

BRR No 901 of 1941

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Report together with the prescribed Returns

on the

Working of the Workmen's Compensation Act, 1923

(VIII of 1923)

in the

UNITED PROVINCES

For the calendar year 1940

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Report on the working of the Workmen's Compensation Act (VIII of 1923) for the year 1940

THE District Officers throughout the Province continued to work as Commissioners under the Act. No particular difficulty was reported by them in the working or administration of the Act.

During the year under report, the number of factories increased from 626 to 654, and the average daily number of workers employed showed a corresponding increase from 159,738 in 1939 to 179,735 in the year under report; about 96.5 per cent. of this force was adult male. With the increase in the number of factories and of the number of workers employed therein, the number of accidents also increased from 2,632 in 1939 to 3,348 during the year under report. Of these accidents 41 were fatal, 536 serious, and 2,771 minor. Of the 536 serious accidents all, but 15, were recorded as such due to the injured persons being off duty for 21 days or more.

The incidence of accidents per 100 workers during the last three years, viz. 1938, 1939 and 1940 shows a constant increase. In 1938, the incidence was 1.53, in 1939 : 1.65, and in 1940, the year under report, 1.86. The increase in the number of recorded accidents is partly attributable to better reporting on the part of the mill authorities as a result of the vigilance and care exercised by the supervisory staff.

The following statement shows the number of accidents of each kind for which compensation was paid during 1940 and also the amount of compensation. Corresponding information for the last year is also given :

Year	Death		Permanent disablement		Temporary disablement		Total	
	Number	Amount	Number	Amount	Number	Amount	Number	Amount
		Rs.		Rs.		Rs.		Rs.
1939 ..	96	62,080	94	28,370	1,226	11,656	1,416	1,02,106
1940 ..	85	57,352	108	30,638	1,357	13,178	1,550	1,01,168

(Three cases of death, and three cases of permanent disablement have not been included as appeals in these cases were pending at the end of the year 1940 in the High Court of Judicature at Allahabad.)

The year opened with a pending list of 58 cases. One case relating to a railway establishment other than a railway workshop or running shed, and one case which was shown as pending at the conclusion of the previous year both under section 10 and under section 8 have been excluded from the cases shown in the column "Pending at commencement" of the Return A of this year. One hundred and thirty-one cases were instituted during the year as against 127 in the previous year.

Forty-two cases were received for disposal from other Commissioners and eleven were transferred. There were thus 220 cases for disposal out of which 150 were disposed of, leaving a balance of 70.

During the year 94 agreements for payment of compensation were registered against 88 in the previous year. Of these 88 were for permanent disablement, and 6 for temporary disablement. As usual, Cawnpore tops the list with 24 agreements.

The majority of those who were awarded compensation drew a monthly salary not exceeding Rs.18. Thus 59 out of 85 victims of fatal accidents, and 34 out of 50 persons permanently disabled belonged to this wage class. This fact shows that the low paid and unskilled workers suffer most from accidents due to their carelessness and to their lack of training in the skilful handling of machines. A great drive is, therefore, needed to persuade the employers, to set up safety first committees in their mills and to provide their workmen with adequate training in the use of safety first devices.

No appeal or reference under the Workmen's Compensation Act, 1923, was filed in the Chief Court of Oudh. Appeals in six cases were filed in the High Court of Judicature at Allahabad. All the six cases were pending decision at the end of the year under report.

J. E. PEDLEY, I.C.S.,

Labour Commissioner,

United Provinces, Cawnpore.

District	Number of cases		Number of cases disposed of		Balance	
	Total	Disposed of	Total	Disposed of	Total	Disposed of
Allahabad	100	80	100	80	20	10
Banmaha	150	120	150	120	30	15
Cawnpore	24	24	24	24	0	0
Other districts	66	56	66	56	10	5
Total	240	180	240	180	60	30

RETURN A.

WORKMEN'S COMPENSATION ACT (VI) OF 1923

Proceedings before the Commissioner for Workmen's Compensation for the United Provinces for the year ending 31st December, 1940

Return of cases filed

1. Applications for the registration of agreements should not be entered in this statement.
2. A separate case should be entered for proceedings under section 8 or section 10 in respect of each person killed or injured as the case may be.

Cases of	Pending at commencement		Received for disposal from other Commissioners	Transferred to other Commissioners for disposal	Cases disposed of without notice to the other party					Cases disposed of after notice to the other party				Total disposed of	Pending at conclusion	Court fees paid				
	Pending at commencement	Filed			Withdrawn	Dismissed for non-appearance	Summarily dismissed under rule 21	Dismissed under rule 22	Total	Not contested		Contested								
	2	3								Admitted by opposite party	Allowed <i>ex-parte</i>	Total	Allowed				Allowed in part	Dismissed	Total	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Award of compensation (under section 10)—																				Rs. a,
Fatal accidents ..	*31	11	12	1	..	..	..	..	..	10	2	12	3	..	..	3	15	38	13	8
Permanent disablement	*11	26	..	..	2	..	..	..	2	3	1	4	2	14	3	19	25	12	78	10
Temporary disablement	1	5	..	..	..	2	3	..	5	..	..	..	..	1	..	1	6	..	4	4
Total ..	43	42	12	1	2	2	3	..	7	13	3	16	5	15	3	23	46	50	96	6

*Three cases under the head "fatal accidents" shown as pending at conclusion under section 10 in the returns for 1939 received from the Commissioner for Workmen's Compensation, Cawnpore, were actually pending under the head "Permanent Disablement", and so have been shown under head "Permanent Disablement" in this year's returns.

Cases of	Cases disposed of without notice to the other party									Cases disposed of after notice to the other party									
	Pending at commencement		Received for disposal from other Commissioners	Transferred to other Commissioners for disposal	Withdrawn	Dismissed for non-appearance	Summarily dismissed under rule 21	Dismissed under rule 22	Total	Not contested			Contested				Total disposed of	Pending at conclusion	Court fees paid
	2	3								Admitted by opposite-party	Allowed <i>ex parte</i>	Total	Allowed	Allowed in part	Dismissed	Total			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Commutation (under section 7).
Review (under section 6)
Recovery of compensation (under section 31).
Proceedings other than those mentioned above and not included below under "Deposits under section 8."
Total

Deposits under section 8	Pending at commencement	Filed	Received for disposal from other Commissioners	Transferred to other Commissioners for disposal	Disbursed to dependants or workmen as the case may be	Refunded to employer	Total disposed of	Pending at conclusion	Court fees paid
(i) Fatal accidents [sub-section (1)].	12†	54	27	8	70	..	70	15	Rs. a. ..
(ii) Disablements of women and persons under legal disability [sub-section (1)].	‡	..	..	..	..	..	..	..	..
(iii) Others [sub-section (2)].	3‡	35	3	2	34	..	34	5	3 12
Total ..	15	89	30	10	104	..	104	20	3 12

† One case of fatal accident under section 8 shown as pending at conclusion in the returns for 1939 received from the Commissioner for Workmen's Compensation, Farrukhabad, related to a railway servant who did not belong to a railway workshop or running shed. The above case has, therefore, been excluded from this year's returns.

‡ One case of "Permanent Disablement" under section 8, shown, as pending at conclusion under the head "Legal disability" in the returns for 1939 received from the Commissioner for Workmen's Compensation, Agra, has this year been shown under the head "others" [sub-section (2)].

One case of permanent disablement under section 8 shown as pending at conclusion under the head "Legal disability" in the returns for 1939 received from the Commissioner for Workmen's Compensation, Bareilly, has been excluded this year as the same case was filed under section 10 also, and as such was shown as pending at conclusion under that section too in the last year's returns.

RETURN C.

WORKMEN'S COMPENSATION ACT (VIII OF 1923)

Proceedings before the Commissioner for Workmen's Compensation for the United Provinces for the year ending 31st December, 1940

Number of adults in each wage-class to whom or in respect of whose death compensation was awarded or disbursed

(All cases of Review and Commutation and cases relating to minor workmen should be excluded.)

Monthly wages of the workmen injured		Number of workmen							
		For temporary disablement		For permanent disablement		For fatal accidents		Total numbers	
More than	But not more than	Men	Women	Men	Women	Men	Women	Men	Women
Rs.	Rs.								
0	10	1	..	3	..	23	..	27	..
10	15	3	..	23	1	19	..	45	1
15	18	..	..	7	..	17	..	24	..
18	21	1	..	2	..	2	..	5	..
21	24	..	..	2	..	3	..	5	..
24	27	..	..	2	..	2	..	4	..
27	30	..	..	1	..	1	..	2	..
30	35	..	..	1	..	3	..	4	..
35	40	..	..	2	..	1	..	3	..
40	45	..	..	..	..	5	..	5	..
45	50	..	..	..	..	..	..	..	..
50	60	..	..	..	..	1	..	1	..
60	70	..	..	..	..	..	..	..	..
70	80	..	..	..	..	..	..	..	..
80	100	..	..	..	..	..	..	..	..
100	200	..	..	1	..	1	..	2	..
200	..	..	..	..	..	..	..	..	..
Not known	..	..	..	5	..	7	..	12	..
Totals	..	5	..	49	1	85	..	139	1

SCHEDULE

*Consolidated statement of Returns furnished by employers to Commissioners for Workmen's Compensation
relating to the period from 1st January to 31st December, 1940*

UNITED PROVINCES

	Average numbers employed per day	Accidents						Occupational diseases						
		Number of cases of injuries in respect of which final compensation has been paid during the year			Amount of compensation paid			Number of cases of diseases in respect of which final compensation has been paid during the year				Amount of compensation paid		
		Death	Perma- nent dis- able- ment	Tempo- rary dis- able- ment	Death	Permanent disable- ment	Temporary disable- ment	Nature of dis- ease	Death	Per- manent dis- able- ment	Tempo- rary dis- able- ment	Death	Per- ma- nent dis- able- ment	Tempo- rary dis- able- ment
<i>Factories</i>														
Adults ..	155,894	40	78	771	23,904 7 5	19,567 12 4	7,751 0 11	..	..	..	..	..	..	..
Minors ..	836
<i>Railway Work-shops</i>														
Adults ..	14,114	14	20	527	13,018 0 9	8,188 0 0	4,450 0 0
Minors

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<i>Electric Works</i>																				
Adults	..	1,339	6	3	43	3,592	2	0	894	11	0	529	9	0
Minors	..	1
<i>Miscellaneous</i>																				
Adults	..	7,502	25	7	16	16,837	13	6	1,987	8	0	447	3	0	..	..	..	..	..	..
Minors	..	49	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Adults	..	178,849	85	108	1,357	57,352	7	4	30,637	15	4	13,177	12	11	..	..	..	..	..	..
Minors	..	886	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..

15/1/31