

**Memorandum on the Factory
Inspection Staff in India prepared
for the Public Services Com-
mission.**

Administration.

Factory Inspectors employed in the various provinces are not borne on one general cadre. They are under the administrative control of Local Governments and Administrations though in each province they are officially subordinate to such authority as the Local Government or Administration may indicate in this behalf.

Development and existing constitution.

An Act to regulate labour in factories in India was enacted and brought into force in 1881, but up to the year 1892 no whole-time Inspector of Factories was appointed in any province, except Bombay, the duty of inspection of factories being entrusted, entirely to District Magistrates, who were *ex-officio* Inspectors under the Act, and to other officers appointed by Local Governments. This arrangement continued until the appointment of whole-time Inspectors in the various provinces.

Bombay.—In the Presidency of Bombay the services of one of His Majesty's Inspectors of Factories were obtained in April 1882, for a period of six months, to superintend and report on the working of the Indian Factories Act and to advise the Local Government as to the measures which should be adopted to ensure the successful operation of the Act. After that officer's return to England, Mr. Kharsedji N. Servai, Assistant to the Collector of Bombay in the Income Tax Department, was appointed to act as Inspector of Factories within the limits of the City and Island of Bombay. He held that appointment until the middle of 1883, when a special Inspector of Factories was appointed from England for a period of 5 years. The latter officer, however, resigned his appointment in May 1887, and the Assistant Collector, Bombay, was entrusted with the duty of factory inspection. Again, in 1892 the appointment of a mofussil Inspector of Factories (subordinate to the Chief Inspector, who was the First Assistant Collector in Bombay) was created on a pay of Rs. 450—30—600 for a period of 5 years; but the officer selected for the appointment was unable to take charge of it for some time and eventually resigned it and Mr. Nanabhai Ardesar Moos, Lecturer on Experimental Physics, Elphinstone College, Bombay, who had been appointed to do duty substantively

pro tempore, also reverted to his own appointment on 1st November 1892. Taking advantage of this opportunity the Government of Bombay in 1893 proposed, as an experimental measure for one year, the abolition of the appointment referred to above and the transfer of the duties attached to it to the Inspectors of Steam Boilers and Prime Movers. This proposal received the sanction of the Secretary of State for India in 1894 but before it could be acted upon the introduction of the Cotton Duties Act, 1894, necessitated a reconsideration of the whole question. In April 1895 the Local Government proposed the abandonment of the scheme for the amalgamation of the Factory and Boiler Inspection Departments and the creation of a combined Factory and Excise Department. This involved the creation of the following appointments in addition to the one sanctioned in 1892:—

- (1) An additional assistant to the Collector, designated the First Assistant Collector of Land Revenue and Excise and Chief Inspector of Factories, on a pay of Rs. 700 a month with a local allowance of Rs. 100 and a conveyance allowance of Rs. 50 a month.
- (2) Two Inspectors of Factories, one on Rs. 400—20—500 and the other on Rs. 300—20—400 a month, *plus* a conveyance allowance of Rs. 30 a month each.

These appointments were created provisionally in 1895 and the whole scheme was sanctioned by the Secretary of State in April 1896. In September 1908 an additional temporary appointment of a Factory Excise Inspector on Rs. 500 a month was created for a period of one year in the first instance but was continued until the reorganisation of 1912.

Central Provinces and Berar.—In Berar an Inspector of Factories and Steam Boilers was appointed in November 1893 on a pay of Rs. 250—20—350 a month. In the Central Provinces the work of Factory inspection was entrusted to the Presidency Inspector of Factories, Bombay, from the year 1892, when the appointment was created. These arrangements were revised in 1906, when two Inspectors, one on Rs. 400—20—600 and the other on Rs. 300—20—400, were appointed for the combined work of Factory and Boiler Inspection in the Central Provinces and Berar.

Bengal—An Inspector of Factories was appointed in 1892 on a pay of Rs. 700 a

month for a period of 5 years. The appointment was made permanent and pensionable in 1897. The inspection of factories in the province of Eastern Bengal and Assam, when it was created in 1905, was also entrusted to this officer and his pay was increased from Rs. 700 to Rs. 800—50—950 a month in 1907. In February 1908 an Assistant Inspector of Factories was appointed on Rs. 500 a month as a temporary measure for a period of six months but the appointment ceased to exist in May 1908. In February 1909, however, the temporary appointment of the Assistant Inspector was revived on a salary of Rs. 550 a month, inclusive of conveyance allowance, and was continued until the reorganisation of 1912.

United Provinces.—The work of factory inspection in this province was undertaken by the Inspector of Factories, Bengal, from the year 1892, when the appointment was created. That officer was relieved of this duty in January 1909, when the Government of the United Provinces appointed a separate Inspector for that province temporarily for a period of six months on a pay of Rs. 500 a month. The Government of India subsequently sanctioned the continuance of this appointment until the reorganisation of 1912. The temporary Inspector was placed in charge of the Boiler inspection establishment in August 1910, and his pay was increased to Rs. 533-5-4 a month with effect from the 1st April 1911.

Madras.—The inspection of factories in the city of Madras was transferred in 1900 from the Deputy Commissioner of Police to the Inspector of Steam Boilers and Prime Movers, who was granted a conveyance allowance of Rs. 50 a month to compensate him for the extra work and the payment of carriage hire incurred in the inspection of factories in the city of Madras. The inspection of railway factories in this province was entrusted to the Consulting Engineer for Railways and his Deputy until 1910, when the duty was transferred to the Senior and Junior Government Inspectors of Railways, Circle No. 7, pending the appointment of a full-time Inspector.

Punjab.—In 1906 the inspection of all factories within the local areas to which the Punjab Steam Boilers and Prime Movers Act extended was made over to the Inspector of Boilers and Prime Movers.

Reorganisation of 1912.

The Textile Factory Labour Committee in their Report, dated the 5th April 1907,

made certain suggestions for the improvement of the system of inspection of factories, but no action was taken on those suggestions as it was decided to appoint a Commission to consider the question of the amendment of the Factories Act as a whole. In 1908 the Indian Factory Labour Commission recommended—

Extracts from Report attached.

- (1) the discontinuance of inspection by *ex-officio* inspectors,
- (2) the reorganisation of the Factory Inspection Staff in India, and
- (3) the appointment of a Chief Inspector of Factories in India to secure uniformity in the administration of the Factories Act.

The first recommendation was accepted by the Government of India and necessary instructions on the subject were issued to Local Governments in this Department's letter No. 4086-4095, dated the 1st June 1911, an extract from which is attached.

The second recommendation was also accepted and a reorganisation of the Staff in India was sanctioned by the Secretary of State in 1912, *vide* Government of India's despatch No. 38, dated the 15th February 1912, and Secretary of State's despatch No. 37, Revenue, dated the 26th April 1912, copies of which are attached. The present constitution of the staff is shown in Statement A, which is attached to this memorandum.

The third recommendation was not accepted as it was held that the appointment of a Chief Inspector would diminish the authority and impair the responsibility of Local Governments.

Conditions of Service.

Qualifications.—The general qualifications which should be possessed by Inspectors of Factories are stated in paragraph 111 of the Indian Factory Labour Commission's Report, and in paragraph 19 of the Government of India's despatch No. 38, dated the 15th February 1912, copies of which are enclosed.

Recruitment.—The appointments are in the gift of Local Governments, and officers are recruited both in England and in India, no distinction being made between the two classes.

Leave and Pension.—For purposes of leave and pension, the Inspectors of Factories are governed by the rules in the Civil Service Regulations. A summary of the

important leave, pension and provident fund regulations is contained in a memorandum which was recently prepared by the India Office when inviting applications for appointments in India. A copy of this memo. is attached.

Mr. Walsh, Chief Inspector of Factories in Bengal, although appointed in India, has been admitted to the European Service Leave Rules as a personal concession.

Exchange Compensation allowance.—No exchange compensation allowance is granted to any of the Inspectors, *vide* paragraph 15 of the Government of India's despatch No. 38, dated the 15th February 1912, a copy of which is enclosed.

Employment of non-Europeans.

There is no prohibition against the employment of Indians, but in practice Europeans are generally appointed as no Indian suitable for the appointment can be found. The appointment has been held by Indian Inspectors only on two occasions, and then for short periods. Local Governments are, under the provisions of the Civil Account Code, required to obtain the sanction of the Governor General in Council in every case in which a European is appointed, and to declare that no native of India suitable for the post is available.

In sanctioning the reorganisation of the Indian Factory Inspection Staff in 1912, the Secretary of State suggested that the experiment might be tried in Bombay and Bengal of appointing Indians as Probationary Inspectors with a view to employ them in temporary vacancies as Inspectors with full powers and so train them gradually in the duties of Factory inspection. Both Governments have been consulted, but agree in the view that it is inadvisable to undertake the experiment for the following reasons:—

- (1) That the European Staff of Managers and Foremen is considerable and not always easy to get on with.
- (2) That the pay offered would not be sufficient to attract Indians of the requisite experience and ability.
- (3) That the task of administering the new Act calls for none but the best experts available.

Vide paragraph 2 of Secretary of State's Despatch No. 37 (Revenue), dated the 26th April 1912 (copy attached).

Vide —

Letter from the Government of Bombay No. 4942, dated the 29th July 1912.

Letter from the Government of Bengal No. 6971, dated the 7th December 1912, with enclosures. Copies attached.)

STATEMENT A.

Province.	Staff of Factory Inspectors.	Pay and allowances.	Remarks.
Rs.			
Bengal, Bihar and Orissa and Assam.	1 Chief Inspector ...	800—50—1,000 <i>plus</i> an allowance of Rs. 250 a month from the Boiler Fund as long as he performs the duties of Secretary to the Boiler Commission.	Is also Secretary to the Boiler Commission and has control over the Boiler Inspectors.
	2 Inspectors ...	400—30—700 each.	
Bombay ...	1 Chief Inspector ...	1,000—50—1,250 ...	The system under which the Assistant Collector of Bombay performed the duties of the Chief Inspector of Factories has been discontinued.
	4 Inspectors ...	400—30—900 each <i>plus</i> a conveyance allowance of Rs. 40 each for the two Inspectors stationed in Bombay.	
Burma ...	1 Inspector ...	400—30—1,000 <i>plus</i> the usual Burma allowance* of Rs. 100 a month.	*The continuance of this allowance depends on any decision that may in future be arrived at on the question of Burma allowances in general.
Punjab, North-West Frontier Province, Ajmer-Merwara and Delhi.	1 Inspector ...	400—30—1,000 ...	Will arrive from England next autumn. He will also be Boiler Inspector for the province and will be responsible for the inspection of factories in the North-West Frontier Province and Ajmer-Merwara and of factories and boilers in the province of Delhi.
Madras ...	1 Inspector ...	400—30—1,000.	
United Provinces ...	1 Inspector ...	400—30—1,000 ...	Is also in charge of the Boiler Inspectors.
Central Provinces and Berar.	1 Inspector ...	400—20—600 ...	} They are also Inspectors of Boilers.
	1 Inspector ...	300—20—400 ...		The Chief Commissioner has been asked to consider the question of the appointment of an Inspector of superior status as soon as an opportunity offers.

List of enclosures reprinted.

1. Chapter relating to Inspection in the Report of the Textile Factories Labour Committee, 1907.

2. Paragraphs 107-114 and 116 of the Report of the Indian Factory Labour Commission, 1908.

3. Paragraphs 3-6 of letter from the Government of India No. 4086-4095, dated the 1st June 1911.

4. Despatch from the Government of India No. 38, dated the 15th February 1912.

5. Despatch from the Secretary of State for India No. 37, Revenue, dated the 26th April 1912.

6. Memo. prepared by the Secretary of State for distribution among the Home Office Factory Staff for the purpose of inviting applications for appointments in India.

7. Letter from the Government of Bombay No. 4942, dated the 29th July 1912.

8. Letter from the Government of Bengal No. 6971, dated the 7th December 1912, with enclosures.

List of single copy enclosures.

1. The Indian Factories Act, 1881 (XV of 1881).
2. The Indian Factories Act, 1911 (XII of 1911).

*Chapter relating to Inspection in the
Report of the Textile Factories Labour
Committee, 1907.*

The System of Inspection also differs. For instance in Bombay City—Bombay being the most important manufacturing centre in India—the office of the Chief Inspector of Factories is held by the Assistant Collector. We find in the report of the working of the Indian Factories Act for the year 1905 that the post of Chief Inspector was held by six separate gentlemen. Each of these also held the office of Assistant Collector and was subject to the control of the Collector of Bombay. There is a 1st Inspector of Factories appointed by the Local Government, an Uncovenanted Civil Servant, who has not passed any special, technical or other examination and whose time is largely taken up by other duties (excise, etc.).

There is a Joint Medical Inspector, Personal Assistant to the Surgeon General, and there are 3 Presidency Surgeons *ex-officio* Certifying Factory Surgeons. In the Presidency, inspections are carried out by the Collector and District Magistrate assisted by the Assistant or Deputy Collector and the Special Presidency Inspector, an Uncovenanted Civil Servant.

In Calcutta the Special Inspector of Factories reports to the Commissioner of Police and appears to be directly subordinate to him. In Madras both the Special and the Medical Inspectors report to the Sanitary Engineer to Government, while outside the Presidency town the work of inspection falls to various officials including Civil Servants, both European and Indian. In the Punjab the inspection is done by the Deputy Commissioner or by some one deputed by him. In the United Provinces inspections are carried on by Civil Surgeons, District Officers and by the Special Inspector of Factories from Calcutta. In the Central Provinces such work is done by Deputy Commissioners, Civil Surgeons and the Special Inspector of Factories of the Bombay Presidency.

Bearing in mind the ever growing importance of Factory legislation in India due to the rapid growth of industrial occupations and the absolute necessity for uniformity in Administration, the Committee would submit that the working of the Factories Act should be primarily under one official under the Department of Commerce and Industry, that for purposes of inspection, carefully considered districts should be placed in charge of competent inspectors recruited perhaps from the ranks of English Factory Inspectors with a thorough

knowledge of the many and varied duties to be performed by an official exercising supervision over a large number of separate and distinct industries, or failing this, applicants for Factory Inspectorships, if entertained in India, should be required to pass a strict qualifying examination, and in order to obtain a general knowledge of their duties they should be sent to work for a given period under an experienced Inspector in some large industrial centre in Great Britain.

The point referred to the Committee as to whether a separate staff of Medical Inspectors should be appointed has been very carefully considered. On the desirability of making such appointments the members of the Committee are quite agreed.

They are of opinion that a number of Medical Officers should be assigned to separate areas, these to depend on the number of works and the facilities for reaching them and that their whole time should be devoted to the work of Factory inspection.

They are of opinion that, subject to the Department of Commerce and Industry, on all medical questions they should be the supreme authority. The Committee would not advise that the Special Factory Inspectors be relieved from duties relating to Sanitary matters but on these points should take their instructions from the Medical Inspectors and refer to them on all doubtful points.

Some of the duties to be assigned to the Medical Inspectors may be enumerated as follows, attention to—

- (1) Water-supply.
- (2) Ventilation including the carrying off of dust and noxious fumes. When mechanical appliances are required arrangements should be made in conjunction with the Special Inspectors.
- (3) The purity of air and amount of Humidity.
- (4) Temperature.
- (5) Cubic space.
- (6) Cleanliness and Lime-washing.
- (7) The Drainage of Floors.
- (8) Sanitary Accommodation.
- (9) Investigation and reports on accidents in conjunction with Special Factory Inspectors.
- (10) Diseases of occupation such as Anthrax, Lead—Arsenic and

Whether a separate staff of Medical Inspectors should be appointed.

Suggested duties for Medical Inspectors.

Phosphorus poisoning—Disease of
Respiratory Organs, etc., and also—

- (ii) To satisfy themselves that women and children are physically fit for the work they are called upon to perform.

In making the above recommendations the Committee have not forgotten that many of the duties now suggested are already performed by Civil Surgeons holding the office of Medical Inspectors. They are however satisfied that owing to the many and important duties that Civil Surgeons are called upon to perform they cannot devote the time required for the efficient Medical Inspection of Factories. In many cases the Civil Surgeon is necessarily the Medical attendant to the Mill and in all probability his wishes would be best consulted were he relieved from making official inspections in places where owners, managers and workers are under his medical care.

The Committee wish to make it clear that in their opinion the work of Medical inspection should be performed by specially appointed Medical Officers, who should devote their whole time to the work and that this work should be confined solely to them except the duties now performed by Certifying Factory Surgeons.

In submitting the above proposals the Committee remember that Executive officers are responsible for the administration of laws and should control the officials under the different Governments appointed to administer these laws. It might be desirable that the Medical Inspectors should be immediately subordinate to the Local Government, but exercising supreme control over all other Inspectors. The Medical Inspector for Bengal might also act as Technical Adviser to the Department of Commerce and Industry. If, however, the Medical Inspectors are called upon to perform these duties and advise generally on technical matters in Factories, it is suggested that prior to appointment they should be given opportunities for technical study in works in Great Britain and perhaps on the Continent.

The Committee however desire to point out that the Supreme Government (the Department of Commerce and Industry) should at all times be able to command the opinion of an expert, skilled in Factory law and Factory administration and that they should not have to depend on the advice of officials however capable in other matters but who from time to time are removable and have many and other responsible duties to perform.

No. 2.

Paras. 107—114 and 116 of the Report of the Indian Factory Labour Commission, 1908.

107. When we find that in Calcutta, the head-quarters of a special factory inspector, from 30 to 40 *per cent* of the children employed half time in jute factories are under the legal age of 9 years, and 25 *per cent* of the young full-timers are under the legal age of 14 years; that in 17 out of the 29 cotton factories visited by us outside the Bombay Presidency all the children under 14 years of age are regularly worked the same hours as adults; that factory inspectors admit that they knew of the existence of these abuses, and took no steps to stop them; and that in many factories the provisions of the law for a midday interval and an entire stoppage of work on Sunday are more or less ignored—it is evident that, except at a few centres, the present system of factory inspection has proved a failure. The reason seems to us to be that Government has not appointed a sufficient number of full-time factory inspectors, and has depended too much on a number of *ex-officio* inspectors who have neither the time nor the special knowledge necessary for the work. Our deliberate opinion is that the inspection of large factories by the District Magistrate or the Civil Surgeon is, so far as the enforcement of the Act is concerned, a useless formality which ought to be abandoned. The only part of India in which a fairly adequate staff of special inspectors has been appointed is the Bombay Presidency, and there the Act is, on the whole, well enforced.

108. We consider it essential to a proper enforcement of the Act all over India that the staff of full-time inspectors should be at once increased to a strength sufficient to cope with the work of inspecting all the factories in India. The number of such inspectors employed at present for each province, and the number we propose should be entertained, in the first instance, are as follows :—

Present system of inspection.

Proposal to increase the number of full-time inspectors.

Province.	Present number.	Proposed number.
Bombay	3	4
Bengal and Eastern Bengal and Assam.	1	2
United Provinces ... ..	...	1
Madras	1	1
Punjab ... ..	...	1
Central Provinces	1	1
Burma ... ..	...	1

These recommendations need explanation in some cases :—

Bombay.

The Bombay Government recognise the necessity for an additional inspector, and there can be no doubt that the increasing number of factories in this province requires the services of another man immediately.

Bengal and Eastern Bengal.

The present inspector's charge includes also the factories in the United Provinces; he should be relieved of this part of his duties, and a second inspector should be appointed, the work in Bengal and Eastern Bengal being suitably divided between the two.

United Provinces.

An assistant inspector of factories has, we understand, recently been appointed to this province. We consider there is ample work for one full-time inspector.

Madras.

The present inspector devotes a portion of his time to the inspection of factories in Madras city only; his principal work is that of boiler inspector for the whole Presidency. We consider that one full-time factory inspector, with no other duties, should be appointed and made responsible for all the factories in the Presidency.

Punjab, Central Provinces, and Burma.

The present inspector in the Central Provinces is also boiler inspector for that province, and has a low-paid assistant. There is no full-time inspector in either Burma or the Punjab. In each of these three provinces, the number of large factories working throughout the year is comparatively small, but there are large numbers of seasonal factories for rice-husking, cotton-ginning, etc. If the inspectors had only duties under the Factory Act, they would not be fully employed during the months when the seasonal factories are shut down. We therefore recommend that they should be also the boiler inspectors for the respective provinces: the inspection of the boilers of the seasonal factories is best undertaken when the factories are shut down, so that their combined duties would be fairly spread over the whole year. If assistance is required in the Central Provinces, the assistant should be merely a boiler inspector, with no power under the Factory Act, as we are strongly opposed to the grant of authority under the Factory Act to any but responsible men of some position.

Proposal to discontinue inspection by *ex-officio* inspectors.

109. With the appointment of this staff of full-time inspectors we would entirely do away with the periodical inspection of factories by *ex-officio* inspectors, whether ordinary or medical. We have already alluded to the uselessness of such inspections when performed by district officers,

who in most cases know little about the work, and sometimes have never been inside a factory when they are called on to make inspections under the Act. To be of any value, an inspection must be made by an officer thoroughly conversant both with all the provisions of the Act and also with the internal working and arrangements of the mill, and in justice to mill-owners there ought to be uniformity and continuity of policy in carrying out the Act. We received, in the course of our tour, several complaints of unnecessary trouble and confusion caused by the conflicting orders of different *ex-officio* inspectors—orders given by an *ex-officio* inspector were, on his transfer from the district, at once reversed by his successor, and factories were sometimes over-inspected by a number of subordinate officers possessing no practical knowledge of the industries concerned.

110. The periodical inspections by Civil Surgeons and other medical officers appointed joint inspectors under the Act are in our opinion only repetitions of the inspections made by District Officers, and are equally useless. The joint inspector is supposed to give special attention to the employment of children, and the sanitation, ventilation, water-supply, etc., of the factory. These are points which will be looked into by the full-time factory inspector in future, and we see no reason to think that the same ground need be gone over again by a medical man in India, any more than in England. An ordinary inspector is perfectly competent to see that latrines are provided and kept clean, that a sufficient supply of good drinking-water is provided for the mill hands, that the factory is properly ventilated, and so on; while, if our proposals for the certification of children are accepted, an inspector's duty, so far as the employment of children is concerned, will resolve itself into an examination of their certificates. We see no possible danger in the entire abandonment of these inspections by medical officers; and, on the other hand, we see great advantage in the concentration of the whole responsibility for the inspection of each factory in the hands of one trained inspector.

111. The full-time inspectors would, of course be appointed by the Local Governments as at present. We consider that some Indian experience, if possible of the main industry of the province, and ability to converse with the factory operatives in their own language, are essential

Appointment and pay of inspectors.

qualifications for the appointments. We do not consider it necessary that the inspector should have had previous experience of factory work in England; but we advise that every inspector who has not some experience of factories or factory inspection work in the United Kingdom should, as soon after his appointment as convenient, be allowed to pass three months with a factory inspector there. To secure men of the proper stamp and position we recommend that the salaries of inspectors should commence from Rs. 400 a month or upwards (the initial salary being fixed in each case with reference to the man's qualifications) and should rise by annual increments of Rs. 30 to Rs. 1,000: the salaries to be personal, not graded; the appointments, which should be on probation for the first year, to be made to particular provinces, but the inspectors to be liable to transfer to other provinces should the Local Governments concerned consider transfer advisable: such of the present factory inspectors as are considered suitable should be brought into the scheme at once.

Necessity for uniformity in the administration of the Act.

112. One of the questions referred to us is whether arrangements should be made to secure uniformity in the administration of the Act throughout India. Our opinion is that while nothing should be done to diminish in any way the full authority and responsibility of the Local Governments for the administration of the Act in their respective provinces, it is necessary to take steps to secure some uniformity in the administration throughout India. Wide differences at present exist in the administration of the Act in different parts of India: these have already been set forth at length in the preceding sections of our report, and need not be recapitulated here. We need only record our opinion that, if a fairly uniform enforcement of the Act is to be secured throughout India, something must be done to co-ordinate the policy and work of inspection in the different provinces.

Proposal to appoint a chief inspector of factories in India.

113. For this purpose we recommend the appointment by the Imperial Government of a chief inspector of factories in India. His head-quarters should be in Bombay, but for the greater part of the year he should be on tour, visiting all the factory centres in India at least once a year, and making long halts at places such as Calcutta, where the number of factories is great. His duties should be purely advisory, and he should not, except when specially requested or empowered by a Local Government, exercise any power under the Act except that of entry and

inspection of factories. In respect to factory inspections in each province he should be directly subordinate to the Local Government, corresponding directly with the local secretariat. He should secure uniformity of administration by calling the attention of inspectors to matters in which their inspectional work falls short of his standard. The inspectors should be bound to comply with his directions, but in doubtful cases he should take the orders of the Local Government. In the case of any difference of opinion on a cardinal-point between the chief inspector and the Local Government, the latter should refer the matter for the orders of the Imperial Government. The greatest care should be taken to prevent the appointment leading to any centralisation of the administration of the Act in the hands of the Imperial Government: the Local Governments must be left free to administer the Act themselves, as in the past, the only difference being that each of them will have the advice and assistance of the chief inspector in securing uniformity of administration. The post, which must be well paid, will require a man of marked ability and tact, and with Indian experience. If he has not already had experience of factories in the United Kingdom, he should, like the inspector, be given an opportunity of seeing the work of factory inspection there.

114. Under the present Act the District Magistrate is an *ex-officio* inspector of all factories in his district. We are of opinion that the arrangement should be continued, not for the purpose of periodical inspection of factories by the District Magistrate, but in order that the full-time inspector may have in each district an official superior who would, when necessary, control his work in that district, and to whom he can turn for advice and assistance. The practice of appointing subordinate officers, such as Assistant Collectors or tahsildars, to be inspectors of factories should, we recommend, be discontinued. In Bombay the work of the full-time inspectors is supervised and controlled by the Collector of Bombay or his covenanted assistant: we consider that the arrangement is a good one, and recommend that in Calcutta and Madras, and, if necessary, in the other provinces as well, the inspectors should be placed under the direct control of similar officers. The system in Madras by which the control of factory inspection throughout the Presidency is given to the Sanitary Engineer does not recommend itself to us.

Subordination of the inspectors to certain officers.

116. The proposals which we have made as regards the appointment of inspectors

and certifying surgeons are necessarily of a tentative character, inasmuch as we are not in possession of sufficient information to warrant us in pronouncing any positive opinion as to the staff required, or as to the detailed arrangements to be made in order to secure proper inspection and adequate facilities for the certification of children. These details must be based upon the results of actual experience acquired as to the working of the system we propose; our specific proposals are in this respect purely of a preliminary character; and we wish it to be clearly understood that any arrangements which experience may show to be required in order to secure adequate inspection and certification should certainly be made.

No. 3.

No. 4086-4035, dated the 1st June 1911.

From—The Secretary to the Government
of India, Department of Com-
merce and Industry,

To—Local Governments and Administra-
tions.

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3. With reference to *Section 4*, I am to explain the views of the Government of India on the important question of *ex-officio* inspections. It will be remembered that the Factory Commission, while recommending the appointment of one or more full-time inspectors in each of the major Provinces of India, were of opinion that the periodical inspection of factories by *ex-officio* inspectors should be entirely abolished. They proposed indeed to retain the District Magistrate as an *ex-officio* inspector, not, however, for the purpose of carrying out inspections, but merely in order that the full-time inspector might have in each district an official superior who would, when necessary, control his work in that district, and to whom he could turn for advice or assistance. Inspections by Civil Surgeons or other medical officers were to cease entirely. The views of Local Governments and Administrations on these proposals, which were called for in paragraph 4 of my letter No. 6318-6327-16, dated the 8th July 1908, were not entirely favourable. Several Local Governments concurred generally with the opinion of the Commission on the subject of inspections, but objections were raised by some to the entire abolition of *ex-officio* inspectors. It was pointed out that the District Magistrate, and even in some cases a Sub-Divisional Officer, should, not only have the powers of an inspector, but should in certain

circumstances exercise those powers by carrying out periodical inspections. It was suggested that this was desirable mainly for two reasons, (1) that, if local officers exercised no powers of inspection, the orders of the full-time inspector might with impunity be neglected as soon as his back was turned, and (2) that certain outlying areas might never be reached by the full-time inspector and would thus, without inspection by local officials, escape inspection altogether. Again with regard to the sanitation of factories, although it was fairly generally accepted that the full-time inspector would be competent to attend to matters which had formerly fallen within the purview of the medical inspector, certain Local Governments were not disposed to see the latter dispensed with altogether.

4. It will be observed that under the Act as passed the District Magistrate is retained as an inspector, and the Local Government is given power to appoint such public officers as it thinks fit to be additional inspectors. It will also be seen from the report of the Select Committee on this section that this power was expressly included, because it was thought that in certain places a full-time inspector would not be able to discharge all his functions without the aid of local officials other than the District Magistrate. At the same time the Committee explicitly recorded their agreement with the report of the Factory Commission as to the advisability of discontinuing inspections by *ex-officio* inspectors. They thought that orders on technical matters should be passed only by the expert inspector, and that the power to appoint *ex-officio* inspectors should be exercised only in very special cases.

5. The Government of India are in general accord with the recommendations of the Factory Commission on this subject, and they trust that Local Governments will see their way to giving these recommendations as full a trial as possible. They consider that the District Magistrate should ordinarily confine his inspections to seeing that the previous orders passed by the full-time inspector are duly observed. There may no doubt be some outlying areas which the full-time inspector cannot regularly reach, in which it may be considered desirable to give the District Magistrate, or possibly the Sub-Divisional Officer, all or certain of the powers of an inspector under the Act. When this is the case, the powers to be exercised by the respective inspectors have to be defined in accordance with sub-section (5) of Section 4 of the

Act. The grant of these powers is a matter which must be decided in accordance with the varying circumstances of particular localities. But the Government of India wish that in carrying out the requirement of the sub-section, Local Governments will bear in mind the desirability of confining orders on technical matters as far as may be to the expert inspector. The sub-section also requires that the inspector to whom the prescribed notices shall be sent shall be specifically declared. If this is in any case an official other than the full-time inspector, it may be found expedient that the former should supply the latter with copies of such notices for his information. But the factory manager should for this particular purpose have only one inspector to deal with and should not—except in the case of notices of accidents—be required to send notices to more than one person. The main consideration is that there should be no duplication of authority, so that the danger of conflicting orders, to which the Factory Commission drew attention in paragraph 109 of their Report, may be reduced to a minimum.

6. Similarly with regard to inspections by Civil Surgeons the Government of India consider that, with the appointment of qualified full-time inspectors in the different Provinces, the supervision of sanitary matters may be left to them in accordance with the suggestions made by the Factory Commission. They believe that these officers will be competent to deal with this subject, and as they have already remarked they desire that the system should be given a full trial. If this is accepted, the duties of Civil Surgeons under the Act will be confined to the certifying of children for employment in factories.

* * * * *

No. 4.

No. 38, dated the 15th February 1912.

From—The Government of India,

To—His Majesty's Secretary of State for India.

WE have the honour to address Your Lordship on the subject of the reorganization of the Factory Inspection staff in India.

2. In paragraph 107 of their report the Factory Commission expressed the opinion that except at a few centres the existing system of factory inspection had proved a failure; and that this was due to the fact

that a sufficient number of full time Inspectors had not been appointed and that too much reliance had been placed on *ex-officio* Inspectors, who had neither the time nor the special knowledge necessary for the work. The Commission recommended that the periodical inspection of factories by District Magistrates, Civil Surgeons, and other *ex-officio* Inspectors should be abandoned and that the staff of whole-time Inspectors should be increased to a strength sufficient to cope with the work of inspecting all the factories in India. They submitted proposals as to the number of Inspectors who should be appointed in the different Provinces, the qualifications which they should possess, and the salaries which should be granted to them.

3. In July 1908, the views of Local Governments and Administrations were invited on the recommendations made by the Commission and the hope was then expressed, that in any Province, where the Commission's report showed that serious abuses prevailed, no time would be lost in strengthening the inspection staff temporarily until the number of officers required to secure compliance with the law could be finally determined. The result of this communication was that a separate Inspector was appointed temporarily in the United Provinces, where the work of factory inspection had previously been carried on by the Special Inspector of Factories in Bengal, and an additional Inspector was also appointed temporarily both in Bombay and in Bengal. These Inspectors will remain on a temporary basis until the question of the permanent staff, on which we are now addressing Your Lordship, is decided.

4. From the enclosed copies of the replies received, it will be seen that several Local Governments have concurred generally with the opinion of the Commission on the subject of inspections; but objections have been raised by some to the entire abolition of *ex-officio* Inspectors. We are in general accord with the recommendations of the Commission on this subject, and have instructed Local Governments to give these recommendations as full a trial as possible. Under the new Factories Act the District Magistrate is retained as an Inspector, and the Local Government is given power to appoint such public officers as it thinks fit to be additional Inspectors. But it is contemplated that local officers will only be given the powers of an Inspector in outlying areas which the full-time Inspectors cannot regularly reach, and the District Magistrate will ordinarily confine his inspections to seeing

that the orders passed by the full-time Inspector are duly observed. Similarly, with regard to inspections by Civil Surgeons, we consider that with the appointment of qualified full-time Inspectors in the different Provinces the supervision of sanitary matters may, in accordance with the recommendation of the Commission, be left to them. We would invite Your Lordship's attention to paragraphs 3 to 6 of our Circular letter to Local Governments, No. 4086-4095, dated the 1st June 1911, in which the question of *ex-officio* Inspectors has been dealt with at some length. A copy of this letter was forwarded to Your Lordship with our despatch No. 55 (Factories), dated the 19th October 1911.

5. The discontinuance of inspection by *ex-officio* Inspectors and the increased responsibilities in connection with the regulation of factory labour, which the new Factories Act creates, necessarily involve the extended employment of full time Inspectors in the various Provinces, and we think that this course is essential, if the law is to be effectively administered. We attach a statement (Statement A) showing the present number of Inspectors in the different Provinces, the number proposed by the various Local Governments, and the salaries which the latter recommend. It will be observed from this statement that it is proposed to appoint new Inspectors in all the Provinces except the United Provinces and the Central Provinces; and that it is only in Bombay and the Presidency of Bengal that the number of Inspectors recommended by the Local Governments exceeds that suggested by the Factory Commission.

6. The Governments of Bengal and Eastern Bengal and Assam have recommended three Inspectors instead of two as proposed by the Commission. We are of opinion that three Inspectors represent the minimum staff required to ensure the satisfactory administration of the Act in North-East India. It was in Calcutta that the Factory Commission found that abuses were most prevalent, and it is in our opinion in the jute mills, where the shift system is in force, that the need of efficient inspection to ensure compliance with the Act is the greatest. We support the recommendation of the Local Governments for the appointment of a Chief Inspector and two subordinate Inspectors.

The administrative changes recently announced will not in our opinion necessitate any modification in the number of Inspectors proposed. According to our latest figures the province of Bihar and Orissa will contain only 28 factories under the

Act and Assam only 18, while in the Presidency of Bengal there will be 328. It is clear that there will not be sufficient work for a whole-time Inspector in either of the first-named provinces. Inspections in these provinces can be satisfactorily carried out by the staff now recommended for Bengal.

7. The Government of Bombay have recommended five Inspectors including one full-time Chief Inspector. The Factory Commission suggested four Inspectors in all for the Bombay Presidency, and apparently contemplated the continuance of the existing arrangement under which a member of the Indian Civil Service, who is also Assistant Collector of Bombay, supervises and controls the work of the full-time Inspectors under the designation of Chief Inspector. When communicating their views on the report of the Factory Commission, the Bombay Government expressed the opinion that in view of the rapid increase in the number of factories in the Presidency, and the growing complexity of factory questions, the existing system of appointing a Chief Inspector from the junior ranks of the Civil Service is no longer suitable, and that the Chief Inspector should in future be an officer with technical training recruited outside the Civil Service, either in England or from the staff of Factory Inspectors in India. In this manner the Local Government hoped to secure the services of an expert and also greater permanence in the tenure of the appointment than has hitherto been found possible. We entirely agree with the views expressed by the Government of Bombay in this matter, and consider that the staff of Inspectors proposed by them is reasonable.

8. At present there are no full-time Inspectors of factories in Burma, the Punjab and Madras, while in the United Provinces an Inspector was engaged temporarily in January 1909. In each of these Provinces the Local Government proposes to appoint one full-time Inspector, as suggested by the Factory Commission. The necessity for the appointments requires no demonstration, and the recommendations of the Local Governments have our entire support. As the number of factories in Ajmer-Merwara and the North-West Frontier Province is very small, we propose to add them to the charge of the Inspector for the Punjab.

9. In the Central Provinces and Berar there are at present two Inspectors who are also Inspectors of boilers. The senior Inspector draws Rs. 400—20—600 and

the junior Rs. 300—20—400 a month. The terms of employment of these Inspectors have not yet expired, and the Chief Commissioner, although not altogether satisfied with the existing arrangements, would prefer to make no change for the present. With this recommendation we agree; but after the reorganization of the Factory Inspection staff throughout the rest of India is settled, we shall request the Chief Commissioner to consider the question of the appointment of an Inspector of superior status as soon as opportunity offers.

10. In connection with the duties to be performed by Inspectors, we wish to draw attention to a matter which calls for some explanation. In paragraph 108 of their report the Factory Commission recommended that the Inspectors appointed in the Central Provinces, the Punjab and Burma should also be the Boiler Inspectors for their respective Provinces. This recommendation was made on the ground that though there were large numbers of seasonal factories for cotton-ginning, rice-husking, etc., in these Provinces, the number of large factories working throughout the year was comparatively small; and if the Inspectors had only duties under the Factories Act to perform, they would not be fully employed during the months when the seasonal factories were shut down. As stated above, the duties of boiler and factory Inspectors are at present combined in the Central Provinces and Berar, and the Chief Commissioner thinks that the arrangement is a convenient one, and ensures the time of the officers being properly utilized throughout the year. The Government of the Punjab has agreed that the Inspector to be appointed for that Province should also inspect boilers and that the present post of Inspector of Boilers on Rs. 350—10—400 a month should be abolished on the creation of the new appointment. In Burma there are at present two Inspectors of Boilers, one on Rs. 400—10—450, and the other on Rs. 350—10—400 a month. It has been decided that a third Inspector of Boilers should be appointed, when the number of inspections and the fees have sufficiently increased to require, and to admit of, his appointment; in the meantime the two Boiler Inspectors are assisted from time to time by the Assistant to the Superintending Engineer and Shipwright Surveyor, Rangoon, half of whose salary is debited to the Boiler Fund. The Government of Burma strongly objects to the Inspector of Factories undertaking the duties of

boiler inspection, partly because the qualifications of an Inspector of Boilers are not those required of a Factory Inspector ; and partly because the Factory Inspector would also have to be under the control of the Boiler Commission, which, in the opinion of the Lieutnant-Governor, would be detrimental to the efficiency of his work as Factory Inspector.

We think that as a general rule, it is inadvisable to combine the duties of Inspectors of Factories and Inspectors of Boilers. The main qualification required of the latter is a definite technical experience of a restricted kind, whereas the delicate and responsible duties devolving upon the former necessitate the employment of men of a superior class. We think, moreover, that the Inspector of Factories appointed for Burma will have quite sufficient work in connection with factory inspection alone to occupy his time. We agree therefore with the recommendation of the Government of Burma in this respect. But we recognize that at present it is not possible to effect separation everywhere, and for this reason we have not opposed the amalgamation of the two duties in the Central Provinces and the Punjab. In the United Provinces the temporary Inspector of Factories has been placed in charge of the Boiler Inspectors and this arrangement has resulted in the abolition of one of the posts of Boiler Inspectors. In Bengal also the Chief Inspector of Factories is Secretary to the Boiler Commission, and has control over the Boiler Inspectors. We propose to allow this arrangement to continue, as it is desired by the Local Government.

11. We shall now deal with the question of the pay which should be drawn by the Inspectors. To secure men of the proper stamp and position, the Factory Commission, in paragraph 111 of their report, recommended that the salary of the Inspectors should commence from Rs. 400 a month or upwards, and should rise by annual increments of Rs. 30 to Rs. 1,000, the initial salary being fixed in each case with reference to the man's qualifications. It will be seen from Statement A attached to this despatch that the Local Governments have proposed varying rates of pay for the Inspectors in the different Provinces. We are of opinion that in Provinces where it is proposed to employ a single Inspector, namely in Burma, the United Provinces, the Punjab and Madras, the standard rate of pay should be Rs. 400—30—1,000 a month. This rate of

pay is agreed to by the Governments of the Punjab and Madras. The Government of the United Provinces considers that the qualifications required of an Inspector of Factories would justify an initial pay of Rs. 500 a month. We propose, however, that the standard rate stated above should apply also to the United Provinces; but it is contemplated (*vide* paragraph 17 below) that the present temporary Inspector in that Province who is in receipt of Rs. 533-5-4 a month should be made permanent and come on to the new scale at the stage of Rs. 550. The Government of Burma proposes a salary of Rs. 600—50—1,200 a month in consideration of the high cost of living in that Province. We think that this rate of pay is excessive and that the Inspector for Burma should be granted the standard rate of pay, *plus* the usual Burma allowance of Rs. 100 a month, subject to the condition that the continuance of the allowance will depend on any decision that may be arrived at on the general question of Burma allowances, which is now under our consideration. We do not think that the Inspector should in addition be granted a conveyance allowance of Rs. 5 a day when on duty at Rangoon, as recommended by the Local Government.

12. But in Provinces where there are more than one Inspector, we recognise that the standard rate of pay would not be altogether suitable. The Bombay Government have proposed a pay of Rs. 1,000—50—1,250, *plus* house allowance under the Bombay House Allowance Scheme for the Chief Inspector. We accept this rate of pay as reasonable, but are unable to agree that the Chief Inspector should also be admitted to the benefits of the House Allowance Scheme. We consider that the pay suggested is sufficient without any special allowance to cover the expense of living in Bombay. For the four junior Inspectors in the Bombay Presidency, we would accept the rate of pay suggested by the Local Government, *viz.*, Rs. 400—30—900 a month. But in their case also we are unwilling to agree to the proposal that the two Inspectors, who will be stationed in Bombay, should receive local allowances of Rs. 50 a month and also be admitted to the benefits of the Bombay House Allowance Scheme. The grant of a local allowance is on principle objectionable, because it was with the object of abolishing such special privileges that the House Allowance Scheme was sanctioned, and because the effect would be to differentiate between the officers in Bombay

and those stationed in Calcutta and Rangoon and inasmuch as the prospects of the officers concerned will be considerably improved when the reorganization is effected, we think that there is no valid ground for admitting them to the House Allowance Scheme. At the same time we recognise that in order to facilitate interchange of Inspectors between Bombay and Ahmedabad, some kind of extra remuneration is necessary for those who may be stationed in the Presidency town, and we consider that the best plan will be to retain the conveyance allowances of Rs. 50 and Rs. 30 a month, which are now granted to the First and Second Inspectors respectively, and divide them equally between the two Inspectors who will be stationed in Bombay. The grant of conveyance allowances, which are intended to meet a specified form of expenditure is not, in our opinion, open to the objections which the admission of local allowances involves.

13. For the reconstituted provinces of Bengal, Bihar and Assam the Local Governments propose a Chief Inspector on Rs. 700—50—1,000. The present incumbent, Mr. Walsh, draws a pay of Rs. 800—50—950 a month, which is personal to him, *plus* exchange compensation allowance, *plus* a conveyance allowance of Rs. 30 a month. In addition, he receives allowance of Rs. 250 a month from the Boiler Fund for performing the duties of Secretary to the Boiler Commission.

We propose that the pay of the post should be fixed at Rs. 800—50—1,000 without any conveyance allowance and that the allowance of Rs. 250 a month from the Boiler Fund should be continued to the Chief Inspector as long as he performs the duties for which it is granted. The Chief Inspector will not be eligible for admission to the Calcutta House Allowance Scheme. For the two junior Inspectors in these provinces we accept the rate of pay proposed by the Local Governments, *viz.*, Rs. 400—30—700 a month.

14. As already stated, we propose no change for the present in the arrangements which are in force in the Central Provinces and Berar.

15. When the new scheme comes into force, no exchange compensation allowance will be granted to any of the Inspectors, unless in any case where it is now drawn, its withdrawal causes a loss in total emoluments; in which case it will continue to be drawn until such loss disappears.

16. The proposals made by the various Local Governments regarding the additional subordinate establishments that will be required are shown in Part II of the accompanying proposition statement. We consider that the demands made in this respect are reasonable and should be approved.

17. We have now to detail our proposals as to the manner in which the new appointments should be filled. The Factory Commission recommended that the Inspectors should continue to be appointed by the Local Governments, and with this we entirely agree. For Bombay the Local Government propose to appoint Mr. Engel, the present First Inspector in that Presidency, to the post of Chief Inspector. They further propose that on the introduction of the new scheme, Mr. Chambers should be First Inspector commencing on Rs. 700, Mr. McCormack, Second Inspector on Rs. 600 and Mr. Whitaker, Third Inspector on Rs. 530 a month. The salaries, inclusive of allowances, at present drawn by these officers are Rs. 505, Rs. 540 and Rs. 500 respectively. We consider that Mr. Chambers, who is now over 50 years of age, should be treated specially, and that he should be brought on to the new scale at the stage of Rs. 610, but we consider that the initial pay of Mr. McCormack should be regulated by the ordinary rule, laid down in Article 157-A of the Civil Service Regulations. Mr. Whitaker, at present temporary Inspector, has already been for three years on the same pay (Rs. 500), and we propose that on the reorganization, he should come on to the new scale at the stage of Rs. 520, *i.e.*, at one stage higher than he would be entitled to under the ordinary rules. In Bengal, Mr. Walsh, the present First Inspector, will come on to the new scale under the ordinary rules, but the conveyance allowance of Rs. 30 at present drawn by him will be reckoned as part of his substantive pay, for the purpose of fixing his initial pay under the new scheme. The temporary Inspector, Mr. Cowan, whose pay is Rs. 500, *plus* a conveyance allowance of Rs. 50, will be similarly treated. In the United Provinces, Mr. Parker, the temporary Inspector appointed in January 1909, draws Rs. 533-5-4 a month. We propose that when the reorganization comes into force, he should be allowed to come on to the new scale at the stage of Rs. 550, *i.e.*, at one stage higher than he would be entitled to under the ordinary rules.

18. The Governments of Burma and the Punjab desire, that the Inspectors to be

appointed for these Provinces should be recruited in England. The Government of Bombay have made a similar request with regard to the post of Fourth Inspector of Factories. The Government of Madras, on the other hand, do not find it necessary to ask that the Inspector of Factories to be appointed for that Presidency should be recruited in England, nor do the Government of Bengal desire that the additional Inspector of Factories to be appointed for Bengal should be so obtained.

19. The Governments of Bombay and Burma consider it desirable that the selected candidate should have had previous experience of the work of factory inspection in England. The Government of Burma proposes to lay down that the Inspector should not be entitled to any increment until he has passed in Burmese by the Lower Standard and that he should not be entitled to draw more than Rs. 750 a month until he has passed in Burmese by the Higher Standard; further, that he should be allowed to appear for the examination in Hindustani and should be eligible for the same reward as that fixed in the case of officers of most other Departments, *viz.*, Rs. 250 for passing by the Lower Standard and Rs. 500 for passing by the Higher Standard. The Government of Bombay suggest that the Inspector's agreement should provide for a probationary period of one year within which he should be liable to pass such examination in the vernacular as may be prescribed by the Local Government. If our proposals for the reorganization of the Factory Inspection staff meet with Your Lordship's approval, we would request that officers may be appointed in England as early as possible, as desired by the Governments of Bombay, Burma and the Punjab and that the wishes of the Local Governments in respect to the conditions of their appointment may as far as possible be met. We suggest that it would be desirable that the agreements should in each case provide for a probationary term of one year and for liability to pass such examinations in the vernacular as the Local Government may prescribe.

20. In paragraphs 8 to 10 of their letter No. 2087, dated the 5th May 1910, the Government of Bombay have made certain proposals in regard to the appointment of a Certifying Surgeon for the Town and Island of Bombay. These proposals appear to us to be unnecessarily expensive, and we have asked the Local Government to revise them. We have not delayed

submitting our recommendations on the subject of the Factory Inspection staff proper, until the kindred questions of the appointment of Certifying Surgeons and the remuneration of Civil Surgeons and other medical officers for the performance of duties in connection with the certification of children are ready for settlement. These questions are in reality entirely separate from the question of the Inspection staff, and will form the subject of a subsequent despatch. Meanwhile, in view of the fact that the new Factories Act comes into force on the 1st July 1912, the re-organization of the Inspection staff has become a matter of urgent importance.

21. The proposals in the foregoing paragraphs may be summarised as follows:—

- (1) In the Bombay Presidency the staff to consist of a Chief Inspector on a salary of Rs. 1,000—50—1,250 and four Inspectors on Rs. 400—30—900. Two of the latter to be stationed in Bombay City and to receive a conveyance allowance of Rs. 40 each. No other special allowances to be drawn. Mr. Engel to be appointed Chief Inspector. Mr. Chambers to come on to the new scale at the stage of Rs. 610, Mr. Whitakar at the stage of Rs. 520, and Mr. McCormack under the ordinary rules laid down in the Civil Service Regulations.
- (2) In the reconstituted provinces of Bengal, Bihar and Orissa and Assam the staff to consist of one Chief Inspector on Rs. 800—50—1,000 and two Inspectors on Rs. 400—30—700. The Chief Inspector to draw an allowance of Rs. 250, as long as he performs the duties of Secretary to the Bengal Boiler Commission. No other special allowances to be drawn, but the conveyance allowances at present drawn by the two existing Inspectors to be counted as pay for the purpose of determining the initial pay of the holders under the new scale.
- (3) One Inspector to be appointed for Burma, on a pay of Rs. 400—30—1,000; also to draw Burma allowance of Rs. 100, subject to the condition

that the continuance of this allowance will depend on any decision that may in future be arrived at on the question of Burma allowances in general. No other special allowances to be drawn.

- (4) One Inspector to be appointed for the United Provinces on a pay of Rs. 400—30—1,000. The present temporary Inspector, if appointed by the Local Government, to come on to the new scale at the Rs. 550 stage. The Inspector will also control the Boiler Inspectors in the province.
- (5) One Inspector to be appointed for the Punjab on a pay of Rs. 400—30—1,000. He will also be Boiler Inspector for the province, and will be responsible for the inspection of factories in the North-West Frontier Province and Ajmer-Merwara.
- (6) One Inspector to be appointed for Madras on a pay of Rs. 400—30—1,000.
- (7) No change to be made in the arrangements at present existing in the Central Provinces and Berar.
- (8) One of the four junior Inspectors in Bombay and the Inspectors for Burma and the Punjab to be recruited as soon as possible in England. Their agreements to provide for a probationary term of one year and for liability to pass such examinations in the vernacular as the Local Government may prescribe. The remaining Inspectors to be appointed in India by the Local Governments.
- (9) The subordinate establishments shown in the Proposition Statement attached to be entertained.

22. From the Proposition Statement it will be observed that the extra expenditure involved in our proposals amounts to Rs. 66,654-10-0 a year. The discontinuance of inspections by *ex-officio* Medical Inspectors, who are at present remunerated by the grant of fees under the sanction conveyed in Lord George Hamilton's

despatch No. 58, dated the 24th March 1898, will however result in an approximate saving of Rs. 69,600. Taking this into account, our proposals will result in a net saving of Rs. 2,945-6-0 a year.

Schedule of papers.

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(11) Statement A.

(12) Proposition Statements, Parts I ***

STATEMENT A.

Province.	Present strength.	Number recommended by Factory Commission.	Number recommended by Local Government.	Salary proposed by Local Government.	REMARKS.
Bombay	4 [*] (One temporary.)	4	5	1 Chief Inspector Rs. 1,000-50-1,250, plus Bombay house allowance. 2 Inspectors Rs. 400-30-900, plus Bombay house allowance, plus local allowance Rs. 50 each. 2 Inspectors Rs. 400-30-900.	* Exclusive of Chief Inspector who is First Assistant Collector, Bombay.
Bengal Presidency, Bihar and Assam.	2 (One temporary.)	2	3	1 Chief Inspector Rs. 700-50-1,000. 2 Inspectors Rs. 400-30-700.	
Burma	Nil.	Should also inspect boilers.	Will not inspect boilers.	Rs. 600-50-1,200.	
United Provinces	1 (temporary)	1	Will also control Boiler Inspectors.	Rs. 500-33½-1,000.	
Punjab	Nil.	Should also inspect boilers.	Will also inspect boilers.	Rs. 400-30-1,000.	
Madras	Nil.	1	1	Rs. 400-30-1,000.	
Central Provinces and Berar	2 (also inspect boilers.)	Should also inspect boilers, and if assistance is necessary, a Boiler Inspector should be appointed.	Will also inspect boilers.	† 1 on Rs. 400-20-600 1 on Rs. 300-20-400.	† The Chief Commissioner intends later on to propose the appointment of an Inspector of superior status.

PART I.—INSPECTORS.

NATURE OF CHARGE.																	REMARKS.	
PRESENT SCALE.							PROPOSED SCALE.							PROPOSITION.				
Province.	Number.	Designation.	Pay.			Average cost.	Number.	Designation.	Pay.			Average cost.	Permanent.		Temporary.			
			Minimum.	Increment.	Maximum.				Increase per month.	Decrease per month.	Increase per month.		Decrease per month.					
			Rs. A. P.	Rs.	Rs. A. P.	Rs. A. P.			Rs.	Rs.	Rs.	Rs. A. P.	Rs. A. P.	Rs.	Rs.	Rs. A. P.		
Bombay ...		Conveyance allowance to Assistant Collector, Bombay, <i>ex-officio</i> Chief Inspector.	50 0 0	...	50 0 0	50 0 0	...	.....	...	...	...	...	...	...	50	...	...
	1	Presidency Inspector...	450 0 0	30	600 0 0	550 0 0	1	Chief Inspector ...	1,000	50	1,250	1,166 10 8	1,166 10 8	...	...	...	...
	1	First Inspector ...	400 0 0	20	500 0 0	466 10 8	...	.....	...	...	...	...	...	...	...	...	...
		Conveyance allowance	50 0 0	...	50 0 0	50 0 0	4	Inspectors ...	400	30	900	2,666 10 8	1,283 5 4	...	...	...	...
	1	Second Inspector ...	300 0 0	20	400 0 0	366 10 8	...	2 Conveyance allow- ances at Rs. 40 each	80	...	80	80 0 0	...	...	...	...	...
		Conveyance allowance	30 0 0	...	30 0 0	30 0 0	...	.....	...	...	...	...	...	...	...	...	...
	1	Temporary Inspector...	500 0 0	...	500 0 0	500 0 0	...	.....	...	...	...	...	...	...	...	...	500 0 0
Total ...	4		1,780 0 0	...	2,130 0 0	2,013 5 4	5	.....	1,480	...	2,230	3,913 5 4	2,450 0 0	50	...	500 0 0	
Bengal Presidency, Bihar and Assam.	1	Chief Inspector ...	700 0 0	...	700 0 0	700 0 0	1	Chief Inspector ...	800	50	1,000	946 10 8	246 10 8	...	...	...	...
		Conveyance allowance	30 0 0	...	30 0 0	30 0 0	...	.....	...	...	...	...	...	30	...	...	...
	1	Temporary Inspector Conveyance allowance.	550 0 0	...	550 0 0	550 0 0	...	.....	...	...	...	...	...	...	...	...	550 0 0
Total ...	2		1,280 0 0	...	1,280 0 0	1,280 0 0	3	.....	1,200	...	1,700	2,113 5 4	1,413 5 4	30	...	550 0 0	

Mr. Walsh, the present incumbent, draws Rs. 800—50—900 with exchange compensation allowance and conveyance allowance of Rs. 30 a month.

Statement of Proposition for Revision of Establishment.—PART I—Inspectors—contd.

NATURE OF CHARGE.																	
PRESENT SCALE.							PROPOSED SCALE.							PROPOSITION.			REMARKS.
Province.	Number.	Designation.	Pay.			Average cost.	Number.	Designation.	Pay.			Average cost.	Permanent.		Temporary.		
			Minimum.	Increment.	Maximum.				Increase per month.	Decrease per month.	Increase per month.		Decrease per month.				
			Rs. A. P.	Rs.	Rs. A. P.	Rs. A. P.			Rs.	Rs.	Rs.	Rs. A. P.	Rs. A. P.	Rs.	Rs.	Rs. A. P.	
Burma	...	Nil.	...	...	...	...	1	Inspector	400	30	1,000	700 0 0	700 0 0	...	...	...
								Burma allowance	100	...	100	100 0 0	100 0 0	...	...	...
Total	...		...	...	...	...	1		500	...	1,100	800 0 0	800 0 0	...	...	...
United Provinces.	1	Temporary Inspector of Factories.	533 5 4	...	533 5 4	533 5 4	...		...	...	...	...	...	...	...	533 5 4
							1	Inspector of Factories	400	30	1,000	700 0 0	700 0 0	...	...	...
Total	1		533 5 4	...	533 5 4	533 5 4	1		400	...	1,000	700 0 0	700 0 0	...	...	533 5 4
Punjab	1	Inspector of Boilers (a)	350 0 0	10	400 0 0	383 5 4	1	Inspector of Factories and Boilers.	400	30	1,000	700 0 0	316 10 8	...	...	...
Total	1		350 0 0	...	400 0 0	383 5 4	1		400	...	1,000	700 0 0	316 10 8	...	...	...
Madras	...	Conveyance allowance to Inspector of Steam Boilers (a).	50 0 0	...	50 0 0	50 0 0	...		...	...	...	...	...	50	...	...
							1	Inspector	400	30	1,000	700 0 0	700 0 0	...	...	...
Total	...		...	...	...	50 0 0	1		400	...	1,000	700 0 0	700 0 0	50	...	...
Central Provinces and Berar	1	Inspector	400 0 0	20	600 0 0	522 3 6	1	Inspector	400	20	600	522 3 6	...	...	...	...
	1	Assistant Inspector	300 0 0	20	400 0 0	366 10 8	1	Assistant Inspector	300	20	400	366 10 8	...	...	...	...
Total	2		700 0 0	...	1,000 0 0	888 14 2	2		700	...	1,000	888 14 2	...	...	...	...
GRAND TOTAL	10		...	...	...	5,148 14 2	14		...	...	...	9,815 8 10	6,380 0 0	130	...	1,583 5 4

(a) Boiler Inspectors of other Provinces are not shown as they do not affect the financial result.

Net extra expenditure=9,815-8-10 less 5,148-14-2=Rs. 4,666-10-8 a month.

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No. 5.

No. 37, Revenue, dated the 26th April 1912.

From—His Majesty's Secretary of State
for India,

To—The Government of India.

Reorganisation of the Factory Inspection Staff.

Having considered in Council the letter of Your Excellency's Government in the Finance Department, No. 38, dated 15th February last, I sanction your proposal, as summarised in paragraph 21 of that letter, for the reorganisation of the Factory Inspection Staff in India, and will take the necessary steps to appoint the three Inspectors required for Bombay, Burma, and the Punjab.

2. The Factory Inspectors in the several provinces are at present Europeans, and this will probably continue to be the case in the absence of arrangements by which Indians might obtain the requisite training. In drawing your attention to this matter I would ask you to consider whether in Bengal and Bombay, where the inspecting staff is largest, provision for this training might not be made by the creation of one or more posts of Probationary Factory Inspector. The fitness of a Probationary Inspector for responsible work might on occasions be tested by appointing him temporarily to act as an Inspector in the event of a leave vacancy.

 No. 6.

Memo. prepared by His Majesty's Secretary of State for India for distribution among the Home Office Factory Staff for the purpose of inviting applications for appointments in India.

The Secretary of State for India in Council invites applications from members of the Home Office Factory Inspection Staff for the three appointments, now vacant, in the Factory Inspection Staff in India, of which particulars are given below. Applications should in the first instance be

addressed to (? the Under Secretary of State, Home Office), and should be submitted by the 31st July at latest. The officers appointed will probably be required to leave for India at about the beginning of October.

One appointment as Inspector of Factories, Bombay Presidency.—Pay Rs. 400 a month, rising by annual increments of Rs. 30 to Rs. 900 a month (equivalent, at the existing rate of exchange, to about 32*l.*—24*l.*—72*l.* a year.) The staff in the Bombay Presidency at present consists of a Chief Inspector, on Rs. 1,000—50—1,250, and four Inspectors on Rs. 400—30—900. According to present arrangements, two inspectors are stationed in Bombay City and two at Ahmedabad. The two inspectors stationed in Bombay City receive a conveyance allowance of Rs. 40 a month each.

One appointment as Inspector of Factories, Burma.—Pay Rs. 400 a month, rising by annual increments of Rs. 30 to Rs. 1,000 a month (equivalent, as above, to 32*l.*—24*l.*—80*l.* a year). The officer appointed will for the present be sole Inspector of Factories for the whole of Burma. His headquarters will be at Rangoon. He will draw, in addition to the above pay, Burma allowance of Rs. 100 a month, subject to the condition that the continuance of this allowance will depend on any decision that may in future be arrived at on the question of Burma allowances in general.

One appointment as Inspector of Factories and Boilers in the Punjab.—Pay Rs. 400 a month, rising by annual increments of Rs. 30 to Rs. 1,000 a month (equivalent, as above, to 32*l.*—24*l.*—80*l.* a year). The officer appointed will for the present be both Inspector of Factories and Inspector of Boilers for the Punjab, and also for the North-West Frontier Province and Ajmer-Merwara.

In addition to the rates of pay set forth above, Inspectors are entitled to travelling allowances, under the condition laid down in the Civil Service Regulations, in respect of journeys performed on duty; but they will not be entitled to house allowance, and in accordance with recent practice they will not be granted exchange compensation allowance.

The officers appointed will be on probation for one year, during which period they will retain a lien on their appointments in the Home service. If at the end of the

year their appointments are confirmed, their service will become permanent and pensionable, the transfer to the Indian service being effected in accordance with the rules applicable to persons serving continuously and successively in two or more public offices. Service in India will, on confirmation, count for leave, under the European Services Leave Rules, and pension, with effect from the beginning of the probationary period.

Free first class passages to India will be provided, and a return passage in the event of any appointment being terminated at the end of the probationary period, or in the event of the officer being compelled to quit the service in India at an earlier date owing to ill-health certified to the satisfaction of Government.

Candidates should indicate their order of preference for the three appointments, and should state whether they have any special qualifications for the appointment of Inspector of Boilers.

India Office,

July 1912.

SUMMARY OF LEAVE, PENSION, AND PROVIDENT FUND REGULATIONS.

(N.B.—This appendix is compiled from the Regulations for the time being and is subject to alteration from time to time. The full leave and pension rules are contained in the Civil Service Regulations published by the Government of India.)

LEAVE.

1. The following is a summary of the principal regulations relating to leave.

(a) Short Leave.

(2) Privilege leave is holiday which may be granted to the extent of one-eleventh part of the time that an officer has been on duty without interruption; and it may be accumulated up to three months, earned by 33 months' duty. During privilege leave the officer retains a lien on his appointment, and receives an allowance equal to the salary which he would receive if he were on duty in the appointment on which he has a lien. An interval of six months must elapse between two periods of absence on privilege leave.

Privilege leave may be prefixed to furlough, special leave, or extraordinary leave without allowances. The whole period of leave thus taken in combination is known as combined leave. Combined leave cannot be granted for a shorter

period than six months, nor, except on medical certificate, may be extended beyond two years.

3. Extraordinary leave without allowances may be granted in case of necessity, and, except in certain specified cases, only when no other kind of leave is by rule admissible. It may be granted in continuation of other leave.

4. Subsidiary leave in India, usually with half average salary, may be granted to an officer proceeding on or returning from leave out of India, or on retirement, to enable him to reach the port of embarkation or to rejoin his appointment. It is admissible only at the end, and not at the beginning of combined leave.

5. Short leave is also granted to enable officers to appear at examinations, &c.

(b) *Long Leave.*

6. Furlough and special leave with allowances are admissible to an aggregate maximum amount of six years during an officer's service. The amount of furlough "earned" is one-fourth of an officer's active service, and the amount "due" is that amount less any enjoyed.

Furlough without medical certificate can, if due, be generally taken after eight years' active service, and again after intervals of not less than three years' continuous service. It is limited to two years at a time.

Furlough on medical certificate may be granted (a) to an officer who has rendered three years' continuous service, for not more than two years, but capable of extension up to three years, and (b) to an officer who has not rendered three years' continuous service, up to one year in any case, and up to such longer period, if any (but not exceeding two years) as the officer may have furlough "due" to him.

7. The allowances admissible during furlough are:—

- (1) During the first two years of furlough without medical certificate and during so much of furlough with medical certificate as may be "due,"—half average salary subject to certain maximum and minimum limits.
- (2) After the expiration of the period for which the foregoing allowances are admissible,—one quarter

of average salary, subject to certain maximum and minimum limits.

8. Special leave may be granted at any time for not more than six months, with intervals of six years' service; allowances, calculated as during furlough, are given during the first six months only, whether taken in one or more instalments.

General Rules.

9. Leave of absence, whether on furlough or on privilege leave, can never be claimed as of right, and is given or refused at the discretion of Government.

10. When leave allowances other than privilege leave pay are paid at the Home Treasury, or in a Colony where the standard of currency is gold, rupees are converted into sterling at the rate of exchange fixed for the time being for the adjustment of financial transactions between the Imperial and Indian Treasuries, unless any other rate has been exceptionally authorised. But for the present the rate of conversion is subject to a minimum of 1s. 6d. to the rupee. Privilege leave pay when issued from the Home Treasury (this is only admissible when privilege leave is combined with other leave) is converted at 1s. 4d. to the rupee.

PENSION.

11. The amount of pension or gratuity is regulated as follows:—

After a service of less than 10 years. A gratuity not exceeding one month's emoluments for each completed year of service.

After a service of not less than 10 years. A pension not exceeding the following amounts:—

Years of Completed Service.	Maximum Limit of Pension.
	Rs.
10	2,000 a year
11	2,200 "
12	2,400 "
13	2,600 "
14	2,800 "
15	3,000 "
16	3,200 "
17	3,400 "
18	3,600 "
19	3,800 "
20	4,000 "
21	4,200 "
22	4,400 "
23	4,600 "
24	4,800 "
25 and above	5,000 "

Subject to certain prescribed conditions, rupee pensions are now issued at the rate of exchange of 1s. 9d. the rupee to pensioners residing in countries in which the Indian Government rupee is not legal tender. At this rate of exchange, the pension of Rs. 5,000 admissible after 25 years' service is equivalent to 437/10s.

PROVIDENT FUND.

12. A General Provident Fund has also been established on the following basis:—

- (a) The contribution is compulsory up to $6\frac{1}{4}$ per cent. on salaries, with voluntary contributions of not more than a further $6\frac{1}{4}$ per cent. Subscriptions on leave of any kind are optional.
- (b) Compound interest on such payments is annually credited by Government to each officer subscribing, the rate being at present 4 per cent. per annum.
- (c) The sum which will thus accumulate to the credit of an officer to be his absolute property, to be handed over to him unconditionally on quitting the service; or in the event of his death before retirement, to his legal representatives.
- (d) Other forms of life insurance will, however, if they fulfil certain conditions, be accepted in lieu of the contributions in (a).

No. 7.

No. 4942, dated the 29th July 1912.

From—The Secretary to the Government of Bombay, General Department.

To—The Secretary to the Government of India, Department of Commerce and Industry.

I am directed to refer to paragraph 2 of your letter No. 4127-4137-16, dated the 25th May 1912, in which the Government of India have called for an expression of the opinion of the Government of Bombay on the question raised by the Secretary of State whether in the provinces in which the Factory Inspection Staff is largest provision cannot be made for the training of Indians for employment as Factory Inspectors by the creation of one or more posts of probationary Factory Inspector.

2. In reply, I am to state that the Governor in Council is of opinion that it would not be advisable for the present to appoint an Indian as Factory Inspector in

this Presidency even on probation. A large number of Factories in Bombay are managed by Europeans and many of them employ a considerable staff of European foremen and workmen. In such circumstances only an Indian of exceptionally wide practical experience, intelligence, force of character and commonsense would be able to carry out the duties of Inspector efficiently, and such a person would not be attracted by the small pay which a probationary appointment would offer. The importance of securing none but the best men available for the administration of the new Act is so great that His Excellency the Governor in Council, while recognising the desirability on other grounds of preparing for the ultimate employment of Indians in this branch of Government service, deprecates the adoption of a step which would in his opinion tend to the lowering of its standard of efficiency, and which might, if adopted prematurely, lead to conclusions detrimental to the ultimate attainment of an object to the importance of which His Excellency in Council is fully alive.

No. 8.

No. 6971, dated the 7th December 1912.

From—The Secretary to the Government of Bengal, General Department,

To—The Secretary to the Government of India, Department of Commerce and Industry.

I am directed to refer to your letter No. 4127-4137-16, dated the 25th May 1912, in which you ask for an expression of opinion of this Government on the suggestion made by the Secretary of State for India, for the creation of posts of probationary Factory Inspector in the Presidencies of Bengal and Bombay where the inspecting staff is largest, in order to provide for the training of Indians as Inspectors of Factories.

2. In reply, I am to forward, for the information of the Government of India, the accompanying copies of the replies of the Government of Bihar and Orissa and the Administration of Assam, who were consulted by this Government on the proposal, these provinces being served by the Bengal Factory Staff. It will be noticed that the Government of Bihar and Orissa would have no objection to an Indian probationary Inspector of Factories being appointed occasionally to act as an Inspector of Factories in that province, while the Chief Commissioner of Assam supports the

proposal that Indians should be trained for employment as Factory Inspectors. I am, however, to observe, that by far the greater portion of the work of the Bengal Factory Staff lies in the large mills which are situated in the neighbourhood of Calcutta. These mills, with a labour force of about 2,00,000 men, women, and children, are owned and managed by Europeans, and the local officers are practically unanimous in their opinion that the appointment of Indian Factory Inspectors would be likely to lead to friction with the European Staff in the mills. It would probably not be impossible to find Indians who could be educated up to the necessary standard of professional skill in regard to such matters as machinery, ventilation, etc., but this, though essential, is not the only necessary qualification of a good Inspector. An equally essential requirement is tact in getting abuses put right without friction, and this quality cannot be taught. The managers and assistants in the factories and mills are mostly Europeans whose education, apart from technical matters, is not of a high order. Such men are generally quick to resent what they consider to be interference, especially on the part of Indian officers. As long as the present conditions exist, the Governor in Council is clearly of opinion that only European Factory Inspectors should be employed in the area around Calcutta.

3. His Excellency in Council does not therefore propose at present to train Indians for employment as Inspectors of Factories, though where the number of factories managed by Indians is considerable, such a course might be advisable.

No. 2704-M., dated the 3rd August 1912.

From—The Officiating Secretary to the Government of Bihar and Orissa, Financial and Municipal Departments,

To—The Secretary to the Government of Bengal, General Department.

I am directed to acknowledge the receipt of Mr. Reid's Memorandum No. 3577, dated the 8th July 1912, and its enclosures, in which the opinion of this Government has been asked on the subject of the training of Indians for employment as Factory Inspectors.

2. In reply, I am to say that the matter hardly affects this province, as it will not possess a separate Factory Inspecting staff of its own. Should, however, a

post of probationary Inspector be created by the Government of Bengal, the Lieutenant-Governor in Council would have no objection to that officer being appointed occasionally to act as an Inspector of Factories.

No. 2304-M., dated the 5th August 1912.

From—The Second Secretary to the Chief Commissioner of Assam,

To—The Secretary to the Government of Bengal, General Department.

I am directed to acknowledge the receipt of your Memorandum No. 3578, dated the 8th July 1912, asking for an expression of opinion on the suggestion made by the Secretary of State regarding the training of Indians for employment as Factory Inspectors, and to say that the Chief Commissioner supports the proposal.
