Chapter VI: Incentive Schemes and Productivity.

Section I: Industrial Efficiency.

Section II: Incentives and Bonus.

Section III: Administrative Principles.
Section I: **Industrial Efficiency**

One of the most important phases of labour administration in the tea industry is the efficiency of the employees. We discuss the subject by considering the absenteeism and turnover, vigour and skill, supervision and management, and comparative productivity.

**Absenteeism**

A great defect of the plantation labourers in Assam from the very early days is the irregularity in attendance. Both for absenteeism and labour turnover, full and reliable figures are not readily available and the collected mix figures also do not appear to have been based upon any standard definition of absenteeism. However, a study of the average daily working strength in Assam tea gardens based on available statistics as compared with the total number of workers on the books for several years shows that the regularity of attendance varied from 75 to 77 percent in the case of men, from 71 to 74 percent in the case of women, from 68 to 73 percent in the case of children, and from 72 to 74.5 percent in the case of all the workers taken together during the period from 1906 to 1928-29 as shown in the table overleaf. It is thus seen that from 24.5 to 28 percent of the workers, that is about one-quarter of the total, were generally absent from work. In other words, the employers had to maintain a corresponding number of persons in order to be able to meet the requirements for carrying out the work efficiently.
Table 61: Absenteeism on Assam Tea Gardens: 1906 to 1928-29.

<table>
<thead>
<tr>
<th>Year</th>
<th>Percentage of daily attendance</th>
<th>Percentage of absenteeism</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Men</td>
<td>Women</td>
</tr>
<tr>
<td>1906</td>
<td>76.5</td>
<td>71</td>
</tr>
<tr>
<td>1908</td>
<td>77.0</td>
<td>72</td>
</tr>
<tr>
<td>1914</td>
<td>75.0</td>
<td>72</td>
</tr>
<tr>
<td>1918</td>
<td>76.0</td>
<td>73</td>
</tr>
<tr>
<td>1919</td>
<td>76.0</td>
<td>71</td>
</tr>
<tr>
<td>1920</td>
<td>76.5</td>
<td>74.5</td>
</tr>
<tr>
<td>1921</td>
<td>77.5</td>
<td>75</td>
</tr>
<tr>
<td>1922</td>
<td>77.5</td>
<td>74</td>
</tr>
<tr>
<td>1928-29</td>
<td>76.0</td>
<td>73</td>
</tr>
</tbody>
</table>

Absenteeism is not so large for sickness or on leave holidays which account for only 9 to 10 percent but it is more for other reasons. The other reasons include intoxication, unwillingness to work, attending to his own cultivation and feeling of inadequacy of income. It would, therefore, be seen that 14 to 16 percent of the available working strength is wasted on preventable causes. However, we note that the absenteeism of the workers in the tea gardens of the state may not be altogether voluntary. In the first place, plantation is an agricultural industry and a large

1. Assam Labour Enquiry Committee Report 1921-22 pp 32 & 119
number of workers are not required in off seasons. Secondly, part of the income of tea garden workers was derived from cultivation of their own land and they have to remain absent from plantation work in order to attend to their own work. Finally, the heavy rains which are very common in Assam, and the prevailing diseases to which the workers are often subjected, also prevented them from regular attendance.

The Royal Commission on Labour had remarked that absenteeism is an important factor in the Assam Plantations. Although the I.T.A. stated before the Commission that absenteeism had increased since 1922, the Commission did not accept the contention but relied on the published figures which for the year 1929-30 showed an average attendance of 74.6 percent. In the 37 gardens in Assam selected by the Labour Investigation Committee for their enquiries the percentage of attendance was 73 in 1939 and 69 in 1944. The family budget enquiry conducted by the Central Labour Bureau in 1947 revealed that the percentage of attendance during 1946 was 78.32 for women and 74.11 for children. Percentage of absenteeism month by month during 1950 in selected gardens of Assam as recorded by the Central Labour Bureau is shown in the table overleaf.

3. Labour Investigation Committee Report pp. 98-102
Table 62: Employment and Absenteeism in Assam Gardens: 1955

<table>
<thead>
<tr>
<th>Month</th>
<th>Total Population</th>
<th>No of workers on books</th>
<th>Total</th>
<th>Average daily Employment</th>
<th>Percentage of Absenteeism</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Men</td>
<td>Women</td>
<td>Children</td>
<td>Men</td>
<td>Women</td>
</tr>
<tr>
<td>January</td>
<td>14807</td>
<td>12357</td>
<td>4342</td>
<td>59109</td>
<td>11699</td>
</tr>
<tr>
<td>February</td>
<td>14662</td>
<td>12259</td>
<td>4288</td>
<td>58801</td>
<td>12152</td>
</tr>
<tr>
<td>March</td>
<td>14752</td>
<td>12266</td>
<td>4186</td>
<td>59089</td>
<td>12105</td>
</tr>
<tr>
<td>April</td>
<td>14587</td>
<td>12234</td>
<td>4279</td>
<td>59294</td>
<td>12108</td>
</tr>
<tr>
<td>May</td>
<td>14712</td>
<td>12345</td>
<td>4252</td>
<td>59552</td>
<td>12116</td>
</tr>
<tr>
<td>June</td>
<td>14643</td>
<td>12349</td>
<td>4230</td>
<td>61031</td>
<td>12085</td>
</tr>
<tr>
<td>July</td>
<td>14833</td>
<td>12441</td>
<td>4249</td>
<td>59540</td>
<td>12028</td>
</tr>
<tr>
<td>August</td>
<td>14786</td>
<td>12426</td>
<td>4228</td>
<td>59670</td>
<td>11639</td>
</tr>
<tr>
<td>September</td>
<td>14761</td>
<td>12408</td>
<td>4261</td>
<td>59638</td>
<td>12293</td>
</tr>
<tr>
<td>October</td>
<td>14742</td>
<td>12405</td>
<td>4269</td>
<td>59704</td>
<td>12321</td>
</tr>
<tr>
<td>November</td>
<td>14648</td>
<td>10328</td>
<td>4305</td>
<td>59848</td>
<td>11905</td>
</tr>
<tr>
<td>December</td>
<td>14565</td>
<td>12149</td>
<td>4269</td>
<td>59972</td>
<td>11350</td>
</tr>
<tr>
<td>Annual</td>
<td>14708</td>
<td>12331</td>
<td>4262</td>
<td>59604</td>
<td>11983</td>
</tr>
</tbody>
</table>

(a) European owned estates (25 estates comprising 21,266 acres under tea)
(b) Indian owned estates (9 estates comprising 2,923 acres under tea)

5. Ibid pp 19-23 Table XI
It is seen from these tables that in the European owned tea estates the average number of workers on books is 1.47 per acre and the average daily employment 1.15 workers while in the Indian owned estates the average is only 1.08 and 0.82 workers per acre respectively. It is also seen that 47 percent of the total number of workers on books in the European owned estates are men, 39.4 percent women and 13.6 percent children. In the Indian owned estates the proportion of men, women and children is 46.1 percent, 39.7 percent and 14.2 percent. The proportion of men, women and children in the average daily working strength in European owned and Indian owned estates is 49.1, 37.1 and 13.8 and 49.0, 37.6 and 13.4 respectively. On an average, absenteeism is also found to be more in Indian owned than in the European owned estates being respectively 23.9 and 21.7 percent.  

National Commission on Labour :- The study group of the N.C.L. also found no reliable and up-to-date statistics on absenteeism. The factors of absenteeism mentioned earlier are found to be largely responsible at present also but some of these causes are no longer operative with the same force. Malaria and other epidemic diseases having been completely eradicated from plantations and with the improved standard of sanitary and medical facilities provided, the health of plantation worker is far better than that of workers in many other industries including agriculture. The climate in plantation area, if anything, is found healthy and salubrious. The diet is not inferior to any available to people of the same income level in the country and in the majority of cases it is better as they cultivate their own vegetables, fruits and grains.

6. Ibid p. 20
7. Report of the Study Group for Plantations (Tea) p. 18
and keep their own livestock. Therefore, the absence due to such old causes are ruled out by the N.C.L. However, it is found that the normal absenteeism due to natural sickness, maternity, festival, annual leave, tends to be higher in tea plantations because of the nature of the work which is mostly carried on open doors and the family basis of employment. Other causes of absenteeism such as private work of cultivation, social and family obligations, indifferent health resulting from the enervating influence of climate, addiction to intoxicating drinks etc. have been noted. The nature of these causes indicates that there is considerable scope for reduction of absenteeism among labourers with some change in habits and outlook on life.

The Present attitude: Employers now take more serious notice of absenteeism than they used to do before. With a reduced labour force, sometimes it may occasion dislocation of normal garden work, especially during plucking which is also the season for cultivation in many areas. In some places, special leave for household cultivation is granted, enabling employers to plan their work ahead.

On an analysis of the available statistics it appears that a high rate of labour absenteeism used to be a marked feature of tea plantations till the forties. Although there is still some degree of avoidable absenteeism, the position has greatly improved. The figures given in the table overleaf are revealing in this respect.
### Table 63: Percentage of Absenteeism in Tea Industry:

<table>
<thead>
<tr>
<th>Year</th>
<th>Assam</th>
<th>Darjeeling</th>
<th>North East India</th>
</tr>
</thead>
<tbody>
<tr>
<td>1959</td>
<td>20.24</td>
<td>11.90</td>
<td>-</td>
</tr>
<tr>
<td>1960</td>
<td>19.11</td>
<td>7.98</td>
<td>-</td>
</tr>
<tr>
<td>1961</td>
<td>14.06</td>
<td>9.11</td>
<td>-</td>
</tr>
<tr>
<td>1962</td>
<td>9.28</td>
<td>9.24</td>
<td>-</td>
</tr>
<tr>
<td>1963</td>
<td>7.63</td>
<td>8.11</td>
<td>-</td>
</tr>
<tr>
<td>1964</td>
<td>7.45</td>
<td>8.00</td>
<td>24.80</td>
</tr>
<tr>
<td>1965</td>
<td>8.30</td>
<td>7.50</td>
<td>16.20</td>
</tr>
<tr>
<td>1966</td>
<td>8.00</td>
<td>9.10</td>
<td>17.20</td>
</tr>
</tbody>
</table>

It appears that the concept of absenteeism underlying these figures differs. In present days absenteeism has declined considerably as a result of stricter supervision and also because of the growing realisation on the part of the labour of the importance of cash earnings and their improved outlook on work. In spite of such realisations, good working conditions and stricter supervision the workers absent themselves as will be seen from the table below which exhibits the actual position in a well-managed garden in the Darrang district covering a planted area of 797 acres (322.58 Hectares.)

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We notice that generally a quarter of the labour force remain absent and this casual absence is indicative of a traditionally rural approach to work. While intense activities are apparent during the peak months, when absenteeism is small, during the slack seasons attendance at work is fitful. Part of the rural attitude to work is, however, to be expected, particularly in an enterprise like tea plantations which happen to be not quite remote from rural agriculture.

The absenteeism in the case of women workers is generally high because of the household duties which she has to perform as a mother. Besides women workers get long periods of maternity leave and thus can remain absent with pay for a longer period of time than their male counterparts.

9. The writer is grateful to Sri V.K. Nanda of Gingia T.E. for supplying the particulars used in this table.
By remaining absent from work the workers generally lose, on an average, 20 percent of their earnings but not all the incidental benefits like medical facilities, housing, maternity benefits, and several other concessions, statutory or otherwise. A behavioral study may reveal the causes of such absenteeism but the impression that absenteeism is due to the fact that workers earn in four days what they need for seven days and tend to take life easy for the remaining days may not be readily accepted by sociologists.

Attitude to work is an important factor. There is the case story of a group of German workers who went on strike and the management waited knowing well that the workers just cannot bear to sit without doing anything. They quietly returned to work because in a choice between boredom and failure of their demands, they chose the latter. There may be physiological causes as well as cultural ones but the loss arising from so high a rate of absence both for the workers and for the industry should be reduced.

Of the total labour force of about 4 lakhs workers in the industry, an absence rate of 20 percent works out at a loss of 24.3 million man days, much more than any strike is likely to cause. There is lack of adequate attention to this because the industry has lived with it so long and the incidence is not dramatic like work stoppage. But it is more insidious in its effects on the economy. There is need for a study of the cause of absenteeism. Once they are determined it becomes easier to undertake counter measures. A reduction of absenteeism by 50 percent would represent an automatic increase in workers’ earnings by 10 percent and total industrial output would rise correspondingly.
But it is observed that all the workers do not tend to absent themselves from work as often as others do. It is necessary to study the motivation for regular attendance by some and for absence by others. If absence from work is greater in certain periods of the year and smaller in other seasons, the reasons must be found out. This requires investigation.

Labour Turnover: Next to absenteeism, labour turnover, or the number of labourers who are discharged every year in comparison with the annual labour strength, is an important obstacle to the achievement of efficiency. The number of labourers annually discharged including transfers and deaths, amounted as high as 1,92,541 in 1920-21, as compared with the total labour force of 19,60,948, giving the labour turnover of 10 percent as shown in the table below. The labour turnover in 1928-29 amounted only to 11 percent as compared with 14 percent in 1902-03.

Table 65: Labour Turnover in Assam gardens: 1902-1929
(at specified periods)

<table>
<thead>
<tr>
<th>Year</th>
<th>Average strength</th>
<th>Annual discharge (including transfers and deaths)</th>
<th>Percentage of turnover</th>
</tr>
</thead>
<tbody>
<tr>
<td>1902-03</td>
<td>5,47,870</td>
<td>76,934</td>
<td>14</td>
</tr>
<tr>
<td>1910-11</td>
<td>7,36,955</td>
<td>86,817</td>
<td>12</td>
</tr>
<tr>
<td>1920-21</td>
<td>10,60,948</td>
<td>1,925,541</td>
<td>18</td>
</tr>
<tr>
<td>1928-29</td>
<td>10,46,441</td>
<td>1,16,632</td>
<td>11</td>
</tr>
</tbody>
</table>

In proportion to the working strength, as against the total labour population, labour turnover is traditionally high. In 1928-29,

10. Compiled and adapted from Assam Labour Reports for respective years.
for instance, the total number of labourers on books was 5,77,943 and the number of those whose names were struck off the role was to 1,16,632 giving a turnover of 20 percent.

In comparison to other industries, the labour turnover on plantations, however, had not been very high. The reason for this was the fact that these labourers were generally appointed permanently to live on plantations or in its vicinity. In spite of such precautionary measures turnover used to be a problem in tea plantations necessitating permanent arrangements for fresh recruitment either locally or from outside. The pressure of unemployment and the natural growth of the resident labour force have both operated to reduce turnover to a minimum. The position in respect of 25 sampled gardens in specified years is as follows:

Table 66: Labour Turnover in Assam Tea Gardens 1960–1974
(in sampled gardens)

<table>
<thead>
<tr>
<th>Year</th>
<th>Total strength per book</th>
<th>Annual discharge (including transfer and deaths)</th>
<th>Percentage of turnover</th>
</tr>
</thead>
<tbody>
<tr>
<td>1960</td>
<td>20,725</td>
<td>2,450</td>
<td>11.8</td>
</tr>
<tr>
<td>1965</td>
<td>19,756</td>
<td>2,278</td>
<td>12.0</td>
</tr>
<tr>
<td>1970</td>
<td>19,887</td>
<td>2,165</td>
<td>10.8</td>
</tr>
<tr>
<td>1974</td>
<td>19,884</td>
<td>1,986</td>
<td>9.1</td>
</tr>
</tbody>
</table>

The need for fresh recruitment arising out of natural wastage through death and superannuation or old age are now met without much difficulty. As no previous training or experience is generally

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11. Compiled from statistics collected from 25 sampled gardens. The writer is specially grateful to the Managers of Hoograjuli, Belisiri, Tulip, Gingia and Mon Mohinipur T.Es. in Darrang district for helping him in collecting the particulars for compiling this statistical table.
called for employers can meet their normal requirements locally; and may even find it to their advantage to recruit casual or temporary workers either directly or through contractors, to meet seasonal needs. Such labour, on the whole, proves to be less costly though less dependable. It is worth noting that there is no fixed age of retirement for labour. How far this practice is socially desirable is questionable. Until the year 1955 there were no formal retirement benefits for labour and ordinarily one would not retire voluntarily until sheer physical incapacity forced him to do so. Now that they are in receipt of P.F., Pension and Gratuity benefits, there should be no difficulty in introducing retirement age provided their own relations are given preference in filling up the resulting vacancies arising out of such retirement. However, after the introduction of the Social Security schemes, which will be described later, it is observed that there is a tendency in many gardens to induce young and capable workers to leave their job. This tendency simply helps in the reduction of labour force since generally no new labourers are taken in their place. This is an unhealthy tendency which does not benefit the worker. It is, therefore, desirable to fix up the age of retirement so that a person in regular employment is not compelled to leave his job prematurely. Forcible retirement affects efficiency and creates unemployment.

12. Report of the Study Group for Plantations (Tea) p. 18
The turnover rate in the case of staff members is low in tea industry. The particulars collected from the 25 gardens sampled for the purpose is as follows:


<table>
<thead>
<tr>
<th>Year</th>
<th>Total strength per boom</th>
<th>Annual discharge (including transfers and deaths)</th>
<th>Percentage of turnover</th>
</tr>
</thead>
<tbody>
<tr>
<td>1960</td>
<td>1,085</td>
<td>102</td>
<td>9.4</td>
</tr>
<tr>
<td>1965</td>
<td>1,082</td>
<td>98</td>
<td>9.0</td>
</tr>
<tr>
<td>1970</td>
<td>993</td>
<td>89</td>
<td>8.0</td>
</tr>
<tr>
<td>1974</td>
<td>1,052</td>
<td>97</td>
<td>9.2</td>
</tr>
</tbody>
</table>

The position in the case of the Executive personnel is less mobile except that in most of the Indian managed gardens the Management cadre personnel migrate from garden in search of better benefits to the great detriment of the industry as a whole.

Vigour and Skill :- While attendance and steadiness are preliminary conditions, the efficiency of labour depends mostly upon vigour and skill. In the earlier days of the industry the efficiency of the labourers on plantations was greatly diminished by the frequent outbreak of epidemics and the presence of other diseases, especially anaemia. The average labourer without sufficient vigour could not be expected to do a day's work, and the cultivation of gardens suffered and additional labour force had to be imported. With better medical facilities and other amenities, the condition has greatly improved at present.

13. The writer is grateful to the respective garden managers for allowing him to scrutinise their records for compiling these figures. The figures include the monthly rated Sardars and Chowkidars employed in the gardens.
Still greater is the problem of skill. Practically all workers on plantations, till now, are illiterate and untrained. Plantation workers were generally drawn from agricultural labourers, casual workers and peasants and artisans who, as a rule, not only illiterate but also untrained, Plantations did not give them any training. The labourers, as a class, therefore, remained unskilled. It has been estimated that not more than 2 percent of the workers were skilful in the broad sense of the term.\(^14\)

The adoption of improved cultural practices, the introduction of selective breeds of plants, more effective pesticides and fertilisers, the regular infilling of vacancies and improved timing of operations have all gone a long way to raise the crop yield per acre per bush. The Research Stations have greatly contributed to this development. In fact, among the agricultural commodities, the tea industry's achievements in the field of productivity have been remarkable. The quality of the tea produced depends also on other factors involving organisation of work in the factory, improved lay-out and design, and techniques of manufacture. To this end, older factories and machineries and the over-aged tea bushes are replaced within the financial means of the employers. In a number of regions, the introduction of overhead irrigation has gone a long way in solving the problems created by drought. The workers and staff members also need skill for handling these matters.

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\(^{14}\) Census of India, 1921 Report I, p.268.
Productivity drives need not necessarily involve intensification of labour. The same input of labour may yield better results quantitatively and qualitatively, by proper direction, organisation and co-operation. There is still room for co-ordinated efforts to increase productivity by methods which do not lead to displacement of workers.

The existing task and work loads are evolved by custom and usage and there is a misunderstanding that there is strong resistance by workers and their unions to change the customary tasks even though such changes achieved by reorganising work methods may not result in an increased work-load. In fact the workers' representatives are not opposed to reasonable changes provided the industry safeguards the interest of the workers through mutual understanding and confidence. There is an urgent need for fixing the objective norms for a fair day's work, with a view to utilising the man power resources more effectively. The outlook of both employers and workmen and the basis of their mutual relationship apparently stand in the way of productivity. There is an apprehension that productivity is another name for rationalisation and automation whose net result is greater unemployment.

Productivity through efficient personal administration:—Thus we note that one of the best indications of industrial efficiency is increasing productivity. Productivity is, however, the result of

15. Memorandum submitted by the Employees' Unions to the N.C.L. Study Group p 22 (Foot note on Chapter 11)

several factors, namely, land, labour and capital; and a comprehensive study of efficiency must take into consideration the part played by each of them. Other factors being equal, the increasing productivity is the direct result of efficient administration of the personnel. As most of the ills of the industry may be overcome by increased production and improved quality of its products, we have to put more emphasis on the personnel aspect of the problem. The basic concept of respect for all kinds of work and arising therefrom respect for all who work is a very important factor leading to higher productivity. The Employers in the industry should try to generate this mutual respect among their employees both high and low. Productivity and efficiency are the results of the human stimulus and there cannot be a better tool for productivity than the enlightened, disciplined and willing workers. In the matter of production, it is necessary that the organisation may so function that there may be intelligent co-operation and collaboration between the workers and the management without sacrificing discipline. A more scientific system may be evolved after certain steps are taken. Some of these are, First, the working environments and work aids are to be standardised and the productivity changes resulting from any variation thereof should be assessed. Second, the standard of performance of a worker of average diligence in each category should be ascertained. So also the maximum limit reached by such a worker under the stimulus of an incentive without any deleterious effect on health and efficiency should be determined.

Third, the relative value of performance by different classes of workers should be decided in advance. Fourth, the method of assessing the performance, both qualitatively and quantitatively should be determined in advance. Fifth, standard methods of job-costing and quality control should be introduced. Sixth, both the parties should agree on the basis of payment before the system is introduced.

An essential pre-requisite for the introduction of incentive schemes is that the employers and the workers should formulate a simple incentive system at the unit level and implement it on some agreed basis through collective bargaining. In every case, introduction of incentive schemes should be preceded by an agreement with trade unions and the workers should invariably be associated in assessing the quality of the output.

What is indeed directly needed today is higher productivity. Higher productivity is neither larger production nor does it hang on harder or more peaceful labour. It hangs on more fruitful labour and a more efficient use of capital and other resources. The essence of higher productivity lies in more output per man-hour. There is a large technological and administrative gap to account for low productivity in the industry. It is only when a high productivity is achieved that there will be larger and real income for labour and larger availability of goods and service to the nation at large. And only when the disparity in the real income of labour disappears, then the current discontent on the labour front on the score of rising trend of prices may be satisfied.

Larger availability of goods and services as would accrue from higher productivity would also improve the standard of living of the workers. It is in this way alone that the western nations have raised the standard of living of their people. Lenin indeed told the truth when he said 'that the productivity of labour is, in the final analysis, the most important, the main tool for the victory of the new order'.

Section II: Incentives and Bonus

Incentive system in the industrially advanced countries date back to the introduction of scientific management in the closing years of the 19th century. Since then numerous schemes have been evolved, a wide variety of them are now in force in different parts of the world. Besides regular wages, bonus and concession were common in almost all plantation industries. These terms were used to mean any payment over and above the stipulated rates of wages. But while the former usually implied consideration of some special service or condition, the latter meant payment without such consideration. Moreover, bonus and concession had some element of gratuities and was often called so. There existed various kinds of bonuses on Assam gardens, but the bonus on profits, though granted to the managers and other members of the staff, was never granted to the labourers. In the opinion of planters, such bonus was difficult to operate on plantations, as the withdrawal or reduction of it in bad years was liable to be misunderstood by labourers.

19. Leading article in the Hindusthan Standard 20.12.1973 entitled 'Labour Minister's Hazy notion about productivity.'
The term 'bonus' was, however, frequently used in the case of advances made to the labourers working under Act XIII of 1859. The labourers were held responsible for these advances, which were meant to be taken out by the planters from the wages falling due to the labour. But as a matter of fact, these advances were scarcely recovered, and they actually became bonuses.

The number of tea garden workers in Assam working under Act of 1859 was 1,90,022 in the Assam Valley alone in 1921-22, and the total sum of advances amounted to Rs.17 lakhs. On the proposition of abolishing Act XIII of 1859, the number of such contracts began to decline, and in 1925-26, the were 1,17,979 such contracts and the total amount of bonuses advanced to the labourers amounted to Rs.11.7 lakhs.

Thus, until very recent times, in the tea gardens of Assam there was no system of payment of bonus to labourers. In certain regions of Cachar there was a custom of paying a fixed sum of bonus on the occasion of the Durga Puza festival. Profit bonus on individual garden and company basis was paid to salaried staff. However, in these cases as well, bonus was regarded as an ex-gratia payment made by the employer to his workers to provide stimulus for extra effort by them in the production process; on occasions it also represented the desire of the employer to share with his workers the surplus generated by common endeavour and enterprise. From this limited connotation of the word, we have travelled a long way to reach the stage of enactment of the Payment of Bonus Act, 1965, which made annual payment of bonus obligatory on the

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Bonus in retrospect

Payment of bonus, in the proper sense of the term, started during the First World War. Bonus was first paid at the end of the First World War following a series of strikes consequent upon the rise in prices and profits earned by industry. It was, however, treated as a gift ex-gratia by the employers. After the war, the Royal Commission observed that the worker was not getting a fair share of the result of the profits and he might not be able to secure justice on this score till the workers' organisations remained weak. The question was also referred to the Bonus Disputes Committee (B.D.C.) presided over by the Chief Justice of the Bombay High Court which held bonus to be ex-gratia payment and unjustified in the then condition of the industry.

During the Second World War, bonus came to be regarded as a payment made to the workers out of the extra-ordinary profits earned during the War. The widespread unrest among the workers during the Second World War, due to rising prices, led many employers to pay bonus. The Indian Labour Conference, 1943, after a discussion on profit sharing bonus concluded that the question of bonus should be treated separately from that of D.A. and that primarily it was a question to be settled by the employers in consultation with the employees.

Thus though several employers paid bonus voluntarily, the claim for bonus was still not a legal right, but was accepted chiefly on the grounds of broad principles of justice, equity and good conscience with a view to keeping the workers contented. This position continued until the Bombay High Court laid down that payment of bonus could be demanded by the workers as a right, that is to say, a payment which should be made by the employer as extra remuneration for work done by the employees under a contract, express or implied.28

On the recommendation of the Indian Labour Conference held in April 1948, the Government of India appointed a Committee on Profit sharing which did not find it possible to devise a system in which the labourers' share of profits could be determined on a sliding scale correlating it to productions.29 The Committee, in fact, observed that 'an experiment in profit sharing on a wide scale would, therefore, definitely be undertaking a voyage on unchartered seas'.30 The Committee, however, recommended that profit sharing on an experimental basis might be tried in Cotton Textiles, Jute, Steel (main products), Cement, Tyre manufacturing and Cigarettes manufacturing industries. In the tea industry profit sharing continued in the form of periodic bonuses either voluntary or as awarded by industrial courts and tribunals. No uniform or clear-cut basis was, however, discernible in these awards. In the meantime, the short-lived Labour Appellate Tribunal (LAT), in its award on the dispute in the textile industry at Bombay, laid down

28. Indian Hume pipe Co v E. M. Nanavutty (48 Bom LR 551)
30. Ibid.
the main principles involved in the grant of bonus to workers and observed as under: \(^{31}\)

"It (bonus) cannot any longer be regarded as an ex-gratia payment for it has been recognised that a claim for bonus, if resisted, gives rise to an industrial dispute which has to be settled by a duly constituted Industrial Court or Tribunal."

In another case the necessity of determining the bonus issue on sound economic principles was re-iterated. \(^{32}\) The formula of bonus enunciated by LAT was followed all over the country by Industrial Tribunals in awarding bonus. The principle was also upheld by the Supreme Court in 1959. \(^{33}\)

Demands in Tea Industry: The tea workers of Dooars demanded sixty days' wages of 1953 as the bonus for 1954 and in August 1954 the West Bengal Chah Sramik Union threatened industrial strike if the workers' demands were not fulfilled immediately. These demands were found unacceptable to the employers for the following reasons: \(^{34}\)

First, while it was true that the industry had experienced a profitable year in 1954, tea as essentially an agricultural enterprise dependent upon variable world demand, was one peculiarly unsuited for the payment of bonus.

Second, the beginning of 1955 had witnessed a most serious decline in prices of tea in the London auctions and that the prospects for the 1955 season were not favourable.


32. Metal Box Company of India Ltd. Vs Their Workmen (1952) I LLJ p. 822


Third, the profits made in 1954, were required in the first place to make good the very considerable losses suffered in 1952 and earlier and in the second place to meet the heavy liabilities which were imposed upon the industry under the P.L. Act, the A.T.P. P.F. Scheme and the considerable increases in taxation both Central and State.

Finally, it was argued that experience of previous wage increases indicated clearly that labour did not derive any real benefit from large cash payments because these, in the absence of an abundant supply of goods attractive to labour, merely exercised a strong inflationary pressure or were devoted to the purchase of liquor which was already a serious problem in the tea areas.

The arguments of the employers were not accepted by the Government and considered flimsy by the workers designed to deprive them of their share in the profit earned. The Industry's offer to pay a bonus on a basis of area prosperity for 1954 and subsequent years was also not acceptable to the workers. Sri Khandubhai Desai, Labour Minister of the Government of India also appeared unwilling to face the long delay of a Tribunal. It was in fact quite clear that, in spite of the above arguments against the payment of bonus, the tea industry in N.E. India had no choice but to pay and the general trends of the Tribunal rulings made it clear that, if the question went to adjudication, the losses before 1954 would not be relevant and that the large profits for that year would certainly lead to a substantial award in favour of labour.

Thus the employers' offer to pay bonus was motivated by the exigencies of the situation prevailing at that time and this...
of attitude created sufficient ill-will in the Employer-Employee relations and before further deterioration of the situation it was considered expedient to compel the industry to pay bonus to its workers.

**Meflfrn Committee Report** :- The Government appointed a Committee under the Chairmanship of an I.C.S. Officer, P.N. Meiron, to decide a guideline for payment of bonus to the tea workers of the country. The Committee recommended that in the Assam Valley an adult worker who had completed the prescribed number of days would, in respect of bonus claims for 1953 and 1954, receive Rs. 130. Smaller sums were fixed for small gardens.

Thus, an industry-wise agreement for bonus payment in respect of the N.E. India tea plantations was reached through the intervention of the Central Government in 1955 for the years 1953 to 1956 and a number of companies were seriously embarrassed by this new liability. A condition of the agreement had been that the final 1/3rd payment should take the form of Saving Certificates. The Union accepted but the workers objected. In Assam, however, it was agreed that the final instalment of bonus for 1954 should take the form of an additional contribution to the P.F., which was introduced in 1955, in respect of those workers who were members of the Fund. In regard to others it should be made in the form of Savings Certificates. A similar arrangement was agreed for the years 1955 and 1956.

**Bonus Sub-Committee** :- For the period after 1956, it was necessary to conclude a new agreement and the Government of India appointed a Bonus Sub-Committee under the Chairmanship of the
Regional Labour Commissioner, Different labour unions in the country took the opportunity to put forward new claims. They demanded a minimum bonus irrespective of profits and at another stage they claimed that the profits of all companies should be pooled so that a standard bonus could be paid. These suggestions were not acceptable to the employers. Later on, employers decided that in the interest of good labour relations it would be wise to make an interim payment which would be adjusted against the bonus to be finally fixed.

Prolonged discussion in the Committee did not lead to any agreement and the Central Labour Minister, G.L. Nanda, stated that in the absence of any other settlement the Delhi agreement governing the payment of bonus for the years 1953-56 would have to continue. By this time it was clear that the profits of many companies were so poor that no bonus would be payable under the previous agreement.

The union representatives realised this and agreed to a basic bonus which was the average of the bonuses paid in the previous four years. The standard bonus in each company for the year was thus to be determined by application of the formula:

\[
\text{Profit of the Company for the bonus year} \times \frac{\text{Basic bonus for previous three years}}{\text{Average profit of the Company for the area}}
\]

A worker who had worked the prescribed number of days was to be entitled to the full standard bonus, while others would receive proportionately and the minors were to receive half of the adult share. A special provision was made for the estates of less than 300 acres. They would only be required to pay half the amounts payable by other estates. One third of the excess of Rs. 40 was to be invested in N.S. Certificates through P.F. or directly, in the case of the non members of the P.F. Scheme.
A new system was introduced in Assam including the Cachar Valley in 1959 where each company allotted 12 percent of its profits for distribution to workmen who were qualified to get bonus. It was stipulated that profits would be calculated after the deduction of depreciation and all charges allowed by the Income tax authorities. Other Companies agreed to pay advances of Rs.10 per worker. In this way the employers were able to maintain the principle of no profit no bonus while the workers' demand for some cash payments every year was met.

**The Bonus Commission and Bonus Act:** The bonus issue was discussed by the S.L.C. in 1960 and on its recommendations a Bonus Commission was appointed to go into the question of profit bonus.

An ordinance for regulating payment of bonus on the basis of recommendations of the Commission was issued in May, 1965. It was replaced by the Payment of Bonus Act, 1965. Until the passing of the Act the principle underlying the payment of bonus was that both labour and capital contributed to the earnings of the industry and so it was only fair that labour should derive some benefit if a surplus was available for that purpose. This principle was modified. The payment of Bonus Act laid down that a minimum bonus irrespective of profits should be paid to daily rated workers, monthly paid staff as well as to executive staff drawing a monthly salary up to and including Rs.1600. An employee is disqualified from receiving bonus under the Act if he is dismissed from service for fraud or riotous or violent behaviour while on the premises of the establishment; of theft, misappropriation or sabotage of any property of the establishment.

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Thus bonus, which was originally a voluntary payment, became a statutory obligation under the payment of Bonus Act, 1965. The Act was amended in March 1969 for increasing the amount of bonus.

**Enhancement of the Minimum Rates** :- The payment of Bonus Act, 1965, provided for the payment of minimum bonus at 4 percent of his wages and ever since its enactment there has been a move to enhance the minimum bonus from 4 percent of the salary or wages. In 1973 it was increased to 8.33 percent of the total emoluments. Besides increasing the rates the following important provisions were made in the Bonus rules:

- **First**, in the case of the tea estate workers annual earnings will include basic wage and D.A., leaf price earnings, ticca payments (whether work is carried out on contract basis or not), maternity benefit payments, wages for leave availed of under the P.L. Act and sickness allowance payments. All other allowances, such as Overtime, servant allowance, personal allowance given in lieu of servant allowance, production or incentive bonus, Tour Allowance, Cycle Allowance, Commission and Bonuses must be excluded.

- **Second**, company agreements covering the payments of bonus to the Clerical and Medical staff etc were suspended by the Payment of Bonus Act and payment of bonus to such employees is now to be made in accordance with the provisions of the Act alone.

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36. In the Jalan Trading Company Case the Supreme Court has held that the provision for the payment of a minimum bonus is not violative of Article 14 of the Constitution (which guarantees equality before law) or of Article 31 (1) (which guarantees the right against the deprivation of property otherwise than by authority of law), Supreme Court (1966) 2 LLJ p. 546.

Third, unclaimed bonus should be held in deposit for three years from the date on which payment became due. After three years the tea estates in the Assam Valley and Cachar should pay the unclaimed amount into the Assam Tea Employees’ Welfare Fund.

Fourth, the Amended Act also provided that if the surplus is such that the rate of bonus declared for 1972 is more than the rate declared for 1971 then the amount represented by the difference in rates will not be paid in cash but deposited in the P.F. Account of the employee. There should, however, be uniformity in the proportion of bonus to be paid in cash and/or to be deposited in the P.F. Account in respect of the old employees and the new employees i.e. the employees who have joined service in the accounting year 1972.

I.T.A. Directives - Besides pointing out the above salient points of the Bonus Act in its applicability to the estates of Assam the I.T.A. also specified the ways in which the bonus has to be calculated and paid in the tea gardens. In Cachar, payment of Bonus was agreed to be made before the Durga Puja in accordance with the agreements reached with the unions in the years 1968 and 1969 respectively.

After finding out the available surplus the amount to be allocated for bonus has to be determined as follows.

In the case of Indian Companies - 60 percent of the available surplus.

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It is noteworthy that these directives were circulated even while the Payment of Bonus (Amendment) Bill was pending in the Rajya Sabha and was expected to receive the assent of the President of India. This shows the willingness of the employers to pay bonus to their workers in spite of differences of opinion in many other points.
In the case of Foreign Companies - 67 percent of the available surplus.

The next point to be determined is what would be the minimum bonus. To calculate the minimum bonus it is necessary to calculate the amount due by the following formula:

\[
\text{No of days worked} \times \text{Rs.}\, 80 (\text{Rs.}\, 50 \text{ for a working child under 15}) \\
\text{No of working days}
\]

or

\[
8\frac{1}{3} \text{ percent of his year's earnings, whichever is more.}
\]

If any company is financially incapable of paying such a sum, applications may be made to the State Government, for exemption under Section 36 of the Act. In support of the application, the Company should submit the following documents in addition to the computations of 'gross profits', 'available surplus' and the net surplus to be allocated:

(i) Audited Balance sheet and Profit & Loss Account for the year

(ii) in the case of continuous loss ranging over several years, the audited Balance Sheets and Profit and Loss Accounts of these years.

Overview: As a measure of progressive labour legislation, the Payment of Bonus Act 1965, though intended to generate goodwill

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39. A 'day worked' is a day on which the worker attended for work whether he earned the minimum wage or not, and includes also days on which a worker was laid off, was on earned leave with wages, was absent due to temporary disablement arising out of his employment, was on maternity leave, or was on sick leave with allowances or wages.
between labour and management, has largely failed to do so at least in tea industry and since its enactment not less than 10 percent of industrial strikes have had their origin in the issue of bonus. The Bonus Commission which introduced the concept of minimum bonus had failed to fulfil one of its fundamental terms of reference viz to define the concept and connotation of the term 'bonus'. It is largely felt among the employers that it was an anachronism that bonus as an instrument primarily for profit sharing should have a statutory minimum. It is argued that although the workers' right to improvements in their living standards cannot be disregarded, payment for these increases will have to be linked with the increases in the prosperity of the industry they serve. It is feared that if this vital economic realism is overlooked for any reasons, it will only lead to reversal of the pace of industrial development in the country at large.

While such controversies have cropped up, a decision was taken in October, 1971 to increase the rate of minimum bonus as noted above. This decision was considered by the employers to have been essentially politically motivated as at no stage was a valid explanation given for raising the rate except a complaint that in many cases the rates above 4 percent had dwindled down to 4 percent through reduction in distribution in distributable profits. The employers' objections rested on the following arguments:

40. The Planters' Chronicle May 15, 1972 p. 225
41. Ibid p. 226
42. Speech of Mr. R.K. Khadilkar, Union Minister of Labour, at the National Labour Conference held in October, 1971.
First, this increase overlooked the reality that though percentages might have been dwindled, the actual quantum of money which the workers received as bonus was much more than what they received in the previous years, as a result in the increases in D.A., which constitutes a substantial part of pay packet, through point to point adjustment for the increases in the cost of living index. It is further argued that if the workers feel that their real wages had fallen with the increases in the cost of living then clearly enough, it was a case for determining the wage revision and not for amendment of the Bonus Act.

Second, in a labour intensive industry such as tea, the steep rise in labour wages and expenditure on labour welfare had resulted in the decline of its profitability. The agreement that was reached in 1969 had cost the industry Rs. 6.43 crores. This was followed by another agreement in 1970 covering a period of four years from 1970 to 1973, the aggregate cost of which was 18 crores.44 The Gratuity Act of 1972 was also to cost the industry a great sum of money every year.

Third, the employers' views were that while the cost of production has thus been increasing steadily as a result of the constant endeavour of the Government to introduce welfare measures, the Government had also been regularly imposing fiscal burdens on the industry by way of increases in taxes and duties. The Finance Bill of 1970 imposed, for example, an additional Excise duty of

44. Ibid October 1, 1971.
about 25 paise per Kg.\textsuperscript{45}

Fourth, the employers further argued that the workers in the tea industry were already entitled to a large number of fringe benefits which to a very great extent cushioned the impact of the rise in the cost of living. As regards the average earnings of the tea workers in Assam amounting to a little over Rs. 3 per day, the value of fringe benefits came to nearly Rs. 2 per day per worker making their effective wages some 70 percent higher.

Fifth, the quantum of bonus has been increasing with the Consumer Price Index (C.P.I.) in the light of these circumstances; any proposal for increasing bonus is most ill-advised.

Lastly, a minimum bonus payable by units which have negligible or no profits, is not at all justifiable.

The employers say that a bold policy based on sound economic principles is necessary rather than nearly endeavouring to appease labour at the altar of the long-term economic well-being of the Nation.\textsuperscript{46} The Employees, on the other hand, were always demanding more from the industry and were urging upon the Government to modify the rates of bonus payable to them.

\textbf{Bonus Review Committee (B.R.C.)} := It was under such circumstances, a Committee was appointed on 28 April 1972 under the

\textsuperscript{45} According to a Study conducted by the R.B.I. also, the low profitability of the industry is due to the steep rise in labour wages and expenditure on labour welfare as well as to the rise in taxes and duties. Continued low profitability over the years led to gradual dwindling of the flow of finance to the tea industry which, therefore, found itself in the most unenviable position of not being able to undertake developmental work of the required magnitude for paving way for its future prosperity.

\textsuperscript{46} The Planters Chronicle October 1, 1971 p. 446.
Chairmanship of Dr. B.K. Madan, a former Deputy Governor of the Reserve Bank of India to review the operation of the Bonus Act, 1965 and to suggest suitable modifications in the existing schemes. Most important term of reference of this Committee was whether the entire bonus payment should be related in some way to production and productivity.

The B.R.C. stressed the need for postponment for some time any 'significant direct increases' in the workers' remunerations, including bonus, above a certain level. Thus the final report of the B.R.C. signed on 27 September, 1974 recommended a 'status quo' in regard to the minimum bonus of 8.33 percent and recommended that the maximum bonus be raised from 20 to 25 percent.

The changes recommended by the Committee related to extending the benefit of bonus to those drawing up to Rs. 2000 p.m. as against Rs. 1600 p.m. hitherto. The majority report also recommended deletion of Section 34(3) of the Bonus Act which provided for a contingency of higher bonus through collective bargaining.

Bonus Board: The Bonus Review Committee has suggested that Bonus Boards be set up at the National and State levels for settling...
recurring bonus disputes 'promptly, fairly and firmly' pending the institution of the proposed Industrial Relations Commission. The Board might consist of one representative each of the employing and labour interests and an independent person preferably a sitting judge of High Courts, as its chairman.

The Independent member will select two members of the Board representing employee and employer interest from the panel of names of labour and management experts, furnished by the respective interests and prepared and maintained by the Chief Justice of the High Courts for the States and Chief Justice of the Supreme Court for the National Board. The decision of the Board shall be final and binding on all the workmen employed in the establishment and the management. The Board should be required to give its decision within three months of the date on which the reference is made to it. It shall have the powers of enforcing its awards.

Payment of Bonus (Amendment) Act, 1976: Under the payment of Bonus (Amendment) Act, 1976, the payment has been related to profit, production and allocable surplus and the minimum has again been brought down to 4 percent. Thus the workers stand to lose in bonus, first, in reducing the minimum from 8.33 percent to 4 percent and then by abolishing the minimum. Further, under Emergency, labour has eschewed strike, and, therefore, its bargaining power is low. Since this incapacity is brought about by Government policy and since raising of wages and prevention of exploitation of labour for profit

is the positive policy of the Government under socialistic principles, immediate intervention on the matter is imperative.\textsuperscript{50}

We suggest that the Plantation Industry in the country should have the service of an Independent Bonus Board with its state units to decide the issue in respect of its employees as the employment pattern in the industry has certain unique characteristic features which are not known in the case of other industrial enterprises.

Section III : Administrative Principles :- We now discuss the proper administrative principles by following which the Executives personnel may establish the much needed goodwill in the industry and ensure increased productivity and efficiency.

The A.T.P.P.F. Scheme Act provided for forfeiture of the Employers' portion of P.F. Contributions if an employee is discharged for misconduct. When it was seen that this clause was being used indiscriminately and innocent persons were made to lose the Employers' portion of the dues on flimsy grounds, the legislators wanted to provide a clause by which the employers were allowed to forfeit their share of the P.F. dues only in those cases where the member is convicted in a court of law for violence.\textsuperscript{51} This was agreed in the S.L.C. meeting held in June, 1963. But through oversight, the actual legislation was amended by an explanation to the effect

\textsuperscript{50} Tripathy, K.P. President INTUC, Assam Branch. The Indian worker April 19, 1976.


Earlier the 21st Session of the S.L.C. held on June 1963 adopted the following resolution. "Agreed that only persons convicted in the Court for violence would be made to forfeit the employers' share of P.F. dues" (Paragraph 3, p 9 of the Proceedings).
that "Gross misconduct shall cover cases of persons convicted in courts of law for violence" - which naturally does not exclude the general provisions of forfeiture unless a qualifying word "only" is inserted in the above amendment. The advantage of this particular loophole in the A.T.P.P.F.Scheme(Amendment) Act is being taken by certain managers to forfeit the employers' portion of P.F.dues. Such incidence may be multiplied in the tea gardens of Assam and under such conditions the peaceful environment cannot be obtained. The Managers may do well to show a more helpful attitude towards their subordinate employees.

Corruption: We shall now discuss types of corruption involving the personnel employed in a tea garden. Like all other enterprises, wherever corruption exists it is generally found to have originated at the top. However, in the tea industry the cases of corruption are less numerous and we have only a few instances to cite where there has been corrupt practices in this industry. We discern two types of corruption in a tea garden:

First, corrupt practices aimed at direct personal gains.
Second, corrupt practices aimed at direct gain to the Employer Company.

Among the first type of corrupt practices the Manager or the Assistant Managers can misuse Company's fund on a big scale taking into confidence one or all of the following staff members.

53. Letter dated 21.11.1973 from Manager, Tinkharia T.E. addressed to the Asstt. P.F. Commissioner, Tezpur regarding the forfeiture of the Employer's portion of P.F. dues in respect of an ex-member Sri Monbodh (P.F. Account NO. 841) who was discharged from the garden on charges of misconduct.
(i) Stores Clerks.
(ii) Head Jamadar Babu
(iii) Head Clerk
and
(iv) Head Tea House Babu.

Manure and fertilisers not actually taken delivery by the garden from the selling agents are sometimes shown to have been applied to the tea bushes entering false hazira in Pay books and thus misusing huge amount.

Another form of corruption is stealing excess tea found after actual weighment of made tea according to Excise register. This tea is taken out without paying excise duty and sold in the market. By registering false hazira of absentee labourers company money may be misappropriated.

Further, company money may be misappropriated by recording more green leaf in the name of a few pluckers who are within confidence making corresponding deductions from lay workers. While the lay workers are thus deprived of their actual earning, the extra money paid for the additional quantity of leaf thus recorded is shared between the employees plotting such acts of corruption. The Tea House Clerk, generally in collusion with the factory executive, may earn illegal money by keeping certain factory labourers and Sardars in their confidence and by stealing tea every day in small quantity from factory for selling in the market and showing more hazira in manufacturing time.

These types of corrupt practices cannot do any permanent harm to
the industry itself except increasing the financial burden without corresponding rise in production or developmental works. There is also no clearcut remedy to these malpractices. These may be eradicated only when the top executive in the garden is an honest person and he keeps an **a**l**e**rt eye on these loopholes and inflict exemplary punishment as and when an evil practice is detected and proved beyond doubts.

Another type of corruption is prevalent in some tea gardens which are the direct results of the intention of the manager to earn quick popularity with the company by reducing the annual expenditure through unfair labour practices. Although it may result in minimisation of expenditure in a particular year, it leads to permanent loss in so far as the goodwill is lost in the administrative practices in the garden.

In Tengapani T.E., for example, the Manager was showing short weighment of plucked leaves from 1969 by the use of faulty weighing balances when this unfair practice was detected on 21 October, 1971. A sum of Rs. 7000 was paid as compensation to the aggrieved workers and the case was thus settled without going to the Court for a decision. In Borengajuli T.E. belonging to the M/s Williamson Magor & Co., in weighing green leaf from 4 September to 2 October 1971, the book entries were made showing 1 Kg. less in respect of every plucker. On detection the Manager denied the allegation but subsequently in a tripartite discussion on 3 November, 1971, the Manager agreed to pay compensation and an amount of Rs. 1042-38 was paid to the aggrieved workers on 20 November, 1971.

55. Ibid 2.1.1972 p.2
Again for trying to deprive the pluckers from their legitimate earnings by using faulty and sub-standard measuring instruments, the Manager of Maijan T.E. was convicted on 12 January, 1972 by a First Class Magistrate at Dibrugarh to pay a fine of Rs. 500 or in default to undergo six months' rigorous imprisonment. For similar offences the manager of Betjan T.E. was also convicted on 29 May, 1973.

Such incidents lead to loss of goodwill/administration and the tea garden managers will do well to avoid such practices. He should not try to effect economy by illegal means. The entire tea workers of Assam appealed to the garden managers to desist from such unfair practices to maintain industrial harmony in the tea areas of the State. In spite of such appeals the incident at Betjan T.E. is considered unfortunate.

57. Ibid 2.2.1972
58. Ibid 2.7.1973