

**New Labour Codes of India**  
**Professor K. D. Raju**  
**Rajiv Gandhi School Intellectual Property Law**  
**Indian Institute of Technology, Kharagpur**  
**Lecture 57**  
**Beedi and Cigar workers (Kerala & West Bengal Legislations)**

Dear students. In this class, we are going to discuss about the working conditions of beedi and cigar workers, specifically, the provisions of the Central Act. And also, we have to look into two state legislations, important provisions of two state legislations that are of the Kerala legislation and the West Bengal legislation which have made two old legislations which are made specifically for the welfare of beedi and cigar workers.

So, beedi and cigar workers are also like the mine workers whom we discussed very few generous classes because of their high risk. But when it comes to the beedi and cigar workers, the question is whether there is also a special class of workers because most of the beedi and cigarette workers work from their home premises. They work from their own homes.

So, the question is whether they are going to become under the purview of the definition of workers and also whether the welfare provisions are applicable to them and whether an employer-employee relationship exists between their employees and employees. So, all these are questions in the post-independent time.

So, that is why the State Governments thought that there must be some kind of welfare provisions to be there for this particular class of people. That is why the State Governments came out with special welfare provisions and then the Central law also came up with special provisions for the welfare of the beedi and cigar workers.

(Refer Slide Time: 01:57)

### CONCEPTS COVERED

- Beedi and Cigar workers Working conditions
- State Acts of Kerala and West Bengal

### KEYWORDS

- Beedi and cigar workers
- Licence to industrial premises and person
- Appeals
- Employees outside industrial premises
- Self-employed person
- Private dwelling houses

And the beedi and cigar workers because these are a highly unorganized class of workers, those who are working from their own private buildings, houses and mostly, most of the working conditions, they took the raw materials from their employees or the so-called owners of these beedi and cigar owners and they work in their own families. And maybe all family members may be involved in the manufacturing of beedis or cutting the leaves. And then once the product is ready then it is transported back to the owners of this particular factory and then they are getting the remuneration.

(Refer Slide Time: 02:48)



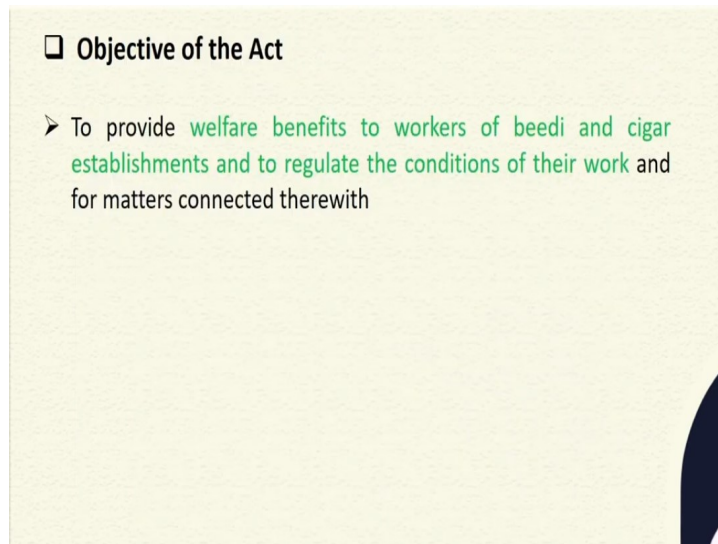
So, the question is whether they are piece rate workers, so, whether they are full-time workers or whether the working conditions are applicable to them. So, the most important factor is women workers. The largest number of women workers are working in this beedi making or the cutting of leaves and then the beedi making process.

(Refer Slide Time: 03:21)



And the Central Act the Beedi and Cigar Workers Conditions of Employment Act came into existence in 1966 and is repealed now with the new code. So, in 1966 the Central Act came into existence.

(Refer Slide Time: 3:43)

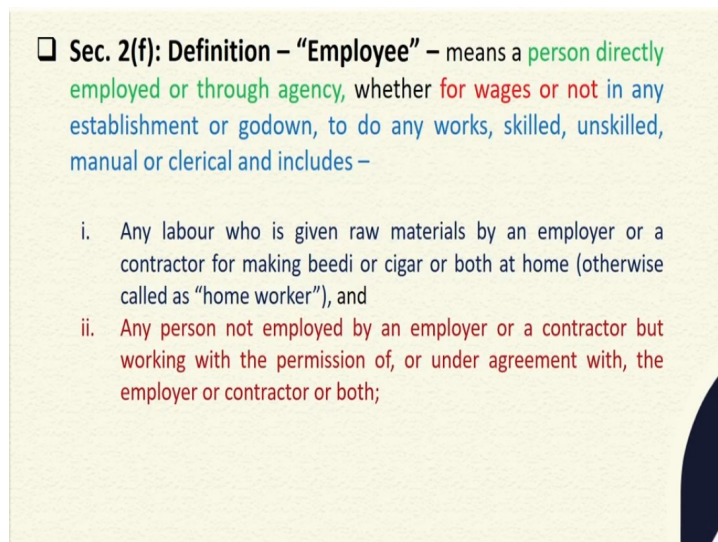


□ **Objective of the Act**

- To provide welfare benefits to workers of beedi and cigar establishments and to regulate the conditions of their work and for matters connected therewith

And we can see the objective very clearly which says to provide welfare benefits to workers of beedi and cigar establishments and to regulate the working conditions of their work. So, the Act specifically came to regulate the working conditions and welfare benefits to provide welfare benefits to this particular class of workers.

(Refer Slide Time: 04:14)



□ **Sec. 2(f): Definition – “Employee”** – means a person directly employed or through agency, whether for wages or not in any establishment or godown, to do any works, skilled, unskilled, manual or clerical and includes –

- Any labour who is given raw materials by an employer or a contractor for making beedi or cigar or both at home (otherwise called as “home worker”), and
- Any person not employed by an employer or a contractor but working with the permission of, or under agreement with, the employer or contractor or both;

And the Act defines who is an employee. So, this is necessary because the main question decided by the codes at that point of time was whether there is an employer-employee relationship exists between the beedi-making workers and the employer if they are working at their own homes.

So, the definition says, an employee means a person directly employed or through a particular agency whether for wages or not in any establishment or godown to do any works, skilled, unskilled, manual or clerical which includes any labour or any labourer who is given raw materials by the employer or a contractor for making beedi or cigar or both at the home.

So, that is why they are known as home workers. As I already mentioned most of this beedi work is happening at home itself. The private homes of the workers themselves. And the raw materials are supplied by the employer or any contractor. And the second category is they work within the premises of the factories themselves.

So, any person not employed by an employer or a contractor but working with the permission of or under agreement with the employer or contractor or both, it means, if you have an agreement to make beedis, whether the raw materials are provided by the employer or not that is immaterial, if there is a contract or there is an agreement or permission of the employer, then he will come within the definition of employee for the purposes of this particular legislation.

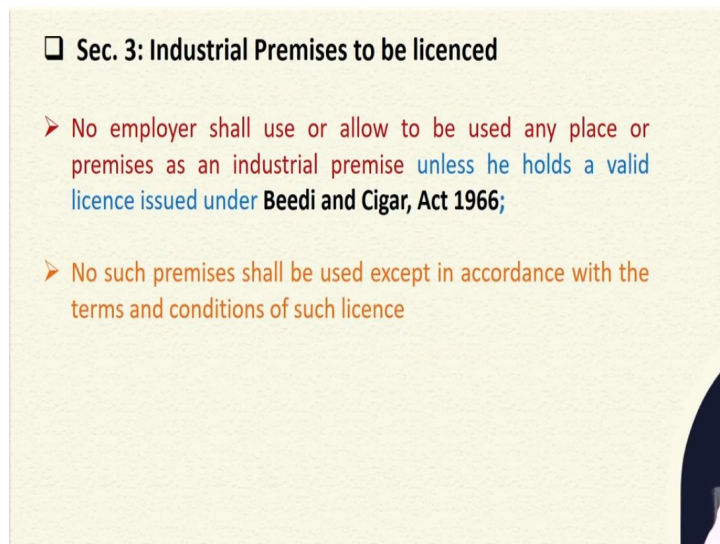
(Refer Slide Time: 06:39)

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

And also, we have seen the industrial premises which are defined in the factory Act. Here, the industrial premises are also defined. It says that means any place or premises, not being a private dwelling house, including the precincts thereof in which or in any part of which any industry or manufacturing process connected with the making of beedi or cigar or both is being or is ordinarily carried on with or without the aid of power includes a godown attached thereto.

So, the industrial premises are the factories where the people who are connected with the beedi and cigar work other than the private dwelling house. So, a private dwelling house cannot be considered as a factory or cannot be considered as industrial premises under this particular Act. So, other than this private dwelling house, it will come under the definition of industrial premises. Because, why it is excluded? If it is included, private dwelling houses included in the industrial premises then every worker has to take a license.

(Refer Slide Time: 08:03)



We will see the licensing requirements. So, here section 3 clearly mentions or requires that no employer shall use or allowed to be used any place or premises as an industrial premise unless he holds a valid license issued under the Beedi and Cigar Act of 1966. So, it means that if any employer, who are engaged in beedi or cigar making, they have to get a license under the Beedi and Cigar Act of 1966. So, the beedi and cigar premises, thus making premises will be according to the conditions in the license issued.

(Refer Slide Time: 08:57)

❑ **Sec. 4: Licences**

- Any person who intends to use or allows to be used any place or premises as industrial premises shall make an application in writing to the competent authority, for issuing of licence to use, or allow to be used, such premises as industrial premises;
- Such application shall mention the maximum number of employees proposed to be employed at any time of the day in the place or premises and shall be accompanied by a plan of the place or premises prepared as may be prescribed;
- A granted licence shall not be valid beyond the financial year in which it is granted and subjected for renewable from financial year to financial year and the renewal process shall be made at least thirty days before the expiry of the period thereof, on payment of such fees as may be prescribed;

So, if any person, any employer who intends to use any premises as industrial premises, which we have seen the definition of industrial premises except a private dwelling house has to give an application to the competent authority for issuing a license and the application should mention the maximum number of employees proposed to be employed and the plan of the place and the premises in accordance with the rules made, that rules made there under or the conditions of the licenses are mentioned. So, the license is valid only for a particular period of time and has to be renewed from time to time, renewal process. So, the renewal process requires certain inspections and also a fee also is to be paid.

(Refer Slide Time: 10:06)

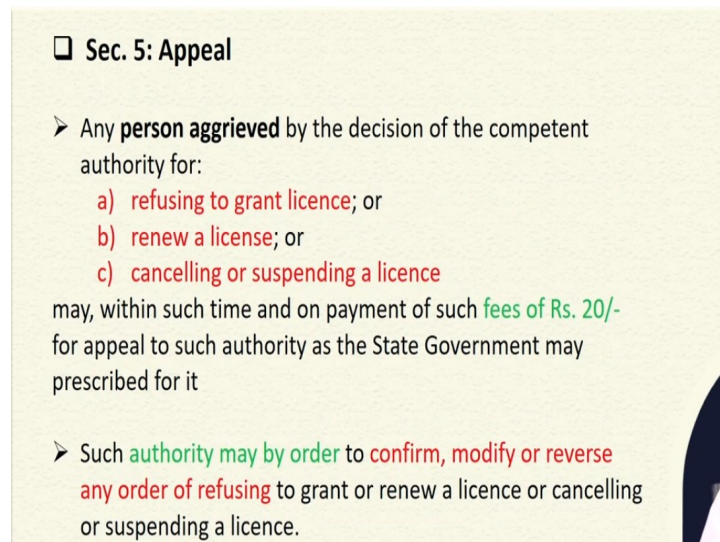
❑ **Sec. 4: Licences**

- The competent authority while, deciding whether to grant or refuse a license, have to regard the following matters:—
  - a) The suitability of the place or premises which is proposed to be used for the manufacture of beedi or cigar or both;
  - b) The previous experience of the applicant;
  - c) The financial resources of the applicant including his financial capacity to meet the demands arising out of the provisions of the laws for the time being in force relating to the welfare of labour;
  - d) Whether the application is made bona fide on behalf of the applicant himself or in Benami of any other person;
  - e) Welfare of the labour in the locality, the interest of the public generally and such other matters as may be prescribed.

And the competent authority, while deciding whether to grant or refuse a license to consider certain matters. These are the suitability of the place, and the premises proposed for manufacturing the beedi and cigar. The previous experience of the applicant, the financial resources or the financial capacity of the applicant whether we have the capacity to implement the welfare provisions in accordance with the provisions of this particular Act.

Whether the application is made bonafide on behalf of the applicant himself or whether he is a Benami person. And the welfare of the labour in the locality, the interest of the public generally and any other matters which are mentioned in the rules. So, a license for manufacturing beedi and cigarettes is to be issued sparingly. So, the authorities have to look into various matters relating to the manufacturing process of beedi and cigars.

(Refer Slide Time: 11:22)



**Sec. 5: Appeal**

- Any **person aggrieved** by the decision of the competent authority for:
  - a) **refusing to grant licence**; or
  - b) **renew a licence**; or
  - c) **cancelling or suspending a licence**may, within such time and on payment of such **fees of Rs. 20/-** for appeal to such authority as the State Government may prescribed for it
- Such **authority may by order** to **confirm, modify or reverse any order of refusing** to grant or renew a licence or cancelling or suspending a licence.

And if a license is refused, an appeal can be submitted to the Appellate Authority. And the Appellate Authority can confirm or modify or reverse the orders which cancel or suspend a particular license. So, an Appellate Authority is also to be appointed.



(Refer Slide Time: 11:49)

❑ **Sec. 6: Inspector**

- The State Government appoints such officers for any local authority as it thinks fit to be Inspectors for the purposes of this Act, 1966 and may assign to them such local limits;
- The State Government may also appoint any person to be a Chief Inspector, who shall exercise the powers of an Inspector throughout the State;
- Every Chief Inspector and Inspector shall be deemed to be a public servant u/s. 21 of the Indian Penal Code 1860

And the appointment of Inspectors under the particular Act is also very important. So, the state governments have to appoint Chief Inspector and Inspectors within the jurisdiction of the state. So, Chief Inspectors are considered to be shall responsible person for the implementation of this particular Act.

(Refer Slide Time: 12:25)

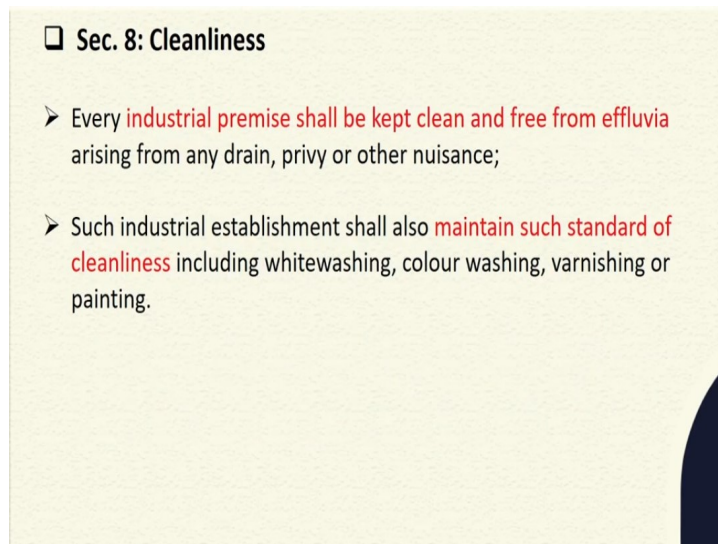
❑ **Sec. 7: Powers of Inspector**

- To make examination and hold an inquiry as may be necessary, to ascertain whether the provisions of this Act have been or are being complied with in any place or premises;
- To require the production of any prescribed register and any other document relating to the manufacture of beedi or cigar or both;
- To enter, with such assistants as he thinks fit, at all times any place or premises including the residences of employees if he has reasonable grounds for suspecting that any manufacturing process is being carried on or is ordinarily carried on in any such place or premises;

The state governments have to appoint Chief Inspectors from time to time. And the Inspectors have wide powers. They can examine and hold the inquiry into the matters relating to the application, renewal of an application and also the production of any kind of registers or any documents at any point of time.

He can enter the premises with sufficient assistants and the residences of employees to see that whether what are the facilities provided to them. And also, any premises where there are reasonable grounds for suspecting that any manufacturing process is being carried out in the particular premises, in certain premises. So, the Inspectors can enter the premises, they can examine documents and books and also, can inquire into different matters connected with beedi and cigar making.

(Refer Slide Time: 13:50)

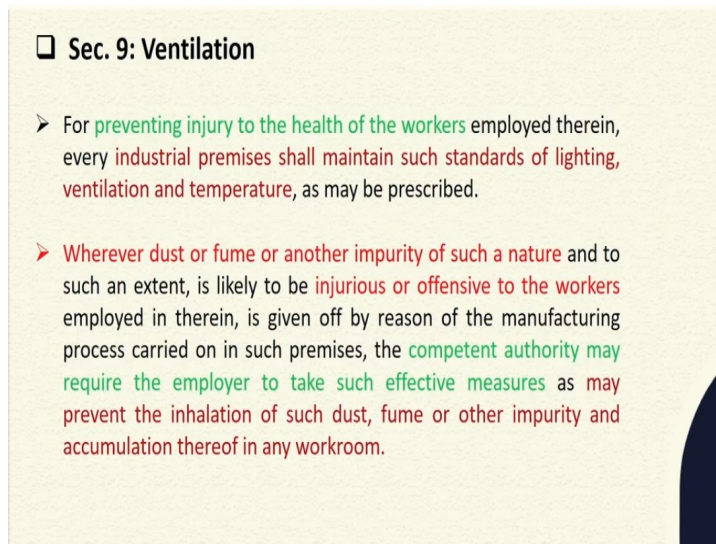


❑ **Sec. 8: Cleanliness**

- Every industrial premise shall be kept clean and free from effluvia arising from any drain, privy or other nuisance;
- Such industrial establishment shall also maintain such standard of cleanliness including whitewashing, colour washing, varnishing or painting.

And every industrial premise where beedi and cigar workers are working shall be kept clean and free from effluvia or influences and any kind of drain. Any known reason should be there. And the standard of cleanliness is whitewashing, colour washing, varnishing, painting, everything to be done that means the cleanliness of the premises is very clear. It must be very clean.

(Refer Slide Time: 14:31)

A slide with a light yellow background and a dark blue curved shape on the right side. The text is in black, with some words highlighted in green and red. The title is 'Sec. 9: Ventilation'. There are two bullet points, each starting with a red arrowhead. The first bullet point discusses preventing injury to workers' health by maintaining standards of lighting, ventilation, and temperature. The second bullet point discusses the requirement for employers to take measures to prevent the inhalation of dust, fumes, and other impurities in a workroom.

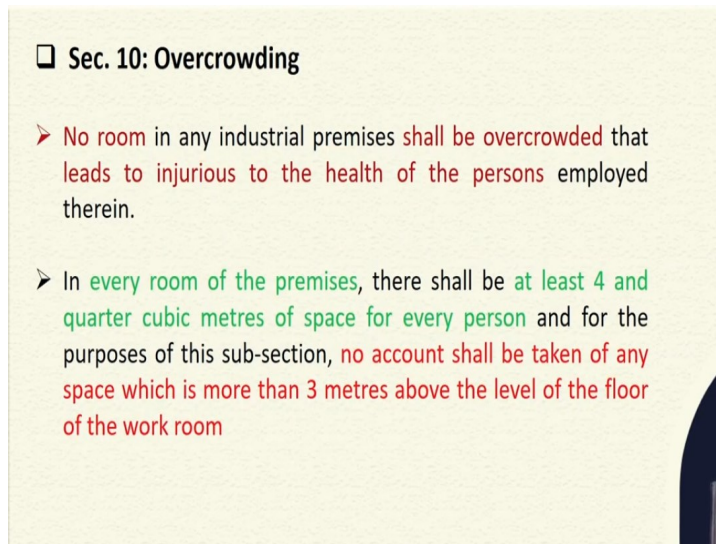
❑ **Sec. 9: Ventilation**

- For preventing injury to the health of the workers employed therein, every industrial premises shall maintain such standards of lighting, ventilation and temperature, as may be prescribed.
- Wherever dust or fume or another impurity of such a nature and to such an extent, is likely to be injurious or offensive to the workers employed in therein, is given off by reason of the manufacturing process carried on in such premises, the competent authority may require the employer to take such effective measures as may prevent the inhalation of such dust, fume or other impurity and accumulation thereof in any workroom.

And also, we can see that the premises are sufficiently ventilated because again the health conditions of the workers. The preventing injury to the health of the workers employed, the industrial premises should keep such standards of lighting, ventilation and temperature. Because the dust and fumes can be there in beedi making. And the dust and fumes and other impurities in a particular premise are very injurious and offensive to the workers.

So, health problems can come or occupational diseases can be due to this the more level of this particular dust and fumes. So, the competent authorities should employ or reinforce effective measures to prevent the inhalation of that dust and fumes and also the accumulation of impurities within the workroom of beedi and cigar workers. So, there must be proper ventilation.

(Refer Slide Time: 15:51)

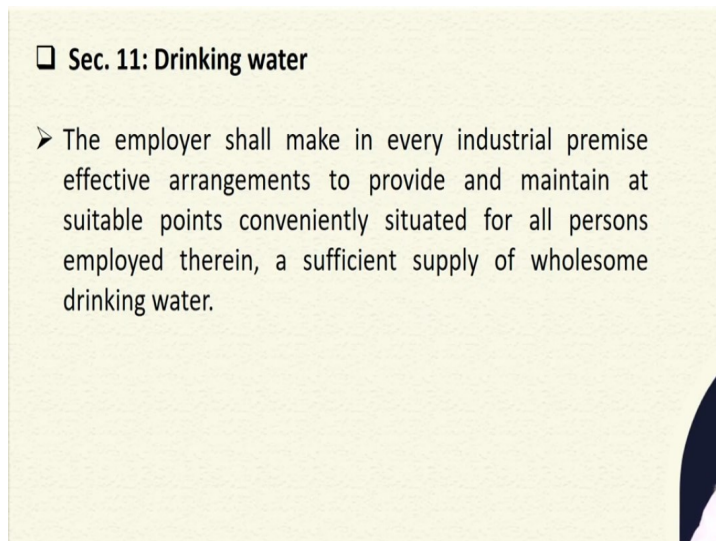


□ **Sec. 10: Overcrowding**

- No room in any industrial premises shall be overcrowded that leads to injurious to the health of the persons employed therein.
- In every room of the premises, there shall be at least 4 and quarter cubic metres of space for every person and for the purposes of this sub-section, no account shall be taken of any space which is more than 3 metres above the level of the floor of the work room

And overcrowding in a particular room has to be avoided as also which is injurious to the leads to the health of people. And every room and premises shall be at least four and a quarter cubic meters of space for every person. So, sufficient space is allotted allocated to each worker. So, sufficient space should be there so that overcrowding can be prevented in any working premises.

(Refer Slide Time: 16:29)

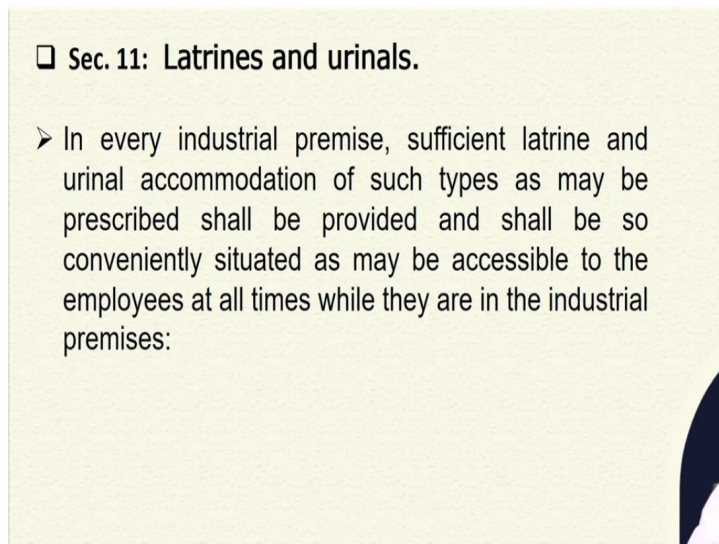


□ **Sec. 11: Drinking water**

- The employer shall make in every industrial premise effective arrangements to provide and maintain at suitable points conveniently situated for all persons employed therein, a sufficient supply of wholesome drinking water.

Drinking water facilities. Effective drinking water facilities should be provided to all beedi and cigar workers. And it should be a wholesome supply of drinking water.

(Refer Slide Time: 16:48)

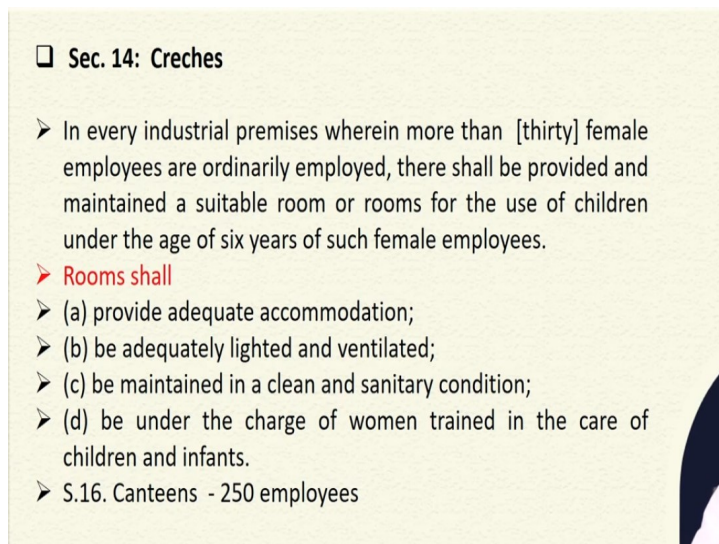


□ **Sec. 11: Latrines and urinals.**

- In every industrial premise, sufficient latrine and urinal accommodation of such types as may be prescribed shall be provided and shall be so conveniently situated as may be accessible to the employees at all times while they are in the industrial premises:

And separate provisions for latrines and urinals for male workers and female workers on the premises are to be provided.

(Refer Slide Time: 17:02)



□ **Sec. 14: Creches**

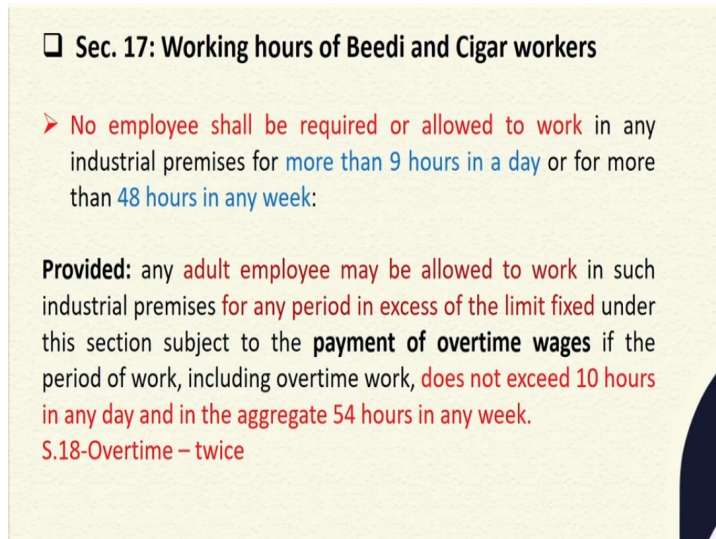
- In every industrial premises wherein more than [thirty] female employees are ordinarily employed, there shall be provided and maintained a suitable room or rooms for the use of children under the age of six years of such female employees.
- **Rooms shall**
  - (a) provide adequate accommodation;
  - (b) be adequately lighted and ventilated;
  - (c) be maintained in a clean and sanitary condition;
  - (d) be under the charge of women trained in the care of children and infants.
- S.16. Canteens - 250 employees

And also, creche facilities, where any industrial premises, where beedi and cigar working is going on, where there are 30 or more female employees are employed then the employer has to provide a creche. So, this creche will be used for children below the age of 6 of the female employees.

So, these creche rooms have adequate accommodation, are adequately lighted, adequately ventilated and always maintained in a very highly sanitary condition and the creche is to be

undertaken by a woman who is trained in the care of children and infants. If there are 250 or more workers then the canteen should be provided by the employer for those who are working in the premises.

(Refer Slide Time: 18:16)



❑ **Sec. 17: Working hours of Beedi and Cigar workers**

➤ No employee shall be required or allowed to work in any industrial premises for more than 9 hours in a day or for more than 48 hours in any week:

**Provided:** any adult employee may be allowed to work in such industrial premises for any period in excess of the limit fixed under this section subject to the payment of overtime wages if the period of work, including overtime work, does not exceed 10 hours in any day and in the aggregate 54 hours in any week.

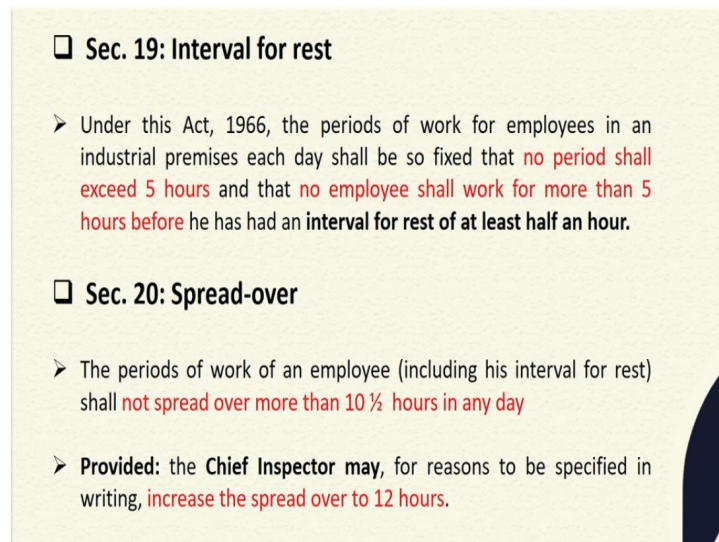
S.18-Overtime – twice

And the working hours of beedi and cigar workers are also regulated. It says that no industrial premises can employ anybody more than 9 hours in a day and 48 hours in any week. And now, it is the new code is reduced these 9 hours to 8 hours uniformly. So, the only question that rises is whether it is applicable to the beedi and cigar workers also. Because the code is uniformly applicable to all the areas which are mentioned under the code.

So, here overtime work is allowed. But again, the question. So, we are only talking about the industrial premises where the people sit and do the work. So, what about the people who are working from home? Home workers. These provisions are not applicable to home workers.

The homeworkers may work according to their convenience. So, they may work for some time and they may not work from morning to evening at a time. So, these provisions are not applicable to home workers. So, these conditions are only applicable to the workers those who are sitting and working from the industrial premises.

(Refer Slide Time: 19:42)



**❑ Sec. 19: Interval for rest**

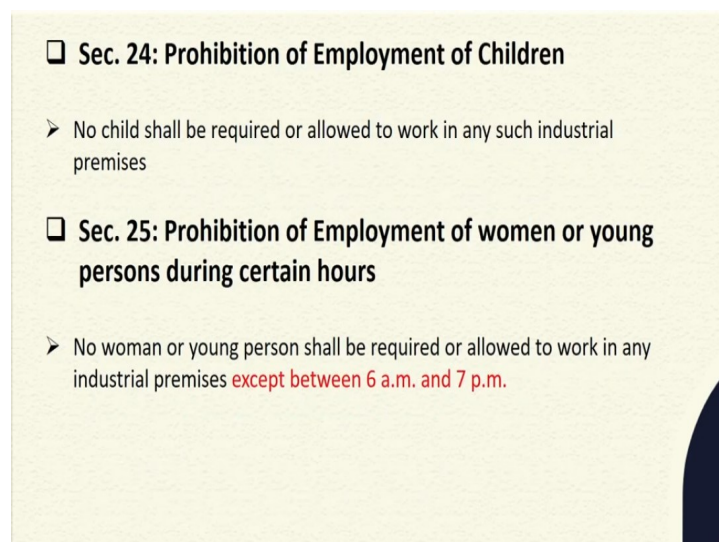
- Under this Act, 1966, the periods of work for employees in an industrial premises each day shall be so fixed that **no period shall exceed 5 hours** and that **no employee shall work for more than 5 hours before** he has had an **interval for rest of at least half an hour**.

**❑ Sec. 20: Spread-over**

- The periods of work of an employee (including his interval for rest) shall **not spread over more than 10 ½ hours in any day**
- **Provided:** the **Chief Inspector may**, for reasons to be specified in writing, **increase the spread over to 12 hours**.

And then intervals. Sufficient intervals should be provided and no workers should be worked more than 5 hours at a time there must be sufficient intervals for half an hour to be provided to every worker after 5 hours of work. And there shall not spread over any work more than 10 and a half hours on any day. So, the Chief Inspector may mention if anybody is working more than 12 hours in a day. Special reasons should be mentioned if anybody is working more than 12 hours per day or the spread over is more than 10 and a half hours on any day.

(Refer Slide Time: 20:36)



**❑ Sec. 24: Prohibition of Employment of Children**

- No child shall be required or allowed to work in any such industrial premises

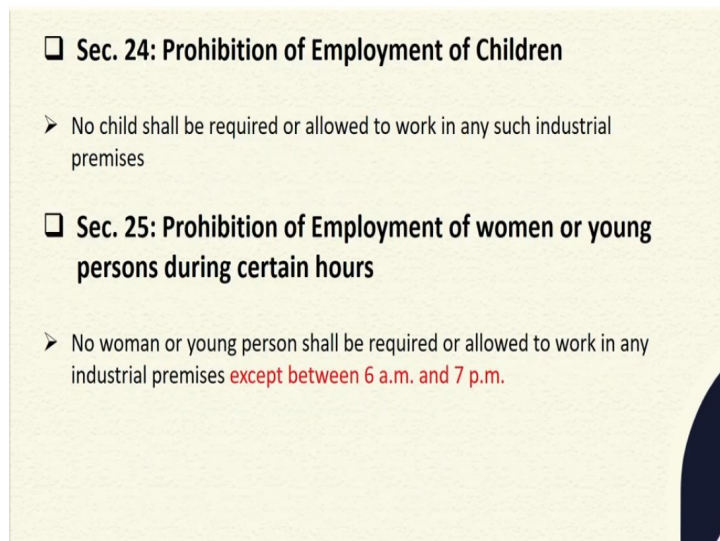
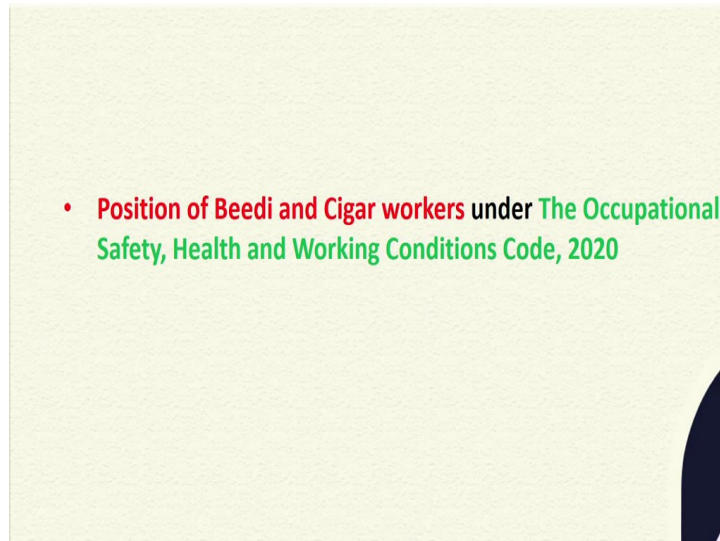
**❑ Sec. 25: Prohibition of Employment of women or young persons during certain hours**

- No woman or young person shall be required or allowed to work in any industrial premises **except between 6 a.m. and 7 p.m.**

And the Act completely prohibits using of children in any industrial premises and the prohibition of the employment of women or young persons during certain hours. So, it is

saying that from 6 am to 7 pm, no woman or young person shall be required, allowed to work in any industrial premises. Again, the question is, if they are working from home, how you are going to restrict or regulate this working time?

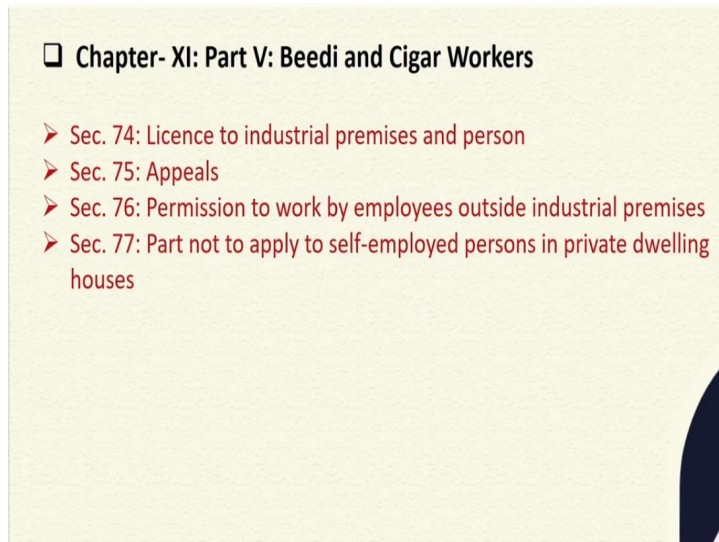
(Refer Slide Time: 21:11)



So, we looked into the Central Act. Now, we will see the relevant provisions in the Occupational Safety Health and Working Conditions Code of 2020 with regard to the beedi and cigar workers.

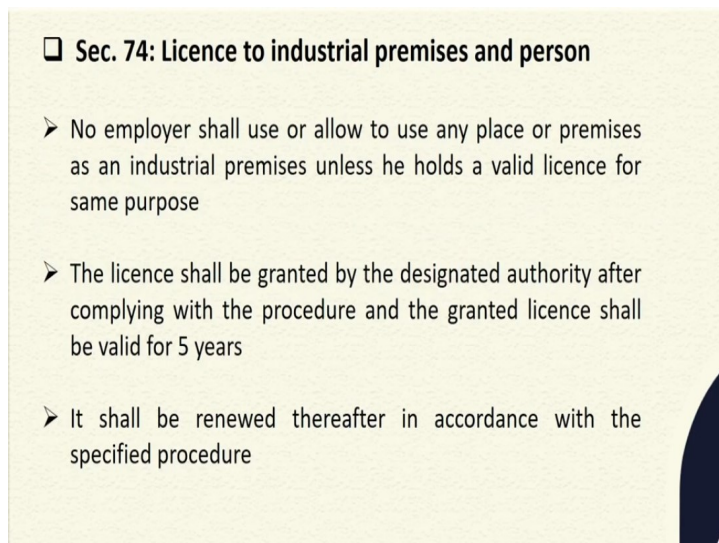


(Refer Slide Time: 21:25)



So, a few provisions are included with regard to the licenses and also the workers, employees those who are working outside the industrial premises and are not as home workers or working from private dwelling houses.

(Refer Slide Time: 21:45)



So, the new provision also says that a valid license is to be taken for making beedi and cigarettes. And now, earlier the license was valid for one year and now, the license is valid for 5 years and then it should be renewed from time to time. So, the license now, the period has been increased.

(Refer Slide Time: 22:20)

#### ❑ Sec. 74: Licence to industrial premises and person

- The authority while granting or refusing to grant licence, shall consider the following matters, namely:
  - a) The **suitability of the place or premises** which is proposed to be used for the manufacture of beedi or cigar or both;
  - b) **Previous experience of the applicant** or he has employed experienced person or has entered into agreement with the previous person for employment for the period of licence;
  - c) The **financial resources of the applicant** including his financial capacity to meet the demand arising out of the provisions under any other law, in force;
  - d) Whether the **application is made bona fide on behalf of the applicant or in benami of any other person**;
  - e) **Welfare of the labour in the locality, the interest of the public**

And the industrial premises. So, almost the grounds are the same. Suitability of the place, premises, previous experience of the applicant, the financial resources and also whether it is submitted by the applicant or his Benami and whether he has the ability to implement the labour provisions, and welfare provisions and to look into the interest of the public, generally. So, these exact provisions are included.

(Refer Slide Time: 23:00)

#### ❑ Sec. 75: Appeals

- Any person **being aggrieved by the decision of the authority for refusing to grant or renew or cancelling or suspending the licence**, may **prefer an appeal to the appellate authority**;
- Such **authority may by order confirm, modify or reverse any order of refusing to grant or renew a licence or cancelling or suspending a licence**

And appeal. Appellate authorities were also appointed. So, refusal of license or suspension of license, the renewal of license, cancellation of license, all this can be appealed to the appellate authority.

(Refer Slide Time: 23:23)

❑ **Sec. 76: Permission to work by employees outside industrial premises**

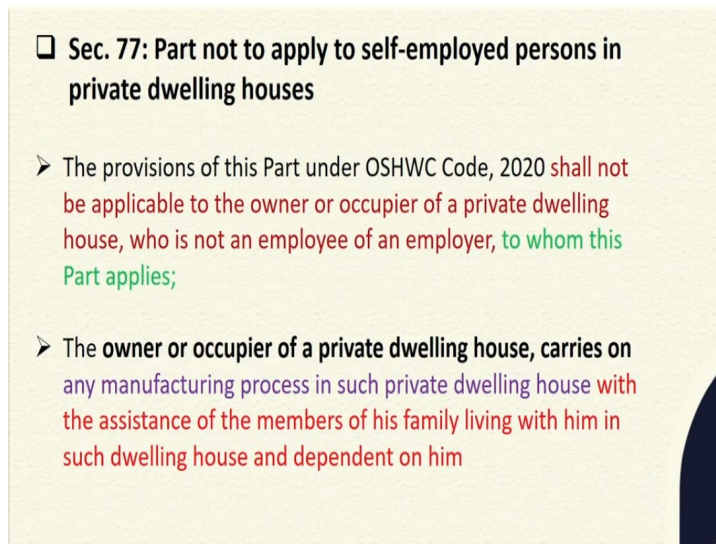
- On the application of the employer on behalf of his employees, the State govt may permit the wetting or cutting of beedi or tobacco leaves by employees outside the industrial premises;
- The employer shall maintain the record of the work permitted, to be carried on outside the industrial premises, in the prescribed form and manner;
- But no employer shall require or allow any manufacturing process connected with the making of beedi or cigar or both to be carried on outside the industrial premises;

**PROVIDE – Nothing shall be applicable to the worker who is given raw material by an employer or a contractor to make beedi or cigar or both at home**

And also, the new provision Section 76, permits employees to work outside the industrial premises. So, here, on the application of the employer and can make on behalf of the employees, the state government should permit the wetting or cutting of beedi or tobacco leaves by employees outside the industrial premises.

So, that means the cutting of the leaves and wetting can be done outside the premises. But the employer has to keep a record of the work permitted and appropriate applications to be made to this the state government for such permissions. And no employer should require or allow any manufacturing process connected with the making of beedi or cigar carried out outside the industrial premises without the permission of the state governments. So, but, if the raw material is provided by the employer or the contractor and the beedi-making or the cigarette-making is done at home then these provisions are not applicable. These provisions are not applicable in such cases.

(Refer Slide Time: 24:53)



❑ **Sec. 77: Part not to apply to self-employed persons in private dwelling houses**

- The provisions of this Part under OSHWC Code, 2020 shall not be applicable to the owner or occupier of a private dwelling house, who is not an employee of an employer, to whom this Part applies;
- The owner or occupier of a private dwelling house, carries on any manufacturing process in such private dwelling house with the assistance of the members of his family living with him in such dwelling house and dependent on him

There are a lot of self-employed persons in private dwelling houses, those who make, those who cut the leaves, those who wet the leaves and then make the beedi or cigarettes. And the provisions of this Act is not applicable to the people who are working in private dwelling houses he is working from their own home.

So, if the owner or occupier of a private dwelling house carries on any such manufacturing process in such private dwelling houses with the assistance of his family members or other members in him or depend upon him then also this particular code is not applicable. So, it means that the beedi making or cigar making happening in the dwelling houses or private houses would not come under the purview of the provisions of this particular code.

(Refer Slide Time: 26:03)

- **Position of Beedi and Cigar workers under Kerala State Legislation**



Source – Kerala Dinesh BWCCS Ltd. Kannur, Kerala; keraladinesh.com

And we can see that in this specific state, some of the states run cooperative societies, the largest cooperative societies for making, beedi making and one such cooperative society which you can find in Kerala, in the state of Kannur, in the district of Kannur. So, a cooperative society, it makes beedi and cigarettes, which employs more than one lakh movement workers. So, that is why the state governments come out with welfare provisions and legislations, specifically.

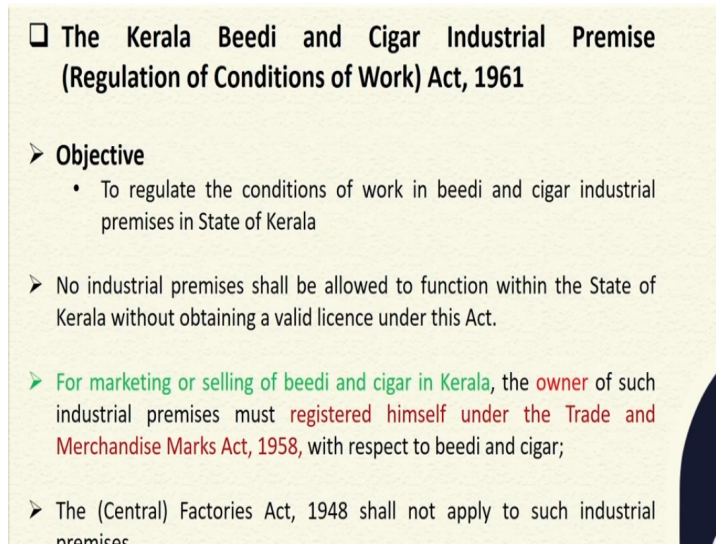
(Refer Slide Time: 26:46)

- **Enactments of State of Kerala**
  - The Kerala Beedi and Cigar Industrial Premise (Regulation of Conditions of Work) Act, 1961
  - The Kerala Beedi and Cigar Workers' Welfare Fund Act, 1995

So, one such legislation is the Kerala Beedi and Cigar Industrial Premises (Regulation of Conditions of Work) Act, 1961. So, this is one of the first legislations that came to regulate

the working conditions of beedi and cigarette workers. And the Kerala government also come out with the Kerala beedi and Cigar Workers Welfare Fund 1995, in order to provide various facilities and various social security for the beedi and cigar workers.

(Refer Slide Time: 27:25)



**❑ The Kerala Beedi and Cigar Industrial Premise (Regulation of Conditions of Work) Act, 1961**

- **Objective**
  - To regulate the conditions of work in beedi and cigar industrial premises in State of Kerala
- No industrial premises shall be allowed to function within the State of Kerala without obtaining a valid licence under this Act.
- For marketing or selling of beedi and cigar in Kerala, the owner of such industrial premises must registered himself under the Trade and Merchandise Marks Act, 1958, with respect to beedi and cigar;
- The (Central) Factories Act, 1948 shall not apply to such industrial premises

We will see, very quickly see the very important provisions of this particular Act as the first legislation that came into existence in India for regulating the beedi and cigar workers. So, the objective of this particular state Act clearly says that to regulate the conditions of work on beedi and cigar industrial premises in the state of Kerala and clearly says that a license is required, a valid license is required to carry out the beedi and cigar making.

And marketing and selling of beedi, the owner of such industrial premises also had, so has to take a license or he must be registered under the Trade and Merchandise Act of 1958. And also, he should get a registration under The Central Factories Act 1948 and the Factories Act is not applicable to these premises, where beedi and cigarettes are manufactured. Because this is special legislation. So, the general Factories Act is not applicable in the case of beedi manufacturing beedi and cigar manufacturing.

(Refer Slide Time: 28:49)

❑ **The Kerala Beedi and Cigar Workers' Welfare Fund Act, 1995**

➤ **Objective**

- To establish a fund to grant relief to, promote the welfare of and to pay pension to beedi and cigar workers as well as to self-employed persons to beedi and cigar industries, established in State of Kerala;

➤ **Beedi and Cigar Workers' Welfare Fund Scheme** – the govt framed such Scheme to establish the welfare fund for the workers and for the self-employed persons employed/engaged in beedi and cigar industries;

➤ The fund receives grants from the Central govt/ State govt, or donations from whatever source, or penalties and fines imposed under this Act/any other law, etc

So, it is the welfare fund is constituted by the state government. It says that to promote the welfare and to pay pensions to beedi and cigar workers as well as to self-employed persons to beedi and cigar industries, established in the state of Kerala. So, the Welfare Fund Scheme is to provide a pension for workers and also people who are self-employed in various cigarette industries. And the fund receives, grants from the Central Government, State Governments and also donations and also the penalties and fines imposed also will come to this particular welfare fund.

(Refer Slide Time: 29:34)

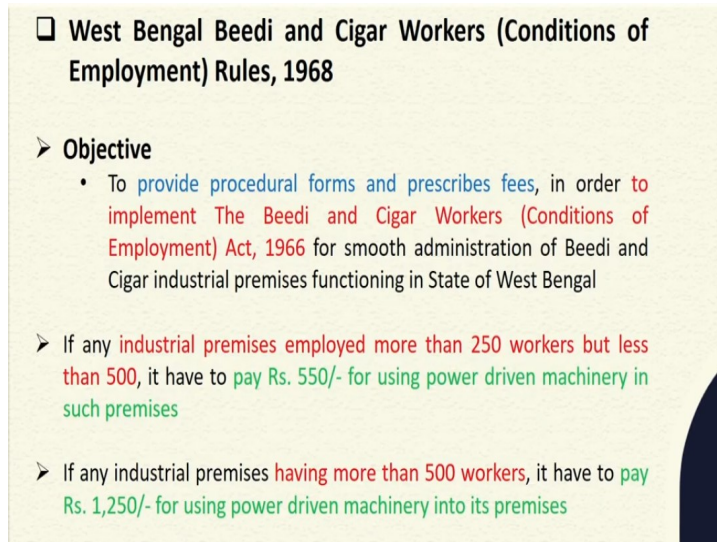
• **Position of Beedi and Cigar workers under West Bengal Legislat**



Source – Beedi and Cigar workers in WB: rediff.com

If you look into West Bengal another State came out with legislation for the regulation of beedi and cigar workers.

(Refer Slide Time: 29:44)



❑ **West Bengal Beedi and Cigar Workers (Conditions of Employment) Rules, 1968**

➤ **Objective**

- To provide procedural forms and prescribes fees, in order to implement The Beedi and Cigar Workers (Conditions of Employment) Act, 1966 for smooth administration of Beedi and Cigar industrial premises functioning in State of West Bengal

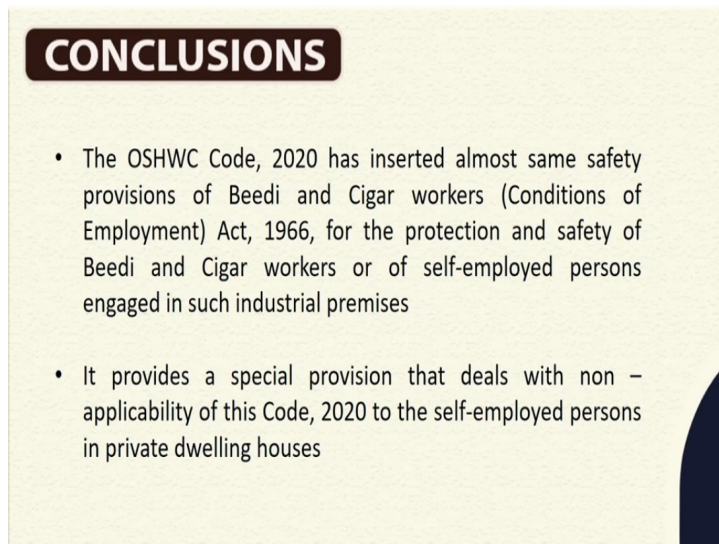
➤ If any industrial premises employed more than 250 workers but less than 500, it have to pay Rs. 550/- for using power driven machinery in such premises

➤ If any industrial premises having more than 500 workers, it have to pay Rs. 1,250/- for using power driven machinery into its premises

So, it is a little bit later on this Act the West Bengal Beedi and Cigar Workers (Conditions of Employment) Rules 1968 come on the same lines as the legislation in Kerala and says that the smooth administration of beedi and cigar industrial premises, functioning the state of West Bengal. And but the industrial premises those who are employed more than 250 workers but less than 500 workers. So, the certain premises they have to pay 550 rupees for using power, and machinery in such premises. When an industry premise is a bigger industry premise with more than 500 workers has to pay 1250 rupees per machine and premise in this particular, under this particular Act.



(Refer Slide Time: 30:32)



**CONCLUSIONS**

- The OSHWC Code, 2020 has inserted almost same safety provisions of Beedi and Cigar workers (Conditions of Employment) Act, 1966, for the protection and safety of Beedi and Cigar workers or of self-employed persons engaged in such industrial premises
- It provides a special provision that deals with non – applicability of this Code, 2020 to the self-employed persons in private dwelling houses

So, we can see that some of the state governments come out with welfare provisions, regulation of working conditions and regulation of working hours Kerala come out with the legislation much before then the Central Act and the Central Act-The Beedi and Cigar Workers Conditions of Employment,1966, he is now repealed and also came out with new provisions in the code that is the Occupational Safety and Health Work conditions 2020.

(Refer Slide Time: 31:17)



**REFERENCES**

- Beedi and Cigar Workers (Conditions of Employment) Act, 1966
- The Occupational Safety, Health and Working Conditions Code, 2020
- The Kerala Beedi and Cigar Industrial Premise (Regulation of Conditions of Work) Act, 1961
- The Kerala Beedi and Cigar Workers' Welfare Fund Act, 1995
- West Bengal Beedi and Cigar Workers (Conditions of Employment) Rules, 1968

So, we will see that these new provisions are going to give more welfare measures to the particular sector, that is the beedi and cigar workers in the country. Thank you.