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INTERNATIONAL LABOUR OFFICE

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With

INDIA - MARCH-APRIL 1969.

Industrial and Labour Developments in March-April
1969.

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

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INDIA - MARCH-APRIL 1969.

12. Activities of External Services.

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

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

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

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

5) On 11 April 1969, at a function held at Shram Bhawan, New Delhi, the Minister for Labour and Employment, Mr. J.L. Hathi released the commemorative stamp to mark the celebration of the 50th Anniversary of I.L.O. Mr. Menon, Director of this Office received the Stamp Album on behalf of the Director-General.

6) The Director addressed the Students of the Delhi School of Social Work on 14 April 1969 on 'ILO and Fifty Years'.

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

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13. Press and Opinion.

India - March-April 1969.

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

- 1) "The Health, Labour and Productivity" brought out by the Health Education Bureau of U.P. contains an article "Industrial Education in the Field of Labour and Health" by Dr. B.G. Prasad. The article highlights the various activities of ILO in the field of Occupational Health.
- 2) The March issue of the Nursing Journal of India contains a reference about the Nurses' Charter and ILO.
- 3) The March issue of AIOIE Labour News contains an article on the Asian Labour Ministers' Conference.
- 4) The March issue of Workers' Education contains the full text of ILO Convention 'Fixing the Minimum Age for admission of Children to Industrial Employment'.
- 5) The April issue of Workers' Education contains an article about the various activities organised by the Workers' Education Board to celebrate the 50th Anniversary of the ILO.
- 6) The same issue publishes the full text of the Convention on the 'Employment of Women during Night'.
- 7) The April 15 issue of the Industrial Bulletin contains a review of the latest Year Book of Statistics published by ILO.
- 8) The April 1969 issue of Industrial India publishes an article 'Management Training - Modern Trends and Techniques' by Mr. Steve Dembicki, ILO Chief of Project, NITIE, Bombay.

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CHAPTER 2. INTERNATIONAL AND NATIONAL ORGANISATIONS.

INDIA - MARCH-APRIL 1969.

28. Employers' Organisations.

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

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

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

About the 1969-70 budget, Mr. Modi said that the hopes of corporate tax relief to give a positive push to industry had not been fulfilled. He was of the opinion that the taxation had reached the point of diminishing returns. He welcomed the relief to items like jute, tea and mica provided in the budget, but said it was both limited in range and inadequate in amount. Mr. Modi suggested that Government should set up an export bank to look after the financial side of exports and joint ventures in foreign countries. Further Government should protect investment abroad against political risk

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and permit cash remittances upto a certain percentage. According to Mr. Modi the main reason which had hampered the country's industrial development was the slackness in the capital market. This was because the burden of taxes on companies had increased from 50 to 55 per cent in the case of public limited and to 65 per cent in the case of private limited companies. The efficient companies which earned more than 10 per cent profit were also subjected to surtax.

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

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

(The Hindi, dated 16 and 17 March 1969).

36. Wages.

India - March-April 1969.

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

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

Employment in cotton ginning and pressing and cotton waste.

Category of workers. All inclusive minimum rates of wages per day.

(1)	(2)
	Highly Skilled. Rs. P.
1. Blacksmith.	4.50
2. Masons.	4.50
3. Carpenters.	3.75
4. Electricians.	3.75
5. Press fitters.	3.75
6. Mechanic.	3.75
7. Willow driver.	3.75
8. Press driver.	3.75
	Skilled.
9. Boxman.	3.00
10. Drivers gin.	3.00
11. Fitters.	3.00
12. Gin fitters.	3.00
13. Lasher.	3.00
14. Maistry.	3.00
15. Marker.	2.30
16. Valveman.	2.65
17. Oiler.	2.50
18. Fireman.	2.50
19. Rivetter.	2.50
20. Roller crover.	2.50
21. Weigher.	2.50

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(1)	(2)
	<u>Rs.P.</u>
<u>Semi-skilled.</u>	
22. Bale stitcher. -----	2.50
23. Gin expeller. -----	2.05
24. Ginning. -----	2.05
25. Press mazdoors. -----	2.05
26. Gin feeders. -----	1.87
27. Key openers. -----	2.50
<u>Unskilled.</u>	
28. Bag carriers. -----	3.00
29. Borah fillers. -----	2.62
30. Borah rollers. -----	2.25
31. Bundlers. -----	1.87
32. Cutters. -----	1.87
33. Cotton picking. -----	1.75
34. Cotton carriers. -----	1.75
35. Cotton cleaning beaters. -----	1.87
36. Kappas bag openers. -----	1.87
37. Kalasis. -----	1.87
38. Kappas picking. -----	1.75
39. Lint cleaners. -----	1.68
40. Opener mazdoor. -----	1.87
41. Stitchers (other than bale stitchers). -----	1.87
42. Sweepers - *Grade I. -----	2.50
*Grade II. -----	1.75
43. Seed removers or carriers. -----	1.87
44. Cotton cleaners. -----	1.87
45. Cotton cleaning beaters/blowers. -----	1.87
46. Stackers. -----	2.50
47. Sorters. -----	2.50
48. Borah opener. -----	1.75
<u>Miscellaneous Group.</u>	
49. Clerks. -----	80.00 per month
50. Office boy. -----	65.00 Do.
51. Watchman. -----	65.00 Do.
52. Washer maker. -----	2.50 per day
53. Cotton waster cleaner. -----	1.75 Do.
54. Kosari cleaner. -----	1.75 Do.

* Classification of workers into Grades I and II is made on the basis of physical capacity, skill, efficiency and out-turn of work.

Method of calculation of wages.- (1) Children wherever employed shall be paid half of the rates of wages fixed above.

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

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

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

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

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

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

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

Class of employees.	All inclusive minimum daily rates of wages.
(1)	(2)
	<u>Rs. P.</u>
1. Supervisors. -----	3.75
2. Blacksmiths. -----	3.75
3. Carpenters. -----	3.75
4. Dice turners or wheel operator (Machine).----	3.75
5. Fitters. -----	3.75
6. Electricians. -----	3.75
7. Mould Operators (Machine).--	3.75
8. Foreman (Boiler). -----	3.38
9. Engine Drivers. -----	3.38
10. Maistry or Head Cooly.-----	3.00
11. Brick makers and/or tile makers Grades I* and II*. -----	7.50 per 1000 bricks or tiles subject to a guaranteed minimum of Rs.2.63 per day for Grade I and Rs.1.50 for Grade II respectively.
12. Fireman (Kiln). -----	2.63
13. Die Puller. -----	2.63
14. Mason. -----	2.63
15. Clay slicers and trammers.	2.25
16. Watchman. -----	2.25
17. Tile receiver and wheel turner.	2.25
18. Kiln Loaders and unloaders:	
Grade I* -----	2.25
Grade II* -----	1.50
19. Burnt goods sorters and packers (including stacking). --	2.06
20. Loading, unloading and miscellaneous work other than kiln loading and unloading:	
Grade I* -----	2.25
Grade II* -----	1.50
21. Clay transporters and carriers.	1.88
22. Slab cutters and slab carriers.	2.25
23. Clay feeders. -----	1.88

(Table continue - next page)

(1)	(2)	<u>Rs.P.</u>
24. General collies. -----		1.88
25. Slab placers. -----		2.25
26. Tile trimmers and drivers.--		2.25
27. Sweepers -		
Grade I* -----		1.88
Grade II* -----		1.50
28. Artificial drying fire tenders -		
Grade I* -----		1.88
Grade II* -----		1.50
29. Raw tile removers from fram.		1.88
30. Raw bricks and tiles carriers.		1.50
31. Pallet suppliers. -----		1.50
32. Pallet collectors. -----		1.50
33. Water carriers. -----		1.50
34. Clerks. -----		75.00 per month.
Special Categories - Applicable to Cement Tile Section.		
35. Planning man. -----		3.00
36. Cement tile pressers. -----		2.25
37. Sand suppliers. -----		1.88
38. Tile plasterers. -----		1.88
39. Box removers. -----		1.88
40. Colour mixers. -----		1.88
41. Chips Screamers. -----		1.88

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

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

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

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

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

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

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

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

Employment in tanneries and leather manufactories.

Class of employees.	All inclusive minimum rates of wages per day.
(1)	(2)
	<u>Rs.P.</u>
I. TANNERIES-CUM-LEATHER MANUFACTORIES.	
Lime Yard-	
1. Helpers. -----	2.75
2. Fleshers. -----	2.94
3. Scudders. -----	2.94
4. Goat-skin knifers. -----	2.94
Tanning and Dyeing Department -	
1. Helpers. -----	2.75
2. Drum Boys. -----	2.75
3. Shavers. -----	3.33
4. Splitters. -----	3.33
5. Shaving Learners. -----	2.75
6. Saming Helpers. -----	2.75
Setting Department -	
1. Helpers. -----	2.75
2. Setting Machine operators. -----	2.75
3. Hand Setters. -----	2.75
Staking Department -	
1. Helper. -----	2.75
2. Busters. -----	2.75
3. Stakers. -----	2.75
Straining Department -	
1. Helpers. -----	2.75
2. Strainers. -----	2.75
Finishing Department -	
1. Helpers. -----	2.75
2. Seasoners. -----	2.75
3. Sprayer. -----	2.75

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(1)	(2)	<u>Rs.P.</u>
Finishing Machinery Department -		
1. Helpers.	-----	2.75
2. Buffing Machine Operators.	-----	2.75
3. Emery Wheel Operators.	-----	2.75
4. Glazing Machine Operators (Cow).	-----	2.75
5. Trimmers.	-----	2.75
6. Press Machine Operators.	-----	2.75
7. Hand Ironers.	-----	2.75
8. Boarders.	-----	2.75
9. Glazing Machine Operators (Glazekid).	-----	3.14
Foundary Department -		
1. Helpers.	-----	2.80
2. Fitters.	-----	2.99
3. Drivers.	-----	3.40
4. Masons.	-----	3.20
5. Carpenters.	-----	3.20
6. Fitters and driver learner.	---	2.80
Backyard Department -		
1. Beamers.	-----	2.75
2. Setters.	-----	2.75
General -		
1. Maistries.	-----	97.50 per month.
2. Clerks.	-----	97.50 Do
3. Watchman.	-----	91.25 Do
General Categories employed in Tanneries (Excluding the Tanneries-cum-Leather manufactories) -		
1. Clerks.	-----	97.50 per month.
2. Maistries or Supervisors.	-----	97.50 Do
3. Watchman.	-----	91.25 Do
II. OTHER TANNERIES.		
1. Turning of skins and hides in lime pits or bark pits (for the first unit and 0.16 per every additional unit of work done).	-----	1.53
2. Unskilled workers.	-----	2.19
3. Piece-rate worker.	-----	2.41 for the first unit and Rs.1.05 per every additional unit of work done and 0.16 for every additional unit in lime and bark pits.
4. Adolescent workers.	-----	66.75 per mensem or Rs.2.34 per day.

Provided that -

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

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

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

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

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

Explanation -

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

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

38. Housing.

India - March-April 1969.

Housing Shortage may be 83.7 Million Units.

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

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

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

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

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

c) Efforts should be made to mobilise all private resources for construction of houses, particularly for the lower income group. These should include introduction of a system of mortgage insurance and floating of loans - debentures by the State Housing Boards.

d) An effective institutional framework should be promoted by encouraging the establishment of State Housing Boards and apex Cooperative Societies, by participation in the Share Capital of these bodies and by granting them a certain amount of managerial subsidy.

(The Hindu, dated 20 April 1969).

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

INDIA - MARCH-APRIL 1969.

42. Co-operation.

Aid to Marketing Cooperatives to be based on Performance.

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

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

It has urged encouragement to marketing societies to develop processing of agricultural produce.

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

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

(The Hindu, dated 28 March 1969).

44. Merchant Marine and Fisheries.

India - March-April 1969.

Merchant Shipping (Amendment) Bill, 1968.

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

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

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

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

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

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

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

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

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

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

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

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

Clause 3.- The principal Act which was enacted in 1958 had to provide for the saving of declarations relating to acceptance/denunciation of the 1930 Load Line Convention made by other countries and notified by the Government under the Indian Merchant Shipping Act, 1923. As all similar declarations in respect of the Load Lines Convention, 1966 will be made under the principal Act itself, subsection (2) of section 283 is no longer necessary. Accordingly this clause seeks to omit that sub-section.

Clause 4.- The application of the Load Lines Convention, 1966 to ships and other vessels depends upon the length of the vessel in the case of new ships or vessels, that is to say, ships or vessels whose keel is laid or which is at a similar stage of construction on or after the commencement of that Convention. In the case of otherships and vessels, that is, existing ships and vessels, the application of the Convention is as under the 1930 Load Line Convention based upon the tonnage of the ship or vessel. Hence it is necessary to define the expressions "new ship", "new vessel", "existing ship" and "existing vessel".

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

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

Clause 6.- Sub-section (1) of section 312 of the principal Act deals with the survey and marking of deck lines and load lines in respect of a ship the keel of which was laid after the date of commencement of the 1930 Load Line Convention.

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

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

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

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

Clause 9.- This clause seeks to substitute a new section 317 for existing section 317 of the principal Act. The new section seeks to give effect to the various provisions of the Load Lines Convention, 1966, relating to duration, extension and cancellation of load lines certificates.

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The provisions of the Load Lines Convention, 1966, relating to duration, extension and cancellation of load lines certificates are, subject to some minor exceptions, similar to those made by the Load Line Convention, 1930. Thus while a certificate issued under the 1930 Convention can be renewed, a certificate issued under the 1966 Convention cannot be renewed and upon its expiry, a fresh certificate has to be obtained. Further the 1966 Convention provides for the issue of international load lines exemption certificates (vide clauses 5 and 8 and notes thereon).

Clause 10. Section 321 of the principal Act gives effect to a requirement of the Load Line Convention 1930, according to which a Government of a country which is a party to that Convention may issue an international load line certificate to a ship registered in any other country which is a party to that Convention if a request in that behalf is made by such other country. The Load Lines Convention, 1966, contains a similar requirement subject to two modifications: first, such a certificate may be issued even in respect of ships to be registered and secondly whenever such a certificate is issued, a copy of such certificate together with a copy of survey report used in computing the free board of the computations should be forwarded to the Government of the country at whose request such certificate is issued. This clause seeks to give effect to these modifications.

Clause 11.- The amendments are of a consequential nature.

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

Sub-clause (b).- The amendments are essentially of a verbal nature and are for the purpose of conforming to the language of the relevant provisions of the Land Lines Convention, 1966.

Sub-clause (c).- New sub-section (2A) which this sub-clause seeks to insert in section 323 of the principal Act deals with the powers of inspection of surveyors in respect of ships holding valid international load line exemption certificates.

Sub-clauses(d) and (e).- The amendments are of a consequential nature.

Clauses 13 and 14.- The amendments are of a consequential nature.

Clause 15.- The amendment is of a drafting nature.

Clause 16.- This clause seeks to substitute a new Part XA (containing new sections 352 to 352F) for section 352 of the principal Act and is intended to give effect to the provisions of the International Convention relating to the Limitation of Liability of Owners of Sea-going Ships, 1957 (hereinafter referred to as the Limitation of Liability Convention).

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

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

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

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

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

Nature of claims.	Rate under existing Section	Rate under new Section
1. Where all the claims are personal claims (i.e. claims arising out of loss of life or personal injury).	Rs.200 per ton.	3100 francs per ton (Roughly Rs.1550½).
2. Where all the claims are property claims.	Rs.100 per ton.	1000 francs per ton (Roughly Rs.500).
3. Where there are both personal and property claims.	Rs.200 per ton subject to personal claims having priority over other claims to the extent of Rs.100 per ton and ranking rateably with other claims in respect of the balance.	3100 francs (Roughly Rs.1550) per ton subject to personal claims having priority over other claims to the extent of 2100 francs (Roughly Rs.1050) per ton and ranking rateably with other claims in respect of the balance.

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

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

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

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

Clause 17.- This clause seeks to insert a new Part XIA (containing new sections 356A to 356J) in the principal Act and is intended to give effect to the provisions of the International Convention for the Prevention of Pollution of the Sea by Oil, 1954 (hereinafter referred to as the 1954 Convention).

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New section 356A.- The 1954 Convention has not yet come into force in respect of India as it has yet to be ratified by the Government of India. Further according to the Convention, some of its provisions are to become operative on the expiry of different periods from the date of its commencement. Accordingly sub-section (1) of section 356A seeks to empower the Central Government to bring the provisions of that Part into force on different dates.

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

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

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

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

New section 356D.- This section seeks to provide for certain exceptions to the prohibitions under new section 356C.

New section 356F.- The 1954 Convention requires every tanker or other ship which uses oil as fuel to maintain on board the tanker or such other ship an oil record book for the purpose of maintaining a record of various operations involving discharge of oil from such tanker or ship. New section 356F seeks to give effect to these requirements of the Convention.

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

New section 356I.- This section seeks to empower the various port authorities in India to provide for oil reception facilities and to make charges for the use of the facilities at such rates as may be approved by the Central Government by notification in the Official Gazette. The section also seeks to empower the Central Government to give directions to port authorities to provide necessary oil reception facilities.

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

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

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

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

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

INDIA - MARCH - APRIL 1969.

50. General.

Commercial
Mysore Shops and Establishments (Amendment)
Act, 1969 (Mysore Act No.4 of 1969).

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

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

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

(ii) section 23 shall be omitted.

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

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

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

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

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

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

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

This Bill is intended to achieve the above objects.

New Section 5A in Chapter 1A proposed to be inserted by clause 2 of the Bill empowers Government to notify the competent authority to whom application for registration has to be made by the employers and also to prescribe the form and fees for registration.

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

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

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

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

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

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

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

56. Labour Administration.

India - March-April 1969.

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

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

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

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

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

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

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

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

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

During the year under review the Ministry received, 115 cases of threatend direct action including strikes and hunger-strikes. As a result of the intervention of the Ministry, the threats did not materialise in 85 cases. In 28 cases, the unions concerned were advised to avoid direct action and to utilise the existing machinery for the redresses of their grievances.

The Conciliation Machinery set up under the Industrial Disputes Act 1947, continued to play its role in bringing the parties together and exploring ways of amicable settlement. The following table shows the functioning of the Central Industrial Relations Machinery:-

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

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

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

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

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

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

Working Conditions and Welfare.- The working conditions in factories and mines continued to be regulated by the Factories Act 1948 and the Mines Act 1952 respectively. Apart from the legislative measures, there was considerable activity for popularising various safety measures.

The National Safety Council set up at the Labour Institute, Bombay, with the object of promoting various safety measures in industry and collection and dissemination of up-to-date information on accident prevention in various industries, arranged film show at the member factories and distributed publicity material. The membership of the Council increased from 120 at the end of 1967-68 to 242 by December 1968.

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

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

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

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

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

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

Plan for 1968-69.— The Plan proposals of the Department for 1969-70 and the Fourth Plan period were discussed with the Planning Commission in January 1969. A tentative provision of 117 million rupees for the Fourth Plan period and of 19 million rupees for 1969-70 was approved. The break-up of these provisions under various broad groups is as follows:—

		(Rs. in Million)	
		1969-70	Fourth Plan Period.
(i)	Training Schemes.	11.9	45.4
(ii)	Employment Service.	00.7	02.1
(iii)	Safety, Productivity, etc.	01.5	15.0
(iv)	Industrial Relations.	00.5	03.0
(v)	Labour Welfare and Social Security.	00.9	20.0
(vi)	Research and Statistics.	01.7	06.5
(vii)	Dock Labour Housing.	01.8	25.0
	Total.	<u>19.0</u>	<u>117.0</u>

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

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

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

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

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

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CHAPTER 6. GENERAL RIGHTS OF WORKERS.

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62. Right of Association.

India - March-April 1969.

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

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

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

"Or

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

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

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

India - March-April 1969.

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

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

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

CHAPTER 7. PROBLEMS PECULIAR TO CERTAIN CATEGORIES OF WORKERS.

INDIA - MARCH-APRIL 1969.

71. Employees and salaried intellectual workers.

Kerala: Dearness Allowance rise for Government Employees.

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

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

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

<u>Pay up to Rs.</u>		<u>Rs.</u>	<u>(Rs).</u>
89	---	71	(65)
90-109	---	85	(81)
110-149	---	98	(91)
150-209	---	122	(114)
210-399	---	146	(137)
400-449	---	160	(150)
450-499	---	164	(153)

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

(The Hindu, 10-4-1969).

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West Bengal: Dearness Allowance rise for
Government Employees.

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

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

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

CHAPTER 8. MANPOWER PROBLEMS.

INDIA - MARCH-APRIL 1969.

81. Employment Situation.

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

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

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

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

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

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

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

(The Gazette of India, Extraordinary,
Part II Sec.I, 19 March 1969, pp.41-42).

84. Vocational Rehabilitation of Disabled Persons.

India - March-April 1969.

Special Schools for Deaf Essential.

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

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

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

(The Statesman, dated 31 March 1969).

CHAPTER 9. SOCIAL SECURITY.

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92. Legislation.

India - March-April 1969.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Details of cases filed, disposed of etc. during 1967-68 are given below:-

Launched.	Disposed of.	Pending in Courts.	Pending with State Governments.
5276	Convicted -- 2548	7481*	4755*
	Acquitted -- 34		
	Withdrawn -- 818		
	Dismissed) -- 54		
	Discharged)		
5276	3454	7481	4755

* Includes cases of previous year also.

Claims.- During 1967-68, a sum of 240-3 million rupees in respect of 0.249 millions claims was paid as against 157.6 million rupees in respect of 0.216 millions claims for 1966-67. A sum of 969.2 million rupees has been paid upto the end of March 1968 in respect of 1.643 millions claims. Category-wise particulars of the claims settled in 1967-68 are given below. The figures in brackets relate to 1966-67:-

Category	No. of claims settled	Amount Paid (Rs. in Millions).
i) Death	11,911 (10,962)	14.459 (12.182)
ii) Superannuation	13,262 (11,928)	26.170 (21.504)
iii) Permanent Invalidation	7,891 (8,569)	10.962 (10.817)
iv) Resignation/Termination of Service.	136,881 (121,602)	87.013 (68.698)
v) Retrenchment	69,767 (55,089)	94.509 (38.767)
vi) Dismissal	3,456 (4,263)	2.941 (2.665)
vii) Migration	1,334 (1,209)	1.606 (1.347)
viii) Others.	4,831 (2,702)	2.612 (1.588)
Total:-	249,333 (216,324)	240.272(157.568)

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

Claims	Percentage	
i) Claims settled within 10 days.	144,668 (133,007)	58 (62)
ii) Claims settled within one month but after 10 days.	87,790 (71,380)	35 (33)
iii) Claims settled within 3 months but after 1 month.	15,113 (10,985)	6 (5)
iv) Claims settled within 6 months but after 3 months.	1,461 (714)	0
v) Claims settled within 9 months but after 6 months.	244 (90)	0
vi) Claims settled within 12 months but after 9 months.	49 (26)	0 1
vii) Claims settled after one year.	8 (122)	0
Total	249,333 (216,324)	100 (100)

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

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

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

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

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

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

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

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

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

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

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

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

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

INDIA - MARCH-APRIL 1969.

CHAPTER 5. WORKING CONDITIONS AND LIVING STANDARDS.

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

CHAPTER 6. GENERAL RIGHTS OF WORKERS.

Andhra Pradesh: Industrial Employment
(Standing Orders) Andhra Pradesh Amendment
Act, 1969 (Act No.9 of 1969) (Andhra
Pradesh Gazette, Part IV-B, Extraordinary,
31 January 1969, pp. 1-2).

CHAPTER 8. MANPOWER PROBLEMS.

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

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INDIA - MARCH-APRIL 1969.

Chapter 2. International and National Organisations.

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

Chapter 3. Economic Questions.

- a) Need-Based Minimum Wage - by B. Tulpuli -
Janatha 23 February 1969.
- b) Economics of Retrenchment Compensation by
D.V. Rahalkar - Labour Bulletin of U.P.
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- c) The Bonus Ordinance - A Study by G.
Ramanujam - India Worker 3 March 1969.
- d) Productivity and Managerial Responsibility
by A.V. Desai - Indian Journal of Industrial
Relations January 1969.
- e) Labour and Economic Development by C.
Kuriakose - Coordinating Committee for
Independent Trade Unions - Labour Bulletin
March 1969.
- f) Need-Based Wage and its Implementation -
Some Problems by A. Fonseca and G.K.
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Chapter 6. General Rights of Workers.

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

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Chapter 6. General Rights of Workers (Continued).

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

Chapter 8. Manpower Problems.

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

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