CHAPTER II

WORKING CONDITIONS AND HOURS OF WORK
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In the foregoing Chapter absenteeism and labour turn over were analysed in a way to present the vivid picture of these concepts in sugar mills. Reduction in absenteeism and labour turn over plays a vital role in the successful running of an industry.

The present chapter deals with the details of the conditions of work, under which the workers perform their duties. Working conditions and hours of work have direct relationship with the successful running of an organised industry, as improvement of such conditions along with adoption of enlightened policy of management have been regarded as the effective ways to reduce the absenteeism and labour turn over.

Here, it is quite correct to say that a man is created by environment, which constantly makes or mars human personality. None can dare deny the fact that the sullen, dirty and unhealthy atmosphere make an adverse effect on the health, efficiency, psychology of the workers and
consequently the quality of the work. Disturbing and unhealthy surroundings create such a situation that the workers cannot concentrate in their work. It has to be taken into account that good working conditions have a positive impact on the efficiency, wages, migratory character and industrial relations etc. Improvement in such conditions does not keep happy only labourers, but provide opportunities to employees to gain more with increased production.

Before giving the detail account of various aspects of working conditions in sugar factories, an understanding of the general lay-out of the sugar mills is essential.

A. General layout of the sugar factories:

As it has already been discussed that the sugar industry was granted protection in the year 1931-32 which gave a great stimulus to the industry resulting in rapid growth. Most of the factories, except cooperative sugar mills or other factories recently established, came to be set up in unplanned and haphazard manner, because there were no legislative measures regarding layout plan of the sugar factory building during those days. For the first time, provisions to specify and approve designs of factory buildings and premises were made in 1948. That is why we do not find proper planning

of sugar mills not only in eastern U.P., but in the whole state. Just after the grant of protection, this industry enjoyed the pace of accelerated growth as a result of which most of the factory-buildings were built in the initial stage and laboratory, workshop, time-office and general office were constructed later in a haphazard way without considering the administrative phenomenon. Under these circumstances, the work of proper control and supervision of the factory premises are hampered.

Main parts of a sugar mills are as under:

(a) Milling house.
(b) Boiling house.
(c) Gowdown.

These three parts are not arranged identically in the sugar mills of eastern U.P. and this comes true to the whole state also. The following three types of arrangement are founds:

(1) Parallel arrangement of above mentioned three parts in the order—Milling house, Boiling house, Gowdown.

(2) Side by side arrangement of Milling house and Boiling house, having Gowdown behind these.
(3) Right angle arrangement of Boiling house to the Milling house having Gowdown either behind or parallel.

In all sugar mills, knife engine and cane carrier are installed outside or infront of the Milling house.

In Milling house, the following are installed:
(1) crushers, (2) milling engines, (3) bagasse engine, (4) boilers, (5) feed pumps.

In Boiling house, we find:
(1) vacuum engine, (2) pressure engine, (3) injectors and spray engine, (4) triples, (5) pans, (6) crystallisers, (7) centrifugals, (8) sugar-diers.

B. Various Aspects of Working Conditions:

From the viewpoint of sugar industry, a number of things are taken into consideration under working conditions like, sanitation, temperature and ventilation, drinking water arrangements, latrines, urinals, bathrooms and rest shelters etc.

(1) Sanitation:
In sugar mills sanitation refers to;

(a) the sanitary conditions inside the factory-building and
(b) the sanitary conditions in the factory premises.

Sanitation, on the whole, is regarded the important factor in determining the standard of working conditions.

(a) So far as sanitary conditions inside the factory building are concerned, yearly cleaning and repairing of the factory-building are common feature. Almost, in every factory doors and machinery including railings and fences are painted and varnished every year. All the factories have cemented floors. In every factory floors are cleaned daily in a proper way. In the sugar mills of Sardarnagar and Anandnagar, the process of cleaning floor is remarkable. In these factories, water-soaked bagasse-pieces are spread over the floor and are cleaned after sometimes. As bagasse contains acidity, which helps in removing spots from the floor. This process of making the floor clean is undertaken twice daily (24 hrs), on account of which the floors of these factories are maintained very neat and clean.

Inside sugar-mills, drains are generally covered in a proper way. Staircases and upper floors are found in a good condition, but in the district of Gorakhpur, two factories have wooden staircases in a dilapidated condition.

Most of the factories of this region (eastern U.P.) are steam driven. Waste oil is allowed to spread over the
floor near engines and steam leakages are quite common. Except few units, sulphitation tanks are in good condition. Waste syrup and molasses are freely accumulated below crystalliser and centrifugals in semi-rotten condition, which are essentially to be cleaned for the proper maintenance of sanitation. The waste-oil is not found spread over the floor near engine, where the plant is semi-electric i.e., engine is driven with steam and pumps with the help of electricity.

(b) The other aspect of sanitation is related with the sanitary conditions in the factory premises, which is basically associated with the method of disposing sullage water, press-mud and molasses.

1. Disposal of sullage water:

The sugar factories have been disposing of their sullage water arbitrarily, which is why the effluent from the factory is allowed to flow into kacha tanks, streams or soak pits. We know that streams and rivulets are used by the neighbouring villages for getting water for men and cattle, which have been proved harmful to humanbeings and the livestock as well. In the district of Gorakhpur, there are two factories allowing their sullage water to roll into streams. Ill-nourished and poor inhabitants of the villages are to face the acute problem of typhoid, malaria and cholera on account of polluted water of the streams having effluent from the factories and foul smell. Not only this, but the
drains, through which sullage water is carried out, are found in broken condition even within the factory premises and pools of stagnated water in front of the worker's quarters are common.

In this connection it is significant to note that the government should play prominent role to disallow the arbitrary disposal of sullage water and to explore the ways and means of utilising the water for irrigation purposes. If the use of sullage water for irrigating Rabi crop during crushing season is made possible, the problem of disposing of the factory effluent would be solved.

2. Press-Mud

It is commonly found that Press-Mud is stored inside the factory premises, just out of the main building. There are only a few factories, where practice of taking out Press-Mud at some distance may be observed. Some factories give it to contractors for sale. The contractors try their best to charge high prices from the neighbouring cultivators, as a result of which Press-Mud is not sold out during the season. Therefore, the stock of Press-Mud causes damage to the health and environment, as it starts to spread rotten smell with the start of rainy season.

In this regard, Cane Development Council should come forward to take the responsibility of removing Press-Mud. The Council should take whole of the stock of Press-Mud from
the factories and make a proper arrangement of distributing it to the cultivators at a reasonable price. It has been proved to be useful to the cultivation of cane, as some factories use Press-Mud and its compost in their cane-farms. In this connection cane-farm of Sardarnagar and Anandnagar sugar factories of the District Gorakhpur are of special mention. Thus, not only the problem of insanitation within the factory premises will be solved, but cane production will also be increased.

3. Disposal of Molasses.

Most of the factories have defective system of disposing of molasses. Molasses tanks exist in all the factories, which are filled by pumping out the molasses from the factory. There are some units which have kacha tanks, sometimes even without roof, which emit an unbearable stinking smell.

The whole system of sanitation is to be examined in the light of the Section 11 of Factories Act, 19481 regarding cleanliness, which provides:

'(1) Every factory shall be kept clean and free from effluvia arising from any drain, privy or other nuisance, and in particular—

(a) accumulations of dirt and refuse shall be removed daily by sweeping or by any other

effective method from the floors and benches of workrooms, and from staircases and passages, and disposed of in a suitable manner;

(b) the floor of every workroom shall be cleaned at least once in every week by washing, using disinfectant, where necessary, or by some other effective method;

(c) where a floor is liable to become wet in the course of any manufacturing process to such extent as is capable of being drained, effective means of drainage shall be provided as maintained;

(d) all inside walls and partitions, all ceilings or tops of rooms and all walls, sides and tops of passages and staircases shall-

(i) where they are (painted otherwise than with washable water-paint) or varnished, be re-painted or re-varnished at least once in every period of five years;

(ia) where they are painted with washable water paint, be re-painted with at least one coat of such paint at least once in every period of three years and washed at least once in every period of six months;
(ii) where they are painted or varnished or where they have smooth impervious surfaces, be cleaned at least once in every period of fourteen months by such methods as may be prescribed;

(iii) in any other case, be kept whitewashed, or colourwashed, and the whitewashing or colourwashing shall be carried out at least once in every period of fourteen months;

(dd) all doors and window frames and other wooden or metallic frame-work and shutters shall be kept painted or varnished and the painting or varnishing shall be carried out at least once in every period of five years;

(e) the dates on which the processes required by clause (d) are carried out shall be entered in the prescribed register.

(2) If, in view of the nature of the operations carried on (in a factory or class or description of factories or any part of a factory or class or description of factories), it is not possible for the occupier to comply with all or any of the provisions of sub-section(1), the State Government may by order exempt such factory or class or description of
factories (or part) from any of the provisions of that sub-section and specify alternative methods for keeping the factory in a clean state.

Further, The Factories Act 1948, has made the provisions for disposal of waste and effluents as under:

'Section 12. Disposal of wastes and effluents'—

(1) Effective arrangements shall be made in every factory for the treatment of wastes and effluents due to the manufacturing process carried on therein, so as to render them innocuous, and for their disposal.

(2) The State Government may make rules prescribing the arrangements to be made under sub-section (1) or requiring that the arrangements made in accordance with sub-section (1) shall be approved by such authority as may be prescribed.

So far as above provisions are concerned, sugar factories are fulfilling the legal requirements regarding cleanliness to a great extent, but the system of disposing of waste and effluents is not satisfactory.

It is usually seen that black particles of consumed bagasse and wood fuel flying around the smoke stain the clothes of public and workers and floors of the houses are

also spoiled. Factory-chimneys having no coverings over it create nuisance to the inhabitants of the area.

Within the factory premises, wood fuel, coal, spare parts, lime stone, pipes, tin-sheets and nuts etc. are found stored in haphazard manner. In some factories these things are found scattered about, and in some units are heaped together, which are a black spot on the fair view of the factory premises.

Under the above circumstances, it should be made essential for every factory to keep coverings on the top of the chimneys to remove the smoke and black particles. Factory inspectors should see whether the things are done properly or not and disorderly storing of various parts and particles should also be adequately checked by the factory management and inspectors.

(ii) Temperature and Ventilation:

(A) In the boiling house, temperature remains moderate during the beginning of the crushing season which keeps the worker warm and makes the requirement of clothes less, but as the season heads towards the summer (i.e. end of the crushing season)—April and May, it becomes horrible. The workers, working near the boilers, juice heaters, pans and sulphitation tanks are put to excessive temperature above the prescribed limit under Factories Act and Rules.¹

This excessive heat is found due to--

(1) Juice is boiled at a high degree of temperature.
(2) Defective layout of the factories including tin-sheds and lower-roofs.

It is a matter of concern that most of the factories have no exhaust fans on the pan floor. Factories in co-operative sector and sugar factory in Sardarnagar (Gorakhpur) in private sector have adequate arrangement of exhaust fan on the pan floor.

It is essential to reduce the excessive temperature in the boiling-house for the sake of efficiency and health of the workers, as well as better output. It can be achieved by--

(1) making improvement in lower and defective roofs and sheds of the factories.
(2) providing exhaust and electric fans or introducing other heat-reducing device in the factories.

(B) Dirty air in lining and sulphur house is to be thrown out, but most of the factories have neither such arrangements to throw out the dirty air from the lining house nor protect workers on sulphur-oven from the inhalation of offensive and injurious dirty gas. Such
arrangements are made in co-operative sugar factories and in non-cooperative sector, the factory of Sardarnagar (Gorakhpur) is said to be the pioneer in this regard that there is a provision of an exhaust fan in the liming house to throw out dirty air and for taking out dirty air and dust a chimney has been provided in the sulphur house.

In every factory, blacksmiths are found with thick dark goggles and gloves to protect their eyes and hands, while doing welding work.

(iii) Drinking water arrangements:

Under the provisions of the Factories Act and Rules, effective arrangements are to be made to provide and maintain suitable points conveniently situated for all workers employed therein a sufficient supply of drinking water free of cost.¹

Not only this, but sub-sec 3 of sec. 18 of the Factories Act 1948 and Sec.40 of the U.P. Factories Rules 1950 provide that in every factory, wherein more than two hundred and fifty workers are ordinarily employed, provision shall be made for cool drinking water during hot weather by effective means and for distribution thereof.

Regarding drinking water, it is observed in the sugar mills that hand-pumps and taps are main source of

¹ Malik, P.L., Op.cit., Sec.18-sub-sec.1,2,3, p.583
providing drinking water to the workers.

(iv) Latrines, Urinals and Bathrooms:

So far sugar factories are concerned, the provision of latrines is not up to the mark. There are a few factories which have made the arrangement of flush latrines. These latrines are connected to a syptic tank, effluent from which is discharged to the factory-wash drain and from there to river and streams. There are some factories which provide service latrines of ordinary type in which are used. The seating arrangement and flooring are not at all satisfactory. Under the provision of Factories Act and Rules one latrine is to be provided for every 50 workers or fraction thereof, when the number of workers employed exceeds 250, and the floors and the internal walls, up to a height of 3 feet, of the latrines and urinals and the sanitary blocks shall be laid into glazed tiles or otherwise finished to provide a smooth polished impervious surface.

Latrines provided in sugar-factories in number varying from 6-12 are adequate in lean period, but quite insufficient during crushing season. Generally, one mehtar or bhangi is deputed there for cleaning purpose in every

shift. Usually, Co-operative sugar factories, which are of latest origin, have maintained the laid down standard under Factories Act and Rules. In non-Coop. Sector, the maintenance of latrines is found up to prescribed standard in Sardarnagar (Gorakhpur). Over all condition of urinals is not up to the mark. Urinals are, often, found dirty. There are few units maintaining proper and separate urinals. That is why the workers are found going in open fields outside the factory.

Bath-rooms and washing-places are in pathetic condition, as no much attention has been paid. According to Factories Act, 1948 "drinking water" point should not be situated within twenty feet of any washing place, urinal or latrine, unless shorter distance is approved in writing by the Chief Inspector\(^1\). But, workers having no proper facilities for washing, are usually seen taking their bath and getting their clothes washed under the taps meant for drinking water.

(v) Donga-Sheds:

Donga-sheds are maintained in the sugar mills to provide relief to the coolies working on Donga or cane-carrier from cold and cough in the winter-season-night.

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and winter spells of rain, which is necessary to improve
the working capacity of the workers. There are namesake
Donga-sheds in all the factories, but well-maintained roofs
of these sheds are seldom seen.

(vi) Lighting Arrangement:

Lighting arrangement in the sugar mills is in
conformity to the Factories Act and Rules. There is proper
lighting system in milling-house, boiling-house, workshop
and offices. Factory premises near cane-carriers, cane-yards
and weigh bridges are properly lighted by high electric posts
fitted with high power bulbs. Breakdown in the lighting
arrangement is prevented because the factories generate
electricity for lighting purposes. The factory-buildings
are huge in size having big windows and ventilators on all
sides and that is why there is no problem of congestion
and overcrowding.

(vii) Rest-Shelters:

The provision of rest-shelters is an important
thing, because the workers take their meals there and
relaxed during intervals. Not only this, but proper
arrangement of rest-shelters has been proved effective
measure to reduce absenteeism especially in night-shifts.
All the sugar mills have their rest shelters the roofs of
which are in unsatisfactory condition. All the rest-shelters
are electrified, but in off-season, the reign of darkness is often seen there. The walls of these shelters are made of bricks with pucca flooring and proper ventilation facilities.

The rest-shelters are very rare, where mats and furniture are provided for bedding purposes. It is observed that workers use even cane-trashes beneath themselves while taking rest. During night hours rest shelters are found usually overcrowded causing inconvenience to the workers.

Overcrowding and improper maintenance of the rest-shelters put the workers to inconvenience. The workers, deprived of the proper facilities in rest-shelters, sleep in the office varandas, pan floors, near filter presses and boiler furnaces. Such type of sleeping is a subject of harm in two ways. Firstly, workers sleeping under aforesaid conditions are put to danger and secondly, it creates hindrance to the workers on duty. However, in Co-op. Sector sugar mills, the condition of rest shelters is, to a great extent, satisfactory.

The factory management, therefore, should pay proper attention towards this problem and sleeping inside the mills should be prohibited, but spacious rest-shelters with necessary facilities are essential.
Note: Most of the factories practically violate the provisions made in the factories Act 1948 regarding rest-shelters etc. It has been provided in the Factories Act 1948 for shelters, rest-rooms and lunch-rooms that in every factory wherein more than 150 workers are ordinarily employed, adequate and suitable lunch-room with provision of drinking water where workers can eat meals brought by them shall be provided and maintained for the use of the workers. The shelters or rest-rooms or lunch rooms shall be sufficiently lighted and ventilated and shall be maintained in a cool and clean condition. As it has already been pointed out that the workers sleeping under aforesaid manner expose themselves to considerable danger and at the same time hinder workers on duty in doing their work efficiently. To some extent, unsatisfactory provision of rest-shelters causes accidents.

C. Accidents:

During these days, greater attention is paid to the problem pertaining to industrial accidents. H.W. Heinrich, a noted industrialist and psychologist presented the analysis that 98% of the industrial accidents are preventable and 88% occur due to unsafe practice, faulty inspection,

inability of the employee, poor discipline, lack of concentration and mental or physical unfitness of the job. 10% are due to faulty equipment or bad working conditions. Accidents, sometimes, take place because of machinery and sometimes due to other factors like faulty behaviour of worker, illumination, ventilation, humidity, slippery or uneven floor, falling ladders, flying of hammer or hammer heads, prick of nails thrown carelessly, unloading of heavy materials without proper precautions, distraction due to noise etc.

The fact came into observation that most of the accidents put the workers to temporary disablements in sugar factories. Total accidents are rare and accidents causing total partial disablements are also uncommon. Compensation to workers are given in accordance with the provision made in the Workmens' Compensation Act.

The Workmen's Compensation Act, 1923:

The said Act was passed in March 1923 and was put into force on 1st July 1924. With the aim of introducing certain Contd..
minor changes, ratifying the International Labour Convention on occupational diseases and rectifying certain admitted defects, the Act was amended for the first time in 1926 and 1929. In 1933, the Act was further amended in the light of the recommendations made by the Royal Commission on Labour in India and was enforced in January, 1934. Since then it has been amended a number of times i.e. in 1937, 1938, 1939, 1942, 1946, 1959, 1962 and in 1976 for extending its scope and making the measures more effective and useful.

Under the provisions made in the Act, compensation to an employee is payable by the employer in case of injury caused by accident arising out of and in the course of an employment. It also makes provision of payment of compensation, besides bodily injuries, in the case of certain occupational diseases as listed in Schedule III of the Act.

Under the Act, the dependents,\(^1\) to whom the compensation is payable in case of injury resulting in the death of the employees, are classified into two classes:

(2) Those who are required to prove their dependence on the deceased worker, e.g., a widower, a parent other than a widowed mother, a minor illegitimate son, an unmarried illegitimate daughter, a married and minor or widowed daughter, a minor brother, an unmarried or widowed sister, a widowed daughter-in-law, a minor child of pre-deceased son, or of pre-deceased daughter where no parent of child is alive, or a paternal grand parent if so parent of the worker is alive.

Under the Workmens' Compensation Act of 1923, a provision has been made for penalty, if the employer fails to pay compensation as it falls due.¹

Classification of Injuries:

Under the said Act, injuries have been classified into three groups:

(1) Resulting in death.
(2) Permanent total partial disablement.
(3) Temporary disablement.

Permanent partial disability, for the purpose of making payments of compensation, is calculated on the basis of percentage loss of the earning capacity as laid down in

Schedule I of the Act, which is given here;

SCHEDULE I

PART I

LIST OF INJURIES DEEMED TO RESULT IN PERMANENT TOTAL DISABILITY

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Description of injury</th>
<th>Percentage of loss of earning capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Loss of both hands or amputation of higher site</td>
<td>100</td>
</tr>
<tr>
<td>2.</td>
<td>Loss of a hand and a foot</td>
<td>100</td>
</tr>
<tr>
<td>3.</td>
<td>Double amputation through leg or thigh amputation through leg or thigh on one side and loss of other foot</td>
<td>100</td>
</tr>
<tr>
<td>4.</td>
<td>Loss of sight to such an extent as to render the claimant unable to perform any work for which eye-sight is essential</td>
<td>100</td>
</tr>
<tr>
<td>5.</td>
<td>Very severe facial disfigurement</td>
<td>100</td>
</tr>
<tr>
<td>6.</td>
<td>Absolute deafness</td>
<td>100</td>
</tr>
</tbody>
</table>

PART II

LIST OF INJURIES DEEMED TO RESULT IN PERMANENT PARTIAL DISABILITY

Amputation cases—upper limbs(either arm)

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Description of injury</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Amputation through shoulder joint</td>
<td>90</td>
</tr>
</tbody>
</table>

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<thead>
<tr>
<th></th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>2.</td>
<td>Amputation below shoulder with stump less than 8&quot; from tip of acromion</td>
<td>80</td>
</tr>
<tr>
<td>3.</td>
<td>Amputation from 8&quot; from tip of acromion to less than 4-1/2&quot; below tip of olecranon</td>
<td>70</td>
</tr>
<tr>
<td>4.</td>
<td>Loss of hand or of the thumb and four fingers of one hand or amputation from 4-1/2&quot; below tip of olecranon</td>
<td>60</td>
</tr>
<tr>
<td>5.</td>
<td>Loss of thumb</td>
<td>30</td>
</tr>
<tr>
<td>6.</td>
<td>Loss of thumb and its metacarpal bone</td>
<td>40</td>
</tr>
<tr>
<td>7.</td>
<td>Loss of four fingers of one hand</td>
<td>50</td>
</tr>
<tr>
<td>8.</td>
<td>Loss of three fingers of one hand</td>
<td>30</td>
</tr>
<tr>
<td>9.</td>
<td>Loss of two fingers of one hand</td>
<td>20</td>
</tr>
<tr>
<td>10.</td>
<td>Loss of terminal phalanx of thumb</td>
<td>20</td>
</tr>
</tbody>
</table>

**Amputation cases—lower limbs**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>11.</td>
<td>Amputation of both feet resulting in end-bearing stumps</td>
<td>90</td>
</tr>
<tr>
<td>12.</td>
<td>Amputation through both feet proximal to the metatarsophalangeal joint</td>
<td>80</td>
</tr>
<tr>
<td>13.</td>
<td>Loss of all toes of both feet through the metatarso-phalangeal joint</td>
<td>40</td>
</tr>
<tr>
<td>14.</td>
<td>Loss of all toes of both feet proximal to the proximal inter-phalangeal joint</td>
<td>30</td>
</tr>
<tr>
<td>15.</td>
<td>Loss of all toes of both feet distal to the proximal inter-phalangeal joint</td>
<td>20</td>
</tr>
<tr>
<td>16.</td>
<td>Amputation at hip</td>
<td>90</td>
</tr>
<tr>
<td>17.</td>
<td>Amputation below hip with stump not exceeding 5&quot; in length measured from tip of great &quot;trenchanter</td>
<td>80</td>
</tr>
</tbody>
</table>

Cont'd..
<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>18.</td>
<td>Amputation below hip with stump exceeding 5&quot; in length measured from tip of great trochanter but not beyond middle thigh</td>
<td>70</td>
</tr>
<tr>
<td>19.</td>
<td>Amputation below middle thigh to 3-1/2&quot; below knee</td>
<td>60</td>
</tr>
<tr>
<td>20.</td>
<td>Amputation below knee with stump exceeding 3-1/2&quot; but not exceeding 5&quot;</td>
<td>50</td>
</tr>
<tr>
<td>21.</td>
<td>Amputation below knee with stump exceeding 5&quot;</td>
<td>40</td>
</tr>
<tr>
<td>22.</td>
<td>Amputation of one foot resulting in end-bearing</td>
<td>30</td>
</tr>
<tr>
<td>23.</td>
<td>Amputation through one foot proximal to the metatarso-phalangeal joint</td>
<td>30</td>
</tr>
<tr>
<td>24.</td>
<td>Loss of all toes of one foot through the metatarso-phalangeal</td>
<td>20</td>
</tr>
</tbody>
</table>

Other injuries

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>25.</td>
<td>Loss of one eye, without complications, the other being normal</td>
<td>40</td>
</tr>
<tr>
<td>26.</td>
<td>Loss of vision of one eye, without complications of disfigurement of eye-ball, the other being normal</td>
<td>30</td>
</tr>
</tbody>
</table>

Loss of—

A. Finger of right or left hand

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>27.</td>
<td>Whole</td>
<td>14</td>
</tr>
<tr>
<td>28.</td>
<td>Two phalanges</td>
<td>11</td>
</tr>
<tr>
<td>29.</td>
<td>One phalanx</td>
<td>9</td>
</tr>
<tr>
<td>30.</td>
<td>Guilotine amputation of tip without loss of bone</td>
<td>5</td>
</tr>
</tbody>
</table>

Cont’d..
Middle-finger

<table>
<thead>
<tr>
<th>31. Whole</th>
<th>12</th>
</tr>
</thead>
<tbody>
<tr>
<td>32. Two phalanges</td>
<td>9</td>
</tr>
<tr>
<td>33. One phalanx</td>
<td>7</td>
</tr>
<tr>
<td>34. Guillotine amputation of tip without loss of bone</td>
<td>4</td>
</tr>
</tbody>
</table>

Ring or title finger

<table>
<thead>
<tr>
<th>35. Whole</th>
<th>7</th>
</tr>
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<tbody>
<tr>
<td>36. Two phalanges</td>
<td>6</td>
</tr>
<tr>
<td>37. One phalanx</td>
<td>5</td>
</tr>
<tr>
<td>38. Guillotine amputation of tip without loss of bone</td>
<td>2</td>
</tr>
</tbody>
</table>

B-Toes of right or left foot

Great toe

<table>
<thead>
<tr>
<th>39. Through metatarso-phalangeal joint</th>
<th>14</th>
</tr>
</thead>
<tbody>
<tr>
<td>40. Part, with some loss of bone</td>
<td>3</td>
</tr>
</tbody>
</table>

Any other toe

<table>
<thead>
<tr>
<th>41. Through metatarso-phalangeal joint</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>42. Part, with some loss of bone</td>
<td>1</td>
</tr>
</tbody>
</table>

Contd..
1. | 2. | 3. |
---|---|---|
Two toes of one foot, excluding great toe

43. Through metatarso-phalangeal joint
44. Part, with some loss of bone

Three toes of one foot, excluding great toe

45. Through metatarso-phalangeal joint
46. Part, with some loss of bone

Four toes of one foot, excluding great toe

47. Through metatarso-phalangeal joint
48. Part, with some loss of bone

Note: Complete and permanent loss of the use of any limb or member referred to in this Schedule shall be deemed to be the equivalent to the loss of that limb or member.

Amount of Compensation:

For the purpose of calculating the amount of compensation payable, the nature of injury and the average monthly wages of the worker concerned have been taken into account. Previously the rates were different for adults and minors, but this differentiation has now been removed.
by amending the Act in 1959. Compensation is payable for death, permanent as well as temporary disablement, both partial and total. In case of death, the amount of compensation varies from a minimum of Rs. 7,200 to the maximum of Rs. 30,000 and for permanent total disablement it ranges from Rs. 10,080 to Rs. 42,000. As far as the compensation for temporary disablement is concerned, half monthly payments are provided in the Act, varying from half a month's wages in case of workers getting up to Rs. 60/- per month as wage to Rs. 175 in case of those getting Rs. 900 per month but not more than Rs. 1,000.

The sampled sugar mills of the eastern U.P. during the last five years i.e. from 1978-1982 show the rare occurrence of fatal accident. It may be noted that only two fatal accidents occurred in 1979 in one of the sampled sugar mills namely the Ganesh Sugar Mills Ltd., Anand Nagar, Gorakhpur during the said period of 5 years.

Workers in the sugar mills of this region of the State are found suffering from Bagassosis and occupational disease. Sulphur tank attendants become victim of Chronic pharyngitis, which develops into asthma in the initial stage and finally into tuberculosis. This is mainly because of the inhalation of sulphur gas by the tank attendants.

Schedule IV of the Act in this connection with compensation payable in certain cases may be cited below:

**SCHEDULE IV**

**COMPENSATION PAYABLE IN CERTAIN CASES**

<table>
<thead>
<tr>
<th>Monthly wages of the workmen injured</th>
<th>Amount of compensation for:</th>
<th>Half monthly payment as compensation for temporary disablement</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Death</td>
<td>Permanent total disablement</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Rs.</th>
<th>Rs.</th>
<th>Rs.</th>
<th>Rs.</th>
<th>Rs.</th>
<th>P</th>
</tr>
</thead>
<tbody>
<tr>
<td>60</td>
<td>90</td>
<td>9,720</td>
<td>14,608</td>
<td>36.00</td>
<td></td>
</tr>
<tr>
<td>90</td>
<td>120</td>
<td>11,520</td>
<td>16,128</td>
<td>42.00</td>
<td></td>
</tr>
<tr>
<td>120</td>
<td>150</td>
<td>13,500</td>
<td>18,900</td>
<td>48.75</td>
<td></td>
</tr>
<tr>
<td>150</td>
<td>200</td>
<td>16,800</td>
<td>23,520</td>
<td>60.00</td>
<td></td>
</tr>
<tr>
<td>200</td>
<td>300</td>
<td>18,000</td>
<td>25,200</td>
<td>82.50</td>
<td></td>
</tr>
<tr>
<td>300</td>
<td>400</td>
<td>19,200</td>
<td>26,880</td>
<td>100.00</td>
<td></td>
</tr>
<tr>
<td>400</td>
<td>500</td>
<td>21,000</td>
<td>29,400</td>
<td>118.75</td>
<td></td>
</tr>
<tr>
<td>500</td>
<td>600</td>
<td>21,600</td>
<td>30,240</td>
<td>135.00</td>
<td></td>
</tr>
<tr>
<td>600</td>
<td>700</td>
<td>23,100</td>
<td>32,340</td>
<td>148.75</td>
<td></td>
</tr>
<tr>
<td>700</td>
<td>800</td>
<td>24,000</td>
<td>33,600</td>
<td>160.00</td>
<td></td>
</tr>
<tr>
<td>800</td>
<td>900</td>
<td>27,000</td>
<td>37,800</td>
<td>168.75</td>
<td></td>
</tr>
<tr>
<td>900</td>
<td>1000</td>
<td>30,000</td>
<td>42,000</td>
<td>175.00</td>
<td></td>
</tr>
</tbody>
</table>

Though the compensation in sugar mills is paid according to the Workmen's Compensation Act 1923 but the following facts call for further improvement in the said Act.

(1) Schedule I of the Act does not include certain cases of loss e.g., loss of teeth, loss of nose and loss of burns which disfigure the worker etc.

(2) Injured workers or the dependents do not find it easy to get benefit from the employer, as the procedure to enforce the claim for compensation is onerous.

It is, therefore, suggested that;

(1) Free medical help and legal advice at the cost of the State should be provided to the injured workers.

(2) The procedure of getting benefit should be made easy so that availability of compensation may be automatic.

(3) All accidents should be reported to the Labour Commissioner followed by a statement showing the amount of compensation paid for each accident.

(4) It is also to be ensured that the amount of compensation paid is enough with the consideration of the worker's family-size and cost of living.

(5) The amount of compensation should be calculated on the age-basis. Under the existing provisions, both the
young and old workers are entitled to receive the same amount, if they become the victim of the same type of injury, which is not justified.

In sugar factories accidents mostly occur on centrifugals. Workers committing mistakes in applying hand brakes and keeping their clothes loose uncontrollably have been victims of fatal accident. Besides, chains and pulleys have proved to be the causes of frequent accidents and in the process of taking the machinery down for repair purposes accidents take place at high rate.

So far as sugar mills are concerned, there are three basic causes of accidents namely;

1. loose clothes, 2. carelessness, 3. ignorance of the machine operation.

In this regard it is significant to note that Labour Welfare Officer has to play an important role. It is essential to get the workers well acquainted with the basic and necessary informations in connection with the working and operation of machines.

They are to be given proper knowledge about the basic and frequent causes of accidents. Not only this, but, the workers are to be strictly advised to be more cautious and to keep their clothes fit while operating machines or working inside the factory. Labour Welfare Officer has to see it very seriously, whether the proper safety measures are taken.
Lastly, inspectorate should come forward to assist employers in drawing up induction and training programme in safety. Safety training for executives, supervisions and workmen should be made a regular feature in organised industries. Safety centres at the Central Labour Institute and the Regional Labour Institutes should facilitate the integrated training programme.

Conclusion

The fact has been observed by the National Commission on Labour that statutory provisions in regard to working conditions are adequate. The only need is to ensure stricter enforcement. It is a matter of concern that on many occasions, non-compliance with these provisions is not seriously taken or treated with a measure of indulgence. According to the recommendation made by the Commission, habitual non-compliance should attract penalties, which should be more stringent than at present.

In recent years, improvement has been made in the process of inspection. A number of surveys and training programme in industrial safety undertaken by the Central and Regional Labour Institutes are said to be hallmark of the improving working conditions.

It would, therefore, appear that the study of working conditions would be incomplete, unless the working hours are not properly analysed. The following pages of this chapter are related to the comprehensive analysis of the same.

(D) Hours of work:

The health and efficiency of workers are positively correlated with the number of hours they have to work. The long working hours breed tiredness and slackness, which ultimately affect productivity adversely. Not only this, but loitering and loafing away the time creep into the working community. That is why our employers face the problem of incapable labour-force keeping themselves away from their duty place for sometime in factories.

Besides, long working hours cause other type of socio-cultural problem in workmen's life as they do not have enough time to look after their household affairs, family-members and relatives etc. Under such circumstances, social welfare, physical care and mental recreation have become a mere dream to the working class in factories.

So far as our climatic conditions are concerned, lower working hours, as compared to other western countries are needed to keep the mental, physical and social states of our labourers well and good for the sake of high efficiency
and productivity. What should be the normal period of working hours for augmenting the working capacity, capability and happiness in the lives of workers should be thoroughly assessed. It was not earlier than 1948 that a ceiling of 48 hours a week was fixed for industrial labourer.

Factories Acts and Hours of works

The fixation of hours of work has been decided by the factories acts from time to time. For the first time, in the industrial history, the factories act 1881 made a provision of fixing the hours of work for children between 7 and 12 years at 9 per day with one hour daily rest and 4 holidays in a month. But adults were not provided any relief.

According to factories act 1891, women were required to work for 11 hours in a day having one and half hour daily rest and children between the age of 9 and 14 were to work at 7 hrs. daily. Night work was prohibited for women and children. Under this act male adult workers were given an opportunity to avail one hour daily as rest interval.

The relief to the adult male was provided not earlier than in the factories act of 1911, wherein the hours of work for an adult male were fixed at 12 hrs per day with the rest interval of one hour. Further, with the promulgation of Factories Act of 1922, it was reduced to
11 hours daily, 60 hours weekly and for children in the age-group of 12 to 15, it was fixed at 6 hours per day.

The Factories Act, 1934 introduced something new that in seasonal factories, adult male workers were required to work for 11 hours in a day or 60 hours per week, but in perennial factories 10 hours per day or 54 hours per week. The children were given more concession by reducing it from 6 hours to 5 hours. This was the first act in the history of labour legislation which showed the path of 'spread over' system and provided with the consecutive hours of work for adult fixing at 13 hours and for children at 6½ hours. Workers were made entitled for overtime @ 1½ times the ordinary wage.

The Seventh Labour Conference held in November, 1945 recommended the principle of 48 hours a week. This recommendation was brought into practice by the amendment of 1948. In the case of non-seasonal factories, hours of work were fixed at 48 in a week and 9 in a day, in seasonal factories it was fixed at 54 hours per week and 10 hours per day.

The hours of 'spread over' system were also reduced to 10½ from 13 in perennial factories and 11½ in seasonal

factories. The overtime-payment was enhanced by two times the ordinary wage.

The factories act 1948 eliminated the distinction between seasonal and perennial factories. Under the provisions of this act the maximum working hours were maintained at 48 hours per week and 9 hours per day with a 'spread over' of 10½ hours. In the case of children and adolescents the working hours have been fixed at 4½ hours per day with a 'spread over' of 5 hours. This act requires to fix the period of work for adult workers in a factory each day in such a way that no period shall exceed five hours and that no worker shall work for more than five hours before he has had rest interval of at least half an hour. The act provides weekly rest-day which ordinarily falls on Sunday, but employers can substitute for Sunday any of the three days preceding or following it, subject to the condition that there must not be more than 10 days continuous work. Besides, provision for leave with wages has also been made. To put the children and women at work between 7 p.m. and 6 a.m. came under prohibition. It was decided for overtime that where a worker works in a factory for more than 9 hours in a day or more that 48 hours in any week, he shall, in respect of overtime work, be entitled to wage at the rate of twice his ordinary wage. Workers have been prohibited from double employment i.e. no worker is allowed to work in two factories on the same day. For night shift workers, the act provides for
24 consecutive hours rest every week. The State Governments may grant exemption to certain categories of workers from the provision made in connection with the 'hours of work', but daily, weekly and spread over should not exceed 10 hours, 50 hours and 12 hours a day respectively.

The Factories Act, 1948 was amended in 1954, which gave powers to the Chief Inspectors of Factories to grant exemption from the limit relating to daily hours of work for facilitating the change of shifts. Further, it provides that any factory, under special case, may be allowed to grant rest interval to its employees after six hours of continuous work instead of half an hour's interval after every five hours of work. Under the provisions made in the amendment Act 1954, restrictions on the employment of children and women were maintained and prohibition on the employment of children and adolescents between the age of 17 during night came in practice. 'Night' has been defined as a period of at least twelve consecutive hours which must include an interval of at least seven consecutive hours falling between 10 p.m. and 6 a.m. in the case of children and 10 p.m. and 7 a.m. in the case of adolescents.¹

Now, after going through the legislative measures regarding hours of work, it is dealt with sugar industry

in eastern U.P. as under.

In sugar factories, hours of work do not commence or end simultaneously in the various departments. Each department has its own timings. That is why in the following pages department-wise study has been made.

(i) General Office:

There is no uniform pattern of working hours in these offices of various factories. Generally, in most of the factories, these offices open at 7 A.M. but not later than 8 A.M. and close in the afternoon at the earliest at 4.30 P.M. and at the latest at 5.20 P.M. Lunch-break at noon varying from 1 hour to two hours is common. There is no factory having total working hours less than six and more than eight and half excluding fest-interval. There are only two units which allow one half day every week in addition to the close-day on Sunday. Except few units, which have different timings for summer and winter, all the factories do not make any change.

(ii) Workshop:

Day shift, generally known as D, works throughout the year. In this shift workers of engineering and manufacturing departments are included during off-season. In all the factories, D shift starts in the morning not earlier than 6.30 A.M. and later than 8 A.M. and closing time varies from 4.30 to 5 or 5.20 P.M. Rest interval at noon is given normally
of the duration of one or two hours. The same timing system is observed throughout the year. D shift workers are provided with Sundays as close-days. There are a few units, in which D shift comes to be closed one hour earlier on every Saturday. There are only two units observing one working day as 'half day.' All the Saturdays are made half day in one unit and Wednesdays in the other.

(iii) Other Departments:

(A) Cane:

Now, weighment of cane is carried on throughout day and night. That is why the loading and unloading coolies, weighbridge clerks and supervisors are put to the same shifts as the employees of the engineering and manufacturing departments. (Before independence, weighment was stopped after 10 P.M. in the sugar factory of Gauri Bazar(Deoria).

(B) Palledars:

Palledars work according to general shifts. These are given one hour rest-interval.

(C) Watch and Ward:

Watch and Ward staff is also put to the work under the arrangement of general shift. Before independence, it was found in a few units that workers of this department worked for four hours and then a rest of four hours was given, after
which they were required to work for four hours again, but the system was quite inconvenient and came to an end.

(iv) General Shifts:

As we know that sugar-manufacturing is a continuous process on account of which during crushing season the entire period of 24 hours is divided into three shifts of 8 hours each. These are known as general shifts or shifts A, B, C. These are interchangeable and the change is made usually after one week.

E. 'SPREAD OVER' OF SHIFTS:

In our sugar factories, while fixing the timings of shifts, rational approach is not applied. The convenience and comforts of the workers are not paid due attention. We find four types of timing arrangements under spread over of shifts, as under,

(a) First type of arrangement,

Shift A : 10 A.M. to 6 P.M.

" B : 6 P.M. to 2 A.M.

" C : 2 A.M. to 10 A.M.

(b) Second type of arrangement,

Shift A : 1 A.M. to 9 A.M.

" B : 9 A.M. to 5 P.M.

" C : 5 P.M. to 1 A.M.

1. SOURCE: Compiled from the unpublished records of the sampled sugar mills.
(c) Third type of arrangement;
Shift A : 2 A.M. to 10 A.M.
" B : 10 A.M. to 6 P.M.
" C : 6 P.M. to 2 A.M.

(d) Fourth type of arrangement;
Shift A : 12 Midnight to 8 A.M.
" B : 8 A.M. to 4 P.M.
" C : 4 P.M. to 12 A.M.

After having an analytical look upon above arrangement, we come to the conclusion that the timings of shift in (d) is more convenient, because the workers of Shift 'A' are put to lesser trouble as they are required to join their duties at 12 midnight and work for the whole night. Workers of shift 'B' are not to face even least trouble and workers employed in Shift 'C' are also not to face difficult problem as they are to join their duties at 4 P.M. and finish their job at 12 midnight which can neither be taken as too late for going to bed nor for taking food during winter.

The remaining three types of spread over create rather great trouble for workers as they have to come to work at inconvenient hours, like 2 A.M. or 1 A.M. This is quite combursome for outgoing workers also because they feel disturbed in going to bed and taking their meals. That is why nearly 35% factories observe the (d) type of timing arrangement regarding spread over of Shift 'A' 'B' 'C'.

Workers are provided with rest-interval of 30 minutes during shifts, but they are asked to avail of it one by one, so that continuous production process may not be interrupted.

(1) Change over of shifts:

In sugar factories, the workers of one shift are put to other shift towards the week-end without making any change in shifts and timings. Workers, in normal course, come to work after sixteen hours, but for change over, one shift is given further rest and join its duties after 32 hours. In this case, the other two shifts are put at work after 8 hours instead of 16 hours for filling the gap of 16 hours caused by the retirement of the first shift. More vivid picture of change over of shift is given as under taking an example of the Ganesh Sugar Mills, Anand Nagar (Gorakhpur). Here, we find the following timing arrangements for shifts A, B, C.

<table>
<thead>
<tr>
<th>Shifting</th>
<th>Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>12 Midnight to 8 A.M.</td>
</tr>
<tr>
<td>B</td>
<td>8 A.M. to 4 P.M.</td>
</tr>
<tr>
<td>C</td>
<td>4 P.M. to 12 A.M.</td>
</tr>
</tbody>
</table>

SOURCE: Compiled from the unpublished record of the mill concerned.
We suppose the shifts start working from Monday.

In this case workers of each shift up to Saturday (Sunday-8 A.M.) will be joining their duties after 16 hours gap. But for the sake of change over, workers of 0-to 8 A.M. shift will be asked to go to rest on Sundays and will be required to come to work after an interval of 32 hours i.e. the workers of 0 to 8 A.M. shift will be joining their duties on Monday from 4 P.M. to 12 A.M. Here, this gap of 16 hours created by the weekly rest of the workers of shift 0--8 A.M. shall be filled in by putting the workers of shifts 8 A.M. to 4 P.M. and 4 P.M. to 12 A.M. at work earlier on Monday. The workers who formerly, worked on Sunday up to 4 P.M., will join their work after 8 hours that is from 0 to 8 A.M. In the same way, the workers of shift 4 P.M. to 12 P.M. will be required to come to work after 8 hours and will be going on Monday from 8 A.M. to 4 P.M. Thus, the workers of shift 0 to 8 A.M. in the last week will join on Monday at 4 P.M. to 12 P.M. Now, the workers of shifts B and C will be called at work in shifts A and B respectively during the second week, and the workers of shift A of the first week will be placed to shift C in the second week. Under this type of change over of shifts, the workers working in 0 to 8 A.M. shift will always avail themselves of rest on Sundays and will be called for duty after 32 hours on Mondays. This may be

1. SOURCE: Personal discussion with Mr. Ram Suniran Singh, Cane Manager, The General Sugar Mills, Anandnagar (Gorakhpur)
shown in the following tabular form:

**TABLE NO. 2.2**

**WEEKLY TRANSFER OF SHIFT WORKERS**

<table>
<thead>
<tr>
<th>Shifts</th>
<th>1st Week</th>
<th>2nd Week</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>0-8 A.M.</td>
<td>Workers in 8 A.M. to 4 P.M.</td>
</tr>
<tr>
<td>B</td>
<td>8 A.M. to 4 P.M.</td>
<td>Workers in 4 P.M. to 12 P.M.</td>
</tr>
<tr>
<td>C</td>
<td>4 P.M. to 12 P.M.</td>
<td>Workers in 0 to 8 A.M. shift</td>
</tr>
</tbody>
</table>

**SOURCE:** Compiled from the unpublished record of the mill concerned and personal discussion with Mr. Ram Sumiran Singh, Cane Manager, The Ganesh Sugar Mills, Anand Nagar (Gorakhpur).

It is clear from the above analysis that the workers are transferred from one shift to another without making change in shifts.

(ii) Relieving Shift:

It was the year 1946-47 which gave birth to the 'Relieving Shift' in Sugar Mills. The objective of introducing this shift was to get the workers on general shifts A, B, C, relieved during crushing season in order to provide them weekly rest. Relieving shift is arranged in two
ways. But most of the factories observe first type of arrangement.

**First type of arrangement**

Under this arrangement, each general shift is divided into two parts. The workers of relieving shift (known as relievers) relieve half of the workers of a shift on one day and other half of the workers on the next day. Under this practice, it takes two days to relieve all the workers of a shift. Thus, 6 days of the week are utilised for relieving all the three shift workers and on the 7th day, the relievers go to rest.

The working of relievers may be illustrated giving an example of the P.S. Mills, Ghughli (Gorakhpur) where general shifts are named as R, S and T. These shifts are further divided into two parts for the relieving-purpose. For each divided part there is a fixed rest day and on these fixed days, the relievers relieve the workers of each part and go to rest on Sundays themselves.

The relieving phenomenon has been depicted in the following table.

<table>
<thead>
<tr>
<th>General Shifts</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
<th>F</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday rest.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tuesday rest.</td>
<td>R</td>
<td>B</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wednesday rest.</td>
<td></td>
<td></td>
<td>C</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Thursday rest.</td>
<td></td>
<td></td>
<td></td>
<td>D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Friday rest.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>E</td>
<td></td>
</tr>
<tr>
<td>Saturday rest.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>F</td>
</tr>
</tbody>
</table>
It is obvious from the above chart, that the labourers of relieving shift are put to work under the timing arrangement of general shift, but they are only to face the changed hours of work after every two days, on account of which they are called sometimes after a gap of 3 hours and sometimes after 16 hours interval. They get a chance of availing an interval of 32 hours for joining duty on the days following their rest days. Here, we find a drawback in this system that the workmen of relieving shift are faced with frequent changing working hours after every two days causing inconvenience to them.

Second Type of arrangement

Though, this type of arrangement is not popular in sugar mills inspite of its being better arrangement, but most of the cane-managers were found admitting its superiority over the first one. It does not require to have a separate shift as relieving shift. Only a few persons are kept for relieving skilled personnels like shift engineers and mistries, who do not figure more than one or two in a shift. There is no need of an independent relieving shift for unskilled workers. With the aim of setting all the workers relieved one day in a week, one sixth of total number of workers in general shift are appointed as extra and rest days for all the workers are made fixed. Here, general shifts A, B & C are divided into seven groups. Thus, one sixth workers or seventh group avail of themselves rest every day,
because, only sixth part of the shifts is to perform its duties on a particular day. Therefore, there is no question of relievers to work at different hours on different days during the same week.

**Suggestions**

Keeping the actual conditions prevailing in sugar factories under discussion, the following points are worthtaking of consideration for the betterment of workmen and productive capacity of the mills as well.

1. There should be standardisation of duration of recess and hours of work in offices and workshops. All the factories of the state should observe the equal duration of rest-intervals and number of working hours.

2. There should be identical pattern of timing arrangement of general shifts for whole of the state following the 'd' type of arrangement as discussed earlier under the caption 'timing arrangement' on page no. 42 because;
   
   (a) It is less inconvenient to workers from the viewpoint of joining duties and retiring from the work as 12 midnight is not too late for the purpose.

   (b) It facilitates calculation of wages etc. as new days start after 12 midnight.
(c) It has been observed that most of the factories are practising this timing arrangement so that only a few factories are required to change their timings and will not find it difficult in shifting from an inconvenient time-arrangement to a convenient one.

(d) There should not be a separate relieving shift, but the other arrangement, under the caption 'Relieving-shift' should be enforced.

(e) Discrimination attitude concerning hours of work between supervisory and subordinate staff should be eliminated, as it is totally undesirable. Irrespective of class and category, all the working force should be required to work for 8 hours so that dissatisfaction and personal grudge among the lower rank workmen may be eliminated.

F. Roll-Call system:

There was a time, particularly before independence, when the primitive form of 'Roll-call' in some sugar mills was in practice. The time-keeper used to call out the names of the workers and they used to respond in a loud-voice from amongst the workmen crowded together near the time-office. This involved waste of time in taking attendance. But this system has now been discarded.

The second method is of token system. Under this method, the workers take their fixed token from time-office while
going to work and put it on a board fixed on the entrance
gate of the factory. The time-keeper notes the workers' presence
on the basis of the tokens put on the board. But this system
has also been said good-bye because it involved proxy and
malpractices.

The system of 'Roll-Call' through attendance-register
is more popular these days. The time-keeper goes to different
places of work and marks the presence of the workers. Along with
this system, in some units, attendance card and slips are
issued to workmen which they drop in the boxes put for this
purpose in their respective departments. The time-keeper
marks the presence of the workers with the help of these
cards and verifies their presence by making thorough checks
at various working points and places.

G. Leave and Holidays:

Before November, 1957, when a notification was made
regarding the leave with pay for sugar factories workers in
U.P., sugar factories were not observing a unified pattern of
leave. During those days four types of leaves namely:

Privilege leave,
Sickness leave,
Casual leave,
Special leave,
were provided. So far as duration of leave was concerned, it
was determined on the basis of three factors:

(A) Rank of the employees i.e., skilled, semi-skilled, unskilled.

(B) Nature of service i.e., permanent and seasonal.

(C) Wage categories.

(1) Privilege Leave:

Instances may be cited of some of the sugar mills which allowed privilege leave to their employees and of their different modes of implementation. It is worth mentioning here, that approximately 66.70% factories were providing privilege leave to their workers before Nov. 1, 1957.

(1) Sarya Sugar factory, Sardarnagar (Gorakhpur).

<table>
<thead>
<tr>
<th>Privilege leave allowing during a year</th>
<th>Categories of employees entitled to such leave</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) 30 days (after one year's service)</td>
<td>Supervisors, clerical staff, head fitters, carpenters, mistries, mill mistries and foreman.</td>
</tr>
<tr>
<td>(ii) 15 days (after one year's service)</td>
<td>Peadas, office and store boys.</td>
</tr>
</tbody>
</table>

1. Information collected from the unpublished records and information collected from the Head Time Keeper of the mills concerned.
(ii) Deoria Sugar Mills, Deora.

| (i) 15 days | Permanent labour, clerikal and supervisory staff. |
| (ii) 1½ days per month | Seasonal workers |

(iii) Basti Sugar Mills, Basti.

| (i) 45 days | Ist grade clerks, chemists, head-panmen, doctors. |
| (ii) 30 days | 2nd grade clerks, lab. chemists, assistant panmen, etc. |
| (iii) 3 days in a month | Chowkidars, peons, coolies, fitters etc. |
| (iv) 1½ days in a month | Casual and seasonal labourers. |

(iv) P.S. Mills, Ghughli (Gorakhpur).

| (i) 45 days | Officers and permanent staff. |
| (ii) 15 days | Chowkidars and peon staff getting less than Rs. 20/- per mensem. |
| (iii) 18 days | Coolies. |

(v) S.S.S. Co Baitalpur (Deoria).

| (i) 18 days | Clerical and supervisory staff. |
| (ii) 15 days | Permanent labour |
| (iii) 2 days in three months | Seasonal labour. |
Thus, it is clear that factories had their own pattern and style of allowing privilege leave to their employees, which was such due to non-existence of legislative measure in this regard.

(2) Sick Leave.

Now, we come to Sick leave allowed those days. The cases of only four factories are discussed below:

(1) Sarya Sugar Factory, Sardarnagar(Gorakhpur).

<table>
<thead>
<tr>
<th>Sick-leave-detail</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) 15 days with full pay and</td>
<td>Supervisors, Clerks, skilled workers i.e. carpenters, mistries, foreman.</td>
</tr>
<tr>
<td>(ii) 15 days with half pay during a year</td>
<td></td>
</tr>
</tbody>
</table>

(vi) I.K. Sugar Mills, Lakshmiranj (Deoria)

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) 60 days</td>
<td>Manager, Secretary, Chief Engineer and Chemist.</td>
</tr>
<tr>
<td>(ii) 45 days</td>
<td>Cane Manager, Office Superintendent and Accountant.</td>
</tr>
<tr>
<td>(iii) 30 days</td>
<td>Permanent establishment, clerical, Watch and Ward.</td>
</tr>
<tr>
<td>(iv) 15 days</td>
<td>Permanent mill staff (Engg. and Manufacturing departments).</td>
</tr>
<tr>
<td>(v) 2½ days per month</td>
<td>Seasonal establishment staff.</td>
</tr>
<tr>
<td>(vi) 1½ days per month</td>
<td>Seasonal Mill staff.</td>
</tr>
</tbody>
</table>
(iii) 7 days with full pay and Fitters, Peadas and
(iv) 7 days with half pay in office and store a year. boys.

(2) Deoria Sugar Mills, Deoria.

(1) 15 days during a year Permanent labour, clerks and
    supervisors staff.

(3) S.S.S. Co. Baitalpur, Deoria.

(1) 15 days during a year Permanent labour, clerks and
    supervisory staff.

(4) I.K. Sugar Mills, Lakshmiganj (Deoria)

(1) 15 days during a year Managerial staff.
(11) 10 days during a year Permanent Clerks, Watch and Ward,
    Cane Manager,
    Accountant and office Superintendent.

(3) Casual Leave:

Before the notification made in November, 1957, there were only six sugar mills in eastern U.P. allowing casual leave beside sick and privilege leave with pay.
The following table shows the details of casual leave allowed by eight sugar factories.

<table>
<thead>
<tr>
<th>Sugar Factory</th>
<th>Casual Leave allowed</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Pipraich Sugar Mills, Pipraich (Gorakhpur)</td>
<td>7 days</td>
</tr>
<tr>
<td>(2) Cawnpore Sugar Works, Gauri Bazar (Deoria)</td>
<td>30 days</td>
</tr>
<tr>
<td>(3) L.D. Sugar Mills, Chhitauri (Deoria)</td>
<td>15 days (only to officers)</td>
</tr>
<tr>
<td>(4) S.S.S., Co. Baitalpur and Deoria Sugar Mills, Deoria (Deoria), and Sarya Sugar Factory, Sardarnagar (Gorakhpur)</td>
<td>10 days (permanent, clerical and supervisory staff.</td>
</tr>
</tbody>
</table>

Among the above six factories, Cawnpore Sugar Works, Gauri Bazar, (Deoria) had more comprehensive style of allowing casual leave along with sick leave to its employees which is shown here,

**TABLE NO. 2.3:**

**DETAILS OF SICKNESS AND CASUAL LEAVE (CAWNPORE SUGAR WORKS, GAURI BAZAR DEORIA)**

<table>
<thead>
<tr>
<th>Sickness</th>
<th>Casual</th>
<th>To whom allowed</th>
</tr>
</thead>
<tbody>
<tr>
<td>7 days</td>
<td>8 days</td>
<td>Workers drawing upto Rs. 25/- per mensem.</td>
</tr>
<tr>
<td>7 days</td>
<td>14 days</td>
<td>Workers drawing upto Rs. 26/- to 39/- per mensem.</td>
</tr>
<tr>
<td>7 days</td>
<td>21 days</td>
<td>Workers drawing upto Rs. 40/- to Rs. 125/- per mensem.</td>
</tr>
<tr>
<td>7 days</td>
<td>30 days</td>
<td>Workers drawing above Rs. 125/- per mensem.</td>
</tr>
</tbody>
</table>

SOURCE: Compiled from unpublished record and information collected from the Head Time Keeper of the mill concerned.
(4) Special Leave:

Not only the above mentioned leaves, but the workers were allowed to avail special leave either with pay or without pay as it was entirely based upon the discretion of the management.

Existing Leave Conditions and Procedures

All vacuum-pan-sugar factories of U.P. have to follow the provisions made for leave with pay from Nov. 1957, as under,1

A. Leave admissible under the Factories Act 1948:

Every worker who has worked for a period of 240 days or more in a factory during a calendar year shall be allowed during the subsequent calendar year, leave with wages for a number of days calculated at the rate of:

(1) if an adult, one day for every twenty days of work performed by him during the previous calendar year;

(ii) if a child, one day for every 15 days of work performed by him during the previous calendar year.

For the purpose of computation of the period of 240 days or more,

(a) any days of lay-off by agreement or contract or as permissible under the standing orders,

(b) in the case of female workers maternity leave for any number of days not exceeding 12 weeks and

(c) the leave earned in the year prior to that in which the leave is enjoyed shall be deemed to be days on which the worker has worked in a factory, but he shall not be entitled to leave for such days.

The next consideration regarding this provision of annual leave with wages (privilege leave) is that such type of leave shall be exclusive of all holidays whether occurring during or at the either end of the period of leave and can be availed of in not more than three instalments in a year.

The clause further provides (i) that a worker whose service commences otherwise than on the 1st January shall be entitled to leave with wages, if he has worked for two-third of the total number of days in the remainder of the calendar year.

(ii) If a worker is discharged or dismissed from service or quits his employment or is superannuated or dies while in service, during the course of the calendar year, he or his heir or nominee, as the case may be, shall be entitled to wages in lieu of the quantum of leave to which he was entitled immediately before his discharge, dismissal, quitting of employment, superannuation or death at the rate mentioned above, even if he had not worked for the entire period as specified above.
(iii) For the purpose of calculation of such leave, fraction of leave of half a day or more shall be treated as one full day's leave and fraction of less than half a day shall not be taken into account.

(iv) If a worker does not avail himself of the whole of such leave (privilege leave), the leave not availed by him shall be accumulated up to 30 days, 30 days in the case of the adult, 40 days in the case of a child.

Casual Leave and Sickness Leave.

Besides the provisions made under Factories Act 1948, for sugar factory workers in U.P., the following arrangement were made from November, 1957.

Permanent Workers

Casual Leave 6 days in a year.

Sickness Leave 10 days in a year.

Seasonal Workers

Casual Leave ½ day for every month of the crushing season during which a workman is on the rolls of the factory. A period exceeding 15 days in any month shall be counted as full month for the purpose.

Sickness Leave as above.

Provision in Off-Season

If any seasonal worker is required to work in off-season, he will be allowed proportionate benefits of sickness and casual leave for the period of his employment in the off-season to the same extent as admissible to them in the crushing season.

It is worth mentioning here, that if any factory was, prior to Nov. 13, 1957, granting leave with wages in excess of what is prescribed in the Factories Act, such leave shall be adjustable towards the quantum of sick and casual leave allowed under the standing orders.

Provided, that the employers shall not curtail any excess leave under the Factories Act after adjustment of sick leave and casual leave, nor shall they curtail the weekly rest days, festival holidays or any other leave which is in excess of the leave admissible under the Factories Act and the standing orders.

All the sugar factories are providing leave to their employees in accordance with the provisions made in the Factories Act, 1948 and standing orders. Details regarding quantum of leave granted to the employees of the factory are displayed on the board near the time-office. We found the 'Quantum of Leave Statement' of the Ganesh Sugar Mills, Anand Nagar, Gorakhpur, in order and properly displayed, details of which are cited below.
Grant of leave — Procedure

Under the provisions made under standing orders for workmen in sugar mills,

(1) a workman is required to apply through his head of the department to the manager or to any such officer appointed for the purpose by the manager whose name shall be duly notified on the Notice Board.

(2) a workman, who desires to obtain leave for more than 3 days, is required to apply at least 15 days before the commencement of the leave, and application for leave of absence for less than 3 days duration must be made at least 24 hours prior to the time from which the leave is to commence.

But, above limits for giving application will not apply, if the leave is required on medical grounds or due to death or serious illness in the family or grave domestic complications or any other urgent matter, in which case the application may be given on the same day.

So far as extension of leave is concerned, it is usually granted on medical grounds or in case of death in the family or any other urgency, provided the manager is satisfied.

In case, a workman remains absent beyond the period of leave initially granted or subsequently extended, shall be liable for dismissal but his name shall be kept on the substitute list.

Provided, that no order of dismissal shall be passed, if the workman returns within seven days of the expiry of the leave or extended leave and explains the cause for his absence to the satisfaction of the employer.

In crushing season, a workman shall get wages in lieu of unavailed privilege or casual leave accruing to him.

But, during the off-season, a workman will be entitled to get wages in lieu of unavailed privilege or casual leave if such leave was refused by the authority.

Provided, that if a workman so desires the period of his unavailed leave shall be carried forward in accordance with the provisions of Section 70(S) of the Factories Act, 1948.

**Holidays**

Though the importance of holidays with pay has been realised in our industrial world, but the system is not uniform as it differs from industry to industry and region to region.

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Holidays with Pay Convention was held by the Labour International Conference in 1936, but the Govt. of India did not extend the benefits to all establishments laid down in the Charter of the Convention.

But, under Factories Act, a weekly holiday was provided in all the factories coming within the purview of the Act. In 1942, the provisions for weekly closure of shops and a weekly holiday to the employees of shops were made.

As far as national festival holidays in sugar industry in U.P. are concerned, uniformity was not practiced and number of holidays were not also fixed. 33% of sugar factories of the state were allowing holidays to their employees varying between 5 to 10 days and 12% were allowing more than 23 days before Dec. 6, 1948. Not only this, but regional disparity was also in existence as in eastern U.P. workers were given more holidays than their counterparts in western and central U.P.

In U.P., under Industrial Disputes Act, 1947, festival holidays with pay came to be fixed. The fixation of holidays at 17 days was made in 1950, which was raised to 18 days in 1953. This provision of 18 days was also extended to sugar factories in Nov. 1955, but before Nov. 1955, sugar factories in U.P., were observing 17 fixed paid holidays since Dec. 6, 1948 (vide circular No. LD/U.P/45-48, dated 6th Dec. 1948 of the Indian Sugar Syndicate Ltd., and Govt.

The minimum prescribed holidays are given in Standing Orders (Sec. H), as under:

Workman shall be allowed the following festival holidays with wages in each calendar year:

<table>
<thead>
<tr>
<th>Holiday</th>
<th>Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Republic day</td>
<td>1 day</td>
</tr>
<tr>
<td>Holi</td>
<td>2 days</td>
</tr>
<tr>
<td>Independence day</td>
<td>1 day</td>
</tr>
<tr>
<td>Nag Panchami</td>
<td>1 day</td>
</tr>
<tr>
<td>Raksha Bandhan</td>
<td>1 day</td>
</tr>
<tr>
<td>Jamra Ashtami</td>
<td>1 day</td>
</tr>
<tr>
<td>Mahatma Gandhi's Birthday</td>
<td>1 day</td>
</tr>
<tr>
<td>Dushehra</td>
<td>4 days</td>
</tr>
<tr>
<td>Diwali</td>
<td>1 day</td>
</tr>
<tr>
<td>Kartik Ashnan</td>
<td>1 day</td>
</tr>
<tr>
<td>Guru Nanak Birthday</td>
<td>1 day</td>
</tr>
<tr>
<td>Id</td>
<td>1 day</td>
</tr>
<tr>
<td>Moharram</td>
<td>1 day</td>
</tr>
</tbody>
</table>

The Haza and Baland Sugar Co. Ltd., Distt. Rampur shall allow the following festival holidays with wages to its workers instead of Kartik Ashnan and Nag Panchami.

Alvida or Barawafat which falls in the off-season 1 day
Idul Azha 1 day

It is directed in the standing orders that no management of any factory shall allow less number of holidays than those of allowed in calendar year 1947. Further, it is stated that the total number of holidays during the crushing season shall not be less than the number of holidays allowed in 1947.

In case, the management, due to exigencies of work, is unable to allow leave on one of the holidays, the workmen will be entitled to overtime wages for the day. (Wages for this purpose here, refers, to consolidated wage, calculated on the basis of the number of days in a calendar month which will not include any overtime and bonus.)

The standing orders provide that if Moharram and Id holidays fall during the crushing season, a factory may allow these holidays as sectional holidays for Muslims only, besides this, it is also provided that additional payment of one day's wage shall be made to the workmen, if they are required to work on a holiday falling on a rest-day.
In this regard, all the factory managements are required to prepare a list of holidays admissible under the Standing Orders with the clear indication of dates on which each holiday will be observed, before the closing of the preceding calendar year in consultation with the registered trade unions, and/or the regional conciliation officer of the area concerned and shall be put on the notice-board of the factory for the information of workmen.

All the sugar factories are allowing holidays to their workmen in accordance with the prescribed festival holidays in the Standing Order. The case of the Ganesh Sugar Mills, Anand Nagar, Gorakhpur, may be cited, where the following list was found pasted on the notice-board for the worker's information:

Festival holidays for the year 1981.

<table>
<thead>
<tr>
<th>Festival</th>
<th>Days</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Republic Day</td>
<td>1</td>
<td>26 Jan. 1981</td>
</tr>
<tr>
<td>Holi</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Nag Panchami</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Raksha Bandhan</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Janmashtami</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Id</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Mahatma Gandhi Birthday</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Dashenra</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Deepawali</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

Contd..
Moharram 1 day
Kartik ashnan 1 day
Guru Nanak Birth Day 1 day

Sectional holidays for office and workshop only.

Basant Panchami 1 day
Mahasnav Ratri 1 day
Ram Navami 1 day
Idul Azha 1 day for Muslims only.
Chitragupta Pooja ½ day.

The above practice of notification of holidays holds true to all the sampled units.

Conclusion

The above analysis regarding holidays shows that the existing lack of uniformity is basically due to the present provisions under standing orders enforced by the mutual consent of the representatives of the workmen and employers, which makes it obligatory that the grant of leave will be decided according to the customs or practice of the mills. The uniformed pattern of leave may be achieved only after amending Standing Orders and the Factories Act.

Applicability of the U.P. Shops and Commercial Establishment Act.

The U.P. Shops and Commercial Establishment Act 1947
applies to those workmen, who do not come under the purview of Factories Act 1948, and such workmen get leave as admissible under the said Act.¹

Factory Operatives gate cane-clerks and Time-office (inside factory premises) come under the Orbit of Factories Act, whereas establishment clerks and time-office (outside factory premises) are governed by the U.P. Shops and Commercial Establishment Act 1947.

The workmen in sugar mills covered by the U.P. Shops and Commercial Establishment Act 1947, are entitled to 30 days leave with wages (privilege leave) during a year after one year's continuous service.

So far as sickness leave is concerned it shall be given in proportion to the length of service to those workmen who may have put in less than six months service.

Further, the following provisions are made in Standing Orders.

(1)² "If any factory was prior to Nov., 13, 1957, granting leave with wages in excess what is provided in the Shops and Commercial Establishment Act 1947, such leave shall continue to be granted to the workmen; so however, that it

². Ibid., Standing Orders Sec. G. sub-clause (ii).
shall first be adjusted towards the ordinary sickness and casual leave referred to in Sec. 13 of the said Act and the excess, if any, shall be counted and granted in the same form and manner as obtaining prior to Nov. 13, 1957 and if no specific form or manner was obtaining then as ordinary leave; and

(2) "The workmen employed as cooks, Malis, sweepers, Bhishtis, bearers or Mashalchis, exclusively posted at the Officer's Bungalows or Guest Houses of the sugar factories shall be given 30 day's consolidated leave in a year in lieu of sickness, privilege and casual leave and festival holiday."

"Provided that if any of the workmen of these categories were getting better facilities."

**Conclusion**

At present, the prevailing system of leave and holidays in the sugar factories of Eastern U.P. is quite satisfactory. All the factory managements are found to be functioning in accordance with the Standing Orders, and Factories Acts. However, the following observations deserve the attention of the authorities concerned:

(1) The Management should be given the discretionary power to grant leave to any employee in excess of the scale prescribed.

(2) So far as holidays are concerned, number of holidays thereof should not be increased at least at present. The number of holidays in sugar industry is quite sufficient from the viewpoint of relaxation for the workmen as compared with those allowed in other industries.

The foregoing review on working conditions and hours of work shows that by early fifties, a framework of legislation incorporating the main features of the 1946 Programme for Labour was on the ground to provide for their improvement. Moreover, a constant educative effort is essential to better social attitudes towards working conditions in the industries. "This concerns not merely the employer who provides a place of work, the worker who has to put in his productive effort therein, the union which guards the totality of the worker's interest, the inspectorate which has both advisory and policing functions in regard to statutory provisions in the humane aspect of industrial work in its broad connotation, and the judge who tries offences under the relevant legislation, but also the whole community."¹ The next Chapter is devoted to analyse a triangular problem, housing, which has close association with working conditions. None can deny the fact that the housing problem is central to efficiency and well-being of the Indian Working Class.