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INTERNATIONAL LABOUR OFFICE
INDIA BRANCH

Industrial and Labour Developments in
December 1965.

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

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Chapter 1. International Labour Organisation

12. Activities of External Services.

India - December 1965.

Meetings

During the period under report the Director of the Office attended the following meetings:

- a) Sixth Meeting of the Governing Body of the Asian Productivity Organisation held at New Delhi, 7-11 December 1965.
- b) President's Conference on Industrial Safety, held at New Delhi on 11 December 1965. The meeting was organised by the Ministry of Labour and Employment.
- c) Second Regional Conference for Asia and Oceania of the International Social Security Association held at New Delhi from 13 - 18 December 1965.
- d) Sixteenth Annual Session of the Indian National Trade Union Congress held at Bhilai from 26 - 27 December 1965.

Lectures

On 15 December 1965, the Director gave a talk to the Trainees of the Sixth Course for Educational Planners and Administrators, at the Asian Institute of Educational Planning and Administration. The topic of his talk was, "Workers' Education and Productivity".

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13. Press and Opinion.

India - December 1965.

In addition to the attached clippings the following references to the work of the ILO appeared in Indian Journals received in this Office during the period under review:

1. October, 1965 issue of 'Monthly Bulletin', issued by the Central Board for Workers' Education, Ministry of Labour and Employment, refers to the visit in India of an ILO Fellow from U.A.R. to study 'Workers' Education'.

2. The 22 October 1965, issue of 'Commerce' publishes an article on 'Workers' Participation in Management'. The article contains incidental references to the ILO.

3. The 15 November 1965, issue of 'The Indian Worker', publishes an article on 'Part-time Work for Women - the Pros and Cons'. The article makes an incidental reference to the ILO.

4. 'Industrial Bulletin', dated 15 November 1965, issued by the Employers' Federation of India, publishes a note on 'Livelihood Guarantee Funds in Belgium'. Acknowledgement is made to 'International Labour Review'.

5. 'Asian Labour' November 1965, issued by the ICFTU Asian Regional Organisation, publishes a summary of an address by the Malaysian Minister of Labour at a reception given by the Public Service Association (PSI) during the course of the First Asian Conference of PSI ~~date~~ held at Kuala Lumpur from 27 -30 September 1965. In the course of his speech the Minister remarked: "I am sure that our public service unions have benefited immensely from the experience and traditions of such international trade union organisations like yours, the ICFTU and the ILO. The contacts with these organisations have given our trade union movement a degree of respect and self-confidence".

6. The same issue of the Journal publishes reports of conventions of ICFTU affiliated organisations in Japan. At the All-Japan Postal Union the General Secretary's report mentions that "the union's fight for full trade union rights and its struggle for the past seven years which led to the recent ratification of the ILO Convention 87 by the Japanese Government".

7. November 1965 issue of Indian Shipping carries a news item, captioned 'Automation in Ship: Elsinore Meeting'. This refers to the seminar conducted in Denmark under the auspices of the International Institute of Labour Studies in collaboration of the Danish Board of Technical Co-operation with Developing countries.

8. An article on 'Payment by Results - pros and cons of the Scheme examined', is published by the 'Commerce' dated 13 November 1965. The article makes incidental references to the ILO.

9. A review of 'Industrial Relations in India', by N.F. Duffy, is published in the 20 November 1965 issue of 'Commerce'. Dr. Norman F. Duffy, an ILO Expert during his visit to India in 1963 delivered at the request of the Karnatak University, three lectures on some aspects of industrial relations in India. These have been published by Allied Publishers in book form.

10. 'Commerce', dated 11 December 1965, publishes a commentary on an ECARE study on 'Rural Labour and Industrial Development'. An incidental reference is made to the ILO.

11. AICC Economic Review, dated 1 December 1965 publishes an article on 'The Economics of Poverty'. Reference is made to the ILO's "Minimum Wage-fixing Machinery".

12. The following reference to the ILO appear in the 13 December 1965 issue of 'the Indian Worker', (a) Eighth session of ILO's Metal Trades Committee; (b) Second Regional Conference of ISSA; (c) an article on the late Shri G.D. Ambekar mentioning his connection with the ILO; and (d) a news item captioned 'Violations of Trade Union Rights in South Africa - ILO backs ICFTU's complaints'.

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13. Trade Union Record, dated 20 December 1965 reviews resolution adopted at the 6th World Trade Union Conference. An incidental referanee~~g~~ is made to the ILO.

14. December 1965 issue of 'World Informa' refers to the report published jointly by ILO and UNESCO on the status of teachers.

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Chapter 2. International and National Organisations

23. Other Governmental International Organisations.

India - December 1965.

Second Regional Conference of ISSA, New Delhi,
13-18 December 1965.

The second Regional Conference for Asia and Oceania of the International Social Security Association was held at New Delhi from 13 to 18 December 1965. The Conference was inaugurated by the Prime Minister.

The Director of this Office and an official from Headquarters represented the I.L.O. at the meeting.

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25. Wage-Earners' Organisations.

India - December 1965.

Sixteenth Annual Session of Indian National Trade Union Congress, Bhilai, 26-28 December 1965: Government urged to take Immediate Measures to Check Closures of Industries.

The sixteenth annual session of the Indian National Trade Union Congress was held at Bhilai from 27 to 28 December 1965. Dr. G.S. Melkote presided. The session which was attended by about 2,000 delegates representing all trades and services from all over India, was inaugurated by Shri Sanjiva Reddy, Union Minister for Steel. Among others, Shri D. Sanjivayya, Union Minister for Labour and Employment and Shri Gulzari Lal Nanda, Home Minister also addressed the meeting.

The session was attended, among others, by Shri P.M. Menon, Director of this Office, who read out a message on behalf of the Director-General of the I.L.O., the Labour Counsellor of the United States Embassy in India and a fraternal delegate from Histrandt, Israel.

The Congress, inter alia, adopted a resolution appealing to Government to take immediate steps to put a check on lay-off, retrenchment and closures of industries and maintain the level of employment and production in all industries and services.

Inaugural Address: Need to remove economic imbalance stressed.- Inaugurating the Session Shri Sanjiva Reddy, said "unemployment and under-employment, the relatively low level of wages and the low level of productivity in the agriculture sector" are the problems which should engage the meeting's attention. Referring to the imbalance between rural and urban population Shri Reddy said that even after 15 years of Planning large sectors of the population remained economically backward. "It is the welfare of these sections of the population that we shall have to pay particular attention in the future".

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About 50 per cent. of the people for whom agriculture is the main-stay of occupation have an income well below the average per capita income, he said.

Dealwing Dealing with the question of past and present labour policy, Shri Reddy said, "the spirit of cooperation evinced by employers and workers in the implementation of the three five year Plans requires to be further built upon if productivity standards are to be stepped up and maximum use made of available resources".

He urged upon employers and workers to realise the gravity of the situation prevalent in the country and said "a positive spirit of give and take must be established between the management and workers". He emphasised that the heavy responsibility now rested on managements and workers, specially in those sectors vital to food production and the defence effort. He said that measures for improving employer-employee relations with a view to increasing production and the defence effort should occupy a first place in their thinking.

Presidential speech: All-out efforts urged to meet Food, Defence needs.- In his presidential address Dr. G.S. Melkote expressed serious concern over the delay caused in finalizing the Fourth Plan. He said following the conflict with Pakistan further work on finalizing the Fourth Plan appeared to have been virtually suspended. It was of the utmost importance that the period required for reassessment of the prevailing situation vis-a-vis the fourth Plan was not prolonged.

Dr. Melkote said that the most important lesson to be drawn from recent developments was that both in defence and development the country must rely principally on itself and must struggle against all odds with a will and resistance of its own. "It is essential that a sufficiently detailed picture of the fourth Plan as now conceived, with all ~~in~~ its economic, agricultural and industrial, as well as social aspects, should be before the country during the next session of Parliament". Dr. Melkote said if the workers were to put in their best, the Government should use every opportunity "to create more and more incentives so that the workers' enthusiasm is kept going".

Dr. Malkote surveyed the national scene in the context of the recent Indo-Pakistan conflict and commended the role the workers played "by eschewing strike, by demanding nothing for themselves except the right to work more and more to produce more material needed by the jawans and the country."

Referring to several instances of retrenchment, lay-offs and closures during the past few months, Dr. Melkote said "leaving aside the special short-term situations which developed in the border areas, for which there have to be separate remedies, most lay-offs and closures are being ascribed to shortage of imported raw materials".

"The question, therefore, of utilising existing industrial capacities of the country is bound up not only with the total availability of materials but also with their correct distribution between different industries and plants. The Government should have complete knowledge of the material requirements of different industries and of the principal units of groups of units", he added.

Dr. Melkote said the credit policies adopted by the Government of India and the Reserve Bank of India should be such as to ensure that the country's economic apparatus worked to full capacity.

The existing machinery for watching and controlling prices of essential commodities was weak, Dr. Melkote said: "High prices are creating a degree of hardship for large numbers, more particularly the working class whose main item of expenditure is food and clothing".

At a time like the present, he said, it was essential that the country must earn as much foreign exchange as it could through exports. In each industry, representatives of labour should be associated intimately and in a responsible way while drawing up programmes for reducing costs and raising productivity, Dr. Melkote said.

Dr. Melkote rejected the employers' views on Indian workers' capacity for sustained work and said: "An Indian worker is in no way inferior to any in the world in all respects. We hold the opinion that if similar situations, as obtained in economically advanced countries in respect of pay packet, welfare scheme and fringe benefits are made available, the Indian worker also would show grit, diligence and the capacity to produce similar quantities, if not more."

General Secretary's Report: Industrial relations strained by long-drawn litigation on bonus issue.— Shri G. Ramanujam, General Secretary of INTUC in his Report says that the year was an eventful one not only for labour and the people of the country but for the world itself.

In the international trade union field in Asia, the year 1965 provided the sorry spectacle of groups and intrigues playing havoc in the Asian Regional Organisation of the ICFTU, leading to INTUC boycott of the regional unit. "It also saw the inability of that world body to rid its Asian organisation of intrigues and group politics, clear it up and put it on a sound base when it had an opportunity to do so. Earlier, it had come out in the open that this world body was itself the victim of unhealthy pressure groups. With the change of Government in Ceylon the possibilities of people of Indian origin in Ceylon getting a fair deal has brightened up a little. It was heartening to find the spirit of solidarity and the unity in evidence in the Afro-Asian Trade Union Seminar convened by the Singapore National Trade Union Congress in October."

The Report says that suggestions for abolition of monopolies and managing agency system which continued to be debated throughout the year has not yet led to any concrete action. Abolition of contract labour system as well as the establishment of fair-price shops for industrial workers, which were promised to be legislated upon long back, are still to be put on the statute book. As regards food the Report points out that the problems of food continued to defy a satisfactory solution throughout this year too. The continued threatening posture of communist China, the possibility of food imports from abroad being tied to the political aims of the country making the supplies, and therefore deserving to be rejected by us, and the inadequate rainfall during the year, have made the food situation worse. This has made necessary the introduction of statutory rationing of foodgrains in all major cities.

In the field of industrial relations, the problem of bonus, which has been a recurring headache to both trade unions and managements, went through further processes of codification during the year, such as promulgation of an Ordinance to give effect to the Bonus Commission's recommendations, as modified and clarified by the Government, and there after to replace it by a legislation through Parliament. But employers have already challenged the vital provisions of this Act in various High Courts and the shadow of a long-drawn litigation has already started darkening industrial relations. In regard to wages, while the second round of wage boards have started working for some industries, for some others even the first wage board has not yet been set up. Government continued to tinker with the Industrial Disputes Act by introducing piece-meal amendments to it, which however, have not come up either to the expectation of labour or gave effect to all the tripartite conclusions. The INTUC has welcomed the idea of "India Productivity Year 1966" and has offered to work for creating productivity consciousness in all industries throughout the country.

In some states, substantial power/cut is already in force reducing there by the volume of employment and production. In some industries such as textiles, there is a glut owing to accumulation of stock, leading in turn to lay-off and unemployment; and in certain other industries lay-off is being threatened or has already been affected for want of raw materials. And the complaint of inadequate credit facilities became common in more industries. At the instance of the INTUC the Indian Labour Conference held in October, agreed to set up an inter-Ministerial committee at the Centre to take necessary steps for reopening and running closed units and for avoiding threatened closures by timely remedial action with a view to keep up the level of employment, productivity and production with high priority for the industrial centres along the border. Still the working class put aside its weapon of strike and voluntarily renounced all agitations with a view to maintain peace in the industrial front, so that Government's attention on defence efforts is not detracted to the detriment of the country. But complaints have already started coming in that certain employees are trying to exploit such unilateral sacrifice by labour to their own advantage.

The problem of multiplicity of unions has been plaguing the trade-union movement and industrial peace in the country. The reasons for the existence of plurality of unions are partly political, partly personal and partly governmental. Governments in the Centre and in the States appear to have no plan of helping the evolution of a single, strong, healthy trade union movement for the country even after two decades. Governments in the Centre and in the States treat all trade unions alike and in the process rob the largest organisation of its importance and help the perpetuation of the division among labour. Some State Governments or for that matter even the Central Government in their anxiety to be impartial end up being partial to the minority organisations. The Central Government's standards for recognition are different from ILO and at the Plan level on the one hand, and its own Conferences and Committees on the other. In view of the changed circumstances, it will now be necessary for all concerned to give a second look to the Code of Discipline in industry.

The Report emphasises that the public sector has an important role to play in hastening the realisation of the nation's objective of the democratic socialism. The public sector has been growing rapidly and is bound to assume a dominant role in the economic activity of the country before long. But the public sector as a progressive and ideal industrial employer has still a long way to go. These undertakings must be managed by people who really believe in socialism and who are experts in business techniques. The trade union movement in the public-sector is generally weak. The INTUC's position, though far better than others, has still considerable scope to improve. Most of those in charge of public sector undertakings have a tendency to help non-INTUC unions to grow and at the same time weaken the INTUC unions. There seems to be a prejudice against the INTUC unions in the minds of some public sector bosses. The position in the private sector is not any better. Employers in private sector often do not have a long-range view. They do not hesitate to enter into cheap agreements with our rival unions and force the INTUC to struggle harder as it then has the added burden of correcting all those cheap and wrong agreements.

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The Report points out that industrial safety has now assumed great importance. The worst mine disaster occurred this year in the Dhori Mines killing more than 260 workers. Industrial accidents in general too appear to increase. Conscious of this spreading danger, the Labour Ministry convened towards the close of the year a high-level Safety Conference inaugurated by the President.

According to the Report the membership of the INTUC as on 31 October 1965, stood at 1,876,625 distributed among 1960 affiliated unions.

The statement of income and expenditure included in the Report shows that as on 31 March 1965, the total income of the INTUC was 169,754.88 rupees; the excess of income over expenditure being 6,988.77 rupees.

The Report also has a section giving a brief record of ILO meetings.

Resolutions.— The Congress in a resolution appealed to the Government to take immediate measures to put a check on lay-off, retrenchment and closures of industries and maintain the level of employment and production in all industries and services.

The resolution suggested that the Government should, among other steps, put up more thermal stations; make it possible for employers to have their own generators, where the electric power is not adequate; make suitable arrangements for the supply of raw materials, whether by import or by import substitution; make available a flexible credit policy; and promptly take over mismanaged units to suitably amend the Industries Development and Regulation Act, so that the units taken over are not returned to the same management.

By other resolutions the Congress:

Demanded upon the Government of India to make the best of the people's existing spirit of sacrifice and harness it for increasing agricultural production and for streamlining the distribution system and for avoidance of waste at every stage.

Reaffirmed the need to abolish absentee-landlordism; providing a net work of efficient service cooperatives all over the country; ensuring fair prices to the producer by reducing the middle-man; providing adequate fertilisers to farmers and measures to improve the lot of agricultural labour to enthuse him to put in his best in the field.

Voiced the need for effective attention as regards distribution of the available foodgrains for which the INTUC, inter alia, suggested abolition of all food-zones; introduction of statutory rationing in all cities and industrial areas and a vigorous campaign for diversification of food habits among the people as well as to scrupulously avoid waste in storage, transport and consumption.

Condemned the anti-social activities of some trade unionists who are calling for agitations and strikes at a time when the country was passing through emergency.

Pledged unstinting support to Government in its efforts to repel the aggressors from Indian soil.

Paid respectful homage to those who had laid down their lives in the heroic defence of the Motherland during the September undeclared war between Pakistan and India.

Extended whole-hearted sympathy to the people of Rhodesia and condemned the high-handed action of the White minority in usurping Government power.

Office bearers.- Shri V.V. Dravid was elected President of the INTUC for the year 1966.

Except one member (Shri V.V. Dravid) all the persons who held Vice-Presidentship during 1965 were re-elected. They are: Sarvashri Kashinath Pandey, Michael John, Abid Ali and Dr. Mrs. Maitreyee Bose. The new Member elected in Shri Dravid's vacancy is Shri N.H. Shaikh of Gujarat.

Shri A.N. Buch was re-elected as Treasurer of the INTUC while Shri A.P. Sharma and Shri G. Sanjeeva Reddy retained their post of Organising Secretaries. Shri N.K. Bhatt was also re-nominated as Assistant Secretary.

(The Hindustan Times, 27 December, 1965;
The Indian Worker, 10 January, 1966;
Texts of Resolutions and General
Secretary's Report received in this
Office).

28. Employers' Organisations.

India - December 1965.

Annual Meeting of the Associated Chambers
of Commerce and Industry held at Calcutta,
4 December 1965.

The annual meeting of the Associated Chambers of Commerce and Industry of India was held at Calcutta on 4 December 1965. The session was inaugurated by Shri Asoka Mehta, Deputy Chairman of the Planning Commission. Shri H.K.S. Lindsay, presided over.

Inaugural speech.- Inaugurating the session, Shri Mehta said while the critically necessary external assistance had to be sought to enable the economy to mature quickly, their constant endeavour should be to become more self-reliant. "In the Fourth Plan we cannot afford to import 9,000 million rupees components and 6,000 million rupees of spares that it is said we require", he added.

He suggested that the business community should systematically divert goods from the markets to exports. While fiscal measures might be stepped up to generate the supplies, there were limits to restricting of domestic consumption by fiscal measures, he said.

Referring to "efficiency of investment" he said ways and means should be found to get adequate results out of investment made. That was why the Government was emphasising completion of projects in hand and giving preference to expansion over starting new units.

He said the present difficulties of agricultural production should not be daunted overmuch. A stage had been reached where there was little scope for extending the area of cultivation. Increase in output now depended on intensive efforts which meant expanding application of irrigation.

He felt that in the future agriculture had to be viewed as a part of the growing complex of development and priority would have to be assigned, in industry and transport

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to the requirements of agriculture for its modernisation.

Presidential address.- Addressing the annual meeting of the Associated Chambers of Commerce and Industry of India, its President Shri H.K.S. Lindsay said the coming months would undoubtedly require a flexing of the economic muscles as much in the interests of defence as of economic growth. He pointed out that both goals were equally important and for the most part inseparable. Faced with a shortage of resources in relation to the needs of defence and development, it was extremely important to make the right choices between essentials and non-essentials.

Shri Lindsay said that it was right that consolidation should start with agriculture, to use more fully and efficiently the resources created over the past fifteen years. Necessary economic incentives to grow more already existed in the attractive prices now being realised for all crops.

He pointed to the need for gearing of the administration machinery to help the farmer bring his full capacity into play. Of course, there would have to be much new investment in the countryside even in a year of consolidation. A step up of 50 per cent. in the outlay had been proposed which accords with the emphasis agriculture was to receive. It would be necessary, however, to ensure that the outlay was wisely spent in line with the overriding need to get quick returns.

He felt that a substantial part of the resources for new investment must come from agriculture itself. It was only fair that some fraction of the additional incomes generated in the countryside should be transferred to the economy's total fund of savings, the more so because the rural sector had got off lightly in the past.

The President felt that drastic reductions in exchange allocations must inevitably cause considerable dislocation as inventories start running out. This could serve no conceivable purpose as aid-giving countries should themselves realise. If their intention was to ensure that the purpose of economic aid was not defeated by a needless diversion of India's own resources to unproductive defence expenditure the aim could surely be secured in other ways.

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He pointed out that it was an opportune moment for putting the emphasis in labour policies clearly and firmly on the promotion of productivity to make the most of the existing resources.

Resolutions.- Shri H.K.S. Lindsay moved a resolution reiterating their whole hearted support to the Government in the emergency and expressed their determination to build up and maintain the nation's strength.

Other resolutions adopted at the meeting dwelt on different aspects of India's economy - finance, the fourth Plan, agriculture, port facilities and export promotion, productivity and population.

Regarding Resolution of Financial Policy.- Moving the resolution Shri H.D.S. Hardie (Bombay) said that the taxation policy should provide positive incentive to plough back capital and this could be achieved by the repeal of the penal tax provisions on the issue of bonus shares, and by providing for a lower incidence of total direct taxation on retained profits.

While the financial policy, the Chambers' resolution stated, must be directed to securing the urgent requirements of defence, it should, at the same time, seek to contain inflationary pressure and to stimulate the fullest mobilization of resources for development and production. It recommended reduction of non-development expenditure and avoidance of deficit financing.

Resolution on Fourth Five Year Plan. The resolution on the fourth Plan stated that it should possess built-in flexibility which would enable adjustments to be made. As practical guidelines for the successful implementation of the Plan, the Chambers advocated concentration on those industries which could be identified as being able to secure quick increases in the production of defence materials and equipment; maximum use of installed industrial capacity; diversification of production based on development of indigenous raw material resources to promote exports and facilitate import substitution; increased and more efficient investment in agriculture, combined with intensified efforts to control the population growth and abandonment of such physical and price controls as had proved ineffective or served no useful purpose.

Resolution on Port Facilities.- The resolution on port facilities and export promotion stated that the success of the export campaign depended largely on improving the administration of the export promotion schemes and achieving greater efficiency in the working of India's ports. Incentive schemes, particularly the rules governing the drawback of duty, should be simplified and streamlined. The Chambers urged a vigorous drive to modernize ports and extend their capacity and to ~~expediture~~ expedite work on ports under construction. They also advocated an enlightened dock labour policy.

(The Amrita Bazar Patrika,
5 December, 1965;
The Statesman, 7 December, 1965).

CHAPTER 3. ECONOMIC QUESTIONS.

INDIA - DECEMBER 1965.

31. General Economic Situation.

India's Development and Economic Aid*.

A booklet entitled "India's Development and Economic Aid", published by the Embassy of the United States of America, New Delhi, says:

"India has had an impressive record of economic development since achieving independence in 1947. Despite some problems, the country has probably accomplished more in these 18 years than in any previous century. While foreign assistance has played an important role, India itself has supplied 80 per cent. of its own development requirements.

"India today manufactures equipment ranging from transistors to aircraft. Many Indian industries which formerly depended mainly on imported components now are nearing self-sufficiency. The automobile industry, for example, today makes nearly 85 per cent. of the components used in Indian-produced cars and trucks.

"India today is self-sufficient in production of steam locomotives and passenger and goods wagons; the country exports goods wagons. A diesel locomotive factory has been constructed at Varanasi, and production of electric locomotives has begun at Chittaranjan.

"The number of trucks and other tyred commercial vehicles has increased from 116,000 in 1950-51 to approximately 320,000 in 1964-65. In the same period there has been a 50 per cent. increase in the mileage of surfaced roads; Indian-owned shipping tonnage has increased by three times; the number of telephones in use has gone up by four times; and freight carried by Indian Railways has increased from 91.5 million tonnes to approximately 196 million tonnes.

* India's Development and Economic Aid: Published by the Embassy of the United States of America, New Delhi, pp.50.

"Total investment in Indian economic development from April 1951, through March 1965, amounts to 181,100 million rupees, of which 36,882 million rupees (or 20.3 per cent.) has been foreign assistance.

"Since India's planned and concerted development effort began in 1951, total real output has grown at an average annual rate of nearly 4 per cent.; agricultural output has increased at about 3 per cent. The 1964-65 growth rate of 7.3 per cent. indicates that the country may be able to do much better in the future. Both food and total production have increased at rates consistently higher than the annual population growth, although the margin has not been sufficient over a long enough period of time to sharply increase per-capita income and consumption."

Commenting upon foreign assistance the study point out that since independence, India has provided the great bulk of its own development capital. When the Third Plan ends in March 1966, four-fifths of the development capital utilised - 162,000 million rupees - will have been provided by Indian investment. The other one-fifth of development capital utilised - 43,000 million rupees - will have come through foreign assistance in the form of grants and loans, foreign specialists in various fields, and training of Indian technicians and administrators in other countries. The United States has provided 58 per cent. of all the assistance utilised by India through March 1965.

Analysing the various forms and aspects of Indian-US co-operation and U.S. assistance, the study mentions that in the field of management, the U.S.A.I.D. Mission has helped the Indian Institute of Public Administration, New Delhi; the Administrative Staff College, Hyderabad; and ~~the Academy of~~ the National Academy of Administration, Mussorie.

With U.S.A.I.D. support, the Planning Commission has embarked on a project "to evolve systems, suitable for conditions in India, for programming and for reporting on performance in projects of different kinds undertaken in the public sector." U.S.A.I.D. has made available the services of the Management Systems Corporation, a private firm, to help in this project. Fifteen enterprises have been selected for a study-in-depth of their practices.

American technicians have studied Indian tax administration and have suggested ways of improving it. A U.S. technician is working with the Special Reorganisation Unit of the Ministry of Finance to study and improve financial procedures.

U.S.A.I.D. is also assisting the National Productivity Council, the All-India Management Association, and the Institute of Chartered Accountants. A number of Indian professors and Central and State Governments officials have visited the United States for study and training in their respective specialities.

As regards labour, the U.S.A.I.D. Mission, at the request of the Government of India is assisting in a number of efforts to benefit Indian labour.

U.S.A.I.D. has been seeking to help the Indian Government develop capable, well-trained, responsible leadership in free and democratic unions through the promotion of the Workers' Education Programme; also to strengthen the development of the Workers' Education Wing of the Indian Adult Education Association, a private non-political, non-profit organisation.

U.S.A.I.D. is providing training in the United States to Indian officials in such fields as employment market information, industrial safety and hygiene, vocational guidance, apprenticeship training, industrial-relations machinery, manpower seminars, occupation research and analysis, and placement of physically handicapped and scientific personnel.

A U.S. arbitration, mediation, and conciliation consultant has worked with the Labour Ministry in establishing in-service training programmes. Books, films, filmstrips, and other audio-visual aids have been provided to the Industrial Relations Institute, New Delhi.

In another field, U.S.A.I.D. has been assisting efforts to improve the proficiency of workers in different trades by offering prizes consisting of tool kits and books.



34. Economic Planning, Control and Development.

India - December 1965.

Recommendations of Monopolies Inquiry Commission:
Statutory machinery to prevent economic concentra-
tion suggested.

The Union Finance Minister, Shri T.T. Krishnamachari, presented to the Parliament on 8 December 1965, 446-page report of the Monopolies Enquiry Commission. Among other things, the Commission has recommended the setting up of a permanent Statutory Body primarily to control and prevent the evil of restrictive and monopolistic practices. While referring to the existence of economic concentration, the report has pointed out that such concentration has considerably helped the economic betterment of the country.

In the draft Bill recommended for Government's consideration, the Commission has suggested that the proposed permanent Statutory Body should consist of three members with a judge of the Supreme Court as Chairman.

The Statutory Body will have the power to take action not only in cases of restrictive practices, as they are generally understood, but also in cases where any enterprise refuses except on reasonable ground to sell its products at the usual rate. Among the other powers of the proposed body will be the examination from time to time of the structure of any monopoly industry and suggestion of suitable ways of effecting improvements and avoiding obsolescence. It will also be empowered to approve any merger or amalgamation of a bigger enterprise, which already holds a dominant position in any particular commodity, with any other concern.

Its permission will also be necessary for the appointment of a person, who is already a director of a big undertaking, as director of another undertaking engaged in the same line of business. The statutory body will also be empowered to obtain annual returns from big companies to keep a watch generally over dominant concerns.

The Commission is of the view that all these powers will enable the permanent body to keep a watchful eye on all dominant enterprises and take suitable action where there is concentration, whether countrywise or product-wise, and indulge in monopolistic or restrictive practices.

Liberalisation of licensing policy to safeguard the interests of small entrepreneurs; protection of consumers against exploitation by enterprises enjoying monopolistic or near-monopolistic position in the issue of import licences; and setting up of efficient public sector undertakings to check concentration of economic power in private hands are some of the other important recommendations.

Promotion of small-scale industry; encouragement of consumers' co-operatives; patronage by purchasing authorities of the Government to small industrialists; and the setting up of consumer societies are some of the other suggestions.

The Commission has also made brief references in its report to the monopolies in the public sector, control of the Press by big business and the institution of managing agencies. Regarding public sector monopolies the Commission is of the view that they should not enjoy special immunity but should be subject to the permanent statutory body's jurisdiction in the same manner as the private sector units.

As regards the managing agency system, the Commission has made no recommendation either for its abolition of control in spite of the important part played by it in the concentration of economic power for two main reasons.

First, the Commission feels that even if it were to be completely abolished its place would be taken by some other systems of group management. Secondly, the whole question requires full and careful assessment and a committee is already considering the abolition of the managing agency system in certain selected industries.

The main factors leading to economic concentration, according to the Commission, are the managing agency system; and the device of inter-corporate investment leading in many cases to the creation of holding-subsidiary relationship amongst companies. The Government's programmes of planned development, which necessitated a system of industrial licensing, control of capital issues, and regulation of imports also tended to produce concentration of economic power.

The Commission has made a detailed study of the extent of concentration of economic power in the country. In terms of total assets owned, the Tata group with 53 companies possessing total assets of 4,170 million rupees tops the list, with Birlas (151 companies with total assets of 2,920 million rupees) following. These groups have 44 per cent. of the total paid up capital of other companies functioning in the corporate sector and own about 47 per cent. of their assets.

(The Statesman, 9 December, 1965).

35. Productivity.

India - December 1965.

'1966' to be India Productivity Year:
Movement launched.

A nation wide movement to attain a self reliant economy and make people productivity conscious has been organised in India and the Year 1966 has been, designated 'India Productivity Year'.

The President and the Vice President of India, have set their stamp of approval and blessing on this project by agreeing to be the Patron and Vice Patron respectively of IPY-1966. The Prime Minister has given the IPY an all-India stature by consenting to be the President of the 80-member high level National Committee comprising top representatives of all the major areas of endeavour like agriculture, industry, commerce, defence, education, health, etc. The detailed planning and direction of the country-wide IPY programme is left to an 18-member IPY Working Committee headed by Dr. P.S. Lokanathan, Chairman, National Productivity Council.

For planning and directing the IPY programme at the State and Local levels, there will be IPY State Committees headed by the Governors as Patrons and Chief Ministers as Presidents. On these State Committees would be represented the leaders of the productivity movement from Local Productivity Councils, Trade Unions, Management Associations and other professional bodies, universities, governmental agencies, etc,

The movement was launched on 1 January 1966 by Shri T.N. Singh, Minister for Industry and Vice-President of IPY National Committee.

A pamphlet issued by the National Productivity Council which will be spear-heading the productivity movement during the IPY, says that: The India Productivity Year-1966 aims at precisely this by concentrating on three major Objectives:

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- a) To increase national awareness of the vital need of Productivity as the key to raising the standards of living of our people.
 - b) To intensify interest in the applied aspects of Productivity in all the areas of endeavour.
 - c) To make Productivity a quest of national concern.

These objectives, according to the pamphlet, are sought to be achieved -

- i) By creating national and regional platforms for intensive and extensive discussion of the various aspects of Productivity in all fields of human activity through country-wide seminars, symposia, brains-trust meetings, etc.
- ii) By organising special national training programmes on the more advanced and modern techniques of Productivity, to provide a new dimension to Productivity.
- iii) By organising Productivity exhibitions throughout the country, highlighting the startling benefits that could accrue from increased Productivity.
- iv) By organising nation-wide audio-visual shows of special films in English, Hindi and regional languages depicting the different facets of Productivity, to bring out the workers' stake in the Productivity movement.
- v) By organising a series of national and regional broadcasts beamed to the common man.
- vi) By instituting Productivity awards for motivating workers and organisations to adopt the Productivity life, way of life.
- vii) By organising inter-collegiate and inter-university essay contests and debates for ensuring inculcation of the Productivity concept in the youth of the nation.
- viii) By calling upon all the industrial, commercial and other organisations in the country to actively participate in THE INDIA PRODUCTIVITY YEAR by voluntarily setting up Productivity targets for achievement in their respective fields.

- ix) By mobilising all the available communications media and promotional techniques for building up IPY-1966 into a national movement.
- x) By laying special emphasis on Agricultural Productivity.

It is also intended to organise country-wide seminars and symposia in: Materials Management, Incentives, Quality Control, Industrial Relations, Job Evaluation, Merit Rating, Plant Maintenance, Sharing the Gains of Productivity, Public Administration, Development and Management in Small Scale Industries, Productivity in Agriculture, Productivity in Service Industries like Transport, Catering, Hospitals, Banking, etc., Role of Management Consultancy, Productivity in Newspaper Industry, Industrial Health, Standardisation and Variety Reduction.

There will be special training programmes covering the subjects: PERT, Operations Research, Value Analysis, Ergonomics, Workers Development, Market and Motivation Research, Programmes Instruction and MTM.

The organisational aspect of the nation-wide productivity drive during IPY-1966, and its planning and coordination will be done by a special secretariat at NPC headquarters (Officer on Special Duty, (IPY)), 38, Golf Links, New Delhi.

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36. Wages.

India - December 1965.

Staff of Public Sector Units to get Bonus:
Union Labour Minister's Statement in Lok Sabha.

The Union Labour Minister, Shri D. Sanjivayya, stated in the Lok Sabha on 9 December 1965, that the Government has decided that employees of all non-competing public sector undertakings, which are not departmentally run and do not come within the purview of the Payment of Bonus Act, will receive ex-gratia payment in lieu of bonus.

He, however, made it clear, while replying to members' questions, that employees of departmentally run public sector undertakings would not stand to benefit, as the Government decision did not apply in those cases.

Shri Sanjivayya said before the Payment of Bonus Ordinance the employees in the public sector undertakings were not entitled to any payment of profit-sharing bonus. However, with the Cabinet's approval, ex-gratia payments had been allowed in the past to employees drawing up to Rs. 500 a month in some undertakings. Such payment covered roughly 38,000 employees of the total employment in the public sector of about 400,000 at the end of 1963-64.

(The Hindustan Times, 10 December, 1965).

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Second Wage Board for Sugar Industry set up.

A Resolution dated 16 November 1965 of the Ministry of Labour and Employment states that the Government of India has decided to set up a Second Wage Board for the Sugar Industry to consider the question of a further revision of the wage structure in the industry. While making its recommendations, the Wage Board shall keep in view the following:-

- (i) The recommendations of the first Wage Board for the Sugar Industry, constituted by the Government of India by their Resolution No. WB-7(2)/57 dated 26 December 1957, and Government decisions thereon as published in Resolution No. WB-7(30)/60 dated 23 February 1961;
- (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) Special features of the sugar industry;
- (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 by results.

Explanation.- In applying the system of payment by results the Board shall keep in view the need for fixing a minimum (fall-back wage) and also to safeguard against overwork and undue speed.

The Board is composed of two representatives each of independent members, members representing employers and members representing workers with Shri K. Bhimasankaram as chairman. The headquarters of the Board will be located at Hyderabad.

(The Gazette of India, Part I, Sec.1,
27 November 1965, page 675).

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

INDIA - DECEMBER 1965.

41. Agriculture.

Nineteenth Annual Conference of the Indian
Society of Agricultural Statistics held at
Cuttack, 30 December 1965.

The nineteenth annual Conference of the Indian Society of Agricultural Statistics was held at Cuttack on 30 December 1965. The Conference was inaugurated by Dr. A.N. Khosla, Governor of Orissa and as Shri C. Subramanian, Union Food Minister who was to preside over the Conference could not attend, his address was read out. Shri Sada Siva Tripathi, Chief Minister of Orissa also addressed the meeting.

In his presidential address Shri C. Subramanian, Union Food Minister, stressed that accurate and timely statistics accounting for all the lands should be compiled. Although they seemed to be cultivating practically all cultivable area nearly 87 million acres of land of different categories remained uncultivated. It was necessary to determine how much of this area could be brought under the plough with a reasonable investment.

Shri Subramanian expressed the view that statistics of movement of agricultural commodities through markets and their prices at various stages and periods of the year were important indicators of the factors influencing the availability of agricultural produce to the consumers and other users.

(The Hindu, 31 December, 1965).

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Recommendations of Study Group on
Agricultural Labour: Intensive
Employment Plan for Farm Labour
suggested.

The Study Group on agricultural labour set up by the Planning Commission's panel on labour policies has recommended, among other things, an intensive employment programme and an organisation at the block level which will bring together revenue, agriculture, co-operation and labour departments to guarantee work to surplus agricultural labour. The Group has also recommended that the scheme should form part of a well-co-ordinated rural manpower programme to be undertaken in the fourth Plan. It was also necessary to ensure that the workers were given incentive wages which would increase productivity.

Thus group was of the view that agricultural workers should be organised into labour ~~exes~~, *Corps* which could ultimately be brought within the framework of labour co-operatives. To improve the skills of workers, vocational training centres should be started in the villages. The works programme in rural areas should cover schemes like soil conservation, water conservation, afforestation and rural roads.

The study group recommended top priority to be given to resettlement of landless labourers on agricultural lands. It was noted that there were delays even after lands were identified for the purpose.

It was felt that the system of rural credit required a rational approach. The arrangement should facilitate the poorer sections of the people to get assistance for initial investment.

To regulate the conditions of employment of agricultural labour, it was felt there was need for a separate legislation. A similar approach was advocated for all other unorganised sectors of employment.

The group agreed to a proposal that measures relating to drinking water, housing, medical facilities and rest-shed, as provided under the Plantation Labour Act and labour laws, should be made applicable to employees ^{at} least big farms.

Considering the problems of women labour, the study group expressed the view that steps should be taken to remove discrimination with regard to their employment and retention. A suggestion was made for having a separate cell in the Union Ministry of Labour and Employment to deal with problems relating to employment of women.

(The Hindustan Times, 29 November, 1965).

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44. Merchant Marine and Fisheries.

India - December 1965.

Merchant Shipping (Amendment) Bill, 1965.

Shri Raj Bahadur, Minister of Transport, introduced in the Rajya Sabha on 9 December 1965 a Bill further to amend the Merchant Shipping Act, 1958. The Statement of Objects and Reasons appended to the Bill declares that the minimum standards laid down in the Merchant Shipping Act, 1958 which merchant ships should comply with in the interests of safety of life and property at sea are based on the International Convention for the Safety of Life at Sea, which met 1948. The Fourth International Conference on Safety of Life at Sea which met in London in May-June, 1960 under the aegis of the Inter-Governmental Maritime Consultative Organisation, one of the specialised agencies of the United Nations, reviewed the 1948 Convention in the light of the experience of various countries during the intervening twelve years and decided to replace it by a new Convention, namely, the International Convention for the Safety of Life at Sea, 1960. The new Convention was adopted on the 17th June, 1960 and was, subject to acceptance, signed, among others, by the representatives of the Government of India. As a prelude to depositing our acceptance of the 1960 Convention, it is necessary to amend the Merchant Shipping Act, 1958 suitably. As the Merchant Shipping Act already embodies the requirements of the 1948 Convention, it is necessary to amend that Act only to the extent that the 1960 Convention has deviated from the 1948 Convention.

Some of the more important requirements of the 1960 Convention which involve deviation from the provisions of the 1948 Convention and which therefore call for amendment of the Merchant Shipping Act, 1958 are summarised below:-

(1) Survey of cargo ships and issue of Safety Certificates to Cargo Ships.- Under the 1960 Convention, the scope of survey of cargo ships has been extended to cover the survey of hull, machinery and other equipment of cargo ships. Further, all cargo ships of over 500 tons gross will be required to carry in addition to the existing certificates a safety construction certificate issued by or under the authority of a contracting Government. It is, therefore, necessary to make suitable provisions in the Act for survey of cargo ships and for the issue of safety construction certificates to cargo ships.

(2) Stability data.- In contrast to the 1948 Convention, the 1960 Convention requires that every ship must carry on board sufficient data to enable the master, by rapid and simple processes, to obtain accurate guidance as to the stability of a ship under varying conditions of service.

(3) Life-saving appliances.- The most important deviation made by the 1960 Convention in regard to life-saving appliances relates to the removal of the restriction imposed by the 1948 Convention on the use of inflatable and other rafts which depend on air for their buoyancy. Inflatable life-rafts as well as rigid life-rafts as an alternative are now acceptable, provided these comply with certain conditions.

(4) Radio installation.- Under the 1948 Convention, cargo ships below 500 tons gross were not required to be fitted with radio installations but under the 1960 Convention even cargo ships of less than 500 but not less than 300 tons gross are required to be fitted with such installations.

(5) Carriage of grain cargo.- The 1960 Convention contains a number of new requirements relating to the carriage of grain in ships. Emphasis is laid on the need for giving trimming and on the fundamental importance of preserving the stability ~~and~~ off the ship. Duly approved grain-loading plans are required to be carried on board by ships carrying grain and such plans are required to be accepted by the other contracting Governments as evidence of compliance with the requirements of the Convention.

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(6) Carriage of dangerous goods.- The 1960 Convention contains a number of new regulations relating to the classification, Packing, labelling, documentation and stowage of dangerous goods on board ships.

(7) Nuclear ships.- The 1948 Convention does not contain any special provisions relating to nuclear ships. Having regard to the new problems in the field of safety owing to the advent of nuclear power as one of the means of propulsion for merchant ships, and having regard to the hazards inherent in the nuclear ships, it is necessary to have special provisions relating to nuclear ships. The 1960 Convention contains a special Chapter for this purpose. A number of requirements are provided for in this Chapter for the purpose of ensuring that nuclear ships do not become a source of danger to life, not only at sea but also at ports and other places and that such ships do not become a source of contamination of food and water resources.

(8) The Notes on clauses explain the other deviations made by the 1960 Convention.

The Bill seeks to give effect to the various deviations made by the 1960 Convention and mentioned above by making suitable amendments in the Act.

The following notes on clauses of the Bill explain in detail the amendments sought to be made:-

Clause 2.- The definitions of 'cargo ship', 'international voyage', 'nuclear ship' and 'tanker' are based upon the definitions of those expressions in the 1960 Convention. The definition of 'safety convention' contained in clause (38) of section 3 of the Act is being amended to mean the Safety Convention of 1960. The definition of 'safety convention certificate' in clause (38) of section 3 of the Act is being amended to include the various certificates required under the Safety Convention of 1960.

Clause 3.- Section 9 of the Act provides for appointment of surveyors of ships by the Central Government. The 1960 Convention permits the contracting Governments to entrust the survey of ships to non-governmental persons or agencies. It has been decided that for the present, such power should be taken in respect of cargo ships only. Section 9 is being amended for this limited purpose.

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Clauses 4, 5 and 6.- The changes in sections 241, 242 and 244 are of a consequential nature and are intended to make it clear that for the purposes of the said sections, a nuclear passenger ship safety certificate would, in the case of nuclear ships, have the same effect as a passenger ship safety certificate would have, in the case of non-nuclear passenger ships.

Clause 7.- The 1960 Safety Convention provides inter alia for the issue of safety construction certificates to cargo ships and contains several provisions as to construction rules, applicable in the case of cargo ships. Section 284 which deals with construction rules in the case of passenger ships is being amended to provide that the Central Government may make construction rules in relation to cargo ships also.

Clause 8.- The 1960 Convention permits the use of inflatable and other life-rafts. Accordingly, section 288 which deals with the power of the Central Government to make rules as to life-saving appliances is being amended to include within the purview of that section matters relating to life-rafts and the training of crew in launching and using life-rafts.

Clause 9: (i) Sub-clause (a).- Unlike the 1948 Convention, the 1960 Convention requires even cargo ships of less than 500 tons gross but not less than 300 tons gross to be fitted with radio installation. Sub-clause (a) gives effect to this.

(ii) Sub-clause (b).- The amendment is of a consequential nature.

(iii) Sub-clause (c).- In the case of ships of 1600 gross tons gross or more, the 1960 Convention provides that every exemption from the obligation to provide with a radio telegraphy installation should be subject to the condition that the ship shall have on board a radio telephony installation. Further, the Convention prohibits exemptions from the requirements as to radio installation, radio telegraphy service and radio telephony service in cases where such exemption will have an adverse effect on the general efficiency of the distress service for the safety of ships. Sub-clause (c) seeks to give effect to these requirements.

Clause 10.- The 1960 Safety Convention, like the 1948 Convention requires that every ship of 1600 tons gross or more shall be provided with a radio direction finder. Further, the 1960 Convention provides for exemption being granted from this requirement in the case of ships under 5000 tons gross in certain specified cases. Proposed sub-section (2) of section 292 gives effect to the relevant provisions of the 1960 Convention as to such exemptions.

Clause 11.- This clause seeks to remove a requirement as to radio watch, which is no longer required.

Clause 12.- The amendment to sub-section (1) of section 296 of the Act is of a consequential nature. The amendment to sub-section (2) of that section empowers the Central Government to make rules as to the radio telegraphy installations on motor life-boats and survival craft and the is for the purpose of implementation of the various new provisions in the 1960 Safety Convention relating to the subject.

Clause 13.- This clause seeks to amend section 297 of the Act to give effect to the new requirement in the 1960 Convention that the signalling lamp of ships of the type referred to in the section shall not be solely dependent upon the ship's main source of electrical power.

Clause 14.- The 1960 Safety Convention requires that every ship must carry on board sufficient data to enable the master, by rapid and simple processes, to obtain accurate guidance as to the stability of his ship under varying conditions of service. The Convention also requires that any change in the data should be duly communicated to the appropriate authorities of the country in which the ship is registered. The amendment to section 298 are for giving effect to these requirements.

Clause 15.- The amendments to section 299 are of a consequential nature.

Clause 16.- The clause seeks to insert two new sections, section 299A and section 299B. Both these sections relate to cargo ships and provide respectively for the issue of safety convention certificates to cargo ships as required under the 1960 Safety Convention and for the making of rules as to survey of cargo ships for the purpose of issue of such certificates.

Clauses 17 and 18.- The amendments to sections 300 and 301 are of a consequential nature.

Clause 19.- Section 303 provides for the duration of various safety convention certificates. The 1960 Safety Convention gives power to the contracting Governments to fix the period for which cargo ship safety construction certificates shall be valid. A period of five years has been considered reasonable and administratively convenient for this purpose. Proposed sub-section (1A) which sub-clause (b) of this clause seeks to insert in section 303 gives effect to this.

The other changes which clause 19 seeks to make in section 303 of the Act are for the purpose of giving effect to the provisions of the 1960 Safety Convention as to the duration of various safety convention certificates.

Clause 20.- The amendment to section 304 is of a consequential nature.

Clause 21.- Section 306 of the Act provides for the issue in India of safety convention certificates to ships registered in foreign countries, and also for the issue in foreign countries of such certificates to ships registered in India. The 1960 Safety Convention provides for extension of similar facilities even to ships which are yet to be registered. The section is being amended to give effect to this.

Clause 22.- The 1960 Convention requires that even cargo ships of less than 500 tons gross but not less than 300 tons gross should have a radio telephony certificate. For this purpose, clause (c) of this clause seeks to insert a new sub-section (2A) in section 307 of the Act. The other amendments to section 307 are of a consequential nature.

Clauses 23 and 24.- The amendments to sections 308 and 309 are of a consequential nature.

Clause 25.- Except in cases where the prior permission of the appropriate authorities has been obtained, the 1960 Convention prohibits the making of any alterations during the interval between the completion of a survey of the ship for the issue of a certificate and the actual issue of such certificate. New section 309A seeks to give effect to this requirement.

Clause 26: Sub-clause (a).- The 1960 Safety Convention contains a number of new regulations relating to the classification, packing, labelling, documentation and storage of dangerous goods on board ships. Sub-section(2) of section 331 of the Act which provides for the various matters relating to dangerous goods, with regard to which the Central Government may make rules, is being amended to include the matters to which these new regulations pertain.

Sub-clause (b).- The definition of the expression 'dangerous goods' contained in the Explanation to section 331 is also being amended to exclude from its purview particular cargoes carried in ships, such as tankers, specially built or converted as a whole, for the purpose and thereby to bring it into conformity with the definition contained in the 1960 Safety Convention.

Clause 27.- The 1960 Convention requires the masters of grain ships to carry properly approved grain-loading plans. Proposed section 331A which clause 27 seeks to insert in the principal Act accordingly provides that no grain shall be loaded on board any Indian ship anywhere unless there is in force in respect of such ship a duly approved grain-loading plan. The section also makes provisions for approval of grain-loading plans and matters incidental thereto.

Clause 28.- The 1960 Convention stipulates that a grain-loading plan approved by a contracting Government shall be accepted as sufficient evidence that a particular ship when loaded in accordance with such plan meets the requirements of the Convention. Sub-clause (a) seeks to give effect to this.

The amendments proposed in sub-clauses (b), (c), (d) and (e) are mainly of a consequential nature.

Clause 29.- The amendment is of a consequential nature.

Clause 30.- The 1960 Convention contains a special Chapter on nuclear ships. A number of requirements have been incorporated in this Chapter for the purpose of ensuring that nuclear ships do not become a source of danger to life, not only at sea but also at ports and other places and that ships do not become a source of contamination of food and water resources. This clause introduces a new Part IXA in the principal Act to give effect to the various requirements of the Convention as to nuclear ships.

New Section 344A.- This section deals with application of the provisions of the Act in relation to nuclear ships. Nuclear power as a means of propulsion for merchant ships presents unique problems. In the present state of development of nuclear science, it is not even possible to visualise all these problems. It will not, therefore, be advisable to apply the provisions of the Act which have been formulated with reference to the ordinary ships to nuclear ships in their entirety. Accordingly, provision is made empowering the Central Government to apply certain provisions of the Act with such exceptions, modifications and adaptations as may be specified in the notification.

Sub-section 4 of the section embodies the safeguard normally provided for in cases of delegation of such powers and it lays down that such notification shall be laid in draft before both Houses of Parliament for a period of not less than 30 days while they are in session or without modifications, by each House of Parliament.

New Section 344B.- This provides for the issue of nuclear passenger ship safety certificates and nuclear cargo ship safety certificates and the periods of validity of such certificates.

New Section 344C.- This is self-explanatory and is intended to ensure that Indian nuclear ships do not proceed on international voyages without the requisite safety certificates required by the 1960 Convention.

New Section 344D.- In compliance with the 1960 Convention, this section requires every Indian nuclear ship to have on board a safety assessment and operating manual and makes provision for matters incidental thereto.

New Section 344E.- This requires foreign nuclear ships to give advance notice of their arrival in Indian territorial waters and provides for necessary control to ensure that there are no hazards involved in permitting the ship to enter Indian waters.

New Section 344F.- This is self-explanatory and it inter alia provides for control on the arrival of a nuclear ship at a port in India.

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New Section 344G.- This section provides for notice of any accident anywhere to an Indian nuclear ship and of accident to foreign nuclear ships in the territorial waters of India, to be given to the authorities mentioned in the section. It also provides for the action to be taken on receipt of such notice and for other matters incidental thereto.

New Section 344H.- Sections 228 to 231 of the principal Act deal with certificates of survey and provide for certain necessary matters in relation to certificates, such as cancellation or suspension of certificates, alterations in ships subsequent to grant of certificates, delivery of expired or cancelled certificates, affixing of certificates in conspicuous places. This section seeks to make those provisions applicable in the case of certificates issued under Part IXA on practically the same lines as section 309 of the principal Act makes those provisions apply in relation to certain certificates issued under Part IX of the Act.

New Section 344I.- This section seeks to confer on the Central Government powers to frame rules to carry out the purposes of Part IXA.

Clause 31.- The amendment is intended to provide expressly for certain additional dangers to navigation which a master of an Indian ship is required to report under the section.

Clause 32.- This clause seeks to insert a new section 354A to provide, as required by the Safety Convention, 1960, for communication of intelligence regarding dangers to navigation.

Clause 33.- This clause seeks to insert a new section 355A for the purpose of imposing an obligation on masters of Indian ships to render assistance to persons found at sea in danger of being lost and is modelled to some extent on the provisions of section 355 of the Act.

Clause 34.- The amendments are of a consequential nature.

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Clause 35.- This clause seeks to amend section 436 of the principal Act to provide for penalties for contravention of the various new provisions.

Clause 36.- This clause which is self-explanatory seeks to insert a new section 454A for the purpose of incorporating in the Act an enabling provision permitted by the Convention and empowers the Central Government in this regard.

Clause 37.- By way of abundant caution, this clause seeks to add a proviso to sub-section (1) of section 456 of the principal Act to ensure that no exemption which is prohibited by the Safety Convention is granted under the sub-section.

Clause 38.- The amendment to sub-section (2) of section 458 of the principal Act is of a consequential nature.

Sub-clause (b) of this clause provides for the usual provision relating to laying of rules.

Clause 39.- This seeks to insert a new section 468 providing for removal of difficulties in giving effect to the provisions of the Act in so far as they relate to the Safety Convention.

(The Gazette of India, Extraordinary,
Part II, Sec. 2, 9 December 1965,
pp. 1215-1246).

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CHAPTER 5. WORKING CONDITIONS AND LIVING
STANDARDS.

INDIA - DECEMBER 1965.

50. General.

Beedi and Cigar Workers (Conditions of Employment)
Bill, 1965.

Shri D. Sanjivayya, Union Minister of Labour and Employment, introduced in the Rajya Sabha on 11 December 1965 a Bill to provide for the welfare of workers in beedi and cigar establishments and to regulate the conditions of their work and for matters connected therewith. According to the Statement of Objects and Reasons of the Bill, the working conditions prevailing in the beedi and cigar establishments are unsatisfactory. Though at present the Factories Act, 1948 applies to such establishments, there has been a tendency on the part of employers to split their concerns into smaller units and thus escape from the provisions of the said Act. A special feature of the industry is the manufacture of beedis through contractors and by distributing work in the private dwelling houses where the workers take the raw materials given by the employers or the contractors. Employer-employee relationship not being well defined the application of the Factories Act has met with difficulties. The labour is unorganised and not able to look after its interests.

One or two State Governments passed specified Acts to regulate the conditions of work of these workers but found themselves unable to enforce the law owing to the fact that the industry is highly mobile and tended to move on to an area where no such restrictive laws prevailed. It became necessary therefore to have Central legislation on the subject. The Bill seeks to provide for the regulation of the contract system of work, licensing of beedi and cigar industrial premises and matters like health, hours of work, spread-over, rest periods, overtime, annual leave with pay, distribution of raw-materials, etc.

The main provisions of the Bill have been explained in the notes on clauses.

Notes on Clauses: Clause 2.- This clause defines the various terms occurring in the Bill.

Clause 3.- This clause prohibits use of any place or premises as industrial premises without a licence.

Clause 4.- This clause provides for licensing of industrial premises and the matters to be taken into account in granting or refusing a licence.

Clause 5.- This clause provides for appeals where the grant or renewal of a licence has been refused or a licence has been cancelled or suspended.

Clause 6.- This clause provides for the appointment of Inspectors for the purposes of the Bill.

Clause 7.- This clause empowers Inspectors to carry inspection, enter premises, etc., to ensure compliance with the provisions of the law.

Clauses 8 to 16.- These clauses make provision for cleanliness, ventilation, prevention of overcrowding, drinking water, latrines and urinals, washing facilities, creches, first aid and canteens in industrial premises.

Clause 17.- Under this clause daily and weekly hours of work have been fixed.

Clause 18.- This clause provides for payment of wages at twice the rate of the ordinary rate of wages for overtime work.

Clause 19.- This clause provides for interval for rest of half an hour after five hours of work.

Clause 20.- This clause provides that the daily hours of work shall not spread over more than ten and a half hours, which, with the permission of the Chief Inspector can be increased to 12 hours.

Clause 21.- This clause provides for a paid weekly holiday for every employee in an industrial premises, which is to remain entirely closed on one day in the week except for wetting of beedi or tobacco leaves; for such work the employees will be given a substituted holiday on one of the three days immediately before or after the said day.

Clause 22.- This clause requires a notice of periods of work to be displayed in every industrial premises and copies of notice being sent to Inspector. Any change in the notice is to be notified to the Inspector.

Clause 23.- This clause provides that the employees shall be employed in accordance with the notice of work.

Clause 24.- This clause prohibits employment of children and in any industrial premises.

Clause 25.- This clause prohibits employment of women and young persons between 7 p.m. and 6 a.m.

Clause 26.- This clause provides for the grant of annual leave with wages -

- (i) in the case of an adult at the rate of one day for every twenty days of work performed by him;
- (ii) in the case of a young person at the rate of one day for every fifteen days of work performed by him.

Any employee who is discharged or dismissed or quits employment shall be entitled to leave. If the services of any employee are terminated he is to be paid wages in respect of leave not taken.

Clause 27.- This clause provides for wages during leave being paid at the rate equal to the daily average of the total full time earnings during the month.

Clause 28.- This clause empowers the State Governments to apply the Payment of Wages Act, 1936 or any of its provisions to any establishment or class of establishment.

Clause 29.- This clause empowers State Governments to permit wetting or cutting of beedi or tobacco leaves outside the industrial premises and for maintenance of records of the work permitted by the employer.

Clause 30.- This clause provides that the onus as to age shall be on the accused, the certificate of the medical officer being admissible as evidence of age of the employee concerned.

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Clause 31.- This clause provides for the giving of notice to an employee employed for not less than six months, one month's notice or wages in lieu thereof before his services can be dispensed with except on the ground of misconduct. There is a provision for appeal against the discharge or dismissal of an employee.

Clause 32.- This clause provides a penalty of imprisonment up to three months or a fine up to rupees five hundred or both for obstructing an Inspector in the discharge of his duties.

Clause 33.- This clause provides for a general penalty of fine up to rupees two hundred and fifty for the first offence and of imprisonment of not less than one month and not more than six months, or fine of not less than one hundred rupees and not more than five hundred rupees or both for a second or a subsequent offence under the Bill or any rule made thereunder.

Clause 34.- This clause makes offences by companies cognizable.

Clause 35.- This clause gives protection for anything done in good faith.

Clause 36.- This clause provides for prosecutions being made with the sanction of the Chief Inspector or an Inspector.

Clause 37.- This clause relates to the application of the Industrial Employment (Standing Orders) Act, 1946 to certain industrial premises and of the Maternity Benefit Act, 1961, to every establishment.

Clause 38.- This clause provides that Chapter IV and Section 85 of the Factories Act, 1948 shall apply to industrial premises.

Clause 39.- This clause makes the Industrial Disputes Act, 1947 applicable to matters arising in respect of every industrial premises and provides for the settlement of disputes regarding the issue of raw materials, rejection of beads, etc., by such authority and in such summary manner as the State Government may by rules specify in this behalf.

Clause 40.- This clause ensures that where an employee is entitled to benefits which are more favourable than those provided for in the Bill he shall continue to enjoy these benefits.

Clause 41.- This clause provides for exemption from the provisions of the Bill in certain cases.

Clause 42.- This clause gives powers to the Central Government to give directions to the State Governments.

Clause 43.- This clause clarifies that the self-employed workers are exempted from the provisions of this Act.

Clause 44.- This clause confers rule making powers on the State Governments to carry out the purposes of the Bill.

(The Gazette of India, Extraordinary,
Part II, Sec.2, 11 December 1965,
pp. 1333-1358).

West Bengal Shops and Establishments
(Second Amendment) Act, 1965 (West Bengal
Act XXIV of 1965).

The West Bengal Shops and Establishments (Second Amendment) Bill (vide page 32 of the Report of this Office for October-November 1965) as passed by the West Bengal Legislature received the assent of the Governor of West Bengal on 30 November 1965. The Act amends sub-sec.4 of Section 5 of the West Bengal Shops and Establishments Act, 1963, with a view to enabling Government to specify the day of weekly closure of shops and establishments of a particular area while allowing for the shop-keepers and employers concerned to decide for themselves the weekly half-day closure of such shops and establishments.

(The Calcutta Gazette, Extraordinary,
30 November 1965, pp.4797-4798).

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

India - December 1965.

Bombay Labour Welfare Fund (Amendment) Bill, 1965.

The Government of Maharashtra published on 18 November 1965 the Bombay Labour Welfare Fund (Amendment) Bill, 1965, to be introduced in the Legislative Assembly of the State. According to the Statement of Objects and Reasons of the Bill, the Bombay Labour Welfare Fund Act, 1953, was enacted with a view to constituting a Fund for financing of activities to promote welfare of labour, etc. The experience in administering the Act has revealed certain difficulties. With a view to removing them, it is proposed to amend the Act, and the important changes are as under:-

Clause 3.- As necessity is felt for having committees, clause 3 empowers the Maharashtra Labour Welfare Board to appoint one or more committees.

Clause 4.- Under Section 6A of the Act, in addition to publication in newspapers and on notice boards, notices inviting claims against unpaid accumulations are required to be published in the Gazette. The publication in the Gazette entails a heavy financial burden on the Board. It is considered that publication by other means is sufficient, and it is not necessary to insist on publication in the Gazette.

Clause 5.- Some employers do not pay "fines" and "unpaid accumulations" within the time limit prescribed in the Bombay Labour Welfare Fund Rules, 1953. If any employer fails to pay the dues within the prescribed period and after receipt of a demand notice, it is proposed to charge penal interest.

Clause 6.- According to section 17, any sum payable into the Fund becomes recoverable as an arrear of land revenue. As some doubts have been raised, whether unpaid accumulations are so recoverable, to clarify the doubts, section 17 is being amended retrospectively.

Clause 7.- This clause seeks to insert new sections 17A and 17B; to afford reasonable facilities to Inspectors for making inspection, etc. Obstructing an Inspector in the discharge of his duties or failure to produce relevant documents made an offence.

(The Maharashtra Government Gazette,
Part V, 18 November 1965,
pp. 779-783).

Fund Created for Welfare of Workers.

Shri D. Sanjivayya, Union Minister for Labour and Employment, told a meeting of a coal mine workers at Korba, near Bilaspur on 25 December 1965, that with a view to improving the lot of labourers, a welfare cess of 50 paise per ton had been imposed on coal. A similar cess was proposed for several other metals, he said. This was intended to make provisions for provident fund, life pension and life insurance facilities for labourers.

(The Hindustan Times, 27 December, 1965).

Chapter 6. General Rights of Workers.

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67. Conciliation and Arbitration.

India - December 1965.

Industrial Disputes in India during 1964.

The following table compares the time-loss per 1,000 workers on account of industrial unrest for the years 1962, 1963 and 1964:-

Year	No. of mandays lost (in 000)	Estimated employment (in 000)	Time-loss per 1,000 workers
1	2	3	4
Manufacturing Sector-			
1962	4,735	3,901	1,213
1963	2,525	4,146(P)	609(P)
1964	5,893	4,146*(P)	1,421(E)(P)
Plantations -			
1962	145**	N.A.	N.A.
1963	110**	N.A.	N.A.
1964	435**	N.A.	N.A.
Coal Mines -			
1962	301	433	695
1963	42	451	93
1964	282	451*(E)	625*(E)

P- Provisional.

N.A.-Not Available.

(E)- Estimated.

* Figures for 1964 are not available and hence figures for 1963 have been repeated.

** Relates to all Plantations.

The above table reveals that both in the "Coal Mines" and "Manufacturing Sectors", time-loss for 1000 workers was the lowest in 1963. The sector-wise employment data are not available for 1964 and hence the figures for 1963 have been repeated.

Analysis by States.- The following table shows details regarding industrial disputes for all sectors State-wise during 1963 and 1964:-

State/Union Territory	1963			1964		
	No. of disputes.	No. of workers involved.	No. of mandays lost.	No. of disputes.	No. of workers involved.	No. of mandays lost.
1	2	3	4	5	6	7
Andhra Pradesh.	92	31,061	144,629	106	67,697	517,135
Assam.	18	8,448	10,603	38	17,150	52,368
Bihar.	62	23,191	80,289	104	62,164	536,716
Gujarat.	65	25,792	169,900	76	15,535	120,599
Goa.	5	3,545	17,530	17	8,717	78,455
Jammu & Kashmir.	1	65	195	2	1,235	4,700
Kerala.	145	34,421	171,961	210	78,707	868,734
Madhya Pradesh.	48	11,691	103,286	60	27,782	235,494
Madras.	191	52,015	434,756	236	77,978	444,552
Maharashtra.	443	210,731	918,364	636	285,395	1,580,243
Mysore.	68	25,644	74,703	110	53,431	217,393
Orissa.	6	4,570	18,209	25	9,436	130,532
Punjab.	13	3,527	29,849	46	5,822	61,087
Rajasthan.	12	2,451	18,691	54	12,486	62,341
Uttar Pradesh.	95	41,144	123,623	171	78,227	735,317
West Bengal.	172	81,326	930,822	211	190,306	2,015,055
Andaman & Nicobar Islands.	2	98	430	9	2,382	11,658
Delhi.	26	2,739	13,754	36	8,045	49,839
Himachal Pradesh.	-	-	-	-	-	-
Manipur.	-	-	-	-	-	-
Pondicherry.	-	-	-	1	62	248
Tripura.	7	662	6,930	3	398	2,228
Total.	2,151 1,471	1,002 563,121	3268,524	2,151	1002,955	7724,694

It may be seen from the above table that, in 1964 West Bengal, Maharashtra and Kerala together accounted for 49.1 per cent. of the total number of disputes, 55.3 per cent. of the total number of workers involved and 57.8 per cent. of the total number of mandays lost (time-loss). As compared to 1963 the time-loss increased in all the States/Union Territories except Gujarat and Tripura during the year 1964.

Average per dispute.- The following statement gives the average time-loss, number of workers involved and duration per dispute for 1963 and 1964:-

Item	1963				1964				
	All Sectors	Manu- fac- turing indus- tries.	Mines.	Plan- ta- tions.	All Sec- tors.	Manu- fac- turing indus- tries.	Mines.	Plant- ations.	
	1	2	3	4	5	6	7	8	9
Average Time- Loss per dis- pute(Mandays).	2,222	2,411	945	1,749	3,591	4,273	2,203	3,923	
Average No.of workers involv- ed per dispute.	383	389	361	384	466	500	359	404	
Average duration of disputes (Days).	5.8	6.2	2.6	4.5	7.7	8.5	6.1	9.7	

Analysis by Lockouts.- Out of 2,151 disputes reported during the year, lockouts were declared at some stage or the other, in 170 cases involving 127,050 workers with a time-loss of 2,000,513 mandays. It will be observed that the disputes which resulted in lockouts accounted for 26.0 per cent. of the total time-loss in all industrial disputes during the year 1964, although by number they formed only 7.9 per cent. The average time-loss per lockout was 11,768 mandays as against the average time-loss of 2,890 mandays for strikes. The highest number of lockouts was reported from West Bengal which accounted for 42.6 per cent. of the total time-loss due to lockouts. In 1964, there was no lockout in Gujarat, Jammu and Kashmir, Punjab, Rajasthan, Goa, Himachal Pradesh and Tripura.

The 'manufacturing industries' were responsible for as many as 145 of the 170 lockouts involving a time-loss of 1,873,597 out of the total of 2,000,513 mandays. In 101 cases involving 104,575 workers and time-loss of 1,496,097 mandays the lockouts were declared by employers subsequent to strikes. In the remaining 69 disputes, lockouts were not preceded by strikes.

Analysis by Industries.- The 'Manufacturing Sector' accounted for 76.3 per cent. of the total time-loss during the year 1964. Among other sectors, 'Agriculture, Forestry, Fishing, etc.', accounted for 6.2 per cent., 'Mining and Quarrying' for 5.5 per cent., 'Transport and Communications (other than workshops)' for 3.5 per cent., 'Electricity, Gas, Water and Sanitary Services' for 3.4 per cent., 'Activities not Adequately Described' for 2.1 per cent., 'Services' for 1.3 per cent., 'Construction' for 1.2 per cent., and 'Commerce' for 0.5 per cent. In the 'Manufacturing sector', the highest time-loss was recorded by the group "Textiles" (38.3 per cent.). As compared to the preceding year, the time-loss increased in all the major industry groups.

Important Industrial Disputes.- During the year under review, there were 28 disputes involving a time-loss of more than 50,000 mandays. West Bengal accounted for most of the important disputes - involving amongst them alone, a time-loss of about 1.238 millions during the year 1964.

Analysis by Causes.- For classifying the work-stoppages involving a number of causes and demands according to the specified categories of causes, the immediate cause leading to the work-stoppage is taken into account. If there are more than one immediate causes, the most important among them is taken into account.

In 1964 amongst the disputes classified by these groups of causes, "Wages and Allowances" accounted for the highest number (740) of disputes followed by "Others" and "Personnel" which accounted for 590 and 567 cases respectively. Disputes relating to "Wages and Allowances" and "Personnel" constituted together 61.6 per cent., of the total number of disputes for which the relevant information was available and accounted for 49.1 per cent. of the total number of workers involved and 58.4 per cent. of the total time-loss. The corresponding percentages for 1963 were 53.0, 46.2 and 47.0 respectively. As compared to 1963 it will be seen that there was an increase in the percentages to the total number of disputes, workers involved and mandays lost due to "Wages and Allowances" and "Personnel" while there was a marked decrease in the case of "Bonus" and "Leave and Hours of Work".

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Analysis of Work Stoppages due to Non-implementation of Labour Enactments, Labour Awards and Labour Agreements.- Such cases accounted for 47 disputes involving 35,473 workers and a time-loss of 0.247 millions mandays only.

Analysis by Results.- Of the total number of terminated disputes in 1964 for which relevant information was available, 27.7 per cent., were 'successful', 14.8 per cent. were 'partially successful' and 37.2 per cent. were 'Unsuccessful'. In 20.3 per cent. of the disputes, work was resumed without any final decision having been reached. In such cases the matter might have been under further negotiation or under reference to an Industrial Tribunal, etc. As compared to the previous year, the percentages of disputes which were 'partially successful' and 'Unsuccessful' decreased and that for 'successful' and 'indefinite' increased.

Analysis by Duration.- Of the work-stoppages which terminated in 1964, and for which relevant information was available, 62.1 per cent. lasted up to 5 days. The disputes continuing for over a month accounted for only 7.9 per cent. of all the disputes for which relevant information was available. The percentages of disputes with duration 'a day or less' and 'more than a day upto 5 days' decreased as compared to 1963 and increased in respect of disputes of longer duration.

Analysis of Terminated Disputes Classified by Normal Employment.- size of Unit Affected.- The number of workers normally employed is taken to be the number of workers employed on the last regular working day of the month preceding the one in which the work-stoppage took place,- excluding workers employed on special items of work not normally carried on by the employer. It will be observed that 35.0 per cent. of the disputes involved units employing '100 or more but less than 500' workers. However, the units employing '1,000 or more' workers were responsible for 64.3 per cent. of the total time-loss.

Analysis of Terminated Disputes by Method of Settlement and Results.- The disputes which terminated as a result of 'Government intervention', formed 39.4 per cent. of the total for which relevant information was available. Another 25.3 per cent. of the total number of disputes terminated through 'mutual negotiations' and in 31.1 per cent. of the disputes the workers resumed their duties voluntarily. Most of the cases of 'voluntarily resumption of work by the employees' were 'unsuccessful' or 'indefinite' from the point of view of the workers, whereas a large proportion of disputes terminating through 'conciliation and mediation by Government' was 'successful' or 'partially-successful'. In cases of disputes terminating through

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'mutual settlement' also, a large proportion was 'successful' from the workers' point of view.

Analysis of Terminated Disputes Classified by Workers Involved and Time-loss.- A large number of disputes constituting 80.9 per cent. of the total disputes for which relevant information was available, involved less than 500 workers. Only 9.8 per cent. of these work-stoppages, involved 1,000 or more workers. Most of such work-stoppages, however, accounted for larger time-loss, as can be normally expected. Of the total work-stoppages, 93.4 per cent. can be normally expected. ~~Of the total work-stoppages~~ accounted for a time-loss of less than 10,000 mandays. Only 1.3 per cent. of the disputes resulted in a time-loss of 50,000 or more mandays.

Analysis of Disputes in Central Sphere Undertakings.- The Industrial Relations Machinery of the Central Government is the Competent Authority for intervention in the event of industrial unrest in this sphere. The Central Sphere includes all Central Government Establishments, major Ports and Docks, Banks, and Insurance Companies, Mines, Oil-fields, etc. Disputes in this sphere accounted for 14.6 per cent. of the total number of disputes, 12.9 per cent. of the total number of workers involved, and 8.5 per cent. of the total number of mandays lost. During the ~~year under review~~ preceding year, these percentages were 12.4 and 12.2 and 9.0 respectively. During the year under review 58.3 per cent. of the total number of disputes in the Central Sphere occurred in the 'Mining Sector' involving 52.6 per cent. of the total number of workers involved and 63.7 per cent. of the total mandays lost.

The number of disputes current in the month - was the highest in the month of November. The number of mandays lost, on the other hand was the highest in October followed by that in November. The lowest time-loss was recorded in January, 1964.

Analysis of Disputes according to the Affiliation of the Workers' Unions to the Central Organisation of Workers.- Nearly 31.3 per cent. of the total disputes 43.1 per cent. of the workers involved and 38.6 per cent. of the total mandays lost were accounted for by the affiliates of the I.N.T.U.C., the A.I.T.U.C. and the H.M.S. together accounted for 42.2 per cent. of the total time-loss during the year 1964. The disputes sponsored by more than one Central Organisation accounted for only 16.5 per cent. of the total time-loss involved in these disputes.

Nearly 45 per cent. of the total terminated disputes, for which the relevant information is available, were 'successful' or 'partially-successful' from the workers' point of view and they accounted for about 44 per cent. of the total time-loss due to all the Central Workers' Organisations. All India Trade Union Congress (A.I.T.U.C.) and Indian National Trade Union Congress (I.N.T.U.C.) together accounted for 68.1 per cent. of the 'successful' or 'partially-successful' disputes to the total of such disputes. Out of a total of 1,051,147 mandays lost due to all 'unsuccessful' industrial disputes as much as 649,192 mandays, i.e. 61.8 per cent. were alone accounted for by the Indian National Trade Union Congress (I.N.T.U.C.).

Analysis of Disputes by Wages and Value of Production Lost.- The information regarding wages and value of production lost is incomplete as out of 2,151 disputes, the information was reported for 1,743 cases for 'wages lost' and 916 for 'value of production lost'. In these cases, there was a wage-loss of 26.0 million rupees and a loss of production worth 191.2 million rupees.

Public Sector Undertakings.- The public sector plays an important role in providing employment in the country. However, it should be borne in mind while interpreting the figures for industrial unrest in this sector that there is a sharp difference between the basic coverage and also reporting of the sectors, as the private sector covers a considerable number of unorganised workmen who seldom demonstrate effectively for redress of their grievances. The total time-loss in the undertakings which were reported to be in the public sector, in 1964 was 747,393 mandays. The time-loss was the highest in the month of September followed by that in the month of July.

Analysis of Political and Sympathetic Strikes.- The highest time-loss was reported in the month of August. Among the States, the highest time-loss was noticed in the State of Maharashtra. There were in all 287 political and sympathetic strikes involving a maximum number of 987,400 workers and a total time-loss of 1,009,029 mandays.

(A review of the Industrial Disputes during 1963 was reported vide pp.45-52 of the Report of this Office for October-November 1964).

(Indian Labour Journal, Vol.VI, No.12, December 1965, pp. 1062-1099).

Industrial Disputes (Amendment) Act, 1965
(No. 35 of 1965).

The Government of India gazetted on 20 November 1965 the text of the Industrial Disputes (Amendment) Act, 1965 which provides a greater degree of protection to workers in the event of retrenchment or dismissal and tightens the penalty clause.

The Act which received the assent of the President on 19 November 1965 inserts a new section 2A to the original Act of 1947 providing that where any employer discharges, dismisses, retrenches or otherwise terminates the services of an individual workman, any dispute or difference between that workman and his employer connected with, or arising out of, such discharge, dismissal, retrenchment or termination shall be deemed to be an industrial dispute notwithstanding that no other workman nor any union of workmen is a party to the dispute.

Another amendment substitutes the following section for section 25C of the original act dealing with right of workmen laid off for compensation:

"25C. Whenever a workman (other than a badli workman or a casual workman) whose name is borne on the muster rolls of an industrial establishment and who has completed not less than one year of continuous service under an employer is laid off, whether continuously or intermittently, he shall be paid by the employer for all days during which he is so laid off, except for such weekly holidays as may intervene, compensation which shall be equal to fifty per cent. of the total of the basic wages and dearness allowance that would have been payable to him had he not been so laid off:

Provided that if during any period of twelve months, a workman is so laid off for more than forty-five days, no such compensation shall be payable in respect of any period of the lay off after the expiry of the first forty-five days, if there is an agreement to that effect between the workman and the employer:

Provided further that it shall be lawful for the employer in any case falling within the foregoing proviso to retrench the workman in accordance with the provisions contained in section 25F at any time after the expiry of the first forty-five days of the lay off and when he does so, any compensation paid to the workman for having been laid off during the preceding twelve months may be set off against the compensation payable for retrenchment.

Explanation.- "Badli Workman" means a workman who is employed in an industrial establishment in the place of another workman whose name is borne on the muster rolls of the establishment, but shall cease to be regarded as such for the purposes of this section, if he has completed one year of continuous service in the establishment."

Another amendment to section 29 of the Act provides that after the words "which may extend to six months, or with fine, or with both", the words "and where the breach is a continuing one, with a further fine which may extend to two hundred rupees for every day during which the breach continues after the conviction for the first" shall be inserted.

(The Gazette of India, Extraordinary,
Part II, Sec.1, 20 November 1965,
pp. 555-557).

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CHAPTER 7. PROBLEMS PECULIAR TO CERTAIN
CATEGORIES OF WORKERS.

INDIA - DECEMBER 1965.

71. Employees and Salaried Intellectual
Workers.

Kerala: Dearness Allowance of Government
Employees Raised.

The Kerala Government announced on 2 November 1965, revised rates of dearness allowance with effect from 1 October last on par with the rates prevailing in Madras.

For the purpose of calculating the Dearness Allowance, the pay includes the dearness allowance. The pay groups, the revised dearness allowance rates and the amounts to be deposited (shown in brackets) fixed for each group are:

Below Rs. 90: Rs.33 (no deposit);
Rs.90-149: Rs.50 (not less than Rs.5);
Rs.150-209: Rs.65 (not less than Rs.15);
Rs.210-399: Rs.81 (not less than Rs.20);
Rs.400-1,000: Rs.90 (not less than Rs.30
in the case of those benefited by the revision);
Rs.1,001-1,090: amount by which pay falls
short of Rs.1,090 and a deposit of not less
than Rs.30 by those benefited by the revision.

(The Hindu, 4 November, 1965).

CHAPTER 8. MANPOWER PROBLEMS.

INDIA - DECEMBER 1965.

81. Employment Situation.

A District-wise Analysis of Employment
Situation in India: Results of a Study
published by D.G.E. & T.*.

The Directorate-General of Employment and Training has recently published a study which provides information about available data relating to employment and unemployment collected at the District-wise level. The study is based on the results of area studies covered by the Employment Market Information Programmes in 134 districts. The study also deals with population and employment growth and manpower shortages.

According to the study the percentage increase of employment during 1961-64 went up beyond 50 per cent. in 7 areas namely, Coimbatore (Madras), Saidapet (Madras), Cuttack (Orissa), Berhampur (Orissa), Sawai Madhopur (Rajasthan), Tripura and Manipur. The increase in employment is mainly due to a rising tempo in manufacturing and construction services including educational medical and health activities besides growth of development services including educational, medical and health, community development and other services.

The unemployment situation in each of the 134 areas has been examined with reference to the number of applicants that remained on the local employment exchange register between 1961 and 1964. Out of 119 areas where employment showed a rising trend, the Live Register went up in 97 areas while the number showed a decline in the remaining 22 areas. Taking into consideration the large number of new entrants to the areas labour market, this situation could be expected even in areas showing employment increase.

* Employment Situation in India: A District-wise Analysis published by the Directorate-General of Employment and Training, Ministry of Labour and Employment, Government of India, New Delhi, pp.40.

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The declining trend in employment in 15 districts was due mainly to such local factors as closure of sugar mills, completion of construction activities, etc. Special attention needs to be paid to these districts, it recommends. ~~recommended.~~

The study however, makes the frank confession that the relationship between the employment trend and the number of persons registered at employment exchanges is a subject for further examination. But it has, nonetheless, come to the heartening conclusion that there is a rising trend of employment. This trend was evident in the 119 districts of the 134 chosen for the selective study, the first of its kind to be made.

Because of this rising trend, the report on the study states that "it can be observed that the impact of the Plan and distribution of employment opportunities is not localised but is widely diffused in different parts of the country". What is considered specially promising is that the rising trend in employment has outpaced the growth of population in as many as 97 of the 119 districts in which the rise was noticed.

In the remaining 22 districts, the report says, "the growth of employment is not commensurate with the population growth". It adds, however, that "this type of comparison is of limited value but may be useful to indicate broad trend".

(The Statesman, 28 December, 1965).

83. Vocational Training.

India - December 1965.

War-Disabled Personnel to be Trained for Gainful Employment.

The Social Security Department has made arrangements to impart vocational training to atleast 1,500 war-disabled personnel and to help them find gainful employment.

The Department envisages that disabled military personnel will start coming out of hospitals in January and after a couple of months, when they get used to their artificial limbs, they will be ready to receive training.

Some of the disabled persons will receive training at the Industrial Training Institution run by the Directorate-General of Employment. The Defence Ministry will pay the trainees a monthly stipend of Rs. 75. Training will be staggered from three months to one year so that another batch of about 300 persons can be accommodated in the same institution by the middle of next year.

~~(The Hindustan Times)~~

(The Tribune, 29 November, 1965).

Chapter 9. Social Security

92. Legislation.

India - December 1965.

Maternity Benefit (Amendment) Bill, 1965.

Shri D. Sanjivayya, Minister of Labour and Employment, introduced in the Rajya Sabha on 11 December 1965 a Bill to amend the Maternity Benefit Act, 1961. According to the Statement of Objects and Reasons of the Bill, the Maternity Benefit Act, 1961 does not, by reason of the provisions of subsection (2) of section 2 thereof, apply to any factory or other establishment to which the provisions of the Employees' State Insurance Act, 1948, apply. Consequently, a woman worker employed in a factory or other establishment and entitled to maternity benefit under the Maternity Benefit Act, 1961, ceases to be so entitled when the provisions of the Employees' State Insurance Act, 1948 become applicable to such factory or establishment. But, such a woman unless she fulfils the conditions laid down under section 50 of the Employees' State Insurance Act, 1948 is not qualified to claim any maternity benefit thereunder. Thus, she is deprived of maternity benefit under both the Acts. To remove this lacuna, it is proposed to amend the Maternity Benefit Act, 1961, so as to provide that ~~the~~ in the event of the application of the Employees' State Insurance Act, 1948 to any factory or establishment, maternity benefit under the Maternity Benefit Act would continue to be available to women workers therein, until they become qualified to claim similar benefit under the Employees' State Insurance Act.

The Amending Bill seeks to introduce the following section after section 5 of the Maternity Benefit Act, 1961:-

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"5A. Every woman entitled to the payment of maternity benefit under this Act shall, notwithstanding the application of the Employees' State Insurance Act, 1948, to the factory or other establishment in which she is employed, continue to be so entitled until she becomes qualified to claim maternity benefit under section 50 of that Act."

(The Gazette of India, Extraordinary,
Part II, Sec.2, 11 December 1965,
pp. 1261-1263).

Bihar: Employees' State Insurance Scheme
extended to Bhagalpur.

In exercise of the powers conferred under the Employees' State Insurance Act, 1948, the Central Government has appointed 26 December 1965 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force), and Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the municipal limits of Bhagalpur, in the State of Bihar.

(Notification S.O.3974 dated 20 December 1965, the Gazette of India, Part II, Sec.3, sub-sec.(ii), 25 December 1965, page 4087).

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Coal Mines Provident Fund and Bonus Schemes
(Amendment) Act, 1965 (No.45 of 1965).

The Coal Mines Provident Fund and Bonus Schemes (Amendment) Act Bill (vide pages 55-56 of the report of this Office for April 1965) as passed by Parliament received the assent of the President on 13 December 1965 and has been gazetted as Central Act No.45 of 1965. The main amendments made to the original Act of 1948 are as follows:

(1) The existing definitions of the terms 'coal mine', 'employee' and 'employer' are suitably revised to make them more comprehensive and to bring them in line with the amendments made in the Mines Act, 1952, and the Employees' Provident Funds Act, 1952. The term 'employee' now includes -

- (1) any person employed by or through a contractor in or in connection with a coal mine, and
- (2) for the purposes of the Coal Mines Provident Fund Scheme, also
 - (i) any other person who is employed as a sanitary worker, mali, teacher or domestic servant in or in connection with a coal mine and who receives wages directly from the employer, and
 - (ii) any apprentice or trainee who receives stipend or other remuneration from the employer.

The term 'employer' when used in relation to a coal mine, means any person who is the immediate proprietor or lessee or occupier of the coal mine or of any part thereof and in the case of a coal mine the business whereof is being carried on by a liquidator or receiver, such liquidator or receiver and in the case of a coal mine owned by a company the business whereof is being carried on by a managing agent, such managing agent; but does not include a person who merely receives a royalty, rent or fine from the coal mine, lease, grant or licence for the working thereof, or is merely the owner of the soil and not interested in the coal of the coal mine; but any contractor for the working of a coal mine as if he were an employer, but not so as to exempt the employer from any liability.

(2) A new provision (Section 3D) is made for the transfer of provident fund accumulations from other provident funds to Coal Mines Provident Fund and vice versa on transfer of employees from one establishment to another to ensure the continuity of their provident fund.

(3) Provision is made for enhanced penalty of imprisonment up to six months or fine of Rs.1000/= or both for contravention of any provision of the Act or the scheme. If a person has been convicted of any offence punishable as aforesaid, is again guilty of any such offence within a period of two years from the date of the previous conviction, he shall be punishable on conviction with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

(4) A new section 10E provides that the amount of contribution paid and any charges paid or payable by an employer in respect of an employee employed by or through a contractor and any bonus paid or payable under any Coal Mines Bonus Scheme in respect of any such employee may be recovered by such employer from the contractor either by deduction from any amount payable to the contractor under any contract or as a debt payable by the contractor.

The contractor from whom the amounts mentioned above may be recovered in respect of any employee employed by or through him may, save as otherwise provided in the Coal Mines Provident Fund Scheme, recover from such employee the employee's contribution under any such Scheme by deduction from the wages payable to the employee subject to the condition that no such deduction shall be made from any wages other than such as are payable in respect of the period of to which the employee's contribution relates.

(5) Another section 10F provides that where an employer makes default in the payment of any contribution or bonus or any charges payable by him under any scheme framed under this Act, or where any person who is required to transfer provident Fund accumulations in accordance with the provisions of the Act makes default in the transfer of such accumulations, the Central Government may recover from such employer or persons, as the case may be, such damages, not exceeding twenty-five per cent. of the amount of arrears, as it may think fit to impose.

CHAPTER 11. OCCUPATIONAL SAFETY AND HEALTH.

INDIA - DECEMBER 1965.

111. General.

Central Coal Mines Rescue Stations Committee:
Summary of the Report for 1964-65*.

The Coal Mines Rescue Stations Committee set up by the Government of India in the Ministry of Labour and Employment has published its annual report for the year 1964-65. The following is a brief summary of this report which has appeared in December 1965 issue of the Indian Labour Journal.

Meetings.- During the year under review, the Committee held 12 meetings - 5 at the Mines Rescue Station, Dhansar, 6 at the Mines Rescue Station, Sitarampur and 1 at the Mines Rescue Station, Argada. On many occasions, the members of the Committee inspected the rescue apparatus and equipment maintained at the rescue stations, and the station buildings, grounds and gardens to ensure that they were maintained in a good condition. The President of the Principal Executive Office of the Committee visited the mines rescue stations at regular intervals throughout the year to check up records, etc. and satisfy himself that all work was kept up-to-date and carried out properly.

Progress of Development Work.- One 'C' type rescue station was opened at Ledo in Assam in a temporary accommodation. Arrangements for opening a 'C' type rescue station in Madhya Pradesh at Bijuri reached its final stage.

* Indian Labour Journal, Vol.VI, No.12, December 1965, pp. 1100-1101.

The electrification and water supply work in the new building of the Dhansar Rescue Station was completed. In the new bungalows and quarters of the Sitarampur Rescue Station the water supply, sanitation sanitary fittings and electric installation were provided during the year under review. Sinking of well near the Parasia Rescue Station was done during the year, but the construction of the buildings at Parasia and Ramavaram was help up, as no qualified engineer could be appointed to look after the job.

Application for acquisition of the land for the Argada Rescue Station which had been housed in a rented building was made. The Giridih Rescue Station which had been functioning as a feeder station, had been housed in a rented building belonging to the National Development Corporation Ltd.

Although some spare parts and apparatus were received during the year under review, the position of equipments and spare parts was found to be not adequate. The use of 'Lisabsorb' a carbon dioxide absorbent in place of the foreign produce 'protosab' proved successful and its use resulted in a considerable saving of foreign exchange. The V.H.F. wireless communication between Dhansar and Sitarampur Rescue Stations and also with their respective vans continued to give satisfactory service. It proved to be very useful while dealing with an emergency operation in a mine where both Dhansar and Sitarampur Rescue Stations were called upon to tackle the situation.

Training in Rescue and Recovery Work.— Since the inception of the rescue organisation, a total of 3,045 persons (1,570 at the Mines Rescue Station, Dhansar and 1,475 at the Mines Rescue Station, Sitarampur) were given the full course of initial training in rescue and recovery work in mines. In terms of Coal Mines Rescue Rules, 1959, an active rescue ~~training~~ trained worker is required to take refresher practices once in every six weeks, i.e. 8 practices per year. Of these four practices are arranged in the training gallery and the remaining four in pits. Facilities for refresher practices are available in almost all the Rescue Stations. Annual medical examination of the permanent brigade members as well as rescue trained persons from mines were also conducted regularly as required under Rule 27 of the Coal Mines Rescue Rules, 1959 to ensure their physical and mental fitness. Ordinary mine workers were also given training on the surface of different mines in the use of Gas Mask so that they could be helpful to the rescue trained personnel of the mines in case of emergency.

Details of the refresher practices and rescue training given during the year under review at Dhansar and Sitarampur Rescue Stations with comparative figures for the previous year are given below:-

Particulars of Rescue Training given at
Rescue Stations

	1964-65			1963-64
	Dhansar	Sitarampur	Total	Total.
No. of workers trained.	157	91	248	329
No. of workers examined.	428	714	1,142*	1,104**
No. of workers declared medically unfit.	18	3	21@	22***

* In addition to this figure 441 more persons were medically examined, i.e., 190 at Parasia, 129 at Singareni, 115 at Argada and 7 at Ledo.

** In addition to this figure 338 more persons were medically examined i.e., 108 at Parasia, 109 at Singareni and 126 at Argada.

@ Excluding 2 examined at Singareni.

*** Excluding 2 examined at Parasia Station.

Refresher Practices given during 1964-65

No. of gallery refresher practices held ..	1,312
No. of pit refresher practices held..	928
No. of men practices for gallery refresher practices..	7,831
No. of men practices for pit refresher practices. .	5,657

Rescue Recovery and Emergency Work.- During the year under review, the rescue stations were called out for rendering assistance in 35 cases involving 131 days of work in addition to calls for the trailer pump at the Dhansar Rescue Station.

The Coal Mines Rescue Organisation assisted in 31 recovery operations involving 131 days of work and 761 protomanshift and recovered 4.12 million tonnes of coal locked in areas sealed due to occurrence of fire.

Rescue Competitions.- During the year under review Mines Rescue competitions were held on a zonal basis at the Mines Rescue Stations, Dhansar, Sitarampur, Parasia, Argada and Singareni and the Eleventh All India Mines Rescue Camp was held at the Mines Rescue Station, Dhansar.

Staff.- The total strength of staff employed by the Central Coal Mines Rescue Stations Committee (excluding garden mazdoors and other casual labour and part-time clerks and others) as on 31 March 1965 was 120.

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Presidents Conference on Industrial Safety,
New Delhi, 11-13 December 1965.

The President's Conference on Industrial Safety was held at New Delhi on 11 to 13 December 1965. The Conference was organised by the Ministry of Labour and Employment with the co-operation of State Governments, management associations, workers' unions and other organisations concerned with safety. The Director of this Office attended the Conference by special invitation.

Explaining the object of the Conference, a Labour Ministry paper says "accidents need not be a by-product of an industrial process, but despite all the efforts there has not been much improvement in the trend of accidents. Every day over 4,500 persons in industry get injured. The high rate of accidents is a matter of serious concern to industry, employers and workers alike, and the government agencies charged with the well-being of the industrial community. As to how to tackle the problem has been the subject of discussion in the Conference of Labour Ministers and various Tripartite Conferences. In 1962, the Labour Ministers' Conference suggested that a Conference on Safety in Factories should be convened and the question of setting up a National Safety Council for conducting a campaign on accident prevention should also be considered. This Conference on Industrial Safety is now being held. With the consent of the President, it has been named as the 'President's Conference of Industrial Safety'. A Conference on Safety in Mines was held in 1958-59 and a National Council for Safety in Mines has been set up."

The paper adds that "since success in accident-prevention will depend to a large extent on public support, the Conference will aim at creating a wider consciousness of the importance of safety at work. It will bring together the managements, workers, government representatives, safety and medical officers in industry, research workers in safety and industrial hygienists to exchange views, knowledge and experience and to make recommendations for the prevention of accidents in industry leading to increased productivity and the promotion of the general well-being of the industrial worker. The Conference will also consider the setting up of a permanent apex organisation to look after industrial safety in sectors other than mining, in the shape of a National Safety Council, supported by State Safety Councils."

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After the inaugural address by the President of India, the Conference divided itself into technical and working groups.

The Conference unanimously deciding that a tripartite National Safety Council and similar bodies at the State level also should be formed as soon as possible.

The main function of this Council will be to evolve programmes and to implement them effectively to encourage adoption of safety measures in industrial undertakings and to develop a safety consciousness among workers.

The Labour Minister appreciated the general desire to make industrial operations more safe for the workers and expressed the hope that every undertaking would have its own safety committees.

A set of documents of the Conference has been sent to Headquarters as annexure to this Report.

(Documents of the Conference received
in this Office;
The Statesman, 14 December, 1965).

Annual Report for 1964 on the Working of the Indian Dock Labourers Regulations, 1948 and the Dock Workers (Safety, Health and Welfare) Scheme*.

The Report for the year 1964 on the working of the Indian Dock Labourers Regulations, 1948 and the Dock Workers (Safety, Health and Welfare) Scheme, published by the Office of the Chief Adviser Factories deals with the Indian Dock Labourers Regulations, 1948 framed under the Indian Dock Labourers Act, 1934 and the Dock Workers (Regulation of Employment) Act, 1948. These statutory provisions apply to the six major ports of Calcutta, Bombay, Madras, Cochin, Visakhapatnam and Kandla.

Indian Dock Labourers Regulations, 1948.- During the year 1964, the progress with the compliance of the Act and the Regulations was generally satisfactory.

Dock Safety Committees.- The Dock Safety Committees continued to function during the year at all the six major ports, but at Calcutta, functioning of the Safety Committee during the year was not satisfactory. Only five meetings could be held as a number of them had to be postponed due to non-attendance by the members. The decisions of the Committee were also not being implemented properly. It is, therefore, felt that the Committee should ~~can~~ be constituted by the Port Authorities as at other ports.

During the year, five training courses in safety were conducted at the various ports. At Calcutta, two training courses were conducted for the benefit of supervisory staff of the Traffic Department of the Port Authorities. The courses were conducted jointly by the Dock Safety Inspectorate and Regional Labour Institute, Calcutta. At Madras, a training course was conducted for supervisory staff of the stevedores jointly by the Dock Safety Inspectorate and the Regional Labour Institute, Madras under the auspices of the Dock Safety Committee. The participants were taken to the Safety, Health and Welfare Centre at the Regional Labour Institute where they were shown the various models and exhibits of lifting machinery and gear and also personal protective equipment. At Cochin,

* Annual Report for the Year 1964 on the Working of the Indian Dock Labourers Regulations, 1948 and the Dock Workers (Safety, Health & Welfare) Scheme, 1961: Government of India, Ministry of Labour and Employment; Office of the Chief Adviser Factories, pp. 68.

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the supervisory staff of both the stevedores and Port Authorities attended the course and was conducted jointly by the Dock Safety Inspectorate and Regional Labour Institute, Madras. During the training courses conducted at Madras and Cochin, a number of safety films were shown to the participants. The courses were well appreciated and there were requests for holding more such courses.

At Bombay, a specialised training course on "Safe handling of dangerous goods" was conducted by the Central Labour Institute, Bombay for the supervisory staff of the Stevedores and the Port Authorities. The object was to explain the various risks involved during loading, unloading and handling of chemicals and other dangerous goods and the precautions to be taken against those risks. The requirements of the Dock Workers (Safety, Health and Welfare) Scheme, 1961 in connection with handling of the dangerous goods were also explained in details during the course.

Compliance with the Regulations.- An analysis of the total number of contraventions of the Regulations per 1000 ships inspected shows that there has been a considerable decrease in the number of contraventions on the ships as compared to previous years. The number for 1964 was 787.5 while during 1963 it was 821.20. The number of contraventions in respect of regulations 27 to 33 concerning testing, examination and annealing of lifting machinery and gear and maintenance of registered and certificates thereof has shown a slight increase. The number of ships per 1000 ships inspected on which these regulations were contravened was 315.94 during the year 1964 as compared to 301.40 in the previous years. There has been a decrease in the contraventions in respect of regulations 21 (marking of beams and hatch coverings), 35 (stamping of safe working load on pulley blocks), 39 (precautions against accidental fall of loads) and 41 (marking of safe working load on derricks).

Accidents and Dangerous Occurrences.- "Reportable" accident according to regulation 12 of the Indian Dock Labourers Regulations, 1948, 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 worker is disabled from work for the rest of the day or shift, a notice is required to be sent.

During the year 1964, the total number of "reportable" accidents in all the six ports was 4826 of which 18 were fatal. The corresponding accident figure for 1963 was 4639 of which 17 were fatal. This shows that there was an increase of 187 accidents as compared to the previous year and the number of fatalities increased by one.

The number of reportable accidents, fatal and non-fatal in the six ports from the year 1955 to 1964 shows that there was an increase in the number of accidents for the two years upto 1956 and then decrease upto 1959. In 1960, however, the number of accidents suddenly increased to 5107 although the number of fatalities were only 5. During 1961 and 1962 the number of accidents had shown downward trend but again in the years 1963 and 1964, there is an upward trend. During the year under review, the number of accidents decreased at the ports of Calcutta, Bombay and Kandla but increased at the ports of Visakhapatnam, Cochin and Madras.

The classification of total number of accidents at the six major ports according to main causations from the year 1959 to 1964 shows that "Handling of Cargo" continued to account for the highest number of accidents. During 1964, the total number of accidents under this head was 1755, including one fatal. "Handling of articles other than Cargo" accounted for the second highest number of accidents, the number being 867. The total number of accidents under both these heads, i.e., "Handling of Cargo" and "Handling of articles other than Cargo" was 2622 as against 2749 during the year 1963. Expressed as a percentage of the total, the figure for 1964 is 54.34 as against 59.27 for 1963 showing considerable decrease.

"Struck by falling body" accounted for the third highest number of accidents. There were 640 (including seven fatal) accidents under this head constituting 13.25 per cent. of the total. The corresponding figure for 1963 was 579 (with six fatalities) constituting 12.51 per cent. of the total. A large number of accidents under this head occurred at Calcutta port, the figure being 383 (including one fatal) as compared to 409 (including 2 fatal) for the previous year. Here too, a large number of these accidents could have been avoided had the workers exercised sufficient care while working and had worn boots to avoid foot injuries.

"Stepping on or striking against object" accounted for the fourth highest number of accidents, the figure for 1964 being 443 (including one fatality) as compared to 513 (including one fatality) during 1963. The largest number of accidents i.e. 189 (including one fatal) occurred at the Port of Calcutta.

"Persons falling" accounted for the next highest number of accidents, the figure for 1964 was 431 (including 3 fatalities) compared to 338 (including 7 fatalities) during 1963. Thus there was a substantial decrease in the number of fatal accidents but an increase in non-fatal accidents. Of 3 fatal accidents, 2 occurred at Calcutta and one at Visakhapatnam. In so far as these accidents on board the ships are concerned, an important consideration in the prevention is to securely cover or properly fence the hatch openings when not in use, to prevent workers falling down. ~~In respect of when not in use,~~ ~~to be~~ In respect of other places, these accidents could be avoided if the workers looked around the and avoided uneven and slippery surfaces, unfenced openings and other dangerous situations.

As in the previous years, the accidents under "Lifting Machinery and Gear" have formed only a very small percentage of the total number of accidents. There were only 4 accidents under this head (constituting only 0.29 per cent. of the total). There was no fatality under this causation.

Dangerous occurrences.- According to regulation 12 of the Indian Dock Labourers Regulations, 1948, the following classes of dangerous occurrences are "reportable" irrespective of whether the personal injury is caused or not:-

- (i) Collapse or failure of lifting machinery;
- (ii) breakage or failure of ropes, chains or other appliances used in raising or lowering of persons or goods; and
- (iii) collapse or failure of means of access to or from a ship.

During the year 1964, the total number of "reportable" dangerous occurrences notified at all the six major ports was 180 as compared to 200 during the previous year. The number of reportable dangerous occurrences at the ports from the year 1955 onwards shows that there was a gradual rise in the number of dangerous occurrences upto 1956 and then a decrease upto 1959 when the number was 105 and again there was rising trend from 1960 ~~wh~~ to 1963. During the year under review, there has been a decrease in the dangerous occurrences by 10 per cent as compared to the previous year.

A brief description of some of the dangerous occurrences shows that during the year under review there has been a decrease in the number of dangerous occurrences under both the categories 'A' (COLLAPSE OR FAILURE OF LIFTING MACHINERY) and 'B' (COLLAPSE OR FAILURE OF ACCESSORY GEAR). There was no dangerous occurrences in category 'C' i.e. "COLLAPSE OR FAILURE OF MEANS OF ACCESS".

Of the total number of 180 dangerous occurrences at the six major ports, 106 were at the Port of Bombay. The majority of the dangerous occurrences at Bombay were due to breakage of hoisting and slewing chains of hydraulic cranes which accounted for 68. The number of breakages of hoisting chains decreased from 40 in 1963 to 37 during the year 1964 while the breakages of slewing chains reduced from 56 to 31. Most of the breakages of chains are occurring owing to unsatisfactory method of inspection whereby defects in the chains cannot be detected in time. The Port Authorities have been advised to carry out thorough inspections after properly cleaning and removing of grease from chains.

At Calcutta, the number of dangerous occurrences increased to 42 as compared to 30 in the previous year. There was a slight increase at Cochin and Kandla but there was a decrease at Bombay, Madras and Visakhapatnam.

"Non-reportable" accidents and dangerous occurrences.- Accidents and dangerous occurrences under this category are technically considered as "non-reportable" because either the persons injured or the lifting machinery involved were not connected with the "process" as defined under regulation 2(g) of the Indian Dock Labourers Regulations, 1948, or the persons injured though covered by the definition of "worker" were not incapacitated for a period of more than 48 hours.

It may be mentioned that with the coming into operation of the Dock Workers (Safety, Health and Welfare) Scheme, 1961, some of the non-reportable accidents and dangerous occurrences have become reportable under the Scheme.

In 1964, the total number of non-reportable accidents and dangerous occurrences brought to the notice of Inspectorates at the six ports was 2793 out of which 3 were fatal. The corresponding figure for 1963 was 2936 of which 10 were fatal. Thus, there was a decrease in the total number of non-reportable accidents and also in the number of fatalities.

Figures relating to the aggregate number of workess employed on board the ships expressed in terms of man-shifts obtained from the Dock Labour Boards where functioning and from stevedores at other ports, show that 6055000 man-shifts were worked at all the ports during the year 1964 as against 5547000 in the year 1963. A total tonnage of 24673000 (excluding bulk oil and bundering) was handled at the six ports during the year 1964 as against 22684000 tons in 1963.

The total number of accidents on board the ships during 1964 was 3,544 as compared to 3,532 in 1963, which is almost the same. At Calcutta Port there were 2,353 accidents on board the ships in 1964 as compared to 2,635 in 1963 i.e. a decrease of 282 accidents. At Bombay, there was a slight increase from 352 to 367 while at Madras and Cochin there was considerable increases. The increase was from 221 to 304 at Madras and from 267 to 443 at Cochin.

The frequently frequency rate of accidents at the individual ports and for all the ports combined for the years 1960-64 shows that the overall frequency rate of accidents is 7.5 in the year 1964 as compared to 7.95 in 1963, indicating a slight decrease of 0.45. Taking individually, Cochin has shown a sharp rise in accidents frequency rate this year, it being 15.53 in 1964 as compared to 11.85 in 1963. This is the highest rate of all the ports. Calcutta and Madras have the second and third highest rates being 7.52 and 7.5 respectively. Bombay, Visakhapatnam and Kandla came next in order with the values as 5.54, 3.82 and 1.31 respectively. The rate at Kandla was 1.31 which showed a substantial decrease over the last year's figure of 4.10.

The figures also show that the rate of accidents on board the ships in terms of 100,000 tons of cargo handled decreased from 15.57 in 1963 to 11.78 in 1964. The number of accidents per one 100,000 tons of cargo handled continued to increase at Cochin from 1961 onwards and this year the port had the highest rate (27.19). The rate at Calcutta was 25.3 which is the second highest. Madras occupied the third place (8.45). Bombay, Visakhapatnam and Kandla were next in order with the rates as 5.1, 3.88 and 0.75. It will thus be seen that the lowest rate was at Kandla.

Dock Workers (Safety, Health and Welfare) Scheme, 1961.— The Dock Workers (Safety, Health and Welfare) Scheme, 1961 was framed under section 4(1) of the Dock Workers (Regulation of Employment) Act, 1948. The Scheme was brought into force on 1 October 1961 except certain paragraphs which will come into force on such date or dates as may be notified by the Central Government. The Scheme is applicable to all the major ports.

The Scheme covers health and welfare measures for all the dock workers and also safety of such workers as are not covered by the Indian Dock Labourers Act, 1934. It is applicable to all the dock workers including those employed in loading, unloading and handling of cargo in transit sheds, ware-houses, yards, etc. and also those engaged on chipping and painting of ships.

Accidents.— Under para 4 of the Scheme, any accident which causes loss of life to a dock worker or disables him from doing work for more than 48 hours is "reportable". The accidents which are reportable under the Indian Dock Labourers Regulations, 1948 are not required to be reported under the Scheme.

During the year 1964, the total number of reportable accidents in the six major ports was 1020 (including 9 fatal) as compared to 802 (including 6 fatal) for the year 1963. Thus it would be seen that there was increase in the fatal number of accidents as well as the fatalities reported under the Scheme. The port-wise break-up is as under:—

Calcutta	-	594 (including 3 fatal)
Bombay	-	249 (including 1 fatal)
Madras	-	78 (including 3 fatal)
Cochin	-	11 (including 1 fatal)
Visakhapatnam	-	15 (including 1 fatal)
Kandla	-	73 (no fatal).
Total.		<u>1020 (including 9 fatal).</u>

The classification of fatal and non-fatal accidents at all the ports according to the main causations ~~is~~ shows that "Handling of Cargo" continued to account for the highest number of accidents (199 i.e. 19.8 per cent. of the total) with no fatality. The second highest number of accidents (195 including 3 fatal) occurred under the caustion "Struck by falling body" and the next highest (183 with no fatality) under causation "Persons falling". "Lifting Machinery" accidents formed a very small proportion of the total number of accidents, only 7 including 2 fatal both of which happened at Calcutta.

Dangerous occurrences.- According to para 4 of the Scheme, the following classes of dangerous occurrences are reportable irrespective of whether personal injuries are caused or not:

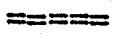
- i) Collapse or failure of a lifting machinery used in raising or lowering of persons or goods, and breakage or failure of ropes, chains or other appliances forming part of lifting machinery or the overturning or displacement of a crane;
- ii) Collapse or subsidence of any wall, floor, gallery, roof, platform, staging and means of access provided in accordance with this Scheme;
- iii) Bursting of a vessel containing steam under pressure greater than atmospheric pressure other than plant which comes within the scope of the Indian Boilers Act, 1923;
- iv) Explosion or fire causing damage to any room or place in which dock workers are employed; and
- v) Explosion of a receiver or vessel used for the storage, at a pressure greater than atmospheric pressure, of any gas or gases (including air) or any liquid or solid resulting from the compression of gas.

During the year 1964, total number of reportable dangerous occurrences was 23 as compared to 18 during the year 1963. The port-wise break-up is as follows:-

Calcutta	-	13
Bombay	-	6
Madras	-	1
Cochin	-	2
Visakhapatnam	-	-
Kandla	-	1
Total:		<u>23</u>

Inspection and prosecutions.- During the year 1964, 19 prosecution cases were instituted under the Indian Dock Labourers Regulations, 1948 of which 6 were at Calcutta, one at Bombay, 7 at Madras, 4 at Kandla, and one at Cochin. No prosecution was launched at Visakhapatnam. An appeal pending at the Calcutta High Court which was filed by a stevedoring firm in 1962 against their conviction under the regulation 55(2) read with regulation 44 by the Chief Presidency Magistrate, Calcutta was decided during the year and the conviction was upheld. Out of the 19 cases instituted during the year, except one each at Calcutta and Bombay and 4 at Kandla which were pending till the end of the year, all other cases were decided and conviction obtained. The stevedoring firm at Cochin which was convicted for breach of regulations 55(2) and 12 has appealed in the High Court for reduction of fine and the matter was pending.

Under the Dock Workers (Safety, Health and Welfare) Scheme, 1961 only one prosecution case was instituted during the year and that was at Madras. The case was pending till the end of the year.



Management held responsible for Dhori Mine explosion: Findings of the Court of Inquiry.

According to the report of inquiry headed by Mr. S.K. Dass, a former Judge of the Supreme Court, the Dhori colliery explosion on 28 May, 1965, was due to negligence on the part of the management in the matter of the failure to take precautions against coal dust and to maintain the required standard of ventilation. The accident, the report said, "was caused by the fire-damp explosion, initiating the coal dust explosion. It was what is called truly a joint explosion".

Describing the explosion as "one of the biggest disasters in the history of the coalmining industry in this country", the report said out of the total number of workers shown in the attendance registers, 267 were missing and were believed to have been killed. One night guard who was killed was not shown in the register. Thus the total number of workers killed came to 268 out of which 252 bodies were recovered till 1 June 1965. Some bodies were recovered later and this brought the total number recovered to 259.

The Report recommended that mining sirdars, shoft-firing sirdars and overman should all be trained to detect CH 4 in mine atmosphere. Violation of precaution against coaldust must be pursued vigourously and if necessary the staff of the inspectorate should be strengthened because coal dust explosions were the greatest danger to the mining industry and such explosions were almost invariably initiated by fire-damp explosions.

Regarding contributory causes, the report said these came under two heads: Lack of ventilation plus use of naked light in the mine and coal dust and failure to treat it properly to prevent liberation and accumulation. It said there was no doubt that ventilation in 15 south level was so poor that it facilitated accumulation of fire damp. The mine was treated as non-gassy and naked lights were used for illumination.

The report rejected the theory of sabotage advanced by the management.

(The Hindustan Times, 15 December, 1965).

LIST OF THE PRINCIPAL LAWS PROMULGATED
DURING THE PERIOD COVERED BY THE REPORT
FOR DECEMBER 1965.

INDIA - DECEMBER 1965.

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

West Bengal Shops and Establishments
(Second Amendment) Act, 1965 (West Bengal
Act XXIV of 1965) (The Calcutta Gazette,
Extraordinary, 30 November 1965, pp.4797-4798).

CHAPTER 6. GENERAL RIGHTS OF WORKERS.

Industrial Disputes (Amendment) Act, 1965
(No.35 of 1965) (The Gazette of India,
Extraordinary, Part II, Sec.1, 20 November,
1965, pp. 555-557).

CHAPTER 9. SOCIAL SECURITY.

Coal Mines Provident Fund and Bonus Schemes
(Amendment) Act, 1965 (No.45 of 1965)
(The Gazette of India, Extraordinary,
Part II, Sec.1, 14 December 1965, pp.619-632).

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BIBLIOGRAPHY.

INDIA - DECEMBER 1965.

CHAPTER 3. ECONOMIC QUESTIONS.

- *(a) "India's Development and Economic Aid":
Published by the Embassy of the United States
of America, New Delhi. pp. 39.
- *(b) "Annual Survey of Industries 1963(Provisional
Results) General Review": Central Statistical
Organisation (Industrial Statistics Wing):
Department of Statistics: Cabinet Secretariat:
Government of India: Calcutta: Printed by the
Government of India Press, Calcutta:1965:
pp. x + 77. (mimeographed).

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

- * "Annual Report for the Year 1964 - on the
Working of the Indian Dock Labourers
Regulations, 1948 and the Dock Workers
(Safety, Health and Welfare) Scheme 1961":
Government of India: Ministry of Labour and
Employment: Office of the Chief Adviser
Factories: 1965: pp.68. (memographed).

CHAPTER 5. WORKING CONDITIONS AND LIVING
STANDARDS.

- *(a) "Report on Family Living Survey Among
Industrial Workers 1958-59": Labour Bureau:
Ministry of Labour and Employment: Government
of India: Printed in India by the Manager of
Government of India Press Simla for the
Manager of Publications, Civil Lines, Delhi:
1965: Price Inland - Rs.7.00 Foreign - 16sh.4d.
or \$2.52 cents: pp. iv + 88. Bhopal.
- *(b) "Report on Family Living Survey Among
Industrial Workers 1958-58": ~~Shope~~ Jaipur:
Labour Bureau: Ministry of Labour and
Employment: Government of India: Printed in
India by the Manager Government of India Press,
Simla for the Manager of Publications,
Civil Lines, Delhi: 1965: Price: Inland Rs.4.85
Foreign 11sh.4d. or \$1.75 cents. pp.iv + 83.

* Publications received in this Office.

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS (CONTINUED)-

- *(c) "Report on Family Living Survey Among Industrial Workers 1958-59": Calcutta: Labour Bureau: Ministry of Labour and Employment: Government of India: Printed by the Manager Government of India Press Simla for the Manager of Publications Civil Lines Delhi: 1965: Price Inland Rs.7.75. Foreign 18sh.1d or \$2.79 cents: pp.iv + 96.
- *(d) "Report on Survey of Labour Conditions in Textile Machinery and Accessories Manufacturing Factories in India": Labour Bureau: Ministry of Labour and Employment: Government of India: Printed in India by the Manager of Government of India Press Simla for the Manager of Publications Civil Lines Delhi:1965: Price Inland Rs.2.80 Foreign 6sh.7d. or \$ 1.1 cent. pp. ii + 49.
- *(e) "Report on Survey of Labour Conditions in Electrical Machinery Factories in India": Labour Bureau: Ministry of Labour and Employment: Government of India: 1965: Printed in India by the Manager Government of India Press Simla for the Manager of Publications Civil Lines Delhi: Price Rs.3.00 or 7sh. or \$1.8 cents. pp. iv + 44.
- *(f) "Report on Survey of Labour Conditions in Cement Factories in India": Labour Bureau: Ministry of Labour and Employment: Government of India: 1965: Printed in India by the Manager Government of India Press Simla for the Manager of Publications Civil Lines Delhi. Price Rs.3.20 or 7sh.6d. or \$ 1.16 cents pp. iv + 60.
- *(g) "Report on Family Living Survey Among Industrial Workers 1958-59": Bhavnagar: Labour Bureau: Ministry of Labour and Employment: Government of India: 1965: Printed in India by the Manager Government of India Press Simla for the Manager of Publications Civil Lines Delhi: Price Rs.8.00 or 18sh.8d. or \$2.88 cents. pp. iv + 89.

CHAPTER 8. MANPOWER PROBLEMS.

- * "A Handbook on Training Facilities in Delhi": Institutional Training: Issued by the Occupational Information Unit, Directorate General of Employment and Training: Ministry of Labour and Employment, Government of India: 1964: Price Rs.2.70 or 6sh.4d. or 98 cents. pp. 15 + ix.



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