

BRK
No: 653 of 1942

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GOVERNMENT OF THE
CENTRAL PROVINCES AND BERAR



REPORT

ON THE

ADMINISTRATION OF THE WORKMEN'S
COMPENSATION ACT (VIII OF 1923) IN
THE CENTRAL PROVINCES AND BERAR
DURING THE CALENDAR YEAR 1941

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NAGPUR
GOVERNMENT PRINTING, C. P. & BERAR
1942

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No. 5259-A-2887-VII

GOVERNMENT OF THE
CENTRAL PROVINCES AND BERAR
COMMERCE AND INDUSTRY DEPARTMENT

FROM

J. K. ATAL, EsQ., I.C.S.,

UNDER SECRETARY TO GOVERNMENT,

CENTRAL PROVINCES AND BERAR.

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,

DEPARTMENT OF INDUSTRIES AND LABOUR,

SIMLA.

Nagpur, the 29th June 1942.

SUBJECT.—*Report on the Administration of the Workmen's Compensation Act in the Central Provinces and Berar for the year 1941.*

SIR,

With reference to Mr. Clow's (now Sir Andrew) letter No. L-1189, dated the 31st July 1924, I am directed by the Governor of the Central Provinces and Berar, to forward a brief report on the Administration of the Workmen's Compensation Act, 1923, in the Central Provinces and Berar, during the year 1941, together with the prescribed returns A, B and C.

2. During the year under report, 397 accidents were reported to the Provincial Government under the Indian Mines Act of 1923, of which 27 were fatal and the rest were either serious or minor, separate figures for which are not available. In the factories coming under the purview of the Factories Act, 1934, 5 fatal, 42 serious and 1,031 minor accidents occurred.

I have the honour to be,

SIR,

Your most obedient servant,

J. K. ATAL,

Under Secy. to Govt., C. P. & Berar, Com. & Ind. Dept.

REPORT ON THE ADMINISTRATION OF THE WORKMEN'S
COMPENSATION ACT, 1923 (VIII OF 1923), IN THE
CENTRAL PROVINCES AND BERAR, DURING
THE CALENDAR YEAR 1941

[NOTE.—The figures in brackets denote the corresponding numbers in the previous year.]

During the year under report the number of Commissioners was increased to 15 [14] by the appointment of the Subordinate Judge, 1st class, Balaghat, as a Commissioner under the Act.

2. Award of Compensation (under section 10).—The year opened with 16 pending applications, of which 7 related to fatal accidents and 9 to permanent disablement. Fifty-nine applications were received during the year, 32 relating to fatal accidents, 25 to permanent disablement and 2 to temporary disablement. Of these 75 applications (16 pending from the previous year and 59 received during the year under report), 2 were withdrawn, 5 were dismissed for non-appearance, 1 was summarily dismissed under rule 21, 1 was dismissed under rule 22, 3 were admitted by the opposite party, 1 was allowed *ex parte*, 23 were allowed in full or in part and 14 were dismissed after contest, leaving 25 applications pending at the close of the year. Return A.

3. Commutation (under section 7), Review (under section 6) and Recovery of Compensation (under section 31).—No applications were filed during the year.

4. Proceedings other than Award of Compensation and Deposits (under section 8).—No applications were filed during the year under report.

5. Deposits (under section 8).—Five proceedings were pending at the beginning of the year and 57 were filed during the year; 47 were disposed of and 15 remained pending at the close of the year. Six applications for deposit under section 8 (2) were filed during the year, of which 4 were disposed of, leaving 2 applications pending at the close of the year.

6. Court-fees.—The amount of court-fees realised increased to Rs. 151-4-0 [Rs. 147-4-0].

7. Thirteen memoranda of agreements were pending at the beginning of the year, all for payment of compensation for permanent disablement. Sixty-nine memoranda were received during the year, 63 relating to permanent disablement and 6 relating to temporary disablement. Sixty-eight were registered without modification, 2 were registered after modification, 1 was refused registration for inadequacy of compensation and 1 for other causes, leaving 10 pending at the close of the year. The amount of compensation involved in the 70 [88] agreements registered was Rs. 8,333 [Rs. 11,385]. Return B.

Return C.

8. During the year, compensation was awarded or disbursed in 71 [77] cases, of which 52 (50 men and 2 women) related to fatal accidents and 19 (18 men and 1 woman) to permanent disablement.

9. **Appeals and References.**—Two appeals under section 30 were pending at the beginning of the year and 5 were filed during the year. One appeal was disposed of, leaving 6 pending at the close of the year. One reference under section 27 of the Act was received and disposed of during the year.

10. **Compensation deposited.**—The opening balance was Rs. 13,103 [Rs. 11,933]. The amount of compensation deposited during the year was Rs. 47,322 [Rs. 46,902] including Rs. 23,201 [Rs. 22,392] received from Railways. In addition Rs. 1,310 [Rs. 5,136] was received from other Commissioners. Rs. 34,048 [Rs. 35,586] was paid to dependants, Rs. 7,374 [Rs. 6,794] to workmen, Rs. 1,092 [Rs. 6,500] remitted to other Commissioners and Rs. 2 [Rs. 1,988] refunded to the depositors, leaving a balance of Rs. 19,219 [Rs. 13,103] at the close of the year.

11. The amounts allotted to women and persons under a legal disability were invested as follows :—

Rs. 13,266 [Rs. 12,405] in Post Office Savings Bank.

Rs. 5,322 [Rs. 2,948] in Post Office Cash Certificates.

Rs. 1,970 [Rs. 970] in purchase of Defence Savings Certificates.

12. **Employers' Returns (under section 16).**—A summary of the annual returns furnished by the employers is annexed. The returns are still incomplete. Three returns were received from Insurance Companies on behalf of their clients.

13. The working of the Act is on the whole satisfactory, but among matters calling for attention are the two following :—

The smaller employers, who do not insure their risks, try to bring workmen or their dependants to a compromise by private settlement out of Court or by protracting court proceedings till the workman gives in through poverty. The provisions of the Act relating to the payment of expenses make these tactics difficult to circumvent.

The machinery for bringing claims to light is deficient, especially those of workmen employed by small contractors. Such workmen, or their dependants working in isolated groups in rural areas, do not know their rights as employees in large concerns do, and it has happened that only the vigilance of a magistrate has prevented the injured man or his dependants being fobbed off with a trifling sum by way of charity and defrauded of his rights.

E. A. A. SNELSON,

NAGPUR :
The 3rd June 1942.

Registrar,
High Court of Judicature at Nagpur.

STATEMENTS

RETURN A.—WORKMEN'S COMPEN

*Proceedings before the Commissioner for Workmen's Compensation**Return of cases filed—*

1. Applications for the registration of agreements should not be
2. A separate case should be entered for proceedings under section

Cases of	Pend- ing at com- men- ce- ment	Filed	Received for disposal from other Com- mis- sion- ers	Trans- ferred to other Com- mis- sion- ers for disposal	Cases disposed of without notice to the other party				Total
					With- drawn	Dis- missed for non- appear- ance	Sum- marily dismiss- ed under rule 21	Dis- missed under rule 22	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<i>Award of compensa- tion (under section 10).</i>									
Fatal accidents ..	7	31	1	..	..	3	1	..	4
Permanent disable- ment.	9	25	..	..	2	2	..	1	5
Temporary disable- ment.	..	2	..	..	..	..	..	..	..
Total ..	16	58	1	..	2	5	1	1	9
Commutation (under section 7).	..	..	..	..	..	..	..	..	..
Review (under sec- tion 6).	..	..	..	..	..	..	..	..	..
Recovery of com- pensation (under section 31).	..	..	..	..	..	..	..	..	..
Proceedings other than those men- tioned above and not included below under "Deposits under section 8".	..	..	..	..	..	..	..	..	..
Total ..	..	..	..	..	..	..	..	..	..
					Disbursed to dependants or workmen, as the case may be				
<i>Deposits under section 8.</i>									
Fatal accidents [sub-section (1)].	5	48	..	..			37		
Disablements of women and per- sons under legal disability [sub- section (1)].	..	9	..	..			3		
Others [sub-section (2)].	..	6	..	..			4		
Total ..	5	63	..	..			44		

SATION ACT (VIII OF 1923)

for Central Provinces and Berar for the year ending the 31st December 1941.

entered in this statement.

8 or section 10 in respect of each person killed or injured, as the case may be.

Cases disposed of after notice to the other party							Total disposed of	Pending at conclusion	Court-fee paid
Not contested			Contested						
Admitted by opposite party	Allowed <i>ex parte</i>	Total	Allowed	Allowed in part	Dismissed	Total			
(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
									Rs. a. p.
3	..	3	6	4	10	20	27	12	63 0 0
..	1	1	5	8	4	17	23	11	68 8 0
..	..	..	..	..	..	..	..	2	1 12 0
3	1	4	11	12	14	37	50	25	133 4 0
..
..
..
..
Refunded to employer									
			3				40	13	13 8 0
			4				7	2	0 12 0
			..				4	2	3 12 0
			7				51	17	18 0 0

RETURN C.—WORKMEN'S COMPENSATION ACT
(VIII OF 1923)

Proceedings before the Commissioner for Workmen's Compensation for Central Provinces and Berar for the year ending the 31st December 1941.

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 number	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
More than	But not more than	Men	Women	Men	Women	Men	Women	Men	Women
Rs.	Rs.								
..	10	..	..	12	1	28	2	40	3
10	15	..	..	..	..	10	..	10	..
15	18	..	..	2	..	1	..	3	..
18	21	..	..	1	..	4	..	5	..
21	24	..	..	..	..	..	..	..	..
24	27	..	..	..	..	..	..	..	..
27	30	..	..	1	..	1	..	2	..
30	35	..	..	1	..	1	..	2	..
35	40	..	..	..	..	..	..	..	..
40	45	..	..	..	..	2	..	2	..
45	50	..	..	..	..	1	..	1	..
50	60	..	..	..	..	..	..	..	..
60	70	..	..	..	..	..	..	..	..
70	80	..	..	..	..	..	..	..	..
80	100	..	..	1	..	2	..	3	..
100	200	..	..	..	..	..	..	..	..
200	..	..	..	..	..	..	..	..	..
Total	..	..	..	18	1	50	2	68	3

Consolidated return relating to period from

(1)	Accidents							
	Number of cases of injuries in respect of which final compensation has been paid during the year			Amount of compensation paid				
	Death	Perma- nent disable- ment	Tempo- rary disable- ment	Death	Permanent disablement	Temporary disablement		
(2)	(3)	(4)	(5)	(6)	(7)			
				Rs. a. p.	Rs. a. p.	Rs. a. p.		
<i>Tramways—</i>								
Adults		
Minors		
<i>Factories—</i>								
Adults	5	40	309	4,300 0 0	4,845 1 11	3,308 0 0
Minors
<i>Mines—</i>								
Adults	22	33	449	10,800 0 0	5,631 10 11	4,970 1 3
Minors
<i>Port Trust—</i>								
Adults
Minors
Total adults	27	73	758	15,100 0 0	10,476 12 10	8,278 1 3
Total minors

