The
Beedi and Cigar Workers
(Conditions of Employment)
Act, 1966
(32 of 1966)
along with
• The Beedi Workers Welfare Cess Act, 1976 (56 of 1976)
• The Beedi Workers Welfare Cess Rules, 1976
• The Beedi Workers Welfare Fund Act, 1976 (62 of 1976)
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THE BEEDI AND CIGAR WORKERS
(CONDITIONS OF EMPLOYMENT) ACT, 1966

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THE BEEDI AND CIGAR WORKERS (CONDITIONS OF EMPLOYMENT) ACT, 1966

INTRODUCTION

In the establishments manufacturing beedies and cigars working conditions were very unsatisfactory. The provisions of the Factories Act, 1948, though applicable to such establishments, were being flouted by the employers of such establishment by splitting their establishment into smaller units. Beedies are manufactured through contractors and by distributing work in the private dwelling houses where the workers take the raw materials given by the employers or the contractors. The labour being unorganised was unable to look after its interests. One or two State Governments passed special Acts to regulate the conditions of work of these workers but were unable to enforce the law. Keeping in view the interests of the workers employed in such establishments the Central legislation on the subject was found necessary. Accordingly the Beedi and Cigar Workers (Conditions of Employment) Bill was introduced in the Parliament.

STATEMENT OF OBJECTS AND REASONS

The working conditions prevailing in the beedi and cigar establishments are unsatisfactory. Though at present the Factories Act, 1948 applies to such establishments, there has been a tendency on the part of employers to split their concerns into smaller units and thus escape from the provisions of the said Act. A special feature of the industry is the manufacture of beedies through contractors and by distributing work in the private dwelling houses where the workers take the raw materials given by the employers or the contractors. Employer-employee relationship not being well defined the application of the Factories Act has met with difficulties. The labour is unorganised and not able to look after its interests.

2. One or two State Governments passed special Acts to regulate the conditions of work of these workers but found themselves unable to enforce the law owing to the fact that the industry is highly mobile and tended to move on to an area where no such restrictive laws prevailed. It became necessary therefore to have Central legislation on the subject. The Bill seeks to provide for the regulation of the contract system of work, licensing of beedi and cigar industrial premises and matters like health, hours of work, spread-over, rest periods, overtime, annual leave with pay, distributing of raw-materials, etc.

3. The main provisions of the Bill have been explained in the notes on clauses.

ACT 32 OF 1966

The Beedi and Cigar Workers (Conditions of Employment) Bill having been passed by both the Houses of Parliament received the assent of the President on 30th November, 1966. It came on the Statute Book as THE BEEDI AND CIGAR WORKERS (CONDITIONS OF EMPLOYMENT) ACT, 1966 (32 of 1966).
THE BEEDI AND CIGAR WORKERS (CONDITIONS OF EMPLOYMENT) ACT, 1966

(32 of 1966)

[30th November, 1966]

An Act to provide for the welfare of the workers in beedi and cigar establishments and to regulate the conditions of their work and for matters connected therewith.

Be it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:

1. Short title, extent and commencement.—(1) This Act may be called the Beedi and Cigar Workers (Conditions of Employment) Act, 1966.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force in a State on such date* as the State Government may, by notification in the Official Gazette, appoint and different dates may be appointed by the State Government for different areas and for different provisions of this Act.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “adult” means a person who has completed eighteen years of age;

(b) “child” means a person who has not completed fourteen years of age;

(c) “competent authority” means any authority authorised by the State Government by notification in the Official Gazette to perform all or any of the functions of the competent authority under this Act and for such areas as may be specified therein;

(d) “contractor” means a person who, in relation to a manufacturing process, undertakes to produce a given result by executing the work through contract labour or who engages labour for any manufacturing process in a

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* The Act has been brought into force so far—


(ii) in Bihar on 1-1-1969 all the provisions—See Bih. Gaz., 20-12-1968, Ext. p. 3;

(iii) in Gujarat, section 3 on 1-5-1968 and the rest on 1-4-1968—See Guj. Govt. Gaz., 14-3-1968, Pt. I, pp. 974 and 975;


(vi) in Madhya Pradesh all provisions, except section 3, on 4-1-1968 and section 3 on 1-5-1968—See M.P. Gaz., 31-3-1968, Ext. p. 692;

(vii) in Maharashtra section 3 on 1-5-1968 and all other sections on 1-4-1968—See Maha. Govt. Gaz., 4-4-1968, Pt. I, p. 1373;


(xii) in Rajasthan, section 3 on 19-3-1969—See Raj. Gaz., 19-3-1969, Pt. IV (Ghas), Ext., p. 1195;

(xiii) in the Union Territory of Goa, Daman and Diu on 1-10-1968, See Goa Govt. Gaz., 26-9-1968, Series I, p. 414;

(xiv) in the Union Territory of Pondicherry all sections, except section 3, on 1-9-1968—See Pud. Gaz., 30-7-1968, p. 549;


private dwelling house and includes a sub-contractor, agent, manshi, thekedar or sattadhar.

c) "contract labour" means any person engaged or employed in any premises by or through a contractor, with or without the knowledge of the employer, in any manufacturing process;

d) "employee" means a person employed directly or through any agency, whether for wages or not, in any establishment [or godown] to do any work skilled, unskilled, manual or clerical, and includes—

(i) any labour who is given raw materials by an employer or a contractor for being made into beedi or cigar or both at home (therein after referred to in this Act as "home worker"); and

(ii) any person not employed by an employer or a contractor but working with the permission of, or under agreement with, the employer or contractor [or both];

e) "employer" means—

(a) in relation to contract labour, the principal employer; and

(b) in relation to other labour, the person who has the ultimate control over the affairs of any establishment or who has, by reason of his advancing money, supplying goods or otherwise, a substantial interest in the control of the affairs of any establishment, and includes any other person to whom the affairs of the establishment are entrusted, whether such other person is called the managing agent, manager, superintendent or by any other name;

f) "establishment" means any place or premises including the premises thereof in which or in any part of which any manufacturing process connected with the making of beedi or cigar or both is being, or is ordinarily, carried on and includes an industrial premises;

[ghh) "godown" means any warehouse or other place, by whatever name called, used for the storage of—

(i) any article substance required for any manufacturing process, or

(ii) beedi or cigar or both;]

i) "industrial premises" means any place or premises (not being a private dwelling house), including the premises thereof, in which or in any part of which any industry or manufacturing process connected with the making of beedi or cigar or both is being or is ordinarily carried on with or without the aid of power [and includes a godown attached thereto];

j) "Inspector" means an Inspector appointed under sub-section (1) of section 6;

k) "manufacturing process" means any process for, or incidental to, making, finishing or packing or otherwise treating any article or substance with a view to its use, sale, transport, delivery or disposal as beedi or cigar or both;

l) "prescribed" means prescribed by rules made by the State Government under this Act;

(m) "principal employer" means a person for whom or on whose behalf any contract labour is engaged or employed in an establishment;

(n) "private dwelling house" means a house in which persons engaged in the manufacture of beedi or cigar or both reside;

(o) "State Government" in relation to a Union territory, means the Administrator thereof;

(p) "week" means a period of seven days, beginning at midnight on Saturday;

(q) "young person" means a person who has completed fourteen years of age but has not completed eighteen years of age.

3. Industrial premises to be licensed.—Save as otherwise provided in this Act, no employer shall use or allow to be used any place or premises as an industrial premises unless he holds a valid licence issued under this Act and no such premises shall be used except in accordance with the terms and conditions of such licence.

COMMENTS

No employer can use or allowed to be used any place or premises as an industrial premises without a valid licence.

4. Licences.—(1) Any person who intends to use or allows to be used any place or premises as industrial premises shall make an application in writing to the competent authority, in such form or payment of such fees as may be prescribed, for a licence to use, or allow to be used, such premises as an industrial premises.

(2) The application shall specify the maximum number of employees proposed to be employed at any time of the day in the place or premises and shall be accompanied by a plan of the place or premises prepared in such manner as may be prescribed.

(3) The competent authority shall, in deciding whether to grant or refuse a licence, have regard to the following matters—

(a) the suitability of the place or premises which is proposed to be used for the manufacture of beedi or cigar or both;

(b) the previous experience of the applicant;

(c) the financial resources of the applicant including his financial capacity to meet the demands arising out of the provisions of the laws for the time being in force relating to welfare of labour;

(d) whether the application is made bona fide on behalf of the applicant himself or on behalf of any other person;

(e) welfare of the labour in the locality, the interest of the public generally and such other matters as may be prescribed.

(4) (a) A licence granted under this section shall not be valid beyond the financial year in which it is granted but may be renewed from financial year to financial year.

(b) An application for the renewal of a licence granted under this Act shall be made at least thirty days before the expiry of the period thereof, on payment of such fees as may be prescribed, and where such an application has been made, the licence shall be deemed to continue, notwithstanding the expiry of the period thereof, until the renewal of the licence, or, as the case may be, the rejection of the application for the renewal thereof.

(c) The competent authority shall, in deciding whether to renew a licence or to refuse a renewal thereof, have regard to the matters specified in sub-section (3).

(5) The competent authority shall not grant or renew a licence unless it is satisfied that the provisions of this Act and the rules made thereunder have been substantially complied with.
(6) The competent authority may, after giving the holder of a licence an opportunity of being heard, cancel or suspend any licence granted or renewed under this Act if it appears to it that such licence has been obtained by misrepresentation or fraud or that the licensee has contravened or failed to comply with any of the provisions of this Act or the rules made thereunder or any of the terms or conditions of the licence.

(7) The State Government may issue in writing to a competent authority such directions of a general character as that Government may consider necessary in respect of any matter relating to the grant or renewal of licences under this section.

(8) Subject to the foregoing provisions of this section, the competent authority may grant or renew licences under this Act on such terms and conditions as it may determine and where the competent authority refuses to grant or renew any licence, it shall do so by an order communicated to the applicant, giving the reasons in writing for such refusal.

COMMENTS

For using or allowing to use any place or premises as industrial premises one has to make an application for the grant of a licence to use or allowed to be used, such premises as an industrial premises. In the application one has to specify the number of employees proposed to be employed in the place premises and has to submit a plan of the place premises to the competent authority.

5. Appeals.—Any person aggrieved by the decision of the competent authority refusing to grant or renew a licence or cancelling or suspending a licence may, within such time and on payment of such fees, not exceeding twenty rupees, as may be prescribed, appeal to such authority as the State Government may, by notification in the Official Gazette, specify in this behalf, and such authority may by order confirm, modify or reverse any order refusing to grant or renew a licence or cancelling or suspending a licence.

6. Inspectors.—(1) The State Government may, by notification in the Official Gazette, appoint such of its officers or such officers of any local authority as it thinks fit to be Inspectors for the purposes of this Act and may assign to them such local limits as it may think fit.

(2) The State Government may, by notification in the Official Gazette, appoint any person to be a Chief Inspector who shall exercise the powers of an Inspector throughout the State.

(3) Every Chief Inspector and Inspector shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).

7. Powers of Inspectors.—(1) Subject to any rules by the State Government in this behalf, an Inspector may, within the limits for which he is appointed,—

(a) make such examination and hold such inquiry as may be necessary for ascertaining whether the provisions of this Act have been or are being complied within any place or premises;

Provided that no person shall be compelled under this section to answer any question or to give any evidence which may tend to incriminate himself;

(b) require the production of any prescribed register and any other document relating to the manufacture of beedi or cigar or both;

(c) enter, with such assistants as he thinks fit, at all times any place or premises including the residences of employees if he has reasonable grounds for suspecting that any manufacturing process is being carried on or is ordinarily carried on in any such place or premises;

(d) exercise such other powers as may be prescribed.

(2) If an Inspector has reasonable grounds for suspecting that any manufacturing process is being carried on in any establishment in contravention of the provisions of this Act, he may, after giving due notice to the employer or, in the absence of the employer, to the occupier, enter such establishment with such assistants, if any, as he may think fit.

(3) Every employer or occupier shall accord to the chief Inspector or the Inspector, as the case may be, all reasonable facilities in the discharge of his duties under this Act.

[7A. Inspector not to disclose the source of any complaint, etc.—(1) No Inspector shall disclose the source of any complaint made to him regarding the contravention of any of the provisions of this Act.

(2) No Inspector shall, while making an inspection under this Act in pursuance of a complaint received by him, disclose to the employer or contractor concerned or any of his representatives that the inspection is being made in pursuance of a complaint.

Provided that nothing in this section shall apply to any case in which the person who has made the complaint has consented to disclose his name.]

8. Cleanliness.—Every industrial premises shall be kept clean and free from effluvia arising from any drain, privy or other nuisance and shall also maintain such standard of cleanliness including white washing, colour washing, varnishing or painting, as may be prescribed.

COMMENTS

Every industrial premises is to be kept clean and free from effluvia arising from any drain or privy and is to be white washed, colour washed, varnished or painted.

9. Ventilation.—(1) For the purpose of preventing injury to the health of the persons working therein, every industrial premises shall maintain such standards of lighting, ventilation and temperature, as may be prescribed.

(2) Wherever dust or fume or other impurity of such a nature and to such an extent as is likely to be injurious or offensive to the persons employed in any industrial premises is given off by reason of the manufacturing process carried on in such premises, the competent authority may require the employer to take such effective measures as may prevent the inhalation of such dust, fume or other impurity and accumulation thereof in any work room.

COMMENTS

Every industrial premises to maintain prescribed standards of lighting, ventilation and temperature. The employer has to take effective measures to prevent the inhalation of dust, fume or other impurity and accumulation thereof.

10. Overcrowding.—(1) No room in any industrial premises shall be overcrowded to an extent injurious to the health of the persons employed therein.

1. Ins. by Act 41 of 1993, sec. 3.
(2) Without prejudice to the generality of sub-section (1) there shall be in any work room of such premises at least four and a quarter cubic metres of space for every person employed therein, and for the purposes of this sub-section, no account shall be taken of any space which is more than three metres above the level of the floor of the work room.

**Comments**

Every industrial premises must have in any work room at least four and a quarter cubic metres of space for every person employed therein and for this purpose no account is to be taken of any space which is more than three metres above the level of the floor of the work room.

11. Drinking water.—(1) The employer shall make in every industrial premises effective arrangements to provide and maintain at suitable points conveniently situated for all persons employed therein, a sufficient supply of wholesome drinking water.

(2) All such points shall be legibly marked “drinking water” in language understood by the majority of the persons employed in the industrial premises and no such point shall be situated within six metres of any washing place, urinal or latrine except with the prior approval in writing of the competent authority.

**Comments**

Every industrial premises must have sufficient supply of wholesome drinking water at suitable and convenient points and such points are to be legibly marked “drinking water” in a language understood by the majority of persons employed. Drinking water points must not be situated within six metres of any washing place, urinal or latrine.

12. Latrines and urinals.—(1) In every industrial premises, sufficient latrine and urinal accommodation of such types as may be prescribed shall be provided and shall be so conveniently situated as may be accessible to the employees at all times while they are in the industrial premises:

Provided that it shall not be necessary to provide separate urinals in industrial premises where less than fifty persons are employed or where the latrines are connected to a water-borne sewage system.

(2) The State Government may specify the number of latrines and urinals which shall be provided in any industrial premises in proportion to any number of male and female employees ordinarily employed therein, and may provide for such further matters in respect of sanitation in the industrial premises including obligation of the employees in this regard as it may consider necessary in the interest of the health of the persons employed therein.

**Comments**

Sufficient number of latrines and urinals are to be provided in every industrial premises and they are to be so conveniently situated as may be accessible to the employees at all times while they are in the industrial premises.

13. Washing facilities.—In every industrial premises, where blending or sieving or both of tobacco or warming of beedi in hot ovens is carried on, the employer shall provide such washing facilities for the use of the employees, as may be prescribed.

**Comments**

Where blending or sieving or both of tobacco or warming of beedi in hot ovens is carried on, the employer is to provide washing facilities for the use of the employees.

14. Creches.—In every industrial premises wherein more than thirty female employees are ordinarily employed, there shall be provided and maintained a suitable room or rooms for the use of children under the age of six years of such female employees.

(2) Such rooms shall —

(a) provide adequate accommodation;
(b) be adequately lighted and ventilated;
(c) be maintained in a clean and sanitary condition;
(d) be under the charge of women trained in the care of children and infants.

(3) The State Government may make rules—

(a) prescribing the location and the standards in respect of construction, accommodation, furniture and other equipment of rooms to be provided under this section.
(b) requiring the provision in any industrial premises to which this section applies, of additional facilities for the care of children belonging to female employees, including suitable provisions of facilities for washing and changing their clothing;
(c) requiring the provision in any industrial premises of free milk or refreshment or both for such children;
(d) requiring that facilities shall be given in any industrial premises for the mothers of such children to feed them at necessary intervals.

**Comments**

Where more than thirty female employees are ordinarily employed, a suitable room or rooms are to be provided for the use of children under the age of six years of such female employees.

15. First aid.—Every industrial premises shall provide such first aid facilities as may be prescribed.

16. Canteens.—The State Government may, by rules, require the employer to provide and maintain in every industrial premises wherein not less than two hundred and fifty employees are ordinarily employed, a canteen for the use of the employees.

**Comments**

Every industrial premises where not less than two hundred and fifty employees are ordinarily employed, has to provide and maintain a canteen for the use of the employees.

17. Working hours.—No employee shall be required or allowed to work in any industrial premises for more than nine hours in any day or for more than forty-eight hours in any week:

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1. Subs. by Act 41 of 1993, sec. 4, for “fifty”.

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Provided that any adult employee may be allowed to work in such industrial premises for any period in excess of the limit fixed under this section subject to the payment of overtime wages if the period of work including overtime work, does not exceed ten hours in any day and in the aggregate fifty-four hours in any week.

18. Wages for overtime work.—(1) Where any employee employed in any industrial premises is required to work overtime, he shall be entitled in respect of such overtime work, to wages at the rate of twice his ordinary rate of wages.

(2) Where the employees in an industrial premises are paid on a piece rate basis, the overtime rate shall be calculated, for the purposes of this section, at the time rates which shall be as nearly as possible equivalent to the daily average of their full time earnings for the days on which they had actually worked during the week immediately preceding the week in which the overtime work has been done.

[Explanation.—Where an employee had not worked on any day of the week immediately preceding the week in which the overtime work has been done, any week preceding such week in which he had actually worked shall be taken into account in calculating the overtime rate for the purposes of this sub-section.]

(3) For the purposes of this section, "ordinary rates of wages" means the basic wages plus such allowance, including the cash equivalent of the advantage accruing through the concessional sale to the employees of foodgrains and other articles as the employee is for the time being entitled to but does not include bonus.

(4) The cash equivalent of the advantage accruing through the concessional sale to an employee of foodgrains and other articles shall be computed as often as may be prescribed on the basis of the maximum quantity of foodgrains and other articles admissible to a standard family.

Explanation I.—"Standard family" means a family consisting of the employee, his or her spouse and two children requiring in all three adult consumption units.

Explanation II.—"Adult consumption units" means the consumption unit of a male above the age of fourteen years; and the consumption unit of a female above the age of fourteen years and that of a child shall be calculated at the rate of eight-tenths and six-tenths, respectively, of one adult consumption unit.

19. Interval for rest.—The periods of work for employees in an industrial premises each day shall be so fixed that no period shall exceed five hours and that no employee shall work for more than five hours before he has an interval for rest of at least half an hour.

20. Spread over.—The periods of work of an employee in an industrial premises shall be so arranged that inclusive of his intervals for rest under section 19, they shall not spread over more than ten and a half hours in any day.

Provided that the Chief Inspector may, for reasons to be specified in writing, increase the spread over to twelve hours.

21. Weekly holidays.—(1) Every industrial premises shall remain entirely closed, except for wetting of beedi or tobacco leaves, on one day in the week, which day shall be specified by the employer in a notice exhibited in a conspicuous place in the industrial premises and the day so specified shall not be altered by the employer more often than once in three months and except with the previous written permission of the Chief Inspector.

[Provided that a copy of every such notice shall be sent to the Inspector having jurisdiction over the industrial premises within two weeks from the date on which such notice is exhibited in the industrial premises.]

(2) Notwithstanding anything contained in sub-section (1), an employee employed in the said premises for wetting of beedi or tobacco leaves on the day on which it remains closed in pursuance of subsection (1), shall be allowed a substituted holiday on one of the three days immediately before or after the said day.

(3) For a holiday under this section, an employee shall be paid, notwithstanding any contract to the contrary, at the rate equal to the daily average of his total full time earnings for the days on which he had worked during the week immediately preceding the holiday exclusive of any overtime earnings and bonus but inclusive of dearness and other allowances.

Explanation.—The expression "total full time earnings" shall have the meaning assigned to it in section 27.

22. Notice of periods of work.—(1) There shall be displayed and correctly maintained in every industrial premises a notice of periods of work in such form and in such manner as may be prescribed, showing clearly for every day the periods during which the employees may be required to work.

(2) (a) A copy of the notice referred to in sub-section (1) shall be sent in triplicate to the Inspector having jurisdiction over the industrial premises within two weeks from the date of the grant of a licence for the first time under this Act, in the case of any industrial premises carrying on work at the commencement of this Act, and in the case of any industrial premises beginning work after such commencement, before the day on which the work is begun in the industrial premises.

(b) Any proposed change in the system of work which will necessitate a change in the notice referred to in sub-section (1) shall be notified to the Inspector in triplicate before the change is made and except with the previous sanction of the Inspector, no such change shall be made until one week has elapsed since the last change.

23. Hours of work to correspond with notice under section 22.—No employee shall be employed in any industrial premises otherwise than in accordance with the notice of work displayed in the premises under section 22.

24. Prohibition of employment of children.—No child shall be required or allowed to work in any industrial premises.

COMMENTS

Employment of children in any industrial premises is prohibited.

1. Ins. by Act 41 of 1993, sec. 5.

25. Prohibition of employment of women or young persons during certain
hours.—No woman or young person shall be required or allowed to work in any industrial
premises except between 6 a.m. and 7 p.m.

COMMENTS

Women and young persons are required or allowed to work between 6 a.m. and 7 p.m.

26. Annual leave with wages.—(1) Every employee in an establishment shall be
allowed in a calendar year leave with wages—

(i) in the case of an adult, at the rate of one day for every twenty days of work
performed by him during the previous calendar year;

(ii) in the case of a young person at the rate of one day for every fifteen days
of work performed by him during the previous calendar year.

Explanation.—The leave admissible under this sub-section shall be exclusive of all
holidays whether occurring during, or at the beginning or at the end of, the period of
leave.

(2) If an employee is discharged or dismissed from service or quits employment
during the course of the year, he shall be entitled to leave with wages at the rate laid
down in sub-section (1).

(3) In calculating leave under this section, any fraction of leave of half a day or
more shall be treated as one full day’s leave and any fraction of less than half a day
shall be omitted.

(4) If any employee does not, in any calendar year take the whole of the leave
allowed to him under sub-section (1), the leave not taken by him shall be added to
the leave to be allowed to him in the succeeding calendar year.

Provided that the total number of days of leave that may be carried forward to
a succeeding year shall not exceed thirty in the case of an adult or forty in the case
of a young person.

(5) An application of an employee for the whole or any portion of the leave allowed
under sub-section (1) shall be in writing and ordinarily shall have to be made suffi-
ciently in advance of the day on which he wishes the leave to begin.

(6) If the employment of an employee who is entitled to leave under sub-section
(1) is terminated by the employer before he has taken the entire leave to which he is
entitled, or if having applied for leave, he has not been granted such leave, or if
the employee quits his employment before he has taken the leave, the employer shall
pay him the amount payable under section 27 in respect of leave not taken and such
payment shall be made, where the employment of the employee is terminated by the
employer, before the expiry of the second working day after such termination and where
the employee quits his employment, on or before the next pay day.

(7) The leave not availed of by an employee shall not be taken into consideration
in computing the period of any notice required to be given before discharge or dismissal.

27. Wages during leave period.—(1) For the leave allowed to him under section
26, an employee shall be paid at the rate equal to the daily average of his total full
time earnings for the days on which he had worked during the month immediately
preceding his leave exclusive of any overtime earnings and bonus but inclusive of dearness
and other allowances.

Explanation I.—In this sub-section, the expression “total full time earnings”
includes the cash equivalent of the advantage accruing through the concessional sale
to employees of foodgrains and other articles, as the employee is for the time being entitled
to, but does not include bonus.

Explanation II.—For the purposes of determining the wages payable to a home
worker during leave period or for the purpose of payment of maternity benefit to a
home woman worker, “day” shall mean any period during which such home worker
was employed during a period of twenty-four hours commencing at midnight, for making
beedi or cigar or both.

(2) An employee who has been allowed leave for not less than four days in the
case of an adult and five days in the case of a young person, shall, before his leave
begins, be paid wages due for the period of the leave allowed.

28. Application of the Payment of Wages Act, 1936 to industrial
premises.—(1) Notwithstanding anything contained in the Payment of Wages Act, 1936
(4 of 1936), hereinafter referred to in this section as the said Act, the State Government
may, by notification in the Official Gazette, direct that all or any of the provisions of
the said Act or the rules made thereunder shall apply to all or any class of employees
in establishment or class of establishments to which this Act applies and on such
application of the provisions of the said Act, an Inspector appointed under this Act
shall be deemed to be the Inspector for the purposes of the enforcement of such provisions
of the said Act within the local limits of his jurisdiction.

(2) The State Government may, by like notification, cancel or vary any notifi-
cation issued under sub-section (1).

29. Special provisions.—(1) The State Government may permit the wetting or
cutting of beedi or tobacco leaves by employees outside the industrial premises on an
application made to it by the employer on behalf of such employees.

(2) The employer shall maintain in the prescribed form a record of the work
permitted under sub-section (1) to be carried on outside the industrial premises.

(3) Save as otherwise provided in this section, no employer shall require or allow
any manufacturing process connected with the making of beedi or cigar or both to be
carried on outside the industrial premises.

Provided that nothing in this sub-section shall apply to any labour who is given
raw material by an employer or a contractor for being made into beedi or cigar or both
at home.

COMMENTS

Wetting or cutting of beedi or tobacco leaves by employees outside the industrial premises
can be permitted by the State Government on an application by the employer on behalf of such
employees. The employer has to maintain a record of the work permitted to be done outside
the industrial premises.

30. Onus as to age.—(1) When any act or omission would, if a person were under
a certain age, be an offence punishable under this Act and such person is, in the opinion
of the court, *prima facie* under such age, the burden shall be on the accused to prove that such person is not under such age.

(2) A declaration in writing by a medical officer not below the rank of a Civil Assistant Surgeon relating to an employee that he has personally examined him and believes him to be under the age stated in such declaration, shall, for the purposes of this Act and the rules made thereunder, be admissible as evidence of the age of that employee.

31. Notice of dismissal.—(1) No employer shall dispense with the services of an employee who has been employed for a period of six months or more, except for a reasonable cause, and without giving such employee at least one month’s notice or wages in lieu of such notice:

Provided that such notice shall not be necessary if the services of such employee are dispensed with on a charge of misconduct supported by satisfactory evidence recorded at an inquiry held by the employer for the purpose.

(2) (a) The employee discharged, dismissed or retrenched may appeal to such authority and within such time as may be prescribed either on the ground that there was no reasonable cause for dispensing with his services or on the ground that he had not been guilty of misconduct as held by the employer or on the ground that such punishment of discharge or dismissal was severe.

(b) The appellate authority may, after giving notice in the prescribed manner to the employer and the employee, dismiss the appeal or direct the reinstatement of the employee with or without wages for the period during which he was kept out of employment or direct payment of compensation without reinstatement or grant such other relief as it deems fit in the circumstances of the case.

[(2A) The appellate authority shall have the same powers as vested in a civil court under the Code of Civil Procedure, 1908. (5 of 1908) when trying a suit, in respect of the following matters, namely—

(a) enforcing the attendance of any person and examining him on oath; and

(b) compelling the production of documents and material objects.]

(3) The decision of the appellate authority shall be final and binding on both the parties and be given effect to within such time as may be specified in the order of the appellate authority.

COMMENTS

Whenever a workman approaches the Prescribed Authority under section 31(2) of the Act with a complaint that his employment has been brought to an end by the employer without any reasonable cause, the Prescribed Authority is bound to adjudicate the same. It hardly matters whether the employment was terminated by written order, oral direction or by stopping the workman from entering the place of work; *Sadhu v. Haji Lal Mohd. Bari Works*, AIR 1990 SC 1971.

Services of any employee, who has been employed for a period of six months or more, can be dispensed with by giving one month’s notice or wages in lieu of such notice. But such notice is not necessary if the services are dispensed with on a charge of misconduct supported by satisfactory evidence recorded at an enquiry.

32. Penalty for obstructing Inspector.—Whoever obstructs the Chief Inspector or an Inspector in the exercise of any powers conferred on him by or under this Act, or fails to produce on demand by the Chief Inspector or an Inspector any register or other document kept in his custody in pursuance of this Act or of any rules made thereunder, or conceals or prevents any employee in an industrial premises from appearing before or being examined by the Chief Inspector or an Inspector, shall be punishable with imprisonment for a term which may extend to six months which may extend to five thousand rupees, or with both.

33. General penalty for offence.—Save as otherwise expressly provided in this Act, any person who contravenes any of the provisions of this Act or of any rule made thereunder, or fails to wages or compensation in accordance with any order of the appellate authority passed under clause (b) of sub-section (2) of section 31, shall be punishable, for the first offence, with fine which may extend to two hundred and fifty rupees and for a second or any subsequent offence with imprisonment for a term which shall not be less than one month or more than six months or with fine which shall not be less than one hundred rupees or more than five hundred rupees or with both.

(2) (a) Any employer who fails to reinstate any employee in accordance with the order of the appellate authority passed under clause (b) of sub-section (2) of section 31, shall be punishable with fine which may extend to two hundred and fifty rupees.

(b) Any employer, who, after having been convicted under clause (a), continues, after the date of such conviction, to fail to reinstate an employee in accordance with the order mentioned in that clause, shall be punishable, for each day of such default, with fine which may extend to twenty rupees.

(c) Any court trying an offence punishable under this sub-section may direct that the whole or any part of the fine, if realised, shall be paid, by way of compensation, to the person, who, in its opinion, has been injured by such failure.

(3) Notwithstanding anything contained in the Payment of Wages Act, 1936 (4 of 1936) with regard to the definition of wages, any compensation required to be paid by an employer under clause (b) of sub-section (2) of section 31 but not paid by him shall be recoverable as delayed wages under the provisions of that Act.

(4) It shall be no defence in a prosecution of any person for the contravention of the provisions of section 3 that any manufacturing process connected with the making of beedi or cigar or both was carried on by such person himself of by any member of his family or by any other person living with or dependant on such person.

34. Offences by companies.—(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

1. Subs. by Act 41 of 1993, sec. 8, for “three months”.
2. Subs. by Act 41 of 1993, sec. 8, for “five hundred rupees”.
38. Certain provisions not to apply to industrial premises.—(1) Chapter IV and section 85 of the Factories Act, 1948 (62 of 1948) shall apply to an industrial premises and the rest of the provisions in that Act shall not apply to any industrial premises.

(2) Nothing contained in any law relating to the regulation of the conditions of work of workers in shops or commercial establishments shall apply to any establishment to which this Act applies.


(2) Notwithstanding anything contained in sub-section (1), a dispute between an employer and employee relating to—

(a) the issue by the employer of raw materials to the employee,

(b) the rejection by the employer of beedi or cigar or both made by an employee,

(c) the payment of wages for the beedi or cigar or both rejected by the employer,

shall be referred for settlement within such time and by such authority as the State Government may, by rules, specify in this behalf and such rules may also provide for the summary manner in which such dispute shall be settled.

(3) Any person aggrieved by a settlement made by the authority specified under sub-section (2) may prefer an appeal to such authority and within such time as the State Government may, by notification in the Official Gazette, specify in this behalf.

(4) The decision of the authority specified under sub-section (3) shall be final.

40. Effect of law and agreements inconsistent with this Act.—(1) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in the terms of any award, agreement or contract of service whether made before or after the commencement of this Act.

Provided that where under any such award, agreement, contract of service or otherwise an employee is entitled to benefits in respect of any matters which are more favourable to him than those to which he will be entitled under this Act, the employee shall continue to be entitled to the more favourable benefits in respect of that matter notwithstanding that he receives benefits in respect of other matters under this Act.

(2) Nothing contained in this Act shall be construed as precluding any employee from entering into an agreement with an employer for granting him rights or privileges in respect of any matter which are more favourable to him than those to which he would be entitled under this Act.

**COMMENTS**

The respondents sought to resolve the disputes under the provisions of the Industrial Disputes Act, 1947 ignoring the provisions of the special statute, Beedi and Cigar Workers (Conditions of Employment) Act, 1966.

When a special statute has been subsequently enacted by the legislature then the parties must seek remedy under the said statute alone without referring to any other law and/or statute operating in general field before enactment of such statute. Furthermore, in the said Act of 1966 it has been specifically provided in section 40(3) that the provisions of the said Act of 1966 shall have an overriding effect over any other law for the time being in force; Ashok Biri Factory v. State of West Bengal, 2003 (II) LLJ 138 (Cal).
Provided that nothing in this section shall be construed as empowering the State Government to grant any exemption in respect of any woman employee from any of the provisions of this Act or any rules made thereunder relating to annual leave with wages, maternity benefits, creches, wages, rejection of beedi or cigar and night work.

42. Powers of Central Government to give directions.—The Central Government may give directions to a State Government as to the carrying into execution of the provisions of this Act.

43. Act not to apply to self-employed persons in private dwelling houses.—

Nothing contained in this Act shall apply to the owner or occupier of a private dwelling house who carries on any manufacturing process in such private dwelling house with the assistance of the members of his family living with him in such dwelling house and dependent on him:

Provided that the owner or occupier thereof is not an employee of an employer to whom this Act applies.

Explanation.—For the purposes of this section, "family" means the spouse and children of the owner or occupier.

44. Power to make rules.—(1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:

(a) the terms and conditions subject to which a licence may be granted or renewed under this Act and the fees to be paid in respect of such licence;
(b) the form of application for a licence under this Act and the documents and plans to be submitted together with such application;
(c) other matters which are to be taken into consideration by the competent authority for granting or refusing a licence;
(d) the time within which, the fees on payment of which and the authority to which, appeals may be preferred against any order granting or refusing to grant a licence;
(e) the submission of a monthly return by an employer to the competent authority specifying the quantity of tobacco released by the Central Excise Department and the number of beedi or cigar or both manufactured by him;
(f) the powers which may be conferred on the Inspectors under this Act;
(g) the standards of cleanliness required to be maintained under this Act;
(h) the standards of lighting, ventilation and temperature required to be maintained under this Act;
(i) the types of urinals and latrines required to be provided under this Act;
(j) the washing facilities which are to be provided under this Act;
(k) canteens;
(l) the form and manner of notice regarding the periods of work;
(m) the form in which records of work done outside an establishment shall be maintained;
(n) the authority to which and the time within which an appeal may be filed by a dismissed, discharged or re-engaged employee;

(c) the manner in which the cash equivalent of the advantage accruing through the concessional sale to an employee of foodgrains and other articles shall be computed;
(p) the records and registers that shall be maintained in an establishment for the purpose of securing compliance with the provisions of this Act and the rules made thereunder;
(q) the maintenance of first aid boxes or cupboards and the contents thereof and the persons in whose charge such boxes shall be placed;
(r) the manner in which sorting or rejection of beedi or cigar or both and disposal of rejected beedi or cigar or both shall be carried out;
(s) the fixation of maximum limit of the percentage of rejection of beedi or cigar or both manufactured by an employee;
(t) specifying the place at which wages shall be paid to persons who receive directly or through an agent raw materials for the manufacture of beedi or cigar or both at home;
(u) supervision by the Inspectors over distribution of raw materials including beedi and tobacco leaves to the employees;
(v) precautions to be taken against fire for the safety of workers;
(w) the time within which a dispute specified in sub-section (2) of section 39 shall be referred for settlement, the authority by which and the manner in which such dispute shall be settled and the authority to which an appeal shall be from the settlement made by the first-mentioned authority;
(x) any matter which is required to be, or may be, prescribed.

(3) All rules made under this Act shall be published in the Official Gazatte and shall be subject to the condition of previous publication; and the dates to be specified under clause (3) of section 23 of the General Clauses Act, 1897 (10 of 1897), shall not be less than three months from the date on which draft of the proposed rules was published.

(4) Every rule made under this section shall be laid as soon as may be after it is made, before each House of the State Legislature, where it consists of two Houses, or where such Legislature consists of one House, before that House, while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following the Legislature agrees in making any modification in the rule or the Legislatures agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

1. Subs. by Act 41 of 1993, sec. 10 for certain words.
THE BEEDI WORKERS WELFARE CESS
ACT, 1976

INTRODUCTION

Living conditions of the labour employed in the beedi establishments were far from satisfactory. Welfare measures adopted to ameliorate their woes were inadequate. The Beedi and Cigar Workers (Conditions of Employment) Act, 1966 has a limited coverage. It does not provide for medical, educational, recreational facilities, etc. In order to provide welfare measures for the persons employed in the beedi establishments, it was proposed to establish a welfare fund. For this purpose it was proposed to levy, as a cess, a duty of excise. With a view to achieve this objective the Beedi Workers Welfare Cess Bill was introduced in the Parliament.

STATEMENT OF OBJECTS AND REASONS

Welfare measures to ameliorate the living conditions of the labour employed in the beedi establishments are not satisfactory. The Beedi and Cigar Workers (Conditions of Employment) Act, 1966, has a limited coverage is as much as it does prescribe some measures to improve the working conditions of the beedi and cigar workers in industrial premises only, such as cleanliness, ventilation, first aid, canteen, working hours, weekly holidays, etc. In so far as the field of labour welfare is concerned, the Act does not provide for medical, educational, recreational facilities, etc. Statutory welfare funds exist for mica, coal, iron-ore and limestone and dolomite mining industries, such Funds having been established under the Mica Labour Welfare Fund Act, 1946, the Coal Mines Labour Welfare Fund Act, 1947, the Iron Ore Mines Labour Welfare Cess Act, 1961 and the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972, respectively. In order to provide welfare measures for the persons employed in the beedi establishments, it is proposed to establish a welfare fund. For this purpose it is proposed to levy, as a cess, a duty of excise on so much of the tobacco as is issued to any person from a warehouse for any purpose in connection with the manufacture of beedi. The rate of duty of excise will be at such rate not exceeding one rupee per kilogram of such tobacco as the Central Government may, from time to time, fix. The duty of excise to be levied shall be in addition to any cess or duty to be leviable on tobacco under any other law for the time being in force.

2. The Bill is mainly designed to achieve the above objectives.

ACT 56 OF 1976

The Beedi Workers Welfare Cess Bill having been passed by both the Houses of Parliament received the assent of the President on 7th April, 1976. It came into force on 15th February, 1977 as THE BEEDI WORKERS WELFARE CESS ACT, 1976 (56 of 1976).

AMENDING ACTS


THE BEEDI WORKERS WELFARE CESS
ACT, 1976

(56 of 1976)

[7th April, 1976]

An Act to provide for the levy and collection, by way of cess, a duty of excise on manufactured beedis.

Be it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:

1. Short title, extent and commencement.—(1) This Act may be called the Beedi Workers Welfare Cess Act, 1976.
(2) It extends to the whole of India.
(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—
(a) "Fund" means the Beedi Workers Welfare Fund formed under section 3 of the Beedi Workers Welfare Fund Act, 1976;
(b) "prescribed" means prescribed by rules made under this Act;
(c) words and expressions used but not defined in this Act and defined in the Central Excise and Salt Act, 1944 (1 of 1944), shall have the meanings respectively assigned to them in that Act.

3. Levy and collection of cess on manufactured beedis.—(1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint, there shall be levied and collected by way of cess for the purposes of the Beedi Workers Welfare Fund Act, 1976 (62 of 1976), a duty of excise on manufactured beedis at such rate which shall not be less than fifty paise or more than five rupees per thousand manufactured beedis, as the Central Government may, from time to time, fix by notification in the Official Gazette.

(2) The duty of excise levied under sub-section (1) shall be in addition to any cess or duty leviable on manufactured beedis (whether spelt as such or as biris or in any other manner) under any law for the time being in force.

COMMENTS

For the purpose of the Beedi Workers Welfare Fund Act, 1976, a duty of excise on manufactured beedis between fifty paise to five rupees per thousand manufactured beedis shall be levied and collected by way of cess. This duty of excise shall be in addition to any cess or duty leviable on manufactured beedis under any law for the time being in force.

1. Subs. by Act 47 of 1981, sec. 2, for "tobacco issued for the manufacture of beedi" (w.e.f. 1-1-1982).
3. Iss. by Act 47 of 1981, sec. 3 (w.e.f. 1-1-1982).
4. Subs. by Act 47 of 1981, sec. 4, for section 3 (w.e.f. 1-1-1982).
5. Subs. by Act 24 of 1998, sec. 2, for "not be less than ten paise or more than fifty paise" (w.e.f. 20-10-1998).

* The Central Government has fixed the rate of Rupees five per thousand of manufactured beedis as the rate at which duty of excise shall be levied and collected by way of cess, vide S.O. 363(E), dated 17th March, 2006 (w.e.f. 1-4-2006).
THE BEEDI WORKERS WELFARE CESS RULES, 1977

In exercise of the powers conferred by section 7 of the Beedi Workers Welfare Cess Act, 1976 (56 of 1976), the Central Government hereby make the following rules, namely:—

1. Short title and Commencement.—These rules may be called the Beedi Workers Welfare Cess Rules, 1977.

(2) They shall come into force on the fifteenth day of February, 1977.

2. Definitions.—(1) In these rules, unless the context otherwise requires,—

(a) 'Act' means the Beedi Workers Welfare Cess Act, 1976 (56 of 1976);

(b) 'Cess' means the cess levied and collected under sub-section (1) of section 3 of the Act;

(c) 'Commissioner' means a Welfare Commissioner appointed under sub-section (1) of section 8 of the Beedi Workers Welfare Fund Act, 1976 (62 of 1976);

(d) words and expressions used herein and not defined but defined in the Central Excise and Salt Act, 1944 (1 of 1944)* or the rules thereunder, have the meanings, respectively assigned to them in that Act or the rules.

3. Application of Act 1 of 1944 and the Rules made thereunder.—Save as otherwise provided in these rules, the provisions of the Central Excise and Salt Act, 1944 (1 of 1944)* and the rules made thereunder, including the provisions relating to refund of duty, shall, so far as may be, apply in relation to the levy of and collection of the cess as they apply in relation to the levy and collection of the duty of excise on tobacco under the Act.

4. Recovery of excise duty.—The duty of excise levied under section 3 of the Act on tobacco issued to any person from a warehouse for any purpose in connection with the manufacture of beedi, shall be collected by the Central Excise Officer-in-charge of the warehouse.

5. Return regarding Collection of Cess.—The Collector of Central Excise of every region shall send to the Commissioner concerned on or before the end of every month a return indicating the amount of cess collected and credited to the Fund during the previous month.

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2. Clause (a) omitted by Act 47 of 1981, sec. 6 (w.e.f. 1-1-1982).
3. Now known as Central Excise Act, 1944 (1 of 1944).
THE BEEDI WORKERS WELFARE FUND
ACT, 1976

INTRODUCTION

To improve the living conditions of labour engaged in the beedi establishments the then existing welfare measures were not satisfactory. In order to provide better welfare measures it was proposed to establish a Beedi Workers Welfare Fund as has been done in the coal of mica, coal, iron ore and limestone and dolomite mining industries. To achieve this objective the Beedi Workers Welfare Fund Bill was introduced in the Parliament.

STATEMENT OF OBJECTS AND REASONS

Welfare measures to improve the living conditions of labour engaged in the beedi establishments are not satisfactory. Statutory welfare funds have already been set up for mica, coal, iron ore and limestone and dolomite mining industries under the Mica Labour Welfare Fund Act, 1946, the Coal Mines Labour Welfare Fund Act, 1947, the Iron Ore Mines Labour Welfare Cess Act, 1961 and the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972 respectively. In order to provide welfare measures for the labour employed also in the beedi establishments it is proposed to establish a Beedi Workers Welfare Fund. The duty of excise levied on the tobacco under the provisions of the Beedi Workers Welfare Cess Bill, 1976 after the deducting the cost of collection would be credited to the proposed Fund.

2. The Fund is intended to supplement, and not to supplant, the efforts of the employers for the State Governments to ameliorate the living conditions of the labour engaged in the beedi establishments. The purposes for which money from the Fund can be spent have been mentioned in clause 4 of the Bill.

3. It is proposed to administer the Fund in consultation with an Advisory Committee, to which is to be invited, will be set up in each of the principal beedi production States. Power is being taken by the Central Government to form Central Advisory Committee to co-ordinate the activities of the State Advisory Committees and to ensure their effective functioning.

4. The Bill is mainly designed to achieve the above objectives.

ACT 62 OF 1976

The Beedi Workers Welfare Fund Bill having been passed by both the Houses of Parliament received the assent of the President on 10th April, 1976. It came on the Statute Book as THE BEEDI WORKERS WELFARE FUND ACT, 1976 (62 of 1976).

AMENDING ACT


THE BEEDI WORKERS WELFARE FUND
ACT, 1976

(62 of 1976)

[10th April, 1976]

An Act to provide for the financing of measures to promote the welfare of persons engaged in beedi establishments.

Be it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows:

1. Short title, extent and commencement.—(1) This Act may be called the Beedi Workers Welfare Fund Act, 1976.

(2) It extends to the whole of India.

(3) It shall come into force in a State on such date as the Central Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different areas in the State and for different provisions of this Act.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “Fund” means the Beedi Workers Welfare Fund formed under section 3;

(b) a person is said to be engaged in an establishment if he is engaged in that establishment, directly or through any agency, whether for wages or not, for doing any work, skilled, unskilled, manual or clerical and includes—

(i) any person who is given raw materials by an employer or a contractor for being made into beedi at home, and

(ii) any person not engaged by an employer or a contractor but working with the permission of, or under agreement with, the employer or contractor;

(c) “prescribed” means prescribed by rules made under this Act;

(d) Word and expressions used but not defined in this Act and defined in the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (32 of 1966), shall have the meanings respectively assigned to them in that Act in so far as they relate to a person engaged in beedi establishments.

3. Beedi Workers Welfare Fund.—There shall be formed a Fund to be called the Beedi Workers Welfare Fund and there shall be credited thereto—

(a) an amount which the Central Government may, after due appropriation made by parliament by law in this behalf, provide from and out of the proceeds of cess credited under section 4 of the Beedi Workers Welfare Fund Act, 1976 (62 of 1976), after deducting the cost of collection as determined by the Central Government under this Act;

(b) any income from investment of the amount credited under the Act referred to in clause (a) and any other moneys received by the Central Government for the purposes of this Act.

4. Application of Fund.—(1) The Fund shall be applied by the Central Government to meet the expenditure incurred in connection with measures and facilities which, in the opinion of that Government, are necessary or expedient to promote the welfare of persons engaged in beedi establishments, and in particular—

(a) to defray the cost of measures for the benefit of such persons directed towards—

(i) the improvement of public health and sanitation, the prevention of disease and the provision and improvement of medical facilities;
(ii) the provision and improvement of water supplies and facilities for washing;
(iii) the provision and improvement of educational facilities;
(iv) the provision and improvement of housing and recreational facilities including standards of living, nutrition and amelioration of social conditions;

[(iva) the provision of family welfare, including family planning education and services;]

(v) the provision and improvement of such other welfare measures and facilities as may be prescribed;

(b) to grant loan or subsidy to a State Government, a local authority or an employer in aid of any scheme approved by the Central Government for the purpose connected with the welfare of persons engaged in beedi establishments;

(c) to pay annually grants-in-aid to a State Government, [(or to a local authority or to an agency which satisfies the prescribed criteria (hereinafter referred to as the agency) or to an employer)] who provides to the satisfaction of the Central Government welfare measures and facilities of the prescribed standard for the benefit of persons engaged in beedi establishments, so, however, that the amount payable as grants-in-aid to any such State Government, [(local authority, agency)] or employer shall not exceed—

(i) the amount spent in providing welfare measures and facilities as determined by the Central Government or any person specified by it in this behalf, or

(ii) such amount as may be prescribed, whichever is less:

Provided that no grant-in-aid shall be payable in respect of any such welfare measures and facilities where the amount spent thereon determined as aforesaid is less than the amount prescribed in this behalf;

(d) to meet the allowances, if any, of the members of the Advisory Committees and the Central Advisory Committee constituted under sections 5 and 6 respectively and the salaries and allowances, if any, of persons appointed under section 8;

(c) any other expenditure which the Central Government may direct to be defrayed from the Fund.

(2) the Central Government shall have power to decide whether any particular expenditure is or is not debitable to the Fund, and its decision shall be final.

COMMENTS

Beedi Workers Welfare Fund is to be applied to meet the expenditure incurred in connection with measures and facilities which are necessary or expedient to promote the welfare of the persons engaged in beedi establishments.

5. Advisory Committees.—(1) The Central Government may constitute as many Advisory Committees as it thinks fit, but not exceeding one for each of the principal beedi producing States, to advise the Central Government on such matters arising out of the administration of this Act as may be referred to it by that Government, including matters relating to the application of the Fund.

(2) Each Advisory Committee shall consist of such number of persons as may be appointed to it by the Central Government and the members shall be chosen in such manner as may be prescribed:

Provided that each Advisory Committee shall include an equal number of members representing Government, the employers and persons engaged in beedi establishments and that at least one member of such Committee shall be a woman.

(3) The Chairman of each Advisory Committee shall be appointed by the Central Government.

(4) The Central Government shall publish in the Official Gazette the names of all members of every Advisory Committee.

COMMENTS

The Central Government has been empowered to constitute Advisory Committees not exceeding one for each of the principal beedi producing states to advise the Central Government. The Advisory Committee Shall consist of such number of persons as may be appointed by the Central Government. Each Committee shall include an equal number of members representing Government, the employers and persons engaged in beedi establishments and one member of such Committee shall be a woman. The Chairman of each Advisory Committee shall be appointed by the Central Government.

6. Central Advisory Committee.—(1) The Central Government may constitute a Central Advisory Committee to co-ordinate the work of the Advisory Committees constituted under section 5 and to advise the Central Government on any matter arising out of the administration of this Act.

(2) The Central Advisory Committee shall consist of such number of persons as may be appointed to it by the Central Government and the members shall be chosen in such manner as may be prescribed:

Provided that the Central Advisory Committee shall include an equal number of members representing the Government the employers and persons engaged in beedi establishments and that at least one member of such Committee shall be a woman.
(3) The Chairman of the Central Advisory Committee shall be appointed by the Central Government.

(4) The Central Government shall publish in the Official Gazette the names of all members of the Central Advisory Committee.

7. Power to co-opt.—(1) An Advisory Committee or the Central Advisory Committee may at any time and for such period as it thinks fit, co-opt any person(s) or persons to the Advisory Committee.

(2) A person co-opted under sub-section (1) shall exercise all the powers and functions of a member under this Act but shall not be entitled to vote.

(3) The Advisory Committee or the Central Advisory Committee may, if it considers it necessary or expedient so to do, invite any person to attend its meeting and when such person attend any meeting, he shall not be entitled to vote thereat.

8. Appointment of welfare Commissioners, etc., and their powers.—(1) The Central Government may appoint as many Welfare Commissioners, Welfare Administrators, Inspectors and such other officers and staff as it thinks necessary for the purposes of this Act and the Beedi Workers Welfare Cess Act, 1976 (56 of 1976).

(2) The Central Government may, by general or special order, direct a Welfare Commissioner to appoint such staff as is considered necessary for the purposes of this Act and the Beedi Workers Welfare Cess Act, 1976 (62 of 1976).

(3) Every person appointed under this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).

(4) Any Welfare Commissioner, welfare Administrator or Inspector may—

(a) with such assistance, if any as he may think fit, enter at any reasonable time, any place which he considers it necessary to enter for carrying out the purposes of this Act;

(b) do within such place anything necessary for the proper discharge of his duties; and,

(c) exercise such other powers as may be prescribed.

9. Power of Central Government to exempt.—Notwithstanding anything contained in this Act, if the Central Government is satisfied that there is in force in any State or part thereof of a law making adequate provision for the financing of activities to promote the welfare of persons engaged in beedi establishments, it may, by notification in the Official Gazette, direct that all or any of the provisions of this Act shall not apply or shall apply to such State or part thereof subject to such exemptions and modifications as may be specified in the notification.

COMMENTS

Central Government has been empowered to direct that all or any of the provisions of this Act shall not apply to any State or part thereof if it is satisfied that there is in force a law wherein adequate provisions have been made for the financing of activities to promote the Welfare of persons engaged in beedi establishments in that State.

10. Annual report of activities financed under the Act.—The Central Government shall, as soon as may be, after the end of each financial year, cause to be published in the Official Gazette, a report giving an account of its activities financed under this Act during the previous financial year together with a statement of accounts.

11. Power to call for information.—The Central Government may require a State Government or a local authority or the agency or an employer to furnish, for the purposes of this Act, such statistical and other information in such form and within such period as may be prescribed.

12. Power to make rules.—(1) The Central Government may, by notification in the Official Gazette, and subject to the condition of previous publication, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the manner in which the Fund may be applied for the measures and facilities specified in sub-section (4) of section (4);

(b) the condition governing the grant of loan or subsidy under clause (b) of sub-section (1) of section 4;

(c) the conditions governing grant-in-aid under clause (c) of sub-section (1) of section 4;

(d) the standard of welfare measures and facilities to be provided under clause (c) of sub-section (1) of section 4;

(e) the determination of the amounts referred to in sub-clause (ii) of clause (c) of sub-section (1) of section 4 and the proviso to that clause;

(f) the composition of the Advisory Committees and the Central Advisory Committee constituted under sections 5 and 6 respectively, the manner in which the member thereof shall be chosen, the term of office of such members the allowances, if any, payable to them and the manner in which the Advisory Committees and the Central Advisory Committee shall conduct their business.

(g) the recruitment conditions of service and the duties of all persons appointed under section 8;

(h) the power that may be exercised by a Welfare Commissioner, a Welfare Administrator or an Inspector under section 8;

(i) the furnishing to the Central Government by a State Government or a local authority or the agency or an employer of such statistical and other information as may be required to be furnished under section 11;

(j) the forms in which and the period within which statistical and other information are to be furnished under clause (i);

(k) any other matter which has to be or may be prescribed, or provided for, by rules under this Act.

1. Ins. by Act 15 of 1987, sec. 6 (w.e.f. 22-5-1987).
2. Ins. by Act 15 of 1987, sec. 7 (w.e.f. 22-5-1987).
(3). In making any rule under sub-section (2), the Central Government may direct that a breach of—

(a) any rule made under clause (i) or clause (j) thereof, shall be punishable with fine which may extend to five hundred rupees;

(b) any rule made under clause (ja) thereof, shall be punishable with fine which may extend to two thousand rupees.

(4) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE BEEDI WORKERS WELFARE FUND RULES, 1978

In exercise of the powers conferred by section 12 of the Beedi Workers Welfare Fund Act, 1976 (62 of 1976), the Central Government hereby make the following rules, namely:—

CHAPTER I

GENERAL

1. Short title and commencement.—(1) These rules may be called the Beedi Workers Welfare Fund Rules, 1978.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires,—

(1) ‘Act’ means the Beedi Workers Welfare Fund Act, 1976 (62 of 1976);

(2) ‘Advisory’ Committee means an Advisory Committee Constiuted under section 5 of the Act;

(2A) ‘Agency’ for the purposes of the provisions of the Act and Rules framed thereunder shall satisfy the following criteria, namely:—

(a) it shall be a legal entity;

(b) it shall have the necessary set up in the area in which project to provide welfare measures and facilities, is proposed to be undertaken and also gained the relevant experience for a minimum period of three years;

(c) it shall have the objective to serve the social and economic needs of the community as a whole and mainly the weaker sections and unorganised sections like beedi workers. It must no work on profit motive but on no profit no loss basis;

(d) the activities of the agency shall be open to participation on by all citizens of India irrespective of the religion, caste, creed, sex, race, place of birth or any of them;

(e) it should have the necessary flexibility, professional competence and organisational skills to implement programme particularly in respect of unorganised work force;

(f) it declares that it will adopt, constitutional and non-violent means for achieving its objectives; and

(g) it is committed to secular and democratic concepts and methods of functioning;]


2. Ins. by G.S.R. 750, dated 22nd September, 1989 (w.e.f. 7-10-1989).
(3) 'Central Advisory Committee' means a Central Advisory Committee constituted under section 6 of the Act;

(4) 'Chairman' means the Chairman of an Advisory Committee or the Central Advisory Committee as the case may be;

(5) 'Commissioner' means a Welfare Commissioner appointed by the Central Government under section 3, for any State or States concerned;

(6) 'Form' means form in Schedule V;

(7) 'Fund' means the Beedi Workers Welfare Fund;

(8) 'member' means a member of an Advisory Committee or the Central Advisory Committee, as the case may be;

(9) 'Schedule' means a Schedule appended to these rules;

(10) 'section' means a section of the Act;

(11) 'treasury' means any Government Treasury or sub-treasury.

CHAPTER II

CENTRAL ADVISORY COMMITTEE, ADVISORY COMMITTEES AND SUB-COMMITTEES

3. Composition.—(1)(a) The Central Advisory Committee shall consist of the following persons to be appointed by the Central Government, namely:—

(i) the Chairman;

(ii) an officer of the Central Government who shall be the Vice-Chairman ex officio;

(iii) two officers of the Central Government to be nominated by the Government, ex officio;

(iv) Such number of the Welfare Commissioners as may be nominated by the Central Government, ex officio;

(v) Such number of persons representing the owners of establishments, factories or contractors who are engaged in manufacture of beedies as are equal in number to the aggregate of those provided in sub-clauses (ii) to (iv) to be appointed, after consultation with such organisations, if any, of the owners of beedi factories or establishments or contractors, as may be recognised by the Central Government in this behalf;

(vi) Such number of persons, of whom one shall be a woman, to represent the persons employed in the manufacture of beedies employed by any establishment or factory, directly or through any agency, employers or contractor as are equal in number to those provided in sub-clause (v) to be appointed after consultation with such organisations, if any, of the person so employed as may be recognised by the Central Government in this behalf.

(b) An officer of the Central Government shall be appointed by that Government as Secretary of the Central Advisory Committee and shall be entitled to attend and take part in the meetings of the Committee, but shall not be entitled to vote.

4. Term of office of members.—(1)(a) A member (other than an ex officio member) shall unless he resigns his office or dies or otherwise vacates his office at an earlier date, hold office for a period not exceeding three years as may be specified by the Central Government in each case while making the appointment, from the date of publication in the Official Gazette of the notification appointing him as a member of the Advisory Committee or the Central Advisory Committee, as the case may be, and shall be eligible for reappointment:

Provided that an outgoing member shall continue in office until the appointment of his successor is notified in the Official Gazette.

(b) An ex officio member shall hold office during the pleasure of the Central Government.

2. A member appointed to fill a casual vacancy shall hold office for as long as the member whose place he fills would have been entitled to hold office if the vacancy had not occurred.

[(3) If a member is unable to attend a meeting of the Central Advisory Committee or the Advisory Committee, then in the case of a member appointed under sub-clause (iv) or sub-clause(v) of clause (a) of sub-rule (1) of rule (3) of the Central Government may in consultation with body which is represented by him in the Central Advisory Committee or the Advisory Committee, as the case may be, depute a member in his place to attend the meeting and in other cases may nominate a substitute in his place to attend the meeting and such deputed or nominated member shall have all rights of a member in respect of that meeting.]

5. Resignation.—(1) A non-official member other than the Chairman of an Advisory Committee may resign his office by writing under his hand addressed to the chairman.

(2) The Chairman of an Advisory Committee may resign his office by writing under his hand addressed to the Central Government.

(3) The resignation shall take effect from the date of its acceptance or on the expiry of thirty days from the date of its receipt by the Chairman or, as the case may be, by the Central Government, whichever is earlier.

6. Absence from India.—[** **] Before a non-official member leaves India he shall intimate to the Chairman the date of his departure from and date of his expected return to India, and if he intends to be absent from India for a period longer than six months, he shall tender his resignation.

[***]

7. Vacation of office.—A non-official member shall be deemed to have vacated his office—

(a) if he becomes of unsound mind or is declared insolvent; or

(b) if he is convicted for any offence which in the opinion of the Central Government involves moral turpitude; or

(c) if he is absent from three consecutive meetings of the Advisory Committee or the Central Government, as the case may be, without leave of absence from the Chairman; or

(d) if in the opinion of the Central Government, it is not desirable that he should continue to be a member of the Advisory Committee or the Central Government as the case may be;

(e) in the case of a member of a State Legislature, on his ceasing to be member of such State Legislature;

(f) if he ceases to represent the interest for representing which he was appointed.

8. Allowances payable to member.—[(1) Every non-official member including a non-official member co-opted under section 7 shall be entitled to receive travelling allowance, daily allowance and conveyance allowance in accordance with the instructions contained in Ministry of Finance O.M. No F. 626(E) dated 5th September, 1980 as for the time being in force.

(2) The allowance under this rule shall be admissible only on production of a certificate by the non-official members to the effect that they have not claimed or drawn travelling allowance or conveyance allowance in respect of journeys and halts from any other source.]}

CHAPTER III

PROCEDURE RELATING TO MEETINGS

9. Disposal of business.—(1) Every question which an Advisory Committee or the Central Advisory Committee is required to take into consideration shall be considered either at a meeting or, if the chairman so directs, by sending the necessary papers to every member for opinion:

Provided that the papers are sent to the members by registered post with acknowledgment due and with the request that the views of the members should reach the office of the Advisory Committee or the Central Government, as the case may be, within a specified period:

Provided further that the papers will not be sent to a member who is absent from India.

(2) When a question is referred to the members for opinion by sending papers, any member may request that the question be considered at a meeting and therupon the Chairman may, and if the request is made by three or more members shall direct that it be so considered.

(3) If not less than three members of an Advisory Committee or the Central Advisory Committee request the Chairman to refer any matter to the Committee, the Chairman shall refer that matter to it accordingly.

[10. Time, place and date of meeting.—An Advisory Committee or the Central Advisory Committee shall meet at least once a year at such places and on such dates and at such times as may appointed by the chairman.]

11. Notice of meetings and list of business.—(1) Notice shall be given to every member present in India of the time and place fixed for each ordinary meeting at least fifteen days before such meeting and every member shall be furnished with a list of business to be considered at the meeting.

(2) An [urgent] meeting of an Advisory Committee or the Central Advisory Committee may be called by the Chairman thereof to discuss matters on which a decision had to be taken immediately.

(b) Notice shall be given either by registered post or by telegram or in person to every member present in India, of the place, time and of an [urgent] meeting at least four days before such meeting and every member shall be furnished with a list of business to be considered at the meeting.

(3) No business which is not included in the list shall be considered at a meeting without the permission of the chairman.

12. Presiding at meeting.—The Chairman shall preside at every meeting at which he is present and in his absence the Vice-Chairman shall preside.

13. Quorum.—No business shall be transacted at a meeting whether it be an ordinary or emergency meeting of an Advisory Committee or the Central Advisory Committee unless at least one third of the total number of members of the Advisory Committee or the Central Advisory Committee, as the case may be, having the right to vote are present and at least one of the members so present is the Chairman or the Vice-Chairman:

Provided that if at any meeting less than one third of the total number of members are present the Chairman or in the absence of Chairman the Vice-Chairman may adjourn the meeting to a date not less than seven days from the date of the meetings informing the members present and sending registered notice to the other member that he proposes to dispose of the business at the adjourned meeting irrespective of the quorum and it shall thereupon be lawful to dispose of the business at the adjourned meeting whether there is quorum or not.

14. Recommendation by majority.—(1) Every question of a meeting of the Advisory Committee or the Central Advisory Committee shall be decided by a majority of votes of the members present and voting on that question, but the minority shall in all cases have the right of requiring their dissent to be noted.

(2) Every question referred to the members for opinion shall unless the Chairman in pursuance of sub-rules (2) of rule 9 reserves it for consideration at a meeting be decided in accordance with opinion of the majority of members recording opinion within the time specified.

(3) In the case of an equal division of votes or opinion the Chairman shall have an additional or casting vote whether the matter is considered at the meeting the Central Advisory Committee or the Central Advisory Committee or by sending the papers for the opinion of members.

15. Minutes of meetings.—The proceedings of each meeting of an Advisory Committee or the Central Advisory Committee shall be circulated to all members present in India, as soon as may be after the meeting, and shall be read out and confirmed at the next meeting of the committee and shall be signed by the Chairman or as the case may be, the Vice Chairman or other person presiding at such next meeting and shall thereafter be recorded in a minute book, which shall be kept for permanent record.

16. Headquarters of an Advisory Committee or the Central Advisory Committee.—The headquarters of the Central Advisory Committee shall be in New Delhi and the headquarters of an Advisory Committee shall be at such place or places as may be fixed by the Central Government form time to time.

17. Executive of an Advisory Committee.—The Welfare Commissioner shall be the Chief Executive of an Advisory Committee and exercise the executive functions of the Committee on its behalf.

18. Staff powers of the Commissioner.—The Commissioner may authorise the staff of the Advisory Committee to give assistance to any member of an Advisory Committee or of a sub-committee of the Advisory Committee or any other Authority exercising executive or advisory functions in connection with the Act.

19. Conditions of service of persons appointed under section 8.—Persons appointed under section 8 shall be governed by such rules relating to the terms and conditions of service as are applicable to Central Government Servants.

20. Schemes of expenditure.—(1) The Commissioner shall have power subject to the provisions in the sanctioned budget to incur expenditure on administrative staff and welfare schemes:

Provided that—

(i) he shall have no powers to sanction any scheme not included in the budget, if it involves expenditure exceeding Rs. 50,000 non-recurring and Rs. 3,000 recurring a year; and

(ii) any new schemes within these limits shall require the approval of the Finance Sub-Committee before any expenditure on it is incurred.

(2) The Commissioner may sanction without reference to the Advisory Committee, expenditure on contingencies supplies and services and purchases of articles required for the smooth and efficient running of the organisation under him subject to financial provision in the sanctioned budget and to the condition that the expenditure on any single object or service shall not exceed Rs. 4,000 non recurring and Rs. 800 recurring.

POWERS OF ADVISORY COMMITTEES

21. Budget.—(1) The annual budget as prepared by the Commissioner in consultation with the Finance Sub-Committee shall be considered by the Advisory Committee concerned each year and thereafter a copy of the budget, as approved by the Advisory Committee, shall be forwarded not later than the 1st day of October each year for sanction to the Central Government which may make such alterations therein as it considers necessary before according its sanction.

(2) The budget to be forwarded to the Central Government shall be accompanied by detailed self contained notes explaining new schemes included therein.

22. Other matters to be considered by an Advisory Committee.—An Advisory Committee shall consider the budget and any other matter that may be laid before it by the Commissioner with permission of the Chairman.

23. Committee to be informed of expenditure.—A memorandum setting forth any grant made or expenditure since the last meeting shall be laid at each meeting of an Advisory Committee.

24. Finance Sub-Committee.—(1) An Advisory Committee shall elect from among its members, two persons of whom one shall be a person to represent owners of establishments or factories or contractors who are engaged in the manufacture of beedis, and the other to represent the persons employed in the manufacture of beedis to constitute a finance Sub-Committee of which the Commissioner shall be an additional member and Chairman.
(2) An Advisory Committee may at any time co-opt a person or persons to the Finance Sub-Committee and any person so co-opted shall exercise all the powers and functions of a member of the Finance Sub-Committee, but shall not be entitled to vote and shall not solely by reason of being so co-opted be a member of the Advisory Committee.

(3) Notice of every meeting of the Finance Committee shall be sent to the Chairman of the Advisory Committee who may attend such meeting if he so desires and if he does so attend, he shall notwithstanding anything contained in sub-rule (1) preside at the meeting and shall be entitled to vote.

25. Duties of the Finance Sub-Committee—The duties of the Finance Sub-Committee shall be to frame schemes of expenditure, to advise on the budget drawn up by the executive of the Advisory Committee and on the accounts of the Advisory Committee and also in regard to all expenditure and to consider all schemes referred to in clause (ii) of the proviso to rule 20.

26. Other sub-committees—An Advisory Committee may, as and when considered necessary, constitute from its members, as many sub-committees as it may deem necessary for considering and reporting on such matters as may be specifically assigned to it.

27. Meeting of the Sub-committees—The meeting and proceeding of the Finance Sub-Committee and any other sub-committees which may be constituted under rule 26 shall be governed by the provisions herein contained for regulating the meetings and proceeding of the Advisory Committee in so far as the same are applicable.

CHAPTER IV
GRANTS AND WELFARE STANDARDS

28. Grants—(1) In each case in which a grant is made by or with the approval of the Central Government to a State Government a [local authority/agency] the owner of an establishment or factory or contractor engaged in the manufacture of beedis, if aid of any scheme approved by the Central Government for the purposes of the Act, the Central Government may impose conditions necessary for ensuring—

(a) that the work for which the grant is made is duly and promptly executed and the money is actually utilised for the purpose for which it is granted;

(b) that the data on which the grant is calculated are in accordance with facts;

(c) that any particulars which the Central Government may from time to time require for the proper discharge of its responsibilities are promptly supplied.

(d) that all necessary facilities for inspection are accorded to persons duly authorised by the Central Government for the purpose of satisfying itself that the provisions of clause (a) are complied with or for checking the correctness of any particulars supplied under clause (c) or for the collection of any such particulars;

(e) that proper accounts of the money granted are kept and are submitted for adult by such persons as the Central Government may authorise in the behalf;

(f) that an additional statement of account together with a certificate of a registered Accountant or other recognised body of auditors to the effect that the accounts are correct, is furnished by the grantee; and

(g) that the labour employed on regular basis and that employed on contract basis are given [same] welfare facilities.

(2) Before making a grant to a State Government a [local authority/agency], or the owner of establishment or factory or contractor who is engaged in the manufacture of beedis, the Central Government shall require such State Government, local fulfilment of the conditions imposed by the Central Government under sub-rule (1).

(3) It shall be the condition of every bond executed under sub-rule (2) that in the event of the State Government, [local authority/agency] or owner of the establishment or factory violating any condition imposed under sub-rule (1) such State Government, [local authority/agency], or owner or contractor shall be liable to pay to the Central Government a sum not exceeding the amount paid as grant by way of penalty in addition to the refund of the entire remaining grant, and where the amount of penalty and the remaining grant is huge, payment may be allowed in two or three instalments.

29. Standard of Dispensary or Hospital Services.—(1) The standard of dispensary service to be provided by owners of establishments or factories or contractors who are engaged in the manufacture of beedis for the purpose of getting the grant-in-aid envisaged in clause (c) of sub-section (1) of section 4 of the Act shall be as specified in Schedule II hereinafter in this rule and in rules 30 and 31 referred to as the prescribed standard.

(2) There shall be maintained an independent dispensary or hospital at the site of each establishment or factory engaged in the manufacture of beedis according to the prescribed standard:

Provided that a common main dispensary may be maintained for several establishments or factories engaged in the manufacture of beedis with branch dispensaries attached to each establishment or factory engaged in the manufacture of beedis subject to the following conditions, namely:

(i) the common main dispensary shall maintain the standards prescribed for the aggregate number of workers of all the establishments or factories engaged in the manufacture of beedis served by it or the standard maintained by it during the year 1975 whichever is higher;

(ii) every branch dispensary shall have a qualified doctor and a qualified pharmacist (compounder);

(iii) the common main dispensary shall be so situated that none of the establishment or factory engaged in the manufacture of beedis served by it is more than fifteen kilometers away from it; and

(iv) the common main dispensary shall maintain an ambulance van for taking serious cases of injury and sickness from the branch dispensaries to the common main dispensary.

(3) The commissioner may if he is satisfied that any dispensary or hospital is being efficiently run and served the purpose for which it is established, waive any of the requirements specified in the prescribed standard:

1. Subs. by G.S.R. 750, dated 22nd September, 1989 (w.e.f. 7-10-1989).
Provided that no such dispensary or hospital shall contain any room other than a store room which is less than four metres by three metres in area:

Provided further that a registered Medical practitioner may be appointed to be in charge of a dispensary catering to more than 250 workers, only if he has ten years experience as medical officer in independent charge of a dispensary.

30. Inspection.—The dispensary services maintained by establishments or factories or contractors engaged in the manufacture of beedis shall be inspected at intervals not exceeding one year by such medical or other officer as may be authorised by the Commissioner for the purpose or by the Commissioner himself whenever he considers it necessary and the inspecting officer or the commissioner as the case may be shall if the dispensary conforms to the prescribed standard issue a certificate in form 'A' which shall be valid for a period of one year from date of issue.

31. Submission of periodic returns.—Every owner or contractor engaged in the manufacture of beedis who maintain a dispensary service according to the prescribed standard shall submit to the Commissioner—

(i) In January and July of each year a statement showing the total number of persons employed by him in the manufacture of beedis during the preceding six months, and

(ii) In January of each year a certified statement of expenditure incurred on the dispensary during the preceding twelve months.

32. Standard of maternity centre.—(1) The standard of maternity centre to be provided by owners or contractors who are engaged in the manufacture of beedis for the purpose of getting the grant-in-aid envisaged in clause (c) of sub-section (1) of section 4 of the Act shall be as specified in Schedule III, hereinafter in this rule and as in rules 33, 34 and 35 referred to as the prescribed standard.

(2) There shall be maintained as independent maternity centre at each establishment engaged in the manufacture of beedis according to the prescribed standard:

Provided that a common main maternity centre may be maintained for several establishments of factories engaged in the manufacture of beedis with branch maternity centre attached to each establishment or factory engaged in the manufacture of beedis subject to the following Conditions, namely:—

(i) the common main maternity centre shall maintain the prescribed standard for the aggregate number of workers of all the establishments or factories engaged in the manufacture of beedis served by it or the standard maintained by it during the year 1975 whichever is higher;

(ii) every branch maternity centres shall have a qualified doctor and a qualified compounder;

(iii) the common main maternity centres shall be so situated that none of the establishments manufacturing beedis served by it is more than fifteen kilometres away from it; and

(iv) the common main maternity centre shall maintain an ambulance van for taking serious cases from the branch maternity centres to the common maternity centre.

(3) The Commissioner may, if he is satisfied that a maternity centre is being efficiently run and serves the purpose for which it is established, waive any of the requirements specified in the prescribed standard:

Provided that the functions of a lady health visitor may be performed by a fully qualified and registered Midwife who has not less than ten years' experience as a Midwife:

Provided further that a lady medical licentiate may be appointed to be in charge of a maternity centre catering to more than 1,000 workers if she has ten years experience as a medical officer in independent charge of a maternity centre.

33. Inspection.—The maternity centre maintained by owners of establishments or factories or contractors engaged in the manufacture of beedis shall be inspected at intervals not exceeding one year by such medical or other officers as may be authorised by the Commissioner for the purpose or by the Commissioner himself whenever he considers it necessary and the inspecting officer or the Commissioner, as the case may be, shall if the centre conforms to the prescribed standard, issue a certificate in Form B which shall be valid for a period of one year from the date of issue.

34. Submission of periodic returns.—Every owner of an establishment or factory or a contractor engaged in the manufacture of beedis who maintains a maternity centre according to the prescribed standard shall submit to the Commissioner in January of each year a certified statement of the expenditure incurred on the maternity centre during the preceding twelve months.

35. Extent of Grant-in-aid.—Every owner of an establishment or factory or a contractor engaged in the manufacture of beedis who maintains a dispensary or a maternity centre for the benefit of workers employed in his establishment which conforms to be prescribed standard under rule 29 and 32 as the case may be and is subject to inspection under rule 30 and 33 as the case may be if he desires to carry on improvement on the facilities existing on the 1st April 1976 be eligible for such grant in aid in respect of non recurring expenditure on such improvement as the Central Government may decide subject to the condition that it shall not exceed 50 per cent of the said expenditure.

36. Standard of facilities for education and recreation.—(1) The standard of facilities for education and recreation of workers to be provided by owners of establishments or factories or contractors who are engaged in the manufacture of beedis for the purpose of getting grant-in-aid as envisaged in clause (c) of sub-section (1) of section 4 of the Act shall be as specified in Schedule IV hereinafter in this rule and in rules 37, 38 and 39 referred to as the prescribed standard.

(2) There shall be maintained an independent welfare centre at each establishment or factory engaged in the manufacture of beedis according to the prescribed standard.

(3) The Commissioner may, if he is satisfied that the centre is being efficiently maintained and serves the purposes for which it is established, waive any of the requirements specified in the prescribed standard.

37. Inspection.—The welfare centre maintained by owners of the establishments or factories or contractors engaged in the manufacture of beedis shall be inspected at intervals not exceeding one year by such officer as may be authorised by the Commissioner for the purpose or by the Commissioner himself whenever he considers it necessary and the inspecting officer or the Commissioner, as the case may be, shall if the centre
6. Distance of place of work from their residence
7. Name of person or establishment by whom employed
8. Name of the trade mark holder

(c) Officers deputed by the Commissioner shall be afforded all necessary facilities by the owners and local authorities to collect statistics or other information from the register referred to in clause (a) for the purposes of the Act.

(3) Any owner of an establishment or factory or contractor engaged in the manufacture of beedis who, without reasonable excuse fails to furnish the statistics or other information required under sub-rule (1) or furnished statistics or other information containing a statement, entry or detail which is not to the best of his knowledge or belief true or any executive authority enumerated under sub-rule (2), who, without reasonable excuse, fails to prepare a register as required under that sub-rule shall be punishable with fine which may extend to Rs. 500.

41. Identity card.—[(1)] The owner of an establishment factory or contractor engaged in the manufacture of beedis shall issue to every employee an identity card in Form ‘E’ on which a photograph of the worker would also be affixed.

[(2) Any owner of an establishment factory or contractor engaged in the manufacture of beedis who without reasonable cause fails to issue to any employee an identity card as required under sub-rule (1) shall be punishable with fine which may extend to two thousand rupees.]

42. Power to file complaints.—Welfare Commissioners, Assistant Welfare Commissioners and Welfare Administrators shall have power to file complaint before the appropriate court for breach of these rules.

SCHEDULE I
‘[***]
SCHEDULE II
(See rule 29)
Standard of Dispensary Services
I. BUILDING
1. Dispensary catering for 1000 workers or less—four rooms to be used as follows:
   (i) Consulting room (5 metres × 4 metres)
   (ii) Dressing room (5 metres × 4 metres)
   (iii) Dispensary and store room (5 metres × 4 metres). Covered waiting accommodation
   15 square metres two latrines (flush type) each 2 metres × 3 metres
   *(iv) Minor operation room (5 metres × 4 metres)
2. Dispensary catering for 1,001 to 2,000 workers—Six rooms to be used as follows:
   (i) consulting room for males (5 metres × 4 metres)

1. Rule 41 renumbered as sub-rule (1) thereof by G.S.R. 750, dated 22nd September, 1989
(w.e.f. 7-10-1989).
2. Ins. by G.S.R. 750, dated 22nd September, 1989 (w.e.f. 7-10-1989).
(ii) consulting room for females (5 metres × 4 metres)
(iii) Minor operation room (5 metres × 4 metres)
(iv) Dispensary room (5 metres × 4 metres)
(v) Laboratory room (15 to 18 square metres)
(vi) Store room (5 metres × 4 metres)
    Covered waiting accommodation—20 square metres. Two latrines (flush type) each 2 metres × 3 metres

3. Dispensary catering for 2,001 workers or more—Nine rooms to be used as follows:
   (i) Consulting room for males (5 metres × 4 metres)
   (ii) Consulting room for females (5 metres × 4 metres)
   (iii) Minor operation room (5 metres × 4 metres)
   (iv) Dispensary (5 metres × 4 metres)
   (v) Laboratory room (15 to 18 square metres)
   (vi) Dressing room (3 metres × 4 metres)
   (vii) Dark room (3 metres × 3 metres)
   (viii) Registration and record office room (15 square metres)
   (ix) Store room (5 metres × 4 metres)
       Covered waiting accommodation—25 square metres. Three latrines (flush type) each 2 metres × 3 metres.

   Each dispensary shall provide emergency beds for treatment of simple and emergency case at the rate of one bed for every 250 workers subject to a minimum of two beds, one for males and one for females. For this purpose separate room shall be provided for males and females. The rooms shall have air space of 18 cubic metres per bed and door and window space not less than one-third of the floor space with verandah 2.5 metres wide along the front of the room.

   Establishments manufacturing beedis which have no provision for emergency beds of the kind mentioned above at their dispensaries at the commencement of the Beedi Workers Welfare Fund Rules (1978) may within a period of three years from such commencement provide for such beds. These establishments which fail to provide emergency beds within such period shall not be entitled to any subsidy thereafter even if they may be otherwise qualified for it.

II. STAFF

1. Dispensary catering for 250 workers or less:
   Registered Medical Practitioner 1 (whole-time)
   Auxiliary Nurse Midwife 1 (whole-time)
   Compendium-cum-Dresser 1 (whole-time)
   Sweeper 1

2. Dispensary catering for 250 to 500 workers:
   Registered Medical Practitioner 1 (whole-time)
   Auxiliary Nurse Midwife 1 (whole-time)
   Compendium-cum-Dresser 1 (whole-time)
   Sweeper 1

3. Dispensary catering for 501 to 1,000 workers
   Registered Medical Practitioner 1 (whole-time)
   Auxiliary Nurse Midwife 1 (whole-time)
   Compendium-cum-Dresser 1 (whole-time)
   Sweeper 1
   Attendants 2
   Cook 1

4. Dispensary catering for 1,001 to 2,000 workers:
   Registered Medical Practitioner 1 (whole-time)
   Compounder 1
   Dresser 1
   Auxiliary Nurse Midwife 2
   Sweeper 3
   Attendants 1
   Cook

5. Dispensary catering for 2,001 workers or more:
   Registered Medical Practitioner 1 (whole-time)
   Compounder 2
   Dresser 1
   Auxiliary Nurse Midwife 1
   Nurse 2
   Sweeper 4
   Attendants 2
   Cooks

III. LIST OF DRUGS SURGICAL EQUIPMENTS, DRESSINGS, ETC., FOR DISPENSARY

A. DRUGS

1. Acetic Acid.
2. Boric Acid.
3. Carbolic Acid.
4. Salicylic Acid.
5. Distilled Water.
6. Sodium Chloride.
7. Aspirin.
8. Acriflavine or other anti-septic dye.
10. Calcium lactate.
11. Copper Sulphate.
13. Cod Liver Oil.
14. Ephedrine Hydrochloride (1/2 gr. tab.).
15. Ether.
17. Ferri Sulph.
18. Ferret ammoni cinn.
20. Glycerine.
21. Gum Acacia.
22. Hydrarg ammoniata.
24. Ethylol.
26. Liat saponis.
27. Liq Ammon Acetate.
29. LysoL
30. Mag. oxide Powder or Mag. trisilicate.
32. Menthol.
33. Multi vitamin tab.
34. Oil Ricini.
35. Oil Merth Pip.
36. Oil Olive or Oil of arachis.
37. Paludrine tabs.
38. Pheno Barbitone.
41. Pot. Iodide.
42. Pot permanganate.
43. Protagol or Argyrol.
44. Pulv. Ipecas co.
45. Pulv. Quinine sulph.
46. Sodi Bicarb.
47. Sodi. Salicylate.
52. Sulphasalazine or Sulphadizine tablets.
53. Sulphaguanidine.
54. Sulphalinamide Powder.
55. Tab. Digoxine or Pille Digotalis co B.P.S.
56. Tabs Laxative co. B.P.C.
57. Tetraclorendylene.
58. Tinet. Belladonna.
59. Tinet. Benzo
c60. Tinet. Oppl camphorate.

63. Tinet. Iodine.
64. Ung. Sulphuric B.P.C.
65. Vaseline.
66. Vin. Ipecac or tinct. for lip.
67. Zinc oxide.
68. Adrenalin Hydrochloride Liquor (1:1000).
69. Coramine or Nikethamide.
70. Emetine Hydrochloride (amp or tab)
71. Gr. 1.
72. Gr. 1/2.
73. Injection Quinine Gt. 10.
74. Percaigne Hydrochloric or Novocain 2 per cent amp.
75. Serum Anti venum.
76. Serum Tetanus anti toxin 1500 units.
77. Soluteptasine or other injectable sulphamide.
78. Tab Atropine (1/100 gr.)
79. Tab Morphine (1/60 mg.)
80. Penicillin 1,000,000 unit ampoules or 1,000,000 unit ampoules.
81. Streptomycine.
82. 90 P.A.S.
83. Isonicotinic Acid Hydrazide.
84. Intrudex.
86. Distilled water ampoules.
87. Liquid paraffin.
88. Vinegars.
89. Tenamus Toxoid.
90. Inj. Decadron.
91. Inj. Avil.
92. Tetracycline cap
93. Chlormphenicol cap
94. Chloramphenicol cap
95. Chlortab cap.
96. Vit. B. Complex tab.
97. Inj. Vit. B. 12
98. Life saving drugs.
99. Broad spectrum antibiotics.
100. Medicines generally required.
### B. DRESSING

<table>
<thead>
<tr>
<th>Item</th>
<th>250 workers or below</th>
<th>251-1,000 workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bandage, roller 15 cm.</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Bandage, roller 10 cm.</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Bandage, roller 8 cm.</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Bandages Triangular</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Cotton Wool</td>
<td>450 gms.</td>
<td>450 gms.</td>
</tr>
<tr>
<td>Gauze metre each</td>
<td>6</td>
<td>12</td>
</tr>
<tr>
<td>Lint</td>
<td>100 gms.</td>
<td>100 gms.</td>
</tr>
<tr>
<td>Plaster of paris bandage 10 cm.</td>
<td>-</td>
<td>6</td>
</tr>
<tr>
<td>Plaster of paris bandage 8 cm.</td>
<td>-</td>
<td>6</td>
</tr>
<tr>
<td>Strapping adhesive 12 roller</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Strapping adhesive 2 roller</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Strapping adhesive 3 roller</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Burn Dressing</td>
<td>6</td>
<td>12</td>
</tr>
</tbody>
</table>

### C. MEDICAL AND SURGICAL REQUIREMENTS

<table>
<thead>
<tr>
<th>Item</th>
<th>250 workers or below</th>
<th>251-1,000 workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basin 35 cm.</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Bowls E, 3.5 cm.</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Bowls E, 4.5 cm.</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Catheter rubber (size 8 &amp; 10)</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Cap feeding</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Douche can with fittings</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Drums dressing</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Examination lamp</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Forceps artery</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Forceps Chequeal</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Forceps Dissecting toothed</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Forceps Dissecting plain</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Hammer percussion</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Jug measures</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Lancet Vaccination</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Mirror Forehead</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Needle aneurism</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Needle suture assorted</td>
<td>6</td>
<td>6</td>
</tr>
</tbody>
</table>

19. Probe
20. Razor Safety
21. Roger's cholera apparatus or apparatus intravenous
22. Stethoscope
23. Syringes 2 c.c.
24. Syringes 10 c.c.
25. Syringes 20 c.c. or above
26. Spymonomanometer
27. Speculum Nasal
28. Speculum Aural
29. Stone primus
30. Scalpels
31. Skinner's mask
32. Stretchers
33. Syringes car
34. Spud eye
35. Splint leg Thomas (medium)
36. Splinting wire crampor
37. Scissors straight Mayo
38. Scissors straight both ends sharp
39. Steriliser Instrument portable
40. Thermometers
41. Tongue depressor
42. Tape measure
43. Test type chart
44. Tray dressing
45. Tray kidney
46. Tourniquet
47. Undine
48. Weighing machine
49. Water proof sheets of 2 metres
50. Autoclave
51. Stomach tube
52. Mouth gag
53. Cat gut (assorted numbers)
54. Silk work gut or nylon thread
55. Sets of wooden splints (4½, 3, 1½, 6"
56. Lifter

6 tubes | 12 tubes
3 metres | 6 metres
1 set | 2 set
57. Enamel bucket
58. Stainless Steel dekchi 12" with cover
59. Wooden board 7 x 1 ½ x 1"
60. Torch with spare cells
61. Stretchers
62. Eye Cups

SCHEDULE III
(See rule 32)

Standard of Maternity Centres

1. Maternity Centres for an establishment manufacturing beedis employing up to 1,000 workers:

(i) Consulting and office room
(ii) Labour room
(iii) Annexe to the labour room for sterilizing
(iv) Dispensary room
(v) Store room
(vi) Ward for two beds
(vii) Bath room and latrines (two flush)
(viii) Annexe to the bath room for bathing babies
(ix) Washing room
(x) Kitchen
(xi) Covered Waiting Shed

Note.—A part of the ward may be screened off to provide for work room for nursing staff.

2. Maternity Centres for an establishment manufacturing beedis employing up to 2,000 workers:

(i) Consulting room
(ii) Labour room
(iii) Annexe to the labour room for sterilizing
(iv) Dispensary room
(v) Work room for nursing staff for storage of medicines maintenance and preparation of supplies and maintenance of records and reports
(vi) Store room
(vii) Ward for two beds
(viii) Bath room and latrines (two flush)
(ix) Annexe to the bath room for bathing babies
(x) Washing room
(xi) Kitchen
(xii) Laboratory room
(xiii) Covered Waiting accommodation

3. Maternity Centres for and establishment manufacture beedis employing over 2,000 workers:

(i) Consulting room
(ii) Labour room
(iii) Annexe to the labour room for sterilizing
(iv) Dispensary room
(v) Work room for nursing staff for storage of medicines maintenance and preparation of supplies and maintenance of records and reports
(vi) Minor operation room
(vii) Store room
(viii) Ward for Six beds
(ix) Bath room and latrines (three flush)
(x) Annexe to the bath room for bathing babies
(xi) Washing room
(xii) Kitchen
(xiii) Laboratory room
(xiv) Covered Waiting accommodation

II. STAFF

1. Maternity Centres for an establishment manufacturing beedis employing 1,000 workers and below:

(i) Registered Medical Practitioner (Lady)
(ii) Nurse
(iii) Health Assistant (Female)
(iv) Compounder
(v) Sweepers (Female)

2. Maternity centre for an establishment manufacturing beedis employing 1,001 to 2,000 workers:

(i) Registered Medical Practitioner (Lady)
(ii) Compounder
(iii) Health Assistant (Female)
(iv) Sweepers (Female)
(v) Ayahs
(vi) Cook

3. Maternity Centre for an Establishment manufacturing beedis, employing more than 2,000 workers:

(i) Registered Medical Practitioner (Lady) 1
(ii) Nurse 1
(iii) Health Assistant (Female) 3
(iv) Compounder 1 Full time
(v) Sweepers (Female) 3
(vi) Ayahs 3
(vii) Cook 1

III. LIST OF DRUGS, SURGICAL, EQUIPMENTS, DRESSING, ETC., FOR MATERNITY CENTRES

A. DRUGS

1. Acid Acetic.
2. Acid Boric.
3. Acid Carabolic.
4. Acid Salicylic.
5. Aqua Distillate.
6. Ammon Carb.
7. Aspirin.
8. Acriflavin or other anti-septic dye.
10. Calcium lactate.
11. Copper sulphate.
12. Calamine Preparat.
13. Cod Liver Oil.
15. Ether.
17. Ferri Sulph.
18. Ferriot Ammoni Citras.
20. Glycerine.
22. Hydrag ammoniata.
23. KaoFloc.
26. Lysol.
27. Mag. Oxide Powder or Mag Trisillicate.

---

29. Multi Vitamin tab.
30. Oil Reim.
31. Oil Mauh Pip.
32. Oil Olive or Oil of arachis.
33. Palmarine tabs.
34. Pheno barbitons.
37. Pot. Iodide.
38. Pot permanganate.
39. Protargol or Argyrol.
40. Pulv. Ippeas co.
41. Pulv. Quinine sulph.
42. Sodi Bicarb.
43. Sodi. Saficlylate.
47. Sulphaminamide or Sulphadiazine tablets.
48. Sulphaguanidine.
49. Sulphamidic Powder.
50. Tab. Digitoxin or Pill Digitalis co B.P.S.
51. Tabs Laxative co. B.P.C.
52. Tinct. Belladonna.
53. Tinct. Monoin co.
54. Tinct. Opil camphorata.
57. Tinct. Iodine.
58. Ung. Sulphuris B.P.C.
59. Vaseline.
60. Vin Ippeas or tincture. liq.
63. Coramine or Nikethamide.
64. Emetine Hydrochlor (amp or tab)
65. Gr. 1.
66. Gr. 1/2.

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67. Injection Quinine Gr. 10.
68. Peracine Hydrochlor or Novocain 2 per cent amp.
69. Serus Tetanus anti toxin 1500 units.
70. Sulfacetamide or other injectable sulphamide.
71. Tab Atropine (1/100 gr.)
72. Tab Morphine
73. Penicillin 1,00,000 unit ampoules or 4,00,000 unit amp.
74. Streptomycin.
75. P.A.S.
76. Isonicotinic Acid Hydrazide.
77. Ext, Ergot Liquid.
78. Erashul Capsules or Neegynegin.
79. Lovelive ampoules.
80. Introdex.
81. Dextrose and sodium chloride injection u.s.p in transfusion bottles.
82. Distilled water ampoules.
83. Liquid paraffin.
84. Vinegars.
85. Tetanus toxoid.

Note: The actual quantities of the above mentioned items to be stocked shall be such as are found necessary in the light of the day to day working of the maternity centre provided that provision for drugs shall be made at each centre at least at the rate of 50 paise per annum per worker attached to the maternity centre.

### B. DRESSINGS

<table>
<thead>
<tr>
<th>Item</th>
<th>1,000 workers or below</th>
<th>1,001-2000 workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Bandage, roller 10 cm.</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>2. Bandage, roller 10 cm.</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>3. Bandage, roller 08 cm.</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>4. Bandage, Triangular</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>5. Cotton Wool</td>
<td>1.35 kilogram</td>
<td>1.35 kilogram</td>
</tr>
<tr>
<td>6. Gauze 1 metre each</td>
<td>12 metres</td>
<td>24 metres</td>
</tr>
<tr>
<td>7. Lint</td>
<td>200 grams</td>
<td>300 grams</td>
</tr>
<tr>
<td>8. Strapping adhesive 12 roller</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>9. Strapping adhesive 2 roller</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>10. Strapping adhesive 3 roller</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>11. Burn Dressing</td>
<td>12</td>
<td>12</td>
</tr>
</tbody>
</table>

### C. MEDICAL AND SURGICAL EQUIPMENTS

<table>
<thead>
<tr>
<th>Item</th>
<th>1,000 workers or below</th>
<th>1,001-2000 workers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Basin 35 cms.</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>2. Bowls E. 3.5 cm.</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>3. Bowls E. 4.5 cm.</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>4. Female Calibre rubber &amp; Moctel (8 &amp; 10)</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>5. Cup feeding</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>6. Douche can with fittings</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>7. Drums dressing</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>8. Examination lamp</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>9. Forceps artery</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>10. Forceps onecette</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>11. Forceps Dissecting toothed</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>12. Forceps Dissecting plain</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>13. Hammer percussion</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>14. Jug measures</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>15. Lancet Vaccination</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>16. Mirror Forehead</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>17. Needles aneurysm</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>18. Needle suture assorted</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>19. Probe</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>20. Razor Safety with blades</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>21. Roger's chelera apparatus or apparatus intravenous</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>22. Vaginal Retractor</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>23. Vaginal speculum</td>
<td>1</td>
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<td>34. Syringes 2 c.c.</td>
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<td>35. Syringes 10 c.c.</td>
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<td>36. Syringes 20 c.c. or above</td>
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### The Beedi Workers Welfare Fund Rules, 1978

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<th>Item Description</th>
<th>1,000 workers or below</th>
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<td>Scissors straight both ends sharp</td>
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<td>Scissors straight mayo</td>
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<td>Autoclave</td>
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<td>Mouth gag</td>
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<tr>
<td>Cat gut assorted (numbers)</td>
<td>6 tubes</td>
<td>12 tubes</td>
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<tr>
<td>Silkworm gut or nylon thread</td>
<td>3 metres</td>
<td>6 metres</td>
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<td>Sets of wooden splints (4½&quot; 3', 1' 6'')</td>
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<td>Lifter</td>
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<td>Enamel bucket</td>
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<tr>
<td>Stainless steel dekchi 12&quot; with cover</td>
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<td>Wooden board 7' x ½' x 1'</td>
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<td>Torch with spare cells</td>
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<td>Eye Cups</td>
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<td>1. Blankets</td>
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<tr>
<td>2. Bin for soiled clothes</td>
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<tr>
<td>3. Bottles drop with grooved stoppers</td>
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<td>4. Cork screw</td>
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<tr>
<td>5. Corks assorted</td>
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### D. OTHER EQUIPMENT

1. Blankets
2. Bin for soiled clothes
3. Bottles drop with grooved stoppers
4. Cork screw
5. Corks assorted

### E. FURNITURE

1. Almira
2. Benches
3. Chairs
4. Cupboard poison
5. Examination couch female
The Beedi Workers Welfare Fund Rules, 1978

6. Stools 2 2
7. Screen 1 2
8. Table Medical Officer 1 1
9. Table dispensing 1 1
10. Table dressing 1 1

Note.—In the case of dressings, medical and surgical equipments other centre equipments and furniture, a 50% increase in the number shown for 2,000 workers shall be made for every additional 1,000 workers.

SCHEDULE IV
(See rule 36)

Standard of Facilities for Education and Recreation — Welfare Centre

WELFARE CENTRE

1. ACCOMMODATION
   (a) 1. One hall of 45 square metres.
   2. Two rooms of 15 square metres each.
   3. Covered Verandah 18 square metres.
   4. One lavatory for men.
   5. One lavatory for women.
   6. One bath room for children.
   (b) Play ground of the size of 36 metres × 18 metres.
   (c) Children’s park equipment—
      (i) Swing 1
      (ii) Ocean wave 1
      (iii) Sea saw 1
      (iv) Slides 1

II. STAFF
   1. Adult Education cum games instructor 1
   2. Sevika 1

III. FURNITURE AND EQUIPMENT
   1. Table 1
   2. Chair 2
   3. Chair steel folding 6
   4. Notice Board 1
   5. Benches 2
   6. Black Board 1
   7. Steel Almirah 1
   8. Coir mat 15 metres × 1 metre 1

9. Radio with loud speaker
10. Slates, pencils, chalk, etc.
11. Books, Charts, Maps, etc
12. Petromax (if no electricity is available)
13. Dholak
14. Jhals
15. Volley ball court equipment, ball, etc.
16. Tennikoit set
17. Carrom Board
18. Chess
19. Ludo
20. Newspapers and Periodicals
21. Sewing machine
22. Scissors
23. Tape
24. Knitting and crochet needles
25. Raw materials
26. Gong

SCHEDULE V
(See rule 30)

FORM A

Certificate of Inspection

Inspection report of the ......................... Dispensary at ......................... by the ......................... for the year ......................... ending ......................... 20

1. Name of establishment (including factory)/contractor, engaged in the manufacture of beedies served by dispensary
2. Number of workers for which it caters
3. Date and hour of inspection
4. Date of last inspection
5. Dispensary building:
   (a) Condition of dispensary building
   (b) Does the accommodation provided conform to the prescribed standard?
6. Medicines:
   (a) Is the supply sufficient and according to the prescribed scale?
   (b) Are the poisons labelled and kept separately under lock and key?
7. Surgical instruments and equipment—are they sufficient and in good order?
8. Staff Acquittance Rolls—are they in order and up-to-date?
9. Registers and Returns—are they properly kept and regularly submitted?
10. Establishment—
   (a) Officer-in-charge:
      (i) Part-time/Whole-time
      (ii) Name and qualifications
   (b) Designation and pay of staff:
      (i) Medical Graduate
      (ii) Medical Licentiate
      (iii) Lady Doctor
      (iv) Nurse
      (v) Compounder
      (vi) Auxiliary Nurse Midwife
      (vii) Male Dresser
      (viii) Female Dresser
      (ix) Sweeper
      (x) Chowkidar
      (xi) Peon
   (c) Attendance Register—Do the staff attend regularly?

11. Annual expenditure on:
   (a) Establishment
   (b) Medicines

12. Out-Patients:
   (a) Number seen at the time of visit
   (b) Total number of new patients treated in current year up-to-date
   (c) Total number of old patients treated in current year up-to-date
   (d) Total treated during the last year
   (e) Do the entries on tickets of patients present tally with the entries on the registers?
   (f) Are there any arrangements for treating women apart from men?

13. Are you satisfied with the working of the dispensary?  
If not, what suggestions can be made for its improvement?

I certify that I have inspected the dispensary noted above and that it conforms/does not conform in the following respects* to the standards laid down in the Beedi Workers Welfare Fund Rules, 1978.

Signature of Inspecting Officer
Date...........................................

Counter Signature of Commissioner
Date...........................................

* Give details below.

Note.—The counter signature of the Commissioner is not necessary when the Commissioner himself is the Inspecting Authority.

FORM B
(See rule 33)
Certificate of Inspection

Inspection report of the Maternity Centre at ............. by the............. for the year...........
ending................20..........

1. Name of establishment (including factory)/contractor, engaged in the manufacture of beedis served by the maternity centre
2. Number of workers for which it caters
3. Date and hour of inspection
4. Date of last inspection
5. Maternity Centre Buildings:
   (a) Condition of maternity Centre building
   (b) Does the accommodation provided conform to the prescribed standard?
6. Medicines:
   (a) Is the supply sufficient and according to the prescribed scale?
   (b) Are the poisons labelled and kept separately under lock and key?
7. Surgical Instruments and equipments—Are they sufficient and in good order?
8. Staff Acquaintance Rolls—Are they in order and up-to-date?
9. Registers and Returns—Are these properly kept and regularly submitted?

10. Establishment—
    (a) Officer-in-charge:
        (i) Part-time/Whole-time
        (ii) Name and qualifications:
    (b) Designation and pay of staff:
        (i) Medical Graduate
        (ii) Medical Licentiate
        (iii) Lady Doctor
        (iv) Compounder
        (v) Nurse
        (vi) Midwife
        (vii) Ayah
        (viii) Sweeper
        (ix) Ward Attendant
        (x) Cook
    (c) Attendance Register—Do the staff attend regularly?

11. Annual expenditure on:
    (a) Establishment
    (b) Medicines

12. Out-Patients:
The Beedi Workers Welfare Fund Rules, 1978

(a) Number seen at the time of visit
(b) Total number of new patients treated in current year up-to-date

[***]
(d) Total treated during the last year
(e) Do the entries on tickets of patients present tally with the entries on the register?

13. Are you satisfied with the working of the Maternity Centre? If not, what suggestion can you make for its improvement?

I certify that I have inspected the Maternity Centre noted above and that conform/does not, conform in the following respects* to the standards laid down in the Beedi Workers Welfare Fund Rules, 1978.

Signature of Inspecting Officer
Date............................................
Counter signature of Commissioner
Date............................................

Note.—The counter signature of the Commissioner is not necessary when the Commissioner himself is the Inspecting Authority.

FORM C
(See rule 37)

Certificate of Inspection of the Welfare Centre

Inspection report of the.......................................................... welfare centre at.......................................................... by the .......................................................... for the year..........................................................

1. Name of establishment (including factory)/ contractor engaged in the manufacture of beedis served by the centre
2. Number of workers for which it caters
3. Date and hour of inspection
4. Date of last inspection.
5. Centre Buildings:
   (a) Condition of building
   (b) Does the accommodation provided conform to the prescribed standard?
6. Equipment:
   (a) Are the equipments provided according to the prescribed standard?
   (b) Is timely repair/replacements done where necessary?
   (c) Are the equipments all in serviceable condition?
7. Establishment—
   (a) Officer in charge:
      (i) Part-time/Whole-time
      (ii) Name and qualifications

(b) Designation and pay of staff:
   (i) Adult Education Instructor
   (ii) Sevika
   (iii) Sweeper
(c) Attendance Register—Do the staff attend regularly?

8. Annual Expenditure on:
(a) Establishment
(b) Repairs and replacement of equipments

9. Activities:
(a) Total number of rolls attending the centre
(b) Number seen at the time of inspection
(c) Number of adults attending literacy classes
(d) Number of women attending craft classes
(e) Number of adults participating in games and sports

10. Are you satisfied with the working of the Centre? If not, what suggestion can be made for its improvement?

I certify that I have inspected the welfare centre noted above and that conform/does not, conform in the following respects* to the standards laid down in the Beedi Workers Welfare Fund Rules, 1978.

Signature of Inspecting Officer
Date............................................
Counter signature of Commissioner
Date............................................

*Give details below.

Note.—The counter signature of the Commissioner is not necessary when the Commissioner himself is the Inspecting Authority.

FORM D
(See rule 40)

Statistics and other Information

1. Name of factory/establishment or contractor engaged in the manufacture of beedis
2. Location and full postal address of factory/establishment/contractor
3. Name of the employer of the factory/establishment/contractor and licence number issued by the Excise Department
4.(a) Amount of tobacco for which licence is issued and actual amount of tobacco received during the period from................. to.................
   (b) Quantity of tobacco distributed and number of beedis manufactured from ................. to .................
5. Number of persons employed by the employers/contractors in factories/establishment/private dwelling houses during the period from................. to.................

1. Omitted by G.S.R. 703, dated 6th August, 1982 (w.e.f. 21-8-1982)
1. Name of the Agency
2. Year of formation of Agency
3. Location and full postal address
4. Name and addresses of office bearers of the Agency
5. Whether the Agency is a legal entity: (quote registration number etc.)
6. Whether activities of the Agency are open to participation by citizens of India irrespective of religion, caste, creed, sex or race
7. Whether the Agency is committed to secular and democratic concepts and methods of functioning
8. Whether the Agency has declared that it will adopt constitutional and non-violent means for achieving its objectives
9. Objectives of the Agency

1. Ins. by G.S.R. 750, dated 22nd September, 1989 (w.e.f. 7-10-1989).
## List of Latest Universal's Bare Acts & Rules

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