry in India which can be used if spares, components, and essential raw materials can be more freely imported.

Note is also taken of the shift recently in the terms of aid from the liberal stand taken by the Aid India Consortium countries in 1966-67. It says that "in the recent past there has been some tendency to shift assistance towards projects or the non-project assistance to capital machinery or project type imports. It is to be hoped that this trend will be reversed and freedom to utilize assistance in the manner that will best utilize domestic capacity will be restored". At the same time the review calls for "a significant step-up in the fresh authorisations in the coming year both for projects and non-project assistance if the tempo of industrial growth is to be maintained and the inputs necessary to sustain the growth of agricultural output are to be secured". The need for increased non-project assistance is also felt because a greater proportion of the country's export earnings will be consumed by debt service payments.

Utilisation of Aid:

The survey however points out that aid utilisation improved substantially during 1967-68. Total disbursements were higher by \$80 million as compared to \$1,506 million in 1966-67. Disbursements in the first half of 1968-69 are running about 17 per cent. lower than in the corresponding period of last year largely because of a drop in food imports. The utilisation of assistance other than in the form of foodgrains is also lower than in the first half of last year reflecting the general sluggishness in imports in spite of the improvement in industrial production. In view of the level of aid utilisation and disbursement during the year of a U.S. loan of \$.225 million authorised in 1967-68, it is likely that the aid in the pipeline at the end of 1968-69 will be somewhat higher than at the end of March 1968.

The survey points out that the objective of food policy is to expand supplies of the high-yielding varieties of seeds, promote multiple cropping through short duration varieties, secure a quick increase in water inputs primarily through minor irrigation and to expand minor irrigation and to expand supplies of fertilizers so that production can be rapidly expanded by a combined application of the necessary in-The target for 1968-69 is to puts. increase the area under high yielding varieties of seeds to 8.5 million hectares as against 6.03 million hectares last year out of whichl.78 million hectares were under wheat. The additional area brought under minor irrigation during 1968-69 is expected to be 1.5 million hectares as against an addition of 1.38 million hectares in 1967-68.

The price stability was also reflected in the movement of the all-India working class consumer price index. The index at 214 for November 1968 was lower by 0.9% as compared to its level a year before.

In industrial commodities the policy of gradual relaxation of controls as and when supplies improve has been continued and in some cases controls were removed altogether.

A happy balance has been struck between increase in national income and money supply. While the average increase in national income over the two-year period from April 1967 has been about 6%, the increase in the money supply this year was 6.5%.

Persistent recourse to unauthorized overdrafts by the States has been a matter of serious concern, says the survey. The Reserve Bank had to issue formal notices this year to some States to clear their overdrafts within three weeks. This they did but with Central ways and means assistance.

The STATESMEN dated 22 February 1969

34. Economic Planning Control and Development

Automation inevitable to maintain industrial Tempo

Automation is vital for rapid progress in a developing country. This was the consensus of a seminar on "Economic and Social Implications of Automation" organised by the Personnel Management Association in Ahmedabad.

Mr. Shantilal Shah, the Labour Minister of Gujarat who inaugurated the Seminar said that in a developing economy and fast expanding technology, automation was inevitable to maintain the industrial tempo. Himself a labour leader Mr. Shah admitted that whether one wanted it or not technological revolution had reached a stage of no return. He however, cautioned that change over, should be smooth.

Representing the Labour point of view, Mr. Raja Kulkarni, Secretary of the Petroleum Workers' Union made a strong plea for a 'national policy on automation considering its far-reaching effects. The employment policy of the Government should be manpower-oriented where automation or computers were introduced.

Defending automation, Mr. S.A. Kher said Ahmedabad Textile Industry had introduced rationalisation which did not cause large scale unemployment. Expansion of various units, according to him, was the proper reply to possible unemployment resulting from rationalisation.

The TIMES OF INDIA dated 16 February 1969

36. Wages

Payment of Bonus (Amendment) Ordinance, 1969 (No.2. of 1969)

The President of India promulgated on 10 January 1969 an Ordinance to amend the Payment of Bonus Act, 1965. The Ordinance amends section 5 of the Payment of Bonus Act, 1965, to increase the amount of available surpluss in any given year by the amount of tax rebate which accrues to an employer on account of bonus paid or payable under the Act in the previous year.

The Ordinance provides that during the period of operation of this Ordinance, the Payment of Bonus Act, 1965, shall have effect subject to the modification that to section 5 thereof, the following proviso shall be added, namely:

"Provided that the available surplus in respect of the accounting year commencing on any day in the year 1968 and in respect of every subsequent accounting year shall be the aggregate of -

(a) the gross profits for that accounting year after deducting therefrom the sums referred to in section 6; and

(b) an amount equal to the difference between -

(i) the direct tax, calculated in accordance with the provisions of section 7, in respect of an amount equal to the gross profits of the employer for the immediately preceding accounting year; and

(ii) the direct tax, calculated in accordance with the privisions of section 7, in respect of an amount equal to the gross profits of the employer for such preceding accounting year after deducting therefrom the amount of bonus which the employer has paid or is liable to pay to his employees in accordance with the provisions of this Act for that year".

(The Gazette of India, Extraordinary, Part II sec. I, 10 January 1969, pp.11-12)

36. Wages

U.P.: Minimum Wages for Woollen Blanket Workers

The Government of U.P. have decided to fix a minimum rate of wages for those employed in the woollen blanket-making industry in the State. The minimum rate of wages both for the time-rated and piece-rated workers have also been proposed by the Government. The proposed minimum rates by the Government are Rs.54.60 per month on Rs.2.10 per day for an adult employee of eighteen years on above working on time-rate wages. The proposed minimum piece-rate is Rs.0.60 per kilogram of wool spun. The piece rate is for spinners alone. The minimum timerate of wages as specified above will consist of basic wages cost of living of dear food allowance and the cost value of concession in respect of suppliers of essential commodities at concessional rate where so authorised.

The employees under 18 years of age but not below 14 and working on time rate wages shall be paid two-thirds of the wages payable to the adult employee of this category.

National Herald dated 22 January 1969

27

36. Wages

Bill to Replace Bonus Ordinance

A Bill to replace the Payment of Bonus (Amendment) Ordinance promulgated on January 10, this year was introduced in the Parliament by the Labour Minister.

The Bill seeks to amend Section 5 of the Payment of Bonus Act in order to carry out the intention of the Government that the available surplus under that Section should be so computed that the amount of tax rebate accruing to the employers becomes part of the available surplus of the succeeding year and does not go entirely to the employers.

The STATESMAN dated 25 February 1969

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS

India - January-February 1969

29

50. General

Conditions of Work of Staff on Indian Railways: Railway Board's Annual Report for 1967-68

The following information regarding conditions of work of railway employees in India during the year ending 31 March 1968 is taken from the Annual Report of the Railway Board on Indian Railways for 1967-68.

Number of Staff .-

The total number of employees, permanent and temporary, on all Railways (including hon-Government Railways) and in the office of the Railway Board and other office is attached and subordinate thereto as well as staff employed in construction works at the end of 1967-68 was 1,367790 compared with 1370181 at the end of 1966-67. Of this non-Governmental Railways accounted for 4601 employees at the end of 1967-68 against 5345 at the end of the pervious year.

The total cost of staff, including those on loan from the Indian Audit and Accounts Service amounted to Rs.367-77 crores during the year against Rs.339.08 crores during the previous year. The increase was on account of increase in dearness allowance, annual increments etc.

Relations with Labour .-

During the year, relations between the Labour and the Railway Administration generally remained cordial except on Southern Railways, where some of the firemen resorted to mass sick leave for about a week. At the Centre negotiations were conducted by the National Federation of Indian Railwaymen and the All India Railwaymen's Federation. Permanent Negotiating Machinery for settlement of disputes.

The permanent negotiating machinery for maintaining contacts with the Labour functioned satisfactorily during the year under review. On the Railways 963 meetings were held at the divisional workshop and headquarters levels and 18,754 items were discussed. Of these 16006 items on 85.34 per cent & At the Railway Boards level, six meetings were held at which 138 items were discussed. Of these decisions were taken on lll items.

Joint Committees of Management and Staff .-

At the close of the year, the number of joint committees functioning on the Railways was 330. The object of these committees is to foster a sense of partnership among the staff of different grades in the task of providing efficient service to the public and to take workers into confidence in all such matters. The subjects discussed at these meetings included a wide range of topics such as maintenance of passenger rakes, controlling the consumption of fuel and electrical energy, maintenance of better sanitation in Railway colonies, stations, and goods sheds, engine utilisation links, preventing leakage of revenue due to ticketless travel etc.

Implementation of Labour Laws .-

The total number of regular railway employees and departmental casual Labour governed by the provisions of the Indian Railways Act relating to Hours of Employment Regulations under different classifications and the payment of wages Act during 1967-68 was 1515,872 and 1660045, respectively.

There were 234 railway installations such as major workshops, electric powerhouses and sub-stations, printing presses etc. governed by the factories Act. The number of staff of different categories including casual labour in these factories was 193,620. Ninety seven canteens had been provided in these factories. Payment of overtime allowance to factory workers under departmental orders as well as under the provisions of the factories Act amounted to Rs.2402880 and Rs.15847038, respectively.

h were disposed of within me year Infringements of and lapses in the working of the Hours of Employment Rules, Payment of Wages Act, Minimum Wages Act and Factories Act noticed by the Ministry of Labour were investigated and irregularities were promptly rectified.

The folliwing is the position during the year 1967-68 in regard to the number of employees involved in Railway accidents, the number of cases in which compensation was paid and the amount of compensation paid under the workmen's Compensation Act.

Naturo accido	ent	involved in Regular	<u>mployees</u> <u>accidents</u> Casual	Number of cases in which compen- sation was paid		<u>Amount of compensa-</u> tion paid	
		employees	labour	Regular emplo- yees	Casual labour	Regular employ- ees	
ath		364	87	310	70	₨. 2044192	Rs. 306816
· 新新加	disablement	672	123	523	113	806957	207562
mporary	disablement	; 24324	1908	19281	1336	1157314	57070

The following payments were made in 1967-68 as compensation on become to faccidents which had taken place earlier:

	Number of cases in which compensation was paid		Amount of Compensation pai		
eath C	Regular 241 employees	Casual labour	Regular Employees	Casual labour	
eath	241	72	16,44,803	<u>Rs.</u> 2,96,450	
ermanent disablement	529	78	9,65,321	1,22,525	
emporary disablement	8,657	641	5,26,480	62,591	

Service Conditions of Staff .-

The rates of dearness allowance were further revised, during the year under review, resulting in benefit ranging from Rs.18 to Rs.33 per month in different pay ranges.

Labour Welfare (i) Railway schools. - Railways have provided 746 schools - two intermediate colleges, 47 high, higher secondary schools, 210 middle schools and 671 primary schools.

(ii) <u>Subsidised Hostels.</u> Thirteen subsidised hostels functioned at different places. Against a capacity of 738, the number of children admitted to these hostels was 684.

(iii)

31

(iii) Staff Benefit Fund. - The contribution from railway revenues at the rate of Rs.4.50 per non-gazetted Railway servant in respect of the Zonal Railways and ad hoc grants to other units of smaller size were made during the year. Staff Benefit fund committees managed the fund. The balance of the funds brought forward from the preceeding year amounted to Rs.19.45 lakhs and a sum of Rs.63.45 lakhs was credited to the staff benefit Funds of the various Railway Administrations during the year. Additional grants amounting to Rs.8.30 lakhs were made to the staff benefit funds mainly for sports activities. A total of Rs.80.63 lakhs was spent during the year.

(iv) <u>Canteens</u>.- Besides canteens statutorily required to be provided under the Factories Act, the Railways also provided, as a measure of Staff welfare, canteens at places having concentration of staff. There were 280 canteens on the Railways during the year under Review.

(v) <u>Holiday Homes</u>.- Holiday homes for class II and class IV staff atdvarious places continued to be popular. This aminity was made use of by 4500 employees during the year.

(vi) <u>Scholarships for Technical Education</u>,-1150, scholarships varying from Rs.15 to Rs.70 per month are awarded every year to the children of Railway Employees from the Staff Benefit Fund, for prosecution of technical education. This scheme was introduced in 1956-57 and it covers Railway employees whose pay does not exceed Rs.575 per month. Scholarships awarded during 1967-68 and those continuing from the previous years numbered 3,194 involving an expenditure of about 13.46 lakhs.

(vii) <u>Scouting</u>.- Scouting activities maintained their tempo during the year under review. Several training camps, service camps and rallies were held in 1967-68.

(viii) Vocational Training Centres.-Vocational training Centres on the Railways financed from the staff Benefit Fund have been opened to import technical training to unskilled and semi-skilled workers during their off duty hours with a view to improving their prospects of promotion to higher grades. This scheme also covers children of Railway employees to infuse in them the bias for technical jobs. The railwaymen and their children trained at those training Centres during 1967-68 numbered 174 and 651 respectively.

(ix) <u>Handicrafts Centres</u>.- The number of handicrafts centres for imparting training to women members of railwaymen families, in handicrafts was 289. The total number of families that benefitted from these Centres was over 50,702.

(x) Sports.- During the year 1967-68 interrailway tournaments in various games were held in different Centres.

Railwaymen's Co-operative Credit Societies and Banks.- There were 26 Co-operative Credit Societies of railway employees at the beginning and at the end of the year. The total membership of these societies at the end of the year was 754,200. The paid up share capital of these societies was 735 million rupees.

Railwaymen's Co-operative Housing Societies.-There were 21 Railwaymen's Co-operative housing societies during the year which had 3748 members with a paid up share capital of Rs.764499. The total working capital of these societies was Rs.40.78 lakhs at the end of the year. The societies disbursed loans to the members to the extent of Rs.20000 during the year.

Encouragement to Co-operative Labour contract Societies.- During the year 85 co-operative labour contract societies undertook fuel handling, vending and catering contracts at 184 stations on the Railways.

Provision of Quarters for Staff.- In pursuance of the railway Board's policy of providing progressively staff quarters to essential staff who are required to live near the site of their work, and for non-essential staff at places where private accommodation is not available, 9023 staff quarters and 23 barracks were constructed on the Railways during 1967-68.

Activities of the Medical Department. The medical facilities were further extended during the year. The cost of medical and health services per railway employee per annum went up from Rs.99-92 in 1966-67 to Rs.111.96 in 1967-68, the total expenditure being Rs.15.2
crores during 1967-68 as against Rs.13.2 crores during the preceding year.

Report by the Railway Board on Indian Railways for 1967-68 pp.55-65.

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS

India - January-February 1969

50. General

Mysore Shops and Commercial Establishments (Amendment) Bill, 1969

The Government of Mysore published on 24 January 1969 the text of the Mysore Shops and commercial Establishments (Amendment) Bill, 1969, proposed to be introduced in the Legislative Assembly of the State. The statement of objects and Reasons to the Bill points out that in the Mysore Shops and Commercial Establishments Act, 1961, there is no provision enabling the State Government to grant exemption in favour of any establishment from the provisions of the Act. The Bill accordingly provides for this purpose.

for

The Bill provides/the addition of the following sub-sections after sub-section (4) Section 3 of the Act 1961.

"(5) The Statement Government may, by notification, exempt any establishment to which this Act applies from the operation of all or any of the provisions of this Act, if in the opinion of the State Government the employees in such establishment are in the enjoyment of benefits not less favourable to the employees provided by or under this Act.

(6) Where an exemption has been granted under sub-section (5) the employer shall not at any time after the grant of the exemption, without the leave of the State Government, reduce the total quantum of benefits to which the employees were entitled at the time of grant of such exemption. Any exemption granted under sub-section (5) may be cancelled by the State Government by notification if the employer fails to comply with the requirements of sub-section (6):

Provided that no such order shall be made unless the employer has been given a reasonable opportunity of showing cause against the proposed cancellation."

(The Mysore Gazette, Extraordinary, Part IV - 2A,

24 January 1969, pp. 1-3)

50. General

Mysore Beedi Industrial Premises (Regulation of Conditions of Work) Repealing Bill, 1969

The Government of Mysore published on 24 January 1969 the text of the Mysore Beedi Industrial Premises (Regulation of Conditions of Work) Repealing Bill to be introduced in the Legislative Assembly The Statement of Objects and of the State. Reasons of the Bill points out that the Mysore Beedi Industrial Premises (Regulation of Conditions of Work) Act, 1964 is in force in Mysore State. The Government of India have requested that the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (Central Act 32 of 1966) may be brought into force in the State for the sake of uniformity in legislation in all the States. Therefore, it has been decided to make the Central Act applicable to Mysore State. For this purpose the existing Mysore Ast has to be repealed. Hence this Bill.

The Bill provides for the repeal of the Mysore Beedi Industrial Premises (Regulation of Conditions of Work) Act, 1964, on the date to be notified by the State Government under section 1(3) of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (Central Act=32mof 1966). Such repeal shall not affect

(a) the previous operation of the Act so repealed or anything duly done or suffered thereunder, or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under the repealed Act, or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against the repealed Act, or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid; and any such investigation, legal proceeding, or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the said Act, had not been repealed: Provided further that subject to the receding proviso, anything done or any action taken (including any appointment or delegation made, notification, order, instruction or direction issued, rule or form framed or certificate obtained under the repealed Act, shall be deemed to have been done or taken under the corresponding provisions of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (Central Act 32 of 1966) and shall continue to be in force accordingly, unless and until superseded by anything done or any action taken under the said Act.

(Mysore Gazette, Extraordinary, Part IV-2A,

24 January 1969, pp. 1-3).

53. Women's Work

Panel to go into Status of Women in India

In view of the strong criticism in Parliament and outside that women continued to suffer from various social disabilities and were not given a fair deal in education and employment, the union cabinet decided to set up a national Committee to go into the Status of women in India.

While its composition has not yet been decided, the committee will examine the working of the constitutional and administrative provisions having a direct bearing on the education, employment and social status of women. It will be asked to suggest how best these provisions can be made more effective and their benefit extended to cover the special needs of women in the urban and rural areas.

The TIMES OF INDIA dated 30 January 1969



40

CHAPTER 6. GENERAL RIGHTS OF WORKERS

63. <u>Individual Contracts of Employment</u> India - January-February 1969

Kerala Industrial Workmen (Regulation of Discharge, Dismissal and other forms of Termination of Service) Bill, 1968

The Government of Kerala published on 13 December 1968 the text of the Kerala Industrial Workmen (Regulation of discharge, dismissal and other forms of termination of service) Bill, 1968, proposed to be introduced in the Legislative Assembly of the State. The Statement of Objects and Reasons of the Bill points out that section 18 of the Kerala Shops and Commercial Establishments Act, 1960, contains provisions for preferring appeals to the prescribed authority against termination of services of employees of shops and commercial establishments as defined in that Act. There is no similar provision in respect of employees of other industrial establishments. Recourse to adjudication in cases of termination of services of workmen causes delay and hardship to them. It is, therefore, considered that there should be an independent legislation enabling the workmen employed in all industrial establishments to file appeals against termination of their services by employers.

The Bill provides that no employer shall dispense with the services of a workman employed in an industrial establishment continuously for a period of six months or more, except for a reasonable cause, and without giving such workman at least one month's notice or wages in lieu of such notice: Provided that such notice shall not be necessary if the services of such workman are dispensed with on a charge of misconduct supported by satisfactory evidence recorded at an inquiry held by the employer for the purpose.

Such notice shall be in writing and shall specify the reasons for dispensing with the services of the workman.

Any workman who is discharged or dismissed or whose services have been terminated otherwise may appeal against such discharge, dismissal or other termination of service to such authority as may be prescribed; either on the ground that there was no reasonable cause for dispensing with his services or on the ground that he had not been guilty of misconduct as held by the employer.

Every appeal shall be in such form and shall contain such particulars as may be prescribed.

The appeal shall be presented within sixty days of the date of receipt by the workman of the order of discharge, dismissal or other termination of service as the case may be:

Provided that the appellate authority may entertain an appeal presented within ninety days of the said date if it is satisfied that the appealant had sufficient cause for not presenting it within the said period of sixty days.

The appellate authority may, after giving notice in such form and in such manner as may be prescribed to the employer and the workman and after such inquiry as it deems fit, by order, dismiss the appeal or direct the reinstatement of the workman with or without wages for the period during which he was kept out of employment or direct payment of compensation without reinstatement or grant such other relief as it deems fit in the circumstances of the case. The order of the appellate authority shall be final and binding on both the parties, not be liable to be questioned in any court of law and be given effect to within such time as may be specified in the order of the appellate authority.

Any compensation required to be paid by the employer under this Act, but not paid by him, shall be recoverable as arrears of public revenue due on land under the provisions of the Revenue Recovery Act for the time being in force.

Other provisions of the Bill provide for liability of employers to produce registers, etc. before appellate authority, power of appeallate authority to appoint commission for collecting date or information required by the authority, penalty for offences, and effect of laws and agreements in consistent with the provisions of the Bill.

(Kerala Gazette, Extraordinary, 13 December 1968, pp. 1-6.)

64. Wage Protection and Labour Clauses in Employment Contracts with the Public Authorities

Payment of Wages (Kerala Amendment) Bill 1968

The Government of Kerala published on 13 December 1968 the text of the Payment of Wages (Kerala Amendment) Bill, 1968, proposed to be introduced in the Legislative Assembly of the State. According to the Statement of objects and reasons of the Bill under the provisions of the Kerala Financial Aid (to the Discharged or Dismissed Labour) Rules, 1958, workers who are discharged or dismissed on questionable grounds are being granted financial aid by the Government. The amount of financial aid so granted is to be repaid by the worker on his reinstatement and on receipt of the arrears of wages or compensation or both granted under the terms of any award made by an Industrial Tribunal, Labour Court or Arbitrator, as the case may In most of the cases it is noted that be. the workers concerned either did not repay the amount or made only part payment, although they received the amount payable under the award from the employer. There is no provision in the Payment of Wages Act, 1936, authorising the deduction of the amount granted as financial aid from the arrears of wages or compensation payable to the worker. It is considered necessary to amend the Payment of Wages Act, 1936, in its application to the State of Kerala authorising the deduction of the amount of financial aid from the wages of the worker.

The Bill seeks to achieve the above object.

The Bill seeks to introduce after Section 7 sub-section (2) clause (0) of the Payment of Wages Act, 1936, the following clause:

43

"(p) deductions for repayment to the State Government of the amount of financial aid granted under the Kerala Financial Aid (to the Discharged or Dismissed Labour) Rules, 1958."

(Kerala Gazette, Extraordinary, 13 December 1968, pp. 1-2)

พร์

66. Strike and Lockout Rights

Essential Services Maintenance Act, 1968 (No.59 of 1968)

The Essential Services Maintenance Bill (vide page 38 of the report of this Office for September-December 1968) as passed by Parliament received the assent of the President on 28 December 1968 and has been gazetted as Central Act No.59 of 1968.

The Act provides that if the Central Government is satisfied that in the public interest it is necessary or expedient so to do, it may, by general or special Order, prohibit strikes in any essential service specified in the Order. Such an order shall be in force for six months only, but the Central Government may, by a like Order, extend it for any period not exceeding six months if it is satisfied that in the public interest it is necessary or expedient so to do.

Upon the issue of an Order -

(a) no person employed in any essential service to which the Order relates shall go or remain on strike;

(b) any strike declared or commenced, whether before or after the issue of the Order, by persons employed in any such service shall be illegal.

Any person who commences a strike which is illegal under this Act or goes or remains on, or otherwise takes part in, any such strike shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both. The term 'essential service' has been defined to mean

(i) any postal, telegraph or telephone service;

(ii) any railway service or any other transport service for the carriage of passengers or goods by land, water or air with respect to which Parliament has power to make laws;

46

(iii) any service connected with the operation or maintenance of aerodromes, or with the operation, repair or maintenance of aircraft;

(iv) any service connected with the loading, unloading, movement or storage of goods in any port;

(v) any service connected with the clearance oflgoodsgormpassengers through the customs or with the prevention of smuggling;

(vi) any service in any mint or security press;

(vii) any service in any defence establishment of the Government of India;

(viii) any service in connection with the affairs of the Union, not being a service specified in any of the foregoing sub-clauses;

(ix) any other service connected with matters with respect to which Parliament has power to make laws and which the Central Government being of opinion that strikes therein would prejudicially affect the maintenance of any public utility service, the public safety or the maintenance of supplies and services necessary for the life of the community or would result in the infliction of grave hardship on the community, may, by notification in the Official Gazette, & declare to be an essential service for the purposes of this Act; The Act repeals the Essential Services Maintenance Ordinance 1968.

(The gazette of India, Extraordinary, Part II Sec. I, 28 December 1968, pp. 813-816).

4)

67. Conciliation and Arbitration

Tribunal on Railway Disputes

The Railway Board has referred to a oneman tribunal some outstanding issues of dispute between it and its employees. The issues now pending before the Railway Board were raised by the two recognised employees federations the All India Railwaymen's Federation and the National Federation of Indian Railwaymen some time back.

The one-man tribunal consists of the retired Chief Justice of the Gujarat High Court Mr. N.M. Miabhoy.

The demands to be referred to the tribunal are the following:

1. Night duty allowance should be calculated at one and a half times the normal rate of pay to all employees irrespective of their classifications under the hours of employment regulations.

2. In respect of workshop staff:

a) All vacancies, which occurred since the introduction of the incentive scheme, should be filled up.

b) Proper proportion of skilled, semiskilled and unskilled staff should be maintained and other measures taken to ensure adequate scope for promotion to the semi-skilled and unskilled staff and

c) The posts of supervisory staff in the mechanical workshops should be redistributed amongst the various grades in confirmity with their responsibilities and an adequate channel of promotion should be provided for them.

5. Casual labour on the Railways should be paid wages at the rate of 1/30 in the minimum of the time scale plus appropriate dearness allowance applicable to the corresponding categories, of staff in regular employment in the railways. 48

4. The disparity between the hours of work and annual gazetted holidays at present prescribed for clerks at railway stations sheds and depots on the one hand and those prescribed for clerks in administrative offices on the other hand should be removed. Otherwise the former should be monetarily compensated for the extra-hours, and days of work done by them.

5. The present hours of employment regulations, which govern hours of work, periodic rest and overtime in respect of railway staff other than those employed in workshops following under the definition of factories in the Factories Act should be completely removed.

6. All gangmen in the Civil Engineering Department of railways should be granted an arduous duty allowance of Rs.3 per month.

7. The scale of pay of gangmates in the Civil Engineering Department of the railways should be raised to the skilled grade.

8. The scales of pay of all running staff should be enhanced.

PATRIOT dated 1 February 1969

<u>s</u>er

67. Conciliation and Arbitration

Industrial Disputes in India During 1967

The January 1969 issue of the Indian Labour Journal contains an article relating to industrial disputes in India during 1967. The author of this article analysis the industrial disputes month-wise, state-wise and industry-wise. The article gives an analysis of the disputes by causes, by duration by results and by losses to wages and value of production. According to this article, in 1967 the three States of West Bengal, Kerala and Maharashtra together accounted for Ms.51.8 per cent. of the total number of disputes, 47.1 per cent of the total number of workers involved and 60.9 per cent. of the total time loss. Compared with 1966, the timeloss increased in all the states/Union Territories except Maharashtra, Mysore, Punjab, Delhi and Tripura during the year 1967.

The manufacturing Division of the Industries accounted for 72.3 per cent of the total timeloss during the year 1967. The share of the other Sector was 'Mining and Quarrying' 9.5 per cent, 'Transport and Communication (other than workshops)' 4.9 per cent. Activities, not Adequately Described ' 4.5 per cent. "Electricity Gas, Water and sanitary Services" 4.4, 'Agriculture and Forestry, Fishing etc." 2.1 per cent., 'Construction' 1.3 per cent., 'Services' 0.8 per cent. and 'Commerce' 0.2 per cent. of the total time-loss. In the Manufacturing Division the highest time-loss was recorded by the group "Textiles" (23.8 per cent.). In the Mining and Quarrying Division, Coal Mining accounted for 68.5 per cent. of the total man-days lost in. that Division. As compared to the preceding year, the time-loss increased in all except three major industry groups namely Agriculture, forestry, Fishing etc. Construction and Services:

In 1967 among the disputes classified by these groups of causes, wages and allowances accounted for more than one-third or 39.9 per cent. of the total number of disputes, followed by 'others' and 'Personnel' which accounted for 24.6 and 17.3 per cent. respectively. Disputes relating to "Retrenchment' and 'Personnel' together constituted 23.6 per cent. of the total number of disputes. The disputes due to "Wages and Allowances" and Bonus" together accounted for 57.9 per cent of the total number of workers involved and 55.5 per cent. of the total time-loss. Nearly 44.4 per cent. of the total disputes, 34.1 per cent. of the workers involved and 36.3 per cent. of the total man-days lost were accounted for by the affiliates of the AITUC. The INTUC accounted for 32.6, 24.0, and 15.4 per cent. respectively of the total disputes, workers involved and man-days lost. The HMS and UTUC together accounted for 6.8 per cent of the total time-loss. The disputes sponsored by more than one Central Organisation, accounted for the highest total time-loss (41.5 per cent.)

INDIAN LABOUR JOURNAL - January 1969 pp. 1-9.

69. <u>Co-operation and Participation of</u> <u>Industrial Organisations in the</u> <u>Social and Economic Organisation</u>

Report on the Working of Joint Management Councils for the year 1967

The Scheme of Joint Management Councils was introduced in 1958 as a voluntary basis for promoting increased production for the general benefit of the enterprises and the community, giving the employees a better understanding of their role in the working of Industry and of the process of production and satisfying the worker's urge for selfexpression. It was also designed to break down misconceptions and allay suspicions by improving the system of employer-employee communication.

At the end of 1967, the scheme of Joint Management Councils was functioning in 132 units, 47 in the Public Sector and 85 in the Private Sector. 77 Joint Management Councils were functioning in manufacturing, 48 in mining and 7 in Plantation industries. Besides these the State Bank of India had constituted a Central Consultative Committee at each of the seven local head offices. During the year Joint Management Councils be come defunct in 20 enterprises, but new ones were formed in 12.

Essential Features of the Scheme. The main ingredients of the scheme of Joint Management Councils which make it distinct from other joint Consultative bodies are 1) they are to be consulted by the management on certain specified matters regarding day-to-day administration, ii) they have the right to receive information, discuss and give suggestions on the economic and financial aspects of the working of the undertakings and iii) they are to be entrusted with administrative respensibilities in respect of welfare, safety and allied matters. <u>Consultation</u>.- As a rule J.M.Cs are to be consulted in spheres like the General Administration of standing orders, introduction of new methods of production and manufacture involving redeployment of men and machinery, closure, reduction in or creation of operation etc. from the reports received during the year in most enterprises where J.M.Cs were functioning effective consultation on most cases took place.

Administrative Responsibility .- In the written agreements for setting up of J.M.Cs, managements have agreed in principle to delegate some administrative responsibilities to the J.M.Cs in respect of welfare measures, supervision of safety measures, vocational training and apprenticeship schemes, preparation of schedules for working hours, breaks and holidays and payment of rewards for valuable suggestions from employees. From the reports received in 1967, some of the Joint Management Councils were entrusted with direct administrative responsibility relating to matters of welfare, safety, canteen, milk, supply, house allotment, colony welfare, list of holidays, children's Parks, sports and family planning programmes.

<u>Sub-Committees</u>.- Several Joint Management Councils have set up a number of sub-Committees to deal with specific subjects such as production, welfare, safety, suggestions, canteen, sports, house allotment etc.

Regularity of Meetings.- For effective and fruitful functioning of J.M.Cs it is necessary that their meetings are convened regularly. Apart from the regularity of the J.M.C. meetings, the extent and nature of the business transacted and the status of the workers' and employers' representations and the extent and degree of implementation of the council's decisions are some of the factors which determine the success of the scheme. According to reports received quite a good number of J.M.Cs held several meetings during the year. Among the subjects discussed were Production and productivity, minimising waste, welfare measures, blood donation, family planning, absenteeism, and quality control.

INDIAN LABOUR JOURNAL - January 1969.

CHAPTER 7. PROBLEMS PECULIAR TO CERTAIN CATEGORIES OF WORKERS

India - January-February 1969

71. Employers and Salaried Intellectual Workers

Andhra Pradesh - Dearness Allowance rise for Government Employees

The Andhra Pradesh Government has raised the rates of dearness allowance for its employees with effect from February 1, 1969, so as to bring them on part with Central rates.

The dearness allowance rise ranges from Rs.6 for those drawing below Rs.110 to Rs.11 to those drawing between Rs.400 and Rs.500. The village officers will get Rs.1.50. Fifty per cent of the additional dearness allowance will be paid in cash and the remaining credited to the Employees' Provident Fund.

The additional commitment to the Government on account of the revision in the dearness allowance is Rs.42 million.

The HINDU - 19 January 1969

73. Officials and Public Employees of National, Regional and Local Administration, of Nationalised Undertakings or Undertakings Managed with the Participation of the Public Authorities

More Pay for Railwaymen

The Railway Board had announced a new scheme to benefit Class I, II and III staff including running staff. For Class I officers, the Board had upgraded some of the posts from the junior administrative grade of Rs.1300 to Rs,1600 to the inter-administrative grade on a scale of Rs.1600 to 1800. Some of the senior scale posts in the grade of Rs.700 to Rs.1250 had been upgraded to Rs.1300 to Rs.1600. These new scales would give promotional avenues comparable to those obtaining in other services and remove stagnation to some extent.

For class II officers who were temporarily acting in class I posts for more than three years and who were facing reversion due to shrinkage, the Board was creating some additional jobs. The idea was to see that these officers who had put in more than three years in a higher scale were not reverted.

For class III clerical staff the Board is now considering a scheme to increase the percentage of promotional quotas. The Board had already announced higher running allowance for railway staff including drivers, motormen, guards, firemen, assistant drivers, brakesmen and shunters.

The HINDUSTAN TIMES dated 8 January 1969

CHAPTER 8. MANPOWER PROBLEMS

India - January-February 1969.

81. Employment Situation

Public Employment (Requirement as to Residence) Amendment Bill, 1968

Mr. Y.B. Chavan, Minister for Home Affairs, Government of India, introduced in the Rajya Sabha on 23 December 1968 a Bill further to amend the Public Employment (Requirement as to Residence) Act, 1957. The Statement of Objects and Reasons of the Bill states that Section 3 of the Public Employment (Requirement as to Residence) Act, 1957, empowers the Central Government to make rules prescribing a requirement as to residence in regard to appointment in any subordinate service or post under the State Government of Andhra Pradesh or under the Control of the Administrator of Himachal Pradesh, Manipur or Tripura or to any service or post under a local authority (other than a cantonment Board) within the Telangana area of Andhra Pradesh or within the Union territory of Himachal Pradesh, Manipur or Tripura. Section 5 of the Act as amended in 1964 provides that section 3 and the rules made thereunder shall cease to have effect on the expiration of ten years from the commencement of the Act. By virtue of this, section 3 and the rules made thereunder would cease to have effect on the 21st March 1969. It is considered desirable, after consultation with the Governments of Andhra Pradesh and the Union territories concerned, that the said section 3 and the rules made thereunder should be continued for a further period of five years on and from the 21st March 1969.

With effect from 1st November, 1966, certain territories of the former State of Punjab were added to the Union territory of Himachal Pradesh (vide section 5(1) of the Punjab Reorganisation Act, 1966). It is considered desirable, after consultation with the Government of Himachal Pradesh, that the provisions of the Public Employment (Requirement as to Residence) Act, 1957, should apply in relation to these territories also.

The Bill seeks to achieve the aforesaid objects.

(The Gazette of India, Extraordinary, Part II Sec. 2, 23 December 1968, pp. 1697-1699).

CHAPTER 8. MANPOWER PROBLEMS

81. Employment Situation

Engineers, Scientists not by Choice - a study by the C.S.I.R.

According to a career analysis made by the Council of Scientific and Industrial Research on the basis of data collected for the National Register of Scientific and Technical Personnel, twothinds of the entineering graduates and nearly a third of the scientists engaged in research at institutions in the country did not take their present vocations by choice. Conditions of the employment market forced them into undertaking research jobs.

Out of the 33,000 post-graduates in science nearly 10,000 are engaged in research orientated occupations. Of the 45,000 engineering graduates and post-graduates 2,000 were engaged in research. About 30 per cent. of the research scientists do not consider research as their first choice of avocation. Four per cent. do not consider it their choice at all.

Of the Engineers now engaged in research work, nearly 30 per cent. do not make research as any one of their career choices. A quarter of the research scientists have taken up their present occupation as a secondary choice vocation. Of the remaining four per cent. uninterested scientists among the researchers, nearly a third have research publications to their credit. Forty-five per cent of those who declared research to be their third choice, have published scientific papers.

It appears that 20,000 to 25,000 post graduate scientists capable and anxious to devote themselves to research are working outside the research sector. About 5,000 degree holding engineers are estimated to be employed full time in research. Of them 36 per cent. have taken research as their first choice and 34 per cent. as the second or third choice. The other 30 per cent. of the engineers in research did not indicate their present occupation as any of their chosen fields of endeavour. More than 40 per cent. of the electrical and mechanical engineers in research come under this disinterested category.

There are over 100,000 graduate engineers who are not in research. Twenty six per cent of the non-researchers, have put research as one of their preferences and eight per cent indicated research as their first choice. Over 20 per cent. of the non-research engineers have research experience including five per cent. who have research publications to their credit.

This situation suggests that at least 5,000 to 8000 engineers are competent and anxious to do research but are in other occupations.

The HINDUSTAN TIMES dated 24 January 1969

81. Employment Situation

Employment Exchanges Working during December 1968

According to the Review of the Principal activities of the Directonate-General of Employment and Training during the month of December 1968, the position of registrations, placements, live-register, vacancies notified and employers using employment exchanges is shown in the following table:

S.No	• ITEMS	November 1968	December 1968		Increase (+) Decrease (-)
1.	Registrations	3,36,621	3,10,517	(_)	26,104
2.	Placements	39,340	38,3 66	(_)	974
3.	Live Register	30,49,823	30,11,642	(_)	38 , 181
4.	Vacancies notified	61,965	53 , 054	(_)	8,911
5.	Employers who used exchanges	12,288	10,973	(_)	1,315

The total number of Employment exchanges in the country at the end of December 1968 was 446.

Displaced Persons from East Pakistan.

302 East Pakistan Migrants were registered with various Employment Exchanges during the month of December 1968 bringing the total number of EPMs so far registered to 44,895. 37 EPMs were placed in employment during the month bringing the total number of EPMS placed up to the end of December 1968 to 3307. The live Register of EPMS stood at 10,550.

Regintratio

Repatriates from Burma .-

440 Repatriates from Burma were registered at various Employment Exchanges during December 1968 bringing the total number of Burma Repatriates so far registered to 10785. 79 repatriates from Burma were placed by various Employment Exchanges during December 1968 bringing the total number so far placed in employment to 1869. The live Register of Burma Repatriates stood at 2879.

Repatriates from Ceylon .-

37 Repatriates from Ceylon were registered at various Employment Exchanges during December 1968 bringing the total number so far registered to 660. The Live Register of Ceylon Repatriates stood at 1850. 7 Repatriates from Ceylon were placed in employment by various Employment Exchanges during the month under report bringing the total number of Ceylon Repatriates so far placed in Employment to 82.

(Review on the Principal Activities of the Directorate-General of Employment and Training for the month of December 1968, Ministry of Labour and Employment, New Delhi).

62

84. <u>Vocational Rehabilitation of Disabled</u> Persons

National Awards for Handicapped

The Government has decided to institute six national awards for outstanding employers of the physically handicapped and for the most efficient of the handicapped employees. The Awards will be made in March every year on the World Disabled Day by the President.

Three awards for employers of the blind, the deaf and the orthopaedically disabled respectively, will each consist of a shield, on a bronze medal and a citation. Three similar awards for the blind, deaf and orthopaedically disabled employees respectively will consist of a cash prize of Rs.500 each and a commendation.

To qualify for the awards at least 2 per cent of an employer's staff should be physically handicapped, and should have been offered the same service conditions as the rest.

The STATESMAN dated 17 January 1969

List of Articles

India - January-February 1969

CHAPTER 2: International and National Organisations.

The status and Role of Local union Leaders: A Study by N.R. Seth and S.P. Jain - Indian Journal of Industrial Relations, July 1968.

'Recognition of Trade Unions in India' by Ramanujam, Secretary INTUC: Asian Trade Unionist published by ICFTU, December 1968

Aims and motices of trade union participation in development Planning"by S.R. Bhattacharya Lecturer, ICFTU Trade Union College - The Indian Worker 13 January 1969.

63

Executive Aspects of Personnel Administration" by Navin Kumar, Lecturer, Development of Commerce and Business Administration, Annamalai University: Maharashtra Labour Gazette, December 1968 pages 475-476.

CHAPTER 3. Economic Questions

Industrial Housing under Neglect: by Mr. Jagannath Rao former Minister for Works, Housing and Supply, Amrita Bazar Patrika dated 21 February 1969.

CHAPTER 5. Working Gonditions and Living Standards

Middle class family Living Surveys in India: A study in method by R.C. Arora. Maharashtra Labour Gazette: December 1968 P. 462-472.

Towards a better deal for Labour by Mr. J. L. Hathi, Minister for Labour, Employment and Rehabilitation, AICC, Economic Review January 1969, P. 17-20.

Attitude of Management and Trade Unions to Women Workers and Vice versa'by B.S. Bhis The Indian Worker - 17 February 1969 Women in Labour Force: by Dr. (Mrs) Maitree Bose. The Indian Worker - 17 February 1969.

CHAPTER 6: General Rights of Workers

Workers Participation in Management by M.R. Masani, M.P. Labour Bulletin of the Co-ordinating Committee for Independent Trade Union.

^CLabour ^Management Co-operation alone ensures Industrial Peace'- by Mr. V.V. Giri Vice President of India - ^Amrita Bazar Patrika dated 12 February 1969.

CHAPTER 8: Manpower Problems

Manpower for Agriculture - by M.L. Manrai Agricultural Situation, P.597-607.

List of Principal Laws Promulgated during the period covered by the Report for January-February 1969

India - January-February 1969

CHAPTER 6: GENERAL RIGHTS OF WORKERS

66. Strikes and Lockout Rights

Essential Services Maintenance Act Act 1968 (No.59 of 1968)

6068 Copy No. I.L.O. REGISTRY INTERNATIONAL LABOUR OFFICE 5 JUN 1969 Fileti BRANCH INDIA 5.5 Vith INDIA - MARCH-APRIL 1969 Industrial and Labour Developments in March-April 1969. N.B. Each Section of this Report may be taken out geperately. Pages. Contents.

CHAPTER 1. INTERNATIONAL LABOUR ORGANISATIONS

1-2

4-5

6-8

15-16

3

12. Activities of External Services:

13. Press and Opinion.

CHAPTER 2. INTERNATIONAL AND NATIONAL ORGANISATIONS.

28. Employers' Organisations:

42nd Annual Session of the Federation of Indian Chambers of Commerce and Industry held at New Delhi, 15 March 1969.

CHAPTER 3. ECONOMIC QUESTIONS.

- 36. Wages:
 - a) Tamil Nadu (Madras): Revised minimum rates of wages fixed for employment in processes of cotton ginning and pressing and cotton waste.
 - b) Tamil Nadu (Madras): Revised minimum rates of wages fixed for employment in bricks and tile manufactory.
 9-11
 - c) Tamil Nadu (Madras): Revised minimum rates of wages fixed for employment in tanneries and leather manufactories. 12-14

38. Housing:

Housing Shortage may be 83.7 Million Units.

Pages.

Contents.

CHAPTER 4. PROBLEMS PECULIAR TO CERTAIN BRANCHES OF THE NATIONAL ECONOMY.

-ii-

42. Co-operation:

Aid to Marketing Cooperatives to be based on Performance.

17-18

44. Merchant Marine and Fisheries:

Merchant Shipping (Amendment) Bill, 1968. 19-30

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

- 50. General:
 - a) Mysore Shops and Commercial Establishments (Amendment) Act, 1969 (Mysore Act No.4 of 1969). 31
 - b) Kerala Shops and Commercial Establishments (Amendment) Bill, 1969. 32-33

56. Labour Administration:

Annual Report 1968-69 of the Ministry of Labour and Employment published - Labour Problems Reviewed.

34-40

42

43

44

CHAPTER 6. GENERAL RIGHTS OF WORKERS.

62. Right of Association:

Andhra Pradesh: Industrial Employment (Standing Orders) Andhra Pradesh Amendment Act, 1969 (Act No.9 of 1969). 41

64. Wage Protection and Labour Clauses in Employment Contracts with the Public Authorities:

> Orissa: Payment of Wages Act, 1936, extended to persons employed in Paradip Port Establishment.

CHAPTER 7. PROBLEMS PECULIAR TO CERTAIN CATEGORIES OF WORKERS.

- 71. Employees and Salaried Intellectual Workers:
 - a) Kerala: Dearness Allowance rise for Government Employees.
 b) West Bengal: Dearness Allowance rise for Government Employees.

-iii-

Content s.

Pages.

CHAPTER 8. MANPOWER PROBLEMS. 81. Employment Situation: Public Employment (Requirement as to Residence) Amendment Act, 1969 (Act No.1 45 of 1969). 84. Vocational Rehabilitation of Disabled Persons: Special Schools for Deaf Essential. 46 CHAPTER 9. SOCIAL SECURITY. 92. Legislation: a) Tamil Nadu (Madras): Schedule II to Workmens' Compensation Act, 1923, amended. 47 b) Report of the Employeest Provident Funds Scheme for the Year 1967-68. 48-52 LIST OF THE PRINCIPAL LAWS PROMULGATED DURING THE PERIOD COVERED BY THE REPORT FOR MARCH-APRIL 1969. 53 LIST OF ARTICLES - MARCH-APRIL 1969. 54-55

*

1 Li

¥

*

CHAPTER L. INTERNATIONAL LABOUR ORGANISATION.

INDIA - MARCH-APRIL 1969.

12. Activities of External Services.

1) The Neneteenth All India Conference of the Indian Institute of Personnel Management was held at Bangalore from 7-9 March 1969. The Director of this Office Mr. P.M. Menon represented the I.L.O. and conveyed the message of the Director-General. The Conference was inaurugated by the Governor of Mysore.

2) A Symposium on the "Role of Housing in the National Economy" organised by the National Buildings Organisation and U.N. Regional Housing Centre for ECAFE Region was held from 12-14 March 1969 at New Delhi. The Director attended; the Symposium and presided over the session that discussed the topic "Price and Wage Movements, Building Costs and Rentals".

3) The Ind ian Federation of United Nations Associations organised a series of Study Courses on United Nations from 16-25 March 1969. On 21 March the Director addressed the Study Course on "ILO and its impact on the Labour Problems with special reference to India".

4) The Indian National Mine Workers' Federation celeberated the twentieth Anniversay at their Annual Conference held on 28 March 1969 at New Delhi. The Conference was inaugurated by Mr. G.L. Nanda former Minister for Labour and Minister for Home Affairs. The Director attended the inaugural session and read a message.

5) On 11 April 1969, at a function held of Attram Bhawan, New Delhi, the Minister for Labour and Employment, Mr. J.L. Hathi released the commemorative stamp to mark the celeberation of the 50th Anniversary of I.L.O. Mr. Menon, Director of this Office received the Stamp Album on behalf of the Director-General.
6) The Director addressed the Students of the Delhi School of Social Work on 14 April 1969 on 'ILO and Fifty Years'.

7) As part of the 50th Anniversary celeberation of I.L.O. there was a broadcast discussion of 'ILO National Employment Service and Vocational Training in IAdia'. Mr. S.K. Mallick, Director-General of Employment and Training and the Director of this Office participated in the Group discussion. The discussion was relayed on 11 April 1969.

====

'L'

13. Press and Opinion.

India - March-April 1969.

In addition to the attached clippings the following references to the work of the I.L.O. appeared in Indian Journals received in this Office.

1)"The Health, Labour and Productivity" brought out by the Health Education Bureau of U.P. contains an article "Industrial Education in the Field of Labour and Health" by Dr. B.G. Prasad. The article highlights the various activities of ILO in the field of Occupational Health.

2) The March issue of the Nursing Journal of India contains a reference about the Nurses' Charter and ILO.

3) The March issue of AIOIE Labour News contains an article on the Asian Labour Ministers' Conference.

4) The March issue of Workers' Education contains the full text of ILO Convention'Fixing the Minimum Age for admission of Children to Industrial Employment'.

5) The April issue of Workers' Education contains an article about the various activities organised by the Workers' Education Board to celeberate the 50th Anniversary of the ILO.

6) The same issue publishes the full text of the Convention on the 'Employment of Women during Night'.

7) The April 15 issue of the Industrial Bulletin contains a review of the latest Year Book of Statistics published by ILO.

8) The Aprill969 issue of Industrial India publishes an article 'Management Training - Modern Trends and Techniques' by Mr. Steve Dembicki, ILO Chief of Project, NITIE, Bombay.

CHAPTER 2. INTERNATIONAL AND NATIONAL ORGANISATIONS.

INDIA - MARCH-APRIL 1969.

28. Employers' Organisations.

42nd Annual Session of the Federation of Indian Chambers of Commerce and Industry held at New Delhi, 15 March 1969.

The 42nd annual session of the Federation of Indian Chambers of Commerce and Industry was held at New Delhi on 15 March 1969. Mrs. Indra Gandhi, the Prime Minister of India inaugurated the session. The session was presided over by Mr. G.M. Modi.

Presidential Address.- Addressing the session, Mr. G.M. Modi, President of the F.I.C.C.I., requested Government not to widen the area of price controls and render investment opportunities unattractive. He said unfortunately an impression had been created, that the area of control may be widened and not narrowed. A number of commodities like sugar, man-made fibres and yarn, alcohol, rubber, vanaspathi had been referred to the Tariff Commission. This had created a sense of uncertainty which was not congenial for a proper investment climate. Mr. Modi urged the Government to reduce controls to the minimum and use them only in conditions of emergency. Referring to the Fourth Five Year Plan, Mr. Modi favoured a resource - based Plan to be implemented through annual Plans, so that it would be possible to take account each year, of the changing conditions. He asked Government to have a second look at the problem of management and operation of public sector undertakings. Mr. Modi offered the assistance of the business community in any responsible capacity to find a solution to the problem.

About the 1969-70 budget, Mr. Modi said that the hopes of corporate tax relief to give a positive push to industry had not been fulfilled. He was of the opinion that the texation had reached the point of diminishing returns. He welcomed the relief to items like jute, tea and mica provided in the budget, but said it was both limited in range and inadequate in amount. Mr. Modi suggested that Government should set up an export bank to look after the financial side of exports and joint ventures in foreign countries. Further Government should protect investment abroad against political risk and permit cash remittances upto a certain percentage. According to Mr. Modi the main reason which had hampered the country's industrial development was the slackness in the capital market. This was because the burden of taxes on companies had increased from 50 to 55 per cent in the case of public limited and to 65 per cent in the case of private limited companies. The efficient companies which earned more than 10 per cent profit were also subjected to surtax.

Among the more important Resolutions.resolutions which were adopted by the session related to the 'New Factors in Economic Growth'. The Federation had urged the Government to create conditions which will make it possible for the industry in the country to grow up to international standards. It felt that in the wake of the intensive application of science to industry, business operations had necessarily to be on a larger scale. The Government was also urged to remove all controls and impediments to investment, production and distribution. The Federation had requested the Government to reduce taxation on corporations and individuals to increase national savings and investment. Other demands included appropriate financial measures and removal of proceedural difficulties to help exports to expand and imports to reduce and improvement of the working of the public sector undertakings. Ţhe Federationurged the Government to welcome provide foreign investments and know-how and expedite the disposal of applications for collaboration and investment. The Federation also urged upon businessmen to cater effectively for the demand in rural areas for new goods and services and about new techniques of production and management so as to bring about modernisation and reduction in costs. It wanted trade unions in the country to recognise that greater use of modern machinery would only increase and not diminish employment opportunities and that the surest guarantee for improvement in the standatd of living of workers wasonly by greater production and productivity. The trade union movement could develop on healthy lines only if they did not function merely as wings of political parties.

Mr. R.A . Podar was elected the President of the FICCI for the year 1969-70.

1 T 1

PThe Hindu, dated 16 and 17 March 1969).

CHAPTER 3. ECONOMIC QUESTIONS.

6

36. Wages.

India - March-April 1969.

Tamil Nadu(Madras): Revised minimum rates of wages fixed for employment in processes of cotton ginning and pressing and cotton waste.

In exercise of the powers conferred under the Minimum Wages Act and in supersession of the notification fixing the rates of wages fixed in 1960, the Government of Tamil Nadu (Madras) has fixed the following minimum rates of wages for employment in the processes of cotton ginning and pressing and cotton waste. These rates of wages came into force on 5 April 1969.

Employment in cotton ginning and pressing and cotton waste.

Category of workers	s. All inclusive minimum rates of wages per day.
(1)	(2)
 Blacksmith. Masons. Carpenters. Electricians. Press fitters. Mechanic. Villow driver. Press driver. 	Highly Skilled. Rs. P. 4.50 3.75 3.75 3.75 3.75 3.75 3.75 3.75 3.75 3.75 3.75 3.75
 Boxman. Drivers gin. Fitters. Gin fitters. Lasher. Maistry. Marker. Valveman. Oiler. Fireman. Rivetter. Roller crover. Weigher. 	Skilled. 3.00 2.30 2.50 2.50 2.50 2.50

(Table continue - next page)

(1)		(2)	-
Sei	ni-skilledu	<u>Rs</u> .P.	:
22. Bale stitcher.		2.50	
23. Gin expeller.		2.05	
24. Ginning.	وجب وعبد والله وبدة والله منا والد منا الله الله الله	2.05	
25. Press mazdoors.		2.05	
26. Gin feeders.		1.87	
27. Key openers.	فصر فته هذه وله وله حله من المر	2.50	
τ	Jnskilled.		
28. Bag carriers.		3.00	
29. Borah fillers.		2.62	
30. Borah rollers.	والمتار المتلك خددو مستخ بتنبيه ومناز بنيه ومعار	2.25	
31. Bundlers.	فتحل وسن فتعله وعن وعدو المحد والم	1.87	
32. Cutters.	ويعمل فلندع مرادة وليتن عندي وإلى فلمان البين برايي وسوا	1.87	
33. Cotton picking.	والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع والمراجع	1.75	
34. Cotton carriers.	والمعا مداري المتلخ جلبية وشيد ومان المعاد جلسا متريد والمد	1.75	
35. Cotton cleaning	beaters	1.87	
36. Kappas bag opener		1.87	
37. Kalasis.		1,87	
38. Kappas picking.		1.75	
59. Lint cleaners.		1.68	
10. Opener mazdoor.	والمراجع فتناه منبع فرائل والتل ويرجع ووالم	1.87	
1. Stitchers (other	than bale stitchers		
42. Sweepers - *Grade		2.50	
	e II.	1.75	
3. Seed removers or		1.87	
4. Cotton cleaners.		1.87	
5. Cotton clearning	• · · · ·	1.87	
6. Stockers.	Dealersy prowers.	2.50	-
17. Sorters.		2,50	
8. Borah opener.		1.75	•
-		Tall	
	neous Group.		
49. Clerks.	مريس منتقد بنبعيد ويرون ألمانة محتلة مريبه وتحاذ الأنتك يزامته		permont
50. Office boy.	النفة فنتك وتربع عنبد ججه وابت بالت فتات جاما بنتك	65.00	
51. Watchman.	جیے پیچ سے جون پریٹ میں جو خط کی خط کی	65.00	
52. Washer maker.			per day
53. Cotton wasterlear		1.75	
54. Kosari cleaner.	وجن چے کے نہیں ایجا خلک ایک کے لیے کر کا کی	1.75	Do.
* Classification of w made on the basis of efficiency and out-	of physical capacity	I and II , skill,	- is
Method of calcu wherever employed sha of wages fixed above	lation of wages (1 all be paid halr of 。) Childre the rates	en 3

(2) Wherever wage periods fixed vary, the wages shall be calculated for the wage period so fixed and paid, that is, where the wage period is fixed as week, fortnight or month, the daily rates fixed above shall be multiplied by seven, fifteen or the number of days in the month respectively.

(3) Wherever the wages are to be fixed by the day in respect of categories, for which monthly rates have been fixed, the minimum rates of wages per day shall be calculated by dividing the monthly rates by the number of days in the months.

(4) Where any category of workers are actually in receipt of higher rates of wages than the statutory minimum rates of wages fixed above, they shall continue to get the benefit of the higher rates of wages.

۱Tι

(Notification No.1406 of 1969,G.O.Ms.No.957, Industries,Labour and Housing(Labour) dated 15 March 1969, the Fort St.George Gazette, Part II Sec.I, 19 March 1969,pp.238-239).

Tamil Nadu (Madras): Revised minimum rates of wages fixed for employment in bricks and tile manufactory.

In exercise of the powers conferred under the Minimum Wages Act,1948, and in supersession of the notification fixing the rates of wages in 1960, the Government of Tamil Nadu has fixed the following minimum rates of wages for employment in bricks and tile manufactory.

Minimum rates of wakes for employees in Bricks and Tiles manufactory.

	Class of employees.	All inclusive minimum daily rates of wages.
	(1)	(2)
		<u>Rs</u> .∄.
l.	Supervisors	3.75
	Blacksmiths	3.75
	Carpenters	3.75
4.	Dice turners or wheel	
E	operator (Machine)	3.75
-	Fitters Electricians	3.75
	Mould Operators (Machine)	3.75
	Foreman (Boiler).	
	Engine Drivers	
	Maistry or Head Cooly	2020
	Brick makers and/or tile m	
	Grades I* and II*	
		bricks or tiles subject
		to a guaranteed minimum
		of Rs.2.63 per day for
		Grade I and Rs.1.50 for
10	Fireman (Kiln).	Grade II respectively.
	Die Puller.	2.63
-	Mason.	2.63 2.63
	Clay slicers and tramplers	· 2° 25
16.	Watchman.	2,25
17.	Tile receiver and wheel tu	mer. 2.25
18.	Kiln Loaders and unloaders	:
	Grade I*	2.25
19.	Grade II*	
19.	Burnt goods sorters and pa	ckers
20.	(including stacking) Loading, unloading and misc	- 2.06
200	eous work other than kil	ettan-
	loading and unloading:	4
	Grade I*	2.25
07	Grade II*	
21.	Clay transporters and carr	
22.	Slab cutters and slab carr Clay feeders.	
		1.88
(11	able continue - next page)	

(1)		(2)	
		<u>Rs.P</u> .	
24. General collies.	هجوا جنو همو وموا	1.88	
25. Slab placers.		2.25	
26. Tile trimmers and drive	ers	2.25	
27. Sweepers -			
Grade I*		1.88	
Grade II*		1.50	
28. Artificial drying fire	tenders -		
Grade I*	جمع خفت جمع بسب	1.88	
Grade II*	مصر خدم دهم سرد ا	1.50	
29. Raw tile removers from	fram.	1.88	
30. Raw bricks and tiles c	arriers.	1.50	
31. Pallet suppliers.	جسه فتسب محمير ورويه	1.50	
32. Pallet collectors.		1.50	
33. Water carriers.	وسو سنك بنائر عبيو	1.50	
34. Clerks.		75.00 per mo	onth.
Special Categories	Applicable Section	to Cement Tile	9
35. Planning man.		3.00	
36. Cement tile pressers.		2.25	
37. Sand suppliers.	دونو هنو منت دنت ودو	1.88	
38. Tile plasterers.		1.88	
39. Box removers.		1.88	
40. Colour mixers.	· • • • • • • •	1.88	
41. Chips Screamers.	وتجري شبابة منتبة وجلى وتشكر	1.88	

* Classification of employees in to Grade I and II is based on physical capacity, skill, efficiency and out-turn of work.

1. Children wherever employed shall be paid half the rates fixed above.

2. Wherever wage periods are fixed as weekly, fortnightly or monthly the rates of minimum wages for such wage period shall be calculated by multiplying the daily rates of wages fixed above by the total number of days in the week, fortnight or month as the case may be including the weekly days of rest during the period.

3. Wherever daily wages are to be paid to the employees in respect of categories for which monthly rates have been fixed the minimum rates of wages per day shall be calculated by dividing the monthly rates by the total number of days in the month.

10

4. Where any category of workers are actually in receipt of higher wages than the statutory minimum wages fixed, they shall continue to get the benefit of the higher wages.

> (Notification No.913 of 1969, G.O. Ms.No.459 Industries, Labour and Housing (Labour) dated 13 February 1969, the Fort St.George Gazette, Part II Sec.I, 26 February 1969, page 128).

11

Tamil Nadu (Madras): Revised minimum rates of wages fixed for employment in tanneries and Leather manufactories.

In exercise of the powers conferred under the Minimum Wages Act, 1948, and the supersession of the notification dated 2 July 1962 fixing minimum rates of wages, the Government of Tamil Nadu has fixed the following rates of wages for employment in tanneries and leather manufactories.

Employment in tanneries and leather manufactories.

Class of employees.	All	inclusive minimum of wages per day.	rates
(1)		(2)	
		<u>Rs.</u> P.	
I.TANNERIES-CUM-LEATHER	MANUFAC		
Lime Yard-			
 Helpers. Fleshers. Scudders. Goat-skin knifers. 		2.75 2.94 2.94	
Tanning and Dyeing Depar	tmont	2.94	:
 Helpdrs. Drum Hoys. Shavers. Splitters. Shaving Learners. Saming Helpers. 		2.75 2.75 3.33 3.33 2.75 2.75	
Setting Department -			
l. Helpers. 2. Setting Machine opera 3. Hand Setters.	tors.	2•75 2•75 2•75	
Staking Department -			
l. Helper. 2. Busters. 3. Stakers.		2•75 2•75 2•75	·.
Straining Department -			
l. Helpers. 2. Strainers.	من م	2.75 2.75	
Finishing Department -			
 Helpers. Seasoners. Sprayer. 	4000 600 600 600 400 400 600 600	2.75 2.75 2.75	

(Table continue - next page)

		1
(1)	(2)	
	Rs.P.	:
Finishing Machinery Department -		
 Helpers Buffing MachineOperators Emery Wheel Operators Glazing Machine Operators(Cow). Trimmers Press Machine Operators Hand Ironers Boarders Glazing Machine Operators(Glaze 	2.75 2.75 2.75 2.75 2.75	
Foundary Department -		
1. Helpefs2. Fitters3. Drivers4. Masons5. Carpenters6. Fitters and driver learner	2.80 2.99 3.40 3.20 3.20 2.80	
Backyard Department -		
L. Beamers 2. Setters	2.75 2.75	
General -		
l. Maistries 2. Clerks 3. Watchman	97.50 97.50 91.25	permonth. Do Do
General Categories employed i (Excluding the Tanneries-cum-Leath		ies) -
l. Clerks 2. Maistries or Supervisors 3. Watchman	97•50 97•50 91•25	
II. OTHER TANNERIES.		
 Turning of skins and hides in 1 pits or bark pits(for the firs unit and 0.16 per every additi unit of workdone). 	t 1.53	•
2. Unskilled workers 3. Piece-rate worker fi pe un	rst unit and r every addit it of work do:	ional ne and
tio	l6 for every nal unit in l rk pits. 66 75	ime and
	66.75 mensem or Rs. per day.	

13

Provided that -

1. Where immediate before the date on which this notification comes into force any class of employees were im receipt of higher rates of wages, than the all inclusive minimum rates of wages, fixed herein, they shall be entitled to be paid such higher rates of wages.

2. Women employees engaged in the process of tanning shall be paid the same all inclusive minimum rates of wages as men. Children wherever employed, shall be paid half the all inclusive minimum rates of wages.

3. Wherever wage periods fixed vary, the wage shall be calculated for the wage period so fixed and paid, that is where the wage period is fixed as a week, fortnight, or month, the daily rates fixed above shall be multiplied by seven, fifteen or the number of days in the month respectively.

4. The all inclusive minimum rates of wages for the various calsses of employees fixed herein shall include house rent allowance.

5. No piece rate employee shall be paid less than the all inclusive minimum rates of wages of Rs.2.41 per day.

Explanation -

For the purpose of this notification, quantum of unit shall be the same as determined in G.O.Ms. No.3371 (Labour), Industries, Labour and Cooperation Department, dated 2 July 1962 as amended in G.O.Ms. No.3746, dated 27 July 1965, Industries, Labour and Co-operation.

> (Notification No.1186 of 1969, G.O.Ms.No.3537 Industries,Labour and Housing (Labour), dated 15 October 1968, Fort St.George Gazette, Part II,Sec.I, 5 March 1969, pp. 169-170).

tТt

38. Housing.

India - March-April 1969.

Housing Shortage may be 83.7 Million Units.

According to the annual report of the Ministry of Health, Family Planning, Works, Housing and Urban Development, the housing shortage at the beginning of the Fourth Plan may be 83.7 million units. Of this 11.9 million units are required in the urban area and 71.8 million units in rural areas. The overall housing shortage in the country is estimated to increase by more than 2 million units annually. Against this, the annual rate of new construction, including that in the private sector is estimated at 300,000 units only.

At the end of March 1968 the Central Government had allocated 2,688 million rupees to the State Governments and Union Territories as financial assistance for implementing housing schemes of the Ministry. The recipents had used only 2,040.5 million rupees.

The Working Group on Housing constituted at the instance of the Planning Commission has made the following suggestions:

a) Housing be given adequate priority in the scheme of nation building.

b) Government should adopt a selective approach to the problem and promote construction ofhouses in the metropolitan andother cities which face acute housing problem.

c) Efforts should be made to mobilise all private resources for construction of houses, particularly for the lower incomegroup. These should include introduction of a system of mortgage insurance and floating of loans debentures by the State Housing Boards. d) An effective institutional framework should be promoted by encouraging the establishm ent of State Housing Boards and apex Cooperative Societies, by participation in the Share Capital of these bodies and by granting them a certain amount of managerial subsidy.

1 T I.

(The Hindu, dated 20 April 1969).

CHAPTER 4. PROBLEMS PECULIAR TO CERTAINBRANCHES OF THE NATIONAL ECONOMY.

INDIA - MARCH-APRIL 1969.

42. Co-operation.

Aid to Marketing Cooperatives to be based on Performance.

According to the report on development of cooperative marketing, published by the Reserve Bank of India, State assistance to cooperative marketing societies in future might be extended not as a matter of course but on the basis of felt needs and subject to fulfilment of certain conditions in regard to their functioning in general and marketing activity in particular. The establishment of marketing societies needs to be planned carefully so as to ensure that the marketing potential in the area proposed to be covered by each society is adequate to make it viable within a reasonable period of time. Pending the evolution of an integrated cooperative marketing structure with a built-in mechanism for channeling the produce from the primary markets to the secondary or terminal markets, primary marketing societies in the present stage of their development have to depend upon local traders for disposal of produce. Therefore in the present stage, extension of trade credit appears necessary and it may be allowed to play its role within limits.

It has also been suggested that cooperatives may be associated with purchasing activity on behalf of Government or Government sponsored institutions on an agency basis but only those societies that have adequate resources and competence may be so engaged. The report finds that acquisition of adequate storage capacity by marketing societies essential, From the point of view of ensuring proper custody of produce pledged or brought to the society for sale.

18-

The report has also suggested that the societies will have to collect aslarge a proportion of marketable supplies as possible by establishing effective links at villages and make arrangements for grading and pooling of produce. At the same time these societies will have to be encouraged to undertake outright purchase of produce, particularly from small cultivators, keeping in view their own financial position.

Another finding of the survey is that marketing societies concentrating their resources on distribution activities will have to develop pledge business and also marketing business by interlinking credit with marketing in coordination with primary credit societies and the district Choperative Bank. The report also calls for reorganising and revitalising the cooperative marketing structure by amalgamation of non-viable units with the neighbouring viable ones in the case of the promising units and by liquidating of those which do not hold out promise of such improvement.

(The Hindu, dated 28 March 1969).

44. Merchant Marine and Fisheries.

India - March-April 1969.

Merchant Shipping (Amendment) Bill, 1968.

Shri V.K.R.V. Rao, Union Minister for Transport, Government of India, -introduced in the Lok Sabha on 10 December 1968 a Bill to amend the Merchant Shipping Act, 1958. The Statement of Objects and Reasons of the Bill declares that the Bill seeks to amend the Merchant Shipping Act, 1958, for the purpose of giving effect to three International Conventions relating to Merchant Shipping, namely, the International Convention for the Prevention of Pollution of the Sea by Oil, 1954 (as amended) in 1962), the International Convention on Limitation of Liability of Owners of Sea-going Ships, 1957, and the International Convention on Load Lines, 1966. The International Convention on Load Lines, 1966, has already been ratified by the Government of. India and has come into force on 21 July,1968. The other two Conventions have yet to be ratified by the Government of India.

The concept of load lines has two facets. Firstly, it provides for markingngfofree boards, i.e., the distance measured vertically downward from the deck line which must at all times and under all conditions, while the ship is afloat, remain free of water line. Secondly, it provides for marking of load lines indicating how far the ship could be permitted to submerge in water as a result of loading cargo in different seasons and different zones. The need for controlling free boards in the interest of safety of life at sea cannot be over-emphasised. The first international agreement on the subject was reached at the International Conference on Load Lines, 1930, and the existing provisions of the Merchant Shipping Act relating to load lines are based upon the provisions of the Convention adopted by this Conference.

With a view to ensuring btter safety of life and property on sea and increasing freight earnings by shipping which has been made possible by the improvements in the technique of ship-building and the progressive shift of emphasis from smaller to larger ships, an agreement was reached at the Second International Conference on Load Lines held in 1966 in London. The International Convention on Load Lines, 1966, which seeks to replace the 1930 Convention on the subject is the outcome of this agreement. By and large, the 1966 Convention tends to liberalise the free board requirements so as to permit deeper loading of the ships as compared to the corresponding provisions of the 1930 Convention. In particular, the 1966 Conventions substantially increases the period of tropical loading both in the Arabian Sea and the Bay of Bengal thus permitting deeper loading of ships in this area during a greater part of the year. The provisions of the Convention are therefore in the larger interests of our expanding merchant shipping, as their freight earning swill improve and this in turn would result in their earnings more foreign exchange. Clauses 2 to 14 (both inclusive) of the Bill seek to implement the provisions of this Convention.

The Merchant Shipping Act, 1958, does not contain any provision regarding prevention of pollution of the sea by oil. The International Convention for the Prevention of Pollution of the Sea by Oil, 1954, aims at prohibiting ships from discharging oil or oily mixture within about hundred miles from the shores of any country which is a party to the Convention. Though the problem of pollution of the sea by oil is not very acute, so far the seaareas around India are concerned, it is necessary to guard against the problem before it assumes serious proportions as a result of the increasing tendency to resort more and more to ail as fuel for ships and the operation of a number of oil refineries in our country involving the movement of large quantities of crude and refined oil to and from Indiam posts. Further, Indian ships engaged in international trade visit regularly most of the countries which have ratified the International Convention for the Prevention of Pollution of the Sea by Oil and unless they comply with the Convention requirements, they may become liable for heavy penalties for contravention of the national laws of such countries. Clause 17 of the Bill seeks to give effect to the provisions of the Convention by inserting a new Part on the subject in the Merchant Shipping Act, 1958.

Section 352 of the Merchant Shipping Act, 1958, provides for the limitation of liability of an owner of a ship in respect of any loss of life or personal injury to any person or any loss of or damage to any property or rights of any kind caused without his actual fault or privity. In the interest of shipping and commerce generally, it is desirable that a ship-owners liability in respect of claims for loss of life or personal injury or claims for damage to property is limited Under the Continental to a reasonable amount. system, the extent of limitation was based on the value of the ship at the end of the voyage whereas the British practice provided for a fixed rate per ton of the ship's tonnage. The International Convention on Limitation of Liability of Owners of Sea-going Ships, 1957, attempts to evolve a uniform international system of law in this respect and it has already been ratified by Governments of nine States which account for over 34 per cent of world tonnage. According to the provisions of the Convention, it will come into force six months after one more country ratifies it. Though the monetary limits set to liability by the Convention are substantially higher than those provided in section 352 of the Act, in view of the fact that Indian vessels are undertaking voyages to almost all countries of the world, it would be to the advantage of our shipping interests to give effect to the provisions of the Convention. Accepting the Convention would relieve Indian ship-owners of admitting claims for amounts in excess of what is permitted under the Convention. The more important deviations from the provisions of the said section 352 which would become necessary as a result of the acceptance of the Convention may be summarised as follows :-

(1) The limits set to liability under the section have to be increased in the case of claims for loss of life or personal injury from rupees two hundred to an amount equivalent to three thousand one hundred gold francs; in the case of claims for loss of or damage to property from rupees one hundred for each ton of ship's tonnage to an amount equivalent to one thousand gold francs; and loss of or damage to property, from a n aggregate amount of rupees two hundred for each ton of the ship's tonnage to an aggregate amount equivalent to three thousand one hundred gold francs. (A franc is approximately equivalent to fifty paise.)

Sin Simona

(2) The benefit of the right to limit which is available under the said section 352 only to owners of ships will have to be made available to the charterer, manager and operator of the ship, and to the master, members of the crew and other servants of theowner, charterer, manager or operator acting in the course of their employment.

(3) New provisions will have to be made for the constitution of a limitation fund on an application made by a ship-owner in that behalf.

Clause 16 of the Bill seeks to give effect to the provisions of this Convention.

The Notes on clauses explain in detail the various provisions of the Bill.

<u>Clause 1.</u> Clauses 2 to 14 (both inclusive) of the Bill seek to give effect to the International Convention on Load Lines, 1966 which has come into force on 21 July 1968. Hence it is necessary to give retrospective effect to these provisions.

<u>Clause 2.-</u> Sub-clause (2) of this clause seeks to make two changes of a consequential nature in the definition of the expression "country to which the Load Line Convention applies". The words "or isdeemed to have been declared" appearing in the definition are no longer necessary as all notifications regarding acceptance or denunciation of the 1966 Load Lines Convention will be issued under the principal Act itself. (See notes on clause 3). The other change which the sub-clause seeks to make in the definition is for the purpose of substituting the reference to article 21 of the 1930 Load Line Convention by a reference to the corresponding provision of the 1966 Convention.

<u>Clause 3.</u> The principal Act which was enacted in 1958 had to provide for the saving of declarations relating to acceptance/denunciation of the 1930 Load Line Convention made by other countries and notified by the Government under the Indian Merchant Shipping Act, 1923. As all similar declarations in respect of the Load Lines Convention, 1966 will be made under the principal Act itself, subsection (2) of section 283 is no longer necessary. Accordingly this clause seeks to omit that sub-section. <u>Clause 4.-</u> The application of the Load Lines Convention, 1966 to ships and other vessels depends upon the length of the vessel in the case of new ships or vessels, that is to say, ships or vessels whose keel is laid or which is at a similar stage of construction on or after the commencement of that Convention. In the case of otherships and vessels, that is, existing ships and vessels, the application of the Convention is as under the 1930 Load Line Convention based upon the tonnage of the ship or vessel. Hence it is necessary to define the expressions "new ship", "new vessel", "existing ship" and "existing vessel".

<u>Clause 5.-</u> <u>Sub-clause (a).-</u> Sub-section (2) of section 310 of the principal Act provides for exemption of sailing vessels of less than 150 tons gross. The 1966 Convention provides for exemption in respect of existing sailing vessels of less than 150 tons gross and new sailing vessels of less than 24 metres in length. To give effect to this, it is proposed to substitute a new clause (a) for existing clause (a) of section 310(2).

Sub-clause (b) - Sub-section (3) of section 310 of the principal Act empowers the Central Government to exempt certain types of ships from the application of the provisions relating to Load Lines. The 1966 Convention proviees for similar exemptions with the difference that in the case of coasting ships the old criterion of the ship being less than 150 tons gross is confined to existing ships and a new criterion, namely, of the ships being less than 24 metres in length is made applicable in the case of new ships. Further the Convention also provides for exemption being granted in respect of ships which embody features of a novel kind and any particular ship which is required to undertake an international voyage in exceptional circumstances. To give effect to these provisions of the 1966 Convention, it is proposed to substitute for clause (d) of section 310 (3) of theprincipal A ct, three new clauses.

<u>Clause 6.</u> Sub-section (1) of section 312 of the principal Act deals with the survey and marking of deck lines and load lines in respect of a ship the keel of which was laid after the date of commencement of the 1930 Load Line Convention. Sub-section (2) of the same section deals with the survey and marking of deck line and load lines in respect of a ship the keel of which was laid before the commencement of the said Convention. The Load Lines Convention, 1966 makes a similar distinction between a ship the keel of which was laid after the commencement of that Convention and a ship the keel of which was laid before such commencement. Sub-sections (1) and (2) are being amended to give effect to this distinction.

The opportunity is bein g availed of to delete the reference to tables used by the Board of Trade in the United Kingdom on the 31st day of December 1906 occurring in clause 312(2)(c) as there are no longer any ships on the Indian Register with free boards computed on the basis of the said tables.

<u>Clause 7.</u> Except in cases where the prior permission in writing of the appropriate authorities has been taken, the Load Lines Convention, 1966, prohibits the making of any alterations in the structure, equipment, arrangements, material or scantlings of a ship, after it has been surveyed for the purposes of assignment and marking of load lines. New section 312A seeks to give effect to this requirement.

<u>Clause 8.</u> This clause seeks to substitute two new clauses (a) and (aa) for clause (a) of section 316(1) of the principal Act. New clause (a) proviees for the issue of international load lines certificates to existing ships of one hundred and fifty tons gross or over and to new ships of twenty-four metres or more in length. New clause (aa) provides for the issue of an international load lines exemption certificate to a ship with novel features or to any ship which is not normally engaged on international voyages but which is required, under exceptional circumstances, to undertake a single international voyage (vide clause 5 and notes thereon).

<u>Clause 9.</u> This clause seeks to substitute a new section 317 for existing section 317 of the principal Act. The new section seeks to give effect to the various provisions of the Load Lines Convention, 1966, relating to duration, extension and cancellation of load lines certificates. The provisions of the Load Lines Convention, 1966, relatingto duration, extension and cancellation of load lines certificates are, subject to some minor exceptions, similar to those made by the Load Line Convention, 1930. Thus while a certificate issued under the 1930 Convention can be renewed, a certificate issued under the 1966 Convention cannot be renewed and upon its expiry, a fresh certificate has to be obtained. Further the 1966 Convention provides for the issue of international load lines exemption certificates (vide clauses 5 and 8 and notes thereon).

Clause 10.4 Section 321 of the principal Act gives effect to a requirement of the Load Line Convention 1930, according to which a Government of a country which is a party to that Convention may issue an international load line certificate to a ship registered in any other country which is a party to that Convention if a request in that behalf is made by such other country. The Load Lines Convention, 1966, contains a similar requirement subject to two modifications: first, such a certificate may be issued even in respect of ships to be registered and secondly whenever such a certificate is issued, a copy of such certificate together with a copy of survey report used in computing the free board of the computations should be forwarded to the Government of the country at whose request such certificate ĺS issued. This clause seeks to give effect to these modifications.

<u>Clause ll.</u> The amendments are of a consequential nature.

<u>Clause 12.- Sub-clause(a).</u> The new sub-section (1) which this sub-clause seeks to substitute for existing sub-section (1) of section 322 of the principal Act, is, except for certain changes of a consequential nature, the same as the existing sub-section.

<u>Sub-clause (b)</u>.- The amendments are essentially of a verbal nature and are for the purpose of conforming to the language of the relevant provisions of the Land Lines Convention, 1966. <u>Sub-clause (c).</u> New sub-section (2A) which this sub-clause seeks to insert in section 323 of the principal Act deals with the powers of inspection of surveyors in respect of ships holding valid international load line exemption certificates.

Sub-clauses(d) and $(e)_{\circ}$ The amendments are of a consequential nature.

<u>Clauses 13 and 14.</u> The amendments are of a consequential nature.

<u>Clause 15.</u> The amendment is of a drafting nature.

<u>Clause 16.</u> This clause seeks to substitute a new Part XA (containing new sections 352 to 352F) for section 352 of the principal Act and is intended to give effect to the provisions of the International Convention relating to the Limitation of Liability

of Owners of Sea-going Ships, 1957 (hereinafter referred to as the Limitation of Liability Convention).

New section 352.- This section definesethene various expressions used in new Part XA in accordance with the relevant provisions of the Limitation of Liability Convention.

New Section 352A. This section specifies the claims in respect of which an owner of a sea-going vessel may limit his liability under the provisions of the new Part XA and the claims in respect of which he cannot limit his liability under that Part. The owner may limit his liability only in respect of claims arising out of any occurrence referred to in sub-section (1) of the section provided that such occurrence has not resulted from his actual fault or privity. The burden of proving that the occurrence has not resulted from his actual fault or privity is gought to be placed on the owner himself. It may be mentioned that the right of the owner to limit his liabilities arising out of any act, neglect or default of any person not on board the ship but for whose act, neglect or default, the owner is responsible is restricted only to claims arising out of any such act, neglect or default as has taken place in the navigation or management of the vessel, loading, carriage, or discharge of cargo and emparkation, carriage and disembarkation of passengers.

Sub-section (3) of the new section specifies the claims in respect of which an owner of a vessel cannot limit his liability.

This section specifies New section 352B.the amounts to which the owner of a vessel may limit his liability. Following the Limitation of Liability Convention, the amounts are expressed in terms of francs and power is sought to be given to the Central Government to specify from time to time the equivalent amounts in terms of our currency. The limits of liability specified in the section apply in respect of claims arising on a single occasion and claims arising on two or more distinct occasions cannot be combined. The limits of liability have to be calculated with reference to the tonnage of the vessel concerned and where the tonnage of the vessel is less than 300 tons, the vessel will be treated for purposes of such computation as of 300 tons.

The limits set to liability under this section are considerably more than the limits provided for in existing section 352. The following table brings out the differences between the existing limits and the new limits. (The limits have to be calculated both under the existing section and the new section with reference to the tonnage of the ship):-

Nature of claims Rate	e under existing Section	Rate under new Section
<pre>1. Where all the claims are personal claims (i.e. claims arising out of loss of life or personal injury).</pre>	Rs.200 per ton.	3100 francs per ton (Roughly Rs.1550] .
2. Where all the claims are property claims.	Rs.100 per ton.	1000 francs per ton (Roughly Rs.500).
3. Where there are both personal and property claims.	Rs.200 per ton subject to personal claims having priority over other claims to the extent of Rs.100 per ton and ranking rate- ably with other claims in respect of the balance.	and ranking rateably

New section 352C.- The need for limitation of liability in respect of claims against an owner of a vessel in accordance with the provisions of the proposed Part arises only in those cases where the liability in respect of the claims exceeds the limits of liability provided for in the Part (i.e., in new section 352B). New section 352C provides that in such a case, the owner may apply to the High Court for determining the amount of his liability in accordance with the limits of liability under new section 352B. Upon the determination of the owner's liability, the owner has to deposit such amount with the court or furnish satisfactory security in respect of the same and the amount so deposited or secured constitutes the limitation fund. Upon the constitution of the limitation fund as aforesaid, the claimants concerned cannot exercise any right against any other assets of the owner if the fund is actually available for meeting their claims.

New section 352D. This section seeks to provide for the cases in which any vessel or property which may have been detained in connection with a claim founded upon a liability which may be limited under the provisions of the new Part XA, may be entitled to be released after adequate security has been given. The section also provides for the circumstances in which such relase should, as a matter of course, be ordered.

New section 352E. This section corresponds to sub-section (2) of existing section 352 of the principal Act.

New Section 352F. - This section seeks to extend the benefit available to the owner of a vessel under the new Part XA to the charterer, manager and operator of the vessel as also to the master, members of the crew and other servants of the owner, charterer, manager or operator acting in the course of their employment and makes it clear that the total limits of liability of the owner and all the other persons referred to in respect of claims arising out of a distinct occasion shall not exceed the amounts determined in accordance with the limits provided in new section 352B.

<u>Clause 17.</u> This clause seeks to insert a new Part XIA (containing new sections 356A to 356J) in the principal Act and is intended to give effect to the provisions of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954 (hereinafter referred to as the 1954 Convention). <u>New section 356A.</u> The 1954 Convention has not yet come into force in respect of India as it has yet to be ratified by the Government of India. Further according to the Convention, some of its provisions are to become operative on the expiry of different periods from the date of its commencement. Accordingly sub-section (1) of section 356A seeks to empower the Central Government to bring the provisions of that Part into force on different dates.

In accordance with the provisions of the 1954 Convention, sub-section (2) of new section 356A seeks to restrict the application of the provisions of new Part XIA to tankers of 150 tons gross or more and other ships of 500 tons gross or more.

New section 356B. The definitions of "discharge", "mile", "oil", "oilymixture", "ship" and "tanker", are based upon the definitions of those expressions in the 1954 Convention.

Prohibited Zone .- The expression "prohibited zone" is used in the new Part XIA to indicate the greas of the sea in which discharge of oil or oily mixture shall not, subject to certain exceptions, be made. The 1954 Convention specifies all sea areas within 50 miles from the nearest land to be prohibited zones. The Convention also specifies certain areas extending more than 50 miles from the nearest land but not extending more than 100 miles in some cases and 150 miles in some other cases as prohibited zones. Some of the prohibited zones specified in the Convention become effective only when the Convention comes into force in respect of the country for whose benefit the prohibited zone is specified. Further the Government of any country which a party to the Convention may propose reduction of any zone off the coast of any of its territory or the extension of any such zone (which extends to less than 100 miles) to a maximum of 100 miles from the nearest land along any such coast. Hence prohibited zones may vary from time to time. Accordingly "prohibited zones" for the purposes of new Part XIA are left to be specified by rules under new section 356J.

New section 356C.- This section seeks to give effect to the various prohibitions and restrictions as to discharge of oil or oily mixture by tankers and other ships in prohibited zones.

<u>New section 356D</u>. This section seeks to provide for certain exceptions to the prohibitions under new section 356C. New section 356F. The 1954 Convention requires every tanker or other ship which uses oil as fuel to maintain on board the tanker or such other ship an oil record book for the purpose of maintaining a record of various operations involving discharge of oil from such tanker or ship. New section 356F seeks to give effect to these requirements of the Convention.

New section 356G. - This section provides for inspection and, control of ships to which the 1954 C onvention applies.

New section 3561. This section seeks to empower the various port authorities in India to provide for oil reception f_acilities and to make charges for the use of the f_acilities at such rates as may be approved by the Central Government by notification in the Official Gazette. The section also seeks to empower the Central Government to give directions to port authorities to provide necessary oil receiption f_acilities.

New Section 356J.- This section seeks to empower the Central Government to make rules for carrying out the purposes of new Part XIA.

<u>Clause 18.-</u> This clause seeks to amend section 436 of the principal Act to provide for penalties for contravention of the various new provisions.

<u>Clause 19.-</u> This clause seeks to substitute a new section for section 460A of the principal Act and it provides for removal of difficulties in giving effect to the provisions of the Act in so far as they relate to the various Conventions referred to therein.

> (The Gazette of India, Extraordinary, Part II Sec.2, 10 December 1968, pp. 1579-1611).

1 T.1

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS. 31

INDIA - MARCH - APRIL 1969.

50. General.

Commercial <u>Mysore Shops and/Establishments (Amendment)</u> <u>Act, 1969 (Mysore Act No.4 of 1969).</u>

The Government of Mysore gazetted on 27 February 1969 the text of the Mysore Shops and Commercial Establishments (Amendment) Act, 1969, as passed by the Mysore Legislature. The Act which received the assent of the Governor on 24 February 1969 makes the following amendments to the Mysore Shops and Commercial Establishments Act, 1961.

Amendment of Chapter V.- In Chapter V of the Mysore Shops and Commercial Establishments Act, 1961 (Mysore Act 8 of 1962)(hereinafter referred to as the principal Act)-

(i) in the Chapter heading for the words "Wages, Compensation and Maternity Benefits", the words "Wages and Compensation" shall be substituted;

(ii) section 23 shall be omitted.

<u>Amendment of section 26.</u> For sub-section (2) of section 26 of the principal Act, the following sub-sections shall be substituted, namely:-

"(2) The State Government may, by notification, appoint such public officers as it thinks fit to be additional Inspectors for all or any of the purposes of this Act, within such local limits as it may assign to them respectively.

(3) In any area where there are more Inspectors than one, the State Government may, by notification, declare the powers which such Inspectors shall respectively exercise.

(4) The Commissioner of Labour in Mysore shall be the Chief Inspector for the purposes of this Act, for the whole of the S_tate of Mysore."

(The Mysore Ggzette, Part IV, Sec.2B, 27 February 1969, pp. 13-15).

Kerala Shops and Commercial-Establishments (Amendment) Bill, 1969.

The Government of Kerala published on 8 February 1969 the text of a Bill to amend the Kerala Shops and Commercial Establishments Act, 1960, to be introduced in the Legislative Assembly of the State. According to the Statement of Objects and Reasons of the Bill, the employees and the Unions of Shops and Establishments in the State have represented to Government that the security of employment of the employees in Shops and Commercial Establishments is not properly protected for want of a suitable provision in the Kerala Shopsoand Commercial Establishments Act, 1960, for the registration of shops and commercial establishments. It has been found from experience gained by the implementation of the said Act that a provision for registration and annual renewal of registration would remove the main handicap concerning security of employment. It is, therefore, considered necessary to include a provision for registration of all establishments coming under the purview of the Act.

The Government have sanctioned to the employees of the Government owned industrial undertakings in the State, special casual leave for undergoing sterilisation operation. The Government servants in the State service are also enjoying this benefit. It is considered necessary to extend this benefit to the employees of all establishments and hence. a new provision enabling the employees to avail special casual leave with wages for undergoing sterilisation operation is proposed to be included in the Act. In view of the new provisions relating to registration and special casual leave, it is also necessary to make consequential modifications in the penal provisions contained in Section 29 of the Act.

This Bill is intended to achieve the above objects.

New Section 5A in Chapter 1A proposed to be inserted by clause 2 of the Bill empowers Government to notify the competent authority to whom application for registration has to be made by the employers and also to prescribe the form and fees for registration. New Section 5B in the said Chapter seeks to empower Government to notify the authority to whom appeals may be filed against the orders of the competent authority and also to prescribe the fees for such appeals. Under the new section 5C proposed under the said Chapter 1A, the Government have to prescribe the form of notice which the employer has to give to the competent authority in respect of any change in the particulars of his establishment.

New Section 13A provides that every employee who undergoes sterilisation operation shall be entitled to special casual leave with wages for a period not exceeding -

(a) six days in the case of a male employee; and (b) fourteen days in the case of a female employee, with effect from the day on which he or she undergoes such operation.

If an employee who has undergone sterilisation operation is discharged by his or her employer during the period specified in sub-section(1), the employer shall pay such employee the amount payable under section 14 in respect of the period of the special casual leave to which the employee was entitled at the time of discharge.

New Section 14 provides that for the leave allowed to an employee under section 13 or section 13A, the employee shall be paid at the rate equal to the daily average of his or her total full time earning exclusive of any overtime earnings and bonus, but inclusive of dearness allowance and the cash equivalent of any advantage accruing by the supply of meals and by the sale by the employer of foodgrains and other articles at concessional rates for the days on which the employee worked during the month immediately preceding his leave.

The amount payable to an employee under subsection (1) for the leave allowed under section 13A shall be paid to him or her on production of a certificate from such authority and in such form as may be prescribed, to the effect that the employee has undergone sterilisation operation.

> (Kerala Gavernment Gazette, LA Bill No.10 of 1969, 8 February 1969, pp. 1-5).

56. Labour Administration.

India - March-April 1969.

Annual Report 1968-69 of the Ministry of Labour and Employment published - Labour Problems Reviewed*.

The report on the activities of the Department of Labour, Employment and Rehabilitation during the year 1968-69 which has been recently published by the Government, is in two Volumes. Volume I covers the activities of the Department in the fields of industrial relations, wages, social security, working conditions and allied matters. The activities in the field of Employment and Training are reviewed in Volume II. The following are some of the salient features of the report.

<u>General Labour Situation</u>.- Reviewing certain significant features of the economy during 1968-69, such as the increase in agricultural and industrial production and the halting of the rise of whilesale prices, the report points out that these development had their impact on industrial relations situation during the year. Labour relations continued to remain disturbed in 1968. The man-days lost on account of strikes and lock-outs during 1968 were 13.83 millions (provisional).

Various Central Government Employees' Unions (which included Railways, Posts and Telegraphs, Defence undertakings) served strike notices for a day's token strike. There was considerable agitation in the Banking Industry against the introduction of certain restrictions of demonstrations envisaged in the Banking Laws (Amendment) Bill. There were strikes in Posts and Docks, Life Insurance and Mining Industry.

* Report 1968-69: Vol.I (Labour Relations, Wages, Social Security, Working Conditions and Allied Matters): Government of India: Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) New Delhi: pp. 127.

34

In Coal Mines, 174 strikes and 2 lock-outs were reportedl resulting in a loss of 0.350 millions man-days as compared to 233 strikes, 7 lock-outs and 0.755 millions mandays lost in 1967. In mines other than coal and cil-fields there were 107 strikes accounting for 400,000 man-days lost as against 1 millions man-days lost in 1967.

Workers had to undergo hardship due to lay-off and retrenchment, particularly in the Textile Industry. As against 35 cotton textile mills which remained closed at the beginning of 1968, 56 mills were not working at the end of December 1968. The number of workers affected also increased from 50,950 to 65,089.

<u>Prevention and Settlement of Industrial</u> <u>Disputes.</u> The Industrial Disputes Act 1947, continues to govern industrial relations on the legislative side. On the voluntary side, the Code of Discipline in Industry and the Industrial Truce Resolution adopted in 1962 continued to guide industrial relations in the country. The working of the volunary machinery can be judged from the data given below:-

	Code of Discipline and Industrial Truce Resolution		
	1966	1967	1968
 No.of complaints received. No.of complaints not requiring 	864	442	691
any action. 3. No.of complaints requiring act	154 ion. 710	100 342	254 437
Of those requiring action, perc of complaints:	entage		
(a) Not substantiated on enquir (b) Where the breaches were set	y. 13	12	16
right or settled otherwis (c) Under the investigation/tal	e. 62	59	31
for rectification.	25	29	53

During the year under review the Ministry received, 115 cases of threatend direct action including strikes and hunger-strikes. As a result of the intervention of the Ministry, the threats did not materialise in 85 cases. In 28 cases, the unions concerned were advised to avoid direct action and to utilise the existing machinery for the redresses of their grievances. The Conciliation Machinery set up under the Industrial Disputes Act 1947, continued to play its role in bringing the parties together and exploring ways of amicable settlement. The following table shows the functioning of the Central Industrial Relations Machinery:-

	1966	1967	1968	
 No.of disputes referred to Central Industrial Relations Machinery. No.of failure reports received. 	5,695 737	5,813 750	7,712 1,040	
(i) Of 2 above, No.of disputes	255	230	212	
referred to adjudication.	(35%)	(14%)	(20%)	
(ii) Of 2 above, No. of disputes	108	108	127	
referred to arbitization.	(15%)	(14%)	(12%)	

Wage Boards.- No new Wage Board was set up during the year. The Wage Boards for Heavy Chemicals and Fertilizers, Cotton Textiles(Second Wage Boad) and Engineering Industries submitted their final reports during the year, bringing the total number of Wage Boards which have submitted their final reports so far to 17. The remaining Wage Boards which are still in operation relate to Ports and Docks, Sugar (Second Wage Board). Leather and Leather Goods, Electricity undertakings and Road Transport. These Wage Boards have however made interim recommendations. Excepting the Wage Board for Working Journalists which is a statutory body, other Wage Boards have been set up Government on a non-statutory basis. Their by recommendations are implemented largely through persuation and advice and through agreements between the parties.

The Minimum Wages Act, 1948, continued to provide protection to persons employed in unorganised industries.

Social Security - In the field of social security, the coverage of the Employees' State Insurance Scheme was enlarged. The Scheme was extended to cover additional 13,050 employees in 22 industries. The total number of employees covered by the Scheme at the end of 1968 was 3.4 million spread over 307 centres. Medical benefits were extended to 0.058 million family units (insured persons) bringing the total number of family units covered at the end of the year to about 3.56 million and beneficiaries to 13.94 million. The number of centres where medical benefits had been extended by the end of the year was 295. Steps were also taken to improve further the quality of the services rendered by the Corporation.

The Employees' Provident Fund Act was extended to 8 new industries in the current year bringing the total number of industries and classes of establishments covered by the Act to 120. The membership of the Fund increased from 5.1 million at the end of November 1967 to 5.27 million at the end of September 1968. The rate of contribution under the Employees' Provident Fund was increased from 6 $\frac{1}{4}$ per cent to 8 per cent in 10 more industries and classes of establishments bringing the total number of industries to which the enhanced rate applies to 81.

The Coal Mines Provident Fund Scheme 1948 was extended during April to December 1968 to 11 new coal mines bringing the total number of coal mines and ancillary organisations covered under the Scheme to 1,356 at the end of 1968. The total of 27,259 persons were enrolled as new members of the Fund during April to December 1968.

Working Conditions and Welfare. - The working conditions in factories and mines continued to be regulated by the Factories Act 1948 and the Mines Act 1952 respectively. Apart from the legislative measures, there was considerable activity for popularising various safety measures.
The National Safety Council set up atthe Labour Institute, Bombay, with the object of promoting various safety measures in industry and collection and dissemination of up-to-date information on accident prevention in various industries, arranged film show at the member factories and distributed publicity material. The membership of the Council increased from 120 at the end of 1967-68 to 242 by December 1968.

The National Council for Safety in Mines, continued to promote safety education and propaganda in all major coal and mica mines through field units which have gone up to 9 from 7 in the preceding year. In addition to its normal activities of safety propaganda, holding safety and accident prevention classes and observance of safety weeks in various mines, the Council held in April 1968, a training course for the Instructors of Vocational Training Centres. The Council also rendered assistance in organising Pit Safety Committees.

The activities of the Welfare Funds for coal and mica mines continued to expand. The Iron Ore Mines Labour Welfare Fund continued to provide medical, educational, recreational and other facilities for the workers in Iron Ore mines.

The Ministry has decided to set up an integrated Welfare Complex comprising the Welfare Funds for all mines for securing better planning and implementation of the welfare measures in a coordinated and effective manner.

Education and Training .- Training of officers administering labour legislation and labour policies and programmes continued to receive adequate, attention. Advantage was taken of the training facilities under the Indo-U.S. Technical Cooperation programme, Colombo Plan, Indo-French Technical Programme and the I.L.O. Expanded Programme of Technical Assistance. Training facilities were also rendered to other countries under some of these programmes. The I.L.O. and U.S.A.I.D. provided the services of 15 experts in Vocational Guidance, industrial relations, manpower, apprenticeship training, ventilation engineering, industrial psychology, and industrial engineering. It was also possible for the Department to place the services of five officers at the disposal of I.L.O.

The Indian Indian Institute of Labour Studies (Formerly the Central Institute for Training in Industrial Relations) provided training facilities to officers of the Central and State Governments as well as public undertakings. The Institute has so far conducted thirteen courses and has trained 274 officers including officers from foreign countries.

The Scheme for Workers' Education operated through the Central Board for Workers' Education continued to maintain progress. The Board brought out a number of publications and also produced a number of audio-visual aids. The Board continued to give grants-in-aid to trade unions and other organisations for conducting approved programmes of Workers' Education.

<u>Plan for 1968-69</u>.- The Plan proposals of the Department for 1969-70 and the Fourth Plan period were discussed with the Planning Commission in January 1969. A tentative provision of117 million rupees for the Fourth Plan period and of 19 million rupees for 1969-70 was approved. The break-up of these provisions under various broad groups is as follows:-

· · · ·	(Rs.in Million)			
	19	69–70	Fourth Plan Period.	
 (i) TrainingSchemes. (ii) Employment Service. (iii) Safety, Productivity, etc. (iv) Industrial Relations. (v) Labour Welfare and Social (vi) Research and Statistics. (vii) Dock Labour Housing. 	 Security	11.9 00.7 01.5 00.5 7.00.9 01.7 01.8	45.4 02.1 15.0 03.0 20.0 06.5 25.0	
Total.		19.0	117.0	

A major portion of the agreed outlay for training programmes would be spent on Foreman Training Institute, Bangalore, Central Staff Training and Research Institute, Calcuttacand Advance Training Institute at Madras. The National Apprenticeship programme including provision of Basic Training facilities in trades where facilities do not exist at present in the existing I.T.Is. are also proposed to be expanded.

170

Under the Employment Service Programmes the Central Institute of Research and Training in Employment Service and Vocational Rehabilitation Centres are proposed to be expanded and occupational information and guidance service strengthened. Under the Dock Labour Housing, it is proposed to construct more than 3,600 dwelling units for dock labour during 1969-74.

National Commission on Labour.- The National Commission on Labour which is currently reviewing various aspects of labour policy programmes and administration is expected to finalise its report by the end of May 1969.

Amonty other things, Volume II of the Report deals with programmes of craftsman training and manpower and employment. The Directorate-General of Employment and Training is in charge of the development and instruction of programmes relating to Employment and Vocational Training on a national basis.

A copy each of the Volume I and II of the Report of the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) was sent to Geneva on 25 April 1969 vide this Office minute D.2/2356/69 dated 25 April 1969.

++++++++

'L'

CHAPTER 6. GENERAL RIGHTS OF WORKERS.

62. Right of Association.

41

India - March-April 1969.

Andhra Pradesh: Industrial Employment (Standing Orders) Andhra Pradesh Amendment Act,1969 (Act No. 9 of 1969).

The Government of Andhra Pradesh gazetted on 31 January 1969 thetext of the Industrial Employment (Standing Orders) Andhra Pradesh Amendment Act, 1969 as passed by the Andhra Pradesh Legislature. The Act which received the assent of the President on 17 January 1969 makes the following amendments to the Industrial Employment (Standing Orders) Act, 1946, in its application to the State of Andhra Pradesh.

In clause (e) of section 2 of the Industrial Employment (Standing Orders)Act, 1946, after sub-slause (iv), the following shall b e added, namely:-

"Or

(v) such other establishment, as the State Government may, by notification in the Andhra Pradesh Gazette, specify in this behalf, which does not fall within any of sub-clauses (i) to (iv), and in respect of which the State Government is the appropriate Government."

> (Andhra Pradesh Gazette, Part IV-B, Extraordinary, 31 January 1969, pp.1-2).

64. Wage Protection and Labour Clauses in Employment Contracts with the Public Authorities.

India - March-April 1969.

Orissa: Payment of Wages Act, 1936, extended to persons employed in Paradip Port Establishment.

In exercise of the powers conferred undef the Payment of Wages Act, 1936, the Government of Orissa has extended the provisions of the Act to the payment of wages to all classes of persons employed in the Paradip Port Establishment.

> (Notification No.2490 - II W/1-5/68 L.E.H. dated 22 February 1969, the Orissa Government Gazette, Part III, 14 March 1969).

1.1.1

CHAPTER 7. PROBLEMS PECULIAR TO CERTAIN CATEGORIES OF WORKERS.

INDIA - MARCH-APRIL 1969.

71. Employees and salaried intellectual workers.

Kerala: Dearness Allowance rise for Government Employees.

The Kerala Government has raised the dearness allowance of its employees to the level of the Union G overnment rates with effect from April 1969.

The staff of aided schools and local bodies would also get the benefit of the dearness allowance rise. In the case of local bodies, the Government would bear 75 per cent of the expenditure, while the balance would have to be met by the local bodies themselves. Part-time teachers will get an additional dearness allowance of Rs.4 and other part-time employees on fixed pay, Rs.3 more.

The pay range, the revised Dearness Allowance and the existing rates (shown in brackets) are:-

	•			
Pay up to <u>Rs.</u>		<u>Rs</u> .	(Rs).	•
89 90-109 110-149 150-209 210-399		71 85 98 122 146	(65) (81) (91) (114) (137)	
400449 450499		160 164	(150) (153)	

The additional commitment to the Government on account of the revision in the dearness allowance is 25 million rupees annually.

(The Hindu, 10-4-1969).

West Bengal: Dearness Allowance rise for Government Employees.

The West Bengal Government decided to grant dearness allowance at the current Union Government rates to all State Government Employees with effect from 1 April 1969. Teaching and Non-teaching staff of non-Government institutions (where the State bears the Dearness Allowance) would also enjoy the benefit. The Government also decided to introduce the Compulsory Provident Fund Scheme, contribution amounting to 6 $\frac{1}{4}$ per cent of the basic salary. It was not compulsory so far.

The additional commitment to the Government on account of this revision in dearness allowance is 90 million rupees annually.

(The Hindu, dated 28-3-1969).

CHAPTER 8. MANPOWER PROBLEMS.

INDIA - MARCH-APRIL 1969.

81. Employment Situation.

Public Employment (Requirement as to Residence) Amendment Act, 1969 (Act No.1 of 1969).

The Government of India gazetted on 19 March 1969 the text of the Public Employment(Requirement as to R_esidence) Amendment Act, 1969, as passed by Parliament. The Act which received the assent of the President on 19 March 1969 makes the following amendments to the Public Employment (Requirement as to Residence) Act, 1957.

In section 3 of the Public Employment (Requirement as to Residence) Act, 1957 (hereinafter referred to the principal Act),-

(i) in sub-section (1), in clause (c), for the words "local authority", the words "local or other authority" shall be substituted;

(ii) in sub-section (2), clause (a) shall be re-lettered as clause (aa) and before, clause (aa) as so re-lettered, the following clause shall be inserted, namely:-

(a) "Himachal Pradesh" includes the territories specified in sub-section (1) of section 5 of the Punjab Reorganisation Act, 1966;.

In section 5 of the principal Act, for the words "ten years", the words "fifteen years" shall be substituted.

۱Tı

(The Gazette of India, Extraordinary, Part II Sec.I, 19 March 1969,pp.41-42). 84. Vocational Rehabilitation of Disabled Persons. 1, B

India - March-April 1969.

Special Schools for Deaf Essential.

According to a report on a survey of institutions for the physically handicapped conducted by the National Institute of Education, the number of handicapped children in India in the age group of 5 - 14 with defective hearing is 12,580,000 and of these about 300,000 are deaf. Hardly 2 per cent of the deaf children are at school. As regards the blind children it is estimated that only 1.5 per cent are in Special Schools. These figures reveal the need to pay greater attention to the establishment of Special Schools for the deaf and the blind in the country.

According to the survey there are 105 institutions for blind children and 92 for the deaf and dumb and mute, 20 adult training centres for the blind and four for the deaf, dumb and mute and three teachers training Institutes each for blind and deaf, dumb and mute.

The most neglected area is institutions for training teachers for various categories of the physically handicapped. There are only three institutions each for the blind, deaf, dumb and mute. For the deaf there is also the All India Institute of Speach and Hearing in Mysore which offers B.Sc. and M.Sc. degrees. But looking at the vastness of the problem, the need for more institutions of this type deserves serious consideration.

'L'

(The Statesman, dated 31 March 1969).

CHAPTER 9. SOCIAL SECURITY

92. Legislation.

India - March-April 1969.

Tamil Nadu (Madras): Schedule II to Workmens' Compensation Act, 1923, amended.

In exercise of the powers conferred under the Workmen's Compensation Act, 1923, the Government of Tamil Nadu (Madras) has made the following amendment to Schedule II to the said Act.

In the said schedule, after clause (xxxiii), the following clause shall be inserted, namely:-

"(xxxiv) employed otherwise than in a clerical capacity in the conduct of surveys in river valleys including collection of data relating to the river".

(Notification No.788 of 1969, G.O.Ms. No.2941, Industries,Labour and Housing (Labour) dated 21 August 1968, the Fort St.George Gazette, Part II, Sec.I, 19 February 1969,pp.104-105).

しつ

'L'

Report of the Employees' Provident Funds Scheme for the Year 1967-68*.

Scope and application.- The Employees' Provident Funds Act extends to the whole of India except the State-of Jammu and Kashmir. At the end of March 1968, 112 industries were covered under the Act as against 106 at the end of 1966-67. During the year an additional coverage of 2,977 establishments and membership of 0.296 millions were registered as against 4,530 establishments and memberships of 0.329 millions in 1966-67.

Conditions of membership like wage ceiling (not exceeding Rs.1000 a month) and minimum qualifying service (one year's continuous service) remained unchanged.

<u>Contributions.</u> The statutory rate of Provident Fund contributions both for the employers and employees is $6\frac{1}{4}$ % of basic wages and dearness allowance including the cash value of any food concession and retaining allowances.

During the period under review the enhanced rate of Rs.8 per cent. was extended to the following establishments employing 50 or more persons.

Cigarettes; Electrical, mechanical or general engineering Products; Iron and Steel; Paper, othern than hand made papers; Cement; Textiles; Matches; Edible Oils and fats (other than Vanaspathi); Rubber and Rubber Products; Electricity, including the generation, transmission and distribution thereof; Tea, Printing; Glass; Stone-Ware Pipes; Sanitary Wares; Electrical porcelain insulators of high and low tension; Refractories; Tiles; Heavy and fine chemicals; Indigo; Non-edible vegetables and animal oil and fats; Mineral oils refining; Newspaper establishments; Tea Plantations; Rubber Plantations; Cardamom Plantations; Peper Plantations; Lime Stone mines; Industrial and power alcohol;

* Annual Report on the Working of the Employees' Provident Funds Scheme 1952 for the year 1967-68: Employees' Provident Fund Organisation, pp.48.

Asbestos cement sheets; Coffee Plantations; Biscuit making Coffee curing establishments; industry; Plywood; Automobile repairing and Servicing; Rice milling; Dal milling; Flour milling; Road Motor transport; Sugar; Hotels; Restaurants; Establishments engaged in the storage or transport or distribution of petroleum or natural gas; Cinemas including preview theatres; Film Studios; Film production concerns; Distribution concerns dealing with exposed films; Film processing laboratories; Every Cane Farm owned by Sugar Factory; Starch; Petroleum or natural gas exploration, prospecting, drilling or production; Leather and leather products; Stoneware jars; corckery; Trading and Commercial establishments engaged in the sale or storage of any goods, including establishments of exporters, importers, advertiser, commission agents and Establishments engaged in the processing brokers; or treatment of wood; Saw mills; Wood seasoning kilns; Wooden preservation plants; Wood workshops; Bauxite mines; Laundry and laundry services; Theatres; Societies, Clubs which provide board or lodging; Companies, Societies, A ssociations, Clubs or Troops which give any exhibition of acrobatic or other performances; Fruit and Vegetable prservation industry; Confectionery; Buttons; Brushes; Plastic and plastic products; Stationery products.

Quantum of Contributions.- The total contributions received during the year was 1749.9 million rupees including 994.9 million rupees from exempted establishments. The compares with 1483.5 million rupees including 808.4 million rupees from exempted establishments in the previous year.

Arrears continued to be the most worrisome problem. At the end of 1967-68 arrears amounted up from 59.6 million rupees as on 31-3-1967 to 81.7 million rupees as on 31-3-1968. The growth in the arrears is by and large attributable to adverse economic conditions especially the recession in the Textiles and Engineering industries.

Inspections and Prosecutions. During the year under review, 4,366 recovery cases involving a sum of 37.362 million rupees had been instituted as against 4,109 cases involving a sum of 36.392 million rupees in 1966-67. The total amount of dues ralised by this process during 1967-68 was 17.080 million rupees.

49

Pending with Pending in Disposed of. Launched. Courts. State Governments. 7481* 4755* - 2548 5276 Convicted Acquitted 34 Withdrawn 818 Dismissed) 54 Discharged) 7481 4755 3454 5276 * Includes cases of previous year also. Claims. - During 1967-68, a sum of 240-3 million rupees in respect of 0.249 millions claims was paid as against 157.6 million rupees in respect of 0.216 millions claims for 1966-67. A sum of 969.2 million rupees has been paid upto the end of March 1968 in respect of 1.643 millions Category-wise particulars of the claims claims. Category-wise particulars of the claims settled in 1967-68 are given below. The figures · in brackets relate to 1966-67:-Category No. of claims settled Amount Paid (Rs.in Millions). i) Death 11,911 (10,962)14.459 (12.182) ii) Superannuation 13,262 (11,928)26.170 (21.504) iii) Permanent Invalidation 7,891 10.962 (10.817)(8,569)iv) Resignation/Termination of Service. 136,881 (121,602) 87.013 (68.698) v) Retrenchment 69,767 (55,089)94.509 (38.767) (2 665) vi) Dismissal 3,456 4,263) 2.941 vii) Migration 1,334 1,209) 1.606 1.347) Others. 4,831 2,702)2.612 1.588 Total:-249,333 (216, 324)240.272(157.568)

Besides 10,828 cases were transferred from one region to another or from the Fund to exempted establishments. The following table gives the period within which claims were settled during 1967-68. The figures in brackets give the comparative position in 1966-67:-

viii)

	Claims	Percentage		
 	alaima asttlad within 10 daws.	144-668	(133,007)	58 ≬62)
1) ii)	Claims settled within 10 days. Claims settled within one month but after 10 days.	-	(71,380)	
iii)	Claims settled within 3 months but after 1 month.	-	(10,985)	
iv)	Claims settled within 6 months but after 3 months.	1,461		
· v)	Claims settled within 9 months but after 6 months.	244		Q
vi)	Claims settled within 12 months but after 9 months.	49 8	(26) (122))) l
vii)	Claims settled after one year.	8	(122)	Q
	Total	249,333	(216,324)	100 (100)

<u>Special Reserve Fund</u>.- A Special Reserve Fund was created on 15 September 1960 with a view to making payments to outgoing members or their nominees/heirs when the employers had failed to remit to the Fund the whole or part of the provident fund contributions deducted from the wages of the members, pending recovery of the arrears from the Employer.

During the year a sum of 0.443 million rupees was paid out of this Fund bringing the total amount paid, since the institution of the concession to 7.578 million rupees. The amount recovered from the employers against these payments was 2.550 million rupees including 0.380 million rupees recovered during the year. The balance in the Special Reserve Fund at the end of March 1968 was 2.472 million rupees as against 2.535 million rupees at the end of March 1967.

Death Relief Fund .- On first of January 1964, Dealth Relief Fund was set up on a tentative basis to assure a minimum sum of 500 rupees to a nominee or heir of a deceased member. This benefit would not be available to the nominees or heirs of those deceased members who after having once received full retirement benefits had secured re-employment in a covered establishment. The total amount transferred to this Fund upto the end of March 1968 was 8.6 million rupees. A sum of 0.737 million rupees was paid out during the year involving 2879 claims as against 0.743 million rupees and 3035 claims during the previousyear. In all 11,364 claims have been settled and a sum of 2.684 million rupees paid out till the end of March 1968 since the inception of the Scheme leaving a balance of 0.916 million rupees in the Fund.

Advances.- Various kinds of advances, admissible and actual amount advanced are given below:

a) Advance for Insurance Policy.- An amount of 4.579 million rupees was remitted towards payment of premium in respect of 50,473 policies during the year as against a sum of 3.439-million rupees covering 47,738 policies during 1966-67.

b) Advance for Housing.- A sum of 8.478 million rupees was advanced towards house building during the year in 6,580 cases as against 6.356 million rupees in 5,038 cases in 1966-67.

c) Advance for purchasing Shares of Consumer Cooperative Societies. - A sum of 0.081 million rupees was advanced during rhe year in 2,701 cases as against 0.195 million rupees in 6,511 cases in 1966-67.

d) Special advance during temporary closure of an establishment. A sum of 11.785 million rupees was paid in 60,902 cases as against 11.148 million rupees paid in 56,762 cases in 1966-67.

e) Unemployment Relief Advance.- During the year-a sum of 0.390 million rupees was paid in 2,916 cases as against 0.174 million rupees paid against 780 cases in the preceding year. There was a perceptible increase in the demand for unemployment relief advance due to higher incidence of individual retrenchment.

<u>f) Advance for Illness</u>. A sum of 3.663 million rupees was paid in 14,967 cases as against 0.350 million rupees in 1,155 cases in 1966-67. This facility was extended to members' families also.

Income and Expenditure.- The expenditure involved in administering the Employees' Provident Funds Act and Scheme is met from a Separate Levy called the administrative and inspection charges, collected from employers of non-exempted and exempted establishments at the rate of 0.37 and 0.09 of 'pay' of all members respectively.

The year witnessed an increase of 2.852 million rupees in income and of 0.390 million rupees in expenditure over the previous year. The increase in the rate of dearness allowance and in the number of staff employed during the year accounted for the rise in revenue expenditure.

=====

LIST OF THE PRINCIPAL LAWS PROMULGATED DURING THE PERIOD COVERED BY THE REPORT FOR MARCH-APRIL 1969.

INDIA - MARCH-APRIL 1969.

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

Mysore Shops and Commercial Establishments (Amendment) Act, 1969 (Mysore Act No.4 of 1969) (The Mysore Gazette, Part IV, Sec.2-B, 27 February 1969, pp. 13-15).

CHAPTER 6. GENERAL RIGHTS OF WORKERS.

Andhra Pradesh: Industrial Employment (Standing Orders) Andhra Pradesh Amendment A_ct, 1969 (ActNo.9 of 1969) (Andhra Pradesh Gazette, Part IV-B, Extraordinary, 31 January 1969, pp. 1-2).

CHAPTER 8. MANPOWER PROBLEMS.

1 Tt

Public Employment (Requirement as to Residence) Amendment Act, 1969 (Act No.1 of 1969)(The Gazette of India, Extraordinary, Part II, Sec.1, 19 March 1969, pp. 41-62).

LIST OF ARTICLES

INDIA - MARCH-APRIL 1969.

Chapter 2. International and National Organisations.

- a) Trade Unions and Social Integration by Vijaya Kumar Chadha - Indian Worker 31-3-69.
- b) Workers' Participation in Trade Union Activity by N.R. Sheth - Indian Journal of Industrial Relations - January 1969.

Chapter 3. Economic Questions.

- a) Need-Based Minimum Wage by B. Tulpuli -Janatha 23 February 1969.
- b) Economics of Retrenchment Compensation by D.V. Rahalkar - Labour Bulletin of U.P. February 1969.
- c) The Bonus Ordinance A Study by G. Ramanujam - India Worker 3 March 1969.
- d) Productivity and Managerial Responsibility by A.V. Desai - Indian Journal of Industrial Relations January 1969.
- e) Labour and Economic Development by C. Kuriakose - Coordinating Committee for Independent Trade Unions - Labour Bulletin March 1969.
- f) Need-Based Wage and its Implementation -Some Problems by A. Fonseca and G.K. Verma - Social Action April-June 1969.

Chapter 6. General Rights of Workers.

- a) Management by Participation A.S. Menon A.I.C.C. Economic Review April 1969.
- b) Computer as a Management Tool by R. Khanna -Amrita Bazar Patrika 10 April 1969.
- c) Workers' Participation in Management Part II -M.R. Masani M.P. - Coordinating Committee for Independent Trade Unions - Labour Bulletin March 1969.

Chapter 6. General Rights of Workers (Continued).

d) Industrial Relations and Trade Unions -A.N. Saxena - Labour Bulletin of U.P., April 1969.

Chapter 8. Manpower Problems.

1 Ti

The Law on Lay-off in India - N.K. Joshi -Labour Bulletin of U.P., January 1969.



	Contents.	Pages.
•	CHAPTER 4. PROBLEMS PECILIAR TO CERTAIN BRANCHES OF THE NATIONAL ECONOMY.	
44.	Merchant Marine and Figheries.	
	Unemployment Insuranc: Benefits for Seamen: Tripartite Committee Appointed.	21
	CHAPTER 5. WORKING CONDITIONS AND LIVING STANJARDS.	·
50。	General.	
	 a) Delhi Shops and Establishments(Amendment) Bill, 1969. b) Labour Welfare Committee Report submitted: 	22 - 23
	Minimum Ameneties for Labour Welfare.	24 - 25
• • •	CHAPTER 6. GENERAL RIGHTS OF WORKERS.	
64.	Wage Protection and Labour Clauses in Employment Contracts with the Public - Authorities.	
•	Working of the Payment of Wages Act, 1936 in Mires during 1967.	26 - 27
67。	Conciliation and Arbitration.	
	Suggestions to resolve Labour Disputes.	28-29
69。	Co-operation and Participation of Indusrial Organisations in the Social and Economic Organisations.	•
/	Report on the Working of Joint Management	
	Councils for the Year 1968.	30-31
CHAI	PTER 8. MANPOWER PROBLEMS.	

-ii-

80. General.

Number of Engineers with Post-Graduate Degrees: Fourfold Increase during Ten Year Period ending 1967。 32-33

81. Employment Situation.

- a) Employment Exchanges Working during May 1969.
- b) Survey to ascertain the Employment Status of Craftsmen trained under the Craftsmen Training Scheme.
- c) Job-Seekers on the Increase: Views of Different Study Groups.

36-38

34-35

39-40

Contents.

Pages.

CHAPTER 9. SOCIAL SECURITY.

*

*

-iii-

92. Legislation.

- a) Orissa: Draft Amendment to Schedule II of 41
- b) Mounting Arrears of Employers' Contribution to Provident Fund: Government to take Remedial Measúres. 42-43

LIST OF ARTICLES -/INDIA-MAY-JUNE-JULY 1969. 44-45

CHAPTER 1. INTERNATION L LABOUR ORGANISATION.

INDIA - MAY-JUNE-JULY 1969.

12. Activities of External Services.

The I.C.F.T.U. Asian Trade Union College arranged a Workshop for Trade Unionists engaged in Educational Work at local level from 28 April to 10 May 1969. The Firector of this Office, Mr. P.M. Menon addressed the Workshop on the I.L.O. on 6 May 1969.

The International Cooperative Alliance celebrated the 47th International Cooperative Day on 5 July 1969 at New Delhi. The Director attended the meeting and spoke about I.L.O's interest in the Cooperative Movement.

The Sixth Meeting of the Central Committee on Employment was held at New Delhi on 16 July 1969. The Director attended the meeting as a special invitee.

۱Tı

On the invitation of the Commissioner of Labour Madras, the Director attended the inauguration of the 50th anniversary celebrations organised by the Government of Madras on 20 July 1969 at Madras. The State Labour Minister presided on the occasion and the Chief Minister of the State inaugurated the celebrations and opened an exhibition. The Director of this Office spoke on the occasion about I.L.O.

13. Press and Opinion.

India - May-June-July 1969.

In addition to the attached clippings the following references to the work of the I.L.O. appeared in Indian Journals received in this Office.

1) The October-December 1968 issue of Oceanite contains an editorial/on I.L.O.

2) The same issue of Oceanite, publishes a full report of the I.L.O. Seminar on Maritime Training for Asian Countries, held in Denmark.

3) The same issue contains an article on the Fifthtieth anniversary of I.L.O. and also an article on I.L.O. by the Director of this Office.

4) The June issue of Industrial Bulletin writes an editorial 'I.L.O. and Social Progress'. The article highlights the contribution of I.L.O. to the welfare of the working class during the last fifty years.

5) The May Day issue of Janatha publishes an article "I.L.O. Symbol of Hope and Humanisim" by Mahesh Desai. The author emphasises the activities of ILO against unemployment.

6) The 1 July 1969 issue of Industrial Bylletin publishes a note on "I.L.O. and the Right to Strike", reproduced from I.L.R.

7) The 15 July 1969 issue of Industrial Bulletin contains another reproduction from I.L.R. "I.L.O's contribution to Labour Relations system.

111

CHAPTER 2. INTERNATIONAL AND NATIONAL ORGANISATIONS.

INDIA - MAY-JUNE-JULY 1969.

24. Non-Governmental Organisations (International, Regional and National) Other than Employers' and Workers' Trade Organisations.

29th Annual Conference of the All India Manufacturers' Organisation held at New Delhi, 10-11 May 1969.

The 29th Annual Conference of the All India Manufacturers' Organisation was held at New Delhi on 10-11 May/1969. The Conference was inaugurated by the Prime Minister, Mrs. Indira Gandhi. Among others Dr./D.R. Gadgil, Deputy Chairman of the Planning Commission also addressed the meeting.

Creation of the right psychological climate in which licensing provisions, price and distribution controls and inordinate administrative delays which act as impediments to growth are reduced to the minimum was demanded at the annual meeting. It also emphasised the need for creating an economy of abundance in place of one of scarcity by giving the greatest possible encouragement to increasing the output of goods and services rather than to restraining consumption.

Dr. Gadgil, in his address said there was an awareness in the public sector lately to do better. The Planning Commission was suggesting more autonomy in the individual management of a project, with stress at the same time on coordinated developing development of various projects. These measures were bound to have an impact on the efficiency of the Public Sector in the next three years.

Referring to the Fourth Plan Dr. Gadgilsaid the private sector had a larger scope in its implementation. He was confident that five per cent growth rate in agriculture was feasible which not only would lead to seff-sufficiency on the food front but would also lead to fuller utilisation of capacities in industries, the base for which have been created with previous plans.

In a resolution on "Industrial development in the 1970's", the AIMO suggested a five-point programme for achieving a higher degree of selfreliance, developing large employment potential and building up a wide and diversified export base. It noted that the outlook for industrial development in the 70's is certainly bright provided the opportunities which are presenting themselves are seized, political stability ensured, and a congenial environment created in which enterprise can flourish and earn its legitimate reward. The resolution urged the Government to exercise greatest possible care to maintain price stability to enable growth of savings which could be tapped for industrial development. The public sector enterprises must be made to operate profitably and on commercial lines. They should work in close association with units in the private sector with a view to avoid imbalances in supply and gross under-utilisation of capacity. While import of technology on the basis of collaboration should be done with great circumspection so as not to inhibit growth of indigenous skills, the approach must be highly realistic and import of technical brainpower by way of engaging services of individuals and teams from abroad should be engouraged. Meanwhile, grearest possible attention should be paid to research and development with in the country by the National Research Laboratories and by manufacturers themselves to keep track with the pace of technological development the world over.

Equality of Opportunity.- The resolution identified agro-industries, labour intensive industries, consumer industries, export based industries and the road transport industry as the areas in which intensive development efforts should be concentrated since it is felt that substantial progress in them is possible at the present juncture and has as the country has by now established a fairly diversified industrial structure and has acquired the necessary skill for the forward thrust.

In its resolution on "National Integration for economic development ", the AIMO points out that since increased economic activity which results in gainful employment is necessary to meck the fissiparous tendencies and to create oneness of feeling in the entire population, a co-ordinated effort should be made by all sections of the society and the Central and State Governments for economic Industrialists should readily come development. forward to start industry or business in any part of the country especially in industrially backward They should also strive for ensuring -Sites States. equality of opportunity and treatment in service, employment, business and other vocations to every one. On the part of Central and State Governments, efforts should be made to recognise that all material resources of the country, including rivers and mines, are the common property of the entire nation. A national policy should be followed for effectively tapping them in a co-ordinated and co-operative manner.

The Conference also stressed the free movement of food grains and other commodities throughout the country.

Mr. P. Randal Patel was elected as President of the All India Manufacturers' Organisation for the year 1969.

(The Hindu, 12-5-1969).

1 T.1

CHAPTER. 3. ECONOMIC QUESTIONS.

6

الم الم المراجع والمستقلين المن المنتظم المراجع المنتظم المنتظم المنتظم المنتظم المنتظم المنتظم المنتظم المنتظ

34. Economic Planning, Control and Development.

India - May-June-July 1969.

The Banking Companies (Acquisition and Transfer of Undertakings) Ordinance, 1969 (No. 8 of 1969).

The Vice-President acting as President of India promulgated on 19 July 1969 an Ordinance to provide for the acquisition and transfer of certain banking companies in order to serve better the needs of development of the economy in conformity with national policy and objectives and for matters connected therewith or incidental thereto.

The 14 banks covered by the Ordinance are the Central Bank of Inida, Bank of India, Punjab National Bank, Bank of Baroda, United Commercial Bank, Canara Bank, United Bank of India, Deena Bank, Syndicate Bank, Union Bank of India, Allahabad Bank, Indian Bank, Bank of Maharashtra and the Indian Overseas Bank. The Ordinance excludes from the scope of nationalization Indian scheduled banks with deposits of less than 500 million rupees at the end of June 1969 and branches of banks incorporated outside India.

While excluding the foreign banks from the purview of nationalization, the Government has decided to ask the Reserve Bank to instruct these banks not to increase their deposits.

Compensation will be paid to the shareholders of the acquired banks on the basis of the net value of their assets less the liabilities. Provision is being made for the appointment of a tribunal to which disputes regarding compensation will be treferred for adjudication.

The scheme of nationalization envisaged in the Ordinance provides "the necessary degree of continuity in the normal operations of each bank so that the relations of the depositors and borrowers with their banks are not disturbed. The essential identity of each acquired bank will be preserved in the form of a new corporate body in which the business and undertaking of the acquired bank will vest.

Each new corporation will be managed by a person appointed by the Central Government who will be designated as the custodian and will function as the Chief Executive Officer of the new bank. The chairman of e_ach acquired bank is being appointed as the custodian of the corresponding new bank.

The baord of directors of the acquired banks are being dissolved but the Government intends to appoint an advisory board for each of the acquired banks.

Employees of the acquired bank will automatically become employees of the new corporation on their existing terms and conditions.

The Ordinance was later replaced by a Bill which was passed by Parliament and received the assent of President on 11 August 1969.

1 T I

(The Gazette of India, Extraordinary, Part II, Sec.1, 19 July 1969, pp.215-225).

Industrial Policy liberalised for diversification.

The Government of India has further liberalised its industrial Policy to allow the organised sector greater freedom in product diversification and to make articles normally produced in the small-scale sector. By a notification three years ago the Government had allowed the organised sector to diversify production subject to the condition that the new lines would not include any of the 72 articles in which the small-scale sector was substantially interested. This was done mainly to protect small-scale sector. The Government has now revised the list of such industries.

S

As against 72 articles which were practically reserved for the small-scale sector, the new list contains only 47. The remaining 25 have been thrown open to the organised sector for production through diversification.

These articles include cigarette lighters, bicycle parts, fountain pens, hair pins, adhesive tapes, mechanical toys, nail cutters and weights and measures.

The small-scale sector will continue to enjoy protection in 47 industries, including absorbent cotton, automobile radiators, barbed wire, domestic electrical appliances, bolts and nuts, fireworks, full P.V.C. footwear, hurricane lanterns, laundary soap, miniature bulbs, safety matches and water meters.

(The Times of India, 28-6-1969).

1 T.1

36. Wages.

India - May-June-July 1969.

Central Government accepts Recommendations of Second Wage Board for Cotton Textile Industry.

A Resolution dated 17 May 1969 of the Ministry of Labour, Employment and Rehabilitation, states that the Government of India appointed in 1964 the Second Wage Board of the Cotton Textile Industry to consider the question of a further revision of the wage structure in the industry, keeping in view the following :-

(i) the recommendations of the first Wage Board for the Cotton Textile Industry, constituted by the Government of India by their Resolution No.WB-1(3), dated 30 March 1957 and Government decisions thereon as published in Resolution No.WB-8(78), dated 2 March 1960;

9

- (ii) the principles of fair wages as set forth in the report of the Committee on Fair Wages;
- (iii) the needs of the industry in a developing economy including the need for maintaining and promoting exports;
 - (iv) the various elements of labour costs (excepting bonus) apart from wages;
 - (v) the requirements of social justice;
 - (vi) the need for adjusting wage differentials in such a manner as to provide incentive to workers for advancing their skill; and
- (vii) the desirability of extending the system of payment of result.

The Board's Report was submitted to the Government on 31 December 1968 and after a careful examination of the report, including the views expressed in the dissenting note of the employers' representatives and at the tripartite meeting held at New Delhi on 25 February, 1969, the Government of India has decided to accept the majority recommendations of the Wage Board briefly summarised below. The Government of India has further decided that the Wage Board's recommendations should remain operative for a period of 5 years with effect from 1 January 1969, andthat during this period there should be no claim for revision of matters covered by the recommendations, in those establishments which implement these fully.

The concerned organisations of employers and workers and also the State Governments are requested to take steps to set cure implementation of the recommendations accepted by the Government.

Board's Recommendations

(1) Every person employed in the Cotton Textile Industry, who answers to the definition of 'workman' in the Industrial Disputes Act, 1947 or the definition of 'employee' under the Bombay Industrial Relations Act, 1946, as the case may be, should be governed by the recommendations of the Board.

(2) The sewing thread industry falls within the scope of the Board's recommendations.

(3) The Board finds itself unable to make any recommendations in regard to the powerloom sector. The Board, however, recommends setting up of a separate Wage Board if the Government is so advised.

(4) The Board is not making any recommendations in respect of the purely staple fibre units except to say that they will maintain the existing parity, if any, with the revised wages for the cotton textile workers in the centre. So far as the Mills engaged partially or intermittently on staple fibre are concerned, they fall within the scope of the Board's recommendations.

(5) The Board does not intend to bring within the purview of its recommendations, the processing units which are entirely dissociated from a cotto n textile concern.

(6) The recommendations of the Board shall cover the processing units which are an integral part of a spinning or a composite cotton textile concern.

(7) The other recommendations are given in Para 255 of Chapter IX of the report (annexed).

ANNEXURE (Para 255 of Chapter IX)

(1) <u>Narrowing down the dispartities in dearness</u> <u>allowance.- (a) Where the average monthly dearness</u> <u>allowance paid by a unit during the year 1968 to its</u> <u>lowest-paid worker falls short of Rs.140, thedifference</u> <u>between the sum so paid and Rs.140 shall be made</u> <u>up-over a period of 5 years commencing from 1 January</u> <u>1969 as far as may be in the manner specified below.</u>

 \mathbf{H}

If the difference is Rs.15 or more, the unit shall pay to every worker an additional dearness allowance of Rs.3 per month from 1 January 1969; Rs.6 per month from 1 January 1970 and so on till 1 January 1973.

If the difference is less than Rs.15, it shall make similar payments to every worker from 1 January 1969 until the difference is made up. If, however, the difference can be made up by paying an additional sum of less than Rs.3 at any stage, only such sum falling short of Rs.3 as makes up the difference shall be paid.

For the purpose of calculating the average monthly dearness allowance paid during the year 1969, the total dearness allowance including the fixed, variable and flat dearness allowance paid during the year shall be taken into account.

(b) Where a unit has not paid any separate dearness allowance during the year 1968 and has paid less than Rs.175 to its lowest-paid worker by way of total monthly average wage during that year, it shall make up the difference between the sum so paid to every worker and Rs.175 in the manner indicated in clause (a) above.

The total average wage paid during the year 1968 to the worker shall be taken as the basis of these increases only until such time the unit implements our recommendations regarding payment of a separate dearness alhowance linked to Consumer Price Index Number, after which our recommendation in clause (a) above will apply.

(c) As far as the units paying separate dearness allowance are concerned, this phased payment is independent of and in addition to the dearness allowance payable to the workers on the existing scheme and at the existing scale in the respective units. As regards the units where no separate dearness allowance is paid, this phased payment shall be independent of and in addition to any other increments to which the workers are entitled to under arrangements, if any, existing in the respective units. (2) Linking dearness allowance with Consumer <u>Price Index.</u> The recommendation of the first Wage Board made in para 107 of their report shall be implemented forthwith by the units which have not done so till now. For the sake of convenience, we reproduce the relevant recommendation hereunder:

)2

"The Board recommends that dearness allowance should be linked to the cost of living index in all centres, and if any centre has not such cost of living index, the index of the nearest centre should be taken for that purpose. The Board has also come across some cases where there is only a consolidated wage or a fixed dearness allowance. In both cases we have found that the total wages are comparatively lower. We recommend that in these cases also the dearness allowance should be made adequate and linked to the cost of living index number by a suitable machinery."

(3) Merger of dearness allowance with basic wage.- (a). The recommendation of the first Wage Board made in para 109 of their report shall be implemented forthwith. The said recommendation is reproduced for ready reference:

> "The Board has reached the conclusion that the consolidation of dearness allowance with basic wage in each mill should take place at an index which will yield an amount equal to three-fourths of the average dearness allowance of the first six months of 1959. It is our intention that the remaining 25 per cent dearness allowance which will continue as dearness allowance. shall have a flexible character, and shall rise and fall according to the further cost of living; and the difference between the future index and the point at which the current index is merged shall be compensated according to existing method and at the existing scale."

(b) The basic wage as it stood before the recommendations of the first Wage Board plus the increases granted by that Board in para 106 of their report plus the dearness allowance equal to three-fourth of the average dearness allowance of the first six months of 1959 shall be treated as the basic wage from 1 January 1969. (4) Linking the revised wages to productivity.-(a) A number of occupations are already underpiece-rate system. If any öther occupation is to be brought under piece-rate syste, it should be open to the management to do so in consultation with the workers concerned.

(b) The piece-rates shall be revised upward by linking the existing number of units of production to the revised basic wage as determined in accordance with clause (b) of recommendation (3).

(c) The 'fall-back wage' for the occupation shall not be less than the average monthly basic earnings during three normal months prior to 1 January 1969. As toewhat constitute the 'three normal months' shall be settled between the management and the workers, failing which, it shall be competent to the State Government to decide the same.

(5) Annual increment. (a) The workers who are now on time-scale shall be brought on time-scale by being given annual increments from 1 January 1969 at the rate of one per cent of their revised basic wage on 1 January 1969 as determined in clause(b) of recommendation (3), subject to a minimum of Re.l per month in the case of units falling within the category I and 75 paise per month in the case of units falling within the category II. These annual increments shall be given for a period of 10 years from 1 January 1969.

(b) The workers on piece-rates also shall be given the increments as in clause(a) above in their piece-rate earnings.

Explanation to Clauses (a) and (b).- (i) To be eligible for the above annual increments, a worker should have worked for at least 240 days in a calendar year and the computation of the number of days worked shall be as provided by Section 14 of the Payment of Bonus Act, 1965.

(ii) The 'categories' referred to are the 'categories' into which the industry was divided by the first Wage Board.

(c) Where employees are already on a time-scale, they shall have their scales recast as under with effect from 1 January 1969.

(i) Increase of Real(Rupee one) in the case of employees in units falling within category I and 75 paide in the case of employees in units falling within category II in the rate of annual increments at every stage;

(ii) merger of the fixed dearness allowance as for tabour with basic pay at the floor and right through to the ceiling; and (iii) extension of the ceiling by five annual increments, at the last rate of the revised increment under clause (i).

Explanation.- (i) The 'categories' referred to are the 'categories' into which the Industry was divided by the first Wage Board.

(ii) The time-scale in every case shall be revised in the following manner:-

Add the fixed dearness allowance to the floor of the present scale and right through to the ceiling. Then, add the increase under clause (c)(i) tothe rate of increment at every stage obtaining in the existing scale. Extend the ceiling by five increments at the last revised of increment. After thus formulating the new scale, add to the basic pay of the employee in the existing time-scale, the fixed dearness allowance due to him andfit him into the new scale. The amount so arrived at shall be his basic pay in the new scale. If such basic pay coicides with any stage in the new scale, his basic pay shall be fixed at that stage as on 1 January 1969 in the new scale; but if it falls between two stages in the new scale, his basic pay shall be fixed at the next higher stage in the new scale.

(6) Gratuity.- (a) The amount of gratuity payable to all classes of employees entitled to the same under the existing scheme and basis shall be increased by 25 per cent on and after 1 January 1969. We recommend that the existing gratuity schemes in the different units shall be suitably altered to give effect to our above recommendation.

(b) If in any unit, no gratuity scheme is in force, it shall introduce the scheme obtaining in the nearest comparable unit in the Industry.

(7) Rationalisation - Subject to the following basic conditions:

(i) there should be no retrenchment or reduction of earnings of the employees found surplus, i.e., the existing complement should be maintained barring natural separation or wastage;

(ii) there should be an equitable sharing of the gains of rationalisation as between the community, the employer and the worker; and

(iii) there should be proper assessment of workloads by experts mutually agreed upon, and also suitable improvements in the working conditions. We recommend that there shall be an expert body set up in each State to whom disputes regarding rationalisation shall be referred and its decisions shall be binding on the parties. The process of rationalisation shall be comprehensive and cover all departments of the industry including the managerial and administrative departments.

(8) Existing Benefit. - We wish to make it clear that nothing in these recommendations shall have the effect of reducing or denying any existing benefits or amenities or emoluments to which workers are entitled.

(9) Effective date of implementation of the recommendations. Our recommendations shall take effect from 1 January 1969.

(The Gazette of India, Extraordinary, Part I, Sec.l, 20 May 1969, pp. 339-344).
Minimum Wages for Workers under Central Government Fixed.

The Government has fixed the minimum rates of Wages for unskilled, semi-skilled and skilled Bupervisory and clerical workers. The workers who are grouped in various categories - highly skilled, skilled, semi-skilled and unskilled as also supervisory and clerical will get minimum wages ranging from Rs.2.40 to Rs.9.25 a day.

The wages depend on the area in which they work (the country has been divided into five areas for the purpose) and the degree of skill involved in the job.

For fixing wages in agriculture and construction industries the country has been divided into five The minimum rate of wages for unskilled areas. workers in agriculture is Rs.3.70 per day in area "A" which comprises Bombay, Calcutta, Delhi and Madras and all places within a distance of eight kilometers from their periphery. The minimum rates of wages fixed in area"B-1" which includes Ahmedabad, Bangalore, Hyderabad, Kanpur, Poona and all places within the distance of eight kilometers from the periphery of their corporation is Rs.3.40 per day. The minimum rate of wages for the category of workers in area "B-2" consisting of Agra, Allahabad, Jaipur, Lucknow, Nagpur, Madurai, Varanasi and all places within a distance of eight kilometers from their munifipal limits is Rs.3.10 per day. The minimum rate of wages fixed for "C" area which comprises smaller towns and "D" area consisting of rural areas are Rs.2.80 and Rs.2.50 per day respectively.

The minimum rate of wages fixed for unskilled workers in construction industry comes to Rs.3.50 in area "A", Rs.3.20 in Area "B-1", Rs.2.90 in Area "B-2", Rs.2.60 in Area "C" and Rs.2.40 in Area "D". The minimum rate of wages for unskilled workers in Bauxite and gypsum mines is Rs.2.60 per day and in barytes and manganese mines is Rs.2.40 per day throughout the country.

Agriculturer labourer, grazier, grass-cutter and weighman have been classified as semi-skilled and their minimum wages range from Rs.3.30 per day in area "D" to Rs.4.90 per day in Area "A".

16

More than 600,000 workers in agriculture and construction and minining industries in the the Central Sphere will be covered by this notification. The new rates came into force from 19 May 1969.

(Patriot, New Delhi, 22-5-1969).

Punjab Links Wages with Price Index.

The Punjab Government had decided to link minimum wages with the working class cost of living index in all employments covered by the Minimum Wages Act of 1948 including agricultural labour.

The quantum of neutralization would be at the rate of 50 paise per point rise in the index. The adjustment in wages would be made only twice a year on January 1 and July 1. The neutralization would be on the basis of the average rise or fall of the index during the six months preceding the date of reckoning.

The minimum rate of neutralization would, however, not affect the bilateral arrangements between workers and employers and all other existing agreements and settlements would remain undisturbed.

(The Hindustan Times, 5-6-1969).

ıT،

Study Group of the National Labour Commission suggests Universal Minimum Wage, Not Feasible in India.

19

A study group of the National Labour Commission has not found it feasible to recommend fixation of minimum wage for the country's economy as a whole. In view of the widely varying wage levels in different regions and among different industries, most of them below the absolute minimum, the concept of an immediate universal or widely prevailing minimum wage has no appeal in the present context. Different minima for different industries fixed region-wise will have a greater appeal and function.

The group has expressed the view that real wages only increase to the limit permitted by the per capita consumption. The very desirable objective of increasing the real wages of the working class as a whole demands a planning and investment policy which will increase the flow of common consumption goods at a faster rate than population growth. In fixing different minima for different industries on a regional basis, the group has recommended two different considerations to be borne in mind. Rapidly expanding industries where there is difficulty in attracting labour and the requisite skill, strength and discipline, there would be a prima facie case for raising wages more than the norm suggested. It would be the reverse in relatively declining industries.

While emphasizing that the capacity of the industry to pay is regarded as a very crucial criterion for minimum wage fixation the study group has expressed the view that its application, except in a marginal way, has severe limitations in the case of a country like India. The group says that if the economy has to advance, savings has to increase faster than consumption and since the savings emnate from the accumulation of profits, the latter have to increase. In this connection, it has referred to the tendency among some profit-earners to spend their incomes in meretricious consumption and has emphasised the need for a well -articulated fiscal policy which can relate profits accrued to productivity effort and control unnecessary expenditure out of them.

On dearness allowance, the group has suggested full protection against price increases to the lowest income group workers. On wage differentials within an industry, the group is of the view that they are not adequate for the purpose of encouraging the requisite skill formation. It is extremely essential fora developing economy that these fifferentials are widened. The group has also recommended merger of a large part of the present dearness allowance into basic wages. Theprices prevailing in 1960 could furnish a fair basis for determining basic wages. In order to take care of future price increases or decreases, a small part of the dearness allowance could be kept variable.

For workers in the Public Sector it has recommended that the same policy should be followed as in the private sector. Any dishonesty in this regard, it has warned, may adversely affect the growth and efficiency of the Public Sector which is assigned a crucial role in Indian Planning.

(The Hindu, 7-7-1969).

44. Merchant Marine and Fisheries.

India - May-June-July 1969.

Unemployment Insurance Benefits for Seamen: Tripartite Committee Appointed.

The Sixth Meeting of the National Welfare Board for Seafarers which met under the Chairmanship of Mr. Raguramiah, Union Minister of State for Shipping and Transport, has appointed a Tripartite Committee to study the introduction of unemployment insurance benefit for Indian seamen. The Board has also decided to recommend suitable amendment to the income tax rules to ensure that income tax be deducted only if the wages of a seaman during voyage exceeded the taxable limit and not at source on the estimated total earnings as was done at present.

The Board also appointed a tripartite committee to examine the existing welfare facilities and ameneties to seamen at Indian and foreign ports and suggest measures for improving them.

111

(The Hindustan Times, 30-7-1969).

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

INDIA - MAY-JUNE-JULY 1969.

50. General.

Delhi Shops and Establishments (Amendment) Bill, 1969.

Mr. Jaisukhlal Hathi, Union Minister of Labour, Employment and Rehabilitation, Government of India, introduced in the Rajya Sabha on 28 April 1969 a Bill further to amend the Delhi Shops and Establishments Act. 1954. The Statement of Objects and Reasons of the Bill states that the Delhi Shops and Establishments Act, 1954, which was enacted by thethen Delhi Legislative Assembly, regulates the hours of work, payment of wages, grant of leave and holidays, terms of service and other conditions of work, of persons employed in shops, commercial establishments and establishments for public entertainment. The working of the Act has revealed certain difficulties in the effective enforcement of its provisions. With a view to removing these difficulties, it is now proposed -

(a) to widen the coverage of the Agt so as to bring within its scope apprentices, piece-rated workers and persons employed on commission basis;

(b) to provide for a period of thirty days instead of fifteen days in respect of any change to be communicated to the Chief Inspector under section 6;

(c) to make it obligatory for the employer to fix interval for rest and meals and to intimate it to the Chief Inspector;

(d) to vest in the Government the power to specify by notification the "close day", locality-wise, trade-wise or uniformly for the whole of the Union Territory of Delhi; (e) to provide that claim applications arising out of delayed payment or non-payment of wages can also be filed by any official of a registered trade union if authorised in writing by the employee;

(f) to increase the time limit for filing claims from six months to twelve months;

(g) to raise the ceiling for accumulation of privilege leave from two years to three years' entitlement and to permit grant of sickness or casual leave on a proportionate basis; and

(h) to prohibit employees from contracting out of any of the benefits extended by the Act.

The Bill is intended to give effect to these proposals.

'L'

(The Gazette of India, Extraordinary, Part II, Sec.2, 28 April 1969, pp.423-427).

Labour Welfare Committee Report Submitted: Minimum Ameneties for Labour Welfare .

The Committee on Labour Welfare headed by former Union-Deputy Labour Minister R.K. Malaviya (vide page 46 of the report of this Office for the month of August 1966) has submitted its report on 31 July 1969.

The Committee has recommended to the Government to lay down a bare minimum of Labour Welfare ameneties to serve as an ideal for all industries. However, the Committee has suggested that industrial units could be exempted for a specific period where economic conditions and nature of the unit are not able to provide such ameneties.

The Committee has recommended that a Central Labour Welfare Board with tripartite contribution be set up in addition to statutory welfare boards in each State to supervise welfare ameneties.

Regarding agricultural and rural labour, it has recommended that a farm employing five or more labourers be made statutorily responsible to provide basic ameneties like drinking water, first aid, rest shelters, and protective equipments, including safety appliances to them. A suitable legislation to this effect should also be enacted urgently. The Committee has recommended a fine of 500 rupees which may go up to 3,000 rupees for repeated infraction or violation of statutory provisions. With a view to ensuring that statutory welfare ameneties are provided from the inception of the factory, it would be desirable to introduce a provision in the statutes that no factory shall start functioning or permitted to be constructed if such necessary provisions are not made in the construction plan for the proposed factory.

Regarding the Employees' State Insurance Scheme, the Committee is of the opinion that its functioning should be streamlined and improved upon and the basic recommendations of the Employees' State Insurance Review Committee be implemented soon. As a matter of encouragement such employers who give better medical ameneties and whose workers are satisfied with those ameneties should be given appropriate release in their contribution to Employees' State Insurance Corporation. As far small units, the Committee suggested that medical facilities be provided on joint basis by a group of employees in scattered areas. The report said the Centre should take initiative to formulate a scheme forworkers' convalescent homes and sanatoria. For this, assistance and cooperation may be sought from State Governments, public sector undertakings, Central Employers and Workers' organisations and autonomous corporations like ESI and LIC.

The Committee has also suggested complete integration of family planning with maternity and child health programme where it has not been done so far. The Committee has suggested that each State should have an automomous housing board to construct and maintain houses for workers. The Board should earmark a minimum of 20 per cent of its finances for house construction exclusively for industrial workers. The employers should be given exemption from taxes or rebate on them for the amount spent on construction of houses for industrial workers.

The Committee has also recommended that Plantations Labour Act be amended to bring it at par with the definition of the Workmen under the Industrial Disputes Act. The Committee has recommended the setting up of a general miners' welfare Fund to be administered by the Central Government.

(The Hindustan imes, dated 1-7-1969)

1 T t

CHAPTER 6. GENERAL RIRHTS OF WORKERS.

64. Wage Protection and Labour Clauses in Employment Contracts with the Public Authorities. 2A

India - May-June-July 1969.

Working of the Payment of Wages Act, 1936 in Mines during 1967.

Introduction.- The Payment of Wages Act 1936 seeks to regulate payment of wages and ensures regular and prompt payment of wages without any un-authorised deductions and fines, to the employees covered by the Act. The Act is applicable to all persons employed in Mines and drawing wages below Rs.400/--per month. The Payment of Wages (Mines) Rule 1956, framed by the Central Government, apply to persons employed in mines, either by the owner or by the contractor.

Inspections and Irregularities. The number of inspections made during the year under report was 5,105 as against 5,062 during the previous year. Total of 20,974 irregularities were detected as against 18,782 in the previous year. The largest number of irregularities detected related to non-maintenance of registers, comprising 26.2 percent of the total in 1967 and 26.9 per cent in 1966.

Rectification of Trregularities.- As many as 20,974, irregularities were detected during the year and 4,920 irregularities were pending rectification at the end of the previous year. Thus a total of 25,894 irregularities required rectification during the year 1967. Out of these 25,894 irregularities 19,132(73.9 per cent) were rectified during the year under review leaving a balance of 6,762 (26.1 per cent) irregularities pending rectification at the end of the year 1967. Of the 19,132 rectified irregularities, 9,839 (51.4 per cent) were rectified within 3 months; 5,255 (27.5 per cent) within 3 to 6 months; 3,556 (18.6 per cent) within 6 to 9 months; and 480 (2.5 per cent) within 9 to 12 months. <u>Claims</u>.- In all, 543 cases were disposed of during the year, of which, 210 cases were decided in favour of employees; 25 against the employees and 308 cases were withdrawn. The total amount of claims amounted in respect of these claims cases which were decided in favour of employees was Rs.109,039.

<u>Prosecutions</u>.- During the year under eeport 470 cases were fided and of these 233 cases were disposed of; 194 cases resulted in convictions of the employers with fines amounting to Rs.9,681.

Annual Returns.- Asrequired under the Payment of Wages (Mines) Rules 1956, 2179 mines employing 614,265 workers submitted the return during 1967 as against 1873 mines employing 426,661 workers during the previous year. The total wages paid during the year by the employers submitting returns amounted to Rs.878,539,207 as against Rs.494,389,955 paid during the previous year. Deductions of Rs.277.00, Rs.2409.00 and Rs.233.00 were made from wages of workers due to fines, damage or loss and brach of contract respectively. An amount of Rs.360.00 was disbursed from the Fines Fund during the year.

<u>Conclusions</u>. It will be seen that during the year as compared to the previous year, the number of inspections and the irregularities detected increased from 5062 and 18782 to 5105 and 20974 respectively. The enforcement of the Act and the Rule was quite effective and purposeful during the year under review.

(Indian Labour Journal, July 1969).

1 T 1

67. Conciliation and Arbitration.

India - May-June-July 1969.

Suggestions to resolve Labour Disputes.

Inaugurating a Seminar on Employer - Employee Relations in Madras the President, Mr. V.V. Giri said for bringing prosperity to the country and greater returns to all sections of the community it was essential to have happy and harmonious relations between labour and management. The pre-requisite in this task was that labour should be fully conscious of its duties and responsibilities before it agitated for rights and previleges. Employers had also their definite task and should sincerely realise the value of trade unions. The Government should see that the fruits of economic and social progress were shared equitably so that it could act as an incentive for the workers to give of their best.

Mr. Girk came out against referring issues to third party settlement and thought it was far better to settle disputes through joint consultative machinery. If however, they had to resort to outside machinery he suggested an approach to reduce the area of conflict and increase the area of cooperation.

Mr. Giri was of the view that as far as possible disputes should be settled at the plant level itself. The joint standing machinery consisting of representatives of the workers and management must meet at regular intervals, so that they could compose their differences at their earliest opportunity before these assumed serious proportions. The Government should assist in establishing in various industries a panel of conciliators from among whom both the workers and employers could choose a single concilator om a board of conciliation.

On matters where facts were disputed, the Government at its discretion, might appoint courts of enquiry, which would be merely of a fact finding nature. As an additional measure to solve the disputes, tripartite and bipartite machinery of the Labour Conference should play its part. Instead of merely being ad hoc bodies as they were now, meeting once or twice a year, there should be permanent machinery at the State as well as all India levels with adequate staff and technical experts for collecting data. Further this machinery should have under **its** aegis different panels for each of the key and basic industries, consisting of representatives of employers, workers and technical experts.

Mr. Giri suggested that when a dispute was not solved at the tripartite level, industrial courts presided over by a High Court and Supreme Court judge with assessors sitting on both sides should be constituted. If some points still remained unsettled, the parties should be persuaded to agree to voluntary arbitration, he said. If the arbitrators were unable to agree, conventions must be built up to appoint an umpire experienced in settlement of disputes and comanding the confidence of both the parties. If these processes failed to produce a settlement of the disputes the parties might be left to resort to direct action.

Mr. Giri advocated formation of industry-wise as against craft-wise unions. He also put forward a seven-point formula for labour-management cooperation based on mutual faith and understanding.

(The Hindu, 29-5-1969).

1 T I

69. Co-operation and Participation of Industrial Organisations in the Social and Economic Organisations.

India - May-June-July 1969.

Report on the Working of Joint Management Councils for the Year 1968.

The scheme of Joint Management Councils was introduced in 1958 as a voluntary basis for promoting increased production for the general benefit of the enterprises and the community, giving the employees a better understanding of their role in the working of industry and of the process of production and satisfying the workers urge for self expression. It was also designed to break down misconceptions and allay suspicions by improving the system of Employer - Employee Communications.

At the end of 1968, the scheme of Joint Management Councils was functioning in 97 units, 36 in public sector and 61 in the private sectors. In most of the enterprises the Joint Management Councils had been formed on the basis of written agreements between the management and the union or unions, concerned, closely following the model agreement suggested by the Sub-Committee of the Indian Labour Conference.

Essential Features of the Scheme. - The main features of the scheme, which distinguishes it from other Joint Consultative Bodies are: 1) they areto be consulted by the management on certain specified matters fegarding day to day administration, ii) they have the right to receive information, discuss and give suggestions on the economic and financial aspects of the undertakings, and iii) they are to be entrusted with administrative responsibility in respect of certain matters. <u>Frequency of Joint Management Councils</u> <u>Meetings.</u> The Joint Management Councils are ordinarily scheduled to meet once a month. Although a few Joint Management Councils meet several times during the month, in manycases the meetings are not held very fegularly. Several Joint Management Councils have set up Sub-Committees to deal with specific subjects such as production, welfare, safety suggestion schemes, canteen etc. Other subjects discussed at Joint Management Councils meetings included family planning, scholarships scheme, staff quarters, publication of magazeines, blood donation, absenteesim, reduction of waste etc.

31

Administrative Responsibility.- Some of the Joint Management Councils have been entrusted with direct responsibility for the administration of welfare measures, fixing of holidays, celebrating of National and Festival Holidays, sports, canteen, colony welfare, family planning, supervision of safety measures, etc.

(Indian Labour Journal, July 1969).

CHAPTER 8. MANPOWER PROBLEMS.

INDIA - MAY-JUNE-JULY 1969.

80. General.

Number of Engineers with Post-Graduate Degrees: Fourfold Increase during Ten Year Period Ending In 1967.

32

According to a data analysis made by the Council of Scientific and Industrial Research, there was a fourfold increase in the out-turn of Engineers with post graduate degrees during the ten year period ending in 1967 when 48 institutions attained a total annual out-turn of 1087 post graduates in Engineering and Technology. This is 40 times the number of students who completed their post-graduate studies in 1947.

Eacilities for post-graduate studies and research in Engineering and Technology were non-existent before the outbreak of World War II except at two institutions in the country. The courses then were limited to Chemical Engineering, Electrical Engineering and Chemical Technology. New facilities exist for 90 specialisations in 20 major fields.

By 1967 about 8909 persons had obtained post-graduate degrees in Engineering and Technology. The annual out-turn in 1966 and 1967 together constituted mearly a quarter of the total. Post graduates (2422) in Civil Engineering formed the largest category exceeding 27 per cent of the total 'Mechanical Engineering had 1331 and Electrical Engineering 1119, Chemical Engineers and Technologists numbering 1226, constituted about 14 per cent of the total. Facilities for post-graduate Diploma in Engineering and Technology have developed extensively during the last few years. Post graduate Diploma in Public Health Engineering was started in 1932 and in Architecture and Regional Planning in 1949. By the end of 1967, there were more than 2000 post-graduate diploma holders in Engineering and Technology in the country. Post-graduate diploma holders in Civil Engineering including Public Health Engineering constitute about 67.5 per cent of the total. Subjects like Metallurgy, Mechanical Engineering, ChemicalTechnology and Agricultural Engineering were introduced at post-graduate diploma level recently.

(The Hindustan Times, 10-7-1969).

1 T.1

81. Employment Situation.

India - May-June-July 1969.

Employment Exchanges Working during during May 1969.

According to the Review of the Principal activities of the Directorate-General of Employment and Training during the month of May 1969, the positions of registrations, placements, live-register, vacancies notified and employers using employment exchanges is shown in the following table:

Sl. No.	Item.	April 1969	· · · · · · · · · · · · · · · · · · ·	Difference	Remarks
1	2	3	4	5	6
3.]	Registrations. Placements. Live Registrer. Vacancies Notified. Employers who used exchanges.	2,965,074	335,251 36,365 3013,361 62,525 12,208	+ 9,538 + 1,586 +48,287 - 8,478 - 924	

Displaced persons from East Pakistan. - Three hundred and fifty four East Pakistan migrants were registered with various employment exchanges during May 1969, bringing the total number so far registered to 46,236. Ninety seven were placed in employment, bringing the total number placed in employment to 3,566. The live Register stood at 10,230.

<u>Repatriates from Burma</u>.- Two hundred and eighty six repatriates from Burma were registered at the Employment Exchanges during May 1969, bringing the total number so far registered to 11,220. Forty eight were placed in employment, bringing the total number placed in employment to 2,301. The live Register stood at 2,753. Repatriates from Ceylon.- Forty seven repatriates from Ceylon were registered with the Employment Exchanges during the month bringing the total number so far registered to 796. Thirteen were placed in employment, raising the total number placed in employment to 118. The live Register stood at 218.

<u>Apprentices Act, 1961.</u> The number of apprentices undergoing training under the Apprentices Act was 36,417 at the end of March 1969 of which 34,947 were full term apprentices and 1470 short-term apprentices. These apprentices were engaged in 2,947 establishments.

> (Review on the Principal Activities of the Directorate-General of Employment and Training for the Month of May 1969; Ministry of Labour and Employment, New Delhi).

Survey to ascertain the Employment Status of Craftsmen trained under the Craftsmen Training Scheme.

The Directorate General of Employment and Training has been engaged in the training of craftsmen at the Industrial Training Institutes over the past several years. For the first time a survey is made at the all-India level to obtain employment particulars of passed out trainees of Industrial Training Institutes.

Training of skilled craftsmen assumed great importance in the context of rapid industrialization envisaged during the Five Year Plans. There has, accordingly been considerable expansion in the training facilities for craftsmen in the Industrial Training Institutes (I.T.Is.) under the Director-General of Employment and Training, particularly after the First Plan. There were only 59 Industrial Training Institutes with a seating capacity of about 10,000 at the end of the First Plan period as against 356 Industrial Training Institutes with a seating capacity of 147,000 in February 1969. In these Institutes training is imparted in 30 Engineering and 22 non-Engineering trades and nearly 50,000 trainees are passing out every year in engineering trades.

Gaining from the experience of a pilot survey about the trainees, a follow-up of the post-training careers of the trainees from all Industrial Training Institutes in the country was conducted recently. A questionnaire through which the data were collected from the selected ex-trainees contained particulars regarding the employment status, trade in which employed, average monthly emoluments and if unemployed whether employed earlier, how long looking for work, whether registered with the employment exchanges, etc.

Employed and Unemployed Ex-Trainees. The particulars collected from the ex-trainees revealed that out of the 2748 ex-trainees who supplied the information, 1674 or 60.9 per cent were employed at the time of the enquiry and 1074 ex-trainees or 39.1 per cent had reported themselves to be unemployed. However, all the ex-trainees who reported themselves as unemployed were not without a job continuously since completion of their training. As many as 379 of the unemployed ex-trainees were employed earlier, but were currently unemployed. About 25.3 per cent. of the ex-trainees reported themselves to be without a job continuously since completion of their training.

On completion of training at the Industrial Training Institute, the trainees are required to undergo six months of inplant or on the job training in order to get necessary practical experience. Among ex-trainees who reported themselves as unemployed, it was observed that while mearly 70 per cent of them had completed their apprenticeship training the remaining 30 per cent had not undergone any apprenticeship till the time of the survey. The distribution of employed and unemployed ex-trainees by grades in which they received training has revealed that in trades of Draughtsmen (Mechanical), Electrician, Electoplator, Machinist (Grinder), Mechanic (Radio), Watch and Clock-maker, Mechanic (Diesel), Mechanic (Refrigeration) and Wireless Operators, more than 70 per cent of the passed out trainees were found to be employed during the reference period.

<u>Trades in which Employed</u>. The bulk (83 per cent) of the employed ex-trainees were found to be engaged in the trade in which they received training or an allied trade. Only about 17 per cent of the employed ex-trainees were engaged in a trade other than the one in which they were trained and could therefore be regarded as "improperly employed".

Employment Status.- Most of the ex-trainees were working as employees at the time of the survey. Out of the total number of employed ex-trainees 84.2 per cent were working as employees, 6.8 per cent were self-employed, 4.4 per cent were apprentices and 3.5 per cent were working as unpaid family helpers. Only one per cent of the ex-trainees were working in the capacity of an employer.

A study of the trade-wise distribution of the self employed ex-trainees has revealed that 18 of them were thorse who received training in the trade of Electrician, 17 as Fitters, 13 as Carpenters, 10 each as Welders and Wiremen and others in the trade of Motor Mechanic, Turner, Radio Mechanic, Machinist, etc.

<u>Time lag between completion of training and</u> <u>First Employment</u>. The period for which a person remained unemployed after completing the training is an important index of the Employment Market. . No doubt some workin waiting period is inescapable in any occupation before getting some employment. It is interesting to note that more than 80 percent of the currently employed ex-trainees secured a job with in one year after completion of their training. Nearly half the ex-trainees currently employed secured their first employment within a period of three months. Only 4 per cent had to wait more than two years before securing a job. In the case of those who were currently unemployed but were employed earlier, nearly 35 percent got employed within 3 months 45 per cent within a period of three months to one year and another 22 per cent after one year. 38

While the present survey being confined to certain specific batches of the ex-trainees of Industrial Training Institutes cannot evidently throw light on the employment sktuation among the total stock of Industrial Training Institute passed out trainees in the country; it has brought out certain factural information which provides a broad indication of the employment situation previously prevailing among the category of technical personnel. The existence of unemployment among the ex-trainees of Industrial Training Institutes as revealed by the present survey is possibly due to the impact of the recent industrial recession which affected the growth of the Engineering intensive sector substantially. In the present economic climate of the country which has led to unemployment even among highly qualified personnel such as Engineering graduates, some measure of unemployment among the Industrial Training Institute trained craftsmen could perhaps be expected.

> (Survey to Ascertain the Employment Status of Craftsmen trained under the Craftsmen Training Scheme, published by the Directorate-General of Employment and Training, Ministry of Labour, Employment and Rehabilitation, Department of Labour and Employment, New Delhi).

1 T, 1

Job-Seekers on the Increase: Views of Different Study Groups.

According to a study conducted by the Indian Statistical Institute in collaboration with a team of Experts from London School of Economics, the present number of educated work-seekers would increase from 1 million to 1.6 million in 1975-76.

The Institute of Applied Manpower Research, basing its estimate on a lower rate of growth has forecast the number of educated unemployed in 1975-76 as 6 millions.

According to the Study Group on Employment and Training of the National Commission on Labour, the number of educated job-seekers, including matriculates and of higher qualifications increased from 0.805 million at the end of 1964 to 1.087 million by the end of 1967.

An interesting feature revealed by the Study Group is that while there were 6,000 Engineering graduates and another 28,000 diploma holders in engineering registered with employment exchanges, there were shortage of skilled hands in some parts. Experienced electrical and me chanical engineers, electricians, fitters. moulders, turners, physicians, surgeons, University teachers and trained teachers for higher secondary scholls in mathematics and science subjects have been reported unemployed from a number of States. The Study Group felt that these imbalanceswere due to lack of mobility and unattractive terms and conditions of segis service offered by employers.

Though the statistics of unemployment relating to the rural sector are more scanty, the Study Group estimated the number of under-employed in rural areas at about 16 millions. Besides there was a considerable problem of unemployment among rural youth having a modicum of education but not enough skill or training.

1D

The Employment Review for 1967-68 brought out by the Directorate-General of Employment and Training said that the Employment Market in the organised sector in future was likely to attain a better balance in relation to other economic factors such as productivity and labour costs, a rising demand for goods and services and pressing need for fuller utilisation of manpower resources. The review which covered the entire organised sector of the economy - all establishments in the public sector and nonagricultural establishments employing less or more workers in the private sector - stated that higher agricultural production in recent years, was likely to have a favourable impact on the employment situation in the unorganised sector of the economy also.

The review revealed that the employment growth in the organised sector dwindled further during 1967-68 despite economic regival in the later half of the year. The growth rate in the public sector during the year was 1.7 per cent as against 2.7 per cent in the previous year. It was stated that the reduced employment growth in the public sector was due to continued restrictions on fresh recruitment, rigorous enforcement of economy measures and actual curtailment of staff in some cases.

The total number of job-seekers registered with the Employment Exchanges in 1967-68 increased by 5.6 per cent - the highest rate recorded during the last few years - brings the total to 2.69 millions. On the otherhand, the number of vacancies notified with the Employment Exchanges during the year decreased by 13.6 per cent asagainst 6.8 per cent in the previous year.

(The Patriot, New Delhi, 12-5-1969).

1 T I

CHAPTER Q. SOCIAL SECURITY.

92. Legislation.

India - May-June-July 1969.

Orissa: Draft Amendment to Schedule II of the Workmens' Compensation Act, 1923.

The Government of Orissa published on 9 May 1969 the draft of an emendment proposed to be made to Schedule II of the Workmens' Compensation Act, 1923, in exercise of the powers conferred under the Act. The draft amendment adds the following item to Schedule II -

"(xxiii) Employed otherwise than in a clerical capacity in the conduct of surveys in river valleys including collection data relating to the river"

The draft amendment will be taken into consideration by the Government after 10 August 1969.

> (Notification No.6208-VS-e-3/69 LEH, dated 7 May 1969, the Orissa Gazette, Part III, 9 May 1969, page 478).

Mounting Arrears of Employers'Contribution to Provident Fund: Government to take Remedial Measures.

The Employees Provident Fund Organisation is seriously concerned over the mounting arrears from employers to the Fund. The arrears amounted to 118.6 million rupees on December 31, 1968 and the major defaulters were the textile and engineering industries. It is understood that the Government is considering the possibility of incorporating provisions in the E.P.F. Act analogous to those in Section 15 of the Payment of Wages Act directing payment of the defaulted contributions by the employers within a stipulated period.

-The arrears from the textile industry amounted to 76.9 million rupees and those from the engineering industries to 12.3 million rupees on 31 December 1968. A Committee of the Central Board of Trustees of the E.P.F. went into these matters recently. It considered the present penal provisions not sufficiently deterrent and recommended more stringent measures. Among other things it recommended that Provident Fund arrears dues should be treated on a par with income-tax dues in cases of insolvency, liquidation, etc. of the defaulting establishments.

<u>Safeguards.</u> If a State Government allowed a scheme of payment of arrear dues in instalments or did not sanction prosecution, the Committee recommended that the State Government should ensure that there were adequate safeguards for realising the arrears. It also recommended that there should be provision for compulsory imprisonment when there was default in remitting provident fund amounts deducted from the wages on the lines of Section 21 of the Finance Act 1968.

In the regions where the Provident Fund arrears were large, appropriate administrative machinery should be set up to deal exclusively with the recoveries on a priority basis. The question of reimbursing the State Governments to the extent of the cost of the special staff employed could be considered by the board of the E.P.F. although it was not an obligatory expenditure and charge on the E.P.F. The Committee also recommended that where establishments could not meet provident fund liabilities because of serious financial difficulties, there should be a provision for exempting them from the operation of the E.P.F. Act for a specified period. It would be necessary to lay down a set of criteria and appropriate procedures so as to ensure that the proposed provision for exemption was not abused.

1 T I

LIST OF ARTICLES.

INDIA - MAY-JUNE-JULY 1969.

Chapter 2. International and National Organisations.

- a) Trade Unions in India and abroad by Justice P.B. Mukerjee: Amrita Bazar Patrika - 1-5-1969.
- b) The Problem of Trade Union Recognition in India
- by Om P. Bhatia Indian Labour Journal, April 1969. c) Role of Trade Unions in Industrial Peace by
- Surendra Singh Labour Bulletin of U.P., June 1969.

Chapter 3. Economic Questions.

- a) Why automation is inevitable by Virendra Agarwala. Amrita Bazar Patrika, 7 May 1969.
- b) Communication in Industry by H. Sambamurthi. Indian Labour Journal, May 1969.
- c) A Strategy for Rural Development by S.N. RANADE. Kurukshetra May 1969.
- d) Dearness Allowance: Linkage of Rising Prices with Wages by Ajit Thakur. Janatha, May Day Issue.
- e) Family Budgets of Casual Farm Labourers by K.S. KARAYALAR. A.I.C.C. Economic Review, 15 June 1969.

Chapter 5. Working Conditions and Living Standards.

Education of Child Labour in the Rural Sector in India, by A. Saraswathi. A.I.C.C. Economic Review, 1 May 1969.

Chapter 6. General Rights of Workers.

- a) Industrial Relations and Public Undertakings, by M.M. Khullar. A.I.C.C. Economic Review, June 1969.
- b) Workers Participation in Trade Union Activity, by N.R. Shethi. Labour Bulletin, U.P., May 1969.
- c) Role of Consultancy in the Indian Economy, by N.K. Somani. Journal of Indian Merchants Chamber, May 1969.
- d) Trends in Management Consultancy Practice in India, by T.A.A. Latiff. The Hindu, 28 July 1969.

Chapter 8. Manpower Problems.

'L'

- a) Psycho-Social Consequences of Unemployment, by Dr. J.P. Saxena. Indian Worker, 2 June 1969.
- b) A Review of the Official Estimates of Unemployment 1951-71 and Certain Suggestions for Obtaining More Realistic Data, by P.C. Mathew. Indian Labour Journal, July 1969.
- c) Employment Problem and Investment, by J.N. Mahalahobis. Amrita Bazar Patrika, 29 July 1969.

COPY NO.

14463

FOL

INTERNATIONAL LABOUR OFFICE INDIA BRANCH

INDIA - AUGUST - DECEMBER 1969.

Industrial and Labour Developments in August-December 1969.

N.B.-Each Section of this Report may be taken out Separately.

n ann an ann an an ann ann ann ann ann	<u>Contents.</u>	Pages.
.L.O. REGISTRY-GENEVA	CHAPTER 1. INTERNATIONAL LABOUR ORGAN	ISATION.
10 FÉV 1970	12. Activities of External Services.	1-2
File N° $(J_2 - 2 \cdot 3)$ With	13. Press and Opinion.	3
VV ILII MHANVINA ALIAN HANA HANA HANA HANA	CHAPTER 3. ECONOMIC QUESTIONS.	
	36. Wages.	•
	Central Government accepts Leather Board Recommendations.	4⊷5
	CHAPTER 4. PROBLEMS PECULIAR TO CERTA BRANCHES OF THE NATIONAL ECONOMY.	
	41. Agriculture.	
	 (a) Tamil Nadu Agricultural Labourer Fair Wagos Act, 1969(Madras Act No.19 of 1969). (b) Steps for ending Agrarian Problems - a Study by the Home Ministry. (c) Agricultural Commission to Make Wide-ranging Study. 	68 910 1112
	CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS. 50. General.	
	 (a) Kerala Shops and Commercial Establishments(Amendment)Act,1969 (Act 32 of 1969). (b) Working of the Plantations Labour Act,1951 during the year 1967. (c) Population Council to be Formed. 	13-14 15-16 17

Contents.

52. Workers' Welfare, Recreation and Workers' Education.

Report on Activities financed from the Mica Mines Labour Welfare Fund for the Year ending 31 March 1968. Pages.

18-22

23-26

56. Labour Administration.

Annual Report on the Working of Indian Dock Labourers Regulations 1948 and the Dock Workers (Safety, Health and Welfare) Scheme 1961 for the Year 1968.

CHAPTER 6. GENERAL RIGHTS OF WORKERS.

67. Conciliation and Arbitration.

Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Bill, 1969. 27-34

CHAPTER 8. MANPOWER PROBLEMS.

81. Employment Situation.

	(a)	Tamil Nadu Relief Undertakings (Special Provisions) Act, 1969 (Act No.21 of 1969).	35⊷36	
	(b) (c)	Engineers Without Jobs. Rehabilitation of Repatriates	37	
		from Ceylon and Burma. Employment Exchanges: Working	38	
		during October 1999.	39-40	
	(9)	Employment Rises by two per cent in 1968-69.	41-42	
	CH	APTER 9. SOCIAL SECURITY.	· · ·	
92.	Leg	islation.		
	(a)	Kerala Industrial Employees Payment of Gratuity Ordinance,1969(Ordinance		
	(h)	No.7 of 1969). Working of the Maternity Benefit	43-44	
		Acts during 1967. Medical Care of Workers - More Funds	45 46	
		to be Raised.	47	

-ii-

-iii-

*

ж

*

℀

Contents.

Pages.

LIST OF THE PRINCEPAL LAWS PROMULGATED DURING THE PERIOD COVERED BY THE REPORT FOR AUGUST-DECEMBER 1969 - India - AUGUST-DECEMBER 1969. 48 LIST OF ARTICLES - INDIA - AUGUST-DECEMBER 1969. 49

CHAPTER 1. INTERNATIONAL LABOUR ORGANISATION.

INDIA - AUGUST-DECEMBER 1969.

12. Activities of External Services.

On the invitation of the Labour Department of the Government of India Rajasthan, the Director attended and addressed a meeting at Jaipur on 18 August 1969, to celebrate the 50th Anniversary of I.L.O. Mr. Beek Bai, the Minister for Local Self Government inaugurated the function.

The Indian Institute of Labour Studies arranged a short programme for celebrating the 50th Anniversary of ILO on 8th September 1969. The Director presided over the function.

On the invitation of the Vice-Chancellor of the University of Indore, the Director attended a meeting arranged by the University to celebrate the 50th Anniversary of ILO at Indore on 22 September 1969. The meeting was presided over by Mr. J.L. Hathi, Union Labour Minister. The Labour Minister of the State of Madhya Pradesh was also present.

addressed

The General Assembly of the World Council for the Welfare of the Blind was held between 8 - 18 October 1969 in New Delhi. The Director represented ILO at the meeting. The details about the meeting were sent to headquarters vide this office minute F.23(a)/6187/69 dated 23-10-1969.

The Asian Trade Union College of the I.C.F.T.U. held an Asian Seminar on 'Practices in Collective Bargaining in Asia' from 2 - 24 October 1969. The Director addressed the participants on 10 October 1969 on 50th Anniversary of I.L.O.

The Director also attended the Inter Parliamentary Union Conference along with Mr. C.W. Jenks, Principal Deputy Director General on 1-11-1969. On the invitation of the Ministry of Labour and Employment, Government of India, the Director attended the Tripartite Indian Labour Conference held in New Delhi on 12 - 13 November 1969. The details about the meeting were reported to headquarters vide this office minute F.3/7578/69 dated 18-12-1969. 2

The Director gave a talk on International Labour Organisation to the Indian Foreign Service Probationers at the Indian School of International Studies on 19-11-1969.

The Director attended the ILO Seminar on MIS/EDP organised with the collaboration of NITIE and the Bureau of Public Enterprises on 27-11-1969.

On the invitation of the Ramakrishna Mission Institute of Culture, the Director visited Calcutta and presided over a meeting convened by them to celebrate the 50th Anniversary of ILO.

The Director also attended the Golden Jubilee Conference of the Associated Chambers of Commerce held at New Delhi on 8-12-1969.

13. Press and Opinion.

India - August-December 1969.

In addition to the attached clippings, the following references to the work of the ILO appeared in Indian Journals received in this Office.

1. The August issue of Industrial Bulletin contains an editorial on the 'Role of ILO in Promoting Social Security'.

2. The August issue of Indian Shipping publishes an article 'ILO completes Fifty years of Service - Special significance on Maritime Industry'.

3. The October issue of the Indian Shipping contains a note on the 'Preparatary Technical Maritime Conference held at GENEOA in September 1969'.

4. The November issue of the Industrial Bulletin writes an aditorial on 'Integrated Scientific Information Service of the ILO'.

5. The December 1, issue of the same Bulletin in an editorial has commended about the speech delivered by Mr. C.F. Jenks, Principal Deputy Director-General at the National Committee for the celebration of the Fiftieth Anniversary of ILO.

6. The December 15, issue of the same journal publishes the summary of the Director-General's speech at the Special Sitting of the United Nations General Assembly convened to honour ILO Golden Jubilee.

7. The November-December issue of the Labour World contains the full text of the speech delivered by the Union Labour Minister at the Indore University "on ILO and its Ideals".

1 T.1
CHAPTER 3. ECONOMIC QUESTIONS.

36. Wages.

India - August-December 1969.

Central Government accepts Leather Board Recommendations.

The Ministry of Labour, Employment and Rehabilitation, Government of India, has, by a Resolution dated 18 Deptember 1969, accepted the recommendations of the Central Wage Board for Leather and Leather Goods Industry. The Board was headed by Mr. N. Sriramamurty.

According to a suggestion of the board, all workers whether time-rated, piece-rated, daily-rated or monthly-rated shall be given an increase of 15-per cent over the existing wages on 1 April 1969.

The board has suggested that if under the Minimum Wages Act, wages are fixed only for unskilled workers, the semi-skilled workers shall get 20 per cent more. Similarly, skilled workers would get 40 per cent more than that of the unskilled workers.

Where wages for such categories of workers have been fixed the benefit of 15 per cent increase in wages shall also be extended to them.

Ad moc Payment. - The wage board has recommended an ad hoc payment of Rs.0.29 per day or Rs.7.50 per month to workers in tanneries and Rs.12.50 per month to clerical, technical and supervisory staff in tanneries and leather goods units if because of the salary, they are not covered by the maximum of the grades recommended by it. For such categories of workers it has recommended an increment on completion of five years, subject to a maximum of two increments, after they have been brought to the minimum of the grado or to a step in the recommended scale equivalent to immediately higher step in the recommended scale. The wage board has recommended grant of additional D.A. of Rs.1.30 per month or Rs.0.05 per day if the average all-India consumer price index (1960=100) goes up by five points over 178, the average for the six months period, July to December,1968, to which the wages recommended by the board have been nationally related. Correspondingly the D.A. will be reduced to the same extent if the consumer price index recorded a fall by five points. However, there would be no downward adjustment in D.A. for a fall before below 178 point.

Welfare Steps. It has also suggested certain welfare measures such as formulation of gratuity scheme commensurate with financial position of the individual factories, constitution of welfare fund, grant of house building loans to workers on easy terms and equal pay for men and women workers for work of equal value.

To avoid hardship to units paying substantially lower wages than it has recommended, the board has suggested that the difference between the two should be made up in two equal instalments. The first instalment which should not be less than Rs.10 would be paid on the date of implementation and the balance, if any, on January 1, 1970.

In view of the fact that the leather and leather goods industry earns considerable foreign exchange, t the board has recommended that the Khadi and Village Industries Commission should render technical help and also purchase goods manufactured in the cottage sector. It has suggested that effective cost control measures should be taken to arrest the downward trend in export of hydes and skins and to promote further export of footwears. It has further suggested that the State Trading Corporation, should take the same interest in export of other leather goods as it has done in export of footwear. This has been brought to the attention of the department of industrial development and the department of foreign trade. Since the committee on welfare has recommended creation of welfare funds for various industries including the leather industry, no separate action is proposed to be taken.

(The Gazette of India, Extraordinary, Part I, Secol, 18 September 1969, pp. 799-807; The Amrita Bazar Patrika, 21-9-1969). CHAPTER 4. PROBLEMS PECULIAR TO CERTAIN BRANCHES OF THE NATIONAL ECONOMY.

INDIA - AUGUST-DECEMBER 1969.

41 . Agriculture.

Tamil Nadu Agricultural Labourer Fair Wages Act, 1969 (Madras Act No. 19 of 1969).

The Tamil-Nadu Agricultural Labourer Fair Wages Bill, 1969, as passed by the Tamil Nadu Legislature received the assent of the President on 28 September 1969 and hasbeen gazetted as Madras Act No.19of 1969. The Act which repeals the Tamil Nadu Agrucultural Labourer Fair Wages Ordinance, 1969, provides for payment offair rates of wages for agricultural labourers in certain areas of the State and for matters incidental thereto.

The Act which came into force on 5 August 1969 in six taluks in the Thanjavur District specified in Schedule I to the Act provides that avery landowner shall pay fair wages to any agricultural labourer engaged by him. The following fair rates of wages have been specified in Schedule II to the Act.

SCHEDULE II. PART I.

<u>Men</u>

All kinds of work during cultivation season.

Rs.3.00 prsix litres of pady plus Re.1.25 per day.

Women

All kinds of work during cultivation season.

Rs.1.75 or five litres of paddy plus 0.25P.per day.

6

Explanation.- 'Work' does not include ploughing where bullocks and ploughs are provided by the agricultural labourer.

PART II.

Harvest.

Six liters out of every fifty-four litres of harvested paddy.

<u>Explanation</u>.- For arriving at the wages specified above, no deduction shall be made either for kalavady or for any other expenses from out of the harvested heep till the agricultural labourers' wages are paid.

<u>Illustration</u>.- If 5,400 litres of paddy is the total amount of paddy hargested, the wages payable for the agricultural labourers engaged for the hargest will be 600 litres and the balance will be 4,800 litres, from which alone, the landowner have to make any deductions for kalavady or for any other expenses.

If any landowner pays less than thefair wages or refuses to pay the fair wages to any agricultural labourer, the agricultural labourer may make an application to the Conciliation Officer for a direction under sub-section(2) of the Act. On receipt of such application, the Conciliation Officer shall hear the applicant and the landowner and after such inquiry, if any, which he may consider necessary, direct -

(i) in the case of a claim arising out of the payment of less than the fair wages, the payment to the agricultural labourer of the amount by which the fair wages payable to him exceeds the amount actually paid by the landowner;

(ii) in the case of a claim arising out of non-payment of fair wages, the payment of the fair wages to the agricultural labourer.

The fair wages for harvest shall be paid at the threshing floor on which the threshing takes place; and no portion of the produce shall be removed from the threshing floor without payment of the fair wages to the agricultural labourer concerned. Other provisions of the Act deal <u>inter alia</u> with enforcement of payment of fair wages, appeal against orders passed by the Conciliation Officer, revision by the District Court, bar of jurisdiction of Civil Courts, and power to make rules.

1 L 8

(Fort St.George Gazette, Extraordinary, 29 September 1969, pp. 87-93).

C

<u>Steps for ending Agrarian Problems - a Study</u> by the Home Ministry.

The Union Home Ministry which undertook a study into agrarian tensions due to growing economic and social inequalities has recommended twelve measures that should be taken without delay for ending agricultural problems.

 All the remaining intermediary tenures should be abolished. All tenancies should be declared non-resumable and permanent except in cases of landholders who are serving in the defence forces or suffering from a disability where resumption may be permitted except in
All tenancies should be are serving in
Constant of a disability of a disability classes.

The study said that there was increased pressure on the land because of growth of population and inadequate development. The sharpening of land hunger had made those who did not have full tenancy rights determined to have security of tenure and benefits like access to credit that followed it.

2) The right of resumption should be terminated and where applications have already been made, quick disposal of such applications should be ensured or, alternatively, restrictions on resumption should be extended with a view to reducing the number of cases for consideration.

3) Voluntary surrenders should be regulated prohibiting the landowner from taking possession of the surrendered or abandoned tenancy and empowering the Government of local authority to settle tenants thereon

4) Penalty should be provided for wrongful evictions and made deterrent.

5) Provision for penalising the landlord for not issuing receipt for rent should be made in all the States. Provision should also be made Mabling cultivating tenants to deposit rent with the court or some other authorities in case of dispute. As has been provided in some States, a tenant should not be liable to eviction for non-payment of rent, arrears of rent for being recoverable from the produce and other assets of the tenant. In any case, proceedings for eviction should not be pursued where the tenants deposit the arrears in courts. 6) Unrestricted leasing should not be permitted.

7) It is necessary that the State Governments should work out schemes for resettlement of land which are available for distribution on a commercial, or at least self-financing basis.

10

8) Ceiling should be imposed on family rather than on individual ownership and there should be no exemption under it. This will yield surplus land which may be distributed among either the landless agricultural labour or the small peasants with uneconomic hold;ngs.

There are also large amounts of land under the Government control and large number of dried up tanks and these may be suitably distributed. Where irrigation is newly introduced, it should be possible to tell the beneficiaries that, since the irrigated land increases the productivity of land significantly, they may surrender a part of their land for the benifit of the landless or small peanants.

9) Immediate steps should be taken to stop further eviction of share-croppers who do not enjoy any tenancy rights.

10) The 'Homestead Tenancy Act' which provides for the ownership of lands on which the houses of the landless agricultural labour families stand should be enacted in all the States and efficiently implemented, as a large number of landless agricultural labour families do not own land on which their houses are constructed.

11) Exploitation of the tribals by outsiders resulting in the denial of their land rights has within it seeds of discontent which manifests itself requently in outbreaks of violence with or without the instigation of some political parties. The interests of the tribals have to be safeguarded by greater administrative vigilance.

12) There should be an effective machinery to enforce minimum wages in agriculture.

111

(The Hindustan Times, 9 December, 1969).

Agricultural Commission to Make Wide-ranging Study.

Ш

The Union Government has finalised the terms of reference of the National Agricultural Commission which is to be set up soon.

The Commission will examine and report on the present conditions of agriculture and rural economy and make recommendations for the improvement of agriculture and the promotion of the welfare and prosperity of the people. It will also report on the development of infra-structures including facilities for transport, marketing, storage, and processing, 'togother together with the lines of future development.

One of the important terms of reference is to investigate the structure and organisation of the agricultural services, spelling out the relative responsibilities of the Centre and the States. An equally important termof reference is to establish in clear terms the interrelationship between industry and agriculture. The Commission will also investigate and report on:

1) The pattern of land utilisation and the nature of the cropping thereon and the methods of land improvement.

2) The principles of development of wager resources.

3) Utilisation of the science of soil conservation and land shaping.

4) Implementation of the land and reforms policy and the changes that may be necessary in the pattern of crop sharing.

5) The new strategy of agricultural development based on the package of practices and modifications required for better results.

6) Forecast, for the decade 1970-71 to 1980-81 on the magnitude of the requirements, of fertilizers, good seeds, pesticides and fungicides and agricultural implements and machinery, the organisation necessary for their production and distribution. 7) Forecast for the decade 1970-71 to 1980-81, the requirements of credit for the agricultural programmes.

8) The strategy of agricultural research, education and extension.

12

9) Integrated development of agriculture, animal husbandry, farm forestry and inland fisheries, to avail of the economies of mixed farming.

(The Hindu, 13 September 1969).

LL :

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

13

INDIA - AUGUST-DECEMBER 1969.

50. General.

Kerala Shops and Commercial Establishments (Amendment) Act, 1969 (Act 32 of 1969).

The Government of Kerala gazetted on 1 November 1969 the text of the Kerala Shops and Commercial Establishments (Amendment) Act,1969 as passed by Kerala Legislature.

The Act inserts a new chapter IA dealing with registration of establishments to the Kerala Shops and Commercial Establishments Act,1960. Another new section 13A added to the Act of 1960 provides for the grant special casual leave of a period not exceeding six days for a male employee and 14 days for female employee for sterilisation operation.

For section 14 of the principal Act, the following section shall be substituted, namely:-

"14. Wages during leave period.-(1) For the leave allowed to an employee under section 13 or 13A, the employee shall be paid at the rate equal to the daily average of his or her total full time earnings exclusive of any overtime earnings and bonus, but inclusive of dearness allowance and the cash equivalent of any advantage accruing by the supply of meals and by the sale by the employer of foodgrains and other articles at concessional rates for the days on which the employee worked during the month immediately preceding his leave.

(2) The amount payable to an employee under sub-section (1) for the leave allowed under section 13A shall be paid to him or her on production of a certificate from such authority and in such form as may be prescribed to the effect that the employee has undergone sterilisation operation." <u>Amendment of Section 29.</u>- In section 29 of the principal Act, - (1) The existing sub-section (1) shall be renumbered as sub-section (1A) of that section, and before sub-section (1A) as so renumbered, the following shall be inserted as sub-section (1), namely:-

14

"(1) Whover commits any breach of the provisions of sections 5A and 5C of Chapter 1A shall be punishable,-

(a) with fine which may extend to two hundred and fifty rupees and in case of continuing breach with fine which may extend to ten rupees for every day during which the breach continues after conviction for the first breach; or

(b) with fine which may extend to ten rupees for every day during which the breach continues after receipt of notice from the competent authority for to discontinue such breach."

(2) in sub-section (1A) as so renumbered, after the figures "13" the figures and letter "13A" shall be inserted.

> (Kerala Gazette, Extraordinary, l November 1969).

'L'

Working of the Plantations Labour Act, 1951 during the Year 1967*.

The object of the Plantations Labour Act 1951, is to provide for the Welfare of Labour and to regulate the Conditions of Work in Plantation. The following is a brief reviewof the Working of the Act during the year 1967 which has appeared in December 1969 issue of the Indian Labour Journal.

<u>Employment</u>. The total number of estates/ plantations covered by the Plantation Labour Act 1951, number of estates submitting returns and the average daily employment therein in various States/Union Territories during 1967 are given below:

State - Union Territory.	No.of Estates/ Plantations covered under the Act.	No.of Estates/ Plantations submitting returns.	Average daily Labour employed.	
1	2	3	4	
Assam Bihar Kerala Madras Mysore Uttar Pradesh. West Bengal - Himachal Pradesh Tripura Andaman & Nicoba	45 ar	12 402 269 229 11 241 16 21	465,326 481 110,675 72,056 20,078 977 161,096 1,139 3,115	
Island.	<u> </u>	1,202	<u>155</u> 835,098	

Hours of Employment... The Plantations Labour Act, 1951 has fixed the maximum weekly hours of work for adults at 54 and for adolescents and children at 40. It has also prescribed the dayly hours of work, their spreadover and the time for rest intervals. The available information shows that in Bihar the usual weekly hours of work were 42 for daily rated workers and those employed on contract system usually worked between 18 to 24 hours per week as the work available for them was insufficient. In Kerala, Madras and Mysore, the maximum weekly hours of work were 54 for adults and 40 for adolescents and children.

*Indian Labour Journal, December 1969.

The weekly hours of work ranged between 48 and 51 for adults and 39 and 40 for children in Uttar Pradesh. In Himachal Pradesh the weekly hours of work varied from 48 to 54 for adult male adults; 39 to 54 for flemale adults and 34 to 40 for children. In Tripura the normal weekly hours of work were 40 but plantation workers, except those employed on plucking did not work for more than 36 hours in a week as they were provided with piece-rate work. In Andaman and Nicobar Islands the normal working hours of an adult and adolescent worker has been fixed as 48 and 39 a week respectively.

Leave with Wages, The Act provides for grant of leave with wages at the rate of one day for every 20 dys worked to adults and one day for every 15 days worked to young persons. The number of persons who were granted leave during the year was 448,902 in Assam, 83,763 in Madras, 21,767 in Mysore, 1,381 in Uttar Pradesh and 188,130 in West Bengal. The Bihar and Tripura workers were granted leave as per the provisions of the Act. In Himachair Pradesh, it was reported that no worker was granted leave during the year.

Health. The important provisions of the Act in respect of Health relates to 1) supply of drinking water, 2) prove arrangements for conservancy, and 3) provision of medical facilities. The extent to which these facilities were available to the workers in different States during the year was described in the Review.

Enforcement.~ In Assam, 402 inspections were carried out by the inspectorate staff, 22 prosecutions were sanctioned by the Chief Inspector of Plantations and the Court disposed of only one case imposing a fine of Rs.50/-. In Bihar all the 12 plantations were inspected frequently by the Inspector of Plantations. In Kerala 1,518 inspections were conducted, 14 prosecutions were launched and 5 prosecutions were pending trial from the previous year. In Madras, the Inspectors of Plantations inspected oneplantation more than thrice, 2 plantations thrice, 220 plantations twice and 66 plantations once during the year 1967. In addition 402 special surprise and Sunday visits were made by the Inspectors. The Inspections resulted in 8 prosecutions out of which 2 resulted in convictions and the remaining 6 were pending in theCourt. In Mysore about 228 inspections were conducted and 106 inspection notes were issued by the Plantation Labour Inspectors. In Uttar Pradesh 103 inspections were launched, one prosecution was carried out and conviction was obtained. In West Bengal 325 inspections were carried out, 10 prosecutions were launched and one conviction was obtained during the year. In Himachal Pradesh, 14 inspections were carried out and three prosecutions were launched. In Tripura, no prosecution was aunched. ===:

Population Council to be Formed.

The National Conference on Population Policy and Programmes have decided to form a Population Council of India to promote national commitment to family planning through voluntary organisations.

One of the principal objectives of the Council will be to strengthen the role of such organisations as Panchayat raj, trade unions, industry, student groups and womens' associations in family planning programmes and simplification of proceedures for utilising governmental financial assistance to them.

The terms of reference of the Council include promotion of study of a broad population policy and promotion of research, education and training in population problems. The Council will advise and assist the Government of India and State Governments in their programmes and keep the progress of programmes constantly under review.

The Conference emphasised commitment of the people to the programme meant that the core of its financing should be from Indian sources both from the general public and industry and trusts. At the same time the Conference expressed its view that India's population problem mustbe seen in the persepective of the World Population problem and should participate fully in any international and bilateral support which might be forthcoming in the furtherance of these programmes.

It was proposed that the Population Conncil should form an expert consultative committee to determine areas and priorities for research for the next five years. Similar bodies should be established for population education in schools and colleges and personnel training.

(The Statesman, 24 December 1969).

52. Workers' Welfare, Recreation and Workers' Education.

India - August-December 1969.

Report on Activities financed from the Mica Mines Labour Welfare Fund for the year ended 31 March 1968.

The Ministry of Labour, Employment and Rehabilitation, Government of India, published on 2 August 1969 the report of the activities financed from the Mica Mines Labour Welfare Fund during the year ended on 31 March 1968.

According to the Report the following welfare measures have so far been undertaken in Bihar, Andhra Pradesh and Rajasthan:-

(i) Improvement of Medical Familities:

(a) <u>Hospitals</u>. A 100 bed Central Hospital at Karma (Bihar), a 30 bed Regional Hospital at Tisri (Bihar), a 14 bed Hospital at Kalichedu (Andhra Pradesh) and a 30 bed <u>Hespital</u> Central Hospital at Gangapur (Rajasthan) continued to be maintained from the resources of the Fund. A 50-bed T.B. Hospital at Karma (Bihar) also continued to function. A 16 bed T.B. Ward attached to the hospital at Kalichedu has started functioning.

(b) Other Medical Facilities. - Other Medical Medical Institutions set up from the finances of theFund comprise 13 State Dispansaries, 8 Mobile Medical Units, 21 Ayurvedic dispansaries and 17 small community centres with Maternity and Child Welfare facilities. The regional distribution of these medical institutions is 2 Ayurvedic Dispansaries, 3 State Dispansaries, Mobile Medical Unit and 4 Maternity and Child Welfare Centres in Andhra Pradesh; 7 Ayurvedic Dispansaries, 5 State Dispansaries, 3 Mobile Medical Units and 6 Small Community Centres (Dispansary) in Bihar and 12 Ayurvedic Dispansaires 5 Static Dispensaries, 4 Mobile Medical Units and 7 Maternity and Child Welfare Centres in Rajasthan.

18

Eleven beds in T.B. Hospital, Nellore have been reserved for the exclusive use of mica miners and their families. Arrangements has been made for the treatment at the Tetulmari Leprosy Hospital, of mica miners of Bihar who suffer from Leprosy. The Fund made grant-in-aid to these institutions for the reservations of beds.

(c) <u>Assistance to T.B. Patients.</u>- A subsistence allowance at **Rs**.50.00 per month is being granted to the dependents of mica miners who are under treatment in the T.B. Ward attached to the Central Hospital, Karma.

The Scheme of domicilliary treatment of T.B. and Silicosis patients was also continued. The patients attending the out-door department of T.B. Hospital, Nellore; were granted travelling allowance. A rehabilitation-cum-convalescence home set up in Bihar for workers cured of T.B. continued to function. Financial assistance to mica miners suffering from T.B. by way of aid of Rs.50 per month as subsistence allowance and Rs.50 per month for special diet for six months was continued to be provided. The scheme of domicillary treatment of T.B. Patients among mica miners was continued in Rajasthan.

(ii) Educational facilities. - Nine Multipurpose Institutes, each with an Adult Education Centre and a Women's Welfare Section, provide educational and recreational facilities to workers, training in handicrafts like sewing etc. to the female workers and dependents of miners in Bihar. In two women's centres in Andhra Pradesh and seven centres in Rajasthan, girls and women workers are taught tailoring stitching etc. Educational facilities for miners children are being provided in 6 Elementary Schools, two High Schools and 2 Adult Literacy Centies in Andhra Pradesh, 4 Primary Schools, 4 Middle School, 24-Adult Education Contres and five Feeder Centres in Rajesthan Besides and 7 Feeders Centres in Bihar; 2 Primary Schools, 1 Middle School, 24 Adult Education Centres and five Feeder Centres in Rajasthan. Besides these, one evening Mining School is functioning in Andhra Pradesh. It imparts training facilities to miners in mining trades.

In all the schools in Andhra Pratesh, children are provided withfacilities like free mid-day meals, milk, books, slates and clothing. Milk, tiffins; books; slates; clothing etc. are provided to the miners' children attending the Multipurpose Institutes, Community Centres and Schools in Bihar. The children attending the Multipupose institutes in Bihar are given bath daily for which oil and soap are provided to the Institutes. Mid-day meals, books, slates and other stationery articles are supplied to the school-going children of mica miners in Rajasthan.

Four boarding houses in Bihar and two in Andhra Pradesh are being run for the children of mica miners studying in schools and colleges. A hotel set up at Gangapur (Rajasthan) for children of mica miners studying in Higher Secondary Schools and continued to function.

Scholarships are granted to the children of mica miners studying in schools and colleges in Bihar, Andhra Pradesh and Rajasthan. Such scholarships are granted for both general and technical education. Mica Miners' children studying in schools are also granted re-imbursement of tuition fee in Bihar.

(iii) Recreation facilities. - Four mobile cinema units, three in Bihar and one in Rajasthan give free shows in different mining centres; and Radio sets have been provided for the recreation of mica miners and their families. In Bihar the recreational facilities are provided at Multipurpose, Community and Feederdentres. Out-door and in-door recreational facilities are also provided in the Centres, sub-centres and feeder Centres in Rajasthan, and 15 Recreational Clubs in Andhra Pradesho Bhajan and Kirtan parties are organised in different mining areas. Annual sports are also conducted in the form of Zonal Tournaments every year and Prizes are distributed among the Winners and Runners.

(iv) Drinking water facilities. - Sixty-six wells (60 in Bihar and 6 in Andhra Pradesh) here have been constructed by the Fund. A few additional wells in Bihar and in Andhra Pradesh, have also been sunk under the subsidy Schemes under which the mica mine owners who sink well get a subsidy equal to Rs.7,500 per well or 75 per cent of the cost of construction whichever is less. The construction of three more wells under this scheme is in progress in Andhra Pradesh. Eight wells are being sunk in Rajasthan through Zila Jarishad and 90 per cent of the cost of these wells is to be met from the Fund. Out of these only one well has been completed at Basundani and two more are expected to be completed shortly.

(v) <u>Housing facilities</u>. The following housing schemeshave been approved by the Government of India for implementation for the Mica Mine labourers.

1. Build Your Own House Scheme.

2. Departmental Colonies.

3. Low Cost Housing Scheme.

4. New Subsidised Housing Scheme.

5. C6-operative House Building Scheme.

The progress under the Housing Schemes in various regions is as follows:-

(a) <u>Build Your Own House Scheme</u>. The Scheme envisages financial assistance in the form of cash or building material to the mica miners to the extent of Rs.400 for the purpose of improving their villages houses. Technical assistance in the matter will be provided by the Fund. Under this scheme 12 applications applicants were sanctioned subsidy in Andhra Pradesh and the houses are under construction.

(b) Departmental Colonies. - According to the scheme of Departmental colonies the houses will be constructed at the cost of the Fund on the requisition of the mica mine owners and also on giving a guarantee for payment of rent for a period of 15 years r till the mine is closed down due to the exhaustion of mica whichever is earlier, irrespective of the fact whether the labourers. occupied the quarters or not. Under this Scheme, a colony of 50 houses near Shah mine Sydapuram (Anchra Pradesh) has been sanctioned. There is a proposal to construct a Departmental colony of 50 houses at Talupur (Andhra Pradesh). In addition to the above, a colony consisting of 50 houses has been constructed at Jorasimar and 48 at Domchanch (Bihar).

(vi) <u>Financial help in case of accidents.</u> The Scheme relating to the grant of financial assistance from the Fund to the widows and children of mica miners who die as a result of accidents was continued.

(vii) <u>Consumers' Cooperative Stores</u>.- One wholesale (Central) Consumers' Cooperative Stores with its seven branches and five primary stores in **Bihar** and four primary consumers' Cooperative stores in Andhra Pradesh and three out of six set up in Rajasthan with the assistance of the Fund continued to supply consumers' goods at reasonable prices to the mica mining population. According to the Statement of Accounts for the year 1967-68 appended to the Reports receipts amounted to 20.285 million rupees, including an opening balance of 17.163 million rupees; expenditure during the year amounted to 3.790 million rupees leaving the closing balance of 16.495 million rupees.

> (The Gazette of India, Part II,Sec.3, sub-sec(ii), 2 August 1969, pp.3277-3279).

1 T I

56. Labour Administration.

India - August-December 1969.

Annual Report on the Working of Indian Dock Labourers Regulations 1948 and the Dock Workers (Safety, Health and Welfare) Scheme 1961 for the Year 1968*. كترو

The Report deals with the administration of the Indian Dock Labourers Regulations 1948 framed under the Indian Dock Labourers' Act 1934 and the Dock Workers (Safety, Health and Welfare) Scheme, 1961. Both these statutes apply to all the major ports in India.

During the year 1968, the total number of reportable accidents both under the Regulations and Scheme was 5642 including 26 fatal accidents as compared to 6087 incl**dd**ing 38 fatal accidents during the year 1967. This shows that there was a decrease in the total number of accidents as well as in the number of fatal accidents. On board the ships, however, there was a slight increase in the number of accidents as compared to the previous year.

Dock Safety Committees. The Dock Safety Committees continued to function at the seven major ports of Calcutta, Bombay, Madras, Cochin, Visakhapatnam, Mormugao and Kandla.

Quarterly Industrial Safety and Health <u>Bulletin</u>.- Description of some of the important accidents and dangerous occurences reported under the Regulations and the Scheme were published in a separate chapter of the quarterly Bulletin. This information has been found to be useful to all connected with loading and unloading of cargo and handling of goods at the ports.

* Annual Report of the Working of the Indian Dock Labourers' Regulations 1948 and the Dock Workers (Safety, Health and Welfare) Scheme,1961 during the year 1968: Published by the Directorate-General, Factory Advice Service and Labour Institutes, (Bombay). <u>Training Course for Inspectors.</u> A Conference-cum-Training Course for the Enspectors, Dock Safety was arranged at Bombay. The Conference was attended by all the Inspectors and three Officers from the Headquarters. In the Conference, the Inspectors discussed the various difficulties and problems faced by them in the administration of the Regulations and Scheme.

<u>Compliance with Regulations</u>. The total number of contraventions of the regulations per thousand <u>from</u> ships inspected increased from 1154.49 in 1967 to 1278.52 in 1968. The increase in the contraventions was mainly in respect of regulations 21 to 23 which deal with maintenance and marking of hatch beams and covers and provision of hand grips on hatch covers.

Accidents and Dangerous Occurences.- A reportable accident according to Regulations is one which either causes loss of life to a worker or disables him from work for more than 48 hours. However, in respect of other accidents also where the worker is disabled from work for the rest of the day on shift, a notice is required to be sent.

During the year under review, the total number of reportable accidents in the major ports was 5642 including 26 fatal. The corresponding accident figure during the year 1967 was 6087 of which 38 were fatal. This shows that there was a decrease in the total number of accidents by 445 and by 12 in the number of fatalities.

Dangerous Occurences. According to Regulations 12 of the Indian Dock Labourers' Regulations, certain classes of dangerous occurences are reportable irrespective of whether personal injury is caused or not.

During the year under review, the total number of reportable dangerous occurences notified from the major ports was 249 as compared to 257 in the previous year. <u>"Non-reportable" accidents and dangerous</u> <u>occurences.</u> Accidents and dangerous occurences under this category are "non-reportable" because either the persons injured or the liftling machinery involved were not covered by the Regulations and the Scheme, or the persons injured, though covered by the definition of workers were not disabled for a period of more than 48 hours.

In 1968, the total number of non-reportable accidents and **dan**gerous occurences brought to the notice of the Inspectorates was 6760 of which 21 were fatal. The corresponding figure for the year 1967 was 5227 of which 12 were fatal showing a considerable increase in the total number of non-reportable accidents and dangerous occurences. The highest number of non-reportable accidents and dangerous occurences were reported at Calcutta, the number being 4403 including 3 fatalities.

Accidents on Board the Ships in Relation to the Number of Workers Employed and Volume of Cargo Handled .- This section deals with accidents on board the ships in relation to the number of workers employed and the volume of cargo handled and trend in accident frequency rate. Figures relating to the aggregate number of workers employed on beard the ships expressed in terms of man-shifts have been obtained from the Dock Labour Boards and from Stevedors. According to these figures 6503 thousand non-shifts were worked in all the major ports during the year 1968 as against 6993 thousand in 1967. A total tonnage of 37025 thousands (excluding bulk oil and bunkering) was handled at the major ports during the year 1968 as against 35956 thousand tons in 1967 showing an increase in the amount of cargo handled.

The total number of **ac**oidents on board the ships during 1968 was 3560 at the major ports as compared to 3443 in 1967, indicating an increase in the year.

<u>Dock Workers (Safety, Health and Welfare)</u> <u>Scheme.</u> The Scheme is applicable to all the major ports and covers health and welfare measures for all the Dock workers and also safety on such workers who are not covered by the Indian Dock Ia bourers' Act. Notification of Accidents, Dangerous Occurences and Certain Diseases. - Reporting of accidents and dangerous occurences by the Port authorities at all ports was generally satisfactory. Reporting by other employers such as clearing and forwarding agents and contractors was not satisfactory in the beginning of the year but it had informe improved in the later part of the year under review. Appropriate action was taken whenever cases of default came to the notice of the Inspectors.

26

<u>Health.</u>- This part deals with cleanliness, drinking water, latrines and urinals, lighting, ventilation and temperature in the premises of the ports. The responsibility for compliance with the provisions in this part is that of the Port Authorities.

<u>Cleanliness</u> - Cleanliness in the Dock areas was generally satisfactory at all ports. Maintenance of cleanliness is a regularwork and whenever any laxity is noticed, the Port authoritios concerned are advised to take necessary action.

Drinking Water. The existing facility for cool drinking water were not adequate at some of the Ports and their maintenance was also not satisfactory.

Inspections and Prosecutions. This work includes inspection of ships, docks, lifting machinery and gear, investigation of accidents and dangerous occurences and attendance at the Courts in connection with prosecution cases.

During the year under review, 11 prosecutions cases were instituted of which 3 each were at Calcutta, Bombay, Madras and 2 at Visakhapatnam. No prosecution cases were filed at the other ports.

8 T, L

CHAPTER 6. GENERAL RIGHTS OF WORKERS.

67. Conciliation and Arbitration. India - August-December 1969.

Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Bill, 1969.

Mr. N.M. Tidke, Minister for Labour, Government of Maharashtma, introduced in the Legislative Assembly of the State on 9 December 1969, a Bill to provide for the recognition of trade unions for facilitating collective bargaining for certain undertakings, to state their rights, and obligations; to define and provide for the prevention of certain unfair labour practices; to constitute courts (an independent machinery) for carrying out the purposes of according recognition to trade unions and for enforcing the provisions relating to unfair practices; and to provide for matters connected with the purposes aforesaid.

According to the Statement of Objects and Reasons of the Bill, the development of strong. independent and responsible unions and an orderly, rational environment free from unfair labour practices are the two pre-requisites of effective ber collective bargaining. There is no legislation which provides for recognition of representative trade unions as exclusive bargaining agent except the Bombay Industrial Relations Act, 1946, which applies only to a few industries. There is also no systematic law to determine and penalise unfair labour practices. Government, therefore, appointed in February 1968, a Tripartite Committee under the Chairmanship of Shri V.A. Naik, President, Industrial Court, Bombay, for defining the activities on the part of employers and workers and their organisations which should be treated as unfair labour practices, and for suggesting action which should be treated as unfair taken against employers or workers or, as the case may be, their organisations, for engaging in such unfair labour practices. The Committee submitted its report to Government on 17 July 1969, which was unanimous. The Committee, being of the opinion that unfair labour practices cannot be in igolation and away from the concent

of collective bargaining and for removing obstacles in the way of such bargaining, observed that it sk is necessary to systematise the law relating to unfair labour practices on sound and scientific lines. The Committee has recommended that comprehensive legislation for the two-fold purpose of according recognition to representative unions which should be clothed with authority of bargaining rights and by describing certain unfair labour practices in the Schedule to the law (including provision for laying down their rights and obligations), should be enacted; and that machinery independent of Government and free from its influence should be devised for fulfilling the dual purpose of according recognition to unions and for enforcing provisions relating to unfair labour practices.

After taking into consideration, the report of the Committee in general, and in particular the above recommendations, Government is of opinion that it is expedient to provide for the recognition of trade unions for facilitating collective bargaining for certain undertakings. to confer on the recognised union certain rights and subject them to certain obligations, and to provide for prevention of certain unfair labour practices. Government further considers it necessary to constitute Courts - an independent machinery - for fulfilling the dual purpose of according recognition to unions and of enforcing provisions relating to unfair labour practices. This Bill seeks to achieve this purpose. 王七 applies to industries to which the Bombay Industrial Relations Act, 1946, for the time being applies, and also to any industry as defined in the Industrial Disputes Act, 1947. Provision is made for the constitution of an Industrial Court consisting of not less than three members and of Labour Courts. The Industrial Court will ordinarily be presided over by a Judge of the Bombay High Court, either sitting or retired. The Industrial Court will deal with recognition of unions for undertakings and with complaints relating to unfair labour practices except unfair labour practices listed in item I of Schedule IV. The labour Courts are invested with power to deal with complaints listed in item I of Schedule IV; and all offences under the Act, with an appeal to the Industrial Court in such criminal cases. The Industrial Court has also been given power to declare other practices as unfair labour practices while dealing with complaints under the Act. The Courts have been given powers, not only to declare that unfair labour practices have been engaged in by certain persons, but also to direct all

such persons to cease and desist from such unfair labour practices, and take such action (including payment of reasonable compensation to employees affected or reinstatement of employees with or without back wages, or the payment of reasonable compensation) as may in the opinion of theCourt be necessary to effectuate the policy of the Act. The Courts are also empowered to pass interim orders (including any temporary relief or restraining order) as they may deem just and proper (including directions to persons to withdraw temporarily the practices complained of, which are a matter of complaint in shch proceedings), pending final decision. Failure to comply with the orders of the Court is punishable with imprisonment which may extend to three months or with fine which may extend to Rs.5,000.

The Bill further invests the recognised unions with exclusive right in all proceedings under the Industrial Disputes Act, 1947, which relate to collective bargaining; and in arbitration award, settlement or agreement in such proceedings (to which the recognised unions will necessarily be a party) is sought to be made binding on all employees in the undertaking. The Bill seeks to amend the Industrial Disputes Act to provide for these matters.

The following notes explain provisions of the important clauses of the Bill.

Clause 3-(a) Sub-clause(10).- This sub-clause defines the term "member" as a person who is an ordinary member of a union, and has paid subscription to the union of not less than 50 paise per month. A person continues to be a member, if his subscription is in arrears for a period of not more than three calendar months during the period of six calendar months, immediately preceding the time his membership has to be reckoned. The definition is generally on the lines of a similar definition given in clause (25) of section 3 of the Bombay Industrial Relations Act, 1946, subject to the modification that the membership fee is fixed at 50 paise per calendar month instead of 25 paise per calendar month.

(b) Sub-clause (14).- The expression "undertaking" has been defined to mean any conern in an industry as defined in the Industrial Disputes Act, 1947, for purposes of recognition of unions. The State Government has been given power to notify a group of concerns in any industry to be one undertaking for this purpose.

Clause 4.- This clause provides for the constitution of the Industrial Court and lays down qualifications required for being appointed as members of the Tribunal.

<u>Clause 5.</u> This clause specifies the duties of the Industrial Court, which include grant of recognition of unions and deciding complaints relating to unfair labour practices except unfair labour practices falling in item I of Schedule IV.

<u>Clauses6, and 7.</u> These provide for constitution of Labour Courtsin local areas to be notified by Government, and specify the duties off the Labour Court.

<u>Clauses 8 and 9</u>.- Provisions are made for appointment of Investigating Officers to assist Courts in the discharge of their duties. Those Officers shall be under the control of the Industrial Court and shall exercise powers and perform duties imposed on them by the Industrial Court.

<u>Clause 10.-</u> This clause provides that the provisions of Chapter III relating to recognition of unions shall apply to the undertakings in industries to which the Industrial Disputes Act, 1947, for the time being applies and which employ or which employed hundred or more employees on any day of the preceding twelve months; but shall not apply to industries to which the Bombay Industrial Relations Act for the time being applies, for the reason that the Bombay Act already provides for recognition of unions for industries to which that Act applies. <u>Clause ll.</u> This lays the qualifications of a union for being recognised, viz., that the applicant union should have a membership of not less than thirty per cent of the total number of employees in the undertaking.

3

<u>Clause 12.</u> This clause provides for the procedure and conditions of recognition of unions by the Industrial Court. After considering the clatms of rival unions, the Industrial Court shall grant recognition to the single union having the largest membership of employees employed in the undertaking.

<u>Clause 13</u>.- This clause specifies the circumstances in which recognition of a union shall be cancelled by the Industrial Court. Recognition of a union is liable to be cancelled <u>inter alia</u> if the Industrial Court is satisfied, that it has instigated or assisted or aided a strike which is illegal under the Industrial Disputes Act, or it has committed a practice which is or has been declared to be unfair labour practice.

<u>Clause 14.</u> The clause provides for recognition of a rival union, in place of a recognised union, by the Industrial Court; and the procedure to be followed therefor. It also provides that the Industrial Court shall entertain an application for recognition of a union in place of a recognised union only if a period of two years has elapged since the date of registration of the recognised union.

<u>Clauge 16.</u> Provision is made to the effect that the cancellation of recognition of a union shall not relieve it or its members from any liability incurred before cancellation.

<u>Clause 19.</u> Certain obligations have been cast on recognised unions; these include <u>inter alia</u> obligations - (a) not to refuse arbitration in any industrial disputes if offered by the employer; (b) not to resort to, aid or assist an illegal strike; (c) not to strike, unless the remedy of arbitration has been exhausted and majority of the members vote for the strike; and (d) not to sanction, resort to or support 'go-slow'. <u>Clause 20.-</u> This clause confers certain rights on a recognised union, which include <u>inter alia</u> right to appoint its nominees on Works Committee constituted under section 3 of the Industrial Disputes Act, 1947, and the right to represent the employees in the undertaking in all matters of collective bargaining under that Act. Proceeding relating to dismissal, discharge, removal, retrenchment, termination of service or suspension of individual employees, could be represented by the employee or any registered union in the undertaking. Provisions of the Industrial Disputes Act are sought to be amended to achieve these purposes.

<u>Clause 21.</u> This clause provides for representation in proceedings relating to unfair practice. Entries 2 and 6 of the Schedule IV relate to collective bargaining. Hence, in industries to which the Industrial Disputes Act, 1947, applies the right of representation in these matters is given exclusively to recognised unions. In industries to which the Bombay Industrial Relations Act for the time being applies, the right of representation is vested in the representative of employees entitled to appear under section 30 of that Act.

<u>Clause 22.</u> This clause specifies unfair labour practices.

Clause 23.- This clause prohibits employers, unions and employees from engaging in any unfair practice.

<u>Clause 24.</u> This lays down the procedure to be followed by the Industrial Court for deciding complaints relating to unfair labour practice.

<u>Clause 26.</u> The Industrial Court and Labour Courts are invested with certain powers to enable them to hold enquiries under the Act, and issue orders, naming the guilty party and directing it to cease and desist from engaging in an unfair labour practice and to take action including payment of compensation and reinstatement of employees with or without back wages. Provision is made for enabling Courts to pass interim orders in the nature of temporary relief or restraining orders. This is generally in accordance with the recommendationsef the Committee.

<u>Clause 28.</u> This gives the Industrial and Labour Courts power to decide all matters arising out of any application or complaint referred to them for decision.

39-

<u>Clause 31.</u> Decision of the Full Bengh of the Industrial Court in the determination of any question of law is made binding, and shall be followed in all proceedings under this Act.

<u>Clauses 34 and 36.</u> Labour Courts have been given power to try offences punishable under this Act. It shall have all the powers under the Code of Criminal Procedure, 1898, of a Presidency Magistrate in Greater Bombay and Magistrate of First Class, elsewhere.

<u>Clauses 38 and 39.</u> An appeal shall lie to the Industrial Court against an order of the Labour Court, and the Industrial Court may confirm, modify, add to, or rescind, any order of the Labour Court appealed against; and may pass such order thereon, as it may deem fit.

The Industrial Court has been given all the powers of the High Court of Judicature at Bombay under the Code of Criminal Proceduze, 1898, in respect of offences punishable under the Act.

<u>Clause 44.</u> This provides for penalty for failure to comply with an order of the Court, which may extend to three months or with fine which may extend to five thousand rupees.

Punishment is also provided for contempts of Industrial and Labour Courts.

<u>Clause 46.</u> This clause provides for recovery of money due to an employee from an employer as an arrear of land revenue on a certificate for that amount being issued to the Collector by the Court.

<u>Clause 47</u>.- Fines imposed under the Act are also made recoverable as arrears of land revenue.

<u>Clause 49.</u> Power has been taken to the State Government to make additions to, or alterations in, the list of unfair <u>bear</u> labour practices specified in the Schedules, after consultation with the Industrial Court, and subject to previous publication of the proposal and consideration of any objections and suggestions.

<u>Clause 54.</u> Provisions have been made in this clause for continuance and completion of the proceedings pending before the State Government or Tribunal or any other authority, relating to the provisions of the Industrial Disputes Act, 1947, or the Bombay Industrial Relations Act, 1946, before commencement of this Act. <u>Clause 55.</u> This clause bars institution of any proceeding under the A=tti Act in respect of any matter relating to which any proceeding is instituted under the Bombay Industrial Relations Act or the Industrial Disputes Act and <u>vice versa</u>.

<u>Clause 56.</u> Suits which form or which may form the subject matter of complaint or application under the Act have been excluded from the jurisdiction of the Civil Court.

Schedule I.- This provides for consequntial amendments to the Industrial Disputes Act, 1947, to achieve the purpose of the Bill.

Schedules II, III and IV. These Schedules list the unfair labour practices on part of the employers, trade unions and certain general unfair labour practices.

۶T،

(Maharashtra Government Gazette, Part V, 18 December 1969, pp.604-635). CHAPTER 8. MANPOWER PROBLEMS.

INDIA - AUGUST-DECEMBER 1969.

81. Employment Situation.

Tamil Nadu Relief Undertakings(Special Provisions) Act, 1969 (Act No. 21 of 1969).

TheTamil Nadu Relief Undertakings (Special Provisions) Bill, 1969, as passed by the Tamil Nadu Legislature received the Assent of the President on 21 October 1969 and has been gazetted as Madras Act No.21 of 1969. The Act enables the Government to make special provisions for a limited period in respect of industrial relations, financial obligations and other like matters in relation to industrial undertakings the running of which is considered essential as a measure of preventing or of providing relief against unemployment.

Under the Act the Government may, if satisfied that it is necessary or expedient so to do in the public interest, with a view to enabling the continued running or restarting of a State industrial undertaking as a measure of preventing, or of providing relief against, unemployment, declare, by notification, that the State industrial undertaking shall, with effect on and from such date and for such period as may be specified in the notification, be a relief undertaking. The period so specified shall not, in the first instance, exceed one year but may, by a like notification, be extended from time to time, by any period not exceeding one year at any one time.

The Government may direct by notification,-

(a) that in relation to any relief undertaking all or any of the enactments specified in the Schedule shall not apply or shall apply with such adaptations, whether by way of modification, addition or ommission, as may be specified in such notification; or (b) that all or any of the contracts, assurances of property, agreements, settlements, awards, standing orders or other instruments in force, to which any relief undertaking is a party or which may be applicable to any relief undertaking, immediately hefore the date with effect on and from which the relief undertaking was declared a relief undertaking, shall be suspended in operation or that all or any of the rights, privileges, obligations, and liabilities accruing or arising thereunder before the said date, shall be suspended or be enforceable with such modifications and in such manner as may be specified in such notification.

Such a notification under section 4 shall have effect notwithstanding anything to the contrary contained in any other law, agreement or instrument or any decree or order of court, tribunal, officer or other authority.

The Acts specified in the Schedule are:-

1) The Industrial Employment (Standing Orders) Act,1946 (Central Act XX of 1946).

2) The Industrial Disputes Act,1947 (Central Act,XIV of 1947).

3) The Minimum Wages Act, 1948 (Central Act XK of 1948).

4) The Madras Shops and Establishments Act, 1947 (Madras Act XXXVI of 1947).

> (Fort St. George Gazette, Extraordinary, Part IV, Sec.4, 24 October 1969, pp. 97-100).

8 T. 1

Engineers Without Jobs.

According to the Ministry of Education there were until June 1969, some 47,000 engineering graduates and diphoma holders unemployed throught India, though job opportunities have begun to increase considerably since 1968.

The number of unemployed trained technical personnel last year was estimated by the Ministry at 56,000 after 27,000 engineers and diploma holders had been found jobs. Both in 1968 and 1969, the Ministry thinks, there has been no marked inclination on the part of students to shy away from Engineering courses.

According to an official survey, the number of unemployed engineers by the end of 1965 was 16,000 and this shot up to 40,000 in 1967 and 56,000 in 1968 due to recession and droughts. But during these years, 37,000 students annually passed out of technical institutions. Two major schemes are on hand to provide employment to these unemployed engineers. One is the self-employment scheme sponsored by various States under which fixed assets like land, are offered to unemployed engineers in addition to loans by theState Bank for starting industries. It is estimated that 5,000 engineers in different parts of India would avail of these terms and set up small industries. The other major scheme is recruitment by the Union Ministry of Irrigation and Power and Transport for undertaking major investigations for their projects.

The Education Ministry points out that whatbyer employment opportunities had been created were the result of efforts of Government alone. The private sector had played no part in absorbing unemployed engineers. There were thousands of small-scale industries which did not employ any technical trained personnel.

(The Hindu, 2 October 1969).

"L'

Aco-operative finance and development bank is proposed to be set up to help and promote the rehabilitation of repatriates from Ceylon and Burma.

The proposed bank will provide finance for economic programmes of production, trade and business undertaken by repatriates, or co-operatives of the repatriates or by others including co-operatives and companies employing repatriates.

The bank is proposed to be set-up under the Madras Cooperative Societies Act,1961,with an authorised capital of 50 million rupees. Of this, 10 million rupees is expected to be subscribed by the Union Government.

The balance amount of the share capital will be raised by allotment of shares to the State Governments, individual repatriates and cooperatives of repatriates.

<u>First Batch</u>.- Under the Indo-Ceylon Agreement, about 0.525 million persons are likely to come to India over a period of 15 years. The firstbatch first batch of 35,000 persons is expected to arrive in the current year. Besides repatriates from Burma, numbering about 0.172 millions, have already arrived. More are expected to come at the rate of 10,000 each year.

A substantial number of these repatriates will be absorbed in industries, trades and other suitable non-agricultural occupations.

The bank will raise funds for carrying out the programmes by borrowing orotherwise and arrange for direct financing the repatriates by the banks and other financing agencies. It will provide necessary bank guarantees to them.

According to an official report, the incidental benefits of forming a banking institution would be that the banking method would ensure not only better selection of the loanees and better utilization of the loan funds butwith the follow-up action that the banking method would automatically involve, the process of supervision and recovery of loans would also be greatly improved.

(The Patriot, 18 August, 1969).

Employment Exchange: -Working during October 1969.

According to the review of the Princkpal activities of the Directorate General of Employment and Training for the month of October 1969, the position of registrations, placements, live register, vacancies notified and employers using employment exchanges is shown in the following table:

Items	September 1969	0 ctobef 1969	Difference	
1	2 377,896 39,965 3,425,258 61,914	3 339,732 34,534 3,415,980 57,628	4 (-) 38,164 (-) 5,431 (-) 9,278 (-) 4,286	
Registrations Placements Live Register Vacancies Notified				
Employers who used Exchanges	12,139	11,393	(-) 746	

Vocational Guidance and Employment

<u>Counselling</u>.- The Department of Social Welfare, Government of India, have issued sanction for the establishment of 4 coaching-cum-guidance Centres, on a Pilot basis, each at Delhi, Kanpur, Jalalpur and Madras for Scheduled Castes and Scheduled Tribes candidates. These Centres will be run by the Directorate-General of Employment and Training and are expected to be set up by December 1969.

Displaced Persons from East Pakistan.- During themonth under review, 242 East Pakistan Migrants were registered with various Employment Exchangesraising the total number of registrations to 47,887. Thirtytwo were placed in employment, bringing the total number of placements to 3,893. The Live Register stood at 9,691.

<u>Repatriates from Burma.</u> Twohundred twentyfive Repartriates from Burma ware registered bringing the total number of registrations to 13,380. Twentynine were placed in employment - raising the total number of placements to 2,505. The Live Register stood at 2,390. Repatriates from Ceylon.- Sixty Repatriates from Ceylon were registered and 8 were placed in employment. The total number of registrations and placements so far effected was 1,096 and 147 respectively. The Live Register stood at 284.

8 T 8

(Monthly Review of the Principal Activities of the Directorate-General of Employment and Training, Government of India, New Delhi for the Month of October 1969).

Employment Rises by two per cent in 1968-69.

According to a data collected by the Directorate General of Employmentand Training under its Employment Market Information Programme which covers all public sector establishments and non-agricultural establishments in the private sector employing 10 or more employees, employed in the organised sector of the economy increased by 1.9 per cent between April 1968 and March 1969 i.e. from 16.3 million to 16.6 million. Therate of the increase was more than double of the increase in 1966-67; the growth in 1967-68 being almost negligible (0.1 per cent). Employment growth in the public sector was of the order of 2.3 per cent as against 1.7 per cent in the previous year. In the private sector, employment rose by 1.3 per cent for the first time in the last three years. In the last two years it had decreased and the decreases in 1966-67 and 1967-68 were of the order of 1.9 per cent and 2.4 per cent respectively.

The reversal of the trend, particularly in the private sector, seems to indicate the impact of economic recovery that started in the wake of agricultural expansion and industrial revival. In the light of a probable rise of 3 per cent in national income and 6 per cent in industrial production, the 1.9 per cent growth in employment acquires some significance.

Employment by Industries. - Employment increased during the year under review in all the industry divisions except in Plantations and forestry and mining and quarrying. The highest growth rate (5.5 per cent) was attained in electricity generation and distribution, followed by Trade and Commerce and construction (bothwith a growth rate of 4.4 per cent). In services and manufacturing, which together account for nearly two-thirds of the total employment, the growth rates were 2.3 per cent and 2.0 per cent respectively. Transport and Communications, however, recorded an increase of only 1.1 per cent. In Planning Plantations and forestry employment further decreased during the year under review by another 2.2 per cent (on the top of a 0.3 per cent decrease in 1967-68 and 2.5 per cent decrease in 1966-67) and in mining and quarrying, by 1.9 per cent dec (as against decreases of 6.9 per cent in 1967-68 and2.4 per cent in 1966-67). While the continued employment decrease in Plantations and forestry was mostly due to the reduced employment opportunities in the tea plantations, in the case of mining and quarrying, it probably reflects the conditions particularly of the coal mining industry (which accounts for about two-thirds of employment in this group).

LL

(Documents supplied by the Directorate-General of Employment and Training, Government of India, New Delhi).

CHAPTER 9. SOCIAL SECURITY.

92. Legislation.

India - August-December 1969.

Kerala Industrial Employees Payment of Gratuity Ordinance, 1969 (Ordinance No.7 of 1969).

The Governor of Kerala promulgated on 8 December 1969 an Ordinance to provide for the payment of gratuity to the employees in factories, plantations and other establishments in the State of Kerala. The Ordinance which will come into force on such date as the Governor may appoint extends to the whole of the State of Kerala. The Ordinance applies in the first instance to any factory as defined in clause (m) of section 2 of the Factories Act, 1948 (Central Act 63 of 1948);

any plantation as defined in clause (f) of section-2 of the Plantations Labour Act,1959 (Central Act 69 of 1951); and

any establishment as defined in clause (8) of section 2 of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960).

The Ordinance provides that gratuity shall be payable to an employee -

(a) on his superannuation;

(b) on his retirement or resignation from service after completion of a minimum of five years of continuous service;

(c) on his death or total disablement due to accident or disease.

The term total disablement means such disablement, whether of temporary or permanent nature, as incapacitates an employee for all work which he was capable of performing at the time of accident resulting such disablement. In the cases referred to above the employer shall pay gratuity to each of his employees at the rate of fifteen days' wages based on the last drawn wage rate for every completed year of service or part thereof in excess of six months: provided that the maximum amount of gratuity payable to an employee shall not exceed fifteen months' wages.

44

Nothing in this section shall affect the right of any better terms of gratuity or retirement benefits under any award or agreement or contract with the employer.

In the case of an employee who is dismissed or discharged for misconduct involving financial loss to the employer, the amount of such loss may be deducted from the gratuity due to him subject to the condition that such deduction shall not exceed twenty-five per cent of the gratuity payable.

Other provisions of the Ordinance relate to application for gratuity and procedure for payment, method of recovery of gratuity amount and power to make rules.

> (Kerala Gazette, Extraordinary, 8 December, 1969, pp.1-7).

۶T.8

Working of the Maternity Benefit Acts during 1967.

November 1969 issue of the <u>Indian Labour</u> <u>Journal</u> contains a review of the Working of the Maternity Benefit Acts during 1967.

During the year under review the percentage of establishments submitting returns to the total number of establishments covered by the State Acts/Central Acts varied from 8.3 in Madhya Pradesh to 100 in Bihar, Uttar Pradesh andPondicherry in respect of factories and 42.9 in Tripura to 100 in Bihar in respect of Plantations.

Among the various States Kerala reported the largest number of cases in which maternity benefit was paid either fully or partially. Next in the order came Mysore, Madras, Gujarat and Bihar. In plantations Assam reported the largest number of cases in which maternity benefit was paid during the year under reveiew. The proportion of women workers who were paid maternity benefits in full or in part in factories and plantations to the total number of women workers who claimed such benefits during the year under review was fairly high in all the States. No claims were reported to have been preferred or paid during the year under review in Punjab and Goa in the case of factories, and Bihar in the case of plantations. The percentage of claims to the total number of wormen employed in factories and in plantations was the highest in Kerala and West Bengal respectively during 1967.

The average amount of benefit paid per case in factories varied from Stateto State, the highest (As.520/-) being in Uttar Pradesh and the lowest (As.43/-) in Pondicherry. The overall average amount of maternity benefit paid per case in factories, plantations and mines during 1967 was Rs. 115/-, Rs.131/-, and Rs.224/- as against Rs.107/-, Rs.117/-, and Rs.208 respectively in 1966.

46

The number of complaints received was the highest in Kerala both in factories and plantations. Prosecutions were launched only in a few cases, as generally the violation of the Acts or Rules thereof which led to complaints was reported to be of a minor nature.

Y

1 T I

(Indian Labour Journal, November, 1969).

Medical Care of Workers - More Funds to be Raised.

On the basis of recommendations made after a review of its financial position, the Employees' State Insurance Corporation has decided to raise the Employers' contribution to the ESI funds to provide medical benefits to workers covered by the Scheme from the present three per cent to four per cent of the total wage bill.Contributions of the employees and the Government will remain unchanged. It is proposed to use half of the additional contribution from the employers directly on medical benefits for the workers. The other half will be ear-marked for capital expenditure, including hospital buildings.

The financial position of the ESI Corporation is so much stretched at present that even this measure will not relieve its burden to an appreciable extent. It has therefore decided to place a ceiling of Rs.50/- per capita per annum on medical benefits to the workers. If a State Government wants to spend above this ceiling, it will have to meet the extra-expenditure.

(The Patriot, 19-7-1969).

LIST OF THE PRINCIPAL LAWS PROMULGATED DURING THE PERIOD COVERED BY THE REPORT? FOR AUGUST-DECEMBER 1969.

INDIA - AUGUST-DECEMBER 1969.

Chapter 4. Problems Peculiar to Certain Branches of the National Economy.

48

Tamil Nadu Agricultural Labourers Fair Wages Act,1969 (Madras Act No.19 of 1969): (Fort St. George Gazette, Extraordinary, 29 September 1969, pp. 87-93).

Chapter 5. Working Conditions and Living Standards.

Kerala-Shops and Commercial Establishments(Amendment) Act,1969 (Act No.32 of 1969): (Kerala Gazette, Extraordinary, 1 November 1969).

Chapter 8. Manpower Problems.

Tamil Nadu Relief Undertakings (Special Provisions) Act, 1969 (Act No.21 of 1969): (Fort St. George Gazette, Extraordinary, Part IV, sec.4, 24 October 1969, pp. 97-100).

Chapter 9. Social Security.

Kerala Industrial-Employees Bayment of Gratuity Ordinance, 1969 (Ordinance No. 7 of 1969): (Kerala Gazette, Extraordinary, 8 December 1969, pp. 1-7).

1 T 1

LIST OF ARTICLES

INDIA - AUGUST-DECEMBER 1969.

Chapter 2. International and National Organisations.

- a) Role of Trado Unions in Industrial Peace by Surendra Singh: Labour Bulletin, U.P. June 1969.
- b) Rights and obligations of Employees and employees by N.H. Tata: Journal of Indian Merchants, October 1969.
- c) Trade Unions Rule in Developing Economy by S.W. Dhabe: Indian Worker, 29 December 1969.

Chapter 3. Economic Questions.

- a) Scientific Marketing by M.Mathias: Amrita Bazar Patrika, 19 September 1969.
- b) Labour Productivity and Automation by Chittapriya; Mukherjee: AICC Economic Review, August 15, 1969.
- o) Role of Management in Industrial Development by M.R. Shroff: Industrial India, October 1969.

<u>k</u>b

Chapter 6. General Rights of Workers.

- a) Participation and Control in the Public Sector by Shyamalal Mukherjee: Statesman 28 August 1969.
- b) Management Development in India, by Om P. Bhatia: Indian Worker, 1 September 1969.

Chapter 7. Problems Peculiar to Certain Categories of Workers.

a) The Froblem of Educated Unemployed by A.N. Mehra: A.I.C.C. Economic Review, 1 November 1969.

र्ष

17.8

Chapter 11. Occupational Safety and Health.

Accident Prevention in Manufacturing Industries by B.J. Ramrakhini: Indian Worker, 22 December 1969.