

**JOINT/SELECT COMMITTEE
REPORTS OF LEGISLATIVE
ASSEMBLY - 1923**

The Code of Civil Procedure (Amendment) Bill

List of Reports of Select or Joint Committees
presented in the Legislative Assembly in 1921.

Serial No.	Short title of the Bill.	Date of presentation.	Remarks
1.	The Indian Limitation(Amendment) Bill.	17.3.21.	
2.	The Indian Penal Code(Amendment) Bill.	15.9.21.	
3.	The Maintenance Orders Enforcement Bill.	15.9.21.	
4.	The Indian Electricity (Amendment) Bill.	19.9.21.	Report the Joint Committee
5.	The Indian Factories (Amendment) Bill.	26.9.21.	-do-
	The Indian Emigration(Amendment) Bill.		

LEGISLATIVE DEPARTMENT.

We, the undersigned, Members of the Joint Committee to which the Bill further to amend

Paper No. I :

Letter from the Managing Agent, Moradabad Spinning and Weaving Mills Company, dated 28th May 1921, and enclosure.

Letter from the United Provinces Chamber of Commerce, dated 4th July 1921.

Extract of letter from the Government of Bihar and Orissa, dated 7th July 1921, and enclosure.

Extracts of letter from the Government of Assam, dated 11th July 1921.

Paper No. II :

Extract from letter from the Government of Bombay, dated 1st August 1921, and enclosure.

Extract from letter from the Government of Burma, dated 21st July 1921.

Letter from the Secretary, Indian Tea Association, Calcutta, dated 6th August 1921.

Paper No. III :

Letter from the Indian Jute Mills Association, Calcutta, dated 27th August 1921.

Letter from the Chief Commissioner, Delhi, dated 30th August 1921, and enclosure.

Paper No. IV :

Letter from the Government of Bengal, dated 7th September 1921, and enclosure.

the Indian Factories Act, 1911, was referred, have

considered the Bill and the papers noted in the

margin, and have now the honour to submit this

our Report, with the Bill as amended by us

annexed thereto.

Under the provisions of rule 42 of the Indian Legislative Rules, the Committee elected the Honourable Khan Bahadur Mian Muhammad Shafi to act as its Chairman. He was, however, prevented from attending after the first meeting, and the Committee elected the Honourable Mr. H. Moncrieff Smith as Chairman for subsequent meetings.

Clause 1.—We propose that the coming into force of the Act should be deferred till the first day of July 1922. Not only will all persons concerned thus have reasonable notice of the amendments which are being made in the law, but we understand also that, from every point of view, the date proposed for introducing changes in the working of factories will be eminently convenient. We observe that the same course was adopted when the present Act was passed.

Clause 2 (a).—We decided by a majority to retain this clause. We also discussed the possibility of introducing a "young persons" class, but we considered that this was not feasible. Even if it were within our powers, we think that the numerous amendments which would be necessary in the Bill should not be made until opinions have been elicited thereon.

Clause 4.—The amendment we have made in this clause is intended to provide that a certifying surgeon shall, if so required, give his reasons in writing for the revocation of a certificate, as well as for the refusal to grant one.

Clause 6.—We have made an addition to the new section introduced by this clause, which will enable re-examination of a child to be made by a registered practitioner authorised in that behalf by a certifying surgeon.

Clause 9.—In view of the opinions expressed on this clause, which require measures to be carried out within a period which was not to be more than seven days from the date of the notice, we have provided that the period to be fixed shall be in the discretion of the Inspector issuing the notice.

Clause 12.—It was put to us that in many factories it would be convenient to enable the period of rest to be taken in two instalments, and we have, therefore, provided that this should be done at the request of the employees concerned. Further, in view of the provision for an eleven hours' day, and for the purpose of avoiding split shifts, we propose that the period of rest for children should be obligatory in the case of those working more than five and a half hours instead of only five hours.

Clause 13.—We were given to understand that the objection to section 22 of the Act, as it stands, is that it made it possible for a person to be employed for thirteen consecutive days without a holiday. The amendment which we now propose to section 22 meets this objection. It also meets the various objections which have been raised to the section as it stands in the Bill. The Bill did not appear to take account of the various important religious holidays which do not necessarily fall on any particular day in the week.

Clause 14.—In section 23 we have provided for the substitution of "twelve" for "nine" from the commencement of the Act, as it is not now intended to bring the Act into force before the first day of July, 1922. We are in fact making no change in the intention, except that we are dispensing with the short transitory period during which children of 11 might be employed.

Clause 15.—The amendment proposed by the Bill in section 25 would prohibit the employment of an adult male in two factories on the same day, and neither the Act nor the Bill provides

for any exemption in such cases. We think that there are many cases in which it would be reasonable to provide that a skilled workman should be permitted to attend to work in different factories on the same day, and we propose, therefore, that power should be taken to make rules laying down the circumstances in which this may be permitted. We have, therefore, provided in separate clauses for the amendments of sections 25 and 26, and have re-numbered the clauses of the Bill down to clause 26.

Clause 16 (now clause 17).—We have limited the working day to eleven hours instead of twelve as proposed in the Bill.

Clause 17 (now clause 18).—The scheme of the Bill is obviously to bring all the exceptions together into one Chapter. We have examined the matter at considerable length, particularly with reference to the changes which it is proposed to make in the law. We note in particular that the exemptions provided before by sections 21 (2) (c) and 22 (2) of the Act have disappeared. We think that there should at least be a power to exempt, even if an absolute exemption is not maintained, and we think also that, in the case of urgent repairs done within the factory itself, it would be reasonable to give a power to exempt from the provisions which insist on periodical rests and weekly holidays. We have, therefore, provided for this in a new sub-section (3) to section 30 as amended. We feel, however, that there should be safeguards, and we provide that rules may be made to have the effect of attaching conditions to the exemption. We have also provided for an exemption from the provisions of section 21 in the case of factories where continuous production is necessary for technical reasons. We think that with these changes all the necessary exemptions, which are contained in the Schedules to the Act, will be sufficiently provided for in the Act as we propose to amend it.

Clause 20 (now clause 21).—We are of opinion that the period of seven days provided by the Bill within which copies of notices are to be sent to the Inspector is insufficient, and we propose to restore the period to one month as laid down in section 36 of the Act as it stands.

Clauses 24 and 25 (now clauses 25 and 26).—We consider that the maximum fines proposed by the Bill are unnecessarily high, and we have substituted "five hundred" in each case for "one thousand."

Clause 27.—We are not convinced of the necessity for raising the fine in this case, and we have, therefore, omitted the clause. We have rejected a proposal to impose a penalty as in section 138 of the English Act on parents and guardians of children employed in contravention of the provisions of the Act.

Clause 30.—We have added orders under the new sections 18A and 19A to those orders which are appealable, but we have provided that the stay of execution contemplated by the Bill shall not apply in the case of orders issued under section 19A.

In the new clauses 31 and 32 of the Bill, we have provided for certain consequential amendments which appear to have been overlooked. The remaining changes made in the Bill may be regarded as matters of pure drafting.

The Committee considered numerous proposals for further amendments of the law. It was suggested that a provision should be introduced defining the precincts of a factory on the lines of the proviso to section 147 (1) of the Factory and Workshop Act, 1901; also that section 46 of the Act should be left unamended. We rejected these proposals by a majority of five to four.

3. The Bill was published in the Gazette of India, dated 5th March 1921.

4. We think that the Bill has not been so altered as to require re-publication, and we recommend that it be passed as now amended.

ALEX. R. MURRAY.*
 VITHALDAS D. THACKERSEY.*
 M. B. DADABHOY.*
 BISHAMBHARNATH.
 V. G. KALE.
 JAMNADAS DWARKADAS.
 A. C. CHATTERJEE.
 H. MONCRIEFF SMITH.
 LALUBHAI SAMALDAS.*
 N. M. JOSHI.*
 T. V. SESHAGIRI AYYAR.*
 B. N. SARMA.

The 24th September, 1921.

* Subject to Minutes of Dissent.

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MINUTE OF DISSENT.

While signing the Report we reserve the right when the Bill comes before the Legislature to move amendments for the deletion of clauses 2 (a) and 28 of the Bill, and the retention of sections 2 (1) and 46 of the existing Act, and also for the provision of a definition of the "precincts" of a factory on the lines of the English Statute.

ALEX. R. MURRAY.

VITHALDAS D. THACKERSEY.

M. B. DADABHOY.

The 21st September, 1921.

MINUTE OF DISSENT.

Clause 2(a).—I wanted young persons class to be introduced in the Bill. As however it was not thought advisable to introduce such a vital alteration at this stage, the matter had to be dropped. I still think that the best solution of the difficulty is the creation of young persons class.

I am of opinion that a medical graduate of all Indian Universities should be empowered to examine children.

I want section 46 of the present Act to be kept as it is, or, as an alternative, to have the definition of precincts on the lines of the English Statute.

LALUBHAI SAMALDAS.

The 24th September, 1921.

MINUTE OF DISSENT.

I generally agree in the conclusions reached by my Colleagues in the Joint Committee subject to the reservations contained in this minute.

In clause 12, I do not agree with the views of the majority that the period of statutory mid-day rest should be split up at all. I prefer that the workmen should have the full hour's rest in one unbroken period. This would not prevent the employer and the employees agreeing to have additional period of rest at any time convenient to them.

In clause 14(2) I propose to substitute the word five for six. As approved by the Committee the maximum number of hours for adults is fixed at eleven and so the maximum number of hours per day for children cannot be fixed higher than five and a half. I am inclined to think that my Colleagues failed to notice the change of twelve to eleven hours for adults which would have necessitated the fixing of the period for children at five and a half hours.

Regarding clause 15, in my opinion, there is no need for making a special provision for enabling employees to work in the different factories during the same day under special circumstances.

In clause 17, relating to section 27, I would substitute 54 for 60 hours. In the same clause relating to section 28, I would substitute ten for eleven.

In regard to the grant of exemptions under clause 18, I am of opinion that a proviso should be included that Local Governments should not give exemption regarding the weekly hours of work in such a way that the average weekly hours during the period to be fixed by the Local Government shall exceed the statutory weekly hours fixed in the Act.

I am also of opinion that Local Governments should not be empowered to give exemption to employers to get work from them for more than twelve hours in a day.

Similarly, I would also restrict the power of the Local Government to exempt from the statutory weekly rest in such a way that the employee should have compensatory holidays within a certain period.

As regards section 32 regarding the plantation factories, I am of opinion that no case has been made out for retaining the section. I think it should be omitted.

N. M. JOSHI.

The 24th September, 1921.

MINUTE OF DISSENT.

I agree generally with Mr. Joshi. I am not inclined to agree with him that the period of rest should not be split up. This is only an enabling power, and I think that the workmen would prefer this arrangement to the one originally embodied in the Bill.

I agree with Mr. Joshi as regards clause 18 that the Local Government's power to make rules should not be unlimited, and that their power to exempt should not be for more than one hour in excess of the statutory working hours in a day.

I agree with Mr. Joshi *re* his objection to section 32 included in clause 18. Power has already been given to grant exemption regarding the weekly rest day. In my opinion the coolie employed in a tea estate is as much entitled to a period of rest during the working hours of a day as workmen elsewhere. There is no justification for compelling these coolies to work continuously for eleven hours in a day.

T. V. SESHAGIRI AYYAR.

The 24th September, 1921.

[Words printed in italics indicate the amendments suggested by the Committee.]

A

BILL

Further to amend the Indian Factories Act, 1911.

WHEREAS it is expedient further to amend the Indian Factories Act, 1911; It is hereby enacted XIII of 1911.
as follows:—

1. (1) This Act may be called the Indian
Short title, extent and commencement. Factories (Amendment)
Act, 1922.

(2) It extends to the whole of British India, including British Baluchistan and the Sonthal Parganas.

(3) *It shall come into force on the first day of July, 1922.*

2. In section 2 of the Indian Factories Act, XII of 1911.
Amendment of section 2, 1911 (hereinafter referred to as the said Act),—

(a) in clause (1) for the word "fourteen" the word "fifteen" shall be substituted;

(b) for clause (3) the following clause shall be substituted, namely:—

"(3) 'factory' means—

(a) any premises wherein, or within the precincts of which, on any one day in the year not less than twenty persons are simultaneously employed and steam, water or other mechanical power or electrical power is used in aid of any process for, or incidental to, making, altering, repairing, ornamenting, finishing or otherwise adapting for use, for transport or for sale any article or part of an article; or

(b) any premises wherein, or within the precincts of which, on any one day in the year not less than ten persons are simultaneously employed and any such process is carried on, whether any such power is used in aid thereof or not which have been declared by the Local Government by notification in the local official Gazette to be a factory;

A declaration under clause (b) may be made in respect of any class of premises, or in respect of any particular premises";

(c) for clauses (8) and (9), the following clause shall be substituted, namely:—

"(8) 'week' means the period between midnight on Saturday night and midnight on the succeeding Saturday night."

3. For section 3 of the said Act, the following section shall be substituted, namely:—
Substitution of new section for section 3, Act XII of 1911.

"3. Nothing in this Act shall apply to any
Application of Act mine subject to the operation
of the Indian Mines Act,
1901."

VIII of 1911.

4. In section 7 of the said Act, for sub-section
 Amendment of section 7, (2), the following sub-
 Act XII of 1911. sections shall be substitut-
 ed, namely :—

“(2) A certifying surgeon may revoke any certificate granted to a child under sub-section (1) if, in his opinion, the child is no longer fit for employment in a factory.

(3) Where a certifying surgeon refuses to certify that a person is fit for employment in a factory or revokes a certificate granted to a child in this behalf, he shall, if required by such person or child, or by the parent or guardian or such person or child, or by the manager of the factory in which such person or child desires to be employed, state in writing his reasons for such a refusal or revocation.”

5. In section 8 of the said Act,—

Amendment of section 8,
 Act XII of 1911.

(a) for the words “any person practising medicine or surgery,” the words “any registered practitioner” shall be substituted;

(b) in the proviso for the words “after the first date” to the end of the section, the words “for a period of more than three months” shall be substituted;

(c) after the proviso, the following *Explanation* shall be added, namely :—

“*Explanation.*—In this section the expression ‘registered practitioner’ means any person registered under the Medical Act, 1858, or any Act ^{21 & 22 Vict.} amending the same or under any Act of any ^{C. 90.} Legislature in British India providing for the maintenance of a register of medical practitioners, and includes, in any area where no such last-mentioned Act is in force, any person declared by the Local Government, by notification in the local official Gazette, to be a registered practitioner for the purposes of this section.”

6. After section 8 in Chapter II of the said Act,
 Insertion of new section the following section shall
 8A in Act XII of 1911. be inserted, namely :—

“8A. Where an Inspector is of opinion that
 Compulsory medical a child employed in a fac-
 examination. tory is no longer fit for
 employment, he may serve on the manager of the
 factory a notice requiring that such child shall
 cease to be employed until he has been re-exam-
 ined by a certifying surgeon or by a registered
 practitioner authorised by a certifying surgeon in
 this behalf.”

7. To section 9 of the said Act, the follow-
 Amendment of sec- ing clause shall be added,
 tion 9, Act XII of namely :—
 1911.

“(d) the atmosphere shall not be rendered so humid by artificial means as to be injurious to the health of the persons employed therein.”

8. In clause (c) of sub-section (1) of section 18
 of the said Act, after the
 Amendment of sec- word “machinery,” the
 tion 18, Act XII of words “and electrical fit-
 1911. tings including live wires
 and switches” shall be inserted.

9. After section 18 of the said Act, the following section shall be inserted, namely:—

Insertion of new section 18A in Act XII of 1911.

“18A. (1) If an Inspector is of opinion—

Repairs to buildings or machinery.

(a) that any factory or part thereof is in such a condition as to be dangerous to human life or safety, or

(b) that any part of the ways, works, machinery or plant used in a factory is in such a condition that it cannot be used without danger to human life or safety,

he may serve on the manager of the factory an order in writing, specifying the measures which he considers necessary for removing the danger, and requiring him to carry them out before *such date as may be specified therein.*

(2) If, in the opinion of the Inspector, the use of any part of the ways, works, machinery or plant in a factory involves imminent danger to human life, he may serve on the manager of the factory an order in writing prohibiting the use thereof until it is duly repaired or altered.”

10. After section 19 of the said Act, the following sections shall be inserted, namely:—

Insertion of new sections 19A and 19B in Act XII of 1911.

“19A. Where, in the opinion of the Inspector, the presence in any factory or any part thereof of children, who, by reason of their age, cannot, under the provisions of this Act, be lawfully employed therein, involves danger to, or injury to the health of, such children, he may serve on the manager of such factory an order in writing prohibiting the admission of such children to the factory or part thereof.

19B. No person under the age of eighteen years and no woman shall be employed in any factory in any of the operations specified in Part I of Schedule I, or, save in accordance with the regulations contained in Part II of Schedule I, in any operation involving the use of lead compounds.”

11. In the proviso to section 20 of the said Act, after the word “roof,” the words “or to such height as the Inspector may, in any particular case, specify” shall be inserted.

12. For section 21 of the said Act, the following section shall be substituted, namely:—

Substitution of new section for section 21, Act XII of 1911.

“21. (1) In every factory there shall be fixed,—

Rest periods in factories.

(a) for each person employed on each working day—

(i) at intervals not exceeding six hours, periods of rest of not less than one hour, or

(ii) at the request of the employees concerned, periods of rest of not less than half an hour each so arranged that, for each period of six hours' work done, there shall be periods of rest of not less than one hour's duration in all, and that no person shall work for more than five hours continuously, and

(d) for each child working more than five and a half hours in any day, a period of rest of not less than half an hour.

(2) The period of rest under clause (b) shall be so fixed that no such child shall be required to work continuously for more than four hours."

13. To clause (b) of sub-section (1) of section Amendment of section 22 of the said Act, the 22, Act XII of 1911. following proviso shall be added, namely:—

"Provided that no such substitution shall be made as will result in any person working for more than ten consecutive days without a holiday for a whole day."

14. (1) In clause (a) of section 23 of the said Amendment of section 23, Act, for the word "nine" Act XII of 1911. the word "twelve" shall be substituted.

(2) In clause (c) of section 23 of the said Act, for the word "seven," the word "six" shall be substituted.

(3) The provisions of clause (a) of section 23 of the said Act, as hereby amended, shall not apply to any child lawfully employed in a factory on or before the first day of July, 1921.

15. In section 25 of the said Act, after the Amendment of section word "child," the words "or, 25, Act XII of 1911. save in such circumstances as may be prescribed, any other person" shall be inserted.

16. In section 26 of the said Act, for the words Amendment of section 25, "woman or child" and Act XII of 1911. the words "woman and child," the word "person" shall be substituted.

17. For section 27 of the said Act, the following Substitution of new sections ing sections shall be for section 27, Act XII of substituted, namely:— 1911.

"27. No person shall be employed in a Limitation of working factory for more than hours per week. sixty hours in any one week.

28. No person shall be employed in any factory for more than eleven Limitation of working hours per day. hours in any one day."

18. For Chapter V of the said Act, the following Substitution of new ing Chapter shall be sub- Chapter for Chapter V, Act stituted, namely:— XII of 1911.

"CHAPTER V.

EXCEPTIONS.

29. Nothing in any of the following sections, Exceptions for persons namely, 21, 22, 24, 26, 27 holding positions of super- and 28, shall apply to vision, etc. persons who may, by rules made by the Local Government under this Act, be defined to be persons holding positions of supervision or management, or to persons employed in a confidential capacity.

30. (1) Where it is proved to the satisfaction Exemptions. of the Local Govern- ment—

(a) that any class of work in a factory is in the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of the factory; or

- (b) that the work of any class of workers is essentially intermittent; or
- (c) that there is in any class of factories any work which necessitates continuous production for technical reasons; or
- (d) that any class of factories supplies the public with articles of prime necessity which must be made or supplied every day; or
- (e) that in any class of factories the work performed, by the exigencies of the trade or by its nature, cannot be carried on except at stated seasons or at times dependent on the irregular action of natural forces;

the Local Government may, subject to the control of the Governor General in Council, by notification in the local official Gazette, exempt on such conditions, if any, as it may impose—

- in case (a) such class of work from all or any of the provisions of sections 27 and 28;
- in case (b) work of the nature described from all or any of the provisions of sections 22, 27 and 28;
- in case (c) work of the nature described from the provisions of sections 21 and 22;
- in cases (d) and (e) such class of factories from the provisions of section 22.

(2) The Local Government may, by general or special order, exempt for such period as may be specified in the order and on such conditions, if any, as it may impose, any factory from all or any of the provisions of sections 21, 22, 27 and 28, on the ground that such exemption is necessary in order to enable such factory to deal with an exceptional press of work.

(3) *Nothing in section 21 or section 22 shall apply to work of urgent repairs executed in any factory in such circumstances as may be prescribed.*

31. Where, under the provisions of sub-section Payment for over- (1) of section 30, any factory time. has been exempted from the provisions of section 27, every person employed in such factory for more than sixty hours in any one week shall be paid, in respect of the overtime, at a rate which shall be at least one and a quarter times the rate at which he is normally paid.

32. The Local Government may, subject to the Special exemptions for control of the Governor indigo, tea and coffee General in Council, by notification in the local official factories. Gazette, exempt any indigo factory or any factory situated on, and used solely for the purposes of, a tea or coffee plantation, from all or any of the provisions of sections 21 and 22, on such conditions, if any, as it may impose."

19. In sub-section (1) of section 33 of the said Act, for clauses (a) and (b), Amendment of section 33, Act XII of 1911. the words "on or before the date on which the factory commences working as such" shall be substituted.

20. For section 35 of the said Act, the following Substitution of new section for section 35, Act XII of 1911. section shall be substituted, namely:—

"35. In every factory there shall be kept in Register of workera. the prescribed form a register of all the persons employed in such factory, of their hours of work and of the nature of their respective employment."

21. In section 36 of the said Act—

Amendment of section 36,
Act XII of 1911.

(a) for clause (b) of sub-section (1), the following shall be substituted, namely:—

"(b) the periods of rest fixed under section 21";

(b) in clause (d) of sub-section (1), for the words "women and children, respectively," if not employed in shifts," the words "all persons employed" shall be substituted.

22. In sub-section (2) of section 37 of the Amendment of section said Act,—
37, Act XII of 1911.

(a) in clause (g) after the word "ventilation," the words "and artificial humidification" shall be inserted;

(b) in clause (j) after the word "machinery," the words "and electrical fittings" shall be inserted;

(c) after clause (j), the following clause shall be inserted, namely:—

"(j) the definition of 'persons' under section 29 who shall be deemed to be persons holding positions of supervision or management or persons employed in a confidential capacity."

23. After section 38 of the said Act, the Insertion of new following section shall be section 38A in Act XII inserted, namely:—
of 1911.

"38A. The Governor General in Council may Rules for preven- make rules for the adequate tion of anthrax. disinfection of wool used in factories which may be infected with anthrax spores."

24. In section 39 of the said Act—
Amendment of section
39, Act XII of 1911.

(a) in sub-section (1) for the word and figures "section 38," the words and figures "sections 38 and 38A" shall be substituted;

(b) in sub-section (2), for the words and figures "sections 37 and 38," the words and figures "sections 37, 38 and 38A" shall be substituted.

25. In section 41 of the said Act—

Amendment of sec-
tion 41, Act XII of
1911.

(a) in clause (f), for the words "machinery or boilers," the words "machinery, electrical fittings or boilers" shall be substituted;

(b) in clause (g), for the words and figures "or section 18," the words and figures "section 18, section 18A or section 19A" shall be substituted;

(c) for the words "two hundred," the words "five hundred" shall be substituted.

26. In section 43 of the said Act, for the words "two hundred," the words "five hundred" shall be substituted.

Amendment of section 43, Act XII of 1911.

27. After section 43 of the said Act, the following section shall be inserted, namely:—

Insertion of new section 43A in Act XII of 1911.

"43A. Where under this Act a Criminal Court imposes a fine or confirms in appeal, revision or otherwise, a sentence of fine in respect of an offence causing bodily injury or death, the Court may, when passing judgment, order the whole or any part of the fine recovered to be paid as compensation to the person injured or, in the case of his death, to his legal representative:

Power of Court to pay compensation out of fine.

Provided that, if the fine is imposed in a case which is subject to appeal, no such payment shall be made before the period allowed for presenting the appeal has elapsed, or, if an appeal has been presented, before the decision of the appeal."

28. For section 46 of the said Act, the following section shall be substituted, namely:—

Substitution of new section for section 46, Act XII of 1911.

"46. If a child over the age of six years is found in any factory or within the precincts thereof, he shall, until the contrary is proved, be deemed to be employed in the factory."

Presumption as to employment of children.

29. In section 48 of the said Act, at the end of sub-section (2), the words and figures "or section 44" shall be added.

Amendment of section 48, Act XII of 1911.

30. In section 50 of the said Act,—

Amendment of section 50, Act XII of 1911.

(a) in sub-section (1), for the words and figures "or section 18," the words and figures "section 18, section 18A or section 19A" shall be substituted;

(b) after sub-section (3), the following sub-section shall be inserted, namely:—

"(4) Except in the case of an appeal against an order under section 19A, the appellate authority may, on the application of the appellant, suspend the operation of an order of the Inspector pending the decision of the appeal. But where no such suspension has been granted, such order shall be complied with notwithstanding the fact that an appeal has been presented."

31. In sub-section (2) of section 51 of the said Act, for the words and figures "section 24, clause (a) and section 29," the words and figures "and section 24, clause (a)" shall be substituted.

Amendment of section 51, Act XII of 1911.

32. In section 52 of the said Act, for the words Amendment of section 52, and figures "section 28 Act XII of 1911. and section 32," the words and figures "section 27, section 28 and section 31" shall be substituted.

33. For Schedules I and II to the said Act, the Schedule contained in Amendment of Schedules to Act XII of 1911. Schedule I to this Act shall be substituted.

34. The provisions of the said Act specified in Schedule II are hereby Repeals. repealed to the extent shown in the second column thereof.

SCHEDULE I.

SCHEDULE TO BE SUBSTITUTED IN THE INDIAN FACTORIES ACT, 1911.

(See section 33.)

"THE SCHEDULE.

(See section 19B.)

PART I.

1. Work at a furnace where the reduction or treatment of zinc or lead ores is carried on :
2. The manipulation, treatment, or reduction of ashes containing lead, the desilverising of lead or the melting of scrap lead or zinc :
3. The manufacture of solder or alloys containing more than ten per cent. of lead :
4. The manufacture of any oxide, carbonate, sulphate, chromate, acetate, nitrate or silicate of lead :
5. Mixing or pasting in connection with the manufacture or repair of electric accumulators :
6. The cleaning of work-rooms where any of the processes aforesaid are carried on.

PART II.

1. Where dust or fume from a lead compound is produced in the process, provision must be made for drawing the fume or dust away from the persons employed by means of an efficient exhaust draught so contrived as to operate on the dust or fume as nearly as may be at its point of origin :
2. The persons employed must undergo the prescribed medical examination at the prescribed intervals, and the prescribed record must be kept with respect to their health :
3. No food, drink, or tobacco, shall be brought into, or consumed in, any room in which the process is carried on, and no person shall be allowed to remain in any such room during meal times :
4. Adequate protective clothing in a clean condition shall be provided by the employer and worn by the persons employed :
5. Such suitable cloak-room, mess-room and washing accommodation as may be prescribed shall be provided for the use of the persons employed.

6. The rooms in which the persons are employed, and all tools and apparatus used by them, shall be kept in a clean condition."

SCHEDULE II.

(See section 34.)

REPEALS.

Section 2	...	...	Clause (4).
Section 22	...	...	Sub-sections (2), (3) and (4).
Section 36	...	...	Sub-section (4).
Section 38	...	...	The words "from time to time."
Section 55	...	...	The whole.
Section 59	...	...	Ditto.

GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

Report of the Joint Committee on the
Bill further to amend the Indian Factories
Act, 1911.

(Bill as amended.)